



## Legislation Details (With Text)

<b>File #:</b>	65385	<b>Version:</b>	1	<b>Name:</b>	Transit-Oriented Development Planning Discretionary Grant & Budgetment Amendment
<b>Type:</b>	Resolution	<b>Status:</b>			Passed
<b>File created:</b>	5/6/2021	<b>In control:</b>			FINANCE COMMITTEE
<b>On agenda:</b>	7/6/2021	<b>Final action:</b>			7/6/2021
<b>Enactment date:</b>	7/12/2021	<b>Enactment #:</b>			RES-21-00468
<b>Title:</b>	Amending the 2021 adopted operating budget for the Planning division (\$110,000), Economic Development Division (\$100,000), and Department of Transportation (\$80,000), authorizing the Transit General Manager to file an application for a Section 20005(b) Pilot Program for Transit-Oriented Development Planning Discretionary Grant with U.S. Department of Transportation, and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the 13 (c) agreement with Teamsters Local No. 695.				
<b>Sponsors:</b>	Satya V. Rhodes-Conway, Patrick W. Heck, Syed Abbas, Charles Myadze, Sheri Carter				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
7/6/2021	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24 & 2.25 - 15 Votes Required	Pass
6/21/2021	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER	Pass
6/16/2021	1	ECONOMIC DEVELOPMENT COMMITTEE	Return to Lead with the Recommendation for Approval	Pass
6/14/2021	1	TRANSPORTATION POLICY AND PLANNING BOARD - ended 3/2023	Return to Lead with the Recommendation for Approval	Pass
6/7/2021	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
5/27/2021	1	HOUSING STRATEGY COMMITTEE (end 11/2024)	Return to Lead with the Recommendation for Approval	Pass
5/18/2021	1	FINANCE COMMITTEE	Referred	
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5/18/2021	1	FINANCE COMMITTEE	Referred	
5/18/2021	1	COMMON COUNCIL	Refer	Pass
5/11/2021	1	Department of Planning and Community and Economic Development	Referred for Introduction	

### Fiscal Note

The proposed resolution authorizes the application and acceptance of a Transit-Oriented Development Planning Discretionary Grant from the U.S. Department of Transportation and amends the 2021 adopted operating budgets for the Planning Division, Economic Development Division (EDD), and Department of

Transportation. The total \$290,000 of grant funding will be used to support planning efforts in the Planning Division, EDD, and Department of Transportation. A local match of a total of \$100,000 is committed to leverage these funds and already included in the 2021 adopted operating budget as staff time spent on tax increment financing policy and blight studies associated with the establishment of Tax Increment Districts. No additional City appropriation is required with acceptance of this grant, when awarded.

#### Title

Amending the 2021 adopted operating budget for the Planning division (\$110,000), Economic Development Division (\$100,000), and Department of Transportation (\$80,000), authorizing the Transit General Manager to file an application for a Section 20005(b) Pilot Program for Transit-Oriented Development Planning Discretionary Grant with U.S. Department of Transportation, and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the 13 (c) agreement with Teamsters Local No. 695.

#### Body

##### PREAMBLE

The Section 20005(b) Pilot Program for TOD Planning supports FTA's mission of improving public transportation for America's communities by providing funding to local communities to integrate land use and transportation planning with a new fixed guideway or core capacity transit capital investment. Under 49 U.S.C. 5338(a)(2)(B)/Section 20005(b) of MAP-21/FAST Act, \$6.2 million in funds were made available for this program. The City of Madison was awarded \$290,000 for inter-agency Transit-Oriented Development (TOD) Planning effort to support inclusive (re)development along the East-West Bus Rapid Transit (BRT) Corridor. The multi-year, coordinated effort will further several recommendations in the City of Madison Comprehensive Plan as the City prepares for BRT in the coming years.

This resolution amends the 2021 adopted operating budget to add a total of \$290,000 in federal fund revenue and amend expense authority as follows:

- \$110,000 to the Planning Division to support \$60,000 toward staff salaries and benefits for an analysis of recommendations in adopted plans near planned BRT stations and creation of redevelopment concepts for ten sites along the East-West BRT Corridor, and \$50,000 toward purchased services for the development of a Transit-Oriented Development Overlay Zoning Ordinance.
- \$100,000 to the Economic Development Division for consultant work to complete a market study, land-banking analysis, and marketing plan for (re)development along the East-West BRT Corridor
- \$80,000 to the Department of Transportation for consultant work to prioritize pedestrian and bicycle infrastructure improvements near planned BRT stations.

The local match to these federal funds comes from a combination of \$80,000 in blight studies and \$20,000 in staff time to work on Tax Incremental Financing policy for a total of \$100,000 included in the PCED - Office of the Director and Economic Development Division's 2021 adopted operating budgets.

**WHEREAS**, The United States Department of Transportation recently awarded the City of Madison a competitive Section 20005(b) Pilot TOD Planning grant to support interagency efforts to support the creation of a TOD Overlay Ordinance, prioritize City of Madison investment in land along the East-West BRT Corridor for inclusive (re)development, and to prioritize City of Madison investment in pedestrian and bicycle infrastructure along the East-West BRT Corridor, and;

**WHEREAS**, The City of Madison Comprehensive Plan, adopted in 2018, recommends implementation of TOD overlay zoning along BRT corridors to create development intensity minimums, reduce parking requirements, and support transit use (Land Use and Transportation Strategy 5, Action A), and;

**WHEREAS**, The Comprehensive Plan also recommends preparation of detailed plans for BRT corridors to guide redevelopment and improve pedestrian and bicycle linkages (Land Use & Transportation Strategy 2, Action B), and;

**WHEREAS**, The Comprehensive Plan also recommends integrating BRT-supportive features into street reconstruction and development projects along BRT corridors wherever feasible (Land Use & Transportation Strategy 2, Action C), and;

**WHEREAS**, The Comprehensive Plan also recommends the proactive filling of gaps in the pedestrian and bicycle network (Land Use & Transportation Strategy 8, Action A), and;

**WHEREAS**, The Comprehensive Plan also recommends support for integrating a mix of housing types and neighborhood amenities near existing transit corridors (Neighborhoods & Housing Strategy 1, Action C), and;

**WHEREAS**, The Comprehensive Plan also recommends taking a proactive approach to finding and marketing housing development opportunities to development partners (Neighborhoods & Housing Strategy 3, Action C), and;

**WHEREAS**, The Comprehensive Plan also recommends exploration of how TIF could be better utilized to fund affordable housing (Neighborhoods & Housing Strategy 4, Action B), and;

**WHEREAS**, The multi-agency efforts to be supported by the FTA grant will support each of these recommendations in the Comprehensive Plan by promoting transit-oriented development through zoning changes and through the prioritization of City investment in inclusive development and bicycle and pedestrian infrastructure improvements, and;

**WHEREAS**, as a condition of the assistance, the City of Madison must provide all annual certifications and assurances required by FTA and negotiate an agreement relating to the protection of mass transit employees under the provisions of Section 5333(b), formerly Section 13 (c) of the Federal Transit Act, as amended; and

**WHEREAS**, the U.S. Department of Transportation's Master Agreement contains a provision which requires the City to indemnify, save and hold harmless the Federal Government against any liability, including costs and expenses, resulting from any willful or intentional violation by the City of Proprietary rights, copyrights, or right of privacy, arising out of the publication, translation, reproduction, delivery, use, or disposition of any data furnished under the projects; and

**WHEREAS**, pursuant to APM 1-1, the inclusion of such a provision requires the express approval of the Common Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the Transit General Manager is authorized to execute and file applications for capital assistance for the Section 20005(b) Pilot Program for Transit-Oriented Development Planning Discretionary Grant program on behalf of the City of Madison with FTA for Federal assistance authorized by 49 U.S.C. 5338(a)(2)(B)/Section 20005(b) of MAP-21/FAST Act, or other Federal Statutes authorizing the above-mentioned projects set forth in the preamble and administered by FTA;

**BE IT FURTHER RESOLVED**, that the 2021 adopted operating budget is amended to allocate a total of \$290,000 in federal sources and expense authority to the Planning Division - Comp Planning & Development Review salaries and benefits (\$60,000), Planning Division - Comp Planning & Development Review purchased services (\$50,000), Economic Development Division - Office of Real Estate Services purchased services (\$100,000), and Department of Transportation - Transportation Management purchased services (\$80,000) and use the necessary funding from the adopted 2021 operating budgets as local match to the Federal grant award;

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are authorized to execute grant agreements for the aforementioned applications;

**BE IT FURTHER RESOLVED**, that the agreements with FTA will contain indemnification provisions negotiated by and acceptable to Metro staff, the City Attorney and the Risk Manager;

**BE IT FURTHER RESOLVED**, that while the indemnification clause increases the City's exposure to risk; the

City has coverage for indemnification clauses under its current insurance policy, subject to the policy's terms and conditions;

**BE IT FINALLY RESOLVED**, that the Mayor and City Clerk are authorized to execute agreements pursuant to Section 5333(b) under the Federal Transit Act, as amended, between the City of Madison, Wisconsin and Drivers, Salesmen, Warehousemen, Milk Processors, Cannery, Dairy Employees and Helpers Union Local 695, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, with reference to this grant application.