



## Legislation Details (With Text)

**File #:** 73468 **Version:** 1 **Name:** U.S. DOT Areas of Persistent Poverty Program Grant  
**Type:** Resolution **Status:** Passed  
**File created:** 8/29/2022 **In control:** FINANCE COMMITTEE  
**On agenda:** 9/20/2022 **Final action:** 9/20/2022  
**Enactment date:** 9/22/2022 **Enactment #:** RES-22-00656  
**Title:** Authorizing the Transit General Manager to file an application for an Areas of Persistent Poverty (AoPP) Program 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.  
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### Indexes:

### Code sections:

### Attachments:

Date	Ver.	Action By	Action	Result
9/20/2022	1	COMMON COUNCIL	Adopt	Pass
9/14/2022	1	TRANSPORTATION COMMISSION	Return to Lead with the Recommendation for Common Council to Adopt	Pass
9/12/2022	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/6/2022	1	FINANCE COMMITTEE	Referred	
9/6/2022	1	COMMON COUNCIL	Referred	
8/29/2022	1	Metro Transit	Referred for Introduction	

### Fiscal Note

The proposed resolution authorizes the application and execution of a \$670,000 Areas of Persistent Poverty Program Discretionary Grant from the U.S. Department of Transportation. The funds will be used to support planning work related to North-South Bus Rapid Transit. The grant funds and local match are included within the 2023 Executive Capital Budget within the Transportation Department's North-South Bus Rapid Transit capital program.

### Title

Authorizing the Transit General Manager to file an application for an Areas of Persistent Poverty (AoPP) Program 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

The Areas of Persistent Poverty Discretionary program provides funding to state and local governmental authorities for planning, engineering, or development of technical or financing plans for projects that assist areas of persistent poverty. Under Chapter 53 of title 49, United States Code and FY20 & FY21 Consolidated Appropriations Acts, \$16.26 million in funds were made available for this program. The City of Madison was awarded \$670,000 for planning work for Madison's BRT Green Line, bringing a much higher quality of transit

service to low income neighborhoods on Madison's north and south sides.

**WHEREAS**, The United States Department of Transportation recently awarded the City of Madison's Metro Transit Division a highly competitive Areas of Persistent Poverty Discretionary grant to support the planning work for Madison's BRT Green Line, bringing a much higher quality of transit service to low income neighborhoods on Madison's north and south sides; and

**WHEREAS**, Resolution 67119 passed on October 5, 2021 Supporting Madison Metro's Areas of Persistent Poverty Grant Application to Federal Transit Administration indicated that "if the Federal Transit Administration awards the City of Madison a grant of up to \$850,000 for planning work for Madison's BRT Green Line, bringing a much higher quality of transit service to low income neighborhoods on Madison's north and south sides, the City of Madison would provide the match funds required, up to \$100,000"; 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 BY THE COMMON COUNCIL OF THE CITY OF MADISON:**

1. That the Transit General Manager is authorized to execute and file applications for the Areas of Persistent Poverty Discretionary Grant program on behalf of the City of Madison with FTA for Federal assistance authorized by Chapter 53 of title 49, United States Code, or other Federal Statutes authorizing the above-mentioned projects set forth in the preamble and administered by FTA.
2. That the Mayor and City Clerk are authorized to execute grant agreements for the aforementioned applications.
3. That the agreements with FTA will contain indemnification provisions negotiated by and acceptable to Metro staff, the City Attorney and the Risk Manager.
4. 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.
5. 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.