

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINNESOTA DEPARTMENT OF TRANSPORTATION, THE LA CROSSE
METROPOLITAN PLANNING ORGANIZATION AND THE PUBLIC TRANSPORTATION
OPERATOR**

1. **PARTIES.** The parties to this Memorandum of Understanding (MOU) are the State of Minnesota Department of Transportation (MnDOT), the La Crosse Area Planning Committee, acting as the La Crosse Metropolitan Planning Organization (MPO), and the La Crosse Municipal Transit Utility, the operator of publicly owned transit services (Public Transportation Operator).
2. **LEGAL AUTHORITY.** This MOU is not a legally binding agreement and creates no legally binding obligations for any party. Because of the mutual desire to proceed and achieve the goals stated in this MOU, each party fully intends to make a good faith effort to achieve the goals described below to work together to comply with the federal and state laws.
3. **PURPOSE.** The purpose of this MOU is to establish and maintain a continuing, cooperative, and comprehensive (3-C) metropolitan transportation planning and programming process as defined and required by the United States Department of Transportation (USDOT) regulations 23 CFR 450 Subpart A – *Transportation Planning and Programming Definitions*; 23 CFR 450 Subpart C – *Metropolitan Transportation Planning and Programming*; 23 USC 134 and 135; and 49 USC 5303 and 5304.
4. **RESPONSIBILITIES.**
 - 4.1: Scope of the Metropolitan Transportation Planning Process: MnDOT, the MPO and the Public Transportation Operator will conduct a continuing, cooperative, and comprehensive metropolitan transportation planning process and provide for the consideration of projects, strategies and services that address the planning factors as specified in 23 CFR 450.306, *Scope of Metropolitan Transportation Planning Process*. The metropolitan planning process will be carried out in coordination with the state transportation planning process that is required in regulations contained in 23 CFR 450 Subpart B – *Statewide Transportation Planning and Programming*.
 - 4.2: MnDOT Family of Plans: MnDOT prepares a Family of Plans to comply with federal and state planning requirements. The Family of Plans includes four tiers of planning. The first two tiers are the statewide transportation vision and the Statewide Multimodal Transportation Plan. The third tier consists of the modal investment plans. The fourth tier is supporting plans which complement and inform the Statewide Multimodal Transportation Plan and modal investment plans. Together, these four tiers of plans provide the information that feeds into capital programs and operating plans. The main capital programming planning document is the four-year Statewide Transportation Improvement Program.

The first three tiers of the MnDOT Family of Plans comply with the federal transportation planning regulations in 23 CFR 450.214, *Development and content of the long-range statewide transportation plan*, and are developed in cooperation with the MPO.

The statewide transportation planning process is coordinated with the MPO's transportation planning activities. MnDOT works with the MPO and Public Transportation Operator in coordinating data collection and analyses that support statewide transportation planning.

4.3: Metropolitan Transportation Plan: The MPO develops and adopts a Metropolitan Transportation Plan to comply with federal regulations identified by 23 CFR 450.322, *Development and content of the metropolitan transportation plan*. The MTP includes both long-range and short-range strategies or actions that lead to the development of an integrated multimodal transportation system. The MPO, MnDOT and the Public Transportation Operator validate the data used in the planning process. The MPO, MnDOT and the Public Transportation Operator cooperatively develop revenue forecasts. The MTP reflects the active participation of all agencies responsible for transportation planning in the metropolitan planning area. It is updated on the frequency specified in federal planning regulations.

4.4: Unified Planning Work Program: As required by 23 CFR 450.308, *Funding for transportation planning and unified planning work programs*, the Unified Planning Work Program (UPWP) is an annual description and documentation of proposed transportation and transportation-related planning activities in the metropolitan planning area. It also serves as the MPO's application for USDOT transportation planning funds and state planning funds. The MPO develops the UPWP in cooperation with MnDOT and the Public Transportation Operator. The MPO approves the UPWP and submits it to MnDOT for forwarding to USDOT for its review and approval.

4.5: Transportation Improvement Program (TIP) and State Transportation Improvement Program (STIP): The TIP is a four-year multimodal program of highway, transit, bike, walk, and transportation alternative projects and programs proposed for federal funding in the metropolitan planning area. The projects in the TIP are required to be consistent with the MTP.

The MPO prepares the TIP in cooperation with MnDOT and the Public Transportation Operator. The MPO, MnDOT and the Public Transportation Operator cooperatively develop estimates of funds that are reasonably expected to be available for TIP implementation through MnDOT's District 6 Area Transportation Partnership program development process. The MPO is represented on its ATP.

The TIP is included without change in the Minnesota State Transportation Improvement Program. The STIP is a statewide prioritized listing/program of transportation projects covering a period of four years. The project lists are analyzed with respect to state and department goals, funding targets, and various federal categories. MnDOT coordinates and manages the document. As the Governor's designee, MnDOT approves the STIP and forwards it to FHWA and FTA for their joint agency review and approval action. This final approval action includes a finding that the MPO planning process meets the requirements of 23 U.S.C. 134 and 135, and 49 U.S.C. as amended. A

positive planning finding and STIP approval action allows MnDOT to request authorization of federal funds for projects programmed in the STIP and TIP.

TIP requirements are defined in 23 CFR 450.324, *Development and content of the transportation improvement program (TIP)*, and the STIP requirements are defined in 23 CFR 450.216, *Development and content of the statewide transportation improvement program (STIP)*.

4.6: Annual Listing of Obligated Projects: On an annual basis, no later than 90 calendar days following the end of the program year, MnDOT, the MPO and the Public Transportation Operator will cooperatively develop a list of projects for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year as required by 23 CFR 450.332, *Annual listing of obligated projects*.

4.7: Public Involvement Plan: The MPO adopts a Public Involvement Plan to provide citizens, affected public agencies, and all interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process and to review and comment at key decision points as required by 23 CFR 450.316, *Interested parties, participation and consultation*.

MnDOT develops and uses a documented public involvement process that provides opportunities for public review and comment at key decision points as required by 23 CFR 450.210, *Interested parties, public involvement, and consultation*.

5. **GOVERNMENT DATA.** The parties acknowledge that this MOU, as well as any data created, collected, stored, or received under the terms of this MOU, are "Government Data" within the meaning of the Minnesota Government Data Practices Act (Minnesota Statutes Chapter 13), and that they must comply with the provisions of the Act as it related to such data.
6. **EFFECTIVE DATE.** This MOU shall be effective when all appropriate signatures have been obtained by MnDOT, the MPO, and the Public Transportation Operator.
7. **MODIFICATION.** Any amendments to this MOU must be mutually agreed to in writing.

It is mutually agreed that this MOU will be reviewed (and amended as determined necessary) following the adoption of new surface transportation authorization acts.

8. **TERMINATION.** The terms of this MOU may be terminated by any one of the parties by giving 90 days written notice to each of the other parties. This MOU will remain in effect until terminated as provided in this clause, or until replaced by a new MOU.

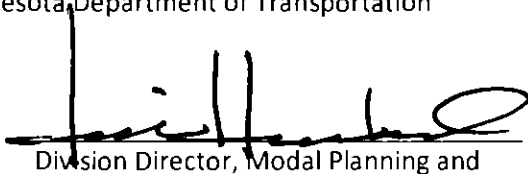
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I concur with this Memorandum of Understanding

Minnesota Department of Transportation

La Crosse Metropolitan Planning
Organization

By:



Division Director, Modal Planning and

Title: Program Management

Date:

11/30/2012

By:



Chair, La Crosse Area Planning Committee,

Title: Metropolitan Planning Organization

Date:

11-14-12

MnDOT Contract Management
(as to form)

Public Transportation Operator

By:



Date:

Dec 4, 2012

By:



Title: Mayor of La Crosse, WI

Date:

11-14-2012

RESOLUTION 9 - 2012

APPROVING THE

***Memorandum of Understanding between the Minnesota Department of Transportation,
the La Crosse Metropolitan Planning Organization and the Public Transportation
Operator***

WHEREAS, the United States Department of Transportation (USDOT) regulations require the La Crosse and La Crescent area to establish and maintain a continuing, cooperative, and comprehensive (3-C) metropolitan transportation planning and programming process, and

WHEREAS, the 3-C metropolitan planning and programming process will be accomplished by the three parties according to the Memorandum of Understanding (MOU); and

WHEREAS, the cooperating parties are the State of Minnesota Department of Transportation (MnDOT), the La Crosse Area Planning Committee, acting as the La Crosse Metropolitan Planning Organization (MPO), and the La Crosse Municipal Transit Utility, the operator of publicly owned transit services (Public Transportation Operator); and

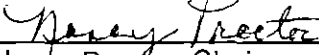
WHEREAS, the parties will have the following responsibilities as specified in the MOU:

- MnDOT, the MPO and the Public Transportation Operator will conduct a continuing, cooperative, and comprehensive metropolitan transportation planning process and provide for the consideration of projects, strategies and services that address the planning factors as specified in 23 CFR 450 306, Scope of Metropolitan Transportation Planning Process.
- MnDOT prepares a Family of Plans to comply with federal and state planning requirements. The Family of Plans includes supporting plans which complement and inform the Statewide Multimodal Transportation Plan and modal investment plans.
- The statewide transportation planning process is coordinated with the MPO's transportation planning activities. MnDOT works with the MPO and Public Transportation Operator in coordinating data collection and analyses that support statewide transportation planning.
- The MPO develops and adopts a Metropolitan Transportation Plan (MTP) to comply with federal regulations. The MTP includes both long-range and short-range strategies or actions that lead to the development of an integrated multimodal transportation system. The MPO, MnDOT and the Public Transportation Operator validate the data used in the planning process. The MPO, MnDOT and the Public Transportation Operator cooperatively develop revenue forecasts.
- As required by 23 CFR 450 308, the MPO develops a Unified Planning Work Program (UPWP). The MPO develops the UPWP in cooperation with MnDOT and the Public Transportation Operator.
- The MPO prepares a Transportation Improvement Program (TIP) in cooperation with MnDOT and the Public Transportation Operator. The MPO, MnDOT and the Public Transportation Operator cooperatively develop estimates of funds that are reasonably expected to be available for TIP implementation through MnDOT's District 6 Area Transportation Partnership program development process;

RESOLUTION 9 – 2012 (Continued)

NOW, THEREFORE, BE IT RESOLVED that the MPO approves the *Memorandum of Understanding between the Minnesota Department of Transportation, the La Crosse Metropolitan Planning Organization and the Public Transportation Operator* as being consistent with metropolitan plans and policies

LA CROSSE AREA PLANNING COMMITTEE



Nancy Proctor, Chair



Tom Faella, Executive Director

Dated: November 14, 2012



La Crosse Area Planning Committee

*Metropolitan Planning Organization
Serving the La Crosse/La Crescent Urbanized Area*

Tom Faella, Director Jackie Eastwood, Transportation Planner
La Crosse County Administrative Center
400 4th Street North ☒ Room 2300 ☒ La Crosse, WI 54601-3200
PH: 608.785.5977 or 608.785.6141 FAX: 608.793.6525

November 19, 2012

Bobbi Retzlaff, AICP
Principal Transportation Planner
MnDOT Office of Statewide Multimodal Planning
395 John Ireland Blvd, MS 440
Saint Paul, MN 55155

Re: Memorandum of Understanding between MnDOT, LAPC and MTU

Dear Ms Retzlaff,

Attached please find a signed Memorandum of Understanding (MOU) between the State of Minnesota Department of Transportation (MnDOT), the La Crosse Area Planning Committee, acting as the La Crosse Metropolitan Planning Organization (MPO), and the La Crosse Municipal Transit Utility, the operator of publicly owned transit services (Public Transportation Operator).

Also attached is a copy of the resolution approving the MOU from the November 14, 2012 LAPC meeting.

Thank you for your help with this memorandum.

Sincerely,

Tom Faella, LAPC Executive Director