Resolution _____

A Resolution Supporting and Endorsing HR4722, the Active Community Transportation Act of 2010

Introduced by_____.

WHEREAS: The City of Menasha has adopted a goal to "Support and promote the development and use of multiple modes of transportation" through its Year 2030 Comprehensive Plan; and

WHEREAS: Walking and bicycling foster safer, more livable, family friendly communities, promote physical activity and health, and reduce vehicle emissions and fuel use; and

WHEREAS: It is the policy of the United States Department of Transportation (USDOT) to incorporate safe and convenient walking and bicycling facilities into transportation projects, and has asserted that every transportation agency has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into transportation systems; and

WHEREAS: HR 4772, The Active Community Transportation Act of 2010 will create a national program to provide communities with concentrated investments to create active transportation networks – walking and bicycling facilities and programs and improved access to transit.

NOW THEREFORE BE IT RESOLVED: That the City of Menasha supports and endorses HR4722, The Active Community Transportation Act of 2010 to invest in communities that are creating safer, better walking and bicycling opportunities and improved access to transit for all their citizens.

BE IT FURTHER RESOLVED: That this resolution be forwarded to the City of Menasha's congressional delegation.

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Congress > Legislation > 2009-2010 (111th Congress) > H.R. 4722

Text of H.R. 4722: Active Community Transportation Act of 2010

Mar 2, 2010 - Introduced in House. This is the original text of the bill as it was written by its sponsor and submitted to the House for consideration. This is the latest version of the bill currently available on GovTrack.

HR 4722 IH

111th CONGRESS

2d Session

H. R. 4722

To direct the Secretary of Transportation to carry out an active transportation investment program to encourage a mode shift to active transportation within selected communities by providing safe and convenient options to bicycle and walk for routine travel, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 2, 2010

Mr. BLUMENAUER (for himself, Mr. CAPUANO, Mr. CARNAHAN, Mr. COHEN, Mr. FILNER, Mr. LIPINSKI, and Mr. MORAN of Virginia) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

---

A BILL

To direct the Secretary of Transportation to carry out an active transportation investment program to encourage a mode shift to active transportation within selected communities by providing safe and convenient options to bicycle and walk for routine travel, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Active Community Transportation Act of 2010'.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Nearly half of the trips taken in the United States are within a 20-minute bicycle ride, and a quarter of such trips are within a 20-minute walk.

(2) Approximately 90 percent of public transportation trips are accessed by walking or bicycling.

(3) More than 100 communities across the Nation have adopted complete streets policies, thereby proving the commitment of these communities to creating streets that are safe and convenient for users of all ages and abilities, including those who are walking, bicycling, taking public transportation, or driving.

(4) Communities that invest in active transportation infrastructure experience significant increases in bicycling and walking rates over time, and such investments are in strong demand because they enhance the livability of communities.

(5) The communities that perform best in encouraging active transportation create interconnected systems that make it convenient and safe to travel on foot or by bicycle to destinations on a routine basis.

(6) Achieving a mode shift to active transportation within a community requires intensive, concentrated funding of active transportation systems rather than discrete, piecemeal projects.

(7) Increased use of active transportation leads to reductions in traffic congestion, greenhouse gas emissions, vehicle miles traveled, oil dependence, air pollution, and obesity and diseases associated with physical inactivity.

(8) Given the contribution that active transportation makes to these national policy goals, and the opportunity active transportation provides to accommodate short trips at the least cost to the public and individuals, funding of active transportation is one of the most strategic and cost effective Federal transportation investments available.

SEC. 3. DEFINITIONS.

In this Act, the following definitions apply:

(1) ACTIVE TRANSPORTATION- The term 'active transportation' means mobility options powered solely by human energy, such as bicycling and walking.

(2) INDIAN TRIBE- The term 'Indian tribe' has the meaning given that term in section 4(e) of Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(3) PROGRAM- The term 'program' means the active transportation investment program established under section 4.

SEC. 4. ACTIVE TRANSPORTATION INFRASTRUCTURE INVESTMENT PROGRAM.

(a) In General- The Secretary of Transportation shall carry out an active transportation investment program in accordance with the requirements of this section.

(b) Purpose- The purpose of the program shall be to encourage a mode shift to active transportation within selected communities by providing safe and convenient opportunities to bicycle and walk for routine travel.

(c) Selection of Communities-

(1) APPLICATIONS- A community seeking to participate in the program shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

(2) INITIAL AND ADDITIONAL SELECTIONS-

(A) INITIAL SELECTIONS- The Secretary shall select initial communities to participate in the program. Such communities shall participate in the program in each of fiscal years 2011 through 2015.

(B) ADDITIONAL SELECTIONS- Following the initial selections under subparagraph (A), the Secretary shall select additional communities to participate in the program. Such communities shall participate in the program in each of fiscal years 2013 through 2015.

(3) CRITERIA-

(A) IN GENERAL- In selecting communities to participate in the program, the Secretary shall consider, at a minimum, the extent to which a community--

(i) provides a plan for development of walking and bicycling infrastructure that is likely to contribute to a significant transportation mode shift to walking and bicycling;

(ii) demonstrates broad community support that will facilitate successful and expeditious implementation;

(iii) demonstrates a cohesive plan in which noninfrastructure elements, where proposed, reinforce achievement of the purpose of the program;

(iv) provides evidence of regulatory or financial incentives or community design policies that facilitate significant increases in bicycling or walking; and

(v) commits State, local, or eligible Federal matching funds, in addition to Federal funds made available under this section, to projects eligible for assistance under this section.

(B) STRATEGIC PRIORITIES THAT FACILITATE SUCCESS - For purposes of subparagraph (A)(i), strategic priorities that facilitate success in increasing walking and bicycling include effective plans--

(i) to create a network of active transportation facilities connecting neighborhoods with destinations such as workplaces, schools, residences, businesses, recreation areas, and other community activity centers;

(ii) to integrate active

transportation facilities with transit services, where available, to improve access to public transportation; and

(iii) to deliver safe, convenient, cost-effective mobility via walking and bicycling.

(C) INDICATORS OF COMMUNITY SUPPORT- For purposes of subparagraph (A)(ii), indicators of community support include--

(i) the use of public input in the development of transportation plans; and

(ii) the commitment of community leaders to the success and timely implementation of projects eligible for assistance under this section.

(d) Grants-

(1) IN GENERAL- The Secretary shall make grants to each community selected to participate in the program.

(2) RECIPIENTS- A recipient of a grant representing a community under the program shall be a local or regional governmental organization, multi-county special district, or Indian tribe that the Secretary determines is suitably equipped and organized to carry out the objectives and requirements of this section. Such organizations include metropolitan planning organizations and other regional planning organizations.

(3) SUBRECIPIENTS- A recipient of a grant under the program may suballocate funds from the grant to a nonprofit organization to carry out the purposes of the program.

(4) INCLUSION OF CERTAIN COMMUNITIES- To fulfill the Nation's need to achieve and document mode shift to bicycling and walking over time, the 4 communities that received pilot funding under section 1807 of SAFETEA-LU (119 Stat. 1460) may be among the

communities selected by the Secretary under subsection (c).

(5) GRANTS AMOUNTS-

(A) IN GENERAL- The Secretary may make a grant as low as $5,000,000 and as high as $15,000,000 per fiscal year for a community participating in the program. The Secretary shall ensure that grant awards under the program are sufficiently high to enable a mode shift to active transportation.

(B) JUSTIFICATION FOR LARGER GRANTS- Subject to the $15,000,000 per fiscal year limit set forth in subparagraph (A), the Secretary may justify a grant in a higher amount for a community under the program based on the population served, greater opportunities to shift trips to bicycling and walking, or use of innovative design features.

(e) Eligible Projects- Grants made to communities under this section shall be used for one or more of the following purposes:

(1) To carry out projects to construct networks of active transportation infrastructure facilities, including sidewalks, bikeways, and pedestrian and bicycle trails, that connect people with public transportation, workplaces, schools, residences, businesses, recreation areas, and other community activity centers.

(2) To carry out projects to provide for bicycle boxes, cycle tracks, bicycle boulevards, dual traffic signals, and bicycle sharing stations.

(3) To carry out projects to restore and upgrade current active transportation infrastructure facilities.

(4) To carry out projects to support educational activities, safety-oriented activities, and technical assistance to further the purpose of the program.

(f) Program Measures- In carrying out the program, the Secretary shall develop statistical information on changes in motor vehicle, active transportation, and public transportation usage in communities participating in the program and assess how the changes impact congestion and energy usage, impact the frequency of

bicycling and walking, and impact health, safety, and the environment. In addition, the Secretary shall develop interim measures of progress, which may include indicators of public engagement, educational outcomes, and project advancement into planning and development.

(g) Deadlines-

(1) REQUEST FOR APPLICATIONS- Not later than 60 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a request for applications pursuant to subsection (c)(1).

(2) SELECTION OF INITIAL COMMUNITIES- Not later than 180 days after such date of enactment, the Secretary shall select initial communities to participate in the program under subsection (c)(2)(A).

(3) SELECTION OF ADDITIONAL COMMUNITIES- Not later than September 30, 2012, the Secretary shall select additional communities to participate in the program under subsection (c)(2)(B).

(4) GRANTS- The Secretary shall make grants to selected to participate in the program under subsection (c)--

(A) for fiscal year 2011, not later than the later of--

(i) the 60th day after the date of the selection of communities under subsection (c)(2)(A); and

(ii) the 30th day of the fiscal year; and

(B) for each of fiscal years 2012 through 2015, not later than 30th day of the fiscal year.

(h) Reports-

(1) IN GENERAL- The Secretary shall submit to Congress--

(A) an interim report on progress made under the program not later than September 30, 2014; and

(B) a final report on progress made under the

program not later than September 30, 2016.

(2) CONTENTS- Each report submitted under paragraph (1) shall include the Secretary's findings concerning the best practices of communities participating in the program and the impediments experienced by such communities relating to program development and achieving a mode shift to active transportation.

(i) Funding-

(1) AUTHORIZATION OF APPROPRIATIONS- There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section--

(A) $300,000,000 for fiscal year 2011;

(B) $300,000,000 for fiscal year 2012;

(C) $466,666,666 for fiscal year 2013;

(D) $466,666,666 for fiscal year 2014; and

(E) $466,666,668 for fiscal year 2015.

(2) CONTRACT AUTHORITY- Funds authorized to be appropriated by this section shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project carried out using the funds shall be 100 percent, and the funds shall remain available until expended and shall not be transferable.

(3) ADMINISTRATIVE COSTS-

(A) SET ASIDE- Each fiscal year, the Secretary shall set aside not more than 1.5 percent of the funds made available to carry out this section to cover the costs of administrative, research, technical assistance, communications, and training activities under the program.

(B) CONTRACTS AND OTHER AGREEMENTS- The Secretary may enter into contracts with for-profit organizations, or

contracts, partnerships, or cooperative agreements with other government agencies, institutions of higher learning, or nonprofit organizations, to perform activities with amounts set aside under subparagraph (A). The Federal share of the cost of such activities may be up to 100 percent.

(C) LIMITATION ON STATUTORY CONSTRUCTION- Nothing in this paragraph may be construed to prohibit a community from receiving research or other funds under title 23 or 49, United States Code.

(j) Treatment of Projects-

(1) NONINFRASTRUCTURE PROJECTS- Noninfrastructure projects and infrastructure projects that do not involve or lead directly to construction assisted under this subsection shall not be treated as projects on a Federal-aid system under chapter 1 of title 23, United States Code.

(2) INFRASTRUCTURE PROJECTS- Not later than one year after the date of enactment of this Act, the Secretary shall develop regulations or guidance (or both) for Federal-aid projects under this section that encourages the use of the programmatic categorical exclusion, expedited procurement techniques, and other best practices to facilitate productive and timely expenditure for projects that are small, low impact, and constructed within an existing built environment.

(3) STATE PROCESSES- The Secretary shall work with State departments of transportation to ensure that any guidance or regulation developed under paragraph (2) is being implemented by States and the Federal Highway Administration consistently to avoid unnecessary delays in implementing projects and to ensure the effective use of Federal dollars.

(k) Assistance to Indian Tribes- Notwithstanding any other provision of law, the Secretary may enter into grants agreements, self-determination contracts, and self -governance compacts under the authority of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) with eligible Indian tribes to carry out the purposes of this Act,

and such grant agreements, self-determination contracts, and self-governance compacts shall be administered in accordance with that Act.

GovTrack.us is a project of **Civic Impulse, LLC**.

United States Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations

Signed on March 11, 2010 and announced March 15, 2010

Note: Also available on the United States Department of Transportation Website

Purpose

The United States Department of Transportation (DOT) is providing this Policy Statement to reflect the Department's support for the development of fully integrated active transportation networks. The establishment of well-connected walking and bicycling networks is an important component for livable communities, and their design should be a part of Federal-aid project developments. Walking and bicycling foster safer, more livable, family-friendly communities; promote physical activity and health; and reduce vehicle emissions and fuel use. Legislation and regulations exist that require inclusion of bicycle and pedestrian policies and projects into transportation plans and project development. Accordingly, transportation agencies should plan, fund, and implement improvements to their walking and bicycling networks, including linkages to transit. In addition, DOT encourages transportation agencies to go beyond the minimum requirements, and proactively provide convenient, safe, and context-sensitive facilities that foster increased use by bicyclists and pedestrians of all ages and abilities, and utilize universal design characteristics when appropriate. Transportation programs and facilities should accommodate people of all ages and abilities, including people too young to drive, people who cannot drive, and people who choose not to drive.

Policy Statement

The DOT policy is to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including DOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems. Because of the numerous individual and community benefits that walking and bicycling provide — including health, safety, environmental, transportation, and quality of life — transportation agencies are encouraged to go beyond minimum standards to provide safe and convenient facilities for these modes.

Authority

This policy is based on various sections in the United States Code (U.S.C.) and the Code of Federal Regulations (CFR) in Title 23—Highways, Title 49—Transportation, and Title 42—The Public Health and Welfare. These sections, provided in the Appendix, describe how bicyclists and pedestrians of all abilities should be involved throughout the planning process, should not be adversely affected by other transportation projects, and should be able to track annual obligations and expenditures on nonmotorized transportation facilities.

Recommended Actions

The DOT encourages States, local governments, professional associations, community organizations, public transportation agencies, and other government agencies, to adopt similar policy statements on bicycle and pedestrian accommodation as an indication of their commitment to accommodating bicyclists and pedestrians as an integral element of the transportation system. In support of this commitment, transportation agencies and local communities should go beyond minimum design standards and requirements to create safe, attractive, sustainable, accessible, and convenient bicycling and walking networks. Such actions should include:

Considering walking and bicycling as equals with other transportation modes: The primary goal of a transportation system is to safely and efficiently move people and goods. Walking and bicycling are efficient transportation modes for most short trips and, where convenient intermodal systems exist, these nonmotorized trips can easily be linked with transit to significantly increase trip distance. Because of the benefits they provide, transportation agencies should give the same priority to walking and bicycling as is given to other transportation modes. Walking and bicycling should not be an afterthought in roadway design.
Ensuring that there are transportation choices for people of all ages and abilities, especially children: Pedestrian and bicycle facilities should meet accessibility requirements and provide safe, convenient, and interconnected transportation networks. For example, children should have safe and convenient options for walking or bicycling to school and parks. People who cannot or prefer not to drive should have safe and efficient transportation choices.
Going beyond minimum design standards: Transportation agencies are encouraged, when possible, to avoid designing walking and bicycling facilities to the minimum standards. For example, shared-use paths that have been designed to minimum width requirements will need retrofits as more people use them. It is more effective to plan for increased usage than to retrofit an older facility. Planning projects for the long-term should anticipate likely future demand for bicycling and walking facilities and not preclude the provision of future improvements.
Integrating bicycle and pedestrian accommodation on new, rehabilitated, and limited-access bridges: DOT encourages bicycle and pedestrian accommodation on bridge projects including facilities on limited-access bridges with connections to streets or paths.
Collecting data on walking and biking trips: The best way to improve transportation networks for any mode is to collect and analyze trip data to optimize investments. Walking and bicycling trip data for many communities are lacking. This data gap can be overcome by establishing routine collection of nonmotorized trip information. Communities that routinely collect walking and bicycling data are able to track trends and prioritize investments to ensure the success of new facilities. These data are also valuable in linking walking and bicycling with transit.
Setting mode share targets for walking and bicycling and tracking them over time: A byproduct of improved data collection is that communities can establish targets for increasing the percentage of trips made by walking and bicycling.
Removing snow from sidewalks and shared-use paths: Current maintenance provisions require pedestrian facilities built with Federal funds to be maintained in the same manner as other roadway assets. State Agencies have generally established levels of service on various routes especially as related to snow and ice events.
Improving nonmotorized facilities during maintenance projects: Many transportation agencies spend most of their transportation funding on maintenance rather than on constructing new facilities. Transportation agencies should find ways to make facility improvements for pedestrians and bicyclists during resurfacing and other maintenance projects.

Conclusion

Increased commitment to and investment in bicycle facilities and walking networks can help meet goals for cleaner, healthier air; less congested roadways; and more livable, safe, cost-efficient communities. Walking and bicycling provide low-cost mobility options that place fewer demands on local roads and highways. DOT recognizes that safe and convenient walking and bicycling facilities may look different depending on the context — appropriate facilities in a rural community may be different from a dense, urban area. However, regardless of regional, climate, and population density differences, it is important that pedestrian and bicycle facilities be integrated into transportation systems. While DOT leads the effort to provide safe and convenient accommodations for pedestrians and bicyclists, success will ultimately depend on transportation agencies across the country embracing and implementing this policy.

Ray LaHood, United States Secretary of Transportation

APPENDIX

Key Statutes and Regulations Regarding Walking and Bicycling

Planning Requirements

The State and Metropolitan Planning Organization (MPO) planning regulations describe how walking and bicycling are to be accommodated throughout the planning process (e.g., see 23 CFR 450.200, 23 CFR 450.300, 23 U.S.C. 134(h), and 135(d)). Nonmotorists must be allowed to participate in the planning process and transportation agencies are required to integrate walking and bicycling facilities and programs in their transportation plans to ensure the operability of an intermodal transportation system. Key sections from the U.S.C. and CFR include, with italics added for emphasis:

> The scope of the metropolitan planning process "will address the following factors...(2) Increase the safety for motorized and *non-motorized users*; (3) Increase the security of the transportation system for motorized and *non-motorized users*; (4) Protect and enhance the environment, promote energy conservation, improve the quality of life..." 23 CFR 450.306(a). See 23 CFR 450.206 for similar State requirements.
> Metropolitan transportation plans "...shall, at a minimum, include...existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, *pedestrian walkways and bicycle facilities*, and intermodal connectors that should function as an integrated metropolitan transportation system..." 23 CFR 450.322(f). See 23 CFR 450.216(g) for similar State requirements.
> The plans and transportation improvement programs (TIPs) of all metropolitan areas "shall provide for the development and integrated management and operation of transportation systems and facilities (including *accessible pedestrian walkways and bicycle transportation facilities*)." 23 U.S.C. 134(c)(2) and 49 U.S.C. 5303(c)(2). 23 CFR 450.324(c) states that the TIP "shall include ...trails projects, pedestrian walkways; and bicycle facilities..."
> 23 CFR 450.316(a) states that "The MPOs shall develop and use a documented participation plan that defines a process for providing...representatives of users of *pedestrian walkways and bicycle transportation facilities, and representatives of the disabled*, and other interested parties with reasonable opportunities to be involved in the metropolitan planning process." 23 CFR 450.210(a) contains similar language for States. See also 23 U.S.C. 134(i)(5), 135(f)(3), 49 U.S.C. 5303(i)(5), and 5304(f)(3) for additional information about participation by interested parties.

Prohibition of Route Severance

The Secretary has the authority to withhold approval for projects that would negatively impact pedestrians and bicyclists under certain circumstances. Key references in the CFR and U.S.C. include:

> "The Secretary shall not approve any project or take any regulatory action under this title that will result in the severance of an existing major route or have significant adverse impact on the safety for nonmotorized transportation traffic and light motorcycles, unless such project or regulatory action provides for a reasonable alternate route or such a route exists." 23 U.S.C. 109(m).
> "In any case where a highway bridge deck being replaced or rehabilitated with Federal financial participation is located on a highway on which bicycles are permitted to operate at each end of such bridge, and the Secretary determines that the safe accommodation of bicycles can be provided at reasonable cost as part of such replacement or rehabilitation, then such bridge shall be so replaced or rehabilitated as to provide such safe accommodations." 23 U.S.C. 217(e). Although this statutory requirement only mentions bicycles, DOT encourages States and local governments to apply this same policy to pedestrian facilities as well.
> 23 CFR 652 provides "procedures relating to the provision of pedestrian and bicycle accommodations on Federal-aid projects, and Federal participation in the cost of these accommodations and projects."

Project Documentation

> "In metropolitan planning areas, on an annual basis, no later than 90 calendar days following the end of the program year, the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in *pedestrian walkways and bicycle transportation facilities*) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year." 23 CFR 332 (a).

Accessibility for All Pedestrians

> Public rights-of-way and facilities are required to be accessible to persons with disabilities through the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164).
> The DOT Section 504 regulation requires the Federal Highway Administration (FHWA) to monitor the compliance of the self-evaluation and transition plans of Federal-aid recipients (49 CFR §27.11). The FHWA Division offices review pedestrian access compliance with the ADA and Section 504 as part of their routine oversight activities as defined in their stewardship plans.

FHWA posted its Clarification of FHWA's Oversight Role in Accessibility to explain how to accommodate accessibility in policy, planning, and projects.

Additional Resources

For more information about:

FHWA Bicycle and Pedestrian Program Resources

- FHWA's Bicycle and Pedestrian Program
- FHWA guidance documents on walking and bicycling
- Publications related to walking and bicycling
- Information about State and local resources
- Equestrian and Other Nonmotorized Use on Bicycle and Pedestrian Facilities
- Framework for Considering Motorized Use on Nonmotorized Trails and Pedestrian Walkways
- Manuals and Guides for Trail Design, Construction, Maintenance, and Operation
- Recreational Trails
- Shared-Use Paths Along or Near Freeways and Bicycles on Freeways
- Snow Removal on Sidewalks Constructed with Federal Funding
- Federal Aid funding resources for walking and bicycling facilities
- Federal funding spent on walking and bicycling facilities

Accessibility

- FHWA American with Disabilities Act (ADA) resources
- U.S. Access Board information about ADA for public rights of way
- Accessibility Guidance for Bicycle and Pedestrian Facilities, Recreational Trails, and Transportation Enhancement Activities

Pedestrian and Bicycle Safety

- FHWA Pedestrian and Bicycle Safety Program
- FHWA Pedestrian and Bicycle Safety Research
- The National Highway Traffic Safety Administration's Pedestrian and Bicycle Safety Programs

Context Sensitive Solutions

- FHWA and Context Sensitive Solutions

State Bicycle and Pedestrian Contacts

- State Bicycle and Pedestrian Coordinators

To provide Feedback, Suggestions, or Comments for this page contact Gabe Rousseau at gabe.rousseau@dot.gov.

This page last modified on March 19, 2010

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FHWA

United States Department of Transportation - **Federal Highway Administration**

DRAFT

CITY OF MENASHA
SUSTAINABILITY BOARD
1st Floor Conference Room
140 Main Street, Menasha

Tuesday, April 20, 2010

Minutes

A. CALL TO ORDER
Meeting called to order at 6:35 by Chairperson Linda Stoll

B. ROLL CALL/EXCUSED ABSENCES
Present: Becky Bauer, Roger Kanitz, Sadie Schroeder, Linda Stoll, Kathy Thunes, Chris Bohne, Mike Dillon
Excused: Trevor Frank, Jill Enos
Also Present: CDD Greg Keil, Earl Gustafson, Ed Kassel

C. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE SUSTAINABILITY BOARD
(five (5) minute time limit for each person)
No one spoke.

D. MINUTES TO APPROVE
1. Sustainability Board minutes, 3/16/10
Motion made by Roger Kanitz and seconded by Chris Bohne to approve minutes of 3/16/10
Motion carried.

E. COMMUNICATIONS
1. Global Conservation Act – Linda Stoll Linda reported that she had received an email from Alderman Roush alerting her to the proposed act. Linda did not have time to fully evaluate the proposals contained in the act, and requested that this item be placed on the next Sustainability Board agenda.

2. Kathy Thunes distributed information concerning the availability of the St. John's convent for potential use by a nonprofit housing organization.

F. DISCUSSION ITEMS
1. Open meetings law requirements as related to Board member interactions Greg Keil reviewed the open meetings law summary prepared by the League of Municipalities. Board members had many questions concerning the law's applicability as related to information sharing. There was consensus to invite the City Attorney to the next Board meeting for clarification.

2. Leadership in Energy and Environmental Design (LEED) information - Chris Bohne
Chris presented an overview of the recently upgraded LEED for Existing Buildings and Green Building Operations and Maintenance Reference Guide. Chris stated that the City of Appleton is saving an estimated $300,000 per year as a result of following these guidelines. Board members discussed potential application of these standards to City of Menasha municipal buildings.

3. 2010 Work Program/Project Planning

DRAFT

a. Comments from Linda Stoll

Board members discussed priorities including:

- Completion of Baseline Energy Audit
- Continuation of Department Head/Supervisor training on sustainability practices
- Conducting a sustainability review of municipal ordinances, operations and practices
- Incorporating sustainability goals into the Comprehensive Plan
- Creating a means of measuring progress on sustainability initiatives
- Completion of the First Impressions program
- Maintaining/enhancing the Farm Fresh Market

Greg Keil is to compile a preliminary listing of city ordinances and related practices that should be assessed against sustainability goals for improving operations and outcomes.

b. Comments from Jill Enos

This item was held as Jill was not able to attend this meeting.

4. Home and building energy conservation initiatives. (See Discussion Item 7)

5. Sustainability Board input on Comprehensive Plan Review

Roger Kanitz proposed that the Comprehensive Plan be amended to incorporate goals for reduced energy consumption.

Motion made by Roger Kanitz and seconded by Mike Dillon to recommend to the Plan Commission that goals for sustainable municipal practices be incorporated into the comprehensive plan.

The motion carried.

6. "Do not mail" resolution

Sadie Schroeder summarized the Forest Ethics position supporting the adoption of a "Do Not Mail" resolution. Earl Gustafson from the Wisconsin Paper Council commented on the paper industry's interest in this topic as it relates to potential impacts on the industry he represents. Earl offered to provide information supporting the industry's point of view for the Board's consideration at its next meeting.

7. Biggest Loser Energy Conservation Challenge – Roger Kanitz

Roger reported that he had been working with Larry Roth, who originated an effort to promote a residential "Biggest Loser" competition as related to residential energy consumption. A meeting was held with Menasha Utilities to discuss implementing such a program in the city. This effort is to be continued.

G. ACTION ITEMS

1. Resolution supporting "Active Community Transportation Act of 2010" (Rails to Trails campaign)

Greg Keil summarized the provisions of the act that if adopted, will create funding opportunities for enhancing walking/bicycling/transit facilities in communities.

Motion made by Kathy Thunes and seconded by Roger Kanitz to recommend Active Community Conservation Act 2010 to the Common Council.

Motion carried.

2. Set next regular meeting date

Next meeting set for May 18, 2010

H. REPORT OF COMMISSIONERS & STAFF

1. Valley Transit Update (Roger Kanitz)

Roger reported on ongoing efforts as related to the authorization of Regional Transit Authority legislation.

2. Department TNS presentations/Sustainability training

DRAFT

3. Safe Routes to School update
   Kathy Thunes stated that bike helmets are to be offered as part of the Bike to Work Week promotion.

4. Rain Garden demonstration project update
   Becky Bauer offered to have High School students involved in the planting of the rain garden. The date is to be determined.

5. Office of Energy Independence Energy Efficiency & Conservation Block Grant update
   Greg Keil reported that the City of Menasha was awarded $208,000 for HVAC upgrades at the Public Protection Facility and for street lighting efficiency upgrades.

I. ADJOURNMENT
   Motion made by Mike Dillon, seconded by Roger Kantiz to adjourn at 8:45PM.

Minutes respectfully submitted by Community Development Director Greg Keil