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## **NOTICE OF MEETING**

### **POLICY COMMITTEE**

DATE: November 16, 2022

TIME: 9:30 AM

PLACE: **Lower Level Conference Room 200 N. Main Ann Arbor, MI 48104**

### **AGENDA:**

1. Call to Order/Introductions
2. Approval of the Agenda
3. Approval of Minutes – October 19, 2022 Policy Committee Meeting (attached) – Action
4. Public Participation
5. Communications and Announcements
6. Bills over \$500
7. Old Business
8. New Business
  - A. FY 2023-2026 Transportation Improvement Program (TIP) Amendments (attached) - Action
  - B. FY 2023-2026 TIP Modification (attached) - Information
  - C. Strategy for Additional Federal Funding for FY 2023 (attached) - Action
  - D. Regional Safety Targets (attached) - Presentation
9. Adjournment

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#### **POLICY COMMITTEE MEMBERS**

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## Minutes of Meeting

POLICY COMMITTEE

DATE: October 19, 2022

TIME: 9:30 pm

PLACE: Lower Level Conference Room 200 N. Main Ann Arbor, MI 48104

**Members Present:** City of Saline – Brian Marl, Chair  
Eastern Michigan University - Leigh Greden, Vice Chair  
TheRide – Matt Carpenter, Secretary-Treasurer  
Ann Arbor Township – Diane O'Connell  
City of Ann Arbor – Erica Briggs  
City of Ypsilanti – Jennifer Symanns  
City of Dexter – Justin Breyer (for Shawn Keough)  
MDOT Region - Mike Davis  
Pittsfield Township – Mandy Grewal  
University of Michigan – Henry Baier  
Ypsilanti Township – Brenda Stumbo  
Washtenaw County Road Commission – Doug Fuller

**Members Absent:** City of Ann Arbor DDA – Vacant  
Dexter Township - Karen Sikkenga  
City of Milan - Vacant  
Northfield Township - Ken Dignan  
Scio Township - Vacant  
SWWCOG – Ron Miley  
WCBOC – Jason Morgan  
City of Chelsea – Charles Wiseley  
Superior Township – Ken Schwartz

**Others Present:** WATS - Ryan Buck, Nick Sapkiewicz, Maggie Huntley

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1. Call to Order/Introductions

Chair Marl called the meeting to order at 9:36am. Introductions were made.

2. Approval of Agenda

**Mr. Greden made a motion to approve the meeting agenda, Ms. Stumbo supported the motion, motion approved.**

3. Approval of Minutes

**Mr. Fuller made a motion to approve the June 15, 2022 minutes, supported by Ms. O'Connell, motion approved.**

4. Public Participation

Chair Marl asked if anyone wished to address the Committee. No one wished to address the Committee and public participation time was closed.

5. Communications and Announcements

Mr. Buck provided the following updates:

- New staff member Mr. Anton Schauerte has begun work with WATS.
- Additional obligation authority in 2023 - not all local agencies spent money so state spent money and is now repaying to local agencies
- WATS Unified Planning Work Program (UPWP) for FY 2024 is being drafted and includes an update to the transportation model. The UPWP will remain flexible as in previous years.
- Assent Management PASER data collection will begin in the City of Ypsilanti in November.
- Work is concluding on the 2021 crash report for the county.
- An update to the agency bylaws is being discussed by the officers
- The 2045 Long Range Transportation Plan is slated to be reaffirmed in late 2022/early 2023 and will be aligned with SEMCOG's Regional Transportation Plan (RTP) reaffirmation.

Ms. Stumbo and Ms. O'Connell asked how their Townships may participate in PASER data collection. Mr. Buck explained that beyond federal aid network collection, he would be happy to meet and discuss local network collection.

6. Bills over \$500

There were no bills over \$500 requiring approval.

7. Old Business

There was no old business.

**A. FY 2022 Second Quarter Financials**

Mr. Buck explained that the FY 2022 second quarter financials as previously represented were incomplete. The document has since been updated and provided for the Committee's acceptance. The FY 2022 budget was approved by the Policy Committee, as well as a 20% dues reduction for FY 2022 as a response to the pandemic.

**Ms. Stumbo made a motion to accept the FY 2022 second quarter financial. Mr. Fuller supported and the motion passed.**

## 8. New Business

### **A. FY 2022 Year End Financial Statements (Unaudited)**

Mr. Buck reported that some of the balance sheet percentages appear to be attributed to the incorrect budget items, but overall WATS is within budget at year-end (sub-totals off/final total correct). Mr. Buck added that he is working with WATS' bookkeeper to validate the financial statements and will be posting an RFP for audit soon.

Mr. Greden noted Mr. Buck's transparency in delivering agency financial information. Ms. Stumbo asked to clarify that while the sub-totals are off the final total is correct, and Mr. Buck confirmed that is the case. Mr. Baier asked what action the Committee should take. Mr. Buck indicated that if the Committee would prefer to take action on the audited financial statements, no action was necessary.

**No action was taken.**

### **B. Director Review**

Mr. Greden reminded the Committee that during Mr. Buck's review process, the feedback received was 100% positive and that there was a significant interval where Mr. Buck's performance and compensation were not evaluated. Mr. Greden went on to explain that the WATS Director position requires technical background, that it is a competitive market for CEO-level professionals, and that Mr. Buck has provided a positive and steady performance.

Mr. Marl thanked Mr. Greden for his assistance in leading Mr. Buck's review. Ms. Grewal noted Mr. Buck's excellent performance. Ms. Stumbo noted Mr. Buck's responsiveness to the Policy Committee.

**Mr. Greden made a motion to increase Mr. Buck's salary and provide a bonus as recommended in the meeting packet. Ms. Grewal supported and the motion passed.**

### **C. Federal Aid Buyout Program**

Mr. Sapkiewicz reported that a new law allows local agencies to submit the federal aid portion of TIP approved projects for state funds at a rate of 90%. Projects are then able to be locally bid (no MDOT LAP obligation) and able to use local design guidelines. This program was well received in its first year and funding for the program will be increased in 2024. To keep buyout projects visible to the public, and their data available to WATS, each buyout project will be marked as Regionally Significant and remain in the WATS TIP for analysis.

### **D. MDOT Five Year Plan Update**

Mr. Davis provided a detailed update on upcoming MDOT projects, including: US23 and US-12 reconstruction, and M-14 and M-17 environmental studies. Mr. Davis also spoke about the continuation of the US-23 flex-lane into Livingston County, possible AV

testing lane on I-94, and MDOT staffing changes.

### 9. Adjournment

Chair Marl adjourned the meeting.

# MEMORANDUM

To: Policy Committee  
From: Nick Sapkiewicz  
Date: November 8, 2022  
Re: 1st Call for FY 2023 TIP Amendments for 2023-2026 TIP

## **Background**

WATS initiated the 1st call for FY 2023 TIP amendments in August 2022. Notice was placed on the WATS website and at 200 N. Main St. Ann Arbor, MI. Amendments were received from Ann Arbor, TheRide, WAVE, Saline, and MDOT.

Significant changes in this TIP amendment include:

- Ann Arbor
  - JN 214638 - South Main Sidewalk - Consolidate to one year (remove ACC)
  - JN 214635 - Preventive Maintenance - Delete project
- TheRide
  - JN 205933 - Transit Capital - Balance budget across various scope codes (increase bus replacement, architecture/engineering, computer hardware/software, administrative vehicle - Decrease bus facility terminal improvements, capital cost of contracting, preventative maintenance)
- WAVE
  - JN 215036 - Transit Capital - Increase total cost for replacement buses
  - JN 215041 - Transit Capital - Increase total cost for replacement buses
- Saline
  - JN 205642 - Clark from Harris to Maple - Scope change from rehabilitation to reconstruction

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- MDOT
  - JN 213473 - Countywide capital preventive maintenance - Add construction phase
  - JN 129977 - 14 Bridges on US-23, bridge replacement - Increase total cost
  - JN 211017 - US-23 freeway signage - Increase length of project
  - JN 217039 - Five structures statewide - Bridge replacement, add construction phase

**Environmental Justice Review**

The Environmental Justice (EJ) review evaluates the fair distribution of environmental benefits and burdens in EJ and non-EJ areas. In addition, the EJ review evaluates each project for adverse social, economic, and environmental effects such as:

- Bodily impairment, infirmity, illness, or death
- Air, noise, and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or a community's economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Vibration
- Adverse employment effects
- Displacement of persons, businesses, farms, or nonprofit organizations
- Increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of, benefits of DOT programs, policies, or activities.

Information on the USDOT EJ strategy is available [here](#).

NOTE: At the time this packet was assembled a reliable GIS download of TIP projects was not available, and an updated analysis of investment in Environmental Justice and Equity areas could not be fully performed. The numbers presented in this analysis are from the TIP adoption. However, the 1st call amendments represent minor changes in overall TIP investment. WATS will provide an updated and comparative analysis as soon as mapping and jobnet issues are resolved. Note: jobnet is the software application used by MDOT to manage TIP projects, including the mapping of projects.

**2023-2026 TIP  
Environmental Justice Evaluation**

	% of Program	Total Investment
EJ 80th Percentile	14%	\$88,353,822
EJ 90th Percentile	6%	\$39,968,459

WATS does not anticipate the TIP amendments will have a disproportionately negative impact on EJ areas.

**A map of 2023-2026 TIP projects in environmental justice areas is available at <http://www.miwats.org/tip>.**

**Opportunity Evaluation**

WATS’ opportunity evaluation uses the [county’s Opportunity Index](#) to measure TIP investment within areas of low economic mobility. WATS measures investment in areas identified as “low access to opportunity” and “very low access to opportunity”. By monitoring investment in EJ and Opportunity areas, WATS Committees can evaluate if enough investment is being made to balance environmental benefits and burdens and to help disrupt the effects of historic injustice.

**2023-2026 TIP  
Opportunity Evaluation**

	% of Program	Total Investment
Low Opportunity	11%	\$78,556,920
Very Low Opportunity	.5%	\$3,606,417

Note: WATS normally performs a more robust analysis on TIPs and TIP amendments, however, during the FY 2023-2026 TIP 1st call for amendments some of the information necessary was not available. MPO’s have been working with state technology staff to fully define the complexity of the issues and how TIP information is managed in and between departments and applications. Staff will come back with a complete comparative analysis when the data is made available.

**Action**

Staff request the Policy Committee review and approve the 1st Call TIP amendments. Note: a quorum was not present at the Technical Committee meeting. Those present discussed the amendments and there was no descent.



## 1st Call FY 2023 TIP Amendments

Changes Made to Projects	Amendment Type	Fiscal Year	Job#	GPA Type	Responsible Agency	Project Name	Limits	Primary Work Type	Project Description	Phase	Fed Estimated Amount	State Estimated Amount	Local Estimated Amount	Total Estimated Amount	Fund Source
Increased Amount	Cost	2023	205933	Transit Capital	Ann Arbor Area Transportation Authority	Transit Capital	Areawide	SP1207-architect and engineer	FY23 Transit Capital 5307 Buses, Equip, Facilities, etc		\$310,400	\$77,600	\$0	\$388,000	5307
Increased Amount	Cost	2023	205933	Transit Capital	Ann Arbor Area Transportation Authority	Transit Capital	Areawide	SP1409-administrative vehicle	FY23 Transit Capital 5307 Buses, Equip, Facilities, etc		\$148,800	\$37,200	\$0	\$186,000	5307
Increased Amount	Cost	2023	205933	Transit Capital	Ann Arbor Area Transportation Authority	Transit Capital	Areawide	SP1404-computers (hardware and software)	FY23 Transit Capital 5307 Buses, Equip, Facilities, etc		\$775,600	\$193,900	\$0	\$969,500	5307
Removed Amount	Delete	2023	205933	Transit Capital	Ann Arbor Area Transportation Authority	Transit Capital	Areawide	SP1802-capital cost of contracting	FY23 Transit Capital 5307 Buses, Equip, Facilities, etc		\$0	\$0	\$0	\$0	5307
Decreased Amount	Cost	2023	205933	Transit Capital	Ann Arbor Area Transportation Authority	Transit Capital	Areawide	SP1206-Bus terminal facility improvements	FY23 Transit Capital 5307 Buses, Equip, Facilities, etc		\$1,808,913	\$452,228	\$1,000,000	\$3,261,141	5307
Increased Amount	Cost	2023	205933	Transit Capital	Ann Arbor Area Transportation Authority	Transit Capital	Areawide	SP1101-<30 foot replacement bus with or without lift	FY23 Transit Capital 5307 Buses, Equip, Facilities, etc		\$550,342	\$137,586	\$0	\$687,928	5307
Removed Amount	Delete	2023	205933	Transit Capital	Ann Arbor Area Transportation Authority	Transit Capital	Areawide	SP1801-preventative maintenance	FY23 Transit Capital 5307 Buses, Equip, Facilities, etc		\$0	\$0	\$0	\$0	5307
Decreased Amount	Cost	2023	205936	Transit Capital	Ann Arbor Area Transportation Authority	Transit Capital	Areawide	SP1206-Bus terminal facility improvements	FY23 Transit Capital 5339 Facilities		\$931,088	\$232,772	\$0	\$1,163,860	5339
Removed Amount	Delete	2023	205934	Transit Operating	Ann Arbor Area Transportation Authority	Transit Operating	Areawide	SP3000-operating except JARC and New Freedom	Transit Operating Assistance 5307 Urban		\$0	\$0	\$0	\$0	5307
Increase of project cost and update scope from rehabilitate to reconstruct	Scope/Cost	2023	205642	NA	Saline	Clark St	Harris to Maple	Reconstruction	Reconstruction	CON	\$456,685	\$0	\$669,315	\$1,126,000	HIPU, ST, STU
Length of project, increased local estimated amt, increased total estimated amount, increased total job cost, increased total job cost Incl non-LAP	Cost	2023	214011	Local Traffic Operations and Safety	WCRC	North Territorial Rd	from west of Dexter Townhall Road to Toma Road, Washtenaw Co.	Traffic Safety	Vertical curve modification, intersection left turn lane, centerline rumble	CON	\$600,000	0	\$840,000	\$1,440,000	HRRR
Delete PM project and add funds to S. Main St.	Delete	2024	214635	Local Pavement	Ann Arbor	Preventive Maintenance	Citywide	Road Rehabilitation	Rehabilitate Roadway	CON	\$0	\$0	\$0	\$0	STU

## 1st Call FY 2023 TIP Amendments

Changes Made to Projects	Amendment Type	Fiscal Year	Job#	GPA Type	Responsible Agency	Project Name	Limits	Primary Work Type	Project Description	Phase	Fed Estimated Amount	State Estimated Amount	Local Estimated Amount	Total Estimated Amount	Fund Source
Updated limits, increase cost, eliminate advncd construct conversion year	Cost/Year	2024	214638	Local Livability and Sustainability	Ann Arbor	S. Main St	Stadium Blvd to Ann Arbor-Saline Road	Roadside Facilities - Improve	Sidewalk gap infill	CON	\$1,426,268		\$1,200,000	\$2,626,268	STU
Increase amount	Cost	2024	215036	Transit Capital	WAVE	Transit Capital	Areawide	Transit Capital FY23 5310	6410-5310 Projects	NI	\$520,000	\$130,000		\$650,000	5310
Update worktype to preventive maintenance	Scope/Cost	2025	215058	Local Pavement	Ann Arbor	Preventive Maintenance	Citywide	Road Rehabilitation	Rehabilitate Roadway		\$375,000		\$375,000	\$750,000	STU
Increase amount	Cost	2025	215041	Transit Capital	WAVE	Transit Capital	Areawide	Transit Capital FY25 5310	6410-5310 Projects	NI	\$680,000	\$170,000		\$850,000	5310



# MEMORANDUM

To: Policy Committee  
From: Nick Sapkiewicz  
Date: November 8, 2022  
Re: 1st Call for FY 2023 TIP Modifications for the 2023-2026 TIP

## **Background**

WATS completes administrative modifications as needed for the Transportation Improvement Program (TIP) and provides them to the Committees and the public for their information.

Administrative modifications are minor changes staff make to the TIP as well as MDOT. WATS may modify items such as small cost changes, limits or a year change without Committee approval. WATS and SEMCOG use administrative modifications to expedite the processing of small changes without delaying a project.

Attached are the 1st call for FY 2023 TIP administrative modifications along with a list for MDOT's administrative modifications for informational purposes.

## **Action**

The attached modifications are provided as information.

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## 1st Call FY 2023 TIP Modifications

Modifications are small changes to projects that do not require approval by the WATS Policy Committee

Changes Made to Projects	Amendment Type	Fiscal Year	Job#	GPA Type	Responsible Agency	Project Name	Limits	Primary Work Type	Project Description	Phase	Fed Estimated Amount	State Estimated Amount	Local Estimated Amount	Total Estimated Amount	Fund Source
Changed limits, length, scheduled obligation date, and scheduled letting date	Limits	2023	205933	Transit Capital	Ann Arbor Area Transportation Authority	Transit Capital	Areawide	SP1104-40 foot and greater replacement bus with or without lift	FY23 Transit Capital 5307 Buses, Equip, Facilities, etc		\$2,257,561	\$564,390	\$0	\$2,821,951	5307
Length of project, scheduled obligation date, and scheduled letting date	Length	2023	205638	Local Pavement	WCRC	Carpenter	Textile Rd to US-12 and N. Cloverlane to Ellsworth	Road Rehabilitation	Rehabilitate roadway	CON	\$823,449	\$375,000	\$205,862	\$1,404,311	STU, EDF
Length of project, scheduled obligation date, and scheduled letting date	Length	2023	213431	Local Pavement	WCRC	W Michigan Ave	Michigan Ave. I-94 WB off ramp to Hewitt Rd	Road Rehabilitation	Rehabilitate roadway	CON	\$1,173,806	\$0	\$32,307	\$1,206,113	HIPU, HICU
Increase local cost	Cost	2023	214634	Local Pavement	WCRC	Whitmore Lake Rd	from Joy Road to North Territorial Road	Road Capital Preventive Maintenance	Mill and one course asphalt overlay	CON	\$669,000	\$97,000	\$71,000	\$837,000	EDD, STL
Reduced Amount	Cost	2023	205643	S/TIP Line items	Ypsilanti	N Huron River Dr	Huron River Dr. Cornell through Leforge	Reconstruction	Reconstruction	CON	\$2,336,621	\$0	\$1,167,017	\$3,503,638	HIPU, STU, ST



## MEMORANDUM

To: Policy Committee  
From: Ryan Buck  
Date: November 9, 2022  
Re: Strategy on Potential Additional Funding for FY 2023

### **Background**

In late October, WATS, along with transportation planning agencies across the state, were made aware of additional funding that MDOT planned to make available to local agencies. The amount of funding remains unclear, however, staff is seeking guidance on a strategy to ensure the funding can be spent appropriately and efficiently.

Of the more than 1 billion dollars that flow to implementing agencies in the state of Michigan from the federal government each year, an obligation authority ceiling limits the amount that can be spent. This means that across all funding sources and implementing agencies, not all projects will receive funding.

State law requires that the sum of local federal allocations be 25% of total allocations.

In FY 2022, for a number of reasons, local agencies across the state did not obligate 25% of the total federal allocations. Additionally, the state of Michigan received additional obligation authority through “August Redistribution” a process which takes spending authority originally made available to states that are not able to spend it all and adds it to the obligation authority to those states who then can exceed their obligation limit. Michigan also received significant additional funding through August Redistribution in FY 2022.

The state has decided to make this funding available for regional transportation planning agencies based on a fixed percentage of what is referred to as a “carry-forward” or “carryover” balance. A carry-forward balance can accrue if funding is not spent in a given year, contracts

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come in low, or money is otherwise left on the table. Carry-forward balances do not come with any new obligation authority, and cannot be realized as additional funds.

Carry-forward balances are calculated across multiple funding types and agency types. WATS continues to wait for confirmation of the preliminary additional funding numbers. It appears the total additional available funding will be approximately 1.5 million. At this point, the state is requesting that any additional funding made available be obligated in FY 2023. This is an extremely tight timeline.

As we were forced to do last year due to several changes in funding targets we are seeking guidance on a strategy that will allow us to secure any additional funds.

It is our hope that after additional information from WATS, SEMCOG and our partner agencies across the state, that MDOT will allow this funding to be obligated in either FY 2023 or FY 2024. While this funding is flexible, it needs to go to a project ready to go. Inflation and high bids are already stretching agency's budgets, a problem which seems likely to extend into FY 2024. The WATS Policy Committee has a history of prioritizing existing projects to ensure the program is delivered as promised. With this in mind, staff made a recommendation to the Technical Committee that if the amount of additional funding for urban area implementing agencies in Washtenaw County is less than 1 million dollars, the program be increased proportionally. Another way to say this is if a given project has 10% of the funding, that implementing agency would receive 10% of the increase to go to an eligible project already in the program. While the new totals exceed that amount (estimate of new available funding is now 1.5 million), staff still feel the proportional increase is the best way to ensure the funding is utilized and provide the best opportunity to complete the existing program, despite the challenges of inflation and high bids.

While a quorum was not present, agency representatives did support the idea of applying the additional funding proportionally. The preference is to spread the additional funding over both FY 23 and FY 24, if allowed, however, if the state does not allow that flexibility, the funding should be spread proportionally across the FY 2023 STP Urban and STP Urban-Flex Program.

We believe additional funding to the rural program(s) will be minimal and can be handled through administrative modifications and no further action from the WATS Committees.

I recognize that this is a confusing topic. Please reach out to me if you would like to go over more of the details of this highly technical, yet nuanced issue.

### **Action**

Consider the information provided in the memo and the recommended strategy and come prepared to discuss. Please reach out to me prior to the meeting if you would like to further discuss this issue. **Staff recommend additional urban funding (STP-U and STP-Flex) be spread proportionally based on the existing FY 2023 and FY 2024 STP-U and STPU-Flex program. If**



**the funding must be obligated in FY 2023, funding will be spread proportionally across FY 2023 only.**

# MEMORANDUM

To: Policy Committee  
From: Nick Sapkiewicz  
Date: November 8, 2022  
Re: Regional Safety Performance Measures

## **Background**

Each year MPOs are asked to participate in the development of state-set safety performance measures. The state-set measures evaluate trends in crash data to set what are described as achievable goals. Historically, WATS Committees have not viewed the goals set for the safety performance measure as ambitious enough and not aligned with the vision zero approach to safety, resulting in a letter from the director sent to MDOT with each safety performance measure acceptance calling attention to a lack of severity in the State's goals.

After a repetitious cycle of acceptance and follow-up correspondence to MDOT, last year WATS declined to accept the state-set safety performance measures, turning instead to the forthcoming development of regional safety performance measures.

Over the past several months, SEMCOG has convened a regional group, including several representatives from Washtenaw County, to develop safety performance measures for the region. It is WATS intent to accept this work in early 2023 rather than the state-set safety performance measures.

## **Action**

Please be aware of the shift in safety performance measure development and the acceptance process. (SEMCOG will be providing a presentation on the development of the regional safety performance measures at the November Policy Committee meeting.) Note that support of the regional safety targets does not impact the Vision Zero philosophy of the Long Range Plan.

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