

# WILMAPCO Council

## Action Item Summary Sheet

Meeting Date: May 12, 2022

**Action Item #15:** To Adopt the Draft FY 2023-2026 Transportation Improvement Program (TIP)

**Description/Summary of Item:**

Staff will present the draft FY 2023-2026 TIP, including result of the public comment. The TIP was available for public review and comment from March 18 to April 29. A public workshop was held April 6 in partnership with DeIDOT, MDOT, DTC, and Cecil County.

**Summary of Action Taken by PAC:** The WILMAPCO PAC reviewed the public outreach of the TIP at the April 18 meeting and recommended its approval by Council.

**Summary of Action Taken by TAC:** At their April 21 meeting, the WILMAPCO TAC recommended Council adoption of the TIP.

**Summary of Action Taken by Subcommittee/Task Force (if applicable):**

The NMTWG reviewed the draft TIP at their April 5 meeting.

The Air Quality Subcommittee reviewed the draft TIP at their April 21 meeting.

**WILMAPCO Staff Recommendations:**

The WILMAPCO staff recommends that Council adopt the TIP.

**WILMAPCO Council:**

**John Sisson, Chair**  
Delaware Transit Corporation  
Chief Executive Officer

**David L. Edgell**  
Delaware Office of State Planning  
Coordination, Director

**Danielle Hornberger**  
Cecil County Executive

**Michael Kline**  
Mayor of North East

**Nicole Majeski**  
Delaware Dept. of Transportation  
Secretary

**Matthew Meyer**  
New Castle County Executive

**Heather Murphy**  
Maryland Dept. of Transportation  
Director, Office of Planning and  
Capital Programming

**Michael S. Purzycki**  
Mayor of Wilmington

**Eric Scott Thompson**  
Mayor of Elsmere

**WILMAPCO Executive Director**  
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## **DRAFT RESOLUTION**

### **BY THE WILMINGTON AREA PLANNING COUNCIL (WILMAPCO) ADOPTING THE FY 2023-2026 TRANSPORTATION IMPROVEMENT PROGRAM**

**WHEREAS**, the Wilmington Area Planning Council (WILMAPCO) has been designated the Metropolitan Planning Organization (MPO) for Cecil County, Maryland and New Castle County, Delaware by the Governors of Maryland and Delaware, respectively; and

**WHEREAS**, the United States Department of Transportation's (USDOT) Regulations of Infrastructure Investment and Jobs Act (IIJA), Metropolitan Planning Requirements, require that, in air quality non-attainment areas, the MPO, in cooperation with participants in the planning process, develop and, at least every four years, updates the Transportation Improvement Program (TIP); and

**WHEREAS**, the projects included in the FY 2020-2023 TIP are drawn from the air quality conforming *2050 Regional Transportation Plan (RTP)* that is the basis for the Cecil County and New Castle County portions of the respective Statewide Capital Transportation Programs for Maryland and Delaware; and

**WHEREAS**, the WILMAPCO TIP format incorporates a four-year period for the listing of priority projects to be implemented, as well as a list of program development projects; and

**WHEREAS**, the FY 2023-2026 TIP has undergone appropriate community and technical reviews; and

**WHEREAS**, the TIP must be determined to be air quality conforming in accordance with FAST Act and Clean Air Act and Amendments (CAAA) of 1990 requirements; and

**WHEREAS**, the FY 2023-2026 TIP has been found to be financially constrained, as directed by 23 CFR 450.326, and consistent with the Regional Transportation Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Wilmington Area Planning Council does hereby adopt the FY 2023-2026 Transportation Improvement Program.

Date: \_\_\_\_\_

\_\_\_\_\_  
John Sisson, Chairperson  
Wilmington Area Planning Council

## DRAFT

### RESOLUTION BY THE WILMINGTON AREA PLANNING COUNCIL CERTIFYING THE METROPOLITAN TRANSPORTATION PLANNING PROCESS FOR FISCAL YEAR 2023

**WILMAPCO Council:**

**John Sisson, Chair**  
Delaware Transit Corporation  
Chief Executive Officer

**David L. Edgell**  
Delaware Office of State Planning  
Coordination, Director

**Danielle Hornberger**  
Cecil County Executive

**Michael Kline**  
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Director, Office of Planning and  
Capital Programming

**Michael S. Purzycki**  
Mayor of Wilmington

**Eric Scott Thompson**  
Mayor of Elsmere

**WILMAPCO Executive Director**  
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**WHEREAS**, the Wilmington Area Planning Council (WILMAPCO) has been designated the Metropolitan Planning Organization for Cecil County, Maryland and New Castle County, Delaware by the Governors of Maryland and Delaware, respectively; and is responsible for the performance of the transportation planning process in the Wilmington Urbanized Area; and

**WHEREAS**, it is the responsibility of WILMAPCO to ensure that said policy, planning, and programming process is consistent with applicable Federal Law; and

**WHEREAS**, the Infrastructure Investment and Jobs Act (IIJA) requires WILMAPCO to certify that its transportation planning process is in conformance with regulations; and,

**WHEREAS**, the Federal Regulations for metropolitan transportation planning in 23 CFR 450.336 state that the State(s) and the MPO shall certify to the FHWA and the FTA that the planning process is addressing the major issues facing the area and is being conducted in accordance with all applicable requirements of:

- (1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- (2) In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity;
- (5) Section 1101 (b) of the FAST Act –Pub. L. 114-357 and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27, 37, and 38;
- (8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (9) Section 324 of title 23, U.S.C., regarding the prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

**NOW, THEREFORE, BE IT RESOLVED**, that WILMAPCO does hereby certify that the planning process is being carried on in conformance with all applicable requirements.

**BE IT FURTHER RESOLVED**, that WILMAPCO does hereby request that the Maryland and Delaware Departments of Transportation join this certification, as signified by their signatures on the attached, and forward this joint self-certification to both FHWA and FTA.

Date: \_\_\_\_\_

\_\_\_\_\_  
John Sisson, Chairperson  
Wilmington Area Planning Council

**METROPOLITAN TRANSPORTATION PLANNING PROCESS  
SELF-CERTIFICATION**

(To be submitted with each Metropolitan Transportation Improvement Program)

The Maryland Department of Transportation and the Delaware Department of Transportation and the Wilmington Area Planning Council (WILMAPCO), the metropolitan planning organization for the Wilmington urbanized area, hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- 1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- 2) In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
- 3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- 4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- 5) Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in DOT funded projects;
- 6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- 7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- 8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- 9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- 10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

**Wilmington Area Planning  
Council**

**Maryland Department of  
Transportation**

**Delaware Department of  
Transportation**

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Signature

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Signature

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Printed Name

James F. Ports, Jr.  
Printed Name

Nicole Majeski  
Printed Name

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Executive Director  
Title

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Secretary  
Title

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Secretary  
Title

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Date

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Date

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Date

