



MINUTES

February 26, 2009 – 1:00 p.m.

Illinois Municipal League, 500 East Capitol Avenue, Springfield, IL 62701

I. ROLL CALL

Board: Terry Kohlbuss, Tri-County Regional Planning Commission, Norm Sims, Springfield Area Transportation Study; Cameron Moore, Champaign County Regional Planning Commission; Steve Ernst, Rockford Agency for Planning; Jerry Blair, East-West Gateway Council of Governments; Gordon Smith, Chicago Metropolitan Agency for Planning; Jennifer Sicks, McLean County Regional Planning; Denise Bulat, Bi-State Regional Commission; Steve Ernst, Rockford Agency for Planning; Mike Smith, Decatur Area Transportation Study; and Mike Lammey, Kankakee Area Transportation Study. *Teleconference:* Brian Dickson, DeKalb-Sycamore Area Transportation Study. *Others:* State Representative Kathy Ryg, 59th District; Jim LaBelle, Metropolis 2020; FHWA, John Donovan, John Paul Kohler and JD Stevenson; IDOT, Les Nunes, Jim Stack and Betsy Tracy; Peoria-Pekin Urbanized Transportation Study, Maggie Martino and Marta Perales, Illinois MPO Advisory Council.

II. HB2359 – TRANSPORTATION INVESTMENT & ACCOUNTABILITY ACT

INTRODUCTION

Mr. Moore introduced State Representative Kathy Ryg and Jim LaBelle, Vice President of Metropolis 2020. Rep. Ryg thanked the Board members for allowing her the opportunity to meet with them. She indicated that through various discussions in both the House Mass Transit, along with the Smart & Regional Planning Committees in the 95th General Assembly, it became clear that local stakeholders' input in determining what the priorities were for the region were essential. Lake County was successful at looking at plans where they could consider high priority projects that reduce congestion and increase economic development. Rep. Ryg informed members that Rep. Bradley is proposing a gas tax and they are working together in a parallel process to move both bills along. She went on further to state that the legislature cannot ask for a tax hike unless we can guarantee that accountability is in place.

QUESTIONS & ANSWERS

Mr. Nunes asked Rep. Ryg what funds will be available for this new program. Mr. LaBelle indicated that it is or will be similar to the MPOs policy structure and it does not take any power away from the MPO. He believes the public deserves an opportunity to review the plans prior to the General Assembly funding the projects. He further indicated that there is legislative involvement in the process. One of the biggest challenges is telling the General Assembly when the Governor is still in control. This bill ensures the legislature and the public that there will be sound evaluation of the projects and programs. If passed, they can say that they have done the best job they can to evaluate the plans.

Mr. Nunes asked how are the funds appropriated and whether there still will be sub-allocations? Mr. LaBelle indicated that the MPO Advisory Council recommended we look at the California model. There are funds allocated for special programs such as transit, to the extent STP funds are allocated in certain areas; we could not take any of that share. It was not meant to take federal earmarks or designated funds.

Mr. Moore informed Rep. Ryg that not all Board members have had a chance to review the legislation. The Board is not prepared today to make a decision to endorse, not endorse, or remain neutral on the legislation. Staff is in the process of producing an analysis on the legislation.

The Chairman commended Mr. Sims, Mr. Soltau, and Mr. Ernst and recalled their previous suggestions were considered in the drafting of the legislation. Mr. LaBelle reminded members the legislation was based on what the MPOs are currently doing, and is a logical escalating approach to providing transparency and accountability. The bill has been posted for Committee, but will not be heard next week. There is a possibility of passing it out of committee due to time deadlines and holding it in second reading. Mr. Ernst indicated that a member of his delegation would be interested in sponsoring the legislation. Mr. LaBelle indicated that it does have bi-partisan support.

Mr. Kohlbus expressed his appreciation in taking on the issue. We have the federal law behind us that dictates some level of coordination between the MPOs and IDOT. Mr. Kohlbus asked what can be done to get the information to the Board at the MPO level from IDOT in a timely manner for consultation and development of a local plan. Mr. LaBelle stated that if this bill passes, the MPO plan and programs would rise to be recommended. Rep. Ryg thanked members and wanted to use Ms. Perales as the point person on the legislation between Metropolis 2020 and the MPO Advisory Council.

III. APPROVAL OF MINUTES

Mr. Moore entertained a motion to approve the minutes of December 11, 2008 and the teleconference on January 26, 2009 along with the January 11, 2009 Technical Committee minutes. Ms. Sims motioned to accept the minutes, seconded by Mr. Lammey. All voted aye.

IV. TREASURER'S REPORT

Mr. Kohlbus indicated there was a discussion with Mr. Nunes about continuing the IDOT grant. A budget is being prepared for the remaining of the contract for June 2009. Mr. Moore stated there was some confusion from ILARC, the MPO Advisory Council and IDOT about which expenses were covered. IDOT has ruled that they are ineligible for office space costing \$2,100 and staff services from ILARC costing \$2,600. I would accept a motion to accept and file the financial statements with a caveat that \$4,700 is due to IDOT for ineligible expenses. There is a balance of \$13,000 from local match funds. Motion was made by Ms. Bulat and seconded by Gordon Smith. All members voted aye. Motion passed.

V. CHAIRPERSON'S REPORT

CONTINUED FUNDING

The Officers of the Advisory Council had a teleconference call with Mr. Nunes nearly a month ago about the status of the group. Mr. Nunes indicated IDOT would be willing to extend the contract for another year to provide funding for this group. Mr. Kohlbus is preparing a budget for the remainder of the year. Putting together an extension or a new contract from July 1, 2009 and have that agreement in place by July 1, 2009, he asked members if there were any questions or concerns. None of the members raised any issues or concerns. He believes the Advisory Council is moving forward in a good manner, discussing pertinent language which will impact in MPOs and such.

TECHNICAL COMMITTEE

The technical committee has had two conference calls, and they are working on various technical training issues. Hopefully within 2 or 3 months, they will focus on an educational program to put in place. Great ideas were presented from technical committee members. Hopefully, we would be able to find some trainers at little or no cost provided from IDOT or the FHWA.

RURAL PLANNING ORGANIZATIONS

Mr. Moore asked Advisory Council members and IDOT to consider creating rural planning organizations in Illinois. In the near future, there could possibly be some legislation to create RPOs to serve rural regions outside an MPO boundary. This would ensure that residents in rural regions are

represented. In Pennsylvania, he ran a seven county agency consisting of five counties as an RPO and two as MPOs. He asked Ms. Bulat to share her experiences with RPOs in Iowa. Ms. Bulat informed members of how the Bi-State Regional Planning Commission works with a local RPO. She believes the smaller communities are not really represented at the county level, but do have some resources. An RPO can bring them into the loop since they did not have a voice in the region. They have been able to see federal dollars come their way as a result of the organization.

Over the next six months or year, Mr. Moore reiterated the need for rural areas to provide some input in the State of Illinois. Federal legislation is not required to create the RPOs. Mr. Kohlbus expressed the need to provide some research on the topic to understand the theory of RPOs. What are the financial impacts on existing MPOs? Ms. Bulat stated these areas benefited. They did get extra planning dollars in Iowa for the RPO within their region. Iowa has a CANN program, Brian Cap out of Burlington has been asked to various parts of the nation to prepare a presentation on the need for RPOs. Mr. Soltau indicated that there is something similar to RPAs in Wisconsin and they receive planning funds.

IV. STAFF REPORT

Ms. Perales stated the General Assembly has been discussing the need for raising the motor fuel tax in both legislative chambers. Mr. Moore indicated the local news reported a 20 cent increase in motor fuel taxes. Mr. Simms was supportive of the tax increase. Mr. Nunes indicated the Governor came out against the tax increase, than later clarified his original statement. Due to the budget shortfall in Illinois, there is serious consideration for all new revenue enhancements.

Rockford, Champaign, Peoria/Pekin, and Decatur have not submitted their reports. Mr. Moore indicated the budget climate is tough, and there may be some pressure to eliminate or reduce spending. G. Smith asked about the status of holding an information session for the state legislature. Mr. Soltau suggested members should submit a short synopsis of how these funds were expended, which takes minimal effort. Mr. Sims indicated that perhaps members can talk individually to their delegations about the use of their funds, instead of an overall outreach to the General Assembly.

G. Smith indicated that CMAP will do an outreach to their delegation. Mr. Moore indicated that the MPO Advisory Council is still preparing the report, just not necessarily reaching out to the delegation. Mr. Donovan responded that tax increases are coming, and Senator Haine indicated the need for something soon to shore up the budget shortfalls in Illinois. Mr. Moore stated there is a need to cut programs, and members may look to fund their pet projects. Mr. Kohlbus indicated that the Advisory Council should be monitoring the budget process. The goal is to paint a comprehensive picture of how these funds were used.

V. AMERICAN RECOVERY & REINVESTMENT ACT

Mr. Nunes indicated that highways received \$975 million, 3% to the Enhancement Program and 30% sub allocated to local entities: \$213 million and \$3 million and another \$33 million to the rural areas. The state was allowed 20 days to obligate approximately \$325 million. IDOT is prepared to accomplish the April 3rd letting. Date of apportionment notices may be out by Monday, March 2nd. They have up to March 10th to do the apportionment. Mr. Paul indicated members follow the FHWA website. There has been six questions and answers added. The federal highways put out estimated apportionments and they have just received to the email group the implementation guidelines from their headquarter offices. Some of the guidelines deal with the internal guidelines for IDOT and the MPOs. They are seeing more guidelines about the reporting issues. This will take significant efforts from all the MPOs.

PPUATS is receiving \$20.75 per capita and smaller areas are receiving \$30.25 per capita. Do you think it was the intent of Congress with the 30% set aside that TMAs would wind up in worse shape? Do you know anything in the law that would keep the State from taking the \$780 million in the non-allocated

funds remaining that would be equitable to TMAs? Mr. Paul referred to the estimated apportionment table, table II. As Mr. Nunes indicated, Illinois has \$202.8 billion for the TMAs and the distribution of roughly \$78 by law has to go to areas under 200,000. Mr. Kohlbus asked, "Does it specifically exclude communities that are in TMAs?" The fact is that district 4 gets the least amount of monies throughout the state and PPUATS is getting less money because it is a TMA. Mr. Paul indicated that all they are doing is implementing what is written. There may be an interpretation problem. Non-TMAs fared pretty well in the distribution.

Mr. Ernst asked about non-highway bridges and non-transit funds. How do we access the information, in particular rail? Mr. Nunes said it was written in the bill. The FRA will provide the guidelines for these funds. Please contact George Weber at IDOT. Ms. Bulat indicated that she spoke with Iowa DOT, and they stated it was a competitive grant program. Iowa DOT will be applying for this grant, and George Weber indicated it will most likely be the same process in Illinois.

Gordon asked about the second to the last paragraph; if projects are approved by IDOT, is somebody else concerned about the 'if' in the language. Ms. Bulat indicated that there are some people who believe that any local road can be in the project selection. Mr. Sims indicated that projects have to be in the MPO process. Mr. Kohlbus asked about the reporting requirements of ARRA and they raised the issue of using SPR funds for reporting requirements. Dick Smith was open to the idea, but the MPOs needed to demonstrate some rationale about how these would be used. The proposal would be as follows: 1 full time person for CMAP, $\frac{3}{4}$ person at St. Louis at \$60,000; $\frac{1}{2}$ person for mid-size MPOs at \$40,000 and a $\frac{1}{4}$ person for small MPOs at \$20,000. These SPR funds would offset future costs. Dick Smith was clear that the MPOs would need to respond relatively quickly. He made no commitments but the request needs to be placed as soon as possible. He asked members for input on this issue, Champaign RPC internal research indicated an estimate cost of \$20,000 to \$25,000. Motion was opened, seconded by Gordon Smith. Mr. Ernst asked if SPR funds can be used on a contractual basis without having to hire someone full or part-time. Mr. Moore indicated a contractual position may be more cost effective.

RMAP is not hiring full-time staff people but using contractual employees in order to get the work in a timely manner. Mr. Paul indicated that provisions needed to be published within 90 days. In the last six months, they proposed rules for projects of regional significance. Maybe the group should take a look at the \$1.5 billion in discretionary funds, these rules may be mirrored for ARRA. Applications have to be submitted within six months. Mr. Ernst motioned, and Mr. Soltau seconded. The MPO Advisory Council will draft a letter about the request for reporting funds for ARRA.

Ms. Bulat indicated that ILARC had to send an additional project list to DCEO. They are sending multiple project lists to various state organizations. She believes these multiple lists are confusing, and they may not receive any funding from that particular agency. Mr. Sims reiterated his concerns. They both expressed the redundancy of these lists. The ILARC meeting indicated that the Governor's office has a list too. It was suggested that all projects have to be typed in and entered. We should get some clarity on the need to do so. Folks at the last meeting included the Illinois extensions and DCEO and indicated this was necessary. Mr. Moore asked Ms. Perales to follow up to get a clear answer on what we need to do with the project list. All MPOs have projects in Transportation Improvement Plan.

vi. HB2359

Mr. Moore asked how many members read the bill; only two members responded. He would like to poll the members to see if there is support for this particular legislation. Should the MPOs support the bill, not support it, or take a neutral position? Mr. Moore indicated that HB2359 is setting up a new structure on how funds are spent. Of the 50% spent going into MPO areas, we need to see how those funds are currently distributed at the state. IDOT does not break the information by MPO. It is very difficult to do

an analysis by MPO. Ms. Perales asked members to submit their suggested changes in language by close of business March 5, 2009

G. Smith asked if any MPO members are adamantly opposed to the legislation. None of the MPOs have indicated they are opposing the bill at this time, but they need time to review and analyze the bill. Ms. Bulat asked if we go into this system, and we have more dollars and have the same ability that some projects can't be touched by the Transportation Commission.

VII. MPO POSITION PAPER ON TRANSPORTATION REAUTHORIZATION

Mr. Soltau stated people were starting to focus on this issue, prior to ARRA legislation. This issue will come up in Washington soon. Ms. Bulat indicated that NADO was present at the ILARC meeting in the morning. NADO, NARC and AMPO came up with a broad statement of principles. There is some concern about the population benchmarks for MPOs. Mr. Moore indicated that all three organizations have different population thresholds. Ms. Bulat also stated that monies should go to regional areas to deal with regional issues. NADO is pushing this issue and could potentially have some legs. Mr. Moore states this can distinguish between RPAs and MPOs. Mr. Soltau asked members to consider a broad set of principles and it was probably easier instead of getting into the details. This topic will be placed on the agenda for the next meeting.

VIII. AMPO & NARC DUES

Mr. Moore stated that IDOT pays both the AMPO & NARC dues and they are willing to do so for one more from July 1, 2009 to June 30, 2010 to pay 100% of those membership dues. But after July 2010, IDOT will pay 80% with the remaining paid by the MPO Advisory Council. Mr. Sterman asked for the agenda item, since they paid their dues prior to the IDOT commitment. He asked where it leaves the East-West Gateway Council of Governments. Do they receive a refund? Mr. Moore had previous discussions with NARC about a similar issue, and NARC will provide a fund for those dues paid. AMPO will need to be contacted on what to do in this situation. He recommended AMPO reapportion the dues. Mr. Moore indicated that NADO is the National Association of Development Organizations. They tend to be economic development associations and tend to be more neutral.

IX. NEXT MEETING

Ms. Bulat indicated that the next ILARC meeting is scheduled for May 21, 2009. Mr. Moore told members the MPO Advisory Council will work on having a meeting on the same day.

Mr. Paul asked if any MPOs used economically distressed areas by county. In Chicago, none of the areas were viewable as economically distressed areas, but at as a county it does not meet those thresholds. They will probably analyze on a micro-scale, than countywide.

X. ADJOURNMENT

Mr. Moore adjourned the meeting at 3:10 p.m.

Minutes submitted by Marta Perales