

MINUTES

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

EXECUTIVE COMMITTEE

Tuesday, April 3, 2009

3:00 p.m.

SEWRPC Office Building
Commissioners' Conference Room
W239 N1812 Rockwood Drive
Waukesha, Wisconsin

Present:

Excused:

Committee Members:

David L. Stroik, Chairman
Thomas H. Buestrin
William R. Drew
James T. Dwyer
Gustav W. Wirth, Jr.

Richard A. Hansen, Vice-Chairman
Daniel S. Schmidt

(via teleconference)

Adelene Greene
Michael J. Miklasevich
Nancy Russell

Staff:

Kenneth R. Yunker
Loretta Watson

Executive Director
Executive Secretary

ROLL CALL

Chairman Stroik called the meeting to order at 3:00 p.m. Roll call was taken and a quorum declared present, including Commissioners Greene, Miklasevich, and Russell who participated in the meeting via teleconference. Mr. Yunker noted for the record that Commissioners Hansen and Schmidt had asked to be excused.

CONSIDERATION OF ACTION TAKEN BY ADVISORY COMMITTEE ON TRANSPORTATION SYSTEM PLANNING AND PROGRAMMING IN MILWAUKEE URBANIZED AREA WITH RESPECT TO APPROVAL OF PROJECTS TO RECEIVE FEDERAL HIGHWAY ADMINISTRATION SURFACE TRANSPORTATION PROGRAM-MILWAUKEE URBANIZED AREA AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDING

Mr. Yunker stated that the Commission as the Metropolitan Planning Organization (MPO) for transportation planning for the Milwaukee urbanized area, has the lead in the Milwaukee urbanized area in working with local officials to select projects to be funded with U.S. Department of Transportation, Federal Highway Administration, Surface Transportation Program-Milwaukee Urbanized Area (FHWA STP-MUA) funds. He noted that the Commission worked with its Advisory Committee on Transportation System Planning and Programming in the Milwaukee Urbanized Area and all local governments in the Milwaukee urbanized area to develop guidelines and rules for the selection of projects with this funding for the last 18 years. He noted that by and large, this project selection has not been controversial, and the votes of this Committee, which is appointed on a population proportional basis, have been unanimous. Mr. Yunker continued noting that the American Recovery and Reinvestment Act (ARRA) has provided about \$38.7 million of FHWA STP-MUA stimulus funds to the Milwaukee urbanized area. Mr. Yunker stated that the Wisconsin Department of Transportation solicited county and municipal projects for use of these funds with one solicitation being conducted in February before a final Federal stimulus bill was in place and a second solicitation which will have additional projects being provided to the Wisconsin Department of Transportation by April 8.

The first solicitation of projects required that construction of such projects be initiated in 2009 and was based on draft Federal stimulus legislation then being considered. Only about 40 of such projects, including four in the Milwaukee urbanized area, were determined to meet these requirements. The Governor and the State legislature Joint Finance Committee approved the funding of these projects. However, the four projects in the Milwaukee urbanized area which would be underway in 2009 would compete for funding with projects that are still being solicited and are due to be provided to WisDOT by April 8. These latter projects will not need to be under construction until the year 2010 consistent with the final Federal stimulus legislation, the ARRA. It is anticipated that there will be substantially more eligible projects than the \$38.7 million of funding available for the Milwaukee urbanized area. Mr. Yunker noted that the Commission's Advisory Committee on Transportation System Planning and Programming for the Milwaukee Urbanized Area had met on March 16 and 20, 2009, and had on March 16, 2009, approved one of the four projects, a bridge project of \$150,000 as such approval was needed by March 16, 2009, if the project was to be under construction in 2009. He added that the Committee at their meeting on the morning of April 3, 2009, considered whether to approve the remaining three projects which could be under construction in 2009 -- at a total cost of about \$7.3 million -- and provide stimulus to the economy in 2009, or to delay action on these projects so that they can be considered with all projects potentially eligible for stimulus funding. WisDOT has advised that any delay in approving the three projects may result in their not being under construction until 2010. Also, the potential additional projects to be submitted to WisDOT by April 8 would likely not be under construction until the year 2010, and not, therefore, be providing stimulus to the economy until 2010.

Mr. Yunker stated that the issue before the Commission's Advisory Committee on Transportation System Planning and Programming for the Milwaukee Urbanized Area, and as well before the local units of government in the Milwaukee urbanized area, and before the Commission, was one of whether to provide a fair-share of the \$38.7 million funding to each local government in the Milwaukee urbanized area having eligible projects, or to advance the four projects which could be underway in 2009 and provide stimulus to the economy in 2009, rather than 2010. Mr. Yunker stated that another issue was whether to give priority to funding projects in economically distressed areas, which by Federal definition, would be concentrated in the City of Milwaukee.

Mr. Yunker stated that the Commission's Advisory Committee on Transportation System Planning and Programming for the Milwaukee Urbanized Area at their meeting on the morning of April 3, 2009, determined not to fund the three projects which could be under construction in 2009 from the \$38.7 million of FHWA STP-MUA stimulus funds. The Advisory Committee instead determined to recommend that the Wisconsin Department of Transportation consider funding these projects within the \$354 million

of ARRA FHWA funding received by the State and is at their discretion to expend on projects throughout the State of Wisconsin. The Advisory Committee noted that the State had already committed about \$300 million of this discretionary funding to projects throughout the State and about \$54 million of this discretionary funding remained to be allocated to projects.

In response to a question from Mr. Buestrin, Mr. Yunker stated that the Committee vote on this issue was actually 14 to 5, but the Committee then moved to reconsider and voted unanimously on this recommendation. Mr. Yunker further noted that the Committee took the position largely because each local government wanted to receive their fair-share of the available funding. He noted that there were some concerns that because of actions taken by the State it appeared that the State had selected the projects without consulting the Commission and local units of government in the Milwaukee urbanized area. Mr. Yunker noted that this may have affected the positions taken by some members of the Committee as well. In response to an inquiry by Mr. Buestrin, Mr. Yunker stated that the Wisconsin Department of Transportation did not take any position on the Advisory Committee's action.

In response to a question by Mr. Miklasevich, Mr. Yunker stated that the Wisconsin Department of Transportation has \$354 million of stimulus funds which can be expended at the State's discretion. It may be expected that these funds will be expended on State highways. For example, some of these funds have been allocated to the reconstruction of I 94 between the Wisconsin-Illinois State Line and the Mitchell Interchange. In response to an inquiry by Chairman Stroik, Mr. Yunker stated that if the two projects in Washington County were approved for funding, other local governments in the Milwaukee area would not receive their fair-share of funding. He noted that Washington County had less than one percent of the total planned lane miles of eligible arterial facilities in the Milwaukee area. Approving the two projects in Washington County would result in Washington County receiving 20 percent of the available stimulus funds. Mr. Yunker noted that if Washington County were to be allocated those funds it would probably take about 60 years of continued allocated FHWA STP-MUA funds and Washington County not receiving another project before every local government would receive their fair-share. Mr. Yunker noted that Village of Germantown officials were in attendance at the meeting and spoke in favor of Washington County projects being approved. The Village of Germantown officials cited the stimulus these projects would provide in 2009 and noted their approval by the Governor and State Legislature. Mr. Yunker stated that he had suggested prior to the meeting to Washington County officials that they could ask whether the Village of Germantown would be willing to dedicate the \$3.5 million of STP-MUA fund balance that they have to the Washington County stimulus projects. Mr. Yunker stated that if they had done so, the Advisory Committee could have been expected to approve one of the Washington County projects. However, it was his understanding that the Village of Germantown would not give Washington County permission to do this because they wanted their own fair-share of projects.

In response to an inquiry by Mr. Miklasevich, Mr. Yunker noted that if the \$38.7 million of FHWA STP-MUA funding is not used within the Milwaukee area, it cannot be spent in other parts of the State of Wisconsin and would need to be returned to the FHWA. In response to an inquiry by Mr. Drew, Mr. Yunker stated that the Advisory Committee had tentatively agreed that the funding available should be allocated about 30 percent for bridges, and about 70 percent for arterial re-surfacing and reconstruction with the funding allocated to communities and counties based on their eligible lane miles of planned arterial facilities. In response to an inquiry by Chairman Stroik, Mr. Yunker stated that the Commission has two options, one to endorse the Advisory Committee and in so doing ask the State to fund the three projects with their discretionary funds, or to override the Advisory Committee and determine to fund the three projects with the \$38.7 million of stimulus funds. In response to an inquiry by Mr. Wirth, Mr. Yunker stated that if the three projects are not funded, the \$38.7 million of stimulus funds will not be lost to the Milwaukee urbanized area, but rather will fund projects which likely will occur in the year 2010 rather than the year 2009.

Chairman Stroik stated that it was unfortunate that the message had been provided to local governments that these three projects had been approved for funding, but actually they were not. Mr. Buestrin asked whether the three projects would have higher priority than the projects which are to be submitted to the Wisconsin Department of Transportation by local governments by April 8 because they could be under construction in 2009. Mr. Yunker agreed that could be a factor, but local governments may be expected to be looking at their receiving a fair-share of projects and funding. He noted that to have Washington County receive funding for their two projects would mean that Washington County would be receiving 20 percent of the funds and their planned lane miles only represent about one percent of the total needs. Mr. Yunker added that the Advisory Committee could also give priority to projects in economically distressed areas.

On a motion by Mr. Drew, seconded by Mr. Dwyer, and carried unanimously, the Executive Committee of the Commission endorsed the recommendation of the Advisory Committee on Transportation Planning and Programming for the Milwaukee Urbanized Area, which recommended that the three Stage 1 projects be funded by the State of Wisconsin out of their discretionary funds and not be approved for funding within the \$38.7 million of FHWA STP-MUA funds.

CORRESPONDENCE/ANNOUNCEMENTS

Mr. Wirth noted that he attended a meeting that morning with Kevin Schafer, the Executive Director of the Milwaukee Metropolitan Sewerage District (MMSD). He noted that Mr. Schafer gave high compliments to the Commission staff for their work on the regional water quality management plan which was done in close cooperation with the MMSD.

ADJOURNMENT

There being no further business to come before the Committee, the meeting adjourned at 3:55 p.m., on a motion by Mr. Miklasevich, seconded by Mr. Drew, and carried unanimously.

Respectfully submitted,

Kenneth R Yunker
Deputy Secretary

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Attachments