

MINUTES OF THE SEVENTEENTH MEETING

SOUTHEASTERN WISCONSIN REGIONAL TRANSIT AUTHORITY

DATE: January 7, 2008
TIME: 8:00 a.m.
PLACE: Southeastern Wisconsin Regional Planning Commission
Commissioner’s Conference Room
W239 N1812 Rockwood Drive
Waukesha, WI
(Teleconference Meeting)

Board Members

Karl Ostby, Chairman Kenosha County Representative
Len Brandrup City of Kenosha Representative
David Eberle Racine County Representative
Joseph “Jody” Karls City of Racine Representative
Sharon Robinson City of Milwaukee Representative
Julia Taylor Governor’s Representative from City of Milwaukee
George A. Torres Milwaukee County Representative

Staff Members

Philip C. Evenson Executive Director, SEWRPC
Kenneth R. Yunker Deputy Director, SEWRPC
Albert A. Beck Principal Planner, SEWRPC

Consultant Team (Transit Advocacy and Communications)

H. Carl Mueller
Lori Richards
Brandon Scholz

Guests

Dan Boehm Director of Administration, Milwaukee County Transit System
Anita Gullotta-Connelly Managing Director, Milwaukee County Transit System
Albert Stanek Chief, Intercity Planning,
Division of Transportation Investment Management,
Wisconsin Department of Transportation
Kerry Thomas Communications Director, Transit Now

ROLL CALL AND INTRODUCTIONS

Vice Chairman Taylor called the meeting to order at 8:05 a.m. noting that Chairman Ostby had been delayed and would join the meeting shortly. The presence of a quorum of Board members was confirmed. As the meeting was being conducted through a teleconference call, the individuals present in the Commission offices, along with those who had dialed-in, identified themselves to the Board members.

Chairman Ostby joined the meeting at 8:15 a.m.

APPROVAL OF AGENDA

There were no changes identified by Board members to the meeting agenda.

REVIEW AND APPROVAL OF MINUTES OF THE DECEMBER 17, 2007, MEETING

A motion to approve the minutes as presented was made by Mr. Karls, seconded by Mr. Brandrup, and carried unanimously by the Board.

CONSIDERATION OF POSITION, IF ANY, OF THE RTA BOARD RELATIVE TO THE RTA LEGISLATION BEING PROPOSED BY THE ALLIANCE OF CITIES

Ms. Taylor drew the Board's attention to the paper prepared by the consultant team which identified the key issues of concern raised by the RTA regarding the draft legislation proposed by the Alliance of Cities and potential changes which the RTA could request be considered for the bill (see Attachment 1). She asked Board members to comment on the draft Alliance of Cities bill and the bullet points identified in the in the issue paper. The comments of the Board members may be summarized as follows:

1. Regarding the sections of the draft legislation requiring a mandatory binding referendum on the creation of an RTA and requiring separate referendum questions on bus and rail transit issues, the majority of the Board opposed the referendum language in the bill. Mr. Eberle and Mr. Torres indicated that they were in favor of holding referenda as specified in the bill. Board members indicated that if referendum language was to be a part of the bill, they favored language that would permit, but not require, holding a referendum on the creation and funding of RTAs.

Mr. Karls stated his belief that the legislation could not be approved by the Legislature if it did not require holding a referendum as a condition for the creation of an RTA. Mr. Brandrup stated his opposition to having separate referendum questions on the creation of an RTA and on funding the Kenosha-Racine-Milwaukee (KRM) commuter rail project. He also indicated his belief that the referendum requirement would be detrimental to the future of the Milwaukee County Transit System.

2. Regarding the sections of the draft legislation limiting a potential sales tax in the City of Milwaukee to 0.35 percent, the majority of Board members indicated their support for up to a 0.5 percent sales tax. Mr. Karls stated that while a 0.35 percent sales tax likely would be sufficient for the City of Racine transit system, he would support up to a 0.5 percent sales tax for Milwaukee County and the Milwaukee County Transit System. Ms. Taylor and Mr. Eberle also indicated their support for a sales tax of up to a 0.5 percent. Ms. Robinson stated that she was opposed to limiting an RTA sales tax to 0.35 percent but would need more information on the use of the tax revenues before deciding on a rate of 0.50 percent. Mr. Brandrup stated that he opposed limiting the RTA to a sales tax of 0.35 percent, and that the tax rate should be based on a service and financial plan that identified the needed transit services and the attendant funding that would be required in the RTA Counties. Chairman Ostby stated that he supported a sales tax of up to 0.5 percent, consistent with the initial funding position taken by the Board at its December 2006 meeting. He noted the initial RTA position had also called for each county to identify to the RTA the tax rate that would be needed for the KRM service and public transit. Mr. Torres stated that he could not support the levy of any new sales tax by the RTA.

3. Regarding whether the RTA should seek to be exempted from the provisions of the Alliance of Cities RTA legislation or work to revise the bill to include specific provisions for the RTA in southeastern Wisconsin, Board members discussed the merits of both courses of action. The majority of Board members indicated that they favored working with the Alliance of Cities to revise its bill.

Ms. Robinson stated that she did not sense there was strong support for the Alliance of Cities RTA bill in the Legislature. She and Mr. Torres stated that the draft bill had numerous problems and they could not support being part of the legislation as drafted. Mr. Brandrup indicated that the City of Kenosha also had problems with bill including the referendum requirements and the limitations on providing service to areas outside the RTA boundaries. However, rather than request to be exempted from it, he believed that the RTA should help “fix” the bill by working to get the specific provisions needed for southeastern Wisconsin into the bill. He stated that the support of the southeastern Wisconsin RTA would be needed in order for the bill to have any chance for approval. If the RTA chose not to work with the Alliance of Cities on its bill, he suggested that the RTA could potentially lose support from other areas in the State for any future legislation it needed for commuter rail and public transit in southeastern Wisconsin. Mr. Torres agreed that the RTA should be a part of the bill, but stated his belief that the RTA currently did not have all the information it needed to “carve out” specific provisions in the bill to address the needs of the RTA and public transit in southeastern Wisconsin.

Mr. Eberle voiced his agreement with Mr. Brandrup on the need to identify revisions to the draft bill. Mr. Karls stated that the RTA should consider what is best for the KRM commuter rail project in deciding whether to seek an exemption from, or work to revise, the bill.

4. The Board discussed how it should respond to the Alliance of Cities concerning the draft RTA legislation. Chairman Ostby suggested the Board respond with a letter indicating that it supports the creation of RTAs in general but cannot support the Alliance of Cities bill as it is currently written, and that it will provide suggested changes to the bill to address its concerns at a later date. The concerns identified by Board members included the 0.35 percent sales tax limit; the provisions allowing individual municipalities to join or leave the RTA; the mandatory, rather than permissive, referendum requirement; the need to have separate referenda on bus and rail issues; the bill’s failure to recognize the existing multi-county (Kenosha, Racine, and Milwaukee) RTA and attendant need to provide transit service in Southeastern Wisconsin on a multi-county basis; and restrictions on providing transit service outside the RTA service area without the outside area subsidizing the transit service (This would present a problem for the KRM commuter rail as some KRM trains would connect with Metra trains at Waukegan). Ms. Robinson indicated that the report to the State Legislature from the RTA should be used to define the specific provisions that will be needed in the Alliance of Cities RTA bill or other State legislation.

Mr. Evenson commented that one possible revision to the bill would be to specify that the RTA in southeastern Wisconsin be created at the county level, Mr. Karls indicated that it would be difficult to win approval of an RTA referendum in western Racine County. Because of this, he stated that the City of Racine favored the creation of an RTA at the municipal level for only eastern Racine County. He stated his belief that a referendum was a political reality and would be required under any RTA legislation passed by the Legislature.

In response to a question from Ms. Robinson, Mr. Evenson and Mr. Brandrup indicated that requiring individual municipalities to approve a referendum favoring the creation of an RTA was not typical of how RTA referenda have been conducted in other areas of the nation. They noted that RTA referenda in the Chicago and Denver areas and in Texas had been held as “winner takes all” elections based on ballots for the entire RTA district.

5. Mr. Karls moved that the Board direct Chairman Ostby to send a letter to the Alliance of Cities indicating that the RTA supports, in concept, the type of legislation proposed by the Alliance, but has some issues with the bill in its current form including the provisions limiting the sales tax levied by an RTA to 0.35 percent, allowing individual municipalities to join or leave the RTA, and requiring the passage of referenda on RTA creation and taxing levels; and that the Board needs time to address its issues within the context of its statutory requirement to produce a report for the State Legislature and Governor on RTA activities and public transit in southeastern Wisconsin. The motion was seconded by Mr. Eberle and carried unanimously by the Board.

[Secretary’s Note: A copy of the letter to the Alliance of Cities indentifying the RTA’s position on the draft RTA bill is included in Attachment 2.]

CONSIDERATION OF EXTENSION OF CONSULTANT PHASE II AGREEMENT

Chairman Ostby referred the Board to the document which provided information on the costs of extending the contract for the communications consultant team (see Attachment 3). Mr. Evenson explained that virtually all of the funds identified in the contract had been spent and the contract would need to be extended to provide payment for any future work by the consultant team in 2008. He proposed that the RTA contract with the consultant on a month-to-month basis for the tasks it currently performs as identified in the top section of the document. Mr. Yunker indicated that the estimated costs of all potential work proposed by the consultant would amount to no more that \$15,000 per month, or \$180,000 annually, which could be funded with the existing RTA rental car fee revenues and still leave a substantial surplus to fund other RTA activities.

In response to a question from Mr. Brandrup, Mr. Evenson indicated that the Commission did not have staff resources to perform the work tasks identified for the consultant team. Mr. Brandrup stated that the Board should, therefore, continue to contract with the consultant team. In response to questions raised by Mr. Torres and Ms. Taylor, Mr. Evenson indicated that the Commission would ask the consultant to provide detailed monthly billing information that would identify the work performed and hours billed.

Mr. Karls made a motion that the RTA extend the consultant team contract on a month-to-month basis for the existing work items identified in the top section of the document, with the maximum monthly budget set at \$12,000. The motion was seconded by Chairman Ostby and carried unanimously by the Board. Mr. Evenson noted that if changes to this month-to-month contract arrangement with the consultant team were necessary in the future, it would require another vote by the Board.

CONSIDERATION OF NEXT MEETING DATE

As there were problems with getting a quorum of Board members for every Monday in March, Mr. Evenson suggested holding the next Board meeting on another day of the week in March or not scheduling the next meeting until April. Mr. Torres indicated his preference would be to schedule a March meeting on a weekday other than Monday. Mr. Evenson stated that Board members would be

polled to identify possible meeting dates in March that were not Mondays and staff would notify them when a workable date had been identified.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:10 a.m. on a motion by Mr. Karls, seconded by Mr. Brandrup, and carried unanimously by the Board.

Respectfully submitted,

Kenneth R. Yunker
Recording Secretary

AAB/ab/mlh
01/21/08
Doc # 134219 v1: Board Minutes for 1/07/08 w/Attach

Southeastern Wisconsin

Regional Transit Authority

Per the December 17th meeting, below please find key issues of concern raised by the RTA regarding the Alliance of Cities bill.

The RTA agreed to reconvene via phone conference on January 7, 2008 to discuss these items and come to agreement upon criteria and/or drafting instructions it would like applied to the current Alliance of Cities legislation.

Items raised during the December 17th RTA meeting:

- Key challenges of the current Alliance of Cities bill:
 - Mandatory referendum
 - Separate referendums for bus transit and rail
 - 0.35 sales tax
 - Milwaukee = County-based; Racine and Kenosha = municipally-based
 - “opt-out” provision is unachievable
 - Restriction on engaging in contracts for services outside our jurisdictions.

 - What does the RTA need/want out of the Alliance of Cities bill?
 - Total exemption?
 - If we request a “carve out” should it be just for the KRM counties, or for the 7-county region represented by the Milwaukee 7?
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Potential criteria the RTA could ask to be applied to the current Alliance of Cities legislation:

1. Acknowledgement of the current RTA and the progress it has made in researching and developing consensus for regional transit issues;
2. Allowance for continuation of the current RTA in coordination with any other authorities or transit-oriented bodies that are formed;
3. Consideration and incorporation of the RTA’s recommendations to Governor Doyle, the main goal in establishing this group in 2006, into any regional and state proposals;
4. Implementation on a regional basis, rather than a municipal basis within the RTA’s service area;

5. Consensus and support from regional business and elected officials as well as the Wisconsin Counties Association for the proposal before it moves forward at the state level;
6. Empower the current RTA to help define regional transit boundaries by determining which municipalities would or would not be included in a region that may be affected by a potential tax;
7. Empower the current RTA to determine which municipalities would be included in a referendum vote regarding any new taxing authority or fees to support transit; (*or substitute with 10*).
8. The current RTA will be charged with collecting and managing any current or future funds and would be charged with operation of the regional transit system;
9. Any change or expansion of the area served by the current RTA would be dictated by the authority itself.
10. The RTA will not support any proposal with a requirement for a referendum.
11. Any tax proposal that is advanced should recommend at least a 1/2 cent sales tax minimum to ensure no public transit system is underfunded.
12. The existing RTA shall be given the authority to enter into contracts for operations of a regional transit system.
13. Any proposal should require that if the principle city in a county and the county agree, the taxing authority falls upon the entire county.
14. Sales tax revenues collected in multiple county areas should be spent in the county in which they are collected.
15. Any transit-related legislation that allows municipalities to impose sales taxes should also grant cities the right to use a portion of sales taxes for public safety, to protect citizens along commuter rail corridors and mass transit lines.

Southeastern Wisconsin

Regional Transit Authority

January 8, 2008

Mr. Edward J. Huck
Executive Director
Wisconsin Alliance of Cities
14 West Mifflin St., Suite 206
Madison, WI 53703

Dear Ed,

Thank you for attending a recent meeting of the Southeastern Wisconsin Regional Transit Authority (RTA) and providing us with additional details regarding the Alliance of Cities and its proposed transit legislation. Your presentation generated productive dialogue among the RTA and helped us focus even more on our task of strengthening Southeastern Wisconsin's transit system.

Following our meeting, individual members of the RTA reconvened with our appointing authorities and regrouped to reach consensus on the Alliance legislation.

The RTA is generally in favor of legislative initiatives intended to focus greater attention on local transit needs and to provide for the long-term viability of these systems, such as the one sponsored by the Alliance of Cities. However, because members of the RTA is still discussing key issues related to funding, governance and municipal structures proposed in the Alliance of Cities bill, the RTA is requesting additional time to readdress these issues within the context of our statutory responsibility to produce a report on transit.

We understand that the Alliance is looking to move forward soon with a piece of legislation, however we feel it is critically important both to the RTA and to the Alliance of Cities that the legislation accommodate the specific and different transit challenges of the state – from the Fox Valley, to Dane County and Southeastern Wisconsin. As the RTA compiles its required report to the Governor, it is our plan to recommend funding, governance and municipal structures we feel will best address transit challenges in Southeastern Wisconsin.

We would respectfully request that the Alliance of Cities and its legislative allies fully consider this report and its recommendations, and incorporate it into its statewide legislation. Integrating these recommendations into the Alliance of Cities legislation will ensure it addresses the long-term transit needs of southeastern Wisconsin, and likely help generate additional support for the legislation.

SEW Regional Transit Authority/2

Thank you for your consideration of this request. You may contact me with any questions directly at (262) 942-4321, or through Carl Mueller at (414) 390-5500.

Best regards,

Karl J. Ostby
Chairman
Southeastern Wisconsin Regional Transit Authority

Cc: Southeastern Wisconsin Regional Transit Authority
Gary Goyke
Richard Eggleston
Representative Jeff Stone
Representative Al Ott
Representative Roger Breske

SEWRPC Doc # 133870

**MINIMUM MAINTENANCE ISSUES CURRENTLY BEING EXECUTED BY
MUELLER COMMUNICATIONS**

ESTIMATED MONTHLY BUDGET: \$10-\$12k

- Weekly tracking of media coverage; compile and distribute reports to RTA members
- Individual communication with RTA members
 - How they feel about issues;
 - Legislative news or developments;
 - Media inquiries or research;
 - Statutory requirements of the RTA;
 - Research on car rental rates and numbers;
 - Respond to media requests (1-2 per week)
- Weekly phone conference with legislative advisors
- Weekly phone conference/other outreach with Transit Now, SC Johnson, RAMAC and other business representatives to get insight and feedback on business support and legislative issues
- Give updates and monthly meetings
 - Provide the Big 6 with copies of all materials distributed at monthly meetings
 - Assist in drafting meeting minutes
- Prepare documents for the RTA:
 - Legislative summaries;
 - Possible amendments to the Alliance of Cities bill;
 - Referendum scenarios and tactics that would need to be implemented;
 - Letter for Speaker Huebsch from Ostby.

**ADDITIONAL MINIMUM MAINTENANCE ISSUES RECOMMENDED BY MUELLER
COMMUNICATIONS TO BUILD UPON EXISTING MOMENTUM AND SUPPORT
FOR TRANSIT AND KRM, AND KEEP ISSUES TOP OF MIND WITH THE LOCAL
BUSINESS COMMUNITY AND MEDIA**

ESTIMATED MONTHLY BUDGET: \$5-6k

- Proactive media relations, including editorial board meetings, placement of letters to the editor, opinion editorials and other transit stories;
- Proactive community relations, including email updates to our local group of advocates, supporters, business supporters and economic development groups;
- Meeting and strategy to work with the marketing group assisting the local transit operators