

**MINUTES OF THE TWENTY-EIGHTH MEETING**

**SOUTHEASTERN WISCONSIN REGIONAL TRANSIT AUTHORITY**

DATE: March 30, 2009

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

Kenneth R. Yunker ..... Executive Director, SEWRPC  
Albert A. Beck ..... Principal Planner, SEWRPC

Consultant Team (Transit Advocacy and Communications)

Elizabeth Kelly  
H. Carl Mueller  
Lori Richards

Guests

Brian Dranzik ..... Fiscal and Policy Administrator, Milwaukee County  
Department of Transportation and Public Works  
Karen Schmiechen ..... Planner, Wisconsin Department of  
Transportation, Southeast Region  
Albert Stanek ..... Chief, Intercity Planning,  
Division of Transportation Investment Management,  
Wisconsin Department of Transportation

**ROLL CALL**

Chairman Ostby called the meeting to order at 8:15 a.m. and asked the Board members on the telephone line to identify themselves. The presence of a quorum was confirmed.

## **REVIEW AND APPROVAL OF MINUTES OF THE FEBRUARY 27, 2009, MEETING**

A motion to approve the minutes of the February 27<sup>th</sup> meeting as presented was made by Mr. Karls, seconded by Ms. Taylor, and carried unanimously by the Board.

## **REVIEW AND APPROVAL OF MINUTES OF THE MARCH 2, 2009, MEETING**

A motion to approve the minutes March 2<sup>nd</sup> meeting as presented was made by Mr. Karls, seconded by Ms. Taylor, and carried unanimously by the Board.

## **FINANCIAL REPORT**

Chairman Ostby asked Mr. Yunker to review with the Board the financial report for the RTA dated February 28, 2009 (see Attachment 1). Following review of the revenues and expenditures identified in the report, Mr. Karls moved for the board to accept the financial report and place it on file. The motion was seconded by Mr. Brandrup and unanimously approved by the Board.

## **CONSIDERATION OF PHASE IV OF THE COMMUNICATIONS CONSULTANT WORK**

Chairman Ostby asked the Board to reconsider the consultant's Phase IV work proposal that had been carried over from the previous two RTA meetings, noting that none of the proposed work involved lobbying activities.

[Secretary's Note: The Phase IV work proposal was provided in Attachment 1 to the minutes of the February 27, 2009, RTA meeting]

Ms. Taylor stated that the Legislature was currently considering the recommendations presented in the final report submitted by the RTA, and that it was essential for correct information be made available to address questions on the RTA recommendations. She moved that the Board approve the Phase IV work plan and extend the consultant contract and budget through July 31, 2009. The motion was seconded by Mr. Karls and carried unanimously by the Board.

## **POTENTIAL USE OF FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009 FUNDS--CAPITAL INVESTMENT PROGRAM (NEW STARTS)**

Chairman Ostby asked Mr. Yunker to comment on the Federal transit assistance that was potentially available through the American Recovery and Reinvestment Act (ARRA) of 2009 for the Kenosha-Racine-Milwaukee (KRM) commuter rail project. Mr. Yunker stated that the ARRA had authorized a total \$750 million for major transit capital investments under the Federal Transit Administration (FTA) Section 5309 New Starts Program, but New Starts and Small Starts projects currently in construction or able to obligate funds within 150 days of enactment of the ARRA would be given funding priority. He indicated the ARRA also provided an additional \$1.5 billion for a new discretionary multi-modal program under which New Starts and Small Starts projects would be eligible for funding. He stated that there was a possibility for some of the additional New Starts stimulus funds to be made available for the KRM project.

In response to a question from Mr. Karls, Mr. Yunker indicated that ARRA funds could be used only for capital projects and would cover provide 100 percent of the estimated costs. Mr. Karls suggested that

obtaining ARRA funds for the KRM project could be helpful in securing the other FTA funding needed for the project.

Mr. Brandrup noted that since there was a possibility for the KRM project to be awarded ARRA funds, the RTA should pursue submitting a grant application. He stated that this would require completing the Draft Environmental Impact Statement for the project but that was very close to being finished. He also noted that the Union Pacific Railroad was ready to begin work on some of the track improvements needed for the KRM commuter rail service, and suggested that the Wisconsin Department of Transportation (WisDOT) could contract with the railroad to make the improvements using ARRA grant funds. Mr. Stanek noted that WisDOT intended to use ARRA funds to pay for the Muskego yards freight railway bypass around the Amtrak station.

Mr. Eberle stated that Racine County Executive McReynolds had indicated that any application for ARRA funds for the KRM project should come through WisDOT or the new permanent RTA proposed in the 2009-2011 State budget legislation. Otherwise, he could not support it. Mr. Torres indicated that Milwaukee County Executive Walker had expressed the same concern.

Mr. Brandrup moved that the Commission staff, acting as staff to the RTA, work with WisDOT to explore submitting an application to the FTA for ARRA funds for the KRM project. The motion was seconded by Ms. Taylor and carried unanimously by the Board.

#### **UPDATE ON THE LEGISLATIVE COUNCIL RTA STUDY COMMITTEE**

Mr. Brandrup briefed the Board on the work of the Legislative Council RTA Study Committee, noting that the Committee had completed its work and the RTA legislation it developed had been passed on to the State Legislature. He indicated that there had been little opposition expressed on the Committee to the elements of the final RTA legislation.

Ms Taylor asked Mr. Brandrup if allowing individual counties to form RTAs as proposed under the legislation drafted by the RTA Study Committee was a concern. Mr. Brandrup stated that was what the Committee desired. He stated that there was some concern on the Committee that the rental car fee would be revisited and considered as a viable alternative to a sales tax for the source of dedicated transit funding. He indicated his belief that the FTA would not approve funding for the KRM commuter rail project if the rental car fee was proposed as the source of dedicated local funding.

#### **REPORTS ON OTHER ACTIVITIES RELATIVE TO THE WORK OF THE RTA**

Mr. Mueller noted that the RTA had received, and responded to, numerous requests from local governments and community groups for information and briefings on the final recommendations of the RTA and the proposed RTA for Southeastern Wisconsin identified in the Governor's 2009-2011 Budget. He stated that the consultant had responded by providing the requested information and explaining the research conducted by, and findings of, the existing Southeastern Wisconsin RTA. He indicated that the consultant did not advocate for the RTA recommendations.

Mr. Brandrup stated that if the existing Southeastern Wisconsin RTA is ultimately replaced by a new RTA for Southeastern Wisconsin created under the 2009-2011 State budget legislation, the balance of the funds collected by the existing RTA should be transferred to the new RTA for use in supporting the work of the new RTA including completing work on the KRM commuter rail project.

## **CONFIRMATION OF NEXT MEETING DATE AND PLACE**

The board determined that a date for the next meeting would be left open, subject to the call of the Chairman.

## **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 9:05 a.m. on motion by Mr. Karls that was seconded by Mr. Eberle and carried unanimously by the Board.

Respectfully submitted,

Kenneth R. Yunker  
Recording Secretary

KRY/AAB/ab  
05/26/09  
#144551 v1 - SEW RTA - Minutes of 03/30/09 Teleconference Meeting (complete)

**Attachment1**  
**SOUTHEASTERN WISCONSIN REGIONAL TRANSIT AUTHORITY**  
**FINANCIAL REPORT: FEBRUARY 28, 2009**

**Collected Vehicle Fees Received From the Wisconsin Department of Revenue**

| <u>Reporting Period</u>                               | <u>Amount*</u> |
|---|----------------|
| October 1 - November 27, 2006                         | \$217,839.72   |
| November 28, 2006 - February 23, 2007                 | 262,727.15     |
| February 24, 2007 - May 31, 2007                      | 161,418.14     |
| June 1, 2007 - August 31, 2007                        | 236,534.54     |
| September 1, 2007 - November 30, 2007                 | 286,964.90     |
| December 1, 2007 - February 24, 2008                  | 210,630.35     |
| February 25, 2008 - May 23, 2008                      | 188,070.72     |
| May 24, 2008 - August 15, 2008                        | 264,344.63     |
| August 16, 2008 - November 15, 2008                   | 256,289.58     |
| November 16, 2008 - February 27, 2009                 | 186,234.76     |
| Interest earned through February 28, 2009             | 30,055.57      |
| Wire transfer fees incurred through February 28, 2009 | -440.00        |
| * Net amount after payment of Statutory fee to WDOR   | \$2,300,670.06 |

**Progress, Billing, and Payment Report**

**Communications Consultant - Phase I (This phase has been closed out)**

| <u>Work Element</u>                          | <u>Total Budget</u> | <u>Percent Complete</u> | <u>Amount Billed</u> | <u>Amount Paid</u>  |
|--|---------------------|-------------------------|----------------------|---------------------|
| 1 - Communications Strategy                  | \$50,700.00         | 100.00                  | \$50,700.00          | \$50,700.00         |
| 2 - Funding Source Research                  | \$58,225.00         | 94.40                   | 54,978.13            | 54,978.13           |
| 3 - Communications Materials                 | \$28,247.72         | 100.00                  | 28,247.72            | 28,247.72           |
| 4 - Public Opinion Assessment                | \$15,466.88         | 100.00                  | 15,466.88            | 15,466.88           |
| 5 - Outreach--Elected Officials and Business | \$173,305.74        | 100.00                  | 173,305.74           | 173,305.74          |
| 6 - Outreach--Public                         | \$170,054.66        | 100.00                  | 170,054.66           | 170,054.66          |
| <b>Total</b>                                 | <b>\$496,000.00</b> | <b>99.35</b>            | <b>\$492,753.13</b>  | <b>\$492,753.13</b> |

**Progress, Billing, and Payment Report**

**Communications Consultant - Phase II (This phase has been closed out)**

| <u>Work Element</u>                          | <u>Total Budget</u> | <u>Percent Complete</u> | <u>Amount Billed</u> | <u>Amount Paid</u>  |
|--|---------------------|-------------------------|----------------------|---------------------|
| 5 - Outreach--Elected Officials and Business | \$50,000.00         | 100.00                  | \$50,000.00          | \$50,000.00         |
| 6 - Outreach--Public                         | \$65,000.00         | 100.00                  | 65,000.00            | 65,000.00           |
| <b>Total</b>                                 | <b>\$115,000.00</b> | <b>100.00</b>           | <b>\$115,000.00</b>  | <b>\$115,000.00</b> |

**Progress, Billing, and Payment Report**

**Communications Consultant - Phase III**

| <u>Work Element</u>                    | <u>Total Budget*</u> | <u>Percent Complete</u> | <u>Amount Expended through February 28, 2009</u> | <u>Amount Paid to Date</u> |
|--|----------------------|-------------------------|--|----------------------------|
| Continuing Outreach and Communications | --                   | N/A                     | \$327,718.87                                     | \$327,718.87               |

\*Budget for Phase III includes \$12,000 per month plus expenditures. Phase III began January 1, 2008. Also approved were \$55,000 in May 2008, and \$141,500 in October 2008.

**Progress, Billing, and Payment Report**

**Communications Consultant - Phase IV**

| <u>Work Element</u>               | <u>Total Budget**</u> | <u>Percent Complete</u> | <u>Amount Expended through February 28, 2009</u> | <u>Amount Paid to Date</u> |
|-----------------------------------|-----------------------|-------------------------|--|----------------------------|
| Outreach and Communications: 2009 | --                    | N/A                     | \$6,865.00                                       | \$6,865.00                 |

\*\*Phase IV (\$138,000 budget) was approved for one month--through April 15, 2009. Billing against Phase IV began in February 2009.

**Miscellaneous Expenditures**

|                      |            |
|----------------------|------------|
| Through May 27, 2008 | \$3,584.51 |
|----------------------|------------|

**Financial Summary**

|                |                       |
|----------------|-----------------------|
| Income         | \$2,300,670.06        |
| Expenditures   | 945,921.51            |
| Encumbrances   | 0.00                  |
| <b>Balance</b> | <b>\$1,354,748.55</b> |