



Chicago Metropolitan Agency for Planning

Agenda Item No. 17.0

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MEMORANDUM

To: CMAP Board and MPO Policy Committee

From: CMAP Board and MPO Subcommittees:
Frank Beal-representing City of Chicago
Mayor John Noak-representing Collar Counties
President Rick Reinbold-representing Suburban Cook County

Tom Cuculich-representing DuPage County
Leanne Redden-representing the RTA
Rebekah Scheinfeld-representing CDOT

Date: October 4, 2017

Re: Revisions to the CMAP Board-MPO Policy Committee
Memorandum of Understanding

On June 8, 2017, the MPO Policy Committee appointed Tom Cuculich from DuPage County, Leanne Redden from the RTA, and Rebekah Scheinfeld from CDOT to a subcommittee reviewing the memorandum of understanding (MOU) between the Policy Committee and the CMAP board. Similarly, on June 14, 2017, the CMAP board appointed Frank Beal, representing the City of Chicago, Mayor John Noak, representing Will County, and President Richard Reinbold, representing south Cook County, to a subcommittee reviewing the same MOU.

These two subcommittees met jointly on August 16, 2017 to review the MOU. Substantive recommendations include the addition of a "Financial Support" section to formalize the dues policy adopted by the CMAP board in 2016. Technical changes include clarifications of the metropolitan planning areas under the Regional Planning Act and federal regulations, updated references to committee names, updated term of effect for the MOU, and various typographic or editorial changes. Both the substantive and technical changes are described in the remainder of the memo.

Note that the subcommittees discussed the voting structure in the MOU but did not recommend any edits. Voting-related topics of discussion included the following: whether the MOU should be amended to provide guidance for how the CMAP board members vote at the Policy Committee; whether the number of CMAP board member votes at the Policy Committee should

be increased or decreased; and finally, whether the Policy Committee voting requirements should be increased to a four-fifths supermajority on items involving both the CMAP Board and Policy Committee. The subcommittees supported retaining current language in the MOU, and encouraged members of each body to attend the other's meeting in an ex officio capacity. The subcommittees also recommended that the CMAP board's bylaws be amended to clarify that the CMAP board members on the Policy Committee reflect the geographic distribution of the CMAP region.

New “Financial Support” section pending approval

CMAP has periodically experienced cash flow shortages due to the agency's dependence on funding from the State of Illinois. Although the Illinois General Assembly had established the Comprehensive Regional Planning Fund to provide a local match to federal planning funds and ensure CMAP could carry out its non-transportation responsibilities, the fund was subsequently dissolved. For the past several years, the Illinois Department of Transportation (IDOT) has provided CMAP with the necessary matching funds. However, CMAP's ability to access that funding in a timely manner has been impeded on multiple occasions due to administrative action and legislative impasse in approving a state budget. Furthermore, US DOT indicated in its last quadrennial certification that CMAP should seek to diversify its funding sources.

The CMAP board has recently put several strategies in place to diversify the agency's funding. Beginning in 2016, transportation agencies and local governments began paying dues agreed to via a newly adopted CMAP board policy. At its meeting on June 8, 2016, the CMAP board approved the addition of a “Financial Support” section in the MOU. This revision has not yet been adopted by the Policy Committee. Additionally, as a part of the subcommittees' review of the MOU, the new underlined language regarding the agency's need to secure funds for planning activities identified in the Regional Planning Act on such issues as housing and water supply was added.

*****NEW SECTION*****

FINANCIAL SUPPORT

The CMAP board and the Policy Committee recognize the need for CMAP to have a diversified, sustainable match for its federal transportation funds, and they acknowledge the necessity for CMAP to charge dues to transportation agencies and local governments in the region. The CMAP board will adopt a dues schedule each year as part of its budget, and also indicate other potential sources of revenue to help match transportation funds and support non-UWP eligible work that aligns with CMAP's statutory responsibilities and its mission.

Recommended technical revisions

The subcommittees agreed to several edits and clarifications related to the following issues: revising current committee names, various technical corrections, and review period of the MOU. The relevant section text is below: additions are underlined, deletions ~~red and struck through~~, language that is moved appears in green double struck in its original appearance then

double-underlined in its new location, and each change is explained in the subsequent *italicized bullet point*.

[Preamble – paragraph 1]

This agreement is entered into by the Chicago Metropolitan Agency for Planning (CMAP) as the state-designated comprehensive regional planning agency ~~created by the Regional Planning Act of 2005~~ and the Policy Committee serving as the federally-designated metropolitan planning organization (MPO) for northeastern Illinois.

- *Revision for parallel construction.*

INTENT [paragraph 2]

The agreement covers the metropolitan planning area as defined ~~by the Regional Planning Act~~ and by the U.S. Department of Transportation planning regulations and the region by the Regional Planning Act. Currently, this region includes the counties of Cook, DuPage, Kane, Kendall, Lake, McHenry and Will. ~~The (MPO metropolitan planning area includes the region and Aux Sable township in Grundy County and Sandwich and Somonauk townships in DeKalb County).~~ The agreement covers the working relationship between the two boards, whose responsibilities are defined in the Regional Planning Act and federal legislation.

- *Reordered and edited to make clear that Sandwich and Somonauk Townships in DeKalb County and Aux Sable Township in Grundy County, along with the seven-county region defined in the Regional Planning Act, are included in the metropolitan planning area pursuant to federal planning regulations.*

COMMITTEE REPORTING

CMAP has established a four-level committee structure: policy, advisory, coordinating and working. At the policy level, the CMAP board and the Policy Committee will review staff and committee work to ensure that consistency and consensus are achieved. The Citizens' Advisory Committee (CAC), the Council of Mayors, and a committee made up of county officials will together comprise the advisory level. The Council of Mayors will continue its current relationship with the Policy Committee, while at the same time serve as a municipal advisory body to the CMAP board. ~~The Work Program Committee, serving as the~~ Transportation Committee for CMAP will also continue its current reporting relationship to the Policy Committee. The Policy Committee and the CMAP board will jointly determine the structure and member organizations of the Transportation Committee. The Transportation Committee will also provide input to the two coordinating level committees of the CMAP board: ~~Local and Regional~~ Planning and Programming. The Policy Committee will appoint the chair and vice-chair of the Transportation Committee. The chair and vice-chair will each serve on one of the coordinating committees. The Policy Committee will establish such committees and task forces as it may deem necessary to effectively carry out the region's transportation planning and programming activities.

- *Delete the reference to the now-defunct "Work Program Committee" and clarify that the Transportation Committee has a direct reporting relationship to the MPO Policy Committee.*

- *October 12, 2016 the CMAP board approved changes to CMAP's committee coordinating committees to aid the development of ON TO 2050.*

STAFF SUPPORT

It is the intent of both the CMAP board and the Policy Committee that the staff of CMAP be responsible for the region's work program that addresses planning for both transportation and land use in northeastern Illinois. The Executive Director of CMAP will ensure that adequate staff support is provided to carry out the transportation planning and programming activities as described in the annual Unified Work Program (UWP) and approved by the CMAP board and the Policy Committee. ~~The staff of~~ CMAP staff will interact with the Policy Committee to ensure that the Policy Committee is fully and meaningfully involved in the development of at least those matters designated by federal law as within the MPO's purview.

- *Typographical corrections: UWP is referenced in the proposed new section on "Financial Support" (discussed above) which follows the "Staff Support" section in the text of the MOU.*

APPROVAL PROCESS

Federal regulations require the MPO to approve various plans, programs and related documents. Such plans, programs and related documents will be developed by CMAP staff utilizing the committee structure established by the CMAP board and the Policy Committee. Recommendations made by the Transportation Committee will be forwarded to the Policy Committee and either the ~~Local~~ Planning or ~~Regional~~ Programming coordinating committee as appropriate. Recommendations from these committees will be forwarded to the CMAP board, which will also receive input from the Citizens' Advisory Committee, a county officials committee, and the Council of Mayors. The CMAP board will then forward its recommendation with comments to the Policy Committee, which will act upon that recommendation. The Policy Committee will take final action as required by federal law.

- *Revises coordinating committee names established by the CMAP board on October 16, 2016.*

TERM

This Memorandum of Understanding will be reviewed periodically but no less than every four years ~~on an annual basis~~. The current version of the MOU remains in effect until a new version is approved by both signatory boards.

- *Experience over the past decade has demonstrated that few if any edits are needed each year, and so may not warrant an annual review.*

Clarifies that the most recent version stands until it is amended.

ACTION REQUESTED: Approval

**Memorandum of Understanding
Between the Chicago Metropolitan Agency for Planning
and the Policy Committee
Encompassing Transportation Planning and Programming in
Northeastern Illinois**

This agreement is entered into by the Chicago Metropolitan Agency for Planning (CMAP) ~~as the state-designated comprehensive regional planning agency created by the Regional Planning Act of 2005~~ and the Policy Committee serving as the federally designated metropolitan planning organization (MPO) for northeastern Illinois.

The Chicago Metropolitan Agency for Planning and the region's Policy Committee recognize the desirability and absolute necessity of the region's planning for land use and transportation to remain integrated in an open and collaborative process in which socioeconomic and environmental objectives are appropriately considered. Furthermore, the entities affirm their intent to continue and strengthen the cooperative and productive relationship, which currently exists between them.

The two bodies wish to provide a framework that will help our region connect its land use to the transportation system, preserve its environment and sustain its economic prosperity. Both the CMAP board and the Policy Committee must be responsive to the region's residents, working cooperatively with municipalities and counties that maintain authority for local land-use decisions.

INTENT

The signatory boards, by adopting this agreement, recognize the appropriateness and necessity to coordinate and integrate the region's planning for land use and transportation in an open and collaborative process.

The agreement covers the metropolitan planning area as defined ~~by the Regional Planning Act~~ and by the U.S. Department of Transportation planning regulations ~~and the region defined by the Regional Planning Act~~. Currently, this region includes the counties of Cook, DuPage, Kane, Kendall, Lake, McHenry and Will. ~~The (MPO metropolitan~~ planning area includes ~~the region and~~ Aux Sable township in Grundy County and Sandwich and Somonauk townships in DeKalb County). The agreement covers the working relationship between the two boards, whose responsibilities are defined in the Regional Planning Act and federal legislation.

OVERALL RESPONSIBILITIES

CMAP – as stated in the Regional Planning Act, the board shall be responsible for developing and adopting a funding and implementation strategy for an integrated land use and transportation planning process for the northeastern Illinois region. CMAP is also responsible for the development of an integrated comprehensive regional plan.

Policy Committee – as stated in federal legislation, the metropolitan planning organization, in cooperation with the state and public transportation operators, shall develop long-range

transportation plans and transportation improvement programs for the metropolitan area.

COMMITTEE REPORTING

CMAP has established a four-level committee structure: policy, advisory, coordinating and working. At the policy level, the CMAP board and the Policy Committee will review staff and committee work to ensure that consistency and consensus are achieved. The Citizens' Advisory Committee (CAC), the Council of Mayors, and a committee made up of county officials will together comprise the advisory level. The Council of Mayors will continue its current relationship with the Policy Committee, while at the same time serve as a municipal advisory body to the CMAP board. The ~~Work Program Committee, serving as the~~ Transportation Committee for CMAP, will ~~also~~ continue its current reporting relationship to the Policy Committee. The Policy Committee and the CMAP board will jointly determine the structure and member organizations of the Transportation Committee. The Transportation Committee will also provide input to the two coordinating level committees of the CMAP board: ~~Local and Regional~~ Planning and Programming. The Policy Committee will appoint the chair and vice-chair of the Transportation Committee. The chair and vice-chair will each serve on one of the coordinating committees. The Policy Committee will establish such committees and task forces as it may deem necessary to effectively carry out the region's transportation planning and programming activities.

STAFF SUPPORT

It is the intent of both the CMAP board and the Policy Committee that the staff of CMAP be responsible for the region's work program that addresses planning for both transportation and land use in northeastern Illinois. The Executive Director of CMAP will ensure that adequate staff support is provided to carry out the transportation planning and programming activities as described in the annual Unified Work Program (UWP) and approved by the CMAP board and the Policy Committee. ~~The staff of~~ CMAP staff will interact with the Policy Committee to ensure that the Policy Committee is fully and meaningfully involved in the development of at least those matters designated by federal law as within the MPO's purview.

FINANCIAL SUPPORT

The CMAP board and the Policy Committee recognize the need for CMAP to have a diversified, sustainable match for its federal transportation funds, and they acknowledge the necessity for CMAP to charge dues to transportation agencies and local governments in the region. The CMAP board will adopt a dues schedule each year as part of its budget, and also indicate other potential sources of revenue to help match transportation funds and support non-UWP eligible work that aligns with CMAP's statutory responsibilities and its mission.

CROSS COMMITTEE MEMBERSHIP

Recognizing the need for effective communication, the legislation creating the Regional Planning Board, now known as CMAP, established a non-voting position for the Policy Committee on the CMAP board. To ensure policy level communication between the signatory bodies, the Policy Committee will add two designated members from the CMAP board to its Committee.

APPROVAL PROCESS

Federal regulations require the MPO to approve various plans, programs and related

documents. Such plans, programs and related documents will be developed by CMAP staff utilizing the committee structure established by the CMAP board and the Policy Committee. Recommendations made by the Transportation Committee will be forwarded to the Policy Committee and either the ~~Local Planning~~ or ~~Programming Regional Coordinating~~ Committee as appropriate. Recommendations from these committees will be forwarded to the CMAP board, which will also receive input from the Citizens' Advisory Committee, a county officials committee, and the Council of Mayors. The CMAP board will then forward its recommendation with comments to the Policy Committee, which will act upon that recommendation. The Policy Committee will take final action as required by federal law.

The signatory boards recognize the need to meet certain federal requirements within established timeframes. Both boards commit to taking action in a timely fashion such that deadlines will not be jeopardized.

TERM

This Memorandum of Understanding will be reviewed ~~periodically~~ but no less than every four years on an annual basis. The current version of the MOU remains in effect until a new version is approved by both signatory boards.

Adopted March 14, 2007
Reaffirmed March 12, 2009 and March 11, 2010
Revised and affirmed March 10, 2011
Reaffirmed March 8, 2012, March 14, 2013, and March 13, 2014
Revised and affirmed March 11, 2015
Pending revision and reaffirmation October 11, 2017

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