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McHenry Council

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Will Council

Jim Holland
Mayor, Village of Frankfort
Will Council

Council of Mayors Executive Committee

Draft Minutes – September 12, 2017

9:30 a.m.

CMAP Office – Cook County Conference Room

Executive Committee and Elected Officials Present

Mayor Jeffery Schielke, Chairman, Mayor Leon Rockingham Jr., 1st Vice Chair, Mayor Eugene Williams, 2nd Vice Chair, President Dave Brady, President Karen Darch, President Michael Einhorn, President Alice Gallagher, Mayor Jim Holland, President Al Larson, President Robert Nunamaker, President Glenn Ryback, Mayor Jeffrey Sherwin, President John Skillman, President Eric Spande

Others Present

Erin Aleman (via phone), Mark Baloga, Jennifer Becker, Dave Bennett, Ryan Bigbie, Elaine Bottomley, Larry Bury, Len Cannata, Kevin Carrier, Kristi DeLaurentiis (via phone), John Donovan, Jackie Forbes, Mike Fricano, Scott Hennings, Emily Karry, Tom Kelso, Mike Klemens, Kelsey Mulhausen, Ed Paesel, Brian Pigeon, Chad Riddle, David Seglin, Brian Townsend, Mike Walczak

CMAP Staff Present

Alex Beata, Teri Dixon, Kama Dobbs, Jesse Elam, Tom Kotarac, Tim McMahon, Russell Pietrowiak, Joe Szabo, Barbara Zubek

1.0 Call to Order and Introductions

Mayor Schielke called the meeting to order at 9:34 a.m.

2.0 Approval of Minutes – July 18, 2017

Mayor Williams made a motion, seconded by Mayor Holland, to approve the minutes of the July 18, 2017 meeting. With all in favor, the motion carried.

3.0 Surface Transportation Program (STP) Agreement

Mr. Elam provided an overview of the draft Memorandum of Agreement (MOA) and requested that the committee consider approval for chairman Schielke to execute the MOA following review by the MPO Policy Committee and CMAP Board in October.

President Spande gave an overview of the letter that the DuPage Mayors and Managers Conference submitted to the Committee. He added two items that were not included in the letter which are to add a sunset to the STP agreement and to require a super majority to approve the agreement.

President Darch gave an overview of the letter that the Northwest Municipal Council submitted to the Committee. She suggested that there be one more meeting or another draft before the final version of the agreement is developed.

Mayor Sherwin asked why the RTA is on the shared fund project selection committee. Mr. Elam responded that a transit representative is needed to weigh in on transit benefits, but that projects being considered for funding should be municipal priorities.

President Einhorn asked if each project would be individually voted on or as a package. He commented that performance data can be subjective and gave an example of bridge condition measured by square feet of deck area in poor condition and is concerned how small bridges will be evaluated alongside large bridges.

Mayor Rockingham asked for clarification on the three year phase-in and how this will affect projects that are already submitted. He stated that his understanding was that projects from all councils would proceed on a first ready, first funded basis, which was confirmed by staff. He also asked that the active program management be used for only the shared local fund and not the council programs.

Mr. Kotarac responded that the MPO Policy Committee is responsible for delegating programming authority, and must approve this agreement. They make decisions using simple majority along with other committees such the transportation committee and project selection committee. He clarified that the rules will be written by the city and the councils and all decisions will be made together via the project selection committee.

President Einhorn asked if it would be possible to allow phasing of projects and Mr. Kotarac stated that this type of question is exactly the type of detail that would be worked on during the phase-in of the agreement, along with active program management to protect the region's funding.

Ms. Scheinfeld thanked the committee for including the city in the discussion. She stated that the City of Chicago has offered changes to the current proposal. The first is a reduction in the number of voting members on the project selection committee to three from the City of Chicago, three from the Council of Mayors, one from CMAP, and non-voting participation from other parties. Second, the City recommends a slower ramp up of the set-aside for the shared fund, starting with 7.5% in FFY2020 and growing to 15% in FFY2023. She added that STP rescission is possible and that communication is key to knowing what is going on and why projects are delayed. She expressed the City of Chicago's support for the agreement with the proposed changes and acknowledged that there are many details of the agreement to be worked out.

President Nunamaker said that McHenry Council supports the points that are made but they need more details.

Mr. Kotarac commented that a reform of the STP program needs to happen or a corrective action could be issued during the MPO's upcoming certification review that could result in STP

funding being withheld from the region until CMAP comes into compliance. Mr. Donovan explained that the STP discussions have been going on for some time but the FAST Act intensifies the need for performance based programming. He noted the region started revising policies and practices regarding the CMAQ program several years ago, and need to continue with STP. He said that the FHWA has started the certification process and they are expecting the MPO Policy committee to take action by October. Mr. Kotarac added that active program management rules, for example, deserve a long, thoughtful conversation, therefore the level of detail in the current agreement should be limited to give the City and the Council the opportunity to discuss those details further.

Mayor Sherwin suggested that the make-up of the committee along the City's proposed changes should be supported and the agreement approved so the council can sort out the details later. President Gallagher stated she is comfortable with the agreement and with hammering out details in the coming months. Mayor Schielke suggested that the Council meets four to six times a year and suggested the Council approve the agreement and make changes in the future. Mr. Kotarac stated that the process is flexible and it is incumbent on the region to continue to reflect and refine. Mayor Schielke suggested that the Executive Committee have a standing agenda item to discuss the STP agreement as a work in progress. He added that this has been a great collaborative process and that the goal of the Council of Mayors has been to retain local decision-making, and that goal has been accomplished.

President Einhorn asked if the project selection methodology described in section 2.c. of the agreement is for the shared fund or for the councils programs. Mr. Kotarac explained that in order to address federal pressure to connect projects to the goals of the long range plan, the intent is for individual council methodologies to direct 25% of points towards the goals of ON TO 2050 with the flexibility to distribute the points to the priorities in any way they choose to maintain local context of regional priorities. The criteria for the remaining 75% of points will be up to the local council.

President Ryback asked for clarification of the smoothing. Mr. Kotarac explained that IDOT is bringing \$75 million to the shared fund. The proposal states the set aside would grow to 15% by 2022, but the City of Chicago proposed to start the set aside at a lower amount – 7.5% -- and to phase in the set-aside over four years.

President Darch asked if there are things that staff is planning on including in the agreement that have been discussed at the meeting and if there will be a sunset on the agreement. Mr. Kotarac responded that he hopes there will be a continuous dialogue between the councils and the City and that there are triggers to revisit the agreement, such as if there is a new federal transportation bill. The project selection committee will be the core place where conversations about issues and changes to the agreement should begin and will raise issues to the Council's attention.

President Spande stated that he is uncomfortable with the flexibility in the agreement because the previous agreement was static and minimally changed over an extended period of time. He stated he is concerned about the lack of clarity, transparency, and governance. Mr. Kotarac stated that this agreement takes a leap of faith. The last agreement contained local autonomy

and local control and that this proposed agreement continues to honor that local autonomy and control, which was an important priority and having that balanced with the other requirements was not easy. With the flexibility in the new agreement, it gives the opportunity to refine the agreement together as a region and make it the best possible program. Mayor Schielke stated that the Council of Mayors Executive Committee is the place where mayors should bring forward issues regularly.

Mayor Sherwin made a motion, seconded by Mayor Holland, for approval for the chairman to execute the agreement, including the changes to the committee membership and slower phase-in of the shared fund, with the City of Chicago following review by the MPO Policy Committee and CMAP Board. With nine in favor, and one opposed, the motion carried.

4.0 Other Business

There was no other business.

5.0 Public Comment

There was no public comment.

6.0 Next Meeting

The next meeting is scheduled for October 24, 2017.

7.0 Adjourn

On a motion by Mayor Sherwin, seconded by Mayor Holland, the meeting adjourned at 10:40 a.m.