

MINUTES OF THE THIRTEENTH MEETING

SOUTHEASTERN WISCONSIN REGIONAL TRANSIT AUTHORITY

DATE: May 21, 2007
TIME: 8:00 a.m.
PLACE: Kenosha County Center Hearing Room
19600 75th Street
Bristol, Wisconsin

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)

James Madlom
H. Carl Mueller
Brandon Scholz
Barbara Ulichny

Guests

Dan Boehm Interim Director of Administration,
Milwaukee County Transit System
F. H. “Chip” Brewer Director, Worldwide Government Relations
S. C. Johnson & Son, Inc.
Donna L. Brown..... Systems Planning Group Manager, Southeast Region,
Wisconsin Department of Transportation
David Cole General Manager, WGTD 91.1 FM
N. Owen Davies Former Mayor, City of Racine
Brian Dranzik Research Analyst,
Milwaukee County Board of Supervisors
Michael J. Glasheen Transit Planner, City of Racine
Greg Hubbard..... Broydrick and Associates
Dewayne J. Johnson Director, Southeast Region,
Wisconsin Department of Transportation
Glenn Lampark..... Director of Public Works, Racine County
Peter Peyser..... Senior Principal, Blank Rome Government Relations LLC
Rosemary Potter Executive Director, Transit Now
Larry Sandler Milwaukee Journal-Sentinel

Guests (continued)

Norman Siler.....	KenRail
Bob Seitz.....	ASL
Albert Stanek	Chief, Intercity Planning, Division of Transportation Investment Management, Wisconsin Department of Transportation

ROLL CALL AND INTRODUCTIONS

Chairman Ostby called the meeting to order at 8:10 a.m. noting that a quorum was present. Mr. Karls noted that the audience for the meeting included N. Owen Davies, former mayor of the City of Racine and a long-time supporter of public transit.

APPROVAL OF AGENDA

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

REVIEW AND APPROVAL OF MINUTES OF THE MARCH 19, 2007, MEETING

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

CORRESPONDENCE

Mr. Evenson drew the Board’s attention to the correspondence for the period since the last Board meeting (see Attachment 1). He stated that all materials related to the open record requests received from Citizens for Responsible Government and Americans for Prosperity had been provided to the requesting organizations. He also cited the letter from the law firm of Hunters and Sommers, LLC, confirming that the RTA did not exceed its statutory authority in hiring the communications consultant team.

Chairman Ostby asked staff to comment on the information provided in the March 23, 2007, letter from Wisconsin Department of Transportation (WisDOT) Secretary Busalacchi concerning Federal “New Starts” funding for the Kenosha-Racine-Milwaukee (KRM) commuter rail project. Mr. Yunker stated that the KRM project assumed 50 percent of the capital costs would be funded through the federal New Starts program which was below the program maximum funding level of 80 percent of costs and also below the level of 60 percent suggested by the Federal Transit Administration. He also stated staff recognized that congressional action was needed to appropriate the New Start funds for the KRM project before they would be made available.

The Board acknowledged receipt of the correspondence and placed them on file.

REVIEW AND DISCUSSION OF COMMENTS RECEIVED

On a motion made by Mr. Karls, seconded by Mr. Eberle, and carried unanimously, the Board acknowledged receipt of the comments that had been received since the last Board meeting (see Attachment 2) and placed them on file.

REPORT ON RTA REVENUES AND COSTS TO DATE

Chairman Ostby asked the Commission staff to review with the Board a financial report for the RTA (see Attachment 3 to the minutes). Mr. Evenson stated that the report reflected the RTA revenues collected through the \$2 rental car fee as received from the Wisconsin Department of Revenue (WisDOR) and RTA

expenses through April 30, 2007. In response to a question from Chairman Ostby, Mr. Yunker stated that after receiving the most recent WisDOR payment, it appeared that the original estimate of \$800,000 in annual revenue from the \$2 rental car fee was reasonable.

Phil Evenson noted that the Communications Consultant had requested payment of the 10 percent withholding on the funding source research work element, as this work was now complete and the consultant contract called for release of the 10 percent withholding upon completion of a work element. After a brief discussion with Mr. Yunker and Mr. Mueller, noting that there was still a small amount of funds available in this work element to do additional funding research, Chairman Ostby, with the agreement of the other members of the RTA, directed that the 10 percent withholding be released to the communications consultant.

REPORT ON ACTIVITIES BY RTA COMMUNICATIONS CONSULTANT

Members of the communications consultant team briefed the Board on the work that had been undertaken since the previous RTA meeting and distributed a series of handouts (see Attachment 4). Mr. Mueller noted that the consultant budget would be 90 percent expended by the end of June, and that additional work and funding may be needed through September and the remainder of the year to assure that the RTA's findings, conclusions, and recommendations were communicated, understood, and acted upon. Team members provided the following updates on the work performed over the previous two months:

- Mr. Mueller and Ms. Ulichny discussed the growing support for the KRM project and noted the materials the team had distributed in response to requests for information about the project. Both stated that they had received suggestions for expanding the scope of the commuter rail project but were stressing the need to establish the KRM line first before looking at additional service.
- Ms. Ulichny referenced a map of existing employers with job openings in the KRM corridor that staff had been prepared to help illustrate how the proposed commuter rail line would link people with jobs.
- Mr. Scholz briefed the Board on the status of the legislation to increase the rental car fee to generate funds for the KRM project. He stated that it was the goal of consultant team to have the increase in the rental car fee included in the 2007-2009 State budget.
- Ms. Ulichny also noted that formal approval of the land use plans for the areas around the proposed KRM commuter rail stations had been obtained from all the local governments except the City of Milwaukee. She stated that a resolution to approve the station area plans for the downtown Amtrak station and the Bayview station areas was expected to be introduced in the City of Milwaukee Common Council in June.

Chairman Ostby commented that it was possible that the proposed 2007-2009 State budget would not be finalized when the RTA submits the FTA New Starts application for the KRM project at the end of June. Mr. Mueller stated that he believed having the rental car fee increase included in the budget legislation would suffice for submitting the application, and the RTA could inform the FTA when the State Budget was ultimately approved. In response to a comment by Chairman Ostby concerning the land use plans for the stations in the City of Milwaukee, Ms. Ulichny indicated that some City aldermen had proposed extensions of the KRM commuter line. She indicated that staff had been working to impart the understanding that it was too late for any service extension to be included in this application to the FTA, but they could be added at a later time.

UPDATE ON WORK CONCERNING KRM CORRIDOR STUDY/DRAFT ENVIRONMENTAL IMPACT STATEMENT

Mr. Yunker stated that staff was continuing to work with the KRM Commuter Rail Corridor Study Steering Committee and the consultant for the current KRM planning effort on the request to the FTA to enter preliminary engineering (PE)--the New Starts application--on the KRM project to be submitted in late June 2007 and also on the Draft Environmental Impact Statement (DEIS) on which public meetings and hearings will be scheduled this summer. He noted that comments had been received back on draft sections of these documents from KRM Steering Committee members and Federal and State staff and that staff was appropriately modifying both documents.

In response to questions by Mr. Brandrup concerning the amount and source of local funding needed for the PE phase of the KRM project, Mr. Yunker stated that the total local share of the costs of PE would be about \$400,000, or 10 percent of the total costs over the years 2007-2009, and that the funds would be expected to come from the RTA as the sponsor and operator of the project. He indicated that this was something to keep in mind as consideration is given to a budget for future RTA work. He noted that the FTA will likely take at least three months to review the New Starts application for the KRM project.

Chairman Ostby excused himself from the meeting indicating that he had another commitment and turned the Chair over to Ms. Taylor as Vice Chairman of the Board.

PRESENTATION BY PETER PEYSER ON FEDERAL DISCRETIONARY GRANT PROCESS FOR TRANSIT "NEW STARTS"

Peter Peyser was introduced to the Board and provided a briefing on several aspects of the Federal New Starts grant program. He indicated that his presentation would provide a "snapshot" of how the Federal process for project development works today, how the FTA would likely evaluate the KRM project proposal, and where judgment calls would be made by Federal agencies reviewing the project. Before he began his presentation, he commented on the letter discussed at the start of the meeting from WisDOT Secretary Busalacchi. He noted that while having the KRM project included in the Federal authorizing legislation doesn't guarantee funding for the project, it is a threshold that must be crossed to get into the funding process and have the FTA consider the project. He also stated that the U.S. Congress has a rigorous process for underwriting transit New Starts projects and the successful grant recipients are those that understand the process and establish a track record with the FTA. He indicated that because the RTA and Wisconsin have no experience or track record with the process, there are likely to be some growing pains for the RTA.

The major points of Mr. Peyser's presentation were as follows:

- In order to proceed into PE, the RTA's New Starts application must achieve sufficient rankings with respect to project justification and local funding/financial commitment. Under project justification, the FTA will consider several factors including land use policies, cost-effectiveness and transportation system user benefits, mobility improvements, and environmental benefits. With respect to local funding/financial commitment, the FTA will not fund with New Starts funds more than 60 percent of the construction costs of the KRM project, and will closely look at the stability and reliability of the State and local matching funds proposed by the RTA. The FTA must have a high degree of confidence that the local funding source will do the job, with the best local funds being those that are dedicated to the project or securely committed in a budget. The FTA also does not want to fund a project that may contribute to a reduction in the public transit service provided by the other parts of the transit system.

- The individual ratings for project justification and local funding/financial commitment will be averaged to develop a final project rating of high, medium, or low. To get into PE, the KRM project will need a high or medium rating.
- A sufficient ranking under project justification should not be a problem for the KRM project as the technical work, data, and findings are all being well received by FTA.
- The biggest challenge for the KRM project at this point is the local funding commitment. If the RTA submits the New Starts application before State Budget legislation is passed to enact the higher rental car fee, then it will be a judgment call by the FTA staff in deciding if the rental car fee is a reasonable funding source for the KRM project. Even if legislation enacting the higher rental car fee is approved, a judgment call will still need to be made as using the fee as the local funding source is somewhat untested in Federal transit programs, never having been used as a sole source of local funds for a major transit project.
- It will take the FTA staff several months to complete its review of the KRM application, during which additional information is likely to be requested to help the FTA make judgment calls on various aspects of the KRM project. It will be very important for the leadership in the KRM corridor to continue working with local elected officials and the Federal delegation to gain their support for the KRM project, along with other key stake holders in the community. The FTA wants to see support for the project in the community and will take a positive view of this in reviewing the KRM project which could possibly influence some of the judgment calls it will make.

The following questions were raised and comments made by Board members on the information presented by Mr. Peyser:

1. Mr. Eberle asked if the FTA would consider the financial stability of the existing local bus systems in the KRM corridor when it developed the ranking for local funding/financial commitment for the KRM New Starts application. Mr. Peyser stated that the FTA will need to be convinced that the KRM project will not exacerbate the funding problems faced by the bus systems. He noted that in some cases the FTA has believed that the major transit project would stimulate local transit ridership as it would broaden the potential travel market.
2. In response to a question raised by Ms Robinson as to the use of a rental car fee to fund major transit projects, Mr. Peyser indicated that no project he had been involved with had used a rental car fee as a sole source of local funds, but there were other areas, such as Miami, that had used it as part of a local funding package.
3. In response to a question from Mr. Torres concerning the FTA's preference for governance of the KRM project, Mr. Peyser stated that the FTA will want to have one entity identified that is capable of managing the construction and operation of the project.
4. Ms. Ulichny asked Mr. Peyser to identify what he believed were the major strengths and weaknesses of the KRM project. As strengths, Mr. Peyser cited the use of an active railroad corridor which resulted in relatively low construction costs for the project compared to others; the service connections it would provide to the Kenosha, Racine, Milwaukee central business districts and Milwaukee County's General Mitchell International Airport which would be viewed as mobility improvements by the FTA; and its ability to spur development in the corridor. In terms of weaknesses, he cited not having the increase in the rental car fee

already in place, although he indicated that could change with action by the State legislature; and the RTA's lack of a track record with the FTA on major transit projects.

5. In response to a question from Ms. Taylor as to whether there were other states in which a New Starts project had never been proposed, Mr. Peyser indicated that he could not think of one at that time. He indicated there were other major metropolitan areas, like Philadelphia, with large transit systems where a New Starts project had never been proposed. Mr. Brandrup noted that public transit in that area also has had considerable local funding problems and no dedicated local funding source.
6. Referring to Mr. Peyser's statement that the FTA did not want to fund a major transit project that could adversely impact other existing public transit services, and also the funding problems that had been identified for the existing local transit systems serving Milwaukee, Racine, and Kenosha, Mr. Torres asked for Mr. Peyser's opinion on how the FTA would weigh such issues when it reviewed the KRM New Starts application. Mr. Peyser stated that FTA's preference is to fund major transit projects that will be in a good environment for transit and for economic growth.

Ms. Taylor thanked Mr. Peyser for addressing the Board.

CONSIDERATION OF POTENTIAL ADDITIONAL COMMUTER RAIL LINE IN MILWAUKEE 30TH STREET CORRIDOR

Mr. Yunker stated that the Commission staff had met with the City of Milwaukee Steering and Rules Committee at their request to discuss a draft City resolution which proposed an extension of the KRM commuter rail line west from the Amtrak station and north to the Milwaukee County line over the 30th Street railway corridor. He indicated that staff had informed the Committee that FTA planning requirements for major transit projects would prevent the extension from being added to the current KRM project as a detailed corridor study for the extension would need to be completed first. He added that he also informed the Committee that pending approval of the KRM project for the preliminary engineering by the FTA, the RTA could conduct the necessary corridor study of an extension in the 30th Street corridor. He noted that the commuter rail line identified by the City would serve an area with characteristics favorable to supporting a major transit project, including high population density, a substantial low-income and transit dependent population, significant unemployment, and high transit ridership. He stated that at the RTA's request, the Commission staff could identify the scope of the necessary study, estimate its cost, and review potential Federal and State funding for the study.

Stating that he was not familiar with the 30th Street railway corridor, Mr. Brandrup asked if commuter rail was the appropriate mode for serving the area or if a different mode of transit would provide stop spacing that was better suited to the transit service needs of the area. Mr. Yunker stated that the 30th Street railway corridor is identified in the Commission's adopted transportation system plan for the year 2035 as a potential corridor for express bus/light rail service and rapid commuter rail service from both Ozaukee and Washington Counties to Milwaukee County. He added that commuter rail could be an appropriate service mode in the 30th Street railway corridor as it could include 4 or 5 stations over a distance of about 14 miles. He noted that both the City and County had focused on this area in their respective recent express bus proposals. In response to a question from Mr. Brandrup on how the 30th Street railway corridor would fit in with the Milwaukee Downtown Connector Study, Mr. Yunker stated that it is a corridor proposed for an express bus line.

Ms. Ulichny asked about the condition of the track in the corridor and if the corridor had ever been used for passenger rail service. Mr. Yunker indicated that the track condition was similar to that of the KRM corridor. Mr. Evenson stated that there had been passenger service through the corridor historically and

that the City's request to consider the 30th Street railway corridor for commuter rail service was reasonable.

Ms. Robinson noted that although the communications consultant team had done a good job in identifying the benefits of the KRM project to the City of Milwaukee officials, City officials do not believe it will do enough for the poorest areas in the City and would like to see more benefits going to City residents. She suggested that having the RTA support this proposal in some way could help gain City support for the KRM project. Mr. Torres agreed, stating that the Chairman of the Milwaukee County Board had expressed his support for the City's proposal. He noted that as both the County Board and City Common Council have opposed increasing the rental car fee to fund the KRM project, having the RTA act to support further study of the City's proposal for the 30th Street railway corridor may help to regain County and City support for KRM project funding.

A motion to have the Regional Planning Commission identify the scope, cost, and potential funding for a corridor study to address the City of Milwaukee's proposal for providing commuter rail service in the 30th Street railway corridor was made by Mr. Eberle, seconded by Mr. Karls, and carried unanimously by the Board. The motion was made contingent upon the City of Milwaukee approving the draft resolution distributed to the RTA Board.

[Secretary's Note: The resolution as approved by the City of Milwaukee Common Council on May 30, 2007, is included in Attachment 5]

FURTHER CONSIDERATION OF RTA RECOMMENDATIONS RELATIVE TO PUBLIC TRANSIT LOCAL FUNDING

Mr. Evenson asked the Board if they wished at this time to have further discussion on the information distributed at the previous meeting that provided data on the local funding needs for public transit in each RTA county and the potential sources of dedicated funding for public transit. Mr. Torres indicated that the fare increases implemented over the last 4 or 5 years had been detrimental to ridership on the Milwaukee County Transit System and asked if information on the funding that would be required to roll back fares to previous levels could be added to the funding need identified in the table. Mr. Yunker stated that the information would be added to the table and the revised table would be attached to the meeting minutes.

[Secretary's Note: A revised copy of the table identifying the local funding needs for public transit in each RTA county is included in Attachment 6.]

CONFIRMATION OF NEXT MEETING DATE

Mr. Evenson stated the next meeting of RTA was scheduled for Monday June 18, 2007, with the location to be determined.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Ms. Taylor.

Respectfully submitted,

Kenneth R. Yunker
Recording Secretary



Wisconsin Department of Transportation

www.dot.wisconsin.gov

Jim Doyle
Governor

Frank J. Busalacchi
Secretary

Office of the Secretary
4802 Sheboygan Ave., Rm. 120B
P.O. Box 7910
Madison, WI 53707-7910

Telephone: 608-266-1113
FAX: 608-266-9912
E-Mail: sec.exec@dot.state.wi.us

March 23, 2007

The Honorable Gary Becker
Mayor, City of Racine
730 Washington Avenue
Racine, WI 53403

Karl J. Ostby, Chair
SE Wisconsin Regional Transit Authority
Southport Bank
7027 Green Bay Road
Kenosha, WI 53142

Dear Mayor Becker and Mr. Ostby:

In the past we have had the opportunity to discuss the Kenosha-Racine-Milwaukee (KRM) commuter rail project. This past week, I participated in a meeting where staff from the Federal Transit Administration (FTA) outlined the key aspects of the New Starts program, the federal funding program for commuter rail projects. There were several points that were raised during the discussion of the program that I wanted to share with you.

First off, the FTA staff outlined the key elements of the program including the match requirements. The program's statutory and administrative requirements allow for an 80 percent federal and 20 percent local match arrangement between the federal and local partners. However, FTA staff indicated this match arrangement does not occur in practice. There is so much competition for the New Starts dollars that the average split between federal and local funding is 60 percent federal and 40 percent local. As the KRM project moves forward, I think it is critical that everyone involved in the project realize that they can likely expect no more than 60 percent of capital funds from the New Starts program. Discussion of an 80 percent federal capital funding share is just not realistic. In fact, the less federal funding necessary to build the project, the more competitive the project will be in the decision process.

In addition, we discussed the "funding" included in SAFETEA-LU for projects without Full Funding Grant Agreements (FFGAs). FTA staff confirmed that the only way to receive funding for a New Start project is to be approved for a FFGA and to have the appropriations committees provide the funding to back the FTA decision. The funding included in SAFETEA-LU is, for all intents and purposes, meaningless. The KRM project was included in this list for \$80 million. This funding is not available to the project and cannot be expected to materialize.

Finally, for your information, I am including a copy of the presentation by FTA staff. When I was in Washington D.C. this past week, I had the opportunity to share this information with Congressman Paul Ryan. We both agreed that we supported the communities' efforts to make this project a reality. I hope this information is helpful. If you have any questions, please do not hesitate to contact me.

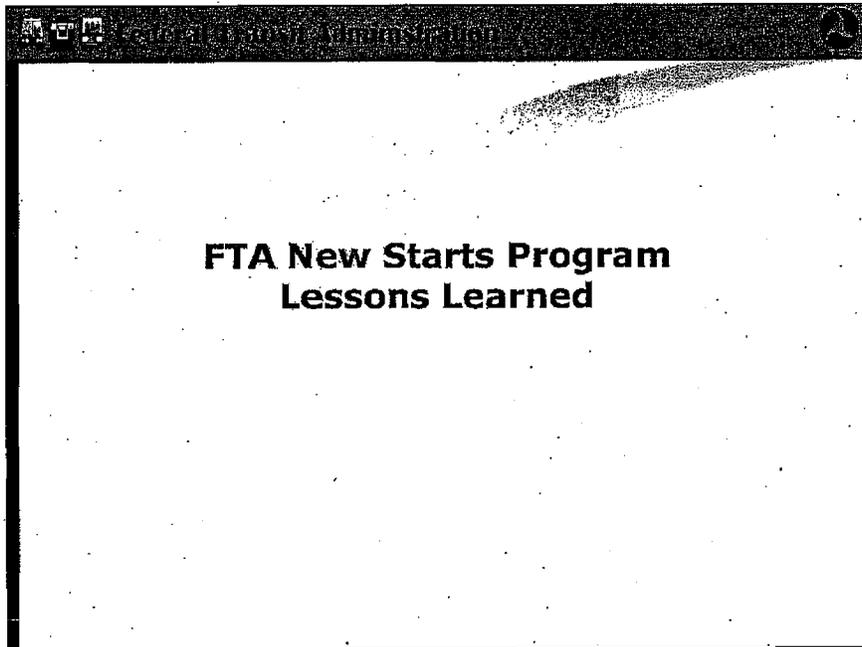
Sincerely,

A handwritten signature in cursive script that reads "Frank J. Busalacchi".

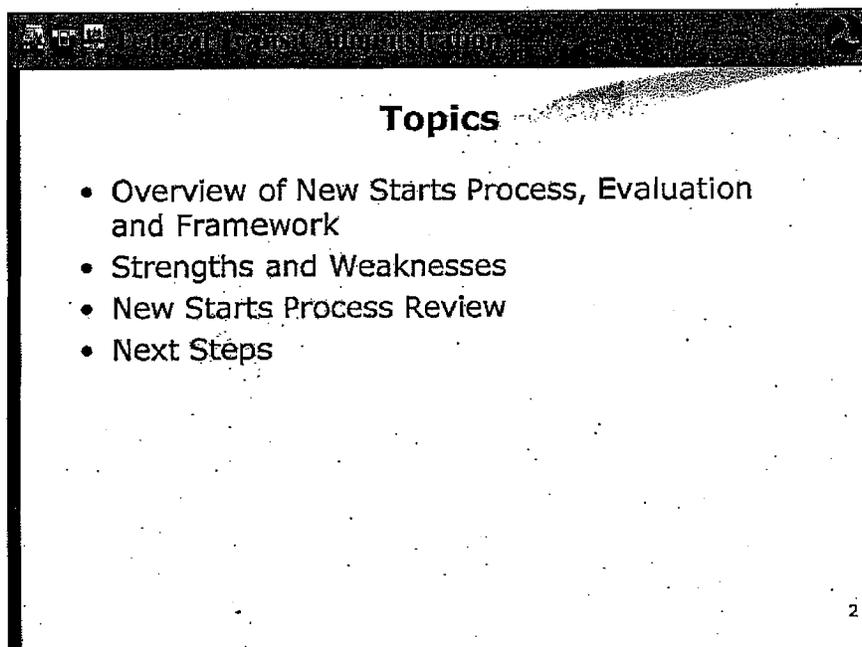
Frank J. Busalacchi
Secretary

Attachment

cc: Congressman Paul Ryan



FTA New Starts Program Lessons Learned



Topics

- Overview of New Starts Process, Evaluation and Framework
- Strengths and Weaknesses
- New Starts Process Review
- Next Steps

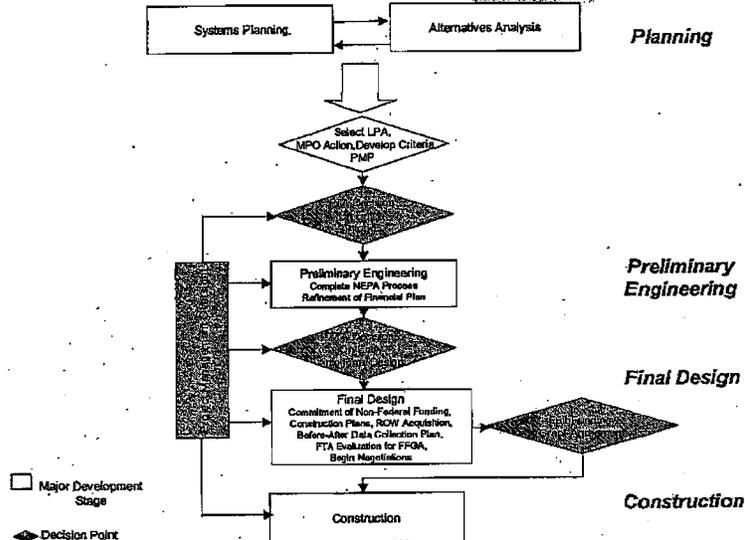
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New Starts Program

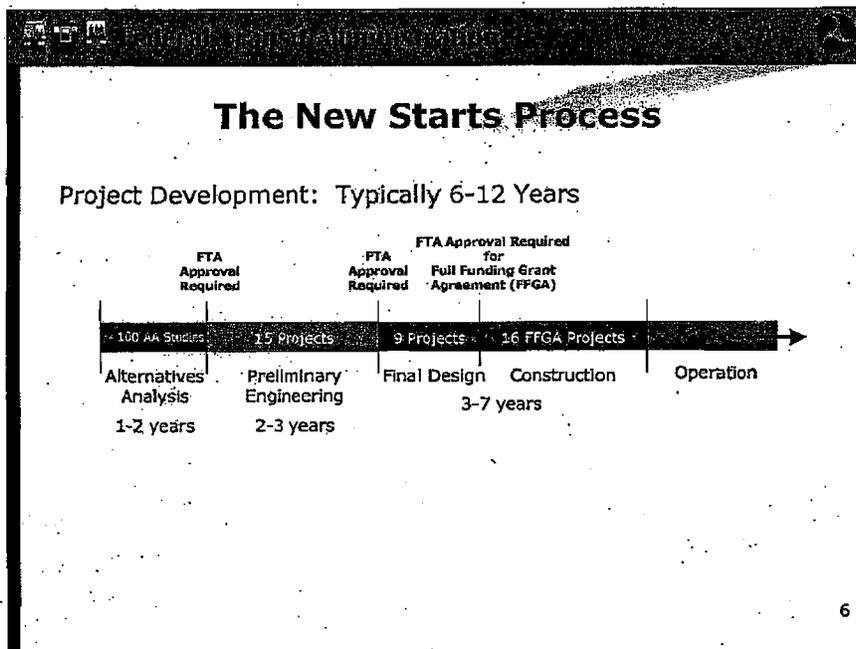
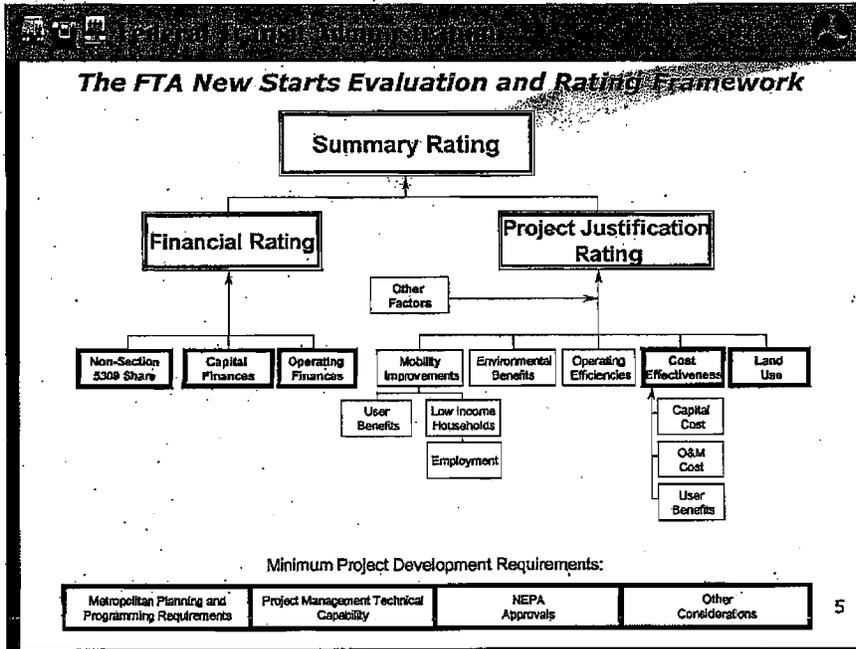
- Approximately \$1.5 billion per year for New Fixed Guideway Systems and Extensions
- Approximately 1/6 of FTA's Program
- Discretionary Commitments (Full Funding Grant Agreements)
- Statutory Criteria and Process
 - FTA Policy Statements 1976, 1978, 1980, 1984
 - STURAA Codified Process and Criteria in 1987
 - Criteria Broadened in ISTEA in 1991
 - Regulation Required in TEA-21 in 1997
 - Criteria Further Broadened, Small Starts Created in SAFETEA-LU in 2003
- FTA's Goal: Deliver valuable projects, on time, on budget while delivering the projected benefits

3

New Starts Planning and Project Development Process



4



Strengths and Weaknesses

- Strengths
 - Merit-Based Selection of Projects Respected by Congress
 - Projects Delivered on-time and on-budget
 - Federal Interests Protected
 - Improved Project Quality
- Weaknesses
 - Time to Complete Process (But not clear how much is due to New Starts requirements)
 - Complex Process—Outcome not always clear
 - Criteria Emphasize Quantifiable Measures—Important non-quantifiable issues may not receive sufficient attention

7

New Starts Process Review

- Initiated June 2006
- Work Completed, Implementation Plan Under Development
- Goals:
 - Manage risk, rather than attempting to eliminate risk, and add value
 - Assure proper allocation of risks and responsibilities
 - Reduce the time and cost of delivering projects and reduce any delay due to Federal reviews
 - Assure the predictability, transparency, and repeatability of results
 - Accommodate possible alternative project delivery methods

8

50 Environmental Administration

New Starts Process Review

- Recommendations
 - Internal Organizational Structure and Staffing
 - Criteria and Evaluation
 - Process Management
 - Communications
 - Alternative Project Delivery
- Implementation Plan
 - Phased Implementation

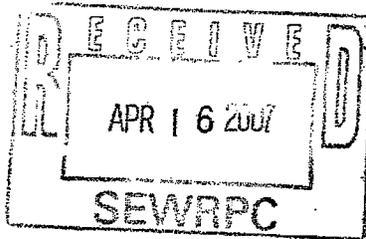
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50 Environmental Administration

Next Steps

- Final Policy Guidance for FY 2009
 - Streamlined Reporting Requirements
- Notice of Proposed Rulemaking on New Starts and Small Starts
- Final Rule
- Reauthorization

10



Department of Administration

Tom Barrett
Mayor

Sharon Robinson
Director of Administration

April 12, 2007

Mr. Karl J. Ostby, Chairman
Southeastern Wisconsin Regional Transit Authority
P. O. Box 1607
Waukesha, WI 53187-1607

Dear Chairman Ostby:

I am writing to express my concerns about your letter dated March 15, 2007 to leaders of the Wisconsin State Legislature regarding the super-majority requirements of the Southeastern Wisconsin Regional Transit Authority (RTA).

As we discussed during our February 19, 2007 RTA meeting, the negative quorum restrictions imposed on the RTA board are causing significant difficulty as we carry out our day-to-day operations. While I agree that the negative quorum has been counterproductive in some ways and that the problem requires a legislative solution, it was not my intent to convey agreement to abolishing the super-majority vote requirement entirely. I strongly oppose addressing the negative quorum problem by calling on the Wisconsin State Legislature to eliminate the board's super-majority requirements altogether, especially as it relates to votes on large fiscal matters or other issues that affect the public directly.

In fact, when the RTA enabling legislation was considered by the State legislature, Mayor Tom Barrett pressed for the super-majority requirement and I adamantly believe it should be maintained. This is also the legislative position of the City of Milwaukee.

When the RTA discussed issues related to the negative quorum at its February 19th meeting, the central point of the discussion was about dealing with the negative quorum issue rather than matters concerning the outcome of regular majority vs. super-majority votes. The real issue discussed is, therefore, a process issue tied more directly to state public meetings laws rather than the outcome of regular majority vs. super-majority votes.

I want to restate the City of Milwaukee's position that the RTA super-majority requirement is in the best interest of the City's taxpayers and should be maintained, especially as it relates to large fiscal issues or matters that directly affect the public. Should any amendments be considered to address the RTA negative quorum issue in the context of the debate on the biennial budget or at any point in time, I believe the matter should be addressed from a process perspective or through changes in State public meetings laws.

I am, however, receptive to supporting measures to relax the super-majority requirement on matters that are inconsequential to the taxpayers of the City of Milwaukee. For instance, I don't think we need a super-majority vote to decide issues such as scheduling meeting dates or similar matters that are insignificant to the public. Perhaps this is an item we can discuss at the next scheduled RTA meeting.

Also, I would like to request that all future correspondence on RTA positions be shared with RTA board members by the RTA Communications Team before it is sent. I also think the Communications Team should formally restate all motions at future RTA meetings before votes are taken. In this way, we can minimize communications problems associated with our actions.

Thank you for your attention to this letter.

Sincerely,



Sharon Robinson
RTA Board Member

- c: Carl Mueller, Mueller Communications
Sharon Cook, Director of Intergovernmental Relations Division-City of Milwaukee
Philip Evenson, Southeastern Wisconsin Regional Planning Commission
✓ Ken Yunker, Southeastern Wisconsin Regional Planning Commission
Members of the RTA Board



Citizens for Responsible Government

P.O. Box 371086 Milwaukee, WI 53237 crgmke@crgnetwork.com www.crgnetwork.com

FAXED

April 17, 2007

(262) 547-1103

Custodian of Records- Southeastern Wis. Regional Transit Authority

Pursuant to the state Open Records Law, Wis. Stat. Ann. Sec. 19.31 to 19.39, I am requesting copies of the following records:

All e-mails (sent, received and deleted files, this would include any personal e-mails that deal with RTA business), faxes, memos, letters or any other written communication for all members of the RTA board or staff, that discusses any potential increase in any tax or taxes. The time period for this request is Jan. 1, 2007 until today's date. Please load these e-mails onto a computer disc. In submitting this request, I am relying on the recent court of appeals case captioned WireData v. Village of Sussex

As provided by the Open Records law, I will expect your response as soon as practicable and without delay.

I will assume that if we do not hear from you by April 27, 2007 that you have denied this request.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

Please be advised that we are prepared to pursue whatever legal remedy necessary to obtain access to the requested records.

I would note that violation of the open records law could result in the award of court costs, attorney fees and actual damages of not less than \$100. I would further note that if a court determines that your noncompliance with the law was arbitrary or capricious; it may award our organization punitive damages and attorney fees as well as fine you up to \$1,000.

Thank you in advance for your help. I can be reached at (414) 761-3401 for any questions regarding this request.

Sincerely

Orville Seymer

COPY

SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607

TELEPHONE (262) 547-6721
FAX (262) 547-1103

Serving the Counties of:

KENOSHA
MILWAUKEE
OSHAUKEE
RACINE
WALWORTH
WASHINGTON
WAUKESHA



MEMORANDUM

TO: Orville Seymer, Citizens for Responsible Government

FROM: Philip C. Evenson, Deputy Secretary, Southeastern Wisconsin
Regional Transit Authority (RTA)

DATE: April 27, 2007

SUBJECT: RESPONSE TO RECORDS REQUEST DATED APRIL 17, 2007

Please find enclosed copies of all of the materials found in our office files relative to your records request concerning RTA consideration of tax or fee revenues. An invoice in the amount of \$7.59 is enclosed to cover the cost of reproducing these materials. We did not include herein any materials that have been posted on the RTA website: www.sewisrta.org. Potential RTA tax and fee revenue services were discussed at a number of meetings of the RTA Board. If you review the minutes of those meetings on the website you will find all of the material relevant to your request that was distributed to RTA Board members and considered at their meetings.

We have asked all seven RTA Board members to review their files for related materials. We hope to forward to you in the next 10 days any materials received from those individuals.

If you have any questions concerning this response, please contact me at 262-547-6721.

PCE/lw

Enclosures; Inv.No.028244

cc: Karl J. Ostby, Chair
Southeastern Wisconsin RTA

#127465 v1 - RTARecReq/Seymer

Southeastern Wisconsin

Regional Transit Authority

MEMORANDUM

TO: Orville Seymer, Citizens for Responsible Government

FROM: Philip C. Evenson, Deputy Secretary, Southeastern Wisconsin
Regional Transit Authority (RTA)

DATE: May 1, 2007

SUBJECT: FURTHER RESPONSE TO RECORDS REQUEST DATED APRIL 17, 2007

Please find enclosed copies of additional materials provided by RTA Board members relative to your records request concerning RTA consideration of tax or fee revenues. An invoice in the amount of \$15.63 is enclosed to cover the cost of reproducing and transmitting these materials.

If you have any questions concerning this matter, please contact me at 262-547-6721.

* * *

PCE/lw
#127584 v1 - RTARecReq/Seymer

Enclosures; Inv.No. 028248

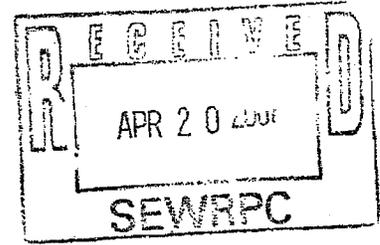
cc: Karl J. Ostby, Chair
Southeastern Wisconsin RTA

AMERICANS FOR PROSPERITY

1726 M Street NW, 10th Floor • Washington DC 20036 • 202.349.5880

April 17, 2007

Philip C. Evenson, Executive Director
Southeastern Wisconsin Regional Transit Authority
W239 N1812 Rockwood Drive
Waukesha, WI 53187-1607



Dear Mr. Evenson,

Pursuant to the state open records law, Wis. Stat. Ann. sec. 19.31 to 19.37, I write to request access to and a copy of all phone records, meeting notes, and emails from staff, board members or representatives of the Port of Milwaukee, SEWRPC, or the lobbyists and public relations professional hired to work on the car rental tax corresponding to any staff, board member or representative of the SE Regional Transit Authority as it relates to the cancellation of RTA's April 16, 2007 meeting and the rally held by AFP and CRG on April 16, 2007. If your agency does not maintain these public records, please let me know who does and include the proper custodian's name and address.

I agree to pay any reasonable copying and postage fees of not more than \$50.00. If the cost would be greater than this amount, please notify me. Please provide a receipt indicating the charges for each document.

As provided by the open records law, I would request your response as soon as practicable and without delay.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

Please be advised that I am prepared to pursue whatever legal remedy necessary to obtain access to the requested records. I would note that violation of the open records law can result in the award of attorney fees, damages of not less than \$100 and other actual costs. I would further note that if a court determines that an official's noncompliance with the law was arbitrary or capricious; it may award punitive damages and assess fines of up to \$1000.

Thank you for your assistance.

Sincerely,

Handwritten signature of Mark J. Block.

Mark J. Block
Americans for Prosperity
Regional Director
1126 South 70th Street, Ste S219A
Milwaukee, WI 53214
414-475-2975

Americans For Prosperity - Wisconsin Chapter
1126 South 70th Street Suite S219A • Milwaukee, WI 53214
(414) 475-2975 • info@afpwi.org

Southeastern Wisconsin

Regional Transit Authority

MEMORANDUM

TO: Mark J. Block, Regional Director, Americans for Prosperity

FROM: Philip C. Evenson, Deputy Secretary
Southeastern Wisconsin Regional Transit Authority

DATE: April 20, 2007

SUBJECT: OPEN RECORDS REQUESTS OF APRIL 17, 2007

This will respond to both of your open records requests dated April 17, 2007, one to me as Executive Director of the Southeastern Wisconsin Regional Planning Commission, and one to me as Executive Director of the Southeastern Wisconsin Regional Transit Authority. Please be advised that with respect to the latter, I am serving on an interim basis as staff to the RTA and carry the title of Deputy Secretary.

Attached please find copies of the requested materials relative to the cancellation of the RTA's meeting that had been tentatively scheduled for April 16, 2007. Also included is an invoice in the amount of \$2.47 to cover the cost of reproducing and transmitting these materials.

For your information, as Deputy Secretary of the RTA I do have the responsibility for scheduling all RTA Board meetings and for preparing and distributing agendas for such meetings. At the beginning of this calendar year, the RTA Board members were asked by me to reserve the mornings of the third Monday of each month for possible Board meetings. In so doing, it was the clear understanding that we would not necessarily meet each month and that each meeting would be confirmed with the provision of an agenda. It was further understood that I would confer with the Board Chair to determine whether or not a meeting would be held, in which case an agenda would be provided. Alternatively, the Board members would be informed that there would be no need for a meeting that month.

Before leaving on a vacation beginning on March 30, 2007, I directed Ken Yunker, my Deputy here at the Regional Planning Commission, to check with the RTA consultant team and RTA Board Chair Karl Ostby during my absence the following week to see if there was any need to hold a Board meeting on April 16, 2007. As the enclosed materials indicate, Mr. Yunker followed my directions and when I returned to work on the morning of April 9, 2007, I was informed that Chair Ostby had determined that no meeting would be necessary. Accordingly, at 10:30 a.m. on that Monday morning I transmitted the enclosed notice that the tentatively scheduled meeting for April 16th had been cancelled.

c/o SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION
W239 N1812 Rockwood Drive • PO Box 1607
Waukesha, Wisconsin 53187-1607
www.sewistra.org

Either later that day or some time the next morning, I received a telephone call from someone on the staff at the Port of Milwaukee inquiring as to whether I had anything to do with a "citizens rally" scheduled for the Port offices on the morning on April 16, 2007. I told that staff member that I knew nothing of any such rally. Only later did I learn that your organization and the Citizens for Responsible Government had scheduled such a rally. In a subsequent telephone conversation with a member of the Milwaukee Journal Sentinel Editorial Board, I indicated that anyone who drew a cause and effect relationship between the scheduling of the rally and the cancellation of the RTA Board meeting was simply wrong.

If you have any questions concerning the foregoing, please call me at 262-547-6721.

* * *

PCE/lw
#127247 v1 - OpenRecAmerProsp/Block

Enclosures

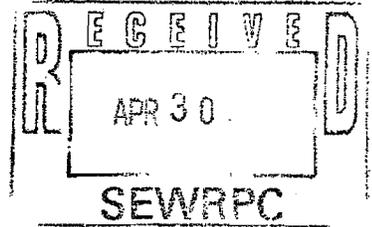
cc: Karl Ostby

AMERICANS FOR PROSPERITY

1726 M Street NW, 10th Floor Washington DC 20036 202.349.5880

April 24, 2007

Philip C. Evenson, Executive Director
SEWRPC/SERTA
W239 N1812 Rockwood Drive
Waukesha, WI 53187-1607



Dear Mr. Evenson,

Pursuant to the state open records law, Wis. Stat. Ann. sec. 19.31 to 19.37, I write to request access to and a copy of all documents, emails, phone records, meeting notes of the SERTA that are related to the selection of Mueller and Associates including but not limited to the RTQ-P documents and all grading and evaluation documents. We request copies of all of the proposals submitted (but not all the supporting documents) from all vendors in the process. If your agency does not maintain these public records, please let me know who does and include the proper custodian's name and address.

I agree to pay any reasonable copying and postage fees of not more than \$100.00. If the cost would be greater than this amount, please notify me. Please provide a receipt indicating the charges for each document.

As provided by the open records law, I would request your response as soon as practicable and without delay.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

Please be advised that I am prepared to pursue whatever legal remedy necessary to obtain access to the requested records. I would note that violation of the open records law can result in the award of attorney fees, damages of not less than \$100 and other actual costs. I would further note that if a court determines that an official's noncompliance with the law was arbitrary or capricious, it may award punitive damages and assess fines of up to \$1000.

Thank you for your assistance.

Sincerely,

Mark J. Block
Americans for Prosperity
Regional Director
1126 South 70th Street, Ste S219A
Milwaukee, WI 53214
414-475-2975

Americans For Prosperity - Wisconsin Chapter
1126 South 70th Street Suite S219A Milwaukee, WI 53214
(414) 475-2975 info@atpwi.org

Southeastern Wisconsin

Regional Transit Authority

MEMORANDUM

TO: Mark J. Block, Regional Director, Americans for Prosperity

FROM: Philip C. Evenson, Deputy Secretary
Southeastern Wisconsin Regional Transit Authority

DATE: May 1, 2007

SUBJECT: OPEN RECORDS REQUEST OF APRIL 24, 2007

This will respond to your open records request dated April 24, 2007, relative to public records associated with the selection of the Transit Advocacy and Communications Team by the Southeastern Wisconsin Regional Transit Authority for communications consulting purposes.

We would note that some records attendant to this matter have been posted on the RTA's website: www.sewisrta.org. We would direct your attention in particular to the minutes of RTA Board meetings of June 19, July 17, and September 18, 2006. These records are not being provided herein.

Records are being provided herein and relate to the request for qualifications/proposals developed for the purpose of selecting a communications consultant, the materials used by the K-R-M Steering Committee to evaluate the qualifications and proposals that were submitted; a summary of the ratings initially made by Steering Committee members relative to the five proposals submitted; materials transmitting the statements and proposals submitted to both the K-R-M Steering Committee and the RTA Board members; the five proposals received; and cost estimates submitted with the proposals.

An invoice in the amount of \$71.10 to cover the cost of reproducing and transmitting these materials is enclosed. If you have any questions concerning the foregoing, please call me at 262-547-6721.

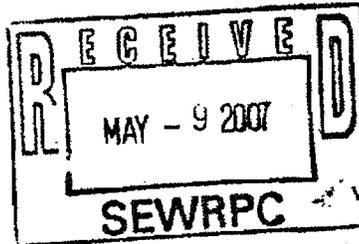
* * *

PCE/lw
#127534 v1 - AmerPropOpenRecReq

Enclosures; Inv.No. 028246

cc: Karl J. Ostby
c/o SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION
W239 N1812 Rockwood Drive • PO Box 1607
Waukesha, Wisconsin 53187-1607
www.sewisra.org

HUNTER & SOMMERS, LLC
ATTORNEYS AT LAW
A LIMITED-LIABILITY COMPANY



259 SOUTH STREET
POST OFFICE BOX 1136
WAUKESHA, WISCONSIN 53187-1136
TELEPHONE (262) 547-7788
FAX (262) 548-1055
E-MAIL JIMSOMMERS@AMERITECH.NET

JAMES R. SOMMERS

May 8, 2007

Karl Ostby, Chairman
Southeastern Wisconsin Regional Transit Authority
c/o Phillip C. Evenson
W239 N1812 Rockwood Drive
PO Box 1607
Waukesha WI 53187-1607

RE: SOUTHEASTERN WISCONSIN REGIONAL TRANSIT AUTHORITY ("RTA")

Dear Mr. Ostby:

You have asked me to comment upon a complaint that has been made with respect to the RTA's recommendation of funding sources for the local share of capital and operating costs of the KRM commuter rail extension.

The complaint as I understand it is that the RTA is acting outside of its statutory authority in contacting the legislature to assess the feasibility of and to promote its recommendation regarding the enactment of legislation establishing a funding source.

In synopsis, after my review of the enabling legislation for the RTA, the Request for Qualifications/Proposals ("RFQ/P"), the agreement between the RTA and its communications consultant and Wisconsin Statutes pertaining to lobbying, that the RTA's activities and that of its consultant fall within the authority granted to it by the enabling statute.

The RTA's enabling statute, section 59.68(6), Wis. Stats., in subsection (e) requires the RTA to issue a report to the governor and the legislature which among other things includes:

"A proposal that specifically identifies a permanent regional funding source to provide local funds for the local portion of operating and capital costs of commuter rail and public transit that are not covered by passenger fares and that considers all potential funding sources."

Subsection (cg)2 of the enabling statute provides that of the revenues which the RTA is permitted to impose (the car rental fee) that they may only be expended to hire staff, conduct studies and expend funds essential to the preparation of its required report to the governor and the legislature.

Essentially the issue raised by the complaint is whether the expenditure of revenues by the RTA to contact the legislature to assess the feasibility and promote its recommendation of a local funding source for the KRM commuter rail extension is essential to the preparation of the report to the governor and the legislature.

The RFQ/P requested proposals from consultants to perform work that would assist the RTA in carrying out its statutory mandate. Specifically the RFQ/P stated:

"The principal duty of the RTA is to recommend to the State Legislature and Governor a permanent, dedicated funding source for the local share of capital and operating costs of commuter rail and public transit in the 3-county area." (p. 1)

The RFQ/P set forth a list and description of work elements which were to be performed by the consultant. Among the work elements were the following descriptions:

"The consultant will work with SEWRPC staff to identify any possible unique or special sources of funding used on projects nationwide and locally, estimate their potential current and future revenue, assess their feasibility, and identify necessary legislation and options for implementation." (p. 3)

"The consultant will conduct public opinion polling and focus groups to assess with respect to the public, and possibly elected officials and the business community, agreement with RTA findings, and support of or opposition to, potential funding sources, as well as transit governance and operating options." (p. 3)

The RFQ/P also included in the work element what was generally described as "Outreach to Elected Officials, Agency Staff and Business Community." Within that work element it was stated:

"The consultants will help guide the RTA in government relations and seeking funding/new starts assistance at the State and Federal level." (p. 4)

In my opinion the contract entered into between the RTA and the consultant, Mueller Communications, complied with the RFQ/P. Specifically within that contract it was noted as follows:

"The Consultant will comply with all governmental lobbying and ethics requirements, including registration, record keeping, and filing of forms."
(p. 6)

After reviewing the above I reached these conclusions:

In order for the RTA to make a meaningful recommendation to the governor and the legislature regarding the establishment of a dedicated funding source for the local share of capital and operating costs of the KRM commuter rail extension it is appropriate for the RTA to have viewed it as essential for it and/or its consultants to have contact with public officials, such as members of the legislature, to help the RTA to gauge the acceptability and feasibility of and to promote its proposal.

Furthermore, because of Wisconsin's broad definition of "Lobbying" it is appropriate for the consultant to have registered and complied with Wisconsin law related to lobbying. Section 13.62(10), Wis. Stats., states as follows:

"'Lobbying' means the practice of attempting to influence legislative or administrative action by oral or written communication with any elective state official, agency official or legislative employee, and includes time spent in preparation for such communication and appearances at public hearings or meetings or service on a committee in which such preparation or communications occurs."

Section 13.62(8), Wis. Stats., states as follows:

"'Legislative actions' means the development, drafting, introduction, consideration, modification, adoption, rejection, review, enactment or defeat of any bill, resolution, amendment, report, nomination, proposed administrative rule or other matter by the legislature or by either house or any committee, subcommittee, joint or select committee thereof, or by a legislator or employee of the legislature acting in an official capacity."

Finally, it is noted that the RTA has until November 15, 2008 to fulfill its statutory requirement of providing a report to the governor and legislature which includes a proposal for a permanent regional funding source for both the KRM commuter rail extension and public transit. In my opinion it is appropriate for the RTA to, after submitting its initial recommendation to the governor and legislature for the funding source for the KRM commuter rail extension, to assess the acceptability and feasibility of and promote its proposal. This is especially so in light of the fact that the RTA is still

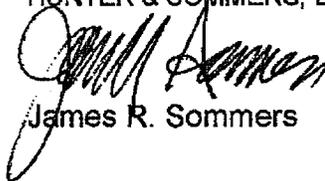
Ostby
May 8, 2007
Page 4

working on the remainder of the report to the governor and legislature which includes such things as recommending a permanent regional funding source to provide local funds for the local portion of operating and capital costs of public transit, a plan to improve coordination of expanded mass transit, commuter rail and passenger rail in the region and a plan for the distribution among mass transit operators in the region of any permanent regional funding.

Based upon the above I conclude that the RTA has acted properly and within the parameters set forth in its enabling legislation.

Very truly yours,

HUNTER & SOMMERS, LLC

A handwritten signature in black ink, appearing to read "James R. Sommers", is written over the typed name. The signature is stylized and cursive.

James R. Sommers

JRS/lmd

**WRITTEN COMMENTS SUBMITTED TO SEWRTA
(3/19/07 through 5/10/07)**

Mr. Skinner -

Thank you for the comment below. In response, I would like to note that both the RTA and the Commission have provided the opportunity to submit comments on the proposed KRM commuter rail project and the source of the local funds for the project. Written comments may be submitted through websites established specifically for the KRM project (<http://www.sewrpc.org/KRMonline/comments.asp>) and the Southeastern Wisconsin RTA (<http://www.sewisrta.org/comments.asp>). Such comments are provided directly to the RTA Board for consideration at its monthly meetings. In addition, public information meeting open houses have been held at various points in the current study at locations throughout the KRM corridor to solicit comments, with the most recent set of such meetings taking place in early February 2007 (<http://www.sewrpc.org/KRMonline/publicinvolvement.shtm>). Comments on the project can be provided directly to project staff at these meetings. Another set of public information meetings will occur in late spring 2007 to present information on the final project proposal, including local funding. The upcoming meetings will be announced on the website for KRM project website and in the newsletter for the project. If you would like to be notified when the next set of public meetings has been scheduled, you can sign up for the project newsletter on the comments webpage for the project.

Albert A. Beck
Principal Planner
Southeastern Wisconsin Regional Planning Commission
W239 N1812 Rockwood Drive
P.O. Box 1607
Waukesha, WI 53187-1607
E-mail: abeck@sewrpc.org
Fax: (262) 547-1103
E-mail: abeck@sewrpc.org

Submitted: 4/10/2007 4:17:54 PM

Name: Shane Skinner

E-mail:

Organization:

PO Box/Street:

City: Wauwatosa

State: WI

Zip: 53213

Phone:

Comments: Hello. I would like to express my thoughts on the KRM rail system and the tax mechanism that's been proposed. For some reason, your committee has not given the public the opportunity to speak on this??? Can you tell me why? Thanks, Shane Skinner

COMMENTS (continued)

Submitted: 3/19/2007 12:57:12 PM

Name: James Mickey

E-mail:

Organization:

PO Box/Street:

City: Sarasota

State: FL

Zip:

Phone:

Comments: You are making a major mistake w/ your proposed \$13.00 car rental tax. If this tax is passed, my Company will no longer use the Milwaukee airport. Our employees will fly into the Chicago & Rockford & madison airports. By the way, the current sales tax in Ill on car rentals is a lot LESS than @ the Milw airport. The Milw Journal needs to be aware of this loss of revenue & use of City of Milwaukee facilities. This is definitely NOT a business friendly Tax. J.R Mickey RE: The Southeastern Wisconsin Regional Transit Authority said today it would stick with its recommendation for a \$13 rental car tax increase to pay for proposed commuter trains linking Milwaukee, Racine and Kenosha, even though several RTA members said they would still prefer to see a local sales tax funding both trains and public buses

Doc#127862

**SOUTHEASTERN WISCONSIN REGIONAL TRANSIT AUTHORITY
FINANCIAL REPORT: MAY 21, 2007**

**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
Interest earned through April 30, 2007	4,225.44
Wire transfer fees incurred through April 30, 2007	-66.00
* Net amount after payment of Statutory fee to WDOR	\$484,726.31

**Progress, Billing, and Payment Report: March 31, 2007
Communications Consultant**

<u>Work Element</u>	<u>Total Budget</u>	<u>Percent Complete</u>	<u>Amount Billed to Date</u>	<u>Amount Paid to Date*</u>
1 - Communications Strategy	\$50,700	79.2	\$47,830.43	\$43,047.39
2 - Funding Source Research	58,225	93.7	54,767.22	49,290.50
3 - Communications Materials	53,550	45.8	26,222.78	23,600.50
4 - Public Opinion Assessment	29,100	28.2	8,474.20	7,626.78
5 - Outreach--Elected Officials and Business	154,125	46.5	94,111.43	84,700.29
6 - Outreach--Public	150,300	68.3	120,138.29	108,124.46
Total	\$496,000	60.8	\$351,544.35	\$316,389.92

* Ninety percent of billed amount for each work element is paid with 10% withheld until a work element is satisfactorily completed.

<u>Expense Reimbursement to SEWRPC</u>	
December 29, 2006	\$853.26

<u>Financial Summary</u>	
Income	\$484,726.31
Expenditures	316,389.92
Encumbrances	35,154.44
Balance	\$133,181.95

SOUTHEASTERN WISCONSIN REGIONAL TRANSIT AUTHORITY

State Budget Process Preview

The Wisconsin Legislature's Joint Committee on Finance (JFC) has begun voting on items to be included or excluded in its version of the 2007-09 state budget. With a "split" Legislature - Republicans control the Assembly; Democrats have a majority in the Senate, and JFC is comprised of eight members from each House and each party - it is almost a foregone conclusion that:

- JFC will divide along party lines on virtually all controversial issues;
- Each House (Senate and Assembly) will adopt its own version of the budget that will differ significantly from its counterpart in the other House;
- Final resolution will come from a Conference Committee, again equally balanced with members, including leadership, from both houses and both parties, and will require substantial compromise from both sides.

Before JFC began voting, the co-chairs of the committee agreed to the removal of a number of items from the Governor's proposed budget that were deemed pure policy, having no direct fiscal impact on the state budget.

The co-chairs also agreed on which portions of JFC action on the proposed budget would work off of the bill submitted by the Governor, thereby requiring nine votes to remove an item proposed by the Governor, and which portions would work from "base" and require nine votes to be added to the document. This action is necessitated by the evenly divided membership, allowing each side an "advantage" on roughly one-half of the issues to be voted upon in committee.

See the [JFC April 20 Press Release](#) regarding Budget Procedures (bill vs. base) for the Joint Committee on Finance and the list of non-fiscal policy items that have been removed from the Governor's proposal.

The Governor's proposed biennial budget includes eight primary "new" funding sources, all of which provide the necessary funding for new and/or expanded programs also included in the budget document. The "new" (primarily fee and tax increases) are:

Real estate transfer fees	Vital records Fees	Hospital tax
Cigarette Tax	Motor Vehicle Registration fees and other Transportation fees	
Tipping Fees	Oil Company Tax	Transfer from the Patient's Compensation Fund

Republicans on JFC are expected to vote against all the new funding sources, opposing increases in taxes and fees. This position means that the Republicans will also be voting against all of the new or expanded programs that are dependent upon those funding sources, regardless of whether or not they support the merits of the respective programs.

To further complicate the process, most of the new funding sources require nine votes to be removed from the bill, while many of the new or expanded programs require nine votes to be added, resulting in increases in fees and taxes but rejection of new or expanded programs that would be dependent on the increased revenues. This has already occurred with votes to increase the real estate transfer fee and the tipping fee, but with a rejection of the programs intended to be funded by these new revenue sources.

Whatever product comes out of JFC will be short-lived since, as previously mentioned, the Senate and Assembly are expected to adopt their own separate and competing versions eventually leading to the establishment of a Conference Committee.

The deliberations and work of Joint Finance are, nonetheless, very important to the budget process. Much of the philosophical debate will take place during JFC deliberations. The committee will also clean up technical problems and issues; identify areas of bi-partisan support; and, set up the primary differences between the two houses and two parties in advance of action by the respective houses and Conference Committee.

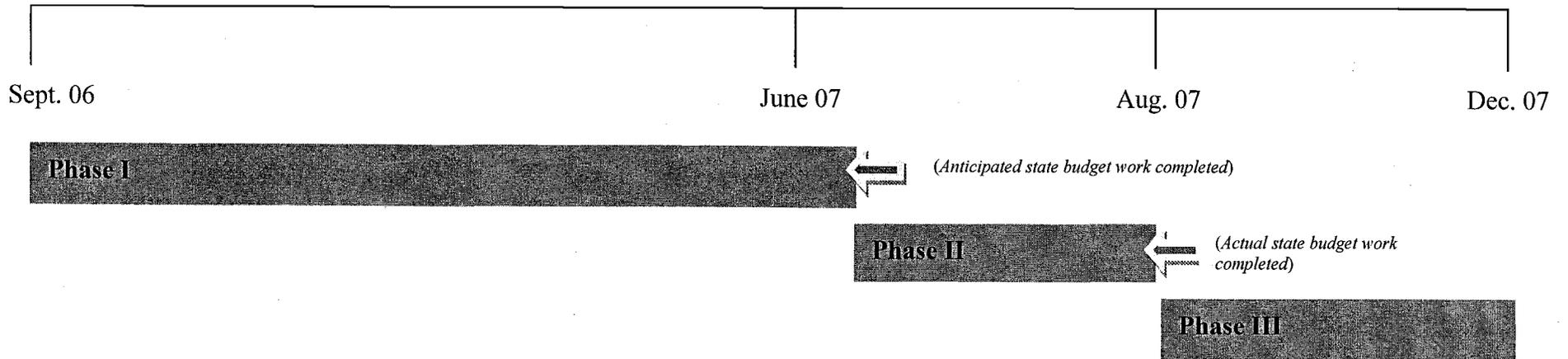
Historically, the Legislature has targeted July 1 as the date by which it hopes to wrap up its budget session and pass a state budget on for final action, including line item vetoes, by the Governor. The way things are lining up this year, it looks like a long summer and we may not have a new state budget until fall.

The [Legislative Fiscal Bureau \(LFB\) website](#) contains detailed information, including background papers, alternatives and motions on all significant issues being addressed by Joint Finance. We commend this website to you for comprehensive, detailed information on issues of interest and concern.

Source: Hamilton Consulting Group

---DRAFT---

RTA CONSULTANT BUDGET AND TIMELINE



Please note:

The original budget submitted as part of the RFP process planned for consultants to expend 90% of the budget by June 30, 2007, as the initial plan called for most of the work with the state budget process to be completed by that time.

Senate District 3 / Assembly District 7

CCC Greater Milw. Otolaryngology (G)
GGG Adv. Pain Management (G)
LLL Greenfield Rehab. Agency (G)
A20 Pet World Warehouse (M)
A34 Lakeside Staffing (M)
A36 Milwaukee South Health Care (M)
A47 Braeger Automotive Group (M)
A54 Orthopedic Surgeons of (M)
A86 Cameo Care Campus (M)

Senate District 3 / Assembly District 8

J Rexnord Geared Products Grp. (M)
MM QPS Companies (M)
FFF Community Care (M)
A23 Western Bilingual Employment (M)
A25 Nissen Staffing (M)
A43 Sister of St. Francis (M)
A44 Labor Ready (M)
A51 J.M. Brennan, Inc. (M)
A65 Palermos (M)
A70 St. Clare Management (M)
A77 The Site Group (M)
A81 Leader Paper Products (M)
A93 Interfaith Programs for Elderly (M)
A94 Little Fish of the Sea (M)

Senate District 3 / Assembly District 9

LL QPS Companies (M)
A2 St. Francis Hospital (M)
A17 Capri Communities (M)
A66 Kayes House (M)
A96 Orthopedic Surgeons of (M)

Senate District 4/ Assembly District 10

SSS Milwaukee Health Services (M)
A69 The Terrance at St. Francis (M)
A72 Rock-Tenn Company (M)
A79 Everbite, LLC (M)

Senate District 4/ Assembly District 11

A4 Glenn Rider (M)
A32 Astronautics Corp. of America (M)
A78 MultiCultural Community Svc. (M)

Senate District 4/ Assembly District 12

S American Signal Corp. (M)
B13 Alitivity Packaging (M)

Senate District 5 / Assembly District 13

A P&H Mining Equipment (M)
HH Meridian International (M)
II Coakley Tech (M)
A16 Advanced Distribution (M)
A49 Lift Temp, Inc. (M)

Senate District 5 / Assembly District 14

M Milwaukee Machine Works (M)
A63 Executive Consulting (M)

Senate District 5 / Assembly District 15

HHH Village at Manor Park (WA)
PPP Commonwealth Medical Grp. (WA)
A5 Premier Care Center (M)
A6 Transitional Living Services (M)
A52 Covenant Healthcare (M)

Senate District 6/ Assembly District 16

A9 CPS Parking (M)
A12 The Residence Inn Mariot (M)
A22 T-Mobile (M)
A28 Heavenly Angels Child Care (M)
A30 Curative Care Network (M)
A35 WellPoint/Blue Cross Blue Shield
A37 Bryant & Stratton College (M)
A38 Potawatomi Bingo & Casino (M)
A39 Extencicare Healthcare Svc. (M)
A40 Assurant Health (M)
A41 WE Energies (M)
A42 Milwaukee Journal Sentinel (M)
A45 Marquette University (M)
A55 Duet Resource Group (M)
A56 Assisted Living Concepts (M)
A58 Milw. Area Technical College (M)
A60 Auto Zone (M)
A62 Zilber LTD (M)
A71 Milwaukee Center for (M)
A73 Bell Staffing (M)
A76 Excelle Employment Solutions (M)
A87 Penfield Children's Center (M)
A89 Aurora Health Care (M)

A90 COA (M)
A91 Boston Store (M)
A92 UWM School of Continuing (M)

Senate District 6/ Assembly District 17

A68 Covenant Healthcare at St. (M)
A88 Sherman Park Preschool (M)

Senate District 6/ Assembly District 18

V Badger Alloys Inc. (M)
X Bostik Findley Adhesives Inc. (M)
A15 Milwaukee Fences (M)
A24 Advanced Waste Services (M)
A29 Children's Pantry (M)
A74 Climatic Control, Inc. (M)
A75 Milwaukee Police Department (M)

Senate District 7/ Assembly District 19

Y Brew City Beer Gear Inc. (M)
VV Bucyrus International Inc. (M)
XX The Marcus Corp. (M)
AAA Bell Ambulance (M)
BBB Milw. Eye Care Associates, S.C. (M)
DDD Reproductive Specialty Center (M)
QQQ Planned Parenthood of WI (M)
A3 Sodexo (M)
A14 Wyndham Milw. Center (M)
A26 M&I Corp. (M)
A27 Spherion (M)
A31 Pheoniz Care Systems (M)
A48 Godfrey & Kahn, S.C. (M)
A53 Electrp- Machano (M)
A59 City of Milwaukee (M)
A80 The Living Church Foundation (M)
A82 UPS (M)
A83 Randstad (M)
A85 ABM Janitorial Services (M)

Senate District 7 / Assembly District 20

B Harnischfeger Industries Inc. (SF)
G ICM Corp. (M)
K Fontarome Chemical (SF)
CC Lenard Tool & Machine Inc. (M)
A10 Howard Village (M)
A21 AirTran (M)

A61 Cornwell Staffing Services (M)
A67 Interstate Batteries (M)
A18 Sylvan Crossings (M)
A84 Vilter Manufacturing (M)

Senate District 7 / Assembly District 21

C Metalcut Products Inc. (M)
R Crown Prince Inc. (OC)
AA Applied Plastics Inc. (OC)
PP Franchise Foodservice Inc. (OC)
TT Creation Technologies WI Inc. (OC)
WW Midwest Air Group Inc. (OC)
RRR Midwest Dialysis Center (OC)
A7 Flying J Travel Plaza (OC)
A11 Lakeshore Medical Clinic (M)
A13 Aldis Co. (OC)
A19 Dollar General (OC)
A33 Reinhart Food Service (OC)
A50 Grunau Company (OC)
A64 Sky Way Airlines (OC)

Senate District 8 Assembly District 22

ZZ Advanced Healthcare Inc. (M)

Senate District 8/ Assembly District 23

W Mortara Instruments Inc. (M)
EEE Pain Management & Treatment Center, S.C. (M)

Senate District 21 / Assembly District 61

N O&H Danish Bakery (R)
O O&H Danish Bakery (R)
KK QPS Companies (R)
NN S.C. Johnson & Son Inc. (R)
QQ CNH Global N.V. (R)
YY Twin Disc Inc. (R)
MMM Wheaton Franciscan Healthcare (R)
NNN Walgreens (R)
B49 Johnson Financial Agency (R)
B59 HFI Fluid Power Products (R)
B60 Vista Dental Products (R)

Senate District 21 / Assembly District 62

F BRP US (S)
H Argus Technical Services (R)
I Argus Technical Services (R)

U Argus Technical Services (R)
OO Johnson Diversity Inc. (S)
SS Putzmeister America (S)
KKK Aurora Health Center (R)
OOO Walgreens (R)
B12 Express Personnel Services (R)
B32 David Insurance Agency Inc. (R)
B42 Securitas Security Svc. USA (R)
B50 Thermal Transfer Products (R)
B51 Bert Jensen & Sons Inc. (R)
B52 B&M Machine Corp. (R)
B53 Racine Federated Inc. (R)
B54 R&B Grinding Co. Inc. (R)
B55 CJW Inc. (R)
B56 Home Depots (R)
B57 County of Racine (R)
B58 Burlington Graphic Systems (R)
B61 Reed Switch Developments Co. (R)
A95 PER MAR Security Services (M)

Senate District 21 / Assembly District 63

JJJ Aurora Health Center (R)

Senate District 22 / Assembly District 64

JJ *QPS Companies (K)*
B1 Staff Force, Inc. (K)
B2 Unified Solutions, Inc. (PP)
B7 Pneumatech Inc. (K)
B11 Bothe Associates Inc. (K)
B19 Rockford Industrial Welding (K)
B20 QPS Companies, Inc. (K)
B21 X-Cite Childcare (K)

B23 Kenosha Community Health Center
B24 Market Probe Inc. (K)
B25 Kenosha Medical Center Campus
B26 EZ Money (K)
B27 Frank L. Wells Co. (K)
B28 HCR Manorcare Washington Manor
B29 Wisconsin National Guard (K)
B33 Debelis Corp. (K)
B36 Dairyland Greyhound Park Inc. (K)
B37 Villa D'Carlo Inc. (K)
B44 Labor Finders (K)
B45 Lakeside Cleaners (K)
B40 Pizza Hut (K)

Senate District 22 / Assembly District 65

UU Snap-on Inc. (K)
B3 Village of Pleasant Prairie (PP)
B4 Focus Products Group LLC (PP)
B5 AAA Tent Masters Inc. (K)
B9 Custom Staffing Solutions (K)
B10 Conn-Selmer Inc. (K)
B14 Adecco USA Inc. (K)
B15 Spherion at Sanmina (PP)
B16 Unified Solutions, Inc. (PP)
B18 Qdoba Mexican Grill (K)
B22 Kenosha Achievement Center Inc.
B30 Ann Taylor Factory Store (PP)
B31 Supervalu Inc. (PP)
B34 St. Catherine's Medical Center (PP)
B35 Stone Center LLC (PP)
B38 Andy's Kenosha Restaurant (K)
B41 Fazoli's Restaurant (K)
B43 Merry Maids (K)
B47 LJH Ambulance Inc. (K)
B48 The Salvation Army (K)

Senate District 22 / Assembly District 66

P Lavelle Industries (B)
RR Nestle Confections & Snacks (B)
B6 PA Staffing Service Inc. (K)
B8 The Roofing Co. of Burlington Inc.
B17 Kutzler Express Inc. (K)
B39 Maplecrest Country Club (K)
B46 Union Pacific Railroad (K)

Senate District 28 / Assembly District 82

D Northern Gear (F)
E Central Aquatics (F)
L Simonsvoss Technologies (SF)
Q Allis Roller LLC (F)
T Vesta Inc. (F)
Z Baptistas Bakery (F)
BB Northern Gear (F)
DD Precision Machine Tool (F)
GG Kronos Inc. (F)
III Kindred Hospital Milw. (G)
A46 FED-EX (F)

KEY

(B) = Burlington
(F) = Franklin
(G) = Greenfield
(K) = Kenosha
(M) = Milwaukee
(OC) = Oak Creek
(PP) = Pleasant Prairie
(R) = Racine
(S) = Sturtevant
(SF) = St. Francis
(WA) = West Allis



City of Milwaukee

Office of the City Clerk

200 E. Wells Street

Milwaukee, Wisconsin 53202

Certified Copy of Resolution

FILE NO: 070242

Title:

Substitute resolution expressing the City of Milwaukee's support for extension of the proposed southeastern Wisconsin commuter rail service to include the 30th Street Rail Corridor to the northern boundary of Milwaukee County.

Body:

Whereas, A 2006 study by the University of Wisconsin-Milwaukee Center for Economic Development found that there has been no net job growth in Milwaukee's inner city since 1994; and

Whereas, In recent years, Milwaukee County Transit System bus service has been reduced, and bus fares raised, in an effort to avoid property tax increases; and

Whereas, These service reductions and fare increases have disproportionately affected low-income residents of the City of Milwaukee, where the 25% of all households and 33% of African-American households (2000 Census) who do not own motor vehicles must rely on public transportation to reach jobs, education and health care and otherwise meet their day-to-day needs; and

Whereas, Lack of employment growth and low rates of car ownership in Milwaukee's central city mean that residents could greatly benefit from improved mass-transit access to jobs in outlying areas; and

Whereas, The development of commuter rail service effectively links workers with employment opportunities; and

Whereas, The presence of commuter rail service stimulates development in the vicinity of rail stations; and

Whereas, In July, 2005, the Wisconsin Legislature created the Southeastern Wisconsin Regional Transit Authority ("RTA") and designated the RTA as the agency responsible for coordinating transit and commuter rail in Milwaukee, Racine and Kenosha counties; and

Whereas, An intergovernmental steering committee working on behalf of the RTA and the Southeastern Wisconsin Regional Planning Commission has recommended implementation of commuter rail service along a 33-mile, 9-station route between the Kenosha Metra station and the Downtown Milwaukee Amtrak station; and

Whereas, Section 59.58(6), Wis. Stats., which creates and empowers the RTA, does not limit the

commuter rail system to this route, but merely states that the RTA “shall be responsible for coordination of transit and commuter rail programs in the region” (where “region” is defined as Milwaukee, Racine and Kenosha counties), meaning that it is within the purview of the RTA to study and possibly fund and operate commuter rail service along other routes in the 3-county region; and

Whereas, The planned Kenosha-Racine-Milwaukee commuter rail line, with a northern terminus at the Downtown Milwaukee Amtrak station, will not serve residents in greatest need of improved transit service and access to jobs or spur new development in the area where it’s needed most, namely, the North Side of Milwaukee; and

Whereas, Extension of commuter rail service from Downtown Milwaukee up the 30th Street Rail Corridor to the northern boundary of Milwaukee County, a distance of approximately 14 miles, would provide vital transportation links between areas of high unemployment in the central city and areas of job growth in outlying areas of Milwaukee County, and would also stimulate development along the Corridor, particularly in the vicinity of rail stations; and

Whereas, Governor Jim Doyle, Mayor Tom Barrett and County Board Chairman Lee Holloway have all indicated their desire to stimulate new development along the 30th Street Rail Corridor; and

Whereas, Extension of the proposed commuter rail service up the 30th Street Rail Corridor would bring balance to the commuter rail system, which, as currently proposed, would have the majority of its route-miles in Kenosha and Racine counties, even though the bulk of local funding for the service would come from Milwaukee County and the need for improved transit and access to jobs is greatest in Milwaukee County; and

Whereas, Because it uses separate rights-of-way (namely, existing rail lines), commuter rail can operate at relatively high speeds without interfering with or disrupting local street traffic, thereby providing a more effective transit connection between central-city neighborhoods and outlying areas of Milwaukee County; and

Whereas, Commuter rail service within Milwaukee County would not reduce the level of existing bus service on city streets because commuter rail service represents an entirely new transit service providing a high speed backbone that would connect with, not replace existing bus service; and

Whereas, There is strong bi-partisan support at the state and local level for development of commuter rail systems in Southeastern Wisconsin; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee supports extension of the proposed Kenosha-Racine-Milwaukee commuter rail service within Milwaukee County to serve the 30th Street Rail Corridor to the northern boundary of Milwaukee County, a distance of approximately 14 miles; and, be it

Further Resolved, That the City of Milwaukee supports the development of transit-oriented residential and commercial developments along the 30th Street Rail Corridor; and, be it

Further Resolved, That the City of Milwaukee supports the development of a passenger station on the proposed Kenosha-Racine-Milwaukee commuter rail line at East Greenfield Avenue in Milwaukee; and, be it

Further Resolved, That the Intergovernmental Partnership, the KRM Project Steering Committee, the Southeastern Wisconsin Regional Transit Authority and the Southeastern Wisconsin Regional Planning Commission are all requested to take the actions necessary to expand the Kenosha-Racine-Milwaukee commuter rail project to include commuter rail service along the 30th Street Rail Corridor to the northern boundary of Milwaukee County; and, be it

Further Resolved, That the City's representatives on the KRM Steering Committee and the RTA board are directed to advocate for extension of the proposed commuter rail line to include service along the 30th Street Rail Corridor to the northern boundary of Milwaukee County.



I, Ronald D. Leonhardt, City Clerk, do hereby certify that the foregoing is a true and correct copy of a(n) Resolution Passed by the COMMON COUNCIL of the City of Milwaukee, Wisconsin on May 30, 2007.

Ronald D. Leonhardt

Ronald D. Leonhardt

June 08, 2007

Date Certified

**ANALYSIS OF LOCAL PUBLIC TRANSIT FUNDING NEEDS
AND ALTERNATIVE FUNDING SOURCES (Revised)**

Additional Funding Needed^b

- To restore service reductions of last five years and to roll back passenger fare increases of last five years^c
- Initiate implementation of long planned transit improvement/expansion^d
- Limit using for operating funding Federal funding intended for capital projects^e
- Provide funding to maintain service if State funding continues to decrease with inflation^f

	<u>2007 Budget^a</u>	<u>Additional Funding Needed^b</u>	<u>Total Funding Needed^g</u>
Local Share of Public Transit Costs			
Milwaukee County	\$23.4 million	\$61.0 million	\$84.4 million
Racine County	1.8 million	4.5 million	6.3 million
Kenosha County	2.1 million	3.4 million	5.5 million

POTENTIAL FUNDING GENERATED BY ALTERNATIVE FUNDING SOURCES

Sales Tax – 0.1%

Milwaukee County	\$12.4 million
Racine County	\$ 2.4 million
Kenosha County	\$ 1.8 million

Hotel/Motel Room Tax – 1.0%

Milwaukee County	\$1.4 million
Racine County	\$0.2 million
Kenosha County	\$0.2 million

Motor Fuel Tax – 1¢

Milwaukee County	\$4.0 million
Racine County	\$0.9 million
Kenosha County	\$0.8 million

Tire Tax^h – \$2 per tire

Milwaukee County	\$1.3 million
Racine County	\$0.3 million
Kenosha County	\$0.3 million

Vehicle Registration Fee – \$10

Milwaukee County	\$6.5 million
Racine County	\$1.7 million
Kenosha County	\$1.3 million

Taxicab/Limousine Registration Fee – \$10

Milwaukee County	\$6,000
Racine County	\$ 300
Kenosha County	\$ 300

Taxicab/Limousine Surcharge Per Mileⁱ – 10 cents per mile

Milwaukee County	\$3.0 million
Racine County	\$0.15 million
Kenosha County	\$0.15 million

Surcharge Per Cubic Yard of Asphalt/Concrete Pavement^j – \$5 per cubic yard

Milwaukee County	\$3.0 million
Racine County	\$1.0 million
Kenosha County	\$1.0 million

Surcharge on Moving Traffic Violations – 3%

Milwaukee County	\$0.5 million
Racine County	\$0.2 million
Kenosha County	\$0.2 million

^aIncludes year 2007 budget operating funding and average capital funding over years 2001 to 2005.

^bEstimated additional local operating funding needed in year 2007 to restore service and fares and initiate service expansion. Assumes no new Federal funding and State funding increase at 2 percent annually -- less than expected transit cost inflation.

^cService increases of 15% for Milwaukee County, 18% for Racine County, and 6% for Kenosha County to restore service reductions of last five years. Passenger fare reductions of 20% for Milwaukee and Kenosha and 25% for Racine to restore fares.

^dProvides for about a 10 percent expansion of transit service. Regional transit plan proposes a doubling of transit service over next 30 years.

^eAnnual Federal operating funding for Milwaukee County would be reduced from \$20 million to \$5 million, and of about \$1.8 million for Racine and Kenosha Counties would be eliminated.

^fAssumes State funding increases annually at 2% and transit cost inflation is 4%.

^gAdditional funding beyond the total funding needs shown would be required to fully implement the transit element of the regional transportation plan. In particular, additional funding beyond that shown would be needed in Kenosha and Racine Counties as the existing transit systems provide limited service beyond the Cities of Kenosha and Racine, provide limited weekend service, provide limited to no evening service to serve second and third shift workers, and provide limited frequency of service. In addition, there is no public transit service in western Kenosha and Racine Counties.

^hAssumes average vehicle is driven 10,000 miles annually and tires are replaced every 40,000 miles.

ⁱAssumes 50,000 miles annually per vehicle.

^jBased on estimates of average width and depth of arterial and non-arterial pavements and average pavement life cycles.