



LAKE COUNTY COUNCIL OF MAYORS

Draft Minutes of November 7, 2019 Lake County Council of Mayors Meeting
at the Lake County Division of Transportation

Attendance

<u>Name</u>	<u>Position</u>	<u>Representing</u>
Leon Rockingham	Mayor	North Chicago
Glenn Ryback	Mayor	Wadsworth
Dale Sands	Mayor	Deer Park
Anne Marrin	Village Administrator	Fox Lake
David Kilbane	Village Administrator	Round Lake Beach
Maria Lasday	Village Administrator	Bannockburn
Steve Shields	Village Administrator	Round Lake
Karen Dalton Lange	Village Administrator	Lake Barrington
Michael Talbett	Village Administrator	Kildeer
Denise Kafkis	Village Administrator	Green Oaks
Jerry Nellessen	Interim Village Administrator	Beach Park
Manny Gomez	City Engineer	Highland Park
Bob Phillips	Director of Public Works	Deerfield
Ed Wilmes	Director of Public Works	North Chicago
Bob Ells	City Engineer	Lake Forest
Taylor Wegrzyn	Village Planner	Mundelein
Marty Neal	Township Highway Commissioner	Libertyville Township
Rick Mack	Community Relations Representative	Metra
Jen Maddux	Associate	CMAP
Mike Klemens	Council Liaison	Lake Council
Emily Karry	Council Liaison	Lake Council
Dan Brinkman		Consultant
Jon Vana		Consultant
John Beissel		Consultant
Mark Kozlowski		Consultant

1. **Call to Order**

Mayor Rockingham called the meeting to order at 9:01am.
Those in attendance gave self-introductions

2. **Approval of the Minutes**

With a motion from Mayor Ryback and a second from Bob Phillips, on a voice vote the minutes of the August 1, 2019 meeting were approved unanimously.

3. **Functional Classification Requests**

The City of North Chicago submitted a request to reclassify Argonne Drive from Jackson Street to Broadway Avenue from a local road to a minor collector. West of the requested change, Argonne is already classified as a major collector. Existing ADT varies from 600 to 900 on this segment, with projected 2050 ADT varying from 900-1300. Argonne functions as a collector route serving as an E-W connection between Green Bay and Sheridan Road. Several



LAKE COUNTY COUNCIL OF MAYORS

schools, churches and municipal buildings are among the traffic generators on the route. Between Jackson and Broadway, Argonne channelizes the adjacent local roadway traffic to the nearby arterial network. The segment requested for reclassification crosses a low-density residential neighborhood and connects a gap between two major collector segments. A motion was made to approve the request by Dave Kilbane and seconded by Michael Talbett, the motion passed by voice vote.

The Village of Fox Lake submitted 4 functional classification requests for consideration. The first request is the reclassification of Washington Street between IL 59 and Rollins road from a local road to a minor collector. Current ADT is 2,086. Washington street provides access to both residential and commercial/industrial areas. Area businesses such as Munson Marine cause heavy commercial traffic in the area. Washington provides a connection between the area arterials of IL 59 and Rollins.

The Village's second request was the reclassification of Frontage Road 1 (west) between Big Hollow Road and Kings Road from a local road to a major collector; ADT is 1,749. This frontage road distributes traffic from a subdivision and a nearby shopping center. More specifically the road connects to Big Hollow Road and to US 12 via Kings Road (a minor arterial and principal arterial respectively), which act as points of entry for traffic.

The Village's third request is the reclassification of Frontage Road 2 (east) between Sayton Road and IL 59 from a local road to a minor collector; ADT is 1,249. This frontage road distributes traffic from residential and commercial areas and connects the local roadways to other collectors and area arterials. More specifically, this frontage road also provides a connection to IL 59, a principal arterial.

The Village's final reclassification request at this meeting is the reclassification of Frontage Road 3 (east) between IL 134 and IL 59 from a local road to a minor collector; ADT is 951. This frontage road collects traffic from local roadways and distributes it to IL 59 (principal arterial) to Big Hollow Road (minor arterial).

A motion to approval all four requests for Fox Lake was made by Dave Kilbane and seconded by Bob Phillips, the motion was approved by voice vote.

The Village of Beach Park submitted a request to reclassify Bonnie Brook Lane from Green Bay Road to McAree Road from a local road to a minor collector; existing ADT is 1,004. A portion of this roadway is located within the City of Waukegan's municipal limits and the City has submitted a letter of support for the classification request. Bonnie Brook provides access, collects and distributes traffic from local streets to and from Green Bay Road (a minor arterial) and McAree Road (a major collector). A motion to approve was made by Mayor Ryback and seconded by Mayor Rockingham, the motion was approved by voice vote.

4. 2020 LCCOM Transportation Committee Schedule

Mayor Rockingham presented the 2020 Full Council meeting dates to the Council. A motion to approve the dates as presented was made by Dave Kilbane and seconded by Anne Marrin. The motion passed by voice vote.

5. LCCOM Current Council Program

Ms. Karry gave the report to the Council and noted it is very similar to the report given at the Transportation Committee 2 weeks ago. A copy of the LCCOM program was sent out with the meeting materials. Council staff has received status updates on a few projects this week and so a current updated version was distributed at the meeting and staff will be posting the updated version of this program on our website following the meeting today.

October 1st marks the start of the new federal fiscal year. In FFY19 the entire region obligated somewhere between \$170-175M, and our Council obligated approx. \$43M of that total. By the numbers, this was another banner year for the region and LCCOM STP projects. This updated LCCOM program reflects the start of FFY2020 and was updated to reflect recent project changes. It includes the Fox Lake fund transfer request to move funds from the Village's Sayton Road project to their Nippersink Road project that was approved at the October Transportation



LAKE COUNTY COUNCIL OF MAYORS

Committee meeting. This updated program also reflects an administrative change from the Village of Round Lake Beach to move P2 funding to Construction for their Hook Drive extension project.

As many of you know, all of the Councils, the City of Chicago and CMAP have been working under regional fiscal constraint for STP funding over the past few years during this transition period. As you can see on the program, there are a few projects from our Council coming up to lettings in 2020. The region is projected to receive around \$130 million in STP funds for 2020. In FFY20 the dollar value of projects currently programmed for the entire region targeting lettings in 2020 is more than the funding that is currently available.

Right now, Phase 2 projects targeting authorization by March 2020 and construction/CE for projects through the March 2020 letting are lined up in CMAP's TIP (transportation improvement program database) to go with 2020 funding. After the March letting, Councils will be going letting by letting with CMAP to confirm if projects can be moved into 2020 in the TIP, meaning if there is enough funding and IDOT appropriation available to cover them when they are approaching a letting. Therefore, it is important if you have a project targeting a letting in 2020, that you are communicating with Council staff on realistic project schedules and that we continue to communicate with you and CMAP regarding the status of funding availability. This situation that we are in after the March letting is not very different than the way we've been operating with CMAP and IDOT over the past few years during this STP transition period. In past years, CMAP has been able to secure additional access to funding from IDOT. This year, CMAP is also working with IDOT to seek additional programming authority to try to avoid having to delay projects until additional federal dollars for the region become available next year in 21. If additional funding cannot be made available to the region, our Council has agreed to grandfather in projects that are already in the LCCOM program and so any projects that didn't make a letting in FFY20 would then be pushed into 21, 22, etc... dependent on project readiness and funding availability.

As stated before, CMAP is discussing with IDOT programming dollars required for the region and a strategy for receiving additional funding to meet the needs as demonstrated by the region's recent robust obligation record over the past couple years. Over the last 2 years when the region has been in a similar situation no one's projects have been delayed due to funding constraints and folks are working diligently to try to make that the same for this year.

6. 2020 STP Call for Projects

Mr. Klemens discussed the upcoming STP call for projects with the Council. He walked the Council through the program development schedule which was included in the meeting materials. The most important dates to remember are that the call for projects will open on January 30th and close on March 30th, all applications will be due by 5pm on March 30th.

Mr. Klemens gave the Council an update on the new programming marks that were released by CMAP for Federal Fiscal Year 21-25. Per the agreement between the City of Chicago and the Council of Mayors Executive Committee (Agreement), the marks were calculated using 5 federally approved performance measures. The measures are Pavement Condition, Congestion, Safety, Bridge Condition and Single Occupancy Vehicle (SOV) Travel.

In 2017, CMAP provided estimates of the programming marks for each Council that they shared throughout the region. At that time, the Lake County Council of Mayors was estimated to increase from approximately \$8.5 million per year to just over \$11 million per year. In accordance with the terms of the Agreement, CMAP recalculated the programming marks this year with updated data. The Lake Council programming mark is now calculated to decrease to just over \$7.5 million per year. Per the terms of the Agreement, the changes in funding levels will be transitioned in over a three-year period. In 2021, no Council's mark can change more than 10% from their 2017 allotment and in 2022 the mark can't change more than 20% from 2017.

Council staff has worked with CMAP to understand why the Lake Council numbers changed so dramatically from the estimate given in 2017. There are a number of reasons that the Lake County Council's mark has decreased. When the Agreement was signed, CMAP hadn't yet recommended that the first local call for projects be in FFY2021, it was



LAKE COUNTY COUNCIL OF MAYORS

anticipated to be FFY2020. The STP Shared Fund is taken off the top of the region's allotment. The estimated allotments shown in the Agreement were derived from a total local STP allotment of \$133M, and the actual total allotment for FFY2021 is \$130M. While the STP Shared Fund is being phased in, it increases to 15% of the regional allotment, so the overall amount of funds remaining for the local Councils has decreased.

All of the data used to calculate the programming marks was updated to more current data in accordance with the Agreement. The congestion measure for the local federal-aid system was estimated using 2012 congested centerline miles. The actual values to determine congestion in each Council use peak hour excessive delay (PHED) based on 2018 data. Estimated pavement condition data was based on 2016 IRI data only and data for the local federal-aid system was incomplete at that time. Actual data to determine pavement condition is based on a combination of IRI, cracking, and rutting data collected in 2017 and 2018 for the entire local federal-aid system. Estimated local federal-aid system safety data was from 2015. Actual data is from 2016. Estimated local federal-aid system bridge condition data was from 2016. Actual data is from 2018. Estimated SOV commuters was from 2015 American Community Survey data. Actual SOV commuter data is from 2017.

For the Lake Council, the biggest influence on the difference between estimates provided by CMAP in 2017 and the actual data was related to the congestion factor. In 2017, the Lake Council's estimated share of regional congestion was 15.25% using congested lane-miles from 2012. Using peak hour excessive delay with data from 2018, the Lake Council's share of regional congestion decreased to 4.5%. It is important to remember that the calculations do not include the state system, where a large amount of congestion in Lake County occurs. Equally important is that the Agreement specifically spells out that congested lanes miles would be used until there was enough data available to calculate peak hour excessive delay, so while this change in metrics clearly had an impact on the calculations, it was done in accordance with the Agreement.

This change in programming marks will impact the LCCOM's future program of projects. The Council currently has approximately \$25 million programmed in FFY2020, the last year of regional fiscal constraint during this transition period. If all of the projects that are programmed in FFY2020 get delayed and have to be grandfathered into our new program, then the LCCOM's FFY2021-2025 would be full and there would not be room to add new projects to the Active Program during the call for projects in 2020. If all of the projects currently programmed in FFY2020 all get authorized in FFY2020, then there would be room for approximately \$25 million worth of new projects in the Lake Council's FFY2021-2025 program. Regardless of how many projects need to be grandfathered into the new program, there will still be a call for projects in 2020, as the Lake Council needs to have a robust contingency list to ensure that all Lake Council funds are spent each year. The Lake County Council has demonstrated over the last 2 ½ years the ability to spend federal dollars efficiently. If other Councils are unable to spend their funds, the Lake County Council could be in a position to take advantage of available funds that are lost by other Councils.

The Agreement between the City of Chicago and the Council of Mayors laid out the terms of how the programming marks were to be calculated. While it is disappointing to see a reduction in funding for the Lake County Council, the terms of the Agreement were explicitly followed. The programming marks will be recalculated again in five years with updated data.

A concern was raised that with the Council's mark going down and already having a large list of project to be grandfathered that communities that are hoping to resurface roadways based on their condition may be forced to reconstruct them if funding is not available. Staff responded that there will always be more need than available funding and the problem is only going to get worse with a reduced allotment of funding.

A question was raised if the Council should look at changing the funding split from 80% federal funding to 70% federal funding now that the amount of money the Council is getting is being reduced. There had been a lot of discussion on the types of projects the Council would fund and level the Council would fund in development of the methodology, which assumed the Council was getting more funding. Staff responded that they would have to discuss with CMAP if it would be possible to change Council's funding levels at this time, the agreement between the City of



LAKE COUNTY COUNCIL OF MAYORS

Chicago and the Council of Mayors required that every Council adopt their methodology by September 30, 2019 for the first call for project in 2020. The funding splits would certainly be a topic that should be discussed for the 2022 call for projects when the Council reviews the 2020 call for projects to see how it worked.

A question was asked if there is anything at the federal level that could be done to increase the overall pot of funds for the region. Staff responded that if Congress passes a new long-term transportation bill when the FAST Act expires at the end of federal fiscal year 2020 then there would be an opportunity to see additional funding. The first step of the process has happened, over the summer the US Senate Environment and Public Works committee passed a long term transportation bill that had a significant increase in expenditures, but their bill does not include the revenue to pay for it as that is the responsibility of another committee. There are also three committees in the House of Representatives that have jurisdiction over a transportation bill. If Congress does not act on a new long-term bill and instead passes continuing resolutions, it is unlikely there will be new transportation funding.

A question was asked about the process to access the shared fund and what the mechanism would be. Staff responded that if the Lake Council has spent all of the available funding for the year, not just programmed it, but spent it, and still has projects that are ready to go, they could seek additional funding from the Shared Fund. CMAP staff would review the available funding and could approve the use of additional funds if they are available. Project readiness is the most important determining factor, after that they will use the same hierarchy that the Lake Council has adopted, meaning construction phases get priority over engineering phases.

A question was asked who would submit projects to the shared fund to seek additional funding. Staff responded that they will use the quarterly status updates to determine which projects will be slipping, and which projects are ready to go, and once the Council has spent all of the annual allotment, if there are still projects ready to go then staff would submit those to the shared fund to seek additional funding.

A question was asked if the new state capital bill would help the Council projects get done quicker. Staff responded that the capital bill is a separate fund source and is unlikely to be a match for the Council projects and so likely won't accelerate the Council program.

Mr. Klemens discussed the concept of including an improvement component in determining each Council's programming marks. CMAP just released the programming marks for FFY21-25, and they will be recalculated in 5 years for FFY26-30. Included in the agreement between the Council of Mayors and the City of Chicago is the idea of including an improvement component to those calculations, so that Council's that do a good job and increase their pavement and bridge conditions are held harmless and don't lose a significant amount of funding because they have less need. CMAP is discussing various options for how to handle the improvement score and they will be discussed further at the upcoming STP Project Selection Committee meeting that Mayor Rockingham is a part of, staff will provide additional updates at the full Council meeting in November with what is being recommended for the improvement score. CMAP's staff recommendation is that the region set aside an amount of funding equal to the change in improvement score, so if the regions performance measures improve 3% then 3% of the regions funding would be distributed for improvement. The staff recommendation says that the set aside will be distributed to the Council's that showed improvement based on their percentage of the improvement. For example, if 6 Councils improved and 5 Councils performance scores decreased, the 3% set aside would be given to the 6 Councils that improved based on what percentage each of the 6 made up the overall improvement. The STP Project Selection Committee will be meeting November 21st to consider the staff recommendation and take action on it. LCCOM Staff's opinion is that the CMAP staff proposal is a fair proposal and limits the risk to Councils losing funding in the future.

13. Other Business

There was no other business.



LAKE COUNTY COUNCIL OF MAYORS

14. Public Comment

There was no public comment.

15. Next Meeting

The next meeting of the Council is scheduled for February 6, 2020.

16. Adjournment

A motion to adjourn was made by Mayor Ryback and seconded by Bob Phillips, the meeting adjourned at 9:57 am.