TOWN OF GREENWICH
CONNECTICUT

Date: August 25, 2013

To: Greenwich Representative Town Meeting Members and Greenwich Planning & Zoning Commissioners

From: Peter J. Tesei, First Selectman, MPO Member
Robert Byrnes, RTM Member, SWRPA Board Member
Paul C. Settelmeyer, RTM Member, SWRPA Board Member
Margarita Alban, Planning and Zoning Commissioner, SWRPA Board Member

Re: Change in Regional Planning Organizational Structure

PURPOSE

The purpose of this memo is to provide members of the Representative Town Meeting and the Planning and Zoning Commission with an update on significant changes that will be occurring in how intermunicipal planning is conducted in South Western Connecticut. This memo does not propose a specific course of action, but is intended as an information document.

CURRENT STATUS

In May 2013, the State Legislature passed and the Governor signed into law Public Acct 13-247. That Act mandates that all RPA, of which there are 2, and all Council of Elected Officials , of which there are 2, must convert to COGs, of which there are currently 9, by January 1, 2015. It appears that our local RPA structure will cease to exist on December 31, 2014. The Act, broadly referred to as "Regionalism Legislation" also strongly encourages, and may lead into mandatory consolidation of the current 13 Regions into 8 Regions. Regions throughout the state are exploring merger options since there is a desire to select your consolidation partner, rather than have a mandated partner.

REGIONALISM TIME LINE

May 2013 Public Act 13-247 signed into law

October 2013 Office of Policy and Management (OPM) must submit a Regional Boundary Study to the Legislative Planning and Development Committee. A legislative study commission concluded that fewer planning regions would offer economies of scale and operate more efficiently.

January 1, 2014 Regions that voluntarily agree to consolidate by this date and notify OPM of such voluntary consolidation (must be geographically adjacent regions) will be grandfathered from OPM mandatory consolidation decisions.

July 1, 2014 In a somewhat contradictory action, Connecticut Department of Transportation will revise the boundary lines of State transportation regions, known formally as Metropolitan Planning Organizations (MPO). It appears that CTDOT wants to only deal with 3-5 super MPOs, which, may or

may not align with the COG Regional Planning organizations. The Governor and the State Legislature will hopefully resolve this "territorial" issue in a future legislative session.

January 1, 2015 All RPAs must convert to a COG; any remaining RPAs will be eliminated as State legal entities and will no longer be eligible for State regional planning funding, see below. SWRPA's volunteer board is eliminated, and regional planning and staff accountability will be under control of the Chief Elected Officials from each municipality, acting as a Council of Governments (COG). The COG will have an affiliated Regional Planning Council, composed of one representative from each municipality, preferably a local P & Z member, which will be charged with reviewing local intermunicipal zoning issues and other land use matters as directed by the CEOs.

FUNDING CONSIDERATIONS:

State funding for SWRPA in the year ending June 30, 2013, was $13,300. Greenwich's contribution to SWRPA has been fixed at $23,314 for the past 4 years.
In fiscal year 2014, Greenwich's contribution remains fixed at $23,314. State funding will increase to $125,000, with an additional $125,000 to be shared with a merging region if a letter of intent is agreed to by 12/31/2013.
In fiscal year 2015, COGs only, and perhaps only consolidated COGs, will receive $125,000 plus $.50 per capita in the Region. If the SWR as a standalone regional COG, this would amount to over $300,000.

OTHER CONSIDERATIONS:

Items under review:

- Regional boundary differences as set by OPM and CTDOT. There is logic to integrating regional planning along major transportation routes, but are their other community interests and needs that should be considered in regional mergers
- Larger regions mean more available dollars, but broader responsibilities and more time commitment from the Chief Elected Officials and the P & Z appointed member of the Regional Planning Council.
- Will larger regions result in less focused review of current and future needs? Regional Plans of Conservation and Development will have to be updated.
- Merged regions will result in merged staffs. Who will lead and who will follow? Need to deal with budgets, balance sheet issues, staff compensation, and benefit issues.
- State funding beyond 2015.

BACKGROUND

Attached is a 3 page memo dated May 26, 2011 which highlights discussions which occurred in 2011 relating to converting from a Regional Planning Agency (RPA) to a Council of Government (COG). This document will serve as an introduction to the subject of Regional Planning Agencies in Connecticut. In 2011, the Chief Elected Officials (CEO) of one or two of the 8 municipalities in the Region had meaningful discussions on converting; only one municipality, Westport, formally approved converting to a COG.

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Date: May 26, 2011

To: Greenwich Representative Town Meeting Members:

From: Peter J. Tesei, First Selectman, MPO Member
Robert Byrnes, RTM Member, SWRPA Member
Paul Settlemeyer, RTM Member, SWRPA Member
Margarita Alban, Planning and Zoning Commission Member, SWRPA Member

Re: Proposed Change in Regional Planning Organizational Structure

The Chairman of the Metropolitan Planning Organization (MPO), New Canaan First Selectman Jeb Walker has initiated a proposal to have the existing eight member towns within Southwestern Regional Planning Agency (SWRPA) and (MPO) convert to a Council of Governments (COG).

Greenwich is represented on the (MPO) by its First Selectman, Peter Tesei. Greenwich is represented on (SWRPA) by Representative Town Meeting Members Robert Byrnes and Paul Settlemeyer and Planning and Zoning Commission member Margarita Alban.

The eight municipalities within the existing South Western Region are Greenwich, Stamford, Darien, Norwalk, New Canaan, Weston, Westport and Wilton.

We believe this proposal raises some issues for our Town and we have expressed a need for additional information in order to present this proposal formally to you in September.

We want to advise you of the current conversation on this matter and ask you to contact Greenwich SWRPA members Robert Byrnes and Paul Settlemeyer with any questions on the attached information provided.

Cc: Diane Fox, Town Planner

The Leadership of the Metropolitan Planning Organization (MPO) is proposing changing the structure of our regional planning organization from a RPA/MPO to a Council of Governments (COG). The purpose of this memo and attachment is to introduce the subject to the Greenwich Representative Town Meeting. A formal presentation will be made to the RTM in September.

Attached is a chart reflecting the evolution over the past 50 years of the South Western Regional Planning Agency (RPA) and the South Western Regional Metropolitan Planning Organization (MPO).

Current Operating Structure

- Currently the MPO, with support of the SWRPA staff, is the lead organization in Transportation Planning. All prioritization of transportation studies and projects is under the MPO's control, as it will be under a COG. Approximately ninety per cent of the annual Agency budget is transportation related. The MPO, with input from municipal transportation staff who meet monthly, as a Committee (TTAG) focuses its time on Federal, State, and regional transportation issues.
- The SWRPA Board (22 members, representing the 8 municipalities) has responsibility for personnel and general operations of the Agency. The Agency has an operating budget of $1.5 million, a capital surplus, a staff of 10, a trustee (Chairman, Treasurer, Exec. Director) administered pension plan, and a Board administered program of financial controls.
- With the MPO having responsibility for transportation planning, the SWRPA Board has work on publicizing inter-municipal planning studies to member communities. The Board operates thru committees working on economic development (with a focus on workforce housing and job creation), environmental planning, and the review of planning and zoning statues with inter-municipal effects. SWRPA has administered a small cooperative purchasing program for more than 10 years. Based on CEO feed-back, it is expanding its involvement in shared municipal services. With limited funding for economic development, housing planning, or environmental studies, work in these areas has been driven by volunteer members of the Board.
- State regulations currently give the 8 municipal CEOs voting membership on the SWRPA Board.

Suggested Reasons for a Conversion

- Leadership will be placed where it belongs, with the 8 CEOs as voting members.
- A COG, lead by the CEOs, will have more prestige, importance, and recognition than an MPO
- A COG will provide a format for CEOs to discuss shared municipal services
- A COG will result in fewer meeting and greater time efficiency. There may be organizational cost saving.
- Recommended by CCM, the More Commission, 1000 Friends of Connecticut Organization, and the tri-state Regional Planning Agency

Need for more information proposed Conversion

- A draft of proposed By-laws for a SWRCOG should be available for review by municipal legislative bodies. The By – laws will set forth Executive and Board membership and responsibilities, officers and officer's responsibilities, organization of the Regional Planning Commission, Committees, voting procedures, role of the Executive Director and staff, voting procedures, and withdrawal rights. A review by the CEOs of the By-laws will confirm that there will be a significant increase in their time committed to regional planning.

Areas to be research prior to the September RTM meeting

- Planning organization consolidation. CCM, OPM, DECD, and the RPA have publically stated the need to consolidate the State's 15 Regional Planning Organization into 5-7 RPOs. OPM is obligated to render a decision on consolidation, which decision is not subject to legislative review, in December 2011. If a decision is made now to consolidate, the municipal legislative bodies will have no vote in the consolidation matter in December.
- If RPO's are consolidated, there is a possibility of a reduction in local planning focus. There have been proposals to involve COGs in regional land use issues, levy hotel taxes, impose land value taxes, and levy surcharges on motor vehicle registration, all to fund local infrastructure needs.

SWRPA & SWRMPO – 50-Plus Years of Evolution

1916 to 1962
Federal Road Building & Transportation Planning

Federal Funded U.S. Road & Highway Program Administered by:

1916-39 – U.S. Dept of Agriculture

1939-68 -- US Dept of Commerce (Trans Agency)

1956 – Eisenhower Admin passes ***Interstate Highway & Defense Act of 1956***

1962 to 1990
Advent of Intergovernmental Funding
Federal to States to Region

1962 -- Passage of *Federal Highway Act of 1962*
- **Primary Funding Sources**
- US-HHFA – Until 1968
- US-DOC -- Until 1968

1968 -- Changes in US Agencies
- HUD created; Replaces HHFA
- US-DOT created; Replaces DOC Trans Agency

1981-82 Federal Funding Changes
- HUD funding is discontinued
- US-DOT becomes primary funding source
- Federal Government created MPOs to do **Transportation Planning** funded by Fed Hwy Act '62
- Required 3 "C" transportation planning
- Continuous - Cooperative - Comprehensive
- Areas 50,000+ population receive Fed hwy funding

1991 to 2009
Intermodal Approach with Innovative Financing

Intermodal Approach:
- Shift to more than highways
- **Flexible Funding and Innovative Financing** for:
  - More Transit
  - Add Bike
  - Add Pedestrian
- **Continued** Required **3 "C" transportation planning**

Three 6-Year Federal Legislative Funding Acts
- **All become TEA Acts (intermodal, flexible funding)**
- US DOT/Conn.DOT require long range transportation plans (**LRTP**) prepared every 4 years.

1991 – ISTEA -Intermodal Surface Transportation Efficiency Act
1998 -- TEA-21 - Transportation Efficiency Act of 21st Century
2004 -- SAFE-TEA-LU – Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users

2009-11
Period of 4th Transformation

- Positioning for 4th 6-Year Period
- Pending Re-authorization of National Transportation Planning Program

Federal Legislation that has Influenced the Evolution of SWRPA & SWRMPO

Corresponding State Actions to Federal Legislation Driving Evolution of SWRPA & SWRMPO

Early 1900s to 1962
Federal Road Building

Early 1900s to 1959
- **CT has county govt**
- **Becomes inefficient**

1959 -- CT Legislative Acts
- Abolish County Gov.
- Form **15 RPA Regions** for Planning
  - Transportation
  - Housing
  - Open space
  - Conservation
- Initiates new org with professional staff

1962 – 1990
States Form MPOs for Regional Planning

1962 -- SWRPA Organized
Under Title 8, Chap 127 of CT General Statutes (5 of 8)
- **Tri-State MPO Formed and Included**
  - South Western CT & 5 other CT Regions
  - Metropolitan New York & Parts of New Jersey

1971 -- OPM funding begins
- SWRPA & Tri-State MPO organize, hire professionals

1981 – SWRMPO is formed

1982 -- Tri-State MPO is abolished
- 6 CT regions of Tri-State MPO form 5 MPOs
- CEOs & Transit Districts in SW Region form MPO

1974 & 1983 – HUD + State Fund & Require
- Conservation & Developm't (POCD) Plan every 10 yrs

1991 to 2009
RPAs and MPOs Implement Intermodal Approach

1991 – 1995
- CT RPAs and MPOs Implement **Intermodal Projects**
  - Use **innovative financing to fund planning**
- CT's RPAs and MPOs remain unchanged
  - Continue to share staff

1995 & 2006
- CTOPM funds 10yr Conservation & Development(POCD)
  - SWRPA prepares POCD's :
- SWRMPO prepares LRTP's in :'93,'97,'01,'04,'07
  - Update scheduled for 2011
- **Governance Changes**
  - **Since 1991:** 5 RPA's become 4 COG's and 1 COEO's
  - **Since 1970:** 9 of 15 RPA's change structure
- **SWRPA** remains unchanged during 40 year period

2009-11
Adjust to State Funding

- CT OPM funding for regional planning eliminated
- CT adjusting to State Funding Changes
- States awaiting next six year transportation program
- No Action to date