

MINUTES

Capital Area Regional Planning Commission

July 8, 2010

City-County Building Rm 315, 210 MLK Jr Blvd, Madison WI

7:00 p.m.

Present: Curt Brink, Martha Gibson, Peter McKeever, Ed Minihan, John Murray, Larry Palm, Kurt Sonnentag, Susan Studz, Caryl Terrell, Phil Van Kampen

Absent: Zach Brandon, John Imes, Jeff Miller

Staff Present: Chris Gjestson, Mike Kakuska, Kamran Mesbah, Steve Steinhoff

1. Roll Call

Chair Van Kampen called the meeting to order at 7:02 p.m.; roll was recorded.

2. Approval of minutes of the June 10, 2010 meeting

Moved by Mr. Sonnentag, seconded by Ms. Gibson, to approve the minutes of the June 10, 2010 meeting. Motion to approve carried (Mr. Murray and Ms. Studz abstained).

3. Review of agenda

Mr. Van Kampen suggested that the actionable agenda item (#7) be taken up before item #6. The agenda was amended by unanimous consent, without objection.

4. Public comment for items not on the agenda

None.

5. New business

None.

7. Consideration of authorizing letter to Dane County Clerk to certify the 2011 budget charge

Mr. Mesbah stated that the Budget & Personnel Panel was scheduled to meet on July 14 to consider the 2011 recommended budget, and state statute required CARPC to submit its budget certification letter to the County by August 1. However, since CARPC was not scheduled to meet between July 14 and August 1, it would not know what amount to charge. Discussion ensued. Moved by Ms. Gibson, seconded by Ms. Studz, to authorize submission of the letter certifying the budget charge to be determined by the Budget & Personnel Panel. Discussion continued. Motion carried unanimously on voice vote.

6. Report and Discussion on the FUDA planning process

Mr. Mesbah introduced Steve Steinhoff, Senior Community Planner, as the new lead staff member for the FUDA process. Mr. Steinhoff described federal sustainable community planning grant funding from HUD/EPA/DOT that could be used to support FUDA planning; staff was in preliminary stages of the possibility of applying for this grant, speaking with local governments, including the City of Madison, about joining the consortium for the grant. Mr. Mesbah stated that due to the short deadline to apply, and the importance of the additional funding, he has directed staff, including Mr. Steinhoff and Ms. Van Belleghem, to focus on preparing the application; he stated that objections

to this work, if any, should be raised now before a lot of staff time had been expended. Discussion followed with general support for staff preparation of the grant application.

Mr. Mesbah gave a PowerPoint presentation on a recommended approach to FUDA by staff for Commission discussion purposes. He described the importance of process rather than product, and the varying scale of the elements of FUDA planning. He described six staff recommendations: 1) use the most comprehensive scope of work for each scale of analysis, within the context of the regional planning process; 2) base FUDA on local comprehensive plans to make use of the local implementation authority; 3) adopt a layered approach to make use of the authority of other agencies for issues outside of RPC purview; 4) adopt a collaborative approach to the planning process; 5) create clear incentives for local units of government for participation and collaboration; and 6) adopt a phased approach that starts with the available criteria and increases in complexity and sophistication with each iteration or cycle of FUDA planning and as new information and capabilities become available. He described the five proposed phases: 1) prepare environmental condition reports for participating communities; 2) complete 2 to 4 FUDA plans; 3) evaluate the completed plans and make adjustments for FUDA planning for remaining USAs; 4) seek outside management agencies to assist in developing approaches to, and integrating with, plans and policies outside CARPC jurisdiction and updating environmental data; and 5) integrate FUDA into the update of the *Dane County Land Use & Transportation Plan* and *Dane County Water Quality Plan*. He described how the FUDA process could proceed along with the other ongoing work of CARPC. Commissioners discussed the recommendations.

Ms. Gibson expressed support for starting the FUDA process immediately, and amending the process as needed as the process moves forward. She expressed concern that the proposed phasing would delay FUDA perpetually, and concern that participating communities might opt out in between phases, especially when the value of a FUDA plan may not be recognized by a community until the plan was fully complete. Mr. Mesbah clarified that the first phase was information gathering only; the second phase was actually doing the plan, which included consideration of farmland preservation, parks and open spaces, and other non-water quality planning related items. Phase 1 and 2 are undertaken together in each FUDA planning effort, resulting in a completed plan. Phase 4 was for identifying and addressing weaknesses and gaps in the process as completed FUDA plans are examined and critiqued.

Ms. Studz stated that the recommended approach may be too detailed, and should be designed to be more user-friendly. Starting the process might include a consensual identification of areas that should be protected from development. Discussion continued. Mr. McKeever described the importance of the role of CARPC to manage growth and development to protect water quality; he agreed with Ms. Studz that the concept seemed overly complex. He described the need to expedite the process and proceed as quickly as possible. He stated that the Commission was responsible to set benchmarks, to direct staff and hold them accountable over time. The process should begin immediately with a quick identification and description of existing resources.

Ms. Terrell expressed concern about the phasing approach and directed questions to staff. She described the importance of establishing FUDA policies prior to proceeding; Mr. Mesbah stated that the intent of the staff recommendations were in part to prompt Commission discussion about creating initial policies to begin the process, but adopt final policies only after refinement, as recommended in phase 3. Ms. Terrell described the

importance of visually representing the values of local comprehensive plans beyond those of only water quality, including close involvement of the MPO. Discussion continued.

Mr. Murray stated that the phasing approach made sense and recognized the budget limitations of the Commission, and would allow concurrent work on multiple plans. He stated the most important aspect of FUDA planning was identification of environmentally sensitive areas; if phase 1 identifies these areas, it would be clear to the local community that USA amendment proposals in those areas would likely not be supported by CARPC. He suggested that concurrent work on phase 1 for three to five FUDA plans was a reasonable goal. He described the political difficulty of getting communities to volunteer, and the need to convince communities during phase 1 work of the value of FUDA. Policies and procedures should be considered by CARPC only after evidence of success in the process. Ms. Gibson agreed; she described the need to begin immediately. She suggested that because Mr. Miller had previously expressed support for participation by the village of DeForest, they should be contacted immediately to start the process. She expressed opposition for setting detailed policies, goals or objectives. She stated that CARPC staff understands existing CARPC goals and objectives, and should use these as a guide as they proceed with FUDA. Discussion continued.

Mr. McKeever asked how long it would take to complete an Environmental Conditions Report (ECR) for a USA; Mr. Mesbah estimated two to three months for a smaller, manageable area. Discussion continued. Ms. Studz stated that the ECR should provide substantive value to the Natural Resources element of local comprehensive plans.

Ms. Terrell asked how phases 1 and 2 could be done concurrently, as indicated by staff. Mr. Mesbah stated phase 1 and phase 2 would begin concurrently, but phase 1 would likely be completed much earlier than phase 2; he could not estimate how long phase 2 would take, since it was dependent upon local community action. He clarified that phase 2 involved the Senior Community (FUDA) Planner collecting community data in addition to working collaboratively with the community as they proceed through the planning process. Ms. Terrell stated that those work activities should more sensibly be part of phase 1, due to its data gathering nature. She asked how long it would take to gather the community development data; Mr. Mesbah stated that depending on the community, two to three months.

Ms. Gibson stated that going forward, USA amendments should be done at an equal rate to completion of FUDA plans or phases; staff time should be at least be split evenly between USA amendments and FUDA planning. Discussion continued. Mr. Murray expressed disagreement with the approach suggested by Ms. Gibson, which was inconsistent with the approach of not adopting a policy governing FUDA planning. He stated that staff should proceed with FUDA planning and report back to the Commission to gauge progress; he described the importance of commissioners remaining mindful of how the local governments respond. Mr. Van Kampen agreed; if the need to redirect staff work arises later, the Commission can consider it. He expressed support for a phased approach.

Mr. McKeever asked staff to add detail to phases 1 and 2, including timelines and describing who the actors would be in each phase; this would provide a useful, working document. Ms. Gibson requested staff investigate FUDA planning in the Black Earth Creek watershed, and to immediately start phases 1 and 2 for the DeForest watershed. She requested that staff provide a timetable at the next meeting indicating when phase 1

and the research part of phase 2 can be completed on an estimated number of FUDA plans for volunteering communities. She suggested Mr. Miller could draft a letter describing the potential benefits of FUDA for local governments.

Ms. Terrell asked when CARPC would review its draft 2011 Work Program; Mr. Mesbah stated a draft would likely be discussed in August. Ms. Terrell stated that the Work Program or some other document needed to illustrate an emphasis on FUDA. Mr. Mesbah stated that the Work Program does not provide clarity on the exact amount of work effort that supports FUDA; some work not classified under the FUDA work elements indirectly support FUDA. He stated that work elements that included some FUDA work could be indicated by an asterisk. Mr. Murray stated that the Commission should concentrate on conducting the actual work and making FUDA as valuable to local governments as possible, not descriptions and numbers in a document. Discussion continued.

8. Communications

Mr. Gjestson handed out a confidential memo from legal counsel.

9. Report of Personnel Committee activity on Executive Director recruitment

Mr. Palm reported that the Personnel Committee had identified approximately eight applicants about whom more information would be sought; at its next meeting, Committee members would consider which questions to be asked of the applicants in preliminary telephone interviews.

10. Report of Chair / Discussion

a. Report on Executive Committee meeting of June 10

Mr. Van Kampen reported that the Executive Committee had approved payment of bills.

11. Report of Deputy Director / Discussion

None.

12. Future agenda items

Mr. Palm stated that he had e-mailed to staff a proposed public comment policy, to be discussed at the next meeting.

13. Adjournment

Moved by Mr. McKeever, seconded by Ms. Gibson, to adjourn; motion carried at 9:25 p.m.

Recorded by Chris Gjestson