

Re: Discussion and Consideration of Recommendation of Potential Action on Budget and Personnel Panel Motion Regarding Changes to CARPC Funding Structure (*actionable item*)

Requested Action: Consideration and potential action

Background:

At the July 9 Budget and Personnel Panel (BPP) meeting, members voted to defer action to a Fall meeting on a motion to change the funding structure of CARPC. The motion, made by County Executive Parisi and seconded by Mayor Soglin, reads:

The Budget and Personnel Panel of the Capital Area Regional Planning Commission supports reforming the funding structure for CARPC, requesting the state legislature act to allow CARPC to independently levy a tax to finance its operations, separating it from the county levy. The appointing authorities represented on the BPP will work to lobby for this reform in the upcoming state budget.

BPP members voiced support for the motion contingent upon the BPP continuing to be the entity acting on and approving CARPC's budget and levy charge. The motion to defer was made to allow more time for consultation with local officials and to explore the issue. The Fall meeting date has not been set yet.

The BPP is established in CARPC bylaws. The resolutions adopted by local units of government in 2007, calling on the state to establish CARPC, also included provisions for establishing the BPP, and designating functions and roles, including approval of CARPC budgets and hiring and firing the Executive Director. The BPP is not referenced in Executive Order #197, which established CARPC and was signed by Governor Doyle. There are no provisions in state regional planning statutes regarding budget and personnel panels. CARPC is the only regional planning commission with such an oversight structure.

Options, Analysis, Recommendation:

Considerations:

- Dane County's collection of property tax levy for CARPC is a barrier to County Executive participation in, and support of, CARPC activities and regional planning in general. This barrier is accentuated by the state levy limit. The proposed motion would remove this barrier and likely reduce County Executive opposition to CARPC, and potentially lead to county-CARPC collaboration.
- If the BPP approves this or a similar motion in the Fall, lobbying would likely occur next year when the legislature returns to session. The composition of state government will be changed to some degree at that time by the 2018 mid-term elections. Lobbying for the proposed change to CARPC's funding structure could lead to other, less positive proposals regarding regional planning commission funding.
- Pursuit of legislation proposed in the motion could impact other regional planning commissions (RPCs) because debate at the legislature could expand to address RPC funding mechanisms in general. Directors of other RPCs do not wish to pursue legislation regarding RPC overall county levy funding mechanism until there is a proposal supported by all RPCs that is also developed in cooperation with the Wisconsin Counties Association.

- If CARPC was allowed to independently levy a tax separate from county levy, the role of the BPP would become more significant because BPP members would then vote on direct taxation versus a budget and levy charge submitted to the county. Their role as elected officials would become more important as a check on taxation by a special unit of government. This elevated role could raise issues related to the legal status of the BPP and its authority to directly approve taxation. This question of authority may need to be addressed in any legislation taken up to change CARPC's funding structure as envisioned in the motion.
- Direct taxation authority by CARPC and the BPP could increase awareness of CARPC in the region, which would increase the importance of outreach and education to build support for its activities. It could also make CARPC more of a target for those seeking to lower taxes.
- Direct taxation authority by CARPC and the BPP could increase its capacity to raise funds for priorities such as hiring an Executive Director and future regional planning efforts. At the same time, as an independent body directly levying property taxes, CARPC may be subject to state property tax levy limits, which could have the opposite effect.

Options:

1. Express support for the motion.
2. Express opposition to the motion.
3. Take no action.

Analysis: The County Executive has proposed, and BPP members have expressed support for, a measure to give CARPC more autonomy over its levy charge. The proposed change to CARPC's funding structure could be beneficial, on balance, to the agency. BPP members intend to explore the question further and solicit broader input. Expressing support for the concept of the motion and for further consideration could build good will and increase likelihood of approval.

Recommendation: Communicate support for further exploration and deliberation of the motion.

Attachments:

1. None

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Next Steps:

Action by the Commission. Communication of Action.