



City of Racine

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Legislative Report

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File Type: Resolution

Creation of the Milwaukee-Area-Racine-Kenosha Passenger Rail Commission

WHEREAS, regional connectivity is critical for promoting economic growth, attracting and retaining a skilled workforce, promoting tourism, and creating a vibrant business community; and

WHEREAS, the expansion of passenger rail in the Milwaukee Area-Racine-Kenosha corridor (“MARK Rail corridor”) would connect Milwaukee, Racine, Kenosha, Chicago, and other lakeshore communities to a world-class economic region and cultural center, grow jobs, spur economic development, lift property values, increase wealth and wellbeing, and attract new residents and businesses to Southeastern Wisconsin; and

WHEREAS, VISION 2050, the long-range land use and transportation plan for Southeastern Wisconsin, recommends developing commuter rail in the MARK Rail corridor, which would be a key element of a planned, expanded regional transit system; and

WHEREAS, the Wisconsin Department of Transportation (“WisDOT”) developed and adopted the Wisconsin Rail Plan 2050, which recommends a statewide intercity passenger rail system, and WisDOT is pursuing development of that system by sponsoring four projects proceeding through the Federal Railroad Administration’s (FRA) Corridor Identification and Development (“CID”) Program; and

WHEREAS, the City of Racine received \$5 million in Congressionally Directed Spending with support from U.S. Senator Tammy Baldwin to complete a study that considers different approaches to service design, sponsorship, and local funding for passenger rail service in the Union Pacific corridor between Kenosha and Milwaukee; and

WHEREAS, over the past several years, the Cities of Racine, Kenosha, and Milwaukee (the “Cities”), and other lakeshore communities have worked to develop and expand passenger rail service in the MARK Rail corridor; and

WHEREAS, the City of Racine acknowledges that there are significant opportunities for public benefit in the development, implementation, and expansion of passenger rail service in and around Southeastern Wisconsin; and

WHEREAS, the continued planning and development of passenger rail service in the MARK Rail corridor is critical to the transportation needs of the City of Racine and Southeastern Wisconsin; and

WHEREAS, it is necessary to establish a commission, as a multijurisdictional body independent of any one municipality, to pursue and promote the development, expansion, and continuation of robust passenger rail service through the multiple municipalities which the rail line passes; oversee the relationship between the private and public sector; coordinate guidelines for site selection and development of stations; apply for and administer federal, state, or other grant programs and funding sources; coordinate with other jurisdictions in Wisconsin and Illinois; and coordinate with the host railroads, potential operators, the Wisconsin and Illinois Departments of Transportation, and the federal government; and

WHEREAS, a commission would need to be separate from, but supported by, the individual municipalities to promote independent and coordinated decision-making that are in the best interest of the passenger rail corridor; and

WHEREAS, pursuant to Wisconsin Stats. § 66.0301, “municipalities,” including political subdivisions such as cities, may enter into agreements for the purpose of intergovernmental cooperation, including the development and creation of commissions by contract; and

WHEREAS, Wis. Stat. § 66.0301 enables municipalities to cooperate and contract in a binding fashion for the receipt and furnishing of services or the joint exercise of any power or duty required or authorized by law and which contract may provide a plan for administration of the function or project, which may include but is not limited to provisions as to proration of the expenses involved, deposit and disbursement of funds appropriated, submission and approval of budgets, creation of a commission, selection and removal of commissioners, and formation and letting of contracts; and

WHEREAS, pursuant to Wis. Stat. § 66.0301, if two or more municipalities enter into an intergovernmental cooperation contract and create a commission to jointly or regionally administer a function or project, the commission shall be considered to be a single entity that represents, and may act on behalf of, the joint interests of the signatories to the contract entered into; and

WHEREAS, the purpose of a commission would be to advance the public interest by pursuing and promoting the development, implementation, and provision of passenger rail service to serve the MARK Rail corridor; and

WHEREAS, additional activities that the commission could participate in may include:

- Identify the public benefits of passenger rail that would connect the MARK Rail corridor to the Chicago metropolitan area as well as to the statewide and national passenger rail network.

- Identify, support, and facilitate the elements necessary to implement passenger rail service, including public-private partnerships, sponsors, operators, funding opportunities, relationships among governments and stakeholders, feasibility studies, engineering studies, environmental studies, and the like.
- Identify and pursue opportunities for, and manage administration of, grants and other sources of funding available to advance passenger rail service.
- Pursue opportunities for transit-oriented development and other community-related benefits to ensure the fullest possible economic benefits from service implementation.
- Foster cooperation among Wisconsin and Illinois governments, agencies, and other entities related to the development and implementation of passenger rail service; determine the long-term role of the commission and coordinate public involvement, including any legislative or other action that might be needed; and participate in determining the appropriate project roles for the commission, state departments of transportation, counties and municipalities, private partners, real estate developers, and advocacy or educational organizations.
- Identify and recommend, as necessary, actions relating to zoning, environmental, safety, and other regulatory-related requirements.
- Participate in current and future planning and project implementation processes, including WisDOT's passenger rail projects proceeding through the FRA's CID Program, Wisconsin and Illinois State Rail Plans, and metropolitan planning organization-led regional land use and transportation plans.

WHEREAS, creation of a commission by contract requires the individual municipalities to commit to developing and negotiating an intergovernmental agreement, and other documents as needed, to govern the commission's management, operations, and administration, and specify the functions or services to be provided by the commission; and

WHEREAS, the City of [CITY NAME] wishes to participate in the creation and development of such a commission and to express its willingness and intent to negotiate and enter into an intergovernmental agreement with other municipalities along the MARK Rail corridor to do so; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council for the City of the City of Racine supports the creation of a commission in partnership with the Cities of Milwaukee and Kenosha, and will serve with such cities as the founding members of the commission, and with the intent that additional members will join in the future, that will oversee and provide for the implementation, continuation, and expansion of passenger rail service in the MARK Rail corridor;

BE IT FURTHER RESOLVED, the Common Council hereby authorizes and directs the Mayor to pursue and negotiate an intergovernmental agreement and other documents as may be required

for the creation, operation, and administration of such a commission, and to enter into such an intergovernmental agreement on behalf of the City of Racine; and

BE IT FURTHER RESOLVED that the Common Council for the City of Racine commits to the development of a commission upon the ratification of a resolution of commitment, the same or substantially similar to this resolution, by the Cities of Milwaukee and Kenosha.

BE IT FURTHER RESOLVED that the City Clerk send a copy of this resolution to the appropriate city and county clerks.

Fiscal Note: N/A