



Barrington Area Council
Of Governments

BARRINGTON AREA COUNCIL OF GOVERNMENTS RECOMMENDED 2018 LEGISLATIVE PLATFORM

The village and township members of the Barrington Area Council of Governments (BACOG) strongly support local government authority over local decision-making and the right to self-determination. The enactment of laws and regulations that supersede local authority hinder the ability of local governments to meet the needs of residents and address community problems.

We ask the General Assembly to rarely, if ever, oppose the preemption of home rule powers. Unfortunately, preemption is an increasingly common component of legislative initiatives and this is of great concern to local governments. In fact, our governments believe that home rule status should be granted to all municipalities in the State.

We urge the State to support the role of municipal and township governments in providing services to the public, which is a responsibility our governments take on willingly and carry out effectively for our residents. BACOG opposes an infringement of local rights, which include the ability to make land use and zoning decisions and the right to levy and collect taxes and fees. We oppose unfunded mandates by federal or state legislative, executive or administrative action.

BACOG member governments operate independently, responsibly and transparently, and we urge the State to support the functioning of local government and not place undue burdens in areas such as the Freedom of Information Act (FOIA). Instead, we ask the General Assembly to focus on the critically important State matters at hand such as the reduction of debt, tax and labor reforms and job creation which will help us all do our jobs better.

PROTECT LOCAL GOVERNMENT REVENUES

Local governments provide quality-of-life services to their residents such as police protection, fire response, parks, and roads and infrastructure. The State has a long-standing arrangement with its local governments to collect tax revenues on behalf of local governments and to return revenues to the governments for services. These moneys are *not* grants.

We urge the General Assembly to protect local revenues including the Local Government Distributive Fund (LGDF), Corporate Personal Property Replacement Tax (CPPRT), Motor Fuel Tax (MFT), video gaming revenues, and 9-1-1 funds and to prevent any diversion of revenues that are relied upon by local governments. Diversions made by the State in recent years have been spent on State obligations unrelated to fund purposes, and when these funds are withheld from local governments it is local residents who suffer the loss. Motor Fuel Tax, 9-1-1 funds, use tax and other funds due to local governments should be a continuing appropriation so that funds are automatically distributed without the need for a budgetary enactment.

BACOG supports the restoration of a full 10% share of state Income Tax collections and the restoration of previously-diverted CPPRT revenues. We object to the temporary or partial withholding of any of these funds that are due to local governments.

The passage of House Joint Resolution Constitutional Amendment 36 (HJRCA36) mandates and limits how State and local governments can utilize transportation revenues and fees for transportation. Interpretation of the rules of the amendment will determine its precise impact on local communities. BACOG is encouraged by efforts to ensure municipalities have the authority to use these funds for various transportation-related activities and other initiatives to best support the needs of local communities. Funding that is due to local governments, such as LGDF, should not be used to close gaps in the State budget that are caused by the lock on transportation funds.

In the absence of federal legislation that could increase sales tax revenues to state and local jurisdictions, the municipalities should continue to receive their usual portion of sales tax revenue collected with the State. We oppose the recently enacted 2% administrative fee on locally-imposed sales taxes.

We oppose modifications and freezes to the Property Tax Extension Limitation Law (PTELL) that result in further restrictions on local authority. The State is urged to help by lifting unfunded mandates. BACOG supports Congressional passage of the Marketplace Fairness Act to allow for the collection of taxes on out-of-state sales transactions.

REFORM LABOR STANDARDS

State mandates that increase the cost of labor used by government contribute to fewer dollars being available locally to provide services to residents. Increasing the types of contracts or categories of work that are subject to the Prevailing Wage Act also increases local contract costs for public works, and therefore increases costs for taxpayers. BACOG supports limitations on legislation that would increase labor and contract costs to local governments and significantly increasing project cost thresholds to which the Prevailing Wage Act applies.

BACOG urges the reform of collective bargaining and arbitration requirements for public employees. Reforms would include augmenting the criteria arbitrators use in interest arbitration to measure affordability of the proposals for local governments.

BACOG supports reforms to the Public Safety Employee Benefits Act (PSEBA) including the adoption of the federal definition of “catastrophic injury”. In the meantime, BACOG supports revisions in classifications to control or reduce the disability awards for more able-bodied employees.

SUPPORT STATEWIDE PUBLIC SAFETY PENSION REFORM

Illinois municipalities and taxpayers continue to struggle under the burden of out-of-control municipal police and firefighter pension funding obligations. We urge the State to continue to seek solutions.

While pursuing long-term reform for public safety pensions is the most important goal, it would be beneficial to consolidate the 658 locally-held public safety pension funds into one statewide fund similar in operation to the Illinois Municipal Retirement Fund (IMRF) system. This would reduce administrative costs, maximize the investment pool and help reduce liabilities overall.

PROTECT ENVIRONMENTAL RESOURCES, OPEN SPACE AND GROUNDWATER

Groundwater is the sole water source for many communities in Illinois including those of the BACOG area. Although there is a great deal of groundwater below land surface, only a relatively small amount is available to extract without causing serious consequences to the aquifer system and the long-term sustainability of groundwater. The Illinois State Water Survey projects declining shallow aquifer water levels in this area through 2050.

One of BACOG's highest priorities is securing sustainable funding for local government research and mapping of groundwater systems, implementation of groundwater protection measures, local policy development, and public education initiatives towards a sustainable and clean water supply. Data about groundwater levels and groundwater quality is critical to these efforts, especially in the shallow aquifer system in the BACOG area of northeastern Illinois. Stormwater management is an integral component of this work.

We urge the General Assembly to allocate funding for expanding monitoring well networks, aquifer water level and water quality monitoring, and the data development needed to ensure groundwater sustainability for future generations. BACOG also supports efforts to create dedicated State funding for these purposes.

Water supply is drawn privately or provided by local governments, and as a member of the Northwest Water Planning Alliance, BACOG supports its work to plan and manage, on a regional level and by mutual cooperation, the water supply for this five-county area in conjunction with State efforts.

Pavement sealants containing coal tar are often used to top-coat commercial and residential parking lots, driveways, bike paths, playgrounds and other asphalt pavements. Commercial sealants can contain coal tar or other products high in Polycyclic Aromatic Hydrocarbons (PAHs), many of which are carcinogenic, mutagenic and toxic, which negatively affect human health and aquatic life. BACOG is encouraged by communities that have already banned the sale and use of coal tar and other high PAH sealants and supports the implementation of a statewide ban. BACOG also supports granting specific authority to non-home rule municipalities to ban these sealants.

SUPPORT LOCAL AND REGIONAL LAND USE, PLANNING AND ZONING

There are often conflicts between municipalities and counties over the development of land in unincorporated areas. When development is proposed, disagreements arise over the provision of services and allocation of revenues and the effects of development on surrounding neighborhoods and property values. County land use designations on properties can conflict with the planned vision held by adjoining municipalities. Local residents feel the impacts of development first-hand but have little recourse when proposed land uses on unincorporated parcels are incompatible with surrounding neighborhoods and uses.

When conflicts escalate, recourse can take the form of property disconnection from a municipality, where the property becomes unincorporated county land and the county then makes decisions about future development. Alternately, the property can annex into another municipality. These actions undermine local planning and zoning, which residents rely on to protect their property values. Disconnection also undermines capital planning for other governmental districts such as schools, which rely on stability of planned land uses and densities for facility planning.

BACOG urges the General Assembly to support municipal authority in planning and zoning functions so that local plans and regulations can be implemented without disruption. We believe that municipalities should have greater authority in decision-making over properties within certain distances of municipal boundaries where residents and the provision of municipal services/resources would be affected. BACOG supports changes to the State statutes that would reconcile disconnection case law to the intent of the statutes and that would strengthen existing standards so that properties would less easily be able to disconnect from municipalities.

We believe local governments are best positioned to determine appropriate land use and development. BACOG opposes development or land use which exceeds infrastructure capacity or is significantly inconsistent or incompatible with surrounding uses. We urge the General Assembly to protect local governments' rights to enact appropriate restrictions, if necessary, on the use of non-commercial property for short-term rental use.

IMPROVE THE TRANSPORTATION SYSTEM THROUGHOUT THE REGION

The viability, economic vitality and character of communities depend on an efficient, high quality and environmentally sensitive transportation system in the region and State. BACOG supports state and federal funding for, as well as the dedication of significant funding from Canadian National to, the completion of Phases 2 and 3 of the Route 14 grade separation project at the CN/EJ&E Rail Road in the Village of Barrington. The Route 14 grade separation helps to protect the environmental quality and character of the BACOG area. We also support funding for the Highway 53 extension to Route 120 in Lake County to enhance mobility and accessibility and to relieve traffic congestion in central Lake County, Route 12 and adjacent areas.

PROMOTE EFFICIENCIES IN ADMINISTRATIVE REGULATIONS

Recognizing that staff time, resources and funds are limited, BACOG supports common sense measures to streamline administrative requirements on local governments in areas such as compliance with the FOIA and the Open Meetings Act (OMA) and the publication of legal notices and prevailing wage information.

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