

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE
March 16, 2015
MAG Offices, Ironwood Room
302 N. 1st Avenue, Phoenix, Arizona

MEMBERS ATTENDING

Mayor Michael LeVault, Youngtown, Chair	#Mayor Gail Barney, Queen Creek
Mayor W.J. “Jim” Lane, Scottsdale, Vice Chair	#Mayor Jackie Meck, Buckeye
Mayor Greg Stanton, Phoenix, Treasurer	Mayor Mark Mitchell, Tempe
	*Mayor Lana Mook, El Mirage

* Not present

Participated by video or telephone conference call

1. Call to Order

The Executive Committee meeting was called to order by Chair LeVault at 12:05 p.m. Mayor Barney and Mayor Meck participated by teleconference.

2. Pledge of Allegiance

The Pledge of Allegiance was recited. Chair LeVault announced that on March 11, 2015, the MAG Management Committee recommended approval of agenda items #4B and #4C.

3. Call to the Audience

Chair LeVault stated that, according to the MAG public comment process, members of the audience who wish to speak are requested to fill out the public comment cards. He stated that there is a three-minute time limit. Public comment is provided at the beginning of the meeting for items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Chair LeVault noted that no public comment cards had been received.

4. Approval of Executive Committee Consent Agenda

Chair LeVault noted that prior to action on the consent agenda, members of the audience are provided an opportunity to comment on consent items that are being presented for action. Following the comment period, committee members may request that an item be removed from the consent agenda.

Chair LeVault requested a motion to approve the consent agenda. Mayor Mitchell moved to approve consent items #4A-#4C. Mayor Lane seconded the motion and the motion carried unanimously.

4A. Approval of the February 17, 2015 Executive Committee Meeting Minutes

The Regional Council Executive Committee, by consent, approved the February 17, 2015 Executive Committee meeting minutes.

4B. Amendment to the FY 2015 MAG Unified Planning Work Program to Amend the Contract for the Off-Street Bicycle Network Wayfinding Guide Project with Alta Planning + Design

The Regional Council Executive Committee, by consent, approved the amendment to the FY 2015 MAG Unified Planning Work Program to amend the contract for the Off-Street Bicycle Network Wayfinding Guide project with Alta Planning + Design to include additional work and to increase the contract by \$5,498.86.

In May 2013, the Regional Council approved the MAG FY 2014 Unified Planning Work Program (UPWP) and Annual Budget, which included \$75,000 for an Off-Street Bicycle Network Wayfinding Guide project. In November 2013, Alta Planning + Design was selected as the consultant for the project. The intent of this project is to develop a regional brand for the off-street network, along with a package of wayfinding signs to identify the system and help users navigate. It is requested that an additional \$5,498.86 be added to the contract, for an increase from \$74,999.13 to \$80,497.99, to accommodate the additional work requested by the MAG Bicycle and Pedestrian Committee. The project is scheduled to be complete by June 2015. This item was on the March 11, 2015 Management Committee agenda for recommended approval.

4C. Request for Qualifications for 9-1-1 Services

The Regional Council Executive Committee, by consent, approved of RCC Consultants, Inc., be qualified to provide requested services to the MAG Region 9-1-1 System.

On October 22, 2014, the MAG Regional Council approved that MAG issue a Request for Proposals (RFQ) to solicit Statements of Qualifications (SOQ) from consultants to provide MAG with specialized services in the area of 9-1-1 Communications and Process Management Support. The RFQ was issued on December 23, 2014, and two SOQs were received by the January 30, 2015, due date. On February 27, 2015, a multi-agency evaluation team discussed the SOQs and recommended to MAG that RCC Consultants, Inc., be qualified to provide the requested services to the MAG Region 9-1-1 System. This item was on the March 11, 2015 Management Committee agenda for recommended approval.

5. Discussion of the Development of the FY 2016 MAG Unified Planning Work Program and Annual Budget

Becky Kimbrough, Fiscal Services Manager, reported that the draft FY 2016 MAG Unified Planning Work Program and Annual Budget has been updated and is approximately sixty percent complete. She noted that in January the dues and assessments were presented and in February she presented proposed new projects. Also included is the draft FY 2016 Programs In Brief Summary, which lists the proposed projects for FY 2016. She added that program narratives for each division are included, along with draft budgeted amounts for each of the projects and programs. These amounts include the amount expected to carry forward on current year projects.

Ms. Kimbrough stated that there are no new projects have been added since the February presentation. She reported that MAG has been awarded a \$200,000 FHWA grant for the Federal Integrated Corridor Management (ICM) Deployment Planning Grant program. Ms. Kimbrough explained that the ICM program goal is to advance an integrated approach to transportation systems management and operations. Once finalized for programming, this grant will be included in the current work MAG Work Program or added to the Draft FY 2016 Program for new projects.

Ms. Kimbrough indicated that the FY 2016 proposed budget is currently estimated at \$28,381,142, compared to the current year budget which was \$30,776,931. This is approximately \$2.4 million under the FY 2015 budgeted amount (\$2,395,789). She explained that the budget is lower due to funding projections on project work for FY 2015. She added that staff is continuing to work on the draft budget for FY 2016 and will provide additional updates next month. The final proposed amount is still subject to change through the Request for Approval of the Budget in May.

Chair LeVault thanked Ms. Kimbrough for the update and asked if there were any comments or questions from the committee. There were none.

6. Annual Regional Council Meeting and Passing of the Gavel Ceremony

Kelly Taft, MAG Communications Manager, stated MAG policies outline that officers for the Regional Council change every year, with the election taking place during the June Annual Meeting. On even years, the election coincides with the biennial Desert Peaks Awards Program, with a formal passing of the gavel taking place during the Desert Peaks ceremony. On odd years, the Annual Meeting and Passing of the Gavel, which is more of a ceremonial event, is held.

Ms. Taft explained that traditionally, the outgoing Chair summarizes the accomplishments for the year and the incoming Chair outlines the future direction. To keep event costs at a minimum, attendance has been limited primarily to MAG Policy Committee members and

those who typically attend Regional Council meetings, although these meetings are also open to the public. She explained that in 2011 and 2013, the events were held at an off-site location, beginning with the meeting and election of officers. The reception, cash bar, and hors d'oeuvres buffet immediately followed.

Ms. Taft stated that at the 2013 event, members of the Executive Committee were featured in a 20 minute *Year in Review* video summarizing the accomplishments of the region. She added that this video was also distributed to the cities' cable channels 11 for airing. She discussed the previous year's costs of producing the video, food and beverage expense, and venue costs. Mr. Smith stated that he had heard from some of the mayors that they thought the length of the video was too long. He stated an alternative option to the video may be to produce a glossy handout of an annual report that mayors could take back with them and hand out to their residents and local organizations. Chair LeVault asked what this type of report would cost. Ms. Taft stated the majority of the work could be done in-house, which would reduce the cost significantly. She stated it would also have to be decided what time the ceremony would take place, if the ceremony should take place in the Saguaro Room at the MAG office or if it should take place offsite. The agenda for the ceremony would also need to be determined. Ms. Taft stated that staff is requesting guidance on planning for the June 24, 2015, Annual Meeting and Passing of the Gavel event.

Chair LeVault thanked Ms. Taft and commented that he was comfortable with a traditional, scaled down version of the event. He noted that he felt the public is still not clear on what MAG does and all that is accomplished. Mayor Lane stated that we have to make sure the benefits of this event outweigh the costs, and if this does raise the public's awareness of MAG, then a simpler gathering may be in order. Ms. Taft commented that the goal of the video at last year's event was to summarize the accomplishments, which had life after the event by being aired in local communities to explain MAG and the programs. Mayor Lane asked if we received press coverage at these past events. Ms. Taft answered that MAG has received press at the Desert Peaks Ceremony, but there has not been press at past Passing of the Gavel events. Mayor Mitchell stated that he remembers that the event last year went far too long. Ms. Taft explained that he may be thinking of the Desert Peaks Award Ceremony in which the year in review video and the awards ceremony were done together, which made for a lengthy event.

Mr. Smith suggested that staff limit the length of the video by perhaps eliminating the number of interviews, so that an annual report could also be produced. This would give mayors something to hand out to citizens highlighting what the region accomplished in the past year. He added that perhaps a press release or press conference at the event would also be beneficial. Mr. Smith noted that MAG recently received publicity in a national report. The publication *Transportation For America* indicated that MAG was an innovative metropolitan planning organization and specifically talked about MAG's Economic Development Committee. He explained that as a result of this article, the Baton Rouge Area Chamber contacted MAG staff to learn more about what is being accomplished here. Mayor Lane stated that if the annual meeting and a simpler event are significant enough to garner additional

attention then it is probably worth doing. Mayor Barney stated that his preference would be the hard copy annual report. He added that he does not mind the idea of the video, but he sees that as more of a marketing and informational tool. Mayor Meck added that he would prefer the hard copy version so that he can hand it out to his citizens and that the report seems like it would be more cost effective. Mayor Mitchell commented that his city has many residents that use their city's website and he would like to be able to provide a link of the video to show residents all of the year's accomplishments. Mayor Stanton agreed with Mayor Mitchell's comment.

Chair LeVault stated that he likes the idea that the public could become more aware of the great work MAG does by having both, a scaled back video that can be put on city cable channels, as well as a printed annual report to pass out. Mayor Lane agreed that the length of the video needs to be cut back and he liked the idea of an annual report. He also suggested an offsite luncheon in place of an evening event. He explained that this would be easier and less expensive, while accomplishing the same thing. The committee members agreed to go this direction.

7. Discussion of Senate Bill 1274; ADOT Omnibus

Dennis Smith, MAG Executive Director, stated that the Citizens Transportation Oversight Committee (CTOC) was created in 1994 and continued in the voter approved Prop 400 as a public oversight entity to the MAG Regional Transportation Plan (RTP). The role of CTOC includes, but is not limited to: reviewing and making recommendations regarding any proposed major amendments of the RTP by the MAG Regional Council; providing an annual review and comments on the criteria developed by MAG to establish the priority of corridors, corridor segments and other transportation projects; and receiving complaints from the public concerning projects funded in the RTP or concerning responsibilities of MAG and making recommendations accordingly to the State Transportation Board and MAG.

Mr. Smith reported that on November 21, 2011, a performance audit of the MAG RTP recommended that the CTOC receive support from MAG staff. On December 13, 2011, MAG responded in the affirmative to the audit recommendation and on June 25, 2012, the CTOC responded that they were not in favor of the audit recommendation.

At the February 25, 2015 Regional Council meeting, staff reported that an ADOT omnibus bill Senate Bill 1274 was being considered and one of the provisions was to move the staffing of the CTOC from ADOT to MAG. Mr. Smith stated that due to the opposition by the CTOC it would not be wise for MAG to staff the CTOC because they have oversight over the MAG Regional Transportation Plan. He added that he felt it would be inappropriate for MAG to staff a committee that had oversight over the MAG RTP. Mr. Smith stated that he went back and reviewed the January 18, 2012, Transportation Policy Committee meeting minutes and Dave Berry, from Swift Transportation, stated in the meeting minutes that the reason ADOT was the most appropriate place to staff the CTOC was because it created a separation of powers and eliminated a conflict of interest. Mr. Berry added that the CTOC was a counter

balancing force representing citizen input and there was a risk of conflict of interest if MAG had to oversee these responsibilities.

Nathan Pryor, MAG Government Relations Manager, stated that this bill is sponsored by Senator Worsley and added that Mr. Roc Arnett, Chair of the CTOC, contacted the Senator and requested that the provision be removed from the bill, which the Senator proposed. Mr. Pryor stated that the amendment was defeated on the Senate floor and the provision for MAG to provide staff support to the CTOC still remains. He added that the bill passed in the Senate for third read on February 24, 2015 and is now headed to the House of Representatives. Mr. Pryor stated that staff will continue to monitor this bill as it moves through the House.

Mayor Lane commented that he was not entirely clear on why this committee would be less effective if MAG staffed it and asked who appoints members to this committee. Mr. Smith stated that the Maricopa County Board of Supervisors appoints one person from each county district and the Governor appoints the Chair, which then serves on the MAG Regional Council. Eric Anderson, MAG Transportation Director, stated that in late 2003 he worked on House Bill 2456, which modified the CTOC statute to do what it does today, to provide this oversight. In those discussions ADOT and MAG co-authored the changes in the law. He explained that the publicity pamphlet thoroughly describes the CTOCs role to provide the checks and balance for Prop 400. Eliminating this committee is the wrong thing to do and would be a slap in the face to the citizens and voters in this county. The current structure of the CTOC clearly provides oversight of MAG's plan and independence of that is appropriate. He added that the CTOC also reviews MAG's major plan amendments as provided for in the statute.

Mayor Lane asked if the CTOCs role is to make recommendations to MAG. Mr. Smith stated that was correct, that their role is to make recommendations to MAG, which means if the CTOC receives citizen complaints, they are to review those complaints and if action needs to be taken, would recommend them to MAG. If MAG staffs this committee, then MAG would be overseeing themselves. Mayor Lane asked if the cost would be shifted to MAG. Chair LeVault stated that this is revenue neutral and that the money would just be housed from ADOT to MAG. Mr. Smith explained that the ADOT lobbyist stated that ADOT is a state agency and this is a regional program, so it really should not be at ADOT. He added that this does not make sense because ADOT is building a regional program right now. Mayor Lane asked why would it be less effective if MAG staffed this committee, and who appoints members to this committee. Mr. Smith stated that one member serves as the chairperson of the CTOC and is appointed by the Governor; one member at large who resides in the county and is appointed by the Governor; and five members, one to represent each county supervisor district, appointed by the Maricopa County Board of Supervisors in consultation with the mayors of each city and town in each district. Mr. Smith stated the image is the issue, however if MAG does get this committee, MAG will do the best job they can. Mr. Smith added that he is disappointed that ADOT pursued this without even discussing this with MAG.

Chair LeVault stated that he and MAG staff recently met with Representative Gray, Chair of the House Transportation and Infrastructure Committee and got the impression that MAG will be taking this committee. Mr. Pryor added that without an amendment coming from the committee chair, the road ahead will get very difficult in terms of amending this bill. Mayor Mitchell asked if the media has been contacted in regards to this issue. He added that if the public knew that MAG has to oversee their own agency they would not be happy. Mr. Smith added that this is also different than what the voters voted on and passed in 2004. Mayor Lane stated that he is looking at this differently than some of the other members and he sees it more of a matter of shifting money.

Mayor Stanton stated that the Phoenix has citizen oversight boards that challenge staff and will make recommendations if they believe something is going in the wrong direction and this seems to work very well, but they do not perform an investigative type roll. He asked what does this group actually do. Mr. Anderson stated that the CTOC does weigh in on major amendments as we process TIP and plan amendments, such as adding and/or deleting light rail or freeway corridors. CTOC also receives requests from citizens to deal with certain issues. Mr. Anderson provided an example in regards to a noise wall issue in Sun City West. He explained that residents were concerned about the noise from the pending 303 construction and after a number of site visits and meetings, MAG worked with ADOT to advance the noise walls before the construction activity itself began, which was a positive outcome for all involved.

Mayor Stanton motioned that the MAG Regional Council Executive Committee opposes SB 1274 in its current form as it relates to the transfer of the Citizens Transportation Oversight Committee (CTOC) from the Arizona Department of Transportation to the Maricopa Association of Governments; and more strongly opposes the elimination of the CTOC. Mayor Mitchell seconded the motion and the motion carried unanimously.

8. Request for Future Agenda Items

Chair LeVault asked if there were any requests for future agenda items. There were none.

9. Comments from the Committee

Chair LeVault asked if there were any comments from the committee. There were none.

Adjournment

There being no further business, the Executive Committee adjourned at 1:12 p.m.

Chair

Secretary