

October 5, 2010

TO: Members of the MAG Management Committee

FROM: Carl Swenson, Peoria, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Wednesday, October 13, 2010 - 12:00 noon  
MAG Office, Suite 200 - Saguaro Room  
302 North 1<sup>st</sup> Avenue, Phoenix

The next Management Committee meeting will be held at the MAG offices at the time and place noted above. Members of the Management Committee may attend the meeting either in person, by videoconference or by telephone conference call. The agenda and summaries are also being transmitted to the members of the Regional Council to foster increased dialogue between members of the Management Committee and Regional Council. You are encouraged to review the supporting information enclosed. Lunch will be provided at a nominal cost.

Please park in the garage under the building, bring your ticket, parking will be validated. For those using transit, Valley Metro/RPTA will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Valerie Day at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

Members are reminded of the importance of attendance by yourself or a proxy. Any time that a quorum is not present, we cannot conduct the meeting. Please set aside sufficient time for the meeting, and for all matters to be reviewed and acted upon by the Management Committee. Your presence and vote count.

c: MAG Regional Council

**MAG MANAGEMENT COMMITTEE  
TENTATIVE AGENDA  
October 13, 2010**

**COMMITTEE ACTION REQUESTED**

1. Call to Order

2. Pledge of Allegiance

3. Call to the Audience

An opportunity is provided to the public to address the Management Committee on 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. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Management Committee requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

4. Executive Director's Report

The MAG Executive Director will provide a report to the Management Committee on activities of general interest.

5. Approval of Consent Agenda

Prior to action on the consent agenda, members of the audience will be 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. Consent items are marked with an asterisk (\*).

3. Information.

4. Information and discussion.

5. Recommend approval of the Consent Agenda.

**ITEMS PROPOSED FOR CONSENT\***

**MINUTES**

\*5A. Approval of September 8, 2010, Meeting Minutes

5A. Review and approval of the September 8, 2010, meeting minutes.

**TRANSPORTATION ITEMS****\*5B. ADOT Red Letter Process**

In June 1996, the MAG Regional Council approved the Arizona Department of Transportation (ADOT) Red Letter process, which requires MAG member agencies to notify ADOT of potential development activities in freeway alignments. Development activities include actions on plans, zoning and permits. ADOT has forwarded a list of notifications from January 1, 2010, to June 30, 2010. Of the 47 notices received, five had an impact to the State Highway System. Please refer to the enclosed material.

**\*5C. Project Changes – Amendment and Administrative Modification to the FY 2011-2015 MAG Transportation Improvement Program**

The fiscal year (FY) 2011-2015 Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) 2010 Update were approved by the MAG Regional Council on July 28, 2010. Since that time, there have been requests from member agencies to modify projects in the programs. The Arizona Department of Transportation (ADOT) is requesting a modification to the SRL303 project to split the utility relocation projects out to individual ones, a revised scope for the South Mountain Environmental Impact Statement (EIS) project, and a new pavement preservation project. There are four new federal Safe Routes to Schools program funded projects; this process is managed by ADOT with input provided by MAG. Wickenburg is requesting to move its STP-TEA funded project from 2010 to 2011, and two new transit projects need to be added to the TIP since they received federal money through a competitive grant application. In addition, there are four Congestion Mitigation and Air Quality (CMAQ) funded projects that requested changes. There have been recommendations on the above requested changes by the Transportation Review Committee, Air Quality Technical Advisory Committee, and the Intelligent Transportation

5B. Information and discussion.

5C. Recommend approval of amendments and administrative modifications to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update.

Systems Committee. Please refer to the enclosed material.

\*5D. Change in State Route Numbers

The State Transportation Board is renumbering the following freeways: Interstate 10 Reliever Freeway - previously SR-801 - is now State Route (SR)-30, and Williams Gateway Freeway - previously SR-802 - is now SR-24. Board action for SR-24 occurred in September 2010; action for SR-30 is anticipated in January 2011. All ADOT maps are illustrating the new route numbers.

\*5E. Recommendation of Road Safety Improvement Projects for Possible Federal Highway Safety Improvement Program

On August 17, 2010, MAG announced a call for projects to identify a list of candidate road safety improvement projects to be recommended to the Arizona Department of Transportation (ADOT) for possible federal Highway Safety Improvement Program (HSIP) funds available in FY 2011, 2012 and 2013. A total of nine (9) project applications were received by MAG. These applications have been reviewed and a recommendation has been developed by the Transportation Safety Committee. The final decision on which of the recommended projects will be funded and at what level will be determined by ADOT. Funded projects will be included in the current TIP through a future amendment, and the implementation of projects will be coordinated by ADOT. Safety improvement projects are considered exempt from a potential TIP conformity freeze. Please refer to the enclosed material.

\*5F. Consultant Selection for the MAG Freight Transportation Framework Study

The FY 2011 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2010, includes \$500,000 to conduct the Freight Transportation Framework Study that will examine freight and multimodal opportunities in the Sun Corridor. This study will develop a multimodal freight

5D. Information.

5E. Recommend approval of the list of safety improvement projects to the Arizona Department of Transportation for federal funds in the 70 percent Highway Safety Improvement Program category available for fiscal years 2011, 2012 and 2013.

5F. Recommend that Parsons Brinckerhoff be selected to conduct the Freight Transportation Framework Study for an amount not to exceed \$500,000.

transportation framework for the study area that will likely be implemented at multiple jurisdictional levels and examine opportunities for an inland port. A Request for Proposals was advertised on August 19, 2010, and seven proposals were received. A multi-agency proposal evaluation team reviewed the proposal documents and held interviews. On October 5, 2010, the proposal evaluation team recommended to MAG the selection of Parsons Brinckerhoff to complete the study for an amount not to exceed \$500,000. Please refer to the enclosed material.

\*5G. Don't Trash Arizona Litter Prevention and Education Contract Amendment

It costs our region more than \$3 million every year to pick up litter from our regional freeway system. Proposition 400 includes funding for a litter prevention and education program designed to increase awareness of the health, safety, environmental and economic consequences of freeway litter and ultimately change the behavior of offenders. The Don't Trash Arizona Litter Education and Prevention program is implemented by MAG in cooperation with the Arizona Department of Transportation (ADOT). In September 2008, the Regional Council approved the selection of RIESTER as the consultant to design and implement the Litter Prevention and Education Program. Staff recommends amending the consultant contract with RIESTER for one additional year for the Litter Prevention and Education Program and to include the \$300,000 budgeted in the FY 2011 Unified Planning Work Program and Annual Budget for litter prevention and education efforts. Please refer to the enclosed material.

5G. Recommend approval to amend the consultant contract with RIESTER for one additional year for the Litter Prevention and Education Program to include \$300,000 budgeted in the MAG FY 2010 Unified Planning Work Program and Annual Budget for litter prevention and education.

**AIR QUALITY ITEMS**

\*5H. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program (TIP). The amendment and administrative modification

5H. Consultation.

involve several projects, including FY 2011 Arizona Department of Transportation projects on State Route 303, Safe Routes to School funded projects, and City of Phoenix transit projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. Please refer to the enclosed material.

\*5I. Status of Remaining MAG Approved PM-10 Certified Street Sweeper Projects That Have Not Requested Reimbursement

A status report is being provided to members of the MAG Management Committee on the remaining PM-10 certified street sweeper projects that have received approval, but have not requested reimbursement. To assist MAG in reducing the amount of obligated federal funds carried forward in the MAG Unified Planning Work Program and Annual Budget, MAG is requesting that street sweepers be purchased and reimbursement be requested by the agency within one year plus ten calendar days from the date of the MAG authorization letter. Please refer to the enclosed material.

5I. Information and discussion.

### GENERAL ITEMS

\*5J. MAG FY 2012 PSAP Annual Element/Funding Request and FY 2012-2016 Equipment Program

Each year, the Public Safety Answering Point (PSAP) Managers submit inventory and upgrade requests that are used to develop a five-year equipment program that forecasts future 9-1-1 equipment needs of the region and will enable MAG to provide estimates of future funding needs to the Arizona Department of Administration (ADOA). The funding request for FY 2015 is required to be submitted to the ADOA by December 15, 2010. On July 15, 2010, the MAG 9-1-1 PSAP Managers recommended approval of the MAG FY 2012 PSAP Annual Element/Funding Request and FY 2012-2016 Equipment Program. On September 20, 2010, the MAG 9-1-1

5J. Recommend approval of the MAG FY 2012 PSAP Annual Element/Funding Request and FY 2012-2016 Equipment Program for submittal to the Arizona Department of Administration.

Oversight Team recommended approval. Please refer to the enclosed material.

- \*5K. Application Process for U.S. Department of Housing and Urban Development Stuart B. McKinney Funds for Homeless Assistance Programs

On December 8, 1999, the MAG Regional Council approved MAG becoming the responsible entity for a year-round homeless planning process which includes submittal of the U.S. Department of Housing and Urban Development (HUD) Stuart B. McKinney Continuum of Care Consolidated Application for the MAG region. The Continuum of Care grant supports permanent supportive housing, transitional housing, and supportive services. A total of \$196 million has been awarded to the region since 1999. Last year, the region received more than \$23.4 million for 53 homeless programs. It is anticipated that the region will be awarded comparably in 2010. A draft list of new and renewal projects is provided to MAG Management Committee members for information and discussion. The final consolidated application will be presented to the MAG Continuum of Care Regional Committee on Homelessness on November 15, 2010, for approval. Please refer to the enclosed material.

- 5K. Information and discussion.

**ITEMS PROPOSED TO BE HEARD**

**TRANSPORTATION ITEMS**

- 6. 2010 Annual Report on the Status of the Implementation of Proposition 400

Proposition 400 was approved by the voters of Maricopa County in November 2004, and authorized the extension of a half-cent sales tax for use on transportation projects in the MAG Regional Transportation Plan. A.R.S. 28-6354 requires that MAG issue an annual report on projects included in Proposition 400, addressing factors such as project status, funding, and priorities. The 2010 Annual Report is the sixth report in this series and covers the status of the life cycle programs for freeways/highways, arterial streets, and transit. A Summary of Findings and

- 6. Information and discussion.

Issues is included in the attached material and the full report is available on the MAG website. This item was presented to the MAG Transportation Review Committee on September 23, 2010, for information and discussion. Please refer to the enclosed material.

### AIR QUALITY ITEMS

7. Update on the EPA Proposed Partial Approval and Disapproval of the MAG 2007 Five Percent Plan for PM-10

On September 3, 2010, the Environmental Protection Agency (EPA) signed a notice to propose partial approval and disapproval of the MAG 2007 Five Percent Plan for PM-10 based on the timetable in the consent decree with the Arizona Center for Law in the Public Interest. The notice was published in the Federal Register on September 9, 2010, and comments are due by October 12, 2010. If EPA finalizes the partial disapproval on January 28, 2011, a conformity freeze on the MAG Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) would occur in approximately thirty days; only projects in the first four years could proceed. If the problem is not corrected within eighteen months, tighter controls on major industries would be imposed. If the problem is still not corrected within twenty-four months of the disapproval, the loss of federal highway funds (\$1.7 billion) and a federal implementation plan would be imposed. Conformity would also lapse, which would place the \$7.4 billion TIP at risk. On October 1, 2010, a videoconference was conducted with EPA to discuss issues with the EPA Exceptional Events Rule and recommendations from the Arizona Department of Environmental Quality (ADEQ) and MAG. On October 4, 2010, MAG and ADEQ sent a letter to EPA requesting a sixty day extension of the comment period for the proposed action on the Five Percent Plan. Please refer to the enclosed material.

7. Information and discussion.

## GENERAL ITEMS

8. Pattern Outdoor Lighting Code

On January 14, 2009, the MAG Management Committee recommended that MAG convene a Dark Sky Stakeholders Group. The purpose of the Group was to work on issues related to outdoor light pollution in order to protect our dark skies and sustain Arizona's competitiveness in the field of astronomy and grow the economic base for astronomy, planetary sciences and space sciences. Currently, astronomy contributes more than 3,300 jobs and nets more than \$250 million a year for the Arizona economy. The MAG Dark Sky Stakeholders Group has developed a Pattern Outdoor Lighting Code based on best practices and guidelines. This document has been reviewed by the MAG Stakeholders Group, members of the astronomy community, external stakeholders, and MAG legal counsel. The county, municipalities and Native American Indian communities are encouraged to consider revisiting the adequacy and enforcement of their respective lighting ordinances in an effort to provide quality lighting to improve visibility, save energy, and protect dark skies. Please refer to the enclosed material.

9. Valley Fever Corridor Project

Valley Fever is the common name for a fungal infection which occurs in the lower deserts of Arizona and elsewhere in the western hemisphere. Approximately 150,000 infections annually result in 50,000 persons seeking medical attention for a pneumonia-type of illness that can last for weeks to many months, and may require many years or lifelong medical management. Two-thirds of all Valley Fever infections in the United States are contracted by Arizonans and most of these occur in residents of the three counties of Maricopa, Pinal and Pima (the "Valley Fever Corridor"). With Valley Fever being concentrated in Arizona, the Valley Fever Center for Excellence (Center) was established in 1996 to support efforts to control this problem. Representatives from the Center will provide an update on current efforts to address Valley Fever. The Center is requesting a Resolution to promote

8. Recommend approval of the MAG Pattern Outdoor Lighting Code (POLC) with consideration to encourage the adoption of the POLC by MAG member agencies, in an effort to protect Arizona's observatories and promote consistency and efficiency in outdoor lighting across the region.

9. Recommend acceptance of a Resolution to promote public awareness of the educational efforts of the Valley Fever Center for Excellence in its work to address the Valley Fever in the MAG region.

public awareness of Valley Fever in the MAG region. Please refer to the enclosed material.

10. Request for Future Agenda Items

Topics or issues of interest that the Management Committee would like to have considered for discussion at a future meeting will be requested.

11. Comments from the Committee

An opportunity will be provided for Management Committee members to present a brief summary of current events. The Management Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Adjournment

10. Information and discussion.

11. Information.

MINUTES OF THE  
MAG MANAGEMENT COMMITTEE MEETING  
September 8, 2010  
MAG Office Building - Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Carl Swenson, Peoria, Chair	Bill Hernandez, Guadalupe
Charlie Meyer, Tempe, Vice Chair	Darryl Crossman, Litchfield Park
# Matt Busby for George Hoffman, Apache Junction	Scott Butler for Christopher Brady, Mesa
Charlie McClendon, Avondale	David Andrews for Jim Bacon, Paradise Valley
Stephen Cleveland, Buckeye	Karen Peters for David Cavazos, Phoenix
* Gary Neiss, Carefree	John Kross, Queen Creek
* Usama Abujbarah, Cave Creek	* Bryan Meyers, Salt River Pima-Maricopa Indian Community
Patrice Kraus for Rich Dlugas, Chandler	David Richert, Scottsdale
Pat Dennis for B.J. Cornwall, El Mirage	Michael Celaya for Mark Coronado, Surprise
Alfonso Rodriguez for Phil Dorchester, Fort McDowell Yavapai Nation	Reyes Medrano, Tolleson
Rick Davis, Fountain Hills	Gary Edwards, Wickenburg
Rick Buss, Gila Bend	Lloyce Robinson, Youngtown
* David White, Gila River Indian Community	Robert Samour for John Halikowski, ADOT
Collin DeWitt, Gilbert	Kenny Harris for David Smith, Maricopa Co.
Brent Stoddard for Ed Beasley, Glendale	David Boggs, Valley Metro/RPTA
Mark Gaillard for John Fischbach, Goodyear	

\* Those members neither present nor represented by proxy.

# Participated by telephone conference call.      + Participated by videoconference call.

1.     Call to Order

The meeting was called to order by Chair Carl Swenson at 12:00 p.m.

2.     Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Swenson noted that Matt Busby, representing Apache Junction, was participating in the meeting via teleconference.

Chair Swenson noted that the revised agenda, the addendum to the agenda (#5J), and material for agenda items #5I, #9, and #10 were at each place.

Chair Swenson announced that public comment cards were available to members of the public who wish to comment. He noted that parking garage validation and transit tickets were available from Valley Metro/RPTA for those using transit to come to the meeting.

3. Call to the Audience

Chair Swenson stated that Call to the Audience provides an opportunity to the public to address the Management Committee on 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 Swenson noted that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Public comments have a three minute time limit and there is a timer to help the public with their presentations.

Chair Swenson noted that no comment cards had been submitted.

Chair Swenson introduced the new Director of the Maricopa County Air Quality Department, Bill Wiley. Mr. Wiley expressed that he looked forward to working with all of the agencies in the region. He said that he had been in the environmental field for awhile; he was Deputy Director of the Arizona Department of Environmental Quality from 1990 to 1994.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest in the MAG region.

Mr. Smith stated that MAG received a letter from the Federal Highway Administration approving the FY 2011 MAG Unified Planning Work Program and Annual Budget.

Mr. Smith noted that because MAG is a Transportation Management Area, its transportation planning process needs to be certified. He said that the effort for this period was led by the Federal Highway Administration and the Federal Transit Administration Region IX staff, with assistance from the U.S. DOT's Volpe National Transportation Systems Center. Mr. Smith advised that the Federal Highway Administration and the Federal Transit Administration have determined that the planning process conducted by MAG meets the federal requirements. He stated that the reviewers indicated no corrective actions and ten recommendations. Mr. Smith reviewed some of the recommendations, and noted they were not deficiencies: The reviewers noted the complexity of the structure of the technical committees and recommended a study of the efficiency of the structure. Also that the public appears uncertain about the exact responsibilities of regional transit agencies and providers, and encouraged a study of the efficiency of these organizations. They requested that MAG show greater transparency in documenting the financial planning process across all modes. They requested that a systematic approach to investment scenarios should be expanded to transit, similar to the recent exercise by MAG to balance the freeway program. They requested completion of a public transit framework and move toward a multimodal transportation framework that will ease the ability to make tradeoffs between highway, transit and other alternatives. Mr. Smith stated that the federal reviewers noted nine commendations: Inclusion of business representatives on the TPC; the framework studies; the performance measures in the Work Program; the integration of Human Services Programs in Transportation Programs (the MAG Human Services Transportation Plan won a national award);

bringing transit into the regional multimodal planning process, including establishing the Transit Committee; safety planning and establishing the Safety Committee; combining visualization in modeling with mode outputs; citing MAG's environmental mitigation and consultation as an FHWA best practice; and consulting with Tribal agencies.

Mr. Smith reported that lease negotiations for MAG office space have been completed with the City of Phoenix. He said that the ten year lease includes space on the fourth floor. Mr. Smith noted that the entire second floor will be converted to meeting rooms and the third floor will be updated. He added that the meeting rooms will be available to regional organizations. Mr. Smith action by the Phoenix City Council on the lease is expected in October.

Mr. Smith announced that MAG was awarded the Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report of the fiscal year that ended June 30, 2009. He noted that this award represents the 12th consecutive year MAG received this certificate of achievement.

Mr. Smith stated that the MAG Information Services Division has prepared a map that showed the 57,180 pending and foreclosed residential homes in the Valley through June 2010. He commented that with pending action by the Environmental Protection Agency regarding disapproval of the 2007 MAG Five Percent Plan for PM-10, which would further financial hardship to this region, awareness of the problem at the federal level is needed. Mr. Smith noted that the Executive Committee is in the process of establishing an economic committee to focus on the economy. He commented on the need to focus beyond the traditional transportation plan and maximize the economy in the region.

Chair Swenson asked members if they had questions for Mr. Smith.

Mr. Medrano asked if the foreclosures on the map were categorized by zip codes. He noted the concern of the cities of Tolleson, Litchfield Park, and others due to recent articles on foreclosure rates in specific municipalities. Mr. Medrano explained that using zip codes caused the rates to be skewed and resulted in astronomical rates in his city. The zip code 85353, for example, touches not only Tolleson, but also Avondale, Phoenix, and some unincorporated Maricopa County. Mr. Medrano also mentioned concerns that zip codes also can be used for reporting other statistics, such as crime.

Mr. Smith introduced Anubhav Bagley, the new Information Services Manager, whose division compiled the foreclosure maps. Mr. Bagley addressed Mr. Medrano's question by saying that the foreclosure data is collected on a daily basis and provided to MAG by a commercial service on a monthly basis. He explained that these points on the maps are geocoded to the actual parcel and are done by city, not by zip codes.

Mr. Smith stated that a table was prepared by city, but was not distributed in order to avoid comparisons. He offered to provide each agency its own table if requested.

No additional questions for Mr. Smith were noted.

5. Approval of Consent Agenda

Chair Swenson stated that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, and #5J were on the Consent Agenda. He reviewed the public comment guidelines for the Consent Agenda. Chair Swenson noted that no public comment cards had been received.

Chair Swenson asked if any member of the Committee had questions or a request to have a presentation on any Consent Agenda item.

Ms. Robinson requested that agenda items #5D and #5F be removed from the Consent Agenda.

Mr. McClendon moved to recommend approval of #5A, #5B, #5C, #5E, #5G, #5H, #5I, and #5J. Mr. Hernandez seconded, and the motion passed unanimously.

5A. Approval of July 14, 2010, Meeting Minutes

The Management Committee, by consent, approved the July 14, 2010, meeting minutes.

5B. American Recovery and Reinvestment Act (ARRA) Status Report

A Status Report on the American Recovery and Reinvestment Act (ARRA) funds dedicated to transportation projects in the MAG region details the status of project development. The report covers highway, local, transit, and enhancement projects programmed with ARRA funds and the status of project development milestones per project. This item was on the agenda for information and discussion.

5C. Amendment of the MAG Regional Transportation Plan 2010 Update

The Management Committee, by consent, recommended approval of an amendment to the MAG Regional Transportation Plan 2010 Update to incorporate public transit service level adjustments resulting from reductions in revenues, including repeal of the Local Transportation Assistance Fund, that were reflected in public transit service schedules published in July 2010, contingent upon a finding of conformity of the FY 2011-2015 MAG Transportation Improvement Program and the MAG Regional Transportation Plan 2010 Update with applicable air quality plans. On July 28, 2010, the MAG Regional Council approved the Fiscal Year (FY) 2011-2015 Transportation Improvement Program (TIP) and the MAG Regional Transportation Plan (RTP) 2010 Update. In late July, due to reductions in revenues, including repeal of the Local Transportation Assistance Fund (LTAF), transit service level adjustments were finalized by transit service providers and reflected in transit schedules published in July 2010. These changes impacted the transit service levels in the RTP 2010 Update and the corresponding transportation network modeling assumptions. An air quality conformity regional emissions analysis (addressed under a separate agenda item) reflecting the new modeling assumptions has been conducted and indicates that the TIP and RTP will not contribute to violations of federal air quality standards. The MAG Transportation Review Committee recommended approval on August 31, 2010.

5E. Consultant Selection for the On-Call Transportation Planning Consultant Services Program

The Management Committee, by consent, recommended that Cambridge Systematics, Inc., AECOM Technical Services, Inc., PB Americas, Inc., HDR Engineering, Inc., Kimley-Horn and Associates, Inc., and Burgess & Niple, Inc. be selected as the consultants to participate in the On-Call Transportation Planning Consultant Services Program for a two-year period. The Fiscal Year (FY) 2010 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2009, was amended in February 2010 to include \$150,000 to conduct the On-Call Transportation Planning Consultant Services Program. The FY 2011 Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2010, provides an additional \$100,000 for this On-Call Program. The purpose of the program is for expediting the delivery of consultant services at MAG. For the purposes of this On-Call Transportation Planning Consultant Services program, qualified consultants were sought to assist staff in the following five services areas: (1) Civil Engineering, (2) Transportation Planning, (3) Transportation Operations, (4) Policy and Finance, and (5) Public Involvement. A Request for Statements of Qualifications was issued on April 15, 2010 and a total of 37 Statements of Qualifications were received by the due date of May 27, 2010. An internal team of MAG staff reviewed the Statements of Qualifications and on July 22, 2010, recommended to MAG selecting six consultants for participation in the On-Call Transportation Planning Consultant Services program.

5G. Update of the Federal Functional Classification System

The most recent update to the federal functional classification of roadways in Maricopa County occurred in 2005 and primarily focused on the urban area. Since then, substantial growth has occurred and the Federal Highway Administration (FHWA) has modified the definitions used in the system and introduced significant data collection requirements. To address these issues, MAG staff is proposing a two-phase update to the system in the MAG region. The first phase will develop an updated arterial network for Regional Council approval by January 2011. The second phase will develop an updated collector network for approval by March 2011. The primary work would be performed by the MAG Street Committee with final review and approval conducted through the MAG Committee process. This item was on the agenda for information and discussion.

5H. New Finding of Conformity for the FY 2011-2015 MAG Transportation Improvement Program and Regional Transportation Plan 2010 Update, As Amended

The Management Committee, by consent, recommended approval of the new Finding of Conformity for the FY 2011-2015 MAG Transportation Improvement Program and Regional Transportation Plan 2010 Update, as amended. On July 28, 2010, the MAG Regional Council approved a Finding of Conformity for the FY 2011-2015 MAG Transportation Improvement Program (TIP) and MAG Regional Transportation Plan 2010 Update. Since that time, an amendment to the Regional Transportation Plan 2010 Update is required to incorporate public transit service level adjustments resulting from reductions in revenues, including the repeal of the Local Transportation Assistance Fund (LTAF), that were reflected in public transit service schedules published in July 2010. The conformity assessment for the proposed amendment, which includes a regional emissions analysis, concludes that the TIP and Regional Transportation

Plan 2010 Update meet all applicable federal conformity requirements and are in conformance with applicable air quality plans. On August 19, 2010, a 30-day public review period began on the conformity assessment and amendment. Comments are requested by September 20, 2010.

5I. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program (TIP). The proposed amendment and administrative modification involve several American Recovery and Reinvestment Act (ARRA) funded projects, including a City of Phoenix pavement preservation project and a Scottsdale park-and-ride project. In addition, the City of Mesa has proposed an amendment involving transit projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. This item was on the agenda for consultation.

5J. Project Changes - Amendment to the FY 2011-2015 MAG Transportation Improvement Program

The Management Committee, by consent, recommended approval of an amendment to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update to add a new highway safety project. The fiscal year (FY) 2011-2015 MAG Transportation Improvement Program (TIP) and Regional Transportation Plan 2010 Update were approved by the MAG Regional Council on July 28, 2010. Since that time, there has been a request from ADOT to add a new project to replace an analog radio system throughout the region. This project is requesting to use \$2.9 million of federal Highway Safety funds in federal fiscal year (FFY) 2010; ADOT manages the federal Highway Safety fund program. This request is time sensitive as the Federal Highway Administration stops accepting obligation requests for FFY 2010 on September 16, 2010.

5D. Consultant Selection for the Sustainable Transportation and Land Use Integration Study

This item was removed from the Consent Agenda.

On May 26, 2010, the MAG Regional Council approved the Fiscal Year (FY) 2011 MAG Unified Planning Work Program and Annual Budget, which provides \$750,000 to conduct a Sustainable Transportation and Land Use Integration Study. A Request for Proposals was advertised on June 29, 2010, and nine proposals were received. On August 26, 2010, a multi-agency review team evaluated the proposals, conducted consultant interviews, and recommended to MAG that Arup North American, Ltd. be hired to develop the study at a cost not to exceed \$750,000.

Ms. Robinson said that she understood that a multi-agency evaluation team had reviewed the proposals and made a recommendation to MAG to select a firm. She noted the firm is from Australia with an office in Los Angeles and she asked if there was not a local or state firm who could have done this work. Ms. Robinson commented that \$750,000 was a significant amount of money and working for a municipality, she was mindful of trying to keep the money in the community in these difficult economic times. Ms. Robinson stated that this was a huge amount of money to be sending out of the state, let alone out of the country.

Mr. Smith stated that he asked a similar question when he saw the evaluation team's recommendation, and he was told the group's expertise was superior to the other firms who submitted proposals. Mr. Smith noted that the team includes the Sacramento Association Council of Governments, which has experience doing this type of work. He added that MAG cannot select a consultant based on geographic location of a firm because federal funds are being used; the selection is based on a firm's merits.

Ms. Robinson asked for clarification that Sacramento's work is very similar and positive. Mr. Smith replied yes.

Mr. Crossman asked if a quality based selection process was used where a price is not negotiated until the final. Mr. Smith replied that this was a Request for Proposals process, not a Request for Qualifications.

With no further discussion, Ms. Peters moved to recommend approval of the selection of Arup North America, Ltd. as the consultant to develop the Sustainable Transportation and Land Use Integration Study for an amount not to exceed \$750,000. Mr. McClendon seconded, and the motion passed with Ms. Robinson and Mr. Crossman voting no.

5F. Programming of FY 2011 Highway Safety Improvement Projects and Amendment to the FY 2011 MAG Unified Planning Work Program and Annual Budget

This item was removed from the Consent Agenda.

The Arizona Department of Transportation (ADOT) distributes 20 percent of the federal Highway Safety Improvement Program (HSIP) funds the State receives to the Metropolitan Planning Organizations and Councils of Governments. The share received by MAG, starting in Fiscal Year (FY) 2010, is \$1 million each year and needs to be programmed for qualifying safety projects. For FY 2011, MAG-HSIP funded safety projects must be obligated by the ADOT deadline of May 1, 2011. The Transportation Safety Committee reviewed the availability of federal HSIP funds for road safety improvements in the MAG region, the urgency for FY 2011 MAG-HSIP project obligation, and generated a recommendation for the programming of safety projects in FY 2011. The Safety Committee recommendation not only addresses FY 2011, but also will be helpful in developing a systematic multi-year program for implementing road safety improvements across the MAG region. The MAG Transportation Review Committee recommended approval on August 31, 2010.

Sarath Joshua, MAG Intelligent Transportation Systems and Safety Program Manager, addressed the Committee on this agenda item. Mr. Joshua informed the Committee that the Arizona Department of Transportation (ADOT) receives approximately \$30 million in HSIP funds each year. He reported that in beginning with 2010, ADOT is distributing HSIP funds to the Councils of Governments and Metropolitan Planning Organizations throughout the state. Mr. Joshua noted that the MAG region received \$1 million for FY 2010 in HSIP funds, which was allocated to the quick implementation of projects, such as pedestrian countdown signals, etc. Mr. Joshua stated that the MAG Safety Committee recommended that some of the FY 2011 HSIP funds be used to do road safety assessments. He stated that the Safety Committee and the Transportation Review Committee recommended that for FY 2011, \$800,000 be allocated toward the implementation of

projects, as was done in FY 2010. Mr. Joshua stated that the committees also recommended that \$200,000 of the HSIP funds plus an additional \$200,000 of MAG planning funds be allocated toward road safety assessments to study high risk crash locations throughout the region.

Mr. Smith stated that the bottom line is that MAG has not fared well with safety funding at ADOT. He noted ADOT's concern that the funds are not moved fast enough and the end of the fiscal year approaches and they have a lot of money to spend and the projects are not ready. This agenda item is to get projects ready in order that MAG can compete.

Mr. Joshua explained that 70 percent of the ADOT HSIP funds are awarded across the state competitively using risk as criteria. He added that MAG has not done well in the competition and this item is to position projects in the MAG region in high risk locations by conducting the road safety assessment. Mr. Joshua stated that the MAG region accounts for two-thirds of the crashes and 45 percent of the crash fatalities statewide.

Mr. Cleveland asked for clarification that this was similar to having an environmental assessment ready and when funds become available, the projects can be ready to go. He commented that having the safety crash studies in place allows for proceeding straight to construction as opposed to studying the issue and then securing the funds.

Mr. Smith stated that Mr. Cleveland was exactly right. He added that MAG took its concerns to ADOT and they changed the process. Mr. Smith advised that safety planning cannot be done on a one-year basis – it has to be a multi-year process. Mr. Smith stated that federal safety legislation states that safety has to be looked at quantitatively. He remarked that the MAG region has the accidents, it is just not receiving its fair share of funding, especially on the local systems. Mr. Smith noted that a lot of the funds go toward the state highway system. He added that at one time, this region had the highest pedestrian fatality rate in the nation.

Ms. Robinson commented that it appears the allocations are based on the volume of crashes, not safety, for example, an intersection has 200 crashes per year versus an intersection that has two crashes per year.

Mr. Joshua explained the methodology used by the Safety Committee in the rankings. He said that a list is generated by MAG and is based on a very sound methodology developed by the Wisconsin DOT. Mr. Joshua stated that MAG considers four factors in ranking intersections: Frequency (total number of crashes); Crash severity (number of fatalities and serious injuries); Type of collision; Crash rates (which accounts for volume of traffic that passes through an intersection). Mr. Joshua noted that crash severity is weighted the highest (40 percent) and the others are 20 percent each. He explained that an examination of 17,000 intersections in the region determined the 100 intersections with highest risk, and even though there is not enough money to make improvements to all of the 100 intersections, MAG will work toward solutions with the jurisdictions in which the most severe crash intersections are located. Mr. Joshua added that as part of SAFETEA-LU, ADOT is to provide to the Federal Highway Administration a list of the most dangerous 20 intersections in the state, and he noted that 12 of the 20 are located in the MAG region. He commented that this region has a severe intersection crash problem that might be addressed with the safety funding.

Ms. Robinson said that it appeared the smaller communities will not have the opportunity to use this safety money for improvements unless there are fatalities in every crash.

Mr. Smith said that what he heard was that fatalities receive the highest ranking and fatalities are what the safety funds are trying to reduce. He said that he thought it was better to concentrate on the most dangerous intersections rather than spreading the money around. Mr. Smith stated that MAG has been saying to ADOT that it is spreading the safety funds that should be distributed to other parts of the state.

Mr. Cleveland asked if the project applications are anticipated for the 2012 to 2013 funding cycles. Mr. Joshua replied that the projects being studied in the road safety assessments will be considered for a recommendation by the Safety Committee and will go through the MAG committee process for approval. Once approved, the projects will go through a road safety assessment and those will generate into larger projects which can then compete for the funds statewide.

With no further discussion, Vice Chair Meyer moved to recommend approval of an amendment to the FY 2011 MAG Unified Planning Work Program and Annual Budget to provide \$200,000 of MAG Federal Highway Administration (FHWA) funds and \$200,000 of FHWA Highway Safety Improvement Program (HSIP) funds allocated to MAG by the Arizona Department of Transportation, to perform Road Safety Assessments (RSAs), develop Project Assessments (PAs)/Design Concept Reports (DCRs) for high risk intersections identified through the network screening process based on the Top 100 Intersection List and the state's Top Five Percent Report, and hold a regional workshop on RSAs (in the amount of \$2,000), and to recommend approval of the programming process for the remaining \$800,000 of FY 2011 safety projects for systematic safety improvements involving projects that are classified as Categorical Exclusion Group 1. Mr. Kross seconded, and the motion passed unanimously.

6. Proposal to Advance the Construction for a Portion of the Williams Gateway Freeway

Bob Hazlett, MAG Senior Engineer, stated that the City of Mesa has requested consideration of a proposal to advance the construction for the segment of the Williams Gateway Freeway from the Santan Freeway to Ellsworth Road. Funding for the construction of this segment is programmed in Fiscal Year (FY) 2016 and Mesa is proposing to advance construction to FY 2012. Mr. Hazlett noted that a request to accelerate the design, right of way and construction of this segment was originally approved by MAG in January 2009. Due to a sweep of the funds that had been designated for the interest expense for the accelerated project by the state legislature, in May 2009, MAG approved a request by Mesa to accelerate only the design and right of way and that the funding that has been programmed for the advanced acquisition of right of way in the corridor be used to cover the interest expense associated with the financing necessary to accelerate the design and right of way activity.

Mr. Hazlett stated that the Arizona Department of Transportation (ADOT) is currently acquiring the right of way and is starting the final design for the segment. Mr. Hazlett stated that the City of Mesa proposes using the remaining \$2 million of advance right of way funds for interest expense. The net interest expense after the \$10 million state set aside and any savings from the

original interest expense fund allocation would be divided equally between the Freeway Program and Mesa, as stated in the MAG Highway Acceleration Policy adopted in February 2008.

Mr. Hazlett displayed a chart of the current and proposed financial summary of the cost estimates, interest rates, estimated net interest, available funding, remaining interest expense, Mesa's share of the interest expense and the program's share of the interest expense. He said that the program currently estimates construction costs at \$158.3 million, and the financial analysis for the proposed acceleration includes issuing \$130 million of Highway Project Advancement Notes (HPAN) to support the construction of the project.

Chair Swenson thanked Mr. Hazlett for his presentation and asked if there were questions.

Mr. Smith stated that there might be questions why is this being done now. He explained that due to the pending air quality conformity freeze that would be explained under agenda item #10, it is important the projects are put in the TIP now. He advised that putting projects in the TIP should not be delayed, because if EPA takes action in January 2011, MAG might be unable to amend the TIP at that point.

Chair Swenson asked if an item on this topic should be on the next agenda. Mr. Smith replied that Eileen Yazzie, MAG Transportation Program Manager, would address this later in agenda item #10.

Mr. McClendon referenced the funds originally approved for this project that were swept by the legislature. He asked if the \$10 million noted in the agenda material was a different pot of money.

Scott Butler addressed the question by Mr. McClendon by saying that the funds for this project were originally from the STAN account that subsequently was swept by the Legislature. Mr. Butler explained that just as the City was ready to advance all three phases, the funds for the construction phase were swept, which allowed the City to proceed with the design and right of way only. He stated that in 2009, the legislature created a fund to replenish the STAN funds swept from this project. Mr. Butler stated that the City of Mesa is able to leverage the funds at this time. He advised that with the lower prices of construction and commodities, the engineer's construction estimate that was \$158 million in the TIP is now \$119 million, a savings of nearly \$40 million to the program of building the project now. Mr. Butler stated that the City of Mesa will be issuing HPANs, per state statute, in the amount of \$130 million. He said that this amount will allow for unforeseen changes. Mr. Butler noted that the City of Mesa is taking the risk and will be responsible for the payback. He commented that the City feels this is an opportune time to be building infrastructure.

Mr. McClendon expressed his appreciation for building projects now and agreed that it is an opportune time. He recalled that when the cities of Avondale, Goodyear and Litchfield Park got extra money from the legislature they were roundly criticized and the MAG Regional Council would not let them have the full amount. Mr. McClendon stated that he would support the request but he still remembered that.

Ms. Robinson asked if the Transportation Review Committee had considered this item. Mr. Smith replied that project accelerations traditionally do not go through the Transportation Review Committee.

With no further discussion, Ms. Kraus moved to recommend approval of the Mesa request to advance the construction of an interim connection of the Williams Gateway Freeway between the Santan Freeway and Ellsworth Road by approximately four years, to be incorporated into the MAG FY 2011 to FY 2015 Transportation Improvement Program for FY 2012 and the Regional Transportation Plan 2010 Update for an air quality conformity analysis, and authorize the MAG Executive Director to enter into an agreement with ADOT and Mesa. Mr. Cleveland seconded, and the motion passed unanimously.

7. State of Transit in the Region

Ms. Yazzie gave a presentation on the prioritization guidelines for transit programming. She said that this topic was a two-part report, one this month followed by a second report in October. Ms. Yazzie stated that MAG is tasked with programming federal funds for transit. Ms. Yazzie reported that on July 28, 2010, the MAG Regional Council approved of the Draft FY 2011-2015 MAG TIP and that the programming of preventative maintenance for transit be reviewed for potential amendments/administrative modifications no later than December 2010. She stated that the region has programmed almost \$30 million of federal funds in the FY 2011-2015 TIP for regional preventative maintenance. She said it was done as a placeholder with the understanding that prioritization guidelines for federal funds would be established in the future through the MAG committee process.

Ms. Yazzie explained that regional prioritization guidelines were developed by the Regional Public Transportation Authority (RPTA) in the early 2000s and for the American Recovery and Reinvestment Act (ARRA) unspent funds, however, they are out of date and not applicable at times.

Ms. Yazzie stated that this presentation would provide background information and help gain an understanding of the state of transit in the region and to receive policy direction that will assist in the development of regional prioritization guidelines for programming federal funds. She indicated that this month she would be covering governance and old and new prioritization guidelines.

Ms. Yazzie displayed two charts that listed programming responsibilities for federal funds. She said that fiscal year 2010 was a transition year for transit programming. In the past, the effort was led by RPTA using prioritized guidelines and last year, the responsibility shifted to MAG. Ms. Yazzie noted several sources of transit funding and the agency responsible for programming the funds. She stated that the 5307 fund, which total about \$50 million per year, is the largest source of federal transit funds in the region and it is MAG's responsibility to program the funds in cooperation with the transit operators in the region. The other funds MAG programs are the 5309 funds and Congestion Mitigation and Air Quality funds.

Ms. Yazzie then moved on to Governance. She said that Senate Bill 1063, enacted in April 2010, defines the responsibilities of RPTA and MAG for implementing the public transportation

element of the Regional Transportation Plan, and she noted that MAG must approve substantial changes to the budget that materially affect the corridor performance or change corridor service. Ms. Yazzie stated that a Memorandum of Understanding, signed in April 2010, replaces the 2007 Resolution and sets forth the basic structure for cooperative planning and decision making regarding transit planning and programming between MAG, RPTA, METRO, the City of Phoenix, and all participating local government agencies.

Ms. Yazzie reviewed the old guidelines included in the agenda packet that had been developed by RPTA, and pointed out sections 2.2, 2.6, and 3.3 that relate to preventative maintenance. She noted that in 2002, the decision was made at RPTA to freeze the amount dedicated to preventative maintenance at \$5.6 million, and adjusted for inflation is currently approximately \$6.4 million. Ms. Yazzie commented that it is now a different environment and it is viewed that preventative maintenance can save money.

Ms. Yazzie then addressed Americans with Disabilities Act (ADA) Transit. She said that federal 5307 allows 10 percent of an allocation to be used for ADA Transit support including funding operations and preventative maintenance. Ms. Yazzie stated that this is currently not addressed in programming guidelines.

Ms. Yazzie said that there is no limit to the amount of preventative maintenance that can be funded by 5307 federal funds. Ms. Yazzie noted that the estimated cost of preventative maintenance in the region for 2009 was \$44 million, and she added that 13 percent of 5307 funds went toward preventative maintenance in the region.

Ms. Yazzie displayed a chart of the average cost per mile of fixed routes in fiscal year 2009 when preventative maintenance is funded using three options: with current funding of 13 percent by 5307 funds; with 20 percent funded by 5307 funds, and with 40 percent funded by 5307 funds. She noted that the costs displayed were not actual costs.

Ms. Yazzie stated that modifications to the guidelines could affect the TIP and possibly the Transit Life Cycle Program. She remarked that once the input is received on the prioritization guidelines, they will have to go back and see the impacts. Ms. Yazzie noted upcoming meetings when this topic will be discussed: in September at the Transit Operations Working Group, the Transportation Policy Committee and Regional Council. She noted that the information from Operators Working Group will then be presented at the Transportation Review Committee. In October, the information from the Operators Working Group will be presented at the Transit Committee, the Management Committee, the Transportation Policy Committee, and the Regional Council. Ms. Yazzie noted the possibility of a Transit Stakeholders Working Group.

Chair Swenson thanked Ms. Yazzie for her report and noted that this was on the agenda for information and discussion only. No questions from the Committee were noted.

8. ARRA Local Highway Funds: Project Changes - Amendment to the FY 2011-2015 MAG Transportation Improvement Program

Ms. Yazzie presented the request from the City of Phoenix to move ARRA Local Highway funds from the PHX09-804 project, which will now be funded with local funds, to the PHX09-801

project to increase the project budget and the number of miles of roadway to be repaved. She noted that this request is time sensitive as the Federal Highway Administration stops accepting obligation requests on September 16, 2010, and due to the tight timeframe for ARRA projects, this was the first time this item was being heard.

Ms. Yazzie explained the requested change by saying that the City of Phoenix encountered a construction issue with an ADA project. She stated that \$1.2 million in ARRA funds were originally programmed for this project and the request is to move those funds to a pavement preservation project and to fund the ADA project with local funds. Ms. Yazzie advised that the request complies with the adopted policy for ARRA projects. She added that approval will be considered by the Executive Committee on September 13, 2010.

Chair Swenson thanked Ms. Yazzie for her report. He asked for clarification that this item was being heard for the first time by the Management Committee due to the federal deadline for ARRA funds. Ms. Yazzie replied that was correct.

Mr. Butler moved to recommend approval of an amendment to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update to move \$1,281,693 of ARRA funds to PHX09-801 and increase the project budget accordingly. Ms. Kraus seconded, and the motion passed unanimously.

9. ARRA Transit Funds: Project Changes - Amendment to the FY 2011-2015 MAG Transportation Improvement Program

Ms. Yazzie presented requests for changes to project funded by ARRA Transit funds. She said that the first request is from the City of Scottsdale regarding a Loop 101/Scottsdale park and ride. Ms. Yazzie stated that the City is requesting to move \$5 million of ARRA Transit funds from the construction phase to the design phase.

Ms. Yazzie stated that last week, the Federal Transit Administration deemed three design projects for park and rides led by the City of Mesa (US-60/Country Club, Loop 202/Power Road, and Gilbert Road/McDowell Road) ineligible for federal funding, including ARRA funds. The three projects are MES10-801T, MES10-803T, and MES10-804T with a total of \$1,897,500 in ARRA funds. The City of Mesa is requesting that \$1,771,250 of ARRA Transit funds be programmed for the construction of the Gilbert/L202 park-and-ride, MES10-805T and \$126,250 is programmed for the construction of L202/Power park-and-ride, MES08-801T. The MES10-805T project is currently programmed with \$517,750 of ARRA Transit, \$1,417,000 of federal 5309-rail and fixed guideway modernization (FGM), \$218,471 of regional funds, and \$135,780 of local funds. The funding changes for MES08-801T would decrease the 5309-FGM by \$101,000 from \$1,025,800 to \$924,800 and decrease local funds by \$25,250 from \$256,450 to \$231,200.

Ms. Yazzie stated that on December 9, 2009, the MAG Regional Council approved a set of prioritization guidelines for unspent or redistributed ARRA funds. Following the approved prioritization guidelines coupled with the project status, the unspent \$1,897,500 of ARRA funds would be allocated to the 2.1 priority to increase operating assistance for bus and rail.

Ms. Yazzie stated that the request by the City of Scottsdale presents no technical impacts. She noted that the City of Mesa request also affects the programming for FY 2009 federal transit 5309-FGM funds and MAG would have to reprogram approximately \$1.5 million of 5309-FGM in the next committee cycle. She noted that a recommendation on this item would be presented to the Executive Committee on September 13, 2010.

With no questions presented to Ms. Yazzie, Chair Swenson called for a motion.

Ms. Peters moved to recommend approval of an amendment to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update for the Scottsdale request to move \$183,498 in ARRA funds from a construction project to a design project and to recommend the city of Mesa request to program \$1,771,250 of ARRA transit funds for the construction of the Gilbert/L202 park-and-ride project, MES10-805T, and \$126,250 of ARRA transit funds for the construction of L202/Power park-and-ride, MES08-801T. Vice Chair Meyer seconded, and the motion passed unanimously.

10. Update on Exceptional Events and MAG Five Percent Plan for PM-10

Lindy Bauer, MAG Environmental Director, provided a report on recent events regarding the MAG Five Percent Plan for PM-10 (Plan). She first gave a recap of what has taken place to date. Ms. Bauer stated that MAG submitted the Plan on time to EPA on December 31, 2007. She noted that Maricopa County and the Arizona Department of Environmental Quality (ADEQ) both have air quality monitors, and she added that ADEQ analyzes exceedances that are exceptional events and prepares the documentation so exceptional events will not be counted against the region. Ms. Bauer stated that ADEQ assured MAG 2008 and 2009 had clean data and the exceedances were due to high wind exceptional events.

Ms. Bauer stated that the Environmental Protection Agency (EPA) was late in taking action on the plan and missed the June 2009 deadline. Due the EPA's failure to take action, the Arizona Center for Law in the Public Interest (ACLPI) filed a notice of intent to file a lawsuit against EPA on August 2, 2009. Ms. Bauer noted that after the ALCPI filed the notice of intent, EPA began to review the plan that MAG had submitted in 2007.

Ms. Bauer reported that the ALCPI filed a lawsuit to force EPA to take action on the Plan in December 2009 because the EPA still had not taken action on the Plan. She stated that on May 25, 2010, the EPA came to a meeting in Phoenix and announced nonconcurrency with four high wind exceptional events at the West 43rd Avenue monitor. She advised that the exceedances will count as a violation against the region and EPA indicated they had to do their review of the Plan using its Exceptional Events Rule, which they admitted at the meeting is flawed. Ms. Bauer stated that MAG asked the timing and were told by EPA they could not discuss the issue because they were in confidential negotiations with ACLPI.

Ms. Bauer stated that EPA entered into a proposed consent decree with the ACLPI to propose action on the Plan on September 3, 2010, and finalize action on January 28, 2011. She noted that ADEQ and MAG submitted comments to EPA on their exceptional events technical review document, and she added that on August 27, MAG, ADEQ, Maricopa County, and the Salt River Pima-Maricopa Indian Community also submitted comments on the proposed consent decree

timetable and requested a six month delay on the proposed and final action. Ms. Bauer stated that EPA responded with a letter to ADEQ indicating that the proposed action would occur on September 3, 2010, regardless.

Ms. Bauer stated that ADEQ and MAG submitted additional exceptional event documentation on the exceptional events to EPA on August 27, 2010. She said that on August 30, 2010, the Arizona Congressional Delegation sent a letter to EPA requesting a six month delay, and also had a conference call with EPA on September 2, 2010, to try to get EPA to agree to the six month delay. Ms. Bauer stated that ADEQ and MAG also sent a joint letter to EPA requesting a six month delay. On September 2, 2010, the EPA responded to the Congressional Delegation in a letter indicating that the proposed action will occur on September 3, 2010, and that hopefully, sanctions will not be imposed and work could continue on a limited number of projects while the issues are being resolved.

Ms. Bauer stated that the most recent action took place on September 3, 2010, when EPA proposed to partially disapprove and approve the plan, which has the same consequences as a disapproval. She noted that approvability issues were identified in EPA's 80 page notice. Ms. Bauer advised that the approvability issues did not cause the high wind exceptional events at the West 43rd Avenue monitor.

Ms. Bauer stated that MAG and ADEQ believe that the plan has been effective – there are 53 aggressive control measures in the Plan. Ms. Bauer expressed her appreciation to Maricopa County, the cities, the towns, the state, and all the entities who committed to implementing these measures. She noted that there have been no violations during stagnant conditions at the monitors since the plan was submitted in 2007.

Ms. Bauer continued her report by saying that ADEQ and MAG believe that the region had its first year of clean data in 2008. She commented that EPA disagrees, but has not considered all of the scientific information submitted. Ms. Bauer stated that at risk are \$1.7 billion in FHWA funds in the MAG Transportation Improvement Program (TIP) and the \$7.4 billion TIP itself. She advised that a conformity freeze on the TIP could occur by February 28, 2011. Ms. Bauer explained that the first four years of projects in the TIP could proceed, but no new projects that would need a conformity determination could be added. She gave as an example, the MAG region could not take advantage of new economic stimulus funds if they are provided because no new projects that require a conformity determination could be added to the TIP.

Ms. Bauer then mentioned the analysis done by MAG's Transportation Director, Eric Anderson, that showed \$1.7 billion equates to 61,000 jobs and \$7.4 billion equates to 215,000 jobs. Ms. Bauer remarked that unless the flawed Exceptional Events Rule is fixed, this issue will remain unresolved. She said that MAG cannot control high winds.

Ms. Bauer then reviewed the EPA proposed partial approval and disapproval of the Plan. She indicated that EPA proposed disapproval of the 2005 baseline emissions inventory prepared by Maricopa County. Ms. Bauer explained that the County used a methodology to calculate rule effectiveness, and the EPA disagreed with that methodology. Ms. Bauer stated that the projected inventories prepared by MAG were based on the 2005 inventory. Ms. Bauer stated that EPA indicated that the modeling attainment demonstration done by MAG cannot be approved if there

is no attainment at the monitor. She commented that this is a very important piece and ties to EPA nonconcurrence with the four high wind exceptional events.

Mr. Smith asked Ms. Bauer to explain the County's preparation of the 2005 baseline emissions inventory. Ms. Bauer stated that Maricopa County prepares the baseline emissions inventory which includes the sources and the percent contribution coming from those sources. She stated that the County also prepares a rule effectiveness study and the County determines the effectiveness of the rules. Ms. Bauer noted that this is very important because it is used to determine the emissions coming from sources for the inventory. She continued by saying that the County did its analysis based on EPA guidance, but the EPA says it has new guidance and disagrees with the County's calculations.

Mr. Smith stated it was not clear that the new guidance EPA gave to the County was required. Ms. Bauer stated that it appeared to be more permissive according to County staff, and they used the guidance they were familiar with and that they had used in the past.

Ms. Bauer stated that with the modeling attainment demonstration, EPA had issues with the measure assumptions MAG used based on increased compliance. She said that the EPA indicated that the five percent reduction in emissions calculation was based on the 2005 inventory and did not provide for reductions after 2010 since the Plan demonstrated attainment by December 31, 2010. Ms. Bauer stated that EPA said it should have gone past 2010, until attainment is demonstrated.

Ms. Bauer displayed a chart of the role of the 2005 emissions inventory on the Plan.

Mr. Smith stated that the emissions inventory can be fixed, but the West 43rd Avenue monitor will still go off. He said that the point staff has been trying to make to EPA is to stop doing the planning exercise and address the West 43rd Avenue monitor. Mr. Smith stated that staff think that the problem is high winds. He stated that EPA has now shifted gears to focus toward a planning exercise. Mr. Smith stated that staff believe the monitor report was clean, but the exceptional event rule has not been fixed.

Ms. Bauer continued the review of the EPA proposed partial approval and disapproval of the Plan. She said that reasonable further progress and milestone demonstrations cannot be approved since the area cannot attain the standard by 2010. She noted that this is tied to the EPA nonconcurrence with exceptional events. In addition, EPA says contingency measures are not extra measures because the region cannot attain the standard by 2010. She explained that the contingency measures were designed for early implementation at the same time as the regular Plan measures in order to achieve the extra benefits simultaneously. Ms. Bauer stated that the EPA pointed out the benefits were based on the inaccurate 2005 emissions inventory, and disagreed with the assumptions MAG made on the measures, criticized local resolutions conditioned with good faith efforts and funding availability. Ms. Bauer noted that the language used in the resolutions has been in place since 1987. Ms. Bauer stated that EPA had issues with measures that required further regulatory actions, measures not fully implemented yet, and ordinances submitted by ADEQ as supplemental information rather than as a SIP revision. Ms. Bauer stated that EPA also proposed disapproval of the 2010 Motor Vehicle Emissions Budget for conformity.

Ms. Bauer stated that EPA proposed approval of 20 measures in the Plan mandated by Senate Bill 1552. She added that EPA also proposed approval of the Agricultural Best Management Practices Guidance Booklet and Pocket Guide.

Ms. Bauer stated that the EPA proposed limited approval and disapproval of agricultural regulations. The agricultural rules strengthen the SIP but do not meet the requirements for enforceable Best Available Control Measures. The EPA also pointed out that the Agricultural general permit rule needs to be revised.

Ms. Bauer then addressed the consequences of Plan disapproval. She advised that a conformity freeze would occur 30 days after final disapproval is published in the Federal Register, then only projects in first four years of the conforming TIP and Regional Transportation Plan (RTP) can proceed. No new TIPs, RTPs or projects until a Five Percent Plan revision is submitted that fulfills the Clean Air Act requirements, EPA finds the conformity budget adequate or EPA approves the submission, and conformity to the plan revision is determined. Ms. Bauer stated that the Clean Air Act sanctions would be imposed if the problem is not corrected within 18 months from disapproval action would result in tighter controls on major industries, and if not corrected within 24 months after disapproval action could be the loss of federal highway funds. Ms. Bauer advised that the imposition of highway sanctions may trigger a conformity lapse and major projects in the \$7.4 billion TIP could not proceed.

Ms. Bauer said that a new emissions inventory was completed by the County on June 30, 2010. EPA indicated to her that the inventory appears to agree with their guidance. She stated that MAG will need to complete a Best Available Control Measure Analysis and look at measures from other serious PM-10 areas that have been approved and compare MAG's Plan to those measures. Ms. Bauer stated that MAG may need to add more measures to reduce emissions by five percent per year until attainment, as measured at the monitors.

Mr. Smith stated that the problem is with the West 43rd Avenue monitor. He advised that a measure must be applied regionwide, which means that Chandler or Queen Creek must implement the measure, and this is why this does not make sense. Mr. Smith remarked that this is why MAG keeps focusing on the West 43rd Avenue monitor. He added that unless the exceptional events rule is fixed MAG will be back at the same place in a couple of years.

Ms. Bauer stated that MAG will need to revise the modeling in the Plan. She noted that staff will be working with the County on the 2008 emissions inventory. Ms. Bauer commented that there are new categories and staff will see how they stack up against the emissions inventory. She stated that ADEQ will be working with the Agricultural Best Measures Committee to resolve agricultural BACM and enforcement issues. Ms. Bauer noted that three years of clean data at all PM-10 monitors will be needed in order for EPA to say the region has met the standard for attainment. She advised that staff is working as fast as possible to address the approvability issues. It was noted that there has been rain and water released into the river in 2010 and there were no violations at any of the monitors in 2010.

Ms. Yazzie continued the presentation and gave an overview of the impact of disapproval of the Plan would have on transportation programming, specifically the TIP. She noted that the TIP and

RTP were recently approved for conformity by the Federal Highway Administration and the Federal Transit Administration.

Ms. Yazzie stated that a conformity freeze would focus on regionally significant projects, regardless of funding source, and transportation projects that are part of the one-mile grid, transit included. She advised that it applies to any project that is included transportation model, and projects programmed with federal funds. Ms. Yazzie noted that EPA's proposed timeframe is January 28, 2011 for final action.

Ms. Yazzie then covered what would not be allowed in a conformity freeze: no new TIP reports; no new projects can be added to the TIP that affect conformity; no new construction projects, no amendments to projects that trigger conformity determination, such as scope changes or location changes. Ms. Yazzie mentioned that MAG was not planning to do a TIP report, anyway, since the 2011 TIP had just been approved.

Ms. Yazzie then addressed what could proceed in a conformity freeze: projects in the first four years of the TIP (approximately 600 to 700 projects); exempt projects; and new exempt projects, such as safety, repavement, mass transit, operations, bicycle and pedestrian, planning, and design work. Ms. Yazzie noted material entitled "Exempt Projects" had been provided at each place. She advised that some administrative modifications to the TIP, such as funding amounts, advancements, deferments, or descriptions, could still proceed.

Ms. Yazzie stated that with a conformity freeze a possibility, the transportation programming goal is to ensure that the FY 2011- 2015 MAG TIP and 2010 RTP report the current status of regionally significant projects and to make necessary project changes prior to January 28, 2011. Ms. Yazzie stated that the Transportation Review Committee will be working on project changes at its September 23 meeting and she requested that any changes be submitted to MAG by September 13, 2010. Ms. Yazzie stated that in October, the Management Committee, Transportation Policy Committee, and Regional Council will consider the project changes to amend or administratively modify the current TIP, RTP, and Arterial Life Cycle Program. She advised that MAG needs to know of any project changes by the end of November at the very latest in order to meet the December timeframe.

Ms. Yazzie commended member agency staff who worked very hard to get all the projects in the TIP and ensure that the scheduling and funding are accurate. She added that MAG staff will be preparing a frequently asked questions sheet and sending it out next week.

Chair Swenson thanked Ms. Bauer and Ms. Yazzie for their detailed reports and the Committee for their indulgence because this has taken some time today. He said there is probably nothing more important facing the region than resolving this issue and being prepared to move through the challenges being presented. Chair Swenson asked members if they had questions.

Mr. Cleveland asked Ms. Bauer if there had been any indication of the speed with which EPA will provide approval or disapproval. He mentioned how the ACLPI forced the EPA to take action by filing a lawsuit. Mr. Cleveland stated that if the EPA had answered the question at the very beginning whether the model was correct, the assumptions would have been very different, rather than waiting 18 months. He said that after serving as Chair of the Air Quality Committee for

seven years, and Mr. Kross also serving as Chair, if the process is flawed, the parties need to get into the same room and agree on the basics. Mr. Cleveland stated that the EPA appears to indicate the next process will be all right the model, but what is to say it will not be year two at the end of the process and things are expiring and the process will be repeated. He said that his question is whether there has been a conversation with EPA as to when they will give MAG incremental and final decisions if the plan meets the test.

Ms. Bauer replied that EPA had not given that type of indication, only when they expect to go forward with the final disapproval. She said that on September 2, in the letter to the Congressional Delegation, EPA indicated it could not take action on a revised Plan before January 28, 2011. Ms. Bauer stated that staff is currently assessing the damage and figuring out how fast the issue can be resolved. She noted that Maricopa County submitted its periodic emissions inventory in May or June 2007 to EPA, who has waited until now for communication.

Mr. Smith stated that the whole structure needs examination. He said that all of the western states feed their exceptional events to one person in San Francisco, and there is no wonder why EPA is late. In addition, EPA changed this staff person with whom ADEQ was used to working. Mr. Smith commented that it seems a structural change is needed to allow states who say these exceptional events are clean to prevail. He stated that MAG has a certified transportation planning process and he suggested having an exceptional events certification process for states. Mr. Smith stated that all of the exceptional events cannot be submitted through a tiny funnel and expect a timely response.

Mr. Cleveland asked if there had been discussion with EPA to take EPA funding, some demonstration funding, or other funding, and doing something to eliminate the conditions at the West 43rd Avenue monitor that include a dry riverbed with silty materials that are picked up when the wind comes. Mr. Cleveland stated that the strategy of the Rio Salado extension could be implemented, or you could take \$1 billion of asphalt and pave the area to eliminate the movement of soil. He commented that he thought a conversation with EPA was needed to determine the alternatives for a natural condition of a riverbed. Mr. Cleveland suggested extending the Tempe Town Lake so all of the rivercourse is in a natural condition of water.

Ms. Peters stated that changing the land use in the vicinity of the West 43rd Avenue monitor has been discussed. She said Phoenix with the Army Corps of Engineers has an ongoing project in the area which extends to 83rd Avenue that is just in the preliminary design phase. Ms. Peters stated that the project has the potential to change conditions there, but also the surrounding land use which in part is contributing to some of the problems. She expressed that she believed the problem is not in our control, but is due to natural conditions and wind.

Chair Swenson stated that updates on the Plan issues will be provided at future meetings.

11. Sustainable Communities Regional Planning Grant Program

Due to time constraints, this agenda item was not heard.

12. Request for Future Agenda Items

Topics or issues of interest that the Management Committee would like to have considered for discussion at a future meeting will be requested.

No requests from the Committee were noted.

13. Comments from the Committee

An opportunity will be provided for Management Committee members to present a brief summary of current events. The Management Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

No comments from the Committee were noted.

Adjournment

With no further business, Mr. Crossman moved, Mr. Boggs seconded, and the motion passed to adjourn the meeting at 1:30 p.m.

---

Chair

---

Secretary

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY... for your review**

**DATE:**

October 5, 2010

**SUBJECT:**

ADOT Red Letter Process

**SUMMARY:**

The Regional Council approved the Red Letter Process in 1996 to provide early notification of potential development in planned freeway alignments. Development activities include actions on plans, zoning, and permits. Key elements of the process include:

*Notifications:*

- ADOT will periodically forward Red Letter notifications to MAG.
- Notifications will be placed on the consent agenda for information and discussion at the Transportation Review Committee, Management Committee, and Regional Council meetings.
- If a member wishes to take action on a notification, the item can be removed from the consent agenda for further discussion. The item could then be placed on the agenda of a subsequent meeting for action.

*Advance acquisitions:*

- ADOT is authorized to proceed with advance right-of-way acquisitions up to \$2 million per year in funded corridors.
- Any change in the budgets for advance right-of-way acquisitions constitutes a material cost change as well as a change in freeway priorities and therefore, would have to be reviewed by MAG and would require Regional Council action.
- With the passage of Proposition 400 on November 2, 2004, the Regional Transportation Plan (RTP) includes funding for right-of-way acquisition as part of the funding for individual highway projects. This funding is spread over the four phases of the Plan. Funding for advance acquisitions may be made available on a case-by-case basis.

For information, the ADOT Advance Acquisition policy allows the expenditure of funds to obtain right-of-way where needed to address hardship cases (residential only), forestall development (typical Red Letter case), respond to advantageous offers or, with remaining funds, acquire properties in the construction sequence for which right-of-way acquisition has not already been funded.

In addition to forestalling development within freeway corridors, ADOT, under the Red Letter Process, works with developers on projects adjacent to or close to existing and proposed routes that may have a potential impact on drainage, noise mitigation, and/or access. For this purpose, ADOT needs to be informed of all zoning and development activity within one-half mile of any existing and planned facility. Without ADOT input on development plans adjacent to or near existing and planned facilities, there is a potential for increased costs to the local jurisdiction, the region and/or ADOT.

ADOT has forwarded a list of notifications from January 1, 2010, to June 30, 2010. Of the 47 notices received, five had an impact to the State Highway System.

**PUBLIC INPUT:**

None.

**PROS & CONS:**

PROS: Notification can lead to action to forestall development activity in freeway corridors and help minimize costs as well as ensure eventual completion of the facility.

CONS: By utilizing funds for advance purchase of right-of-way, these funds are not available for other uses such as design and construction.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: Unless precluded early in the process, development within freeway alignments will result in increased right-of-way costs in the future.

POLICY: With the passage of Proposition 400 on November 2, 2004, the RTP includes funding for right-of-way acquisition as part of the funding for individual highway projects. This funding is spread over the four phases of the Plan. Funding for advance acquisitions may be made available on a case-by-case basis.

**ACTION NEEDED:**

Information and discussion.

**PRIOR COMMITTEE ACTIONS:**

Transportation Review Committee: This item was on the September 23, 2010, agenda for information and discussion.

MEMBERS ATTENDING

- Peoria: David Moody
- ADOT: Steve Hull for Floyd Roehrich
- Avondale: David Fitzhugh
- # Buckeye: Scott Lowe
- Chandler: RJ Zeder for Patrice Kraus
- El Mirage: Jorge Gastelum for Lance Calvert
- Fountain Hills: Randy Harrel
- Gila Bend: Eric Fitzer
- Gila River: Sreedevi Samudrala for Doug Torres
- \* Gilbert: Tami Ryall
- Glendale: Terry Johnson
- \* Goodyear: Cato Esquivel
- # Guadalupe: Gino Turrubiarates

- Litchfield Park: Paul Ward for Woody Scoutten
- Maricopa County: Mike Sabatini for John Hauskins
- Mesa: Jeff Martin for Scott Butler
- \* Paradise Valley: Bill Mead
- Phoenix: Rick Naimark
- # Queen Creek: Wendy Kaserman for Tom Condit
- RPTA: Bryan Jungwirth
- Scottsdale: Dave Meinhart
- Surprise: Bob Beckley
- Tempe: Robert Yabes for Chris Salomone
- Valley Metro Rail: John Farry
- Wickenburg: Rick Austin
- Youngtown: Mark Hannah for Lloyce Robinson

EX-OFFICIO MEMBERS ATTENDING

- Street Committee: Dan Cook
- \* ITS Committee: Nicolaas Swart

- \* Bicycle/Pedestrian Committee: Peggy Rubach
- \* Transportation Safety Committee: Julian Dresang

\* Members neither present nor represented by proxy.  
# - Attended by Audioconference

+ - Attended by Videoconference

**CONTACT PERSON:**

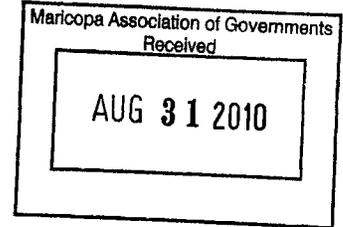
Eric Anderson, MAG, (602) 254-6300, or John Eckhardt III, ADOT, (602) 712-7900.



**Arizona Department of Transportation**  
**Intermodal Transportation Division**  
 206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Floyd Roehrich Jr.  
*State Engineer*

August 26, 2010



Mr. Dennis Smith  
 Executive Director  
 Maricopa Association of Governments  
 302 North First Avenue, Suite 300  
 Phoenix, Arizona 85003

Re: Red Letter Report - Notices from January 1, 2010 to June 30, 2010

Dear Mr. Smith:

The Red Letter process is notification by local Public Agencies to ADOT of potential development plans within a quarter mile of established or proposed project corridors. Receipt of early notification in the planning and design process helps to reduce costs, saving money for both ADOT and tax payers. This update is provided for information on the number of notices received within the stated period of time.

Below is the list of "Red Letter" notices received by the ADOT Right of Way Project Management Section from the period of January 1, 2010 to June 30, 2010. During this period, our office received notices from Local Municipalities as well as various Developers, Architects, Engineers and Attorneys.

<u>LOCAL MUNICIPALITIES</u>	<u>NOTICES RECEIVED</u>	<u>IMPACT RESPONSES</u>
Arizona State Land Dept.	02	00
City of Avondale	01	00
Town of Buckeye	02	00
City of Chandler	00	00
Town of Gilbert	03	00
City of Glendale	00	00
City of Goodyear	07	01
Maricopa County	08	01
City of Mesa	00	00
City of Peoria	00	00
City of Phoenix	03	01
City of Surprise	15	01
City of Tempe	00	00
Other	<u>06</u>	<u>01</u>
<b>Total Received</b>	<b>47</b>	<b>05</b>

**MARICOPA ASSOCIATION OF GOVERNMENTS REPORT OF IMPACT RESPONSES**

**ARIZONA STATE LAND DEPARTMENT: No impact responses sent.**

**CITY OF AVONDALE: No impact responses sent.**

**TOWN OF BUCKEYE: No impact responses sent.**

**CITY OF CHANDLER: No impact responses sent.**

**TOWN OF GILBERT: No impact responses sent.**

**CITY OF GLENDALE: No impact responses sent.**

**CITY OF GOODYEAR:**

**July 2, 2010 – New Galvanizing Processing Plant – Site Plan**

**This proposed site plan may impact our proposed SR 801 highway facility. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

**MARICOPA COUNTY:**

**February 18, 2010 – Calderwood Onsite Storage – Special Use Permit**

**This proposed site plan may impact our proposed SR 801 highway facility. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

**CITY OF MESA: No impact responses sent.**

**CITY OF PEORIA: No impact responses sent.**

**CITY OF PHOENIX:**

**July 2, 2010 – Estrella Vista Commerce Park – Site Plan**

**This proposed site plan may impact our highway facility located on the SEC of 67<sup>th</sup> Ave. and the I-10 freeway. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Reggie Rector.**

**CITY OF SURPRISE:**

**March 16, 2010 – Albertson’s – Advertising Sign**

**This proposed advertising sign may impact our highway facility located on the NWC of Grand Ave. and Reems Rd. The advertising sign must be installed outside of ADOT Right of Way. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

**CITY OF TEMPE: No impact responses sent.**

**OTHER:**

**July 2, 2010 – Beus Gilbert, PLLC – Zoning Change/Site Plan Amendment**

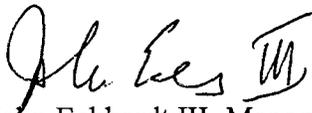
**This change may impact the Santan Freeway, L202. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

The Arizona Department of Transportation expends several resources to research future developments and plans adjacent to the state highway system, to ensure ADOT’s Right of Way is not adversely impacted or jeopardized. Other notices received typically include road access, zoning changes, outdoor advertising, and annexations.

The Department appreciates the cooperation of the Maricopa Association of Government’s members and looks forward to your continued support as we maintain and strive to improve all lines of communication.

Please feel free to contact my office should you have any questions. I can be reached at (602) 712-7900, or by email at [JEckhardt@azdot.gov](mailto:JEckhardt@azdot.gov) .

Sincerely,



John Eckhardt III, Manager  
Right of Way Project Management

cc: John S. Halikowski, Director, ADOT  
Sabra Mousavi, Chief Right of Way Agent

# MARICOPA ASSOCIATION OF GOVERNMENTS INFORMATION SUMMARY... for your review

**~REVISED~**

**DATE:**

October 8, 2010

**SUBJECT:**

Project Changes – Amendments and Administrative Modifications to the FY 2011-2015 MAG Transportation Improvement Program

**SUMMARY:**

The fiscal year (FY) 2011-2015 Transportation Improvement Program (TIP) and Regional Transportation Plan 2010 Update were approved by the MAG Regional Council on July 28, 2010. Since that time, there have been requests from member agencies to modify projects in the program.

The proposed amendments and administrative modifications to the FY 2011-2015 TIP are listed in the attached table. The Arizona Department of Transportation (ADOT) is requesting a modification to the SRL303 project to split the utility relocation projects out to individual ones, a revised scope for the South Mountain Environmental Impact Statement (EIS) project, and a new pavement preservation project. There are four new Safe Routes to Schools program funded projects; this process is managed by ADOT with input provided by MAG. Wickenburg is requesting to move their STP-TEA funded project from 2010 to 2011, and two new transit projects need to be added to the TIP since they received federal money through a competitive grant application.

In addition, there are four Congestion Mitigation Air Quality (CMAQ) funded projects that requested changes. Surprise requested a location change for a 2012 pave dirt road project due to right of way issues, Maricopa County requested a location, scope, and local cost change for a 2011 ITS project, and Surprise is requesting location, scope, and local funding amount changes to two Intelligent Transportation Systems (ITS) projects in 2012 and 2013. Each of the projects were heard and voted on at their technical advisory committee as noted below.

Since the mailout of the Management Committee agenda, MAG Staff found an administrative error related to two Cave Creek projects, and a time sensitive request was received from Litchfield Park. MAG Staff received a formal request to defer two CMAQ funded projects on May 11, 2010. These requests should have been included in Closeout, but were not. In order for the project to proceed, as requested, a need to defer the projects to 2011 and 2012 is needed. Litchfield Park is requesting a deferral of a CMAQ project as well. They just missed the obligation deadlines for federal FY2010, and in order for the project to obligate in December, it needs to be listed in current MAG TIP for 2011. These will be heard for the first time at the Management Committee.

All of the projects to be amended may be categorized as exempt from conformity determinations and an administrative modification does not require a conformity determination.

**PUBLIC INPUT:**

None.

**PROS & CONS:**

PROS: Approval of this TIP amendment and administrative modification will allow the projects to proceed in a timely manner.

CONS: None.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: Projects that wish to utilize transportation federal funds need to be shown in the TIP in the year that they expect to commence and may need to undergo an air quality conformity analysis or consultation.

POLICY: This amendment and administrative modification request is in accord with MAG guidelines.

**ACTION NEEDED:**

Recommend approval of amendments and administrative modifications to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update.

**PRIOR COMMITTEE ACTIONS:**

Transportation Review Committee: On September 23, 2010, the Transportation Review Committee recommended approval of the amendments and administrative modifications to the FY 2011-2015 MAG TIP, and as appropriate, to the RTP 2010 Update.

MEMBERS ATTENDING

- Peoria: David Moody
- ADOT: Steve Hull for Floyd Roehrich
- Avondale: David Fitzhugh
- # Buckeye: Scott Lowe
- Chandler: RJ Zeder for Patrice Kraus
- El Mirage: Jorge Gastelum for Lance Calvert
- Fountain Hills: Randy Harrel
- Gila Bend: Eric Fitzer
- Gila River: Sreedevi Samudrala for Doug Torres
- \* Gilbert: Tami Ryall
- Glendale: Terry Johnson
- \* Goodyear: Cato Esquivel
- # Guadalupe: Gino Turrubiarres
- Litchfield Park: Paul Ward for Woody Scoutten

- Maricopa County: Mike Sabatini for John Hauskins
- Mesa: Jeff Martin for Scott Butler
- \* Paradise Valley: Bill Mead
- Phoenix: Rick Naimark
- # Queen Creek: Wendy Kaserman for Tom Condit
- RPTA: Bryan Jungwirth
- Scottsdale: Dave Meinhart
- Surprise: Bob Beckley
- Tempe: Robert Yabes for Chris Salomone
- Valley Metro Rail: John Farry
- Wickenburg: Rick Austin
- Youngtown: Mark Hannah for Lloyce Robinson

EX-OFFICIO MEMBERS ATTENDING

- Street Committee: Dan Cook
- \* ITS Committee: Nicolaas Swart
- \* Bicycle/Pedestrian Committee: Peggy Rubach

- \* Transportation Safety Committee: Julian Dresang

\* Members neither present nor represented by proxy.      + - Attended by Videoconference  
# - Attended by Audioconference

MAG Intelligent Transportation Systems Committee: On September 1, 2010, the MAG Intelligent Transportation Systems Committee unanimously recommended approval of the requested scope change of the MMA11-723, SUR12-818, and SUR13-901 projects.

MEMBERS ATTENDING

- Reza Karimvand, ADOT
- # Soyoung Ahn, ASU
- Margaret Boone-Pixley for Bennie Robinson, Avondale
- Paul Ward for Thomas Chlebanowski, Buckeye
- Mike Mah, Chandler
- \* Lt. Jenna Mitchell, DPS
- Jorge Gastelum, El Mirage
- \* Jennifer Brown, FHWA
- Kurt Sharp, Gilbert
- Avery Rhodes for Debbie Albert, Glendale

- Luke Albert, Goodyear
- Faisal Saleem for Nicolaas Swart, Maricopa County
- Derrick Bailey, Mesa
- Ron Amaya, Peoria
- Marshall Riegel, Phoenix
- Bob Ciotti, Phoenix Public Transit
- # Bill Birdwell, Queen Creek
- # Bruce Dressel, Scottsdale
- Nicholas Mascia, Surprise
- Cathy Hollow, Tempe
- # Arkady Bernshteyn, Valley Metro Rail

- \* Not present
- # Attended via teleconference

MAG Air Quality Technical Advisory Committee : On July 28, 2010, the Air Quality Technical Advisory Committee recommended approval of the City of Surprise request to change the project location for SUR12-801, to Dove Valley Road: 187<sup>th</sup> Avenue to 203<sup>rd</sup> Avenue and forward the recommendation to the MAG Transportation Review Committee.

MEMBERS ATTENDING

- Doug Kukino, Glendale, Chairman
- Gaye Knight, Phoenix, Vice Chair
- Paul Lopez for Sue McDermott, Avondale
- # Elizabeth Biggins-Ramer, Buckeye
- # Jim Weiss, Chandler
- # Jamie McCullough, El Mirage
- Kurt Sharp for Tami Ryall, Gilbert
- \* Cato Esquivel, Goodyear
- Greg Edwards for Scott Bouchie, Mesa
- William Mattingly, Peoria
- Larry Person, Scottsdale
- Antonio DeLaCruz, Surprise
- Oddvar Tveit, Tempe
- \* Mark Hannah, Youngtown
- Ramona Simpson, Queen Creek
- \* American Lung Association of Arizona
- # Wendy Crites for Grant Smedley, Salt River Project
- Brian O'Donnell, Southwest Gas Corporation
- \* Mark Hajduk, Arizona Public Service Co.
- # Gina Grey, Western States Petroleum Assn.
- \* Valley Metro/RPTA
- Dave Berry, Arizona Motor Transport Assn.
- Jeannette Fish, Maricopa County Farm Bureau

- \* Russell Bowers, Arizona Rock Products Assn.
- \* Greater Phoenix Chamber of Commerce
- # Amanda McGennis, Associated General Contractors
- \* Spencer Kamps, Homebuilders Association of Central Arizona
- # Mannie Carpenter, Valley Forward
- Erin Taylor, University of Arizona Cooperative Extension
- Beverly Chenausky, Arizona Department of Transportation
- Diane Arnst, Arizona Department of Environmental Quality
- \* Environmental Protection Agency
- Bob Downing for Jo Crumbaker, Maricopa County Air Quality Department
- Duane Yantorno, Arizona Department of Weights and Measures
- \* Ed Stillings, Federal Highway Administration
- \* Judi Nelson, Arizona State University
- Christopher Horan, Salt River Pima-Maricopa Indian Community

- \*Members neither present nor represented by proxy.
- #Participated via telephone conference call.
- +Participated via video conference call.

**CONTACT PERSON:**

Eileen O. Yazzie, Transportation Programming Manager, (602) 254-6300.

## Request for Project Change - 2011-2015 MAG Transportation Improvement Program

Oct-10

## Highway Projects

TIP #	Agency	Project Location	Project Description	FY	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
DOT11-829	ADOT	SR303L: I-10/303 Interchange, Phase 1	Construct traffic interchange (Phase 1, I-10 realignment)	2011		RARF			\$ 232,200,000	\$ 232,200,000	Amend: Decrease construction budget by \$18,800,000. Proposed construction cost is now \$232,200,000. It was previously \$253,000,000 (\$251M for construction and \$2M for utility relocation). Decreased amount will be used to fund utility relocation projects (Thomas - Camelback, Camelback - Glendale and Glendale - Peoria).
DOT11-120	ADOT	SR303L: Thomas Rd - Camelback Rd	Utility relocation	2011		RARF			\$ 1,500,000	\$ 1,500,000	Amend: Add a new "Utility relocation" project in fiscal year 2011 for \$1,500,000.
DOT11-121	ADOT	SR303L: Camelback Rd - Glendale Ave	Utility relocation	2011		RARF			\$ 8,000,000	\$ 8,000,000	Amend: Add a new "Utility relocation" project in fiscal year 2011 for \$8,000,000.
DOT11-122	ADOT	SR303L: Glendale Ave - Peoria Ave	Utility relocation	2011		RARF			\$ 9,300,000	\$ 9,300,000	Amend: Add a new "Utility relocation" project in fiscal year 2011 for \$9,300,000.
DOT09-908	ADOT	L202 South Mountain: I-10 East - I-10 West	Prepare EIS for eight lanes of new freeway	2011	22.0		\$ -	\$ -	\$ -	\$ -	Admin Mod: Change South Mountain EIS study from 10 lanes to 8 lanes of freeway
DOT11-123	ADOT	US60 (Grand Ave): Dysart Rd - Agua Fria River, EB Frontage Road	Pavement preservation (apply micro seal)	2011	2.6	STP-AZ	\$ 29,925	\$ 495,075		\$ 525,000	Amend: Add a new pavement preservation project in fiscal year 2011 for \$525,000.
CVK07-601D	Cave Creek	Townwide	Pave dirt roads program - Design	2011	0.5	CMAQ	\$ 4,845	\$ 80,155		\$ 85,000	Admin Mod: Defer design phase from FY 2010 to 2011. MAG Staff clerical error: Request was made by the Town in May 2010
CVK07-601C	Cave Creek	Townwide	Pave dirt roads program - Construct	2012	0.5	CMAQ	\$ 10,155	\$ 169,845		\$ 180,000	Admin Mod: Defer construction phase from FY 2010 to 2012. MAG Staff clerical error: Request was made by the Town in May 2010
GLB11-104	Gilbert	Gilbert Schools	Crossings and sidewalk safety improvement	2011		SRTS		\$ 300,000		\$ 300,000	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$300,000. Project funded 100% with SRTS funds.
LPK05-101C	Litchfield Park	Litchfield Rd at Wigwam Blvd	Construct Multi-Use Underpass	2011	0.2	CMAQ	\$ 253,850	\$ 1,686,420	\$ -	\$ 1,940,270	Admin Mod: Defer construction phase from FY 2010 to 2011

TIP #	Agency	Project Location	Project Description	FY	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
MMA11-723	Maricopa County	Bell Rd:115th Ave to 55th Ave	Construct Dynamic Message Signs, CCTV camera fibre optic conduit and cable	2011	7.5	CMAQ	\$ 163,800	\$ 382,200		\$ 546,000	Amend: Change location from Bell Rd: Loop 303 (Estrella Fwy) to 75th Ave to 115th Avenue to 55th Avenue, and change scopes from Dynamic Message Signs to two (2) CCTV cameras, and change local cost from \$456,670 to \$163,800.
MES11-110	Mesa	Porter Park Pathway: Mesa Drive and 8th Street near the vicinity of Kino Junior High	Design paved share use path	2011	1.1	SRTS	\$ -	\$ 150,000	\$ -	\$ 150,000	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$150,000. Project funded 100% with SRTS funds.
MES11-111	Mesa	Porter Park Pathway: Mesa Drive and 8th Street near the vicinity of Kino Junior High	Construct paved share use path	2012	1.1	SRTS	\$ -	\$ 150,000	\$ -	\$ 150,000	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$150,000. Project funded 100% with SRTS funds.
PHX11-112	Phoenix	Mitchell Elementary School	Construct sidewalks	2011		SRTS		\$ 300,000		\$ 300,000	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$300,000. Project funded 100% with SRTS funds.
PHX11-111	Phoenix	Wilson School District	Construct sidewalks	2011		SRTS		\$ 298,724		\$ 298,724	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$298,724. Project funded 100% with SRTS funds.
SUR12-801	Surprise	Dove Valley Rd: 187th Ave to 203rd Ave	Pave Unpaved Road	2012		CMAQ	\$ 68,200	\$ 956,800		\$ 1,025,000	Amend: Change project location from Dove Valley Rd: 163rd Ave to 179th Ave to Dove Valley Rd: 187th Ave to 203rd Ave due to right of way issues
SUR12-818	Surprise	Bell Rd: Loop 303 (Estrella Fwy) to Beardsley Canal (185th Ave)	Construct fiber optic interconnect to connect TI traffic signals, CCTV cameras, dynamic message signs, and connection to ITS fiber backbone	2012	3	CMAQ	\$ 426,950	\$ 996,217		\$ 1,423,167	Amend: Shorten project length from Bell Rd: Loop 303 (Estrella Fwy) to Jackrabbit Trl (195th Ave) to Bell Rd: Loop 303 (Estrella Fwy) to Beardsley Canal (185th Ave), modify scope to include 2 DMSs and connectivity to the project, and reduce Local costs from \$1,203,783 to \$426,950.
SUR13-901	Surprise	Loop 303: Peoria Ave to Bell Rd	Construct fiber optic interconnect to connect TI traffic signals, CCTV cameras, dynamic message signs, and connection to ITS fiber backbone	2013	4	CMAQ	\$ 322,901	\$ 753,437		\$ 1,076,338	Amend: Change location from Cotton Lane to L303, modify scope for further connectivity, and reduce local funding from \$1,500,000 to \$322,901
WKN10-801	Wickenburg	US93 Bypass at Hassayampa River	Construct Wickenburg Pedestrian and Bicycle Bridge	2011	0.09	STP-TEA	\$59,397	\$483,279	\$ -	\$ 542,676	Admin Mod: Defer STP-TEA project from 2010 to 2011
LPK05-101C	Litchfield Park	Litchfield Rd at Wigwam Blvd	Construct Multi-Use Underpass	2011	0.2	CMAQ	\$ 253,850	\$ 1,686,420	\$ -	\$ 1,940,270	Admin Mod: Defer construction phase from FY 2010 to 2011

TIP #	Agency	Project Location	Project Description	FY	Length	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
Transit Proejcts											
TIP #	Agency	Project Location	Project Description	Fiscal Year	ALI	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change
PHX11-105T	Phoenix	11th St from Washington to Moreland	11th Street Pedestrian Improvement Project Construction ( Funding is from FY2010)	2011	11.33.20	5309-Disc	\$ 525,000	\$ 2,100,000		\$ 2,625,000	Amend: Add project to TIP
PHX11-106T	Phoenix	11th St from Washington to Moreland	11th Street Pedestrian Improvement Project Contract Administration ( Funding is from FY2010)	2011	11.71.04	5309-Disc	\$ 75,000	\$ 300,000		\$ 375,000	Amend: Add project to TIP

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY... for your review**

**DATE:**

October 5, 2010

**SUBJECT:**

Recommendation of Road Safety Improvement Projects for Possible Federal Highway Safety Improvement Program

**SUMMARY:**

The Highway Safety Improvement Program (HSIP) is a new core program that was introduced through SAFETEA-LU and specifically focused on improving road safety. The Arizona Department of Transportation (ADOT) receives nearly \$30 million in federal HSIP funds each fiscal year. ADOT has divided these funds into three parts. (1) A total of 20 percent of all HSIP funds available each in fiscal year is allocated to Metropolitan Planning Organizations (MPOs) and Councils of Governments (COGs) in the state based on a formula. Starting in FY 2010, the MAG region receives \$1 million in HSIP funds for programming safety projects that meet the approval of FHWA and ADOT. (2) A total of 10 percent of the HSIP funds is administered by ADOT to address non-infrastructure safety projects. (3) A total of 70 percent of HSIP funds (nearly \$20 million per year) is available for qualifying safety projects on all public roads in the state.

ADOT is currently developing a process for the application of funds in the 70 percent HSIP category. It is anticipated that this process will be ready to address safety projects in FY 2014 and beyond, leaving funds in the interim period 2011-2013 open for projects at the discretion of ADOT. In discussion with ADOT management, MAG was informed to submit all qualifying road safety projects for FY2011, 2012, 2013 HSIP funds to ADOT as soon as possible.

On August 17, 2010, MAG issued a call for road safety improvement projects in fiscal years 2011, 2012 and 2013. A total of nine project applications from eight member agencies was received, requesting a total of \$25,907,946. The Transportation Safety Committee reviewed all project applications at the committee meeting held on September 28, 2010, and unanimously recommended the ranked list of projects as shown in the attached table.

**PUBLIC INPUT:**

None has been received.

**PROS & CONS:**

PROS: Implementation of the recommended projects will help improve road safety in the MAG region.

CONS: None.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: The short time frame available for generating a MAG recommendation of the projects and preparing HSIP project application for processing through the ADOT Local Government Section requires a high level of support and coordination from agency staff.

POLICY: The state's HSIP program is required to follow the national HSIP guidelines that stipulate that road safety resources need to be allocated to locations with road safety issues. This is very likely to result in additional HSIP funds being made available for deserving road safety improvement projects on arterial streets in the MAG region. Local agencies need to plan ahead to participate in this process.

**ACTION NEEDED:**

Recommend approval of the list of safety improvement projects to the Arizona Department of Transportation for federal funds in the 70 percent Highway Safety Improvement Program category available for fiscal years 2011, 2012 and 2013.

**PRIOR COMMITTEE ACTIONS:**

The MAG Transportation Safety Committee conducted a detailed review of all nine project applications and unanimously recommended the ranked list of proposed projects on September 28, 2010. The following criteria were used to rank proposed safety projects in each fiscal year:

1. Rank of the intersection safety improvement project in the MAG Top 100 High Risk Intersections
2. Benefit-Cost ratio of the intersection safety improvement project
3. Benefit-Cost ratio of any other proposed safety improvement project

MEMBERS ATTENDING

- Tempe: Julian Dresang (Chair)
- AAA Arizona: Mark Gotsch for Linda Gorman
- \* AARP: Tom Burch
- \* ADOT: Kohinoor Kar
- Apache Junction: Shane Kiesow
- Avondale: Margaret Boone-Pixley
- Buckeye: Paul Ward
- Chandler: Paul Young for Martin Johnson
- \* DPS: Lt. Jenna Mitchell
- \* El Mirage: Jorge Gastelum
- Gilbert: Kurt Sharp

- # Goodyear: Hugh Bigalk
- FHWA: Kelly LaRosa for Karen King
- Glendale: Chris Lemka
- Maricopa County: Chris Plumb
- Mesa: Renate Ehm
- \* Paradise Valley: William Mead
- Peoria: Mannar Tamirisa for Jamal Rahimi
- Phoenix: Kerry Wilcoxon
- Scottsdale: Paul Porell
- ValleyMetro: Gardner Tabon
- Surprise: Tracy Eberlein

\* Not present

# Participate by teleconference

**CONTACT PERSON:**

Sarath Joshua, MAG, (602) 254-6300.

## MAG Recommendation for FY2011, 2012, 2013 for 70% HSIP Funding

Agency	Project Description	Rank in Top 100 Intersections	2009 Arizona Top 5% Crash Sites List	B/C Ratio	Federal Funds	Local Funds	Project Rank for FY
<b>FY2011</b>							
Scottsdale	Design - Thomas and Hayden Road Intersection Safety Improvements	11	Yes	1.33	\$104,673	\$6,327	1
	Construction - Thomas and Hayden Road Intersection Safety Improvements				\$1,046,730	\$63,270	
Chandler	Ray Road and Alma School Road Intersection Improvement	46	No	4.5	\$6,100,000	\$6,900,000	2
Fountain Hills	Arterial Street - Guardrail Impact Attenuators	N/A	N/A	53	\$53,500	\$3,300	3
Glendale	Pedestrian Countdown timers	N/A	N/A	3.66	\$272,716	\$16,484	4
<b>FY2012</b>							
Peoria	Peoria Ave and &75th Ave Intersection Safety Improvements	Not in Top 100	No	4.97	\$6,910,191	\$417,689	1
Tempe	Broadway Road & Priest Drive Intersection Safety Improvements	Not in Top 100	No	4.08	\$611,833	\$36,983	2
<b>FY2013</b>							
Phoenix	35th Ave and Dunlap Ave Intersection safety Improvements	1	Yes	37.97	\$700,734	\$42,356	1
Mesa	Southern Ave and Country Club Dr Intersection Safety Improvements	57	No	1.4	\$1,510,140	\$5,771,030	2
Peoria	Cactus Ave and &75th Ave Intersection Safety Improvements	Not in Top 100	No	3.59	\$8,597,429	\$519,675	3
<b>Ranking Criteria:</b>							
Projects proposed in each Fiscal Year are ranked by the intersection's rank in Top 100 list and then by the B/C Ratio.							

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY... for your review**

**DATE:**

October 5, 2010

**SUBJECT:**

Consultant Selection for the MAG Freight Transportation Framework Study

**SUMMARY:**

The FY 2011 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council includes \$500,000 to conduct the Freight Transportation Framework Study that will examine freight and multimodal opportunities in the Sun Corridor. The study area will include Maricopa, Pinal and Pima Counties. The overall project will be completed in 18-months from the notice to proceed. This study will develop a multi-modal freight transportation framework for the study area that will likely be implemented at multiple jurisdictional levels and examine opportunities for an inland port.

The Request for Proposals was advertised on August 19, 2010. Seven proposals were received from AECOM, Arizona State University, Cambridge Systematics, Lee Engineering, Parsons Brinckerhoff, Transystems, and URS. A multi-agency proposal evaluation team reviewed the proposal documents and recommended to MAG the selection of Parsons Brinckerhoff to complete the study for an amount not to exceed \$500,000.

**PUBLIC INPUT:**

No public input has been received.

**PROS & CONS:**

**PROS:** When completed, the study will develop a multimodal freight framework that will describe the movement of goods (truck, rail, air, and pipeline) through the study area, identify possible network deficiencies to the safe and efficient flow of goods in, out, through and within the region and propose strategies to improve the transportation network that will enhance regional mobility for freight. The study will also prepare a commodity flow summary and develop an inland port market assessment that will identify freight related economic development opportunities in the study area. The project's recommendations will provide guidance to MAG and member agencies for establishing a freight transportation framework and an implementation strategy to meet future freight demand. Conducting the Freight Study in a timely manner could allow the Sun Corridor to capitalize on opportunities.

**CONS:** None.

**TECHNICAL & POLICY IMPLICATIONS:**

**TECHNICAL:** The procurement of consultant services will enable MAG to obtain technical expertise in the long-range framework planning process.

**POLICY:** None at this time.

**ACTION NEEDED:**

Recommend that Parsons Brinckerhoff be selected to conduct the Freight Transportation Framework Study for an amount not to exceed \$500,000.

**PRIOR COMMITTEE ACTIONS:**

On October 5, 2010, the proposal evaluation team recommended to MAG the selection of Parsons Brinckerhoff to complete the study for an amount not to exceed \$500,000.

- Al Altuna, Pima Association of Governments
- Eric Anderson, MAG
- Bob Hazlett, MAG
- John Liosatos, Pima Association of Governments
- Andrew Smith, Pinal County
- Tim Strow, MAG
- Marisa Walker, Governor's CANAMAX Task Force

**CONTACT PERSON:**

Tim Strow, Transportation Planner, MAG (602) 254-6300.

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY...for your review**

**DATE:**

October 5, 2010

**SUBJECT:**

*Don't Trash Arizona* Litter Prevention and Education Contract Amendment

**SUMMARY:**

The Regional Transportation Plan (RTP) includes \$279 million for the freeway maintenance program, including litter control. In November 2003, MAG and the Arizona Department of Transportation signed a joint resolution that included a commitment to develop a long-term litter prevention program to help reduce freeway litter and defray pickup costs.

To help accomplish this goal, in 2006, the MAG Regional Council approved the selection of a consultant, RIESTER, to implement a Litter Prevention and Education Program for the Regional Freeway System in the MAG region, also known as *Don't Trash Arizona*. The purpose of the program is to increase awareness of the health, safety, environmental and economic consequences of freeway litter and ultimately change the behavior of offenders. MAG works cooperatively with the Arizona Department of Transportation (ADOT), which manages the program for the state outside of Maricopa County.

The initial two-year contract for the prevention and education program expired August 31, 2008. A new Request for Proposals was issued and a selection process undertaken. Based on the recommendation of a multi-agency review panel, on September 24, 2008, the Regional Council again approved the selection of RIESTER as the consultant to develop the FY 2009 litter prevention and education program. The action included a provision that the base contract period shall be a one-year term but that MAG may, at its option, offer to extend the period of this agreement up to a maximum of two (2), one (1) year options, based on consultant performance and funding availability. On October 18, 2009, the MAG Executive Committee approved exercising the first one-year option.

New activities conducted in FY 2010 included radio and web advertising, the development of a motivational speaker's tour to reach out to students at community colleges and vocational schools, the development/dissemination of monthly e-blasts with tips and information, and a 15 minute video on littering. An analysis of the e-mail outreach found an unusually high open rate for emails (more than 40 percent amid an industry average of 25 percent). In addition to the above activities, MAG implemented a "Safe Loads = Safe Roads" campaign. This messaging was aimed at reducing dangerous road debris from unsecured loads. Tactics included live radio broadcasts and a web contest so that those who took the *Don't Trash Arizona* anti-litter pledge could be registered to win a free tarp to cover truck bed or trailer loads, reinforcing the importance of safely securing vehicle loads.

Since 2006, combined with public relations efforts, the *Don't Trash Arizona* Litter Prevention and Education program has achieved more than 30 million audience impressions. A recent telephone survey of 601 Maricopa County residents finds that half of Arizonans have heard the slogan *Don't Trash Arizona*. Some of the most significant findings of the survey were positive changes in awareness and behavior among the target demographic of males aged 18 to 34, as well as changes in attitude and behavior by the overall population. Overall awareness of the slogan *Don't Trash Arizona* increased from 43 percent in 2006 to 51 percent in 2010. Awareness among the target demographic was 58 percent. Another significant finding was that almost three-fourths of Maricopa county residents (74 percent) reported they had not littered at all during the past year, which, for the first time, represents an increase from previous years (69% in 2009). In addition, the percentage of residents classified as "Admitted Litterers" declined to 23 percent, the lowest recorded in the history of the annual tracking study.

A full copy of the survey and the findings is available at [www.DontTrashAZ.com](http://www.DontTrashAZ.com). The site also includes information about littering, activities and resources for students and teachers, a page to report littering violations and other information. According to the survey, awareness of the MAG litter Web site among the target group increased an overwhelming 229 percent.

The amended contract with RIESTER expires on November 30, 2010. Due to the ongoing success of the *Don't Trash Arizona* program, staff recommends amending the consultant contract with RIESTER for one additional year for the Litter Prevention and Education Program and to include the \$300,000 budgeted in the FY 2011 Unified Planning Work Program and Annual Budget for litter prevention and education efforts.

**PUBLIC INPUT:**

Numerous presentations and special events were conducted throughout the year, with feedback solicited through question and answer periods as well as surveys provided to community college and trade school students at the end of each motivational speakers tour. Additional input is provided through the *Don't Trash Arizona* website. A scientific, random-sample telephone survey was conducted in July 2010 by WestGroup Research. Results are based on 601 fifteen-minute interviews with Maricopa County residents with results at a 95 percent confidence level. Key results of the survey are noted above and the full report is available on the *Don't Trash Arizona* Web site.

**PROS & CONS:**

PROS: Research suggests that prevention programs can change public perception and habits regarding litter, which is ugly, unhealthy and unsafe. Properly maintained freeways are important to the quality of life of the residents of this region and to the image projected to tourists and economic development prospects.

CONS: None.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: The Regional Transportation Plan includes \$279 million in funding for landscape maintenance and noise mitigation, with a small portion allocated for litter prevention and education. The FY 2011 campaign will build on efforts of the *Don't Trash Arizona* campaign to date.

POLICY: An effective litter prevention and education program will help change the behavior of offenders, which will improve health and safety, protect the environment, improve visual aesthetics along the MAG Regional Freeway System, enhance tourism and economic development prospects, and ultimately reduce the cost of freeway maintenance.

**ACTION NEEDED:**

Recommend approval to amend the consultant contract with RIESTER for one additional year for the Litter Prevention and Education Program to include \$300,000 budgeted in the MAG FY 2011 Unified Planning Work Program and Annual Budget for litter prevention and education.

**PRIOR COMMITTEE ACTIONS:**

On September 17, 2008, the MAG Regional Council approved a recommendation that RIESTER be selected to design and implement the FY 2009 Litter Prevention and Education Program for the Regional Freeway System in the MAG Region. The action included a provision that the base contract period shall be a one-year term but that MAG may, at its option, offer to extend the period of this agreement up to a maximum of two (2), one (1) year options, based on consultant performance and funding availability. On October 13, 2009, the MAG Regional Council Executive Committee exercised the first one-year option, and approved amending the contract through November 30, 2010.

**CONTACT PERSON:**

Kelly Taft, Communications Manager, 602-254-6300.

**RIESTER**

**Maricopa Association of Governments  
Litter Prevention and Education Program  
Program End of Year Report  
FY2010  
&  
Litter Prevention Education  
Recommendations  
FY2011**

**October 2010**

# TABLE OF CONTENTS

SECTION	PAGE
<b>END OF YEAR REPORT FY 2010</b>	
<b>1. Program History</b> .....	<b>2</b>
<b>2. Executive Summary</b> .....	<b>4</b>
<b>3. Advertising</b> .....	<b>5</b>
a. Radio	
<b>4. Public Relations</b> .....	<b>8</b>
a. <i>Don't Trash Arizona</i> Speaking Tour	
b. Grassroots Outreach	
c. Media Relations	
<b>5. Online Outreach</b> .....	<b>14</b>
a. DontTrashAZ.com	
b. Revised Site Organization	
c. Email Outreach	
<b>6. Context Planning - Evaluation</b> .....	<b>18</b>
a. Scientific Survey Evaluation Report	
<b>LITTER PREVENTION &amp; EDUCATION PROGRAM RECOMMENDATIONS FY 2011</b>	
<b>7. Strategic Recommendation</b> .....	<b>23</b>
<b>8. Events and Publicity Recommendations</b> .....	<b>25</b>
a. Outreach Tactics	
b. Media Relations	
c. Email Outreach Program	
d. Social Media	
<b>9. Media Recommendations</b> .....	<b>29</b>
<b>10. Digital Recommendations</b> .....	<b>31</b>
a. Website	
b. Website Content Management	
c. Website Analytics	
<b>11. Creative Recommendations</b> .....	<b>32</b>
a. Creative	
b. Collateral	
<b>12. Evaluation Recommendations</b> .....	<b>33</b>
a. Post Campaign Evaluation Survey	

## **PROGRAM HISTORY**

### **INTRODUCTION**

The Maricopa Association of Governments (MAG) selected RIESTER as its agency of record in August 2006 to execute the Litter Prevention and Education Program for the regional freeway system in the MAG region.

The purpose of the program is to increase awareness of the health, safety, environmental and economic consequences of freeway litter and ultimately change the behavior of offenders. MAG works cooperatively in this effort with the Arizona Department of Transportation (ADOT), which manages the program for the state outside of Maricopa County.

RIESTER is tasked with using an array of communication services, including public education and outreach efforts, to increase awareness of the freeway litter problem in the MAG region and to effect measurable changes in behavior among offenders. Tasks include establishing an evaluative process to measure the success of the program.

RIESTER has worked with MAG over the past three years to tactically and strategically reach out to Arizona and Maricopa County residents to help inform them about issues surrounding littering and dangerous debris.

### **Program Purpose**

There are more than 6,000 miles of freeways in Arizona that handle a statewide population of more than 6 million people – 3.7 million of which are here in Maricopa County. Since 2000, the number of lane miles on the regional freeway system has nearly doubled, with more than 350 lane miles added to the freeway maintenance program. This exponential growth has made keeping pace with litter pickup very difficult. It costs our region more than \$3 million every year to pick up approximately 1.6 million pounds of litter just from our regional freeway system alone. Litter also impacts our economy when tourists and prospective businesses choose not to come back to our state due to a poor impression.

Litter is not only ugly, it is unsanitary and can cause environmental and health problems. Cigarette butts, for example, along with plastics and other types of litter, contain toxic chemicals that can end up in storm drains and contaminate our water systems.

Another safety impact comes from trash and debris that fall from vehicles due to unsecured loads. Road debris on roadways nationwide causes 25,000 accidents and more than 80 fatalities each year. Roadway debris also costs us in lost productivity due to accidents and slowdowns that increase the time we spend in traffic. Not only does roadway debris cost us in innocent lives and serious traffic accidents, it also costs us many hours of wasted time due to traffic delays. Research has found that here in the Valley, we each spend about 49 hours per year sitting in traffic, costing our region about \$1.3 billion a year in lost productivity.

Concern over these issues led the TPC to include sweeping, pickup and education efforts as part of the \$279 million in the 20-year Regional Transportation Plan for landscape maintenance, which includes litter control. A Joint Resolution passed in 2003 by MAG and ADOT included the development of a long-term litter prevention program.

**Strategic Direction**

Key messages were developed and used in various elements of the program, including:

- Litter is ugly.
- Litter is unhealthy.
- Litter is unsafe.
- *Don't Trash Arizona!*

A target audience of males aged 18 to 34 was determined to be most relevant for the campaign, with additional audiences that included remaining segments of the public, as well as stakeholders, elected officials and government leaders who could help this program by ensuring future funding.

With a target audience determined, a three-stage approach for the program was developed:

- Phase I: Increase awareness
- Phase II: Change attitudes
- Phase III: Change behavior

The FY 2010 program focused on increasing awareness of the issues surrounding litter and safe roads from securing vehicle loads to prevent dangerous debris, as well as changing attitudes about the problem. *Don't Trash Arizona* is now moving into the third phase of the program for FY2011 – implementing a behavior change strategy. The tactics outlined in the Strategic Recommendations for FY 2011 found at the end of this report reflect this focus.

## EXECUTIVE SUMMARY

### INTRODUCTION

MAG's program had a budget of \$300,000 for 12 months. The program began in November 2009 and ended in October 2010. Approximately \$150,000 was allocated for paid media and the remaining budget was used for primary and secondary research, strategic development, creative development, production, public relations event management and account management from RIESTER. The following report summarizes the key outreach efforts conducted and executed by RIESTER on behalf of MAG for the 2009-2010 Program.

- **Media Advertising**
  - Radio advertising was designed to increase awareness of fines associated with litter.
    - MAG was included in 13 events throughout the year that promoted a chance to win a free *Don't Trash Arizona* branded tarp when someone took the *Don't Trash Arizona* pledge.
    - Online banner ads for promotion of contest.
  - Online messaging designed to increase the number of individuals who have pledged to keep roads safe and Maricopa freeways clear of litter.
  - Messaging targeted males aged 18 to 34.
  
- **Public Relations**
  - Motivational Speaker's Tour
    - Devoted to increasing awareness of the negative impacts litter has on the region by leveraging humor to address students at their level on litter issues.
    - Targeted community colleges and vocational schools.
    - Distributed surveys at end of presentation to evaluate what the students recall and help refine messages.
  
- **Media Relations**
  - Media Outreach
    - Secured various segments with local stations promoting *Don't Trash Arizona*.
    - *Secure Your Load Saturdays* to encourage drivers to secure their load and to impact changes in their behavior by offering proper training.
  
- **Online Outreach**
  - Analytical tracking was put into place on [www.DontTrashAZ.com](http://www.DontTrashAZ.com)
  - Interactive Web features
    - Created homepage video of banner ads that promoted Safe Loads = Safe Roads contest as well as the Litter Patrol Arcade interactive from 2009.
    - Sitemap reorganization to improve the quality of search engine traffic.
  - Newsletter
    - Continued to develop and distribute monthly electronic news messages targeting individuals who had signed up on the website or who had taken the *Don't Trash Arizona* pledge.
  
- **Evaluation**
  - Scientific telephone survey of 601 county residents to evaluate program efforts.

## ADVERTISING

### RADIO

As noted above, approximately \$150,000 was allocated for paid media for this program. Radio advertising was selected because of its broad reach to our primary and secondary targets. Radio was also the most cost-effective form of media for our program. Radio began airing in January 2010 and ran through July 2010, in two-week increments. The recommended station buy included:

- KSLX – FM –Classic Rock
- KUPD – FM –Active Rock
- KMLE – FM – Country
- KZON-FM -Alternative

MAG renewed the talent on two radio spots that aired in the previous fiscal year, due to the overwhelming recall of the ads by focus groups and in the phone survey performed in 2009. This direction was ultimately the most cost effective option. The spots were developed to reach the primary target audience of young males 18-34 years old. Both radio spots mentioned the *Don't Trash Arizona* website as a call to action as well as MAG sponsorship of the campaign. The campaign received a total of 4,713,100 gross impressions over the course of the campaign buy.

During the twelve month program, RIESTER, on behalf of MAG, ran two radio spots – “*Commentary (\$502 Burger)*” and “*Habit.*” The spot running the previous year, “*Commentary (\$502 Burger)*” was tested in the focus groups conducted on behalf of MAG in December 2008 and “*Commentary (\$502 Burger)*” continued to test exceptionally well with the target. It was determined to continue running “*Commentary (\$502 Burger).*” Additionally, a new spot, “*Habit,*” was produced utilizing satire, which was found successful among the target as a result of positioning-statement testing in the focus groups.

Scripts of the two spots follow.

**RADIO SCRIPTS**

The following two radio spots ran during FY 2010.

**Client:** Maricopa Association of Governments  
**Project:** MAG Keep AZ Clean Radio  
**Title:** "Commentary" (\$502 Burger)

*Note: NEIL and DAVE are twenty-something males.*

**NEIL:** Dave sits alone in his apartment, dejectedly eating his five hundred and two dollar burger.

**DAVE:** Shut up, Neil.

**NEIL:** Of course, Dave's burger did not actually cost him five hundred and two dollars. The extra five hundy came from the fine Dave received for littering our streets by tossing his food wrapper out the car window.

**DAVE:** I said, shut up, Neil.

**NEIL:** Dave thinks it's all so dumb. Naturally, he means the fine. If only he knew trash like cigarette butts or debris from unsecured loads costs millions to clean up and causes thousands of accidents each year, he'd see just how "dumb" littering really is. Of course, if he had just listened to his roommate, Neil, about not using the road as his personal trash can...

**DAVE:** *(interrupting angrily)* Then maybe he could sit here and enjoy a dinner in peace without his annoying roommate, Neil, providing the wisecrack commentary!

**NEIL:** Dave returns to eating. Apparently, a five-hundred dollar burger is best enjoyed...alone.

**ANNCR:** *Don't Trash Arizona.* To learn more or to report a litter violation, visit [Don't-Trash-Arizona.com](http://Don't-Trash-Arizona.com). A message from the Maricopa Association of Governments.

**Client:** Maricopa Association of Governments  
**Project:** MAG Keep AZ Clean Radio: 60 Radio  
**Title:** "Habit"

**MUSIC:** *(after-school special)*

**GUY:** My littering habit started back when I was 12. You know, first it was a gum wrapper every once in a while. Seemed like small stuff. But then it grew. A soda can here and there. A burger wrapper now and then. By the time I was 18, I was a full-blown litterbug. Cigarette butts, soda cups, anything. Even did a car battery once. I tried to quit, but then, you know, I'd be driving down the road...a bucket of chicken in the passenger seat...giant drink in the cup holder...and the urge would hit me. Man, I'd open the window and *let it fly*. Finally, I got caught. Got hit with a \$500 fine. Probably the best thing that ever happened to me. *(chokes up)* Been clean for three months now.

**ANNCR:** If you're ready to quit littering, or just want to know more about it, visit [donttrashaz.com](http://donttrashaz.com). We'll even send you a free litterbag. A message from the Maricopa Association of Governments.

**GUY:** Now, I think... If I can drive down the road without tossing a honey bun wrapper out the window, anyone can.

## PUBLIC RELATIONS

**PUBLIC RELATIONS EXECUTION:** To inform residents about the negative impact of litter to Arizona environmentally and financially, RIESTER implemented a public relations program designed to strategically reach key audiences at various levels. Each tactic aimed to achieve the goal of generating awareness, while maximizing creativity and budget. Our public relations efforts included the following initiatives:

### ***DON'T TRASH ARIZONA* SPEAKING TOUR**

For FY 2009, RIESTER recommended a "*Don't Trash Arizona*" Speaker's Tour. In the tour, a motivational speaker delivered a humorous monologue about litter and its negative impacts to members of MAG's target audience, young males ages 18-24, at community colleges and vocational schools. We continued the tour this year, securing the venue, facilitating the event on-site and distributing surveys and "*Don't Trash Arizona*" informational items.

The following are highlights from the "*Don't Trash Arizona*" Speaking Tour:

- Secured Phoenix College for a presentation on March 9, 2010.
- Coordinated with a James Sousa, a Phoenix College professor to tie the *Don't Trash Arizona* Speaking Tour into an annual green event hosted by Phoenix College Green Committee called Spring 2010 Dumpster Dive.

### **GRASSROOTS OUTREACH**

RIESTER set up, on behalf of MAG, opportunities for collateral distribution with radio partners for the campaign. The radio partners helped to promote the secondary message of Secure Your Load. RIESTER created a *Safe Loads = Safe Roads* contest that included a *Don't Trash Arizona* branded tarp and bungee cords to reinforce the importance of safe loads. The stations promoted this prize via onsite register-to-win boxes at events and with on-air promos during each event. In addition to the tarps, more than 3,000 *Don't Trash Arizona* car trash bags were distributed at the following events.

January	Pep Boys remote, valley wide.
February	NHRA Arizona Nationals @ Firebird Raceway, Chandler. International Sportsman's Expo @ University of Phoenix Stadium, Glendale. Pep Boys remote, valley wide.
March	Good Guys Car Show @ West World, Scottsdale. Pep Boys remote, valley wide.
April	Country Thunder, Florence. Earth Day @ Sportsman Warehouse, Mesa. NASCAR @ Phoenix International Raceway, Avondale. Pep Boys remote, valley wide.
June	Ultimate Garage @ Home and Garden Expo Center.
July	Diamondbacks remote at Circle K, valley wide. Pep Boys remote, valley wide.



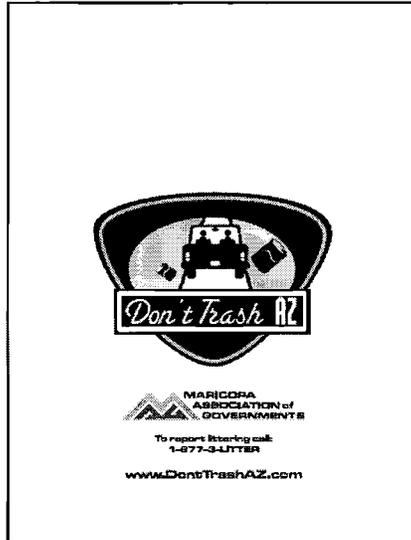
For grassroots outreach and community efforts, RIESTER produced 10'x6' branded *Don't Trash Arizona* tarps. The tarps were made with nylon material and grommets to secure to trucks and trailers with provided bungee cords.



Additionally, RIESTER produced other collateral pieces for events that were held in FY 2010. To maintain program consistency, vehicle litterbags and carabineers with key chains and a custom fitted table cover were produced spreading the message of *Don't Trash Arizona*.

Examples follow.

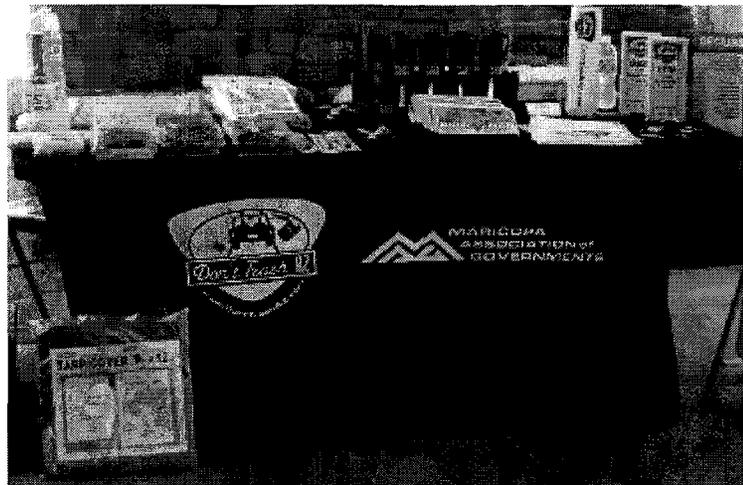
**Automotive Litterbags:**



***Don't Trash Arizona* carabineer:**



**Branded table cover:**



**MEDIA RELATIONS**

Additionally, RIESTER conceived storylines for on-air segments to pitch local television stations. Each segment idea was themed around a local occurrence or trend to make them timely and relevant. RIESTER assisted in coordinating all aspects of the segments, including identification of appropriate spokespeople, creation of speaking points and preparation of visuals. RIESTER also was onsite to coach spokespeople and facilitate each segment.



Following are highlights the MAG Media Relations efforts:

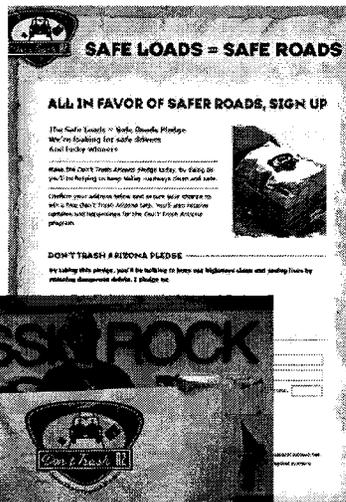
- Secured Earth Day segment on KNXV-TV ABC 15 with Michael Hagerty on April 20.
- Facilitated ABC 15's (KNXV-TV) Earth Day segment on-site with spokesperson Kelly Taft.
- The ABC 15 News segment was a comprehensive segment on the negative impact of litter and included mention of "Don't Trash Arizona's" tarp contest. The segment resulted in 78,655 impressions.

- Developed a storyline surrounding the dangers of littering cigarette butts and pitched to all local media outlets.
- Secured segment on the "Pat McMahon Show" on July 13.
- Assisted in research and development of speaking points.
- The "Pat McMahon Show" segment was a comprehensive segment on the *Don't Trash Arizona* campaign and resulted in 403 impressions.

**Don't Trash Arizona Tarp Launch**

Encouraging drivers to secure their loads while driving on Valley freeways and highways was an integral part of the *Don't Trash Arizona* campaign. To generate awareness on a grass-roots level, RIESTER recommended the creation and launch of "*Don't Trash Arizona*" branded tarps to be distributed to residents throughout Maricopa County. Rather than launch the contest alone, we, along with the client, opted to tie it into the Safe Loads = Safe Roads pledge. In taking the pledge, participants committed to take the following steps to keep roadways clean and safe:

- Keep a litterbag in my car and dispose of trash properly.
- Keep cigarette butts in the car by using a portable ashtray.
- Secure all vehicle loads properly with tarps and tie downs.
- Take pride in Arizona and keep my community clean and safe.



Once people took the pledge, they were automatically entered into the tarp contest. One winner was selected each month. The launch of the *Safe Loads = Safe Roads* program included the creation of a press release and newsletter e-blast to kick-off the pledge and contest on the *Don't*

*Trash Arizona* website. Representatives from RIESTER also attended radio live remotes to monitor the status of entries for the contest.

Following are highlights of efforts surrounding the *Don't Trash Arizona* Tarp Launch:

- Developed press release announcing the *Don't Trash Arizona* Tarp Contest and sent for client review on March 4.
- Developed an e-mail blast that was distributed on February 2010
- The *Don't Trash Arizona* email database increased 155% over the course of the contest.

### **Secure Your Load Saturdays**

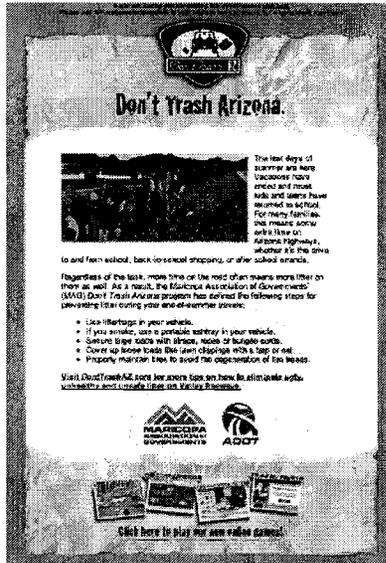
Another way to encourage drivers to secure their load and to impact changes in their behavior is to offer proper training. To this end, RIESTER proposed "Secure Your Load Saturdays." Similar to baby car seat training given annually by television stations, RIESTER recommended partnering with a local station and/or hardware store to offer techniques on how to properly secure your load while driving. The training would be given on Saturday, a popular day for moving, yard clean up and trips to the dump, and in the parking lot of our designated partner.

To execute the event, RIESTER outreached to local television outlets to serve as a partner. When those outreach efforts failed to generate any meaningful results, RIESTER revised its strategy and opted to tie the event into one of the advertising added-value live remotes. Once a date for the live remote was determined, a Sunday, RIESTER worked to plan the new Secure Your Load Sunday event including securing an expert, developing press materials and outreaching to the media.

Following are highlights of the efforts in support of the Secure Your Load Sunday event:

- Partnered with U-Haul and secured them as our *Secure Your Load Sunday* expert to discuss how to properly load a trailer or truck bed.
- Developed a press release announcing the August 15 *Secure Your Load Sunday* event.
- Coordinated details and flow of *Secure Your Load Sunday* event.
- Pitched local television media to cover the event for a potential news segment.
- Secured Local News Share (LNS) camera that shoots footage for channels 5, 10 and 15, which covered the event, including conducting an interview with Jason Turcotte, president of U-Haul Company of Western Arizona.
- The LNS interview resulted in the following coverage:
  - ABC 15 News at 5:30 p.m. on Aug. 15 resulting in 46,445 impressions
  - FOX10 News at 5:30 p.m. on Aug. 15 resulting in 124,691 impressions
  - ABC 15 News Daybreak on Aug. 16 resulting in 24,362 impressions





### **Email Communication Plan**

RIESTER continued to send out monthly newsletters via eblast to its current database, while also continuing efforts to build the database. Email communications included current events and current *Don't Trash Arizona* messaging. RIESTER developed the content for the eblast, as well as executed the distribution of each.

### **Don't Trash Arizona Website Enhancements**

RIESTER public relations worked in conjunction with its Interactive division to enhance and increase visitation to the *Don't Trash Arizona* website. Recommend changes included revisions to the copy on the site's home page, as well as the creation of copy for the tarp contest page. RIESTER also reviewed the website and identified key words in order to change the site's meta tags. Most recently, RIESTER revised copy for the website's "Word from the Chair" to reflect MAG's new *Don't Trash Arizona* chairperson.

## ONLINE OUTREACH

### *DONTRASHAZ.COM*

RIESTER's preferred method for website performance measurement is Google Analytics. Google Analytics allows RIESTER to track all key website performance indicators as it generates detailed statistics about all visitors from referrals, including search engines, display advertising, pay-per-click networks, email outreach and digital collateral such as links within PDF documents. In addition, Google Analytics details how long visitors stayed on the website, what content they viewed and their geographical position. It also provides more advanced features, including custom visitor segmentation.



This past year with Google Analytics on *DontTrashAZ.com*, RIESTER generated the following in the form of a website scorecard for MAG:

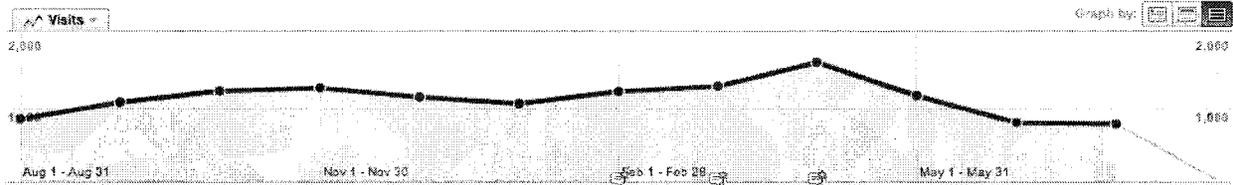
- Monthly status updates.
- Monthly performance reports / analytics.
- Website enhancement and adjustment recommendations.

The data from the scorecard detailed performance indicators such as visitation, traffic sources, content performance and navigational summaries. This information was used to make immediate adjustments to interactive components like creating a new call to action within online banner ads, sending email blasts, creating landing pages, and changing website content.

**Website Scorecard**

Between August 1, 2009, and August 1, 2010, Absolute Unique Visitors (11,689) trending was consistent with most educational websites. The traffic pattern of high traffic Monday through Thursday, decreasing Friday to little weekend activity is also consistent with other websites containing similar content.

Overall, the litter page is the most frequently visited section of the website, followed by the homepage as the second most visited.



Traffic & Absolute Unique Visitor Activity				
Date Ranges	Total Visits	Total Unique Visits	Average Page Views	Avg. Length of Stay
8/01/09 – 8/30/10	13,760	11, 689	2.22	1.59

Traffic Sources						
Date Range	Search Engines		Referring Site		Direct	
	Visits	68.43%	Visits	17.88%	Visits	13.69%
8/01/09 – 8/30/10	7,769	Google	430	kslx.com	1,884	
	742	Bing	286	images.google.com		
	716	Yahoo	167	kdkb.com		
	74	Ask	112	mag.maricopa.gov		
	54	AOL	107	Mesaaaz.gov		
	48	Search	103	goggle.com		
	5	Naver	85	Arizonacleanandbeautiful.com		
	3	Google	82	donttrashaz.com		
	2	Images	67	kmle108.radio.com		
	2	All the web	67	kmle108.radio.com		
	1	Alta Vista	66	totallyfreestuff.com		

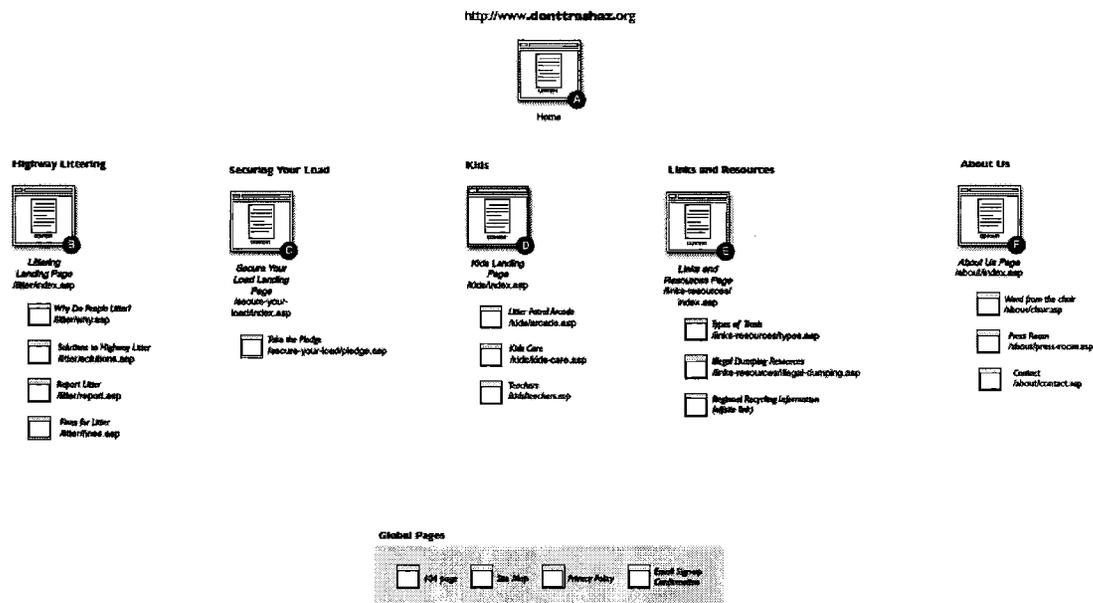
**SITE MAP REORGANIZATION**

Based on data from Google Analytics and client priorities, RIESTER developed a site map strategy for *DontTrashAZ.com* to improve usability through navigation and organization.

Goals of the site map reorganization:

- Improve navigation by grouping pages in more similar content sections.

- Reduce visitor confusion by utilizing left-column links as secondary navigation as opposed to a “quick links” section.
- Improve the quality of search engine traffic by creating a server folder structure.



Working with MAG, RIESTER developed and presented a new navigation strategy. It was implemented in April 2010.

**Results**

	March 2010 (Old site structure)	April 2010 (New site structure)	Change
<b>Bounce Rate</b>	68%	61%	-7% Decrease
<b>Search Traffic from Google</b>	720 Visits	933 Visits	+ 29% Increase

**EMAIL OUTREACH**

*Program Purpose*

The Maricopa Association of Governments (MAG) receives email addresses from those who sign up to receive electronic newsletters via the “Report a Violation” form as well as those who sign up for a chance to win a tarp on *DontTrashAZ.com*.

*Summary of Email Outreach results:*

Subject: *What do Monsoons and Cigarette Butts have in common?*  
 Deployment Date: August 31, 2009  
 Open Rate: 41.76%  
 Click Through Rate: 7.89%

Subject: *Keep Lawn Debris from Becoming Dangerous Debris*  
 Deployment Date: October 29, 2009  
 Open Rate: 31.82%  
 Click Through Rate: 3.57%

Subject: *Be Thankful for Those Who Don't Trash Arizona*  
 Deployment Date: November 23, 2009  
 Open Rate: 33.33%  
 Click Through Rate: 3.45%

Subject: *Keep Your Holiday Tree From Becoming Dangerous Debris*  
 Deployment Date: December 15, 2009  
 Open Rate: 23.26%  
 Click Through Rate: 5%

Subject: *Resolve to Keep Arizona Freeways and Highways Clean in 2010*  
 Deployment Date: January 28, 2010  
 Open Rate: 25.88%  
 Click Through Rate: 9.09%

Subject: *Don't Trash Arizona Safe Load = Safe Roads Contest*  
 Deployment Date: February 24, 2010  
 Open Rate: 23.26%  
 Click Through Rate: 9.3%

Subject: *April Showers May Leach Toxic Chemicals from Litter into Groundwater*  
 Deployment Date: April 30, 2010  
 Open Rate: 23.9%  
 Click Through Rate: 2.479%

Subject: *Keeping Roads Clear for Summer Travel*  
 Deployment Date: May 28, 2010  
 Open Rate: 15.57%  
 Click Through Rate: 1%

Subject: *Don't 'Tread' on Arizona's Beautiful Freeways, Don't Trash Arizona!*  
 Deployment Date: July 30, 2010  
 Open Rate: 19.15%  
 Click Through Rate: 2.5%

Subject: *The cost of litter is an avoidable one.*  
 Deployment Date: July 30, 2010  
 Open Rate: 17.13%  
 Click Through Rate: 1.6%

An analysis of the email statistics above shows the average open rate hovers around 25%, which is considered healthy for opt-in emails. RIESTER recommends using bolder, enticing language for subject lines, as well as A/B split testing to explore what content will receive the best response rate by the reader.

## CONTEXT PLANNING – EVALUATION

### SCIENTIFIC TELEPHONE SURVEY - EVALUATION REPORT SUMMARY

RIESTER, on behalf of the Maricopa Association of Governments (MAG), commissioned WestGroup Research of Phoenix to conduct a telephone study with residents in Maricopa County. The purpose of the study was to evaluate overall awareness of and attitudes toward litter issues, explore littering behavior, and compare responses to the benchmark study, which was conducted in December 2006. Subsequent studies were conducted in August 2008, August 2009 and July 2010. It is important to note that the first two studies were conducted in conjunction with the Arizona Department of Transportation (ADOT) and were statewide with Arizona residents. To accurately compare the data from previous surveys to the 2009 and 2010 data, the 2006 and 2008 data shown in this report include only responses from Maricopa County residents.

Results are based on 601 fifteen-minute telephone interviews with Maricopa County residents. All respondents were randomly selected from a Random Digit Dial (RDD) database comprising phone numbers from the targeted zip codes. The margin of error for the survey is approximately  $\pm 4.0\%$  at a 95% confidence level.

Below are some of the key findings of the survey.

#### Driver Characteristics

- In 2010, slightly more than two in five Valley residents (42%) reported driving or riding in a 4-door sedan. This is a slight increase from 2009 (three percentage points) and approaches the levels measured in 2008 (44%). An additional 7% report driving a two door coupe. About one in five Maricopa County residents indicated they drive an SUV (19%) or pickup truck (16%); this is essentially the same percentage reported since interviewing began in 2006.
- Maricopa County residents were more likely than last year to report having a litterbag or trash receptacle in their vehicle (69%; up from 66% in 2009 and 56% in 2008). There has been a 23% increase in residents who report having a litterbag or trash receptacle in their vehicle since 2008 (56% to 69%).
- Almost two thirds of the residents (64%) who do not currently have a litterbag or trash receptacle in their car indicated they would consider keeping one in their vehicle in the future (up from 50% in 2008).
- Similar to previous years, a little more than one in six Valley residents indicated they were smokers (18%). The majority of smokers reported that they use the ashtray in their vehicle (53%).
- Truck drivers reported that soda cans/bottles, water bottles and lawn debris were the most common types of litter that would be found in the back of their truck (mentioned by 10%, 8% and 7%, respectively).

- Almost half (48%) of truck drivers indicated they do not believe they put any type of litter in their truck bed; an additional 3% reported they were unsure if the items they put in the back of their truck were considered litter.
- This year, on average, fewer truck drivers indicated that they “always” secure items in the back of their pick-up truck (64%, down from 70% in 2009) while more truck drivers report they secure their load “most of the time” (17%, up from 11%). Slightly more than one in ten truck drivers (12%) do not frequently secure items in their truck bed, reporting that they “sometimes,” “rarely,” or “never” secure items (an improvement from 17% in 2009).
- Approximately one third (31%) of Maricopa County residents report driving in a vehicle that hauls items in an open air trailer or strapped to a luggage rack, with 21% of those stating they do so a few times a year, and 10% who reporting to do so more often, one to two times a month or more.
- More than three-quarters (77%) of drivers with open-air trailers or luggage racks indicated that on average they “always” secure items in their open air trailers or on their luggage racks.

### **Litter Awareness and Behavior**

- Perceptions regarding the magnitude of the litter problem along Maricopa County freeways among residents have remained steady since 2009 (67% rate it as a “big” or “moderate” problem).
- When asked to itemize what items they thought they had littered in the past year, more Valley residents than in the past insisted that they had *not* littered this year (74%, up from 69% in 2009). This was the first time a significant increase in the number of “non-litterers” was recorded.
- The percentage of males aged 18 to 34 who indicated they “had not littered in the past year” continues to increase; from 40% in 2006, 44% in 2008, and 45% in 2009, to 51% in 2010. This represents a 13% increase among the target population. Despite this increase, however, males aged 18 to 23 still remain the most significant offenders.
- Among those who indicated they had littered in the past year, food or organic material was the most common type of litter (mentioned by 44%).
- As in prior years, the residents who indicated they had littered in the past year were most likely to report that the littering happened while they were driving and/or riding in a vehicle. This year, however, there was a decrease in the percentage of residents reporting they littered while traveling in a vehicle (48% vs. 53% in 2009).
- There has been a significant increase from 2009 in the percentage of residents who report littering food scraps that are biodegradable (17%, up from 3%); making it the most common reason cited for littering when driving. Lack of convenient trash receptacles is now the second most common reason cited for littering when driving (mentioned by 14% of residents who have littered in the past year).

- Similar to previous years, residents report that the first most common littering situation they have experienced is “trash falling out of the vehicle” (24% within the past 3 months).

### Campaign Awareness

- Three in ten residents (30%) indicated they had seen advertising related to litter or littering in the past three months. Although this level is only slightly higher than 2009 (three percentage points), it is a 20% increase compared to the awareness levels for the 2006 benchmark survey (25% to 30%).
- Ad awareness is significantly higher for male litterers aged 18-34 than the total (42% vs. 30%).
- When those aware of litter-related advertising were specifically asked what they remembered about the ads, the most recalled information is about the fines (24%).
- Three in ten residents who remembered seeing litter-related advertising in the past three months were able to recall some type of slogan/message (30%). Two of the most commonly recalled “slogans” were actually messages – “do not litter” (mentioned by 5%) and “you will be fined” (mentioned by 4%).
- As in 2009, more than half of Maricopa County residents (51%) recall the *Don't Trash Arizona* slogan, significantly higher than the 43% reported in 2006. Overall awareness of the slogan was highest among males (57% vs. 45% for females), residents under 55 (54% vs. 43% for 55+).
- Residents who were familiar with the *Don't Trash Arizona* slogan reported seeing and/or hearing the slogan from a variety of sources – television (31%), radio (21%), billboards (20%), and street/highway signs (16%).
- Valley residents’ awareness remains essentially unchanged for both the Litter Hotline (13%) and the “Don't Trash Arizona Website” (14%). This year, however, the significant increase in awareness of the Litter Hotline that occurred from 2008 to 2009 was sustained. Among the target group of males, aged 18 to 34, awareness remains steady from 2009 at 13%.
- Fourteen-percent (14%) of residents had heard of the *Don't Trash Arizona* website; this was up slightly from 2009 (12%). It is important to note that when comparing current awareness to the 2006 benchmark study, there has been a significant increase (from 10% to 14%). While awareness of the website among males between the ages of 18 and 34 is lower than the total (9% vs. 14%), awareness of the site among the target demographic increased 229 percent, a significant change.
- As in 2009, seven percent (7%) of Valley residents who stated awareness of the *Don't Trash Arizona* website reported that they have visited the site.
- When Valley residents were asked how likely they would be to report littering behavior if they saw someone littering, more than three-fifths (62%) of residents indicated they would be at least “somewhat” likely to call (27% “very likely” and 35% “somewhat likely”). This is a significant increase compared to 2008 (53%).

- The Internet remains the top resource for Valley residents who want more information about litter or littering (mentioned by 49%).
- Approximately one in six residents specifically mentioned the *Don't Trash Arizona* website as a resource to go to if they wanted more information about littering (14%). Males between the ages of 18 to 34 indicated they would specifically go to [www.DontTrashArizona.com](http://www.DontTrashArizona.com) significantly more often than the total (26% vs. 14%).

**Litter Prevention & Education Program  
Recommendations  
FY2011**

## STRATEGIC RECOMMENDATION

The 2010 *Don't Trash Arizona* program was successful delivering changes in awareness and behavior, especially among the program target of males age 18 to 34.

Overall, the program continues to show success increasing and maintaining awareness about litter issues, with half of Arizona residents indicating they have heard the slogan, *Don't Trash Arizona*. Overall awareness of the slogan increased from 43% in 2006 to 51% in 2010. It appears that the first sign of a change in littering behavior may be evident in 2010. In addition, the percentage of Maricopa County residents classified as "Admitted Litterers" declined to 23%, the lowest recorded during this tracking study.

### Program Target

Even though members of the target audience (males aged 18-34) are still frequent litterers, the campaign is making progress within this group. There are positive changes among the target audience, with the percentage of males aged 18-34 who stated they had not littered within the past year increasing for the third year in a row (to 51% from a reported 40% in 2006).

Forty-two percent of males between the ages of 18 and 34 indicated they had seen or heard *Don't Trash Arizona* advertising in the past three months. This is up from 30% in 2009.

RIESTER believes males aged 18 to 34 is a productive target because:

- Overall behavior change is positive - *74% of the population say they have not littered in the past year compared to 51% of the target audience.*
- The target demographic litters more than any other segment of the population - *They are 31% more likely to have littered over the past year.*
- Younger means more litter on the road - *Those under 55 are twice as likely to have trash fall out of their vehicle over the last three months vs. those over 55.*

RIESTER recommends continuing to target young males. We further recommend the age range for young males be adjusted downward to sixteen, producing a 2011 target demographic age range of 16-34. The rationale for this modification is:

- A significant number of young male drivers begin driving at 16 years of age.
- Reaching out to this group earlier increases the probability of achieving positive, long lasting attitudinal changes regarding littering from a vehicle.
- Expanding the demographic range will have very little effect on overall campaign effectiveness or cost.

### Communication Goal

The key goal for 2011 is to motivate motorists to avoid littering on Maricopa County freeways.

### Campaign Messages

Accidental littering remains a significant area of concern. Forty-five percent of Arizonans admitted to having trash blow out of or fall from their vehicle in 2010. Another area of concern continues to be cigarette butt littering, cited by 23% of residents. Maricopa County residents reported they threw cigarette butts out of the vehicle because they did not want the smell of smoke in their cars, and most concerning, they did not consider cigarette butts as litter. Moreover, a new area of accidental littering concern is food scraps. Seventeen percent of

admitted litterers indicate they discard food scraps. However, they have an erroneous perception of the consequences of this behavior. They believe that since food scraps are biodegradable therefore do not constitute litter.

The Internet remains the top source for Valley residents who want more information about litter or littering (mentioned by 49%). The number of target audience members (males 18-34) who reported visiting the *Don't Trash AZ* website was significantly higher than the number reported by the total study population – at 26% vs. 14%, respectively.

Currently, 64% of pickup truck drivers indicated that on average they “always” secure items in the back of their vehicle – this is down from 70% the previous year. This result indicates that there is a need to encourage and educate all drivers, and specifically truck drivers, to take action and secure the loads on their vehicles every time they drive.

Based on the evaluation survey, RIESTER recommends focusing on the following messaging strategies:

- **Keep Your Butt in the Car** – If you smoke, use a portable ashtray in your vehicle.
- **Safe Loads = Safe Roads** – Prevent dangerous debris from falling onto Maricopa County freeways by properly securing your load.
- **Get a litterbag for your vehicle by going to [DontTrashAZ.com](http://DontTrashAZ.com).** Remind the target audience to keep a litterbag in their cars and to dispose of the trash when they arrive at their homes or fill up at the gas station.

RIESTER recommends radio as the primary media vehicle for paid advertising. In addition to providing necessary reach of the target audience and cost effective frequency in airing the key messages, radio stations excel in delivering customized promotions to increase listener interaction with the station and advertiser. Additionally, radio is considered to be a highly effective medium because many people are driving on Maricopa County freeways while listening to the radio and MAG can reach them in their vehicle where the behavior occurs.

As a secondary medium to communicate these key messages, RIESTER recommends that MAG utilizes outdoor advertising to complement the radio buy. The message will be reinforced through impressions on Valley freeways, reaching people in their vehicles where the behavior occurs.

RIESTER recommends that MAG continue with online banner ads that promote action and engagement for the program. Higher click-through rates are achieved when the message engages the user to “click here” to receive either more information or receive an item, such as a free litterbag or a *Don't Trash Arizona* branded tarp to properly secure vehicle loads.

In addition to radio and online, RIESTER recommends that during the monsoon season, MAG use television to communicate the *Safe Loads = Safe Roads* messaging. An efficient way to accomplish the goal of mass audience reach is to use ten-second television weather sponsorships. These sponsorships include a ten-second voiceover tag with a visual of the logo on the screen.

## EVENTS AND PUBLICITY RECOMMENDATIONS

### OUTREACH TACTICS

#### *Publicity*

##### **School Promotion Program**

RIESTER recommends creating a promotions program for use by local schools. This program would be twofold. The first part of the program would be a presentation kit that can be utilized for schools that have or want to start up a *Don't Trash Arizona* club or program or for instructor looking for curriculum. The second part of the program would be a Driver's Action Kit. RIESTER will design and produce informational items for both parts of the school promotion program. These items can include, but are not limited to, a Powerpoint presentation for use by teachers and or MAG representatives with information about the litter problem in Arizona and what they can do to help, informational brochures, a one-to-four minute informational video, bumper stickers, window clings, *Don't Trash Arizona* license plates, and litterbags for vehicles.

RIESTER will use the both the presentation kit and the Driver's Action Kit as a potential story idea for the news media, making drops of the kits to the local television outlets in the hopes that the efforts of the *Don't Trash Arizona* program will be discussed on air.

##### **Designer Litterbag Contest**

To reach the younger demographic and new drivers, RIESTER recommends the development of a litterbag design contest for high schools in Maricopa County. As part of the contest, students would be encouraged to design a litterbag that would be mass produced, and used as the official, limited edition *Don't Trash Arizona* litterbag. The contest also would provide an opportunity for the victorious school to win a radio station supplied remote with pizza or ice cream at the next pep rally or organized school event.

RIESTER will utilize the launch of the designer litterbag contest as a media relations opportunity for the *Don't Trash Arizona* program. In addition to launching the contest to the news media via a press release, RIESTER will provide the winning bag and interview access with the winning student or school.

##### **Partnerships**

Partnerships with Valley businesses and community advocates can be beneficial to the program because they can augment the paid media efforts and reinforce the key messages.

##### ***Don't Trash Arizona Day***

To generate awareness of the *Don't Trash Arizona* program among Maricopa County residents, RIESTER proposes the creation of a statewide *Don't Trash Arizona Day*. RIESTER will file for a proclamation with the Governor's Office. The process for proclamation will take six weeks, but if approved, RIESTER will launch the day via a press release and media calls for residents to take steps to prevent litter on Valley freeways and highways.

##### **Arizona Great American Clean Up and Earth Day Phoenix**

On March 11-12, Keep Arizona Beautiful will launch the *Arizona Great American Clean Up* at Papago Park. The national event, which will kick off in Arizona, will call on neighborhoods to volunteer to help clean up litter in the state. The event spans two days, with several media

events, including a potential keynote from the Mayor of Phoenix, as well as the actual cleanup. Given the natural synergy and existing partnership between Keep Arizona Beautiful and *Don't Trash Arizona*, RIESTER recommends that MAG serve as a sponsor of the event as a means to benefit from the media coverage surrounding it.

Sponsorship of the *Arizona Great American Clean Up* also includes a presence at the organization's next event, Earth Day Phoenix, on April 21, 2011 at Cesar Chavez Plaza across from City Hall. The event will provide an opportunity for attendees to learn about recycling and sustainability. Sponsorships of that event consist of a booth at the event as well as a Keep Phoenix Beautiful Awards presentation on April 20.

### **Friday Night Drags**

Firebird Raceway holds Friday Night Drags every week of the year. RIESTER proposes a partnership with Firebird Raceway as this promotion draws mostly males 16-34. This is a legal street drag racing opportunity in a safe environment. RIESTER recommends providing Driver's Action Kits for all those that race, while offering a branded *Don't Trash Arizona* tarp for the winner of each week.

### **2011-Model International Auto Show**

Another prominent event occurring in Phoenix next year is the 2011-Model International Auto Show. The event, occurring Nov. 25-28 at the Phoenix Convention Center, is a natural tie-in for *Don't Trash Arizona*. RIESTER recommends providing patrons of the event with brochures and litterbags.

With both of the above events, RIESTER will announce *Don't Trash Arizona's* participation to members of the news media and attempt to capitalize on media coverage already occurring for the events.

## **MEDIA RELATIONS**

### **MAG Storytelling Segments**

RIESTER proposes the creation of a sequence of on-air segments to pitch to local television stations. The segments would focus on specific components of the *Don't Trash Arizona* program, primarily "dangerous debris," including its dangers and how it can be prevented. They will be themed around a local occurrence or trend to make them timely and relevant for the news outlet. Each segment idea would then be pitched to relevant news and lifestyle programs with the goal of securing a variety of segments during the program. Once secured, RIESTER will assist in coordinating all aspects of the segments, including identification of appropriate spokespeople, creation of speaking points and preparation of visuals. A RIESTER representative also will be onsite at the studio to coach spokespeople and facilitate each segment.

Potential ideas for segments include, but are not limited to, the following:

- **October/November:** Leverage MAG's annual litter study and announce the results via press release to generate coverage about current litter behaviors.
- **December:** Offer interviews with spokesperson(s) to discuss the costs of litter on Valley residents.
- **January:** Leverage the launch of the *Don't Trash Arizona's* Designer Litterbag Contest while working with members of the news media to provide tips on how to prevent litter.

- **February:** Offer interviews with spokesperson(s) about how viewers can show their pride in Arizona by preventing litter.
- **March:** Offer interviews with a spokesperson that has lost a loved one in an accident as a result of “dangerous debris.”
- **April:** Offer interviews with a spokesperson in conjunction with Earth Day to discuss the most common items litter on Valley freeways and the dangerous impact they have on the environment.
- **May:** Offer interviews with a spokesperson in conjunction with Arizona State University moving day to discuss tips for properly securing loads.
- **June:** Offer interview with a spokesperson to kick off Arizona’s Monsoon season warning viewers of the dangers of littering cigarette butts.

### **Monsoon Season – Secure Your Load Through *Safe Loads = Safe Roads* Program**

Arizona’s Monsoon is one of the few times a year when the state experiences weather conditions other than sunshine. The season, which occurs from June 15 to September 30, is often marked by treacherous rain and high winds. RIESTER proposes the creation of a sponsorship and or media opportunity where members of the media could educate viewers and listeners on the dangers of unsecured loads during bad weather. Additional angles for these segments would be the dangers of littered cigarette butts leaching into the state’s water supply due to the monsoon rains.

### **Top 10 Litter List: Litter Contributes to Traffic Delays:**

To drive home the message of how dangerous debris can be on the highway, RIESTER recommends the creation of a “Top 10” list of the most obstructive items retrieved on freeways by ADOT. Most items are a result of unsecured loads and have the potential for causing traffic delays and even accidents. RIESTER would use the list as fodder to draft a press release announcing the top ten items and what drivers should do if they encounter one of these while driving.

## **EMAIL OUTREACH PROGRAM**

### ***Don’t Trash Arizona* Newsletter**

Growing the number of emails in MAG’s database has been a focal point in RIESTER’s efforts on behalf of the *Don’t Trash Arizona* program, growing it from fewer than 100 people to more than 300 in 2010 alone. RIESTER recommends building on last year’s momentum, and to continue communication with this captive audience through email at a frequency of at least one blast a month in the form of a monthly newsletter. RIESTER will handle the development of content for e-blasts as well as execute the distribution.

A 12-month plan can include, but would not be limited to, topics such as:

- **January:** Resolve to clean up your act in 2011 by refraining from littering.
- **February:** Show love for your state, *Don’t Trash Arizona*.
- **March:** That’s bananas – why tossing biodegradable foods is still considered litter.
- **April:** Tips to make every day Earth Day.
- **May:** April showers could bring contamination not May flowers.
- **June:** It’s raining, it’s pouring – secure your load this monsoon season.
- **July:** Leave fireworks to the professionals; keep your butts in the car.
- **August:** Educate new drivers on the dangers of litter.
- **September:** Keep your lawn clippings from ‘fall’ing this September.
- **October:** Dangerous debris on Valley freeways can be scary.

- **November:** Stop roadway litter and be thankful for a beautiful state.
- **December:** Get rid of that holiday tree by transporting it safely.

## **SOCIAL MEDIA**

### **Social Media Monitoring and Messaging**

In addition to traditional tactics, RIESTER would like to support the *Don't Trash Arizona* program through social media efforts. Communications on all approved social media vehicles including Twitter will be monitored by MAG to ensure consistent messaging.

RIESTER also would like to help develop and drive content as a means to personalize it to the target audience. The idea is to work to understand their mindset and draft content that is relevant to them. This type of tailored messaging will guarantee that they continue to seek out communications, while feeling engaged in the *Don't Trash Arizona* program.

## MEDIA RECOMMENDATIONS

As radio has proven to be an effective source in reaching the targeted demographic, media recommendations for FY 2011 will continue to utilize relationships with local radio stations to increase awareness for the *Don't Trash Arizona* program. In addition to radio, RIESTER recommends expanding the reach of the *Don't Trash Arizona* program to include cable TV, TV weather sponsorships, outdoor, digital and ADOT dynamic message signs.

### Radio

Between November 2010 and October 2011, media efforts will focus on effectively reaching the target audience of males aged 16-34. Schedules will run two weeks out of each month.

- KDKB-FM (93.3 Rock)
- KSLX-FM (100.7 Classic Rock)
- KUPD-FM (97.9 Active Rock)

MAG will receive added value in the form of online banner ads on the radio station websites. MAG will receive a rotating skyscraper ad on both [www.kdkb.com](http://www.kdkb.com) and [www.kslx.com](http://www.kslx.com) and [www.98kupd.com](http://www.98kupd.com) with a link to the *Don't Trash Arizona* website. A minimum of 10 recorded promotional announcements each week will direct listeners to the station websites.

The above mentioned stations provide a stronger frequency of message, vital for increasing awareness. Additionally, RIESTER will utilize the radio's promotional strength with remotes and van stops to aid in public relations and informational events. A minimum of 15 recorded promotional announcements will be included for each event.

### Outdoor

The Phoenix market currently has 39 digital billboard units at high traffic freeways and major arteries. RIESTER will utilize digital outdoor boards on key highway locations to promote the *Don't Trash Arizona* messages. RIESTER will purchase one board one week per month and board locations will rotate around the valley.

### Cable

Between August 2011 and November 2011, RIESTER recommends that MAG take advantage of a targeted television sponsorship with Cox media, allowing for exposure to the younger male audience. MAG will be a sponsor of the Arizona High School football show named "First & 10" on Cox7-AZ. Games and Pre-shows are aired each week. Sponsorship includes Pre and Post :30 second commercials, logo inclusion in all, tune-in pre-show promos, name and logo recognition in feature and open/close billboards. An option to be onsite at games is viable with school's permission. RIESTER will support the production of a :30 television spot with development of script and direction. MAG will be responsible for production of the spot.

### Monsoon Season

#### Ten-second TV Weather Sponsorships

Every year, the monsoon brings dangerous lightning, destructive winds and heavy rains which do a lot of damage on Maricopa freeways. RIESTER recommends partnering with local television stations during the monsoon and sponsoring a ten-second weather sponsorship during the nightly local news weather segment. In this segment, tips for avoiding dangerous debris on freeways can be communicated using station voiceovers while visually displaying the *Don't Trash Arizona* logo and web address.

**Dynamic Message Sign from ADOT**

RIESTER recommends partnering with ADOT to promote key messages via their dynamic messaging signs across the Valley. Each of the key messages will be promoted during high traffic morning and afternoon drive times.

**Digital**

As with MAG's current plan, RIESTER recommends continuing with digital advertising using local sites, paid search and social media placements. Banner and text link ads will target users online, including those using mobile devices. The following are sites that will be considered for the 2010-2011 media plan:

- Google
- Facebook
- Azcentral.com

Google is used to target relevant keywords for which users are searching. Text ads will be displayed in search results promoting the MAG message. Facebook will also be utilized to serve text/image ads to users within the target message on the wildly popular site. In all Pay Per Click advertising campaigns, MAG will only pay when a user clicks on the advertised banner. Both of these services offer precise geo-targeting and Facebook also offers age, gender and interest targeting functionality.

**SMS Text Ads**

A SMS text campaign will target local youth who text in questions to the ChaCha mobile service. ChaCha is able to target by age and location and include sponsored messages in their answer responses. Due to the popularity of text messaging and the limited adoption of Smart Phones in the younger audience, this provides MAG with a strong media for the younger male target audience.

## DIGITAL RECOMMENDATIONS

### WEBSITE

#### 3 CLICKS TO BUILD AWARENESS

RIESTER recommends a branded call to action on the website that drives users to spread the word on the dangers of highway litter through social media. This page would ask the visitor to share the campaign using 3 low-barrier commitments.

##### **Click 1: LIKE this cause on Facebook**

Using the Facebook “Like” buttons, the visitor would share a message on their wall visible to all their friends. They would also opt-in to receive messages posted by the *Don't Trash AZ* Facebook page. The visitor is not pulled from the page on this action.

##### **Click 2: Tweet this cause on Twitter**

Using the Twitter “Tweet this” button, the visitor would share a message to their followers about the campaign. They would have an opportunity to preview and change the tweet before it is sent. The visitor is not directed off the page.

##### **Click 3: Enter your email address and click to sign up for monthly newsletter.**

The visitor would enter their email address and opt-in to receive monthly newsletters. The tarp contest could possibly be integrated into this.

#### **Safe Loads = Safe Roads Contest**

Building on last year's success in building the *Don't Trash Arizona* database, RIESTER recommends continuing the Safe Loads = Safe Roads onsite contest using the existing landing page on the *DontTrashAz.com* website. The page will continue to offer those who pledge to *Don't Trash Arizona* a chance to win a free *Don't Trash AZ* tarp and bungee cords.

### WEBSITE CONTENT MANAGEMENT

RIESTER would install and maintain a content management system to quickly respond and post timely updates. This would give more flexibility and encourage website traffic by keeping content fresh while reducing the strain on MAG resources. RIESTER would manage all communication to the sites database.

### WEBSITE ANALYTICS

RIESTER will continue to generate the following in the form of a website scorecard for MAG.

- Monthly status updates
- Monthly performance reports / Analytics
- Website enhancement and adjustment recommendations

The data from the scorecard allows RIESTER to make website enhancement and adjustments based on key performance indicators such as; visitation, traffic sources, content performance and navigational summaries.

## CREATIVE RECOMMENDATIONS

The *Don't Trash Arizona* program seeks to change behavior by encouraging residents to make a commitment to not litter via awareness of negative behaviors and altering daily habits. The recommendations below all work in tandem with the previous recommendations outlined in this strategic plan.

### CREATIVE

#### Radio

RIESTER recommends that MAG produce two new radio spots for the FY11 *Don't Trash Arizona* program. One spot will focus on motivating motorists to not throw cigarette butts from their vehicle. A second spot will focus on motivating motorists to secure their load. Both spots will direct listeners to the [dontrashaz.com](http://dontrashaz.com) website to receive a free litterbag for their vehicle.

#### Outdoor

RIESTER recommends designing innovative and fun outdoor ads that communicate each of the key messages in a simple and entertaining manner. Three concepts will be created, one for each of the key message: Keep your butts in the car, Safe Loads = Safe Roads, Get a Free Litterbag for your car at [dontrashaz.com](http://dontrashaz.com).

#### TV

RIESTER recommends that MAG produce one television spot for the FY11 *Don't Trash Arizona* program. The spot will focus on the primary message of keeping Maricopa freeways litter free by not throwing anything from their vehicle including cigarette butts or food related trash. The spot will invite consumers to log onto the website for more information and to receive a free litterbag for their vehicle.

#### Online Banner Ads

RIESTER recommends creating online banner ads that invite the target audience to become an activist for the campaign by signing up online at [DontTrashAZ.com](http://DontTrashAZ.com). Banner ads will be designed to drive traffic to the website and encourage signup, therefore building the campaign database and outreach opportunities.

#### Ten second copy for television weather sponsorship during monsoon season

RIESTER recommends that MAG remind valley drivers how important it is to secure their load, especially during high winds of the monsoon season. RIESTER will write a ten second script for the station's announcer to read on air during the paid sponsorship. RIESTER will supply the station with the *Don't Trash Arizona* logo and web address. These items will be displayed on the screen for the entire ten seconds as the announcer is reading the script.

### COLLATERAL

#### Drivers Action Kits

To help enlist activists for the *Don't Trash Arizona* program, RIESTER recommends producing such items as, but not limited to: branded license plate covers, window clings, brochures, and designer litterbags for vehicles and a 2-5 minute video detailing key messages of the program.

## EVALUATION RECOMMENDATIONS

For the FY2011 program, RIESTER proposes that measurement of this year's plan be a compilation of outputs and outcomes, specifically:

1. The quality of the outputs – that is, execution of tactics in the plan and
2. Generation of outcomes including growing the:
  - Don't Trash Arizona pledge database
  - Facebook "Likes"
  - Visits to the *Don't Trash Arizona* website
  - News media impressions and placements

On the digital front, already outlined in the recommendation are usability improvements to the *Don't Trash Arizona* website, the desired outcome is to positively impact the number of individuals taking the pledge.

RIESTER recommends implementing the following Context Planning program in order to continue with the accurate evaluation of the MAG *Don't Trash Arizona* program.

### POST CAMPAIGN EVALUATION SURVEY

Upon completion of the 2011 campaign cycle, RIESTER recommends continuing with the 2006, 2008, 2009 and 2010 methodologies and conduct a follow-up campaign evaluation study in the form of a phone survey with Maricopa County residents to measure the campaign's success. The data from this survey will be compared to the originally established consumer awareness and opinion benchmark data, as well as the 2008 and 2009 post-campaign evaluation surveys.

The survey recommended for 2011 will again utilize the same methodology, survey length, and survey topics as the 2010 evaluation survey. The Maricopa County survey will again accommodate a 15-minute interview length with a recommended sample size of 600.

This survey will continue to measure the overall awareness of and attitudes towards litter throughout the Maricopa County freeway system, as well as campaign awareness, and resource(s) awareness/usage for the litter hotline and website.

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY... for your review**

**DATE:**

October 5, 2010

**SUBJECT:**

Conformity Consultation

**SUMMARY:**

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program (TIP). The amendment and administrative modification involve several projects, including FY 2011 Arizona Department of Transportation projects on State Route 303, Safe Routes to School funded projects, and City of Phoenix transit projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. A description of the projects is provided in the attached interagency consultation memorandum. Comments on the conformity assessment are requested by October 22, 2010.

**PUBLIC INPUT:**

Copies of the conformity assessment have been distributed for consultation to the Federal Transit Administration, Federal Highway Administration, Arizona Department of Transportation, Arizona Department of Environmental Quality, Regional Public Transportation Authority, City of Phoenix Public Transit Department, Valley Metro Rail, Maricopa County Air Quality Department, Central Arizona Association of Governments, Pinal County Air Quality Control District, U.S. Environmental Protection Agency and other interested parties including members of the public.

**PROS & CONS:**

**PROS:** Interagency consultation for the amendment and administrative modification notifies the planning agencies of project modifications to the TIP.

**CONS:** The review of the conformity assessment requires additional time in the project approval process.

**TECHNICAL & POLICY IMPLICATIONS:**

**TECHNICAL:** The amendment and administrative modification may not be considered until the consultation process for the conformity assessment is completed.

**POLICY:** Federal transportation conformity regulations require interagency consultation on development of the transportation plan, TIP, and associated conformity determinations to include a process involving the Metropolitan Planning Organization, State and local air quality planning agencies, State and local transportation agencies, Environmental Protection Agency, Federal Highway Administration, and the Federal Transit Administration. Consultation on the conformity assessment has been conducted in accordance with federal regulations, MAG Conformity Consultation Processes adopted by the Regional Council in February 1996 and MAG Transportation

Conformity Guidance and Procedures adopted by the Regional Council in March 1996. In addition, federal guidance is followed in response to court rulings regarding transportation conformity.

**ACTION NEEDED:**

Consultation.

**PRIOR COMMITTEE ACTIONS:**

None.

**CONTACT PERSON:**

Dean Giles, Air Quality Planning Program Specialist III, (602) 254-6300.

October 8, 2010

TO: Leslie Rogers, Federal Transit Administration  
Robert Hollis, Federal Highway Administration  
John Halikowski, Arizona Department of Transportation  
Benjamin Grumbles, Arizona Department of Environmental Quality  
David Boggs, Regional Public Transportation Authority  
Debbie Cotton, City of Phoenix Public Transit Department  
Stephen Banta, Valley Metro Rail  
William Wiley, Maricopa County Air Quality Department  
Maxine Brown, Central Arizona Association of Governments  
Donald Gabrielson, Pinal County Air Quality Control District  
Gregory Nudd, U.S. Environmental Protection Agency, Region IX  
Other Interested Parties

FROM: Dean Giles, Air Quality Planning Program Specialist

SUBJECT: CONSULTATION ON A CONFORMITY ASSESSMENT FOR A PROPOSED AMENDMENT  
AND ADMINISTRATIVE MODIFICATION TO THE FY 2011-2015 MAG TRANSPORTATION  
IMPROVEMENT PROGRAM

On October 5, 2010, the Maricopa Association of Governments distributed a memorandum for consultation on a conformity assessment for an amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program (TIP). The amendment and administrative modification involve several projects, including FY 2011 Arizona Department of Transportation projects on State Route 303, Safe Routes to School funded projects, and City of Phoenix transit projects. Since that time, MAG has received additional projects for the administrative modification from Cave Creek and Litchfield Park, projects CVK07-601D, CVK07-601C, and LPK05-101C. A revised list is attached. Comments on the conformity assessment are requested by October 22, 2010.

MAG has reviewed the projects for compliance with the federal conformity rule and has found that consultation is required on the conformity assessment. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. The conformity finding of the TIP and the associated Regional Transportation Plan 2010 Update that was made by the Federal Highway Administration and Federal Transit Administration on August 25, 2010 remains unchanged by this action. The conformity assessment is being transmitted for consultation to the agencies listed above and other interested parties. If you have any questions or comments, please contact me at (602) 254-6300.

Attachment

cc: Eric Massey, Arizona Department of Environmental Quality  
Jennifer Toth, Arizona Department of Transportation  
Mark Hodges, Arizona Department of Transportation

## ATTACHMENT

### CONFORMITY ASSESSMENT FOR A PROPOSED AMENDMENT AND ADMINISTRATIVE MODIFICATION TO THE FY 2011-2015 MAG TRANSPORTATION IMPROVEMENT PROGRAM

The federal transportation conformity rule (40 CFR 93.105) requires interagency consultation when making changes to a Transportation Improvement Program (TIP) and Transportation Plan. The consultation processes are also provided in the Arizona Conformity Rule (R18-2-1405). This information is provided for consultation as outlined in the MAG Conformity Consultation Processes document adopted by the MAG Regional Council on February 28, 1996. In addition, federal guidance is followed in response to court rulings regarding transportation conformity.

The amendment includes projects that may be categorized as exempt from conformity determinations. Types of projects considered exempt are defined in the federal transportation conformity rule at 40 CFR 93.126. The administrative modification includes minor project revisions that do not require a conformity determination. Examples of minor project revisions include schedule, funding source, and funding amount changes. The proposed amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program includes the projects on the attached table. The project number, agency, and description is provided, followed by the conformity assessment.

MAG has reviewed the projects for compliance with the federal conformity rule and consultation is required on the conformity assessment. The projects are not expected to create adverse emission impacts or interfere with Transportation Control Measure implementation. The conformity finding of the TIP and the associated Regional Transportation Plan that was made by the Federal Highway Administration and Federal Transit Administration on August 25, 2010 remains unchanged by this action.

Highway Projects												
TIP #	Agency	Project Location	Project Description	FY	Length (miles)	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
DOT11-829	ADOT	SR303L: I-10/ 303 Interchange, Phase 1	Construct traffic interchange (Phase 1, I-10 realignment)	2011		RARF			\$ 232,200,000	\$ 232,200,000	Amend: Decrease construction budget by \$18,800,000. Proposed construction cost is now \$232,200,000. It was previously \$253,000,000 (\$251M for construction and \$2M for utility relocation). Decreased amount will be used to fund utility relocation projects (Thomas - Camelback, Camelback - Glendale and Glendale - Peoria).	A minor project revision is needed to decrease funding amount. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT11-120	ADOT	SR303L: Thomas Rd - Camelback Rd	Utility relocation	2011		RARF			\$ 1,500,000	\$ 1,500,000	Amend: Add a new "Utility relocation" project in fiscal year 2011 for \$1,500,000.	The addition of the project would not change the assumptions used in the regional emissions analysis. Project construction phase, DOT12-124, is in the conforming TIP. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT11-121	ADOT	SR303L: Camelback Rd - Glendale Ave	Utility relocation	2011		RARF			\$ 8,000,000	\$ 8,000,000	Amend: Add a new "Utility relocation" project in fiscal year 2011 for \$8,000,000.	The addition of the project would not change the assumptions used in the regional emissions analysis. Project construction phase, DOT13-136, is in the conforming TIP. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT11-122	ADOT	SR303L: Glendale Ave - Peoria Ave	Utility relocation	2011		RARF			\$ 9,300,000	\$ 9,300,000	Amend: Add a new "Utility relocation" project in fiscal year 2011 for \$9,300,000.	The addition of the project would not change the assumptions used in the regional emissions analysis. Project construction phase, DOT12-121, is in the conforming TIP. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT09-908	ADOT	L202 South Mountain: I-10 East - I-10 West	Prepare EIS for eight lanes of new freeway	2011	22		\$ -	\$ -	\$ -	\$ -	Admin Mod: Change South Mountain EIS study from 10 lanes to 8 lanes of freeway	The project is considered exempt under the category "Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
DOT11-123	ADOT	US60 (Grand Ave): Dysart Rd - Agua Fria River, EB Frontage Road	Pavement preservation (apply micro seal)	2011	2.6	STP-AZ	\$ 29,925	\$ 495,075		\$ 525,000	Amend: Add a new pavement preservation project in fiscal year 2011 for \$525,000.	The project is considered exempt under the category "Pavement resurfacing and and/or rehabilitation." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
CVK07-601D	Cave Creek	Townwide	Pave dirt roads program - Design	2011	0.5	CMAQ	\$ 4,845	\$ 80,155		\$ 85,000	Admin Mod: Defer design phase from FY 2010 to 2011.	A minor project revision is needed to defer project to FY 2011. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.

TIP #	Agency	Project Location	Project Description	FY	Length (miles)	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
CVK07-601C	Cave Creek	Townwide	Pave dirt roads program - Construct	2012	0.5	CMAQ	\$ 10,155	\$ 169,845		\$ 180,000	Admin Mod: Defer construction phase from FY 2010 to 2012.	A minor project revision is needed to defer project to FY 2012. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
GLB11-104	Gilbert	Gilbert Schools	Crossings and sidewalk safety improvement	2011		SRTS		\$ 300,000		\$ 300,000	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$300,000. Project funded 100% with SRTS funds.	The project is considered exempt under the category "Bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
LPK05-101C	Litchfield Park	Litchfield Rd at Wigwam Blvd	Construct Multi-Use Underpass	2011	0.2	CMAQ	\$ 253,850	\$ 1,686,420	\$ -	\$ 1,940,270	Admin Mod: Defer construction phase from FY 2010 to 2011.	A minor project revision is needed to defer project to FY 2011. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
MMA11-723	Maricopa County	Bell Rd:115th Ave to 55th Ave	Construct Dynamic Message Signs, CCTV camera fibre optic conduit and cable	2011	7.5	CMAQ	\$ 163,800	\$ 382,200		\$ 546,000	Amend: Change location from Bell Rd: Loop 303 (Estrella Fwy) to 75th Ave to 115th Avenue to 55th Avenue, and change scopes from Dynamic Message Signs to two (2) CCTV cameras, and change local cost from \$456,670 to \$163,800.	The ITS project is considered a project under the category "traffic signal synchronization project". Traffic signal synchronization projects may be approved, funded, and implemented and are subject to subsequent regional emissions analyses. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
MES11-110	Mesa	Porter Park Pathway: Mesa Drive and 8th Street near the vicinity of Kino Junior High	Design paved share use path	2011	1.1	SRTS	\$ -	\$ 150,000	\$ -	\$ 150,000	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$150,000. Project funded 100% with SRTS funds.	The project is considered exempt under the category "Bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
MES11-111	Mesa	Porter Park Pathway: Mesa Drive and 8th Street near the vicinity of Kino Junior High	Construct paved share use path	2012	1.1	SRTS	\$ -	\$ 150,000	\$ -	\$ 150,000	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$150,000. Project funded 100% with SRTS funds.	The project is considered exempt under the category "Bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PHX11-112	Phoenix	Mitchell Elementary School	Construct sidewalks	2011		SRTS		\$ 300,000		\$ 300,000	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$300,000. Project funded 100% with SRTS funds.	The project is considered exempt under the category "Bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PHX11-111	Phoenix	Wilson School District	Construct sidewalks	2011		SRTS		\$ 298,724		\$ 298,724	Amend: Add a new "Safe Routes to School" project in fiscal year 2011 for \$298,724. Project funded 100% with SRTS funds.	The project is considered exempt under the category "Bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.

TIP #	Agency	Project Location	Project Description	FY	Length (miles)	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
SUR12-801	Surprise	Dove Valley Rd: 187th Ave to 203rd Ave	Pave Unpaved Road	2012		CMAQ	\$ 68,200	\$ 956,800		\$ 1,025,000	Amend: Change project location from Dove Valley Rd: 163rd Ave to 179th Ave to Dove Valley Rd: 187th Ave to 203rd Ave due to right of way issues	The project is considered exempt under the category "Pavement resurfacing and and/or rehabilitation." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
SUR12-818	Surprise	Bell Rd: Loop 303 (Estrella Fwy) to Beardsley Canal (185th Ave)	Construct fiber optic interconnect to connect TI traffic signals, CCTV cameras, dynamic message signs, and connection to ITS fiber backbone	2012	3	CMAQ	\$ 426,950	\$ 996,217		\$ 1,423,167	Amend: Shorten project length from Bell Rd: Loop 303 (Estrella Fwy) to Jackrabbit Trl (195th Ave) to Bell Rd: Loop 303 (Estrella Fwy) to Beardsley Canal (185th Ave), modify scope to include 2 DMSs and connectivity to the project, and reduce Local costs from \$1,203,783 to \$426,950.	The ITS project is considered a project under the category "traffic signal synchronization project". Traffic signal synchronization projects may be approved, funded, and implemented and are subject to subsequent regional emissions analyses. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
SUR13-901	Surprise	Loop 303: Peoria Ave to Bell Rd	Construct fiber optic interconnect to connect TI traffic signals, CCTV cameras, dynamic message signs, and connection to ITS fiber backbone	2013	4	CMAQ	\$ 322,901	\$ 753,437		\$ 1,076,338	Amend: Change location from Cotton Lane to L303, modify scope for further connectivity, and reduce local funding from \$1,500,000 to \$322,901	The ITS project is considered a project under the category "traffic signal synchronization project". Traffic signal synchronization projects may be approved, funded, and implemented and are subject to subsequent regional emissions analyses. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
WKN10-801	Wickenburg	US93 Bypass at Hassayampa River	Construct Wickenburg Pedestrian and Bicycle Bridge	2011	0.09	STP-TEA	\$59,397	\$483,279	\$ -	\$ 542,676	Admin Mod: Defer STP-TEA project from 2010 to 2011	A minor project revision is needed to defer project to FY 2011. The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.

Transit Projects

TIP #	Agency	Project Location	Project Description	Fiscal Year	ALI	Fund Type	Local Cost	Federal Cost	Regional Cost	Total Cost	Requested Change	Conformity Assessment
PHX11-105T	Phoenix	11th St from Washington to Moreland	11th Street Pedestrian Improvement Project Construction ( Funding is from FY2010)	2011	11.33.20	5309-Disc	\$ 525,000	\$ 2,100,000		\$ 2,625,000	Amend: Add project to TIP	The project is considered exempt under the category "Bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.
PHX11-106T	Phoenix	11th St from Washington to Moreland	11th Street Pedestrian Improvement Project Contract Administration ( Funding is from FY2010)	2011	11.71.04	5309-Disc	\$ 75,000	\$ 300,000		\$ 375,000	Amend: Add project to TIP	The project is considered exempt under the category "Bicycle and pedestrian facilities." The conformity status of the TIP and Regional Transportation Plan 2010 Update would remain unchanged.



302 North 1st Avenue, Suite 300 ▲ Phoenix, Arizona 85003  
Phone (602) 254-6300 ▲ FAX (602) 254-6490

October 5, 2010

TO: Members of the MAG Management Committee

FROM: Dean Giles, Air Quality Planning Program Specialist

SUBJECT: STATUS OF REMAINING MAG APPROVED PM-10 CERTIFIED STREET SWEEPER PROJECTS THAT HAVE NOT REQUESTED REIMBURSEMENT

A status report is being provided to members of the MAG Management Committee on the remaining PM-10 certified street sweeper projects that have received approval, but have not requested reimbursement (see attached table). To assist MAG in reducing the amount of obligated federal funds carried forward in the MAG Unified Planning Work Program and Annual Budget, MAG is requesting that street sweepers be purchased and reimbursement be requested by the agency within one year plus ten calendar days from the date of the MAG authorization letter.

At the June 10, 2009 MAG Management Committee meeting, discussion took place on the implications of delaying the expenditure of MAG Federal Funds. In addition to projects listed in the Transportation Improvement Program, street sweepers were given as an example.

In some cases approved sweeper projects have taken up to three years to request reimbursement. The delay in requesting reimbursement for street sweepers results in obligated federal funds being carried forward in the MAG Unified Planning Work Program and Annual Budget. The Federal Highway Administration has expressed concern regarding the amount of obligated funds being carried forward in the Work Program. To assist MAG member agencies in tracking the purchase of approved sweepers, periodic updates will be provided on the status of the reimbursement requests.

The purchase of PM-10 Certified Street Sweeper Projects supports the committed measure "Sweep Streets with PM-10 Certified Street Sweepers" in the MAG 2007 Five Percent Plan for PM-10. Also, it is important to note that for the conformity analysis for the Transportation Improvement Program and Regional Transportation Plan, MAG only takes emission reduction credit for approved street sweeper projects that have received reimbursement.

If you have any questions, please call me at (602) 254-6300.

Attachment

**STATUS OF REMAINING PM-10 CERTIFIED STREET SWEEPER PROJECTS  
THAT HAVE RECEIVED APPROVAL**

October 5, 2010

	Remaining Projects	CMAQ Allocated	Status
<b>FY 2008 CMAQ</b>			
Approved June 2008			
	Phoenix (2)	\$396,000	These street sweepers were delivered on September 8 and September 14, 2010.
Total Remaining Project Costs		\$396,000	
<b>FY 2009 CMAQ</b>			
Approved January 2009			
	Phoenix (1)	\$171,798	The street sweeper was delivered on September 30, 2010.
Total Remaining Project Costs		\$171,798	
<b>FY 2010 CMAQ</b>			
Approved January 2010			
To assist MAG in reducing the amount of obligated federal funds, MAG is requesting that street sweepers be purchased and reimbursement be requested by the agency by July 11, 2011.	Gilbert (2)	\$421,196	
	Phoenix (2)	\$357,880	
	Maricopa County	\$165,025	
	Peoria	\$197,225	
	Tempe	\$186,774	
	Apache Junction	\$173,000	
	Scottsdale Airport*	\$162,918	
Total Remaining Project Costs		\$1,664,018	
Grand Total Remaining Project Costs FY 2008 - FY 2010		\$2,231,816	

\* For the Scottsdale Airport project, MAG is requesting that the street sweeper be purchased and reimbursement be requested by July 29, 2011.

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY... for your review**

**DATE:**

October 5, 2010

**SUBJECT:**

MAG FY 2012 PSAP Annual Element/Funding Request and FY 2012-2016 Equipment Program

**SUMMARY:**

Each year, the Public Safety Answering Point (PSAP) Managers submit inventory and upgrade requests that are used to develop a five-year equipment program that forecasts future 9-1-1 equipment needs of the region and will enable MAG to provide estimates of future funding needs to the Arizona Department of Administration (ADOA). The funding request for fiscal year (FY) 2015 is required to be submitted to the ADOA by December 15, 2010.

The ADOA Order of Adoption stipulates allowable funding under the Emergency Telecommunications Services Revolving Fund. The Emergency Telecommunications Services Revolving Fund is funded by the monthly 9-1-1 excise tax on wireline and wireless telephones. The 9-1-1 excise tax has been reduced from 37 cents per month to 28 cents per month as of July 1, 2006. The excise tax was further reduced to 20 cents per month effective July 1, 2007. In addition, a significant amount of 9-1-1 funds has been transferred to the State's General Fund to offset the budget deficit, and revenue received from the 9-1-1 tax during FY 2010 decreased 8.2 percent.

It has been determined that sufficient revenue will be collected in FY 2011 to allow for continued network and equipment maintenance services, but in question are capital expenditures and any new programs or projects. On August 16, 2010, the State 9-1-1 Office notified the MAG 9-1-1 Office it will be implementing some cost savings measures in the FY 2011 budget. With the new budget year, the 9-1-1 program will no longer provide funding for the following items: reimbursement for logging recorders, additional positions at the PSAPs, new PSAPs, mapping enterprise networks, new MIS packages, and additional memory needs for more global mapping layers.

**PUBLIC INPUT:**

None.

**PROS & CONS:**

**PROS:** The five-year equipment program assists the MAG 9-1-1 Oversight Team to forecast future equipment needs of the region and will enable MAG to provide estimates regarding future funding needs to ADOA.

**CONS:** None.

**TECHNICAL & POLICY IMPLICATIONS:**

**TECHNICAL:** None.

**POLICY:** The process for approval of the PSAP funding request and five-year equipment program, which includes recommendations from the MAG 9-1-1 Oversight Team and Management Committee and approval by the Regional Council, demonstrates greater participation by management.

**ACTION NEEDED:**

Recommend approval of the MAG FY 2012 PSAP Annual Element/Funding Request and FY 2012-2016 Equipment Program for submittal to the Arizona Department of Administration.

**PRIOR COMMITTEE ACTIONS:**

On September 20, 2010, the MAG 9-1-1 Oversight Team recommended approval of the MAG FY 2012 PSAP Annual Element/Funding Request and FY 2012-2016 Equipment Program for submittal to the Arizona Department of Administration.

MEMBERS ATTENDING

- Steve Kreis, Phoenix Fire Department, Chair
- # Lawrence Rodriguez, Tolleson Police Department, Vice Chair
- # Jim Higgins for Mark Burdick, Glendale Fire Department
- \* Ray Churay, Maricopa County Sheriff's Office
- Brian Kotsur for Harry Beck, Mesa Fire Dept.
- \* Donna Marcum, Peoria Police Dept.
- # Kim Humphrey, Phoenix Police Dept.
- # Helen Gandara, Scottsdale Police Dept.
- \* Brenda Buren, Tempe Police Dept.

- \* Those members neither present nor represented by proxy.
- # Attended by telephone conference call.
- + Attended by videoconference call.

MAG 9-1-1 PSAP Managers Group: On July 15, 2010, the MAG 9-1-1 PSAP Managers Group recommended approval of the MAG FY 2012 PSAP Annual Element/Funding Request and FY 2012-2016 Equipment Program for submittal to the Arizona Department of Administration.

MEMBERS ATTENDING

- Patrick Cutts, Scottsdale, Chair
- Toni Rogers, Tolleson, Vice Chair
- Lisa Eminhizer for Kathy Jeter, Apache Junction
- Janne Stringer for Mark Gorla, Avondale
- \* Charles Arlak, Buckeye
- Vicki Szczepkowski, Chandler
- \* Stephanie Beebe, Ft. McDowell Yavapai Nation
- # Janet Laird, Gilbert
- Loretta Hadlock, Glendale
- Chris Nadeau, Goodyear
- Kimberly Clark, Mesa
- \* Jesse Locksa, Maricopa County
- \* Jim Tortora, Paradise Valley
- Vicky Scott, Peoria
- Jason Stokes, Phoenix
- Darren Shortey for Curtis Thomas, Salt River Pima-Maricopa Indian Community
- Carol Campbell, Surprise
- Karen Allen, Tempe
- \* Ed Syzponik, Wickenburg
- \*+ Michelle Potts, ASU
- + Barbara Jaeger, ADOA
- \*+Nicole Ankenman, Capitol Police
- + Debbie Henry, DPS
- \*+ David Demers, Luke AFB
- \*+ Louise Smith, Phoenix
- \*+ Ellen Anderson, Rural Metro/Southwest Ambulance

- \* Those members neither present nor represented by proxy.
- # Attended by teleconference.
- + Ex-Officio member

**CONTACT PERSON:**

Liz Graeber, Phoenix Fire Department, 602-534-9775, or Nathan Pryor, MAG, 602-254-6300.

## MAG FY 2012 PSAP ANNUAL ELEMENT/FUNDING REQUEST

SYSTEM IDENTIFICATION: Maricopa County 9-1-1 (33320)  
 AGENCY SUBMITTING: Phoenix Fire Department  
 ADDRESS: 150 S. 12th St., Phoenix, AZ 85034

CONTACT: Liz Graeber  
 TELEPHONE #: (602) 534-9775  
 DATE: 24-Jun-10

Fiscal Year	2011						2012					
TOTAL	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June

**Wireline**  
 Maintenance:

\$1,340,064	\$111,675	\$111,675	\$111,675	\$111,675	\$111,675	\$111,675	\$111,675	\$111,675	\$111,675	\$111,675	\$111,675	\$111,675	\$111,675
-------------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------

911 Monthly Service:

\$3,996,660	\$333,055	\$333,055	\$333,055	\$333,055	\$333,055	\$333,055	\$333,055	\$333,055	\$333,055	\$333,055	\$333,055	\$333,055	\$333,055
-------------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------

Customer Premise Equipment

\$1,010,000	\$35,000	\$275,000	\$150,000	\$225,000	\$325,000								
-------------	----------	-----------	-----------	-----------	-----------	--	--	--	--	--	--	--	--

Special Projects/Misc maintenance

\$430,000	\$45,918	\$45,918	\$45,918	\$45,918	\$45,918	\$45,918	\$45,918	\$45,918	\$45,918	\$45,918	\$45,918	\$45,918	\$45,918
-----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------

**Wireless**  
 Maintenance:

\$0													
-----	--	--	--	--	--	--	--	--	--	--	--	--	--

911 Monthly Service:

\$2,870,340	\$239,195	\$239,195	\$239,195	\$239,195	\$239,195	\$239,195	\$239,195	\$239,195	\$239,195	\$239,195	\$239,195	\$239,195	\$239,195
-------------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------

Addressing/Mapping/GIS

\$20,000	\$20,000												
----------	----------	--	--	--	--	--	--	--	--	--	--	--	--

Customer Premise Equipment

\$0													
-----	--	--	--	--	--	--	--	--	--	--	--	--	--

Special Projects

\$0													
-----	--	--	--	--	--	--	--	--	--	--	--	--	--

**FY TOTALS**

\$9,667,064	\$784,843	\$1,004,843	\$879,843	\$954,843	\$1,054,843	\$729,843	\$729,843	\$729,843	\$729,843	\$729,843	\$729,843	\$729,843	\$729,843
-------------	-----------	-------------	-----------	-----------	-------------	-----------	-----------	-----------	-----------	-----------	-----------	-----------	-----------

**Equipment:**

Upgrade Peripherals		35,000	
Buckeye	Viper upgrade	\$275,000	Equipment figures are only estimates - will have preliminary quotes before submitting to ADOA
Goodyear	Two positions and logging recorder	\$150,000	
Paradise Valley	Viper upgrade	\$225,000	
Surprise	Viper upgrade	\$325,000	

**\$1,010,000 Total**

## MAG FY2012-2016 PSAP Equipment Program

	FY2012	FY2013	FY2014	FY2015	FY2016
Apache Junction PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
ASU PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Avondale PD	No Response	No Response	No Response	No Response	No Response
Buckeye PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Capitol PD	No Response	No Response	No Response	No Response	No Response
Chandler PD	Nothing noted	Nothing noted	Nothing noted	1 Position, PSAP move	Nothing noted
DPS	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Ft. McDowell	No Response	No Response	No Response	No Response	No Response
Gilbert PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Glendale PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Logging Recorder
Goodyear PD	2 Positions, logging recorder, PSAP move	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Luke AFB	PSAP move	Nothing noted	Nothing noted	Nothing noted	Nothing noted
MCSO	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Mesa PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Paradise Valley PD	Nothing noted	Nothing noted	Logging recorder	Nothing noted	Nothing noted
Peoria PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Phoenix Fire	Nothing noted	18 Positions, logging recorder, PSAP move	Nothing noted	Nothing noted	Nothing noted
Phoenix PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Rural Metro PD	No Response	No Response	No Response	No Response	No Response
Salt River PD	Nothing noted	1 Position, PSAP Move	Nothing noted	Nothing noted	Nothing noted
Scottsdale PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Surprise PD	No Response	No Response	No Response	No Response	No Response
Tempe PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Tolleson PD	Nothing noted	Nothing noted	Nothing noted	Nothing noted	Nothing noted
Wickenburg PD	No Response	No Response	No Response	No Response	No Response

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY... for your review**

**DATE:**

October 5, 2010

**SUBJECT:**

Application Process for U.S. Department of Housing and Urban Development Stuart B. McKinney Funds for Homeless Assistance Programs

**SUMMARY:**

On December 8, 1999, the MAG Regional Council approved MAG becoming the responsible entity for a year-round homeless planning process which includes submittal of the U.S. Department of Housing and Urban Development (HUD) Stuart B. McKinney Continuum of Care Consolidated Application for the MAG region. The Continuum of Care grant supports permanent supportive housing, transitional housing, and supportive services. A total of \$196 million has been awarded to the region since 1999. Last year, the region received more than \$23.4 million for 53 homeless programs. It is anticipated that the region will be awarded comparably in 2010. The 2010 federal application was released on September 20, 2010 with a deadline to HUD on November 18, 2010.

A draft list of new and renewal projects will be provided to MAG Management Committee and MAG Regional Council members for information. The final consolidated application will be presented to the MAG Continuum of Care Regional Committee on Homelessness on November 15, 2010 for approval. Please refer to the attachment. The Continuum of Care will have an opportunity to apply for \$1,403,016 in new funding, referred to as the Permanent Housing Bonus. The new funds can be used for projects that serve homeless and disabled individuals and/or families, and/or chronically homeless individuals. Refer to the MAG Website at <http://www.mag.maricopa.gov> for the Notice of Funding Availability and additional information on the Permanent Housing Bonus project.

**PUBLIC INPUT:**

The 2010 application process was discussed at the MAG Continuum of Care Regional Committee on Homelessness meeting on September 27, 2010. An opportunity for public input was offered but no public comments were made.

**PROS & CONS:**

**PROS:** A coordinated application and planning process is required by the U.S. Department of Housing and Urban Development to maximize competitiveness for the federal Stuart B. McKinney Act funds. The MAG Continuum of Care Regional Committee on Homelessness facilitates the year-round planning process in the region. Because of the regional planning entity, there has been consensus about the homeless planning priorities and action steps in the Valley and cooperation with information needed for the federal grant. This approach emphasizes the need for collaboration among public and private agencies to ensure that individuals and families who are homeless are assisted in moving from homelessness to permanent housing and greater self-sufficiency. Since 1994, all applicants for funding from these programs have been required to demonstrate that their programs play an integral role in their community's Continuum of Care.

**CONS:** The application and year round planning process takes a significant amount of staff time to coordinate yet there is no administrative funding for these efforts. If this region did not submit this grant

through the existing MAG Continuum of Care process, however, potentially the homeless assistance funding for the region could be lost in perpetuity. Up to 20 percent of Continuum of Care nationally are not funded each year as the process becomes more competitive. This makes it even more imperative to invest the staff time to ensure this application remains as competitive as possible in order to retain funding.

**TECHNICAL & POLICY IMPLICATIONS:**

**TECHNICAL:** The federal application process requires a tremendous amount of staff time to develop the community consensus and to gather the information requested by HUD. This task is complicated by the lack of a consistent data based on needs, services provided and funds expended. The community has identified the need to develop more complete homeless data for future applications. The Maricopa Homeless Management Information System (HMIS), implemented in February of 2003, was used to collect data for the 2010 homeless shelter count and will continue to be utilized in other areas to assist in the collection of system wide data of homeless programs.

**POLICY:** The MAG Continuum of Care Regional Committee on Homelessness was created at the request of HUD and with the approval of the MAG Regional Council. This policy level council is composed of a variety of representatives, including elected officials, representatives of the Governor’s Office, several state legislators, several funding agencies, service providers, HUD, the religious community, advocates and consumers. This is a broad-based community committee that has agreed to take the responsibility for homeless planning and to ensure that a regional grant application is submitted each year. The Committee has been an effective method to discuss and move forward with regional solutions addressing homelessness.

**ACTION NEEDED:**

Information and discussion.

**PRIOR COMMITTEE ACTIONS:**

The Continuum of Care Regional Committee on Homelessness discussed the 2010 HUD McKinney-Vento homeless assistance funding application process at the September 27, 2010 meeting.

**MEMBERS ATTENDING:**

- |   |   |
|---|---|
| Shana Ellis, Tempe, Vice Mayor, Chair                                       | Holly Zoe for Michael McQuaid, Human Services Campus                  |
| Robert Duvall for Roberto Armijo, Community Information & Referral Services | Linda Mushkatel, Maricopa County                                      |
| Maria-Elena Ochoa for the Governor’s Office                                 | Darlene Newsom, UMOM New Day Centers                                  |
| * Kathryn Brown, AZ Dept of Corrections                                     | * Joanne Osborne, Goodyear, Councilmember, Vice Chair                 |
| * Kendra Cea, APS   | Sylvia Sheffield for Gina Ramos Montes, Avondale                      |
| * Krista Cornish, Buckeye   | * Brenda Robbins, Arizona Dept of Health Services                     |
| Steve Frate, Glendale, Vice Mayor   | Amy Schwabenlender, Valley of the Sun United Way                      |
| Christina Soto for Victor Hudenko, Catholic Charities                       | * Jacki Taylor, Save the Family                                       |
| * Theresa James, Tempe  | * Margaret Trujillo, MG Trujillo Associates                           |
| * Michael Johnson, Phoenix, Councilmember                                   | * Mary Rose Wilcox, Maricopa County, Supervisor                       |
| Tim Cole for Deanna Jonovich, Phoenix                                       | Nicky Stevens for Ted Williams, Arizona Behavioral Health Corporation |
| * Don Keuth, Phoenix Community Alliance                                     | Margot Cordova for Diana Yazzie Devine, Native American Connections   |
| Stephanie Knox, Magellan Health Services of Arizona                         |   |
| Andy Hall for Mattie Lord, Arizona Department of Economic Security/CPIP     |   |
| Nick Margiotta, Phoenix Police Department                                   |   |

\*Those members neither present nor represented by proxy.

+Those members present by audio or videoconference.

The Continuum of Care Regional Committee on Homelessness voted to approve the unmet need of shelter beds at the May 17, 2010 meeting.

**MEMBERS ATTENDING:**

- |   |   |
|---|---|
| Shana Ellis, Tempe, Vice Mayor, Chair                                       | Darlene Newsom, UMOM New Day Centers                                  |
| Robert Duvall for Roberto Armijo, Community Information & Referral Services | Joanne Osborne, Goodyear, Councilmember, Vice Chair                   |
| Maria-Elena Ochoa for the Governor's Office                                 | Sylvia Sheffield for Gina Ramos Montes, Avondale                      |
| * Kathryn Brown, AZ Dept of Corrections                                     | * Brenda Robbins, Arizona Dept of Health Services                     |
| * Kendra Cea, APS   | Amy Schwabenlender, Valley of the Sun United Way                      |
| * Steve Frate, Glendale, Councilmember                                      | Laura Skotnicki for Jacki Taylor, Save the Family                     |
| Victor Hudenko, Catholic Charities  | * Margaret Trujillo, MG Trujillo Associates                           |
| Theresa James, Tempe  | * Mary Rose Wilcox, Maricopa County, Supervisor                       |
| Michael Johnson, Phoenix, Councilmember                                     | Nicky Stevens for Ted Williams, Arizona Behavioral Health Corporation |
| Deanna Jonovich, Phoenix  | Diana Yazzie Devine, Native American Connections                      |
| * Don Keuth, Phoenix Community Alliance                                     |   |
| Stephanie Knox, Magellan Health Services of Arizona                         |   |
| Mattie Lord, Arizona Department of Economic Security/CPIP                   |   |
| Nick Margiotta, Phoenix Police Department                                   |   |
| Michael McQuaid, Human Services Campus                                      |   |
| Linda Mushkatel, Maricopa County  |   |

\*Those members neither present nor represented by proxy.  
+Those members present by audio or videoconference.

**CONTACT PERSON:**

Brande Mead, Human Services Program Manager, (602) 254-6300 or via email at [bmead@azmag.gov](mailto:bmead@azmag.gov).

## Draft 2010 HUD Stuart B. McKinney Project Applicants

\*PHB=Permanent Housing Bonus, PH=Permanent Housing, TH=Transitional Housing, SSO=Supportive Services Only, SH=Safe Haven, HIMS=Homeless Management Information System, SPC=Shelter Plus Care

Applicant	Project Sponsor	Project Name	Service Area	*Project Type	New/Renewal	Funding Request
New Project Pending Ranking and Review Committee Approval on 10-27-2010	To be determined.	To be determined.	Maricopa County	PHB	N	\$1,403,016
Area Agency on Aging Region One	Area Agency on Aging Region One	HIV Case Management at Congregate Living Houses	Phoenix	PH	R	\$63,064
Area Agency on Aging Region One	Area Agency on Aging Region One	HIV Case Management at Scattered Sites	Maricopa County	PH	R	\$126,575
Area Agency on Aging Region One	Area Agency on Aging Region One	HIV Case Management at Stepping Stone	Phoenix	PH	R	\$60,735
Arizona Behavioral Health Corporation	Arizona Behavioral Health Corporation	PSH3109	Maricopa County	PH	R	\$693,793
Arizona Behavioral Health Corporation	Arizona Behavioral Health Corporation	PSH3106	Maricopa County	PH	R	\$685,755
Arizona Behavioral Health Corporation	Arizona Behavioral Health Corporation	Casa de Paz	Phoenix/Tempe	PH	R	\$373,993
Arizona Behavioral Health Corporation	Arizona Behavioral Health Corporation	HUD 3084	Phoenix	PH	R	\$938,788
Arizona Behavioral Health Corporation	Arizona Behavioral Health Corporation	HUD 3024	Phoenix	PH	R	\$519,019
Arizona Behavioral Health Corporation	Arizona Behavioral Health Corporation	Village	Phoenix	PH	R	\$1,801,534
Arizona Behavioral Health Corporation	Arizona Behavioral Health Corporation	Casa Mia	Maricopa County	PH	R	\$687,027
Arizona Behavioral Health Corporation	Arizona Department of Housing	Shelter Plus Care 293	Phoenix	SPC	R	\$2,870,664
Arizona Behavioral Health Corporation	Arizona Department of Housing	Shelter Plus Care 151	Phoenix	SPC	R	\$1,474,356
Arizona Behavioral Health Corporation	Arizona Department of Housing	Shelter Plus Care 189	Phoenix	SPC	R	\$1,859,916
Arizona Behavioral Health Corporation	Phoenix Shanti	Phoenix Shanti Supportive Housing Program	Phoenix	PH	R	\$70,456
Arizona Behavioral Health Corporation	House of Refuge East	House of Refuge East	Mesa	TH	R	\$903,424
Arizona Behavioral Health Corporation	Nova Safe Haven	Nova Safe Haven	Phoenix	SH	R	\$1,114,795
Arizona Behavioral Health Corporation	Southwest Behavioral Health Corporation	Permanent Housing for Persons with HIV/AIDS	Phoenix	PH	R	\$20,775
Arizona Behavioral Health Corporation	Southwest Behavioral Health Corporation	Brookside	Phoenix	PH	R	\$202,030

Applicant	Project Sponsor	Project Name	Service Area	*Project Type	New/Renewal	Funding Request
Arizona Housing Inc.	Arizona Housing Inc.	Horace Steele Commons	Phoenix	PH	R	\$58,025
Arizona Housing Inc.	Arizona Housing Inc.	Steele Commons	Phoenix	PH	R	\$78,663
Catholic Charities	Catholic Charities	El Mirage/Surprise Transitional Housing	Peoria	TH	R	\$24,039
Chicanos Por la Causa	Chicanos Por la Causa	DeColores Domestic Violence Shelter	Phoenix	TH	R	\$101,737
Chrysalis Shelter for Victims of Domestic Violence	Chrysalis Shelter for Victims of Domestic Violence	Chrysalis Transitional Shelter Program	Phoenix	TH	R	\$24,269
Community Bridges	Community Bridges	Center for Hope	Mesa	TH	R	\$344,610
Community Information and Referral	Community Information and Referral	CONTACS Shelter Hotline	Maricopa County	SSO	R	\$176,752
Community Information and Referral	Community Information and Referral	HMIS	Maricopa County	HMIS	R	\$400,921
HomeBase Youth Services	HomeBase Youth Services	Transitional Living Program	Phoenix	TH	R	\$333,370
Homeward Bound	Homeward Bound	Thunderbirds Family Village	Phoenix	TH	R	\$313,761
Homeward Bound	Homeward Bound	Scattered Sites	Phoenix	TH	R	\$26,250
Labor's Community Service Agency	Labor's Community Service Agency	Transitional Housing	Phoenix	TH	R	\$279,594
Native American Connections	Native American Connections	Sunrise Circle	Phoenix	PH	R	\$35,000
Native American Connections	Native American Connections	Stepping Stone	Phoenix	PH	R	\$91,043
Native American Connections	Native American Connections	Catherine Arms	Phoenix	PH	R	\$163,178
New Arizona Family, Inc.	New Arizona Family, Inc.	Pinchot Apartments	Phoenix	PH	R	\$99,105
A New Leaf	A New Leaf	East Valley Men's Center	Mesa	TH	R	\$58,878
A New Leaf	A New Leaf	Faith House Transition Program	Mesa	TH	R	\$510,688
Phoenix Shanti	Phoenix Shanti	Self-Determination Project	Phoenix	SSO	R	\$34,599
Recovery Innovations of Arizona	Recovery Innovations of Arizona	Another Chance	Phoenix	PH	R	\$990,010
Save the Family	Save the Family	Transitional Housing and Supportive Services	Mesa	TH	R	\$215,406

Applicant	Project Sponsor	Project Name	Service Area	*Project Type	New/Renewal	Funding Request
Save the Family	Save the Family	Transitional Housing for Victims of Domestic Violence	Mesa	TH	R	\$420,100
Sojourner Center	Sojourner Center	Transitional Housing and Supportive Services for Victims of Domestic Violence	Phoenix	TH	R	\$417,763
Southwest Behavioral Health Services	Southwest Behavioral Health Corporation	Homeless Haven	Phoenix	TH	R	\$205,977
The Salvation Army	The Salvation Army	Project Hope	Phoenix	SSO	R	\$73,080
The Salvation Army	The Salvation Army	Kaiser Family Center	Phoenix	SSO	R	\$45,360
Tumbleweed Center for Youth Development	Tumbleweed Center for Youth Development	Transitional Housing Continuum for Homeless Youth	Phoenix	TH	R	\$439,700
Tumbleweed Center for Youth Development	Tumbleweed Center for Youth Development	Tempe Youth Resource Center	Tempe	SSO	R	\$214,429
Tumbleweed Center for Youth Development	Tumbleweed Center for Youth Development	Pappas Place Drop in Center	Phoenix	SSO	R	\$318,729
U.S. Veterans Initiative	U.S. Veterans Initiative	AZ Veterans in Progress	Phoenix	TH	R	\$496,557
UMOM New Day Center	UMOM New Day Center	Nurture Care	Phoenix	SSO	R	\$187,584
UMOM New Day Center	UMOM New Day Center	Lampighter	Phoenix	PH	R	\$80,126
UMOM New Day Center	UMOM New Day Center	Haven House	Phoenix	TH	R	\$201,671
Women In New Recovery	Women In New Recovery	WINR Achievers	Mesa	PH	R	\$46,862

**Total Project Funding Amount      \$23,377,551**

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY... for your review**

**DATE:**

October 5, 2010

**SUBJECT:**

2010 Annual Report on the Status of the Implementation of Proposition 400

**SUMMARY:**

Arizona Revised Statute 28-6354 requires that MAG issue an annual report on the status of projects funded by the half-cent sales tax authorized by Proposition 400. The 2010 Annual Report is the sixth report in this series. State law also requires that MAG hold a public hearing on the report after it is issued. It is anticipated that a public hearing on the Draft 2009 Annual Report will be conducted in November 2010.

The Draft 2010 Annual Report on the Status of the Implementation of Proposition 400 addresses project construction status, project financing, changes to the MAG Regional Transportation Plan, and criteria used to develop priorities. In addition, background information is provided on the overall transportation planning, programming and financing process. All projects for the major transportation modes, as defined in the MAG Regional Transportation Plan, are being monitored, whether they specifically receive sales tax funding or not. The annual report process draws heavily on data from the Freeway/Highway, Arterial Street, and Transit Life Cycle Programs.

The 2010 Annual Report covers progress through the fiscal year ending June 30, 2010, and reviews the program outlook through June 30, 2026. During fiscal year 2010, the life cycle programming process continued to face declining revenue collections and reduced revenue forecasts. Costs, revenues and project scopes were reviewed and adjustments were made to achieve balanced programs. As part of this process, certain projects in each of the modal elements were shifted beyond FY 2026, which is the end of the life cycle programming period. However, these projects remain in the MAG Regional Transportation Plan, which was updated during FY 2010 and extended through FY 2031 to comply with federal planning regulations.

A Summary of Findings and Issues from the report has been enclosed and the full document is available on the MAG website. This item was presented to the MAG Transportation Review Committee on September 23, 2010 for information and discussion.

**PUBLIC INPUT:**

It is anticipated that a public hearing on the Draft 2010 Annual Report will be held in November 2010 at the MAG office.

**PROS & CONS:**

PROS: Preparation of the Annual Report on the Status of the Implementation of Proposition 400 is required by state law.

CONS: None.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: The information in the Annual Report represents a “snapshot” of the status of the Proposition 400 program. As new information becomes available, it will be incorporated into subsequent annual updates of the report.

POLICY: The annual report process represents a valuable tool to monitor the MAG Regional Transportation Plan and identify changing conditions that may require plan and program adjustments.

**ACTION NEEDED:**

Information and discussion.

**PRIOR COMMITTEE ACTIONS:**

Transportation Review Committee: The Draft 2010 Annual Report was included on the MAG Transportation Review Committee agenda for September 23, 2010 for information and discussion.

MEMBERS ATTENDING

- Peoria: David Moody
- ADOT: Steve Hull for Floyd Roehrich
- Avondale: David Fitzhugh
- # Buckeye: Scott Lowe
- Chandler: RJ Zeder for Patrice Kraus
- El Mirage: Jorge Gastelum for Lance Calvert
- Fountain Hills: Randy Harrel
- Gila Bend: Eric Fitzer
- Gila River: Sreedevi Samudrala for Doug Torres
- \* Gilbert: Tami Ryall
- Glendale: Terry Johnson
- \* Goodyear: Cato Esquivel
- # Guadalupe: Gino Turrubiarres
- Litchfield Park: Paul Ward for Woody Scoutten
- Maricopa County: Mike Sabatini for John Hauskins
- Mesa: Jeff Martin for Scott Butler
- \* Paradise Valley: Bill Mead
- Phoenix: Rick Naimark
- # Queen Creek: Wendy Kaserman for Tom Condit
- RPTA: Bryan Jungwirth
- Scottsdale: Dave Meinhart
- Surprise: Bob Beckley
- Tempe: Robert Yabes for Chris Salomone
- Valley Metro Rail: John Farry
- Wickenburg: Rick Austin
- Youngtown: Mark Hannah for Lloyce Robinson

EX-OFFICIO MEMBERS ATTENDING

- Street Committee: Dan Cook
- \* ITS Committee: Nicolaas Swart
- \* Bicycle/Pedestrian Committee: Peggy Rubach
- \* Transportation Safety Committee: Julian Dresang

\* Members neither present nor represented by proxy. + - Attended by Videoconference  
# Attended by Audioconference

**CONTACT PERSON:**

Roger Herzog, MAG, (602) 254-6300

## DRAFT

# 2010 ANNUAL REPORT ON THE STATUS OF THE IMPLEMENTATION OF PROPOSITION 400

## SUMMARY OF FINDINGS AND ISSUES

The *Draft 2009 Annual Report on the Status of the Implementation of Proposition 400* has been prepared by the Maricopa Association of Governments (MAG) in response to Arizona Revised Statute (ARS) 28-6354. ARS 28-6354 requires that MAG annually issue a report on the status of projects funded through Proposition 400, addressing project construction status, project financing, changes to the MAG Regional Transportation Plan, and criteria used to develop priorities. In addition, background information is provided on the overall transportation planning, programming and financing process. The key findings and issues from the 2010 Annual Report are summarized below.

### **MAG REGIONAL TRANSPORTATION PLAN**

The MAG Regional Transportation Plan (RTP) provides the blueprint for the implementation of Proposition 400. By Arizona State law, the revenues from the half-cent sales tax for transportation must be used on projects and programs identified in the RTP adopted by MAG. The RTP identifies specific projects and revenue allocations by transportation mode, including freeways and other routes on the State Highway System, major arterial streets, and public transportation systems.

- The “Regional Transportation Plan - 2010 Update” was approved.

On July 28, 2010, the MAG Regional Council approved the “MAG Regional Transportation Plan - 2010 Update,” as the result of a multi-year effort to update the Plan. The modal life cycle programs were reviewed and adjusted to reestablish a balance between program costs and reasonably available revenues expected over the period covered by the RTP. In order to achieve balanced programs, a number of projects in each of the modal elements were shifted beyond Fiscal Year (FY) 2026, which is the end of the life cycle program period. However, these projects remain in the RTP, which was updated and extended through FY 2031 to comply with federal planning regulations.

The 2010 Update included a number of illustrative corridors/projects. These are projects that could potentially be included in the plan, if additional resources beyond the reasonably available financial resources identified in the plan were available. There is no requirement to select any project from

an illustrative list of projects at some future date, when funding might become available. In addition, no priorities are stated or implied by inclusion of a project as an illustrative corridor.

- The Interstates 8 and 10 - Hidden Valley Transportation Framework Study was accepted.

On September 30, 2009, the MAG Regional Council accepted the findings of the Interstate 10/Hassayampa Valley Transportation Framework Study. It was recognized that study recommendations were not specifically funded, and the action was to accept the study's findings as an illustrative element of the RTP.

- The Central Mesa Light Rail Transit Locally Preferred Alignment was approved.

On September 30, 2009, the MAG Regional Council approved a locally preferred alternative for the light rail alignment in the Central Mesa Corridor. The preferred alignment includes a light rail transit (LRT) extension on Main Street east to Mesa Drive, and future funding consideration of an LRT corridor extension to Gilbert Road as well as improved service frequency on the Main Street LINK Bus Rapid Transit.

- The MAG Regional Transit Framework Study was accepted.

On March 31, 2010, the MAG Regional Council accepted the Illustrative Transit Corridors map in the Regional Transit Framework Study for inclusion as unfunded regional transit illustrative corridors in the RTP. In addition, the future planning actions identified in the study were accepted for consideration through the MAG Unified Planning Work Program process.

- Commuter Rail Planning Studies were accepted.

On May 26, 2010, the MAG Regional Council accepted the Grand Avenue Commuter Rail Corridor Development Plan, the Yuma West Commuter Rail Corridor Development Plan, and the Commuter Rail System Study. Additionally, the Regional Council agreed to allow revisions of the corridor ranking included in the Commuter Rail System Study upon completion of updated regional socioeconomic forecasts or relevant rail passenger studies.

## **HALF-CENT SALES TAX AND OTHER TRANSPORTATION REVENUES**

The half-cent sales tax for transportation approved through Proposition 400 is the major funding source for the MAG Regional Transportation Plan (RTP), providing over half the revenues for the Plan. In addition to the half-cent sales tax, there are a number of other RTP funding sources, which are primarily from state and federal agencies.

- Fiscal Year 2010 receipts from the Proposition 400 half-cent sales tax were 8.9 percent lower than receipts in FY 2009.

The total receipts from the Proposition 400 half-cent sales tax have amounted to \$1.5 billion through FY 2010. The annual receipts from the tax have steadily declined since FY 2007. The year-over-year declines for the three years from the end of FY 2007 to the end of FY 2010 have been, respectively, 3.1, 13.7 and 8.9 percent. The decline between FY 2007 and FY 2008 was the first year-over-year revenue decline in the history of the half-cent sales tax since its inception in 1985.

- Forecasts of Proposition 400 half-cent revenues for the period FY 2011 through FY 2026 are 6.2 percent lower, compared to the 2009 Annual Report estimate.

Future half-cent revenues for the period FY 2011 through FY 2026 are forecasted to total \$9.5 billion. This amount is \$634 million, or 6.2 percent, lower than the forecast for the same period presented in the 2009 Annual Report. The total revenues for the FY 2011-2026 period reflect ADOT's revised sales tax forecast in September 2009. This forecast estimated that revenues in FY 2011 would total \$322 million, an eight percent increase compared to the actual collections of \$298 million in FY 2010. Although annual increases in collections of this magnitude were not uncommon in the past, the updated forecasts to be prepared in the fall of 2010 may not maintain this level of increase in revenues.

- Forecasts of total ADOT funds dedicated to the MAG area for FY 2011 through FY 2026 are 8.8 percent lower than the 2009 Annual Report estimate.

The forecast for ADOT funds totals \$5.3 billion for FY 2011 through FY 2026, which is 8.8 percent lower than the 2009 Annual Report forecast. This funding source represents nearly one-half of the total funding for the Freeway/Highway Life Cycle Program.

- Forecasts of total MAG federal transportation funds for FY 2011 through FY 2026 are \$212 million lower than the 2009 Annual Report estimate.

The forecasted revenues for the period FY 2011 through FY 2026 total \$4.0 billion. This forecast is \$212 million, or 5.1 percent, lower than that in the 2009 Annual Report for the same period, with the decrease resulting from adjustments to the projections for federal transit funding.

- The nature and timing of future federal transportation funding programs is uncertain.

Federal funding for transportation has generally been reauthorized every six years. The latest reauthorization, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA/LU), was signed into law in August 2005 and was scheduled to expire in September 2009. However, recognizing the critical role of transportation, Congress has maintained funding by means of continuing resolutions and extensions of SAFETEA/LU. Concepts for future federal transportation legislation have been developed by a number of groups, but the timing of future congressional action on reauthorization is uncertain.

## **FREEWAY/HIGHWAY LIFE CYCLE PROGRAM**

The Freeway/Highway Life Cycle Program (FLCP) extends through FY 2026 and is maintained by the Arizona Department of Transportation (ADOT) to implement freeway/highway projects listed in the MAG Regional Transportation Plan (RTP). The program utilizes funding from the Proposition 400 half-cent sales tax extension, as well as funding from state and federal revenue sources.

- A number of major freeway/highway construction projects were completed, underway, or advertised for bids during FY 2010.

### Completed

- I-10 (Sarival Ave. to Loop 101): Additional general purpose and new HOV lanes.
- I-17 (Anthem Way to Carefree Hwy.): Additional general purpose lanes.
- I-17 (SR 74 to Loop 101): Additional general purpose and new HOV lanes.
- I-17 (Dove Valley Rd.): New traffic interchange.
- US 60 (Loop 101 to I-10): Additional general purpose lanes.
- SR 85 (MP 130 to 137): Widen to four lanes.
- SR 93 (Wickenburg Bypass): New roadway.
- Loop 101 (Princess Dr. to Tatum Blvd.): New HOV lanes.
- Loop 101 (I-17 to SR 51): Freeway Management System.
- Loop 101 (Red Mt. Fwy. to Santan Fwy.): New HOV lanes.
- Loop 101 (Thunderbird Rd.): Interchange improvements.
- Loop 202 (SR 51 to Loop 101): Additional general purpose lanes.
- Loop 202/Red Mt. (Loop 101 to Gilbert Rd.): New HOV lanes.

### Advertised for Bids or Under Construction

- I-10 (Sarival Ave. to Dysart Rd.): Additional general purpose lanes.

- I-10 (Verrado Way to Sarival Ave.): Additional general purpose lanes.
  - I-10 (Indian School to I-10): S/B auxiliary lanes.
  - I-10 (Avondale Blvd.): Interchange improvements.
  - US 60 (Loop 303 to 99<sup>th</sup> Ave.): Widen to six lanes.
  - US 60 (99<sup>th</sup> Ave. to 83<sup>rd</sup> Ave.): Widen to six lanes.
  - SR 74 (MP 13-15 and MP 20-22.): Add passing lanes.
  - SR 85 (I-10 to Southern Ave.): Widen to four lanes.
  - SR 85 (B-8/Maricopa Rd.): Reconstruct intersection.
  - SR 87 (New Four Peaks Rd. to Dos S Ranch Rd.): Climbing lane.
  - Loop 101/99<sup>th</sup> Ave. (I-10 to Van Buren Rd.): Street improvements.
  - Loop 101 (I-10 to Tatum Blvd.): New HOV lanes.
  - Loop 101 (Beardsley/Union Hills): New traffic interchange.
  - Loop 101 (Olive Rd.): Interchange improvements.
  - Loop 101 (Chaparral Rd.): Interchange improvements.
  - Loop 101 (Northern to Grand): S/B auxiliary lanes.
  - Loop 101 (51<sup>st</sup> Ave. to 35<sup>th</sup> Ave.): E/B auxiliary lanes.
  - Loop 202/Santan (Gilbert Rd. to I-10): New HOV lanes.
  - Loop 303 (Cactus Rd., Waddell Rd., and Bell Rd.) T.I. structures.
  - Loop 303 (Happy Valley Rd. to I-17): Interim four-lane divided roadway.
- Project cost reductions were experienced, resulting in a net “savings” of approximately \$37 million.

Due to the recession and resulting increased competition in the contracting industry, as well as the reevaluation of project designs, there were few material cost increases in FY 2010. In fact, many projects experienced significantly reduced costs, resulting in a net “savings” of approximately \$37 million.

- Two HOV lane projects were advanced.

On February 24, 2010, the MAG Regional Council advanced HOV lane projects on Loop 202 (Santan Freeway) and on Loop 101 (Agua Fria and Pima Freeways) to FY 2010. The action combined and advanced HOV segments originally identified for construction between FY 2013 to FY 2015 into two design-build projects.

- Costs and revenues in the Freeway/Highway Life Cycle Program were rebalanced.

The Freeway/Highway Life Cycle Program was reviewed and adjusted to reestablish a balance between program costs and revenues, with costs and revenues for the period FY 2011-2026 totaling approximately \$8.3 and \$8.4 billion, respectively. As part of this effort, project scopes were reevaluated

and cost estimates reviewed, resulting in project cost reductions amounting to \$2.4 billion. Also, projects totaling approximately \$4.4 billion were shifted beyond FY 2026, which is the end of the life cycle program period.

- A number of projects were shifted beyond the horizon year (FY 2026) of the Freeway/Highway Life Cycle Program.

In its rebalanced configuration, the FLCP completes a number of major projects within the original FY 2026 horizon, including the South Mountain Freeway, Loop 303 between I-17 and I-10, the HOV lane system, and other improvements to the inner freeway network. However, construction of SR-801 and SR-802 (now renamed SR-24), as well as the addition of general purpose lanes on outer freeways, is shifted beyond FY 2026 into the period between FY 2027 and FY 2031.

Also, three projects that were originally identified as part of the FLCP have been moved beyond the current planning period of the RTP (FY 2011 - 2031). These projects were categorized as illustrative projects in the RTP and are: I-10/Local/Express Lanes (SR-51 to 32nd St.); HOV Ramps (I-10/Agua Fria Fwy./T.I.); and HOV Ramps (I-17/Pima Fwy./T.I.).

- An emphasis needs to be placed on developing accurate right-of-way budgets.

For many projects, particularly new freeway corridors, right-of-way costs represent a significant portion of the total cost of the facility. Recent changes in the real estate market have resulted in major reductions in property values. Detailed right-of-way cost estimates that accurately reflect up-to-date market values, and avoiding overstated right-of-way budgets, need to be prepared and continuously maintained.

- A proactive approach is needed in updating and maintaining construction cost estimates.

Construction costs are highly sensitive to rapidly changing market conditions. A proactive approach is needed to ensure that cost estimates on all projects are up to date, so that resources are effectively allocated in the life cycle program on a continuing basis. Updated costs need to be maintained for projects at all stages of the implementation process, ranging from projects to be advertised for bids in the near future to those may not be under construction for a decade or more in the future.

- MAG and ADOT will continue to closely monitor the cost and revenue picture for the Freeway Life Cycle Program and make program adjustments as may be appropriate.

On the cost side, construction bids have been more favorable lately. However, receipts from the half-cent sales tax have steadily declined since FY 2007. Future half-cent revenues for the period FY 2011 through FY 2026 were forecasted to be 6.2 percent lower than the forecast for the same period presented in the 2009 Annual Report. Updated forecasts to be prepared in the fall of 2010 may result in further reductions in projected future revenues.

## **ARTERIAL STREET LIFE CYCLE PROGRAM**

The Arterial Street Life Cycle Program (ALCP) extends through FY 2026 and is maintained by the Maricopa Association of Governments (MAG) to implement arterial street projects in the MAG Regional Transportation Plan (RTP). The Program receives significant funding from the Proposition 400 half-cent sales tax and federal highway programs, as well as a local match component. Although MAG is charged with the responsibility of administering the overall program, the actual construction of projects is accomplished by local government agencies. MAG distributes the regional share of the funding on a reimbursement basis.

- The Arterial Street Life Cycle Program was updated during FY 2010.

On July 28, 2010, the MAG Regional Council approved the FY 2011 update of the Arterial Life Cycle Program, to reflect updated information regarding project scheduling and development status.

- During FY 2010, \$62 million in reimbursements were distributed to local governments from the Arterial Street Life Cycle Program, and work is continuing for reimbursements in FY 2011.

Seven jurisdictions received reimbursements for project work during FY 2010 totaling more than \$62 million. This brings the total reimbursements to \$178 million since the initiation of the Program. A total of five project agreements were executed in FY 2010. This brings the total of project agreements executed to date to 39. It is anticipated that an additional 19 agreements will be executed during FY 2011. During FY 2011, it is also anticipated that a total of seven jurisdictions will receive reimbursements amounting to approximately \$98 million. Through FY 2010, 20 ALCP projects have been completed.

- Work will be proceeding on a broad range of projects in the Arterial Street Life Cycle Program.

During the period FY 2011 through FY 2015, work will be proceeding on 87 different arterial street projects. Various stages of work will be conducted on these projects, including 61 with design activity, 52 with right-of-way acquisition, and 69 with construction work, at some time during the five-year period.

- Project implementing agencies have deferred \$38 million in federal and regional funding from FY 2010 to later years.

Lead agencies deferred \$38 million in federal and regional funding from FY 2010 to later years. Increased project costs, reduced local revenues, and other implementation issues have resulted in the deferral of arterial projects by implementing agencies, due to the inability to provide matching funds, or other scheduling and resource issues.

- Approximately \$22 million in reimbursements were shifted beyond FY 2026 to achieve a balance between costs and revenues in the Arterial Street Life Cycle Program.

The total estimated future regional revenue reimbursements for ALCP projects are in balance with projected revenues. To achieve this balance, approximately \$22 million in programmed reimbursements were deferred to FY 2027, an unfunded year of the program. While these reimbursements fall beyond the ALCP, the affected projects remain funded in the MAG Regional Transportation Plan, which extends through FY 2028.

## **TRANSIT LIFE CYCLE PROGRAM**

The Transit Life Cycle Program (TLCP) is maintained by the Regional Public Transportation Authority (RPTA) and implements transit projects identified in the MAG Regional Transportation Plan. The RPTA maintains responsibility for administering half-cent sales tax revenues deposited in the Public Transportation Fund for use on transit projects, including light rail transit (LRT) projects. Although RPTA maintains responsibility for the distribution of half-cent funds for light rail projects, the nonprofit corporation of Valley Metro Rail, Inc. was created to oversee the design, construction and operation of the light rail starter segment, as well as future corridor extensions planned for the system.

- One new supergrid bus route was implemented in FY 2010 and several additional routes will start service during the next five years.

The Gilbert Road supergrid route was implemented as Route 136 during FY 2010. Additional routes starting service during FY 2011 through FY 2015 include:

- Arizona Avenue Arterial BRT (T5); Service start: FY 2011.
  - Arizona Avenue/Country Club Drive (T44); Service start: FY 2012.
  - 59<sup>th</sup> Avenue (T40); Service start: FY 2014.
  - Baseline Road (T45); Service start: FY 2015.
  - Elliot Road (T53); Service start: FY 2013.
  - McDowell/McKellips Roads (T61); Service start: FY 2014.
  - Power Road (T63); Service start: FY 2011.
- During FY 2009 and FY 2010, a number of projects were shifted beyond the horizon year (FY 2026) of the Transit Life Cycle Program, as a result of reduced revenue forecasts.

There are 16 bus rapid transit (BRT)/Express routes identified for funding in the TLCP during the planning period from FY 2006 through 2026. Since the start of the program, a total of eleven routes have been implemented. Fifteen BRT/Express routes have been shifted beyond FY 2026 but remain in the Regional Transportation Plan.

There are a total of 24 Regional Grid routes identified for funding in the TLCP during the planning period from FY 2006 through 2026. Since the start of the program, seven routes have been implemented. Nine Regional Grid routes have been shifted beyond FY 2026 but remain in the Regional Transportation Plan.

In addition, some significant delays to construction for light rail transit (LRT)/High Capacity extensions have been programmed. The Northeast Phoenix corridor has been shifted entirely beyond the TLCP horizon year of FY 2026 for implementation. Some of the delays are due in part to the decrease in local funding for transit.

- A balanced Transit Life Cycle Program was achieved in FY 2009 and further refined in FY 2010

The estimated future costs for FY 2011 to 2026 are in balance with the projected future funds available. A balanced program was achieved in FY 2009 by delaying the implementation of numerous projects, and during FY 2010 the TLCP was refined further. Staff from the RPTA and its members worked throughout FY 2010 to re-prioritize projects. Project scopes, especially service levels for supergrid service, were also adjusted to allow for

more routes to be funded. A significant shift from capital to operations expenditures resulted. Fewer buses in total and fewer bus facilities are now programmed within the TLCP.

- Adjustments to the Transit Life Cycle Program should be based on performance.

Reduced revenue collections and lower funding forecasts required adjustments to the TLCP. This included changes to bus route configurations and service levels, delays in bus service start dates, deletion of bus routes, and delays in constructing high capacity transit projects. To ensure that limited regional funding is applied to provide service as effectively as possible, adjustments should take into account route and system performance levels.

- Federal discretionary funding for transit continues to be an important issue.

A large part of the funding for the LRT system is awarded by the US Department of Transportation through the discretionary "New Starts Program." The timing and amounts of light rail transit new start monies coming to the MAG region will be subject to a highly competitive process at the federal level. Discretionary funding for the bus capital program is also highly competitive. The prospects for awards from federal programs will require careful monitoring. Future federal transportation funding legislation will also impact when and how Federal Transit Administration funding flows to the region.

## **PERFORMANCE MONITORING PROGRAM**

The MAG Transportation System Performance Monitoring and Assessment Program has been established to provide a framework for reporting performance at the system and project levels, and serve as a repository of historical, simulated and observed data for the transportation system in the MAG region.

- During FY 2010, the Performance Measurement Report and data website portal were completed.

During FY 2010, the first MAG Performance Measures Report was published and an interactive transportation data portal on the MAG website was made operational, allowing the public to access up-to-date on the performance of various element of the transportation system in the region.

October 5, 2010

TO: Members of the MAG Management Committee

FROM: Lindy Bauer, Environmental Director

SUBJECT: EPA PROPOSED PARTIAL APPROVAL AND DISAPPROVAL OF THE MAG 2007 FIVE PERCENT PLAN FOR PM-10

On September 3, 2010, the Environmental Protection Agency (EPA) signed a notice to propose partial approval and disapproval of the MAG 2007 Five Percent Plan for PM-10 based on the timetable in the consent decree with the Arizona Center for Law in the Public Interest. The notice was published in the Federal Register on September 9, 2010 and comments are due by October 12, 2010. If EPA finalizes the partial disapproval on January 28, 2011, a conformity freeze on the MAG Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) would occur in approximately thirty days; only projects in the first four years could proceed. If the problem is not corrected within eighteen months, tighter controls on major industries would be imposed. If the problem is still not corrected within twenty-four months of the disapproval, the loss of federal highway funds (\$1.7 billion) and a federal implementation plan would be imposed. Conformity would also lapse, which would place the \$7.4 billion TIP at risk. Background information is provided below.

#### **EPA NONCONCURRENCE WITH EXCEPTIONAL EVENTS AND FLAWED EXCEPTIONAL EVENTS RULE**

The MAG 2007 Five Percent Plan for PM-10 was submitted to the Environmental Protection Agency by the December 31, 2007 deadline. The plan contained fifty-three aggressive measures designed to reduce PM-10 emissions by five percent per year and attain the standard by 2010. Commitments to implement measures were received from the twenty-three cities and towns in the PM-10 nonattainment area, Maricopa County, and the State. In order for the region to be deemed in attainment, three years of clean data were needed at the monitors in 2008, 2009, and 2010.

The Arizona Department of Environmental Quality (ADEQ) and MAG believe that the plan has been effective. There have been no violations of the standard during stagnant conditions since the plan was submitted in 2007. The Arizona Department of Environmental Quality had submitted documentation to EPA on 2008 high wind exceptional events, since high wind exceptional events should not count against the region. On April 21, 2010, the Arizona Department of Environmental Quality indicated that the exceedances in 2009 were due to high wind exceptional events. To date, there have been no exceedances of the standard in 2010.

On December 2, 2009, the Arizona Center for Law in the Public Interest filed a lawsuit against EPA for failure to take action on the plan by June 30, 2009 in accordance with the Clean Air Act. The Environmental Protection Agency reviewed the plan that was submitted two years ago and issues began to emerge. The plan was based upon a 2005 emissions inventory that is now outdated with the downturn in the economy; the mix of sources has changed. The EPA had concerns with the Arizona Department of Environmental Quality exceptional events documentation of four high wind exceedances in 2008 at the West 43<sup>rd</sup> Avenue monitor. If these were not approved as high wind exceptional events, this would count as a violation at the West 43<sup>rd</sup> Avenue monitor and the region would not have its first year of clean data needed for attainment.

At a December 15, 2009 meeting with EPA, the Arizona Department of Environmental Quality, Maricopa County, and MAG committed that they would thoroughly investigate why the West 43<sup>rd</sup> Avenue monitor was having high readings during high wind conditions. To address the EPA concerns, the Arizona Department of Environmental Quality prepared extensive additional scientific information and submitted it to EPA regarding the four high wind exceedances being questioned. The Maricopa Association of Governments staff and Sierra Research, MAG consultant, assisted the ADEQ with the research and documentation. The additional scientific information indicated that the four exceedances were due to high speed winds blowing dust toward the monitor, as the winds moved over a smooth terrain where they picked up dry, fine, silty soil from a dry riverbed. Also, a data collection effort was initiated in the vicinity of the West 43<sup>rd</sup> Avenue monitor to determine the cause of the high wind exceedances by ADEQ, MAG, Maricopa County Air Quality Department, and Arizona State University. EPA staff also participated in the research effort.

On May 25, 2010, the EPA Region IX Administrator conducted a meeting to announce that EPA would not concur with the ADEQ documentation for the four high wind exceptional events at the West 43<sup>rd</sup> monitor. It is important to note that the EPA Region IX Administrator acknowledged that the EPA Exceptional Events Rule was flawed, but EPA was forced to use it. As a result, the four exceedances would constitute a violation at the monitor and the region would not have its first of three years of clean data needed to attain the standard by 2010. Therefore, EPA intended to propose disapproval of the MAG Five Percent Plan for PM-10. There was no discussion by EPA on the additional scientific data that had been submitted by ADEQ. Instead, EPA announced that a final decision had been made. At the meeting, MAG expressed concern that there was disagreement with the EPA technical analysis and that this had not been a fair and collaborative process.

For the May 25, 2010 meeting, MAG had been prepared to discuss the merits of the City of Phoenix Rio Salado Oeste Project that will be a permanent long-term solution for stabilization of the Salt River area where the West 43<sup>rd</sup> Avenue monitor is located. Rio Salado is an environmental restoration project with the Army Corps of Engineers that includes flood control improvements and recreation features. A five-mile stretch of the Salt riverbed is already constructed from 24<sup>th</sup> Street to 19<sup>th</sup> Avenue. The Rio Salado Oeste Project will connect and continue the restoration of the Salt River area from 19<sup>th</sup> to 83<sup>rd</sup> avenues. The project corrects years of ecosystem damage to the riverbed. The City of Phoenix received the 404 permit in December 2009, which was necessary to start the project. Unfortunately, EPA announced at the meeting that their decision was final and there was no opportunity provided to discuss the project.

Regarding the flawed Exceptional Events Rule, the Western States Air Resources Council (WESTAR), an association of fifteen western state air quality management agencies, had identified several issues with the implementation of the rule in a September 11, 2009 letter. Many of the problems are traced to the lack of clarity surrounding EPA's expectation about what a state should submit in its exceptional events documentation. On July 6, 2010, WESTAR sent another letter expressing concern that EPA has not addressed the issues with the Exceptional Events Rule. Solving these issues is more critical than ever. The letter further indicates that EPA has issued decisions not to concur with California and Arizona exceptional

events where both states are highly confident that these exceedances do meet the criteria in the Rule for qualifying as exceptional events.

Following the May 25, 2010 meeting, ADEQ and MAG reviewed the EPA technical support document on the review of the four exceptional events. It was apparent that the EPA review was not always consistent with the Exceptional Events Rule, failed to take into account all of the scientific information provided by ADEQ, and was not consistent with the way that EPA had handled other areas. Over the next few months, ADEQ and MAG continued to generate additional documentation for the four exceptional events and submitted the information to EPA for consideration.

On June 23, 2010, EPA entered into a proposed consent decree with the Arizona Center for Law in the Public Interest to sign a notice of proposed action on the plan by September 3, 2010 and sign a notice of final action by January 28, 2011. The Arizona Department of Environmental Quality, Maricopa County, Salt River Pima-Maricopa Indian Community, and MAG submitted comments on the proposed consent decree requesting that both actions be delayed for six months to give EPA sufficient time to review and consider the additional scientific data on the four high wind exceptional events. On August 30, 2010, the Arizona Congressional Delegation sent a letter to EPA requesting a delay and then conducted a conference call with EPA on September 2, 2010. However, EPA indicated that the extension of time would not be granted.

## PROPOSED PARTIAL APPROVAL AND DISAPPROVAL OF THE PLAN

On September 3, 2010, the Environmental Protection Agency signed a notice to propose partial approval and disapproval of the MAG 2007 Five Percent Plan for PM-10 based on the timetable in the consent decree with the Arizona Center for Law in the Public Interest. On September 9, 2010, the notice was published in the Federal Register and comments are due by October 12, 2010. EPA proposed disapproval of the emissions inventories, attainment demonstration, five percent annual reductions in emissions, reasonable further progress and milestones, contingency measures, and the 2010 motor vehicle emissions budget. EPA proposed limited approval and disapproval for agricultural regulations. EPA proposed approval of the Arizona Revised Statutes that mandate twenty measures in the plan and the Agricultural Best Management Practices Guidance Booklet and Pocket Guide. The approved plan measures are listed in Attachment One.

According to EPA, there are two major reasons for the proposed partial disapproval of the plan:

1. EPA contended that the 2005 baseline emissions inventory is inaccurate since it overestimated construction emissions and other emissions - The 2005 emissions inventory prepared by the Maricopa County Air Quality Department is the foundation upon which the plan is developed. The emissions inventory is tied to the air quality modeling prepared by MAG for the five percent reductions in emissions; impact of the committed plan measures and contingency measures; reasonable further progress (annual incremental emissions reductions to ensure attainment); milestone demonstrations every three years; and the attainment demonstration. The critical role of the inventory is depicted in Attachment Two.
2. EPA contended that the modeling attainment demonstration cannot be approved if actual monitor data show that the area cannot attain the standard by the attainment date of December 31, 2010. This is directly tied to the EPA nonconcurrency with the four high wind exceptional events at the West 43<sup>rd</sup> Avenue monitor in 2008. The four exceedances constitute a violation of the standard. EPA further indicated that it was not necessary to review the exceptional event claims for 2009 since the region did not have its first of clean data in 2008 needed to attain by 2010.

## CONSEQUENCES OF A FINAL PARTIAL DISAPPROVAL

Based upon the consent decree, EPA will sign a notice of final action by January 28, 2011. If EPA finalizes the partial disapproval on January 28, 2011, a conformity freeze on the MAG Transportation Improvement Program and Regional Transportation Plan would occur in approximately thirty days. If the problem is not corrected within eighteen months, tighter controls on major industries would be imposed. If the problem is still not corrected within twenty-four months of the disapproval, the loss of federal highway funds (\$1.7 billion) and a federal implementation plan would be imposed. Conformity would also lapse, which would place the \$7.4 billion TIP at risk.

In a conformity freeze, only projects in the first four years of the currently conforming TIP and Regional Transportation Plan (RTP) can proceed. No new TIPs, RTPs, or TIP/RTP amendments to add major projects may be done until a Five Percent Plan revision is submitted that fulfills the Clean Air Act requirements, EPA finds the conformity budget adequate or approves the submission, and conformity to the plan revision is determined. Since the conformity freeze would occur relatively quickly, there is concern that the region may not be able to take advantage of additional stimulus funding if it becomes available while a freeze is in effect. Major projects that would require a conformity determination would not be able to be included in the TIP and be able to proceed for construction.

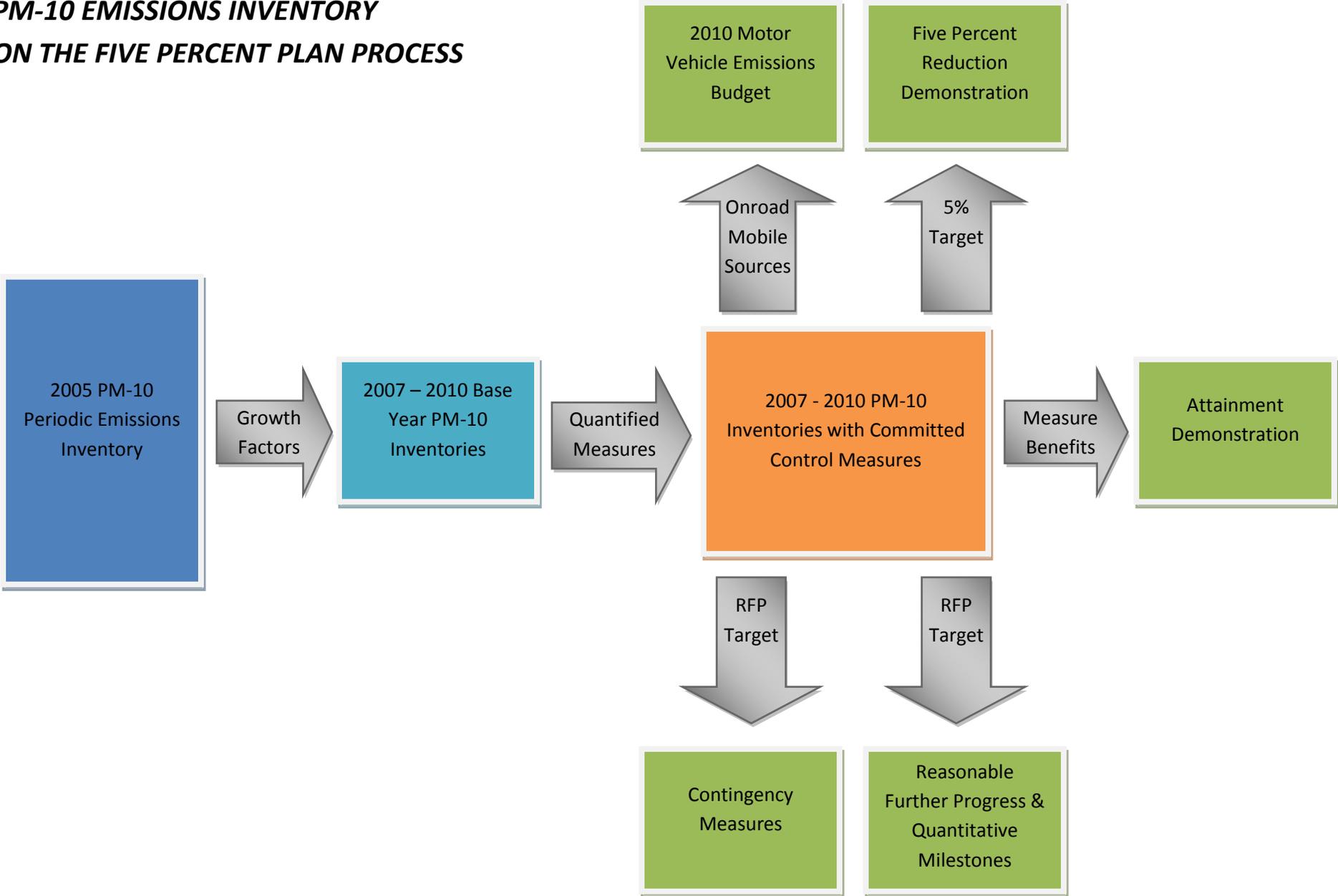
If you have any questions, please do not hesitate to contact me at (602) 254-6300.

FIVE PERCENT PLAN MEASURES ASSOCIATED WITH ARIZONA REVISED STATUTES  
PROPOSED FOR APPROVAL BY EPA

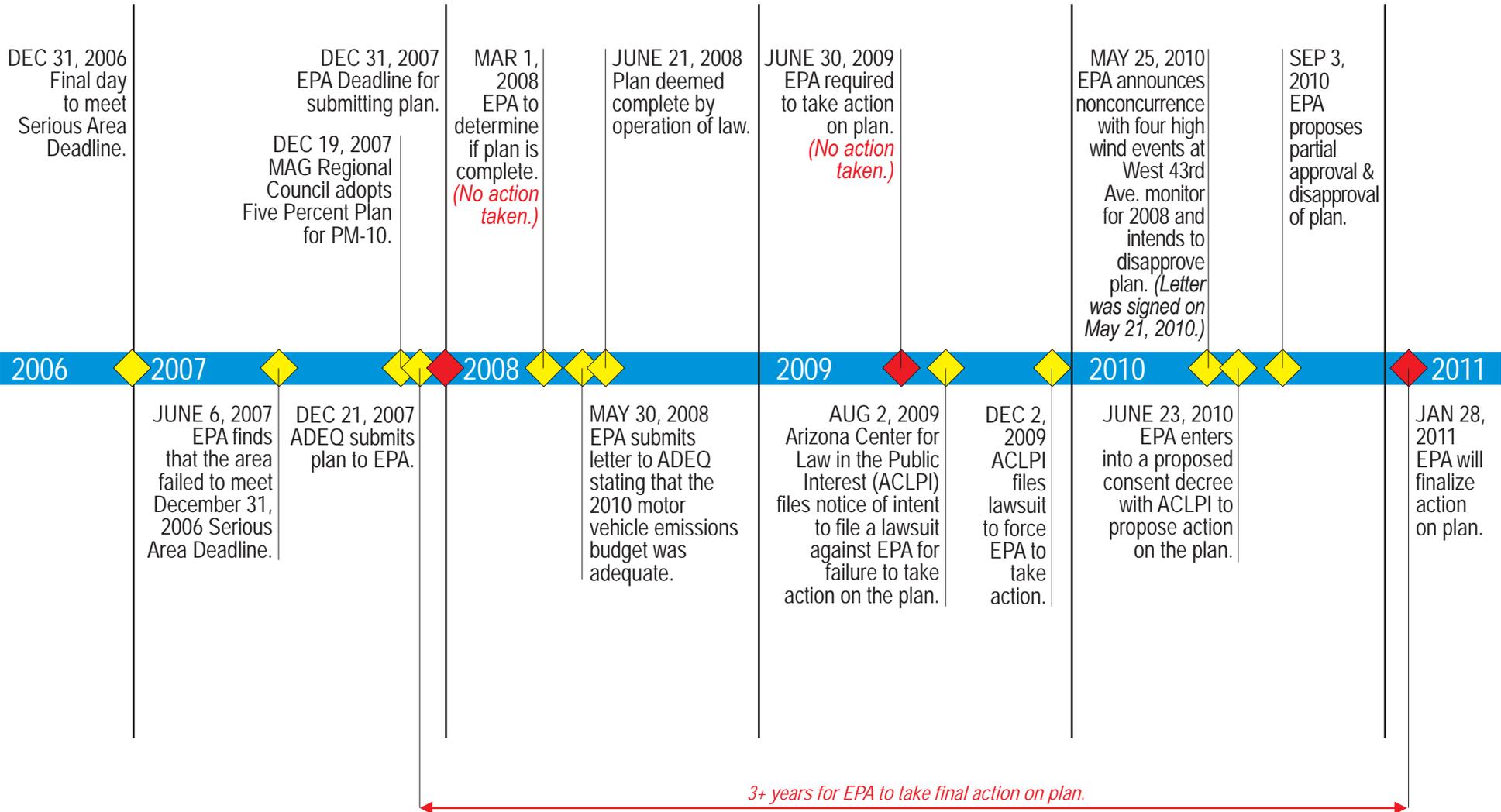
- Measure 2. Extensive Dust Control Training Program - A.R.S. Title 49-474.05
- Measure 3. Dust Managers required at construction sites- A.R.S. Title 49-474.05
- Measure 16. Require dust coordinator at earthmoving sites of 5-50 acres - A.R.S. Title 49-474.05
- Measure 5. Establish a certification program for Dust-Free Development to serve as an industry standard - A.R.S. Title 49-457.02
- Measure 24. Sweep street with PM-10 certified street sweepers - A.R.S. Title 9-500.04, A.R.S. Title 49-474.01
- Measure 19. Reduce off-road vehicle use in areas with high off-road vehicle activity-impoundment or confiscation of vehicles for repeat violations - A.R.S. Title 9-500.27
- Measure 23. Ban ATV use on high pollution days - A.R.S. Title 49-457.03
- Measure 31. Restrict vehicular use and parking on vacant lots - A.R.S. Title 9-500.04, A.R.S. Title 49-474.01
- Measure 46. Outreach to off-road vehicle purchasers - A.R.S. Title 49-457.04
- Measure 18. Ban or discourage use of leaf blowers on high pollution advisory days - A.R.S. Title 9-500.04, A.R.S. Title 11-877
- Measure 21. Ban leaf blowers from blowing debris into streets - A.R.S. Title 9-500.04, A.R.S. Title 11-877, A.R.S. Title 49-457.01
- Measure 22. Implement a leaf blower outreach program - A.R.S. Title 49-457.01
- Measure 45. Prohibit use of leaf blowers on unstabilized surfaces - A.R.S. Title 11-877, A.R.S. Title 49-457.01
- Measure 25. Pave or stabilize existing unpaved parking lots - A.R.S. Title 9-500.04, A.R.S. Title 49-474.01
- Measure 26. Pave or stabilize existing public dirt roads and alleys - A.R.S. Title 9-500.04, A.R.S. Title 28-6705, A.R.S. Title 49-474.01
- Measure 28. Pave or stabilize unpaved shoulders - A.R.S. Title 9-500.04, A.R.S. Title 28-6705, A.R.S. Title-49-474.01

- Measure 33. Ability to assess liens on parcels to cover the cost of stabilizing them (Recover costs of stabilizing vacant lots) - A.R.S. Title 49-474.01
- Measure 35. Restrict use of outdoor fireplaces and pits and ambience fireplaces in the hospitality industry - A.R.S. Title 49-501
- Measure 47. Ban open burning during the ozone season - A.R.S. Title 49-501
- Measure 50. Require two agricultural best management practices - A.R.S. 49-457

**ROLE OF THE 2005  
PM-10 EMISSIONS INVENTORY  
ON THE FIVE PERCENT PLAN PROCESS**



# TIMELINE OF PM-10 AIR QUALITY ACTIONS 2006-2011





October 4, 2010

Mr. Jared Blumenfeld  
Regional Administrator  
Region IX  
Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94105-3901

RE: Docket No. EPA-R09-OAR-2010-0715

Dear Regional Administrator Blumenfeld:

On September 9, 2010, the Environmental Protection Agency ("EPA") proposed to approve in part and disapprove in part State Implementation Plan ("SIP") revisions submitted by the State of Arizona with regard to the Maricopa County nonattainment area for particulate matter of ten microns or less ("PM-10").<sup>1</sup> In that notice, EPA, among other things, proposed: (1) to disapprove provisions of the Clean Air Act ("CAA") section 189(d) plan for the Maricopa area because they allegedly do not meet applicable CAA requirements for emissions inventories, 5% annual emission reductions, reasonable further progress, and contingency measures; (2) to disapprove the 2010 motor vehicle emissions budget in the 189(d) plan as not meeting the requirements of CAA section 176(c) and 40 C.F.R. § 93.118(e)(4); (3) limited approval and limited disapproval of State regulations for the control of PM-10 from agricultural sources; and (4) to approve various provisions of State statutes related to the control of PM-10 emissions in the Maricopa area.

As you know, these are complicated issues that the State of Arizona, Maricopa Association of Governments ("MAG"), EPA, and others have been working on for many years. Despite the breadth and complexity of both the State's SIP revisions and EPA's proposed disposition, however, the agency has provided a comment period of only 33 days, or until October 12, 2010. This comment period is insufficient given the complexity and importance of the SIP revisions.

---

<sup>1</sup> 75 Fed. Reg. 54,806 (September 9, 2010).

EPA's review of the MAG Five Percent Plan for PM-10 is far too important to the people and economy of Arizona to be subject to an arbitrary deadline established without the input of the State. We have submitted questions to EPA regarding the proposed disapproval that, if answered, would better inform our public comments. We have not yet heard back from EPA on these important questions. While we support prompt resolution of this matter and commit to working diligently with EPA, we are concerned that EPA's current deadlines will limit public input, reduce discussion and information exchanges between EPA, the State, MAG, and other stakeholders, and effectively leave EPA with little choice but to finalize its proposed partial denial.

To ensure that there is adequate time for interested stakeholders to comment meaningfully on EPA's proposal and for the agency to complete the difficult task of thoroughly reviewing all of the docketed information, we respectfully request a comment period extension of 60 days.

Thank you for your consideration of this important request. If we can provide any additional information in this matter, please do not hesitate to contact us directly.

Sincerely,



Benjamin H. Grumbles  
Director  
Arizona Department of  
Environmental Quality



Dennis Smith  
Executive Director  
Maricopa Association of Governments

cc: The Honorable Lisa Jackson  
Administrator  
U.S. Environmental Protection Agency

Ms. Gina McCarthy  
Assistant Administrator  
Office of Air and Radiation

## **ARIZONA'S RECOMMENDED CLARIFICATIONS TO THE EXCEPTIONAL EVENTS RULE**

Representatives of the State of Arizona participated in the September 2, 2010 EPA call with other state and local governments to discuss what the agency characterized as "Ideas for Improvement" as far as the implementation of the Exceptional Events Rule (72. Fed. Reg. 13560; March 22, 2007) (the "EER"). As a member of WESTAR, Arizona strongly supports the September 11, 2009 recommendations from WESTAR, as well as those from the California Air Resources Board as to how the implementation of the EER might be improved. In addition, based upon our extensive experience in attempting to understand and comply with the requirements of the EER, we would recommend that EPA act to clarify the EER in three critical respects.<sup>1</sup>

### **1. Process**

Neither Section 319 of the Clean Air Act ("CAA") nor the EER sets forth a procedure for a State to follow when it submits "appropriate documentation" for an exceptional event demonstration or the procedure to be followed by EPA when it considers that documentation. Apparently a specific procedure was felt to be unnecessary in the rules because the documentation package would only be submitted after extensive "collaboration" and "consultation" had occurred between the State and EPA. In the preamble to the EER, the critical role played by consultation and collaboration in the consideration of exceptional events documentation is mentioned on five occasions. Indeed, in response to a comment that EPA establish an appellate process when regional EPA offices fail to concur with a demonstration, EPA responded that such a process was unnecessary "because we anticipate that the States and Regional Offices will be working closely through the data and documentation submission process." 72 Fed. Reg. at 13574. It is the State's experience that if the consideration of exceptional events demonstration is to produce a predictable and consistent result, there must be a more formalized, structured and streamlined procedure for consideration of exceptional events by the regional offices and the procedure must explicitly require EPA to engage in consultation and collaboration with the States at every stage prior to submission. Also, the procedure must require that there be an administrative record upon which the regional offices must rely and because the EER requires that a weight of evidence approach be applied, the record must contain the totality of the information on which the determination is based and EPA must specify the elements of the record on which its decision was based.<sup>2</sup>

---

<sup>1</sup> All of our recommendations are based on either the language of Clean Air Act Section 319, the EER and its Preamble or implementation of the EER from EPA determinations in the Federal Register.

<sup>2</sup> As prescribed by the EER and its preamble, the State believes that the following are the steps in the exceptional event decision process:

**Prior to Submission:**

Exceptional Event Identification  
Exceptional Event Documentation Development  
Public Comment

2. **The Information Necessary to Demonstrate that Anthropogenic Sources are “Reasonably Well-Controlled” at the Time that the Event Occurred.**

The level and nature of the documentation necessary to demonstrate that anthropogenic sources are reasonably well-controlled as required by CAA section 319(b)(1)(A)(ii) and the EER at 40 C.F.R. § 50.1(j), must be specifically set forth in guidance. From EPA’s determinations on past exceptional events demonstrations, there are several principles that the State believes should be incorporated in guidance:

- In keeping with the predecessor to the EER, EPA’s Natural Events Policy, that was relied upon by Congress when CAA section 319 was amended, if a State has what EPA has determined are Best Available Control Measures in place and the means and commitment to enforce them, it should be presumed that the anthropogenic activities to which the measures applied are reasonably controlled;
- Exceptions to this presumption exist if there were unusual emissions as far as nature or extent linked to anthropogenic activities that were observed during that period.<sup>3</sup>

The guidance should also stress that States making the demonstration should not have to show that sources upwind of an affected monitor were “actually controlled,” since such a showing, particularly in an urban environment, is a “practical impossibility.” Id. 73 Fed. Reg. at 14692.

3. **Demonstrating the Clear Causal Relationship Between the Measurement Under Consideration and the Event Claimed to have Affected the Air Quality in the Area.**

The guidance should state that the clear causal relationship demonstration required by CAA section 319 need only be shown for the “particular air quality monitoring location” at which the measurement occurred. This is what is explicitly required in both CAA section 319(b)(3)(B)(ii) and the EER at 40 C.F.R. § 50.14(c)(3)(iii)(A). Thus, while information about the temporal and spatial extent of an event is relevant to the demonstration of causality (see 72 Fed. Reg. at 13573) and may

---

**Post Submission:**

Completeness Determination  
State Responses Correcting Deficiencies  
EPA Exceptional Event Documentation Development  
Public Comment Prior to Decision

<sup>3</sup> See generally the analysis of these principles in EPA’s approval of the San Joaquin Valley PM-10 nonattainment area exceptional events demonstration at 73 Fed. Reg. 14687 at 14687, 14691 and 14693 (March 19, 2008).

help determine the overall magnitude of the event, the clear causal relationship criterion need only be demonstrated for the monitor(s) that actually were affected by the event.

# **MARICOPA ASSOCIATION OF GOVERNMENTS**

## **INFORMATION SUMMARY... for your review**

**DATE:**

October 5, 2010

**SUBJECT:**

Pattern Outdoor Lighting Code

**SUMMARY:**

At the request of the MAG Regional Council, the MAG Dark Sky Stakeholders Group collected information on outdoor light pollution, reviewed best practices in lighting codes, and developed a Pattern Outdoor Lighting Code. This project was completed at a regional level in an effort to promote uniformity in lighting codes throughout all jurisdictions in the MAG region. The purpose of the Code is to define practical and effective measures by which the obtrusive aspects of outdoor light use can be minimized, while preserving safety, security, and the nighttime use and enjoyment of property. The outdoor lighting code encourages lighting practices that direct appropriate amounts of light where and when it is needed, increasing the use of energy-efficient sources, and decreasing wasted light from overlighting and poorly shielded or inappropriately directed lighting fixtures. Adoption and enforcement of the Code by member agencies will help preserve the naturally dark skies relied upon by Arizona's world-class astronomic observatories -- facilities which yield a significant economic return to the State.

According to the Arizona Arts, Sciences, and Technology Academy (AASTA) report on the Opportunities to Advance Arizona's Economic Growth, the total dollar impact in Arizona that was attributed to Arizona's astronomy, planetary and space sciences was estimated at \$252.8 million in FY 2006. This includes \$138.6 million in earnings, and \$11.9 million in tax revenues to state and local governments. The State of Arizona receives 57 percent of the revenues (\$6.8 million); Arizona counties receive 17 percent (\$2.0 million); and cities and towns receive 26 percent (\$3.1 million). The economic activity of astronomy, planetary and spaces sciences generated a total of 3,328 jobs in FY 2006.

Pending consideration and approval by the MAG Regional Council of the Pattern Outdoor Lighting Code, MAG member agencies may choose to adopt the Code in its entirety or portions therein. Though member agencies are encouraged to consider adopting the Code as-is for jurisdiction-to-jurisdiction consistency and to minimize potential errors created by modification, each MAG member jurisdiction may choose what is best for them with regards to implementing it. The goal is to provide quality lighting to improve visibility, save energy, and protect dark skies.

**PUBLIC INPUT:**

The MAG Pattern Outdoor Lighting Code was reviewed by members of the astronomy community and the public.

In July 2010, MAG held a Dark Sky workshop to gather comments from external stakeholders on the draft Pattern Outdoor Lighting Code. Invited external stakeholders included the lighting industry, safety officials, those that use outdoor lighting for commercial and retail purposes, and anyone else with an interest in promoting dark skies. All stakeholders were sent notice of the workshop and e-mailed the draft code for their review two weeks prior to the workshop. All information from the workshop is available on the MAG web site: <http://www.azmag.gov/Projects/Project.asp?CMSID=1082>

Attendees of the Dark Sky Stakeholders Group meetings, requested MAG solicit input from external stakeholders to reduce the burden of each agency individually soliciting comments. Feedback from the workshop is posted on the MAG web site and all comments from external stakeholders has been included in the workshop meeting notes.

Public input was received from the Desert Foothills Astronomy Club, Pinal County International Dark Sky Association (IDA), Salt River Project (SRP), Arizona State University (ASU), Arizona Sign Association (ASA), International Dark Sky Association, a citizen, and Arizona Bankers Association.

A representative from the Desert Foothills Astronomy Club was delighted that MAG jurisdictions were working on a dark sky initiative. He reminded the stakeholders that the city of Sedona has turquoise McDonald restaurant arches, so trademarked signs can be changed. He said Federal Highway Administration (FHWA) termed the digital signs, Changeable Electronic Variable Message Sign (CEVMS). The FHWA report, "The Possible Effects of Commercial Electronic Variable Message Signs (CEVMS) on Driving Safety - Phase 1" investigates accidents caused by CEVMS. He asked if a lighting inspector was going to enforce the lighting code.

A representative from Pinal County IDA wanted to ensure that existing bad lighting did not get a free pass through the adoption of a new code. Previous illegal installations will remain illegal. He suggested adding color temperature limits to the code, which were added to the MAG Pattern Outdoor Lighting Code based on his comment. He made a couple other suggestions that were discussed but not integrated into the code.

A representative from the Arizona Sign Association (ASA) said the ASA is not supportive of any sign illumination curfews or nighttime limit of 100 nits for LED signs, but would support 300 nits. A nit is the standard unit used to measure the brightness of a surface, such as of a sign. He added that there should be no regulation for background and text color of a sign and no restrictions for registered trademarks on signs. He agreed that it would be simpler to have all signs constructed with an opaque background. He added that section 5.2 B is confusing and may be difficult to administer and suggested omitting it from the code. Once this section was explained to him in greater detail he thought it was fine. He made other suggestions to the definitions section of the code that were not integrated.

A representative from SRP discussed LED lights and LED technology and as a result an allowance for LEDs for Class 2 lighting was integrated into the code. He suggested a flat black shield be used for the lit up portion of the light shield.

Representatives from ASU and IDA offered to be local resources to the MAG member agencies on the topic of dark sky.

A citizen requested that glare from over lit signs be addressed in the code. He wanted to reduce glare to humans, plants and animals as it can be very offensive.

The Arizona Bankers Association wanted to be sure that curfew did not apply to ATMs and night drop boxes. It was confirmed that ATMs and night drop boxes are open 24 hours and therefore curfew does not apply to them.

#### **PROS & CONS:**

**PROS:** Implementing measures to reduce outdoor light pollution is an energy conservation measure with related energy cost savings. These measures also improve visibility (e.g., eliminate glare), safety (through better lighting) and improve our environment (night sky, community ambience, ecosystems).

**CONS:** Up front costs may be incurred if poor outdoor lighting is replaced before the end of the system lifetime, but reduced electricity costs provide a mitigating effect to offset these costs. There may also be additional costs to enforce outdoor lighting requirements, although most jurisdictions incorporate compliance in the permit application process.

**TECHNICAL & POLICY IMPLICATIONS:**

TECHNICAL: Agencies that do not currently have an outdoor lighting code may want to adopt this code to ensure appropriate lighting levels that support way-finding and crime prevention, assist people with visual impairments, allow flexibility in architectural design, minimize undesirable light and glare into adjoining properties and minimize light pollution into the nighttime sky.

POLICY: An outdoor lighting code can be considered a component of a community’s sustainability plan. A pattern code was developed using the expertise of the relevant professionals and the experiences of our communities in Arizona.

**ACTION NEEDED:**

Recommend approval of the MAG Pattern Outdoor Lighting Code (POLC) with consideration to encourage the adoption of the POLC by MAG member agencies, in an effort to protect Arizona's observatories and promote consistency and efficiency in outdoor lighting across the region.

**PRIOR COMMITTEE ACTIONS:**

None. Below is a list of Stakeholders that attended the meetings.

STAKEHOLDERS:

Paul Scowen, ASU  
Carol Johnson, City of Phoenix  
Gene Slechta, Town of Fountain Hills  
Dan Brocious, Smithsonian Astrophysical  
Observatory  
Kyle Mieras, Town of Gilbert  
Patty Zaricor, Maricopa County  
Mike Sills-Trausch, City of Glendale

Chris Luginbuhl, US Naval Observatory  
Elizabeth Alvarez, National Optical Astronomy  
Observatory  
Brian Rose, Town of Buckeye  
Gordon Sheffield, Mesa  
Stacey Bridge-Denzak, Avondale  
Mike McCauley, Queen Creek  
James Truman, Citizen

**CONTACT PERSON:**

Heidi Bickart, MAG (602) 254-6300.



# MAG Draft Pattern Outdoor Lighting Code

## Contents

Section 1: Purpose and Intent

Section 2: Conformance with Applicable Codes

Section 3: Applicability

3.1 New Uses, Buildings and Major Additions or Modifications

3.2 Minor Additions

3.3 Nonconforming Outdoor Lighting Fixtures; Nonconforming Uses

3.4 Resumption of Use After Abandonment

3.5 Public Roadways

3.6 Alteration of Non-conforming Use

Section 4: Shielding and Total Outdoor Light Output Standards

4.1 Shielding Standards

4.2 Total Outdoor Light Output Standards

4.3 Lamp CCT Standards

4.4 Effective Shielding Standard

4.5 "House side" Shielding Standard

4.6 Multi-Class Lighting Standard

4.7 Curfews

Section 5: Outdoor Advertising Signs

5.1 Externally Illuminated Sign Standards

5.2 Internally Illuminated Sign, Neon Sign Multicolor Fixed-Copy LED Sign  
and Single-Color LED Sign Standards

5.3 Multicolor Changeable-Copy LED Sign Standards

5.4 Curfews

Section 6: Special Uses

6.1 Recreational Facilities

6.2 Frontage Row of Vehicle Display Areas

6.3 Service Station Canopies

6.4 Other Lighting on Parcels with Special Uses

Section 7: Submission of Plans and Evidence of Compliance with Code,  
Subdivision Plats

7.1 Submission Contents

7.2 Additional Submission

7.3 Subdivision Plats

7.4 Lamp or Fixture Substitution

- 7.5 Plan Approval
- 7.6 Certification of Installation
- Section 8: Approved Materials and Methods of Construction or Installation/Operation
  - 8.1 Approval of Alternatives
- Section 9: Prohibitions
  - 9.1 Laser Source Light
  - 9.2 Searchlights
  - 9.3 Mercury Vapor
- Section 10: Temporary Exemption
  - 10.1 Request; Renewal; Information Required
  - 10.2 Approval; Duration
  - 10.3 Disapproval; Appeal
- Section 11: Other Exemptions
  - 11.1 Nonconformance
  - 11.2 State and Federal Facilities
  - 11.3 Emergency Lighting
  - 11.4 Swimming Pool and Fountain Lighting
- Section 12: Appeals
- Section 13: Law Governing Conflicts
- Section 14: Violation and Penalty
- Section 15: Severability
- Section 16: Definitions

Note: ***Bold italics*** indicate terms defined in Section 16.

## Section 1. Purpose and Intent.

It is the purpose of this Code to define practical and effective measures by which the obtrusive aspects of outdoor light usage can be minimized, while preserving safety, security, and the nighttime use and enjoyment of property. These measures are intended to curtail the degradation of the nighttime visual environment, **light trespass**, energy and resource waste, and to preserve the naturally dark skies relied upon by Arizona's world-class astronomical facilities by encouraging lighting practices that direct appropriate amounts of light where and when it is needed, increasing the use of energy-efficient sources, and decreasing wasted light from overlighting and poorly shielded or inappropriately directed lighting fixtures.

It is further recognized that naturally dark landscapes and star-filled skies are valued by many and that poor practices in outdoor lighting hamper the reasonable use and enjoyment of property and can endanger the public welfare by producing unnecessary glare.

## Section 2. Conformance with Applicable Codes.

All **outdoor lighting fixtures** shall be **installed** in conformance with the provisions of this Code, the Building Code, the Electrical Code, the Sign Code and all other applicable laws and regulations of the jurisdiction.

## Section 3. Applicability.

3.1. New Uses and Major Modifications. All **outdoor light fixtures** for new uses, developments or structures for which a permit or other approval is issued or given after the effective date of this Code, shall meet the requirements of this Code. Cumulative modification or replacement of outdoor lighting constituting twenty-five (25) percent or more of the permitted lumens for the parcel, regardless of the actual amount of lighting already on a non-conforming site, shall be deemed a major modification for purposes of this section and must meet the requirements of this Code.

3.2. Minor Additions. Alterations, additions or modifications to **outdoor lighting fixtures** of less than twenty-five (25) percent in the value or intensity,<sup>1</sup> and that require a permit, shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting on the site shall meet the requirements of this Code with regard to shielding and lamp type; the **total outdoor light output** after the modifications are complete shall not exceed that on the site before the modification, or that permitted by this Code, whichever is larger.

---

<sup>1</sup> The actual percentage that triggers the requirement to bring outdoor lighting fixtures into compliance with this Code may be that specified in each jurisdiction's zoning ordinance.

- 3.3. Nonconforming Outdoor Lighting Fixtures; Nonconforming Uses. If a use, building or structure loses its nonconforming status, or if **outdoor lighting fixtures** are modified in excess of twenty-five percent (25%) of their value, or total outdoor light output whether all at once, or in a series of cumulative changes, then the **outdoor lighting fixtures** must be restored, reconstructed, altered or replaced in conformance with the requirements of this Code.
- 3.4. Resumption of Use After Abandonment. If a use, building or structure is abandoned [as defined in Section \_\_\_\_ of the Zoning Ordinance], then all outdoor lighting shall be brought into compliance with this Code before the use is resumed.
- 3.5. Public Roadways. Lighting for public roadways and pedestrian lighting must comply with Code, except the lumen caps of Section 4.2.
- 3.6. Alteration of Non-conforming Use. All light fixtures may be maintained as provided in Section \_\_ of the Zoning Ordinance, but shall not be re-erected, relocated, or replaced unless brought into compliance with this Code. Nothing in this Code shall affect existing property or the right to its continued use for the purpose used at the time the Code takes effect, nor to make any reasonable repairs or alterations in light fixtures, property, or uses for such legal existing purposes.

**Section 4. Shielding, Total Outdoor Light Output and Lamp Type Standards.**

4.1. Shielding Standards. All nonexempt **outdoor lighting fixtures** shall comply with the shielding standards provided in Table 4.1; outdoor **luminous tube** lighting does not require shielding but total output from unshielded lighting is subject to the limits set forth in Section 4.2. The distance from fixture to the nearest residential property line means the distance to the nearest parcel with any kind of residential use.

Use Codes:

A = all types of fixtures allowed; **fully shielded** recommended

F = only **fully shielded fixtures** allowed

X = not allowed

Table 4.1 **LUMINAIRE** SHIELDING STANDARDS

LIGHTING CLASS and lamp output	Shielding		Notes
	Distance from Fixture to Nearest Residential Property Line		
	< 50'	≥ 50'	
<b>Commercial, Industrial and Multi-Family</b>			

<b>Residential</b>			
<b>Class 1 lighting (Color Rendition):</b>			
Initial lamp output $\geq$ 2,000 <i>lumens</i>	<b>F</b>	<b>F</b>	
Initial lamp output $<$ 2,000 <i>lumens</i>	<b>F</b>	<b>A</b>	1
<b>Class 2 lighting (General Illumination):</b>			
Initial lamp output $\geq$ 2,000 <i>lumens</i>	<b>F</b>	<b>F</b>	
Initial lamp output $<$ 2,000 <i>lumens</i>	<b>F</b>	<b>A</b>	1
<b>Class 3 lighting (Decorative):</b>			
Initial lamp output $\geq$ 2,000 <i>lumens</i>	<b>X</b>	<b>X</b>	
Initial lamp output $<$ 2,000 <i>lumens</i>	<b>F</b>	<b>F</b>	2
<b>Residential Lighting :</b>			
<b>All lighting classes</b>			
Initial lamp output $\geq$ 1,000 <i>lumens</i>	<b>F</b>	<b>F</b>	
Initial lamp output $<$ 1,000 <i>lumens</i>	<b>F</b>	<b>A</b>	1,2,3

Notes to Table 4.1

Please refer to section 16.34 for a definition of “residential.”

1. **Spot** and **flood lamps** must be aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side) when the lamp is visible from any off-site residential property or public roadway (Figure 4.1).

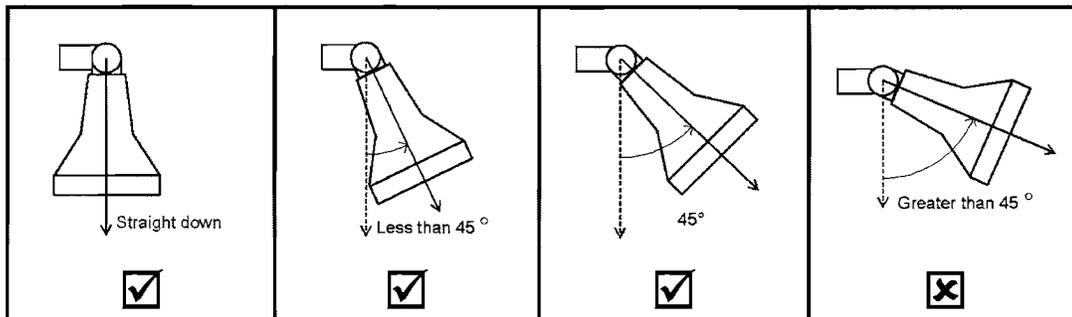


Figure 4.1. Spot light aiming

2. Seasonal decorations using typical unshielded low-wattage lamps shall be permitted from Thanksgiving through January 15.
3. Examples of lamp types of 2,000 and 1,000 lumens and below (The acceptability of a particular light is determined by initial lumen output, not wattage; values listed are approximate; check manufacturer’s specifications).

Lamp Type and Wattage with Outputs below 2000 lumens (lm) and 1000 lm

Lamp Type	2000 lumens	1000 lumens
Standard incandescent and less	100 watt	60 watt
Tungsten-halogen (quartz) and less	100 watt	60 watt
Fluorescent and less	25 watt	15 watt

Compact Fluorescent and less	26 watt	13 watt
Metal Halide	40 watt	N/A
High-Pressure Sodium	N/A	N/A

- 4.2. *Total Outdoor Light Output Standards.* **Total outdoor light output** shall not exceed the limits set forth in Table 4.2. (The values in this table are upper limits and not design goals; design goals should be the lowest levels that meet the requirements of the task.)

Table 4.2 MAXIMUM TOTAL OUTDOOR LIGHT OUTPUT STANDARDS  
LUMEN CAPS

Land Use and Fixture Shielding	Lighting Zone		Notes
	LZ 1	LZ 2	
<b>Commercial, Industrial, Multi-family residential (lumens per net acre)</b>			
total ( <i>fully shielded + unshielded</i> )	50,000	150,000	
<i>unshielded</i> component	5,000	10,000	
<b>Residential (lumens per residence)</b>			1
total ( <i>fully shielded + unshielded</i> )	20,000	20,000	
<i>unshielded</i> component	5,000	5,000	

Notes to Table 4.2

- Each residential single-family detached home or duplex is allowed up to 5,500 lumens of unshielded lighting or the lighting provided in this Table based on the parcel's acreage, whichever is larger, provided Table 4.1 allows the fixture to be unshielded. Residential spot or flood lamps are to be aimed no higher than 45 degrees above straight down (see Note 1 to Table 4.1).
- 4.3. Lamp **CCT** Standards. All lamps must conform to the **CCT** limits listed in Table 4.3.

Table 4.3 ALLOWED LAMP **CCT**

LIGHTING CLASS	Allowed CCT	Notes
<b>Class 1 lighting (Color Rendition):</b>		
All initial outputs	≤ 4,200K	1
<b>Class 2 lighting (General Illumination):</b>		
Initial lamp output ≥ 2,000 <i>lumens</i>	≤ 2,200K	1
Initial lamp output < 2,000 <i>lumens</i>	≤ 4,200K	1,2
<b>Class 3 lighting (Decorative):</b>		
All initial outputs	all <b>CCT</b>	
<b>Residential lighting (all Classes):</b>		3
All initial outputs	≤ 4,200K	

Notes to Table 4.3

1. Examples of lamp types with typical **CCT**  $\leq 2,200\text{K}$  and  $\leq 4,200\text{K}$  (the acceptability of a given lamp is determined by the **CCT** listed in the manufacturer’s specifications):

Lamp Types:  
 HPS = high-pressure sodium  
 LPS = low-pressure sodium  
 MH = metal halide

Lamp Types with Typical **CCT** below 2,200K and 4,200K

<b>CCT</b>	<b>Lamp Types</b>
$\leq 2,200\text{K}$	HPS; LPS; some amber <b>LED</b>
$\leq 4,200\text{K}$	HPS; LPS; most MH; some fluorescent; some white <b>LED</b>

2. **Class 2 lighting** using lamps with **CCT**  $> 2,200\text{K}$  is limited to 5,000 lumens per **net acre** in **Lighting zone LZ 1** and 10,000 lumens per **net acre** in **Lighting zone LZ 2**.
3. Residential refers to all residential land-use zoning, including all densities and types of housing such as single-family detached and duplexes. Multiple-family residential uses and mixed-use must use standards for **Class 1, 2** and **3** lighting.
- 4.4. Effective Shielding Standard. All light fixtures that are required to be **fully shielded** shall be **installed** and maintained in such a manner that the shielding is effective as described in the definition for **fully shielded** fixtures.
- 4.5. “House Side” Shielding Standard. Beyond the shielding requirements of Section 4.1, any privately or publicly owned outdoor light fixture with a lamp of initial output over 10,000 lumens located within 50 feet of any residential (including multi-family residential) property or public right-of-way shall utilize an internal or external “house-side” shield, with the light fixture and shield oriented to minimize light trespass over the adjacent property or right-of-way line (Figure 4.5). The surface of any external shield must have a black or bronze finish on the side facing the lamp to minimize reflection.

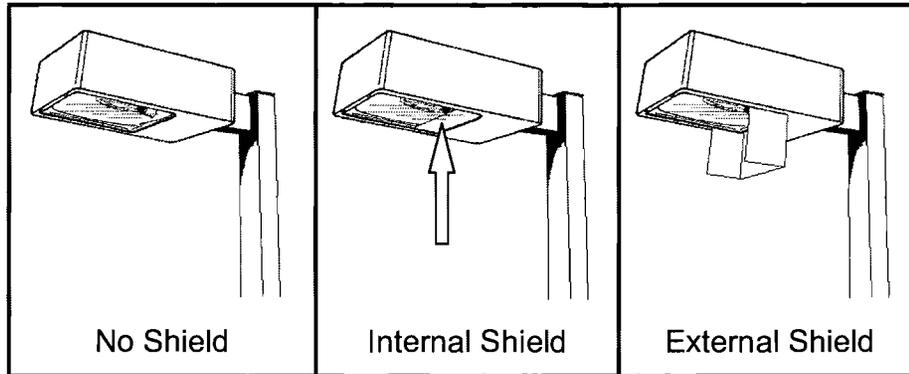


Figure 4.5. House-side shield configurations

4.6. **Multi-Class Lighting** Standard. **Multi-Class lighting** must conform to the shielding and timing restrictions, if any, that apply to the most restrictive included Class.

4.7. Curfews.

A. **Class 3 lighting** shall be extinguished between 10:00pm (or when the business closes, whichever is later) and the time the business re-opens.

B. **Class 2 lighting** located 75 feet or more from the nearest building, **display area** or storage area shall be extinguished between 10:00pm (or within 30 minutes of the business closing, whichever is later) and the time the business re-opens.

## Section 5. Outdoor Advertising Signs.

5.1. **Externally Illuminated Sign** Standards. External illumination for signs, including **billboards**, shall conform to the provisions of this Code. Such lighting shall be treated as **Class 1 lighting** and shall conform to the lamp source, shielding restrictions and lumen caps of Section 4 (except as provided in Section A below). All upward-directed sign lighting is prohibited.

A. Lighting for externally illuminated **billboards** is limited to 200 initial lamp lumens per square foot of sign face. Externally illuminated **billboards** are permitted lighting up to 200 initial lamp lumens per square foot, even when the lumen allowance set forth in Section 4.2 would not otherwise permit such lighting.

5.2. **Internally Illuminated Sign, Neon Sign, Multicolor Fixed-Copy LED Sign and Single-Color LED Sign** Standards.

A. Outdoor **internally illuminated signs** must either be constructed with an **opaque** background and translucent text and symbols, or with a colored background and generally LIGHTER text and symbols (Figure 5.2.A).

Colored backgrounds shall not be white, off-white, light grey, cream, or yellow. Lamps used for internal illumination of such signs shall not be counted toward the lumen caps in Section 4.2.

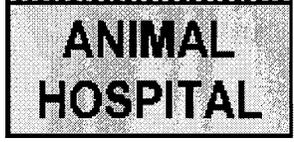
Light Background <input checked="" type="checkbox"/>	Colored Background <input checked="" type="checkbox"/>	Opaque Background <input checked="" type="checkbox"/>
		
		
		

Figure 5.2.A *Internally illuminated sign styles*

**B. Neon signs, multicolor fixed-copy LED Signs and single-color LED signs** (Figure 5.2.B) shall be treated as internally illuminated signs for the purposes of this Code, and shall not have their luminous outputs counted toward the lumen caps in Section 4.2. Any lighting extending beyond the area considered to be the sign area (as defined in the Sign Code of this jurisdiction) shall conform to all provisions of this Code. In particular, such lighting shall be treated as Class 3 lighting (decorative) and shall conform to the lumen caps of Section 4.

Neon	Multicolor Fixed-Copy LED	Single-Color LED
		

Figure 5.2.B *Neon, multicolor fixed-copy LED and single-color LED signs*

C. Other internally-illuminated panels or decorations not considered to be signage according to the sign code of this jurisdiction (such as illuminated canopy margins or building faces), shall be considered Class 3 lighting (decorative), and shall be subject to the standards applicable for such lighting, including but not limited to the lamp source, shielding standards and lumens per acre caps of Section 4.

5.3. **Multicolor Changeable-Copy LED Sign** Standards. Lighting for **multicolor changeable-copy LED signs** must meet the following:

A. [ALTERNATIVE A] **Multicolor changeable-copy LED signs** must include photocell technology to control and vary the intensity of lighting depending on the amount of ambient light that is present to prevent overly bright **luminance** at night: automatic controls must limit night luminance to a maximum of 100 nits when the display is set to show maximum brightness white (100% full white mode). The applicant shall provide a written certification from the sign manufacturer that the nighttime light intensity has been factory pre-set not to exceed this level, and that this setting is protected from end-user modification by password-protected software or other method as deemed appropriate by the Planning Director.

[ALTERNATIVE B] **Multicolor changeable-copy LED signs** are not permitted.



Figure 5.3.A **Multicolor changeable-copy LED sign**

5.4. **Curfews**. Illumination for all **on-site advertising signs** except **billboards**, both externally and internally illuminated, shall be turned off at the curfew times listed in Table 5.4 or when the business closes, whichever is later. Signs subject to curfews are required to have functioning and properly adjusted automatic shut-off timers. Light background (white, off-white, light gray, cream or yellow) **internally illuminated signs, installed** legally before enactment of this code [enter date], may continue to be used and illuminated but must conform to the curfews as indicated.

Table 5.4 ILLUMINATED SIGN CURFEWS

Land Use Zoning and Sign Type	Curfew
<b>Commercial and Industrial zoning</b>	
<b>Opaque</b> Background	10pm
Colored Background	10pm
Light Background	8pm
<b>All residential and mixed-use zoning</b>	
<b>Opaque</b> Background	9pm
Colored Background	9pm
Light Background	6pm

Note to Table 5.4

Land Use Zoning refers to the predominant use of land by area within 1,000 feet of the parcel on which the sign is located.

## Section 6: Special Uses.

### 6.1. Recreational Facilities.

- A. Class of Play: Fields designed primarily for use by municipal or amateur leagues, training, recreational or social levels, shall be considered **Sports Class IV** as defined by the Illuminating Engineering Society of North America (IESNA). Fields designed primarily for college, semiprofessional, professional or national levels shall be considered **Sports Class I**, **Sports Class II** or **Sports Class III** as defined by IESNA.
- B. Lighting Class and Amount: Lighting for outdoor athletic fields, courts or tracks shall be considered **Class 1 lighting** (Color Rendition), and shall be exempt from the **lumens** per acre limits of Section 4.2.
- C. Shielding: **fully shielded** lighting is required for fields designed for **Sports Class III** and **Sports Class IV** levels of play. Facilities designed for **Sports Class I** and **Sports Class II** levels of play shall utilize **luminaires** with minimal uplight consistent with the illumination constraints of the design. Where **fully shielded** fixtures are not utilized, acceptable **luminaires** shall include those which:
  - 1. Are provided with internal and/or external glare control louvers and **installed** so as to minimize uplight and offsite light trespass, and;
  - 2. Are **installed** and maintained with aiming angles that permit no greater than five percent (5%) of the light emitted by each fixture to project above the horizontal.

- D. **Illuminance:** All lighting installations shall be designed to achieve no greater than the minimal **illuminance** levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA) for the **Sports Class** as described in Section 6.1.A.
- E. Off-site spill: The installation shall also limit off-site spill (off the parcel containing the sports facility) to the maximum extent possible consistent with the illumination constraints of the design.
- F. Certification: Every such lighting system design and installation shall be certified by a registered engineer, architect or landscape architect as conforming to all applicable restrictions of this Code.
- G. Curfew: All events shall be scheduled so as to complete all activity before 11pm. Illumination of the playing field, court or track shall be permitted after the curfew only to conclude a scheduled event that did not conclude before the curfew due to unusual circumstances.

#### 6.2. **Frontage Row of Vehicle Display Areas.**

- A. Lighting Class: Lighting for **frontage row of vehicle display areas** shall be considered **Class 1 lighting** (Color Rendition).
- B. Shielding: All **frontage row vehicle display area** lighting shall utilize **fully shielded luminaires** that are **installed** in a fashion that maintains the **fully shielded** characteristics.
- C. **Lumen** Limit: **Total outdoor light output** for the **frontage row of vehicle display areas** shall not exceed 60 **lumens** per square foot.
- D. Curfew: The **frontage row of vehicle display area** lighting exceeding the **lumens** per acre cap of Section 4.2 shall be turned off at the curfew listed in Section 6.1 or within thirty minutes after closing of the business, whichever is later. Lighting in the **frontage row of vehicle display areas** after curfew shall be considered **Class 2 lighting**, and shall conform to all restrictions of this Code applicable for **Class 2 lighting**, including the lumens per acre caps in Section 4.2.

#### 6.3. Service Station Canopies.

- A. Lighting for service station canopies shall be considered **Class 2 lighting** (General Illumination).
- B. Shielding: All **luminaires** mounted on or recessed into the lower surface of service station canopies shall be **fully shielded** and utilize flat lenses.

- C. Total Under-Canopy Output: The total light output used for illuminating service station canopies, defined as the sum of all under-canopy initial bare-lamp outputs in **lumens**, shall not exceed 60 **lumens** per square foot of canopy. All lighting mounted under the canopy, including but not limited to **luminaires** mounted on the lower surface or recessed into the lower surface of the canopy and any lighting within signage or illuminated panels over the pumps, is to be included toward the total at full initial **lumen** output.
  - D. The **lumen** output of lamps mounted on or within the lower surface of a canopy is included toward the **lumen** caps in Section 4.2 according to the method defined for **total outdoor light output**. Other lighting located under a canopy but not mounted on or within the lower surface is included toward the **lumen** caps in Section 4.2 at full initial output.
- 6.4. Other Lighting on Parcels with Special Uses. All lighting not directly associated with the special use areas above shall conform to the lighting standards described in this Code at all times, including but not limited to the shielding requirements of Section 4.1, the **lumens** per acre limits of Section 4.2 and the lamp type standards of Section 4.3. The **net acreage** for the determination of compliance with Section 4.2 shall not include the area of the athletic field or outdoor **automobile display frontage area**; the area of any service station canopy shall be included in the **net acreage**.

## **Section 7. Submission of Plans and Evidence of Compliance with Code, Subdivision Plats.**

- 7.1. Submission Contents. The applicant for any permit required by any provision of the laws of this jurisdiction in connection with proposed work involving **outdoor lighting fixtures** shall submit (as part of the application for permit) evidence that the proposed work will comply with this Code. Even should no other such permit be required, the installation or modification of any exterior lighting (except for routine servicing and same-type lamp replacement) shall require submission of the information described below. The submission shall contain but shall not necessarily be limited to the following, all or part of which may be part of or in addition to the information required elsewhere in the laws of this jurisdiction upon application for the required permit:
- A. plans indicating the total number and location on the premises of all **outdoor lighting fixtures**, both proposed and any already existing on the site;
  - B. description of all **outdoor lighting fixtures**, both proposed and existing. The description may include, but is not limited to, catalog cuts and

illustrations by manufacturers (including sections where required); lamp types, wattages and initial **lumen** outputs;

- 7.2. Additional Submission. The above required plans, descriptions and data shall be sufficiently complete to enable the designated official to readily determine whether compliance with the requirements of this Code will be secured. If such plans, descriptions and data are not sufficient, the applicant shall submit such additional evidence as reasonably requested by the jurisdiction, including certified reports of tests performed and certified by a recognized testing laboratory.
- 7.3. Subdivision Plats. If any subdivision proposes to have **installed** street or other common or public area outdoor lighting, submission of the information as described in Section 7.1 shall be required for all such lighting.
- 7.4. Lamp or Fixture Substitution. Should any **outdoor light fixture** or the type of light source therein be changed after the permit has been issued, a change request must be submitted to the designated official for approval, together with adequate information to assure compliance with this Code. Approval must be received prior to substitution.
- 7.5. Plan Approval. If the designated official determines that the proposed lighting does not comply with this Code, the permit shall not be issued or the plan approved.
- 7.6. Certification of Installation. For all projects where the **total outdoor light output** of the proposed lighting equals or exceeds 300,000 **lumens**, certification that the lighting, as **installed**, conforms to the approved plans shall be provided by a registered engineer, architect or landscape architect before the certificate of occupancy is issued.

## **Section 8. Approved Materials and Methods of Construction or Installation/Operation.**

- 8.1. Approval of Alternatives. The provisions of this Code are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed by this Code, provided any such alternate has been approved by the designated official. The designated official may approve any such proposed alternate providing he/she finds that it:
  - A. provides at least approximate equivalence to that applicable specific requirements of this Code, and
  - B. is otherwise satisfactory and complies with the intent of this Code.

## **Section 9. Prohibitions.**

- 9.1. Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal, is prohibited.
- 9.2. **Searchlights.** The operation of **searchlights** for advertising purposes is prohibited.
- 9.3. Mercury Vapor. Mercury vapor lights in use for outdoor lighting on the effective date of this Code shall not be used after January 1, 2011 (ARS 49-1104).

## **Section 10. Temporary Exemption.**

- 10.1. Request; Renewal; Information Required. Any person may submit, on a form prepared by the jurisdiction, to the designated official, a temporary exemption request. The request shall contain the following information:
  - A. specific Code exemption(s) requested;
  - B. purpose of proposed lighting;
  - C. duration of requested exemption(s);
  - D. information for each luminaire and lamp combination as required in section 7.1;
  - E. proposed location on premises of the proposed outdoor light fixture(s);
  - F. previous temporary exemptions, if any, and addresses of premises hereunder;
  - G. such other data and information as may be required by the designated official.
- 10.2. Approval; Duration. The designated official shall, within five (5) business days from the date of submission of the request for temporary exemption, approve or delay the request in writing. If approved, the exemption shall be valid for not more than thirty (30) days from the date of issuance of the approval. The approval shall be renewable upon further written request, at the discretion of the designated official, for a maximum of one (1) additional thirty (30) day period. The designated official is not authorized to grant more than one (1) temporary permit and one (1) renewal for a thirty (30) day period for the same property within one (1) calendar year.
- 10.3. Disapproval; Appeal. If the request for temporary exemption or its extension is disapproved, the applicant may appeal as provided in Section 12.

## **Section 11. Other Exemptions.**

- A. Nonconformance. All outdoor light fixtures lawfully **installed** prior to and operable on the effective date of this Code are exempt from all

requirements of this Code. There shall be no change in use or lamp type, or any replacement (except for same-type and same-output lamp replacement) or structural alteration or fixture relocation made, without conforming to all applicable requirements of this Code. If the property is abandoned, or if there is a change in use of the property, the provisions of this Code will apply when the abandonment ceases or the new use commences.

- 11.1. State and Federal Facilities. Compliance with the intent of this Code at all State and Federal facilities is encouraged.
- 11.2. Emergency Lighting. Emergency lighting, used by police, firefighting, or medical personnel, or at their direction, is exempt from the requirements of this Code, for as long as the emergency exists.
- 11.3. Swimming Pool and Fountain Lighting. Underwater lighting used for the illumination of swimming pools and fountains is exempt from the lamp type and shielding standards of Section 4.1, though it must conform to all other provisions of this code.

## **Section 12. Appeals.**

Any person substantially aggrieved by any decision of the designated official made in administration of the Code may appeal that decision to the Advisory/Appeals Board of this jurisdiction.

## **Section 13. Law Governing Conflicts.**

Where any provision of federal, state, county, township or city statutes, codes, or laws conflicts with any provision of this Code, the most restrictive shall govern unless otherwise regulated by law.

## **Section 14. Violation and Penalty.**

It shall be a civil infraction for any person to violate any of the provisions of this Code. Each and every day or night during which the violation continues shall constitute a separate offense. A fine shall be imposed of not less than fifty dollars nor more than seven hundred dollars for any individual or not less than 100 nor more than ten thousand dollars for any corporation, association, or other legal entity for each offense. The imposition of a fine under this Code shall not be suspended.

## **Section 15. Severability.**

If any of the provisions of this Code or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this Code which can

be given effect, and to this end, the provisions of this Code are declared to be severable.

## Section 16. Definitions.

As used in this Code, unless the context clearly indicates otherwise, certain words and phrases shall mean the following:

- 16.1. **Abandoned.** Abandonment shall be determined as provided in Section \_\_\_\_\_ of the City/Town's Zoning Ordinance.
- 16.2. **Billboard.** Any sign designed for use with changeable advertising copy and which is normally used for the advertisement of goods produced or services rendered at locations other than the premises on which the sign is located.
- 16.3. **CCT.** See **Correlated Color Temperature.**
- 16.4. **Class 1 Lighting.** All outdoor lighting used for, but not limited to, outdoor sales or eating areas, assembly or repair areas, advertising and other signs, recreational facilities and other similar applications where COLOR RENDITION IS IMPORTANT to preserve the effectiveness of the activity. Designation of lighting as **Class 1 lighting** requires a finding by the Planning Director of the essential nature of color rendition for the application. Recognized **Class 1 lighting** uses are: outdoor eating and retail food or beverage service areas; outdoor maintenance areas where maintenance activity occurs after dark; **display areas**; assembly areas such as concert or theater amphitheaters.
- 16.5. **Class 2 Lighting.** All outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots and outdoor security where GENERAL ILLUMINATION for safety or security of the grounds is the primary concern.
- 16.6. **Class 3 Lighting.** Any outdoor lighting used for DECORATIVE effects including, but not limited to, architectural illumination, flag and monument lighting, and illumination of trees, bushes, etc.
- 16.7. **Correlated Color Temperature.** (of a light source) The temperature (in Kelvins - K) of a black-body radiator (e.g. the tungsten filament in an incandescent lamp) that radiates light of comparable hue to that light source. Higher CCT sources appear bluer or "cooler," lower CCT sources appear yellower or "warmer."

- 16.8. **Development Project.** Any residential, commercial, industrial or mixed use subdivision plan or development plan which is submitted to the City for approval.
- 16.9. **Direct Illumination. Illumination** resulting from light emitted directly from a lamp or **luminaire**, not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.
- 16.10. **Directly Visible.** Allowing a direct line-of-sight to the light source or lamp.
- 16.11. **Display Area.** Outdoor areas where active nighttime sales activity occurs AND where accurate color perception of merchandise by customers is required. Recognized **display area** uses include automobile and recreational vehicle sales, boat sales, tractor sales, building supply sales, gardening or nursery sales, swap meets. Uses not listed here must be approved as display lot uses by the Planning Director.
- 16.12. **Frontage Row of Vehicle Display Area.** That portion of a **display area** used for vehicles located adjacent to the parcel frontage. Includes only the front row of vehicles adjacent to the parcel frontage; does not include the driving area located behind the parked vehicles or the remainder of the **display area** not adjacent to the frontage. (Figure 16.10)

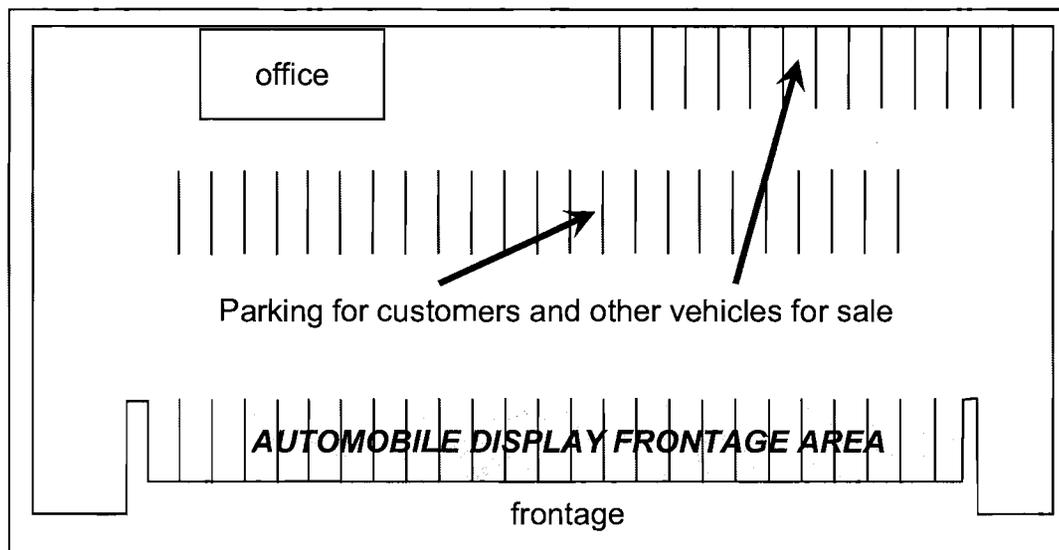


Figure 16.10. **Frontage Row of Vehicle Display Area**

- 16.13. **Flood Lamp.** See **Spot Lamp.**
- 16.14. **Footcandle.** The standard imperial unit used to measure **illuminance**, or the amount of light falling onto a surface, such as a roadway or athletic field.

One **footcandle** equals one **lumen** per square foot. One **footcandle** equals approximately 10 **lux**.

16.15. **Fully Shielded (Light Fixture)**. A lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the **luminaire**, is projected below the horizontal. Any structural part of the light fixture providing this shielding must be permanently affixed and part of the fixture, not part of any surrounding building or architectural elements.

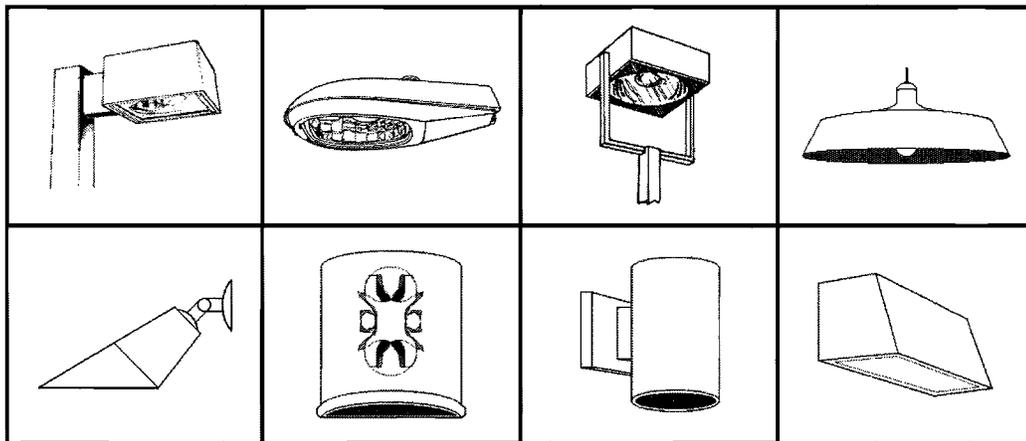


Figure 16.13a. Examples of fully shielded fixtures.

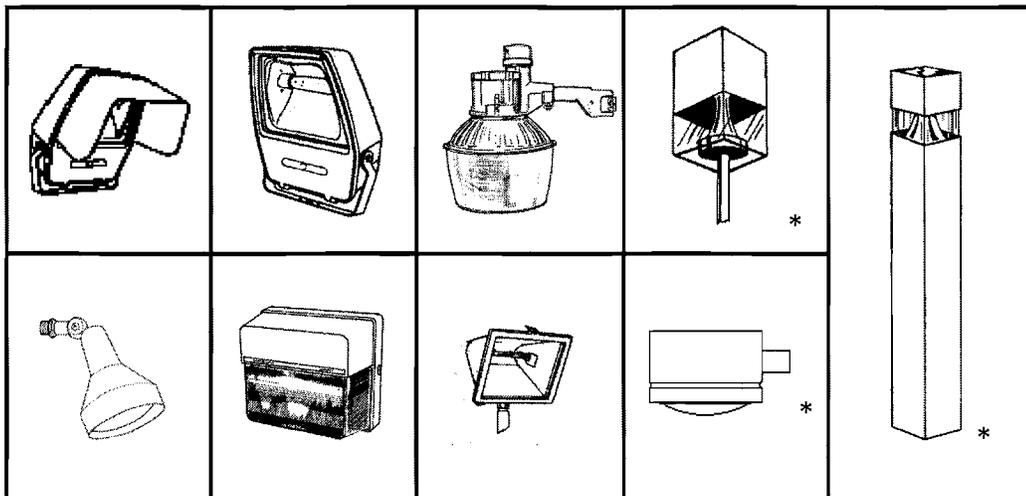


Figure 16.13b. Examples of fixtures that are NOT **fully shielded** (\*even though the lamp in these fixtures is shielded from direct view when viewed from the side or above, reflective surfaces and/or lens covers are directly visible from the side).

- 16.16. **Illuminance.** The amount of light falling onto a unit area of surface (luminous flux per unit area) - measured in **footcandles** or **lux**.
- 16.17. **Installed.** The attachment, or assembly fixed in place, whether or not connected to a power source, of any **outdoor light fixture**.
- 16.18. **LED.** Light emitting diode.
- 16.19. **Light Fixture.** See **Luminaire**.
- 16.20. **Light Trespass.** Light falling across property boundaries, on property not containing the originating light source.
- 16.21. **Lighting Zones.** The two **lighting zones** are defined on the Lighting Zone Map, by this reference made a part of this Code. Guidelines used to guide the delineation of the **lighting zones** are:
- A. **Lighting Zone LZ 1.** This Zone includes predominantly residential areas, including small neighborhood commercial or industrial areas mostly surrounded by residential areas.
  - B. **Lighting Zone LZ 2.** This Zone includes urban areas with primary land uses for commercial, business and industrial activity, including urban multi-family residential areas mostly surrounded by commercial areas.
- 16.22. **Lumen.** Unit of luminous flux; used to measure the amount of light emitted by lamps.
- 16.23. **Luminaire.** A complete lighting assembly (including the lamp, housing, reflectors, lenses and shields), less the support assembly (pole or mounting bracket); a **light fixture**. Includes **luminous tubes**, lamps or similar devices, permanently **installed** or portable, used for illumination, decoration, or advertisement. Such devices shall include, but are not limited to lights used for:
- A. parking lot or **parking garage** lighting;
  - B. roadway and driveway lighting;
  - C. pedestrian or walkway lighting;
  - D. entryway lighting;
  - E. buildings and structures;
  - F. recreational areas;
  - G. landscape lighting;
  - H. **billboards** and other signs (advertising or other);
  - I. product **display area** lighting;
  - J. building or structure decoration;
  - K. building overhangs and open canopies.

For purposes of determining **total outdoor light output** from a **luminaire** (see Table 4.1), lighting assemblies which include multiple lamps within a single **luminaire** or on a single pole or standard shall be considered as a single unit (Figure 16.20).

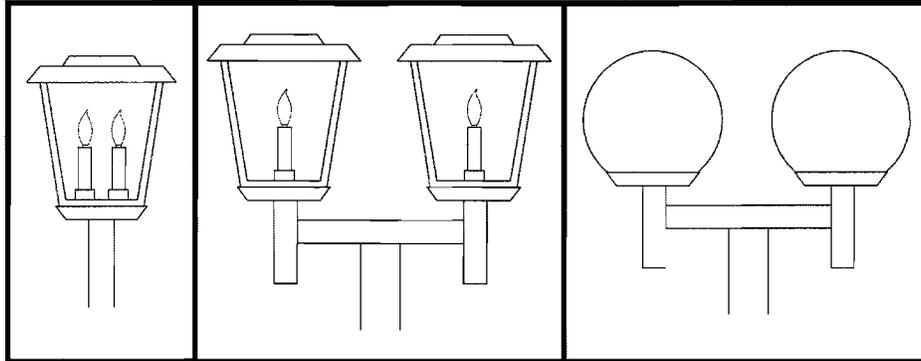


Figure 16.20. **Light fixtures** with multiple lamps in a single fixture (left) and on a single pole (center, right)

16.24. **Luminance**. The intensity of light reflected or emitted from a unit area of surface, such as a sign face - measured in **nits**.

16.25. **Luminous Tube**. A glass tube filled with a gas or gas mixture (including neon, argon, mercury or other gasses), usually of small diameter (10-15 millimeters), caused to emit light by the passage of an electric current, and commonly bent into various forms for use as decoration or signs. A "neon" tube. Does not include common fluorescent tubes.

16.26. **Lux**. The standard metric unit used to measure **illuminance**, or the amount of light falling onto a surface, such as a roadway of athletic field. One **lux** equals one **lumen** per square meter. One **lux** equals approximately 0.1 **footcandles**.

16.27. **Multi-Class Lighting**. Any outdoor lighting used for more than one purpose, such as security and decoration, such that its use falls under the definition of two or more Classes as defined for **Class 1, 2 and 3 lighting**.

16.28. **Neon Tube**. See **Luminous Tube**.

16.29. **Net Acreage**. The remaining area after deleting all portions for proposed and existing streets within a parcel, subdivision, or multiple contiguous parcels proposed for development.

16.30. **Nit**. The standard unit used to measure the brightness of a surface, such as of a sign.

16.31. **Opaque.** *Opaque* means that a material does not transmit light from an internal illumination source. Applied to sign backgrounds, means that the area surrounding any letters or symbols on the sign allows no light from any internal source to shine through it.

16.32. **Outdoor Light Fixture.** See *Luminaire*.

16.33. **Outdoor Light Output, Total.** The initial total amount of light, measured in *lumens*, from all lamps used in *outdoor light fixtures*. Includes all lights and *luminous tubes* used for **Class 1, Class 2, Class 3** and **multi-Class lighting**, and lights used for external illumination of signs, but does not include lights used to illuminate *internally illuminated signs, luminous tubes* used in neon signs, or seasonal lighting from typical low-output lamps permitted between Thanksgiving and January 15th. For lamp types that vary in their output as they age (such as high pressure sodium, fluorescent and metal halide), the initial lamp output, as defined by the manufacturer, is the value to be considered. For determining compliance with Section 4.2 [**Total Outdoor Light Output**] of this Code, the light emitted from lamps and *luminous tubes* is to be included in the total output as follows:

A. *outdoor light fixtures* and *luminous tubes installed* on poles (such as parking lot *luminaires*) and light fixtures *installed* on the sides of buildings or other structures, when not shielded from above by the structure itself as defined in parts B, C or D below, are to be included in the **total outdoor light output** by simply adding the initial *lumen* outputs of the lamps and tubes;

B. *outdoor light fixtures* and *luminous tubes installed* under canopies, buildings (including *parking garage* decks), overhangs or roof eaves where all parts of the lamp, tube or *luminaire* are located at least five (5) feet but less than ten (10) feet from the nearest edge of the canopy, building edge or overhang are to be included in the **total outdoor light output** as though they produced only one-quarter (0.25) of the lamp's or tube's rated initial *lumen* output;

C. *outdoor light fixtures* and *luminous tubes installed* under canopies, buildings (including *parking garage* decks), overhangs or roof eaves where all parts of the lamp, tube or *luminaire* are located at least ten (10) feet but less than thirty (30) feet from the nearest edge of the canopy, building edge or overhang are to be included in the **total outdoor light output** as though they produced only one-tenth (0.10) of the lamp's or tube's rated initial *lumen* output.

D. *outdoor light fixtures installed* under canopies, buildings (including *parking garage* decks), overhangs or roof eaves where all parts of the lamp, tube or *luminaire* are located thirty (30) or more feet from the nearest edge of the canopy, building edge or overhang are not to be included in the **total**

**outdoor light output.** Such lamps must however conform to the lamp source and shielding requirements of Section 4.

- 16.34. **Parking Garage.** A multi-level or covered structure for parking that is open to the outside air. Includes parking facilities under buildings when the area is open to the outside at more locations than just the automobile entries and exits.
- 16.35. **Person.** Any individual, tenant, lessee, owner, or any commercial entity including but not limited to firm, business, partnership, joint venture, or corporation.
- 16.36. **Residential.** All single-family residential land uses, including all densities and types of housing such as single-family detached and duplexes, but excluding multi-family housing.
- 16.37. **Searchlight.** A lighting assembly designed to direct the output of a contained lamp in a specific tightly focused direction (a beam) with a reflector located external to the lamp, and with a swiveled or gimballed mount to allow the assembly to be easily redirected. Such lights are used commonly to sweep the sky for advertisement purposes.
- 16.38. **Sign, Externally Illuminated.** A sign illuminated by light sources from the outside.
- 16.39. **Sign, Internally Illuminated.** A sign illuminated by light sources enclosed entirely within the sign cabinet and not directly visible from outside the sign.
- 16.40. **Sign, Multicolor Changeable-Copy LED.** A sign composed of **LEDs** of more than one color and programmable to allow changing displays.
- 16.41. **Sign, Multicolor Fixed-Copy LED.** A sign composed of **LEDs** of more than one color with a fixed (not changeable or programmable) copy display.
- 16.42. **Sign, Neon.** A sign including **luminous tubes** formed into text, symbols or decorative elements and directly visible from outside the sign cabinet.
- 16.43. **Sign, On-Site Advertising.** A sign used primarily to advertise goods or services offered on the same parcel on which the sign is located. Such a sign may include incidental non-advertising information (for example time and temperature; does not include publicly owned signs providing general interest information exclusively (such as road names or highway conditions).
- 16.44. **Sign, Single-Color LED.** A sign composed of single-color **LEDs**, including signs with fixed and changeable copy.

16.45. **Sports Class I/II/III/IV.** Level of sports play as defined by the Illuminating Engineering Society of North America. This level is primarily determined by the number and distance of spectators; the higher recommended illumination levels facilitate the spectator's ability to view the action. **Sports Class IV** is the most common level, and is typical of municipal and amateur league and social level sports, with minimal accommodations for spectators, typically including bleachers located close to the field. **Sports Class III** includes increased accommodation for spectators. **Sports Class II** and **Sports Class I** apply to large sports facilities where thousands of spectators may be located hundreds of feet from the field, and television broadcasting may be a consideration.

16.46. **Spot Lamp.** A specific form of lamp designed to direct its output in a specific direction (a beam) with a reflector formed from the glass envelope of the lamp itself. Such lamps are so designated by the manufacturers and are often used in residential outdoor area lighting (Figure 16.36).

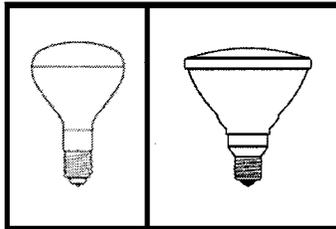


Figure 16.36. **Spot lamps**

16.47. **Temporary Lighting.** Lighting which does not conform to the provisions of this Code and which will not be used for more than one thirty (30) day period within a calendar year, with one thirty (30) day extension. Temporary lighting is intended for uses which by their nature are of limited duration; for example holiday decorations, civic events, or construction projects.

16.48. **Unshielded (Light Fixture).** A **lighting fixture** constructed in such a manner that a fraction of the light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the **luminaire**, is projected above the horizontal.

MAG Draft Pattern Outdoor Lighting Code

Lighting Zone Map

RESOLUTION TO PROMOTE PUBLIC AWARENESS OF VALLEY FEVER  
IN THE MAG REGION

WHEREAS, Valley Fever infections are increasing in Arizona; and

WHEREAS, Valley Fever is the second most commonly reported infectious disease in Arizona; and

WHEREAS, Maricopa County has more Valley Fever infections than any other county in Arizona; and

WHEREAS, enhanced surveillance of Valley Fever cases demonstrates a serious impact of Valley Fever on the health of Maricopa citizens; and

WHEREAS, by teaching the public and healthcare providers about Valley Fever, the seriousness of the disease may be reduced and early diagnosis promoted; and

WHEREAS, through educational campaigns, the Arizona Department of Health Services, the Valley Fever Center for Excellence, the Arizona Infectious Diseases Society, and many other organizations are united to inform the public and healthcare providers in Arizona; and

WHEREAS, Arizona is the focal point of quality clinical care and research for Valley Fever;

NOW, THEREFORE, The Maricopa Association of Governments resolves to promote public awareness of the efforts of the Valley Fever Center for Excellence and its Valley Fever Corridor Project.

ACCEPTED BY THE REGIONAL COUNCIL OF THE MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) THIS TWENTY-SEVENTH DAY OF OCTOBER 2010.

---

Mayor Thomas L. Schoaf, Chair  
MAG Regional Council

ATTEST:

---

Dennis Smith  
MAG Executive Director