

MINUTES OF THE  
MAG MANAGEMENT COMMITTEE MEETING  
September 7, 2011  
MAG Office - Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Charlie Meyer, Tempe, Chair	Bill Hernandez, Guadalupe
David Cavazos, Phoenix	Darryl Crossman, Litchfield Park
# Matt Busby for George Hoffman, Apache Junction	Miranda Culver for Christopher Brady, Mesa
Charlie McClendon, Avondale	Jim Bacon, Paradise Valley
* Stephen Cleveland, Buckeye	Carl Swenson, Peoria
* Gary Neiss, Carefree	John Kross, Queen Creek
* Usama Abujbarah, Cave Creek	* Bryan Meyers, Salt River Pima-Maricopa Indian Community
Rich Dlugas, Chandler	David Richert, Scottsdale
Spencer Isom, El Mirage	Chris Hillman, Surprise
* Phil Dorchester, Fort McDowell Yavapai Nation	# Chris Hagen for Reyes Medrano, Tolleson
Julie Ghetti, Fountain Hills	# Stephanie Wojcik, Wickenburg
Rick Buss, Gila Bend	Lloyce Robinson, Youngtown
* David White, Gila River Indian Community	Kwi Sung Kang for John Halikowski, ADOT
Patrick Banger, Gilbert	Kenny Harris for David Smith, Maricopa Co.
Brent Stoddard for Ed Beasley, Glendale	Bryan Jungwirth for David Boggs, Valley Metro/RPTA
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 Charlie Meyer at 12:02 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Meyer noted that Stephanie Wojcik, Matt Busby, and Chris Hagen were participating in the meeting via teleconference. He noted that Ms. Wojcik had been named Interim Town Manager for Wickenburg. Chair Meyer welcomed Patrick Banger, the new Gilbert Town Manager, and Julie Ghetti, who was named Fountain Hills Interim Town Manager.

Chair Meyer noted material at each place: for agenda item #5J, material reporting action by the Domestic Violence Council to recommend approval of the MAG Misdemeanor Domestic Violence Protocol Model; for agenda item #9, updated charts that show exceedances of the PM-10 standard and the court order for the Local Transportation Assistance Fund; and for agenda item #10, a Nogales Port of Entry system fact sheet.

Chair Meyer announced that public comment cards were available to members of the public who wish to comment. He said that people wanting to comment on agenda items #7, #8, #9, #10, or #11 would need to fill out a blue card. Chair Meyer noted that parking validation was available from staff and transit tickets were available from Valley Metro/RPTA for those using transit to come to the meeting.

### 3. Call to the Audience

Chair Meyer 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 Meyer 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.

Chair Meyer called forward Patrick Hickman, who indicated he would defer his comments on the Dark Sky Resource Guide to Richard Travis.

Chair Meyer recognized public comment from Elizabeth Alvarez del Castillo, with Kitt Peak Observatory, who spoke on behalf of the planetary, astronomy, and space sciences community. She said that a couple of years ago her boss at the Observatory brought forward concerns to MAG. After this, the Management Committee directed staff to work with the community to develop an outdoor pattern lighting code that would help jurisdictions deal with changes that have occurred since the initial codes were put in place. Ms. Alvarez expressed her appreciation for MAG providing a forum for stakeholders to express their concerns. She said all of the concepts they studied are enabled in the outdoor pattern lighting code that resulted from this process. Ms. Alvarez stated that the code could be adjusted for each community. She expressed her appreciation for all of the staff members who participated and extended her compliments to MAG staff who were able to balance the many interests. Ms. Alvarez stated that the many perspectives are now included in the resource guide so each community can make decisions on what works best for them. She commented that the astronomy community is a resource and she added that what is done in Maricopa County affects the observatories in the rest of the state. Chair Meyer thanked Ms. Alvarez for her participation and comments.

Chair Meyer recognized public comment from Richard Travis, speaking on behalf of the Coalition for Safe and Responsible Lighting, composed of the Greater Phoenix Chamber of Commerce, Valley Partnership, Arizona Food Marketing, Arizona Retailers Association, Arizona Bankers Association, the International Sign Association, Daktronics, and the International Council of Shopping Centers. Mr. Travis stated that he hoped that their organization would also be viewed as a resource and they would be called upon when a community is considering changes to its lighting ordinances. He stated that several issues prevented agreement on the model outdoor

lighting code. Mr. Travis stated that the lighting standard is based on safety, which was not considered in the model. He remarked that the model would incur tens of millions of dollars in retrofit costs by businesses. Mr. Travis indicated that if changes are not made to parks, freeways, and other municipal facilities the costs and changes proposed for business in the model would not accomplish the stated goal. He stated that one size does not fit all; the needs of Wickenburg are different than the needs of Westgate. Mr. Travis stated that this amounts to the retail industry absorbing millions of dollars in costs for the benefit of the astronomy community, and he said that the government picking winners and losers is a dangerous precedent and unhealthy for the state economy. Chair Meyer thanked Mr. Travis for his participation and comments.

Chair Meyer called forward Michelle Ahlmer, Amy Bratt, and Trish Hart, who indicated they deferred their comments on the Dark Sky Resource Guide to Richard Travis. Chair Meyer declared the Call to the Audience comment period completed.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest in the MAG region. Mr. Smith stated that the soft opening of the newly remodeled MAG Offices was at the September 6, 2011, Economic Development Committee meeting. He stated that the Management Committee would be provided a tour after the October meeting. Mr. Smith expressed his appreciation to Monique de los Rios, the project manager, and to Audrey Skidmore and her Information Technology staff. He explained that the meeting room microphones have encrypted technology that is used by courts and the U. S. Department of Defense. Mr. Smith stated that the MAG office building is owned by the City of Phoenix and this remodel represents a 15-year investment in this building by MAG. He expressed his appreciation to Debbie Cotton, Director of Phoenix Public Transit, for allowing MAG the use of the sixth floor for storage during the remodel and to the City of Phoenix for the energy-saving LED lighting provided through Phoenix's stimulus funding. Mr. Smith pointed out that Arizona Corrections Industries did a great job on refurbishing the Saguaro Room tables at a reasonable cost. He stated that MAG's meeting rooms are available for member agencies to use.

Mr. Cavazos thanked MAG for its investment in the building and continuing the partnership between the two organizations.

Mr. Smith reported on the transit tour to Salt Lake City on October 13-14, 2011. He stated that the potential economic development through rail will be highlighted on the trip. Mr. Smith encouraged members who wish to take the tour to contact Marc Pearsall at the MAG office.

Chair Meyer thanked Mr. Smith for his report.

5. Approval of Consent Agenda

Chair Meyer stated that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, #5J, and #5K were on the Consent Agenda. He reviewed the public comment guidelines for the Consent Agenda. No requests for public comment were received.

Chair Meyer asked if any member of the Committee had questions or a request to have a presentation on any Consent Agenda item. None were noted.

Mr. McClendon moved to recommend approval of #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, #5J, and #5K. Mr. Buss seconded. Chair Meyer asked if there was any discussion of the motion. Being none, the vote on the motion passed unanimously.

5A. Approval of July 13, 2011, Meeting Minutes

The Management Committee, by consent, approved the July 13, 2011, meeting minutes.

5B. Consultant Selection for the 2012 MAG Airport Travel Model Update and Data Collection

The Management Committee, by consent, recommended approval of the selection of HDR Engineering, Inc. to conduct the 2012 MAG Airport Travel Model Update and Data Collection for an amount not to exceed \$400,000. If negotiations with HDR Engineering, Inc. are not successful, that MAG negotiate with its second choice, Resource Systems Group, Inc., to conduct the project. The fiscal year (FY) 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, includes \$400,000 for the 2012 MAG Airport Travel Model Update and Data Collection. The purpose of the project is two-fold: to collect travel, economic and demographic data for both airport passengers and people picking up or dropping off passengers and to improve and update modeling of airport related travel in the MAG regional travel forecasting model. The data will be collected for Sky Harbor International Airport and Phoenix-Mesa Gateway Airport. On June 23, 2011, MAG issued a Request for Proposals to conduct the 2012 MAG Airport Travel Model Update and Data Collection. Four proposals were received, and on August 10, 2011, a multi-agency evaluation team reviewed the proposals and recommended to MAG the selection of HDR Engineering, Inc., to conduct the 2012 MAG Airport Travel Model Update and Data Collection. In addition, the evaluation team recommended that if negotiations with HDR Engineering, Inc. are not successful, that MAG pursue negotiations with its second choice, Resource Systems Group, Inc.

5C. Consultant Selection for the Southwest Valley Local Transit System Study

The Management Committee, by consent, recommended approval of the selection of URS Corporation to conduct the Southwest Valley Local Transit System Study for an amount not to exceed \$280,000. The fiscal year (FY) 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, includes \$280,000 for the Southwest Valley Local Transit System Study. The purpose of the study is to identify opportunities and strategies for improving the existing transit service in the southwest valley and to develop a short, mid, and long range local transit plan that effectively provides circulation within the southwest valley and also connects to the regional transit system. On May 28, 2011, MAG issued a Request for Proposals to conduct the study. MAG received proposals from six consultant firms. A multi-agency review team evaluated the proposals on July 14, 2011, and conducted consultant interviews on July 21, 2011. The evaluation team recommended to MAG that URS Corporation be selected to develop the Southwest Valley Local Transit System Study.

5D. Consultant Selection for the Designing Transit Accessible Communities Study

The Management Committee, by consent, recommended approval of the selection of Wilson and Company to conduct the Designing Transit Accessible Communities Study for an amount not to exceed \$200,000. The fiscal year (FY) 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, includes \$200,000 for the Designing Transit Accessible Communities Study. The purpose of the study is to develop strategies to make transit more accessible for bicyclists and pedestrians. On May 26, 2011, MAG issued a Request for Proposals to conduct the study. MAG received proposals from seven consultant teams. On July 20, 2011, a multi-agency evaluation team interviewed three consultant teams and recommended to MAG the selection of Wilson and Company to conduct the study.

5E. Amendment of the FY 2012 Unified Planning Work Program and Annual Budget to Provide Funding for a Northwest Valley Local Transit System Study

The Management Committee, by consent, recommended amending the FY 2012 MAG Unified Planning Work Program and Annual Budget to include \$238,000 for a Northwest Valley Local Transit System Study. In December 2010, dial-a-ride services provided through Sun Cities Area Transit (SCAT) were eliminated. Since that time, MAG and Valley Metro/RPTA staff have been meeting with stakeholders to discuss opportunities to improve transit options in the Sun City area. As part of these discussions, the Arizona Department of Transportation has offered to provide \$160,000 in Section 5304 Statewide Planning funds to evaluate the short- and long-term transit needs for this area, which includes both rural and urbanized land. The proposed Northwest Valley Local Transit System Study would also include \$78,000 of matching funds from the MAG Regional Area Road Fund (RARF) for planning and administering the Regional Transportation Plan. On August 11, 2011, the MAG Transit Committee recommended amending the FY 2012 MAG Unified Planning Work Program and Annual Budget.

5F. Amendment of the FY 2012 Unified Planning Work Program and Annual Budget to Increase the Mesoscopic to Microscopic Conversion Tool On-Call Project by \$10,000

The Management Committee, by consent, recommended amending the FY 2012 MAG Unified Planning Work Program and Annual Budget to increase the budgeted amount by \$10,000 for the Mesoscopic to Microscopic Conversion Tool on-call project. The fiscal year (FY) 2012 Unified Planning Work Program and Annual Budget (UPWP), approved by the Regional Council in May 2011, includes \$30,000 for an on-call consultant project for developing the Mesoscopic to Microscopic Conversion Tool. This project will develop a conversion tool to be used by MAG in simulation modeling. This software tool will be utilized by MAG for converting the output, from the DynusT Regional ITS Operations Planning Model, into input required for the VISSIM microscopic traffic simulation model. It is now estimated that the budget required for the level of effort required by an on-call consultant to develop this tool is \$40,000. An increase of the on-call project budget by \$10,000, through an amendment of the FY 2012 UPWP, is required to carry out this project.

5G. MAG Pedestrian and Bicycle Facilities Design Assistance Program

The Management Committee, by consent, recommended approval of the following projects through the MAG Design Assistance for Pedestrian and Bicycle Facilities Program: Phoenix: Grand Canal Multi-use Pathway at 23rd Avenue for \$80,000; Gilbert: Multi-use Pathway Development for \$66,549; Glendale: New River Path Connection for \$77,200; Mesa: Gateway Shared Use Path for \$120,000; Cave Creek: Bicycle Lanes Project for \$41,250; and the Phoenix: Bridge - Children's Museum to Arizona Science Center for \$80,000. The fiscal year (FY) 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, includes \$300,000 for MAG Design Assistance for Bicycle and Pedestrian Facilities. There was also \$164,999 carry over funding. The Design Assistance Program allows MAG member agencies to apply for funding for the preliminary design portion of a bicycle or pedestrian project. According to federal law, any project which is not constructed after being designed with federal transportation funds could be required to return the funds used for design to the Federal Highway Administration. At the August 16, 2011, meeting, the Bicycle and Pedestrian Committee reviewed and ranked applications for project funding. Eight applications requesting \$655,280 in funding were originally submitted for consideration. Two jurisdictions subsequently withdrew their applications. The Committee voted to recommend approval of six projects for \$464,999. On August 25, 2011, the Transportation Review Committee recommended the six Design Assistance projects for approval.

5H. Amendment to the FY 2012 MAG Unified Planning Work Program and Annual Budget to Add \$46,000 to the FY 2012 Bicycle Count Project and Decrease the FY 2012 Bicycle Education on Buses and Bus Shelters Project by \$46,000

The Management Committee, by consent, recommended amending the FY 2012 MAG Unified Planning Work Program and Annual Budget to add \$46,000 to the FY 2012 Bicycle Count Project, for a total of \$96,000, and decrease the FY 2012 Bicycle Education on Buses and Bus Shelters project by \$46,000, for a total of \$30,000. The fiscal year (FY) 2012 MAG Unified Planning Work Program and Annual Budget (UPWP), approved by the MAG Regional Council in May 2011, included \$165,000 for the Regional Bicycle and Pedestrian Planning program for consultant work. Of this amount, \$119,000 of project work was estimated to be completed in the current year, and the remaining \$46,000 of project work was estimated to be completed in FY 2013. After discussions in the MAG Bicycle and Pedestrian Committee meetings, a recommendation has been made by the committee to start and complete all of the consultant projects for this program during FY 2012. In addition, the project scope for the Bicycle Education on Buses and Bus Shelters project was inadvertently put in the final FY 2012 UPWP at \$76,000. This will be corrected to reflect the original budget of \$30,000. An amendment to the FY 2012 MAG UPWP is needed to make these changes.

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 amendment and administrative modification involve several projects, including the modification of funding amounts for Arterial Life Cycle Projects in FY

2012 of the TIP. 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. Comments were requested by September 16, 2011.

5J. MAG Misdemeanor Domestic Violence Protocol Model

The Management Committee, by consent, recommended approval of the MAG Misdemeanor Domestic Violence Protocol Model. A report on the MAG Domestic Violence Protocol Evaluation Project was presented to the MAG Management Committee on May 11, 2011, and the MAG Regional Council on May 25, 2011. The MAG Domestic Violence Protocol Evaluation Project has resulted in a protocol model for standardizing the region's response to misdemeanor domestic violence crimes. Formal support is being sought from the Arizona Peace Officers Standards and Training Board, Arizona Prosecuting Attorney's Advisory Council, and Arizona Association of Chiefs of Police. On July 21, 2011, the Arizona Criminal Justice Commission voted to support the concept of project expansion to include a statewide model. The MAG Regional Domestic Violence Council recommended approval of the MAG Misdemeanor Domestic Violence Protocol Model on August 30, 2011.

5K. Consultant Selection for the MAG Municipal Aging Services Project

The Management Committee, by consent, recommended approval that Wholonomy Consulting, LLC, conduct evaluation services for the Municipal Aging Services project for an amount not to exceed \$25,000. On March 14, 2011, the MAG Regional Council Executive Committee amended the fiscal year (FY) 2011 MAG Work Program and Annual Budget to reflect a \$110,800 grant from the Virginia G. Piper Charitable Trust to support the MAG Municipal Aging Services Project. This project will result in a municipal aging services model that will assist local governments in meeting the needs of older adults. The budget for this project includes \$30,000 to conduct a survey and \$45,000 for evaluation services. On May 16, 2011, the MAG Executive Committee approved the selection of the ETC Institute to conduct the survey. MAG staff has been conducting activities related to the evaluation services. It is proposed to contract with Wholonomy Consulting, LLC, to complete the remainder of the evaluation service activities for an amount not to exceed \$25,000. A Request for Proposals was not issued because the firm is under State contract.

6. Draft Fiscal Year 2012 Arterial Life Cycle Program

Christina Hopes, MAG Transportation Planner, reported on the Draft Fiscal Year 2012 Arterial Life Cycle Program (ALCP). Ms. Hopes stated that the ALCP is funded by three sources: the half cent sales tax or Regional Area Road Fund (RARF), MAG Surface Transportation Program funds (STP-MAG), and Congestion Mitigation and Air Quality (CMAQ) funds. She displayed a graph of Proposition 400 revenue for November 2003, October 2009, and November 2010 that showed the decline in revenue since the Regional Transportation Plan was first developed. Ms. Hopes noted that this meant a deficit of funds in the program and advised that the ALCP must be fiscally constrained in order to comply with state law.

Ms. Hopes stated that Section 270 of the ALCP Policies and Procedures provide guidelines for program deficits, which is to delay projects in priority order. However, if this policy had been followed, it would have resulted in almost all of the projects being unfunded. Ms. Hopes stated that in February 2011, the Transportation Policy Committee recommended a proportional reduction in reimbursements to member agencies in the ALCP. She then explained the attachments in the agenda packet. She noted that Appendix 1-A showed the initial reduction estimated in March at \$245 million and she added that member agencies were allowed to reprioritize their ALCP projects based on local priorities. Ms. Hopes then said that they were able to bring \$50 million back into the program, which brought the reduction amount to \$196.5 million. This is shown in Appendix 1-B. Ms. Hopes stated that Appendix 1-C shows the impact to each Lead Agency and project.

Ms. Hopes stated that member agencies are permitted to make changes to their ALCP projects during the annual update process. She said that the changes were presented to and recommended for approval by the MAG Street Committee. The projects include (1) a Town of Gilbert project on Queen Creek Road to change the scope to eliminate one mile of roadway that had been completed by a developer; (2) City of Scottsdale project, change in project scope to the CAP Canal frontage road; (3) City of Scottsdale delete the segment of Redfield to Raintree on Hayden Road and replace it with three intersection improvements; (4) Maricopa County change the alignment of two projects on El Mirage Road.

Ms. Hopes reviewed the updated project schedules and reimbursements. She said that 29 project segments were advanced, 70 projects were deferred due to the decrease of regional and local funds, and 36 project segments had regional funds reduced due to the deficit. Ms. Hopes noted that the inflation rate used was 2.6 percent.

Ms. Hopes stated that six projects were completed in FY 2011; \$72.6 million in Proposition 400 funds was programmed for reimbursements, \$41.3 million was deferred from FY 2011 to a later year, and \$31.3 million was reimbursed to Lead Agencies. Ms. Hopes noted that of this amount, the completed projects received \$15.8 million and the projects underway received \$15.5 million. Ms. Hopes stated that 38 projects are underway in FY 2012 and \$103.3 million is programmed for reimbursements.

Ms. Hopes stated that the requested action was to recommend approval of (1) the Draft FY 2012 Arterial Life Cycle Program (ALCP), (2) amendments and administrative modifications that are exempt from conformity to the MAG FY 2011-2015 Transportation Improvement Program for ALCP projects programmed for work and/or reimbursements in FY 2012, and (3) amendments and administrative modifications to the FY 2011-2015 MAG Transportation Improvement Program and to the Regional Transportation Plan 2010 Update, as appropriate, contingent on a new Finding of Conformity.

Chair Meyer thanked Ms. Hopes for her report and asked members if they had questions. Hearing none, he called for a motion. Mr. Swenson moved, Mr. Richert seconded, and the motion passed unanimously.

7. The Future of Federal Transportation Funds

Eric Anderson, MAG Transportation Manager, stated that the best word to describe federal funding legislation is uncertainty. He noted that he had discussions with former U. S. Secretary of Transportation, Mary Peters, on the situation in Washington, D.C., and he added that Ms. Peters will be making a presentation to the Transportation Policy Committee next week.

Mr. Anderson stated that the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) federal transportation legislation expired on September 30, 2009, and two years later, the program has been carried on by Congress passing continuing resolutions. Mr. Anderson stated that one key aspect of SAFETEA-LU is the gas and excise taxes that will expire on September 30, 2011, support the Highway Trust Fund.

Mr. Anderson Congress must take proactive action to reestablish the legislation. He said that Senator McCain said last week that he was not sure it should be renewed. Mr. Anderson reported that the recent shutdown of the Federal Aviation Administration was costly to federal tax revenue collections. He stated that if Congress does not take action to renew the gas and excise taxes it is estimated that the loss to the Highway Trust Fund will amount to \$100 million per day, which probably will not be recovered. Mr. Anderson remarked that this is unprecedented territory; with the Super Committee and the concern for the deficit, it is unknown what will happen.

Mr. Anderson stated that in the short term, Senator Boxer of California introduced a resolution to the end of the year to continue SAFETEA-LU. He noted that Congress has ten days in this session to take action on this and other appropriations bills to continue past September 30. Mr. Anderson noted that in the longer term, there are two competing directions reauthorization is heading: 1) Representative John Mica has a bill to extend legislation for six years at \$230 billion in total funding. 2) Senator Boxer has a bill to extend legislation for two years. Mr. Anderson advised that no drafts of the bills are available yet. He remarked that radically different levels of transportation funding are reflected in these bills. The House Republicans have indicated they want the key to transportation spending to be actual receipts to the Highway Trust Fund and do not want the U. S. Treasury General Fund to bail out the Highway Trust Fund or Transit Fund. Mr. Anderson stated that the Super Committee must come up with reductions to deal with the budget deficit, and if they do not, automatic measures will kick in.

Mr. Anderson cautioned that the consequence of Congress not taking action is that all federally funded projects will shut down because there is no mechanism for reimbursement. He explained that federally funded projects are done on a reimbursement basis and ADOT has a number of projects that are heavily dependent on federal funds, such as Loop 303. Mr. Anderson added that other projects that could be delayed are bicycle and pedestrian projects. He remarked that this is a very serious situation and he added that prior to the FAA shutdown, there was disbelief that Congress would allow a shutdown to happen, but now the situation is uncertain. Mr. Anderson also commented that this situation is being monitored on practically an hourly basis because it is a moving target.

Chair Meyer asked Mr. Anderson if the legislation expires would the costs incurred before the expiration be reimbursed and costs incurred after the expiration not be reimbursed. Mr. Anderson

replied that it seemed that reimbursement would be made for costs incurred prior to an expiration, but additional research would be needed to find out if expenses incurred after expiration would be reimbursed.

No other questions from the Committee were noted.

8. Update on the Punta Colonet Port and Potential Arizona Rail Crossing

Mr. Anderson reported on two proposed projects that are somewhat of a long shot that could have an important impact on the state of Arizona. He first addressed the deep water port project, Punta Colonet, in Baja, California. He said that Punta Colonet is presently a small Mexican fishing village and the project to establish a deep water port there has been ongoing for the past 25 years. Mr. Anderson stated that extensive infrastructure would need to be built in a very remote area to support this project and the residents who would live there. He advised that President Calderon of Mexico has 16 months left in office and this project is a high priority for his administration; he wants to issue a request for proposals for the construction and operation of this port in the next six months.

Mr. Anderson stated that there has also been discussion of expanding the Guaymas port as a superport, and both of these ports could have implications for rail through Arizona. He stated that one issue is where the rail line would enter the United States, and the Ministry of Communications and Transportation of Mexico has indicated that their first choice is Yuma and their second choice is San Luis. Mr. Anderson reported that there are a few issues related to the Yuma crossing. A few years ago, Union Pacific did a study regarding a crossing that created acrimony in the Yuma community and some remedial action might be needed.

Mr. Anderson stated that the Governor's Office, the Arizona Department of Transportation, and the Arizona Mexico Commission support the Punta Colonet project and MAG is at the ready to provide technical support. He added that from Arizona's perspective, getting the railroad line into Arizona is the number one priority, and if it comes through, what is the strategy to add economic opportunities and create jobs.

Mr. Anderson then reported on the proposed Interstate 11. He said that this new highway corridor resulted from the Hassayampa Framework Study to connect Wickenburg to I-10, but it became obvious that the interstate connection from Phoenix to Las Vegas was missing and Interstate 11 could connect them. Mr. Anderson stated that the project continues to grow in scope – the state of Nevada has taken this concept even further and wants to connect Las Vegas to Reno.

Mr. Anderson stated that staff was invited to make a presentation on Interstate 11 to the Western Regional Partnership, a coalition that looks at military installations in the western United States. He noted that the Partnership sees Interstate 11 as an important link in terms of defense installations. Mr. Anderson stated that the state of California also is interested in Interstate 11 as a possible bypass to Interstate 5, which is congested and reaching capacity.

Mr. Anderson stated that the idea is to extend Interstate 11 from Mexico to the Washington state and Vancouver area to tie into the freight activity there. He noted that there has been a lot of

activity and letters of support to designate Interstate 11. Mr. Anderson advised that Governor Brewer supports the designation and the Nevada Assembly passed a Resolution urging Congress to support the designation.

Mr. Anderson stated that ADOT was just about to launch an environmental impact study, but halted it to partner with the Nevada Department of Transportation on an overall corridor study.

Mr. Anderson stated that the Brookings Institution had requested that MAG submit Interstate 11 as a transformative investment. He explained that Brookings hopes to identify 20 to 25 projects around the country that could transform the economic landscape. Mr. Anderson advised that MAG had submitted an application but does not yet know if it will be selected.

Chair Meyer thanked Mr. Anderson for his report. No questions from the Committee were noted.

9. Update on the MAG Five Percent Plan for PM-10

Lindy Bauer, MAG Environmental Director, provided an update on the MAG Five Percent Plan for PM-10 and the activities to prevent PM-10 exceedances at the monitors and throughout the region. She noted the hot, dry weather conditions this summer, and said there have been 79 exceedances over the monitor network, 78 due to exceptional events. Ms. Bauer stated that these events have greatly increased the workload of the Arizona Department of Environmental Quality (ADEQ), Maricopa County, and MAG staff because they have to prepare documentation in regard to the events. Ms. Bauer noted that San Joaquin has indicated it spends about 453 staff hours on each high wind exceptional event. She advised that for the 78 exceptional events in the MAG region translates to 906 work days to prepare the documentation.

Ms. Bauer stated that in May, the Environmental Protection Agency (EPA) issued guidance on exceptional events, which MAG is using, but it is a great deal of work. She added that ADEQ is considering hiring a consultant because it is so overwhelmed with work. Ms. Bauer remarked that it seems that there should be a shortened process for exceptional events and proving these events are natural events should not be so resource intensive. Ms. Bauer stated that MAG has been working with ADEQ, Maricopa County, and EPA on a conceptual modeling approach to model attainment for the Five Percent Plan for PM-10. She said that EPA appears to be pleased with the approach MAG is going to be using.

Ms. Bauer reported that on September 2, 2011, the U.S. District Court for the District of Arizona issued a court order in the lawsuit filed by the Arizona Center for Law in the Public Interest against the State regarding the repeal of the Local Transit Assistance Fund by the Legislature in 2010. Ms. Bauer stated that the Court found that the lottery funding requirement included in the air quality plan remains in full force and effect. Ms. Bauer stated that the Court intends to enter an appropriate injunction to reinstate the deposit and disbursement of the lottery funds into and from the Local Transportation Assistance Fund (LTAF) as required in the air quality plans. She added that the parties – the State and the Arizona Center for Law in the Public Interest – must jointly come up with wording for the injunction by September 23, and if they cannot come to agreement, the court said they are to each draft a memorandum no longer than seven pages, also due on September 23, on what they think the injunction should say. Ms. Bauer noted that a copy

of the court ruling was at each place. She informed members that staff would be monitoring this and would report back.

Chair Meyer thanked Ms. Bauer for her report. No questions from the Committee were noted.

10. Update on the MAG Economic Development Committee

Denise McClafferty, MAG Management Analyst, provided an update on recent activities of the MAG Economic Development Committee (EDC). She began by reporting that at the September 6 EDC meeting, updates were provided on the MAG Freight Transportation Framework Study by Parsons Brinckerhoff, and on the trucking industry by representatives from the Arizona Trucking Association and Swift Trucking. Ms. McClafferty reviewed some of the highlights from that presentation and discussion: Arizona needs to be marketed to create awareness of Arizona's competitive advantage of infrastructure and quality workforce; SR-189 needs to be a priority to improve the efficiency of traffic flow at the border; truck permits are not coordinated with local and county governments; foreign trade zones would optimize trade with Mexico through the Sun Corridor; continue the dialogue with border cities and the Arizona Mexico Commission; and develop a better partnership with the federal government.

Ms. McClafferty addressed the discussion on the Nogales Port of Entry. She reported that the Joint Planning Advisory Council (JPAC) met on July 19, 2011, and discussed the low hours of operation for Arizona's border crossing compared to the border crossings in Texas. Ms. McClafferty stated that MAG staff attended a Board of Directors meeting for the Greater Nogales Santa Cruz County Port Authority. She said that the discussion at this meeting included the issues and opportunities at the Nogales Port of Entry, such as vehicle wait time, U. S. customs staffing; railroad opportunities, and the lack of dedicated funding. Ms. McClafferty stated that MAG staff will be working with the Arizona Mexico Commission to coordinate a trip to the Nogales to see if the border crossing could be improved to be more competitive. She added that a fact sheet on the Nogales Port of Entry was at each place.

Amy St. Peter continued the presentation with an update on the Brookings Metropolitan Business Planning Initiative. She expressed appreciation to the elected officials, in particular, Tempe Mayor Hugh Hallman, Litchfield Park Mayor Thomas Schoaf, Mesa Mayor Scott Smith, and MAG's partners, in particular, the Greater Phoenix Economic Council, for their guidance.

Ms. St. Peter stated that MAG was notified by Brookings in July that MAG was confirmed for the second round of pilot projects, along with Syracuse, New York; Memphis, Tennessee; and Louisville/Lexington, Kentucky. She noted that staff has been working on researching data for the strategic overview of the region's economy.

Ms. St. Peter stated that Brookings supplied extensive market analysis for 100 metro regions, which will assist in better understanding the dynamics in this region and in comparing the MAG region to peer regions. Ms. St. Peter stated that staff has also been researching additional reports, indices, and websites, and she requested that members let staff know if there are any other resources that should be included. She advised that they are closely coordinating with the partners to reduce any possibility for duplication of effort and to leverage existing efforts.

Ms. St. Peter stated that the goal of the strategic overview is to accurately describe the regional economy. From this foundation, one or more lead initiatives will be identified. She stated that Brookings can assist in analyzing the market research and identifying opportunities for the region to become more competitive on a national and global scale.

Ms. St. Peter stated that the initial analysis will be provided to the Leadership Advisory Team on September 12, 2011, and the first draft is due to Brookings by September 19, 2011. Brookings will analyze the data and identify areas for additional research and focus for the lead initiative(s). Ms. St. Peter informed that a Request for Proposals (RFP) for a business consultant is being prepared. It is anticipated that responses to the RFP will be due October 6 and a notice to proceed issued by mid-December.

Ms. St. Peter stated that the project will be launched at the October 4 EDC meeting. She noted that the Strategic Overview is due to Brookings October 31, 2011, followed by an all region technical staff meeting in Washington, D.C., on December 8-9, 2011.

Chair Meyer thanked Ms. McClafferty and Ms. St. Peter for their reports. No questions from the Committee were noted.

11. Outdoor Lighting in the MAG Region: A Resource Guide and Report Developed by the MAG Dark Sky Stakeholders Group

Nathan Pryor, MAG Intergovernmental Coordinator, began his report by saying that three years ago, professional astronomers came to MAG from the Kitt Peak and Naval Observatory in Flagstaff with their concerns for addressing light pollution, maintaining the current light levels despite growth and protecting the astronomy industry. He said that a presentation was given to the Regional Council in December 2008, and in January 2009, the Management Committee convened a stakeholders group.

Mr. Pryor noted that the stakeholders developed a draft pattern outdoor lighting code that was presented to the Management Committee in October 2010. At the meeting, after concerns were expressed by the private sector, the Management Committee directed that work continue to reach consensus. He noted that five meetings have been held since then, with significant discussion but no consensus.

Mr. Pryor stated that a draft resource guide and report was developed that captures the nature of the discussion, frequently asked questions, a draft amended pattern outdoor lighting code, technical information, a list of participants, letters of support from the Arizona Game and Fish Department, Arizona State University President Crow, and representatives of the International Dark Sky Association, and an overview of concerns by the private sector.

Mr. Pryor expressed appreciation to the stakeholders who participated in the process: MAG member agencies, the professional and amateur astronomers, especially Chris Luginbuhl and Liz Alvarez, and private sector representatives. Mr. Pryor noted that this item was on the agenda for information and discussion.

Chair Meyer thanked Mr. Pryor for his report and expressed his appreciation to all who worked on this effort. No questions from the Committee were noted.

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 were requested.

No requests from the Committee were noted.

13. Comments from the Committee

An opportunity was 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

There being no further business, the meeting was adjourned at 1:05 p.m.

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Chair

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Secretary