

MINUTES OF THE  
MAG MANAGEMENT COMMITTEE MEETING  
March 11, 2015  
MAG Office, Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

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|--|--|
| Scott Butler for Christopher Brady, Mesa           | Gregory Rose, City of Maricopa                               |
| Darryl Crossman, Litchfield Park, Vice Chair       | Kevin Burke, Paradise Valley                                 |
| George Hoffman, Apache Junction                    | Carl Swenson, Peoria   |
| Gloria Montes for David Fitzhugh, Avondale         | Ed Zuercher, Phoenix   |
| # Stephen Cleveland, Buckeye                       | * Greg Stanley, Pinal County                                 |
| * Gary Neiss, Carefree                             | John Kross, Queen Creek                                      |
| * Peter Jankowski, Cave Creek                      | * Bryan Meyers, Salt River Pima-Maricopa<br>Indian Community |
| Nachie Marquez for Rich Dlugas, Chandler           | * Fritz Behring, Scottsdale                                  |
| Dr. Spencer Isom, El Mirage                        | Bob Wingenroth, Surprise                                     |
| * Charles Montoya, Florence                        | Andrew Ching, Tempe  |
| * Phil Dorchester, Fort McDowell Yavapai<br>Nation | # Chris Hagen for Reyes Medrano, Tolleson                    |
| Grady Miller for Ken Buchanan,<br>Fountain Hills   | Joshua Wright, Wickenburg                                    |
| * Ernest Rubi, Gila Bend                           | Jeanne Blackman, Youngtown                                   |
| * Tina Notah, Gila River Indian Community          | Sintra Hoffman for John Halikowski,<br>ADOT                  |
| Patrick Banger, Gilbert                            | Jennifer Toth for Tom Manos, Maricopa<br>County              |
| * Dick Bowers, Glendale                            | Wulf Grote for Steve Banta,<br>Valley Metro/RPTA             |
| Brian Dalke, Goodyear                              |  |
| * Rosemary Arellano, Guadalupe                     |  |

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

1. Call to Order

The meeting of the MAG Management Committee was called to order by Acting Chair Darryl Crossman, Litchfield Park, at 12:00 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Mr. Stephen Cleveland and Ms. Chris Hagen joined the meeting via teleconference.

Acting Chair Crossman He announced that public comment cards were available to members of the public who wish to comment on items for action or under MAG's jurisdiction. Acting Chair Crossman stated that he would be insistent on this.

Acting Chair Crossman stated that parking validation was available for those who parked in the MAG parking garage and transit tickets were available for those who purchased transit tickets to come to the meeting. Hearing assisted devices were available from MAG staff.

### 3. Call to the Audience

Acting Chair Crossman 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. 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. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the committee requests an exception to this limit.

Acting Chair Crossman recognized public comment from Mr. Marvin Rochelle, who stated that he fought hard for electric scooters being allowed to use bicycle paths. He stated that the City of Phoenix not allowing this usage was illegal. He said that the City now does allow scooters to use the bicycle paths because scooters have wheels and are motorized. Mr. Rochelle then commented on Dial-a-Ride. He said that a regionwide system was almost a reality in 2007, and the recession occurred. Mr. Rochelle urged that discussion on a regionwide Dial-a-Ride system be reconstituted so people can experience a seamless ride across the Valley. He added that the important element is proper routing, which could limit transfers. Acting Chair Crossman thanked Mr. Rochelle.

Acting Chair Crossman recognized public comment from Mr. Pat Vint, who stated that he has been getting it lately. He said that he tries to be nice but he thought justice has something to do with citizens. Mr. Vint stated that he has emails telling him how he should act and that he should think before opening his mouth. He expressed his thanks to Mr. Zuercher for attending the meeting and said he could not believe everything Mr. Zuercher has been involved in. Mr. Vint stated that he grew up on a farm and the most important thing is taking care of your horse. Likewise, citizens should come first. Mr. Vint stated that he went to the Maricopa County Board of Supervisors meeting that morning and all of the people there were lovely. He said that Mr. Zuercher is a gentleman and a scholar, but he did not want to spoil Mr. Zuercher's reputation. Mr. Vint informed Acting Chair Crossman that he will be sending him more emails than he knew existed, but he did want to say Acting Chair Crossman had been nice to him. Acting Chair Crossman thanked Mr. Vint.

Acting Chair Crossman recognized public comment from Mr. John Rusinek, who spoke of dust and senior discrimination and retaliation. He reported that on Thursday, City of Phoenix Neighborhood Services came to measure his outbuildings. Mr. Rusinek stated that this was the third time they had been out to measure his property, including one time when they did a full survey. He mentioned that his city council person gave him a copy of the survey. Mr. Rusinek questioned the reason the City came to his house three times.

Acting Chair Crossman stated that Mr. Rusinek's comments were going beyond MAG's jurisdiction and requested that Mr. Rusinek limit his comments to items relevant to MAG.

Mr. Rusinek then addressed his dust problem. He said that he asked staff at the Maricopa County Board meeting if he could have more than the allotted two minutes for public comment. Staff informed him that his dust problem was with the City of Phoenix, not with Maricopa County. Mr. Rusinek stated that he had two letters, one from Alan Stephenson and one from the State of Arizona, that said that Maricopa County is the primary enforcing agent for dustproofing. Acting Chair Crossman thanked Mr. Rusinek.

Acting Chair Crossman recognized public comment from Ms. Dianne Barker, who stated that multimodal feels good. She said that a woman asked her if she was the crazy lady who performed cartwheels, but Ms. Barker informed her that she had stopped doing them. She stated that she moved here from Ohio. Ms. Barker stated that her craziness is her love of Arizona but she is not crazy about the air quality here. She said that she had made copies of the agreement among MAG, the County, and the State for prevention of air pollution and requested that it be updated with current signatures. Ms. Barker stated that Maricopa County could sue a city for not doing its job and the State could sue Maricopa County for not doing its job. She read from the agreement, "MAG has been designated by the Governor of Arizona as the lead planning organization for Maricopa County that, together with the State, is responsible for determining which elements of the State Implementation Plan revision will be planned, implemented, and enforced by State and local governments." Ms. Barker stated that all cities of a certain size are supposed to have a trip reduction plan. She stated that there are no other incentives than parking validation. Ms. Barker stated that multimodalism is needed and she recalled how there used to be voluntary no-drive days and people today might be pleasantly surprised with their experience if they went a day without driving. Acting Chair Crossman thanked Ms. Barker.

#### 4. Executive Director's Report

Mr. Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. He stated that the Age-Friendly Conference and competitions will take place on May 6, 2015, in Scottsdale. Mr. Smith reported that several years ago, when the state ceased funding the conference, Ms. Amy St. Peter, MAG staff, saw the need to continue the conference. He said that she picked up the effort and planned with other agencies to continue the statewide conference.

Mr. Smith stated that the 2015 Homeless Street Count took place on February 24, 2015. He noted that more than 400 volunteers participated in the count. Mr. Smith stated that also participating in the count were Phoenix Mayor Greg Stanton and President Obama's Senior Policy Advisor on the White House Domestic Policy Council. Mr. Smith expressed appreciation to MAG staff Brande Mead and Celina Brun.

Mr. Smith announced that MAG was awarded a \$200,000 grant for the Interstate 10 (I-10) Corridor. He said that the project will use technology to achieve safe flow in the I-10 corridor from the Santan to Loop 101, including the adjoining streets. Mr. Smith acknowledged the efforts of MAG staff, Sarath Joshua, in obtaining the grant. He reported that MAG partners on the project will include the Federal Highway Administration, the Arizona Department of

Transportation, Maricopa County, the Cities of Phoenix, Chandler, and Tempe, Valley Metro and the Department of Public Safety.

Mr. Smith stated that more than 100 people attended the Joint Planning Advisory Council meeting on February 24, 2015, at the Francisco Grande Resort in Casa Grande. He said that a focus of the meeting was the advanced manufacturing supply chains for the mining and the auto sectors. He noted that the luncheon keynote speaker was Mr. Luis Angel Mendoza, Sr., Purchasing Manager of the Ford Motor Company. Mr. Smith reported that the report noted the low numbers of workers in the welding and machinist trades in the State. He stated that more attention toward the pipeline that feeds the economy will help Arizona diversify its economy. Mr. Smith displayed photographs of presenters at the meeting.

Mr. Smith reported that Mr. Eric Anderson and Ms. Teri Kennedy from MAG worked jointly with ADOT to complete the reconciliation of the Regional Freeway and Highway Program. He noted that this resulted in \$12.1 million being credited back to the MAG Transportation Improvement Program. Mr. Smith stated that he will be signing an agreement to accept the funding.

Mr. Smith stated that MAG hosted the Intermountain West MPO/TMA/Transit meeting on March 5-6, 2015. The keynote speaker was Mr. Mark Muro from the Brookings Institution. Mr. Smith stated that the meeting focused on best practices in the Intermountain West and they learned much from the representatives from Utah. He said that Utah has what they refer to as a “culture of collaboration” and Wasatch Front has a Unified Plan for its area, which is a linear corridor similar to the Sun Corridor in Arizona. Mr. Smith added that Utah is going to pursue another tax increase.

Mr. Smith stated that the South Mountain/Loop 202 Freeway Record of Decision was announced. He said that the project moves to a Public/Private/Partnership (P3) vendor selection short list. Mr. Smith stated that the freeway is a \$1.9 billion project, scheduled to break ground in 2016, and expected to be open to traffic in late 2019. He noted that this is the largest highway construction contract in Arizona history. Mr. Smith expressed his appreciation to the efforts of the planning partners: ADOT, Phoenix, and Federal Highway Administration, and MAG staff members: Mr. Eric Anderson, Mr. Bob Hazlett, Ms. Chaun Hill, Ms. Kelly Taft, Ms. Lindy Bauer, and Mr. Nathan Pryor. Mr. Smith acknowledged the efforts of Mr. Roger Herzog and Mr. Terry Johnson since the project began. He stated that this freeway will benefit the Valley. Mr. Smith noted that Mr. Pryor communicated with the Gila River Indian Community and MAG did all it could to look at alternatives, but by the vote of the people an alignment on their land did not happen. He noted that those who oppose the freeway have 150 days to file suit.

Acting Chair Crossman thanked Mr. Smith for his report.

5. Approval of Consent Agenda

Acting Chair Crossman stated that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, and #5H were on the Consent Agenda.

Acting Chair Crossman recognized public comment from Mr. Vint, who filled out a card to speak on agenda item #5A. He first expressed appreciation for the opportunity to speak. He stated that minutes are needed to reflect what occurred at a meeting and he was satisfied with their accuracy. Mr. Vint stated that from the minutes, it looked like he sometimes does not adhere to the speaking rules and has been asked by the Chair to keep his comments relevant to MAG. Mr. Vint stated that MAG encompasses a lot in this entire area and it seems the operation of small cities is superior to that of large cities. He said that the larger they are the worse they get. Mr. Vint asked how problems can be solved without discussing what is negative? He referenced the 45 or 50 trips to Mr. Rusinek's house.

Acting Chair Crossman requested that Mr. Vint restrict his comments to the minutes. He stated that when he was practicing law, the opposing attorney would ask the judge the relevancy and he was corrected. Acting Chair Crossman stated that he was not trying to be mean to Mr. Vint, he was requesting that he stay on the topic of the minutes. Mr. Vint stated that Acting Chair Crossman had said the magic word: that he was a lawyer. He asked him to please not be an attorney. Mr. Vint asked Acting Chair Crossman if he knew how they got their name. Acting Chair Crossman requested that Mr. Vint focus his comments to the minutes. Mr. Vint asked how about him standing there silent for the remaining one minute and 21 seconds. Acting Chair Crossman responded that Mr. Vint needed to limit his comments to the minutes. Mr. Vint asked if he should just limit himself as a citizen who pays for everything at the City of Phoenix. Acting Chair Crossman stated that the Management Committee was not here to discuss what the City of Phoenix is doing or not doing. Mr. Vint asked if the City of Phoenix was part of MAG. Acting Chair Crossman stated that it was, but MAG does not have jurisdiction over Phoenix. Mr. Vint stated that Acting Chair Crossman, chairing the meeting, had control over what Phoenix says at the meeting. Acting Chair Crossman noted that the chair controls how the committee is addressed. He asked Mr. Vint if he had any further comments on the minutes. Mr. Vint stated that the minutes were perfect. He added that he would stand silent for the remaining ten seconds of his comment period. Acting Chair Crossman thanked Mr. Vint.

Acting Chair Crossman recognized public comment from Ms. Barker, who stated that she has been a mediator and settled disputes. She indicated that she was going to comment on the minutes and conformity. Ms. Barker urged that everyone read the air quality agreement and urged them to share it with their mayors. She added that MAG has a responsibility that cities implement trip reduction plans. Ms. Barker stated that ADOT is supposed to be involved in developing transit. She said she has requested that MAG define jurisdiction but has not received an answer. Ms. Barker stated that she was requested to provide state law regarding the power of the body to ask questions, respond to criticism, and place an item on an agenda. She stated that they did not eat at MAG today, but ate at the City of Phoenix cafeteria. Ms. Barker stated that they want to get government moving in the right direction with efficient practice. She clarified her statement in the minutes regarding Phoenix's \$30 billion transportation plan. Ms. Barker stated that none of the people who developed the plan take transit, except that Marty Shultz came by light rail. She stated that total dedication to the plan is needed. Ms. Barker stated that she heard there will be a lawsuit on Loop 202. She stated that the Spine survey is asking people to submit their ideas on relieving traffic congestion on Interstate 17. Ms. Barker stated that many people do not believe that 145 miles of street level light rail will solve the congestion problem regionally. She asked the Management Committee to do for the people. Acting Chair Crossman thanked Ms. Barker.

Acting Chair Crossman asked members if they had questions or requests to hear a presentation on any of the Consent Agenda items. None were noted.

Acting Chair Crossman called for a motion to recommend approval of Consent Agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, and #5H.

Mr. Carl Swenson moved, Mr. Greg Rose seconded, and the motion passed unanimously.

5A. Approval of the February 11, 2015, Meeting Minutes

The MAG Management Committee, by consent, approved the February 11, 2015, meeting minutes.

5B. MAG Public Involvement Progress Report

As part of its adopted public involvement process, MAG provides quarterly progress reports on public involvement activities to MAG policy committees for information and to convey input. MAG responds to all of the comments received as appropriate. The MAG public involvement process adheres to all federal requirements under the current federal transportation planning legislation and is dedicated to providing all of the region's residents and interested parties an opportunity to comment on transportation plans and programs.

5C. 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 July 1, 2014 to December 31, 2014. Four of the 54 notices received have an impact to the state highway system.

5D. Amendment to the FY 2015 MAG Unified Planning Work Program to Amend the Contract for the Off-Street Bicycle Network Wayfinding Guide Project with Alta Planning + Design

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

5E. Project Changes – Amendment and Administrative Modification to the FY 2014-2018 MAG Transportation Improvement Program, the FY 2015 Arterial Life Cycle Program, and as Appropriate, to the 2035 Regional Transportation Plan

The MAG Management Committee, by consent, recommended approval of amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program, the FY 2015 Arterial Life Cycle Program, and as appropriate, to the 2035 Regional Transportation Plan. The Fiscal Year (FY) 2014-2018 MAG Transportation Improvement Program (TIP) and 2035 Regional Transportation Plan (RTP) were approved by the MAG Regional Council on January 29, 2014, and have been modified nine times. At this time, additional changes are needed. General project changes, and ADOT project changes to accommodate the proposed Design-Build-Maintain delivery method identified for the SR-202 Loop Corridor were included in Table A. The FY 2015 Arterial Life Cycle Program project changes were included in Table B. On February 26, 2015, the MAG Transportation Review Committee (TRC) recommended approval of the requested changes in Tables A and B. Project change requests added since the TRC took action were noted on the tables.

5F. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan. The amendment and administrative modification involve several projects, including the reprogramming of Arizona Department of Transportation State Route (SR) 202 Loop project segments into three master comprehensive listings to support a Design/Build/Maintain project delivery process, and Arterial Life Cycle Program 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.

5G. Update on the Arizona Center for Law in the Public Interest Lawsuit on the MAG 2012 Five Percent Plan for PM-10

On February 13, 2015, the Arizona Center for Law in the Public Interest submitted a reply brief in the lawsuit filed by the Center to challenge the Environmental Protection Agency (EPA) approval of the MAG 2012 Five Percent Plan for PM-10. The reply brief is in response to the EPA brief submitted on December 17, 2014 and the Arizona Department of Environmental Quality and MAG briefs submitted on December 31, 2014. The reply brief is posted on the MAG website at: <http://www.azmag.gov/Events/Event.asp?CMSID=6954>.

5H. Request for Qualifications for 9-1-1 Services

The MAG Management Committee, by consent, recommended approval that RCC Consultants, Inc., be qualified to provide requested services to the MAG Region 9-1-1 System. On October 22, 2014, the MAG Regional Council approved that MAG issue a Request for Proposals (RFQ) to solicit Statements of Qualifications (SOQ) from consultants to provide MAG with specialized services in the area of 9-1-1 Communications and Process Management Support. The RFQ was

issued on December 23, 2014, and two SOQs were received by the January 30, 2015, due date. On February 27, 2015, a multi-agency evaluation team discussed the SOQs and recommended to MAG that RCC Consultants, Inc., be qualified to provide the requested services to the MAG Region 9-1-1 System.

6. Revised Alignment Changes to the Tempe Streetcar Project and Phoenix - Northwest Phase II Light Rail Transit Extension

Ms. Eileen Yazzie, MAG staff, reported that Valley Metro, in coordination with the City of Tempe and City of Phoenix, is requesting approval of the revised Tempe Streetcar project alignment and budget, and the alignment modification and cost changes to the Phoenix Northwest - Phase II Light Rail Transit (LRT) Extension. Ms. Yazzie stated that the revised alignment changes to the Tempe Streetcar project and Phoenix - Northwest Phase II Light Rail Transit Extension project were recommended for approval by the MAG Transit Committee and by the MAG Transportation Review Committee. She stated that a two-part action was being requested of the Management Committee.

Ms. Yazzie said that the process needs to be started by March so that the Small Starts grant application for the Tempe Streetcar can be submitted to the Federal Transit Administration (FTA) by the deadline in September 2015. Ms. Yazzie noted that the Phoenix Northwest Extension Phase II project is not in the process to submit an application to FTA, however, they are moving the alignment change forward at the same time as the Tempe Streetcar.

Ms. Yazzie stated that opening dates for the Tempe Streetcar is 2018 and for the Phoenix Northwest Extension Phase II project is 2026. She added that the Phoenix Light Rail Phase I project is currently under construction.

Ms. Yazzie described the original Locally Preferred Alternative (LPA) for the Tempe Streetcar as a 2.6-mile route on Mill Avenue to Southern Avenue. She said it was approved in November 2010 by the Valley Metro Rail Board and in December 2010 by the MAG Regional Council. Ms. Yazzie explained that following the approvals, the original LPA did not meet the FTA Small Starts criteria and in March 2013, the Tempe City Council directed that the LPA be reconfigured to more closely align with new federal criteria. Ms. Yazzie reported that in April 2013, the FTA approved the Tempe Streetcar to enter the project development phase, which was contingent upon reconfiguring the LPA. In June 2014, the Tempe City Council approved the revised LPA.

Ms. Yazzie stated that the revised LPA for the Tempe Streetcar project is three miles in length and retains the downtown loop along Mill Avenue, but begins at the Marina Heights development and curves around to Apache Boulevard, connecting with ASU and residential areas.

Ms. Yazzie noted that due to the revision in the Tempe Streetcar alignment costs are estimated to increase from approximately \$140 million to approximately \$177 million. She noted there is a funding gap of approximately \$23 million, and the City of Tempe is fully committed to finding new funding to fill this gap by next month in order to keep the project on schedule.

Ms. Yazzie stated that the original LPA for the Northwest Extension light rail project was approved in 2007 as a two-phase project. Phase I on 19<sup>th</sup> Avenue is currently under construction and ends just east of Interstate 17 (I-17). Ms. Yazzie stated that in 2013, Phoenix requested a reevaluation of the terminus to reach Metrocenter and in November 2014, the Phoenix City Council approved the revised LPA to cross over I-17. She noted that the revised LPA provides economic development opportunities and improved LRT access for trips originating west of I-17. Ms. Yazzie stated that the project cost is anticipated to increase approximately \$125 million, because it will need to cross a canal, a flood channel, and the freeway. Ms. Yazzie stated that the City of Phoenix is working on identifying revenue streams to fill the funding gap.

Ms. Yazzie reviewed next steps. She stated that the City of Tempe's goal is to submit a financial commitment by April 2015. Ms. Yazzie stated that the Valley Metro Rail Board is anticipated to take action to approve its Transit Life Cycle Program, which includes the revised alignments and financial plans for these two projects, in May 2015. Ms. Yazzie stated that upon approval, the items would come back to MAG for approval of the air quality conformity analysis and amendments to the TIP and RTP.

Acting Chair Crossman recognized public comment from Mr. Vint, who expressed his appreciation for the presentation and making excuses for the problem. Mr. Vint stated that light rail should be called snail rail. He reported that his group of motorhome owners rode the light rail from Mesa to 19<sup>th</sup> Avenue and then back again. Mr. Vint stated that light rail along 19<sup>th</sup> Avenue has almost destroyed all the businesses there. He stated that more thought should have been put into this. Mr. Vint stated that no one pays to ride light rail and it destroys businesses. Mr. Vint reported that he had been in business for 50 years and had never lost a business. He also stated that light rail runs into automobiles and should have been built as an elevated system. Mr. Vint stated that approval of this item would be approving more disasters. Acting Chair Crossman thanked Mr. Vint.

Acting Chair Crossman asked the committee's preference to separate or have as one action on both projects. Consensus was to have one motion.

Mr. Carl Swenson moved to recommend approval of: (1) the revised alignment and cost changes to the Tempe Streetcar project and that the MAG 2035 Regional Transportation Plan and the FY 2014-2018 MAG Transportation Improvement Program be amended subject to the necessary air quality conformity analysis; and (2) the revised alignment and cost changes to the Phoenix - Northwest Phase II Light Rail Transit Extension project and that the MAG 2035 Regional Transportation Plan be amended subject to the necessary air quality conformity analysis. Mr. Ed Zuercher seconded, and the motion passed unanimously.

7. Draft MAG 208 Water Quality Management Plan Amendment for the Liberty Utilities Palm Valley and Sarival Water Reclamation Facilities Service Area Expansion 2014

Ms. Julie Hoffman, MAG staff, reported on the Draft MAG 208 Water Quality Management Plan Amendment for the Liberty Utilities Palm Valley and Sarival Water Reclamation Facilities Service Area Expansion. She stated that the City of Glendale and Maricopa County have

requested that the MAG 208 Water Quality Management Plan be amended to include the service area expansion for the Liberty Utilities Palm Valley and Sarival Water Reclamation Facilities.

Ms. Hoffman described the facilities as being located in the Goodyear Municipal Planning Area, and noted that they would expand their service area to serve portions of the Glendale Municipal Planning Area that includes unincorporated areas of Maricopa County. She reported that the facilities are identified in the MAG 208 Plan with reserve capacity to accommodate the service area expansion.

Ms. Hoffman stated that the project is located within three miles of nine jurisdictions: Avondale, El Mirage, Goodyear, Litchfield Park, Peoria, Phoenix, Surprise, Youngtown and Luke Air Force Base. She explained that these jurisdictions were requested to review the 208 amendment and indicate if they have any comments or no objections. Ms. Hoffman indicated that letters of no objection have been received from these jurisdictions with some letters including conditions.

Ms. Hoffman indicated that the Cities of Goodyear and Litchfield Park requested that information be provided to clarify certain aspects of the project, such as the planned recharge site near Camelback Road and Bullard Road and the proposed sewer system, including the location of the new sewer lines. She noted that Liberty Utilities revised the draft document to include this information.

Ms. Hoffman stated that El Mirage, Youngtown, and Luke Air Force Base provided letters of no objection but wanted to make sure that this expansion would not impact the Base. The letters of no objection were contingent on no impact to the mission of Luke Air Force Base. Ms. Hoffman stated that Luke Air Force Base also requested the ability to comment on any new construction that Liberty Utilities undertakes as a result of this expansion, specifically how it would impact flying operations.

Ms. Hoffman stated that Liberty Utilities has indicated that the expanded collection area is outside the Luke Air Force Base flight path and will not affect flight operations. In addition, the reclaimed water recharge basins are being planned to not interfere with the operations of the Base. Liberty Utilities has indicated that they will provide the development plans to Luke Air Force Base to review to ensure there is no negative impact to the Base.

Ms. Hoffman then spoke on the 208 amendment schedule. On December 18, 2014, the MAG Water Quality Advisory Committee reviewed the 208 amendment and authorized the public hearing. On February 12, 2015, the Water Quality Advisory Committee conducted the public hearing. Immediately following the public hearing, the Committee recommended approval of the draft amendment with one member abstaining.

Ms. Hoffman stated that the amendment is before the MAG Management Committee for a recommendation to the MAG Regional Council. With a recommendation from the Management Committee today, it is anticipated that the MAG Regional Council would take action on the amendment at its March 25<sup>th</sup> meeting. Following the action of the Regional Council, the amendment would then go to the State Water Quality Management Working Group on April 14<sup>th</sup> to make a recommendation to the Arizona Department of Environmental Quality. MAG would

then transmit the amendment to the Arizona Department of Environmental Quality, which would certify the amendment is consistent with the MAG 208 Water Quality Management Plan and State Water Quality Management Plan and submit the amendment to the Environmental Protection Agency for approval.

Acting Chair Crossman thanked Ms. Hoffman for her report and asked members if they had questions.

Mr. Patrick Banger expressed his appreciation for the establishment of the working group and that Mr. John Kross had been appointed to represent any concerns of the East Valley cities. Mr. Banger expressed appreciation for the Lean process to streamline the 208 process but believes that MAG needs to remain part of the process.

Mr. Smith requested that Ms. Hoffman update the Committee on recent activities regarding the 208 process. Ms. Hoffman stated that MAG staff previously reported to the MAG Management Committee and MAG Regional Council on efforts by the Arizona Department of Environmental Quality to streamline the MAG 208 process. She noted that initially, MAG had concerns with the approach being proposed, and since that time, MAG has been working with Arizona Department of Environmental Quality to look at some streamlining options to make the process more efficient and the region more globally competitive, but not jeopardize the integrity of the 208 process. Ms. Hoffman stated that a small working group at MAG will be looking at potential ideas for streamlining. She added that the working group is expected to meet on March 23<sup>rd</sup>. Ms. Hoffman stated that MAG staff has reached out to MAG cities and towns, Maricopa County, the Arizona Department of Environmental Quality, the Homebuilders Association, Liberty Utilities, Epcor Water, and the Governor's Office to participate on the working group.

Mr. Brian Dalke expressed appreciation for the outreach by Liberty Utilities. He noted that no objections had been expressed.

Acting Chair Crossman echoed Mr. Dalke's comments.

With no further comments, Mr. Dalke moved to recommend approval of the Draft MAG 208 Water Quality Management Plan Amendment for the Liberty Utilities Palm Valley and Sarival Water Reclamation Facilities Service Area Expansion 2014. Ms. Jeanne Blackman seconded, and the motion passed.

8. Regional Freeway and Highway Program Update

Mr. Bob Hazlett, MAG staff, stated that the Management Committee last received an update on the Regional Freeway and Highway Program in October 2014. He said that Mr. Hazlett noted the progression of cost opinions for the 20-year Program since it began in 2006.

Mr. Hazlett stated that through 2014, approximately \$3.6 billion, or 40 percent of the \$8.1 billion, has been spent. He noted that this does not include the final accounting for Loop 303 in the West Valley. Mr. Hazlett stated that the next five years (2014-2019) is the busiest time period for the

TIP, likely due to cost expenditures for the South Mountain Freeway and near term improvements to Interstates 10 and 17.

Mr. Hazlett stated that the Freeway/Highway Program is approximately 50 percent complete nine years into the program. Mr. Hazlett noted that the MAG region now has the fourth largest High Occupancy Vehicle system in the nation, and could be the third largest when the Program is finished.

Mr. Hazlett stated that MAG has been collaborating with ADOT on the status of the Program through a review of the Receipts and Expenditures Ledger and the Revenue and Cash Flow Projections. He stated that a number of issues have been noted: inconsistent data in both models, project closeouts are still underway (Loop 303 in particular), proper allocation of Loop 202/South Mountain Freeway costs, and consistency between the cost of future projects with Regional Council specified program amounts.

Mr. Hazlett stated that MAG has been in continuing communications with ADOT at different levels: Urban Project Management, the Phoenix Construction District, the Phoenix Maintenance District, Financial Management Services, the State Engineer's Office, Environmental Programs, Roadway Design, Bridge, Right-of-Way, and Communications. Mr. Hazlett stated that they discovered that conducting a Cost Risk Analysis for each project to identify and potentially retire project contingencies at the earliest opportunity could result in bringing back some projects or launching some projects sooner than later. He added that the Cost Risk Analysis had been done for the South Mountain Freeway and is now fully integrated into project costs.

Mr. Hazlett credited MAG staff Ms. Chaun Hill, ADOT staff Mr. Brent Cain, Mr. Trent Kelso, and Mr. Steve Boschen, and former State Engineer Jennifer Toth (now with Maricopa County), for championing the Cost Risk Analysis process. He stated that the Cost Risk Analysis results of just four projects showed that approximately \$87 million in contingencies could be retired. Mr. Hazlett stated that Cost Risk Analysis also could be run on schedules, and noted that time is money.

Mr. Hazlett stated that the project risk cost analysis showed that the right-of-way for the Alameda Bicycle-Pedestrian overcrossing is one of the improvements with the greatest risk for affecting costs of the Interstate 10 Near Term Improvements Strategy. He noted that the risk analysis showed that the current program amount of \$199.6 million could be reduced to \$189.5 million. Mr. Hazlett also noted that ADOT had addressed the right-of-way risk for the Alameda overcrossing, thereby reducing the risk by another \$4.5 million. Mr. Hazlett then noted that there is the potential to retire a total of \$106.7 million in risk for these four projects alone when meeting the most critical risks, allowing completion of more projects from the Proposition 400 program. He added that the analysis on all projects needs to be done before they are entered into the program.

Mr. Hazlett stated that the next steps include completing a cost risk analysis on all remaining Regional Freeway and Highway Program projects, cleaning up the expenditures ledger and updating the cash flow model with refined project costs, retiring risks, incorporating Loop 202/South Mountain Freeway costs at the earliest opportunity, and adjusting/balancing the

program as needed in early 2016. Mr. Hazlett noted that building the South Mountain Freeway as a Design-Build-Maintain project is an advantage, because a firm price for all 22 miles of construction will be identified very early in delivering this effort. He said that right-of-way and construction costs should be known by November and incorporated into the cash flow.

Mr. Hazlett noted that this could result in a rebalancing of the Program in early 2016.

Mr. Smith stated that the consultant for this project, HDR, really understands this process. He indicated that the work HDR performed for a cost of \$87,000 resulted in the return of millions of dollars to the MAG Program.

Acting Chair Crossman thanked Mr. Hazlett for his report. No questions from the Committee were noted.

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

Ms. Becky Kimbrough, MAG staff, stated that the first draft of the Fiscal Year (FY) 2016 MAG Unified Planning Work Program and Annual Budget was sent to members in the March agenda packet. She indicated that the elements of the budget document are about 60 percent complete. Ms. Kimbrough noted that the Work Program is approved by the Regional Council in May each year.

Ms. Kimbrough stated that the draft Dues and Assessments were included in the January 2015 agenda packet, and the draft new projects were included in the February 2015 agenda packet. She added that both elements have been incorporated into the draft Work Program.

Ms. Kimbrough noted that MAG had been awarded a \$200,000 grant from the federal Integrated Corridor Management Deployment Planning Grant program of the Federal Highway Administration. She said that the funds will be included in the MAG Work Program when the programming is finalized. Ms. Kimbrough stated that the FY 2016 MAG budget is more than \$2.4 million less than the FY 2015 budget, because carry forward estimates are anticipated to end.

Ms. Kimbrough stated that the Work Program is reviewed each year by the federal agencies. She said that this year, the meeting will take place on March 17 in the Saguaro Room. Ms. Kimbrough stated that agencies invited include the Federal Highway Administration, the Federal Transit Administration, the Environmental Protection Agency, Phoenix Public Transit, Valley Metro, Arizona Department of Transportation, the Arizona Department of Environmental Quality, and Maricopa County. She added that any comments from the meeting will be reported to the Committee.

Acting Chair Crossman thanked Ms. Kimbrough for her report. No questions from the Committee were noted.

10. Legislative Update

Mr. Nathan Pryor, MAG staff, provided an update on legislative items of interest to the MAG region. He reported that Senate Bill 1274, the ADOT Omnibus bill sponsored by Senator Worsley, contains a number of clean-up type provisions for ADOT, including transferring staffing of the Citizens Transportation Oversight Committee (CTOC) to MAG.

Mr. Pryor stated that CTOC was created through legislation to provide citizen input/oversight on the MAG Regional Transportation Plan (RTP). To date, ADOT has been responsible for staffing CTOC.

Mr. Pryor stated that in 2011, a performance audit on the RTP recommended that MAG provide staff support for CTOC. On December 13, 2011, MAG responded in agreement to this audit recommendation, and on June 25, 2012, CTOC responded that they were not in favor of the audit recommendation. Since then, staffing of CTOC has remained at ADOT.

Mr. Pryor stated that MAG staff had an opportunity to discuss the provision with Senator Worsley a few weeks ago. It was noted that since the MAG letter to the auditor, CTOC indicated it was not in favor of moving staff support to MAG. Mr. Pryor stated that MAG discussed with ADOT staff CTOC's opposition to staffing being performed by MAG and not including it in the bill.

Mr. Pryor reported that Senator Worsley indicated that he would propose an amendment to remove the provision. Mr. Pryor stated that an amendment was proposed on the floor on February 23<sup>rd</sup> by Senator Worsley to remove the provision, however, discussion on the Senate floor noted MAG's earlier agreement to staff CTOC; CTOC's opposition was not noted. Mr. Pryor stated that the amendment was defeated and the provision for MAG to staff CTOC remains.

Mr. Pryor stated that the bill passed a Third Read on March 10<sup>th</sup> and is now headed to the House of Representatives where it has been assigned to the House Transportation and Infrastructure Committee.

Mr. Pryor stated that MAG staff has been in conversation with ADOT for a few weeks now to address this matter. MAG staff has conveyed that CTOC was a provision in the Proposition 400 ballot as a promise to the voters for citizen oversight to the Regional Transportation Plan. Mr. Pryor stated that stated that the MAG Regional Council was updated on the legislation in February. Mr. Pryor noted that MAG staff is planning to present this to the MAG Executive Committee this Monday, March 16<sup>th</sup> to seek a policy position on this issue. He added that SB 1274 may be heard in the House Transportation and Infrastructure Committee on March 17<sup>th</sup>. Mr. Pryor stated that MAG staff will continue working on this issue and provide updates as needed.

Acting Chair Crossman thanked Mr. Pryor for his report and asked if there were any questions.

Mr. Dennis Smith stated that one of the requests by ADOT was the viability of CTOC and whether it should continue. He added that CTOC will be discussed at the March 16<sup>th</sup> Executive Committee meeting. Mr. Smith held up a copy of the Proposition 400 publicity pamphlet from 2004, which promised the voters accountability as a measure. He stated that CTOC is charged with providing

oversight of the Regional Transportation Plan process. If the performance audit recommendation is implemented and MAG ends up staffing CTOC, it means MAG will be staffing the committee who oversees it. Mr. Smith stated that they are going to request that Senator Worsley restore the amendment.

11. 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 were noted.

12. 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.

Mr. Ed Zuercher stated that the Transforming Local Governments National Conference hosted by the Alliance for Innovation will take place April 13<sup>th</sup> to April 15<sup>th</sup> at the Sheraton. He added that registrations have been lagging and encourage those interested to register at the Alliance for Innovation website.

Mr. Brian Dalke noted that the early registration has been extended through Friday, March 13<sup>th</sup>. He remarked that this is an opportunity to receive a discounted rate for a great conference.

Adjournment

There being no further business, the meeting was adjourned at 1:10 p.m.

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Chair

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Secretary