

MINUTES OF THE
MAG MANAGEMENT COMMITTEE MEETING
May 13, 2015
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

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|---------------------------------------------------------------------|-----------------------------------------------------------|
| Kari Kent for Christopher Brady, Mesa | Kevin Burke, Paradise Valley |
| Darryl Crossman, Litchfield Park, Vice Chair | Susan Daluddung for Carl Swenson, Peoria |
| # Matt Busby for George Hoffman, Apache Junction | Ed Zuercher, Phoenix |
| David Fitzhugh, Avondale | # Louis Andersen for Greg Stanley, Pinal County |
| # Stephen Cleveland, Buckeye | Bruce Gardner for John Kross, Queen Creek |
| * Gary Neiss, Carefree | * Bryan Meyers, Salt River Pima-Maricopa Indian Community |
| Peter Jankowski, Cave Creek | Brad Lundahl for Fritz Behring, Scottsdale |
| Marsha Reed for Rich Dlugas, Chandler | Nicole Lance for Bob Wingenroth, Surprise |
| Amber Wakeman for Dr. Spencer Isom, El Mirage | Andrew Ching, Tempe |
| Charles Montoya, Florence | Reyes Medrano, Tolleson |
| Alfonso Rodriguez for Phil Dorchester, Fort McDowell Yavapai Nation | Vince Lorefice for Joshua Wright, Wickenburg |
| Ken Buchanan, Fountain Hills | Jeanne Blackman, Youngtown |
| * Ernest Rubi, Gila Bend | Sintra Hoffman for John Halikowski, ADOT |
| * Tina Notah, Gila River Indian Community | Joy Rich for Tom Manos, Maricopa County |
| Marc Skocypec for Patrick Banger, Gilbert | Jyme Sue McLaren for Steve Banta, Valley Metro/RPTA |
| Jenna Goad for Dick Bowers, Glendale | |
| Brian Dalke, Goodyear | |
| * Rosemary Arellano, Guadalupe | |
| # Gregory Rose, City of Maricopa | |

* 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. Louis Anderson, Mr. Matt Busby, Mr. Stephen Cleveland, and Mr. Gregory Rose joined the meeting via teleconference.

Acting Chair Crossman 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 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 Ms. Dianne Barker, a resident of Phoenix, who stated that she attended the Connect 60+ event in Scottsdale, where Mayor Lane spoke. Ms. Barker stated that much of the population is aging and mobility will be important to them. She stated that people want interconnections. Ms. Barker spoke of the art entry by Mr. John Rusinek in the event and suggested that different categories of art be added next time because all of the winners were art pieces that hang on the wall. She stated that under the Open Meeting Law, committee members can ask for clarification, respond to criticism, or add an item to an agenda in response to citizen comments. Ms. Barker stated that the wives of some of the speakers do not support their efforts to contribute public comment. She submitted an article on her father speaking on open meetings at Leisure World and she said he believed in the citizenry. Acting Chair Crossman thanked Ms. Barker.

Acting Chair Crossman recognized public comment from Mr. Pat Vint, who stated that he has been asked to speak on only what MAG can do. Mr. Vint stated that the City of Phoenix will take down all of the little cities if it fails. He stated that he has been here for 35 years. Mr. Vint stated that former Phoenix city managers Frank Fairbanks and David Cavazos increased their salaries to more than \$300,000, quit and spiked their pensions. Acting Chair Crossman stated that he wanted to be courteous to Mr. Vint but he requested that public comments be limited to items under MAG's jurisdiction. Mr. Vint asked why citizens have no rights to ask questions and demand answers. He stated that public servants should uphold their oaths to defend the United States against enemies foreign and domestic like he has done. Mr. Vint remarked that the United States has more domestic enemies than foreign. He stated that he received a copy of MAG's audit after requesting it but has not received a copy of the City of Phoenix audit even though he asked the City Manager and City Council. Mr. Vint stated that the City does not want him to have this information and added that they hold secret meetings. Acting Chair Crossman noted that Mr. Vint's comments were not under the jurisdiction of MAG. Mr. Vint stated that he was commenting on the City of Phoenix, which is a member of MAG. Acting Chair Crossman stated

that MAG cannot give direction to the City of Phoenix. Mr. Vint asked MAG to answer what it does and what rights the citizens have. Acting Chair Crossman stated that citizens have a right to address this committee on matters that are under the jurisdiction of MAG. He added that a problem Mr. Vint might have with another municipality or entity is not under the jurisdiction of MAG. Mr. Vint stated that cities are members of this organization. Acting Chair Crossman explained that cities belong to many organizations but MAG cannot tell them what to do. He thanked Mr. Vint for his service to this country. Mr. Vint stated that a lot of good it did – an idiot boy running this country and a child running North Korea.

Acting Chair Crossman recognized public comment from Mr. Marvin Rochelle, who requested that MAG provide adaptive listening devices. Acting Chair Crossman thanked Mr. Rochelle. Mr. Rochelle was provided a listening device by staff.

4. Executive Director's Report

Mr. Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. Mr. Smith stated that the Stand Up 4 Transportation event was held on April 9, 2015. He remarked that he thought yesterday's Amtrak crash could result in a greater focus on infrastructure needs in the nation.

Mr. Smith reported that Whataburger has partnered with MAG on the *Don't Trash Arizona* program. He stated that Goodyear Mayor Georgia Lord, Glendale Mayor Jerry Weiers, and Chandler Vice Mayor Kevin Hartke recently participated in the anti-litter campaign when they conveyed anti-litter messages at Whataburger Drive-Throughs. Mr. Smith stated the event was organized by MAG staff Kelly Taft.

Mr. Smith stated that the Going Places Age Friendly Conference was held in Scottsdale on May 6, 2015. He noted that MAG Chair, Mayor Michael LeVault of Youngtown, and the MAG Vice Chair, Mayor W. J. "Jim" Lane of Scottsdale, spoke at the event. Mr. Smith stated that MAG began holding the event after statewide funding ended. He expressed appreciation to the Ina Levine Jewish Community Campus for providing a cost-effective facility for the conference.

Mr. Smith stated that the University of Arizona Economic Impact Study of Expanding the Border Zone in Arizona concluded that extending the border zone statewide could generate up to \$181 million in additional spending and 2,179 jobs in 2016. Mr. Smith noted that a change in the border zone would require an administrative change by the Department of Homeland Security. He added that tourism is the number one revenue sector in Arizona.

Mr. Smith stated that MAG is organizing a trade mission for economic development staff to Hermosillo and Guaymas, Sonora, Mexico, on June 3-5, 2015. He noted that Alana Chavez Langdon is the MAG staff contact. Mr. Smith stated that 30 elected officials, economic development staff, and business representatives have registered and only ten seats remain. The cost is \$275 per person. Mr. Smith expressed appreciation to APS and SRP for sponsoring the event. 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, and #5G were on the Consent Agenda.

Acting Chair Crossman recognized public comment from Mr. Pat Vint. He spoke on agenda item #5D by saying that it is being modified for the ninth time and he assumed it was because they found something was wrong with the previous eight times or they would not have to change it again. Mr. Vint requested that this be on the next agenda. Mr. Vint commented on agenda item #5E. He thought it was wonderful that people's needs were being considered. Mr. Vint commented on agenda item #5F. He said that he could not comment because the material was not continued on the paper he had. Mr. Vint stated that everyone needs to realize that citizens come first. He grew up on a dairy farm where the animals and chores come first. Mr. Vint remarked that cities are nothing without citizens. Acting Chair Crossman thanked Mr. Vint.

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, and #5G.

Ms. Susan Daluddung moved, Ms. Jeanne Blackman seconded, and the motion passed unanimously.

5A. Approval of the April 8, 2015, Meeting Minutes

The MAG Management Committee, by consent, approved the April 8, 2015, meeting minutes.

5B. Arterial Life Cycle Program Status Report: October 2014 Through March 2015

The Arterial Life Cycle Program Status Report provides detail about the status of projects, revenues, and other relevant program information for the period between October 2014 and March 2015. This is the program's twenty-first status report and second published in FY 2015.

5C. Arterial Life Cycle Program Regional Area Road Fund Fiscal Year 2015 Closeout Process

The MAG Management Committee, by consent, recommended approval of the proposed Fiscal Year 2015 Regional Area Road Fund Closeout list and the necessary 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 Arterial Life Cycle Program (ALCP) Policies and Procedures establish an annual closeout process to advance reimbursements programmed with funds from the Regional Area Road Fund (RARF) half-cent sales tax allocated to arterial roads. MAG staff has performed an analysis on the ALCP revenues and expenditures and determined that an estimated \$16 million in RARF closeout funds is available this fiscal year. A call for applications was issued to the

ALCP Working Group and Street Committee in early March and four applications were received. On April 23, 2015, the Transportation Review Committee recommended approval of the proposed Fiscal Year 2015 Regional Area Road Fund Closeout list and the necessary amendments and administrative modifications.

5D. Project Changes – Amendment and Administrative Modification to the FY 2014-2018 MAG Transportation Improvement Program and 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 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 with the last modification approved on March 22, 2015. Since then, there is a need to make project changes. Non-Arterial Life Cycle Program highway and transit project changes are included in Table A. This item was recommended for approval at the April 23, 2015, Transportation Review Committee meeting.

5E. Revision to the MAG Regional Programming Guidelines for Federal Transit Formula Funds - Preventive Maintenance/Operating/ Complementary ADA Paratransit Service

The MAG Management Committee, by consent, recommended approval of the revision to the MAG Regional Programming Guidelines for Federal Transit Formula Funds to incorporate language allowing the utilization of regionally allocated funds for Complementary ADA Paratransit Service. The MAG Regional Programming Guidelines for Federal Transit Formula Funds was approved by the MAG Regional Council on March 27, 2013. Section 300 of the guidelines addresses MAG Transportation Programming Priorities. Priority three allocates preventive maintenance funds to agencies that operate transit service using an approved formula. Since the Programming Guidelines were approved, some MAG agencies have adjusted service that better fits their constituents' needs. Areas previously supported by fixed route with the required Complementary Americans with Disabilities Act (ADA) Paratransit Service are now serviced through alternative means (taxi vouchers). As a result, some agencies no longer have a need for preventive maintenance at the same rate as when the program was approved. ADA Complementary Paratransit Service is still required to be provided. The revision to the Programming Guidelines would allow agencies to utilize the allocated funding from the preventive maintenance/operating formula toward Complementary ADA Paratransit Service, as allowed by the Federal Transit Administration. This item was recommended for approval at the April 23, 2015, Transportation Review Committee meeting.

5F. Programming of Pinal County Surface Transportation Program Projects in the FY 2014-2018 MAG Transportation Improvement Program and the 2035 Regional Transportation Plan

The MAG Management Committee, by consent, recommended approval of the Pinal County Surface Transportation Program projects to be added to the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan, contingent on a finding of air

quality conformity. On February 25, 2015, the MAG Regional Council approved the Pinal County Surface Transportation Program Programming and Evaluation Policy, and on February 27, 2015, MAG issued a call for projects. Applications were due April 6, 2015, for an estimated \$5.7 million of available funding between Fiscal Year (FY) 2017 and FY 2019. Four applications totaling \$7.9 million were received from three agencies. On April 14, 2015, the MAG Street Committee conducted a technical review and evaluation of the project applications. Projects have been prioritized for funding based on the technical review, program measures, and evaluative weights. On April 17, 2015, one project was withdrawn by the project sponsor and funding recommendations have been updated. This item was recommended for approval at the April 23, 2015, Transportation Review Committee meeting.

5G. 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 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.

6. U. S. Department of Transportation TIGER Grant Round VII - FY 2015

Mr. Nathan Pryor, MAG staff, reported that on April 3, 2015, the federal government issued a notice of funding availability (NOFA) for the seventh round of Transportation Investment Generating Economic Recovery (TIGER) discretionary grant funding. He stated that a total of \$500 million is available through a multimodal, merit-based, competitive grant program. There is a set aside of \$100 million for rural areas, which leaves \$400 million dedicated for projects in urban areas. The NOFA also states that TIGER project grant requests have to be at least \$10 million and rural areas have a \$1 million minimum.

Mr. Pryor stated that the TIGER grant is an extremely competitive nationwide process with an emphasis on transformative and innovative projects. He indicated that the U. S. Department of Transportation is more favorable to regionally supported applications.

Mr. Pryor stated that a call for projects was sent out by MAG on April 8, 2015. He said that the technical aspects of the projects submitted were reviewed and vetted at the MAG Transportation Review Committee meeting on April 23. Mr. Pryor reported that the Transportation Review Committee recommended approval of supporting the Interstates 10/17 Corridor Improvements project for the urban area application and the SR-347 Overpass project for the rural area application.

Mr. Pryor stated that the Interstates 10/17 project, with MAG as the lead, includes implementation of an active traffic management system, including adaptive ramp metering, variable speed limits/lane control, and an enhanced wrong-way driver system; the construction of a dedicated bus

ramp connecting the I-10 median to the I-17 southbound frontage road to provide multiple commuter bus routes with direct access to downtown Phoenix, which may be utilized for future light rail; two bicycle/pedestrian bridges (one over I-10 at Alameda Drive in the City of Tempe and one at Guadalupe Road in the cities of Phoenix and Guadalupe).

Mr. Pryor described the rural application as constructing an overpass over State Route (SR) 347 in the City of Maricopa, with ADOT as lead, will redirect SR-347 traffic over the Union Pacific Railroad tracks. The project also includes the realignment of the Maricopa Casa Grande Highway, the rebuilding of approach ramps, and the relocation of the Amtrak station to a location a quarter mile west of the existing site.

Mr. Pryor and the project team attended a debriefing on the pre-application with the U. S. Department of Transportation on May 12 and they received helpful information and great feedback. He stated that the TIGER applications will be brought back to the MAG Regional Council on May 27 for consideration of approval of these two applications. All final grant applications are required to be submitted to the U. S. Department of Transportation by June 5, 2015.

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

Mr. Gregory Rose moved to recommend approval of the Interstates 10/17 Spine Corridor Improvements project for the urban area application and the SR-347 Overpass project for the rural area application for Transportation Investment Generating Economic Recovery (TIGER) Round VII discretionary grant funding. Mr. Brian Dalke seconded, and the motion passed unanimously.

7. Project Initiation Pool

Ms. Teri Kennedy, MAG staff, reported on the development of the Project Initiation Pool, which is a pilot program in which a small amount of MAG federal funds is used toward the initial setup fees for MAG federally funded projects. She stated that the Project Initiation Pool will encourage early submittal of project information on a voluntary basis, allow early review, assignments of work, and contract development at ADOT, and assist with protecting Federal Obligation Authority and making better planning decisions.

Ms. Kennedy reviewed the suggested Project Initiation Pool guidelines. She said that only FHWA projects outside the Arterial Life Cycle Program and Regional Freeway/Highway Program and have not started at ADOT are eligible. Funding per project is anticipated to be limited to \$3,000 (\$2,829 federal and \$171 local funds) from a \$250,000 pool distributed on a first-come, first-served basis from October 1st through December 31st each year.

Ms. Kennedy stated that expenses that could be covered under the pilot program include assignment of project numbers and an ADOT project manager, a kickoff meeting with ADOT, and ADOT assistance with IGA development. Unused funds can be applied to other ADOT expenses, for example, applied to environmental clearances.

Ms. Kennedy stated that member agencies must sign a letter contract with ADOT, provide a check for \$171, the TIP listing and project information. She noted that the Project Initiation Pool is proposed as a three-year pilot program and would be reviewed on an annual basis by FHWA, ADOT and MAG to determine success.

Ms. Kennedy displayed a chart and noted that historically, 72 percent of projects are submitted in the last quarter of the federal fiscal year. She noted the difficulties encountered by ADOT staff to process the large number of projects that are submitted. She noted that staff created the Project Initiation Pool as an alternative to moving up the deadline for submitting projects that could utilize Obligation Authority. Ms. Kennedy stated that on April 23, 2015, the Transportation Review Committee recommended approval of implementing the Project Initiation Pool.

Acting Chair Crossman thanked Ms. Kennedy for her report. He noted that this is a three-year pilot with an annual review and asked if the annual reports would be brought to the Management Committee. Ms. Kennedy replied that she would be updating the chart to show the projects that obligated by quarter. She added that ADOT indicated that if the pilot is successful, they will look at taking the program statewide and funding it with the federal share allocated to the state. Ms. Kennedy noted that the Project Initiation Pool is really to address the restricted Highway User Revenue Funds, which funded project startup costs in the past.

Acting Chair Crossman remarked that the Project Initiation Pool appears to have great potential.

Ms. Jeanne Blackman moved to recommend approval of implementing the Project Initiation Pool. Ms. Susan Daluddung seconded, and the motion passed unanimously.

8. Approval of the Draft FY 2016 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments

Becky Kimbrough, MAG staff, provided a report on the draft FY 2016 MAG Unified Planning Work Program and Annual Budget. She noted that a recommendation for approval was being requested. Ms. Kimbrough stated that the draft Work Program has been presented incrementally to MAG committees from January through April.

Ms. Kimbrough noted one update since the presentation last month, which is to add a project titled "Cost Risk Analysis for the MAG Regional Freeway and Highway Program" for \$300,000. This project is recommended in order to assist in identifying contingent funding from current Regional Freeway and Highway Program projects so that these funds can be utilized more immediately for other projects.

Ms. Kimbrough stated that MAG submits its Work Program each year to the Government Finance Officer's Association for the Distinguished Budget Presentation Award. MAG received this award for the 16th consecutive year for the FY 2015 Work Program. She noted that the approved FY 2016 work program will be submitted for the 17th consecutive year.

Ms. Kimbrough stated that there is a decrease in the proposed FY 2016 budget from the current year budget of 1.08 percent, including carryforward project estimates.

Acting Chair Crossman thanked Ms. Kimbrough for her report.

Mr. Dennis Smith thanked members for the efforts by member agency staff to submit their in-kind contributions. He explained that most metropolitan planning organizations require cash to match federal funds. Ms. Smith noted that the in-kind process requires an elaborate process and he asked Ms. Kimbrough the annual in-kind amount. Ms. Kimbrough replied that the in-kind contributions are collected by MAG on a quarterly basis and a total of approximately \$1.2 million to \$1.4 million is collected by MAG annually. She expressed appreciation for the assistance by member agencies on in-kind.

Ms. Jeanne Blackman moved to recommend approval of the draft FY 2016 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments. Mr. Gregory Rose seconded, and the motion passed unanimously.

9. Legislative Update

Mr. Nathan Pryor provided a report on legislative items of interest. Mr. Pryor stated that the federal surface transportation legislation, MAP-21, expires the end of May 2015. He noted there are a number of proposals for reauthorization, including the Grow America Act proposed by the Obama administration. Mr. Pryor stated that another proposal is the Bridge to Sustainable Infrastructure Act, which would index gas and diesel fuel taxes for inflation.

Mr. Pryor stated that efforts appear to include two-month or seven-month extensions. The rationale behind the two-month extension is to pressure Congress to pass a bill and the rationale behind the seven-month extension is to take the legislation to the end of the calendar year. Mr. Pryor noted that challenges could exist with a longer extension because next year is a presidential election year.

Mr. Pryor reported that Congress introduced in the House and Senate legislation with bipartisan support in Arizona and Nevada for the Intermountain West Corridor Development Act, which would extend the Interstate 11 designation north to Reno, Nevada, and south from the Wickenburg/Phoenix area to Nogales, Arizona.

Mr. Pryor then addressed House Bill (HB) 2617, the counties, municipalities, budgets bill. He explained that in the final week of the legislative session, a bill amendment was introduced and approved by the Legislature that, if enacted, would shift some of the funding for the Department of Revenue to MAG and the Pima Association of Governments (PAG). Mr. Pryor noted that this would represent transfers to the Department of Revenue of almost \$3 million of MAG Proposition 400 funds and approximately \$500,000 of PAG sales tax funds. He noted that there could be legal implications for using voter approved funds. Mr. Pryor stated that staff will continue to provide updates as new information becomes available.

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

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 were requested.

No requests were noted.

11. 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.

Acting Chair Crossman requested that victims of the Amtrak accident be remembered in people's thoughts and prayers.

Adjournment

There being no further business, the meeting was adjourned at 12:40 p.m.

Chair

Secretary