

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

May 25, 2011
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Thomas Schoaf, Litchfield Park, Chair	* Supervisor Mary Rose Wilcox, Maricopa Co.
# Mayor Hugh Hallman, Tempe, Vice Chair	Mayor Scott Smith, Mesa
# Councilwoman Robin Barker, Apache Junction	Vice Mayor Mary Hamway for Mayor Scott
# Mayor Marie Lopez Rogers, Avondale	LeMarr, Paradise Valley
Mayor Jackie Meck, Buckeye	Councilmember Tony Rivero for Mayor Bob
# Mayor David Schwan, Carefree	Barrett, Peoria
Councilman Dick Esser, Cave Creek	Vice Mayor Thelda Williams, Phoenix
# Mayor Jay Tibshraeny, Chandler	Mayor Gail Barney, Queen Creek
Mayor Lana Mook, El Mirage	* President Diane Enos, Salt River
* President Clinton Pattea, Fort McDowell	Pima-Maricopa Indian Community
Yavapai Nation	Mayor Jim Lane, Scottsdale
* Mayor Jay Schlum, Fountain Hills	Mayor Lyn Truitt, Surprise
* Mayor Ron Henry, Gila Bend	* Mayor Adolfo Gamez, Tolleson
* Governor William Rhodes, Gila River Indian	# Mayor Kelly Blunt, Wickenburg
Community	Mayor Michael LeVault, Youngtown
Mayor John Lewis, Gilbert	* Felipe Zubia, State Transportation Board
Mayor Elaine Scruggs, Glendale	* Victor Flores, State Transportation Board
Mayor Georgia Lord, Goodyear	Roc Arnett, Citizens Transportation Oversight
* Mayor Yolanda Solarez, Guadalupe	Committee

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

1. Call to Order

The meeting of the MAG Regional Council was called to order by Chair Thomas Schoaf at 5:08 p.m.

2. Pledge of Allegiance

Mayor Gail Barney led the recitation of the Pledge of Allegiance.

Councilwoman Robin Barker, Mayor Kelly Blunt, Mayor Hugh Hallman, Mayor Marie Lopez Rogers, Mayor David Schwan, and Mayor Jay Tibshraeny joined the meeting by teleconference.

Chair Schoaf welcomed Phoenix Vice Mayor Thelda Williams to the Regional Council and presented her with her Regional Council membership certificate.

Chair Schoaf introduced Councilmember Tony Rivero as proxy for Mayor Bob Barrett, and Vice Mayor Mary Hamway as proxy for Mayor Scott LeMarr.

Chair Schoaf noted that materials for agenda items #5D and #5E were at each place. These items had previously been transmitted to members.

3. Call to the Audience

Chair Schoaf noted that public comment cards were available to members of the audience who wish to speak on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens are requested to not exceed a three minute time period for their comments. A total of 15 minutes is provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chair Schoaf recognized public comment from Dianne Barker, who said that thinking of doing her duty as a citizen reminded her that when he left the Presidency, George Washington said he was ascending to a higher calling as a citizen. Ms. Barker noted the passing of Bob McKnight from a rare form of cancer. She stated that Mr. McKnight was a good man who always asked after people. Ms. Barker said that she spoke about her support of the planned \$200 million cancer treatment center downtown. She stated that she is out in the sun a lot and could end up there, but the doctor said she would not because she rides a bicycle. Ms. Barker expressed appreciation for the transit tickets that she passes along to people in need. Ms. Barker stated that more people are using mass transit due to rising gas prices, and she expressed her support for a better future with multimodal transit. Chair Schoaf thanked Ms. Barker for her comments.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. He first showed photos taken at the grand opening of a 14-mile segment of Loop 303 on May 7, 2011. Mr. Smith noted that those in attendance included Peoria Vice Mayor Cathy Carlat, Glendale Mayor Elaine Scruggs representing MAG, Maricopa County Supervisor Max Wilson, Governor Jan Brewer, Arizona Department of Transportation Director John Halikowski, and Federal Highway Administration Division Administrator Karla Petty.

Mr. Smith displayed a map of the regional freeway system and remarked that all of this happened as a result of regional cooperation. He pointed out that 114 miles of freeway were built through Proposition 300.

Mr. Smith updated the Regional Council on the Economic Development Committee (EDC). He stated that MAG will be a sponsor of the Arizona Mexico Commission Summer Plenary Session scheduled

for June 2-4, 2011. Mr. Smith stated that there are still openings and those interested in attending to contact MAG staff Denise McClafferty. Mr. Smith reported that he was in Denver at a meeting of the Intermountain West directors regarding plans for a summit tentatively planned for February 2012. He said that the goal is to work on the entire corridor as an economic zone. Mr. Smith noted that work continues on a joint project with the Greater Phoenix Economic Council (GPEC) to create a website to help foster economic development. He noted one additional topic discussed by the EDC is the Brookings Metropolitan Business Plan, which is an item on the Regional Council agenda.

Mr. Smith stated that MAG and ULI are cosponsoring a Business Forum on June 2, 2011, at the A.E. England building. He noted that members attending the event could park in the MAG parking garage and walk across the street to the building.

Mr. Smith noted that the Regional Council was invited to the 161st Air Refueling Wing breakfast and tour on June 16, 2011, at Phoenix Sky Harbor Airport. He added that RSVPs could be directed to Glenn Klassen, Executive Director of the Airman and Family Programs Office, 161st Air Refueling Wing, at (602) 302-9094.

Mr. Smith provided an update on the MAG office remodel. He said that work is anticipated to begin on June 1, 2011, and be completed by September 1, 2011. Mr. Smith stated that the winning bid is approximately 22 percent under budget. He showed diagrams of the second and fourth floor remodel plans.

Mr. Smith noted that the June Regional Council meeting will be a teleconference meeting and the July Regional Council meeting will be held at the Lakeside Room at the Tempe Center for the Arts.

Mr. Smith stated that the 2011 Nominating Committee met prior to the Regional Council meeting. Mayor Scruggs, Chair of the 2011 Nominating Committee, provided a report on the Committee's recommendation. She thanked the other members of the Nominating Committee, Mayor Jackie Meck, Councilmember Dick Esser, Mayor Jay Schlum, and Mayor Georgia Lord, for their service on the Committee. Mayor Scruggs reported that the Committee recommended the following slate as the Executive Committee for the coming year (2011-2012): Chair, Mayor Hugh Hallman, Tempe; Vice Chair, Mayor Marie Lopez Rogers, Avondale; Treasurer, Mayor Scott Smith, Mesa; At-Large Members, Mayor W. J. "Jim" Lane, Scottsdale; Mayor Michael LeVault, Youngtown; and Vice Mayor Thelda Williams, Phoenix. According to the Nomination Process, the Past Chair, Mayor Thomas Schoaf, Litchfield Park, would also serve on the Executive Committee.

Chair Schoaf thanked the 2011 Nominating Committee and noted that the elections would be held at the June 29, 2011, Regional Council meeting, and he added that the passing of the gavel would take place at the July Regional Council meeting. He asked if there were any questions from the Council. No questions from the Council were noted.

5. Approval of Consent Agenda

Chair Schoaf noted that agenda items #5A, #5B, #5C, #5D, #5E, and #5F were on the Consent Agenda. He noted that no public comment cards had been received. Chair Schoaf asked members if they had questions or requests to hear an item individually. None were noted.

Vice Chair Hallman moved to approve the Consent Agenda. Mayor LeVault seconded, and the motion passed unanimously.

5A. Approval of the April 27, 2011, Meeting Minutes

The Regional Council, by consent, approved the April 27, 2011, meeting minutes.

5B. Programming Federal Funds for Preventive Maintenance in 2011-2015

The Regional Council, by consent, approved: (1) to program additional federal funds for preventive maintenance (PM) for fiscal year (FY) 2011 by using the latest National Transit Database (NTD) data, first to distribute the amounts for the bus and rail modes based on operating expense and then to distribute funds for bus operators based on bus and demand response vehicle revenue miles. (2) to program the federal funds for PM for fiscal years 2012 -2015 based on a 'phase-out' approach and using a new PM distribution methodology. The phase out approach will reduce the allocated PM amounts in the TIP by 25 percent each year, and an additional 25 percent for each subsequent year (25 percent reduction in 2012, 50 percent reduction in 2013, 75 percent reduction in 2014, with a full phase out in FY 2015), all remaining and additional PM federal funds will be distributed using the new methodology. Using NTD data, the new methodology first distributes funds for the bus and rail modes based on operating expense and then distributes funds for bus operators based on a combination of bus and demand response passenger and vehicle revenue miles, passenger miles weighted by 10 percent and vehicle revenue miles weighted by 90 percent. The new distribution methodology will be updated annually using the most recent NTD data, and the TIP project listings will be modified accordingly. (3) to modify the FY 2011-2015 MAG TIP as shown in the Project Changes table. On July 28, 2010, the MAG Regional Council took action on the "approval of the Draft FY 2011-2015 MAG TIP contingent on a finding of conformity ... and that the programming of preventive maintenance be reviewed for potential amendments/administrative modifications no later than December 2010." On October 14, 2010, the MAG Transit Committee recommended to approve evenly distributing \$11.7 million of FY 2011 5307 federal funds for preventive maintenance (PM) between FY 2011 and FY 2012. On December 9, 2010, the Transit Committee recommended to distribute the 5307 federal funds for PM for FY 2011 using the Scenario #1 methodology explained in the attached materials. The Transit Committee also recommended to reconvene the transit operators to evaluate alternatives and recommend a transparent, data-driven, and regionally equitable method to allocate future year federal funds for PM by March 2011. On April 14, 2011, the Transit Committee recommended to program PM for FY 2012-2015 based on a 'phase out' approach. A 25 percent reduction of the old PM distribution per year beginning in 2012 with subsequent increases of the reduction (50 percent reduction in 2013 and a 75 percent reduction in 2014) resulting in all of the funds for PM in 2015 being distributed under the new methodology. The

Transportation Review Committee recommended approval on April 28, 2011, and the MAG Management Committee recommended approval on May 11, 2011.

5C. Update and Review of Project Deferral Requests for Federal Fiscal Year (FFY) 2011 MAG Closeout

The Regional Council, by consent, approved a list of projects to be deleted from the Transportation Improvement Program or deferred from FFY 2011 to FFY 2012 or later and make the necessary amendments and modifications to the FY 2011-2015 MAG Transportation Improvement Program, and as necessary to the Regional Transportation Plan 2010 Update. The Closeout process for MAG region federal funds in federal fiscal year (FFY) 2011 is underway. MAG member agencies were requested to notify MAG, beginning March 2011, of federally funded projects that will not obligate by the end of the FFY 2011 (September 2011), and are requesting to be deferred to another year in the MAG Transportation Improvement Program (TIP). Member agencies were requested to make a best effort to complete and submit the Deferral Request Form and Deferral Justification Letter by April 15, 2011. The Transportation Review Committee recommended approval on April 28, 2011, and the MAG Management Committee recommended approval on May 11, 2011. The deadline for member agencies to submit projects for use of Closeout funds was April 14, 2011. Projects submitted for Closeout funds will be reviewed at the May and June 2011 committee meetings.

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

The Regional Council, by consent, approved amendments and administrative modifications to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update. The Fiscal Year 2011-2015 Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) 2010 Update were approved by the MAG Regional Council on July 28, 2010, and have been modified four times with the last modification approved in April 2011. Additional requests have been received from member agencies to modify projects in the programs. The request from Scottsdale was recommended by the ITS Committee in May 2010. As well, the Transit Committee recommended modifications to the transit projects listed in the attachments as noted in the Programming Federal Funds for Preventive Maintenance agenda item. The table also includes revised costs for the PHX08-875, a new project change request from Goodyear, and two transit projects. Goodyear has funds left over from the design of the bridge project, and they want to continue to design the roadway the bridge is on. The two transit projects are both projects identified through federal discretionary funds. Requests include modifying the costs and description on one project, and adding the other project to the TIP. The Transportation Review Committee recommended approval on April 28, 2011, and the MAG Management Committee recommended approval on May 11, 2011. Since the mailout of the Regional Council agenda, there were five additional project change requests related to the federal funds for federal fiscal year (FFY) 2011. It was requested to move two TIP projects for Northern Parkway forward from 2012 and 2013 to 2011 to utilize the obligation authority for STP in FFY 2011. Additionally, a design project was requested to be deleted since the work has already occurred. The design funds for Black Mountain Parkway is requested to be split between 2011 and 2012. All of the projects to be amended may be categorized as exempt from conformity determinations and an administrative modification does not require a conformity determination.

5E. 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 transit projects and projects for the Federal Fiscal Year 2011 MAG Federal Fund Closeout. 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. In addition, since the May 11, 2011 Management Committee meeting, project change requests were received from Maricopa County and the City of Phoenix. These project changes may be categorized as exempt from conformity determinations or as minor project revisions that do not require a conformity determination. Comments on the conformity assessment were requested by May 25, 2011. This item was on the agenda for consultation.

5F. Annual Appointments of the Economic Development Committee Members

The Regional Council, by consent, approved moving the appointment of the MAG Economic Development Committee (EDC) members to the July 27, 2011, Regional Council meeting and to change the policy that the EDC appointments occur at the July Regional Council meeting. The composition of the EDC, approved by the Regional Council on October 27, 2010, provides for one-year appointments for the MAG member agency elected official members. As provided for by the Regional Council, the members are to be selected at the June Regional Council meeting. The EDC includes the Regional Council chair, vice chair and immediate past chair. It also includes the chair and vice chair of the Transportation Policy Committee (TPC). The chair and vice chair of the TPC will be appointed at the annual Regional Council meeting on June 29, 2011. Due to the timing of this process, the Executive Committee would not be able to make recommendations to the Regional Council on the EDC committee members until after the June 29th Regional Council meeting. To address this issue, on May 16, 2011, the MAG Regional Council Executive Committee recommended moving the appointment of the EDC members to the July 27, 2011, Regional Council meeting, having the present EDC members serve through July 2011, and changing the policy that the EDC appointments occur at the July Regional Council meeting.

6. Approval of the Draft FY 2012 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments

Becky Kimbrough, MAG Fiscal Services Manager, stated that the FY 2012 draft MAG Unified Planning Work Program and Annual Budget was on the agenda for approval. She noted that at each place were two replacement pages for Appendix pages A-17 through A-20. Ms. Kimbrough advised that these changes were to the total regional planning funds narrative, the addition of one project under ADOT for highway program management consultants, and additional detail on funding sources for the Regional planning projects.

Ms. Kimbrough stated that the draft Work Program is presented incrementally each year beginning in January with proposed dues and assessments. She noted that a 50 percent overall reduction of member

dues is proposed due to the economic conditions. Ms. Kimbrough reported that in February MAG presents proposed projects for the Work Program and begins work on the initial draft for mail out to committee members in March. She stated that this incremental presentation is to allow time for questions, input and a more thorough review of the proposed budgetary items.

Ms. Kimbrough stated that the new positions, no employee salary increases budgeted, and the carry forward of building renovation costs were presented in April. She noted an overall decrease to the proposed FY 2012 budget from the current year budget of about 10.6 percent. Ms. Kimbrough explained that this reduction mainly is due to a decrease in budgeted overhead costs for legal fees related to the air quality issues during FY 2011, and to a decrease in budgeted costs for the office space lease. She added that the largest dollar decrease in the FY 2012 draft budget was for project consultants.

Ms. Kimbrough stated that MAG submits its Work Program each year to the Government Finance Officer's Association for review and application for the Distinguished Budget Presentation Award. She noted that MAG received this award for the current Work Program in January of this year, and the approved FY 2012 Work Program will be submitted for the 14th consecutive year.

Chair Schoaf thanked Ms. Kimbrough for the timely presentations on the budget materials. He asked members at the table or on the telephone if they had questions. None were noted.

Vice Chair Hallman moved approval of the resolution adopting the Draft FY 2012 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments. Councilmember Esser seconded, and the motion passed unanimously.

7. Brookings Metropolitan Business Planning Initiative

Mr. Smith introduced this item. He stated that MAG was invited to submit a proposal to partner for the Metropolitan Business Plan Initiative from the Metropolitan Policy Program at Brookings. He said that the Economic Development Committee (EDC) discussed the proposal and the outcome of the discussion was to hold a videoconference workshop with Brookings and EDC members. Mr. Smith indicated that at the workshop, staff indicated that interest would need to be gauged at the Regional Council. He stated that Brookings provided a time extension to allow MAG to give a presentation to the Regional Council. Mr. Smith noted that the participation of the business community in this initiative is important. He stated that GPEC and GPL attended the workshop. He said that he heard yesterday that GPL will not be participating in the project, but GPEC will participate.

Amy St. Peter, MAG Human Services Manager, continued the presentation on what the business plan is and what would be included in the proposal. She said that four to six regions will be selected from the ten to twelve regions that received the invitation-only request to submit a proposal to partner. Ms. St. Peter noted that Brookings initiated a pilot project of three cities about a year ago. That process is now complete and Brookings is looking to start a second round.

Ms. St. Peter stated that the goal of the Business Plan is to develop local strategies for economic development. She said that the process also will inform how to align with federal priorities and

potentially receive additional federal funding in the future. Ms. St. Peter stated that the project will be a one year process: five months to develop an overview of the economy (using market data provided by Brookings), four months to develop the lead initiative, and three months to develop a prospectus and policy memorandum. Ms. St. Peter stated that the policy memorandum will be targeted to state and federal policy makers and positions the region to fund economic development ventures.

Ms. St. Peter stated that MAG would drive the process and Brookings would advise, assist technically and coordinate the partners. She stated that MAG would be responsible for the deliverables: the lead initiative, the prospectus and the policy memorandum. Ms. St. Peter stated that one of Brookings' goals is potentially doing some fund raising in the region to defray about \$150,000 in costs. She noted that Brookings would be dedicating four staff members for the year. Ms. St. Peter stated that MAG's budget for the project would be approximately \$300,000, a portion of which would be MAG staff in-kind and about \$166,000 for business consultants.

Ms. St. Peter stated that if approved by the Regional Council and if selected by Brookings, the project kickoff meeting would be held in June, at which time discussion of which stakeholders to bring to the table would take place. She noted that the benefits of participation include the potential for additional federal funding. Ms. St. Peter stated that the Business Plan could be a catalyst for economic development, which was indicated in her conversation with Puget Sound. She stated that through the Business Plan Brookings' expertise could be accessed and engage in networking with the other regions engaged in a similar process. Ms. St. Peter stated that Brookings intends for this to be very high profile and anticipates a public launch of the initiatives in autumn 2012.

Ms. St. Peter stated that there was concern for the quick turnaround and it is a departure from business as usual. She said that the Business Plan would help in efforts new to the region. Ms. St. Peter stated that the proposal requires a university connection and Arizona State University and Thunderbird School of Global Management are on board to serve on the Leadership Advisory Team. She noted that Thunderbird was ranked the number one international business school by US News and World report, and Joseph Cavinato, who serves on the MAG Economic Development Committee, has expressed interest in serving on the Leadership Advisory Team. Ms. St. Peter also noted that they are also working with Julia Rosen and Todd Hardy from ASU Sky Song, who have a lot of expertise in this area and would bring value to the process.

Mr. Smith stated that a group would be formed around the chosen lead initiative, for example, solar or aerospace, then technical experts would be brought in to help drive that process. Ms. St. Peter stated that when she spoke to Puget Sound, they indicated they had one advisory team but recommended there be two teams – one to lead the overview and start the process and a second team that was industry specific to bring in the key experts to get to the action steps that promote economic development within the lead initiative.

Mr. Smith stated that Ms. St. Peter had prepared the proposal, and due to the timing, it needs to be submitted by May 26, 2011. He said that staff is looking for guidance from the Regional Council on whether to proceed.

Chair Schoaf commented that the Regional Council should be proud of MAG staff. He stated that Brookings brought this potential partnership to MAG at the beginning of May. It was quickly analyzed and appeared to be an opportunity for the region to participate from a number of different viewpoints. Chair Schoaf stated that there could be a number of advantages and benefits to the community. He stated that the EDC reviewed the information from the request for partnership and decided to hold a forum with Brookings. Chair Schoaf said that the forum was held and the proposal drafted. He stated that he had seen the proposal – it was well thought out and staff had done a very credible job, especially given the time constraints. It draws a variety of partners in the community that could be of great assistance. Chair Schoaf asked members if they had questions.

Mayor Scruggs stated that in the past couple of weeks, GPEC has invited mayors to discuss new initiatives. She said that she thought the Business Plan would fit in quite well in their outreach to cities to build one unified approach to economic development. Mayor Scruggs asked the reason for GPL's position to not participate. Mr. Smith replied that he thought GPL declining to participate was due to a timing issue. He explained that GPL indicated it currently has a lot on its plate. Mr. Smith added that they still hope to involve GPL at a level in which it would be able to participate. Mayor Scruggs noted that the session she attended, which Mayor Lane also attended, GPEC was very open and reached out to cities. Ms. St. Peter stated that GPEC is very much behind this proposal and Barry Broome has expressed interest in serving on the Leadership Advisory Team. She added that GPEC submitted a lot of material for the proposal.

Mayor Lewis asked for clarification of the \$300,000 cost to MAG. Ms. St. Peter replied that a full-time consultant at \$80 per hour for 2,080 hours would be \$166,000; the MAG staff in-kind is estimated at \$100,000; the balance would be community outreach, such as surveys or printing. She added that those costs are the most flexible to adjust, and \$300,000 is the highest cost anticipated.

Mayor Lewis asked if there was a sense of the probability the MAG proposal would be selected if submitted. Ms. St. Peter stated that they are hopeful of being selected. She noted that Brookings had invited a limited number of regions and she hoped it boded well that Brookings had extended the deadline to allow MAG to submit a proposal. Ms. St. Peter indicated that Brookings had been working a lot with MAG over the past few weeks. She reported that Brookings indicated that they need to submit the proposal by the end of the month and wants to notify those awarded by May 30.

Mayor Lewis stated that he had a chance to participate in the first part of the discussion with Brookings and was impressed. He indicated that he felt there was a lot of positive energy and partners and it seemed the end result will help us answer a lot of questions about diversifying. Mayor Lewis thought it was a way to bring together the entire state and community. He asked for clarification if GPL said it was not participating in funding or in the process. Mr. Smith replied that they were not asking for any funding from GPL; MAG was asking for participation and leadership. He added that there are a number of people on the GPL Board who are also on the GPEC Board. Mayor Lewis asked for clarification that the business community would be actively involved. Mr. Smith replied that was correct.

Chair Schoaf noted that the budget quoted was for a full one year effort, and it is possible it might be completed in six months. He explained that rather than base the proposal on that aggressive of a process,

staff felt they would base the proposal on a year process to allow sufficient time to ramp up the process and do a good quality job. Chair Schoaf noted that if the effort is completed in six months, the cost would decrease about \$80,000.

Mayor Lane said that finishing the project in six months versus one year could change the situation, but he wondered if a need for additional staff was anticipated. Mr. Smith replied that had not yet been decided. He added that the Administrative Division currently staffs five policy committees and things are getting a little tight. Mr. Smith stated that an intern is being considered, but they will try to do what they can with the existing staff. Mr. Smith stated that Ms. St. Peter, who is the Human Services Manager, is very good at these types of efforts, and is being enlisted to work on this project.

Mayor Lane stated that in-kind would apply to existing personnel. He asked any increase in staff would be temporary. Mr. Smith replied that a need for additional staff is unknown and that was the reason the decision had not been made. He noted that an intern would be a temporary addition and another option is a MAG Associate, which is a consultant arrangement. Mr. Smith added that a full time employee is not envisioned.

Mayor Lane asked for clarification of the source of funding if additional staff was required. Mr. Smith replied that in researching the Intermodal Surface Transportation Efficiency Act, the enabling legislation talks about one of the purposes for transportation planning is to foster economic development. He commented that he felt this would be fully fundable with federal funds.

Mayor Lane asked for clarification that funding was available and it would not be a matter of exchanging funding with that from another area. Mr. Smith replied that was correct.

Mayor Lane asked if MAG would need to cover the \$150,000 if Brookings was unsuccessful in its fundraising. Ms. St. Peter replied no. She further explained that Brookings indicated that the fundraising is a goal, not a requirement. Ms. St. Peter stated that Brookings was careful to say they would coordinate any ask in this region with MAG so as to not compete with any current fundraising efforts. She added that she thought Brookings included fundraising as a goal because the pilot project with three cities was costly to them and they are looking at opportunities to defray portions of the cost.

Mayor Lane asked for clarification if the \$150,000 was part of MAG's \$300,000 cost. Ms. St. Peter replied that the \$150,000 was separate from the \$300,000 and is the cost of Brookings dedicating four staff members for one year. Mayor Lane asked if Brookings was just looking for cooperation in fundraising. Ms. St. Peter replied that was correct; if Brookings fell short of its fundraising goal, it would just proceed with the project.

Mayor Lane said that his one concern is for the integration with GPEC. He remarked that it sounded like GPEC was on-board and the project would be useful to them on a statewide basis.

Mr. Arnett stated that GPL has strong economic development teams, such as APS, Cox, SRP, Qwest, etc. He stated that GPL ought to be engaged in this effort, even though it is formally not participating, and it could add a great deal to the project.

Chair Schoaf stated that as time goes on, efforts will be made to make the team as broad as possible and include stakeholders who could add value to the project.

Mayor Smith expressed that the opportunity to participate in this program was exciting for him. He said the comment that this would be a departure from business as usual got his attention because business as usual has not served this region well. Mayor Smith stated that this region has not had a concerted, specific, uniform plan. He said that this is an opportunity to do that and involve an organization such as Brookings, which has a national and international reputation, and brings credibility that the region could not achieve on its own. Mayor Smith applauded Mr. Smith and staff for supporting this effort. He said it is a unique opportunity with minimal downside. MAG submits a proposal and, if chosen, it will have a great team involved, even if some choose to follow than lead. Mayor Smith expressed that he thought this opportunity should be pursued aggressively because these types of activities are important. Mayor Smith expressed appreciation for all of the effort that has gone into this so far and he hoped for continued support in the future.

Vice Chair Hallman moved approval to submit a proposal for participation in the Brookings Metropolitan Business Planning Initiative. Mayor Smith seconded.

Before a vote was taken, Mayor Rogers expressed her agreement with everything that had been said, but she wanted clarification of the role of the Arizona Commerce Authority and whether there has been conversation with them. Mr. Smith replied that the Arizona Commerce Authority is a member of the Economic Development Committee. He said that he has tried to reach them the last couple of days, but he believed they were in transition and it is hard to reach them right now. Mr. Smith said that the Arizona Commerce Authority has been supportive of MAG's efforts.

Chair Schoaf noted that the Arizona Commerce Authority does not actually come into existence until July 1, 2011, and until that date, it will be difficult to say how that partnership will work. He said they will do everything in their power to bring them on board.

With no further discussion, the vote on the motion passed unanimously. Chair Schoaf extended his appreciation to staff who worked on the proposal. He said they had done a very good job.

8. MAG Regional Council Meeting Locations During the MAG Office Remodel

During the months of June, July and August, MAG will be remodeling its meeting rooms. Mr. Smith noted that the June meeting will be a teleconference call and the primary agenda item will be the election of officers. Mr. Smith stated that the passing of the gavel will take place at the July meeting, which will be held at the Tempe Center for the Arts, Lakeside Room. No questions for Mr. Smith were noted.

9. Domestic Violence Protocol Evaluation Project

Barbara Marshall, Prosecutor with the Maricopa County Attorney's Office and Vice Chair of the Regional Domestic Violence Council, addressed the Regional Council on the MAG Protocol Evaluation

Project. She expressed regrets on behalf of the Chair of the Regional Domestic Violence Council, Commander Kim Humphrey, Phoenix Police Department, who was unable to attend the meeting.

Ms. Marshall stated that for years there has been a domestic violence protocol in Maricopa County for the prosecution of offenders. She said that the Domestic Violence Council realized that there is not a one-sized fits all approach and perhaps a reevaluation was needed to see if misdemeanors should be handled differently than felonies. Ms. Marshall stated that the goal is to enlist the aid of leadership to ensure that municipal law enforcement and prosecutors are at the table to assist in the effort.

Ms. Marshall stated that the work of the Protocol Evaluation Project builds on the foundation built by the MAG Regional Domestic Violence Council. She noted that for more than 10 years, this committee has developed regional approaches to domestic violence through activities in healthcare, employers, teens, and most recently, the criminal justice system.

Ms. Marshall stated that the MAG Regional Domestic Violence Council received the Distinguished Service Award for its accomplishments. She showed a picture of Commander Kim Humphrey receiving the award from Arizona Attorney General Tom Horne.

Ms. Marshall stated that the Protocol Evaluation Project represents an important opportunity to reassess the way domestic violence offenders are arrested and prosecuted. She noted that domestic violence cases have the highest dismissal rate and the lowest conviction rate of prosecutions. Ms. Marshall stated that they hope the Protocol Evaluation Project can make a significant difference in the ability to reduce human suffering and exorbitant costs expended on domestic violence.

Ms. Marshall stated that in her almost 25 years experience in prosecution, she has seen considerable variations in approaches to domestic violence cases throughout the County. She noted that law enforcement responds to calls at the same houses time and time again because they were not resolved at the first call. Ms. Marshall stated that the violence escalates and the costs grow.

Ms. Marshall stated that these inconsistencies also miss opportunities to share and implement best practices that have proven beneficial in one or more municipalities. For example, the Phoenix Police Department is trying a new approach that asks more open ended questions to determine a pattern of coercive control. She stated that this is really a threat assessment to determine if the violence is following a pattern or is a one-time occurrence. Ms. Marshall stated that if this approach works, it can be shared with the rest of the region. She noted that there are other success stories throughout the region, but we do not know about them unless we talk to each other and coordinate our efforts.

Ms. Marshall stated that for some, this work will come too late. She noted that every year, more than 100 people in this state lose their lives at their hands of their loved ones, and thousands more suffer from verbal and physical abuse. Ms. Marshall stated that the goal of this project is to intervene quickly before the violence escalates to a homicide. Ms. Marshall reported that every year, law enforcement in Arizona receives more than 49,000 calls for domestic violence, and half of the calls generated in the state are from Maricopa County.

Ms. Marshall stated that domestic violence calls are some of the most dangerous, expensive, and prevalent calls law enforcement receives. In many communities, law enforcement receives more calls for domestic violence than any other crime. She said that generally, domestic violence is one of the top three calls received.

Ms. Marshall stated that the manner of responding to domestic violence makes a difference, and she requested the assistance of the Regional Council in developing a more consistent regional approach. She said that Regional Council support of the project will ensure the right people are at the table to develop a comprehensive regional protocol for misdemeanor domestic violence cases.

Rena Tenney, MAG Human Services Planner, continued the presentation. She advised that a MAG study determined that the region spends between \$18 million to 26 million per year responding to domestic violence through law enforcement, the courts, and jails. Ms. Tenney stated that efforts to streamline the system will save municipalities significant amounts of money.

Ms. Tenney noted that local prosecutors estimate 80 percent of domestic violence cases are dismissed, most often because the victim has recanted. When a victim is involved, 90 percent of the cases end with a conviction. She indicated that the key to delivering justice is having the victim involved, and the key to having the victim involved is having a quick and efficient trial.

Ms. Tenney stated that the MAG Protocol Evaluation Project is identifying opportunities to ensure domestic violence offenders are arrested and prosecuted in the most efficient, effective manner possible. The focus is on misdemeanor cases because they represent 92 percent of domestic violence cases and are dismissed most often.

Ms. Tenney stated that a STOP grant received from the Governor's office funded the Protocol Evaluation Project, which began in May 2010 with the support of 13 formal partners including six police departments, two prosecutors offices, and five victim assistance/advocacy agencies. Ms. Tenney stated that every municipality in the region has been involved to varying degrees, and all the municipalities are requested to be fully engaged in this project, through such things as holding internal meetings with law enforcement, prosecutors, and victim advocates to discuss how this work could be supported.

Ms. Tenney expressed the need for everyone to send their best representatives to the affinity group meetings. She said that MAG will house the model domestic violence misdemeanor protocol. Ms. Tenney stated that this fall, MAG will be seeking the endorsement of the Arizona Association of Chiefs of Police, the Arizona Prosecuting Attorneys Advisory Council, and AZ POST to ensure the model reflects priorities and is appropriate to needs.

Ms. Tenney stated that through the Domestic Violence Protocol Evaluation Project, the Domestic Violence Council is reaching out to community partners to find out what can be done to better serve victims, increase public safety, and increase efficiency in the criminal justice system. She said that the people on the ground, law enforcement personnel, first responders, and prosecutors, have the answers. Ms. Tenney stated that those in the field were consulted on what could be done to make this system more effective.

Ms. Tenney stated that they discovered there are 106 different protocols being used by law enforcement and prosecutors across the region. Research of others across the country revealed 28 local protocols align with national best practices, but implementation of these protocols has been isolated. Thirteen were found to have a low rate of implementation. Ms. Tenney stated that they learned about local law enforcement agencies trying new ways of approaching domestic violence, such as asking more questions at the scene, writing better reports, and using assessment tools to identify those victims facing immediate danger. Regional replication of these, and other best practices, will result in a more efficient system reducing costs to municipalities, and increasing public safety.

Ms. Tenney stated that law enforcement personnel, first responders, and prosecutors already have benefitted by strengthening lines of communication and identifying opportunities to work better together. For example, a one-hour meeting of law enforcement personnel resulted in the exchange of six tools and resources for enhancing their work. Ms. Tenney stated that strong working relationships have been, and will continue to be, a key component of this project. These relationships are critical to developing the model policy, which will include a menu of options and implementation tools.

Ms. Tenney stated that collaborative training opportunities will assist with policy implementation. She said that training will be held at the Arizona Association of Chiefs of Police Annual Conference in September, and at a MAG training event this autumn. Ms. Tenney stated that the success of the Domestic Violence Protocol Evaluation Project relies on the support and participation of the MAG member agencies. Members of the Regional Council were requested to share their support of this project with staff, to encourage their law enforcement and prosecutors to participate in upcoming affinity group meetings, and to take this information back and solicit feedback from criminal justice system counterparts. Ms. Tenney stated that savings accrued from making the system more efficient can be used in other areas. She stated that additional information is on the MAG website and offered the staff's assistance in answering questions.

Chair Schoaf thanked Ms. Marshall and Ms. Tenney for their presentations. He said that as Chair of the MAG Regional Council, he had become involved in some of the domestic violence meetings. Chair Schoaf stated that MAG has done a good job promoting regional approach to the problem of domestic violence. He expressed that it was important that all cities and towns participate. Chair Schoaf noted that this is an opportunity to share best practices and have a collaborative approach.

Mr. Smith stated that this is a real opportunity to make a difference in domestic violence. He said that he had spoken to Governor Brewer about this and she is personally committed to the issue of domestic violence. He noted that the Governor provided the \$250,000 for this project, and it would be a shame if the request for involvement was not communicated back to the chiefs of police and prosecutors. Mr. Smith stated that this is an opportunity to help victims and to lessen the financial impacts of domestic violence. He stated that agencies send two police officers to very dangerous domestic violence calls and are still not getting convictions due to an inconsistent system. Mr. Smith stated that one of the first efforts at MAG in 1967 was uniformity of streets and domestic violence prosecutions now need uniformity. He said that victims run from city to city to city when they are in danger and are going to run into a different system every place they go. Mr. Smith stated that he hoped the Regional Council would take this message back to their city and work on this regional protocol.

Mayor Scruggs referenced the request to have the police and prosecutors involved. She asked if a city judge would fit in with this process. Mayor Scruggs mentioned that Judge Elizabeth Finn, the Glendale presiding judge, has past experience as a leader in domestic violence issues. Ms. Tenney replied that Judge Finn has been involved in this process. She added that she herself sits on the Arizona Supreme Court Committee on the Impact of Domestic Violence, and she is able to receive feedback from the judicial branches. Mayor Scruggs commented that judicial was a different direction and she asked if the cost to the police department and prosecutor's office was being emphasized through the Protocol Evaluation Project. Ms. Tenney replied yes. Mayor Scruggs asked if Glendale participates in the Protocol Evaluation Project. Ms. Tenney replied yes.

Mr. Smith offered to send to the Regional Council a list of those who participate in the project.

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

Lindy Bauer, MAG Environmental Director, reported on activities related to MAG's efforts to prevent PM-10 exceedances. She noted that the City of Phoenix Dust Reduction Task Force completed its short term goals on April 15, 2011, and its long term goals on May 15, 2011.

Ms. Bauer stated that Maricopa County is working on upgrades, expected to be completed by May 31, 2011, to provide "near real time" monitor data that everyone will be able to watch. She noted that MAG is producing a PM-10 prevention video, which is expected to be completed by May 31, 2011. Ms. Bauer reported that a network of 28 member agencies has been established to prevent PM-10 exceedances regionwide. Ms. Bauer stated that the Maricopa County is coordinating with MAG member agencies to avoid duplication.

Ms. Bauer stated that MAG has developed a Rapid Response Action Plan Template and Tool Kit. Ms. Bauer stated that MAG will hold a third PM-10 prevention workshop on May 26, 2011, with local governments and Maricopa County.

Ms. Bauer stated that Arizona Department of Environmental Quality will send the Maricopa County Dust Control Action Forecast five days in advance, instead of three days in advance. She noted that 2009 may be clean, 2010 was clean, and 2011 is clean so far. Ms. Bauer said they are hopeful the region will have three years of clean data at the monitors. She commented that preventing exceedances is critical in attaining the standard.

Ms. Bauer stated that MAG staff, while filming the PM-10 video on location, witnessed a bobcat doing demolition work within 190 feet of a PM-10 monitor on a high wind day. She played the clip that staff filmed of the incident. Ms. Bauer noted that the city rapidly responded to the incident. Ms. Bauer showed a second clip of a member agency doing weed abatement without using water. She explained that it was toward the end of the day and the workers continued with the weed abatement even though the truck had run out of water. Ms. Bauer explained that the County has Rule 300 in place at all times. She noted that the member agency was fined by the County. Ms. Bauer remarked that the County has stepped up its enforcement efforts to prevent PM-10 exceedances. Mr. Smith stated that the County just cannot be at all locations and the municipalities can assist them.

Ms. Bauer stated that last month, the Regional Council discussed the Revised 2008 Annual PM-10 Emissions Inventory, which will serve as a foundation for the new Five Percent Plan. She noted that at 24 percent, dust from unpaved roads is the largest source of PM-10 emissions. She stated that a 2009 unpaved road inventory estimates that there are approximately 1,884 miles of unpaved roads in the PM-10 nonattainment area, of which 613 are public unpaved roads and 1,271 are private unpaved roads. Ms. Bauer displayed maps of each of the 18 monitors, which showed the surrounding area from four miles out and two miles out. She pointed out that the red lines indicated private roads and the green lines depicted public roads. Ms. Bauer stated that the areas surrounding the Apache Junction and Zuni monitors have a large number of private unpaved roads, but they are not a problem for PM-10. She noted that Buckeye monitor, which is outside the nonattainment area, has sometimes gone over, and the Higley monitor has sometimes gone over, but not in recent years.

Ms. Bauer advised that staff looked at unpaved roads that have more than 150 average trips per day and found that those roads mostly had been stabilized, and it does not appear that dirt roads are causing the violations at the monitors. Ms. Bauer stated that for the five percent reduction in emissions needed for the new Plan, which is independent of what is needed to attain the standard, paving roads might be useful. She indicated that staff is also looking at the Transportation Improvement Plan to see which dirt road projects will obligate in 2011 and open in 2012. She said that staff will continue to work with the MAG Executive Committee to see if anything could be done with private unpaved roads.

Chair Schoaf thanked Ms. Bauer for her report. No questions from the Council were noted.

11. 2009 Implementation Status of Committed Measures in the MAG 2007 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area

Ms. Bauer stated that on May 23, 2007, the MAG Regional Council approved that each year, MAG would issue a report on the status of the implementation of the committed measures for this region by the cities, towns, Maricopa County and the State. She noted that this is the second year the report has been provided, and even though the Five Percent Plan for PM-10 was withdrawn, the measures continue to be implemented.

Ms. Bauer addressed those measures in which the commitments in the Plan have been exceeded by state, local, and county entities. For Measure 26 (Pave or stabilize existing public dirt roads/alleys), in 2008 and 2009, the implementing entities of county and local governments paved or stabilized 73 miles of public dirt roads (16 miles more than the commitments) and 346 miles of dirt alleys (166 miles more than commitments).

Ms. Bauer noted that in 2008 and 2009, for Measure 27 (Limit speeds to 15 mph on high traffic dirt roads), the implementing entities of county and local governments posted 15 mph speed limit signs on 57 miles of high traffic dirt roads (29 miles more than commitments).

Ms. Bauer noted that in 2008 and 2009, for Measure 28 (Pave or stabilize unpaved shoulders), the implementing entities of ADOT, the county, and local governments paved or stabilized 675 curb miles of dirt shoulders (419 curb miles more than commitments).

Ms. Bauer noted that for Measure 45 (Prohibit use of leaf blowers on unstabilized surfaces), Maricopa County, the implementing entity, adopted an ordinance and one local government, Apache Junction, although not required, adopted the ordinance.

Ms. Bauer noted that for Measure 53 (Repave or overlay paved roads with rubberized asphalt), the implementing entity, ADOT, repaved 12 miles of highway with rubberized asphalt, which is seven miles more than the commitment in the Plan.

Ms. Bauer then addressed measures not implemented. She noted that Measure 5 (Establish a certification program for Dust Free Developments as an industry standard) was not implemented by ADEQ due to ADEQ budgetary constraints.

Ms. Bauer noted that Measure 20 (Provide incentives to retrofit nonroad diesel engines and encourage early replacements with advanced technologies), was not implemented by Maricopa County due to the fact that funding to provide incentives to retrofit nonroad engines was not established through ARS 49-474.07.

Ms. Bauer stated that Measure 39 (Modeling cumulative impacts), was partially implemented through a draft policy developed by Maricopa County and ADEQ, which was distributed for public review in February 2010.

Ms. Bauer stated that Measure 42 (Arizona Legislature provides funding to ADEQ for four agriculture dust compliance officers for a total of five inspectors), was not implemented by ADEQ because the expenditure authority for the two additional inspectors is no longer available to ADEQ.

Ms. Bauer summarized the conclusions by saying that a majority of the implementation results meet or exceed Five Percent Plan commitments and violations of the PM-10 standard have declined, for which she credited the member agencies and ADOT. She advised that the measures in the Plan have successfully controlled violations in stagnant conditions. Ms. Bauer stated that 2010 was a clean year and 2009 and 2011 may be clean years. Ms. Bauer stated that MAG will continue to track the progress in implementing Plan commitments in 2010. Ms. Bauer noted that this item was on the agenda for action following recommendations by the Air Quality Technical Advisory Committee and the Management Committee to forward the 2009 Implementation Status of Committed Measures in the MAG 2007 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area to the Governor's Office, Arizona Legislature, Arizona Department of Environmental Quality and Environmental Protection Agency.

Chair Schoaf thanked Ms. Bauer for her presentation and asked members if they had questions. None were noted.

Vice Chair Hallman moved approval to forward the 2009 Implementation Status of Committed Measures in the MAG 2007 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area to the Governor's Office, Arizona Legislature, Arizona Department of Environmental Quality and Environmental Protection Agency. Councilmember Esser seconded, and the motion passed unanimously.

12. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting were requested.

No requests for future agenda items were noted.

13. Comments from the Council

An opportunity was provided for Regional Council members to present a brief summary of current events. The Regional Council 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.

Chair Schoaf noted that letters from Transportation Policy Committee (TPC) members interested in serving as the Chair or Vice Chair of the TPC were due to the MAG office by June 13, 2011.

Adjournment

There being no further business, Mr. Arnett moved, Councilman Esser seconded, the meeting adjourned at 6:30 p.m.

Chair

Secretary