

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

March 25, 2015  
MAG Office, Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

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| Mayor Michael LeVault, Youngtown, Chair                      | Mayor Thomas Schoaf, Litchfield Park                                   |
| * Mayor W. J. "Jim" Lane, Scottsdale,<br>Vice Chair          | * Mayor Christian Price, City of Maricopa                              |
| * Vice Mayor Robin Barker, Apache Junction                   | * Supervisor Denny Barney, Maricopa County<br>Mayor John Giles, Mesa   |
| # Mayor Kenneth Weise, Avondale                              | * Mayor Michael Collins, Paradise Valley<br>Mayor Cathy Carlat, Peoria |
| Mayor Jackie Meck, Buckeye                                   | Mayor Greg Stanton, Phoenix  |
| Councilmember Mike Farrar, Carefree                          | Supervisor Todd House, Pinal County                                    |
| Councilmember Dick Esser, Cave Creek                         | # Mayor Gail Barney, Queen Creek                                       |
| # Mayor Jay Tibshraeny, Chandler                             | * President Delbert Ray, Salt River<br>Pima-Maricopa Indian Community  |
| Mayor Lana Mook, El Mirage                                   | Mayor Sharon Wolcott, Surprise   |
| * Mayor Tom Rankin, Florence                                 | * Mayor Mark Mitchell, Tempe   |
| * President Ruben Balderas, Fort<br>McDowell Yavapai Nation  | * Mayor Adolfo Gamez, Tolleson   |
| Mayor Linda Kavanagh, Fountain Hills                         | * Mayor John Cook, Wickenburg  |
| * Mayor Chuck Turner, Gila Bend                              | Mr. Roc Arnett, Citizens Transportation<br>Oversight Committee         |
| * Governor Stephen Roe Lewis, Gila River<br>Indian Community | Mr. Joseph La Rue, State Transportation Board                          |
| Mayor John Lewis, Gilbert                                    | Mr. Jack Sellers, State Transportation Board                           |
| Mayor Jerry Weiers, Glendale                                 |  |
| Mayor Georgia Lord, Goodyear                                 |  |
| # Mayor Rebecca Jimenez, Guadalupe                           |  |

\* Those members neither present nor represented by proxy.

# Attended by telephone conference call.

+ Attended by videoconference

1. Call to Order

The meeting of the MAG Regional Council was called to order by Chair Michael LeVault at 11:35 a.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Mayor Gail Barney, Mayor Rebecca Jimenez, Mayor Jay Tibshraeny, and Mayor Kenneth Weise joined the meeting by teleconference.

Chair LeVault welcomed back a returning member of the MAG Regional Council, Councilmember Dick Esser from Cave Creek. Councilmember Esser previously served as the Cave Creek representative on the Regional Council.

Chair LeVault noted that material for agenda item #9, Legislative Update, and an invitation to the “Stand Up 4 Transportation Day” event on April 9, 2015, were at each place.

Chair LeVault noted that hearing assisted devices were available from MAG staff. Chair LeVault requested that members of the public who would like to comment fill out a blue public comment card for the Call to the Audience agenda item, or a yellow public comment card for Consent Agenda items or items on the agenda for action. Transit tickets for those who purchased a transit ticket to attend the meeting and parking validation were available from staff.

3. Call to the Audience

Chair LeVault noted that the Call to the Audience provides an opportunity 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 LeVault recognized public comment from Mr. Howard May, who spoke about the 19<sup>th</sup> Avenue light rail extension. Mr. May expressed concern that some City of Phoenix staff members told him that some bus stops were not important, such as the one located at 6800 N. 19<sup>th</sup> Avenue where the Fry’s grocery store is located. He stated that a City of Phoenix policy committee made this decision and he figured there were other decisions made similar to this. Mr. May stated that more appropriately-placed bus stops nearby grocery stores and general merchandise stores are needed. He noted that people with disabilities might not shop at certain stores because they have to walk too far from transit stops. Mr. May added that the bus stops along McDowell Road in Avondale are spaced one-half mile apart, and the elderly and those with disabilities will get lost and then decide to shop elsewhere. Chair LeVault thanked Mr. May.

Chair LeVault recognized public comment from Ms. Dianne Barker, who stated that she was a resident of Phoenix. She said that she came to the meeting on her bicycle and that multimodal feels good. Ms. Barker stated that Phoenix traditionally has more transit than other cities in the region and is currently heading toward a transit election. She remarked that the transit system needs a total reform, and could perhaps include such elements as elevated transit. Ms. Barker stated that her mother is in her nineties and has no wrinkles, likely because she was not in the sun a lot. She said that her parents were of the Greatest Generation and her father was a pilot in World War II. Ms. Barker stated that this generation was an inflexible generation, and she added that her mother never used transit. Ms. Barker reported that

her mother won a dance contest at the age of five doing the Charleston. Chair LeVault thanked Ms. Barker.

Chair LeVault recognized public comment from Mr. John Rusinek, who spoke of his dust problems. He reported that on February 26, 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 of his entire property. He stated that he asked the City of Phoenix meet with him and if they show him he is wrong, he will walk away. Mr. Rusinek stated that no one will meet with him, except he did get to meet with Councilman Sal DiCiccio once. Chair LeVault thanked Mr. Rusinek.

#### 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 Age-Friendly Conference and competitions will take place on May 6, 2015, at the Ina Levine Jewish Community Campus in Scottsdale.

Mr. Smith stated that the 2015 Homeless Street Count took place on February 24, 2015. He expressed his appreciation to the more than 400 volunteers who participated in the count. Mr. Smith stated that Phoenix Mayor Greg Stanton and President Obama's Senior Policy Advisor on the White House Domestic Policy Council also participated in the count. He added that the results of the count are anticipated in May 2015.

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 area similar to the Sun Corridor in Arizona. Mr. Smith added that the representatives from Utah were unable to attend the Intermountain West meeting because they were at their Legislature and got a tax increase passed. He stated that in Utah all of their political support is linked together and they add money for transportation – in Arizona, they take it away.

Mr. Smith stated that MAG has developed a new web viewer that focuses on elementary school achievement statewide for Read On Arizona sponsored by the Piper Charitable Trust. He noted that the viewer was demonstrated at Piper Charitable Trust on March 13, and he added that Chair LeVault and Councilmember Joanne Osborne spoke at the event. Mr. Smith explained that with the viewer, users can look at educational statistics down to the school level and the viewer demonstrates that some low income, high minority schools are sometimes great schools. Mr. Smith stated that the website will go

active in a few weeks. Chair LeVault expressed his appreciation to Councilmember Osborne for speaking at the presentation.

Mr. Smith stated that it has been a long time coming, and the South Mountain/Loop 202 Freeway Record of Decision has been announced. He noted that the South Mountain freeway has been on the map since 1985. Mr. Smith stated that ADOT is purchasing right-of-way, and he added that legal challenges are likely. He asked staff who worked on the project to stand and be recognized.

Chair LeVault thanked Mr. Smith for his report.

5. Approval of Consent Agenda

Chair LeVault noted that agenda items #5A, #5B, #5C, #5D, and #5E were on the Consent Agenda.

Chair LeVault recognized public comment from Mr. Howard May, who commented on agenda item #6. Mr. May urged that bus and/or shuttle service continue in the area of construction for the Northwest Phase II light rail until it is completed. He suggested that rapid service between light rail stations might be an option because people do not like to transfer. Mr. May stated that Phoenix has a shuttle along the Red Line, which goes along 19<sup>th</sup> Avenue to Metrocenter and he added that he thought limited stops were beneficial. He said that a bus route heading farther north on 19<sup>th</sup> Avenue is part of the proposed new City of Phoenix transportation plan. Chair LeVault thanked Mr. May.

Chair LeVault recognized public comment from Ms. Dianne Barker, who stated that citizens like to see their representatives at the meetings. She expressed support for Mr. May and stated that transportation users are the ones who need to say what works and what does not. Ms. Barker said that the United States has a government because it has a citizenry. Ms. Barker stated that elected officials and government owe service to the citizens, and the citizens owe allegiance to the elected officials and government. Ms. Barker expressed support for the minutes. She stated that Mr. Rusinek's dust problem is within Rule 310 and that she had submitted a proposal to the City of Phoenix to solve his problem but has not heard back. Ms. Barker noted that the city manager signed a statement of commitment for equality. She stated that the failure of the city to not resolve Mr. Rusinek's complaint is age discrimination. Ms. Barker expressed support for regional coordination of transportation, such as traffic signal synchronization. Chair LeVault thanked Ms. Barker.

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

Mayor Sharon Wolcott moved to approve Consent Agenda items #5A, #5B, #5C, #5D, and #5E. Councilmember Michael Farrar seconded, and the motion passed unanimously.

5A. Approval of the February 25, 2015, Meeting Minutes

The MAG Regional Council, by consent, approved the February 25, 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. 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 Regional Council, by consent, approved 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 are included in Table A. The FY 2015 Arterial Life Cycle Program project changes are included in Table B. On February 26, 2015, the MAG Transportation Review Committee recommended approval of the requested changes in Tables A and B. On March 11, 2015, the MAG Management Committee recommended approval of the requested project changes. Project change requests added since the Management Committee took action were noted on the tables.

5E. 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.

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 Transportation Review Committee and MAG 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 the opening dates are 2018 for the Tempe Streetcar and 2026 for the Phoenix Northwest Extension Phase II. 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 get to 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. If approved, Tempe would submit a Small Starts application in September 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.

Chair LeVault thanked Ms. Yazzie for her report and asked members if they had questions.

Mr. Roc Arnett asked if the motion was contingent upon Tempe identifying the \$23 million in funding. Ms. Yazzie replied that if Tempe could not secure the funding, the project would need to be delayed to a future year, due to the deadline for submittal of the Small Starts application in September. Mr. Arnett asked if it was prudent to include the contingency in the action. Ms. Yazzie replied that would be the decision of the Regional Council.

Chair LeVault recognized public comment from Mr. May, who indicated that he did not need more time to add to his previous comments.

With no further questions, Mayor Cathy Carlat moved 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. Mayor Jackie Meck seconded, and the motion passed unanimously.

7. 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 mentioned that letters indicating 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 indicating 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 on March 11, 2015, the MAG Management Committee recommended approval to the MAG Regional Council.

Ms. Hoffman stated that with approval by the MAG 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.

Mr. Dennis Smith noted that Pinal County, City of Maricopa, and Town of Florence abstain on votes on MAG 208 Water Quality Management Planning items because they are within the Central Arizona Governments 208 Water Quality Management Plan.

Mayor Jerry Weiers moved approval of the MAG 208 Water Quality Management Plan Amendment for the Liberty Utilities Palm Valley and Sarival Water Reclamation Facilities Service Area Expansion 2014. Mayor Tom Schoaf seconded, and the motion passed, with Supervisor Todd House abstaining.

8. 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 were incorporated into the draft Work Program. Ms. Kimbrough stated that the Work Program includes the project narratives, outcome measures and project objectives.

Ms. Kimbrough stated that the FY 2016 MAG budget is more than \$2.4 million less than the FY 2015 budget, because there are fewer carry forward projects and fewer requests for new projects. She noted that the budget amount is subject to change until finalization in May.

Ms. Kimbrough stated that the Work Program is reviewed each year by the federal agencies at the Intermodal Planning Group (IPG) meeting. She said that this year, the meeting occurred on March 17 and the Work Program received many good comments from the federal representatives and agency partners. Ms. Kimbrough stated that one of the positive comments was regarding MAG taking a proactive approach in meeting the economic development requirements in MAP-21 and the development of resources, such as the AZSmart Tool Kit, that would be helpful in the entire state, not just the MAG region.

Chair LeVault thanked Ms. Kimbrough for her report. No questions from the Council were noted.

9. Legislative Update

Mr. Nathan Pryor, MAG staff, provided an update on legislative issues of interest. Mr. Pryor first addressed federal legislation regarding the Environmental Protection Agency's (EPA) proposed standards for ozone. He said that in December 2014, EPA published a proposed rule to strengthen the national ambient air quality standards for ozone from 75 parts per billion to 65-70 parts per billion. Mr. Pryor reported that the Arizona Legislature has been considering a Senate Concurrent Memorial urging the EPA to refrain from reducing the ozone and expressing that nine of the 11 counties in Arizona that are monitored for ozone would be out of compliance if the ozone standard is changed. Mr. Pryor noted that the MAG region does not meet the current standard of 75 parts per billion.

Mr. Pryor reported that on the national level, the House is considering Resolution 1388 legislation that would prohibit the EPA from setting a more stringent standard until most of the country complies with the current standard. Mr. Pryor noted that comments have been submitted by various agencies, including the Arizona Department of Environmental Quality (ADEQ), which proposed a standard of 72 parts per billion – a number that is inconsistent with the proposed 75 parts per billion. He informed that MAG will continue to work with ADEQ on this issue and would bring any updates back to the Council.

Mr. Pryor then addressed state legislation. He noted that a copy of a letter was at each place from Associated General Contractors (AGC) Arizona Chapter dated March 13, 2015, regarding state budget impacts to infrastructure. He said that the letter that AGC had drafted was very effective in capturing these impacts. Mr. Pryor stated that the Highway Users Revenue Fund amount to the Department of Public Safety last year was approximately \$89 million and this year is approximately \$96 million. He expressed appreciation to AGC for the letter and keeping the focus of conversation on revenue.

Mr. Pryor addressed Senate Bill 1274, the ADOT Omnibus bill. He noted that the Regional Council received an update on this legislation at the February meeting. Mr. Pryor stated that SB 1274 contains a provision to transfer the staffing of the Citizens Transportation Oversight Committee (CTOC) to MAG; currently ADOT is responsible for staffing CTOC. Mr. Pryor stated that MAG staffing CTOC could create a conflict of interest because CTOC would no longer be independent of MAG.

Mr. Pryor explained that CTOC was created through legislation in 1994 and renewed in 2004 as part of Proposition 400 to provide citizen input/oversight on the MAG Regional Transportation Plan (RTP). 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 the affirmative to this audit recommendation. However, in January 2012, during discussion, members of the Transportation Policy Committee expressed concerns about a potential transfer of CTOC to MAG. Mr. Pryor noted that also in February 2012, CTOC responded in a letter that they were not in favor of the audit recommendation. Since then, staffing of CTOC has remained at ADOT.

Mr. Pryor stated that SB 1274 has passed the Senate and since then has been in the House. He reported that on March 16, 2015, the MAG Executive Committee unanimously approved a position opposing the transfer of CTOC to MAG and strongly opposes any proposal to eliminate CTOC.

Mr. Pryor stated that on March 17th, the House Transportation and Infrastructure Committee met to hear the bill. He reported that Mr. Dennis Smith and the CTOC chair, Mr. Roc Arnett, spoke against the provision to change CTOC staffing. They emphasized the promise to the voters to have a separation of oversight duties apart from MAG. The bill passed the committee unanimously without the CTOC bill provision being removed. Mr. Pryor expressed appreciation to Mayor Lana Mook for signing in as opposed.

Mr. Pryor stated that SB 1274 was scheduled to be heard that day in the House Appropriations Committee. MAG signed in as opposed to the bill noting the issue with the CTOC transfer provision. Mr. Pryor indicated that following the Appropriation Committee meeting, Chair LeVault is prepared to sign a letter to Speaker Gowan outlining MAG's concerns about transferring CTOC to MAG and will be requesting an amendment to the bill on the House floor. He added that MAG staff also will be reaching out to the Intergovernmental Representatives for assistance as they prepare for the bill to be heard on the House floor.

Chair LeVault asked MAG's chances. Mr. Pryor replied that staff would continue the campaign to inform.

Mayor Linda Kavanagh asked the reason for including the transfer of staffing from ADOT to MAG. Mr. Pryor replied that this change in staffing originated with the 2011 Performance Audit.

Mr. Smith commented that the responsibilities were muddled when Proposition 300 passed in 1985, and the 1991 Performance Audit more clearly enumerated each agency's responsibilities. Most of the decision making on the half cent sales tax ended up at MAG. Mr. Smith stated that they pursued a vote on a tax in 1994 to replenish what had been lost in the recession, and even though the vote was unsuccessful, they worked with the Legislature to put CTOC in place in order to have citizen oversight. He noted that when he testified at the Legislature on SB 1274, he indicated that accountability was an important element of the publicity pamphlet and ballot for Proposition 400 presented to the voters. Mr. Smith remarked that Proposition 400 raises more than \$375 million per year. He indicated that Mr. Dave Berry expressed it best when he said at a Transportation Policy Committee meeting that there needs to be a separation of power. Mr. Smith stated that MAG has been unsuccessful in convincing ADOT and the House Transportation Committee of this. He stated that Senator Worsley and Representative Coleman are the bill sponsors and agree with MAG to include an amendment. He remarked that this is bad public policy because a deal was made with the voters in 2004 that there would be oversight of the Plan, and he had concerns that this would not pass the front-page test at The Arizona Republic.

Chair LeVault requested that the Regional Council be informed if they could assist in any way.

Mayor Jerry Weiers noted that the Omnibus bill includes numerous elements. He asked if they had been asked to remove only the portion regarding CTOC staffing. Mr. Pryor replied that this had been the request to date. He noted that MAG had no objections to any other provision of the bill.

Mayor Weiers remarked that a positive statement to say we support something with an element removed is sometimes takes on a different connotation than saying we oppose an element in a piece of legislation. He asked for clarification if MAG has stated its support of the legislation as long as the CTOC staffing provision removed.

Mr. Smith replied that he testified that MAG expressed support for the rest of the bill and that it just wanted to remove the one provision about MAG staffing CTOC.

Chair LeVault added that this was also conveyed to the Chair of the House Transportation and Infrastructure Committee.

Mayor John Lewis stated that he watched the proceedings when Mr. Arnett and Mr. Smith testified and thought they presented a good case. He expressed that he was surprised to see the pushback and it seemed like the argument was not gaining any traction.

Mr. Smith stated that the common argument they are hearing is that cities staff their own committees with oversight provisions. He indicated that he thought it was a matter of scale and a promise to the voters. Mr. Smith noted that the bill sponsor in 1994 was Legislator Lela Steffey, who inserted the provision of a citizens transportation oversight committee. Mr. Smith added that the element of citizen oversight is something that will be needed if an extension of the sales tax is pursued.

10. 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 will be requested.

Mayor Greg Stanton stated that the City of Phoenix Council will be voting on its transportation plan later that day, and if it is in the affirmative, Phoenix could be pursuing a vote of the citizens in August. He offered that a briefing on what Phoenix is proposing could be provided to the Regional Council on a future agenda. Mayor Stanton remarked that the Plan could affect the future of transportation in the entire region.

Mayor Sharon Wolcott expressed that a briefing would be helpful.

Mr. Smith noted that a briefing on the Phoenix transportation plan would be agendized for the next Regional Council meeting.

11. Comments from the Council

An opportunity will be 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.

Mayor Greg Stanton encouraged members to attend the Stand Up 4 Transportation event on April 9, 2015. Mayor Stanton stated that the event is being held to recommend that Congress continue to fund transportation. He said that the event includes a parade of transportation vehicles in downtown Phoenix that starts at 10:00 a.m. Mayor Stanton expressed that he would like as many Regional Council members as possible to participate in the event. He added that a press conference will follow the parade.

Adjournment

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

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Chair

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Secretary