

August 23, 2016

TO: Members of the MAG Regional Council

FROM: Mayor Greg Stanton, Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 11:30 a.m.  
Wednesday, August 31, 2016  
MAG Office, Suite 200 - Saguaro Room  
302 North 1<sup>st</sup> Avenue, Phoenix

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. Supporting information is enclosed for your review. The meeting will include a working lunch.

Please park in the garage underneath the building. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Valerie Day at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation. Assisted listening devices are available from MAG staff at the meeting. If you have any questions, please call the MAG Office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL  
TENTATIVE AGENDA  
August 31, 2016**

**COMMITTEE ACTION REQUESTED**

1. Call to Order

2. Pledge of Allegiance

3. Call to the Audience

An opportunity will be provided to members of the public to address the Regional Council ON ITEMS THAT ARE NOT ON THE AGENDA THAT ARE WITHIN THE JURISDICTION OF MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

4. Executive Director's Report

The MAG Executive Director will provide a report to the Regional Council on activities of general interest.

5. Approval of Consent Agenda

Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (\*).

3. Information.

4. Information.

5. Approval of the Consent Agenda.

**ITEMS PROPOSED FOR CONSENT\***

\*5A. Approval of the June 22, 2016, Meeting Minutes

5A. Review and approval of the June 22, 2016, meeting minutes.

**\*5B. Project Changes - Amendments and Administrative Modifications, as Necessary, to the FY 2014-2018 Transportation Improvement Program, the FY 2017-2021 MAG Transportation Improvement Program, FY 2017 Arterial Life Cycle Program, and the 2035 Regional Transportation Plan**

The FY 2017-2021 MAG Transportation Improvement Program (TIP), FY 2017 Arterial Life Cycle Program (ALCP), and amendment to the 2035 Regional Transportation Plan (RTP) were approved by the MAG Regional Council on June 22, 2016. Since then project changes and additions to the TIP have been requested by member agencies. Further, the end of the federal fiscal year is approaching, and all Federal Highway Administration sub-allocated funding (Obligation Authority), for Federal Fiscal Year (FFY) 2016 must be utilized or will be lost from the region. The City of Phoenix Transit Department, as the Designated Recipient and Direct Recipient of certain Federal Transit Administration funding, is currently preparing and submitting FY 2016 grant requests for federal approval. Project changes related to the FY 2017-2021 MAG TIP, FY 2017 ALCP, and the 2035 RTP, as appropriate, are needed at this time. The requested project changes were recommended for approval on July 28, 2016, by the MAG Transportation Review Committee and on August 10, 2016, by the MAG Management Committee. Please refer to the enclosed material.

**\*5C. MAG Federally Funded, Locally Sponsored Project Development Status Report**

The MAG Federally Funded, Locally Sponsored Project Development Status Report was developed pursuant to the MAG Federal Fund Programming Guidelines & Procedures, approved by the MAG Regional Council on June 24, 2015. The Status Report provides information on the development and status of locally sponsored projects funded through the MAG competitive selection process for federal funds (primarily Congestion Mitigation and Air Quality Improvement Program funds and Transportation

5B. Approval of amendments and administrative modifications, to the Fiscal Year (FY) 2017-2021 MAG Transportation Improvement Program (TIP), FY 2017 Arterial Life Cycle Program, and 2035 Regional Transportation Plan as necessary, and of necessary project advancements, deferrals, modifications, and inclusion of detailed TIP listings for previously approved priority ordered projects related to apportioned Federal FY 2016 funding that are needed to balance the FY 2016 Obligation Authority or utilize FY 2016 Federal Transit Administration allocations based on the forthcoming final Obligation Authority distributions from the Arizona Department of Transportation and/or notifications by the region's transit Designated/Direct Recipient, supported by funding notices from the Federal Highway Administration and Federal Transit Administration.

**5C. Acceptance of the MAG Federally Funded, Locally Sponsored Project Development Status Report.**

Alternatives Program funds) for Federal Fiscal Years 2017 and 2018 of the approved TIP. The Status Report performs two key functions: 1) Provides verification that federally funded, locally sponsored projects fully comply with the fiscal constraint requirements of the Code of Federal Regulations (23 CFR §450). 2) Provides MAG with information necessary to make decisions to avoid the loss of federal funds as a result of federal "use it or lose it" requirements. The MAG Federally Funded, Locally Sponsored Project Development Status Report was recommended for acceptance on July 28, 2016, by the MAG Transportation Review Committee and on August 10, 2016, by the MAG Management Committee. Please refer to the enclosed material.

\*5D. Memorandum of Understanding for Coordination of Transportation Planning Activities in the MAG and Sun Corridor Metropolitan Planning Organization Planning Areas in Pinal County

MAG adjoins the Sun Corridor Metropolitan Planning Organization (SCMPO) and shares the West Pinal PM-10 Nonattainment Area and the West Central Pinal PM-2.5 Nonattainment Area with SCMPO. Included with this agenda is a draft Memorandum of Understanding jointly developed by MAG, SCMPO, the Arizona Department of Environmental Quality and the Arizona Department of Transportation. The Memorandum of Understanding largely documents transportation planning coordination activities that are already in place and is limited to planning coordination activities in the shared nonattainment and maintenance areas of the two MPOs only. The document has been reviewed by legal staff from all four parties to the agreement. The Memorandum of Understanding was recommended for approval on July 28, 2016, by the MAG Transportation Review Committee and on August 10, 2016, by the MAG Management Committee. Please refer to the enclosed material.

5D. Approval of the Memorandum of Understanding for coordination of transportation planning activities in the MAG and Sun Corridor Metropolitan Planning Organization (SCMPO) planning areas in Pinal County.

\*5E. Arizona Department of Transportation Red Letter Process

The MAG Regional Council approved the Red Letter Process in 1996 to provide early notification of potential development in planned freeway alignments. Development activities include actions on plans, zoning, and permits. The Arizona Department of Transportation (ADOT) has forwarded a list of notifications from January 1, 2016, to June 30, 2016. Twenty-five of the 186 notices received have an impact to the state highway system. ADOT is requesting that local municipalities visit with their respective staff and offices responsible to ensure participation in the Red Letter Program. Please refer to the enclosed material.

\*5F. FY 2017 MAG Pedestrian and Bicycle Facilities Design Assistance Program

The FY 2017 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2016, includes \$400,000 for the MAG Design Assistance Program for Bicycle and Pedestrian Facilities. The Design Assistance Program allows MAG member agencies to apply for funding for the preliminary design portion of a bicycle or pedestrian project. On May 26, 2016, MAG member agencies were requested to submit project applications for the Design Assistance Program. The applications were due June 23, 2016. On July 19, 2016, the Bicycle and Pedestrian Committee reviewed and ranked the applications and voted to recommend approval of six projects for \$400,000. The six projects for the FY 2017 MAG Pedestrian and Bicycle Facilities Design Assistance Program were recommended for approval on July 28, 2016, by the MAG Transportation Review Committee and on August 10, 2016, by the MAG Management Committee. Please refer to the enclosed material.

5E. Information and discussion.

5F. Approval of the six projects for the FY 2017 MAG Pedestrian and Bicycle Facilities Design Assistance Program: Tempe: Country Club Way Pedestrian Improvements and Bicycle Boulevard (\$72,608.25); Phoenix: 20th Street - Grand Canal to Glendale Avenue: Glendale Avenue - 20th Street to Squaw Peak Drive (\$69,967.95); Surprise: Grand Avenue Pedestrian Plaza (\$52,365.95); Mesa: Red Mountain Shared Use Pathway (\$70,408); Maricopa: Pedestrian and Bicycle Facilities at UPRR/SR 347 Overpass Project (\$70,408); Peoria: Skunk Creek Multi-Use Path: 73rd Avenue to 83rd Avenue (\$64,241.85).

\*5G. Status of Remaining MAG Approved PM-10 Certified Street Sweeper Projects That Have Not Requested Reimbursement

A status report is being provided on the remaining PM-10 certified street sweeper projects that have received approval, but have not requested reimbursement. To address new Federal Highway Administration procedures to minimize inactive obligations and to assist MAG in reducing the amount of obligated federal funds carried forward in the MAG Unified Planning Work Program and Annual Budget, we are requesting that street sweeper projects be purchased and reimbursement requests be submitted to MAG within one year from the date of the MAG authorization letter. Please refer to the enclosed material.

\*5H. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2017-2021 MAG Transportation Improvement Program and 2035 Regional Transportation Plan. The amendment and administrative modification involve several projects, including Arterial Life Cycle Program projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. Please refer to the enclosed material.

\*5I. Approval of Appointments of the MAG Economic Development Committee Member Agency Positions

Each year, the MAG Executive Committee recommends the appointments for the Economic Development Committee (EDC). On July 1, 2016, a memorandum was sent to the MAG Regional Council members soliciting letters of interest for the member agency positions on the EDC. The seven largest cities, in addition to the City of Phoenix, Maricopa and Pinal Counties and

5G. Information and discussion.

5H. Consultation.

5I. Approval of the appointments of the MAG Economic Development Committee (EDC) member agency positions.

the Arizona Department of Transportation, have dedicated representation on the EDC. Eight other member agencies, in addition to the dedicated seats, can request appointment or reappointment. The Chair and the Vice Chair of the Transportation Policy Committee (TPC) are also members of the EDC. This year, no letters were received from the Chair or Vice Chair of the TPC leaving these seats vacant. These jurisdictions (Mesa and Avondale) are represented on the EDC composition. On August 15, 2016, the MAG Regional Council Executive Committee recommended approval of the appointments of the MAG Economic Development Committee (EDC) member agency positions. The Regional Council is requested to approve the appointments of the MAG Economic Development Committee member agency positions. Please refer to the enclosed material.

- \*5J. Appointment of Vice President Martin Harvier, Salt River Pima-Maricopa Indian Community, to Serve on the Transportation Policy Committee

The composition of the Transportation Policy Committee (TPC), established by the MAG Regional Council on April 24, 2002, includes one elected official to represent the three MAG member agency Native American Indian Communities. The representative would be selected by the MAG Regional Council for a two-year appointment. President Delbert W. Ray, Sr., President of the Salt River Pima-Maricopa Indian Community, has sent a letter recommending that Vice President Martin Harvier, from the Salt River Pima-Maricopa Indian Community, be appointed as the Native American Indian Community representative on the TPC. Please refer to the enclosed material.

- 5J. Appointment of Vice President Martin Harvier, Salt River Pima-Maricopa Indian Community, to the Transportation Policy Committee as the Native American Indian Community representative.

**ITEMS PROPOSED TO BE HEARD**

- 6. Domestic Violence Awareness Activities

Each year, the MAG Regional Domestic Violence Council and Protocol Evaluation Project host a number of domestic violence awareness and training opportunities. MAG staff will provide an

- 6. Information and discussion.

overview of the annual training event that was held August 18, 2016, and the Domestic Violence Awareness Month calendar of activities. Please refer to the enclosed material.

7. Federal Highway Administration Update

Karla Petty, the Arizona Division Administrator for the Federal Highway Administration (FHWA), will provide an update on the initiatives of the FHWA and the U.S. Secretary of Transportation, including the Secretary's Ladders of Opportunity Initiative. Ms. Petty has also been involved in the FHWA's Megaregion initiative. Also, Ms. Petty will review the status of the South Mountain Freeway.

8. Diversion of Proposition 400 Funds to the Arizona Department of Revenue

An update will be provided on the diversion of Proposition 400 sales tax funds (per Laws 2015, Chapter 323, HB 2617 and Laws 2016, Chapter 125, HB 2708) to the Arizona Department of Revenue. On July 31, 2016, MAG received an invoice from the Arizona Department of Revenue for \$2,554,157.25. Last year, MAG received a similar invoice in the amount of \$2,582,396.84. If the invoice is not paid by September 30, 2016, the state treasurer will withhold the amount from the voter approved half-cent sales tax for regional transportation pursuant to A.R.S. 42-5029 and 42-6105. An update was provided at the August 15, 2016, MAG Executive Committee meeting.

9. Ozone Boundary Designations

On August 9, 2016, the Arizona Department of Environmental Quality (ADEQ) conducted another stakeholder meeting on the ozone boundary designations. At the meeting, ADEQ reported that the Environmental Protection Agency (EPA) did not look favorably upon submitting the current Maricopa ozone boundary as the preferred option. The ADEQ indicated that the primary recommendation will now be the expansion of the current boundary to include the Queen Valley monitor in Pinal County and

7. Information and discussion.

8. Information, discussion and possible action to consider submitting a letter to protest the diversion of \$2,554,157.25 of Proposition 400 sales tax funds to the Arizona Department of Revenue.

9. Information, discussion and possible action to recommend that the Governor request that EPA delay the ozone boundary designation for up to one year in accordance with Section 107(d)(1)(B)(i) of the Clean Air Act since the Queen Valley and Tonto National Monument monitors are at 0.071 parts per million, just slightly over the 0.070 parts per million standard, to allow the overall downward trend in ozone concentrations to continue, and to allow EPA to consider the most up-to-date, complete, and sufficient monitor data for the ozone boundary designation.

the Tonto National Monument monitor in Gila County. ADEQ will present three other alternatives to not expand the boundary if the Queen Valley and/or Tonto National Monument monitors meet the standard. Based upon the 2014-2016 monitor data, both monitors are at 0.071 parts per million, which is slightly over the 0.070 parts per million standard. Until recently, the Tonto monitor was meeting the standard. However, it was discovered that the monitor had shut down on June 22, 2015 in the evening due to a pump failure. Since the monitor had six hours of data over the standard before it shut down, it would be counted as an exceedance, causing the monitor to violate the standard. ADEQ has indicated that if the monitor had not shut down and had the usual eight hours of data, the monitor would not have violated the standard due to the declining ozone concentrations in the evening. If the boundary is expanded as in the ADEQ primary recommendation, there will be tighter controls on business and industry in the new area and transportation conformity requirements will apply. These requirements could have a negative impact on economic development in Pinal County. By September 1, 2016, ADEQ will submit the boundary recommendation to the Governor for consideration. By October 1, 2016, the Governor will submit the boundary recommendation to EPA. By October 1, 2017, EPA will finalize the ozone boundary designations based upon 2014-2016 monitor data and possibly 2017. In addition, the MAG comments submitted to ADEQ for the July 1, 2016, public hearing on the ozone boundary designations are attached. Please refer to the enclosed material.

10. Legislative Update

An update will be provided on legislative items of interest.

11. 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.

10. Information, discussion and possible action.

11. Information.

12. 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.

Adjournment

12. Information.