

September 5, 2012

TO: Members of the MAG Street Committee

FROM: Charles Andrews, P.E., Chairman

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

**Tuesday, September 11, 2012 - 1:30**  
MAG Office, Suite 200, Chaparral Room  
302 North First Avenue, Phoenix

The next meeting of the MAG Street Committee will be held at the time and place noted above. Committee members or their proxies may attend **in person, via videoconference or by telephone conference call**. Those attending video conference must notify the MAG site three business days prior to the meeting. Those attending by telephone conference call please contact MAG offices for conference call instructions.

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 Jason Stephens at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

The next meeting of the MAG Street Committee will be held at the time and place noted above. If you have any questions or need additional information, please contact Teri Kennedy or Steve Tate at (602) 254-6300.

## TENTATIVE AGENDA

	<u>COMMITTEE ACTION REQUESTED</u>
1. <u>Call to Order</u>	
2. <u>Approval of the July 10, 2012 Meeting Minutes</u>	2. Review and approve the minutes from the July 10, 2012 meeting.
3. <u>Call to the Audience</u>  An opportunity will be provided to members of the public to address the Street Committee 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. Members of the public 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 Street Committee requests an exception to this limit. Please note that those wishing to comment on action agenda items will be given an opportunity at the time the item is heard.	3. For information.
4. <u>Transportation Programming Manager's Report</u>  The MAG Transportation Programming Manager will review recent transportation planning activities, training sessions, and upcoming agenda items for MAG Committees and other related regional transportation activities.	4. For information and discussion.
5. <u>Salt River Pima-Maricopa Indian Community Project Request</u>  The Salt River Pima-Maricopa Indian Community (SRP-MIC) has requested to reprogram their FY 2013 dirt road paving project to:  a. Revise the location of some sections to be paved, b. Divide the project into right-of-way and construction phases, and	5. For possible action to recommend the reprogramming of the SRP-MIC paving project to amend sections to be paved, to divide the project into separate right-of-way and construction phases and to defer the construction phase to FY 2015.

c. Defer the construction phase to FY 2015.

For additional information, please see Attachment A.

6. Financial Outlook for FY 2013 and FY 2014

At the meeting an overview of anticipated federal funding for FY 2013 and FY 2014.

7. MAP-21 Transportation Alternatives Program

On July 6, 2012, the President signed a new surface transportation authorization act - MAP-21. Included in MAP-21 three programs were consolidated; Transportation Enhancements, Safe Routes to School and Recreational Trails funding. Some of the new Transportation Alternatives requires that the program funding to be directly programmed by Metropolitan Planning Organizations. Review of current ADOT programmed levels in the MAG region and integration of the TA program into the new FY 2014-18 TIP will be reviewed.

8. MAG Federally Funded Project Programming Principals

At the July meeting of the Committee several members expressed concern that the Programming Principals required agencies to develop draft sixty-percent plans on federally funded project prior to the approval of the environmental clearance for the project.

At the meeting alternative design requirements will be considered and possibly recommended for approval by the Transportation Review Committee. These could include, but not limited to the following:

- Replacing the draft 60% plan requirement with one requiring projects have approved project assessments (PAs) or the equivalent of 30% approved plans.

6. For information and discussion.

7. For information and discussion.

8. For information, discussion and possible action to recommend a replacement policy for the draft 60 percent plan requirement.

- Providing project sponsors with the option of substituting other milestone achievements for the 60% plan requirement letter from the ADOT Local Governments Section staff assuring MAG that the project will obligate as programmed.
- Providing some other replacement requirement or option.

9. FY 2015, 2016 and 2017 Selection Process for PM-10 Paving Projects

At the meeting, requirements for project presentations and the review of PM-10 paving projects will be discussed.

10. Call to the Committee

For future agenda items and topics of interest.

Adjournment

9. For information and discussion.

10. For information and discussion.

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
STREET COMMITTEE

Tuesday July 10, 2012 1:30 p.m.  
MAG Offices, Suite 300,  
302 North First Avenue, Phoenix, Arizona 85003

MEMBERS ATTENDING

Charles Andrews, Avondale, Chairman	Tanya Glass for Chris Plumb, Maricopa County
Lupe Harriger, ADOT	Maria Deeb, Mesa
*Jose Heredia, Buckeye	*Andrew Cooper, Jr., Paradise Valley
Dan Cook, Chandler	Ben Wilson, Peoria
Bob Senita, El Mirage	Shane L. Silsby, Phoenix
* Tony Rodriguez,	* Janet Martin, Queen Creek
Gila River Indian Community	* Elaine Cabrera, Salt River Pima-Maricopa Indian Community
Michael Gillespie, Gilbert	Phil Kercher, Scottsdale
Allan Grover for Bob Darr, Glendale	Tony Del La Cruz for Nicholas Mascia, Surprise
L. Esquivel for Hugh Bigalk, Goodyear	Shelly Seyler, Tempe
Gino Turrubiates, Guadalupe	* Jason Earp, Tolleson
Thomas Chlebanowski for Darryl Crossman, Litchfield Park	* Jim Fox, Youngtown

\* Members neither present nor represented by Proxy

OTHERS PRESENT

Louis Malloque, ADOT	Teri Kennedy, MAG
Giao N. Pham, Apache Junction	Stephen Tate, MAG

1. Call to Order

Chairman Charles Andrews called the meeting to order at 1:32 p.m.

2. Approval of the May 8, 2012 Meeting Minutes

Mr. Shane L. Silsby moved approval of the May 8, 2012 Meeting Minutes. Ms. Maria Deeb seconded the motion. The motion carried unanimously.

3. Call to the Audience

There were no members of the public at the meeting who expressed a desire to address the Committee.

4. Transportation Programming Manager's Report

Ms. Teri Kennedy went over the calendar for August and September. She noted that MAG would release applications for federal funding on August 3<sup>rd</sup> and that there would be three workshops. The applications would be due on September 19<sup>th</sup>. She concluded by noting that all the paperwork should have been completed for FY 2012 projects by the time of the meeting for them to obligate by this federal fiscal year.

She then noted that MAG staff was still evaluating policies for the early replacement of street sweepers, but that MAG needed concurrence from FHWA for changes. If this is not reached, there will be no changes for this round of street sweeper selection.

6. Development and Review of MAG Model Networks

Mr. Stephen Tate presented on the topic. He noted that MAG maintained travel demand networks, that these networks consist largely of arterial and higher level facilities and that they are used to demonstrate air quality conformity and to plan for the Region's transportation needs. The networks that are to be distributed are for 2012, 2020, 2025, 2030 and 2035. Updates are needed for the number of lanes by direction, the alignment of roadways and the inclusion of new facilities. The networks will be available on the MAG website the day after the meeting and are requested to be submitted by Monday, September 3<sup>rd</sup>.

8. Overview of the Federal Right of Way Process

This item was taken out of order and was presented by Mr. Louis Malloque of ADOT. Mr. Malloque introduced himself by noting that he is the ADOT right-of-way liaison and then he provided a brief overview of the ADOT administered federal right-of-way process. He noted that the right-of-way process should begin with the initial planning of the project, but often does not begin until the start of project design. At the design level, appraisers may be hired and plans developed, but no contacts with owners or appraisal of properties can be initiated prior to the completion of the environmental clearance for the project. Once the environmental clearance has been received, property owners may be contacted, appraisals may be performed and property acquired. However, if federal funding is to be used in the right-of-way process, the FHWA must authorize the work prior to its initiation. Once all right-of-way is acquired, a right-of-way clearance will be provided by ADOT. If no right-of-way will be needed for the project, a right-of-way clearance will be provided when 95 percent plans are submitted for the project.

Mr. Malloque stressed that the right-of-way process cannot be compressed and that ADOT does not have the means to backstop the process for agencies. He noted that it generally takes twelve to eighteen months to acquire right-of-way, that owners must be provided with offers in writing and the offers must be based on an appraisal. He stressed that the right-of-way action must be accounted for in detail and that the time allotted to owners cannot be shortcut. Moreover, he stressed that coercive actions are not allowed. He stressed that contact logs be maintained properly and that these are the focus of audit activities.

Mr. Dan Cook asked if it was possible to discuss possible right-of-way issues with groups of owners prior to receiving the environmental clearance as part of the scoping and design process. Mr. Malloque indicated that as long as the discussion was in general terms with groups of property owners and was truthful it would be okay.

5. Review Policies Regarding MAG Member Agency Project Status Workbooks and Commitment Letters

Mr. Tate presented on the agenda item. He noted that in October last year, MAG adopted new policies for federally funded projects outside the life-cycle programs. These policies were developed to insure that federal funding was not lost to the region and to minimize the rolling over of projects in the TIP. He noted that the causes of these problems were diverse and the fault of all parties involved in the process.

The new policies establish three key milestones to be completed 13 months before the deadline for obligating projects and are as follows: completion of in-house draft 60 percent plans, submission of all three technical documents for the environmental clearance to ADOT and completion of a right-of-way inventory for the project.

Mr. Silsby noted that the MAG draft 60 percent reporting milestone conflicts with federal and ADOT requirements and that this applies to projects that are not federally funded for design. Ms. Deeb concurred with Shane and suggested that completion of 30 percent plans and commitment letters from member agencies should be sufficient.

Mr. Cook noted that Shane is correct about the conflict, but that a milestone needs to be established to assure MAG that a project can be completed as scheduled. He went on to note that it was his understanding that a jurisdiction that proceeded beyond 30 percent plans without an environmental clearance did so at its own risk and that in general it is difficult to maintain momentum in a design process if the process is required to conform to the schedule for the environmental clearance. He concluded by noting that perhaps a lessor requirement might be reasonable for smaller projects that did not require much design.

Mr. Silsby noted that the process was pursued to meet federal requirements and that it should therefore conform with federal requirements. He noted that Phoenix had expressed concern about the issue previously.

Mr. Tate went on to discuss the implementation of the MAG policies. He noted that MAG required commitment letters and used workbooks to collect information from agencies. He indicated that he planned to modify the workbooks to combine the two, so that the commitment letter would serve as a cover letter to the workbooks.

Mr. Silsby noted that for large organizations like Phoenix that identifying the appropriate signatory for the commitment letter is a problem. He suggested that the signatory should be the capital improvement program manager as such an individual would be more likely to be familiar with the project and would be less likely to simply rubber stamp the letter.

Mr. Tate agreed with Mr. Silsby that choosing a signatory at the city manager level was likely to lead to rubber stamping of the letter, but noted that when the signatory was too low it was difficult to determine whether the person signing the letter had the backing of the agency's top management. He suggested that MAG simply ask the member agencies to designate a signatory.

Ms. Kennedy noted that the purpose of the letter was to assure MAG that sponsoring agencies had committed both the staff resources and necessary matching funds needed to obligate the project and that this required upper management backing. She went on to note that the organization of agencies varied greatly and that identifying the appropriate signatory can be difficult.

Mr. Silsby noted that making the signatory high in the organization could cause delay. Mr. Cook noted in the past there had been occasions where lower level staff had pursued projects that were not backed by the agency's top management.

There followed a general discussion concerning the commitment letters and workbooks. It was noted that agencies had to submit these in order to continue in the TIP and that if a project was to be deferred a second time that a presentation before the Regional Council on the project would be required.

Ms. Kennedy noted that the primary aim of the workbooks is to develop information to manage federal funding under MAG's control and to weed out projects that are not feasible or for which agency commitment has waned over time. She noted that since the policies have been put in place that the number of MAG federally funded projects has been reduced from 135 down to 99 and that far fewer projects are now deferring.

Mr. Tate then went over the details of the project and the schedule for collecting workbooks. He noted that programming changes to projects would require updated workbooks.

It was noted that the one time deferral requirement applied even to projects that were advanced, so that agencies that had deferred their project one time and then advanced their project were taking the chance of having their project deleted if the project failed to obligate. However, it was noted that to advance a project, the project sponsor would have had to have completed the milestones and therefore would be unlikely to fail to obligate on schedule.

Ms. Kennedy noted that it is very difficult for MAG to preserve CMAQ funding from a project that failed to obligate near the end of the year and that if for example \$5 million in projects were to fail to obligate, the funding could be lost to the Region and that projects from agencies could be adversely affected.

7. Process to Select PM-10 Paving Projects for the FY 2014 - 2018 Transportation Improvement Program

Mr. Tate presented on the topic. He indicated that there would be approximately \$5 million available per year, that a 5.7 percent match would be required and that all projects would have to be in the PM-10 non attainment area. He went on to note that CMAQ cannot be used

to pay for through lane additions, but can be used to pay for drainage, if the drainage is integral to the project and with in reason. MAG would only be accepting construction projects and years to be programmed would be for 2015, 2016 and 2017.

He noted that the applications would be released on August 3<sup>rd</sup> and would be due on September 19<sup>th</sup>. The applications would be heard by the Committee at its October meeting. The primarily basis of project selection is expected to be CMAQ score which is simply the expected reductions in emissions divided by the project cost.

Chairman Andrews asked about the traffic count. Mr. Tate indicated that MAG preferred a traffic count if possible. It was noted that this could be difficult for dirt alleys.

Mr. Tate then noted that the application was designed to provide enough information to establish that the project is eligible from for CMAQ funding and that it is feasible. Mr. Tate noted that the application would include a detailed cost estimation form, so that members could evaluate the cost estimate for project.

9. Call to the Committee

No members presented on this topic.

10. Adjournment

The meeting adjourned at 3:00 p.m.

# Request to Defer and Reprogram SRPMIC CMAQ Project

## Street Committee Information Packet



Presented by:

Jennifer Jack, P.E.

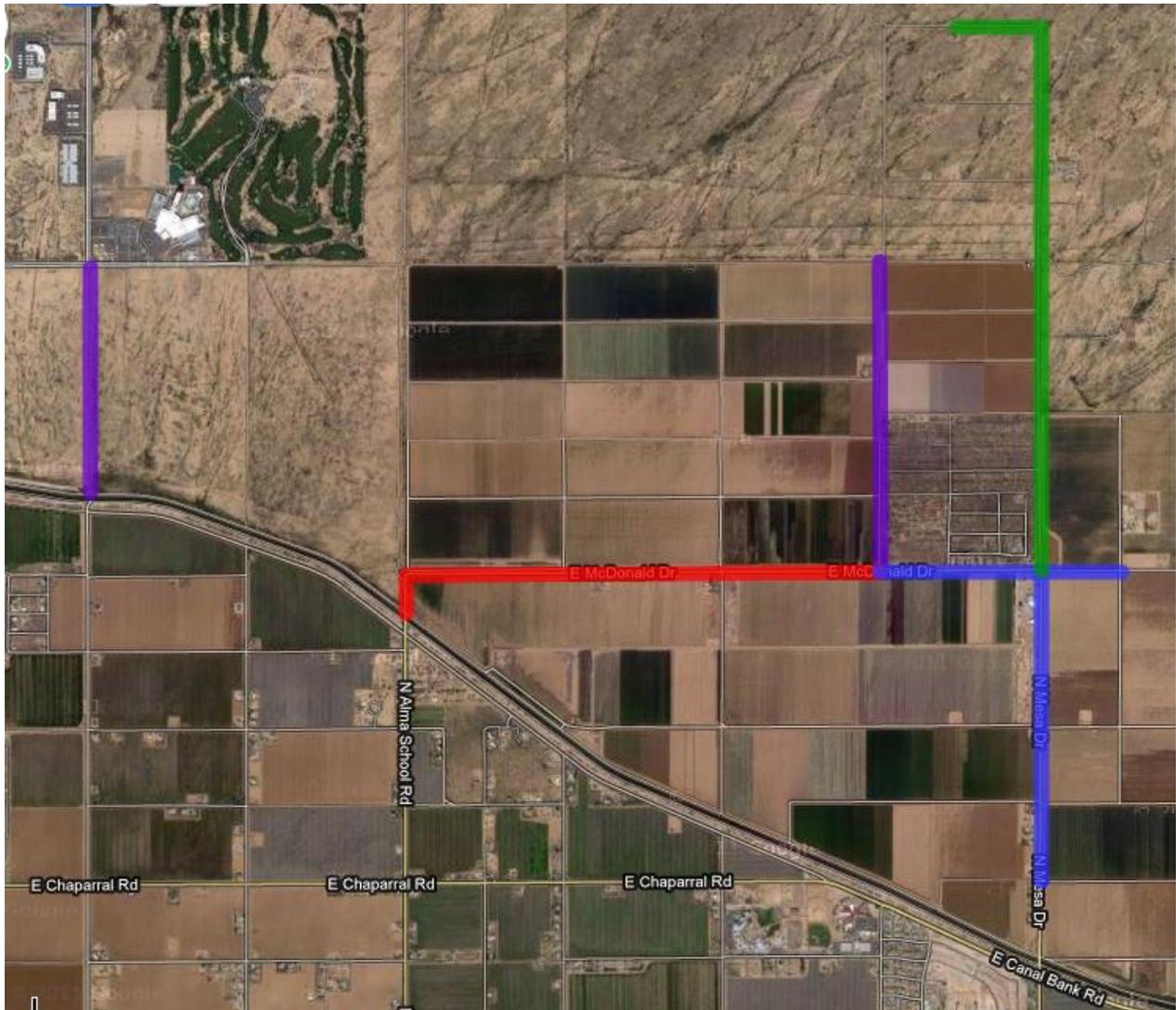
**Salt River Pima-Maricopa Indian Community  
Engineering & Construction Services**

September 11, 2012

## Project Timeline

Original Application for FY 2011 & 2012 (October 2008)

Phase	Road	From	To	Est ADT	Length (mi)	Projected Cost	Anticipated Local Match
1	McDonald	Center	Olive Street	192	0.75	\$1,118,000	\$175,000
	Mesa Drive	Chaparral	McDonald	300	1		
2	McDonald	Alma School	Center	185	1.5	\$1,025,000	\$162,155
	Alma School	AZ canal	McDonald	185	0.125		
3	Dobson	AZ canal	Indian Bend	439	0.75	\$1,401,000	\$170,385
	Center	McDonald	Indian Bend	84	1		
4	Mesa Drive	McDonald	Roadrunner	50	1.75	\$925,000	\$109,305
	Roadrunner	Mesa Drive	1/4 mile west	50	0.25		
Total					7.125	\$4,469,000	\$616,845



## Initially Funded (March 2009)

Project	AQ Rank	FY	Length (miles)	CMAQ	Local	Total
Ph1: McDonald Rd and Mesa Dr	6	2011	1.68	898,560	54,314	952,874
Ph2: McDonald Rd and Alma School Rd	4	2012	1.63	957,145	57,855	1,015,000
Ph3: Dobson Rd and Center St	1	2012	1.25	659,267	39,850	699,117
Total			4.56	2,514,972	152,019	2,666,991

## Portion of Phase 4 Funded (April 2011)

Phase	Road	From	To	FY	Length (miles)	CMAQ	Local	Total
1	McDonald	Center	Olive	2011	0.68	\$898,560	\$54,314	\$952,874
	Mesa Drive	Chaparral	McDonald		1.00			
2	McDonald	Alma School	Center	2012	1.50	\$957,145	\$57,855	\$1,015,000
	Alma School	AZ Canal	McDonald		0.13			
3	Dobson	AZ Canal	Indian Bend	2012	0.75	\$659,267	\$39,850	\$699,117
	Center	McDonald	Indian Bend		0.50			
4	Mesa Drive	McDonald	Roadrunner	2012	0.75	\$391,000	\$23,634	\$414,634
Total					5.30	\$2,905,972	\$175,653	\$3,081,625

## Phase 1 Moved to 2013 and Funding Reduced (June 2011)

TIPID	Project	ADT	FY	Length (miles)	CMAQ	Local	Total
SRP11-801	Ph1: Mesa Dr: Chaparral Rd to McDonald Dr and McDonald Rd: Center to Olive St	260	2013	1.68	\$773,483	\$54,314	\$827,797
SRP12-802	Ph 2: McDonald Rd: Alma School Rd to Center and Alma School Rd: AZ Canal to McDonald Dr	270	2012	1.63	\$842,145	\$57,855	\$900,000
SRP12-801	Ph 3: Dobson Rd: AZ Canal to Indian Bend Rd and Center: McDonald Dr to Indian Bend Rd	180	2012	1.25	\$582,967	\$39,580	\$622,547
SRP12-102	Ph 4: Mesa Dr	50	2012	0.8	\$391,000	\$22,287	\$413,287
Total				5.36	\$2,589,595	\$174,036	\$2,763,631

## Project Change (November 2011)

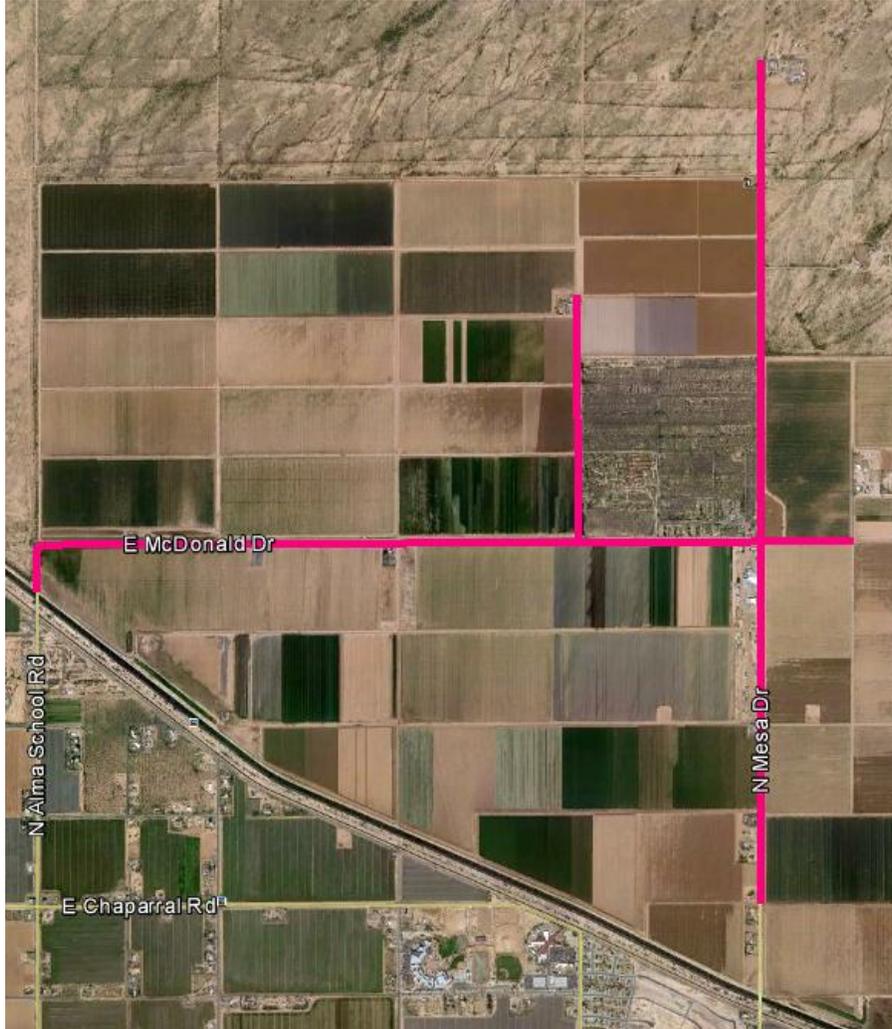
Combined and programmed all projects in FY 2013.

TIP #	Project Location	FY	Length (miles)	CMAQ	Local	Total
SRP13-101	Alma School: AZ Canal-McDonald; Dobson: AZ Canal-Indian Bend; McDonald: Alma School-Olive; Mesa: Chaparral-Cactus Wren; Center: McDonald to Indian Bend	2013	5.36	\$2,589,595	\$174,036	\$2,763,631

## Request

1. Remove Dobson Road and adjust the length on Mesa Drive and Center Street keep the mileage consistent.

Road	From	To	AADT	ADT Year	Length (miles)
Alma School	AZ Canal	McDonald	315	2011	0.13
McDonald	Alma School	Olive	347	2012	2.25
Mesa Drive	Chaparral	Hummingbird	543	2011	2.30
Center	McDonald	Lincoln			0.68
Total					5.36



2. Reprogram \$1M of the construction funds for right of way acquisition in FY 2013.
3. Defer the construction funds to FY 2015.

Location	Work Description	TIP ID	FY	Federal	Local	Total
Pave Dirt Roads: Center St, Mesa Dr, McDonald Dr, and Alma School Rd	Pave Unpaved Road - ROW Acquisition	SRP12-801RW	2013	1,000,000	60,445	1,060,445
Pave Dirt Roads: Center St, Mesa Dr, McDonald Dr, and Alma School Rd	Pave Unpaved Road - Construction	SRP12-801C	2015	1,589,595	2,509,717	4,099,312

## Justification

1. At the time of application, Dobson Rd from Indian Bend to the AZ Canal experienced 439 vehicles per day and was on the Tribal Council's list of priority projects. Since there is no bridge crossing at the AZ Canal, traffic used the AZ Canal access road as a connector to the bridge at Alma School Rd or Mesa Dr. A bridge on Dobson Rd is not desired by the Tribal Council in the near term. Since the time of application, SRP has closed the AZ Canal access road.



Aerial map of Dobson Rd  
from Indian Bend to AZ Canal



Dobson Rd at Indian Bend looking south

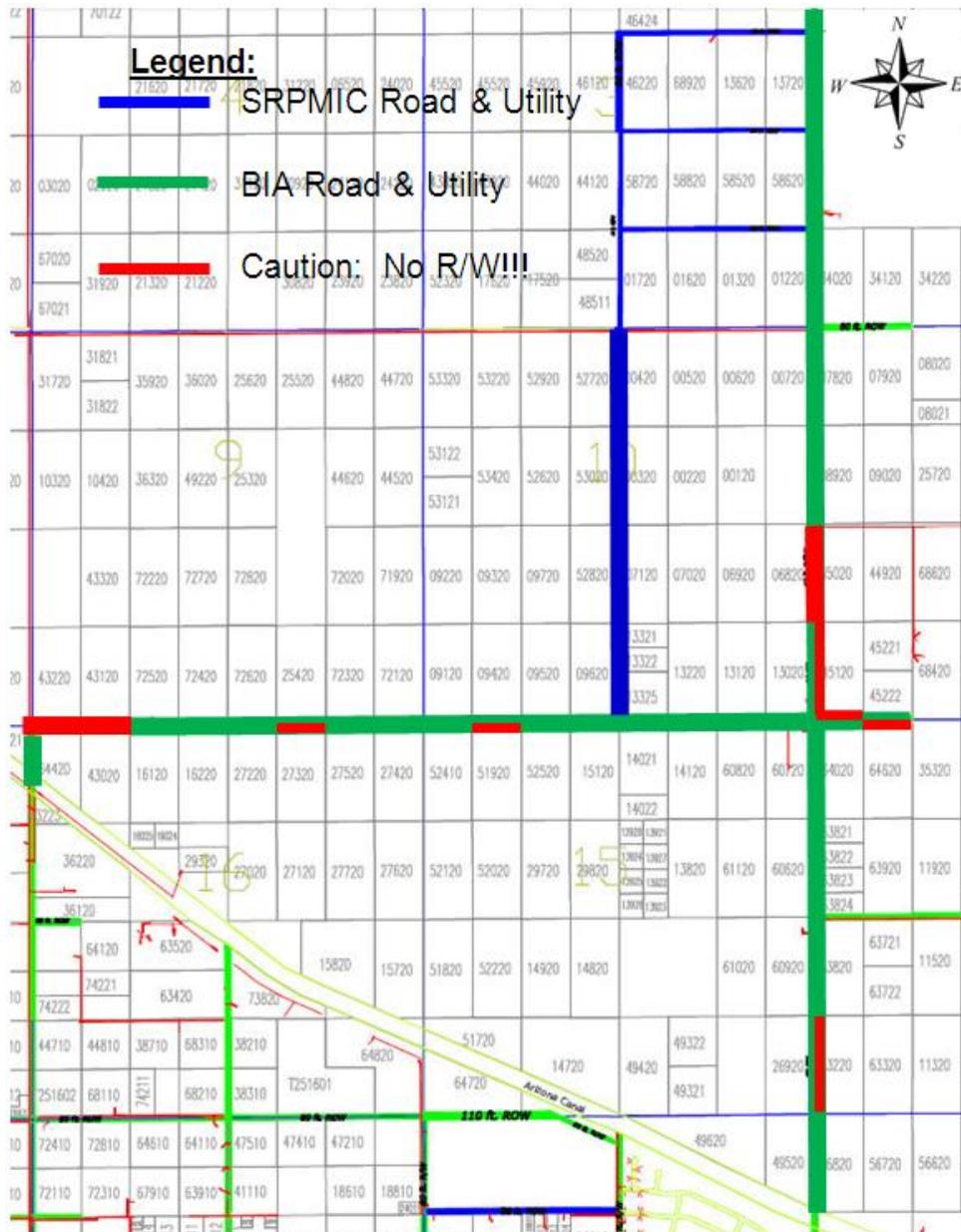


Dobson Rd at AZ Canal looking south



AZ Canal Access road looking east at Dobson Rd

- During preliminary engineering and right of way verification, excepted portions were identified within the Grants of Easement. Landowners had previously indicated they were unwilling to waive compensation. To date, the Tribal Council has been unwilling to purchase right of way outside of the Pima Freeway corridor. SRPMIC requested the first deferral with the expectation to work out a creative solution to the right of way issues encountered. The preliminary ideas were sent to ADOT and FHWA for feedback. ADOT and FHWA notified SRPMIC that in order to use the federal funds, SRPMIC must acquire the missing right of way. SRPMIC staff worked with the Tribal Council to get permission to purchase the right of way using CMAQ federal funds. The total estimated just compensation is \$946,800.



- It was expected that the project could be completed under the first deferral. However, since right of way is necessary (as discussed in item 2 above), the right of way acquisition process on tribal land takes 2 years to complete. Construction funds need to be deferred to FY 2015 in order to allow time for the right of way acquisition process.

## Schedule

Phase	Step	Actual/Planned Date		Status
		Start	End	
Design	<b>Construction - Only</b>			
	Preliminary PA	11/15/2011	9/15/2012	Revising Draft
	Final PA	9/15/2012	10/15/2012	Not Started
	30% Plans	10/15/2012	12/15/2012	Not Started
	60% Plans	7/1/2013	9/30/2013	Not Started
	95% Plans	10/1/2013	12/30/2013	Not Started
Env	<b>Construction Or Procurement</b>			
	PS&E	1/1/2014	8/1/2014	Not Started
	Hazmat Report	6/1/2012	10/30/2012	Underway
	Biological Report	6/1/2012	10/30/2012	Underway
ROW	Cultural Report	6/15/2012	11/15/2012	Underway
	Env Document/Clearance	8/1/2012	7/1/2013	Underway
	Inventory Completed	7/28/2011	2/8/2012	Completed
Other	Acquisitions Completed	7/1/2013	7/1/2015	Not Started
	ROW Clearance	7/1/2013	7/1/2015	Not Started
Other	Utilities Clearance	10/15/2012	4/30/2013	Not Started
	Materials Memo	10/15/2012	3/31/2013	Not Started
	IGA/JPA	5/3/2011	12/1/2011	Approved By All Parties
	Authorize Project	8/1/2014	7/1/2015	Not Started

SRPMIC received the FHWA Authorization for preliminary engineering August 2009. A consultant has been selected and their task order was approved September 2011. The IGA/JPA for preliminary engineering was approved by SRPMIC Tribal Council and ADOT November 2011. The initial PA has been prepared and is being revised based on the request being presented. The environmental is also underway. SRPMIC feels that the issues relating to the pave unpaved roads project have been identified and can be resolved. The above schedule is realistic and the project will be able to be completed within the timeframes indicated.