



302 North 1st Avenue, Suite 300 ▲ Phoenix, Arizona 85003  
Phone (602) 254-6300 ▲ FAX (602) 254-6490  
E-mail: mag@mag.maricopa.gov ▲ Web site: www.mag.maricopa.gov

September 14, 2010

TO: Members of the MAG Transportation Review Committee

FROM: David Moody, City of Peoria, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Thursday, September 23, 2010, 10:00 a.m.  
MAG Office, Suite 200, Saguaro Room  
302 North 1st Avenue, Phoenix

A meeting of the MAG Transportation Review Committee (TRC) will be held at the time and place noted above. **Please park in the garage under the building. Bring your ticket to the meeting as parking will be validated. Bicycles can be locked in the rack at the entrance to the parking garage.**

The next meeting of the MAG Transportation Review 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 Christina Hopes or Jason Stephens at the MAG Office. Requests should be made as early as possible to allow time to arrange the accommodation.

Please be advised that under procedures adopted by the MAG Regional Council on June 26, 1996, all MAG committees need to have a quorum in order to conduct business. A quorum is a simple majority of the membership or twelve people for the MAG TRC. If the Transportation Review Committee does not meet the quorum requirement, members who have arrived at the meeting will be instructed a legal meeting cannot occur and subsequently be dismissed. Your attendance at the meeting is strongly encouraged. If you are unable to attend the meeting, please make arrangements for a proxy from your jurisdiction to represent you. Please contact Eric Anderson or Christina Hopes at (602) 254-6300 if you have any questions or need additional information.

A Voluntary Association of Local Governments in Maricopa County

City of Apache Junction ▲ City of Avondale ▲ Town of Buckeye ▲ Town of Carefree ▲ Town of Cave Creek ▲ City of Chandler ▲ City of El Mirage ▲ Fort McDowell Yavapai Nation ▲ Town of Fountain Hills ▲ Town of Gila Bend  
Gila River Indian Community ▲ Town of Gilbert ▲ City of Glendale ▲ City of Goodyear ▲ Town of Guadalupe ▲ City of Litchfield Park ▲ Maricopa County ▲ City of Mesa ▲ Town of Paradise Valley ▲ City of Peoria ▲ City of Phoenix  
Town of Queen Creek ▲ Salt River Pima-Maricopa Indian Community ▲ City of Scottsdale ▲ City of Surprise ▲ City of Tempe ▲ City of Tolleson ▲ Town of Wickenburg ▲ Town of Youngtown ▲ Arizona Department of Transportation

## TENTATIVE AGENDA

	COMMITTEE ACTION REQUESTED
1. <u>Call to Order</u>	
2. <u>Approval of Draft August 31, 2010 Minutes</u>	2. Approve Draft minutes of the August 31, 2010 meeting.
3. <u>Call to the Audience</u>  An opportunity will be provided to members of the public to address the Transportation Review 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. 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 Transportation Review Committee requests an exception to this limit.	3. For information and discussion.
4. <u>Transportation Director's Report</u>  Recent transportation planning activities and upcoming agenda items for the MAG Management Committee will be reviewed by the Transportation Director.	4. For information and discussion.
5. <u>Consent Agenda</u>  Consent items are marked with an asterisk (*). Committee members may request that an item be removed from the consent agenda to be heard.	5. Recommend approval of the Consent Agenda.

### ITEMS PROPOSED FOR CONSENT\*

5a. <u>ADOT Red Letter Process*</u>  In June of 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	5a. For information, discussion and possible action.
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permits. ADOT has forwarded a list of notifications from January 1, 2010 to June 30, 2010. Please refer to the materials in Attachment One.

## ITEMS TO BE HEARD

6. Transportation Review Committee Chair and Vice Chair Appointments

On July 22, 2009, the MAG Regional Council approved the MAG Committee Operating Policies and Procedures. Officer positions for technical committees have one-year terms, with possible reappointment to serve up to one additional term, by consent of the respective committee. According to these policies and procedures, the chair and vice chair appointments of the Transportation Review Committee are due to expire on December 31, 2010. Technical committees may choose to do one of the following: 1) recommend reappointment of the current chair and vice chair to serve a second one-year term, or 2) have the vice chair ascend to the chair position and have a new vice chair appointed by the Regional Council Executive Committee. Committees that choose to have the Executive Committee appoint a new vice chair will require letters of interest from MAG member agencies. Please refer to Attachment Two for additional information.

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

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. Since that time, there have been requests from member agencies to modify projects in the programs. A handout of the proposed project changes will be provided at the meeting.

6. For information, discussion, and possible recommendation to (1) reappointment of the current chair and vice chair to serve a second one-year term, or (2) have the vice chair ascend to the chair position and have a new vice chair appointed by the Regional Council Executive Committee.

7. For information, discussion and recommendation to approve of amendments and administrative modifications to the FY 2011-2015 MAG TIP, and as appropriate, to the RTP 2010 Update.

8. Submittal of Paving Unpaved Road Projects and PM-10 Certified Street Sweepers for MAG Federal Funding

The deadline for submitting applications projects for Paving Unpaved Road Projects (FY2014) and PM-10 Certified Street Sweepers (FY2011) for MAG Federal Funding is noon on September 16, 2010. There is \$4,898,000 of Congestion Mitigation and Air Quality (CMAQ) funds available in FY 2014 to fund Paving of Unpaved Road Projects and \$900,000 of CMAQ funds in FY2011 for PM-10 Certified Street Sweepers. The projects will be entered into the TIP database, and CMAQ scores will be calculated. In the Fall, the Street Committee will review the applications, and the Air Quality Technical Advisory Committee (TAC) will rank them. In December 2010/January 2011, TRC will review the Paving of Unpaved Road Projects TAC rankings and will recommend a list of priority projects to receive CMAQ funds for the respective federal fiscal years. A list of the projects submitted (without scores) will be provided at the meeting.

9. 2010 Annual Report on the Status of the Implementation of Proposition 400

A.R.S. 28-6354 requires that MAG issue an annual report on the status of projects funded through Proposition 400, which authorized the half-cent sales tax for transportation in Maricopa County. The 2010 Annual Report is the sixth report in this series. MAG staff will brief the Committee on the findings of the 2010 report, including the status of the life cycle programs for freeways/highways, arterial streets, and transit.

10. Request for Future Agenda Items

Topics or issues of interest that the Transportation Review Committee would like to have considered for discussion at a future meeting will be requested.

8. For information and discussion.

9. For information and discussion.

10. For information and discussion.

11. Member Agency Update

This section of the Agenda will provide Committee members with an opportunity to share information regarding a variety of transportation-related issues within their respective communities.

12. Next Meeting Date

The next regular TRC meeting will be scheduled Thursday, October 28, 2010 at 10:00 a.m. in the MAG Office, Saguaro Room.

11. For information.

12. For information.

DRAFT MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
TRANSPORTATION REVIEW COMMITTEE

August 31, 2010

Maricopa Association of Governments Office  
302 North First Avenue, Suite 200, Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Peoria: David Moody	Maricopa County: John Hauskins
ADOT: Steve Hull for Floyd Roehrich	Mesa: Scott Butler
Avondale: David Fitzhugh	Paradise Valley: Bill Mead
#Buckeye: Scott Lowe	Phoenix: Rick Naimark
Chandler: RJ Zeder for Patrice Kraus	Queen Creek: Tom Condit
El Mirage: Lance Calvert	RPTA: Bob Antilla for Bryan Jungwirth
Fountain Hills: Randy Harrel	Scottsdale: Dave Meinhart
*Gila Bend: Eric Fitzer	*Surprise: Bob Beckley
Gila River: Sreedevi Samudrala for Doug Torres	*Tempe: Chris Salomone
*Gilbert: Tami Ryall	Valley Metro Rail: John Farry
Glendale: Terry Johnson	*Wickenburg: Rick Austin
Goodyear: Cato Esquivel	Youngtown: Grant Anderson for Lloyce Robinson
#Guadalupe: Gino Turrubiarres	
Litchfield Park: Paul Ward for Woody Scoutten	

EX-OFFICIO MEMBERS ATTENDING

Street Committee: Dan Cook, City of Chandler	*Bicycle/Pedestrian Committee: Peggy Rubach, RPTA
* ITS Committee: Nicolaas Swart, Maricopa County	*Transportation Safety Committee: Julian Dresang, City of Tempe

\* Members neither present nor represented by proxy. + - Attended by Videoconference  
# - Attended by Audioconference

OTHERS PRESENT

Eric Anderson, MAG	Kris Milster, FHWA	Tom Remes, Phoenix
Lindy Bauer, MAG	GeorgiAnn Jasenovec, FHWA	Maria Deeb, Mesa
Dean Giles, MAG	Carol Ketcherside, RPTA	Jim Huling, Mesa
Kiran Guntupalli, MAG	Paul Hodgins, RPTA	Kayelen Rolfe, State of Arizona
Bob Hazlett, MAG	Mike McGill, ADOT	David Bond, Horrocks Eng.
Sarath Joshua, MAG	Mark Hodges, ADOT	Jason Watson, Horrocks Eng.
Jorge Luna, MAG	Joe Breyer, ADOT	Greg Haggerty, Dibble Eng.
Marc Pearsall, MAG	Serena Unrein, AZ PIRG	Timothy Rock, Markham
Nathan Pryor, MAG	Jim Mathien, METRO	Vinay Vanapalli, Stantec Inc
Eileen Yazzie, MAG	Teresa Lopez, SRP	
Ed Stillings, FHWA	Jeanna Goad, Glendale	
Nathan Banks, FHWA	Andy Granger, Peoria	

1. Call to Order

Chairman David Moody from the City of Peoria called the meeting to order at 10:03 a.m.

2. Approval of Draft July 31, 2010 Minutes

Chairman Moody asked if there were any changes or amendments to the July 31, 2010 meeting minutes, and there were none. Mr. John Hauskins from Maricopa County motioned to approve the minutes. Mr. Grant Anderson from the Town of Youngtown seconded, and the motion passed by a unanimous voice vote of the Committee.

3. Call to the Audience

Chairman Moody announced that he had received a request to speak card regarding the agenda item on the Amendment to the Regional Transportation Plan 2010 Update. He stated that the Committee would hear the speaker when the agenda item was before the Committee. He stated that no other request to speak cards had been submitted.

Chairman Moody informed the Committee that Mr. Eric Anderson was not available to present Agenda Item 4, the Transportation Director's Report. Chairman Moody stated it was the Chairman's prerogative to skip the Transportation Director's report until Mr. Anderson was available to present. Then, he requested the Committee hear Agenda Item 5.

5. Amendment to the MAG Regional Transportation Plan -2010 Update

Chairman Moody invited Mr. Roger Herzog, Senior Transportation Planner, to discuss the amendment to the MAG Regional Transportation Plan 2010 Update. Mr. Herzog reported that the MAG Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) 2010 Update had been approved by the MAG Regional Council on July 28, 2010. He stated that prior to the approval, the legislature had swept Local Transportation Assistance Fund (LTAF) revenues to balance the State budget. Mr. Herzog announced that the LTAF sweep had impacted transit schedules in the region. He reported that transit schedules had been modified, and the changes had been modeled for inclusion in the RTP 2010 Update. He added that the changes had not affected the air quality conformity model.

Then, Chairman Moody invited Ms. Serena Unrein from the Arizona Public Interest Research Group to speak before the Committee as requested. Ms. Unrein expressed concern about how the LTAF sweep was incorporated previously into the RTP 2010 Update and thanked MAG Staff for incorporating the schedule changes. Ms. Unrein stated that it was increasingly important to provide residents with transit service. She explained that the transit service cuts had set the State back at a time when service was needed most. She expressed appreciation that MAG was trying to increase transit service in the county.

Chairman Moody inquired if there were any questions about Mr. Herzog's presentation. Mr. Terry Johnson from the City of Glendale inquired if the amendment was merely an adjustment of transit schedules. He also inquired how the changes affected the modeling network in 2020. Mr. Herzog explained that service levels that could be carried out to 2020 were included in the model. Mr. Herzog stated that he could not recite the exact coding details adding that the majority of the changes were made to the earlier years of the RTP. Mr. Johnson inquired if the RTP amendments would be incorporated into the MAG Fiscal Year (FY) 2011-2015 TIP. Mr. Herzog replied that the amendment only impacted the RTP 2010 Update.

Mr. Hauskins motioned to amend the MAG Regional Transportation Plan – 2010 Update to incorporate public transit service level adjustments resulting from reductions in revenues, including repeal of the Local Transportation Assistance Fund, that were reflected in public transit service schedules published in July 2010. He stated the action would be contingent upon a finding of conformity of the FY 2011-2015 MAG Transportation Improvement Program and the MAG Regional Transportation Plan – 2010 Update with applicable air quality plans. Mr. Lance Calvert from the City of El Mirage seconded the motion, and the motion passed by a unanimous voice vote of the Committee.

6. Programming of FY 2011 Highway Safety Improvement Projects

Next, Chairman Moody invited Mr. Sarath Joshua, MAG Intelligent Transportation Systems and Safety Program Manager, to present the Programming of Highway Safety Improvement Projects (HSIP) for Fiscal Year (FY) 2011. Mr. Joshua informed the Committee that the Arizona Department of Transportation (ADOT) received \$30 million in HSIP funds each year. He reported that in 2010, ADOT began the process of disseminating HSIP funds to Council of Governments (COGs) and Metropolitan Planning Organizations (MPOs) throughout the State. Mr. Joshua announced that annually the MAG Region received \$1 million in HSIP funds, which needed to be allocated to projects.

Mr. Joshua explained the ADOT HSIP funding distributions. He reported that 10 percent went to non-infrastructure improvements managed by ADOT, 20 percent went to improvements managed by COGs and MPOs, and 70 percent went to all public roads. He stated that the allocation to public roads was managed by ADOT. He added that ADOT was in the process of determining how the 70 percent should be applied to projects on public roads.

Moving on, Mr. Joshua addressed the MAG HSIP allocation. He reported that in FY 2010, 10 projects were programmed with HSIP funds. He announced that for FY 2011 the Transportation Safety Committee (TSC) had recommended \$800,000 million in HSIP funds be used for immediate road safety improvements and that \$200,000 of HSIP funds and an additional \$200,000 from MAG Unified Planning Work Program (UPWP) be allocated to develop a multi-year program of road safety improvement projects. Mr. Joshua explained that \$400,000 would be used to conduct studies for future projects. He stated that \$800,000 of HSIP funds would be used for specific projects in a given year.

Mr. Joshua explained that MAG HSIP funds could be used for systematic safety improvement

projects classified as Categorical Exclusion (CE) Group 1 projects. He stated the funds used for studies would be programmed to identify safety improvements at high crash risk intersections through Road Safety Assessments (RSAs), Project Assessments (Pas), and Design Concept Reports (DCRs).

Mr. Joshua informed the Committee that an amendment to the TSC recommendation had been included in the requested action. He stated that the amendment would add \$2,000 in funding from the UPWP to conduct a workshop on Road Safety Assessments. He explained that the National Highway Institute conducted the RSA workshop for a fee of \$2,000.

Next, Mr. Joshua discussed CE 1 projects that could be funded with HSIP funds. He stated the projects must reduce crashes at the location(s); the proposed project must address an existing crash risks and potentially reduce crashes by a cost-benefit ratio of greater than 1 (FHWA and ADOT requirement); and, the proposed project must identified as one of the top 100 intersections for high crash risks (MAG methodology). Mr. Joshua explained that four key factors were used to determine the top 100 high risk intersections the number of crashes, crash severity, crash cost, and crash rate. He stated that the methodology applied followed the method used by the Wisconsin Department of Transportation. He explained that current list of crashes were based on data from 2006 through 2008.

Then, Mr. Joshua discussed ADOT's annual report to FHWA that identified the State's top five percent crash sites. He explained that the annual report was a requirement from the Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU). He informed the Committee that ADOT's 2009 Annual Report indicated that 13 of the 20 worst intersections in Arizona were in the MAG Region adding that 12 of the 13 intersections were on local roads.

Mr. Joshua explained that a portion of the State's HSIP funds would be allocated to projects that could be done within one to two years to improve safety on these roads. He stated that conducting studies would allow the MAG Region to compete for the ADOT HSIP funds for public roads. He explained that if the region conducted studies regularly, then MAG could compete for statewide funds with a continuous set of projects for immediate improvement.

Mr. Hauskins stated the programming methodology focused on intersection safety. He inquired if the programming would include other elements in the future. Mr. Joshua replied that the decision to fund intersection improvements was based on the highest safety needs. He explained that intersection in the region had serious safety issues. Mr. Eric Anderson, who joined the meeting late, added the Road Safety Assessment would look at other components in addition to intersections. Mr. Joshua added that MAG would also focus on corridors, such as 35<sup>th</sup> Avenue, which had several intersections on the Top 100 Crash List in the region.

Mr. Gino Turrubiarres from the Town of Guadalupe inquired if an item would come back to the Committee for other actions the TSC might want to pursue. Mr. Joshua stated that once the proposed methodology was approved by the MAG Regional Council, then MAG Staff would present specific projects to the Committee for future funding.

Mr. Grant Anderson inquired if agenda item was to create or to change a process and inquired what the older process was if one was in place. Mr. Anderson also expressed concerns that the process presented was geared towards larger jurisdictions. Mr. Joshua explained that the agenda item was to create a process based on the ADOT process developed under SAFETEA-LU. He acknowledged the process was disadvantageous to smaller jurisdictions noting the goal of the Highway Safety Improvement Program was to address high crash risk areas, regardless of the size of jurisdictions.

Mr. Hauskins stated he felt everyone was amenable to spending funds in smaller communities, too. He added that the goal of the program was to properly spend the funds. Mr. David Meinhart from the City of Scottsdale inquired if the 70 percent ADOT HSIP allocation could be used for Road Safety Assessments. Mr. Joshua explained that the 70 percent allocation was administered by ADOT, who was in the in process of developing the process for allocating the funds. He stated that the planning studies included in the requested action would allow members to compete for those funds once the process was developed.

Mr. Eric Anderson informed the Committee that initially ADOT wanted to use the 70 percent allocation on highways only. He stated that MAG had coordinated with ADOT to open the funds to all public roads. Mr. Paul Ward from the City of Litchfield Park acknowledged MAG's efforts in getting the 70 percent allocation open to all public roads. Mr. Ward expressed concern that the process presented limited the ability for studies to be conducted in smaller jurisdictions. He referred to the map of the Top 100 Intersections for crashes noting that all of the intersections were located in eight jurisdictions throughout the region. He stated that other areas would have projects with a cost-benefit ratio of 1 or greater, but would not be considered because they did not fall on the Top 100 list.

Mr. Eric Anderson replied that SAFETEA-LU guidance made it very clear that HSIP funds needed to be allocated to areas with the greatest safety need. He explained that process was derived directly from the SAFETEA-LU guidance. He also encouraged the Committee to propose an alternative method for consideration if the method adhered to the federal process. A brief discussion followed.

Mr. Johnson expressed support for the focus on intersections. He stated that intersections posed an important safety and capacity issue. Mr. RJ Zeder from the City of Chandler stated that he felt the Committee should ignore boundaries and focus on need when programming the HSIP funds. Mr. Grant Anderson stated that the process looked at the highest occurring risks instead of areas that could be high risk in the future. Mr. Joshua concurred that the region should look ahead when assessing risk adding that ADOT regulations required programming to be based on crash history evidence.

Mr. Calvert restated the recommendation to program \$800,000 CE 1 projects previously identified and to program \$400,000 for future studies. He inquired if the region would be able to move the studies forward. He added that project viability needed to be considered in the selection process.

Mr. Dan Cook, the MAG Streets Committee representative, inquired if the ranking of projects was based on the sheer volume of crashes or crashes per volume of road. Mr. Joshua replied that the analysis was weighted and included crash frequencies at each intersection. He explained that the Top 100 Intersections were determined by reviewing 700,000 intersections throughout the region and applying a weight of 20 percent on crash frequency, 40 percent on crash severity, 20 percent on crash cost by collision type, and 20 percent on crash rate.

Mr. Hauskins motioned to recommend the programming process for FY 2011 safety projects to allocate (1) \$800,000 for systematic safety improvements involving projects that are classified as Categorical Exclusion Group 1; and (2) \$400,000 for performing Road Safety Assessments (RSAs) or developing Project Assessment (PAs)/Design Concept Reports (DCRs) for high risk intersections identified through the network screening process based on the Top 100 Intersection List and the state's Top Five Percent Report. Mr. Zeder seconded the motion, and the motion passed by a unanimous voice vote of the Committee.

Mr. Grant Anderson requested that an analysis be provided at the end of the year to determine in the programming process should be continued or revised. Chairman Moody asked if there were any additional questions or comments about the agenda item. There were none, and he proceeded to the next item on the agenda.

7. Update on Exceptional Events, the MAG Five Percent Plan for PM-10, and Possible Effects on Transportation Programming

Chairman Moody invited Ms. Lindy Bauer, MAG Environmental Division Director, to provide an update on exceptional events, the MAG Five Percent Plan for PM-10, and the possible effects on transportation programming. Ms. Bauer stated that her presentation would focus on events that had occurred since her last presentation to the Committee.

Ms. Bauer announced that the Environmental Protection Agency (EPA) did not concur with the Arizona Department of Environmental Quality (ADEQ) documentation on four high wind exceptional events at the West 43rd Avenue monitor. She explained that the four exceedances would be considered a violation at the monitor and that the region would not achieve the first year of clean data. She stated that a violation meant the region would not be in attainment by 2010 as required.

Ms. Bauer informed the Committee that the EPA Region IX Administrator acknowledged that the EPA Exceptional Events Rule was flawed. She stated that the Western States Air Resources Council, which consisted of 15 States, has identified several issues with EPA's implementation of the exceptional events rule.

Ms. Bauer announced that the EPA intended to disapprove the MAG 2007 Five Percent Plan for PM-10. She stated that on June 23, 2010, the EPA and Arizona Center in the Public Interest had settled negotiations. She informed the Committee that on September 3, 2010, the EPA would sign a notice of proposed action on MAG Five Percent Plan. Ms. Bauer explained that once the notice was signed the EPA would publish the notice in the Federal Register for

comments. She added that by January 28, 2011, the EPA would sign a notice of final action.

Ms. Bauer reported that ADEQ had submitted comments to the EPA on June 30, 2010. She stated the comments expressed three principal concerns with the EPA review, which included inconsistent application of the exceptional events rule, failure to take into account some of the ADEQ supporting data and analysis, and inconsistency with the EPA's August 27, 2007 concurrence with California's request to exclude data from the determination of attainment status for the San Joaquin Valley.

Ms. Bauer stated that on August 2, 2010, ADEQ had submitted additional comments to the EPA. She reported that ADEQ had requested the EPA delay action on the Five Percent Plan for at least six months. She stated that a six month would allow the EPA time to review the documentation submitted by ADEQ and MAG and to facilitate a decision based on the best scientific information available. Ms. Bauer informed the Committee that to-date, ADEQ had not received a response from EPA regarding the request.

Ms. Bauer announced that ADEQ had submitted MAG's comments to the EPA on July 2, 2010. She stated the MAG comments raised additional concerns and supported the documentation and comments submitted by ADEQ. She reported that the EPA had not responded to the comments submitted by MAG or ADEQ adding that the EPA had not commented on the Plan in the three years since it was submitted.

Next, Ms. Bauer reported the MAG Member Agencies had expressed strong support for the ADEQ comments. She informed the Committee that a letter signed by 27 members of the MAG Regional Council supporting ADEQ's comments had been submitted to the EPA. She noted that Maricopa County and the Salt River Pima-Maricopa Indian Community had submitted letters to the EPA as well. She acknowledged that Maricopa County had some of the strictest measures in the country and that the measures were developed in conjunction with the EPA.

Ms. Bauer announced that MAG would coordinate on a possible lawsuit against the EPA. She reported that the Imperial County Air District Board had approved pursuit of a legal challenge to the EPA disapproval of dust control rules, tied to disapproval of exceptional events on August 17, 2010

Then, Ms Bauer addressed the consequences of an EPA disapproval of the plan. She explained that projects in the first four years of the TIP could proceed, but that no new projects could be added to the TIP. She stated that only projects that had already had a conformity determination could proceed although some projects may be added to the TIP after the freeze if the projects did not impact conformity.

Ms. Bauer informed the Committee that a conformity freeze would be in effect within 30 to 90 days after the EPA final disapproval was published in the Federal Register. She stated that a new TIP and RTP could not be done until a Five Percent Plan that fulfilled the requirements of the Clean Air Act could be submitted and the EPA found the conformity budget adequate or approved the submission, and conformity to the Plan revision was determined.

Ms. Bauer explained that Clean Air Act sanctions would be imposed if the problem was not corrected within 18 months from the disapproval action. She stated the sanctions would include tighter controls on major industries, such as two-to-one offsets in emissions. She stated that after 24 months from the disapproval action, the region would lose federal highway funds.

Ms. Bauer stated that \$1.7 billion in funds were at risk according to the MAG FY 2011-2015 TIP. She added that a federal implementation plan could be imposed. Ms. Bauer noted that the imposition of highway sanctions might trigger a conformity lapse. She explained that if a conformity lapse occurred that major projects in the TIP could not proceed.

Ms. Bauer informed the Committee that a new emission inventory would be needed. She explained that the major economic down turn since 2005 had changed the mix of sources. She reported that a new 2008 inventory had been completed on June 30, 2010. Ms. Bauer announced that MAG may need to include additional measures in the Plan that would reduce emissions by five percent per year until the region was in attainment, as measured at the monitors. She stated that the modeling in the Plan would need to be revised and that three years of clean data were needed to achieve attainment.

Ms. Bauer cited economic impact analysis conducted by Mr. Eric Anderson. She stated that a conformity freeze could cost the region up to 61,000 jobs and that a conformity lapse could cost the region 215,000 jobs. After she concluded her presentation, Ms. Bauer invited Ms. Eileen Yazzie, MAG Transportation Programming Manager, to discuss the programming implications.

Ms. Yazzie passed the Committee handouts, which included a list of exempt projects and a letter from Federal Highway Administration addressing amendments and administrative modifications to the Statewide Transportation Improvement Program (STIP). Ms. Yazzie stated that on January 28, 2011, the EPA would finalize the action. She stated that if the EPA disapproved the plan, then the sanctions process would be triggered.

Ms. Yazzie explained that a conformity freeze would occur within 30 to 90 days of the EPA disapproval's publication in the Federal Register. She stated that 18 months after the disapproval emissions offset sanctions would begin and that 24 months after the disapproval a conformity lapse would be in place and highway sanctions would begin.

Next, Ms. Yazzie addressed the MAG TIP. She stated that federal regulations required Transportation Improvement Programs to cover a four year period. She explained that the MAG TIP covered a five year period. Ms. Yazzie announced that once a conformity freeze was in effect, the region could not produce a new TIP or amend the existing TIP. She stated under a freeze only exempt projects could be added to a TIP. She explained that new projects could not move forward until the freeze was lifted.

Ms. Yazzie stated it was the goal of MAG Staff to have the most accurate information in the TIP before a freeze occurred. She explained that MAG needed to make all project changes before January 28, 2011. She stated that MAG could rerun or amend the conformity

determination before January. She encouraged member agencies to inform MAG Staff of any projects changes as soon as possible.

Then, Ms. Yazzie discussed language in the federal regulations pertaining to programming during a freeze. She stated that MAG could not amend the TIP during freeze however administrative modifications were allowed. She announced that MAG would provide clarification to all of the member agencies what qualified as an amendments or administrative modification before a freeze occurred. She explained that any action that would trigger a conformity determination would be prohibited. She stated conformity determinations were required for scope changes, location changes, and new construction projects.

Next, Ms. Yazzie addressed changes that would be permitted during a freeze. She explained that funding changes, modifications to a project description that did not constitute a scope change, and minor cost changes, including slight cost increases, would be allowed. Ms. Yazzie announced that a new finding of conformity had been made for the new TIP and RTP. She stated that between September and January, MAG Staff would coordinate with member agencies on any necessary changes to the TIP and RTP. She encouraged member agencies to review their project listing in the TIP adding that MAG would rerun conformity if needed.

Ms. Yazzie announced that in August the Governor's designee approved the MAG FY 2011-2015 TIP and that on August 25<sup>th</sup>, FHWA approved the 2010 conformity determination for FY 2011-2015 TIP and RTP 2010 Update. She informed the Committee that project change requests were due to MAG by September 13<sup>th</sup> and that project changes would be presented to the Committee for approval on September 23, 2010. Ms. Yazzie announced that a second round of project changes would be begin in November and be finalized by the Regional Council slated for January 2011.

Mr. Rick Naimark from the City of Phoenix inquired about the additional information sent by ADEQ to the EPA on August 27, 2010. Ms. Bauer replied the information provided additional information on friction velocity and analysis conducted by MAG Staff on when silt particles became airborne.

Mr. Naimark requested clarification on the deadlines presented. Ms Bauer replied that action was usually taken within 30 days; however, the EPA could decide to act immediately. A brief discussion followed.

Mr. Grant Anderson inquired what would happen if a development like Anthem wanted to be built with private funds during a freeze. Ms. Yazzie explained that the TIP included all regionally significant projects regardless of fund type. She stated that if a project add lanes, and therefore capacity, the project could not move forward during a freeze if it was not already in an approved TIP.

Mr. Hauskins inquired if a road to a power facility could be built during a freeze. Ms. Yazzie replied that a project must be in the TIP before the freeze occurs. She encouraged the Committee to notify MAG Staff as soon as possible if there were any regionally significant projects that needed to be included in the TIP. She stated that MAG Staff would review

projects to determine if they needed to be included in an approved TIP or required a conformity determination. Mr. Eric Anderson emphasized that projects must be funded in order to be included in the TIP.

Mr. Ward stated that projects on any roadway that would be included in the modeling network needed to be in the TIP. Mr. Johnson inquired how a freeze would affect the federal fund closeout process. Ms. Yazzie stated that funding was addressed in a separate part of the regulations. She stated that if a process was established, the closeout could proceed during the freeze, but no new projects affecting conformity could be funded. Ms. Yazzie added that MAG would need to verify the restrictions on amendments and administrative modifications before closeout could occur.

Chairman Moody inquired if there were any additional questions or comments about the presentations. There were none, and he proceeded to the next agenda item.

#### 8. State of Transit in the Region

Chairman Moody invited Ms. Yazzie to present the State of Transit in the Region. Ms. Yazzie stated that due to time constraints, she would only present a portion of the original presentation. She announced that she would present additional information at the next Committee meeting.

Ms. Yazzie stated that MAG Staff was addressing the State of Transit due to a Regional Council action that required a review of transit preventive maintenance by December 2010. She explained that due to a ripple effect, preventative maintenance could not be addressed without discussing other aspects of transit. Ms. Yazzie reported that the MAG Region had programmed almost \$30 million of federal funds in the FY 2011-2015 TIP for regional preventative maintenance. She stated the programming was a placeholder until prioritization guidelines for federal funds would be established in the future.

Ms. Yazzie informed the Committee that prioritization guidelines had been developed by RPTA for all transit projects and that MAG had developed prioritization guidelines to program funds from the American Recovery and Reinvestment Act of 2009 (ARRA). She explained that some of the guidelines were out of date or irrelevant due to ARRA passing adding that the ARRA guidelines were intentionally different because of the restrictions of the Act. She stated that traditionally, federal funds could not be used to fund preventative maintenance.

Ms. Yazzie stated that transit operation and programming in region was complicated. She explained that MAG was in the process of sorting out transit operations and programming in conjunction with other partners. She directed the Committee's attention to a slide that listed several sources of transit funding and the agency responsible for programming the funds.

Ms. Yazzie explained that the Regional Transportation Plan was the overarching plan on how transportation activities are conducted in the region. She cited federal and state laws and regulations that required MAG to be involved in transit activities and to incorporate transit into

the RTP. Ms. Yazzie announced that in the spring, a memorandum of understanding had been signed and new legislation enacted addressing the programming and planning of transit. Ms. Yazzie stated that MAG and partnering agencies were working to define the process under the MOU and bill.

Next, Ms. Yazzie discussed transit and Proposition 400. She stated that two percent of funds had been allocated to transit under Proposition 300 while 33.3 percent of Proposition 400 revenues were allocated to transit. Ms. Yazzie stated that Proposition 400 revenue collections were lower than projects and had been consistently decreasing. She explained that the lower revenues required cuts to the Transit Life Cycle Program (TLCP) due to inadequate funding. Ms. Yazzie reiterated that she would continue the presentation at the next Committee due to time constraints.

Chairman Moody inquired if there were any questions or comments about the agenda item. There were none, and he moved on to the next item.

#### 9. Federal Fund Working Group

Chairman Moody invited Mr. Eric Anderson to provide an update on the Federal Fund Working Group. Mr. Anderson stated the Working Group had been formed last year as a method to determine how MAG should proceed with developing a better process to obligate federal funds. He reported that in 2009, \$2.3 million in federal funds had been deleted and \$31.9 million had been deferred. He stated it meant that \$34 million in funding had not been put on the streets to create jobs.

Mr. Anderson explained that the Working Group was developing a new approach to address the issue. He stated key elements of the new approach would be based on research conducted by MAG Staff. He summarized key elements of successful programs, which included the need for a clearly defined project development process that addressed requirements, typical schedules with milestones, budgeting for project development, monitoring the project development process, providing incentives and disincentives to maintain schedule, establishing a policy on project deferrals, and enforcing the process and policies.

Mr. Anderson announced that ADOT was in the process of updating the Local Governments Manual. He thanked members of ADOT in the audience for their efforts. He stated that other regions that have a successful federal fund program have a well defined process for projects. Mr. Anderson stated that MAG was working on programming more funds for design projects. He cautioned that if agencies received federal funds for design and did not build the project, then the agencies would be required by federal law to repay the funds used for design.

Mr. Anderson stated that MAG did not have incentives or disincentives for agencies to stay on time with project schedules. He stated that the region needed to establish a policy on project deferrals and that if policies or processes are in place, then enforcement was necessary otherwise the policies and processes would be ineffective. He cited Seattle's process, which included a watch list of projects falling behind schedule and a list of past due projects.

Mr. Anderson informed the Committee that most regions allow a one-time project deferral. He stated that most regions have a more detailed process for the second deferral and typically deny a third deferral request. He added that once a request was denied, the funds were made available for reprogramming in the region.

Next, Mr. Anderson discussed the programming process in Salt Lake City, Utah. He stated in Salt Lake City, the TIP was a fluid document. He explained that projects can move forward in the TIP when deadlines are met. He stated that once project clearances are in place, the staff would modify the TIP to move funds to current year for pre-construction activities, such as design and right-of-way acquisition. He explained that when projects are ready to proceed to construction funds are moved to that fiscal year, but if projects are not ready to proceed then the project is moved back in the program.

Moving on, Mr. Anderson summarized lesson learned from the research conducted. He stated that the lesson learned included:

- A better upfront project scoping provided better guidance on time required for project clearances;
- Monitoring against milestones is important;
- Investigation and remedial action required if a project falls behind;
- Progress must be demonstrated to defer a project or the project is deleted;
- Second deferrals require more documentation and further deferrals are not encouraged;
- Flexibility in moving projects that are ready to go; and
- Appeals through committees including Regional Council.

Mr. Anderson announced that MAG Staff was available to assist member agencies with keeping projects on track. He stated that MAG Staff needed to be more proactive in monitoring projects and that MAG needed better information on projects.

Mr. Hauskins concurred with the need for proper project scoping and prioritization. He stated that during the process, agencies can identify potential problems or delays. He added that in doing so, agencies can identify the projects that are able to proceed. Mr. Calvert added that it was imperative for the work to be done. He stated that region needed a uniform playing field. A brief discussion followed.

Mr. Eric Anderson stated that ADOT would be developing a project tracking system. He also announced that ADOT had begun to augment their staff and praised ADOT for their efforts. Chairman Moody inquired when Mr. Anderson planned to reconvene the Federal Fund Working Group. Mr. Anderson stated that the Working Group would reconvene after MAG Staff had time to write up the research conducted. He explained that MAG was experiencing a resource issue.

Mr. Scott Butler from the City of Mesa expressed support for firm guidelines that would enable member agencies to know where they stand in the process. He also expressed support for the dynamic process used in Salt Lake City.

Chairman Moody asked if there were any additional questions or comments about the agenda item. There were none.

10. Update to the Federal Functional Classification System

Next, Chairman Moody invited Mr. Steve Tate, MAG Transportation Planner III, to present the update to the federal functional classification system. Mr. Tate explained that federal guidance required updates to the federal functional classification system in urban areas must be developed within the framework of the metropolitan planning process. He announced that the last update to the federal functional classification system in the MAG Region occurred in 2005 and largely ignored rural areas. He stated that since 2005, the region has added over 1,400 miles of publicly owned roads.

Mr. Tate informed the Committee that the Federal Highway Administration (FHWA) had modified the functional classifications in 2008. He reported that the update functional classification system removed the urban and rural division. He stated the revised system include a minor collector class that could be assigned in the urban area and that FHWA guidance suggested a review of class changes at the urban border to remove sharp changes in classifications.

Mr. Tate reported that the changes expanded the data collection requirements. He explained that for the principal arterial system, traffic counts must be collected every three years and International Roughness Index (IRI) data collected every two years. He added that only ADOT, MCDOT, and City of Phoenix were able to collect IRI data. Mr. Tate stated that for minor arterials and major collectors traffic counts must be collected every six years. He added that ADOT was required to collect data when it was not available from agencies.

Mr. Tate announced that the update to the federally functional classification system in the region would be conducted by the MAG Street Committee in two phases. He explained that in Phase I an update would be conducted on the regional estimate for publicly owned roads to provide a mileage baseline. He stated that the first phase also required the expansion and update of the arterial street network and the review and possible revision of the principal/minor classification or arterials. He reported that MAG Staff would submit a recommended arterial network for approval through the MAG Committee process in January 2011.

Next, Mr. Tate summarized phase two activities. He explained that in the second phase, the collector street network would be expanded and updated. He reported that MAG Staff would submit the recommended collector street network for approval in March 2011.

Mr. Tate informed the Committee that updating the federal functional classification system would not affect the total highway funding. He explained that funding levels were established in 1998 with the enactment of the Transportation Equity Act for the Twenty First Century. He stated that Arizona's funding levels were a fixed share of the contribution to the Highway Trust Fund. He added that under SAFETEA-LU, the State's share was 92 percent of the Arizona's contribution to the highway account of the Highway Trust Fund.

Mr. Tate noted that changes to the federal functional classification system in the region could reduce the amount of National Highway System funds received by ADOT. He stated that the changes would be offset by the increased funding in other categories, such as Surface Transportation Program (STP) funds and Highway Safety Improvement Program (HSIP) funds.

Chairman Moody inquired if there were any questions or comments about the agenda item, and there were none.

4. Transportation Director's Report

Moving on, Chairman Moody invited Mr. Eric Anderson to present the Transportation Director's report, which had been skipped earlier in the agenda. Mr. Anderson reported that Regional Area Road Fund (RARF) revenues for FY 2010 were \$298 million compared to the peak of \$390 million in FY 2007. He stated that July RARF revenues were down 4.6 percent, which indicated that the economic decline had not bottomed out as previously thought. He attributed part of the decline to the cash-for-clunkers program, which was underway in July 2009.

Mr. Anderson announced that the proposed acceleration for the Williams-Gateway project in Mesa would be presented for approval through the MAG Committee process in September. He stated that Mesa believed the project cost would be approximately \$118 million and that the City intended on issuing debt of \$130 million to cover the costs.

Mr. Grant Anderson asked when the project would be heard by the Management Committee. Mr. Eric Anderson replied that he believe the project would be heard the following week.

Chairman Moody asked if there were any questions or comments about the Transportation Director's Report. There were none, and he proceeded to the next agenda item.

11. Request for Future Agenda Items

Chairman Moody inquired if the members had any topics or issues of interest they would like to have considered for discussion at a future Committee meeting. There were none.

12. Member Agency Update

Chairman Moody asked members of the Committee if they would like to provide updates, address any issues or concerns regarding transportation at the regional level, and asked if any members in attendance would like to address recent information that was relevant to transportation within their respective communities. There were none.

13. Next Meeting Date

Chairman Moody informed members in attendance that the next regularly scheduled meeting of the Committee would be held on September 23, 2010. There be no further business, Chairman Moody adjourned the meeting at 11:55 a.m.

# **ATTACHMENT ONE**

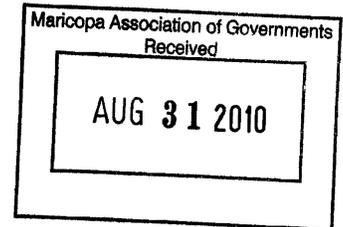


**Arizona Department of Transportation  
Intermodal Transportation Division**

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Floyd Roehrich Jr.  
State Engineer

August 26, 2010



Mr. Dennis Smith  
Executive Director  
Maricopa Association of Governments  
302 North First Avenue, Suite 300  
Phoenix, Arizona 85003

Re: Red Letter Report - Notices from January 1, 2010 to June 30, 2010

Dear Mr. Smith:

The Red Letter process is notification by local Public Agencies to ADOT of potential development plans within a quarter mile of established or proposed project corridors. Receipt of early notification in the planning and design process helps to reduce costs, saving money for both ADOT and tax payers. This update is provided for information on the number of notices received within the stated period of time.

Below is the list of "Red Letter" notices received by the ADOT Right of Way Project Management Section from the period of January 1, 2010 to June 30, 2010. During this period, our office received notices from Local Municipalities as well as various Developers, Architects, Engineers and Attorneys.

<u>LOCAL MUNICIPALITIES</u>	<u>NOTICES RECEIVED</u>	<u>IMPACT RESPONSES</u>
Arizona State Land Dept.	02	00
City of Avondale	01	00
Town of Buckeye	02	00
City of Chandler	00	00
Town of Gilbert	03	00
City of Glendale	00	00
City of Goodyear	07	01
Maricopa County	08	01
City of Mesa	00	00
City of Peoria	00	00
City of Phoenix	03	01
City of Surprise	15	01
City of Tempe	00	00
Other	<u>06</u>	<u>01</u>
<b>Total Received</b>	<b>47</b>	<b>05</b>

**MARICOPA ASSOCIATION OF GOVERNMENTS REPORT OF IMPACT RESPONSES**

**ARIZONA STATE LAND DEPARTMENT: No impact responses sent.**

**CITY OF AVONDALE: No impact responses sent.**

**TOWN OF BUCKEYE: No impact responses sent.**

**CITY OF CHANDLER: No impact responses sent.**

**TOWN OF GILBERT: No impact responses sent.**

**CITY OF GLENDALE: No impact responses sent.**

**CITY OF GOODYEAR:**

**July 2, 2010 – New Galvanizing Processing Plant – Site Plan**

**This proposed site plan may impact our proposed SR 801 highway facility. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

**MARICOPA COUNTY:**

**February 18, 2010 – Calderwood Onsite Storage – Special Use Permit**

**This proposed site plan may impact our proposed SR 801 highway facility. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

**CITY OF MESA: No impact responses sent.**

**CITY OF PEORIA: No impact responses sent.**

**CITY OF PHOENIX:**

**July 2, 2010 – Estrella Vista Commerce Park – Site Plan**

**This proposed site plan may impact our highway facility located on the SEC of 67<sup>th</sup> Ave. and the I-10 freeway. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Reggie Rector.**

Chairman Moody asked if there were any additional questions or comments about the agenda item. There were none.

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**CITY OF SURPRISE:**

**March 16, 2010 – Albertson’s – Advertising Sign**

**This proposed advertising sign may impact our highway facility located on the NWC of Grand Ave. and Reems Rd. The advertising sign must be installed outside of ADOT Right of Way. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

**CITY OF TEMPE: No impact responses sent.**

**OTHER:**

**July 2, 2010 – Beus Gilbert, PLLC – Zoning Change/Site Plan Amendment**

**This change may impact the Santan Freeway, L202. ADOT reserves the right to review and comment on all development plans. Project Coordinator for this project is Nan Wilcox.**

The Arizona Department of Transportation expends several resources to research future developments and plans adjacent to the state highway system, to ensure ADOT’s Right of Way is not adversely impacted or jeopardized. Other notices received typically include road access, zoning changes, outdoor advertising, and annexations.

The Department appreciates the cooperation of the Maricopa Association of Government’s members and looks forward to your continued support as we maintain and strive to improve all lines of communication.

Please feel free to contact my office should you have any questions. I can be reached at (602) 712-7900, or by email at [JEckhardt@azdot.gov](mailto:JEckhardt@azdot.gov) .

Sincerely,



John Eckhardt III, Manager  
Right of Way Project Management

cc: John S. Halikowski, Director, ADOT  
Sabra Mousavi, Chief Right of Way Agent

# **ATTACHMENT TWO**

September 15, 2010

TO: Members of the Transportation Review Committee

FROM: Christina Hopes, Transportation Planner

SUBJECT: CHAIR AND VICE CHAIR APPOINTMENTS

On July 22, 2009, the MAG Regional Council approved the MAG Committee Operating Policies and Procedures. Officer positions for technical committees have one-year terms, with possible reappointment to serve up to one additional term, by consent of the respective committee. According to these policies and procedures, the chair and vice chair appointments of the Transportation Review Committee are due to expire on December 31, 2010.

Technical committees may choose to do one of the following: 1) recommend reappointment of the current chair and vice chair to serve a second one-year term, or 2) have the vice chair ascend to the chair position and have a new vice chair appointed by the Regional Council Executive Committee. Officer reappointments will require action by the Transportation Review Committee at its September 23, 2010 meeting. Committees that choose to have the Executive Committee appoint a new vice chair will require letters of interest from MAG member agencies. The letters of interest are requested to be submitted by **Monday, November 1, 2010** to Mayor Thomas Schoaf, MAG Chair, at the MAG Office located at 302 N. 1<sup>st</sup> Avenue, Suite 300, Phoenix, Arizona 85003. The appointments will be made at the November 15, 2010 Executive Committee meeting.

If you have any question, please contact [MAG staff contact] at the MAG Office at (602) 254-6300 or [chopes@mag.maricopa.gov](mailto:chopes@mag.maricopa.gov).

cc: MAG Management Committee  
MAG Intergovernmental Representatives

# **MAG COMMITTEE OPERATING POLICIES AND PROCEDURES**



## CHAPTER V: OTHER TECHNICAL & POLICY COMMITTEES

<b>5.01 - Responsibilities:</b>	As approved by the Regional Council or Management Committee.
<b>5.02 - Composition:</b>	Members are professionals usually from city, town, and county staffs, as well as local, state, and federal agencies, tribal organizations and, in some cases, the private sector.
<b>Section 5.03 - Duties of the Chair:</b>	<ol style="list-style-type: none"> <li>1) Presides over the meetings of the Technical &amp; Policy Committees.</li> <li>2) Calls meetings of Technical &amp; Policy Committees, except as otherwise specifically provided in these Procedures.</li> <li>3) In the absence of the Chair, the Vice Chair will assume duties of the Chair.</li> <li>4) Approves agendas for Technical &amp; Policy Committees, except as otherwise specifically provided in Section 5.08 "Agenda Development."</li> </ol>
<b>Section 5.04 - Appointment of Chair &amp; Vice Chair:</b>	<ol style="list-style-type: none"> <li>1) A Chair and Vice Chair will be appointed by the Executive Committee.</li> <li>2) Individuals interested in being Chair or Vice Chair, pursuant to the provisions of Section 5.05 "Terms" and Section 5.06 "Vacancies," provide letters of interest submitted to the Chair of the Regional Council for appointment by the Regional Council Executive Committee.</li> <li>3) The Executive Committee shall appoint the Chair and Vice Chair of the Technical and Policy Committees, with the exception of the Transportation Policy Committee. These appointments will be staggered to assist continuity, appointing approximately half of the committee officers in June each year and the remainder in January, unless a vacancy occurs.</li> </ol>
<b>Section 5.05 - Terms of Officers:</b>	One-year terms with possible reappointment to serve up to one additional term by consent of the respective committee.
<b>Section 5.06 - Vacancies:</b>	In the event of a vacancy in the Chair position, the Vice Chair becomes Chair for the unexpired term of the previous Chair and a Vice Chair is elected to complete the remainder of the Vice Chair's term. An individual who succeeds to an unexpired term of six months or less will serve for the remainder of the term, and is eligible to serve one additional full-year term. An individual who succeeds to an unexpired term of more than six months serves for the remainder of the unexpired term, is not then eligible to serve one additional full-year term, unless the committee consents to an additional one full-year term as provided for in Section 5.05 "Terms."
<b>Section 5.07 - Meetings:</b>	Technical & Policy Committees shall meet at the call of the Chair.
<b>Section 5.08 - Agenda Development:</b>	<ol style="list-style-type: none"> <li>1) The agenda is prepared by staff under the direction of the Executive Director with approval by the Chair.</li> <li>2) The Chair does not have the unilateral power to remove an item from an agenda that has proceeded through the MAG committee process.</li> <li>3) Request for future agenda items will be placed on all agendas.</li> <li>4) Items in a MAG appeal process may be appealed to the next committee level and placed on the agenda.</li> </ol>