

May 10, 2010

TO: Members of the MAG Regional Council Executive Committee

FROM: Councilwoman Peggy Neely, City of Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA FOR
THE MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE

Monday, May 17, 2010 - 12:05 Noon (immediately following Regional Community Partners)
MAG Office, Suite 200 - Cholla Room
302 North 1st Avenue, Phoenix

A meeting of MAG Regional Council Executive Committee has been scheduled for the time and place noted above. Members of the Committee may attend the meeting either in person, by telephone conference, or by video conference.

Please park in the garage under 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 Denise McClafferty at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions regarding the Executive Committee agenda items, please contact me at (602) 262-7445. For MAG staff, please contact Dennis Smith, MAG Executive Director, at (602) 254-6300.

**MAG EXECUTIVE COMMITTEE
TENTATIVE AGENDA
May 17, 2010**

COMMITTEE ACTION REQUESTED

1. Call to Order

The meeting of the Executive Committee will be called to order.

2. Call to the Audience

An opportunity will be provided to members of the public to address the Executive 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 Executive 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. Approval of Executive Committee Consent Agenda

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

2. Information and discussion.

3. Approval of Executive Committee Consent Agenda.

**ITEMS PROPOSED FOR CONSENT
BY THE EXECUTIVE COMMITTEE**

*3A. Approval of the April 19, 2010, Executive Committee Meeting Minutes

*3B. Consultant Selection for the Southeast Corridor Major Investment Study

The fiscal year (FY) 2010 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2009, was amended in March 2010 to include \$300,000 to

3A. Review and approval of the April 19, 2010 Executive Committee meeting minutes.

3B. Approval to select HDR, Inc. to conduct the Southeast Corridor Major Investment Study for an amount not to exceed \$300,000.

conduct the Southeast Corridor Major Investment Study. The Arizona Department of Transportation (ADOT) is in the process of completing an Environmental Impact Statement (EIS) for the widening of Interstate 10, the Maricopa Freeway, between the SR-51/SR-202L/Red Mountain "Mini-Stack" and SR-202L/Santan-South Mountain "Pecos Stack" traffic interchanges. During the course of the EIS, questions have been raised by MAG member agencies about the investment being made in this corridor and the need for alternative transportation options, in addition to widening Interstate 10 and improving the system traffic interchanges, to accommodate the growing travel demand between the East Valley and Central Phoenix. MAG proposes conducting the Southeast Corridor Major Investment Study for these purposes. A request for proposals was advertised on March 22, 2010 and four proposals were received. A multi-agency proposal evaluation team reviewed the proposal documents and, on April 28, 2010, the proposal evaluation team recommended to MAG the selection of HDR, Inc. to conduct the project in an amount not to exceed \$300,000. This item is on the May 12, 2010 MAG Management Committee agenda. An update on action by the Management Committee will be provided. Please refer to the enclosed material.

**ITEMS PROPOSED TO BE HEARD
BY THE EXECUTIVE COMMITTEE**

4. Approval of the Draft FY 2011 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments

Each year MAG develops a Unified Planning Work Program and Annual Budget. This year, draft budget presentations were held and incremental information on the budget was presented beginning in January 2010 through April 2010. The total dues and assessments for FY 2011 continue to be reduced by 50 percent. As adjustments to the budget were made, the draft budget document was updated and presented to the Management Committee, Regional Council

4. Recommend approval of the resolution adopting the Draft FY 2011 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments.

Executive Committee, and Regional Council. The Work Program and Annual Budget was reviewed and discussed by state and federal agencies at the April 29, 2010, Intermodal Planning Group meeting. The Draft FY 2011 MAG Unified Planning Work Program and Annual Budget is being presented for recommendation for approval. This item is on the May 12, 2010 MAG Management Committee agenda to recommend approval. An update on action by the Management Committee will be provided. Please refer to the enclosed material.

5. Sustainable Communities Planning Grant Program Update

On April 19, 2010, the MAG Executive Committee directed MAG staff to conduct additional research pertaining to the Sustainable Communities Planning Grant Program offered by the U.S. Department of Housing and Urban Development (HUD) in partnership with the U.S. Department of Transportation and the Environmental Protection Agency. This competitive program supports the development of regional plans for sustainable development. Applying for this funding source may position MAG well in the future if such plans become a requirement with the re-authorization of federal transportation funding.

The Notice of Funding Availability (NOFA) is expected to be released by the U.S. Department of Housing and Urban Development (HUD) in May 2010. Up to \$5 million may be available for large metropolitan areas with a 20 percent match. Additional funds are expected to be available in the future to assist with implementation of the regional plans. It is anticipated that the grant will be oversubscribed and competitive. In preparation for the release of the NOFA, MAG has convened meetings with the officers of the MAG technical committees, community stakeholders, and the Joint Planning Advisory Council. An update on these activities will be offered at the May MAG Executive Committee meeting.

5. Information, discussion and guidance on a potential application for the HUD Sustainable Communities Planning Grant Program.

6. Regional Council Request for Future Agenda Items – Clarification and Guidance Regarding Transit Planning Responsibilities

At the April 28, 2010 Regional Council meeting, the City of Surprise requested that a future agenda item be considered by the Regional Council regarding transit planning responsibilities. Staff was directed to further clarify this request for consideration by the Executive Committee in accordance with the MAG Committee Operating Policies and Procedures adopted by the Regional Council on July 22, 2009. The City of Surprise is seeking clarification and guidance regarding MAG's regional transit planning responsibilities in relation to the Regional Public Transportation Authority since the approval of the Transit Planning Agreement by the Regional Council on March 31, 2010 and the changes in state law, SB 1063, regarding transit planning responsibilities, signed by the Governor on April 28, 2010. Please refer to the enclosed material.

7. MAG Committee Operating Policies and Procedures - Clarification on Chair and Vice Chair of Technical Committees

On July 22, 2009, the MAG Regional Council approved the MAG Committee Operating Policies and Procedures. Officer appointments for technical and other policy committees, with exception of the MAG Regional Council, Transportation Policy Committee, and Management Committee, will be made by the MAG Executive Committee and are eligible for one-year terms, with possible reappointment to serve up to one additional term by consent of the respective committee. 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.

In some committees, such as the Transportation Policy Committee, it is noted in the Policies and Procedures that the Chair needs to be a MAG member agency. Currently, the Chairs of the technical committees are from MAG member

6. Information, discussion and further direction by the Executive Committee.

7. Information, discussion and possible action on the member status of Chairs and Vice Chairs on Technical Committees.

agencies. However, the Vice Chairs include representatives from MAG member agencies, community councils, and local police departments. Staff is requesting guidance on whether the Chair and/or Vice Chair of the technical committees needs to be from a MAG member agency.

8. Request for Future Agenda Items

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

9. Comments from the Committee

An opportunity will be provided for the Executive Committee members to present a brief summary of current events. The Executive Committee 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.

10. Adjournment

8. Information and discussion.

9. Information

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE
April 19, 2010
MAG Offices, Cholla Room
302 N. 1st Avenue, Phoenix, Arizona

MEMBERS ATTENDING

Councilwoman Peggy Neely, Chair
Mayor Thomas L. Schoaf, Litchfield Park,
Vice Chair
Mayor Hugh Hallman, Tempe, Treasurer

Mayor Marie Lopez Rogers, Avondale
Mayor James M. Cavanaugh, Goodyear
Mayor Scott Smith, Mesa
Mayor Jim Lane, Scottsdale

* Not present

Participated by video or telephone conference call

1. Call to Order

The Executive Committee meeting was called to order by Chair Peggy Neely at 12:04 p.m. She noted that an update for agenda item #4, Attachment 3 (map) was at their place. Chair Neely stated that public comment cards were available for those members of the public who wish to comment. Transit tickets were available from Valley Metro for those using transit to come to the meeting. Parking validation was available from MAG staff for those who parked in the parking garage.

2. Call to the Audience

Chair Neely noted that, according to the MAG public comment process, members of the audience who wish to speak are requested to fill out the public comment cards. She stated that there is a three-minute time limit. Public comment is provided at the beginning of the meeting for items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Chair Neely noted that no public comment cards had been received.

3. Consent Agenda

Chair Neely noted that prior to action on the consent agenda, members of the audience are provided an opportunity to comment on consent items that are being presented for action. Following the comment period, Committee members may request that an item be removed from the consent agenda. Chair Neely noted that no public comment cards had been received.

Chair Neely requested a motion to approve the consent agenda. Mayor Hallman moved to approve items #3A and #3B. Mayor Lane seconded the motion and the motion carried unanimously.

3A. Approval of the March 22, 2010, Executive Committee Meeting Minutes

The Regional Council Executive Committee, by consent, approved the March 22, 2010, Executive Committee meeting minutes.

3B. Amendment to the FY 2010 MAG Unified Planning Work Program and Annual Budget to Accept Funding from the Governor's Office for Children, Youth, and Families for Domestic Violence Planning

The Regional Council Executive Committee, by consent, approved the budget amendment to the FY 2010 MAG Unified Planning Work Program and Annual Budget to include funding, contingent upon confirmation of the grant award, in the amount of \$249,568. The FY 2010 MAG Unified Planning Work Program and Annual Budget (UPWP) was approved by the MAG Regional Council on May 27, 2009. A Domestic Violence STOP grant for Human Services is anticipated to be awarded by the Governor's Office to Regional Community Partners (RCP) for work on the MAG Protocol Evaluation Project. This project work includes an evaluation and recommendations on the protocols used to arrest and prosecute domestic violence offenders. This item is to approve an amendment to the MAG 2010 Unified Planning Work Program and Annual Budget, contingent upon confirmation of the grant award, to increase the budget for RCP by \$249,568.

4. Discussion Regarding the Metropolitan Area Planning Boundary

Dennis Smith began by stating that MAG is a Transportation Management Area (TMA) and every four years our planning process needs to be certified. He explained that on May 4 and 5 of 2004, the certification review process suggested improvements. He noted that those suggested improvement included looking toward our partners in Pinal County. Mr. Smith stated that at the last certification review process in November 2009, the review brought up the old suggested improvement and asked what had been done. Mr. Smith read the quote from the 2004 certification review process, "As the urbanized area continues to grow outside the boundaries of Maricopa County, the boundaries of the Metropolitan Planning Organization should grow with it. We strongly encourage MAG to work with the neighboring jurisdictions outside Maricopa County to make their transition to the MPO as seamless as possible." He noted that the suggested improvement was made over four years ago and is a complicated matter. He recognized that Pinal County would like to chart their own future. Mr. Smith stated that he would now like to present a series of charts and maps that show the relationship that MAG and Pinal County currently have. He noted that at a minimum, the metropolitan planning area boundary shall encompass the entire existing urbanized area as defined by the Census. He showed a map of the projected urbanized areas in 2010 and the potential urbanized areas in 2030. The federal law states that the metropolitan planning area boundary needs to include that area expected to be urbanized within the next 20-years. He noted the federal law states that the boundary may also include the entire metropolitan statistical area. He showed the next map of the Metropolitan statistical area as defined by the Office of Management and Budget, which includes both counties.

Mr. Smith commented on the planning arrangements that make this difficult. He noted that the Federal transportation law is closely aligned with the Clean Air Act Amendments. In some cases, nonattainment area boundaries in Maricopa County overlap into Pinal County. He noted that with PM-10, MAG is already into Apache Junction and parts of Pinal County. Mr. Smith showed on

Slide 6 that Area C and other air quality boundaries now being formed within Pinal County. He noted that the Governor has recently sent a letter to EPA stating that she does not believe there is a PM-2.5 issue in that area, but there is a PM-10 issue. Mr. Smith pointed this out on the map location down near the City of Maricopa. He then presented the current population densities and the population density in the next 20 years. He noted that the population is growing around the Gila River Indian Community over the next 20 years. Mr. Smith stated that MAG has many transportation relationships with Pinal County. The MAG transportation modeling boundary is currently below Interstate 8. He noted that the entire county of Pinal is being prepared to be modeled at MAG. He noted that the next slides show traffic volumes between Maricopa and Pinal counties that demonstrates a big connection between the two counties. He also noted that the percentage of work and non-work trips from Pinal to Maricopa is expected to grow in the future. The relationship will not decrease, but will increase in the future. Mr. Smith moved onto the next slide and presented the existing transportation framework. The proposed transportation framework shows the illustrative projects (unfunded), including the Hassayampa and Hidden Valley freeways. He commented on how the freeway network will wrap around the Gila River Indian Community. Mr. Smith stated that the proposed population density and the proposed freeway network are very closely aligned.

Mr. Smith presented three draft options: 1) expand the Metropolitan Planning Area for the area expected to be urbanized in the next 20 years; 2) expand the Metropolitan Planning Area to include the City of Maricopa; 3) expand the Metropolitan Planning Area to include a representative from the Central Arizona Association of Governments (CAAG) to represent the county. Mr. Smith noted that this could mean three new members on the MAG Regional Council - Pinal County, City of Maricopa, and a representative from the CAAG Regional Council. He explained that there could be many variations of how this would be worked out from a planning perspective. He continued that CAAG has a Transportation Policy Committee (TPC) that could make recommendations regarding the Pinal County area and MAG could potentially do the transportation and air quality modeling. Mr. Smith noted that the other option is to do nothing. Even though the federal regulations say MAG should be planning in that area, we have done nothing for over four years. He noted that eventually something will happen in that area, and there is a lot of interest in CAAG being a Metropolitan Planning Organization (MPO). Mr. Smith stated that he does not believe that they have the 50,000 in a contiguous urbanized area to become an MPO at this point. He commented on the issue of funding and the half-cent sales tax. Mr. Smith stated that statute states that the half-cent sales tax is only for Maricopa County. He also commented on Pinal County's interest in receiving CMAQ funding because of their PM-10 problem. Mr. Smith recognized that there are all kinds of issues to work through. He suggested we start a dialog with Pinal County and bring the elected officials into the dialog at the appropriate time if that is the desire of the Executive Committee.

Chair Neely wanted to clarify that there is a nonattainment area in Pinal County that might jeopardize MAG's federal funding source if we ignore it and do nothing. Mr. Smith stated that staff discussed this with the air quality specialist from the Federal Highway Administration (FHWA) and one of MAG's concerns is what if Pinal County has a huge air quality problem and that jeopardizes the MAG Transportation Improvement Program (TIP). He noted that the air quality specialist from FHWA indicated that in other areas of California they segment the TIP or put in firewalls. For example, if there are air quality problems in Pinal County and transportation

projects needed to be stopped, the projects stopped would be in Pinal County. Mr. Smith stated that MAG does have all the tools to do this, but we would have to be very careful. He noted that Pinal County knows their area better than anyone. MAG would have to work out a planning and funding arrangement with CAAG/Pinal County. CAAG/Pinal County would provide information for the modeling and recommendations on their project. Mr. Smith commented that from an efficiency perspective, it would make sense for MAG to share its resources with CAAG/Pinal County. He noted that there will most likely be a lot of mistrust, but expects that issues can be worked through. Chair Neely stated that we need to carefully walk down this road. She suggested that as the Executive Director, Mr. Smith begin to have a dialogue with the county, the cities and CAAG to talk about their interests. She noted that when there is some sort of agreement among the parties, we can then begin a dialogue with the elected officials. Mayor Lane asked if it was required by statute or legislation for MAG to move into this area, and will the State get involved in this matter. Mr. Smith replied that it is the federal regulation that as MAG continues to grow it is supposed to be part of the MAG planning area. He noted that it is totally interdependent - we are not really separate regions. Mr. Smith noted that he is waiting to hear back from FHWA. Mayor Smith stated that he understands the initial distrust. He also noted that the SanTan Valley area is proposing some type of incorporation and they are an area of 75,000 people. Mayor Smith stated that he supports moving forward as aggressively as possible. He added that he agrees that we need to plan as a region and the more we can understand the benefits, pitfalls and unintended consequences of coming together, the better off everyone will be.

Mayor Hallman suggested that we reach out and undertake an effort with Pinal County. He also stated that this should be done carefully and suspects there will be overall support. Mayor Hallman wonders if we are making this effort too hard. He stated that maybe it is possible to carve out the role that MAG has as the MPO with respect to the items we have to include Pinal County and provide appropriate weight to the Pinal County interest to help plan that area. Mayor Hallman stated that MAG needs to incorporate those areas that impact our areas regardless of others' interest. He stated that failing to plan instead of working with the leadership of Pinal County might lead to disaster. Mayor Cavanaugh stated that he supports continuing dialog at the staff level. He asked in the conduct of the Executive Director's duty, is there a conscious separation of the responsibilities of an MPO and a COG. Mr. Smith explained that MAG is an MPO, COG and TMA. He noted that there are definitely distinctions between the MPO and COG. Mayor Cavanaugh stated that there could be difficulties in the future with an outside planning agency assisting a COG with planning responsibilities. Mr. Smith stated that CAAG is a planning organization and does other things that MAG does not do. He noted that there is a way that you could keep CAAG's planning independence and have CAAG make the recommendations that impact their county. Mr. Smith suggested drafting it out in a Memorandum of Understanding (MOU) so that all parties have some protection.

Mayor Lopez-Rogers stated that as she read this she noted that it was not a federal requirement but a recommendation. Mr. Smith stated that the actual planning boundary is very specific in the federal law. Mayor Lopez-Rogers stated that it is important that we are in a positive relationship to have the best planning. She stated that she would like to see another option were MAG has a positive relationship with CAAG without CAAG having a formal voting position. Mr. Smith explained that MAG has a great planning relationship with both CAAG and Pinal County. He noted that CAAG and Pinal County have participated in studies and helped jointly fund studies.

Mayor Schoaf asked when MAG recommends building a particular freeway and allocates money, what is MAG acting as, an MPO or COG. Mr. Smith replied that we are acting as an MPO. He explained that there are three responsibilities of an MPO: 1) a work program; 2) the Transportation Improvement Program (TIP); and 3) the Regional Transportation Plan (RTP). Mayor Schoaf stated that he has concerns regarding how we will spend Maricopa County funding versus Pinal County funding. He also stated that the concept of working together and having a planning organization that is able to take into account all of the influences that are happening. He also stated that an adequate plan probably could not be accomplished for the Southeast portion of Maricopa County if we do not take into account what is happening in Pinal County. Mayor Schoaf commented on his concern and the difficulties in incorporating the voting status and questioned Pinal County's position in weighted voting. Chair Neely stated that maybe it can be structured like it is with ADOT and RTPA where they vote only on certain items. Mayor Schoaf agreed and stated that we need to work together on planning, but when it comes to spending, there needs to be fire walls established. Mr. Smith agreed and confirmed this is a very delicate situation. Mayor Smith also agreed. He commented that the biggest problem is funding and the dialogue needs to be at the regional level.

Chair Neely agreed and commented that both areas need to coordinate planning efforts. She noted that with the lack of planning and leadership, all will suffer. Chair Neely stated that what could happen is the delegation that is currently in Washington will make sure that those dollars are taking care of the problems that are in Pinal County, which would take away from the dollars that come to Maricopa County. Mr. Smith stated staff will talk with Pinal County to see what their view is on this issue. He noted that if there is an accommodation of some sort, staff will report back to the Committee.

5. Development of the Draft FY 2011 MAG Unified Planning Work Program and Annual Budget

Becky Kimbrough stated that the draft Work Program is brought to the Committee each month beginning in January. Ms. Kimbrough began the discussion with office space. She noted that in January 2005, MAG approached the Executive Committee on its need for office space. She stated that at that time, the Building Lease Working Group (BLWG) was formed and MAG went through a fairly long process to research building a new office building. That project was deferred. Ms. Kimbrough stated that MAG still needs office space and the City of Phoenix recently informed us that the fourth floor of the current building will become partially available in July 2010 and the rest of the floor is expected to become available later in the year. She stated that the proposed fourth floor addition is included in the draft budget. Ms. Kimbrough stated that MAG is proposing the staff from the second floor be moved up to the fourth floor, and the second floor will become meeting space. She continued that this remodel, which includes the second, third and fourth floors, would total \$1.6 million in renovation costs. In addition to the renovation costs, there is \$500,000 in videoconference equipment, and \$480,000 in additional furniture and fixtures, which would be added to the current fixed assets. Mr. Smith clarified that when we moved in 1997, we rearranged some walls on the third floor, but the carpet is the original bank carpet and there are a number of trip hazards. Chair Neely commented that we need to get this done. Mr. Smith noted that we are looking at a 10 year lease, so this will be home for a long time. Dennis introduced Monique de los Rios Urban.

Monique de los Rios Urban thanked the Executive Committee for the opportunity to present the information on the MAG office space. She noted that MAG currently occupies approximately 32,000 square feet of the building at 302 N. First Avenue. She continued to explain that MAG leases 7,885 square feet on the first floor, 11,877 square feet on the second floor and 12,305 square feet on the third floor. The proposal is to lease the 4th floor and reconfigure the 2nd floor. Ms. de los Rios Urban stated that on the existing second floor, MAG is proposing to remove the office space improvements on the north side of the floor plate and install new conference room facilities. She noted that there will be a total of four new conference rooms, reconfigured support staff space, service kitchen and network/server rooms, and a redesigned elevator lobby and reception area. She explained that on the existing third floor, the proposal is to re-carpet and repaint the entire floor plate, as well as minor enhancements to the elevator lobby. The new leased floor on the 4th level would house additional office space for MAG. She stated that the concept on this floor is to create a similar raceway circulation design as currently on the third floor, as well as a medium size meeting room and a division "war room." A total of 38 workstations would be installed and 12 hard-walled offices. Ms. de los Rios Urban stated that currently the entire 4th floor is occupied, with approximately three quarters of the floor soon to be vacated. She explained that there is a section of this floor that will still be occupied by the building owner and will not be available initially. MAG would proceed with design for the entire floor and initial tenant improvement in the available square footage. Ms. de los Rios Urban concluded that MAG would occupy close to four floors of the building, for a total of approximately 44,000 square feet. Mr. Smith stated that the Arizona Municipal Water Users (AMWU) is discussing moving into the building and taking some of the vacated space from RPTA. The advantage to the cities and towns is that they would need less meeting space because they could use this meeting space and technology. He noted it is a more efficient use of the building and the elected officials' time, which saves taxpayers money.

Ms. Kimbrough noted that the proposed renovations and remodel costs will be found in the capital portion of the budget. She mentioned that there is also a request for additional staff positions. She stated that there is a need for four positions related to modeling and data gathering. There is also a position that is related to the Regional Community Network (RCN) operations project. She noted that on July 1, 2010, MAG will be put in charge of the RCN and will require a network manager. Ms. Kimbrough noted that there is also a need for a second floor staff support position if that becomes additional meeting space. She stated that also included in the budget is an additional five percent for some of the positions in the budget, but that would not include the position adjustments made last month. Ms. Kimbrough stated that there was a line item added that was of interest to a lot of cities and that is the MAG Specifications and Details Committee which will have American Society for Testing Material (ASTM), international construction standards. It is proposed that MAG host a portal and pay for the subscription cost, which is \$30,000 per year, and all the cities will have access to these standards. Ms. Kimbrough stated that the dues and assessments are proposed to be maintained at 50 percent as in the previous year. She noted that MAG has not increase the dues, but there is a different distribution based on the population shift. She informed the Committee that the Intermodal Planning Group (IPG) meeting is scheduled for Thursday, April 29, 2010 and will be held in the Cholla Room. She noted that this is the MAG federal and state review of the Work Program and comments from this review will be brought to the Executive Committee in May. She concluded that the Work Program will be brought to the Executive Committee for recommendation for approval in May. Chair Neely asked if there were

any questions. There were none. She thanked Ms. Kimbrough and Ms. de los Rios Urban for their reports.

6. Sustainable Communities Program Grant

Dennis Smith mentioned some of the previous efforts that are similar to the sustainable communities concept such as, Smart Growth, Blue Ribbon Committee, Regional Development Policy committee, and the Urban Form Study. He noted that MAG has been in this several years with usually not a very good result. He noted that the difference is the federal government has indicated that they are going to make this a requirement in the new reauthorization. He commented that if they do require this, it would be wise for MAG to get a head start and apply for a grant if the final funding shows that MPOs are an eligible applicant. He introduced Amy St. Peter to discuss the process we have been considering, and Eric will discuss the HUD, EPA and DOT sustainability program and how that will impact our transportation program.

Amy St. Peter stated that the U.S. Department of Housing and Urban Development (HUD), the U.S. Department of Transportation (DOT), and the Environmental Protection Agency (EPA) are collaborating on this program, and the grant is being offered through HUD's Office of Sustainable Housing and Communities. Ms. St. Peter noted that the advance notice states "the goal of the program is to support multi-jurisdictional regional planning efforts that integrate housing, economic development, and transportation decision-making in a manner that empowers jurisdictions to consider the interdependent challenges of economic growth, social equity and environmental impact simultaneously." She commented that ultimately, this program supports the development of regional plans for sustainable development that increase economic prosperity by giving families greater access to housing and transportation options within their means. Ms St. Peter explained that according to HUD, a regional plan will do the following: 1) identifies priorities and goals in a region for housing, transportation, economic development, land use, environmental, energy, green space and water infrastructure; 2) establishes and measures locally-appropriate performance goals; 3) provides strategies for meeting those priorities and goals; 4) prioritizes projects with identified leaders and funding that facilitates the implementation of the regional plan; and 5) engages residents and stakeholders throughout the process. She noted that a number of the cities and towns already have sustainability plans. Ms. St. Peter explained that the goal of this grant is to integrate the plans already in place, which includes relevant MAG plans, the municipal plans, as well as efforts underway through community partners.

Ms. St. Peter reported that the Notice of Funding Availability (NOFA) was scheduled to be released last week. However, HUD delayed the release until mid-May because they received a significant number of comments on the advance notice. She noted that once the NOFA is released, the deadline will likely be a month and a half later (early July). Ms. St. Peter explained that this will be a very competitive process. There is approximately \$100 million available nationally, and large metropolitan regions are eligible to receive up to \$5 million each. Ms. St. Peter continued to explain that the program supports six livability principles: 1) provide more transportation choices; 2) promote equitable, affordable housing; 3) enhance economic competitiveness; 4) support existing communities through such strategies as transit-oriented, mixed-use development and land recycling; 5) coordinate policies and leverage investment; align federal policies and

funding to remove barriers to collaboration; 6) value communities and neighborhoods by investing in healthy, safe, and walkable neighborhoods.

Ms. St. Peter suggested a tentative process to move forward could involve the following steps given approval from the Executive Committee: conduct initial research about existing plans relevant to the project and begin to identify common areas and gaps; solicit feedback from MAG technical committee officers to identify possible contributions from their respective committees; offer a report on information collected to MAG Management Committee and MAG Executive Committee in May and solicit feedback for the grant proposal. She noted that if awarded a grant, MAG could conduct a more in-depth review of existing relevant plans with MAG Committees and community partners to confirm areas of focus. She continued with other steps that could include: collaboration with the MAG technical committee officers, developing regional principles for sustainable growth; hosting a regional event to highlight promising practices and developing measures that promote sustainable development on the basis of the regional principles. She explained that cities and towns may volunteer for the measures that are most appropriate and beneficial for them. MAG will develop a regional plan for sustainable development on the basis of the volunteer measures. She noted that there may be an opportunity to collaborate through JPAC on greater Sun Corridor issues. Ms. St. Peter noted that the end outcome of this activity is the region will be more sustainable because residents will have greater access to an array of housing and transportation options they can maintain for the long-term. She also noted that we are hearing that applications will only be deemed competitive if they represent partnerships and commitment to specific performance measures. It will be critical to indicate the anticipated impact of the grant on the region.

Eric Anderson stated that the federal transportation authorization expired in September 2009 and Congress passed a one year continuing resolution. He stated that there have been a number of discussions about what the new transportation authorization legislation may include. He explained that the expectation is that Congress will not address new legislation this year. He commented that it will probably be into 2011 or 2012 before Congress passes anything. One of the major drafts by Representative Oberstar contains a number of provisions dealing with sustainability and livability. Mr. Anderson stated that many of the aspects of the draft legislation embed a lot of the concepts in the HUD application in terms of livability and sustainability. He explained that this means making sure that there are better connections between land use and transportation, and in particular making sure land use plans are conducive to transit oriented development and providing a better mix of housing options. He stated that the objective is to reduce the number of vehicle miles of travel (VMT) per capita so it declines over time as the region successfully implements some of the measures. It is also clear that the federal transportation authorization is likely to include a number of provisions to have regions establish performance metrics not only for the typical transportation measures, but for the land use measures as well. Mr. Anderson noted that the final aspect is accountability. He stated that the draft legislation includes provisions for regional reporting in terms of progress being made toward achieving the different performance measures. Mr. Anderson noted that Chairman DeFazio of the House Surface Transportation Subcommittee emphasized that Congress is ready to give MPO's in large areas more responsibility, but along with that comes more accountability. His comments indicate that performance measures will likely be embedded in the next round of transportation authorization. He also stated that there is also a strong possibility that funding will be tied to how regions

progress toward achieving the objectives. Mr. Anderson stated that the HUD grant provisions reflect what has been seen in the transportation authorization drafts to date.

Mr. Smith stated that the Joint Planning Advisory Council (JPAC) is scheduled for tomorrow and this item is on the agenda. He noted that there was some discussion at an early staff JPAC meeting on a joint application for the Sun Corridor, but does not believe that will work because each region is in a different place of development. Mr. Smith suggested a coordination element in all of the applications that shows how we will work through the JPAC on sustainability. Chair Neely asked for comments. Mayor Lane asked what the trade offs are and have we already relinquishing some local control. Mr. Smith stated that he does not believe that we have relinquished any control. He stated that we are approaching this with caution and recommend that some guiding principles be formed with input from all the technical committees and approved by the Regional Council. He noted that we would then send these principles out to the communities and the community would decide what they could commit to. Mr. Smith stated that we are waiting for the NOFA so that we can get some answers. He noted that some member agencies indicated that if MAG is not the lead then they are not interested. There are also non-profit agencies that are very interested in this, including ULI. Mayor Lane stated that some other agencies that are in a lesser position in regards to planning are not in the same position as MAG. He noted that in MAG's case the commitment for possibility a \$5million grant may really be a commitment to something far more. Mr. Smith replied that if we keep this within the MAG process, the cities and towns are MAG. Chair Neely clarified that this grant is looking for an element of sustainability to be competitive. She commented that may include the outlying areas in this region. We need to position ourselves so that we can apply for future dollars. Mr. Smith noted that would include some of the projects in the Work Program that will hopefully be approved next month. He explained that this includes the transit oriented development around all the commuter rail lines. He stated that we are doing a lot related to sustainability, but just not packaging in that way. Mr. Smith noted where it gets delicate is when you talk about workforce housing.

Mayor Lane wanted to clarify that we are not giving up local control. Mayor Smith stated that he has been active on the US Conference of Mayors Transportation Committee. He stated that this is a big deal for them. Mayor Smith stated that the bigger question is are local governments being forced into a big federal planning model. He explained that the answer he heard was no, but the guidelines will be structured so that there will be more funding (tiered funding) available to those who integrate sustainability and livability. Mayor Lane stated that he believes that our future funding may be dependent on this type of planning. Ms. St. Peter stated HUD indicated that this will be an ongoing funding source with additional funds available each year for the planning grants, as well as implementation. She stated that there were three different categories: 1) planning, 2) detailed planning for execution of the grant, and 3) implementation. Mayor Smith stated that he would love to create a joint knowledge base as far as zoning, without losing control at the local level.

Chair Neely asked if ULI would be a good partner for MAG to look toward. Mr. Smith stated that ULI participated in a stakeholders meeting that was held in anticipation of this meeting. He noted that Eric Anderson also participated with ULI in the Reality Check Program. Mr. Anderson stated that ULI has done a very good job over the past several years on the Reality Check Program. He noted that their mission is more on the education side. Making sure that people understand what

has to happen with transit oriented development and what that means and does not mean. He also noted that ULI has great links back to the development community. They have expressed interest in participating with MAG on a grant application. They would like to pursue the idea of different levels of centers around the region, both existing and future center, and looking at the land use plans within those centers. Mr. Anderson stated that based on the discussion with stakeholders in various communities, there are a lot of different ideas on the direction this grant can take. He stated that he made it clear that if MAG was to take the lead on the grant it would have to benefit our members, and it would advance the transportation/land use link in the future. He added that it would be developing a tool box for the local governments. Mr. Anderson noted that MAG is doing a lot of activities related to the area of sustainability, but have not brought them all together. Chair Neely suggested moving forward carefully and look for possible partnerships.

Mayor Hallman stated that we should keep in mind the differences among the local jurisdictions in MAG and they exist because of the very different approach the communities have had based on the wants of the residents. He added its important that we not try to duplicate efforts. He noted that we need to keep our eyes open as we move forward so that the implementation is not a one size-fits all.

Chair Neeley asked if there were any other comments. There were none. She suggested that the Executive Director move forward based on the discussion.

7. MAG Population Technical Advisory Committee (POPTAC) Chair and Vice Chair Appointments

Ms. McClafferty stated that in July 2009, the MAG Regional Council approved the MAG Committee Operating Policies and Procedures. These policies state that officer appointments for technical and other policy committees, with exception of the MAG Regional Council, Transportation Policy Committee, and Management Committee, will be made by the MAG Executive Committee and are eligible for one-year terms, with possible reappointment to serve up to one additional term by consent of the respective committee. She explained that in March 2010, the positions of chair and vice chair of the POPTAC became vacant. On March 17, 2010, MAG staff sent a notice to the Management Committee, POPTAC, and the Intergovernmental Representatives to solicit letters of interest for the POPTAC chair and vice chair positions. Ms. McClafferty noted that MAG received four letters of interest. Copies of these letters are at the table, along with a summary table identifying the positions in which they are interested.

Mayor Hallman moved to approve Mr. James Bacon, Town Manager, Paradise Valley, as Chair and Mr. Charlie McClendon, City Manager, Avondale, as Vice Chair for the Population Technical Advisory Committee (POPTAC). Mayor Schoaf seconded the motion and the motion carried unanimously.

8. Request for Future Agenda Items

Chair Neely asked if there were any requests for future agenda items. There were none.

9. Comments from the Committee

Chair Neely asked if there were any comments for the committee members. There were none.

10. Adjournment

Mayor Schoaf moved to adjourn the Executive Committee meeting. Mayor Hallman seconded the motion and it carried unanimously. There being no further business, the Executive Committee adjourned at 1:23 p.m.

Chair

Secretary

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

May 10, 2010

SUBJECT:

Consultant Selection for the Southeast Corridor Major Investment Study

SUMMARY:

The fiscal year (FY) 2010 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2009, was amended in March 2010 to include \$300,000 to conduct the Southeast Corridor Major Investment Study.

The Arizona Department of Transportation (ADOT) is in the process of completing an Environmental Impact Statement (EIS) for the widening of Interstate 10, the Maricopa Freeway, between the SR-51/SR-202L/Red Mountain "Mini-Stack" and SR-202L/Santan-South Mountain "Pecos Stack" traffic interchanges. The subject of this EIS is an environmental clearance that would allow the reconstruction of the Interstate 10/SR-143/48th Street traffic interchange, connection improvements to the US-60/Superstition Freeway and the Interstate 17/Black Canyon Freeway traffic interchanges, construction of an additional high occupancy vehicle (HOV) lane between Interstate 17 and US-60, and implementation of a local-express lane system to provide additional capacity along Interstate 10 that could accommodate more than 400,000 vehicles per day. ADOT is in the process of wrapping up this EIS and proposes obtaining a Record of Decision, the final action in the EIS process, in early 2011.

Presently, the Regional Freeway and Highway Program of the MAG Regional Transportation Plan provides approximately \$450 million for an initial phase of the project between 32nd Street and SR-202L/Santan-South Mountain Freeways. The remaining section of the project, from 32nd Street to SR-51/SR-202L/Red Mountain Freeway, is estimated to cost \$500 million and is presently identified for implementation in the fifth phase of the Regional Transportation Plan.

During the course of the EIS, questions have been raised by MAG member agencies about the investment being made in this corridor and the need for alternative transportation options, in addition to widening Interstate 10 and improving the system traffic interchanges, to accommodate the growing travel demand between the East Valley and Central Phoenix. MAG proposes conducting the Southeast Corridor Major Investment Study for these purposes. The work program for this Study will contain the following tasks:

- Review of all transportation investments proposed for the Southeast Corridor, including those proposed along other parallel facilities, such as SR-101L/Price Freeway and SR-202L/Red Mountain Freeway.
- Study of the travel demand shed between the East Valley and Central Phoenix to identify the potential for alternative transportation mode strategies to accommodate demand in addition to freeway widening scenarios.
- Consultation with project stakeholders on the project's findings and recommendations.
- Development of a preferred investment strategy for the Southeast Corridor.

The request for proposals was advertised on March 22, 2010. Four proposals were received from PBS&J, Inc., HDR, Inc., Parsons Brinckerhoff, and Gannett Fleming. A multi-agency proposal evaluation team consisting of MAG member agencies and MAG staff reviewed the proposal documents and, on April 28, 2010, the proposal evaluation team recommended to MAG the selection of HDR, Inc. to conduct the project in an amount not to exceed \$300,000.

PUBLIC INPUT:

No public input has been received.

PROS & CONS:

PROS: As presently proposed, an investment of approximately \$1 billion is proposed for the Southeast Corridor to accommodate future travel demand, primarily in facilitating widening of Interstate 10. The outcome of this study will evaluate the suitability of this investment measured against the ability to incorporate alternative transportation strategies in the corridor. In light of current economic conditions, this study's results may provide the region with options to consider in making the appropriate investments for the Southeast Corridor.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The outcome and subsequent actions taken by the Regional Council based upon the findings of this study could affect the timing of the Interstate 10 EIS and ultimately the timing of improvements in the Southeast Corridor. However, this process could result in a plan for the Southeast Corridor that provides the best value for accommodating increasing travel demand between the East Valley and Central Phoenix.

POLICY: The Southeast Corridor Major Investment Study will provide guidance to MAG, ADOT, and other affected jurisdictions and agencies with a comprehensive approach for accommodating the travel demand between the East Valley and Central Phoenix.

ACTION NEEDED:

Approval to select HDR, Inc. to conduct the Southeast Corridor Major Investment Study for an amount not to exceed \$300,000.

PRIOR COMMITTEE ACTIONS:

On May 12, 2010, the MAG Management Committee will take action to recommended approval of the selection of HDR, Inc. to conduct the Southeast Corridor Major Investment Study for an amount not to exceed \$300,000. on this item. An update on the action taken will be provided at the May 17, 2010 Executive Committee meeting.

On April 28, 2010, the proposal evaluation team recommended to MAG the selection of HDR, Inc. to conduct the Southeast Corridor Major Investment Study for an amount not to exceed \$300,000.

MEMBERS ATTENDING:

Shane Silsby, City of Phoenix
Street Transportation Department
Dan Cook, City of Chandler
Jeff Kulaga, City of Tempe

Larry Langer, Arizona Department
of Transportation
Wulf Grote, Valley Metro Rail
Eric Anderson, MAG
Kevin Wallace, MAG
Bob Hazlett, MAG

CONTACT PERSON:

Bob Hazlett, Senior Transportation Engineer, MAG 602 254-6300.

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

May 10, 2010

SUBJECT:

Approval of the Draft FY 2011 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments.

SUMMARY:

Each year staff develops the MAG Unified Planning Work Program and Annual Budget. The Work Program is reviewed in April by the federal agencies and approved by the Regional Council in May. The proposed budget information was presented incrementally each month, and adjustments have been made as information was received.

The Management Committee reviewed the development of the Work Program and Annual Budget at its meetings on January 13, February 10, March 10, and April 14, 2010. The Regional Council reviewed the draft budget document at its meetings on January 27, February 24, March 31 and April 28, 2010.

MAG Dues and Assessments were presented in January 2010 with a proposed overall decrease of 50 percent due to economic conditions.

Each year new projects are proposed for inclusion in the MAG planning efforts. The proposed new projects for FY 2011 were first presented at the February 10, 2010, Management Committee meeting, the February 16, 2010, Executive Committee meeting, and the February 24, 2010, Regional Council meeting. These new project proposals come from the various MAG technical committees, policy committees and other discussions with members and stakeholders regarding joint efforts within the region. These projects are subject to review and input by the committees as they go through the budget process. No additional revisions were made to proposed projects from the February presentations.

The review of the draft Work Program and Annual Budget for the Intermodal Planning Group (IPG) meeting on April 29, 2010, did not result in any new recommendations for the FY 2011 Work Program and Annual Budget document.

The draft FY 2011 draft Work Program and Annual Budget reflects an increase that is primarily due to the renovation and remodel of the MAG office space. There are increases in personnel and overhead costs as well as consultant projects that also contribute to this budgeted increase. Overall, including carryforward totals, the final draft budget for FY 2011 reflects an increase of 15.17 percent from the budgeted amount in the current year.

The draft of the FY 2011 MAG Unified Planning Work Program and Annual Budget has narrative by division and associated program costs, and draft schedules in the budget appendix, including overall program allocations, allocation of funding by funding source, budgeted positions, dues and assessments, and consultant pages for new and carryforward consultants.

The MAG region, as a Transportation Management Area and as a Metropolitan Planning Organization, is required (by federal regulations 23 CFR 450.314) to describe all of the regional transportation-related activities within the planning area, regardless of funding sources or agencies conducting activities. The regional transportation projects received from other organizations are noted in the Work Program.

PUBLIC INPUT:

None.

PROS & CONS:

PROS: MAG is presenting the final draft FY 2011 budget, which provides for an incremental review of key budget details of the complete draft budget.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The Federal Intermodal Surface Transportation Efficiency Act of 1991 requires a metropolitan planning organization to develop a unified planning work program that meets the requirements of federal law. Additionally, the MAG By-Laws require approval and adoption of a budget for each fiscal year and a service charge schedule.

POLICY: As requested by the MAG Executive Committee and subsequently approved by the Regional Council in May 2002, the MAG Work Program and Annual Budget detail is being presented earlier to the Management Committee and there is increased notice to members on the budget as it is drafted. MAG is providing a budget summary, "MAG Programs in Brief," that outlines new programs and presents the necessary resources to implement these programs. This summary allows member agencies to quickly decipher the financial implications of such programs prior to their approval for implementation. The draft FY 2011 Unified Planning Work Program and Annual Budget is also provided.

ACTION NEEDED:

Recommend approval of the resolution adopting the Draft FY 2011 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments.

PRIOR COMMITTEE ACTIONS:

On May 12, 2010, the MAG Management Committee will take action to recommended approval of the resolution adopting the Draft 2011 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments. An update on the action taken will be provided at the May 17, 2010 Executive Committee meeting.

This item was on the April 28, 2010 Regional Council agenda:

MEMBERS ATTENDING

Councilwoman Peggy Neely, Phoenix, Chair
 # Mayor Thomas Schoaf, Litchfield Park, Vice Chair
 # Councilwoman Robin Barker, Apache Junction
 * Mayor Marie Lopez Rogers, Avondale
 * Mayor Jackie Meck, Buckeye
 * Mayor David Schwan, Carefree
 Councilman Dick Esser, Cave Creek
 Mayor Boyd Dunn, Chandler
 Mayor Michele Kern, El Mirage
 * President Clinton Pattea, Fort McDowell Yavapai Nation
 * Mayor Jay Schlum, Fountain Hills
 * Mayor Ron Henry, Gila Bend
 * Governor William Rhodes, Gila River Indian Community
 Mayor John Lewis, Gilbert

* Mayor Elaine Scruggs, Glendale
 Mayor James M. Cavanaugh, Goodyear
 Mayor Yolanda Solarez, Guadalupe
 * Supervisor Mary Rose Wilcox, Maricopa Co.
 # Mayor Scott Smith, Mesa
 * Mayor Vernon Parker, Paradise Valley
 # Mayor Bob Barrett, Peoria
 # Mayor Arthur Sanders, Queen Creek
 * President Diane Enos, Salt River Pima-Maricopa Indian Community
 # Mayor Jim Lane, Scottsdale
 Councilwoman Sharon Wolcott, Surprise
 Mayor Hugh Hallman, Tempe
 * Mayor Adolfo Gamez, Tolleson
 # Mayor Kelly Blunt, Wickenburg
 * Mayor Michael LeVault, Youngtown
 Felipe Zubia, State Transportation Board

Victor Flores, State Transportation Board
Roc Arnett, Citizens Transportation Oversight

Committee

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

This item was on the April 19, 2010 Executive Committee agenda:

MEMBERS ATTENDING

Councilwoman Peggy Neely, Chair
Mayor Thomas L. Schoaf, Litchfield Park,
Vice Chair
Mayor Hugh Hallman, Tempe, Treasurer

Mayor Marie Lopez Rogers, Avondale
Mayor James M. Cavanaugh, Goodyear
Mayor Scott Smith, Mesa
Mayor Jim Lane, Scottsdale

This item was on the April 14, 2010 Management Committee agenda:

MEMBERS ATTENDING

Patrice Kraus for Mark Pentz, Chandler
Carl Swenson, Peoria, Vice Chair
George Hoffman, Apache Junction
Charlie McClendon, Avondale
Scott Lowe for Stephen Cleveland,
Buckeye
* Gary Neiss, Carefree
Usama Abujbarah, Cave Creek
Spencer Isom for B.J. Cornwall, El Mirage
Alfonso Rodriguez for Phil Dorchester,
Fort McDowell Yavapai Nation
Julie Ghetti for Rick Davis, Fountain Hills
Rick Buss, Gila Bend
* David White, Gila River Indian Community
Michelle Gramley for Collin DeWitt, Gilbert
Brent Stoddard for Ed Beasley, Glendale
Mark Gaillard for John Fischbach, Goodyear
Bill Hernandez, Guadalupe

Darryl Crossman, Litchfield Park
Christopher Brady, Mesa
Jim Bacon, Paradise Valley
David Cavazos, Phoenix
John Kross, Queen Creek
* Bryan Meyers, Salt River Pima-Maricopa
Indian Community
Dave Richert, Scottsdale
Michael Celaya for Mark Corona, Surprise
Jeff Kulaga for Charlie Meyer, Tempe
Chris Hagen for Reyes Medrano, Tolleson
Gary Edwards, Wickenburg
Lloyce Robinson, Youngtown
Robert Samour for John Halikowski, ADOT
Kenny Harris for David Smith,
Maricopa County
David Boggs, Valley Metro/RPTA

* Those members neither present nor represented by proxy.

Participated by telephone conference call.

+ Participated by videoconference call.

This item was on the March 31, 2010, Regional Council agenda.

MEMBERS ATTENDING

Councilwoman Peggy Neely, Phoenix, Chair
Mayor Thomas Schoaf, Litchfield Park,
Vice Chair
Councilwoman Robin Barker, Apache Junction
Mayor Marie Lopez Rogers, Avondale
Mayor Jackie Meck, Buckeye
Mayor David Schwan, Carefree
Councilman Dick Esser, Cave Creek
Mayor Boyd Dunn, Chandler
Mayor Michele Kern, El Mirage
* President Clinton Pattea, Fort McDowell
Yavapai Nation
Mayor Jay Schlum, Fountain Hills

* Mayor Ron Henry, Gila Bend
* Governor William Rhodes, Gila River
Indian Community
Mayor John Lewis, Gilbert
* Mayor Elaine Scruggs, Glendale
Vice Mayor Georgia Lord for Mayor
James M. Cavanaugh, Goodyear
Mayor Yolanda Solarez, Guadalupe
* Supervisor Mary Rose Wilcox, Maricopa Co.
Mayor Scott Smith, Mesa
* Mayor Vernon Parker, Paradise Valley
Mayor Bob Barrett, Peoria
Mayor Arthur Sanders, Queen Creek

- * President Diane Enos, Salt River Pima-Maricopa Indian Community
- # Mayor Jim Lane, Scottsdale
Councilwoman Sharon Wolcott, Surprise
- # Mayor Hugh Hallman, Tempe
- * Mayor Adolfo Gamez, Tolleson

- # Mayor Kelly Blunt, Wickenburg
- # Mayor Michael LeVault, Youngtown
- * Felipe Zubia, State Transportation Board
- * Victor Flores, State Transportation Board
- # Roc Arnett, CTOC

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

This item was on the March 10, 2010, Management Committee agenda.

MEMBERS ATTENDING

- Mark Pentz, Chandler, Chair
- Carl Swenson, Peoria, Vice Chair
- # George Hoffman, Apache Junction
- Rogene Hill for Charlie McClendon, Avondale
- David Johnson for Stephen Cleveland, Buckeye
- * Gary Neiss, Carefree
- Wayne Anderson for Usama Abujbarah, Cave Creek
- Spencer Isom for B.J. Cornwall, El Mirage
- Alfonso Rodriguez for Phil Dorchester, Fort McDowell Yavapai Nation
- Rick Davis, Fountain Hills
- Rick Buss, Gila Bend
- * David White, Gila River Indian Community
- Tami Ryall for Collin DeWitt, Gilbert
- Brent Stoddard for Ed Beasley, Glendale
- Mark Gaillard for John Fischbach, Goodyear

- Bill Hernandez, Guadalupe
- Darryl Crossman, Litchfield Park
- Christopher Brady, Mesa
- Jim Bacon, Paradise Valley
- Thomas Remes for David Cavazos, Phoenix
- John Kross, Queen Creek
- * Bryan Meyers, Salt River Pima-Maricopa Indian Community
- Dave Richert, Scottsdale
- Randy Oliver, Surprise
- Jeff Kulaga for Charlie Meyer, Tempe
- # Chris Hagen for Reyes Medrano, Tolleson
- # Gary Edwards, Wickenburg
- # Lloyce Robinson, Youngtown
- * John Halikowski, ADOT
- David Smith, Maricopa County
- David Boggs, Valley Metro/RPTA

* Those members neither present nor represented by proxy.

Participated by telephone conference call.

+ Participated by videoconference call.

This item was on the February 24, 2010, Regional Council agenda.

MEMBERS ATTENDING

- Councilwoman Peggy Neely, Phoenix, Chair
- Mayor Thomas Schoaf, Litchfield Park, Vice Chair
- # Councilwoman Robin Barker, Apache Junction
- # Mayor Marie Lopez Rogers, Avondale
- Mayor Jackie Meck, Buckeye
- # Mayor David Schwan, Carefree
- Councilman Dick Esser, Cave Creek
- # Mayor Boyd Dunn, Chandler
- Mayor Michele Kern, El Mirage
- * President Clinton Pattea, Fort McDowell Yavapai Nation
- # Mayor Jay Schlum, Fountain Hills
- * Mayor Ron Henry, Gila Bend
- * Governor William Rhodes, Gila River Indian Community
- Mayor John Lewis, Gilbert

- * Mayor Elaine Scruggs, Glendale
- Mayor James M. Cavanaugh, Goodyear
- Councilwoman Gloria Cota for Mayor Yolanda Solarez, Guadalupe
- * Supervisor Mary Rose Wilcox, Maricopa Co.
- Mayor Scott Smith, Mesa
- * Mayor Vernon Parker, Paradise Valley
- Vice Mayor Ron Aames for Mayor Bob Barrett, Peoria
- # Mayor Arthur Sanders, Queen Creek
- * President Diane Enos, Salt River Pima-Maricopa Indian Community
- # Mayor Jim Lane, Scottsdale
- Councilwoman Sharon Wolcott, Surprise
- # Mayor Hugh Hallman, Tempe
- * Mayor Adolfo Gamez, Tolleson
- * Mayor Kelly Blunt, Wickenburg

- # Mayor Michael LeVault, Youngtown
- * Felipe Zubia, State Transportation Board
- * Victor Flores, State Transportation Board

Roc Arnett, Citizens Transportation Oversight Committee

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

This item was on the February 16, 2010, Executive Committee agenda.

MEMBERS ATTENDING

- Councilwoman Peggy Neely, Chair
- # Mayor Thomas L. Schoaf, Litchfield Park, Vice Chair
- # Mayor Hugh Hallman, Tempe, Treasurer

- Mayor Marie Lopez Rogers, Avondale
- Mayor James M. Cavanaugh, Goodyear
- Mayor Scott Smith, Mesa
- # Mayor Jim Lane, Scottsdale

* Not present

#Participated by video or telephone conference call

This item was on the February 10, 2010, Management Committee agenda.

MEMBERS ATTENDING

- Mark Pentz, Chandler, Chair
- Carl Swenson, Peoria, Vice Chair
- # George Hoffman, Apache Junction
- Charlie McClendon, Avondale
- David Johnson for Stephen Cleveland, Buckeye
- Gary Neiss, Carefree
- * Usama Abujbarah, Cave Creek
- Spencer Isom for B.J. Cornwall, El Mirage
- * Phil Dorchester, Fort McDowell Yavapai Nation
- Rick Davis, Fountain Hills
- Rick Buss, Gila Bend
- * David White, Gila River Indian Community
- George Pettit, Gilbert
- Brent Stoddard for Ed Beasley, Glendale
- Mark Gaillard for John Fischbach, Goodyear

- Bill Hernandez, Guadalupe
- Darryl Crossman, Litchfield Park
- Christopher Brady, Mesa
- * Jim Bacon, Paradise Valley
- David Cavazos, Phoenix
- John Kross, Queen Creek
- * Bryan Meyers, Salt River Pima-Maricopa Indian Community
- Dave Richert, Scottsdale
- Joy Grainger for Randy Oliver, Surprise
- Charlie Meyer, Tempe
- # Chris Hagen for Reyes Medrano, Tolleson
- # Gary Edwards, Wickenburg
- Lloyce Robinson, Youngtown
- * John Halikowski, ADOT
- Kenny Harris for David Smith, Maricopa Co.
- David Boggs, Valley Metro/RPTA

* Those members neither present nor represented by proxy.

Participated by telephone conference call.

+ Participated by videoconference call.

Regional Council: This item was on the January 27, 2010, Regional Council agenda.

MEMBERS ATTENDING

- Councilwoman Peggy Neely, Phoenix, Chair
- Mayor Thomas Schoaf, Litchfield Park, Vice Chair
- # Councilwoman Robin Barker, Apache Junction
- # Mayor Marie Lopez Rogers, Avondale
- Mayor Jackie Meck, Buckeye
- # Mayor David Schwan, Carefree
- Councilman Dick Esser, Cave Creek
- Mayor Boyd Dunn, Chandler
- # Mayor Michele Kern, El Mirage
- * President Clinton Pattea, Fort McDowell Yavapai Nation
- # Mayor Jay Schlum, Fountain Hills
- * Mayor Ron Henry, Gila Bend

- Lt. Governor Joseph Manuel for Governor William Rhodes, Gila River Indian Comm.
- Mayor John Lewis, Gilbert
- #Mayor Elaine Scruggs, Glendale
- Councilmember Frank Cavalier for Mayor James M. Cavanaugh, Goodyear
- Mayor Yolanda Solarez, Guadalupe
- Supervisor Mary Rose Wilcox, Maricopa Co.
- #Mayor Scott Smith, Mesa
- * Mayor Vernon Parker, Paradise Valley
- * Mayor Bob Barrett, Peoria
- Mayor Arthur Sanders, Queen Creek
- * President Diane Enos, Salt River Pima-Maricopa Indian Community

- * Mayor Jim Lane, Scottsdale
- # Mayor Lyn Truitt, Surprise
- Mayor Hugh Hallman, Tempe
- * Mayor Adolfo Gamez, Tolleson
- * Mayor Kelly Blunt, Wickenburg

- Mayor Michael LeVault, Youngtown
- * Felipe Zubia, State Transportation Board
- * Victor Flores, State Transportation Board
- #Roc Arnett, CTOC

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

Executive Committee: This item was on the January 19, 2010 MAG Executive Committee agenda.

MEMBERS ATTENDING

- Councilwoman Peggy Neely, Chair
- Mayor Thomas L. Schoaf, Litchfield Park, Vice Chair
- Mayor Hugh Hallman, Tempe, Treasurer
- * Mayor Marie Lopez Rogers, Avondale

- Mayor James M. Cavanaugh, Goodyear
- Mayor Scott Smith, Mesa
- Mayor Jim Lane, Scottsdale

* Not present

#Participated by video or telephone conference call

Management Committee: This item was on the January 13, 2010 Management Committee agenda.

MEMBERS ATTENDING

- Mark Pentz, Chandler, Chair
- Susan Daluddung for Carl Swenson, Peoria
- # George Hoffman, Apache Junction
- Charlie McClendon, Avondale
- Stephen Cleveland, Buckeye
- Gary Neiss, Carefree
- * Usama Abujbarah, Cave Creek
- Spencer Isom for B.J. Cornwall, El Mirage
- Alfonso Rodriguez for Phil Dorchester, Fort McDowell Yavapai Nation
- Rick Davis, Fountain Hills
- Rick Buss, Gila Bend
- * David White, Gila River Indian Community
- George Pettit, Gilbert
- Ed Beasley, Glendale
- Mark Gaillard for John Fischbach, Goodyear
- Bill Hernandez, Guadalupe

- Sonny Culbreth for Darryl Crossman, Litchfield Park
- Scott Butler for Christopher Brady, Mesa
- Jim Bacon, Paradise Valley
- David Cavazos, Phoenix
- John Kross, Queen Creek
- * Bryan Meyers, Salt River Pima-Maricopa Indian Community
- Dave Richert, Scottsdale
- Randy Oliver, Surprise
- Charlie Meyer, Tempe
- # Reyes Medrano, Tolleson
- Gary Edwards, Wickenburg
- Lloyce Robinson, Youngtown
- John Fink for John Halikowski, ADOT
- Kenny Harris for David Smith, Maricopa Co.
- David Boggs, Valley Metro/RPTA

* Those members neither present nor represented by proxy.

Participated by telephone conference call.

+ Participated by videoconference call.

CONTACT PERSON:

Rebecca Kimbrough, MAG Fiscal Services Manager, (602) 452-5051

May 10, 2010

TO: Members of MAG Executive Committee

FROM: Amy St. Peter, Human Services Manager

SUBJECT: SUSTAINABLE COMMUNITIES PLANNING GRANT PROGRAM

On April 19, 2010, the MAG Executive Committee offered guidance to MAG staff on the upcoming Sustainable Communities Planning Grant Program offered through the U.S. Department of Housing and Urban Development. The guidance included convening interested stakeholders, gathering information about activities relevant to sustainability, and providing an update at the May Executive Committee meeting. The purpose of this memorandum is to provide an update on activities undertaken since the last meeting and to solicit guidance for a potential MAG application for the Sustainable Communities Planning Grant Program.

The purpose of the Sustainable Communities Planning Grant Program is to integrate planning for housing, transportation, and economic development in order to promote the environment, the economy, and social equity. The grant supports the development of regional plans for sustainable development. It appears that such plans may become a requirement for transportation funding in the future. Securing funding through this opportunity may assist the region in accessing additional funding in the future. The Notice of Funding Availability (NOFA) scheduled for release in May will make up to \$5 million available to large metropolitan regions. With \$100 million available nationally, it is anticipated that this grant program will be oversubscribed and competitive.

It has been advised that the most competitive applications will reflect strong partnerships and measurable results. In an effort to build partnerships and research potential opportunities, meetings have been scheduled with the officers of the MAG technical committees and with community stakeholders. The purpose of the meetings is to identify sustainability activities that may be included in a potential consolidated application. A presentation on the results from these meetings will be offered at the MAG Executive Committee meeting in May.

Partnerships beyond the region are being explored as well. Other councils of governments in the Sun Corridor are considering applications for this program. Central Arizona Association of Governments has expressed interest in submitting a consolidated application with MAG. Pima Association of Governments has indicated they are considering their own application. It has been suggested that a consolidated application with a coordinating function might be considered more competitive than independent applications. Discussions are underway to identify unifying elements for a consolidated application as well as issues particular to each region that could be addressed through the grant.

If you have any questions regarding this item, please contact me at the MAG office at (602) 254-6300.

AGREEMENT BETWEEN AND AMONG THE MARICOPA ASSOCIATION OF GOVERNMENTS, THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY, VALLEY METRO RAIL, THE CITY OF PHOENIX AND THE TRANSIT OPERATORS IN THE MAG REGION REPRESENTED ON THE REGIONAL COUNCIL REGARDING TRANSIT PLANNING, PROGRAMMING AND FUND ALLOCATION.

Regarding the coordination of ongoing transit planning for programming federal funds that support the ongoing and future deployment of transit services affecting the Phoenix-Mesa Urbanized Area and the Avondale Urbanized Area, hereinafter referred to as the Urbanized Area (UZA).

This AGREEMENT is between and among the MARICOPA ASSOCIATION OF GOVERNMENTS (MAG), THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY (RPTA), VALLEY METRO RAIL (METRO), the CITY OF PHOENIX, and other transit operators that are represented on the MAG Regional Council.

This AGREEMENT replaces the Resolution on Metropolitan Transportation Planning and Programming approved by the MAG Regional Council on May, 23, 2007.

WITNESS THAT:

WHEREAS, the RPTA, METRO, the CITY OF PHOENIX, transit operators, and other local government agencies in the MAG region are eligible to apply for and receive Federal Transit Administration (FTA) and/or Federal Highway Administration (FHWA) transit funding for capital, operating, and planning assistance for the delivery of public transportation; and

WHEREAS, MAG is the Metropolitan Planning Organization (MPO) for the UZA, directed by a duly comprised Regional Council of elected officials with a committee structure that represents all of the transit operators in the region to advise the MAG Regional Council on transportation planning and policy questions; and

WHEREAS, this AGREEMENT describes the planning and programming relationship among those agencies; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires MPOs to work cooperatively with public transit operators to develop Regional Transportation Plans (RTPs) and Transportation Improvement Programs (TIPs) for urbanized areas, which are intended to further the national interest to encourage and promote the safe and efficient management, operation, and development of surface transportation systems to serve the mobility of people and freight and foster economic growth and development within and through urbanized areas, while minimizing transportation-related fuel consumption and air pollution; and

WHEREAS, MAG, the RPTA, METRO, the CITY OF PHOENIX and other participating local government agencies rely upon a cooperative relationship to foster regional transit planning which feeds directly into state and national planning;

NOW, THEREFORE, in consideration of the mutual benefits to the transit operators and jurisdictions hereto, and in consideration of the covenants and conditions herein contained, the transit operators and jurisdictions agree as follows:

Purpose. The purpose of this AGREEMENT is to set forth the basic structure for cooperative planning and decision making regarding transit planning and programming between MAG, RPTA, METRO, the CITY OF PHOENIX and other participating local government agencies.

Representation on MAG Transit Committee. All MAG member agencies are invited to serve as voting members of the MAG Transit Committee. The Arizona Department of Transportation (ADOT), RPTA and METRO are also invited to serve as voting members of the MAG Transit Committee. The MAG Transit Committee serves as the primary MAG committee to coordinate regional transit planning and programming of federal transit related funds.

Regional Transit Coordination. MAG, RPTA, METRO and the CITY OF PHOENIX agree to work cooperatively with each other and with the other transit operators and local government agencies in ensuring the provision of coordinated, regionwide transit services. Items to be considered should include fares, transfer and pass policies, transit information, marketing, schedules, service coordination, data needed to meet periodic reporting requirements, and other activities as required.

Regional Transportation Plan. MAG agrees to prepare, adopt and maintain, as required, a Regional Transportation Plan (RTP). MAG, RPTA, METRO and the CITY OF PHOENIX agree to work cooperatively with each other and with the other transit operators and local government agencies in the refinement of the RTP through the conduct of and participation in multimodal transportation studies.

Transportation Improvement Program (TIP) Development Process. The MAG TIP development process shall serve as the focal point for making an annual determination regarding the distribution of federal funds available for allocation by MAG within the UZA. The transit operators and local government agencies agree that it is desirable to ensure that a stable funding stream is available for all operators that allows the operators to carry out coordinated services throughout the UZA.

MAG develops its annual program of projects in consultation with interested transit operators and local government agencies. Following direct consultation among the transit operators and jurisdictions to this AGREEMENT, MAG distributes notices of intent to develop or amend the TIP, publishes the proposed program of projects to be adopted, and carries out a public involvement and review process for TIP adoption or amendment, in compliance with 23 CFR Sections 450.312 and 450.324. The same notices of intent, publication of proposed projects, and public involvement and review also shall be used to fulfill the public hearing requirements of 49 U.S.C. Section 5307, covering review and approval of FTA grant applications for TIP projects. RPTA, METRO, other transit operators, and MAG member agencies seeking TIP programming and subsequent grant approvals, will provide MAG with sufficient project detail to convey understanding of the projects by all interested agencies and persons, meet FTA grant application requirements, and provide a clear linkage to TIP project descriptions. MAG will advertise the proposed public hearing(s), projects to be programmed, and fund amounts to be programmed through their existing public participation process.

The CITY OF PHOENIX, as the Designated Recipient, implements the Annual Grant for the FTA. As part of this process, the CITY OF PHOENIX balances the FTA portion of the transportation annual appropriations and provides, to MAG, revisions to the TIP to reconcile the grant and the first year of the TIP. Following reconciliation, MAG works cooperatively with the CITY of PHOENIX to determine if the TIP is in agreement with the Annual Grant. If agreement is reached, MAG concurs with the reconciliation and informs the FTA of its determination.

The MAG Transit Committee meets to draft a program of projects for the TIP. This program of projects is forwarded to the MAG Transportation Review Committee, Management Committee, Transportation Policy Committee and the Regional Council to be considered for inclusion into the MAG TIP. Following the enactment of an annual federal budget and publication of funding apportionments and discretionary awards in the Federal Register, the CITY OF PHOENIX informs MAG of the amounts of the formula and other designated federal funds coming to the UZA. MAG then consults with the transit operators and local government agencies working through the MAG Transit Committee to finalize the recommended programming of those funds into the TIP, making adjustments as necessary to the draft program of projects completed earlier.

As part of the TIP process, projects are programmed in the TIP on behalf of all transit providers receiving federal funds. MAG, working through the MAG Transit Committee, will develop a recommended prioritized list of projects for the allocation of federal funds, which would include all FTA 5307 funds apportioned to the UZA plus additional federal funds that may be available for distribution from FTA and FHWA. The MAG Transit Committee will identify priority projects and endeavor to program the use of said funds based on factors that are cooperatively developed by the MAG Transit Committee with final approval by the MAG Regional Council.

Grant Application for Transit Funding. The CITY OF PHOENIX is the Designated Recipient for federal formula funds allocated under the Federal Transit Act, as amended, in the UZA. The MAG Transit Committee will develop projects to be submitted to the CITY OF PHOENIX. The CITY OF PHOENIX will prepare applications to the FTA and FHWA for federal transit funding. Draft applications will be submitted to MAG using an agreed upon method, in advance of the FTA or FHWA submittal to confirm accuracy and consistency with TIP programming requirements and with the MAG RTP, as required by federal guidelines. All transit operators and jurisdictions agree to work in good faith to develop consistent programming, documentation, and funding requests in a manner consistent with FTA or FHWA requirements.

Progress Reporting. MAG is responsible for tracking the overall progress of all projects in the TIP, is required to produce an annual list of projects for which federal funds have been obligated in the preceding year, and ensures that it is made available for public review.

Transit operators and local government agencies receiving federal transit funding will assist MAG's and the CITY OF PHOENIX's efforts to track the overall progress of transit projects in the TIP. At a minimum, milestone/progress reports submitted to FTA and reviewed by MAG shall contain all of the information required in FTA Circular 5010, as amended from time to time, for grant administration of procedures. If project specific questions are raised by FTA or MAG that cannot be answered through review of the Transportation Electronic Award and Management (TEAM) documentation, the affected transit operator

or jurisdiction will, upon request, provide MAG or the CITY OF PHOENIX, as applicable, additional information. Examples of information that may be periodically requested include the following:

1. A classification of the projects by the individual categories, as identified in the TIP.
2. A documentation of the stage of project implementation.
3. An explanation for any project delays if the project is behind schedule.
4. The reasons for any cost overruns if the project is over budget.
5. A status on the amount of federal funding obligated, received, and used to support projects.
6. Any identified needs for a TIP amendment.
7. Project savings to be reverted, if any, at project completion.

TIP Amendments. Each transit operator and local government agency receiving transit funding is responsible for notifying MAG if there is the need to amend the TIP. Amendments may require three to four months to process for approval. MAG typically processes TIP amendments on a quarterly basis. A formal request for changes in project cost, scope, or schedule must be made to be incorporated in an amendment. Certain minor adjustments and administrative and project budget modifications can be made outside the formal amendment process, but must be requested in writing.

As part of the quarterly progress report, or more frequent reporting if required, each transit operator or local government agency receiving transit funding will notify MAG regarding the reasons an amendment to the TIP is needed. TIP amendments may be needed to address issues such as funding shortfalls, delays in project implementation and/or new projects that need to be included in the TIP. Subrecipients of FTA funding shall regularly update the CITY of PHOENIX on project status, and the CITY of PHOENIX shall periodically provide a grant status review to the MAG Transit Committee.

Public Comment. The federal regulations for metropolitan planning under SAFETEA-LU are incorporated within the MAG adopted public involvement process. Federal law requires that the MPO work cooperatively with the state department of transportation and the regional transit operators to provide citizens, affected public agencies, representatives of transportation agencies, freight shippers, private providers of transportation, representative users of public transit, and other interested transit operators and jurisdictions a reasonable opportunity to comment on proposed transportation plans and programs. All MAG public involvement efforts are consistent with Title VI of the Civil Rights Act and the Executive Order on Environmental Justice.

Public Involvement Process. MAG's adopted public involvement process is divided into four phases:

1. Early phase
2. Mid phase
3. Final phase
4. Continuous Involvement

During each of these phases, MAG will work closely with ADOT, RPTA, METRO, and the CITY OF PHOENIX. Responses to public comment in the Mid Phase and Final Phase Public Input Opportunity Reports are coordinated with the above listed agencies. The public hearing for the TIP and RTP includes

representation from the above listed agencies. These groups may also co-host public involvement events, including public hearings and meetings and information booths at special events throughout the region.

Air Quality. In nonattainment areas for air quality standards, the MPO is responsible for determining conformity of the TIP and RTP with the State Implementation Plan to achieve air quality standards. The goal is to ensure that transportation plans, programs, and projects do not cause or contribute to violations of the air quality standards.

Conformity consultation in the MAG region is to be done in accordance with 40 CFR 93.105 and Arizona Administrative Code R18-2-1405. Under these requirements, MAG consults with local governments and appropriate State and federal agencies on the TIP, the RTP, conformity analysis, and the MAG Unified Planning Work Program and Annual Budget. For local government consultation, the MAG Management Committee is the primary contact. This includes RPTA, the CITY OF PHOENIX and other local government agencies that provide transit service.

Human Services Coordination Plan. The MAG Unified Planning Work Program and Annual Budget includes the Human Services Coordination Transportation Plan as required by SAFETEA-LU regulations. This plan is drafted cooperatively by MAG with the CITY OF PHOENIX and other stakeholders. This activity results in the identification of coordination strategies to make human services transportation more efficient and seamless, particularly as it pertains to the FTA Job Access Reverse Commute (JARC, section 5316), New Freedom (section 5317), and Elderly and Persons with Disabilities (section 5310) projects. The CITY OF PHOENIX develops and facilitates the application process for JARC and New Freedom funding. This process requires that applicants demonstrate they are utilizing the coordination strategies identified in the Human Services Coordination Transportation Plan. The plan is updated by MAG in partnership with the CITY OF PHOENIX and other stakeholders as needed.

MAG Unified Planning Work Program and Annual Budget. The MAG Unified Planning Work Program (UPWP) and Annual Budget is developed in a collaborative process with federal, state and local agencies and input is sought from the public on key issues facing the MAG region. Planning for the UPWP is a continuous process. In developing the UPWP, MAG meets with RPTA, METRO, the CITY OF PHOENIX and ADOT to ensure coordination of projects. Portions of the UPWP are brought incrementally to the MAG Regional Council Executive Committee, serving as the MAG Finance Committee, and to the MAG Management Committee and MAG Regional Council. Budget presentations are made from January through May each year.

In the spring of each year, the draft budget is provided to local, state and federal agencies for review in anticipation of the Intermodal Planning Group (IPG) meeting where questions and comments are heard and, if necessary, adjustments are made regarding state and federal agency comments. At the IPG meeting, MAG, RPTA, METRO, the CITY OF PHOENIX and ADOT participate in the presentations and the meeting. The final budget is presented to the MAG Regional Council in the month of May and, upon approval, is sent in the month of June to ADOT and the FHWA.

Review and Refinement of Transit Planning and Programming Roles and Responsibilities. During FY 2010, a staff Working Group with representatives from MAG, the CITY OF PHOENIX, RPTA, and

METRO undertook an examination of the regional transit programming and planning roles performed by the four agencies. This examination was undertaken to achieve the following objectives:

1. Provide better integration of all modes of travel in the Regional Transportation Plan (RTP).
2. Continue development of a transit program that reflects regional priorities identified in the RTP.
3. Ensure that MAG is meeting its responsibilities under federal and state law to develop an integrated long range transportation plan; develop and administer the Transportation Improvement Program; develop and execute the annual Unified Planning Work Program; and provide administrative oversight of the utilization of Proposition 400 funds.
4. Clarify roles and responsibilities among the four agencies to reduce duplication and to ensure a more efficient and integrated planning process.

The Working Group reached consensus on several issues. Four of the Working Group recommendations further clarify the coordination of ongoing transit planning, as outlined below:

1. MAG is responsible for transit system planning activities for the region, including the transit component of the Regional Transportation Plan, transit corridor studies (prior to the identification of project funding), transit system studies and subregional studies. In some instances, MAG may determine to have a transit operator conduct a specific subregional or corridor study.
2. For projects that require a federal Alternatives Analysis (AA) process, MAG, in cooperation with the affected agencies/jurisdiction(s), shall determine the appropriate agency to conduct and manage the AA. The Locally Preferred Alternative (LPA) resulting from the AA will be reviewed and approved through the MAG committee process. The process for review and approval of an LPA includes the following steps: 1) review and adoption by the affected jurisdiction(s); 2) informational review and acceptance by the METRO and/or RPTA Boards, as appropriate; and 3) review through the MAG committee process, with final approval of the LPA by the MAG Regional Council for inclusion in and conformity with the Regional Transportation Plan. To ensure continuity in the planning process, RPTA and METRO will provide periodic updates to the MAG Transit Committee on federal Alternatives Analysis projects.

Draft Design Concept Reports (DCR) and other major project scoping documents will be reviewed and approved for concurrence through the MAG committee process, in addition to any other agency approvals. MAG will join the operating agency and affected jurisdictions as a member of the Project Management Team for project planning studies, and MAG will provide oversight and quality control over the use of the MAG Travel Demand Model.

3. Regional sustainability issues should be coordinated at MAG, and project/facility specific sustainability initiatives, in connection with the federal application process, should be coordinated by METRO and RPTA in conjunction with the local jurisdiction(s).
4. Regional Transit Oriented Development planning issues should be coordinated at MAG, and project/facility specific Transit Oriented Development initiatives, in connection with the federal application process, should be coordinated by METRO and RPTA in conjunction with the local jurisdiction(s).

Amendments to the Agreement. This AGREEMENT may be amended at any time by the mutual agreement of the parties hereto.

Agreement Termination. Participation in the AGREEMENT may be terminated by any of the parties hereto provided that the terminating party provides notice to each of the other parties at least ninety (90) days prior to the date of termination. Termination by any one party does not relieve any other party to this AGREEMENT of its responsibilities under this AGREEMENT.

Agreement Authorization.

MARICOPA ASSOCIATION OF
GOVERNMENTS



Dennis Smith
Executive Director

4/06/10

Date

REGIONAL PUBLIC TRANSPORTATION
AUTHORITY

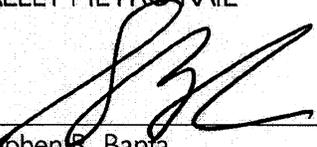


David A. Boggs
Executive Director

3/31/10

Date

VALLEY METRO RAIL



Stephen R. Banta
Chief Executive Officer

3/31/10

Date

CITY OF PHOENIX



Debbie Cotton
Public Transit Director

3.31.10

Date

House Engrossed Senate Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 201

SENATE BILL 1063

AN ACT

AMENDING SECTIONS 48-5103, 48-5106, 48-5121, 48-5122 AND 48-5141, ARIZONA
REVISED STATUTES; RELATING TO PUBLIC TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 48-5103, Arizona Revised Statutes, is amended to
3 read:

4 48-5103. Public transportation fund

5 A. A public transportation fund is established for the authority. The
6 fund consists of:

7 1. Monies appropriated by each municipality that is a member of the
8 authority or the county, if it elected to enter into the authority. Each
9 member municipality and member county shall appropriate monies to the public
10 transportation fund in an amount determined by the board.

11 2. Monies appropriated by a county that has not elected to enter into
12 the authority in an amount determined by the county board of supervisors.

13 3. Transportation excise tax revenues that are allocated to the fund
14 pursuant to section 42-6104 or 42-6105. The board shall separately account
15 for monies from transportation excise tax revenues allocated pursuant to
16 section 42-6105, subsection E, paragraph 3 for:

17 (a) A light rail public transit system.

18 (b) Capital costs for other public transportation.

19 (c) Operation and maintenance costs for other public transportation.

20 4. Monies distributed under title 28, chapter 17, article 1.

21 5. Grants, gifts or donations from public or private sources.

22 6. Monies granted by the federal government or appropriated by the
23 legislature.

24 7. Fares or other revenues collected in operating a public
25 transportation system.

26 8. Local transportation assistance monies that are distributed to each
27 member under section 28-8102 and as provided in section 48-5104.

28 9. Local transportation assistance monies that are distributed to a
29 member pursuant to section 28-8102 and that must be used for public
30 transportation.

31 10. Local transportation assistance monies that are distributed
32 pursuant to section 28-8103, subsection A, paragraph 1.

33 B. On behalf of the authority, the fiscal agent shall administer
34 monies paid into the public transportation fund. Monies in the fund may be
35 spent pursuant to or to implement the PUBLIC TRANSPORTATION ELEMENT OF THE
36 regional ~~public~~ transportation ~~system~~ plan DEVELOPED AND APPROVED BY THE
37 REGIONAL PLANNING AGENCY, including reimbursement for utility relocation
38 costs as prescribed in section 48-5107, adopted pursuant to section 48-5121
39 and for projects identified in the regional transportation plan adopted by
40 the regional planning agency pursuant to section 28-6308.

41 C. Monies in the fund shall not be spent to promote or advocate a
42 position, alternative or outcome of an election, to influence public opinion
43 or to pay or contract for consultants or advisors to influence public opinion
44 with respect to an election regarding taxes or other sources of revenue for
45 the fund or regarding the regional ~~public~~ transportation ~~system~~ plan.

1 prescribed in subsection B of this section, the following items presented on
2 an individual fiscal year basis:

3 1. The capital and operating costs of the planned regional public
4 transportation system.

5 2. The revenue needed by source, according to section 48-5103, to fund
6 the TRANSPORTATION ELEMENT OF THE regional public transportation system plan.

7 D. If the plan includes a rail component and if the board RAIL
8 OPERATOR adopts estimates of capital and maintenance and operation costs of
9 the rail system, each member municipality in which the rail system is
10 constructed shall pay to the public transportation fund amounts by which the
11 actual capital, maintenance and operation costs exceed the estimated costs by
12 more than fifteen per cent, computed in constant dollars. The excess costs
13 shall be allocated among the affected member municipalities according to the
14 proportion of the rail system facilities that are located in each
15 municipality. The affected member municipalities shall:

16 1. Pay the monies from their respective general funds to the public
17 transportation fund in the fiscal year following the fiscal year in which the
18 excess costs were incurred.

19 2. Not pay to the public transportation fund under this subsection
20 monies that it received from any source pursuant to title 28.

21 3. Not reduce its support of transportation projects funded by any
22 source pursuant to title 28 in order to make payments under this subsection.

23 E. The board may ~~modify~~ RECOMMEND MODIFICATIONS TO the regional public
24 transportation system ELEMENT OF THE REGIONAL TRANSPORTATION plan to reflect
25 changes in population density or technological advances in the approved
26 public transportation modes. A majority of the members of the board voting
27 at a public hearing called for that purpose must approve a ~~modification to~~
28 ~~the plan~~ THE RECOMMENDED MODIFICATIONS.

29 Sec. 4. Section 48-5122, Arizona Revised Statutes, is amended to read:
30 48-5122. Board powers and duties

31 The board shall:

32 1. IMPLEMENT THE REGIONAL PUBLIC TRANSPORTATION ELEMENT OF THE
33 TRANSPORTATION PLAN FUNDED BY THE PUBLIC TRANSPORTATION FUND.

34 ~~1. 2. Determine the exclusive public transportation systems to be~~
35 ~~acquired and constructed, the means to finance the systems and whether to~~
36 ~~operate the PUBLIC TRANSPORTATION systems or to let contracts for their~~
37 ~~operation.~~

38 ~~2. 3. Adopt an annual budget and fix the compensation of its~~
39 ~~employees.~~

40 ~~3. 4. Adopt an administrative code by ordinance that:~~

41 (a) Prescribes the powers and duties of the employees of the authority
42 that are not inconsistent with this chapter.

43 (b) Prescribes the method of appointing board employees.

44 (c) Prescribes methods, procedures and systems of operating and
45 managing the board.

1 (d) May provide for, among other things, appointing a general manager
2 and organizing the employees of the board into units for administration,
3 design and construction, planning and operation, property acquisition and
4 community relations and other units as the board deems necessary.

5 ~~4.~~ 5. Cause a postaudit of the financial transactions and records of
6 the board to be made at least annually by a certified public accountant.

7 ~~5.~~ 6. Adopt all ordinances and make all rules proper or necessary to:

8 (a) Regulate the use, operation and maintenance of its property and
9 facilities, including its public transportation systems and related
10 transportation facilities and services operating in its area of jurisdiction.

11 (b) Carry into effect the powers granted to the board.

12 ~~6.~~ 7. Appoint advisory commissions as it deems necessary.

13 ~~7.~~ 8. Do all things necessary to carry out the purposes of this
14 chapter.

15 Sec. 5. Section 48-5141, Arizona Revised Statutes, is amended to read:
16 48-5141. Regional bus system

17 ~~A. The board shall establish and operate a regional bus system. The~~
18 ~~monies distributed under section 28-6305, subsection B shall be spent for~~
19 ~~incremental increases in a regional bus system and for community funded~~
20 ~~transportation services including dial a ride programs and special needs~~
21 ~~transportation services and shall not be used to supplant any existing~~
22 ~~sources of monies currently being used in operating an existing bus system.~~
23 ~~The monies shall only be spent for community funded transportation services~~
24 ~~including dial a ride programs and special needs transportation services and~~
25 ~~to establish and operate a regional bus system, including extending existing~~
26 ~~bus routes into regional routes, adding new regional routes, increasing the~~
27 ~~service on existing regional routes and capital expenditures.~~

28 ~~B.~~ The board may contract with a public agency or with a person on the
29 terms and conditions the board finds in its best interest to operate a
30 regional bus system.

APPROVED BY THE GOVERNOR APRIL 28, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2010.