

May 19, 2009

TO: Members of the MAG Regional Council

FROM: Councilwoman Peggy Neely, Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.
Wednesday, May 27, 2009
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. 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 the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
May 27, 2009**

COMMITTEE ACTION REQUESTED

1. Call to Order

2. Pledge of Allegiance

3. Call to the Audience

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

4. Executive Director's Report

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

5. Approval of Consent Agenda

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

3. Information.

4. Information and discussion.

5. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. Approval of the April 22, 2009, Meeting Minutes

5A. Review and approval of the April 22, 2009, meeting minutes.

TRANSPORTATION ITEMS

*5B. Fiscal Year (FY) 2009 - Arterial Life Cycle Program Regional Area Road Fund Closeout

The Regional Area Road Fund (RARF) Closeout Process was established in Section 260 of the Arterial Life Cycle Program (ALCP) Policies and Procedures approved by the MAG Regional Council. A financial analysis of ALCP revenues and expenditures as well as the ALCP bonding program was conducted. After reviewing the output of the analysis, MAG staff recommended that two eligible projects be reimbursed in the FY 2009 ALCP RARF Closeout Process. The MAG Transportation Review Committee and the MAG Management Committee recommended approval. This item is on the May 20, 2009, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

*5C. Project Changes – Amendment and Administrative Modification to the FY 2008-2012 MAG Transportation Improvement Program and FY 2009 Arterial Life Cycle Program

The FY 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) 2007 Update were approved by the MAG Regional Council on July 25, 2007, and the FY 2009 Arterial Life Cycle Program (ALCP) was most recently approved by the Regional Council on April 22, 2009. Since that time, there have been requests from member agencies to modify projects in the programs. The proposed amendments and administrative modifications to the FY 2008-2012 TIP that were heard and recommended for approval by the Transportation Review Committee (TRC) are listed in Table A. These include two new projects funded with federal American Recovery and Reinvestment Act (ARRA), and a cost modification to the regionwide trip reduction program. The proposed administrative modifications to the FY 2009 ALCP that were heard and recommended for approval by the TRC are listed in Table B, which are reimbursement changes to ALCP projects located

5B. Approval of advancing reimbursements from fiscal year (FY) 2012 to FY 2009 in the Arterial Life Cycle Program (ALCP) for the selected Regional Area Road Fund (RARF) Closeout Projects: Queen Creek Road from Arizona Avenue to McQueen Road for \$6.076 million and Lake Pleasant Parkway from Union Hills Drive to Dynamite Road for \$4.793 million, totaling \$10.869 million, and amend the FY 2009 ALCP and Regional Transportation Plan 2007 Update, as necessary.

5C. Approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, the FY 2009 Arterial Life Cycle Program and as appropriate, to the Regional Transportation Plan 2007 Update, as shown in the attached tables.

in Scottsdale. These funding modifications do not negatively impact ALCP reimbursements in FY 2009, nor increase or decrease overall committed regional reimbursement amounts. Requests made since the TRC meeting to add and modify projects are noted in Table C and include transportation enhancement projects funded with ARRA funds, local projects funded with ARRA, reprogramming of a project, and other project modifications. The Management Committee recommended approval of Tables A, B, and C. Since the Management Committee meeting, there have been additional requests for project changes for federal bridge and ARRA funded projects, which are included in Table D. This item is on the May 20, 2009, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

*5D. Update and Review of Project Deferral Requests for Federal Fiscal Year (FFY) 2009 MAG Closeout

An update is provided on the amount of funds available for FFY 2009 MAG Federal Fund Closeout (Closeout) and project deferral requests for the FFY 2009 Closeout. The deadline for FFY 2009 Closeout project submittal and project deferral requests was April 20, 2009. As of April 23, 2009, there were six projects that requested deferral for a second time or more, eleven projects that requested the project deferral for a first time, and there were three requests to remove federal funds from projects programmed in the FY 2008-2012 TIP. These requests were recommended for approval by the Transportation Review Committee and the MAG Management Committee. Projects submitted for use of Closeout funds will be reviewed at the June Regional Council meeting. The related draft MAG Federal Fund Programming Principles are also included in the attached material. Please refer to the enclosed material.

5D. Approval of a list of projects to be deferred from FFY 2009 to FFY 2010 or later, approval of a list of projects requesting to remove federal funds from the project, and making the necessary amendments and modifications to the FY 2008-2012 MAG Transportation Improvement Program, and as necessary to the Regional Transportation Plan 2007 Update.

- *5E. Update on the American Recovery and Reinvestment Act of 2009: Arizona Department of Transportation (ADOT) Portion, MAG Sub-Allocation, Transportation Enhancement Portion, and MAG Region Transit Funds

The American Recovery and Reinvestment Act (ARRA) of 2009 was signed by President Obama on February 17, 2009. The Act directs transportation infrastructure funds to both highway and transit agencies in states and metropolitan planning organizations. On March 25, 2009, the MAG Regional Council approved the necessary Transportation Improvement Program (TIP) project changes for ADOT-led freeway projects and MAG regional transit projects that are programmed with ARRA funds. On April 22, 2009, the MAG Regional Council approved the necessary TIP project changes for the majority of the local projects funded with ARRA funds. A report is provided regarding project development for the MAG sub-allocated transportation ARRA funds, the status of the highway and transit funded ARRA projects, and any new developments. Please refer to the enclosed material.

- 5E. Information and discussion.

AIR QUALITY ITEMS

- *5F. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The proposed amendment includes several projects, including Cave Creek, Fort McDowell Yavapai Nation, and Salt River Pima-Maricopa Indian Community projects for the MAG sub-allocated portion of the American Recovery and Reinvestment Act. The proposed administrative modification includes several projects, including cost changes for the Travel Reduction Program and the Regional Rideshare Program. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification

- 5F. Consultation.

includes minor project revisions that do not require a conformity determination. Please refer to the enclosed material.

GENERAL ITEMS

*5G. Progress Report on MAG Regional Human Services Summit Projects

In June 2007, participants of the MAG Regional Human Services Summit proposed eight projects to improve the way the region addressed human services topics such as domestic violence, juvenile crime, and aging. In October 2007, the MAG Regional Council approved the report. Since that time, MAG has been working collaboratively with community partners to implement the projects. A progress report on all eight projects was developed and has been recommended for approval by the MAG Human Services Technical Committee, the MAG Human Services Coordinating Committee, and the MAG Management Committee. Please refer to the enclosed material.

*5H. Census Funding Opportunities

The MAG Count to '10 Census Outreach Group recently received information regarding potential funding opportunities that are available to local jurisdictions for census outreach. Beginning May 1, 2009, active partners in government and nongovernment are able to submit applications for a "Partnership Support Program Proposal" for small purchases. To be a partner, agencies must have a signed partnership agreement with the Census Bureau. Active partners are able to apply for micro-purchases up to \$2,499 for services and up to \$2,999 for products. Guidelines and proposal forms will be made available through the local Partnership Specialist who is in contact with the partner. In addition to the Partnership Agreements, active partners can also submit larger proposals called Special Initiatives that are designed for larger programs. The procurement process for Special Initiatives is a federal acquisition process with vendor bids involved. Please refer to the enclosed material.

5G. Approval of the 2009 Progress Report on the 2007 MAG Regional Human Services Summit.

5H. Information and discussion.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6. Proposal to Advance the Design and Right of Way for a Portion of the Williams Gateway Freeway

Mesa has requested consideration of a proposal to advance the design and right of way acquisition for the segment of the Williams Gateway Freeway from the Santan Freeway to Ellsworth Road. A request to accelerate the design, right of way and construction of this segment was approved by the MAG Regional Council in January 2009. The legislature subsequently swept the funds that had been designated for the interest expense for the accelerated project. Mesa is now requesting that only the design and right of way be accelerated and that the funding that has been programmed for the advanced acquisition of right of way in the corridor be used to cover the interest expense associated with the financing necessary to accelerate the design and right of way activity. In the currently adopted Freeway Life Cycle Program, \$8 million is programmed for right of way protection for FY 2009 through FY 2012. The request to accelerate the design and right of way would allow the acquisition of the needed property at current land values and could take advantage of extremely attractive interest rates. The Management Committee recommended approval of the request. This item is on the May 20, 2009, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

7. Transportation Planning Update - Proposition 400 Regional Freeway Program

The Regional Council will receive an update on the strategies identified by MAG staff to address the funding gap in the Regional Freeway Program. Topics covered within this presentation include an update on cost saving proposals in the SR-202L/South Mountain Freeway and SR-303L corridors. The update will conclude with a presentation on overall strategies and scenarios for meeting the Regional Freeway funding gap,

6. Approval of the Mesa request to advance the design and right of way of an interim connection of the Williams Gateway Freeway between the Santan Freeway and Ellsworth Road by approximately three years to be incorporated into the draft FY 2010 to FY 2014 MAG Transportation Improvement Program and the Regional Transportation Plan and that the program funds allocated to the Williams Gateway Freeway for advanced right of way acquisition be used instead to pay for the interest expense associated with the proposed acceleration, and authorize the MAG Executive Director to enter into an agreement with ADOT and Mesa.

7. Information and discussion.

based on the corridor-specific cost savings, data collected from the Central Phoenix Peer Review Group, discussions with ADOT and their Management Consultants, and MAG staff recommendations.

GENERAL ITEMS

8. Amendment of the FY 2009 MAG Unified Planning Work Program and Annual Budget to Include Funding to Participate in a Brookings Intermountain Partnership

The Brookings Metropolitan Policy Program is proposing a partnership with leading Intermountain West institutions and leaders to work out specific collaborative steps among the five "Mountain Megs" (and their states) to advance prosperity in their region through the achievement of specific, catalyzing federal policy reforms. Brookings is seeking approximately \$20,000 each from the Mountain Mega states to convene working groups and conduct the research. It estimated that 74.51 percent (\$14,902) would be needed from MAG. The Pima Association of Governments and the Central Arizona Association of Governments have agreed to pay their proportionate share of the project. On March 11, 2009, the Management Committee recommended that the MAG Unified Work Program and Annual Budget be amended. At the March 25, 2009, Regional Council meeting, it was requested that a presentation on this item be provided at the April Executive Committee and Regional Council meetings to more fully explain the objectives of the projects. On April 13, 2009, the Executive Committee took action to amend the FY 2009 MAG Unified Planning Work Program and Annual Budget. Mark Muro, Fellow and Policy Director of the Metropolitan Policy Program from the Brookings Institution, will discuss the proposed partnership and research to be conducted. Please refer to the enclosed material.

8. Approval to amend the FY 2009 MAG Unified Planning Work Program and Annual Budget to include \$14,902 of MAG federal funds to participate in the Brookings Metropolitan Policy Program Intermountain partnership.

9. Approval of the Draft FY 2010 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 2009 through April 2009. The total dues and assessments for FY 2010 were reduced by 50 percent due to the current uncertain economic conditions facing our members. As adjustments to the budget were made, the draft budget document was updated and presented to the Management Committee, Regional Council Executive Committee, and Regional Council. The overall draft budget for FY 2010 is a 5.4 percent decrease from the current year's budget. The Work Program and Annual Budget was discussed by State and Federal agencies at the April 17, 2009, Intermodal Planning Group meeting. The Draft FY 2010 MAG Unified Planning Work Program and Annual Budget is being presented for approval. Please refer to the enclosed material.

10. Legislative Update

An update will be provided on legislative issues of interest.

11. Presentation on Regional Readiness in Preparing for the Swine Flu

On April 29, 2009, Maricopa County reported its first case of swine flu. Maricopa County has established a Swine Flu Hotline 602-263-8856 or 800-352-3792. This number is available 24 hours per day, seven days per week and is also bilingual. Maricopa County Department of Health also has a Web site <http://www.wearepublichealth.org>. To assist the MAG member agencies in responding to this issue, a representative from the Maricopa County Public Health Department will present information to members of the Regional Council.

9. Approval of the resolution adopting the Draft FY 2010 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments.

10. Information, discussion and possible action.

11. Information and discussion.

12. Maricopa County Clean Air Initiative

In 2009, Maricopa County launched the Clean Air Make More Initiative. The core of the Clean Air Make More initiative revolves around the following ideal: the Maricopa County region is in a critical state when it comes to air pollution and it will take the efforts of every individual to clean up the air. The CleanAirMakeMore.com Web site serves as an educational tool for residents within Maricopa County. Through the website, radio advertising, billboard announcements and news releases, Maricopa County strives to inform the public on current air quality issues and to encourage them to take action to help clean the air we breathe.

13. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

12. Information and discussion.

13. Information.