

**MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
TRANSPORTATION POLICY COMMITTEE MEETING**

April 19, 2006  
MAG Office, Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Elaine Scruggs, Glendale, Chair  
Councilmember Peggy Bilsten, Phoenix,  
Vice Chair  
F. Rockne Arnett, Citizens Transportation  
Oversight Committee  
+ Mayor Ron Badowski, Wickenburg  
\* Stephen Beard, SR Beard & Associates  
\* Mayor Steven Berman, Gilbert  
Dave Berry, Swift Transportation  
Jed S. Billings, FNF Construction  
Mayor James Cavanaugh, Goodyear  
# Councilmember Pat Dennis, Peoria  
Mayor Boyd Dunn, Chandler

\* Mayor Hugh Hallman, Tempe  
Mayor Keno Hawker, Mesa  
Eneas Kane, DMB Associates  
Joe Lane, State Transportation Board  
Mayor Marie Lopez-Rogers, Avondale  
\* Mayor Mary Manross, Scottsdale  
David Scholl, Westcor  
Councilmember Daniel Schweiker,  
Paradise Valley  
\* Supervisor Don Stapley, Maricopa County  
Mayor J. Woodfin Thomas, Litchfield Park  
\* Vacant: Native American Indian Community  
Representative

\* Not present  
# Participated by telephone conference call  
+ Participated by videoconference call

1. Call to Order

The meeting of the Transportation Policy Committee (TPC) was called to order by Chair Elaine Scruggs at 4:10 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Scruggs announced that Mayor Ron Badowski was participating via videoconference and Councilmember Pat Dennis was participating via teleconference.

Chair Scruggs stated that transit tickets for those who used transit to attend the meeting and parking garage ticket validation were available from MAG staff. She noted that for agenda item #6, the memorandum faxed to members was at each place.

### 3. Call to the Audience

Chair Scruggs stated that an opportunity is provided to the public to address the Transportation Policy Committee on 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. Citizens will be requested not to exceed a three minute time period for their comments. She noted that an opportunity is provided to comment on agenda items posted for action at the time the item is heard.

Chair Scruggs recognized public comment from George Davis, who stated his appreciation that people were able to get current information on roads because there was a Transportation Policy Committee. Mr. Davis provided three recommendations he felt would expedite the road network in Maricopa County: 1) Protect HURF from expenses not intended for funding by HURF; 2) Buy right-of-way in less developed areas of the County that potentially could be in the path of future development; 3) Charge developers a fee to help pay for the expenses incurred by building additional roads to accommodate traffic resulting from the developments. Mr. Davis thanked the committee and expressed wishes to continue the advancement of the Maricopa County road network. Chair Scruggs thanked Mr. Davis for his comments.

Chair Scruggs recognized public comment from William Crowley, who asked how the infrastructure in the Gila River Indian Committee can be improved from dirt roads so buses can be accommodated. Mr. Crowley said that there was no quorum of MAG Regional Council members at the public hearing. He suggested having the public hearing in conjunction with the Regional Council meeting so there would be a quorum. Mr. Crowley commented that the METRO extension is supposed to go to Metrocenter, not to 25th Avenue and Mountain View. He stated that the City of Glendale sidewalks need to be consistent with new standards. Mr. Crowley stated that CMAQ funds have been given to projects that do not have a CMS score. He commented that bus bays and benches and bike lanes will be cut out of the next plan. Chair Scruggs thanked Mr. Crowley for his comments.

### 4. Approval of Consent Agenda

Chair Scruggs stated agenda items #4A and #4B were on the consent agenda. Public comment is provided for consent items. Each speaker is provided with a total of three minutes to comment on consent agenda.

Chair Scruggs recognized public comment from Mr. Crowley, who commented that \$15 million was allocated to RPTA, who spent only \$8 million. He stated that all of the transit stops could have received improvements with the money left over. Chair Scruggs thanked Mr. Crowley for his comments.

Chair Scruggs stated that any member of the committee can request that an item be removed from the consent agenda and considered individually. Chair Scruggs asked members if they wanted to hear any of the consent agenda items. Hearing no requests, Chair Scruggs called for a motion. Mayor Thomas moved to recommend approval of consent agenda items #4A and #4B. Vice Chair Bilsten seconded, and the motion passed unanimously.

4A. Approval of March 22, 2006 Meeting Minutes

The Transportation Policy Committee, by consent, approved the March 22, 2006 meeting minutes.

4B. Interim Closeout of the Federal Fiscal Year (FFY) 2006 MAG Federally Funded Program

The Transportation Policy Committee, by consent, recommended approval of a list of projects to be carried forward from FY 2006 to FY 2007 or later and to discuss possible priorities for utilizing MAG federal funds that become available through the FY 2006 Closeout Process. A revised initial closeout established that there was a temporary deficit of \$6.9 million in MAG Federal funds. By March 1, 2006, member agencies submitted requests to defer approximately \$11.2 million in projects from FY 2006 to FFY 2007 or later. As a result, the amount of funds available during the interim closeout is now just over \$4.3 million. The deadline for member agencies to submit requests for projects that can utilize these funds by the end of the Federal fiscal year is April 28, 2006. The Transportation Review Committee and the Management Committee recommended approval.

5. FY 2006 ADOT Freeway/Highway Program in the MAG Region - Proposed Material Cost Increases

Eric Anderson noted that the Transportation Policy Committee had been briefed earlier on cost increases and how they were affecting construction of projects in the MAG region. In response to concerns about these cost increases, MAG hosted a Construction Cost Forum in January 2006. Mr. Anderson stated that the Arizona Department of Transportation has requested cost increases for projects in FY 2006 that meet the Material Increase criteria. These increases total approximately \$28.1 million and reflect recent cost increases in right-of-way, construction materials, and overall project bid levels, as well as design considerations. Mr. Anderson stated that state law requires that MAG approve any change in priorities, new projects or changes that would materially increase program costs in the Regional Transportation Plan. He advised that staff reviewed the changes and determined that the cost increases can be accommodated within current cash flow by the deferral of other projects, in priority order, that are not ready for obligation in FY 2006. Mr. Anderson reported that the Transportation Review Committee and the Management Committee recommended approval of the material cost increases. Chair Scruggs thanked Mr. Anderson for his report and asked members if they had questions.

Chair Scruggs recognized public comment from Mr. Crowley, who stated that most of the material cost increases are attributed to the price of gas, which have now reached three dollars per gallon. He wondered what the price would be by January. Sunday's newspaper said that US consumers will spend an extra \$20.5 billion on gasoline in the next six months than last year. Mr. Crowley stated that a deal on concrete could be reached with the Indians to save money. He said that the problem with increased costs for freeways is where will the money be taken from—rail or bus? Chair Scruggs thanked Mr. Crowley for his comments.

Vice Chair Bilsten moved to recommend approval of the material cost increases for the 12 projects in FY 2006 as shown in the enclosed material. Mayor Thomas seconded, and the motion carried unanimously.

6. Request to Advance the Widening of I-10

Mr. Anderson noted that since the agenda was sent to the members of the Transportation Policy Committee, the coalition of southwest valley cities modified their proposal to accelerate the widening of I-10 in response to the concern expressed at the Management Committee about the capacity to issue Grant Anticipation Notes (GAN). He noted that the proposed project is now eight miles instead of the originally proposed ten miles, and costs approximately \$95 million less.

Mr. Anderson noted that MAG staff discovered a discrepancy between the MAG project acceleration policy and the requested interest reimbursement. The agenda item for accelerating the widening of I-10 stated that the project sponsors have requested that one-half of the interest expense be reimbursed by the program and implied that this was in concurrence with MAG adopted policy. A similar statement was made in the transmittal summary for the Dove Valley traffic interchange advancement that was requested and approved by MAG in March 2006. Mr. Anderson explained that for Regional Freeway Program projects, eligible interest/inflation costs will be calculated at the rate of one-half of the discount factor used by ADOT for the program year in which the project is scheduled to begin, but not to exceed the total cost of borrowing of the jurisdiction.

Mr. Anderson displayed a graphic of the lanes included in the project, which would widen I-10 from the junction of Loop 101 to just east of the future connection with Loop 303 and I-10. He explained improvements to the westbound lanes that include the addition of an HOV lane in the median from Loop 101 to just east of Sarival Road; the addition of a general purpose lane on the inside from Dysart Road to Sarival; and the addition of a general purpose lane to the outside for approximately eight miles from Loop 101 to Sarival Road. Mr. Anderson advised that this configuration would be repeated for the eastbound side of the freeway, with the exception of a slight difference due to the outside general purpose lane extending slightly west of Loop 101.

Mr. Anderson reviewed the proposed accelerated construction schedule. He said that the Loop 101 to Dysart section would be accelerated from 2014 to 2008. The Dysart to Sarival section would be accelerated from 2011 to 2008. Mr. Anderson added that both of these projects are in the ADOT Life Cycle Program.

Mr. Anderson reviewed the financial information. He said that project is estimated at \$130.2 million, which includes design and construction. Mr. Anderson explained that there are two components to the financing package. Mr. Anderson stated that the cities have applied for an ADOT HELP loan in the amount of \$7.4 million to advance the design work. He added that approval of the HELP loan would be considered by the State Transportation Board this week. Mr. Anderson stated that the second component, for construction, is the GAN loan, which leverages future federal funds. He said that the construction component is \$123 million. Mr. Anderson stated that the interest expense, using a five percent rate, is estimated at \$25.2 million. He advised that \$10.4 million would be the local share and \$14.8 million would be the program share, in keeping with the MAG Acceleration Policy.

Mr. Anderson stated that one concern expressed was GAN capacity. He said that GAN has been a well-used technique since 1999. He reported that GANs were used to accelerate the Pecos Road traffic interchange to provide access to I-10 and Santan Freeway; a portion of the Red Mountain Freeway; and the completion of the freeway system to 2007. Mr. Anderson remarked that ADOT limits capacity

statewide at \$800 million, of which \$400 million is allocated to the MAG region. He displayed a graph of estimated GAN capacity. He pointed out how GAN capacity would be freed up by 2013 as the current loans are retired, and if used for the proposed widening, would return to full capacity by 2015.

Mr. Anderson then reviewed the MAG Highway Acceleration Policy with the Committee. 1) The project must be in the Plan (this project is in Phase II of the RTP). 2) ADOT is responsible for the design, right-of-way and construction of the project (if appropriate, an IGA will be signed). 3) Enhancements are not eligible for reimbursement (no enhancements are included in this project). 4) Agreement of other jurisdictions if the project crosses boundaries (a joint resolution was signed by Goodyear, Litchfield Park, Avondale, and Buckeye). 5) Coordinate with adjacent jurisdictions and avoid adverse traffic impacts (signed joint resolution and no adverse traffic impacts are anticipated). 6) Maintain any previous commitments of local funds (no previous commitments). 7) Repayment of project costs and interest will follow life cycle program schedule (cash flow analysis followed the schedule which will be included in the IGA). 8) Calculation of interest reimbursement (reimbursement calculations followed MAG policy). 9) Payment schedule adjusted as other projects in the program (IGA will include schedule adjustment provisions). 10) No adverse impacts on other projects in the program (there are no known adverse impacts). 11) ADOT will notify MAG of any requests to accelerate a project (ADOT notified MAG). 12) Non-recoverable costs are paid by jurisdiction if the accelerated project does not move forward (IGA will include appropriate provisions). Mr. Anderson commented that it is not anticipated that the project will not move forward, but the provision holds the program harmless. Chair Scruggs thanked Mr. Anderson for his report and asked if there were any questions.

Mayor Hawker asked if it was correct that the option to not proceed was still a local decision and that the sponsoring jurisdiction would be responsible for non-recoverable costs. Mr. Anderson replied that was correct. Mayor Hawker asked about the approval process for the HELP loan and if the project depended on the HELP loan being approved. Mr. Anderson replied that HELP loans come through the State Transportation Board. He added that if the Board did not approve the HELP loan, another funding source would need to be identified to advance the design.

Mayor Hawker asked if the HELP mechanism was a yearly allocation. Mr. Anderson replied that the HELP loan program is a revolving fund ADOT maintains and is usually used for lower amount and shorter term loans. He noted that the region has a capacity in the \$30 to \$40 million range. As loans are paid off the money goes back into the pool. Mayor Hawker asked about the funding source for repaying the loans. Mr. Anderson explained that the HELP loan process works the same as the GAN process—the program repays the loan and the sponsoring jurisdiction pays its share of the interest.

Mayor Hawker asked if the cost estimate was based on recent information. Mr. Anderson replied that the project costs were estimated by the ADOT consultant this spring, when they worked on the Design Concept Report. Mayor Hawker asked if this project would use up the GAN capacity or was there capacity for other projects to be accelerated. Mr. Anderson replied that there would still be capacity to accelerate other projects, it just depends on the year the project comes in.

Mayor Hawker commented that the project was set out nicely. He said that he supported the project and that the West Valley cities had done a very thorough job. Mayor Hawker stated that the Acceleration

Policy, which Mesa used in the past, is being followed. He added that he would be more reluctant to support the project if it had been planned for later phases, due to unknown construction costs.

Mayor Thomas requested that the Town of Buckeye make a statement for the record on the project. Carroll Reynolds, Buckeye Town Manager, stated that the Town of Buckeye fully supports the project. He said that this project is critical of the West Valley for health, safety, and general commerce. Mr. Reynolds noted that Buckeye Mayor Dusty Hull, who was unable to attend the meeting, supports the project.

Chair Scruggs recognized public comment from Mr. Crowley, who reiterated his previous comments that the Legislature allocating money for Anthem is an example of poor planning. Mr. Crowley stated that the I-10 widening project is an example of good planning, and he appreciated what the four cities accomplished. Mr. Crowley commented that transit is not extending along the arterials in Paradise Valley. He stated that a tax of one cent per dollar of gasoline should be collected and used toward maintenance and future construction. Chair Scruggs thanked Mr. Crowley for his comments.

Chair Scruggs recognized public comment from Randy Overmyer, speaking on behalf of the City of Surprise. He said that the growth of traffic volume affects all communities in Central Arizona. Mr. Overmyer stated that the West Valley is especially vulnerable because of capacity constraints. He stated that the City recognizes that other facility deficiencies contribute to the problem—SR-85, Loop 303 and the extension of the roadway grid across the Agua Fria River. Mr. Overmyer stated that the City applauds the teamwork displayed and for bringing this concern into the spotlight. He expressed the City's concern that this not impact other needed projects nor delay other projects. Mr. Overmyer said that the City agrees that capacity is a serious regional concern and supports the project. The City just wants to express concern that the project not impact the timeliness and scheduling of other projects. Chair Scruggs thanked Mr. Overmyer for his comments.

Chair Scruggs recognized public comment from Jay Ellingson, representing SunCor Development. Mr. Ellingson stated that the company's position on the project was very supportive. He mentioned others who have expressed support of the project: David Byrd of Byrd Enterprises, George Lee of Kabuto/Wigwam Resort, Sylvia Tibbs, Rachel Ruiz of Walmart, Todd Tupper, Jerry Spicer of McLane, and Bill Newland of Newland Communities. Mr. Ellingson stated that he travels the freeway daily and it is congested almost all day. He remarked that this is the biggest issue relative to development and is not just this area of the Valley. Mr. Ellingson stated that this is the lifeblood in terms of the ports from California, not just for goods, but for services. He commented that this is one of the major entrances and is congested every day. Mr. Ellingson compared the region to a living entity, you have to have nourishment, which comes from ports. He commented that there are more fatalities on this stretch of freeway than on any other stretch of I-10 in the country. This is a piece that needs a solution regionally. Mr. Ellingson remarked that in terms of advancing the region as a whole, every port needs to be fixed. He said that any piece is an advancement of the overall process. Mr. Ellingson encouraged the TPC to support the project. Mr. Ellingson commented that this project has taken much the effort by the cities, especially by Mayor Cavanaugh, and said that the development community supports the project. Chair Scruggs thanked Mr. Ellingson for his comments.

Chair Scruggs asked members if there were questions. She confirmed with Councilmember Dennis that she was on the line to constitute a quorum.

Mayor Cavanaugh expressed thanks to Mr. Anderson for presenting what was expected to be accomplished, to Mr. Ellingson and the development community for providing the technical reasons, and to Mayor Hawker for getting to the pertinent questions. Mayor Cavanaugh stated that it had been a long process and they could not have gotten here without MAG staff or ADOT senior leadership.

Mayor Thomas moved to recommend approval of the proposal to accelerate the widening of I-10 from Loop 101 to the vicinity of Sarival Road in the West Valley and include this project in the draft FY 2007 to FY 2011 Transportation Improvement Program for the purpose of air quality conformity analysis. Mayor Lopez-Rogers seconded.

Before a vote was taken, Mayor Thomas commented that he was pleased with the project. He added that more is needed in the West Valley than this project can satisfy. Mayor Thomas remarked that he has challenged the Legislature to come up with a plan to make the West Valley whole from the 1985 sales tax. He added that the TPC used the 1985 sales tax as starting point for the new sales tax. Mayor Thomas expressed that he was saddened that Buckeye cannot be included in the proposal because the TIP is a five year plan. He also expressed concern that the participation of the development community was eliminated because the TIP is limited to five years.

Councilmember Dennis stated that she was impressed by the presentation given by MAG staff and the Southwest Valley communities and she supported the project. She remarked that the other component is this is a federal interstate. Councilmember Dennis stated that the federal government is abandoning Arizona in accommodating its needs and needs to address this with federal dollars.

Mayor Dunn expressed his support and said that this is a necessary project. He commended the four jurisdictions for the collaborative effort. Mayor Dunn expressed his thanks to staff, especially for the GAN capacity explanation. He said that he agreed with encouraging ADOT to find ways to widen I-10. He added that I-10 in the Chandler area is also becoming a concern in terms of safety and capacity. Mayor Dunn stated that he shared the concerns to make I-10 and I-17 be more effective.

Mayor Lopez-Rogers stated that four months ago, she was appointed mayor. She said that the first question she was asked was, "What are you going to do about I-10?" Mayor Lopez-Rogers expressed her appreciation for the support so she could answer her constituents.

Hearing no further discussion, Chair Scruggs called for a vote on the question, which passed unanimously.

#### 7A. FY 2006 MAG Mid-Phase Public Input Opportunity

Jason Stephens reported the input received during the Mid-Phase Input Opportunity, which was received from February 2006 through March 2006 on the FY 2007-2011 Transportation Improvement Program and the Regional Transportation Plan - 2006 Update. Mr. Stephens stated that MAG has an adopted four-phase public involvement process--early phase, mid phase, final phase and continuous involvement. He said that input opportunities included meetings of the MAG Management Committee, Transportation Policy Committee and Regional Council, several special events and a Joint Transportation Open House and Public Hearing. Events and opportunities were held in conjunction with the Arizona Department of Transportation, Valley Metro and Valley Metro Rail. Mr. Stephens displayed some of the questions

and comments received, all of which were summarized in the report that was included in the agenda packet. Chair Scruggs thanked Mr. Stephens for his report. No questions from the Committee were noted.

7B. Approval of the Draft FY 2007-2011 MAG Transportation Improvement Program for an Air Quality Conformity Analysis

Paul Ward updated members on the development of the MAG Transportation Improvement Program (TIP). He said that all projects come from the FY 2006-2010 MAG TIP and the Regional Transportation Plan. Mr. Ward stated that a TIP is required every four years; however, MAG drafts a TIP every year due to the region's high rate of growth and air quality concerns. MAG Federally funded projects were added September through December; ADOT and transit projects by December; and the remaining projects by the end of January. Mr. Ward stated that the Draft TIP is considered for approval to undergo an air quality conformity analysis in April, which is complete by May or June. Mr. Ward stated that this is followed by a public hearing in June, with Regional Council approval anticipated in July.

Mr. Ward stated that the TIP includes all regionally significant projects and currently contains 623 street projects, 247 transit projects, 120 freeway projects, 108 bicycle and pedestrian projects, 65 ITS projects, 33 air quality or transportation demand management projects, and 21 bridge, maintenance, or other projects. Mr. Ward said that the TIP includes a total of \$6.29 billion from all sources, including \$463.2 million in federal funds, and explained where the funding comes from and how the funding is allocated by mode. Chair Scruggs thanked Mr. Ward for his presentation and asked members if they had questions.

Mayor Thomas asked if part of the \$6.29 billion in the TIP is carryover from the 1985 tax. Mr. Ward replied that the TIP contained some of the 1985 funds, but they officially have been rolled into RARF. He added that private funds are not included in the \$6.29 billion. Mr. Ward stated that the first five years contains a larger proportion of projects compared with the final 15 years.

7C. Approval of the Draft MAG Regional Transportation Plan - 2006 Update for an Air Quality Conformity Analysis

Roger Herzog stated that the 1990 Clean Air Act Amendments require that transportation plans and programs be in conformance with applicable air quality plans. To comply with this requirement, it is necessary to conduct a conformity analysis on the 2006 update to the MAG Regional Transportation Plan (RTP). Mr. Herzog stated that the 2006 Update includes FY 2007 through FY 2026. The major new items in the 2006 Update are revised revenue estimates, and inclusion of the life cycle programs for freeways/highways, arterial streets, and transit. The life cycle programs are consistent with the project priorities originally identified in the RTP, and provide a detailed listing of project scheduling and funding by year. These programs would replace the project phases and costs that were originally presented in the RTP. He stated that the Update establishes a base for program monitoring and future decision-making on program adjustments. Mr. Herzog noted that the approval of the 2006 Update follows the same schedule as the approval of the TIP. Chair Scruggs thanked Mr. Herzog for his report. No questions from the Committee were noted.

Chair Scruggs recognized public comment from Mr. Crowley, who stated that Mr. Stephens had done a good job, but had a problem with outreach. Mr. Crowley asked why transit was not being added to roads that were being widened. He stated that bus routes are not going through Paradise Valley, Carefree, and Cave Creek. Mr. Crowley stated that he did not need more money going into the pockets of those who own oil company stock. Chair Scruggs thanked Mr. Crowley for his comments.

Vice Chair Bilsten moved to recommend approval of the Draft FY 2007-2011 MAG Transportation Improvement Program and the Draft MAG Regional Transportation Plan - 2006 Update for air quality conformity analysis. Mayor Thomas seconded, and the motion carried unanimously.

8. Reevaluation of TPC Meeting Day/Time

Chair Scruggs stated that at the January 18, 2006 TPC meeting, a reevaluation of the TPC meeting day and time was discussed. TPC members were requested to submit the days of the week and times that would be most advantageous to schedule committee meetings.

Vice Chair Bilsten stated that upon review of the results of the reevaluation, she noticed that the only schedule conflict seemed to be Phoenix. Therefore, she had asked the Phoenix City Manager to move the time of the zoning meeting. Vice Chair Bilsten expressed appreciation to everyone for taking the time to fill out the surveys.

9. Legislative Update

Matt Clark provided an update on legislative issues. He said that some of the bills on eminent domain continue to move forward. He said there is optimism that a compromise will be reached soon. Mr. Clark stated that the Legislature and the Governor's Office continue to discuss several propositions on transportation, but details are not yet available. He said that he would continue to keep the Committee informed.

Chair Scruggs recognized public comment from Mr. Crowley, who said that he considers SB 1504 a reward for poor planning. He said that he wanted a strike all bill to address bus idling. Mr. Crowley asked about tangible results from MAG opposing or supporting legislation. Chair Scruggs thanked Mr. Crowley for his comments.

Chair Scruggs asked members if there was any direction to staff on legislative items. None were noted.

Mayor Thomas expressed his appreciation for having served as a member of the TPC. He said that it had been an honor to serve and he enjoyed the experience. Chair Scruggs thanked Mayor Thomas and commented that he was a tremendous help when the RTP was being developed.

There being no further business, the meeting adjourned at 5:12 p.m.

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Chair

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Secretary