

MINUTES OF THE  
MAG MANAGEMENT COMMITTEE MEETING  
July 11, 2007  
MAG Office Building - Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

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| # Bridget Schwartz-Manock for Jan Dolan,<br>Scottsdale, Chair         | Brian Dalke, Goodyear  |
| David Fitzhugh for Charlie McClendon,<br>Avondale, Vice Chair         | * Mark Johnson, Guadalupe                                    |
| # Bryant Powell for George Hoffman, Apache<br>Junction                | Darryl Crossman, Litchfield Park                             |
| * Dave Wilcox, Buckeye  | Scott Butler for Christopher Brady, Mesa                     |
| * Jon Pearson, Carefree   | Tom Martinsen, Paradise Valley                               |
| * Usama Abujbarah, Cave Creek   | Terry Ellis, Peoria  |
| Mark Pentz, Chandler  | Frank Fairbanks, Phoenix                                     |
| Pat Dennis for B.J. Cornwall, El Mirage                               | John Kross, Queen Creek                                      |
| Alfonso Rodriguez for Orlando Moreno,<br>Fort McDowell Yavapai Nation | * Bryan Meyers, Salt River Pima-Maricopa<br>Indian Community |
| Tim Pickering, Fountain Hills   | Kathy Rice for Jim Rumpeltes, Surprise                       |
| * Lynn Farmer, Gila Bend  | Jeff Kulaga for Will Manley, Tempe                           |
| * Joseph Manuel, Gila River Indian<br>Community                       | * Reyes Medrano, Tolleson                                    |
| George Pettit, Gilbert  | * Steve McKay, Wickenburg                                    |
| Ed Beasley, Glendale  | Lloyce Robinson, Youngtown                                   |
|   | Bill Hayden for Victor Mendez, ADOT                          |
|   | Mike Sabatini for David Smith,<br>Maricopa County            |
|   | David Boggs, Valley Metro/RPTA                               |

- \* Those members neither present nor represented by proxy.
- # Participated by telephone conference call.
- + Participated by videoconference call.

1. Call to Order

The meeting was called to order by Acting Chair Terry Ellis at 12:02 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Acting Chair Ellis noted that Bryant Powell, Apache Junction, and Bridget Schwartz-Manock, Scottsdale, were participating by telephone conference call. He stated that MAG staff was available to assist members of the public in turning in their public comment cards. Acting Chair Ellis stated that transit tickets were available from Valley Metro/RPTA for those using transit

to come to the meeting. Parking validation was available from MAG staff for those who parked in the parking garage.

Acting Chair Ellis stated that a bill summary chart for agenda item #6 was at each place.

3. Call to the Audience

Acting Chair Ellis stated that Call to the Audience provides an opportunity to the public to address the Management 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. Acting Chair Ellis noted that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Public comments have a three minute time limit and there is a timer to help the public with their presentations.

Acting Chair Ellis recognized public comment from Dianne Barker, who turned in a public records request and asked that the Chair designate a MAG staff member and timeline to handle her request. Ms. Barker said that she has been trying to get information on certification. Ms. Barker noted that MAG has a statutory responsibility for material cost changes. She added that RARF is not coming in as expected; if a project is unwarranted, MAG can make a major amendment to eradicate a project. Ms. Barker stated that this may be the time to make difficult decisions. She stated that the regional transportation partners need to get together and exchange information, and added that ADOT does not yet have transit information. Acting Chair Ellis thanked Ms. Barker for her comments. He said that Kelly Taft, MAG Communications Manager, would assist Ms. Barker with the information MAG can and cannot provide.

5A. FY 2007 MAG Final Phase Public Input Opportunity

Jason Stephens, MAG Public Involvement Planner, provided the Management Committee with the input received on the draft FY 2008-2012 Transportation Improvement Program (TIP) and draft Regional Transportation Plan - 2007 Update. Mr. Stephens noted that this input is included the Final Phase Input Opportunity Report.

Mr. Stephens stated that MAG has a four-phase public involvement process: Early Phase, Mid Phase, Final Phase, and Continuous Involvement. Mr. Stephens stated that opportunities provided for public input included MAG policy committees, the Juneteenth History Festival, and the Final Phase transportation open house and public hearing, which was held on June 18, 2007. He reviewed some of the comments received during the Final Phase. Acting Chair Ellis thanked Mr. Stephens for his report. No comments from the Committee were noted.

Mr. Pickering moved to recommend acceptance of the Draft FY 2007 MAG Final Phase Public Input Opportunity Report. Mr. Pentz seconded, and the motion carried unanimously.

4. Approval of Consent Agenda

Acting Chair Ellis stated that agenda items #4A, #4B, #4C, #4D, #4E, #4F, and #4G were on the consent agenda. He noted that a request had been received to remove agenda item #4F from the consent agenda. Acting Chair Ellis asked if any member of the Committee had questions or a request to have a presentation on any other agenda item. None were noted.

Acting Chair Ellis reviewed the public comment guidelines for the consent agenda and noted that no public comment cards had been turned in.

Mr. Pettit moved to recommend approval of consent agenda items #4A, #4B, #4C, #4D, #4E, and #4G. Mr. Crossman seconded, and the motion carried unanimously.

4A. Approval of June 13, 2007 Meeting Minutes

The Management Committee, by consent, approved the June 13, 2007 meeting minutes.

4B. Enhancement Funds Working Group Round XV Recommendations

The Management Committee, by consent, recommended that the ranked applications from the MAG Enhancement Funds Working Group be forwarded to the Arizona Department of Transportation for consideration by the State Transportation Enhancement Review Committee. The Enhancement Funds Working Group was formed by the MAG Regional Council in April of 1993 to review and recommend a ranked list of Enhancement Fund applications from this region to the State Transportation Enhancement Review Committee (TERC). This year, nine applications for local funds were received totaling \$3,330,247 with approximately \$8 million available statewide. Two applications for state funds were received totaling \$1,940,476 with approximately \$4 million available statewide. The Working Group recommended that the attached ranked applications be forwarded to the Arizona Department of Transportation for consideration by the TERC.

4C. Proposed Major Amendment to Delete SR 153 from the MAG Regional Transportation Plan

The Management Committee, by consent, recommended approval of the proposed amendment to the Regional Transportation Plan to delete SR 153 and use the available funding for improvements to SR 143 and that the Regional Transportation Plan and the FY 2008-2012 MAG Transportation Improvement Program be amended subject to the necessary air quality conformity analysis. On May 23, 2007, the MAG Regional Council requested consultation on the proposed major amendment to the Regional Transportation Plan to delete SR 153, the Sky Harbor Expressway and use the available funding for improvement to SR 143. Formal comment on the proposed major amendment is required from the State Transportation Board, the Regional Public Transportation Authority (RPTA), and the Maricopa County Board of Supervisors. Cities and towns, Indian communities, and the Citizens Transportation Oversight Committee (CTOC) may also provide comments. On June 15, 2007, the State Transportation Board recommended approval. On June 18, 2007, the Maricopa County Board of Supervisors recommended approval.

and on June 21, 2007 the Regional Public Transportation Authority also recommended approval of the proposed major amendment.

4D. Federal Fiscal Year (FFY) 2007 Final Closeout

The Management Committee, by consent, recommended approval of the final closeout of Federal FY 2007. During the interim closeout process, member agencies submitted projects to defer projects to a later year and/or remove federal funds from projects, and submitted projects to utilize the FFY 2007 closeout funds. Regional Council approved the interim closeout on June 27, 2007. In addition to Regional Council's approval, on June 28, 2007, the Transportation Review Committee (TRC) recommended three projects to be deferred/removed. Since the TRC meeting, one additional project has been identified to be deferred.

4E. Finding of Conformity for the Draft FY 2008-2012 MAG Transportation Improvement Program and Draft Regional Transportation Plan - 2007 Update

The Management Committee, by consent, recommended approval of the Finding of Conformity for the Draft FY 2008-2012 MAG Transportation Improvement Program and Draft MAG Regional Transportation Plan - 2007 Update. The Draft 2007 Conformity Analysis concludes that the draft Transportation Improvement Program (TIP) and the Regional Transportation Plan - 2007 Update meet all applicable federal conformity requirements and are in conformance with applicable air quality plans. On June 18, 2007, a public hearing was conducted on the Draft TIP, Draft Regional Transportation Plan - 2007 Update, and Draft Conformity Analysis. On June 28, 2007, the MAG Air Quality Technical Advisory Committee recommended approval of the Draft 2007 MAG Conformity Analysis for the Draft FY 2008-2012 MAG Transportation Improvement Program and Draft Regional Transportation Plan - 2007 Update. Approval of the conformity finding by the Regional Council is required for MAG adoption of the TIP and RTP.

4G. On-Call Consulting List for the Socioeconomic Information Enhancement Project

The Management Committee, by consent, recommended approval of the list of on-call consultants, Applied Economics, Arizona State University, ECONorthwest, Planning Technologies and Technology Associates, for the MAG Socioeconomic Information Enhancement Project, for a total amount not to exceed \$290,000. On May 14, 2007, the MAG Executive Committee approved the consolidation of three projects in the FY 2007 MAG Unified Planning Work Program to conduct a Socioeconomic Information Enhancement Project at a cost not to exceed \$290,000. The purpose of the project is to enable MAG to maintain state-of-the-art projections models and to support socioeconomic and transportation planning needs. MAG issued a Request for Qualifications to create an n-Call Consulting List for the project and received six Statements of Qualifications (SOQs). A multi-agency evaluation team reviewed the SOQs and unanimously recommended to MAG that the following firms be included on a MAG On-call consulting list for the Socioeconomic Information Enhancement Project: Applied Economics, Arizona State University, ECONorthwest, Planning Technologies and Technology Associates.

4F. Prioritized List of PM-10 Paving Projects for FY 2007 CMAQ Funding

This item was removed from the consent agenda.

Pat Dennis expressed her concern about the allocation of CMAQ funds for 2007. She said that the City of El Mirage had submitted two projects as part of the CMAQ process for 2007. Ms. Dennis stated that since their projects were already submitted and they were PM-10 projects, she assumed that those projects not funded through the normal process would automatically be considered for the \$5 million funding. Ms. Dennis requested that the El Mirage projects submitted in the process be evaluated in the \$5 million appropriation.

Acting Chair Ellis requested that staff provide a presentation. Dean Giles, MAG Air Quality Planning Program Specialist, noted that on May 23, 2007, the MAG Regional Council approved thirteen additional measures for the Suggested List of Measures to Reduce PM-10 Particulate Matter. He said that one of the new measures is that MAG allocate \$5 million in FY 2007 MAG federal funds matched on a fifty/fifty basis by MAG member agencies for paving dirt roads and shoulders and that these funds would be on a nonsupplanting basis for new projects.

Mr. Giles stated that PM-10 paving projects were solicited from member agencies in the Maricopa PM-10 Nonattainment Area and eleven applications requesting \$6,044,673 in FY 2007 CMAQ funds were received. On June 28, 2007, the MAG Air Quality Technical Advisory Committee made a recommendation to add \$1.044 million to fund all of the projects on the Prioritized List of Proposed PM-10 paving projects since all of the projects have merit. If additional funding is not available, fund nine projects and only a portion of the Goodyear shoulder project, with the remaining portion of the Goodyear shoulder project placed first on the list for FY 2008 closeout funds.

Acting Chair Ellis asked Eric Anderson, MAG Transportation Director, to provide a report on the source of funds. Mr. Anderson stated that each year, as part of the closeout process, projects are identified to be deferred from one fiscal year to another. He reported that this year, a number of projects were identified to be deferred from FY 2007 to FY 2008, totaling approximately \$44 million. Mr. Anderson explained that to ensure the program is in balance, the \$44 million will be needed to fund not only those projects that deferred from FY 2007 if they obligate in FY 2008, but also those projects agreed to be funded for FY 2008.

Mr. Anderson stated that historically, the amount of project deferrals is in the \$5 million to \$10 million range and this year it is \$44 million. He noted that the primary reason for the carried-over dollar amount to be so large is that implementation of the Arterial Life Cycle Program is still in the early phases. Mr. Anderson stated that there are a number of projects next year that will be deferred and those funds could be used for dirt road projects. He stated with the historical experience, he felt comfortable the program will have sufficient funds. Mr. Anderson added that if there were no deferrals next year, balancing the program could be problematic. He advised that this year, the \$5 million to \$6 million to tackle the dirt road is being carved out of this year's deferrals, but using closeout and carryover money year after year cannot be continued. Mr. Anderson added that there is a plan to tighten the program in future years.

Mr. Smith stated that there was an emergency situation with the PM-10 plan in May 2007 and MAG was making a statement it was serious about PM-10, especially dirt roads. He said that the match ratio was changed from seventy/thirty to fifty/fifty to ensure funding as many projects as possible. Mr. Smith added that the motion at the May Management Committee discussed timing. He stated that the process was conducted and the projects evaluated, but the El Mirage projects were submitted in a different process. Mr. Smith reported that the Management Committee has choices: 1) Recommend the \$5 million already authorized; 2) Recommend the MAG Air Quality Technical Advisory Committee recommendation to add \$1.044 million to fund all of the projects on the Prioritized List of Proposed PM-10 Paving Projects; 3) Recommend funding the El Mirage request.

Ms. Dennis expressed her appreciation for the process, but added that the projects submitted by El Mirage are PM-10 projects. She noted that the City understands the fifty/fifty match and has no issue with that. Ms. Dennis remarked that if the bottom line is PM-10, then projects that meet those requirements meet the needs of the nonattainment area and should be funded. She commented that it seemed redundant to reapply. She requested that the El Mirage projects be considered instead of other projects.

Mr. Fairbanks moved to recommend approval of the Prioritized List of Proposed PM-10 Paving Projects recommended by the MAG Air Quality Technical Advisory Committee including the City of Goodyear project. Mr. Pickering seconded. Acting Chair Ellis asked members if there was discussion on the motion. Hearing none, the vote taken on the question passed, with Ms. Dennis voting no.

5B. Approval of the Draft FY 2008-2012 MAG Transportation Improvement Program

Eileen Yazzie, MAG Transportation Program Manager, provided the Committee with the highlights of the FY 2008-2012 Transportation Improvement Program. She said that each year, the Five Year Transportation Improvement Program (TIP) is updated. Ms. Yazzie noted that the FY 2008-2012 TIP reports on more than 1,400 projects throughout the region.

Ms. Yazzie reviewed the highway projects, which include street, bicycle, pedestrian, safety, freeway, Intelligent Transportation System (ITS), and bridge projects in the region. She advised that the two largest funding commitments are from local agencies, and the Regional Area Road Fund, which is the half cent sales tax. These sources account for 60 percent of the \$6.224 billion of committed highway project funds.

Ms. Yazzie reviewed the transit projects. She said that 48 percent of the funding for FY 2008-2012 transit projects come from 5307, 5309, 5310, and 5311 federal funds. In addition are the Public Transit Funds, which are the half cent sales tax funds designated for transit projects. She explained that these funds make up 35 percent of the total \$1.455 billion committed to fund transit projects in FY 2008-2012. Ms. Yazzie advised that the total project funding of \$1.455 billion is an increase of 23 percent over the FY 2007-2011 TIP.

Ms. Yazzie stated that the total funding commitment in FY 2008-2012 is about \$7.68 billion, which is an increase of 18 percent over the FY 2007-2011 TIP. Acting Chair Ellis thanked Ms.

Yazzie for her report. No requests for public comment were received. He asked members if they had questions.

Mr. Pettit asked the primary source of the additional 18 percent of funding. Ms. Yazzie replied that there are a couple of reasons. She said that the FY 2008-2012 TIP includes a full five years of the half cent sales tax, whereas the sales tax was included in only part of the FY 2007-2011 TIP. Ms. Yazzie noted that the number of projects has increased as well.

Mr. Pettit moved to recommend approval of the Draft FY 2008-2012 Transportation Improvement Program, contingent upon a finding of conformity of the TIP and Regional Transportation Plan - 2007 Update with applicable State and Federal air quality implementation plans. Mr. Kross seconded, and the motion carried unanimously.

5C. Approval of the Draft MAG Regional Transportation Plan - 2007 Update

Roger Herzog, MAG Senior Project Manager, stated that the Draft MAG Regional Transportation Plan (RTP) - 2007 Update has been prepared to comply with the regional transportation planning requirements of the Federal Safe, Accountable, Flexible, Efficient, Transportation Equity Act - A legacy for Users (SAFETEA-LU). He stated that the Draft RTP 2007 Update addresses several new topics to respond to SAFETEA-LU, including consultation on environmental mitigation and resource conservation, transportation security, and an updated public participation process.

Mr. Herzog stated that the 2007 Update includes revised revenue estimates, and updated life cycle programs for freeways/highways, arterial streets, and transit. He stated that costs are currently in balance with expected revenues for all Life Cycle Programs. Mr. Herzog advised that major cost issues are expected in the future as scoping, design concepts and environmental assessments are completed.

Mr. Herzog stated that the Draft 2007 Update was approved by the Regional Council for air quality conformity analysis on April 25, 2007. A technical conformity analysis was performed on the Draft 2007 Update and the Draft MAG FY 2008-2012 TIP, and demonstrated that they meet all air quality conformity requirements. Mr. Herzog noted that the final phase public hearing was conducted on the Draft RTP 2007 Update, the Draft FY 2008-2012 MAG TIP, and the Air Quality Conformity Analysis. He noted that the Air Quality Technical Advisory Committee recommended approval of the finding of conformity. Acting Chair Ellis thanked Mr. Herzog for his report. No questions from the Committee were noted. No requests for public comment were received.

Mr. Boggs moved to recommend approval of the Draft MAG Regional Transportation Plan (RTP) - 2007 Update, contingent upon a finding of conformity of the RTP and TIP with the applicable State and Federal air quality implementation plans. Mr. Pettit seconded, and the motion carried unanimously.

## 6. Legislative Update

Matthew Clark, MAG Senior Policy Planner, provided an update on legislative issues of interest. Mr. Clark reviewed the provisions of the budget bill, House Bill (HB) 2781, which includes \$62 million for the Statewide Transportation Acceleration Needs (STAN) account and funding for the Arizona Department of Transportation and for the Maricopa County Travel Reduction Plan.

Mr. Clark stated that HB 2793 extends the allowable repayment period for State Highway Fund bonds from 20 to 30 years. It also includes provisions on railroad right-of-way, authorizes ADOT to use \$10 million from the Highway Expansion and Extension Program Fund (HELP), and establishes two subaccounts: 1) Establishes the Roads of Regional Significance Congestion Mitigation subaccount for high-growth areas, and appropriates \$10 million to its use. 2) Establishes a Transportation Acceleration Needs subaccount and appropriates \$10 million from the STAN account into the subaccount, which may be used to reimburse interest costs from STAN for the acceleration of certain transportation projects. Mr. Clark noted that funding for the statewide framework studies was not included in the legislation, but ADOT has made assurances that they will be funded through the ADOT process.

Mr. Clark noted that the creation of a Blue Ribbon Transportation Committee was included in Senate Bill (SB) 1640. Among the committee's responsibilities are the review reports relating to the state's transportation framework and make recommendations on legislation issues to be addressed in the next legislative session.

Mr. Clark stated that the air quality bill, SB 1552, has been signed by the Governor. Mr. Clark stated that many of the measures approved by the MAG Regional Council were included in the bill. He then reviewed the provisions on unpaved roads, parking areas, vacant lots, leafblowers, street sweepers, off-highway vehicles, agricultural best management practices, and dust control training.

Mr. Anderson stated that the Legislature appropriated \$62 million from the State Highway Fund, which staff understands has already been programmed by ADOT. He advised that the impact of removing the \$62 million on the current highway program is unknown. Mr. Anderson then spoke about the two subaccounts of the STAN account that were created by HB 2793. He said that there will probably be no MAG involvement on recommendations for the Roads of Regional Significance (RRS) subaccount, other than a requirement to include recommended projects in the MAG TIP. Mr. Anderson noted an issue with the RRS subaccount, which includes a provision that requires a project be in communities' SIP and TIP as unfunded. He advised that the MAG TIP has a fiscal constraint requirement and projects cannot be in the TIP if they are unfunded. Mr. Anderson stated that staff is working with ADOT and FHWA on this and followup language may be required. Mr. Anderson commented that another issue with this subaccount is the calculation of the five year growth rate, because there is no guidance as to which rate should be used. He added that another consideration is the eligibility of communities formed just five years prior.

Mr. Anderson stated that for the Transportation Acceleration Needs subaccount, MAG will be required to establish a process to accept and make recommendations to the State Transportation

Board on requests for reimbursement of interest costs resulting from project accelerations. He noted that project agreements must be dated after January 1, 2007.

Mr. Anderson stated that MAG staff is working with ADOT on STAN II issues. He said that one issue is the calculation of MAG's share of the \$62 million. Mr. Anderson explained that it is unknown whether MAG's share, which is 60 percent, will be calculated before or after the two \$10 million allocations are deducted.

Mr. Anderson advised that this year, the amount to accelerate projects is very small, probably about \$20 million, unlike last year. He stated that in addition, the \$62 million is not new money and it is probably already programmed. Acting Chair Ellis thanked Mr. Clark and Mr. Anderson for their reports. No questions from the Committee were noted.

7. Regional Heat Relief Planning Efforts

Amy St. Peter, MAG Human Services Manager, stated that heat relief is more critical now than ever, as the region has experienced its first excessive heat watch since July 3rd. She noted that in 2005, the region received negative national attention when homeless people died as a result of the heat. Ms. St. Peter reported that since then, many agencies have rallied to this cause to ensure the homeless receive relief from the heat.

Ms. St. Peter noted the maps at each place that show water collection/donation sites and water hydration/refuge stations. She stated that the maps would be distributed throughout the region and requested that members post the maps on their websites and distribute them to first responders. Ms. St. Peter expressed her thanks to Cave Creek, Gilbert, Glendale, Maricopa County, Mesa, Peoria, Phoenix, and Tempe for helping make resources available across the region. She added that nonprofit agencies are also contributing to the effort. The Valley of the Sun United Way is conducting a water drive on July 14th. Ms. St. Peter stated that member agencies could assist in the effort by collecting water, being listed as a water donation or hydration site, or being a refuge location. She noted that the City of Tempe has organized a homeless connect project.

Ms. St. Peter stated that heat relief efforts also need to include the elderly, children, and those with medical issues. She noted that the City of Scottsdale and Maricopa County have programs to meet this need. Acting Chair Ellis thanked Ms. St. Peter for her report.

Mr. Fairbanks commended MAG for its leadership and coordination of this effort, and also to the cities that pulled together to accomplish something to help people. Mr. Fairbanks commented that heat is a problem for homeless people, but it is also a problem for the elderly, the young, and the ill, who can also fall victim to the heat.

8. Comments from the Committee

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

Acting Chair Ellis announced that two key MAG staff members, Denise McClafferty and Matthew Clark, were leaving MAG the end of the month. He said that Mr. Clark will be working for the City of Mesa. Ms. McClafferty, who has worked at MAG for ten years, was returning to Pittsburgh, Pennsylvania.

Acting Chair Ellis suggested that Stephen Cleveland, recently retired Goodyear City Manager, and now working on a consulting basis, be honored at the September Management Committee meeting with a plaque in honor of his many years of regional achievements, including chairing the Management Committee.

Mr. Fairbanks stated that Mr. Cleveland has been an influential leader among the Management Committee.

Acting Chair Ellis noted that Will Manley was retiring the end of August.

Acting Chair Ellis stated that his City Council had discussed the CASS budget overrun and request for additional assistance. He said that the Council wanted to approve some funding, but felt they wanted something in writing to understand the nature of the emergency and asked that the information be submitted.

Acting Chair Ellis introduced and welcomed a new member to the Committee: Mr. Brian Dalke, Interim City Manager for Goodyear.

There being no further business, the meeting adjourned at 12:50 p.m.

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Secretary

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Chairman