

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

June 25, 2003
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Wendy Feldman-Kerr, Queen Creek, Chair	Mayor J. Woodfin Thomas, Litchfield Park
Mayor Joan Shafer, Surprise, Vice Chair	*Supervisor Max W. Wilson, Maricopa County
# Vice Mayor R. E. Eck for Mayor Douglas Coleman, Apache Junction	Mayor Keno Hawker, Mesa
Mayor Ron Drake, Avondale	*Mayor Edward Lowry, Paradise Valley
*Mayor Dusty Hull, Buckeye	*Mayor John Keegan, Peoria
* Mayor Edward Morgan, Carefree	*Mayor Skip Rimsza, Phoenix
Mayor Vincent Francia, Cave Creek	*President Joni Ramos, Salt River Pima-Maricopa Indian Community
Mayor Boyd Dunn, Chandler	Mayor Mary Manross, Scottsdale
Mayor Robert Robles, El Mirage	Mayor Neil Giuliano, Tempe
* Mayor Wally Nichols, Fountain Hills	*Mayor Adolfo Gamez, Tolleson
Mayor Chris Riggs, Gila Bend	Mayor Lon McDermott, Wickenburg
* Governor Richard Narcia, Gila River Indian Community	Mayor Bryan Hackbarth, Youngtown
Mayor Steven Berman, Gilbert	Rusty Gant, ADOT
Mayor Elaine Scruggs, Glendale	Joe Lane, ADOT
Mayor James Cavanaugh, Goodyear	F. Rockne Arnett, Citizens Transportation Oversight Committee
Mayor Vinicio Alvarez, Guadalupe	

* Those members neither present nor represented by proxy.
Attended by videoconference or by telephone conference call.

1. Call to Order

The meeting of the Regional Council was called to order by Regional Council Chair Wendy Feldman-Kerr at 5:05 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Feldman-Kerr announced that Vice Mayor R.E. Eck, as proxy for Mayor Douglas Coleman, was attending the meeting via videoconference call. She reminded members to have their microphones on when speaking so that he could hear the meeting. Vice Mayor Eck acknowledged he was present and could hear the meeting.

Chair Feldman-Kerr introduced and welcomed new Regional Council Members and presented them with their membership certificates: Mayor Vinicio Alvarez from the Town of Guadalupe; Mayor Chris Riggs from the Town of Gila Bend. Mayor Bryan Hackbarth from the Town of Youngtown. In addition, Mayor Wally Nichols, who was not present, is the new mayor of the Town of Fountain Hills.

Chair Feldman-Kerr stated that the RPTA has agreed to provide transit tickets for those who used transit to come to the meeting. She stated that garage parking validation was available from staff.

Chair Feldman-Kerr stated that due to the room's acoustics, audience conversations carry over to the Council table, making it difficult to hear presentations. She requested that the audience keep conversations to a minimum during the meeting.

Chair Feldman-Kerr stated that MAG staff seated at each end of the entryways to the Regional Council table on both sides of the room are available to assist members of the public in turning in their public comment cards.

Chair Feldman-Kerr stated that materials for agenda items #5D, #7, and #9 were at each place.

3. Call to the Audience

Chair Feldman-Kerr stated that according to MAG's public comment process, members of the audience who wish to speak are requested to fill out the cards, which are available on the tables adjacent to the doorways inside the meeting room. She noted that there is a three minute time limit. Public comment is provided at the beginning of the meeting for non-agenda items.

Chair Feldman-Kerr recognized public comment from Marge Murphy, one of the Directors of the Sun City Homeowners Association. Ms. Murphy stated that her pollution solution is commuter rail, and asked members to please consider it. She stated that testing is needed that would show that stricter regulation of diesel truck emissions is needed. Ms. Murphy requested that overpasses be built on Grand Avenue at 103rd and 107th Avenues, because access is needed by south side residents to the hospital on the north side. Chair Feldman-Kerr thanked Ms. Murphy for her comments.

Chair Feldman-Kerr recognized public comment from Albert Aguilar, a resident of Scottsdale. Mr. Aguilar stated that staff does a great job in Scottsdale and he is impressed with the services and community. Mr. Aguilar encouraged riding the bus Monday because there is a 50 millionth rider contest. Chair Feldman-Kerr thanked Mr. Aguilar for his comments.

Chair Feldman-Kerr recognized public comment from DD Barker, who stated that she brought Mr. Aguilar to the meeting. She commented that when she told Mayor McDermott that she heard commuter rail would extend to Wickenburg, he was unaware of that. Ms. Barker requested a moment of silence for The Honorable Bob Stump, US Congressman, who passed away that week. Ms. Barker gave an account of her interaction with Congressman Stump, who she said was a statesman and a public servant. She stated that we all manufacture pollutants and are all responsible. She referred to an *Arizona Republic* article that said politicians are afraid to take on the auto industry. Ms. Barker performed a cartwheel. Chair Feldman-Kerr thanked Ms. Barker for her comments.

Chair Feldman-Kerr recognized public comment from Blue Crowley, who stated that he wanted to speak on agenda items #6, #8, and #11. He stated that these items were not on the agenda for action, so if he does not comment at Call to the Audience, there is no other opportunity. Chair Feldman-Kerr asked Mr. Crowley to follow the rules for public input. She noted that Call to the Audience is for non-agenda items. Mr. Crowley stated that an agreement had been worked out in prior years that would allow comment on non-action items. Chair Feldman-Kerr noted that the process allows for comment on non-agenda items and requested that he speak to the rules. Mr. Crowley asked when is the public supposed to comment if not given an opportunity to speak on non-action items at Call to the Audience. Chair Feldman-Kerr explained that the public can comment when the item is for action or during the committee process. Mr. Crowley asked that the timer be stopped and raised a point of order. Chair Feldman-Kerr requested that Mr. Crowley continue with his comments, the timer could be reset. Mr. Crowley again requested that the timer be stopped. Chair Feldman-Kerr again requested that Mr. Crowley continue with his comments, that the timer could be reset. Mr. Crowley stated that his concern that he was not invited to the Town Hall. For agenda item #8, he commented that he would like all to review the map in *The Arizona Republic*. For agenda item #6, Mr. Crowley stated that you are not doing it correctly. He stated that the survey said that new SOV lanes are planned, and asked respondents how many HOV they wanted. Mr. Crowley stated that new SOV miles cannot be built without the HOV part. Mr. Crowley stated that Phoenix wants 40 percent of the half cent sales tax, yet no light rail lines are regional; therefore, you are not making a regional plan. Mr. Crowley's time expired and he was granted additional time. He stated that he is not at the meetings to fight, nor waste the Regional Council's time. Likewise, he did not want his time wasted. This is a democracy and he is the voice. If the public is unable to comment on non-action items, then they are closed out of the process and it is a sham. Mr. Crowley stated that citizens were here to help provide direction to the Regional Council. Chair Feldman-Kerr thanked Mr. Crowley for his comments.

Chair Feldman-Kerr stated that Ms. Barker has been requested to not do cartwheels, but continues to do them. She added that if Ms. Barker were to hurt herself, it would be MAG's liability because the action took place in a MAG setting. Chair Feldman-Kerr stated that MAG has a formal process for public input. When she asked Mr. Crowley to speak to the rules, he talked back to her. She asked both Ms. Barker and Mr. Crowley to please follow the rules and requested that they discuss with the MAG attorney or executive director. Mr. Crowley raised a point of order. Chair Feldman-Kerr stated that the Call to the Audience portion of the meeting was completed.

4. Executive Director's Report

Dennis Smith stated that the U.S. Department of Homeland Security, Office of Domestic Preparedness is providing financial assistance to selected urban areas through the FY2003 Urban Areas Security Initiative Grant Program II. In Arizona, this grant's funding allocation is approximately \$11,033,467, with approximately \$8 million to the MAG region. Mr. Smith stated that MAG was approached by Arizona's Office of Homeland Security to act as a point of contact for the urban area, along with the City of Phoenix as the point of contact for the core city and Maricopa County as the point of contact for the core county. He stated that an Urban Area Working Group is being formed, and will be responsible for the development and implementation of the grant program. This group will be working under tight time frames, with deadlines in September, October and November.

Mr. Smith gave an update on the Arizona State Retirement Plan (ASRS). He explained that MAG had applied to join ASRS and was on the consent agenda, when their attorney had questions. Mr. Smith

stated that the attorney issued an informal opinion that MAG was not a political subdivision, not a creature of statute, not in state statute, and is a voluntary association. He stated that the ASRS Board has requested a formal Attorney General opinion. In addition, MAG has requested meeting with Attorney General staff, and MAG's General Counsel is working on an opinion. Mr. Smith brought up that WACOG has been in the system for the past 30 years, in addition to the Arizona Association of Counties and the County Supervisors Association. Mr. Smith stated that if legislation is needed we will request the assistance of the MAG member agencies in the League Resolutions Process.

Mr. Smith stated that MAG has been requested to be the Fiscal Agent for potential Domestic Violence STOP funds. This would allow for funds to be utilized in the West Valley Domestic Violence activities. Communities involved in this effort include Goodyear, Surprise, Glendale, and Sun City.

Mayor Hawker asked if there was an allocation for administration in the grant for staff work. Mr. Smith stated that MAG already receives funds from the Governor's office for Domestic Violence activities. If there is not money in this grant, we do have funds for Domestic Violence support.

Mayor Scruggs asked for clarification of MAG's role in Homeland Security. She stated that it was her understanding that the mayors would be appointing the contacts for the committee. Mayor Scruggs also noted a very short time frame, since the applications are due July 7th. She stated that if cities wait until the meeting, they may not have time to submit their applications. Mr. Smith stated that he heard that staff wanted to use the MAG organization because of the elected officials. He added that MAG was still learning details on the project and did not have all of the information. Mr. Smith commented that MAG would only participate at the will of the Regional Council. Mayor Scruggs stated that the outcome is huge to cities. She suggested confirming the language to ensure the opportunity is not missed. Mr. Smith stated that Frank Navarette, Homeland Security Director, could answer questions at the July Regional Council meeting.

5. Approval of Consent Agenda

Chair Feldman-Kerr stated that public comment is provided for consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the committee can request that an item be removed from the consent agenda and considered individually. Chair Feldman-Kerr stated that agenda items #5A through #5I were on the consent agenda.

Mayor Thomas requested that agenda item #5G be heard.

Mayor Hawker commented that he was glad that agenda item #5H was coming up for a vote. For agenda item #5I, he commented that only 44 applications were received for the \$15 million available. He stated that he supported moving forward the process this year, and suggested involving the Regional Council earlier in the process with either a briefing or dissemination of information. Mayor Hawker stated that it is an interesting position for the Regional Council when the recommendations of a subcommittee have already been approved. Mr. Smith explained the process that had formerly been conducted by Mesa and Phoenix, when a collaboration was agreed to bring it to MAG. He noted that the process has actually resulted in larger amounts for the region. Chair Feldman-Kerr stated that this could be discussed at the next Executive Committee meeting.

Chair Feldman-Kerr recognized public comment from Mr. Crowley, who apologized if the Chair felt he was out of order. He stated that he was merely trying to settle a difference of opinion. He stated his support for 911. Mr. Crowley stated that the public input section of the summary transmittal for agenda item #5D says that no specific input was given at the TRC meeting; however, at the meeting, he was denied additional time to comment on this specific action item. Mr. Crowley stated that he hopes the City of Phoenix will use their closeout funds for the implementation of lagging left turn lights. If the money is used just for stoplights, he hoped they worked integrally. Mr. Crowley noted that there were 11 action items on the consent agenda, and with three minutes total, that allowed 16 seconds to comment on each. He stated that the Phoenix has light rail, just within their city, and all but two cities are connected by heavy rail. Mr. Crowley stated that an emphasis on this is needed. We previously used heavy rail to and from Wickenburg until 1959. Hope use rail someday to get to Rittenhouse and Queen Creek. Chair Feldman-Kerr thanked Mr. Crowley for his comments.

Chair Feldman-Kerr recognized public comment from Ms. Barker commented on agenda item #5B. She stated that some other groups are working on some of the same corridors. Ms. Barker stated that she has never sued for personal injury, and would not hold MAG responsible if she was injured while performing her acrobatics. Ms. Barker stated that her reputation for litigiousness started long ago when she was misdirected to EEOC. She expressed the hope that this will be cleared up through mediation. Ms. Barker stated that she wished that MAG had more concise public input rules throughout the entire process. When Mr. Crowley was at TRC, that is where projects are started. If you cannot input there, then there is really no citizen dialogue. Ms. Barker stated that MAG has made many improvements over the years. She encouraged cooperative planning between IBI Group and HDR on the Grand Avenue corridor. Ms. Barker noted that there is a lot of potential for multimodal on this corridor. Chair Feldman-Kerr thanked Ms. Barker for her comments.

Mayor Neil Giuliano moved to approve consent agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5H, and #5I. Mayor Woody Thomas seconded, and the motion carried unanimously.

5A. Approval of May 28, 2003 Meeting Minutes

The Regional Council, by consent, approved the May 28, 2003 meeting minutes.

5B. Approval of the Recommendations in the High Capacity Transit Study

The Regional Council, by consent, accepted the corridors as identified within the High Capacity Transit Study for consideration as input into the Regional Transportation Plan process, subject to integration with the express bus network from the Valley Metro/Regional Public Transportation Authority Regional Transit System Study, and subject to additional input received from MAG member agencies. The High Capacity Transit Study (HCT) was reviewed at the April Management Committee meeting. The study is designed to be the first step in developing and prioritizing the recommended network of high capacity transit services. The study evaluated the possible use of existing railroad corridors for commuter rail and identifies other high capacity transit technologies, such as bus rapid transit or light rail, in other high demand corridors in the region. The planning efforts for the HCT are being integrated with the development of the Regional Transportation Plan (RTP). Future steps include additional review of corridors, including analysis of expected funding available, and consultation with member agencies and the public, to refine the number and coverage of the recommended corridors in the RTP. The Management Committee recommended acceptance.

5C. Administrative Adjustment to the FY 2003-2007 MAG Transportation Improvement Program for Highway Projects

The Regional Council, by consent, approved the proposed administrative adjustment to the FY 2003-2007 MAG Transportation Improvement Program as shown on the attached Table One. The FY 2003-2007 MAG Transportation Improvement Program (TIP) was approved by the Regional Council on July 24, 2002. Since that time, the Arizona Department of Transportation has notified MAG of the need to change the funding source for three regional freeway system projects on the Santan Freeway and on Grand Avenue in FY 2004. All three projects are currently in the TIP, but the funding source is defined as RARF/15 percent funding. However, ADOT wishes to construct the projects with Grant Anticipation Note (GAN) funding which will be repaid with Federal funding in future years. Please refer to the attached Table One. It is necessary to adjust the TIP to incorporate the changes to these projects. As a TIP amendment is not being requested, an air quality conformity analysis is not needed.

*5D. Federal Fiscal Year 2003 MAG Federal Funds Interim Closeout and Amendment/Adjustments to the FY 2003-2007 MAG Transportation Improvement Program and FY 2003 and FY 2004 Unified Planning Work Programs and Annual Budgets

The Regional Council, by consent, approved the interim closeout of Federal FY 2003, as recommended by the Management Committee at their June 11, 2003, meeting as follows: (1) Defer the projects listed in Table One; (2) Add new projects, or advance from a future year, or allocate additional funds to, the projects listed in Table Two; (3) Amend the FY 2003 and FY 2004 MAG Unified Planning Work Programs and Annual Budgets to include the additional funds for the Bicycle Education Workshop, the Pedestrian Design Program, the Williams Gateway Airport Freeway - Corridor Study and the Evaluation of ITS Applications for Elderly Mobility as shown in Table Three; and (4) Authorize an amendment/administrative adjustment to the FY 2003-2007 MAG Transportation Improvement Program to include the necessary projects in FY 2003. Annual sub-allocations of Federal Obligation Authority (OA) to the MAG region must be used or they could be lost. Each year, the process to close out the MAG federally funded program is completed in three distinct steps. First, the federal funds that have been sub-allocated to the MAG region are compared with the list of projects programmed in the current year (FY 2002) of the most recent Transportation Improvement Program (TIP). Second, MAG agencies request the deferral from the current federal fiscal year (FFY 2003) to the following (FFY 2004), or later, of any projects that are not likely to be completed through the federal development process in time. Third, projects are identified that are able to utilize the funds available from the first two phases and from any redistributed OA that might be made available from federal sources. Last month, the Regional Council approved the expenditure of \$1.99 million in close out funds for PM-10 efficient street sweepers. In this phase of the closeout process, approximately \$13.4 million is available for the close out. Approximately \$29.6 million in project requests have been received for the funds available. On May 29, 2003, the Transportation Review Committee (TRC) recommended approval of the deferral of the 15 projects requested and recommended 18 projects, totaling \$13,400,017, to utilize the majority of the funds available. On June 11, 2003, the Management Committee concurred with this recommendation. Due to the Bicycle Education Workshop, the Pedestrian Design Program, the Williams Gateway Airport Freeway - Corridor Study and the Evaluation of ITS Applications for Elderly Mobility affecting the Unified Planning Work Program, a recommendation from the Executive Committee on these issues was requested. On June 16, 2003, the Executive Committee recommended approval. On June 18, 2003, the Transportation Policy Committee recommended approval. Since that time, the City of Peoria has requested to defer their New River Road project to FFY 2004. Further action is expected next month

on the funds released by this recent deferral and on approving contingency projects to utilize any further funds that might become available during the final close out phase.

5E. Conformity Consultation

MAG is conducting consultation on a conformity assessment for administrative adjustments and an amendment to the FY 2003-2007 MAG Transportation Improvement Program. Administrative adjustments are necessary to change the potential funding source for three regional freeway system projects on Grand Avenue and the Santan Freeway in FY 2004. Also, an amendment is necessary to add new projects to the FY 2003-2007 MAG Transportation Improvement Program and administrative adjustments are necessary to incorporate minor project revisions for projects recommended for the Federal Fiscal Year 2003 Interim Closeout. This item was on the agenda for consultation.

5F. Small Plant Review and Approval Process for the Proposed Shangri-La Ranch Wastewater Treatment Facility

The Regional Council, by consent, approved the proposed Shangri-La Ranch Wastewater Treatment Facility as part of the MAG 208 Water Quality Management Plan. The City of Phoenix has requested that MAG review the proposed Shangri-La Ranch Wastewater Treatment Facility through the Small Plant Review and Approval Process of the MAG 208 Water Quality Management Plan. The Maricopa County Municipal Small Plant Planning Area is within three miles of the project, and the County has indicated they do not object to the proposed facility. The MAG Water Quality Advisory Committee and the Management Committee recommended approval.

5H. Compiling Information on Regionally Significant Development Projects

The Regional Council, by consent, approved compiling information on regionally significant development projects, including annual impact of cumulative development in the region. In December 2002, the Regional Council approved an 18-month evaluation period for MAG staff to compile information on regionally significant development projects. In doing so, the Regional Council directed that details of the process should be prepared with the input of the Planners Stakeholders Group (PSG), and approved by the MAG Management Committee and the MAG Regional Council prior to starting work. In addition to the PSG, member agency Intergovernmental Representatives and MAG Regional Council Executive Committee have also provided direction on the process. In summary, MAG staff will compile information solely on regional transportation impacts. Regionally significant development projects are defined to be those which generate at least 20,000 Average Daily Trips (ADT), which is the capacity of a single freeway lane in one direction. Regionally significant development projects are further defined to be those that arise both through building permit applications and also through development proposals that require a public hearing and member agency Council action. The compiled information will be discussed with member agency staff in a meeting; only at the request of member agency staff will MAG staff transmit a formal report. MAG staff will compile regional transportation impacts in a time frame that meets member agency decision-making timelines. In addition to regionally significant development projects, both the PSG and Regional Council Executive Committee recommend that the cumulative impact of all development, regardless of size, should be compiled. This will be done as part of the Regional Annual Report; information will be presented only for the region as a whole, not by municipality. The Management Committee recommended approval.

5I. Homeless Continuum of Care Update

On December 8, 1999, the Regional Council approved MAG becoming the responsible entity for a year round homeless planning process that includes submittal of the Department of Housing and Urban Development (HUD) Stuart B. McKinney Continuum of Care Consolidated Application for Maricopa County. The Continuum of Care grant supports permanent and transitional housing and supportive services. It is anticipated the region could receive up to \$15 million in 2003. MAG received 44 applications from non-profit organizations in the Valley. A ranking and review process, administered by Valley of the Sun United Way, is in process. Based on the very tight time frame, the Executive Committee and Regional Council are requested to comment on the application process. At the June 16, 2003 Executive Committee meeting, comments included a desire by members to learn more of the process if possible prior to the release of the process and the submittal of recommendation to HUD and that the Notice of Funding Availability materials be sent to municipalities to make the process more inclusive. Since the rankings will not be available until July 9, 2003, there is not a MAG committee meeting that coincides with the 2003 Continuum of Care process. This item was on the agenda for information, discussion and possible comment on the Homeless Continuum of Care process.

5G. 9-1-1 Budget Request to the Arizona Department of Administration for Equipment and Operating Funds

Each year, the Public Safety Answering Point (PSAP) Managers submit inventory and upgrade requests that are used to develop a five year equipment program that forecasts future 9-1-1 equipment needs of the region and will enable MAG to provide estimates of future funding needs to the Arizona Department of Administration (ADOA). The ADOA Order of Adoption stipulates allowable funding under the Emergency Telecommunications Services Revolving Fund. The MAG 911 Oversight Team and the Management Committee recommended approval of the submittal.

This item was removed from the consent agenda.

Mayor Thomas asked the status of locating cell phone calls within our 911 system. Mr. Smith stated that Susan MacFarlane, the 911 Administrator, was not present at the meeting. He explained that the process is underway to the implementation of Phase I and Phase II of enhanced 911. Mr. Smith noted that during the recent state budget cuts, funds were taken from the 911 fund, and that could impact the implementation. Mayor Thomas stated that he had recently had discussions with the CEO of Alltel, who said that the chip to accommodate cell phone locations has been in cell phones for the last five years and it was our place to implement enhanced 911.

Mayor Thomas moved to approve the MAG FY 2005 PSAP Annual Element/Funding Request and FY 2005-2009 Equipment Program, and the request for 9-1-1 operating funds for submittal to the Arizona Department of Administration. Mayor Dunn seconded, and the motion carried unanimously.

6. Regional Transportation Plan Update

Mayor Giuliano, Chair of the Transportation Policy Committee (TPC), provided an update on the development of the Regional Transportation Plan that is being developed by the TPC. He stated that the TPC continues in their work to advance the plan that will be presented to the voters for the extension of the one half cent sales tax. Mayor Giuliano stated that at their June 18, 2003 meeting, the TPC reviewed the first draft of the hybrid scenario that was a combination of the three draft scenarios of

streets, freeway, and transit. Based upon input received at the meeting and stakeholders, staff was directed to revise the draft hybrid. Mayor Giuliano stated that a workshop is scheduled for July 2nd and a regular meeting on July 16th to further refine the hybrid. He announced that as part of the MAG public involvement effort, a video has been produced that will be broadcast on local access channels. The video will provide information to citizens on the Regional Transportation Plan. A viewing of the video was given.

Mayor Thomas stated that agenda items #5B, #8, and #11 were agenda items of particular interest to the TPC. He added that the Town Hall report was quite interesting.

7. Eight-Hour Ozone Nonattainment Area Boundary

Lindy Bauer reported that by July 15, 2003, the Governor is required to recommend nonattainment area boundaries for the eight-hour ozone standard with some exceptions. If no boundary is recommended, the Environmental Protection Agency will use the Metropolitan Statistical Area (MSA), which includes all of Maricopa and Pinal Counties. She noted that the EPA will finalize the boundaries on April 15, 2004. Ms. Bauer stated that under the Clean Air Act, the boundary must include all areas that do not meet or contribute to a nearby area that does not meet the standards. She explained that the purpose is to protect public health. Within the boundary will be more stringent requirements for business, industry and transportation. Ms. Bauer added that transportation conformity requirements will apply, for example, the Regional Transportation Plan will be analyzed for conformity with the eight-hour ozone standard in 2005. She advised that once the boundary is set, it would be difficult to make the boundary smaller, although it can be made larger at any time.

Ms. Bauer stated that the EPA boundary presumption is the MSA, and states may propose a smaller boundary by addressing key factors. She stated that MAG conducted an initial analysis using EPA factors, and determined an option that would be larger than the current one-hour boundary since it would add the Humboldt Mountain monitor to the northeast and the Blue Point monitor to the east. Ms. Bauer pointed out the boundary on a map, and noted that the Indian Communities were shown. She stated that the EPA has the authority to designate the Indian Communities. Ms. Bauer stated that MAG received a letter from Salt River Pima-Maricopa Indian Community that this be clarified on the map.

Ms. Bauer stated that the State of California indicated that they felt that their one-hour standard would work for the eight-hour standard. She explained the next map that showed the environmental data for the MSA. She stated that in 2000-2002, violations occurred in the centralized urban areas of the MSA and in downwind areas of northeastern Maricopa County. Ms. Bauer stated that most of the growth and employment in the MSA occurs and will continue to occur in the boundary option. She added that measures are in place to control emissions outside of the boundary, such as Area A measures and new federal and fuel controls. Emissions controls imposed within the boundary option will improve air quality in downwind areas of the MSA. Ms. Bauer advised that expansion of the boundary would further have minimal marginal effect in reducing emissions in the MSA. Ms. Bauer reviewed the timeline. She noted that CAAG has passed a resolution to support the MAG boundary option, and the Arizona Chamber of Commerce is considering support, as well.

Cathy Arthur continued the presentation by noting the 11 factors used in the MAG analysis. She displayed a map of the boundaries and noted that the three sites that violated in 2000-2002 were included in the MAG boundary. Ms. Arthur noted that the standard is .084 ppm, and the three monitors

exceeded this standard by only .001 ppm.. She reviewed the population and employment estimates for 2000, 2010, and 2020. The great majority of these numbers will be included in the MAG boundary. Ms. Arthur explained the issues with the proposed ADEQ boundary options.

Mayor Thomas asked for clarification of the Salt River Pima-Maricopa Indian Community's position that it does want to be included within the boundary, and if they are not included, is that a possibility that they not be included? Ms. Arthur explained that Figure ES-1 shows the Indian Communities. She stated that MAG will add language to the map that EPA designates the Indian Communities. Mayor Thomas asked why Table Four would have a net concentration of N/A? Ms. Arthur explained that means that particular monitor had no reading or less than 75 percent of data collected. She added that in one case, the monitor was discontinued.

Mayor Giuliano expressed his thanks to staff for the comprehensiveness of the report. He moved to approve the MAG eight-hour ozone boundary option as shown in Figure ES-1 to the Arizona Department of Environmental Quality for transmittal to the Governor as the recommended nonattainment area boundary for the eight-hour ozone standard in the Maricopa County area. MAG will continue to work with the Arizona Department of Environmental Quality in developing the necessary supporting information for the eight-hour boundary option for submittal to the Governor and Environmental Protection Agency. Mayor Dunn seconded.

Mayor Francia asked for clarification if the conclusion was to not include the four Counties because that might affect the transportation budgets? Ms. Arthur replied that is one of the important conclusions. She added that it would make it much more complicated to develop budgets for multi-counties and then we would need to show how we can meet those budgets on an annual basis.

Mayor Manross extended her thanks for the comprehensive report. She commented that we have a good argument to go to the Governor's Office. Mayor Manross commented on presenting to the Governor the difficulties in meeting budgets and conformity. She stated her support for the map the AQTAC brought forth.

Mayor Dunn expressed his agreement with Mayor Manross's statements, and he, too, was impressed with the report. He stated that he agreed with the report that this is a balance between protecting public health, as well as minimizing negative economic impacts. Mayor Dunn expressed his support.

Mayor Hawker asked if there was any pattern noted for the eight exceedances in 2003. Ms. Arthur stated that the exceedances occurred at Blue Point in the east, North Phoenix, Humboldt Mountain in the north, Pinnacle Peak in North Scottsdale, Cave Creek in North Phoenix, Glendale Community College, Maryvale, and South Scottsdale, and seemed to be spread across the region. She emphasized that these were exceedances, not violations.

Mayor Hawker commented that the predominance in the north and east might be caused by wind direction. Ms. Arthur stated that this is the typical wind pattern we see on high days. Mayor Hawker commented on the 65 percent increase in Vehicle Miles Traveled to 2015, and at the same time a 50 percent reduction in ozone that would be realized, due to cleaner burning automobiles and fuels. Ms. Arthur commented that the new federal controls are extremely helpful.

Chair Feldman-Kerr asked about the effects on fish, a question that had been asked by the Executive Committee. Ms. Arthur stated that nitrates from ozone go into the water and cause the algae to bloom. The algae absorbs the oxygen and deprives the fish.

Chair Feldman-Kerr recognized public comment from Mara Kelly, representing Salt River Pima-Maricopa Indian Community. She stated that a representative from her Council was unable to attend MAG meetings because their Council meets every Wednesday. Ms. Kelly expressed her appreciation for Ms. Bauer's comments on changing the map. Ms. Kelly stated that it was distressful that another Indian Community is outside the nonattainment boundary shaded area, and Salt River Pima-Maricopa Indian Community is inside. She requested that the shading be omitted for all Indian Communities, or shade in the same manner. Ms. Kelly stated that the designation for all Indian Communities is beyond the purview of MAG. Chair Feldman-Kerr thanked Ms. Kelly for her comments.

Chair Feldman-Kerr recognized public comment from Mr. Crowley, who commented on the upsloping phenomenon, other than Maryvale because of the way the river runs. He noted that in the area, 13 violations occurred in eight different areas, so some are multiple violations. Mr. Crowley stated that when you get three, you are in the area you do not want to go. He stated that the upsloping issue is not being addressed. Upsloping will be increasing in the western mountains as development increases. Mr. Crowley commented on balancing health with industries. He stated that he was not granting that permission, because this has to do with his health. Mr. Crowley commented that breathing is a right, and driving is a privilege. He stated that he was glad everyone believed that emissions could be cut by increasing vehicle miles traveled. Mr. Crowley noted in the shot of the tunnel in the video that it did not show the future home of a transit station. He stated that the way to get this done is not with SOVs. Mr. Crowley mentioned that he drove his vehicle to the meeting, and watched congestion increase along I-17 until it became a parking lot. He commented that ADOT staff, Dan Lance, said freeways are good people movers, but he could show data to Mr. Lance that they aren't. Mr. Crowley stated that you need to get out of that SOV and freeway mentality. You are supposed to do my quality of life so I can breathe. Chair Feldman-Kerr thanked Mr. Crowley for his comments.

The vote taken on the motion passed unanimously.

8. Draft Revised MAG Interim Projections of Population, Housing and Employment by Municipal Planning Area (MPA) and Regional Analysis Zone (RAZ) for July 1, 2010, 2020, 2025 and 2030

Harry Wolfe gave a presentation on why projections are needed, the data used to develop the projections, member agency participation in the process, and next steps. Harry Wolfe addressed the Committee on the background of recommendations on the interim projections. Mr. Wolfe stated that on April 29, 2003, the MAG Population Technical Advisory Committee (POPTAC) recommended acceptance of the interim projections. On May 14, 2003, the Management Committee recommended acceptance of the interim projections to 2030, and expressed reservations about whether there was an adequate water supply to support the projections. Mr. Wolfe stated that comments from the Management Committee on the interim projections in terms of water availability were requested. One response was received, the population of one MPA was reduced and the Maricopa County projections were adjusted accordingly. Mr. Wolfe stated that the interim projections were based on existing 2000 land use, general plans, known development, and local knowledge and were rigorously reviewed. He explained the three-tiered modeling process. Mr. Wolfe described the review activities to date, which included two complete test runs, three complete drafts, nine workshops, 18 individual visits with

member agencies, 16 presentations, five technical paper presentations, peer review with other COGs and MPOs, and review by the POPTAC and the Management Committee. Mr. Wolfe stated that work will continue with DES to expedite county control totals and member agencies to incorporate updated information. Chair Feldman-Kerr thanked Mr. Wolfe for his presentation.

Mayor Shafer moved to accept the Draft Revised MAG resident population, housing and employment projections by Municipal Planning Area (MPA) and Regional Analysis Zone (RAZ) for July 1, 2010, 2020, 2025 and 2030 for use as interim projections. Mayor Cavanaugh seconded.

Before a vote was taken, Chair Feldman-Kerr recognized public comment from Mr. Crowley, who thanked Mr. Wolfe for the report, which he said had much improved since Executive Committee. He stated that Peoria is not the only city that should be concerned about the availability of water, because if people come without adequate water supply, they will die. Mr. Crowley stated that the rule in the desert is, if you are thirsty, it is already too late. Problem with the West Valley projections because that is where all the private land is that can be developed. Chair Feldman-Kerr thanked Mr. Crowley for his comments.

Mr. Arnett asked how much the projections are anticipated to be adjusted after DES provides their numbers. Mr. Wolfe replied that no significant changes in the control totals are anticipated because MAG has been working extensively with those on the State POPTAC. Mr. Wolfe mentioned that DES is waiting for one piece from the Census Bureau—the data on migration patterns between counties—after which they will finalize their numbers. Mr. Arnett asked the expected timeframe for this to occur. Mr. Wolfe stated that the entire process through DES and MAG should probably be completed within one year.

The vote taken on the motion passed unanimously.

9. Regional Council Annual Accomplishments

Chair Feldman-Kerr stated that at each place was a copy of the Regional Council Annual Accomplishments for FY 2003. She explained that due to budget considerations and to allow cities to prepare entries, Desert Peaks Annual Awards were not being held this year, and the Accomplishments report was prepared instead. Chair Feldman-Kerr stated that postage costs were also saved by distributing the report at the meeting instead of mailing it. Mr. Smith stated that the format of the Accomplishments Report heralds a change in direction at the MAG organization. The elected officials run MAG and this document is a report of their accomplishments. Chair Feldman-Kerr stated that the report speaks well of the Regional Council.

10. Election of Officers

Mayor Scruggs reported on the MAG Nominating Committee. She stated that the Committee has recommended a slate for the 2003-2004 Executive Committee, and moved to elect the following: Mayor Wendy Feldman-Kerr, Chair; Mayor Keno Hawker, Vice Chair; Mayor John Keegan, Treasurer; Mayor Joan Shafer, Mayor Mary Manross, and Mayor Woody Thomas, At-Large members; and Mayor Skip Rimsza as Past Chair. Mayor McDermott seconded, and the motion carried unanimously.

11. Update on Comments Received on the MAG Regional Town Hall Report

Tom Remes stated that the final report on the MAG Regional Town Hall was recently mailed out to participants, the Regional Council, the Transportation Policy Committee, the Management Committee, the Intergovernmental Representatives, and ADOT and County representatives. Chair Feldman-Kerr stated that she had heard many positive comments on the report. She suggested that when showing the voting results and the number is a negative, show the lower number and if a positive, show the higher number.

11. Comments from the Council

An opportunity was 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.

Mayor McDermott announced the opening of a new Town swimming pool on June 14th.

Mayor Drake expressed thanks for the assistance of the TSA and Mr. Arnett on their new soccer field. He announced that the groundbreaking is Friday, June 27th.

There being no further business, the meeting adjourned at 6:45 p.m.

Chair

Secretary