

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

June 24, 2009  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Councilwoman Peggy Neely, Phoenix, Chair	Mayor James M. Cavanaugh, Goodyear
Mayor Thomas Schoaf, Litchfield Park, Vice Chair	Mayor Yolanda Solarez, Guadalupe
# Councilmember Robin Barker, Apache Junction	* Supervisor Max W. Wilson, Maricopa Co. Mayor Scott Smith, Mesa
Mayor Marie Lopez Rogers, Avondale	* Mayor Vernon Parker, Paradise Valley Vice Mayor Joan Evans for Mayor Bob Barrett, Peoria
Mayor Jackie Meck, Buckeye	Mayor Arthur Sanders, Queen Creek
Mayor David Schwan, Carefree	President Diane Enos, Salt River Pima-Maricopa Indian Community
Councilmember Dick Esser, Cave Creek	Mayor Jim Lane, Scottsdale
* Mayor Boyd Dunn, Chandler	Mayor Lyn Truitt, Surprise
# Mayor Fred Waterman, El Mirage	Mayor Hugh Hallman, Tempe
* President Clinton Pattea, Fort McDowell Yavapai Nation	# Mayor Adolfo Gamez, Tolleson
Mayor Jay Schlum, Fountain Hills	# Mayor Kelly Blunt, Wickenburg
# Vice Mayor Fred Hull for Mayor Ron Henry, Gila Bend	# Mayor Michael LeVault, Youngtown Felipe Zubia, State Transportation Board
* Governor William Rhodes, Gila River Indian Community	* Victor Flores, State Transportation Board
Mayor John Lewis, Gilbert	* Vacant, Citizens Transportation Oversight Committee
Mayor Elaine Scruggs, Glendale	

\* Those members neither present nor represented by proxy.

# Attended by telephone conference call.

+ Attended by videoconference call.

1. Call to Order

The meeting of the MAG Regional Council was called to order by Chair Peggy Neely at 5:03 p.m.

2. Pledge of Allegiance

Mayor John Lewis led the Pledge of Allegiance.

Chair Neely noted that Councilmember Robin Barker, Mayor Kelly Blunt, Mayor Adolfo Gamez, Mayor Michael LeVault, Mayor Fred Waterman, and Vice Mayor Fred Hull as proxy for Mayor Ron Henry, were participating by teleconference. She introduced Vice Mayor Joan Evans as proxy for Mayor Bob Barrett.

Chair Neely introduced new members of the Regional Council: Mayor John Lewis from the Town of Gilbert and Mayor David Schwan from the Town of Carefree. She presented them with their Regional Council membership certificates.

Chair Neely wished Supervisor Max Wilson a speedy recovery.

Chair Neely noted the following materials at each place that had previously been emailed to members: the revised agenda and revised material for agenda items #5B and #5C.

Chair Neely requested that members of the public who would like to comment fill out a blue public comment card for Call to the Audience or a yellow public comment card for Consent Agenda items or items on the agenda for action. She said that parking garage validation and transit tickets for those who used transit to attend the meeting were available.

3. Call to the Audience

Chair Neely noted that public comment cards were available to members of the audience who wish to speak on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens are requested to not exceed a three minute time period for their comments. A total of 15 minutes is provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chair Neely noted that no public comment cards had been received.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported to the Regional Council that an update on the American Recovery and Reinvestment Act (ARRA) of 2009 was at each place. He noted not much activity had taken place on ARRA projects.

Mr. Smith showed to the Regional Council a clip from the recently produced Proposition 400 transportation video that recently completed production. He commented that this video provided an opportunity to say thank you to those who supported Proposition 400 with their votes. He acknowledged the efforts of Gary Stafford, Kelly Taft, Jason Stephens, Gordon Tyus, and the MAG Transportation and Information Services staff. Chair Neely thanked Mr. Smith for his report. No questions for Mr. Smith were noted.

5. Approval of Consent Agenda

Chair Neely noted that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, and #5I were on the Consent Agenda. She noted that no public comment cards had been received. Chair Neely asked members if they had questions or requests to hear an item individually. No requests were noted.

Councilmember Esser moved to approve the Consent Agenda. Mayor Lane seconded, and the motion passed unanimously.

5A. Approval of the May 27, 2009, Meeting Minutes

The Regional Council, by consent, approved the May 27, 2009, meeting minutes.

5B. Draft Fiscal Year (FY) 2010 Arterial Life Cycle Program (ALCP)

The Regional Council, by consent, approved the Draft FY 2010 Arterial Life Cycle Program contingent on a new Finding of Conformity for the Regional Transportation Plan 2010 Update and FY 2010-2014 MAG Transportation Improvement Program, which will be finalized in January 2010. The Regional Transportation Plan (RTP) identifies 94 arterial street projects to receive funding from the regional sales tax extension and from MAG federal funds. The Arterial Life Cycle Program (ALCP) provides information for 93 of the original 94 projects spanning a 20-year life cycle. Information contained in the ALCP includes project location, regional funding, fiscal year (FY) of work, type of work, status of project and the lead agency. As part of the ALCP process, Lead Agencies update project information annually, at a minimum. MAG staff has programmed the Draft FY 2010 ALCP based on the information provided by Lead Agencies and from projected revenue streams from the Regional Area Road Fund (RARF), MAG Surface Transportation Program funds (STP-MAG), and Congestion Mitigation and Air Quality (CMAQ) funds. The Transportation Review Committee, the Management Committee and the Transportation Policy Committee recommended approval of the Draft FY 2010 Arterial Life Cycle Program.

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

The Regional Council, by consent, approved amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update, as shown in the attached tables. The fiscal year (FY) 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan 2007 Update were approved by the MAG Regional Council on July 25, 2007. Since that time, there have been requests from member agencies to modify projects in the programs. The majority of the requested changes are related to modifying transit projects and the costs related to 2009. These modifications are needed to match the transit grant applications. The other requested project changes involve adding three new federal-aid Safe Routes to School projects, modifying costs for American Recovery and Reinvestment Act funded projects, modifying the project schedule for ADOT led projects, including projects related to the federal FY 2009 Closeout, and doing the technical amendment to add the Phoenix Sky Train project into the TIP. These

requests were recommended for approval by the Transportation Review Committee, the Management Committee, and the Transportation Policy Committee.

5D. Update to the Federal Functional Classification System

The Regional Council, by consent, approved updates to the federal functional classification system as identified in the attached material. The sub-allocation to the MAG region from the American Recovery and Reinvestment Act (ARRA) requires projects to adhere to the requirements established in the Surface Transportation Program (STP). As such, ARRA funded projects must be located on a facility that is classified as an urban collector or rural major collector or higher in the federal functional classification hierarchy. Toward that end, MAG member agencies have requested the update of the federal functional classification of specific roadways. On May 27, 2009, the Transportation Review Committee (TRC) recommended approval of the updates for Vulture Mine Road, Pecos Road, and Estrella Drive. Since the TRC met, an additional request was received to classify Norterra Parkway. On June 10, 2009, the Management Committee recommended approval of the four requests. Since the Management Committee meeting, an additional request was received to classify Maricopa Road.

5E. PM-10 Pave Unpaved Road Projects

The Regional Council, by consent, approved a list of PM-10 Pave Unpaved Road projects to be programmed with Congestion Mitigation and Air Quality (CMAQ) funds in 2011 and 2012, and to be included in the Draft FY 2010-2014 MAG Transportation Improvement Program. The MAG Regional Transportation Plan (RTP) allocates all future MAG federal funds to specific modes and, in some cases, identifies specific projects for the funds. For PM-10 Pave Unpaved Road projects, the RTP and MAG Transportation Improvement Program (TIP) identify the funding source of Congestion Mitigation and Air Quality (CMAQ) but do not specify individual projects. Requests for CMAQ funds expected to be available for PM-10 Pave Unpaved Road projects for 2011 and 2012 have been received, reviewed by the Street Committee, and ranked by the Air Quality Technical Advisory Committee (AQTAC). The Transportation Review Committee and the Management Committee recommended PM-10 Pave Unpaved projects in 2011 and 2012 to be programmed with CMAQ funds, which are shown in the attached tables.

5F. Appointment of Mayor John Lewis, Town of Gilbert, to Serve as One of the Seven Largest Cities/Towns Elected Officials and Councilwoman Peggy Neely to Serve as the Central City Elected Official on the Transportation Policy Committee

The Regional Council, by consent, appointed Mayor John Lewis as the one of the seven largest cities/towns elected officials and Councilwoman Peggy Neely to serve as the Central City elected official on the Transportation Policy Committee. The composition of the Transportation Policy Committee (TPC), established by the Regional Council on April 24, 2002, includes elected officials from the seven largest cities/towns and the Central City (Phoenix). In June 2008 the Regional Council appointed the list of TPC members. Since that time, the Town of Gilbert seat has become vacant. Mayor John Lewis from the Town of Gilbert, has expressed interest in serving as Gilbert's representative on the TPC. On June 17, 2009, Councilwoman Maria Baier, the Central City elected official on the TPC, announced her

resignation from the Phoenix City Council. The Mayor of the City of Phoenix has requested that Councilwoman Peggy Neely be appointed to fill the Phoenix seat on the TPC. The appointments of Mayor John Lewis as one of the seven largest cities/towns elected officials and Councilwoman Peggy Neely as the Central City elected official to the TPC by the Regional Council were requested.

5G. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the fiscal year (FY) 2008-2012 MAG Transportation Improvement Program (TIP). The proposed amendment involves several projects, including transit projects for Avondale and Phoenix and new federal Safe Routes to School projects located in Phoenix and Gilbert for FY 2010. The proposed administrative modification involves several projects, including minor revisions to transit projects for Phoenix, and Arizona Department of Transportation projects on State Route 88, Loop 101 Pima Freeway, and Loop 202 Red Mountain Freeway. The amendment includes projects that are exempt from a conformity determination and the administrative modification includes minor project revisions that do not require a conformity determination. In addition, since the Management Committee meeting, a new Valley Metro transit project for operating assistance (VMT09-814T), and Federal FY 2009 Interim Year End Closeout projects have been added. Comments on the conformity assessment were requested by June 24, 2009. This item was on the agenda for consultation.

5H. New Finding of Conformity for the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan 2007 Update, As Amended

The Regional Council, by consent, approved the new Finding of Conformity for the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan 2007 Update, as amended. On April 22, 2009, the MAG Regional Council approved a proposed amendment to add Stage One of the Phoenix Sky Harbor Automated Train System (Sky Train) to the fiscal year (FY) 2008-2012 MAG Transportation Improvement Program (TIP) and MAG Regional Transportation Plan (RTP) 2007 Update for the necessary air quality conformity analysis. MAG has conducted a regional emissions analysis for the proposed amendment. The results of the regional emissions analysis for the proposed amendment, when considered together with the TIP and RTP as a whole, indicate that the transportation projects will not contribute to violations of federal air quality standards. Any comments on the amendment and finding of conformity were requested by June 19, 2009, following a 30-day public review period.

5I. Resource Maps - Part of Regional Heat Relief Planning Efforts

The Maricopa Association of Governments has developed two maps of resources to help make water and shade available to vulnerable populations during the hot summer months. This activity supports regional heat relief activities. The first map shows where water hydration stations and refuge locations are located throughout the county, or where people in need can go for water and shade. The second map shows water collection and donation sites in the region. Many heat-relief efforts have been added since last year to prevent people from dying from heat-related illnesses. This item is presented to alert member

agencies to resources available throughout the summer months and to solicit assistance in making these resources available. This item was on the agenda for information and discussion.

8. Appointment(s) of Position(s) of Chair and Vice Chair of the Transportation Policy Committee

This agenda item was taken out of order.

Vice Chair Schoaf moved to appoint Mayor Marie Lopez Rogers as Chair and Mayor Scott Smith as Vice Chair. Mayor Sanders seconded.

Chair Neely asked if there was any discussion of the motion. No questions were noted. She stated that she thought both nominees would do a fine job and offered her congratulations.

With no further discussion, the vote passed unanimously.

9. Election of Regional Council Officers and Executive Committee Members

This item was taken out of order.

Mayor Cavanaugh, Chair of the MAG Nominating Committee stated that the members of the Committee included Councilmember Dick Esser, Mayor Boyd Dunn, President Diane Enos, and Mayor Lyn Truitt. He said that the Committee unanimously recommended a slate of officers for 2009-2010: Councilwoman Peggy Neely as Chair, Mayor Thomas Schoaf as Vice Chair, Mayor Hugh Hallman as Treasurer, and Mayor Marie Lopez Rogers, Mayor Scott Smith and Mayor Jim Lane as At-Large members. Mayor Cavanaugh noted that as the Past Chair of the Regional Council he would also serve on the Executive Committee. He moved to elect the slate recommended by the Nominating Committee. Councilmember Esser seconded.

Chair Neely thanked the Nominating Committee and Mayor Cavanaugh for chairing the committee. She expressed that she was excited to have been nominated and will work hard to represent the Regional Council as will the other nominees.

With no further discussion, the vote on the motion passed unanimously.

6. Interim MAG Closeout - Federal Fiscal Year (FFY) 2009

Eileen Yazzie, MAG Transportation Program Manager, provided a report on the MAG FFY 2009 Closeout. Ms. Yazzie said there are three components to consider. The first has to do with accounting for projects that will not move ahead, which are deferrals. The second consideration will be the projects submitted for closeout funding, and the final component to consider will be the policy implications of the closeout process. She explained that deferrals are projects that will not move ahead in this fiscal year and for all projects, a one-time deferral with justification is allowed. Ms. Yazzie stated that if a project

is requesting to be deferred for the second time or more, a justification letter must be submitted, which will be submitted through the MAG committee process.

Ms. Yazzie stated that the project deferrals and deletions total approximately \$3,393,030 in new requests as outlined in Table A of the agenda. She noted that at an earlier meeting, the Regional Council had deferred about \$10.6 million in projects, so if the council defers projects tonight, a total of about \$14 million in projects will be deferred or deleted from the TIP. She said that four projects were requesting to be deferred for a second time or more and required a justification letter, two projects were requesting a first-time deferral and do not require a justification letter, and five projects were requesting federal funds to be removed. Of the four projects requesting deferral for the second time, justification memos were submitted. Based on the deferrals, MAG staff can calculate the amount available for closeout.

Ms. Yazzie noted that at the beginning of Fiscal Year 2009, there was \$154 million. There was \$139 million programmed in the TIP for the current year, with a total of \$14 million deferred or deleted projects. Added to that is \$21 million deferred in the Arterial Life Cycle Program, that leaves approximately \$50.4 million in unobligated balance. Ms. Yazzie said MAG is requesting that \$22 million of the unobligated funding be carried forward for the fiscal balance of the Arterial Life Cycle Program. That leaves an unobligated balance of \$28.7 million available for the closeout process.

Ms. Yazzie noted that there is set guidance that prioritizes the use of closeout funds. The first priority is advancing projects from later years to the current year. The second would be adding funds to existing projects, and the third would be funding new projects. She stated that Table B reviews and lists projects submitted to be funded in the closeout process. Ms. Yazzie stated that 71 projects had been submitted totaling nearly \$80 million. She said that normally about \$10-\$20 million in projects are submitted and that this is likely due to the financial difficulties being experienced by communities. Ms. Yazzie stated that Table B was organized by priority category and cost effectiveness. Ms. Yazzie reviewed the priority code key. She said that items categorized "1A" advance a portion of the construction project for a new design phase; "1-2" is advancing the project and also asking for additional funds; "2" is requesting additional funds, "2\*" is asking for additional funds for previously obligated projects; "3" are new funds, and "3-A" are projects looking for new CMAQ funds for TEA projects.

The Transportation Review Committee and Management Committee recommended funding for all \$28.7 million. There was one project submitted for priority number 1 that was recommended for funding. In category 1A there were projects totaling about \$1.2 million. In category 1-2 there were projects totaling about \$2.6 million. Ms. Yazzie said the largest category of projects was for adding additional funds to 2009 projects of about \$18 million. Categories 2 and 3 total roughly just under \$7 million.

Ms. Yazzie stated that she did want to note the policy implications of this closeout, which are different than we had previously. The current policy is to program up to the original programmed amount, the federal-aid maximum, or the maximum established by the Regional Transportation Plan (RTP), whichever is less. The RTP does specify per type of project the maximum federal fund and the local share for bike, street and ITS projects. She noted that those are a 70-30 split, so 70 percent of the project is funded by federal dollars and 30 percent by local dollars. She noted that for paving projects, the RTP policy has changed over the years, and is different in the RTP updates for 2003, 2005, 2006 and 2007,

so it will depend which year the project was programmed. Ms. Yazzie stated the federal aid maximum is 94.3 percent with a local match of 5.7 percent. Ms. Yazzie noted that the U.S. Congress passed the Federal Energy Act of 2007 that allows Congestion Mitigation and Air Quality (CMAQ) projects in 2008 and 2009 to be funded at 100 percent. Ms. Yazzie stated that the majority of recommendations on Table B are either at the federal-aid maximum – the 94.3 percent cost share of federal with small local amounts – as well as a number of projects that are CMAQ projects funded at the 100 percent level. Ms. Yazzie again noted that this represents a different funding policy than the RTP guidelines.

Mayor Hallman moved approval of additional projects to be deferred from FFY 2009 to FFY 2010 or later, approval of additional projects requesting removal of federal funds, approval on priorities for utilizing MAG federal funds, which become available through the FFY 2009 Closeout Process, and making the necessary amendments and modifications to the FY 2008-2012 MAG Transportation Improvement Program, and as necessary to the Regional Transportation Plan 2007 Update. Vice Mayor Joan Evans seconded, and the motion passed unanimously.

7. Transportation Planning Update - Proposition 400 Regional Freeway Program

Robin Barker, Apache Junction, participating by audioconference, left the meeting. Bob Hazlett, MAG Senior Engineer, provided an update on the Regional Freeway Program. He noted this item is on the agenda for information and discussion.

Mr. Hazlett noted that at the last Regional Council meeting he provided a brief overview of the tentative scenario developed for balancing the Regional Freeway and Highway Program and this is to update that presentation. He noted that the TPC had discussed this scenario at their last meeting. Mr. Hazlett stated that his first map showed the existing Regional Freeway and Highway program that has been identified as part of the Regional Transportation Plan, which is funded in large part by Proposition 400. He displayed a table showing the financials for the program. The original budget was \$9.4 billion. The current Arizona Department of Transportation (ADOT) cost opinion for the program is \$15.95 billion. Projects obligated through FY 2010 are at \$2.7 billion. The ADOT cost opinion for completing the program is \$13.24 billion, but the funding available is roughly only \$6.6 billion, leaving a program deficit of \$6.6 billion for the regional freeway program.

Mr. Hazlett stated that the tentative scenario for bridging the funding gap is made up of four main principles. The first is to look at various management strategies to take advantage of some of the current economic conditions. Mr. Hazlett noted that construction costs and right of way costs have come down, and staff also is looking at non-project specific costs and working with ADOT to see how to bring those down as well.

The second strategy involves value engineering. Mr. Hazlett stated that staff looked at new corridors, such as the South Mountain, as well as Loop 303. Staff looked at different options and made recommendations to ADOT. These included looking at different cross sections and alignments, as well as system interchanges. Staff also developed a package of deferrals of projects that were in the later phases of the Regional Transportation Plan and made recommendations that those projects be deferred to a new fifth phase, so that they would remain in the Plan but they would be funded in a new phase

down the line. The other recommendation, along with the deferrals, was to go ahead and build out the entire HOV system on the entire Regional Freeway and Highway System, so that we can get the concrete “Jersey” barriers in the median to improve safety, which, along with rising gas prices, encourage people to utilize the lanes to add additional freeway capacity.

Mr. Hazlett stated that the final strategy was to “stay the course,” where staff looked at options to maintain core enhancements. Mr. Hazlett displayed a chart showing the anticipated savings from the recommendations. The current cost opinion is close to \$16 billion. Savings in the value engineering/planning recommendations equal about \$1.6 billion. Project deferrals result in about \$4 billion in savings. Lower right of way and construction costs result in about \$502 million in savings, and a reduction in system wide costs is \$428 million. The new cost opinion with these recommendations is \$9.3 billion. The net savings then would be about \$6.5 billion, bridging the gap.

Mr. Hazlett stated that MAG had presented a table of the tentative scenario to the TPC by corridor and phase. The committee went through each corridor and provided staff with a lot of informative feedback to help move forward. The scenario is still under review and the TPC will discuss and potentially act on in July. Staff is additionally preparing a briefing to distribute that would provide information about how the scenario was developed. He stated that much of this information is identified in the tables but the briefing would provide additional information on the process.

Mr. Hazlett said that before he concluded his presentation, he would like to highlight a couple of the recommendations made on key corridors, beginning with the South Mountain Freeway. MAG presented an option to the TPC that involves a narrower footprint for the South Mountain and found that by using a narrower footprint we already have about 95 percent of the right of way along Pecos Road to make that possible. He said staff also recommended some realignments on segments eight and nine along 59<sup>th</sup> Avenue to help. That brought the cost from \$2.5 billion down to about \$1.9 billion for the South Mountain corridor. Mr. Hazlett stated that MAG communicated the recommendations to both ADOT and the Federal Highway Administration. They are looking at the impact of the recommendations to the Environmental Impact Statement study process that is underway now, so that we can not delay the project but get the EIS done as quickly and efficiently as possible and hopefully incorporate the recommendations to bring the cost down.

Mr. Hazlett said the next corridor considered is Loop 303. He said we have been looking at the system traffic interchange (TI) at Interstate 10 and the system TI at US-60/Grand Avenue. Mr. Hazlett stated that staff has had discussions with the City of Glendale to look more closely at the Northern Avenue Parkway traffic interchange. He stated that MAG staff is working with Glendale staff to ensure that we incorporate a design on Northern Parkway that will accommodate the interim design but also make sure there is good traffic flow between Loop 303 and the Northern Parkway.

At US-60, MAG identified an interim traffic interchange and MAG is working with ADOT to make certain that any construction has as limited “throwaway” as possible, for example, constructing the overcrossing of Loop 303 over US-60 in both directions, building that out but also adding temporary ramps that would accommodate the traffic through 2030 horizon without too much traffic delay.

Mr. Hazlett said the next corridor to highlight was the Loop 303 at I-10. He said current cost estimates show the traffic interchange there at about \$760 million, which is roughly three times the cost of the Hoover Dam Bypass. Fortunately, the review comes at a good time as ADOT has just hired its final designer on the project and we are working with them to see how we can minimize the cost without compromising safety or capacity in the interchange and try not to introduce any delays so that the project construction can get started as soon as possible.

Mr. Hazlett said the second map provided to the TPC highlighted the deferrals. The deferrals are highlighted in red on the map throughout the system. The largest deferrals involved State Route (SR) 801 and also part of SR-802, the extension of Loop 303, and right of way protection on SR-74. Also identified for deferral were general purpose lanes on the Red Mountain and Santan freeways as well as on the Piestewa and Agua Fria freeways, which would also be deferred. Mr. Hazlett showed a map of the resulting system with the project deferrals included.

Mr. Hazlett concluded his presentation and asked if there were questions. Chair Neely stated there were no questions and she noted that staff would keep the Regional Council updated as we move forward.

#### 10. Legislative Update

Nathan Pryor, MAG Senior Policy Planner, provided an update on legislative issues of interest. He said that the National Association of Regional Councils (NARC) called MAG this morning alerting them to Provision C in the American Clean Energy and Security Act. He said that MPOs serving greater than 200,000 in population, also known as Transportation Management Areas (TMAs), must submit greenhouse gas reduction goals for transportation related emissions; however, the provision does not provide funding for this at the TMA level. NARC has called this an unfunded mandate. Mr. Pryor stated that staff has alerted Congressmen Henry Mitchell and Ed Pastor to this. He said that MAG has planned \$1.9 million in air quality planning and modeling work for FY 2010. He stated they hope to see an amendment tomorrow on this issue.

Mr. Pryor stated that the shortfall in the Highway Trust Fund is expected to be \$5 billion to \$7 billion through the end of September 2009 and an additional \$10 billion through September 2010. He said that the Administration is encouraging spending reductions by the U.S. Department of Transportation instead of a transfer from the general fund, which was done last year. What the spending reductions will be are unknown at this time.

Chair Neely stated that she and Mayor Cavanaugh, along with the National League of Cities, had been alerted that the reauthorization bill might be delayed, but it looked like some in Congress were trying to move it forward.

Mr. Pryor stated that the Obama administration has been looking for an 18-month extension to the current reauthorization of SAFETEA-LU, but that the Chairman (of the House Transportation and Infrastructure Committee James) Oberstar has pressed forward with his own bill. It went through a preliminary subcommittee markup but there is no dollar amount assigned yet to the bill. This is a preliminary blueprint and most revolves around the consolidation of programs. There are about 108

transportation programs in the current authorization. He is boiling it down to about four. One of those programs is the Metropolitan Mobility and Access Program and some of the good news for MPOs is it does direct more monies to MPOs from the states and STP funds. It also provides more flexibility to MPOs to move monies from highways to transit. We will continue to monitor this to see if the extension is granted or if the bill moves forward.

Mr. Pryor then provided an update of what is happening at the Arizona State Legislature. The budget has dominated the discussion. The FY 2010 proposal as it relates to the Highway User Revenue fund currently shows a potential transfer of \$167.5 million, which would be a 15 percent reduction if the proposal goes through. Two additional bills of note include HB 2167, a transportation omnibus bill that is heading for committee hearing tomorrow. It is a strike everything bill that includes toll roads for cities and towns and retains a provision for a Transportation Working Group. The second bill that continues to move through the legislature is HB 2396, Public Private Partnerships, which allows ADOT to enter into public-private partnership agreements. Mr. Pryor stated MAG will continue to monitor these bills.

Chair Neely recognized Dennis Smith, who stated that he wanted to make a comment regarding the Oberstar legislation. One thing to alert the council to is a provision in his bill for metropolitan mobility authorities to have proportional voting. Some interpret proportional voting as additional members added in proportion to population. Others might read the language that MAG's weighted voting process fulfills that requirement. He just wanted to note that provision is in the bill.

11. Comments from the Council

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

No comments from the Council were noted.

There being no further business, the Regional Council meeting adjourned at 5:40 p.m.

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Chair

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Secretary