

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

July 22, 2009
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

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

- * 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 5:01 p.m.

2. Pledge of Allegiance

Councilman Gail Barney led the Pledge of Allegiance.

Chair Neely noted that Councilwoman Robin Barker, Mayor Bob Barrett, Mayor Kelly Blunt, Mayor Boyd Dunn, Mayor Hugh Hallman, Mayor Jim Lane, Mayor Michael LeVault, and Mayor Elaine Scruggs were participating by teleconference. She introduced proxies for the meeting: Vice Mayor Linda Abbott for Mayor John Lewis, Councilman Gail Barney for Mayor Art Sanders, Vice Mayor Kyle Jones for Mayor Scott Smith, Lt. Governor Joseph Manuel for Governor William Rhodes, and Vice Mayor Jini Simpson for Mayor Vernon Parker.

Chair Neely introduced Mayor Yolanda Solarez from the Town of Guadalupe as a new member of the Regional Council, and presented her with her Regional Council membership certificate.

Chair Neely noted the following materials at each place: revised material for agenda items #5E and #5J, and a revised policies and procedures document for agenda item #9.

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 recognized public comment from Dianne Barker, a resident of Phoenix, who stated that she came to the Regional Council meeting on a bus from Scottsdale. Ms. Barker stated that she chose taking the bus over light rail because was the first to arrive. She reported that the driver was very nice and thanked her for riding the bus. Ms. Barker expressed her appreciation for the transit tickets she received from MAG for taking transit to the meeting, and recounted that when she first came to MAG meetings in the 1980s, attendees were not reimbursed for using modes other than automobiles. She said that MAG evolved to not be discriminatory and rewarded those using transit with a reimbursement. Ms. Barker stated that MAG was here to serve the citizenry and in the past, citizens were not listed at the top. She noted that stakeholders and citizens are listed on MAG committees. She said that she has had conversations with MAG staff about the MAG public involvement plan, which could change with the reauthorization of transportation legislation. Ms. Barker mentioned that a \$10 billion deficit in federal transportation funding is projected for FY 2010, and flexibility is needed in the system. Chair Neely thanked Ms. Barker for her comments.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, announced that MAG will host the 2009 National Association of Regional Councils Executive Directors Conference on October 4 to October 6, 2009, at the Sheraton Hotel in downtown Phoenix. He noted that attendees will include the Executive Directors of Regional Councils and Metropolitan Planning Organizations throughout the nation. Mr. Smith stated that Chair Neely will welcome the group at the conference opening, and the keynote speaker will be Joel Szabat, Deputy Assistant Secretary for Transportation Policy for the U.S. Department of Transportation. He stated that Mayor Scott Smith of Mesa and Mayor Hickenlooper of Denver, Colorado, have been invited to speak on the emerging role of regional organizations and reauthorization. He advised that a session on climate change and greenhouse gas is included in the conference.

Mr. Smith stated that MAG staff is preparing for the MAG Certification Review and 2010 Performance Audit with the Federal Highway Administration and Federal Transit Administration to review the MAG process. Mr. Smith stated that MAG is working on the roles and responsibilities of MAG, RPTA and Valley Metro Rail in preparation for the review, and a staff recommendation on the roles and responsibilities is expected for the September MAG Regional Council Executive Committee meeting. Mr. Smith stated that MAG is developing a Performance Measurement Monitoring System in preparation for the 2010 Performance Audit, which is a statutory requirement.

Chair Neely thanked Mr. Smith for his report. She asked him for clarification on the presentation anticipated to be given in September on the planning roles of the three agencies. Mr. Smith replied that in the last Intermodal Planning Group meeting to review the MAG Work Program, the federal representatives noted that the programming roles for transit planning needed to be looked at. He stated that staff have been working on this with the partnering agencies and anticipate bringing forth a recommendation in September.

5. Approval of Consent Agenda

Chair Neely noted that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, #5J, #5K, #5L, #5M, #5N, and #5O 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.

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

5A. Approval of the June 24, 2009, Meeting Minutes

The MAG Regional Council, by consent, approved the June 24, 2009, meeting minutes.

5B. Enhancement Peer Review Group Round 17 Recommendations

The MAG Regional Council, by consent, approved forwarding the list of ranked applications from the MAG Enhancement Peer Review Group to the Arizona Department of Transportation for consideration by the State Transportation Enhancement Review Committee. The Enhancement Peer Review Group, (EPRG), formerly the Enhancement Funds Working Group, was formed by the MAG Regional Council in April 1993 to review and recommend a ranked list of Enhancement Fund applications from this region to the Arizona Department of Transportation (ADOT) Transportation Enhancement Review Committee (TERC). In January 2009, after MAG was notified by ADOT that Round 17 Enhancement Fund applications were due on August 14, 2009, MAG member agencies were informed of the availability of the funding and a schedule was distributed for the ranking and evaluation for transportation enhancement projects. Transportation enhancement funds can be used for many types of non-traditional transportation projects, including the design and construction of pedestrian walkways and bicycle paths, landscaping, scenic and historic preservation, billboard removal, archeological research, and other projects that are related to the surface transportation system. This year, seven enhancement fund applications totaling \$2,890,498 for projects on local roads were received, with approximately \$8 million available statewide. One application for a project on ADOT right-of-way was received totaling \$1 million, with approximately \$5 million available statewide. The Enhancement Peer Review Group recommends that the list of ranked applications be forwarded to ADOT for consideration by the TERC. Projects were evaluated and ranked by the EPRG using criteria established by ADOT. The EPRG reviewed applications and recommended changes to strengthen the applications and improve their ability to compete on a statewide basis. Applicants were then requested to revise their applications based upon EPRG input. After the changes were considered, the EPRG ranked the applications. Applicants were also present at the ranking meeting. Extensive opportunities for agency and public input were included in the review and ranking process.

5C. Elderly Mobility Sign Project Update

A project in the FY 2007 MAG Unified Planning Work Program was programmed with \$400,000 in federal funds for a regional project that would promote elderly mobility in the MAG region. The resulting project was jointly recommended by the Elderly Mobility Stakeholders Group, Transportation Safety Committee and the Management Committee. The final approval by the Regional Council resulted in the installation of nearly 3,100 new street name signs across the region. Some of these signs replaced existing signs at intersections, and others were placed on intersection approaches providing the name of the upcoming cross street. The key feature that was introduced by these signs was the use of a new letter font named Clearview Font. This font has been adopted by many agencies, including the Arizona Department of Transportation, due to its vastly improved legibility. Sixteen MAG member agencies participated in this project and their sign costs are reimbursed by MAG with project funds. As a result of this project, a few local agencies have decided to adopt the use of Clearview Font for all new street name signs. This item was on the agenda for information and discussion.

5D. Consultant Selection for the MAG Hassayampa Framework Study for the Wickenburg Area

The MAG Regional Council, by consent, approved selecting Wilson & Company to conduct the Hassayampa Framework Study for the Wickenburg Area, for an amount not to exceed \$75,000. The FY 2009 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council, includes \$70,000 to conduct the Hassayampa Framework Study for the Wickenburg Area. The Town of Wickenburg will contribute \$5,000 toward the project, bringing the total cost of the project to \$75,000. A Request for Proposals for consultants to conduct the study was advertised on April 23, 2009. Four proposals were received from the following firms: Wilbur Smith Associates, Dibble Engineering, HDR, and Wilson & Company. A multi-agency proposal evaluation team consisting of MAG member agencies and MAG staff reviewed the proposal documents and recommended to MAG the selection of Wilson & Company to conduct the project, in an amount not to exceed \$75,000. The Management Committee recommended approval of the selection.

5E. Project Changes – Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program and Material Cost Changes to the ADOT Program

The MAG Regional Council, by consent, approved amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, as appropriate, to the Regional Transportation Plan 2007 Update, FY 2009 and FY 2010 MAG Unified Work Program and Annual Budget, and material cost changes to the ADOT Program as shown in the attached tables. The MAG Regional Council, by consent, approved The Fiscal Year (FY) 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan 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 program. To move forward with project implementation for FY 2010, ADOT has requested a number of financial, project description, and schedule changes. Fort McDowell Yavapai Nation, Fountain Hills and Scottsdale have submitted requests for programming American Recovery and Reinvestment Act (ARRA) funds in their communities. Valley Metro has requested administrative modifications related to four repayment projects. Details of these requests can be found in the enclosed table. In addition, the enclosed table annotates the material cost changes related to cost increases to the ADOT Program. Queen Creek has requested that the local funds for a 2009 STP-MAG funded project, QNC09-803, are modified from \$6 million to \$120,895. The original \$6 million for the local costs related to the entire project, including all phases: design, right of way, environmental clearance, and construction. This TIP project listing is just for environmental clearance that is funded with STP-MAG and requires a 5.7 percent local match.

5F. Update to the Federal Functional Classification System

The MAG Regional Council, by consent, approved the proposed updates to the functional classification system. The MAG funding suballocation for 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). Arra-funded projects must be located on a facility that is classified as an urban collector or rural major collector or higher in the functional classification hierarchy. Maricopa County and Fort McDowell Yavapai Nation have requested that the functional classification of three

roadways located in the Ft. McDowell community be updated as related to programming ARRA funds. The Management Committee recommended approval of the proposed updates to the functional classification system.

5G. Final Closeout of the Federal Fiscal Year (FFY) 2009 MAG Federally Funded Program

The MAG Regional Council, by consent, approved the Final Closeout for Federal FY 2009 and amending/adjusting the FY 2008-2012 MAG TIP and the RTP 2007 Update as needed. Since the Regional Council approved the Interim FFY 2009 MAG Closeout, there have been additional requests for project deferrals: GDY07-302 and GDY07-709, which are found in Table A. With these new deferrals, the funding available for Closeout increases from \$28.7 to \$29.3 million. The identification of these additional funds for Closeout indicates that the two projects in the rank ordered Contingency List, MMA09-610 and PHX07-740 can be funded. The Transportation Review Committee (TRC) recommended approval of the project deferrals and funding as noted above. In addition, the TRC also recommended that any remaining CMAQ Closeout funds be allocated toward funding the remaining street sweepers on the prioritized list for FFY 2009. The Management Committee recommended approval of the Final Closeout for Federal FY 2009 and amending/adjusting the FY 2008-2012 MAG TIP and the RTP 2007 Update as needed.

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

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

5I. Additional Funding for Sweepers on the Approved Prioritized List of Proposed PM-10 Certified Street Sweeper Projects for FY 2009 CMAQ Funding

The MAG Regional Council, by consent, approved additional funding for sweepers on the Approved Prioritized List of Proposed PM-10 Certified Street Sweeper Projects for FY 2009 CMAQ Funding. On January 28, 2009, the MAG Regional Council approved a Prioritized List of Proposed PM-10 Certified Street Sweeper Projects for FY 2009 CMAQ funding and retained the prioritized list for any additional FY 2009 CMAQ funds that may become available due to year-end closeout, including any redistributed obligation authority, or additional funding received by this region. Funding for the remaining sweepers on the approved Prioritized List is available from \$685,676 in savings associated with four sweeper projects that have been requested to be deleted, and from \$402,968 in Federal Fiscal Year 2009 Closeout

funds recommended by the Transportation Review Committee on June 25, 2009. The following sweepers would be funded: Phoenix (the remaining \$62,696 for project #2); Paradise Valley; Tempe; Salt River Pima-Maricopa Indian Community; Chandler; Youngtown; and Buckeye (\$157,590 for project #1). Recently, MAG contacted member agencies to determine the status of street sweeper projects that had been previously approved for funding by the MAG Regional Council but that had not yet requested reimbursement. On June 4, 2009, the City of Goodyear notified MAG that they would not continue with their two street sweeper projects in FY 2008. Also on June 17, 2009, the Arizona Department of Transportation notified MAG that there would be no further request for reimbursement for two sweepers programmed for FY 2006 CMAQ funding. In August 2008, MAG solicited PM-10 Certified Street Sweeper Projects in the Maricopa County PM-10 Nonattainment Area from member agencies. Projects were due by September 19, 2008. The FY 2008-2012 MAG Transportation Improvement Program contains an amount of \$1,200,000 in FY 2009 CMAQ to fund the first seven sweepers on the Prioritized List. There is a minimum local cash match of 5.7 percent. The Management Committee recommended approval of this item.

5J. Conformity Consultation

On June 30, 2009, the Maricopa Association of Governments distributed a memorandum for consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program. The proposed amendment and administrative modification involves several projects, including Arizona Department of Transportation projects, new American Recovery and Reinvestment Act projects for Fountain Hills and Scottsdale, and Valley Metro Rail projects. On July 16, 2009, MAG distributed additional project changes for the amendment and administrative modification, including: DOT09-803, FTM09-801, MMA09-801, MES04-125C, and PHX08-642. Also, Queen Creek has requested that the local funds for a 2009 STP-MAG funded project, QNC09-803, be modified. A new list is attached that includes the new Queen Creek project. Comments on the conformity assessment were requested by July 22, 2009. This item was on the agenda for consultation.

5K. Consultation on Proposed Transportation Conformity Processes for the 2009 MAG Conformity Analysis

Federal and state conformity regulations require that MAG consult with federal, state, and local air quality and transportation agencies on proposed processes for the conformity analysis on the Transportation Improvement Program and transportation plan. MAG is distributing for comment the proposed processes to be applied beginning with the upcoming conformity analysis for the FY 2010-2014 MAG Transportation Improvement Program and the Regional Transportation Plan 2009 Update. Comments regarding this material are requested by July 22, 2009. This item was on the agenda for consultation.

5L. Consultation on Potentially Regionally Significant Projects for the Draft FY 2010-2014 MAG Transportation Improvement Program

Federal and state conformity regulations require that MAG consult with federal, state, and local air quality and transportation agencies on which transportation projects will be considered "regionally

significant" for the purposes of regional emissions analysis. Regionally significant projects are subject to conformity requirements. A list of potentially regionally significant projects for the proposed Draft FY 2010-2014 MAG Transportation Improvement Program has been prepared. It was requested that comments regarding the list be reported to MAG by July 22, 2009. This item was on the agenda for consultation.

5M. Amendment to the FY 2010 MAG Unified Planning Work Program and Annual Budget to Accept Funding from the Arizona Department of Environmental Quality for Developing a Roadmap for Greening Water Infrastructure

The MAG Regional Council, by consent, approved amending the FY 2010 MAG Unified Planning Work Program and Annual Budget to accept \$45,000 from the Arizona Department of Environmental Quality for developing a roadmap for greening water infrastructure. The Arizona Department of Environmental Quality has notified MAG that it would be awarded \$45,000 in stimulus funding from the American Recovery and Reinvestment Act of 2009 for water quality management planning. The funding would be used to conduct a workshop on green infrastructure for water and wastewater treatment plants focusing on Arizona issues, and to prepare a roadmap for greening water infrastructure. It is necessary to amend the FY 2010 MAG Unified Planning Work Program and Annual Budget to accept these funds. The Management Committee recommended approval of this item.

5N. Digital Aerial Photography Partnership with Central Arizona Association of Governments

The MAG Regional Council, by consent, approved amending the FY 2010 Unified Planning Work Program and Annual Budget for MAG to accept funds from the Central Arizona Association of Governments for the Pinal County portion of the digital aerial photography. In May 2009, the MAG Regional Council approved the FY 2010 Unified Planning Work Program and Annual Budget, which included \$40,000 for digital aerial photography for use in planning activities by both MAG and its member agencies. This imagery is purchased on an annual basis and typically includes substantial portions of Pinal County. This year MAG has been approached by the Central Arizona Association of Governments (CAAG) to enter into a partnership to issue a single Invitation for Bids. Cost for the imagery purchased through the joint Invitation for Bids would be based on the area covered by the purchase. MAG and CAAG would receive the full imagery acquisition. CAAG's payment responsibility would be for the Pinal County portion of the imagery. As in past years, this photography will be made available at no charge to MAG member agencies, as well as to CAAG member agencies. The Management Committee recommended approval of this item.

5O. Annexation Requirements for Census 2010

The 2010 Census is only nine months away. To prepare for this count, MAG wants to ensure that all jurisdictions are aware of the need to complete any annexations by December 31, 2009, and report those annexations to the U.S. Census Bureau by March 1, 2010, in order for population in the newly annexed area to be included in the jurisdiction's Census 2010 population. The U.S. Census Bureau conducts the Boundary and Annexation Survey (BAS) annually to update information about the legal boundaries and names of all governmental units in the United States. The Census Bureau uses the boundary information

collected in the BAS to tabulate data for various censuses and surveys, including the 2010 Census of Population and Housing. This item was on the agenda for information.

6. Transportation Public Involvement Report

Jason Stephens, MAG Public Involvement Planner, provided an update of MAG's transportation public involvement efforts for FY 2009. He noted that the information he would present was included in the FY 2009 Transportation Public Involvement Report that was included in the agenda packet.

Mr. Stephens noted that as a result of SAFETEA-LU federal guidelines, MAG revised its existing public involvement plan and adopted a new Public Participation Plan in December 2006, which includes a four-phase public input process that is tied to the planning and programming process. Mr. Stephens stated that changes in the planning and programming cycles result in changes to the public involvement phases. He reported that due to a variety of factors, these cycles have changed for FY 2009 and may not follow the phases outlined in the adopted MAG Public Participation Plan, however, MAG continued to conduct a proactive, inclusive public outreach process and will look to update its Public Participation Plan to reflect any changes as new cycles are determined.

Mr. Stephens stated that MAG participated in a number of events during FY 2009. He said that MAG staff hosted booths, gathered input and distributed information to event goers. Mr. Stephens stated that MAG partnered with ADOT, Valley Metro, METRO and the City of Phoenix public transit department where possible. He noted that MAG held a transportation public hearing where a court reporter took down comments verbatim and this transcript is included in the Transportation Public Involvement Report. Mr. Stephens stated that these comments received formal staff responses, which are also included in the report.

Mr. Stephens reported that MAG, along with Valley Metro, gave a number of presentations to disability groups around the Valley to help those with disabilities understand the planning process and give them tools to navigate the transportation system. He commented that in several instances, MAG and Valley Metro went back to organizations with an actual bus to assist these groups in learning how to utilize the transit system, including how to board, how to purchase tickets, how to utilize their ADA eligibility card, and what to expect when traveling by bus or rail. Mr. Stephens noted that MAG also helped arrange meetings between transit agencies and disability groups to streamline the ADA application process.

Mr. Stephens displayed a sample of the comments received and noted that a more extensive listing was in the report. He said that many comments were transit related, such as requests for more transit service in Apache Junction and how long it takes to ride the light rail route, and when Dial a Ride service would be increased. Mr. Stephens stated that people also asked whether there are cameras at the park and ride lots. Mr. Stephens advised that all of the comments made during the presentations or at events were responded to at the event/presentation or afterward via e-mail, telephone or written correspondence.

Chair Neely thanked Mr. Stephens for his report. She remarked that staff did a very thorough job compiling the report. Chair Neely asked if staff would be providing those comments regarding security

to member agencies to be able to deal with the issues. Mr. Stephens confirmed that the comments were provided to the relevant agencies.

7. Transportation Planning Update - Proposition 400 Regional Freeway Program

Bob Hazlett, MAG Senior Engineer, provided a presentation to the Regional Council on the tentative scenario that has been developed to address the funding gap in the Regional Freeway and Highway Program. He indicated that much of the information he would present tonight was presented to the Transportation Policy Committee (TPC) last week and was included in the agenda packet.

Mr. Hazlett pointed out that on July 15, the TPC recommended tabling a decision on the tentative scenario for 90 days and for it to be considered at the October 21, 2009, meeting. He commented that this would allow more time for review of the information to gain a better understanding of what went into the development of the tentative scenario.

Mr. Hazlett explained the document that includes a 30-page summary and the items and options considered when making the recommendations, the tables that document the changes for 55 segments and 91 projects, and more detailed maps. He noted that the presentation given at the June TPC meeting was also included in the agenda packet.

Mr. Hazlett stated that the tentative scenario was based on four principles: management strategies, value engineering, deferrals, and stay the course. He noted that management strategies identified about \$760 million in cost savings, due to lower construction costs and right of way costs. Mr. Hazlett stated that ADOT is also working on lowering non-project specific costs for administering the program.

Mr. Hazlett stated that most of the value engineering focused on Loop 303 and the South Mountain Freeway. He noted that discussion continues on value engineering the Loop 303 corridor to reduce costs, including deferrals and looking at the system interchanges. Mr. Hazlett stated that the original ADOT cost opinion for the Loop 303/I-10 interchange was \$760 million in June 2008. He advised that this amount has been reduced to \$518 million, and based on discussion with the City of Goodyear, it is possible that the cost could be reduced to approximately \$400 million given the current favorable bid climate at ADOT. Mr. Hazlett noted that there could be approximately \$150 million in savings on the Loop 303/Grand Avenue traffic interchange.

Mr. Hazlett stated that the ramps at Northern Parkway and Loop 303, which were not a part of the original Regional Transportation Plan, would be deferred in the tentative scenario. He indicated that staff is working with the City of Glendale to get the best connection to accommodate travel demand.

Mr. Hazlett stated that staff has had a number of discussions with the City of Phoenix on the South Mountain Freeway, and it appears the cost could be reduced to about \$1.9 billion by utilizing the narrower Proposition 300 cross section, selecting a 59th Avenue alignment, and applying lower construction and right of way costs. Mr. Hazlett replied that MAG staff is working with ADOT finish up the draft environmental impact statement (EIS) as soon as possible and he noted that the final EIS is anticipated the end of 2010 and a record of decision in early 2011.

Mr. Hazlett advised that the tentative scenario recommends that all of the HOV lanes be constructed and that SR-801, SR-802, and a short section of Loop 303 be deferred. He added that the recommendation is to continue to work on the corridors, especially on the environmental assessments, in order to bring right of way costs down. Mr. Hazlett pointed out the general purpose lanes recommended to be deferred were indicated in red on the map.

Mr. Hazlett referenced Table Eight of the summary report that identified why general purpose and direct HOV (DHOV) ramp connections in the system interchanges were recommended for deferral. He explained the analysis used in whether a segment would be recommended for deferral or not. Mr. Hazlett said that if a segment was forecasted to carry more than 200,000 vehicles per day, it was recommended to move forward; if a segment was forecasted to carry less than 200,000 vehicles per day, it could be deferred.

Mr. Hazlett stated that the tentative scenario recommends the DHOV ramps at the I-10 and I-17 interchanges be deferred at this time, due to the significant reconstruction of both traffic interchanges that would be required.

Mr. Hazlett stated that the tentative scenario recommends the right of way protection for SR-74 and Loop 303 in Phase Four be deferred. He noted that the report also includes a draft deferral policy because with \$4.1 billion in projects being deferred, there needs to be some sort of consideration of how to bring the projects back into the program. Mr. Hazlett stated that there are two principles in the draft policy: 1) Maintain the original project priority. 2) Capture the cost savings from a deferred corridor.

Mr. Hazlett stated that the report includes the rationale behind the stay the course recommendations. Mr. Hazlett stated that the \$6.6 billion in savings in the tentative scenario could bring the ADOT cost opinion of \$15.9 billion to \$9.4 billion and balance the program. He noted that revenue will continue to be monitored, there are opportunities for other federal funds and alternative funding, looking at project delivery methods, and working together on right of way preservation.

Chair Neely asked members if they had questions. She asked if it was anticipated that the tentative scenario would be before the Regional Council in October. Mr. Hazlett replied that was correct. Chair Neely noted that MAG staff had offered to meet with any community to review the tentative scenario in detail and she asked if staff was doing any outreach. Mr. Hazlett replied that staff has met with the City of Goodyear and has meetings scheduled with Surprise and Glendale. Mr. Hazlett encouraged member agencies to call staff and they could discuss the recommendations in the tentative scenario and how they were made. He added that there is still an opportunity to make changes.

8. Presentation of the Framework Recommendation for the Interstates-8 and 10-Hidden Valley Transportation Framework Study

Mr. Hazlett stated that the Interstates-8 and 10-Hidden Valley Transportation Framework Study has been underway for about two years and has reached the point for making a recommendation. He noted that the agenda packet includes the executive summary of all of the information relevant to the study.

Mr. Hazlett stated that the Interstates-8 and 10-Hidden Valley Transportation Framework Study is an effort similar to the Interstate 10-Hassayampa Valley Framework Study, and moves farther south to encompass another growth area. He noted that the Hidden Valley population projections are similar to those in the Hassayampa Valley, but the area of the study is much larger – about 3,200 square miles – which is about the size of the state of Delaware.

Mr. Hazlett stated that the Interstates-8 and 10-Hidden Valley Transportation Framework Study was a jointly funded effort by MAG, the Arizona Department of Transportation, the Maricopa County Department of Transportation, Pinal County Public Works, the Town of Buckeye, and the cities of Goodyear and Maricopa. He reported that a significant amount of information was contributed by the Central Arizona Association of Governments and the City of Casa Grande. He displayed a list of the Study Review Team, and noted that more than 225 meetings have taken place on this study.

Mr. Hazlett displayed a map of the study area, which extends south to the Gila River and into Pinal County. He said that the study utilized 36 different maps in the environmental scan and considered about 16 alternatives of balanced capacity, maximum capacity if building freeways, and minimum capacity if building arterials.

Mr. Hazlett displayed a map of the framework recommendation of transportation facilities by the project team. He said that in conjunction with the City of Goodyear, a better definition of Loop 303 to I-8 was developed, and in conjunction with Pinal County, a better definition to the Hassayampa Freeway in the area of the cities of Maricopa and Casa Grande was provided. Mr. Hazlett advised that no new transportation corridors across Indian land were recommended. He noted that the Ak-Chin and Gila River Indian Communities actively participated in the Study Review Team. Mr. Hazlett stated that the recommendation is to enhance the facilities they already have and provide ways around the Indian communities to the metro area and accommodate travel demand.

Mr. Hazlett stated that the recommendation also includes a number of parkways. He noted that they paid particular attention to wildlife crossings and national monuments, and added that the Bureau of Land Management, U.S. Fish and Wildlife, the Sonoran Institute, and Arizona Game and Fish actively participated in this effort. Mr. Hazlett advised that the information derived from the environmental scans can be used in environmental studies on any corridor in this area.

Mr. Hazlett stated that they have been reviewing what might be contained in the acceptance resolution with the Transportation Review Committee, and they will seek formal acceptance by the Regional Council of the study's recommendations in September 2009. Mr. Hazlett noted that the Central Phoenix Framework Study is starting soon and will include needed transportation services in the downtown area and the urban core. Chair Neely thanked Mr. Hazlett for his report and asked members if they had questions.

Mayor Rogers commented that she did not see a funding source identified for implementing the framework recommendations and this concerned her. She added that with the current economic situation, funding is something that needs to be considered. Mr. Hazlett replied that Mayor Rogers was correct, and staff would ensure this would be incorporated into the acceptance resolution.

Mayor Rogers asked the land mass of Maricopa County and Pinal County within the study area. Mr. Hazlett replied that the study area includes 2,000 square miles of Maricopa County and 1,200 square miles of Pinal County.

Chair Neely asked for clarification if Mr. Hazlett had displayed a slide that showed potential funding sources, such as impact fees, to the TPC. Mr. Hazlett replied that the TPC might have discussed potential funding sources, because that information was included in the document, but he did not have a slide that listed potential sources of funding.

9. MAG Committee Operating Policies and Procedures

Chair Neely expressed her gratitude to the other members of the MAG Process Review Task Force: Regional Council members Councilman Dick Esser, Mayor Hugh Hallman, Mayor Thomas Schoaf, and Mayor Elaine Scruggs, and City Managers Charlie McClendon from Avondale and Mark Pentz from Chandler. She also expressed appreciation to MAG staff, Dennis Smith, and MAG General Counsel, Fredda Bisman.

Chair Neely stated that when she became the Chair of the Regional Council, she heard that a review of the MAG policies and procedures was needed. She noted that reviews had been conducted in the mid-1990s and the early 2000s. Chair Neely stated that there was a lot of lively debate at the Task Force meetings and she felt a lot was accomplished. She commented that she thought the adjustments will help MAG move forward in a more streamlined manner.

Mr. Smith stated that the review of the MAG policies and procedures began in January 2009. He noted the previously discussed bell curve on bureaucracy and how an organization dies if it does not constantly renew itself. Mr. Smith expressed his thanks to MAG staff Alana Chavez and Lindy Bauer, and Fredda Bisman for their work on this effort.

Mr. Smith stated that a list of 15 major issues to be addressed was forwarded to the Regional Council for input. He provided a review of recurring themes: 1) Clarify the responsibility of the chairs of the committees, with the emphasis on making the chairs ministerial in nature and not wielding greater power over the members of the committees. 2) Respect the MAG committee process and move recommendations up through the committee process to be heard by the Regional Council. 3) Provide a mechanism for future items to be placed on agendas. 4) Provide more opportunities for members to preside over committees by having one-year terms for committee chairs. Include a process for technical committee chairs to have two one-year terms. 5) Make it clear that all committees have chairs and vice chairs and the officers ascend to the chair position. 6) Clarify how weighted voting works. 7) Describe how the quorum requirement works and clarify that meetings can be adjourned to gather a quorum. If a quorum is not reached, no business can be conducted. 8) Provide Rules of Order for all MAG committees.

Mr. Smith stated that the MAG Process Review Task Force unanimously recommended approval of the draft Operating Policies and Procedures. He advised that some of the changes will require modifications

to the MAG Bylaws, and additional material is being developed in the form of a resource guidebook to assist the MAG member agencies.

Chair Neely asked members if they had questions.

Mayor Cavanaugh asked for clarification of weighted voting. He read from page nine that said, “All votes of the MAG Regional Council and MAG Management Committee are taken on the basis of one vote per member. This is referred to as a ‘numerical vote.’ ” Mayor Cavanaugh asked if a member is not satisfied with that vote, the member can ask for a weighted vote. Mr. Smith replied that was correct.

Mayor Cavanaugh noted that the policy says that for a weighted vote to pass, the vote passing numerically is one of the two conditions that must be met. Mayor Cavanaugh asked how that numerical vote differed from the original numerical vote. Mr. Smith replied that they were the same. Mayor Cavanaugh stated that since both conditions – numerical and population – have to pass, and if the numerical vote is the same as the original vote, a weighted vote will never change the vote. Mr. Smith stated that the numerical vote is taken again after the weighted vote is called, in order to enter it into the computer. He gave as an example if 30 Regional Council members are present at a meeting, at least 16 are required to vote in favor of the motion. For the vote to pass, it must also pass by members representing a majority of the population. Mr. Smith added that with a weighted vote, there would be more discussion and it is possible that some members could change their vote. He said that most people think a weighted vote is to block an action, but it is really a reconsideration of the vote that was already cast.

Mayor Cavanaugh stated that he believed in having weighted votes. He stated that unless one member changes his or her numerical vote, then the original numerical vote will carry regardless of the weighted vote by population. Mr. Smith stated that the vote could carry by number but potentially not by weight.

Vice Chair Schoaf stated that the only thing a weighted vote can do is to block an action that was taken by a majority of members who do not have the weight of population. He added that if a majority numerically votes yes but does not have the weight of population, only one condition of a weighted vote is met and the measure fails. Vice Chair Schoaf stated that a weighted vote is a blocking mechanism by the majority of population in the Valley.

Mayor Cavanaugh indicated that he interpreted weighted voting as the reverse of Vice Chair Schoaf’s explanation. He asked if Mayor Hallman could offer a clarification.

Mayor Hallman stated that Mayor Cavanaugh was correct; if a vote fails, it cannot be overcome by a weighted vote, but if a vote passes numerically then a weighted vote can be called by those who do not agree with the vote that passed. He said that is why the weighted vote acts as a veto. Mayor Hallman stated that a population base approving matters is needed. He stated that in a weighted vote it is necessary but not sufficient to have the number of communities voting numerically in support of a motion; both conditions also must be met. Mayor Hallman stated that Mayor Cavanaugh was right and that is why there is confusion every time weighted voting comes up. He said that a member might be convinced to change their vote, but in almost every instance, weighted voting is merely to act as a veto.

by the majority of the population base to overturn something that passed. It can never reverse by weight a vote that failed numerically. Mayor Hallman stated that if a weighted vote is called, both conditions must be met: the numerical majority of the communities present and by members present representing a majority of the population.

Mr. Smith recalled an instance at Regional Council when a weighted vote was called after a numerical vote failed. He commented that because it was a reconsideration of the vote, it is possible that if the member calling the weighted vote is persuasive enough, members potentially could change their minds.

Mayor Hallman expressed his appreciation for Mr. Smith's explanation that weighted voting is a reconsideration, but weighted voting acts as a veto for the majority of the population. He stated that weighted voting gives authority to those representing a majority of the population to veto an action passed by the majority of members numerically.

Mr. Smith stated that Vice Chair Schoaf pointed out in the Task Force process that weighted voting is a tool for both smaller and larger communities. If smaller communities decided that an action was not in their favor, they could block the vote because both measures are needed for a weighted vote to pass.

Councilman Esser stated that it was his understanding that a weighted vote does not negate the original vote, it just brings the issue back for discussion and it levels the playing field and gives smaller communities the opportunity to participate. He expressed his agreement with Mayor Schoaf's explanation.

Chair Neely stated that the Task Force discussed weighted voting extensively. She indicated that she believed most members feel it is a blocking mechanism.

Mayor Hallman stated that the analogy of a House and Senate representation model is a good one to keep in mind. He said that all communities have equal weight in the numbers count. Mayor Hallman stated that the largest community by population cannot get anything done unless they convince a number of smaller communities to join them. Conversely, a number of smaller communities cannot overwhelm the total population of Maricopa County and must convince a majority of the population. Mayor Hallman stated that this is why majorities by number and population are required for a weighted vote.

Chair Neely noted that the weighted voting numbers were shown on Table A. She asked Mr. Smith to continue with the presentation.

Mr. Smith clarified that proxies are considered a part of the quorum on technical committees. He noted that since the document was mailed out, a couple of changes were made. He said "with the exception of the Transportation Policy Committee" was added to the end of the following sentence: "The Executive Committee shall appoint the Chairs and Vice Chairs of the technical and policy committees." Mr. Smith clarified that successors to vacant positions will follow the order of ascension of officers only, and not at large members. Mr. Smith stated that the Task Force requested that the Regional Council approve the changes.

Mayor Hallman moved approval of the final MAG Process Review Task Force recommendations on the MAG Committee Operating Policies and Procedures. Councilman Esser seconded, and the motion passed unanimously.

Chair Neely once again thanked MAG staff for their work on the Operating Policies and Procedures.

10. Legislative Update

Nathan Pryor, MAG Senior Policy Planner, provided an update on legislative issues of interest. He commented that his presentation would focus largely on the federal side. Mr. Pryor stated that the current version of reauthorization, SAFETEA-LU, is set to expire September 30 and factors playing a role include the Highway Trust Fund and environmental legislation. Mr. Pryor stated that the Highway Trust Fund is expected to run out of money in mid-August, which causes a cash flow issue. He noted that to get through the end of the year, \$5 billion to \$7 billion is needed, and for 2010, an additional \$10 billion is needed. Mr. Pryor noted that the situation this year is similar to last year and the remedy was to transfer funds from the general fund to the Highway Trust Fund.

Mr. Pryor stated that Congressman Oberstar's reauthorization bill was passed by the House Transportation and Infrastructure Committee last month. He reported that while this bill was moving through the House, Transportation Secretary LaHood has requested an 18-month extension of the current transportation legislation to March 2011, and he noted that a large part of that request is to wait and see the impact of the ARRA stimulus funds. Mr. Pryor stated that the Senate has bought into this and passed a clean version of the extension, but has not tacked on the Stage One provisions. Mr. Pryor stated that they are looking for a performance based reauthorization and promoting livability in tandem with housing and EPA. He said as discussion continues, the legislation will be monitored.

Mr. Pryor stated that with the Administration and the Senate agreeing with the 18-month extension, the House version is expected to fall short. He added that legislation is on a short timeframe and Congress is expected to take action before the August recess.

Mr. Pryor stated that the House passed the Clean Energy and Security Act last month and the Senate has moved forward with an alternate House version called CLEAN-TEA. He stated that staff currently is analyzing the CLEAN-TEA legislation. He reported that President Obama is looking to have environmental legislation in hand before the Climate Change Summit in Denmark in December. Mr. Pryor noted that there is a lot going on right now, including discussion of health care and appropriations.

Mr. Pryor stated that the Arizona Legislature is in the third week of a special session to address the \$2.5 billion to \$3 billion budget shortfall. He said he would continue to monitor the situation. He reported that this session, the Governor signed two bills of interest: The public-private partnership bill, and the ADOT omnibus bill that includes HOV lanes, their performance, and reprioritizing them as to who can use them. Mr. Pryor noted that they are looking to see if there is any degradation of traffic flow in HOV lanes by other vehicles that are allowed to use the lanes. Chair Neely thanked Mr. Pryor for his report. No questions from the Council were noted.

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.

Chair Neely stated that historically, the August meetings have been cancelled unless business arises that requires a meeting. She said that it has been indicated that there is no need for an August meeting, and unless they hear otherwise, the August meeting will be cancelled and a notice will be sent out.

There being no further business, Councilman Esser moved to adjourn the Regional Council meeting. Mayor Waterman seconded, and the meeting adjourned at 6:05 p.m.

Chair

Secretary