

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE
October 18, 2010
MAG Offices, Cholla Room
302 N. 1st Avenue, Phoenix, Arizona

MEMBERS ATTENDING

Mayor Thomas L. Schoaf, Litchfield Park,
Chair
Mayor Hugh Hallman, Tempe, Vice Chair
Mayor Marie Lopez Rogers, Avondale,
Treasurer

Mayor Jim Lane, Scottsdale
Mayor Michael LeVault, Youngtown
Councilwoman Peggy Neely, Phoenix
Mayor Scott Smith, Mesa

* Not present

Participated by video or telephone conference call

1. Call to Order

The Executive Committee meeting was called to order by Chair Schoaf at 12:00 p.m. Chair Schoaf stated that public comment cards were available for those members of the public who wish to comment. Transit tickets were available from Valley Metro for those using transit to come to the meeting. Parking validation was available from MAG staff for those who parked in the parking garage.

2. Call to the Audience

Chair Schoaf stated that, according to the MAG public comment process, members of the audience who wish to speak are requested to fill out the public comment cards. He stated that there is a three-minute time limit. Public comment is provided at the beginning of the meeting for items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Chair Schoaf noted that no public comment cards had been received.

3. Consent Agenda

Chair Schoaf noted that prior to action on the consent agenda, members of the audience are provided an opportunity to comment on consent items that are being presented for action. Following the comment period, Committee members may request that an item be removed from the consent agenda. Chair Schoaf noted that no public comment cards had been received.

Chair Schoaf requested a motion to approve the consent agenda. Mayor LeVault moved to approve items #3A through #3C. Mayor Lopez Rogers seconded the motion and the motion carried unanimously.

3A. Approval of the September 13, 2010 Executive Committee Meeting Minutes

The Regional Council Executive Committee, by consent, approved the September 13, 2010 Executive Committee meeting minutes.

3B. Consultant Selection for the MAG Freight Transportation Framework Study

The Executive Committee, by consent, approved the selection of Parsons Brinckerhoff to conduct the Freight Transportation Framework Study for an amount not to exceed \$500,000. The FY 2011 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2010, includes \$500,000 to conduct the Freight Transportation Framework Study that will examine freight and multimodal opportunities in the Sun Corridor. This study will develop a multimodal freight transportation framework for the study area that will likely be implemented at multiple jurisdictional levels and examine opportunities for an inland port. A Request for Proposals was advertised on August 19, 2010, and seven proposals were received. A multi-agency proposal evaluation team reviewed the proposal documents and held interviews. On October 5, 2010, the proposal evaluation team recommended to MAG the selection of Parsons Brinckerhoff to complete the study for an amount not to exceed \$500,000.

3C. Don't Trash Arizona Litter Prevention and Education Contract Amendment

The Executive Committee, by consent, approved the amendment of the consultant contract with RIESTER for one additional year for the Litter Prevention and Education Program to include \$300,000 budgeted in the MAG FY 2010 Unified Planning Work Program and Annual Budget for litter prevention and education. It costs our region more than \$3 million every year to pick up litter from our regional freeway system. Proposition 400 includes funding for a litter prevention and education program designed to increase awareness of the health, safety, environmental and economic consequences of freeway litter and ultimately change the behavior of offenders. The Don't Trash Arizona Litter Education and Prevention program is implemented by MAG in cooperation with the Arizona Department of Transportation (ADOT). In September 2008, the Regional Council approved the selection of RIESTER as the consultant to design and implement the Litter Prevention and Education Program. Staff recommends amending the consultant contract with RIESTER for one additional year for the Litter Prevention and Education Program and to include the \$300,000 budgeted in the FY 2011 Unified Planning Work Program and Annual Budget for litter prevention and education efforts. This item was on the October 13, 2010 Management Committee agenda for recommendation to approve.

4. MAG Economic Development Committee

Chair Schoaf stated that when this committee was presented to the Regional Council there were a number of questions. He noted that it was approved in part and sent back to the Executive Committee in part. He noted that the specific issues to be addressed by the Executive Committee have been outline in the memorandum attached to this agenda item. Chair Schoaf stated that the first item is generally to make sure that the Executive Committee members are all on the same page before we move forward to Regional Council. He stated that would be to clarify that the mission

statement is as broad as Maricopa County and not limited to the Sun Corridor. Councilwoman Neely agreed that the idea was that it has always been broad including all of Maricopa County. She confirmed that the EDC would discuss economic development throughout Maricopa County. Councilwoman Neely stated that at the High Speed Rail Conference she learned that the National Chamber of Commerce has done some studies that show that infrastructure does drive the economy. She asked if staff could obtain that information to distribute to the Executive Committee. She noted that is important for everyone to understand as we move forward with this committee. Vice Chair Hallman stated that the memorandum does make it clearer as to the focus of the EDC. He noted that this is not about creating some master economic development committee that will take over all of the cities economic development activities. He stated that this committee is focused in the County but tied to multimodal transportation.

Chair Schoaf moved on to the second issue that refers to the continuity of leadership of the EDC. He noted the way it has been tentatively approved is that the chair of the EDC will be the past chair of the Regional Council; the chair of the Regional Council is not a member of the EDC, which means that the vice chair of the EDC may or may not be the current chair of the Regional Council; and that the vice chair will not, as a matter of course, always ascend to becoming the chair of the EDC. Chair Schoaf noted that this is different than every other committee set up at MAG, and it does not follow the MAG Committee Policies and Procedures adopted by the MAG Regional Council. Chair Schoaf noted the second issue is one of whether it is wise to set up a committee that has a two-year sunset and will go through two different chairs during that time period, and possibly three different chairs depending on whether the past chair is able to serve between now and June. He noted that his concern is having multiple chairs in a very short period of time and having not continuity. Councilwoman Neely noted that could apply to any officer on the committee and making decisions on hypothetical scenarios is not a fair way to do business.

Chair Schoaf expressed his concern about the natural process of change and in this committee it is done differently. He offered a proposed solution from the West Valley Mayors and Managers meeting that suggested during the first two years of the EDC, the wisest course would be to have the MAG elected representatives be the Executive Committee members plus Maricopa County. Chair Schoaf stated that this accomplishes the natural order of ascension and consistency. He stated that he believes that consistency is important to get this committee off the ground and have it function well enough that it justifies not being sunset in two years. Vice Chair Hallman stated that the time spent approving the MAG Committee Policies and Procedures was important. He noted that he hesitates to make further changes and does not think duplicating the Executive Committee makes much sense. Mayor LeVault thanked Councilwoman Neely for reiterating that this will truly be a regional effort. He stated that he is not so much concerned with the ascension of officers as he is with the agenda that they pursue. He noted that will be what defines this committee as we move forward. He also noted that there was clearly an issue at the last Regional Council meeting regarding the makeup and the ascension of officers of the committee. He stated that he hopes that this can be worked through because the work of this committee is critical to the region. Mayor Lopez Rogers stated that we worked hard to develop the policies and procedures and believes that they should be followed. She noted that it makes more sense to have both the immediate past chair and the chair of the Regional Council on the EDC. Mayor Lopez Rogers stated that it is important to keep the continuity of the EDC and supports options three.

Dennis Smith commented that it was eye opening to be at the High Speed Rail Conference. He stated that both Salt Lake and Denver attended the conference and neither one of those cities have the population of this region and they are both pass us in this type of effort. Mr. Smith stated that hopefully we can get past the house keeping today because we have big issues in this region and we need to get focused on infrastructure and the economy. He noted that this region has a lot in common with the Intermountain West. Mr. Smith stated that we do need leadership in this committee and option three gets us in alignment with the Policies and Procedures, if that is the goal. He stated that his hope is to come out of this meeting with a unanimous recommendation to the Regional Council. Mr. Smith noted that we are not that far down the road and appointment letters have not been sent out yet, therefore we do not have to have this committee if that is the wish of the Executive Committee. He stated that he truly believes that we need to do this effort. He also stated that we need to be talking to other leaders in the community that are working on this type of effort. He noted that it is interesting that the Arizona Commerce Authority does not have one local government official on that committee. He stated that he was reminded by one of the Mayors in this region that economic development really happens at the city level. Mr. Smith stated that in order have our voices heard we need to create our own efforts.

Mayor Smith referenced the composition of the EDC and noted that this has a transportation component to it and maybe a leader from the Transportation Policy Committee (TPC) should also sit on this committee. He also noted that the letters submitted for interest are basically from the Executive Committee members. Mayor Smith stated his concern about the appearance that this was not an open process. Vice Chair Hallman agreed with Mr. Smith that we need to move forward to the Regional Council with a unanimous recommendation. He suggested replacing the treasurer with chair of the Regional Council to provide that continuity. Chair Schoaf stated that the question now is it better long-term policy for us to follow the ascension process that we have in every other committee. He agreed that getting others involved, including leaders from the TPC, is a positive thing. However, the chair and vice chair of the TPC also sit on the Executive Committee. Mayor Smith stated that he understood the thought of not making the EDC too large, but he would rather have the right people on this committee even if that means increasing the size of the committee. He stated that he feels strongly that there should be a separate leader and that the ascension can still work. Mayor Smith suggested the chair or vice chair from the TPC be added to the composition of the EDC, as well as two more members in both the East and West Valley section. This allows us to add members that are not members of the Executive Committee. Chair Schoaf stated that we can all take a lesson from this and that we did not do a very good job through our process to fully vet all the issues. He noted that we were working with the committee size that was brought to us by the working group. Mayor Smith stated that he was part of that working group and we did not look at individuals that would serve on this committee. He noted that the working group determined a workable size of the committee and concentrated on the leadership. Mayor Smith stated that he is in support of expanding the EDC composition and that does not change the philosophy or what we want to accomplish.

Councilwoman Neely stated that she thinks the working group came back with good suggestions based upon the discussion that we did not want the EDC to be too large. She believes that the working group did a good job in laying the foundation for this committee and what we found was that there was a lot of interest to be part of the EDC. Councilwoman Neely stated that she would agree with Mayor Smith that we could look to expand the composition. She noted that as long as

she has been involved in MAG, she has not seen this much interest in an item and that says something about this effort. Vice Chair Hallman made a recommendation to include both the chair and vice chair of the TPC. He then went on with the full recommendation that the MAG member agency elected officials shall include the chair, vice chair and immediate past chair of the Regional Council. The chair of the EDC will be the immediate past chair of the Regional Council and the vice chair of the EDC will be the chair of the Regional Council. Vice Chair Hallman then asked if we should include representation from RPTA and Valley Metro Rail. Mayor Smith stated that the subcommittee had a lengthy discussion on that topic and decided that at this level and what we wanted this committee to accomplish did not go with that level. He noted that there is a level in which they would become extremely relevant, but not as committee members. Vice Chair Hallman asked if we leave it at only including the chair and vice chair of the TPC or add two more slots. Chair Schoaf stated that he would suggest adding two more slots. Mayor Smith agreed and noted that instead of trying to figure out who went where, that we let it play out and adjust when the need arises. He suggested increasing it to 12 MAG member agency elected officials. Mayor Lopez Roger suggested that if the Treasurer was included as an officer then the TPC member would balance the Committee. Chair Schoaf stated that we are looking at a two-year time frame to get this committee organized. He noted that including the chair and vice chair of the TPC then it address including the transportation element. One of the tasks of this committee is to bring back a final proposal after two years that will go to the Regional Council. Mayor Lopez Rogers agreed with including the TPC leaders and also suggested including a member of ADOT. She stated that she believe ADOT needs to be a part of these discussions. Mr. Smith stated that he did have a discussion with John Halikowski when we had the issue about naming the position as an ADOT Representative, which is now Transportation Representative, and he indicated his interest in being involved in this committee. Mr. Smith suggested that we need to be sure that we get someone at a leadership level from ADOT. Mr. Smith asked how you would describe leadership at ADOT. Is that a board member, the Director, the Deputy Director? Mayor Smith responded that would be whoever they believe is driving policy. He stated it should be a transportation leadership position from ADOT and let the Director decide. Mayor Smith suggested that the ADOT representative understands the effort and can think 10, 20 or 30 years into the future.

Vice Chair Hallman moved that the composition of the EDC be 12 MAG member agency elected officials to be appointed by the Regional Council; made up of a representative of the central city, Maricopa County, five West Valley representatives and five East Valley representatives and within that group it shall include the chair, vice chair and immediate past chair of the Regional Council, and the chair and vice chair of the TPC. The vice chair of the EDC will be the chair of the Regional Council. In addition, for the third party representative, we should include a transportation leadership position from ADOT to be selected by the Director of ADOT. Councilwoman Neely seconded the motion and the motion carried unanimously.

Chair Schoaf stated that the committee now needs to make a recommendation on the individuals who submitted letters of interest for the EDC. Vice Chair Hallman moved that the composition of the MAG representation to be recommended to the Regional Council include Mayor Meck, Councilwoman Wolcott, Mayor LeVault, Mayor Lopez Rogers, Mayor Lane, Mayor Schulm, Mayor Lewis and Supervisor Mary Rose Wilcox. The automatic appointments include: Councilwoman Neely (past chair and TPC vice chair), Mayor Schoaf (Regional Council chair), Mayor Hallman (Regional Council vice chair), and Mayor Smith (TPC chair).

Chair Schoaf stated that the final item regarding the EDC is to address the question of why have an EDC and not have the TPC do this work. He noted that staff put together bullet points justifying why we need to do this under a separate committee. Chair Schoaf stated that his thought was if we could get agreement on these bullet points, then it could be included in the Regional Council packet. Chair Schoaf asked that if the Executive Committee members could get their comments to MAG staff so that they can put together a final version to be included in the mailout for Regional Council. Mayor Lopez Rogers suggested that MAG staff make a statement for the record why it would not be feasible to do this work under the TPC. Councilwoman Neely stated that we may need to expand or talk about this at Regional Council to explain that the appointments on the business side of the TPC are through the Legislature and really does not give a lot of flexibility. Chair Schoaf noted that the EDC dramatically increases that level of contact between MAG and the business community and is dramatically different from the TPC. Mayor Smith stated that he believe that we should take a more positive approach. He stated that we should have the tone of this is why we need this committee. He noted that this is a huge opportunity for us to go beyond planning. Mayor Smith stated that as chair of the TPC, he will be the first to say that this effort does not belong in the TPC. He stated that the purpose of this exercise is to come together and mold all the different aspect of an economic future, of which transportation is a key part. Mayor Smith stated that this effort is about what a project or idea means for the entire region and having that connectivity from border to border. Chair Schoaf agreed with Mayor Smith and also noted our responsibility to explain that to the Regional Council. Councilwoman Neely agreed with Mayor Smith that we should focus on the positive and explain the importance of the EDC and the link to the TPC. Vice Chair Hallman stated that should be about why we are forming this committee and why it needs to be its own body. He noted the importance that each member of the Executive Committee serve as an advocate for why this is importance and bring some focused attention to this process. Chair Schoaf asked the Executive Committee to get any comments to staff and that staff put these points together in a concise form for the Regional Council.

5. Update on the EPA Proposed Partial Approval and Disapproval of the MAG 2007 Five Percent Plan for PM-10

Lindy Bauer reported that staff conducted two video conferences in hopes to get EPA's attention. She stated that there has been an extension of the comment period and comments are due this week on Wednesday. Ms. Bauer stated that we have the MAG Regional Council letter that has been circulated and we have received 14 signatures and we are working on getting the rest by close of business today. She noted that we will have a MAG letter signed by Dennis Smith that will transmit the MAG staff comments on EPA's notice. We have about 12 pages of comments defending the Plan and we have shared our comments with the Arizona Department Environmental Quality and also Maricopa County on October 7, 2010. She stated that we did not receive any comments from those agencies on our comments. Ms. Bauer reported that we have a joint letter and this joint letter is envisioned to be signed by all three agencies - MAG, ADEQ and Maricopa County. She noted that this letter hits the big items like the exceptional events, the emissions inventory and the devastating consequences to the region. She stated that we also transmitted some bullet points to the business community; along with a draft of the MAG Regional Council letter so that they would have something to reference should they decide to make comments. Mr. Smith recommended that this might be a good point to go into executive session to talk about some of the other conversations that our legal counsel has had with ADEQ and EPA.

Chair Schoaf requested a motion to move into executive session. Mayor Smith moved for the Executive Committee to go into executive session. Mayor Hallman seconded the motion and the motion carried unanimously. The Executive Committee went into executive session at 1:00 p.m.

The Executive Committee reconvened regular session at 1:48 p.m. No action was taken on this item.

6. Request for Future Agenda Items

Chair Schoaf asked if there were any requests for future agenda items. Councilwoman Neely stated that at the Rail Conference we talked about all the other states that have looked at a plan that includes rail. She requested that staff report on a plan that we would begin to study rail in the future. Mr. Smith stated that one of the comments brought up in one of the presentations was that one of the preliminary studies on rail would be a Vision Proof of Concept. He stated that he is not sure what this would cost. He noted that we would try to determine the viability of rail between Phoenix and Los Angeles or maybe we look at all the routes. Mayor Smith commented that ADOT noted that one of the down sides of not being included in the federal plans is that we did not have any at the state level. He supports putting this on the next agenda. Chair Schoaf asked if there were any other requests for future agenda items. There were none additional requests.

7. Comments from the Committee

Chair Schoaf asked if there were any comments for the committee members. There were no comments.

Adjournment

Vice Chair Hallman moved to adjourn the Executive Committee meeting. Councilwoman Neely seconded the motion and it carried unanimously. There being no further business, the Executive Committee adjourned at 1:50 p.m.

Chair

Secretary