

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE

May 16, 2011
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
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 12:05 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 Lane seconded the motion and the motion carried unanimously.

3A. Approval of the April 18, 2011 Executive Committee Meeting Minutes

The Regional Council Executive Committee, by consent, approved the April 18, 2011 Executive Committee meeting minutes.

3B. On-Call Consulting Services Selection for Transportation Model Re-calibration

The Executive Committee, by consent, approved the list of on-call consultants for Area of Expertise A (Transportation Model Development and Application): Bernardin, Lochmueller & Associates, Inc., Resource Systems Group, Inc., Wilbur Smith Associates, PB Americas, Inc., Cooney Associates LLC, HDR Engineering, Inc., Cambridge Systematics, Inc., Atkins, Jacobs Engineering Group Inc., URS Corporation, and Arizona Board of Regents for Arizona State University, and for Area of Expertise B (Transportation Data Collection and Data Analysis): Bernardin, Lochmueller & Associates, Inc., Resource Systems Group, Inc., Wilbur Smith Associates, PB Americas, Inc., HDR Engineering, Inc., Traffic Research & Analysis, Inc., Cambridge Systematics, Inc., United Civil Group, Atkins, Michael Baker Jr., Inc., Jacobs Engineering Group Inc., URS Corporation, and Arizona Board of Regents for Arizona State University, for the MAG Transportation Model Re-calibration, for a total amount not to exceed \$740,000. The fiscal year (FY) 2011 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2010, includes \$740,000 for on-call consulting services for re-calibration of the regional transportation forecasting models, model development and methodological model improvements. The purpose of the project is to re-calibrate regional transportation models to new data sets, to update regional transportation forecasts, and to implement planned methodological improvements. A request for qualifications was advertised on March 15, 2011, for technical assistance in two areas of expertise: (A) Transportation Model Development and Application; and (B) Transportation Data Collection and Data Analysis. Fourteen statements of qualifications were received by the April 14, 2011, deadline. A multi-agency evaluation team has recommended consultants to MAG to be included on an on-call consulting list to perform technical assistance in the Transportation Model Re-calibration.

3C. Survey Services Selection for the MAG Municipal Aging Services Project

The Executive Committee, by consent, approval the selection of ETC Institute to conduct the survey for the MAG Aging Services Project for an amount not to exceed \$30,000. On March 14, 2011, the MAG Regional Council Executive Committee amended the budget to reflect a \$110,800 grant from the Virginia G. Piper Charitable Trust to support the MAG Municipal Aging Services Project. This project will result in a municipal aging services model that will assist local governments in meeting the needs of older adults. The budget for this project includes \$30,000 to conduct a survey and \$45,000 for evaluation services. A Request for Proposals was advertised on March 22, 2011 and three proposals were received. A multi-agency proposal evaluation team reviewed the proposal documents. On April 25, 2011, the proposal evaluation team recommended to MAG the selection of ETC Institute, to survey for an amount not to exceed \$30,000. The team also recommended that MAG, at least initially, provide the evaluation services for the project and to re-assess the need for an external consultant as the project is implemented. The MAG Human Services Technical Committee recommended approval of this consultant selection on May 5, 2011.

4. Geographic Information Systems (GIS) Assistance to MAG Member Agencies

Anubhav Bagley stated that MAG maintains a number of data sets to support planning and modeling. MAG also provides mapping and analysis support for a number of agencies. He stated that recently MAG received a request from the Town of Gila Bend to provide on-going GIS analysis, data development and maintenance support to the Town. Gila Bend is looking for assistance in developing their infrastructure data set for sewer and water lines, as well as a zoning data set. He noted that they would also like MAG staff to be available on an on-going basis for mapping and analysis. Mr. Bagley stated that Gila Bend approached MAG to provide this assistance through the MAG Information Center (MAGIC). He noted that MAG normally provides assistance to MAG member agencies and private agencies, utilizing in-house MAG data and expertise on an as needed basis. Mr. Bagley stated that MAG had recently completed work for the Town of Carefree, providing maps and general support. He noted that MAG has also provided assistance to the City of Phoenix, the Town of Gilbert, and the City of Goodyear. Mr. Bagley stated that these projects were one time projects, and Gila Bend is requesting on-going support. He noted that staff is requesting guidance from the Executive Committee on the policy to provide on-going support to a member agency. He noted that for MAGIC projects, MAG staff would ensure that any work taken on does not delay any existing projects.

Chair Schoaf asked if there would be additional costs should MAG staff take on this additional work. Mr. Bagley stated that the complete scope of the project has not yet been determined. He noted that it may be possible that MAG would hire an intern to support the data development work. He does not expect much additional work on the mapping and analysis side of this request. Mr. Bagley stated that once MAG staff receives the details on this project, a report will be brought to the Committee. Mayor Lane asked if this requires a policy change. Dennis Smith replied that the difference in this project is that it would be a continuous relationship and all other MAGIC projects have been one time projects. Mayor Lane stated that if this project was not continuous, then the project would be in line with the scope of work that MAGIC provides. He asked if there was some policy change that needed to be made. Mr. Smith replied that it would be a change as a continuous, long-term relationship. Chair Schoaf stated it is important to provide these services to our member agencies. He noted that to have further discussion, this Committee would need to understand the scope of services being requested by the Town of Gila Bend. Mr. Bagley stated the MAG staff will work with the Town of Gila Bend to develop a scope and return to the Executive Committee.

Mayor Smith asked how small towns handle their GIS work now. Mr. Bagley replied that all MAG data is provided to member agencies. He noted that smaller communities contract with consultants who then work with MAG staff to build a base data set. Chair Schoaf thanked Mr. Bagley for his report.

5. Annual Appointments of the Economic Development Committee Members

Chair Schoaf stated that there is a procedural issue regarding appointments of the Economic Development Committee (EDC) members. He noted that the EDC appointments are one year appointments that run coterminous with all other appointments at MAG. The issue is that two of the appointments are the chair and vice chair of the Transportation Policy Committee (TPC) and these two appointments will not be known until after the June Regional Council meeting. Chair

Schoaf noted that normally, the chair of the TPC would be the previous vice chair, but the vice chair of the TPC will never be known. He noted that the Executive Committee could not make a recommendation of the EDC members to the Regional Council until after the process of appointment of the chair and vice chair of the TPC. He stated that MAG staff has brought this to the Executive Committee to consider changing the policy of appointments to the EDC. Therefore, the new terms of the EDC members would begin August 1st through the end of July each year.

Mayor Smith moved to approve changing the appointments of the Economic Development Committee members to begin August 1 and run through the end of July each year to accommodate for the appointments of the TPC chair and vice chair at the June Regional Council meeting. Mayor Lane seconded the motion and the motion carried unanimously.

7. Approval of the Draft FY 2012 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments

This agenda item was taken out of order. Becky Kimbrough stated that the FY 2012 draft MAG Unified Planning Work Program and Annual Budget is on the agenda today for recommendation of approval. She reported that the draft Work Program is presented incrementally beginning in January with proposed dues and assessments. This year MAG is proposing to keep a 50 percent overall reduction of member dues in place in the FY 2012 budget due to the economic conditions. Ms. Kimbrough stated that in February, MAG presented proposed projects for the Work Program and began work on the initial draft for mail out to the committee members in March. This incremental presentation allows time for questions, input and a more thorough review of the proposed budgetary items. She noted that staff reported in April that there are no employee salary increases budgeted, and on the carry forward of building renovation costs. Ms. Kimbrough noted that the final draft budget reflects this information. She reported that there is an overall decrease to the proposed FY 2012 budget from the current year budget of about 10.6 percent. This reduction is mainly due to a decrease in budgeted overhead costs for legal fees related to the air quality issues during FY 2011. She noted the other big decrease in the overhead budget is due to a decrease in budgeted costs for office space lease. Ms. Kimbrough explained that when the lease was negotiated during FY 2011 the costs came in lower than budgeted. She noted the largest dollar decrease is in the budgeted project consultant costs for FY 2012.

Ms. Kimbrough stated that MAG submits its Work Program each year to the Government Finance Officer's Association for review and application for the Distinguished Budget Presentation Award. She noted that MAG received this award for the current Work Program in January of this year, and the approved work program for FY 2012 will be submitted for the 14th consecutive year. Ms. Kimbrough thanked the Executive Committee for their time and asked if there were any questions.

Chair Schoaf stated that the final budget is very impressive. He also noted that the Summary is helpful.

Mayor Lane moved to recommend approval of the resolution adopting the Draft FY 2012 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments. Mayor LeVault second the motion and the motion carried unanimously.

8. Update on the MAG Five Percent Plan for PM-10

Lindy Bauer stated that MAG is taking a proactive approach to prevent PM-10 exceedances at the monitors and throughout the region. She noted that informally, the Environmental Protection Agency (EPA) has indicated that 2009 may be a clean year. She noted that 2010 is clean and the region is doing well in 2011. Ms. Bauer noted that if this region can stay clean through 2011, EPA may issue an attainment finding under the EPA Clean Data Policy and a Five Percent Plan for PM-10 would not be needed as long as the region stays in attainment. She noted that the City of Phoenix recently issued long-range recommendations through its Dust Reduction Task Force. She noted that the County upgrades, with the \$90,000 given to them by MAG to get near real time data, is proceeding well and should be completed at the end of the month. Ms. Bauer stated that the MAG prevention video will also be completed at the end of the month. She stated that the County has been coordinating workshops with the MAG member agencies in order to avoid areas of duplication. She reported that the Rapid Response Action Plan Template has been prepared to assist member agencies in this effort. A second workshop was held on April 21, 2011 and staff learned that leadership from city management needs to engage all the necessary departments. Ms. Bauer stated that a third workshop will be held on May 26th and the Department of Environmental Quality (DEQ) is sending out their dust control forecast five days in advance.

Vice Chair Hallman joined the meeting at 12:20 p.m.

Ms. Bauer then showed a video clip of a bobcat operating a demolition in a MAG jurisdiction on a windy day, 190 feet from an air quality monitor. She noted that prevention is critical to the success of the PM-10 Plan. Ms. Bauer stated that after the jurisdiction was contacted, the response was rapid. She noted that this event did not create an exceedance. A second video clip showed dust created from weed abatement efforts. She stated that Maricopa County has increased their enforcement efforts in an attempt to be clean this year at the monitors.

Ms. Bauer noted that the Maricopa County inventory was reviewed at the last meeting and it was noted that 24 percent was coming from unpaved roads. She reported that there are 1,884 miles of unpaved roads within the nonattainment area. She noted that 613 miles of those roads are public and 1,271 of those miles are private. Ms. Bauer then showed a series of maps of the monitors with both public and private unpaved roads within a two to four mile radius. She noted that Apache Junction has the most number of unpaved roads, but that monitor is not a problem. She added that the top four areas with the most unpaved roads do not seem to currently have a problem at the monitors. Vice Chair Hallman stated that unpaved roads may not be a problem given the number of miles, but a problem could also have something to do with the number of times a road is crossed. He noted the right priorities might be the monitors that are causing a problems and where those unpaved roads might be providing us the opportunity to reduce exceedances. He added that miles do not make dust, vehicles make the dust. He suggested finding those unpaved roads that are most traveled should be the first priority. Ms. Bauer agreed.

Ms. Bauer stated that at the last meeting, there was also a discussion regarding the Arizona Constitution and the Gift Clause. She noted that representatives from Maricopa County are present to address the issue. John Hauskins, MCDOT Director, provided a presentation on the County's efforts to pave dirt roads. He noted that 459.11 miles of dirt roads have been paved since the

County started. Mr. Smith asked if there are more dirt roads being created because of lot splits or decreased construction. Mr. Hauskins replied that he does not believe more dirt roads are being created. He stated that the County has a lot of dirt roads currently. He noted that there is no legal way to deal with the private dirt roads.

Mayor Lane asked how the categories were prioritized. Mr. Hauskins replied by the level of complexity of the particularly piece of roadway. He stated that the criteria used included the amount of traffic and dust created on those particular roads. He noted that the strategy was to pick the category one roads and paved them first, and then move on to category two and three. He noted that some of the more expensive roads to pave were pushed into the TIP Program. Mr. Hauskins stated that the County is currently conducting another scoping effort. He noted the goal is to get as much done as possible in the shortest amount of time with the funds available. Vice Chair Hallman asked if there was a cost benefit analysis in the prioritization. Mr. Hauskins confirmed this and noted that the presentation explains those details. He noted the goal was to take the most dust generating area out with the funding available at the time. Chair Schoaf asked if MAG is working with the County to maximize federal funding opportunities. Mr. Smith replied that early on, the County was very active in using the MAG federal funds to go out and pave dirt roads. He noted that dirt roads are in the MAG TIP. Mr. Smith stated that the issue is local jurisdiction cannot find the matching funds. He added that the other part of this question is what can be done about the private dirt roads. Is there anyway to use public funds on a private road. Mr. Smith asked Fredda Bisman to provide an update.

Fredda Bisman asked the Committee if they choose to convene executive session for this discussion as provided for on the agenda. Vice Chair Hallman suggested obtaining the County's comments first before convening into executive session. Ms. Bauer stated that the cities and the county have met their commitments for paving dirt roads that they made for the Five Percent Plan for PM-10. However, there have been situations where cities have preferred to use their own local monies rather than the federal CMAQ funds, because it is faster and less expensive to go through the process. She also noted that cities are having difficulty finding the 5.7 percent match for the CMAQ funds. Mr. Smith also noted that there is a 70/30 match on the ALCP. Chair Schoaf asked if it is possible for Maricopa County to qualify for CMAQ funds. Mr. Smith stated that the roads would need to be on the functionally classified system and a lot of these roads are probably not. Chair Schoaf clarified that is for STP funds. He then asked about CMAQ funds. Mr. Hauskins stated that he believes that can be done. Mr. Smith stated that what also helps is that the County is self certified. Eric Anderson stated that MAG opens up the process of paving dirt roads projects each year. He noted that this process will begin in August. He noted the major issue for using CMAQ funds for paving dirt roads is that it significantly increases the cost of the project to go through the federal process. He noted that some believe that increase is 25 to 50 percent. Mr. Anderson noted that there is also significantly more time in going through the environmental process. He noted this is why cities use their own funding. Mr. Smith stated that maybe federal funds could be provided to the County to use on a larger project. He noted that the County could then take the HURF funds and use on some of the dirt road projects.

Mayor Smith asked what the coordination was with the other counties in this effort. Mr. Smith stated that MAG has had applicants from Fort McDowell and Apache Junction. Mayor Smith asked if those jurisdictions have their own programs that are part of this whole process. Mr. Smith

replied that all CMAQ money comes to MAG and he is not sure if these jurisdictions use other money. Mayor Smith stated that this should be coordinated. Mr. Anderson stated that MAG can do outreach to these communities to apply for CMAQ funding for dirt road projects. Mr. Smith then asked is there really a nexus between unpaved roads and the monitors. Mayor Smith suggested focusing on the monitors that exceed. Ms. Bauer noted that the EPA judges us by the monitors.

Bill Wiley, Maricopa County Air Quality Director, stated that EPA is poised to issue standards for PM-2.5, which is the fine particulates that stay extended in the air for a longer period of time. He noted that if a revised PM-2.5 standard is issued, this region could be facing some of the same questions. He also noted that this could happen later this year.

Mayor Hallman moved to adjourn to executive session with MAG's attorney for legal advice regarding the MAG 2007 Five Percent Plan for PM-10. Mayor LeVault seconded the motion and the motion carried unanimously. The Executive Committee convened executive session at 1:02 p.m.

The Executive Committee reconvened regular session at 1:16 p.m.

6. Location of the July Regional Council Meeting

This agenda item was taken out of order. Dennis Smith stated that at the last meeting, the Executive Committee directed that the June Regional Council meeting be held via teleconference and that a location be determined for the July meeting. He noted that the July meeting would serve as a ceremony for passing the gavel for the MAG Chair. Mr. Smith noted that staff has explored several locations. He also noted that the City of Tempe has indicated that the Tempe Center for the Arts, Lakeside Room and reception area, located at 700 West Rio Salado Parkway in Tempe, would be available. Mr. Smith stated that unless the committee has an objection, staff will move forward with the Tempe Center for the Arts location. He noted that a presentation of the past year is activities and accomplishments would be presented during the reception. The Executive Committee agreed

9. Request for Future Agenda Items

Chair Schoaf asked if there were any requests for future agenda items. Vice Chair Hallman requested that staff gather more information on whether an ordinance could be drafted that would allow the paving of unpaved private roads, or whether this would require legislation. Mayor Lane added that staff should specifically look at how this could be enforced.

10. 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. Mayor Lane seconded the motion and the motion carried unanimously. There being no further business, the Executive Committee adjourned at 1:40 p.m.

Chair

Secretary