

MINUTES OF THE
MAG MANAGEMENT COMMITTEE MEETING
October 12, 2011
MAG Office - Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

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| Charlie Meyer, Tempe, Chair | Bill Hernandez, Guadalupe |
| David Cavazos, Phoenix | Darryl Crossman, Litchfield Park |
| # George Hoffman, Apache Junction | Scott Butler for Christopher Brady, Mesa |
| Charlie McClendon, Avondale | David Andrews for Jim Bacon,
Paradise Valley |
| David Johnson for Stephen Cleveland,
Buckeye | Carl Swenson, Peoria |
| * Gary Neiss, Carefree | John Kross, Queen Creek |
| * Usama Abujbarah, Cave Creek | * Bryan Meyers, Salt River Pima-Maricopa
Indian Community |
| Rich Dlugas, Chandler | David Richert, Scottsdale |
| Spencer Isom, El Mirage | Chris Hillman, Surprise |
| Alfonso Rodriguez for Phil Dorchester,
Fort McDowell Yavapai Nation | Chris Hagen for Reyes Medrano, Tolleson |
| * Julie Ghetti, Fountain Hills | * Stephanie Wojcik, Wickenburg |
| * Rick Buss, Gila Bend | * Lloyce Robinson, Youngtown |
| * David White, Gila River Indian Community | * John Halikowski, ADOT |
| Patrick Banger, Gilbert | Kenny Harris for David Smith, Maricopa Co. |
| Brent Stoddard for Ed Beasley, Glendale | David Boggs, Valley Metro/RPTA |
| John Fischbach, Goodyear | |

* Those members neither present nor represented by proxy.

Participated by telephone conference call. + Participated by videoconference call.

1. Call to Order

The meeting was called to order by Chair Charlie Meyer at 12:03 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Meyer noted that George Hoffman was participating in the meeting via teleconference.

Chair Meyer noted material at each place: For agenda item #8, updated charts that show exceedances of the PM-10 standard, and for agenda item #10, a copy of the new domestic violence video.

Chair Meyer announced that public comment cards were available to members of the public who wish to comment. Chair Meyer noted that parking validation was available from staff and transit tickets were available from Valley Metro/RPTA for those using transit to come to the meeting.

3. Call to the Audience

Chair Meyer stated that Call to the Audience provides an opportunity to the public to address the Management Committee on 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 Meyer noted that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Public comments have a three minute time limit.

No requests for public comment were received.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest in the MAG region. Mr. Smith displayed September 2011 maps that showed 12,288 foreclosed residential properties, 22,417 pending foreclosure residential properties, for a total of 34,705 distressed properties. He compared this to the worst period in March 2010 when the distressed properties totaled 63,182.

Mr. Smith stated that at the last meeting, the Management Committee received a report on Interstate 11 and Punta Colonet. He noted that Interstate 11 was submitted as a transformative investment to the Brookings Institution. Mr. Smith stated that Interstate 11 links the nation's fastest growing metropolitan areas and more than 30 military installations, enhances north-south travel, helps alleviate congestion on Interstate 5, improves the goods and freight movement, adds approximately 1,400-miles of new interstate roadway, and strengthens international trade between the United States, Canada, and Mexico. Mr. Smith stated that Interstate 11 is one of 12 projects to be highlighted by Brookings at Colorado Springs in October. He noted that Mesa Mayor Scott Smith and MAG Senior Engineer Bob Hazlett will represent the region on this project.

Mr. Smith reported on the upcoming transit tour to Salt Lake City on October 13-14, 2011. He stated that economic development through rail will be integrated into the tour. Mr. Smith noted that 41 MAG representatives and about 20 Utah representatives will participate. Mr. Smith stated that the trip developed as a result of a suggestion from Carl Swenson and Chris Hillman was instrumental in ensuring the economic development focus was included. Mr. Smith commended Marc Pearsall for a job well done in organizing the tour, and he added that there was still an opportunity to make reservations if someone would like to attend.

Mr. Swenson expressed that he thought a lot of good information will be obtained through this trip that will help with multimodal planning in the region. He thanked Mr. Smith and Mr. Pearsall for their efforts.

Mr. Smith stated that usage of electronic tablets continues to increase and he thought an agenda item on providing information through this medium could be included on a future Management Committee agenda.

Mr. Smith noted that a tour of the newly remodeled MAG Meeting Center would follow the meeting, led by the project's architect, Monique de los Rios-Urban.

Chair Meyer thanked Mr. Smith for his report. No questions for Mr. Smith were noted.

5. Approval of Consent Agenda

Chair Meyer stated that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, #5J, #5K, and #5L were on the Consent Agenda. He reviewed the public comment guidelines for the Consent Agenda. No requests for public comment were received.

Chair Meyer asked if any member of the Committee had questions or a request to have a presentation on any Consent Agenda item. None were noted.

Mr. McClendon moved to recommend approval of #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, #5J, #5K, and #5L. Vice Chair Cavazos seconded. Chair Meyer asked if there was any discussion of the motion. Being none, the vote on the motion passed unanimously.

5A. Approval of September 7, 2011, Meeting Minutes

The Management Committee, by consent, approved the September 7, 2011, meeting minutes.

5B. US-60/Grand Avenue Corridor Optimization and Access Management Plan Study

The Management Committee, by consent, recommended amending the fiscal year (FY) 2012 Unified Planning Work Program and Annual Budget to include \$850,000 to provide for the US-60/Grand Avenue Corridor Optimization and Access Management Plan Study. On June 22, 2011, the Mayors of El Mirage, Glendale, Peoria, Phoenix, Surprise, and Youngtown, and Supervisor Max Wilson of Maricopa County, sent a letter to Arizona Department of Transportation (ADOT) Director John Halikowski to express their interest in preserving US-60/Grand Avenue from 19th Avenue and McDowell Road to SR-303L as an expressway facility that remains a state highway under ADOT control. Their letter also expressed a desire to work through the Maricopa Association of Governments (MAG) in cooperation with ADOT to enhance mobility in the corridor and maintain the corridor's expressway character. Based upon this request, MAG would develop the US-60/Grand Avenue Corridor Optimization and Access Management Plan Study to identify a long-term solution for accommodating travel demand and adjacent property access in this corridor. The Study will consist of two distinct phases: (1) Corridor Optimization to establish operating principles to improve the effectiveness of traffic operations along US-60/Grand Avenue and (2) an Access Management Plan that will provide a detailed milepost-by-milepost description of adjacent property access to US-60/Grand Avenue. In addition, a corridor-wide vision, goals, and priorities (e.g. economic development, safety, and mobility) will be developed as part of the Study. An amendment to the FY 2012 MAG Unified Planning Work Program and Annual Budget is needed to include \$850,000 for the US-60/Grand Avenue Corridor Optimization and Access Management Plan Study.

5C. Consultant Selection for the Don't Trash Arizona Litter Prevention and Education Program

The Management Committee, by consent, recommended approval that Olson Communications be selected to design and implement the fiscal year (FY) 2012 Litter Prevention and Education Program for the MAG region, for an amount not to exceed \$300,000, and that the base contract period shall be a one (1) year term. MAG may, at its option, offer to extend the period of this agreement up to a maximum of two (2), one (1) year options, based on consultant performance and funding availability. The Regional Transportation Plan (RTP) includes \$279 million for the freeway maintenance program, including litter control. On March 23, 2011, the Transportation Policy Committee recommended that MAG issue a Request for Proposals (RFP) to continue the Don't Trash Arizona Litter Prevention and Education Program and to include a provision that the contract may be extended up to a maximum of two years based on performance and funding availability. The FY 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, contains \$300,000 to continue the Program. On July 22, 2011, MAG issued the RFP seeking qualified consultants for the development and implementation of the Don't Trash Arizona Litter Prevention and Education Program. On August 30, 2011, MAG received proposals from three qualified consultants in response to the RFP. A multi-agency evaluation team met on September 9, 2011, to evaluate the proposals, and recommended to MAG that Olson Communications be selected as the consultant to develop and implement the FY 2012 Litter Prevention and Education Program, at a cost not to exceed \$300,000.

5D. Project Changes – Amendment and Administrative Modification to the FY 2011-2015 MAG Transportation Improvement Program

The Management Committee, by consent, recommended approval of amendments and administrative modifications to the fiscal year (FY) 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update. The FY 2011-2015 Transportation Improvement Program and Regional Transportation Plan 2010 Update were approved by the MAG Regional Council on July 28, 2010, and have been modified eight times with the last modification approved by the Regional Council on July 27, 2011. Since then, there is a need to modify projects in the programs. The MAG Transportation Review Committee recommended approval of the modifications on September 22, 2011.

5E. Unprogrammed Federal Transit Fund Balances

The Management Committee, by consent, recommended approval to reprogram \$3,581,528 of 5307 and STP funds to preventive maintenance based on the fiscal year (FY) 2011 approved distribution methodology, as shown in Table 4B, and modify the 2011-2015 TIP accordingly, as shown in Table 5. As of August 2011, due to project savings and unspent funds, there was a balance of \$3,585,121 of unprogrammed federal funds: \$899,103 in 5307, \$438,000 in Congestion Mitigation and Air Quality (CMAQ), and \$2,248,018 in Surface Transportation Program (STP) funds. It is suggested to program the \$3,585,121 to Preventive Maintenance (PM) based on the currently adopted FY 2011 PM distribution methodology. Preventive Maintenance is not eligible under the CMAQ guidance, and in order to maximize the ability to use federal funds for PM, it is recommended to program \$438,000 of CMAQ funds for one of the City of Phoenix's bus

purchases in exchange for \$434,407 of 5307 funds. This leaves a total of \$3,581,528 to program for PM based on the current adopted FY 2011 PM distribution methodology. The Transit Committee recommended approval on September 8, 2011, and the MAG Transportation Review Committee recommended approval on September 22, 2011.

5F. FFY 2011 and 2012 Adjustments of Local Sponsored Federal Funded Projects

The Management Committee, by consent, recommended approval of projects to be deferred from Federal Fiscal Year (FFY) 2011 to FFY 2012 or later, approval of project changes and additions for new ADOT federal fund projects, and to amend and modify the FY 2011-2015 Transportation Improvement Program, and as appropriate, the Regional Transportation Plan 2010 Update. In preparation for FFY 2012 beginning on October 1, 2011, MAG asked member agencies to check on the status of FFY 2011 federal funded projects and review FFY 2012 federal funded projects. MAG has been notified that some FFY 2011 federally funded CMAQ projects are not going to be authorized by September 30, 2011, the end of the federal fiscal year. Additionally, member agencies were requested to review the current FFY 2011 and FFY 2012 MAG TIP project listings for Surface Transportation Program-Transportation Enhancement Highway Safety Improvement Program, Safe Routes to School, Bridge, and STP-Railroad funded projects (ADOT federal funds) and submit changes or new projects to MAG. The MAG Transportation Review Committee recommended approval on September 22, 2011.

5G. Consultant Selection for MAG FY 2012 Vehicle Occupancy Study

The Management Committee, by consent, recommended approval of the selection of the CK Group, Inc., to conduct the MAG fiscal year (FY) 2012 Vehicle Occupancy Study for an amount not to exceed \$200,000. The FY 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, includes \$200,000 for the MAG FY 2012 Vehicle Occupancy Study. The purpose of the project is to collect data on the vehicle occupancy and violation rates in the High Occupancy Vehicle (HOV) lanes, determine vehicle occupancy in the general purpose lanes, and conduct simultaneous vehicle classification counts. On August 3, 2011, MAG issued a Request for Proposals to conduct the MAG FY 2012 Vehicle Occupancy Study. Two proposals were received by the September 1, 2011, deadline. On September 21, 2011, a multi-agency evaluation team recommended to MAG the selection of the CK Group, Inc., to perform the technical assistance.

5H. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the fiscal year (FY) 2011-2015 MAG Transportation Improvement Program (TIP). The amendment and administrative modification involve several projects, including changes to various Arizona Department of Transportation projects, revisions to transit projects, and FY 2011 and FY 2012 adjustments of local sponsored federal funded projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. Comments were requested by October 21, 2011.

5I. Consultation on Proposed Transportation Conformity Processes for the 2012 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 Plan. MAG is distributing for comment the proposed processes to be applied beginning with the upcoming conformity analysis on an amendment to the fiscal year (FY) 2011-2015 MAG Transportation Improvement Program and the Regional Transportation Plan 2010 Update. Comments regarding this material were requested by October 21, 2011.

5J. Status of Remaining MAG Approved PM-10 Certified Street Sweeper Projects That Have Not Requested Reimbursement

A status report is provided on the remaining PM-10 certified street sweeper projects that have received approval, but have not requested reimbursement. To assist MAG in reducing the amount of obligated federal funds carried forward in the MAG Unified Planning Work Program and Annual Budget, MAG is requesting that street sweepers be purchased and reimbursement be requested by the agency within one year plus ten calendar days from the date of the MAG authorization letter.

5K. Consultant Selection for the MAG Air Quality Technical Assistance On-Call Services Request for Qualifications

The Management Committee, by consent, recommended approval of the following firms for Air Quality Technical Assistance On-Call Services for an amount not to exceed \$280,000: (1) Advanced Monitoring Methods be qualified in Air Quality Monitoring and Meteorology; (2) Cambridge Systematics be qualified in Statistical Analysis of Data, CMAQ Evaluation Methodologies, Transportation Conformity, and Analysis of Greenhouse Gas Requirements and Emissions; (3) ERG be qualified in Air Quality Modeling, Surveys and Emissions Inventories, Analysis of Control Measures, Implementation and Tracking of Control Measures, Statistical Analysis of Data, and Air Quality Plan Preparation; (4) ENVIRON be qualified in Air Quality Modeling, Air Quality Monitoring and Meteorology, Analysis of Exceptional Events, Surveys and Emissions Inventories, Analysis of Control Measures, Implementation and Tracking of Control Measures, Statistical Analysis of Data, Air Quality Plan Preparation, CMAQ Evaluation Methodologies, Transportation Conformity, and Analysis of Greenhouse Gas Requirements and Emissions; (5) Sierra Research be qualified in Air Quality Modeling, Analysis of Exceptional Events, Surveys and Emissions Inventories, Analysis of Control Measures, Implementation and Tracking of Control Measures, Statistical Analysis of Data, Air Quality Plan Preparation, CMAQ Evaluation Methodologies, Transportation Conformity, and Analysis of Greenhouse Gas Requirements and Emissions; (6) Sonoma Technology be qualified in Air Quality Modeling, Air Quality Monitoring and Meteorology, Analysis of Exceptional Events, Surveys and Emissions Inventories, Analysis of Control Measures, Implementation and Tracking of Control Measures, Statistical Analysis of Data, Remote Sensing, Air Quality Plan Preparation, CMAQ Evaluation Methodologies, Transportation Conformity, and Analysis of Greenhouse Gas Requirements and Emissions; (7) Technical & Business Systems be qualified in Air Quality Modeling, Air Quality

Monitoring and Meteorology, Analysis of Exceptional Events, Surveys and Emissions Inventories, Analysis of Control Measures, Statistical Analysis of Data, Remote Sensing, and Air Quality Plan Preparation; (8) Traffic Research & Analysis be qualified in Surveys and Emissions Inventories; and (9) TranSystems be qualified in Air Quality Modeling, Air Quality Monitoring and Meteorology, Analysis of Exceptional Events, Surveys and Emissions Inventories, Analysis of Control Measures, Implementation and Tracking of Control Measures, Statistical Analysis of Data, Remote Sensing, Air Quality Plan Preparation, CMAQ Evaluation Methodologies, Transportation Conformity, and Analysis of Greenhouse Gas Requirements and Emissions. The FY 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, includes potential consultant assistance for air quality planning and modeling activities. Consultant services may be needed to assist MAG with supplemental analyses for the Five Percent Plan for PM-10, Conformity Analysis, Evaluation of Congestion Mitigation and Air Quality Improvement (CMAQ) Projects, New Eight-Hour Ozone Plan, and Analysis of Exceptional Events. A request for qualifications was advertised on July 25, 2011, for technical assistance including air quality modeling, CMAQ evaluation, conformity, and the development of regional air quality plans. Nine proposals were received by the August 24, 2011, deadline. On September 13, 2011, a multi-agency evaluation team recommended to MAG the firms to be qualified in selected areas of expertise.

5L. HUD Application Project Listings

On December 8, 1999, the MAG Regional Council approved MAG becoming the responsible entity for a year-round homeless planning process which includes submittal of the U.S. Department of Housing and Urban Development (HUD) McKinney-Vento Continuum of Care Consolidated Application for the MAG region. The Continuum of Care grant supports permanent supportive housing, transitional housing, and supportive services. A total of \$219 million has been awarded to the region since 1999. Last year, the region received more than \$23.9 million for 53 homeless programs. The 2011 federal application was released on August 30, 2011, with a deadline to HUD on October 28, 2011. A draft list of new and renewal projects was provided to MAG Management Committee and MAG Regional Council members for information. The final consolidated application will be presented to the MAG Continuum of Care Regional Committee on Homelessness on October 24, 2011 for approval. The Continuum of Care will have an opportunity to apply for \$1,446,542 in new project funding, referred to as the Permanent Housing Bonus.

6. 2011 Annual Report on the Status of the Implementation of Proposition 400

Roger Herzog, MAG Senior Project Manager, advised that state law requires that MAG issue an annual report on projects included in Proposition 400, a review of the status of the life cycle programs for freeways/highways, arterial streets, and transit, and to hold a public hearing, which is scheduled for November.

Mr. Herzog stated that during fiscal year (FY) 2010, a rebalancing of costs and revenues in the life cycle programs was accomplished. However, during FY 2011, as part of the annual program review process, revenue forecasts were updated and indicated that future revenues would be lower than had been estimated in FY 2010. Mr. Herzog advised that the FY 2011 forecast for half-cent

revenues for FY 2012 through FY 2026 is about 24 percent lower than the 2010 Annual Report estimate, and forecasts of ADOT funds dedicated to the MAG area for FY 2012 through FY 2026 are 3.5 percent lower than the 2010 Annual Report estimate.

Mr. Herzog stated that FY 2011 half-cent sales tax receipts were 3.4 percent higher than the receipts in FY 2010, and this is the first year since FY 2007 that there has been an increase in annual collections. He added that collections for FY 2011 remain approximately 20 percent lower than FY 2007.

Mr. Herzog then addressed the Freeway Life Cycle Program. He noted that a rebalancing of costs and revenues in the Freeway Life Cycle Program was accomplished in FY 2010 through project scope reevaluation, cost estimate adjustments, and schedule revisions, to address a deficit of approximately \$6.6 billion. Mr. Herzog stated that in FY 2011, lower revenue forecasts resulted in a recurrence of an imbalance between projected costs and expected revenues in the Freeway Life Cycle Program. Mr. Herzog advised that a deficit of approximately \$453 million in 2011 dollars has been estimated through FY 2026, or about six percent of the projected total expenditures for the period FY 2012-2026. He reported that MAG and ADOT are jointly working on measures to reestablish a balanced Freeway Life Cycle Program and it is anticipated that these efforts will produce a balanced program by the end of 2011.

Mr. Herzog stated that freeway program projects completed during FY 2011 include, among others, additional general purpose lanes on I-10 from Verrado Way to Sarival Avenue, interchange improvements on I-10 at Avondale Boulevard, widening Grand Avenue from 83rd Avenue to Loop 303, addition of auxiliary lanes on Loop 101, construction of an interim four-lane divided roadway on Loop 303 from Happy Valley Road to I-17, new HOV lanes on Loop 101 from I-10 to Tatum Boulevard, a freeway system interchange on Loop 303 at I-10, and a Loop 303 freeway segment from Peoria Avenue to Mountain View Road.

Mr. Herzog then addressed the Arterial Life Cycle Program. He explained that in FY 2011, approximately \$31 million was reimbursed to lead agencies for completed projects and projects underway. Mr. Herzog advised that through FY 2011, \$208 million has been disbursed and 28 Arterial Life Cycle Program projects have been completed. In all, 49 project agreements have been executed to date.

Mr. Herzog stated that in FY 2011, it was determined that a \$196.5 million reduction in the Arterial Life Cycle Program through FY 2026 would be necessary. To meet the required program reductions, MAG staff and member agencies coordinated a reprogramming effort that resulted in a fiscally balanced, FY 2012 Arterial Life Cycle Program that was approved by the Regional Council in September 2011. Mr. Herzog stated that for the FY 2012 ALCP, it is anticipated that 24 projects will be under construction, and \$103 million has been programmed for reimbursements.

Mr. Herzog addressed the Transit Life Cycle Program. He said that a balanced program was achieved in FY 2009 by delaying the implementation of numerous projects, and during FY 2010, the program was refined further, especially service levels on supergrid regional bus routes, to allow more routes to be retained. Mr. Herzog stated that in FY 2011, due to the continued

economic downturn and the decrease in estimated future revenues, estimated Transit Life Cycle Program costs are not in balance with projected future funds available. He advised that for FY 2012 to 2026, a deficit of approximately \$581 million in 2011 dollars has been identified, and a significant effort was started to assess the Transit Life Cycle Program-funded services in operation.

Mr. Herzog stated that during FY 2012, after modifications to existing services are complete, RPTA/METRO will move forward with rebalancing the Transit Life Cycle Program by adjusting future services and capital projects to meet the projected revenues. He advised that public input will be solicited before any final decisions are made. Mr. Herzog stated that a balanced program is anticipated by the end of calendar year 2011.

Mr. Herzog stated that since the start of the Transit Life Cycle Program, the light rail starter system opened, and 11 BRT routes and seven regional bus grid routes were implemented. Mr. Herzog stated that the Central Mesa LRT Extension and the Tempe Streetcar are scheduled for completion in FY 2016, and nine new bus routes are anticipated over the next five years.

Mr. Herzog stated that ongoing issues are much the same as last year and include the impact of economic recovery on transportation revenue collections, federal transportation funding, and project scope/cost updates and program adjustments. He reported that the consultant is completing work on the Proposition 400 Performance Audit and results are expected during the fall of 2011. Mr. Herzog noted that the public hearing will take place after this. He stated that the Board of Supervisors, the State Transportation Board, Regional Public Transportation Authority and the Citizens Transportation Oversight Committee will need to make recommendations regarding the audit findings.

Chair Meyer thanked Mr. Herzog for his report. No questions from the committee were noted.

7. Draft Federal Fund Programming Guidelines and Procedures

Eileen Yazzie, MAG Project Manager, reported that in 2009, the Management Committee formed the Federal Fund Working Group to discuss four issues that impact the region's ability to spend federal funds: project deferrals, project development and small and/or inexperienced member agencies, project costs, and local financial commitment. She expressed her appreciation to those staff members who participated in the lengthy Working Group process.

Ms. Yazzie stated that initially, six peer MPO/COGs and their local sponsored federal aid project processes were evaluated. She remarked that after the evaluation, it was apparent that this region was not doing much and other agencies were doing a lot, such as status tracking, to ensure their federal funds are spent. Ms. Yazzie stated that some organizations have harsh rules, such as limiting deferrals to one occurrence, and appeals are made to the Regional Council directly. She stated that some agencies have investigative teams who make recommendations if a project should be deleted or stay in the program with a later schedule. Ms. Yazzie stated that one common theme was reporting: agencies do progress reports and action is taken on whether the jurisdiction is meeting its schedule. She indicated that better upfront project scoping and monitoring against milestones were important.

Ms. Yazzie then addressed the revised guidelines and noted that section 300 was the only section unchanged. She stated that to address the local financial commitment, once a project has been approved for inclusion in the TIP, an agency has 11 months to make a commitment on the project by implementing the following elements: issuing a commitment letter from the jurisdiction's manager, including the project in the jurisdiction's capital improvement program, determining a project schedule, showing continuous progress, and submitting a progress report every six months. Ms. Yazzie stated that the status report will be an action item on committee agendas every six months to see if projects need to be moved into a different year, deferred or deleted.

Ms. Yazzie stated that scope and project changes have been clearly defined. Ms. Yazzie stated that in the past, concern was expressed for scope changes, because some agencies wanted to completely change a project to a different project. She reported that this will no longer be allowed, old projects will be deleted, the funds will be available to the entire region, and new projects will compete for funding.

Ms. Yazzie stated that appeals will be made directly to the Regional Council on actions taken based on the guidelines. She stated that a project can be deferred only one time, and the second time, if progress is not shown, the project is deleted. Ms. Yazzie advised that external factors could impact a project, such as archaeological or utility issues, and in that case, a project might be rescheduled and allowed a second deferral.

Ms. Yazzie reviewed the next steps for this item, which includes consideration by the Regional Council later this month, followed by definition of the schedule at the next Transportation Review Committee meeting and discussion of the implementation at the technical committees. She said that this process will begin immediately and it is anticipated that the progress status reports will be brought through the committee process beginning in January. Ms. Yazzie stated that the full guidelines will not apply to FY 2012 projects, some FY 2013 projects, but will apply to FY 2014 projects. She said that the priorities for available FY 2012 closeout funds will be done in December and January.

Chair Meyer thanked the committee, the staff and Ms. Yazzie for a job well done. He expressed appreciation to Chris Brady for chairing the Working Group and he said that a lot of thought and work went into the new guidelines. Chair Meyer asked Mr. Butler to pass along these comments to Mr. Brady. He asked members if they had questions.

Mr. Harris stated that this was a good work effort that the County staff took very seriously. Mr. Harris stated that the County understands that the requirements are more strict, but advocates for strict adherence and will be looking for that.

Dr. Isom, as a member of the Working Group, expressed his appreciation to Mr. Smith and staff for their guidance and to Mr. Brady for chairing. He stated that the Working Group was tasked with addressing four issues and he felt the draft guidelines takes great steps in a positive direction to address them, but one thing that did not change is requiring only the city or town manager's signature to submit the application. Dr. Isom stated that he thought this was a contributor to staff driven applications that appear to decrease the efficiency and effectiveness of the program and as a result, projects are not being completed in a timely fashion. He went on record to say there is

another step that could be taken, which is to require a council resolution at the time of application. Dr. Isom stated that this is a method used by ADOT, the County, and tribes to ensure local transparency of the application process. He stated that the manager's signature in the CIP does not achieve the same commitment over time as a resolution. Dr. Isom stated that a resolution might seem insignificant, but it shows the member agency's council gave thought to the importance of the project. He expressed that in his opinion, resolutions would reduce deferrals, make smaller communities more competitive, and show commitment by councils, which would lead to more successful and timely projects. Dr. Isom stated that in discussion with his colleagues, introducing a resolution requirement at this time would create divisions among the committee members and would not be appropriate. He stated that El Mirage is interested in problem solving by developing relationships and improving processes and resolving issues – not creating them. Dr. Isom stated that he would not be making a case to include the resolution provision, but would be supporting a motion to move forward the draft guidelines. He added that he felt confident proceeding with the guidelines as presented.

Mr. Smith expressed his appreciation to Mr. Brady, the Working Group, Ms. Yazzie, and Eric Anderson, who all worked very hard on this. He assured the committee that MAG takes this very seriously. Mr. Smith announced that Ms. Yazzie had been promoted to Planning Project Manager for Transportation because she has done such a good job at MAG.

Mr. Butler extended Mr. Brady's apologies on being unable to attend the Management Committee meeting today, and expressed Mr. Brady's thanks to his colleagues for participating on the Working Group. Mr. Butler expressed appreciation for the comments made today and as the process is implemented, if the changes are not effective in addressing concerns, he said that Mr. Brady is willing to reconvene the Working Group and work further on solutions.

Hearing no further discussion, Chair Meyer called for a motion. Dr. Isom moved to recommend approval of the Draft Federal Fund Programming Guidelines and Procedures. Mr. McClendon seconded, and the motion passed unanimously.

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

Lindy Bauer, MAG Environmental Director, provided an update on the MAG Five Percent Plan for PM-10 and the activities to prevent PM-10 exceedances at the monitors and throughout the region. She said that this has been quite the year for dust storms and haboobs, and as of October 4, 2011, there have been 87 exceedances of the PM-10 standard with 86 due to exceptional events.

Ms. Bauer stated that these events have generated a great deal of work for the Arizona Department of Environmental Quality (ADEQ), assisted by Maricopa County Air Quality Division and MAG staff. She noted that the exceptional events occurred over 19 days, which translates to 1,075 work days. Ms. Bauer stated that ADEQ is anticipated to complete documentation on the first batch of July 1 to July 8, by the end of the month. She noted that there will be a rough draft of the documentation that will be submitted to the Environmental Protection Agency (EPA) for comments. Ms. Bauer stated that the EPA expects to issue final guidance on exceptional events

in November or December and she said she hoped it addresses MAG concerns about the flawed exceptional events rule.

Ms. Bauer stated that MAG is working with its Washington, D. C., legal counsel, Crowell and Moring and Patton Boggs regarding potential legislative remedies for exceptional events. She explained that this work is being done as a result of the extensive work required to document these exceptional events, which then has to be submitted to EPA, who takes a long time to review the documentation and concur or not concur.

Ms. Bauer stated that the City of Phoenix designed a brochure to help in outreach efforts to control dust. She said that the brochure, which was included in the agenda packet, includes information on such things as fines for dust causing activities and keeping ATV riding to designated places.

Ms. Bauer stated that MAG is receiving conflicting information on the plan. She said that in July, she reported to the Management Committee that EPA said MAG could take credit for the city, county and state measures. However, one person at EPA now says that EPA does not want the local commitments, ordinances, and rules in the plan because it is too time consuming for EPA to approve them all and EPA only wants the new dust action general permit in the plan. Ms. Bauer stated that another EPA person told the state it did not have to submit the fixes to the enforceability issues with agricultural best management practices for one year, which is a concern because a complete plan needs to be submitted to EPA in time to turn off the sanctions clocks. Ms. Bauer indicated that MAG had wanted to have a draft document available in November for public review, have a public hearing, take it through the MAG process in January and submit it to EPA in February. She added that this schedule could slip one month and still allow the six months required by EPA to find the plan complete. Ms. Bauer stated that this morning before the Management Committee meeting, ADEQ sent over a table of existing state laws and rules and wants to include municipal ordinances. Ms. Bauer stated that clear cut guidance from EPA staff is needed.

Ms. Bauer reported on the court ruling that was issued to reinstate lottery funds for transit (Local Transportation Assistance Fund or LTAF). She noted that LTAF was a measure in the 1993-1994 carbon monoxide plan and the final court order told the state to reinstate the funds for transit and described how the funds would be reinstated for transit. Ms. Bauer reported that the court order says that the injunction stays in place until the Legislature reinstates the funding or the EPA publishes a notice in the Federal Register to relieve the state of the funding commitment for LTAF. She noted that at this time, transit with the LTAF funding commitment is an existing measure in the air quality plans.

Chair Meyer thanked Ms. Bauer for her report and asked members if they had questions.

Mr. McClendon asked the form a legislative fix might take. He remarked that if there were 86 events it seems they might not be exceptional. Ms. Bauer replied that one option is that states make the determination on exceptional events, in consultation with the EPA. She said that states are familiar with their own environments and meteorology and could prepare their own documentation and evaluate the events. Ms. Bauer noted that already there is a similar process

with the federal conformity analysis process that requires a demonstration that transportation plans do not harm air quality. She said that the finding of conformity is done by the U.S. Department of Transportation in consultation with the EPA. Ms. Bauer stated that the process could be patterned after that and would be designed to expedite the process and minimize the workload.

Chair Meyer asked Ms. Bauer to expand on the implications of the court order. Ms. Bauer stated that under the Clean Air Act, one air quality plan builds upon another. She said that the transit improvements measure with LTAF as one of the funding sources was identified in the bill that the Legislature passed in 1993 and included in MAG's air quality plans. Ms. Bauer stated that in 2010, the Legislature repealed LTAF for transit due to the economy, and then the Center for Law in the Public Interest filed a lawsuit and contended that the Legislature did not have the authority to do that; it was a measure in the air quality plans and the only way to remove it was to receive prior approval from EPA. Ms. Bauer stated that the state is not happy with the court ruling and ADEQ staff indicated they would like to see LTAF removed as a funding commitment in the air quality plans. She stated that EPA sent a letter to MAG in March 2011, which indicated that EPA understood that the Legislature had repealed LTAF and this must be addressed in the modeling to show the impact. Ms. Bauer stated that the court has now ruled and reinstated LTAF. She said that it appears that the cities are looking forward to any funding for transit in these tough economic times and the air quality plans were the saving grace for restoring LTAF funding. She indicated that ADEQ has not communicated any further requests to remove LTAF from the plan and it is still an existing measure.

Chair Meyer stated that EPA has no incentive to remove LTAF from air quality plans -- it would have to be requested by Arizona. He asked who had the greatest incentive and what is the process by which EPA would agree to remove LTAF from air quality plans. Ms. Bauer replied that the Clean Air Act Section 110(l) indicates that the EPA administrator is not allowed to approve any revision that will interfere with attainment or maintenance of the standard. She said that modeling would need to be done to show that removing the LTAF funding source from the air quality plans would not hurt attainment or maintenance. Ms. Bauer stated that the court has now ruled and there is no need to change the air quality plans because LTAF was reinstated. She added that it is unknown if the state will continue to press on this issue. Ms. Bauer mentioned that under state law, MAG develops the air quality plans, but ADEQ submits them to EPA.

Chair Meyer asked if ADEQ has the ability to amend the MAG plans on its own to remove LTAF or would its removal require MAG's approval. Ms. Bauer replied that LTAF was included in the Transit Improvements Measure in MAG's air quality plans. To be removed, it would need to come through the MAG process, submitted to ADEQ, which would then submit it to EPA for approval and publication in the Federal Register. On the other hand, the Legislature passed a bill to exempt motorcycles from vehicle emissions testing, which is a state program. Ms. Bauer stated that ADEQ prepared a SIP revision that showed an insignificant impact on air quality and submitted it to EPA. She reported that EPA said a substitute measure would be needed and ADEQ wanted to substitute a federal measure, and EPA has indicated that it will not approve that as a SIP revision.

9. MAG FY 2013 PSAP Annual Element/Funding Request and FY 2013-2017 Equipment Program

Liz Graeber, Maricopa Region 9-1-1 Administrator, reported that funding for 9-1-1 service and equipment is derived by a monthly 20 cent tax on each cell and wireline telephone, which is then administered by the Arizona Department of Administration (ADOA). Ms. Graeber stated that since 2003, the state has used the 9-1-1 funds to balance the state general fund, leaving the 9-1-1 fund depleted.

Ms. Graeber stated that the ADOA has notified MAG that no new capital equipment purchases would be funded due to the lack of funds. She said that regularly scheduled system improvements were planned for the Maricopa County Sheriff's Office, Surprise Police, Paradise Valley Police, and Buckeye Police but now cannot be funded. Ms. Graeber stated that requests for additional equipment were denied at Arizona State University Police, Goodyear Police, Glendale Police, Mesa Police, Phoenix Police, and Rural Metro.

Ms. Graeber stated that the FY 2013 PSAP budget was before the Management Committee today. It totals \$9.8 million and includes \$2.2 million in capital costs that were denied in FY 2012 and moved to FY 2013 in hope that funding would be available. Ms. Graeber stated that as part of the budget process, the PSAPs also develop a five year projection for new equipment and aging equipment. She noted that they try to be proactive and replace the equipment before waiting until it fails. Ms. Graeber the current five year program includes two Phoenix Police Department sites, a Phoenix Fire site and Mesa, which are the four largest 9-1-1 centers in the region. Ms. Graeber added that the wireless call routing equipment also needs to be replaced. She advised that if the state sweeps the fund for FY 2013, the funding for monthly network costs and maintenance will be jeopardized and this could lead to revising the level of 9-1-1 service to meet the budget.

Chair Meyer thanked Ms. Graeber for her report and asked members if they had questions.

Mr. Smith asked which agency was at the most risk with old equipment. Ms. Graeber replied that the Maricopa County Sheriff's Office equipment is the oldest in the state at 11 years old and is at the highest jeopardy and it is one of the busiest PSAPs. She explained that the vendor will still support the equipment but that will be ending soon due to the equipment's age.

Mr. Smith asked for clarification that new equipment for the Maricopa County Sheriff's Office would not be funded through the state 9-1-1 fund. Ms. Graeber replied yes. Mr. Smith stated that many of the smaller communities contract with the Sheriff's Office to provide their 9-1-1 service.

Mr. Harris stated that the County is building a new facility that will house the County 9-1-1 center and Sheriff's administrative office. He added that the Board of Supervisors has approved a budget to build the project and it is due to open in 2014. Mr. Harris stated that the County's existing infrastructure is quite frail, shuts down occasionally and is in need of replacement.

With no further discussion, Chair Meyer called for a motion. Mr. Swenson moved to recommend approval of the MAG FY 2013 Public Safety Answering Point Annual Element/Funding Request and FY 2013-2017 Equipment Program. Mr. Crossman seconded, and the motion passed unanimously.

10. Domestic Violence Awareness Month Activities

Amy St. Peter, MAG Human Services Manager, presented information related to Domestic Violence Awareness Month activities. She said that the purpose of the presentation is to provide materials and solicit assistance in distributing these materials throughout the region's communities. Ms. St. Peter requested that member agencies promote the Domestic Violence Awareness Month activities on websites and at meetings.

Ms. St. Peter stated that in May 2011, the Management Committee received a report on the MAG Protocol Evaluation Project, which is realigning the way domestic violence offenders are arrested and prosecuted to a more coordinated approach.

Ms. St. Peter stated that MAG produced an outreach video as part of the Protocol Evaluation Project. She said that the video is featured on the MAG website and on YouTube, and has been distributed to municipal cable stations. A trailer of the video was shown and she cautioned viewers ahead of time that portions of the video depicted scenes that were graphic in nature. Ms. St. Peter stated that a free training on the new protocol model will be October 20, 2011, at the Wyndham Hotel in Phoenix. She requested that they have nearly reached registration capacity. Ms. St. Peter stated that the program has applied for STOP grant funding from the Governor's Office this year.

Chair Meyer thanked Ms. St. Peter for her report. Referencing the graphic nature of the video, he asked about a version that would be available for all viewers on municipal channels. Ms. St. Peter replied that only the one version has been produced and is to air after 8:00 p.m., but if there is interest, perhaps a version could be produced that could be shown to all audiences.

Mr. Smith noted that the training effort has received statewide interest, and so far, approximately 200 people have signed up for the protocol model training. He noted that domestic violence is extremely costly to jurisdictions and the cycle needs to be broken.

11. Update on the MAG Economic Development Committee

Denise McClafferty, MAG Management Analyst, began the update on recent activities of the MAG Economic Development Committee (EDC). She first spoke of the new website being developed, called Greater Phoenix Rising, which is a partnership between MAG and the Greater Phoenix Economic Council (GPEC) to provide regional information that will assist businesses interested in opportunities in Arizona. Ms. McClafferty referenced the comments by Jim Johnson at the MAG Manager's Forum in March 2008, that a website forms first impressions of an organization. Ms. McClafferty noted that the Greater Phoenix Rising website will be launched live at the November 1 EDC meeting.

Ms. McClafferty reported that MAG staff is working with the Arizona Mexico Commission, the Central Arizona Association of Governments and the Pima Association of Governments to coordinate a trip to the Nogales Ports of Entry on Monday, December 12, 2011. She said that the purpose of this trip is to explore how leadership in this region could assist in improving the border crossing to be more competitive. Ms. McClafferty gave as an example Texas border crossings are

operational 24 hours per day, seven days per week, while Arizona crossings are operational only eight hours per day. Ms. McClafferty stated that there is also the possibility of a trip to San Luis in regard to Punta Colonet issues.

Ms. McClafferty reported that the Canada Arizona Business Council suggested that MAG work with them on a meet and greet between elected officials and Canadian business leaders in Arizona to discuss targeted mutual interests.

Ms. McClafferty reported that work continues with the Arizona Commerce Authority, ADOT, and the Arizona Aerospace and Defense Commission on a supply chain study for Arizona. She noted that the next supply chain meeting is scheduled for October 19, 2011.

Ms. McClafferty stated that some of the EDC projects may require research assistance, and the Thunderbird School of Global Management is an untapped resource in the Valley that could assist with research and consulting services through its MBA students. She added that support for this effort will be discussed at the November Executive Committee agenda.

Ms. McClafferty stated that at the November 1 EDC meeting, the committee also will discuss how prospective international companies are directed in the Valley and Arizona.

Amy St. Peter continued the presentation with a status report on the Brookings Metropolitan Business Planning Initiative. She said the effort was launched at the October 4th MAG EDC meeting. Ms. St. Peter stated that a number of very positive articles about the initiative have been published in the newspaper. She expressed appreciation to Mayor Hallman, Mayor Schoaf, and Mayor Smith for their time with the editorial board and staff from Brookings. She acknowledged GPEC as a primary partner on the project. Ms. St. Peter stated that aligning what is developed through the process with existing goals and plans is important so that regional development agencies can carry on the work. She said that Brookings requested that regional representatives complete a public and private inventory of any economic development initiatives. Ms. St. Peter stated that GPEC has an approved plan that will be incorporated into the exercise so as not to duplicate efforts.

Ms. St. Peter stated that a work session is scheduled for October 20 and October 21, 2011, to identify the gaps and opportunities in the region's economy and to develop a prioritized list of strategies to promote a sustainable prosperity. She said that the work session is a great opportunity for economic development representatives to discuss gaps, opportunities, and strategies. Ms. St. Peter added that input on the best way to support individual economic development initiatives is welcome.

Ms. St. Peter stated that the interview guide has been distributed through the EDC membership and Leadership Advisory Team. Ms. St. Peter stated that MAG staff is available to assist and wants to accommodate busy schedules to make sure that everyone's perspectives are represented. She said that the work session is important because the strategies will be identified from which the lead initiative is determined.

Chair Meyer thanked Ms. McClafferty and Ms. St. Peter for their reports. There were no questions from the committee.

12. Request for Future Agenda Items

Topics or issues of interest that the Management Committee would like to have considered for discussion at a future meeting were requested.

Mr. Harris stated that the County recently conducted a retreat on solid waste and is going to rebrand its solid waste program as Waste Resources and Recycling. He stated the County operates landfills in ten different jurisdictions and wants to make improvements. Mr. Harris stated that the County wants to work more closely with MAG on solid waste and would like to re-engage the MAG Solid Waste Committee.

Mr. Cavazos stated that the City of Phoenix has consolidated its garbage and recycling services to become more cost effective. He suggested having work or study sessions where jurisdictions could present practices that have been successful for them.

Mr. Smith stated that a memorandum would be sent to members regarding reinstating the Solid Waste Committee and confirming the name of the representative the jurisdiction would like appointed to the committee.

13. Comments from the Committee

An opportunity was provided for Management Committee members to present a brief summary of current events. The Management Committee 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 Meyer noted that a tour of the MAG Meeting Center would follow adjournment of the Management Committee meeting.

Adjournment

There being no further business, Mr. Crossman moved, Mr. McClendon seconded, and the meeting was adjourned at 1:20 p.m.

Chair

Secretary