

MINUTES OF THE  
MAG MANAGEMENT COMMITTEE MEETING  
June 11, 2014  
MAG Office, Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

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| Dr. Spencer Isom, El Mirage, Chair                                  | Paul Jepson for Gregory Rose, City of Maricopa            |
| Scott Butler for Christopher Brady, Mesa                            | Jim Bacon, Paradise Valley                                |
| # Matt Busby for George Hoffman, Apache Junction                    | Jeff Tyne for Carl Swenson, Peoria                        |
| David Fitzhugh, Avondale  | Ed Zuercher, Phoenix                                      |
| Stephen Cleveland, Buckeye  | # Greg Stanley, Pinal County                              |
| Gary Neiss, Carefree  | John Kross, Queen Creek                                   |
| * Peter Jankowski, Cave Creek                                       | * Bryan Meyers, Salt River Pima-Maricopa Indian Community |
| Rich Dlugas, Chandler   | Brad Lundahl for Fritz Behring, Scottsdale                |
| Charles Montoya, Florence   | Michael Celaya for Chris Hillman, Surprise                |
| Alfonso Rodriguez for Phil Dorchester, Fort McDowell Yavapai Nation | Andrew Ching, Tempe                                       |
| Ken Buchanan, Fountain Hills  | # Chris Hagen for Reyes Medrano, Tolleson                 |
| Rick Buss, Gila Bend  | Joshua Wright, Wickenburg                                 |
| * Tina Notah, Gila River Indian Community                           | Jeanne Blackman, Youngtown                                |
| Patrick Banger, Gilbert   | Trent Kelso for John Halikowski, ADOT                     |
| Brent Stoddard for Brenda S. Fischer, Glendale                      | John Hauskins for Tom Manos, Maricopa County              |
| # Brian Dalke, Goodyear   | Jyme Sue McLaren for Steve Banta, Valley Metro/RPTA       |
| * Rosemary Arellano, Guadalupe                                      |   |
| Darryl Crossman, Litchfield Park                                    |   |

\* Those members neither present nor represented by proxy.

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

1.    Call to Order

The meeting of the MAG Management Committee was called to order by Chair Dr. Spencer Isom, El Mirage, at 12:00 p.m.

2.    Pledge of Allegiance

The Pledge of Allegiance was recited.

Mr. Brian Dalke, Mr. Greg Stanley, Ms. Chris Hagen, and Mr. Matt Busby joined the meeting via teleconference.

Chair Isom noted that this was his last meeting as Chair of the Management Committee.

Chair Isom noted that material was at each place and on each side of the room for agenda item #5E (the addendum to the agenda) and for agenda item #14 (a flyer for a domestic violence event on August 12).

Chair Isom announced that public comment cards were available to members of the public who wish to comment. Parking validation for those who parked in the MAG parking garage was available from staff and transit tickets were available from Valley Metro/RPTA for those who purchased transit tickets to come to the meeting. Hearing assisted devices were available from MAG staff.

### 3. Call to the Audience

Chair Isom 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. 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. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the committee requests an exception to this limit.

Chair Isom recognized public comment from Mr. John Rusinek, who read the article from USA Today regarding Ms. Dianne Barker being banned from doing cartwheels at MAG meetings due to safety liability and disruption. Mr. Rusinek stated that the cartwheel took only about two seconds and received a lot of notoriety. He said he spoke to MAG about his dust problem two years ago, but heard that it was not under MAG's jurisdiction, however, he got a hold of a Phoenix zoning guide on dustproofing dated July 3, 2013, that mentions MAG Specifications Sections 321, 324, 400, and 313. Mr. Rusinek stated that this shows that MAG evidently does have something to do with dust problems. He stated that he hoped MAG would provide copies of the specifications, as he is not able to get them off the computer. Mr. Rusinek remarked that he might not have to speak any more at MAG if he can get his dust problem resolved. He said he would speak another time on ARS title 9 500.04. Chair Isom thanked Mr. Rusinek for his comments.

Chair Isom recognized public comment from Ms. Dianne Barker, who said she resides in downtown Phoenix. She said that multimodalism feels good and that was the point of her doing a cartwheel. Ms. Barker mentioned that her high school friend saw her on television, and her story on Yahoo generated 1,400 comments. She said that for doing one cartwheel and the splits she was called disruptive and unprofessional. Ms. Barker stated that the liability is on her, and she added that most people understood her point. She said that Mayor Stanton indicated that Ms. Barker does her homework, and she noted that she does read the material before speaking. Ms. Barker indicated that it is possible for this area to have cleaner air and she wants to be part of that. She said that if anyone misses a cartwheel, maybe they will give her a job. Ms. Barker stated that she has heard people ask why MAG does not let her do her cartwheels. She stated that she did not see any liability on MAG's part if she performed cartwheels at MAG and that the risk was on her.

Ms. Barker indicated that she was in shape because of multimodal transportation. Chair Isom thanked Ms. Barker for her comments.

Chair Isom recognized public comment from Mr. Pat Vint, who indicated that he and Chair Isom had become friends, but he gets the feeling that the Executive Director felt that citizens were the enemy. Mr. Vint stated that citizens pay your salaries. He said he had been in business in the Valley for 57 years. Mr. Vint expressed that treating Ms. Barker like an enemy is wrong. He stated that MAG hired an attorney to write the letter to Ms. Barker. Mr. Vint stated that the City of Phoenix is sick; it paid \$400,000 for attorneys. He stated that pension spiking is a total disaster. Mr. Vint stated that the mayor and council are overpaid and not accountable. He stated that the city attorney, who recently quit, indicated that the council, manager and attorney (but not the public) are immune to being sued. Mr. Vint remarked that there are thousands of attorneys out there just looking for a job, and he added that he had just gone through a big deal with attorneys. He stated that attorneys are immune and we need to get back to lawyers. Mr. Vint stated that this was a sick situation. Chair Isom thanked Mr. Vint for his comments.

4. Executive Director's Report

Mr. Dennis Smith, MAG Executive Director, stated that MAG received the Public Relations Society of America 2014 Bronze Anvil award for campaign tactics for the Don't Trash Arizona anti litter campaign. He noted that at the May meeting, the MAG Regional Council asked many questions on the campaign and expressed interest in materials being developed for their communities.

Mr. Smith encouraged members to register for the biennial Desert Peaks Awards event that will be held on June 25, 2014, in conjunction with the MAG Annual Meeting that begins at 5:00 p.m. He noted that so far, more than 270 people have registered. Mr. Smith added that the deadline to RSVP is June 18, 2014.

Chair Isom thanked Mr. Smith for his report.

5. Approval of Consent Agenda

Chair Isom stated that agenda items #5A, #5B, #5C, #5D, and #5E were on the Consent Agenda.

Chair Isom recognized public comment from Mr. Vint, who commented on agenda item #5C. He said that a lot of money has been spent on useless light rail, which he thought should have been elevated like the system at Disneyland. Mr. Vint noted that the agenda material says the administrative modification includes minor project revisions that do not require a conformity determination. He stated that millions of dollars have been spent on light rail, which destroys businesses and anything along its path. Mr. Vint stated that elevated rail could have been built more economically because components could be pre-built elsewhere and brought in for assembly. He stated that every downtown worker should be required to ride to work on light rail or the bus. Mr. Vint stated that every transportation system in the country runs on a deficit because they are designed for poor people, who do not contribute. He stated that the people who make a living and

do things to hire other people get the shaft. Mr. Vint stated that people who do not ride light rail should be fired. Either you contribute or you do not, but being a burden on society is a disgrace. Chair Isom thanked him for his comments.

Chair Isom asked members if they had questions or requests to hear a presentation on any of the Consent Agenda items.

No requests or questions were noted.

Chair Isom called for a motion to recommend approval of Consent Agenda, items #5A, #5B, #5C, #5D, and #5E.

Ms. Barker spoke from the audience that she had submitted a card. Chair Isom noted that Ms. Barker had submitted a card for agenda item #6.

Mr. Darryl Crossman moved, Mr. John Kross seconded, and the motion passed unanimously.

5A. Approval of the May 14, 2014, Meeting Minutes

The MAG Management Committee, by consent, approved the May 14, 2014, meeting minutes.

5B. Draft MAG 2014 Eight-Hour Ozone Plan-Submittal of Marginal Area Requirements for the Maricopa Nonattainment Area

The MAG Management Committee, by consent, recommended adoption of the Draft MAG 2014 Eight-Hour Ozone Plan-Submittal of Marginal Area Requirements for the Maricopa Nonattainment Area. The Draft MAG 2014 Eight-Hour Ozone Plan-Submittal of Marginal Area Requirements for the Maricopa Nonattainment Area has been prepared in accordance with Section 182(a) of the Clean Air Act. On May 21, 2012, the Environmental Protection Agency (EPA) designated the Maricopa nonattainment area as a Marginal Area for the 2008 eight-hour ozone standard of 0.075 parts per million. The draft plan addresses the Marginal Area requirements, such as an Emissions Statement, Baseline Emissions Inventory, Periodic Emissions Inventory, Corrections to Pre-1990 Reasonably Available Control Technology, New Source Review, Corrections to Pre-1990 Previously Required Vehicle Inspection and Maintenance Programs, and Transportation Conformity. The Maricopa nonattainment area will have a December 31, 2015 attainment date. EPA assumes that Marginal Areas will be in attainment of the eight-hour ozone standard within three years of designation without any additional control measures. The deadline for plan submittal to EPA is July 20, 2014. On May 15, 2014, a public hearing was conducted on the draft plan. Following the consideration of comments received, the MAG Air Quality Technical Advisory Committee recommended adoption on May 22, 2014. It is anticipated that the MAG Regional Council may take action on June 25, 2014.

5C. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan. The amendment and administrative modification involve several projects, including Arizona Department of Transportation, Valley Metro Rail, and other miscellaneous 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.

5D. Support Planning to Address Domestic Violence Consultant Selection

The MAG Management Committee, by consent, recommended approval of the selection of Behavior Research Center to provide Quantitative and/or Qualitative Survey Services for the Protocol Evaluation Project for an amount not to exceed \$38,465. On February 18, 2014, the MAG Regional Council Executive Committee approved amending the FY 2014 MAG Unified Planning Work Program and Annual Budget to accept \$160,428 in renewal STOP Violence Against Women grant funding awarded by the Governor's Office for Children, Youth and Families to support the MAG Protocol Evaluation Project. The goal of this project is to assess the protocols used in the criminal justice system's response to domestic violence calls. The grant funding includes up to \$38,465 for a survey services consultant to develop, conduct, and analyze a survey with victims of domestic violence about their experiences with the criminal justice system to contribute to the work of the Protocol Evaluation Project. A Request for Qualifications for Quantitative and/or Qualitative Survey Services was posted on April 16, 2014. Two proposals were received. A multi-agency evaluation team reviewed the proposal documents. On June 2, 2014, the proposal evaluation team recommended to MAG the selection of Behavior Research Center to receive the contract to provide Quantitative and/or Qualitative Survey Services in an amount not to exceed \$38,465.

5E. Federal Transit Administration Discretionary Grant - Bus and Bus Facilities, Ladders of Opportunity Initiative

On June 4, 2014, the Federal Transit Administration (FTA) and the U.S. Department of Transportation (DOT) released a notice of funding availabilities (NOFAs) for \$100 million in competitive grant funding from unspent section 5309 Bus and Bus Facilities funds that were authorized under the previous transportation authorization act. This nationwide competitive grant opportunity can be used to 'purchase, replace, or rehabilitate transit buses and vans as well as to modernize or construct bus facilities (such as maintenance depots and intermodal facilities) in urban, suburban, and rural communities. Competitive proposals must also directly address ladders of opportunity for riders, including: enhancing access to work, supporting economic opportunities, and supporting partnerships and coordinated planning.' MAG staff, in coordination with the MAG Transit Committee, will review the NOFA's evaluation criteria, review and selection process; and recommend a project/projects to the MAG Regional Council for their support. The MAG Transit Committee will be meeting on either June 12 or June 16, 2014, to discuss. Proposals are due to the FTA through grants.gov by August 4, 2014.

6. New Finding of Conformity for the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan, As Amended

Dean Giles, MAG staff, stated that MAG has conducted a conformity analysis for an amendment to the Fiscal Year 2014-2018 MAG Transportation Improvement Program (TIP) and the 2035 Regional Transportation Plan. He noted that the amendment includes projects only in Maricopa County and includes Freeway Life Cycle Program and Arterial Life Cycle Program projects, considered under separate agenda items.

Mr. Giles reported that transportation and air quality are linked. He said that the Clean Air Act requires that transportation plans, programs, and projects conform to the purpose of regional air quality plans, which ensures that transportation activities do not cause violations of the federal air quality standards. Mr. Giles stated that air quality plans establish the motor vehicle emissions budgets used in the regional emissions analysis.

Mr. Giles explained an analysis was conducted for carbon monoxide, the eight hour ozone precursors volatile organic compounds (VOC) and nitrogen oxides, and PM-10 for years 2015, 2025, and 2035. He reported that for carbon monoxide the projected emissions from implementation of the TIP, plan and amendment, are less than the EPA-approved budget set in the MAG 2003 Carbon Monoxide Maintenance Plan.

Mr. Giles stated that for eight hour ozone, the projected volatile organic compound emissions from implementation of the TIP, plan and amendment, are less than the EPA-approved VOC budget set in the MAG 2007 Eight-Hour Ozone Plan. For eight hour ozone, the projected nitrogen oxides (NOx) emissions from implementation of the TIP, plan and amendment are less than the EPA-approved NOx budget set in the MAG 2007 Eight-Hour Ozone Plan.

Mr. Giles noted that for PM-10 the projected emissions from implementation of the TIP, plan and amendment are less than the EPA-approved PM-10 budget set in the Revised MAG 1999 Serious Area Particulate Plan for PM-10.

Mr. Giles stated that the results of the regional emissions analysis indicates that federal transportation and conformity requirements have been met and a new finding of conformity of the TIP, as amended, is supported.

Chair Isom thanked Mr. Giles for his report and asked members if they had questions. None were noted.

Chair Isom recognized public comment from Ms. Barker, who apologized for the confusion over her public comment request. She referenced the EPA measures and said that this region needs to be watchdogs of pollutants because we have aging and young populations who are sensitive, especially to particulates. Ms. Barker said that she had not heard back on her public records request to MAG regarding liability in public places. She said she would like MAG staff to provide her with the list of those jurisdictions and their enforcement efforts on state law 9-500.04. Ms. Barker explained that the law requires that cities of more than 50,000 adjust the work hours

of municipal employees by at least 85 percent each year from October to April to reduce various pollutants caused by vehicular traffic. She noted that she obtained a copy of the law at a Phoenix Street Committee meeting. Chair Isom thanked Ms. Barker for her comments.

Mr. Ken Buchanan moved to recommend approval of the new Finding of Conformity for the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan, as amended. Mr. David Fitzhugh seconded, and the motion passed unanimously.

7. Arterial Life Cycle Program Status Report December 2013 - April 2014

Mr. John Bullen, MAG staff, provided a report on the Arterial Life Cycle Program (ALCP) Status Report. He said that the ALCP serves as the financial management tool for the arterial component of the RTP, and the Status Report provides detail about the status of projects, revenues, and other relevant program information for the period between December 2013 and April 2014.

Mr. Bullen stated that the ALCP, which contains 198 projects across 13 jurisdictions, is guided by the ALCP Policies and Procedures. He noted that a status report is required and is traditionally done on a semi-annual basis. Mr. Bullen added that this is the second report for FY 2014.

Mr. Bullen then reported on sales tax collections. He said that approximately \$32 million has been collected through April of FY 2014, which is an increase of approximately \$2.2 million, or 7.5 percent, over FY 2013. Mr. Bullen stated that an increase of approximately \$500,000, or 1.3 percent, is projected.

Mr. Bullen stated that member agency staff have been doing a tremendous job in meeting all of the ALCP requirements. He said that 40 of 46 Project Overviews and 38 of 47 Project Agreements have been received. Mr. Bullen stated that Regional Area Road Fund (RARF) reimbursements are on track at \$34 million out of \$49 million. He added that federal obligation is at \$12 million out of \$25 million and requests have been received to close out the balance. Mr. Bullen pointed out a correction to the Status Report that tables four and five should read tables three and four.

Mr. Bullen stated that 48 projects are scheduled for work and/or reimbursement in FY 2014. He said that 11 are in the design phase, 13 are in the right-of-way phase, and 24 are in the construction phase. Mr. Bullen indicated that 10 projects are expected to or will be completed and open to traffic by July 1, 2014. He added that six projects are closed out and open to traffic.

Mr. Bullen stated that on May 28, 2014, the MAG Regional Council approved the revised ALCP Policies and Procedures, but also requested some changes. He noted that the Working Group will be reconvened to address the Regional Council's requests. Mr. Bullen noted that this item was on the Management Committee agenda for information and discussion.

Chair Isom thanked Mr. Bullen for his report. No questions from the Committee were noted.

8. Draft Fiscal Year 2015 Arterial Life Cycle Program

Mr. John Bullen then presented a report on the Draft Fiscal Year 2015 Arterial Life Cycle Program (ALCP). Mr. Bullen noted that the ALCP is the financial management tool for the arterial section of the RTP, and is updated annually. Mr. Bullen noted that state statute requires that costs cannot exceed available revenues in the program. Additionally, federal statute requires that the program must show fiscal constraint in the Transportation Improvement Program (TIP). Mr. Bullen provided an overview of the development process for the ALCP. The first step is to update project work schedules and costs. The second step is to update revenue forecasts, and the third step is to adjust reimbursements as needed.

Mr. Bullen explained that project workbooks were distributed to all agencies in February 2014. He noted that the lead agencies provided updated project costs and schedules. Then, MAG analyzed the updated cost schedules and projects and adjusted reimbursements accordingly. Mr. Bullen stated that six project change requests were reviewed and recommended for approval by the MAG Street Committee. Mr. Bullen noted that multiple project change requests were heard at the MAG Street Committee this year.

Mr. Bullen informed the committee that Regional Area Road Fund (RARF) revenue forecasts have increased by approximately \$2.5 million from FY 2012 to FY 2013, but that federal revenue forecasts fell from FY 2012 to FY 2013, and again from FY 2013 to FY 2014. The decreased forecast represents about five percent of the federal program. Mr. Bullen noted that from FY 2015 to FY 2020, there is a surplus projected for the ALCP, but that projections indicate a deficit in the ALCP after FY 2020. He noted that this is predicated on the federal transportation bill, which expires September 30, 2014.

Mr. Bullen explained that due to the long-term deficit, continuing the temporary elimination of program inflation and bonding is proposed for FY 2015. He said that no program rebalancing is needed due to the variance of federal revenues, which is predicated on the expiration of MAP-21 on September 30, 2014. Mr. Bullen stated that near-term advancements were made consistent with the priorities established in the May 28, 2014, ALCP Policies and Procedures. He said that the FY 2017 to FY 2020 fund balance will be maintained to help mitigate any further decreases in federal revenues.

Mr. Bullen noted that after near-term advancements to match work schedules, the fund balance is maintained from FY 2017 to FY 2020, which will help offset any losses if a new federal transportation bill reduces revenues.

Mr. Bullen stated that the Draft FY 2015 Arterial Life Cycle Program continues the elimination of program inflation and bonding, is consistent with the programming principles in the ALCP Policies and Procedures, as approved May 28, 2014, and maintains a conservative approach while meeting near-term needs. Mr. Bullen stated that staff will continue to monitor changes in the federal transportation program.

Chair Isom thanked Mr. Bullen for his report. No questions from the Committee were noted.

Mr. Rick Buss moved to recommend approval of (1) the draft FY 2015 Arterial Life Cycle Program and (2) amendments and administrative modifications to the 2035 Regional Transportation Plan and the FY 2014-2018 MAG Transportation Improvement Program, as appropriate. Mr. Stephen Cleveland seconded, and the motion passed unanimously.

9. MAG Federally Funded, Locally Sponsored Project Development Status Report

Ms. Teri Kennedy, MAG staff, presented the MAG Development Status Report on projects that are locally sponsored and funded with Federal Highway Administration suballocated funding. She explained that the Status Report is produced twice a year and covers the federally funded projects that are expected to authorize in the near term, two-year period (FY 2015 and FY 2016).

Ms. Kennedy stated that the projects use suballocated federal funds, such as Congestion Mitigation and Air Quality Improvement Program bicycle/pedestrian projects, arterial ITS projects, paving of unpaved road projects, safety projects, and Transportation Alternatives infrastructure and non-infrastructure projects. Ms. Kennedy added that the Status Report does not cover the Regional Transportation Plan freeway program, the Arterial Life Cycle Program, or Transit Life Cycle Program projects.

Ms. Kennedy stated that the Status Reports allow MAG staff and managers to monitor the status of federally funded projects and ensure that they are on schedule. She advised that a one-time deferral is allowed, if needed. Ms. Kennedy the Status Report prepares for the closeout process if funds are available. She added that the closeout process will not be conducted until MAG receives news of the federal transportation legislation. Ms. Kennedy stated that the Status Report ensures that all suballocated federal funding is efficiently utilized, and gets projects back on track.

Ms. Kennedy provided a summary of the status of projects. For FY 2015, 48 projects were on time, with three projects requesting deferrals. For FY 2016, 39 projects were on time, with no projects requesting deferrals. Ms. Kennedy explained that the trend from 2009 has been a sharp increase in deferrals through 2011, and then a decrease in deferrals since that time. Ms. Kennedy noted that the goal for the program is to have more on-time projects and fewer deferrals. Ms. Kennedy also explained that carry forward funding has been reduced in recent years due in large part to the Project Status Reports. Carry forward funds have fallen from more than \$30 million a year to nearly non-existent levels.

Chair Isom thanked Ms. Kennedy for her report. No questions from the Committee were noted.

Mr. Stephen Cleveland moved to recommend approval of the MAG Federally Funded, Locally Sponsored Project Development Status Report, of actions that defer, delete, advance, and change projects, and of the necessary amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program, and as appropriate, to the 2035 Regional Transportation Plan. Mr. Rick Buss seconded, and the motion passed unanimously.

10. Project Changes – Amendment and Administrative Modification to the FY 2014-2018 MAG Transportation Improvement Program, and to the 2035 Regional Transportation Plan

Ms. Teri Kennedy stated that this agenda item covers items listed in Tables C and D that were included in the agenda packet. She said that the requested project changes include 35 ADOT statewide projects, 22 CMAQ ITS projects, four CMAQ bicycle and pedestrian projects, four CMAQ paving projects, one Highway Safety Improvement Program-MAG Safety project, seven locally sponsored or privately funded projects, one general public transit change (5307, 5337, 5339), 10 FTA CMAQ-Flex transit projects, and assorted clerical corrections.

Chair Isom thanked Ms. Kennedy for her report. No questions from the Committee were noted.

Mr. John Kross moved to recommend approval of amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program, and as appropriate, to the 2035 Regional Transportation Plan. Mr. Stephen Cleveland seconded, and the motion passed unanimously.

11. Funding for Department of Public Safety Officers to Co-locate in the ADOT Traffic Operations Center

Mr. Sarath Joshua, MAG staff, introduced staff present at the meeting who were familiar with the project: From the Department of Public Safety (DPS), Major Kelly Heape and Captain Chris Hemmen; from the Arizona Department of Transportation (ADOT), Trent Kelso and Assistant State Engineer Dalles Hammit; Chair of the ITS Committee and Tempe City Engineer, Catherine Hollow.

Mr. Joshua noted that Mr. Bob Hazlett, MAG staff, recently reported on a near-term improvement strategy for the Interstate 10 and Interstate 17 corridors (“The Spine”) to MAG committees. He stated that \$1.47 billion is included in the Regional Transportation Plan for improvements to the 35-mile Spine corridor, but some near term corridor improvements are being developed that could rapidly meet environmental requirements and a near-term construction timeframe.

Mr. Joshua stated that one possible near-term improvement is to co-locate DPS officers in the ADOT Traffic Operations Center (TOC). He noted that the MAG ITS Committee recommended this to improve incident response times and potentially provide more rapid response to events such as wrong-way drivers.

Mr. Joshua explained the benefits of having a DPS officer at the ADOT TOC. He said that the officer establishes a direct link between on-scene Traffic Incident Management and ADOT traffic management functions, improves decision support for managing traffic during major freeway incidents and closures (the ability to see larger regional impact via cameras and vehicle sensors), improves coordination with local agency police departments, enables quicker implementation of traffic diversion strategies, and reduces the number of secondary crashes.

Mr. Joshua stated that other areas where an officer is co-located with a traffic operations center include the Utah Department of Transportation in Salt Lake City, the Nevada Department of Transportation in Las Vegas, the Texas Department of Transportation in Houston and Austin, Texas, and the California Department of Transportation (CalTrans) in San Diego. He noted that the CalTrans Business Model for traffic management centers calls for co-location of the centers with the California Highway Patrol.

Mr. Joshua stated that they are proposing an evaluation with a performance monitoring process that would be developed by MAG, DPS and ADOT. He noted that the recommendation is to approve equally sharing the first year cost of \$450,000 and subsequent annual cost of \$425,000 with ADOT to co-locate three Department of Public Safety officers and one DPS supervisor in the ADOT Traffic Operations Center and redirect the MAG share from the MAG Regional Freeway and Highway Program Management Consultant funds of \$225,000 for the first year, and \$212,500 annually thereafter. Mr. Joshua stated that this project should be considered a three-year pilot project with an evaluation component.

Mr. Dennis Smith stated that a number of questions have been asked on this item. He proposed that the Management Committee present their questions today and then staff could come back to the August meeting with answers. Mr. Smith noted that there is some confusion over the source of MAG funds proposed for this project, which are Proposition 400 sales tax funds that are already going to Managed Consultant Programs at ADOT. Mr. Smith stated that when the ITS Committee looked at this, it seemed like the biggest return on the investment of all the near-term improvements. He noted that six months training would be needed. Mr. Smith stated that another concern raised is whether this is setting a precedent to use sales tax funds toward this operations program. He indicated he thought it was somewhat of a precedent, but the proposal had been modified to make it a three-year pilot program with an evaluation component. Mr. Smith explained that MAG has done projects in the past similar to this, like the Freeway Service Patrol, which was a three-year pilot program between MAG and ADOT, and then ADOT took it over. Mr. Smith stated that because ADOT was having a difficult time with funding operations, MAG included funding in the 2004 sales tax for freeway landscaping, maintenance and trash pickup. Mr. Smith also noted that Proposition 400 also included funds for rubberized asphalt. He said that he thought this was a good opportunity to ask questions that could then be answered and action taken at the August Management Committee meeting.

Chair Isom asked members if they had questions or comments.

Mr. Patrick Banger stated that there is ongoing dialogue from the June 9 East Valley Managers meeting. He moved to move consideration of this item to the August agenda and they will have staff contact MAG staff with questions to work through these issues. Mr. Banger indicated that they are intrigued with the idea of the program, but need some questions answered before making a decision.

Mr. Jim Bacon expressed support for the motion. He said that would like to see a list of examples of previous projects where MAG provided operating funds to another political subdivision. Mr.

Bacon requested that the performance metrics be framed before funds for the project are committed.

Chair Isom noted that a concern of his related somewhat to this topic. He noted that public safety officers have dangerous jobs and his main observance is the size of the state highway shoulders and his concern with the risks the officers take. Chair Isom commended the officers and expressed his hope that broadening the shoulders to improve safety might be considered in future planning.

Mr. Stephen Cleveland asked the DPS officers if they could share the mechanics that DPS officers would be expected to play in the TOC and how the officers' presence would improve response times and the ability to improve the situation.

Major Kelly Heape, Chief of Staff for the Highway Patrol Division, noted that he has worked for DPS for 27 years. Major Heape noted that the concept of DPS officers in the TOC has been discussed for about one year. He said that while it is certainly better to have civilian staff at the TOC than no staff at all, there are advantages to having a sworn officer on site. Major Heape stated that a sworn officer would have instantaneous access to traffic cameras that are not available in patrol cars and in their sworn capacity that a civilian employee would not have, they have the authority to call in manpower and resources, such as tow trucks, fire trucks, and ambulances. Major Heape stated that sworn personnel could also reduce the amount of manpower at an incident, which is an efficiency. He added that having DPS in the TOC would be a huge benefit in reducing secondary crashes, injuries, fatalities, and property damage. Major Heape noted that other incidents along the highways include jumpers from bridges. Sworn personnel would also have access to the DPS dispatch center, which would remain separate, but would provide another resource for calling helicopters and notifying other agencies.

Mr. Cleveland expressed appreciation for the clarification of daily operations in the world of public safety. He expressed that he would like to see performance evaluation metrics as Mr. Bacon suggested before the August meeting to determine if the pilot project is working and the impacts of funding in the long-term.

Mr. John Hauskins stated that he did not want to express an opinion about funding, but wondered if there was any summary of performance or had anyone visited the other areas where sworn officers were co-located in traffic operations centers. Mr. Hauskins noted that he had visited the San Diego co-location facility and the staff there seemed excited about the benefits they were obtaining, and they might have some reports or information available. Mr. Hauskins expressed that he had not heard anything negative from any co-located sites. As a former district engineer for ADOT, he spent a lot of time working with incidents, traffic operations centers, incident command, etc., and he thought looking at those items would be helpful in developing metrics.

Mr. Andrew Ching asked for clarification if the MAG funding would be used to hire officers who would backfill the positions who were assigned to the TOC. Major Heape stated that DPS has staffing concerns as do many agencies around the world. He noted that this was a consideration at DPS when staffing at the TOC was being discussed. Major Heape stated that the funding was

designed to backfill the positions of a sergeant and three to four officers taken from the roadway for this pilot program so there would be replacements in the field.

Mr. Ching referenced having sworn personnel in the TOC who would have the ability to direct resources in the field that non-sworn personnel could not. He asked if it was a matter of a lack of authority for non-sworn personnel and could they be empowered, perhaps through some sort of protocol, to make decisions like that?

Major Heape stated that considerations are mostly operational. He said that the Highway Patrol and their sworn elements will respond to collisions and utilize resources, such as calling tow trucks, fire departments, and other agencies, to clear the roadway and deal with incidents on the freeways. He stated that he was not sure if DPS, or even ADOT would be comfortable with ADOT staff calling in their resources. While it seems advantageous that ADOT staff could call a tow truck, there are guidelines, such as the class of tow truck, how many tow trucks, etc., but calling more equipment than needed can be costly for someone. Major Heape stated that civilians could take on some roles, but there are concerns for another agency calling on DPS resources, and he noted that DPS operational resources are needed to shut down a roadway.

Mr. Ching asked for clarification that DPS has its own dispatch. Major Heape replied yes. Mr. Ching asked if DPS dispatch would still need to coordinate with DPS in the TOC. Major Heape replied yes. Mr. Ching stated that additional information would be helpful because he was not clear why a protocol could not be created to address operational concerns.

Mr. Ching asked if the DPS dispatch center is staffed with non-sworn personnel. Major Heape replied yes, they call the resources to the field required by the incident based on their training and working with DPS sworn personnel. He gave as an example: If a major incident occurred blocking three lanes of a freeway, an officer in the TOC could start calling resources for a more timely response. Major Heape noted that with each passing minute, the potential for secondary crashes, more injuries to the public and first responders and fatalities, increases. He explained that the information coming in to DPS dispatch is not always clear, but DPS in the TOC would know exactly what equipment and personnel are required to be called. Major Heape stated that dealing with the situation as quickly as possible reduces the secondary crash rates on nearby arterials. Major Heape stated that they predict DPS in the TOC would accomplish clearing the roadways more quickly and more efficiently than officers responding to the scene through heavy traffic as they do now.

Mr. Ching asked if there were any comparisons to show that which Major Heape described could not be accomplished with training existing or non sworn personnel. He commented on improving the existing communications between the TOC and DPS dispatch.

Major Heape said that the officers have a trained eye and will know what to look for based on experience. He added that civilian personnel would not view a situation in the same way as a sworn officer, who would realize the implications of certain indicators investigatively, such as the potential for criminal charges, what takes precedence – clearing a roadway or conducting an investigation, etc. Major Heape remarked that although he personally has not delved into the

research noted by Mr. Ching, the trend across the country has been going toward co-location rather than training civilians and giving them that authority.

Mr. Ching expressed his appreciation for this element, but said he would like to have the information before making a decision.

Mr. Ed Zuercher asked Mr. Smith to explain the basis for this being considered an efficient use of funds.

Mr. Smith stated that last month, Mr. Bob Hazlett, MAG staff, presented a report on the operations side to increase the efficiency of traffic flow if freeway incidents were cleared faster.

Mr. Joshua noted that the MAG ITS Committee was asked to develop some operational improvements with ADOT and DPS. He stated that this was one key item for improvement that was identified and is in practice across the country. Mr. Joshua remarked that this particular strategy to improve freeway operations and safety has been discussed for a number of years, He noted that traffic operations centers across the country are moving toward this as normal operation. Mr. Joshua stated that the opportunity to continue the discussion began when a near term strategy for improvements to Interstates 10 and 17 was being developed. He added that the recommendation was based on collective experience and knowledge of the ITS Committee.

Mr. Zuercher asked if it was a best practice. Mr. Joshua replied yes. Mr. Zuercher asked if funding was the reason that DPS and ADOT had not implemented the practice.

Mr. Smith stated that not enough funds were available for some of the capital improvements planned for Interstates 10 and 17, so operations improvements were considered to get traffic relief quicker. Mr. Smith stated that a lot of thoughtful questions have been asked by the Management Committee. He requested that staff could research evaluation methods, if there is a better protocol than a sworn officer, the reasons other states went to sworn officers in their TOCs, and any quantification of the return of investment.

Mr. Zuercher remarked that there were some issues, but it seems like the professionals at ADOT and DPS think having sworn personnel in the TOC is a good idea. He remarked that Phoenix has one of the largest freeway networks in the Valley and he thought it important to do things like this. Mr. Zuercher stated that this is a much less expensive option to keep freeway traffic moving than making capital improvements. He said that he is hearing if it is such a good idea, why was it not done before? And he suspected the reason was lack of funding at the state. Mr. Zuercher expressed his personal support for using the funds this way. He noted that it does not increase the funds already going to ADOT, it just reprioritizes the funding ADOT is already receiving. Mr. Zuercher stated that he thought it was a good idea to answer people's questions, but he thought there was a hangup on whether this is something cities should pay for. Mr. Zuercher indicated that he thought that barrier already had been broken on other things. Mr. Zuercher said that he thought it was important to move this forward for traffic flow and safety. He added that he supported getting information and whether there is a return on the investment, but ultimately he thought Phoenix would support this.

Mr. Smith noted that this discussion almost mirrors the discussion at MAG on the Freeway Service Patrol until MAG stepped in and put money toward the pilot program for a short time. He asked Mr. Joshua the annual number of Freeway Service Patrol incidents. Mr. Joshua replied that the Freeway Service Patrol, currently funded through the Regional Transportation Plan, assists approximately 10,000 motorists each year. Mr. Smith noted that getting the program going is a matter of an incentive.

Mr. Jim Bacon seconded the motion made by Mr. Banger.

Mr. Brad Lundahl asked if ADOT or DPS had plans to make this a part of their budget request for next year.

Major Heape replied that they had not planned this as budget request, and this discussion was being used as a springboard.

Mr. Scott Butler expressed Mr. Chris Brady's regrets that he had a schedule conflict and was unable to attend the meeting today. Mr. Butler said that Mr. Brady would like to hear an evaluation of the response times before and after the pilot program is implemented. He said that the City of Mesa echoes Phoenix's call on this, it is something it feels is important and would ultimately like to support.

Mr. Ching requested contacting those jurisdictions that have adopted co-location to see if they have any before-and-after data.

Mr. Paul Jepson asked about utilizing retired DPS personnel, not someone actively sworn, but whose wealth of experience and knowledge could be helpful.

Chair Isom stated that it will be a valuable discussion on having a trained officer present to view incidents and direct resources. He expressed appreciation to Major Kelly Heape and Captain Chris Hemmen for coming to the meeting. Chair Isom asked Mr. Trent Kelso if he any additional comments to add. Mr. Kelso had no additional comments.

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

12. Draft MAG 208 Water Quality Management Plan Point Source Update

Julie Hoffman, MAG staff, stated that MAG has been in the process of revising the Point Source section of the MAG 208 Water Quality Management Plan, which describes the preferred wastewater treatment configuration for the region over a 20-year planning horizon. She said that in 1974, MAG was designated by the Governor as the Regional Water Quality Management Planning Agency for the Maricopa County area. It is in this capacity that MAG prepares the 208 Water Quality Management Plan.

Ms. Hoffman stated that the initial 208 Plan was completed in 1979 with major revisions in 1982, 1993, and 2002. She reported that the plan consists of two major elements: the Point Source

element and the Nonpoint Source element. Ms. Hoffman stated that the Point Source element describes the preferred wastewater treatment system to serve the wastewater treatment needs of the region over a 20-year time period. The Nonpoint Source element primarily includes a description of regional surface and groundwater quality, and the federal and state program activities designed to control Nonpoint Source pollution.

Ms. Hoffman stated that the 208 Plan is the key guiding document used by Maricopa County and the Arizona Department of Environmental Quality in granting permits for wastewater treatment plants in the region. She noted that consistency with the 208 Plan is required for permit approvals. Ms. Hoffman stated that there are two ways to modify the plan outside a major revision: through the 208 Amendment Process or the Small Plant Review and Approval Process.

Ms. Hoffman reported that there have been twenty-two 208 Amendments and six Small Plant Review and Approvals since the plan was last updated in 2002, which have been incorporated into the Point Source Update. She noted that the latest socioeconomic projections and Municipal Planning Area boundaries have been included as well.

Ms. Hoffman stated that the draft descriptions were sent out to the MAG member agencies for their review. The MAG member agencies updated their sections and the draft document was then sent to MAG member agencies in March. Ms. Hoffman stated that the MAG Water Quality Advisory Committee reviewed the document and on April 1, 2014, authorized the public hearing.

Ms. Hoffman stated that since then, comments were submitted by MAG member agencies. She added that these changes were not significant, and the majority of the changes were incorporated into the document prior to it being made available for the 30-day public review period. Ms. Hoffman stated that all of the comments received after the April 1, 2014, Water Quality Advisory Committee meeting are addressed in the response to comments provided in the agenda packet.

Ms. Hoffman reported that the Point Source Update includes 122 wastewater treatment facilities. There are 35 new facilities added to the 208 Plan through 208 Amendments and Small Plant Review and Approvals. Two additional future facilities, the Special Planning Area 6 facility in Surprise and the Pecos water reclamation facility in Goodyear, were also added. Ms. Hoffman noted that almost 20 plants are being removed from the Plan.

Ms. Hoffman reviewed the schedule. She noted that immediately following the public hearing, the Water Quality Advisory Committee recommended approval of the Draft MAG 208 Water Quality Management Plan Point Source Update. Ms. Hoffman stated that the MAG Management Committee is being requested to make a recommendation to the Regional Council. She said that it is anticipated that the MAG Regional Council could take action on the Update on June 25, 2014, after which MAG would submit it to the State Working Group to make a recommendation to the Arizona Department of Environmental Quality (ADEQ), which after certification, would submit it to the Environmental Protection Agency for approval.

Chair Isom thanked Ms. Hoffman for her report. He asked for an update on streamlining the 208 process at ADEQ. Ms. Hoffman replied that the ADEQ is currently discussing updating the State

Water Quality Management Plan, which was done in 1979. She added that they are looking at the 208 process and ways to streamline the process to make it shorter.

Mr. Smith stated that options being considered by ADEQ include not as much local control by cities and streamlining the process to get the permits out faster. He noted that the 208 process is a precursor to development. Mr. Smith noted that MAG receives only about \$5,000 from the state to provide water quality planning and MAG member agencies pay an assessment for MAG to conduct this exercise because they realize it is beneficial. Mr. Smith stated that MAG might need to notify ADEQ that it wants to be included in its review process. He stated that the 208 process at MAG was developed in 1970s by a group of city managers.

Mr. Cleveland asked if the MAG 208 Water Quality Management Plan included any agencies outside Maricopa County. Ms. Hoffman replied that MAG's designation is only for Maricopa County and the Central Arizona Governments operates a 208 water quality management program for Pinal County.

With no further questions, Mr. Rick Buss moved to recommend approval of the Draft MAG 208 Water Quality Management Plan Point Source Update. Mr. John Kross seconded, and the motion passed unanimously.

13. Update on the MAG 2012 Five Percent Plan for PM-10 and Exceptional Events

Lindy Bauer, MAG staff, provided an update on the MAG 2012 Five Percent Plan for PM-10. She indicated that it includes a wide variety of controls on unpaved roads, trackout, open burning, unpaved shoulders, vacant lots, earthmoving, all terrain vehicles, weed abatement, leaf blowers, street sweepers, and mineral and mining.

Ms. Bauer stated that on May 30, 2014, EPA signed a final notice to approve the MAG 2012 Five Percent Plan for PM-10 and published it in the Federal Register on June 10, 2014. She explained that EPA determined that the Maricopa County Nonattainment Area has met the PM-10 standard based upon three years of clean data for 2010-2012. Ms. Bauer stated that July 10, 2014, is the effective date of final action.

Ms. Bauer stated that a number of prevention activities were carried out that were critical to the success of the PM-10 Plan, for example the Dust Reduction Task Force established by the City of Phoenix, a PM-10 prevention video produced by MAG, the rapid response plans implemented by a number of MAG member agencies, the real-time monitoring data system established by Maricopa County (utilizing funding provided by MAG), and the dust control action forecasts sent out by ADEQ in advance of incidents. Ms. Bauer explained an incident occurred on May 29, when the County sent out a dust alert caused when a farmer was tilling his fields nearby the West Chandler monitor. She stated that ADEQ could not reach the farmer on his cell phone, so the City of Chandler sent out a water truck and notified the property owner, Microchip, which went to the farmer and got him to stop tilling. Ms. Bauer stated that an exceedance of the standard was avoided through these efforts.

Ms. Bauer reviewed the next steps. She said that aggressive prevention efforts must continue. Ms. Bauer stated that clean data at the monitors and throughout the region must be maintained, otherwise the region will go back into nonattainment. Ms. Bauer stated that MAG will be preparing its redesignation request and maintenance plan for PM-10. She remarked that the EPA flawed exceptional events rule and process still need to be streamlined, however, rule revisions have been delayed due to EPA resource constraints and they are about one year behind schedule. Ms. Bauer added that proposed revisions are anticipated for mid 2015 with final revisions anticipated in mid 2016.

Ms. Bauer stated that exceptional events will stay on the radar screen, however, the process is very resource intensive and costly. She displayed a photograph of the press conference at MAG on June 2, 2014, announcing the approval of MAG's PM-10 Plan by the EPA. Ms. Bauer noted the those attending included Regional Council members, ADEQ, ADOT, and the Maricopa County Air Quality Department. She extended her appreciation to each of the Management Committee members for committing their staff resources toward dust control efforts and she said that their efforts paid off. Ms. Bauer thanked the EPA, ADEQ, ADOT, Maricopa County Air Quality Department, the Congressional Delegation, business, industry, and agriculture. She noted that it took everyone at all levels to achieve the standard.

Chair Isom thanked Ms. Bauer for her report and asked if there were questions.

Mr. Cleveland commended Ms. Bauer and MAG staff and the Air Quality Technical Advisory Committee for their efforts on air quality. He said that there have been many times when MAG was on the verge of losing federal funds because the region was close to an exceedance. Mr. Cleveland encouraged his peers to chair the Air Quality Technical Advisory Committee, which to him was a rewarding experience to work with all of its associated groups.

14. Regional Coordination to End Domestic Violence

As part of the Protocol Evaluation Project, the Maricopa Association of Governments and Maricopa County Attorney's Office will co-host the Solutions for Safety event on August 12, 2014. The purpose of the event is to explore challenges and develop solutions for enhancing the way the criminal justice system responds to domestic violence. The event invites elected officials, law enforcement, prosecutors, victim advocates and others working to address domestic violence to participate in discussions and action planning to increase victim safety and hold more offenders accountable.

Chair Isom suggested that in the interest of time, he would move that no report on this item be provided. Mr. Cleveland seconded, and the motion passed unanimously. Material for the Solutions for Safety event was at each place.

15. Election of Officers

Chair Isom stated that each June, the positions of Chair and Vice Chair are elected by the Management Committee. According to the MAG Committee Operating Policies and Procedures,

approved by the MAG Regional Council, the Chair works with members to nominate a manager for the Vice Chair position and the current Vice Chair is nominated for the position of Chair. The positions serve one-year terms. Chair Isom called for nominations.

Mr. Darryl Crossman moved to elect Mr. Chris Brady, Mesa, as Chair, and Mr. Rick Buss, Gila Bend, as Vice Chair. Mr. John Kross seconded, and the motion passed unanimously.

16. Legislative Update

Nathan Pryor, MAG staff, provided an update on legislative issues of interest. He said that a provision in the current federal transportation legislation, MAP-21, requires that metropolitan planning organizations that serve as a transit management area include a public transit representative on their boards by October 1, 2014. Mr. Pryor noted that guidance by Federal Transit Administration and the Federal Highway Administration has been published in the Federal Register. He added that staff is working on the process for implementing this and will be bringing it back at a future date.

Chair Isom thanked Mr. Pryor for his report. No questions from the committee were noted.

17. 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.

No requests were noted.

18. 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 Isom stated that his perspective of MAG has given him new found appreciation for its work with member agencies. He commended MAG on their efforts for the region. Chair Isom said that in the past, smaller cities felt they were not included, but during his term as Chair, he has observed an increasing atmosphere of inclusion at MAG. Chair Isom noted that there is less of the east/west issues, and what he saw in the past year was neighbors helping neighbors. He remarked that from El Mirage's perspective, MAG staff has been phenomenal in helping communities achieve their plans. Chair Isom thanked MAG staff and asked they be applauded. Chair Isom thanked Mr. Dennis Smith, Ms. Teri Kennedy, Mr. John Bullen, Mr. Bob Hazlett, Mr. Eric Anderson, Mr. Nathan Pryor, Ms. Valerie Day, Ms. Eileen Yazzie and brought them a token of his appreciation.

Mr. Stephen Cleveland, past Chair of the MAG Management Committee, presented Chair Isom with a plaque in appreciation of his service as Chair of the MAG Management Committee from 2013 to 2014.

Chair Isom thanked the Committee for the recognition.

Adjournment

There being no further business, the meeting was adjourned at 1:47 p.m.

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Chair

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Secretary