

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

March 30, 2011
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Thomas Schoaf, Litchfield Park, Chair	Supervisor Mary Rose Wilcox, Maricopa Co.
# Mayor Hugh Hallman, Tempe, Vice Chair	# Vice Mayor Scott Somers for Mayor Scott
* Councilwoman Robin Barker, Apache Junction	Smith, Mesa
Mayor Marie Lopez Rogers, Avondale	Vice Mayor Mary Hamway for Mayor Scott
Mayor Jackie Meck, Buckeye	LeMarr, Paradise Valley
Mayor David Schwan, Carefree	* Mayor Bob Barrett, Peoria
Councilman Dick Esser, Cave Creek	Councilwoman Peggy Neely, Phoenix
# Mayor Jay Tibshraeny, Chandler	# Mayor Gail Barney, Queen Creek
Mayor Lana Mook, El Mirage	* President Diane Enos, Salt River
* President Clinton Pattea, Fort McDowell	Pima-Maricopa Indian Community
Yavapai Nation	# Mayor Jim Lane, Scottsdale
# Mayor Jay Schlum, Fountain Hills	Councilwoman Sharon Wolcott, Surprise
* Mayor Ron Henry, Gila Bend	* Mayor Adolfo Gamez, Tolleson
* Governor William Rhodes, Gila River Indian	# Mayor Kelly Blunt, Wickenburg
Community	# Mayor Michael LeVault, Youngtown
Mayor John Lewis, Gilbert	* Felipe Zubia, State Transportation Board
* Mayor Elaine Scruggs, Glendale	* Victor Flores, State Transportation Board
Mayor Georgia Lord, Goodyear	Roc Arnett, Citizens Transportation Oversight
* Mayor Yolanda Solarez, Guadalupe	Committee

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

1. **Call to Order**

The meeting of the MAG Regional Council was called to order by Chair Thomas Schoaf at 5:05 p.m.

2. **Pledge of Allegiance**

The Pledge of Allegiance was recited.

Chair Schoaf stated that Mayor Gail Barney, Mayor Kelly Blunt, Mayor Hugh Hallman, Mayor Jim Lane, Mayor Michael LeVault, Mayor Jay Schlum, Mayor Jay Tibshraeny, and Vice Mayor Scott Somers as proxy for Mayor Scott Smith, were participating in the meeting by teleconference.

Chair Schoaf presented Regional Council membership certificates to Mayor Lana Mook from El Mirage and Mayor Georgia Lord from Goodyear.

Chair Schoaf introduced Vice Mayor Mary Hamway as proxy for Mayor Scott LeMarr, Paradise Valley.

Chair Schoaf noted that materials for agenda items #5D, #5E, #10, and #13 were at each place. These items had previously been transmitted to members.

3. Call to the Audience

Chair Schoaf noted that public comment cards were available to members of the audience who wish to speak on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens are requested to not exceed a three minute time period for their comments. A total of 15 minutes is provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chair Schoaf recognized public comment from Bryan Cazier, who stated that his house backs up to the Sonoran Boulevard, which until November 3, 2010, was called Dove Valley Road. Mr. Cazier stated that it was recorded on plats as Dove Valley Road going back to 2002 and was in the North Gateway Village Core Plan in 2008. He commented that in the resolution passed by the Phoenix City Council, the Sonoran Parkway or Boulevard was one mile south of where it is currently being built. Mr. Cazier stated that it does not align with Loop 303, which is what was advertised. He stated that \$32 million of Proposition 400 funds is going into this road. Mr. Cazier stated that there was never any public notifications of the change to the citizens in the area. He reported that 245 letters were sent, 240 of which went to apartments with that address, but other residents were not informed. Mr. Cazier stated that on June 27, 2006, when the alignment was passed, none of the affected communities on the west side at Interstate 17 where he lives, knew about this discussion. He said there is no documentation and every map indicates Sonoran Parkway/Boulevard. Mr. Cazier stated that it was renamed in September 2006 and was always one mile south at the Lone Mountain alignment until November 3, 2010, when the Phoenix City Council renamed Sonoran Boulevard to Sonoran Desert Drive and Dove Valley Road to Sonoran Boulevard. Mr. Cazier expressed he thought this was very misleading. He said it was called Sonoran Boulevard in Proposition 400, and was one mile south at the Loop 303 alignment and now it is one mile north. Mr. Cazier stated that this road will not connect with Interstate 17, there is no bridge there because there is no funding and it will connect to North Valley Parkway. He commented how this will create traffic problems because cars will have to go north on 27th Drive to Carefree Highway to get on Interstate 17 north. Mr. Cazier stated that they have requested traffic studies a dozen times over six weeks, and the City has not provided them. He remarked that the two pages they were given were dated February 9, 2011, and February 11, 2011, and this is very suspicious when road construction started in October 2010. Mr. Cazier requested that the Regional Council investigate this. He remarked that \$32 million is being spent on a road that is inefficient, does not line up, and does not make any sense. Mr. Cazier added that he cannot find a record of notification to the area residents. He stated that 350 people showed up at a meeting a couple of weeks prior, which is the first they had ever heard of it. Mr. Cazier urged looking at recorded plats from 2002.

Chair Schoaf thanked Mr. Cazier for attending the meeting and offering comment. He noted that due to the open meeting law, the Regional Council was not be able to discuss any items that were not on the agenda.

Chair Schoaf recognized public comment from Dianne Barker, who stated that she sees the Legislature is trying to get the use of HOV lanes for HOT lanes if regular vehicles pay a \$2,500 fee annually. She expressed her concern that some of the HOV lanes were federally funded and she thought the Legislature may need a visit from the federal transportation people. Ms. Barker stated that MAG is a forerunner by allowing citizens to speak on any item. She said there is a bill at the Legislature that the government shall (not may) have a call to the audience. Ms. Barker then commented on rail. She reported that some say \$2 billion for rail from Phoenix to Tucson is too much money and she thought once again we need to be looking at multimodal and not just moving vehicles around. Ms. Barker stated that this country depends on 50 percent of its oil supply from foreign sources and we need to look at alternative ways to move goods and services rapidly and efficiently. She stated that she attended the meeting by bus and light rail and she was not in favor of more at-grade crossings because they negatively impact the signal timing. Ms. Barker urged implementing this quickly with flexible buses and fast trains. Chair Schoaf thanked Ms. Barker for her report.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. Mr. Smith stated that the annual Continuum of Care luncheon was attended by more than 150 people on March 22, 2011. He reported that this is the tenth year that Mr. Jerry Bisgrove sponsored the luncheon through his Stardust Foundation. Mr. Smith stated that speakers at the event included Mayor Tom Schoaf, Regional Council Chair; Tempe Councilmember Shana Ellis, Chair of the MAG Continuum of Care Regional Committee on Homelessness; Goodyear Councilmember Joanne Osborn, Vice Chair of the MAG Continuum of Care Regional Committee on Homelessness; and Deborah DeSantis, President and Chief Executive Officer of the Corporation for Supportive Housing. Mr. Smith reported that Ms. DeSantis expressed that she was impressed with MAG's homeless program and said that MAG is far ahead of other agencies. He thanked the MAG Human Services staff, especially MAG Human Services Program Manager Brande Mead, for their work on the event.

Mr. Smith reported that the MAG Regional Domestic Violence Council has received the Distinguished Service Award from the Arizona Attorney General. He stated that the award, to be presented on April 12, 2011, at the State Capitol during Victim Rights Week, is given for outstanding contributions and efforts on behalf of victims' rights and assistance.

Mr. Smith stated that the MAG Regional Council is invited to the 161st Air Refueling Wing breakfast and tour on June 16, 2011, at 7:30 a.m. at Phoenix Sky Harbor Airport. He said that staff has additional information for those interested in attending.

Chair Schoaf thanked Mr. Smith for his report. No questions from the Council were noted.

5. Approval of Consent Agenda

Chair Schoaf noted that agenda items #5A, #5B, #5C, #5D, and #5E were on the Consent Agenda. He noted that no public comment cards had been received. Chair Schoaf asked members if they had questions or requests to hear an item individually.

Councilmember Esser moved to approve the Consent Agenda. Vice Chair Neely seconded, and the motion passed unanimously.

5A. Approval of the February 23, 2011, Meeting Minutes

The Regional Council, by consent, approved the February 23, 2011, meeting minutes.

5B. ADOT Red Letter Process

In June 1996, the MAG Regional Council approved the Arizona Department of Transportation (ADOT) Red Letter process, which requires MAG member agencies to notify ADOT of potential development activities in freeway alignments. Development activities include actions on plans, zoning and permits. ADOT has forwarded a list of notifications from July 1, 2010, to December 31, 2010. Of the 97 notices received, seven had an impact to the State Highway System.

5C. Arterial Life Cycle Program Deficit and Scenarios for Balancing the Program

In November 2010, the Arizona Department of Transportation released a revised Regional Area Road Fund (RARF) projection that indicated a \$232 million reduction in forecasted revenues allocated to the Arterial Life Cycle Program (ALCP) for the remainder of the half-cent sales tax. The adopted ALCP Policies and Procedures provide guidance to defer projects in priority order when there is a program deficit. Due to the sizable deficit, two alternative scenarios were developed to balance the ALCP. The ALCP Working Group favored Scenario III. MAG staff presented the alternative scenarios to balance the ALCP to the Transportation Policy Committee (TPC) on February 16, 2011. The TPC recommended Scenario III, which prorates the reduction proportionally across the Lead Agencies. An update is provided on the revised RARF revenue forecast, fiscal implications, and policy and technical guidance provided by the TPC.

5D. Ratification of Geographic Representative for the Transportation Policy Committee

The Regional Council, by consent, ratified the appointment of Mayor Georgia Lord, City of Goodyear, to fill the unexpired portion of the geographic balance seat, two-year term (June 2012), on the Transportation Policy Committee. The composition of the Transportation Policy Committee (TPC), established by the Regional Council on April 24, 2002, includes three members selected from areas that need to be represented to achieve geographic balance, with the members selected from and by the under represented geographic area and ratified by the Regional Council. Interstate 17 is used as a boundary in determining geographic balance. Due to recent elections, a letter of support for Mayor Georgia Lord,

City of Goodyear, to fill the unexpired portion of the geographic balance seat, two-year term (June 2012), was received.

5E. Transit Policy and Programming in the Region

The Regional Council, by consent, approved that up to \$29,735,966 of federal 5307 transit funds be programmed for preventive maintenance in 2011-2015. If the federal transit funds are less than expected, the amount of 5307 programmed for preventive maintenance would be adjusted accordingly. When developing a new five year Transportation Improvement Program (TIP), funding for preventive maintenance will be reviewed. In February 2011, the Transportation Policy Committee (TPC) was presented information that outlined gaps and inconsistencies between the MAG Regional Transportation Plan (RTP), the status of the regional transit system, and current funding needs. From that discussion, MAG staff has compiled information about the definition of preventive maintenance, an overview of what other regions are doing with federal funds and supporting preventive maintenance, and baseline information on operating and preventive maintenance budgets and funding. At the March 23, 2011, meeting, the TPC recommended direction on how preventive maintenance is integrated into the five year TIP.

6. Freight Transportation Framework Study Update

Tim Strow, MAG Transportation Planner, provided a report on the Freight Transportation Framework Study, which began in January 2011. He stated that the project is being managed by MAG with input from the Joint Planning Advisory Council (JPAC). Mr. Strow noted that JPAC was formed in 2009 by MAG, the Central Arizona Association of Governments, and the Pima Association of Governments through a resolution stating their desire to jointly coordinate planning efforts in the Sun Corridor. He stated that the Freight Transportation Framework Study area includes Maricopa, Pinal and Pima counties. Mr. Strow announced that Parsons Brinckerhoff, a firm that has worked on more than 200 port projects in the United States, was selected to conduct the study.

Mr. Strow stated that United States trade has experienced a steep decline during the past few years, however, in 2010, both imports and exports increased and that positive trend is projected to continue in 2011. He noted that the United States is the world's largest trading nation and one out of every 11 international containers is bound for or originates in the United States. Mr. Strow stated that the shipping ports in China have become dominant over the past decade: Six of the top ten container ports are in China and only two United States ports – Los Angeles and Long Beach, are in the top 20 container ports.

Mr. Strow displayed a view of global commodity flows, and he pointed out the sizable flows from Asia to the west coast of the United States, through the Panama Canal to the Gulf of Mexico and the eastern United States.

Mr. Strow stated that the expansion of the Panama Canal will affect the flow of goods in this region. A third set of locks, one on the Pacific side and one on the Atlantic side, is being added to the Panama Canal, which will increase freight capacity there 20 percent. He reported that the main trade corridor that moves the most tonnage through the Panama Canal is the Asia to east coast of the United States

trade route. Mr. Strow stated that with the increase in capacity some of the shippers that continue to use the west coast ports and ship cargo across the country to east coast markets could see a slight decrease, but will improve the economics of shipping to east coast markets.

Mr. Strow stated that the maximum vessel size is 4,400 TEUs and with the expansion, the maximum vessel size will increase to 12,600 TUEs. He noted that the Panama Canal might be able to accommodate the larger size vessels, but it does not mean that the ports in the Gulf Coast and the east coast will be able to handle them. Mr. Strow stated that these ports are currently doing some dredging and port infrastructure improvements to handle the larger vessels and also the increased volume.

Mr. Strow stated that international containers from Asia come to the deep sea ports of the west coast, such as Seattle, Oakland, Los Angeles/Long Beach, and then are distributed to the interior of the United States primarily by rail to major intermodal hubs located in Chicago, Kansas City, Memphis and the Dallas/Fort Worth area. He noted that a significant amount of goods are shipped from the ports of Los Angeles and Long Beach via the Interstate 40 BNSF rail line in Northern Arizona and the Union Pacific rail line in Southern Arizona.

Mr. Strow displayed a map of the annual freight tonnage by mode issued by the U.S. Department of Transportation. He pointed out that Interstate 5 carries a significant amount of freight from Mexico to Canada. Mr. Strow stated that the ports have the capacity to increase the number of containers, but the supporting infrastructure is over capacity. He said that Interstate 40 and Interstate 10 in Arizona carry a significant amount of freight, but Arizona is a pass-through state, for example, 62 percent of all freight entering Arizona is destined for markets beyond its borders.

Mr. Strow stated that the primary focus of FHWA designated major freight corridor coalitions is to move freight more efficiently along freight corridors. He noted that one coalition that will have an effect on the flow of goods in the MAG region is the West Coast Corridor Coalition, which represents Alaska, Washington, Oregon, and California. Mr. Strow displayed a map of the west coast bottlenecks illustrated in the Coalition's study and he said they are working to identify transportation deficiencies and funding opportunities to keep goods and commuters moving efficiently and to remain competitive.

Mr. Strow stated that the main goal of the Freight Transportation Framework Study is to identify and develop freight related economic development opportunities for the Sun Corridor. He said that information from the study will be used to assist in the effort of breaking the trend of Arizona being a pass-through state, identify the unique strengths of the Sun Corridor, and create opportunities. Mr. Strow said that the study will include a commodity flow analysis and a survey of shippers and carriers to get their perspectives on regional and national freight trends. He stated that the results from these two tasks will evaluate the feasibility of an inland port and other freight related opportunities for the Sun Corridor.

Mr. Strow related what occurred in Seattle regarding the Boeing Corporation. He stated that the MPO in Seattle was working on the region's long range transportation plan. When the plan was finalized, the plan left out freight stakeholders discussion and focused more on a bicycle/pedestrian plan. Mr. Strow reported that a few months later, Boeing decided to relocate some of its operations outside Seattle, which

meant the loss of about 6,000 jobs in the Seattle region. Mr. Strow said that when Boeing was asked the reason for the relocation, Boeing responded that it had informed the MPO what it needed to stay in the region and the MPO did not listen. Mr. Strow remarked during the study process, MAG will listen to stakeholders to see not only what they need to expand or create new jobs in Arizona, but also to remain here.

Mr. Strow stated that the future deep sea port of Punta Colonet will also be included in the study. He noted that Punta Colonet is located about 150 miles south of Tijuana, Mexico. Mr. Strow stated that a Border Crossing Feasibility Study is underway to identify a railroad crossing into the United States, and he noted that Marisa Walker from the Governor's Canamex Task Force has been assisting in the effort. Mr. Strow stated that the study also will evaluate the existing port of Guaymas, which is located about 240 miles south of Nogales.

Mr. Strow stated that the Freight Transportation Framework Study also will be evaluating Interstate 11, and he noted that if completed to the northwestern United States, Interstate 11 could act as a reliever to freight corridors and Interstate 5 and could potentially open up many opportunities for the Intermountain West. Mr. Strow added that the Nevada DOT recently announced it will conduct a feasibility study for Interstate 11 through Nevada.

Mr. Strow stated that the study schedule is about 18 months. He said they are currently in the process of purchasing the commodity flow data and starting the stakeholder outreach for Maricopa, Pinal, and Pima counties. He said that the study team will continue to work with the Economic Development Committee and the Joint Planning Advisory Council.

Chair Schoaf thanked Mr. Strow for his report and asked members if they had questions. No questions from the Council were noted.

13. MAG Funding Match Request for ADOT-Federal Railroad Administration Grant Application

This agenda item was taken out of order.

Marc Pearsall, MAG Transit Planner, provided a report on a grant request that the Arizona Department of Transportation (ADOT) is submitting to the Federal Railroad Administration for environmental work on the inter-city commuter rail corridor from Tucson to Phoenix. He remarked that this item was being presented outside the usual protocol because ADOT is working on a very short timeframe. Mr. Pearsall stated that the grant request is due to the Federal Railroad Administration by Monday, April 4, 2011.

Mr. Pearsall stated that ADOT's Intercity Rail Study, which was launched in early March 2011, will examine eight corridors over the next two to three years. He stated that the study will examine the viability of passenger rail service from Phoenix to Tucson. Mr. Pearsall stated that Amtrak and Southern Pacific Railroad provided passenger service to the Phoenix to Tucson area, but the Valley itself has not had passenger service since 1996 when the line was rerouted to the City of Maricopa.

Mr. Pearsall stated that ADOT began the study with funding acquired over the past year. He stated that one-third of this corridor is represented by Maricopa County and there is the potential that the study work could be beneficial to future MAG commuter rail corridors if they were implemented.

Mr. Pearsall explained that the Governor of Florida declined the High Speed Rail funds it had been awarded, which meant that \$2.4 billion became available. He stated that the Federal Railroad Administration sent out a competitive grant application to state departments of transportation for these funds. Mr. Pearsall stated that the study would allow for completion of NEPA/environmental work in the MAG region through a record of decision. He reported that ADOT already has more than \$6 million for the current Intercity Rail Study, and is requesting \$6.4 million in federal funds for implementation, with a 20 percent match amount of \$1.6 million, bringing the total to nearly \$13 million over the lifetime of study. Mr. Pearsall stated that ADOT has indicated that the matching funds could be provided over a three year period. He said that the Pima Association of Governments has agreed to provide \$300,000 toward the effort and if approved by the Regional Council, MAG could provide \$500,000 in existing Regional Transportation Plan (RTP) commuter rail study funds. He noted that approximately \$3.5 million remains in commuter rail study funds for the duration of the RTP.

Mr. Pearsall stated that the ADOT study would allow the establishment of the Sun Corridor as a viable passenger rail corridor, and potentially, provide the opportunity to return Amtrak service to the Valley and establish downtown Phoenix as a destination. Mr. Pearsall noted that work is needed to reactivate the dormant Wellton branch railroad line.

Mr. Pearsall stated that this is an integral part of the MAG commuter rail system as approved by the Regional Council in May 2010. He said that the ADOT studies will help bolster the regional level work MAG would need to do anyway if MAG decided to do commuter rail work. Mr. Pearsall stated that MAG would obtain a NEPA on a chosen corridor, and would not have to fund future efforts to determine if the corridor is viable as a passenger rail corridor.

Mr. Pearsall stated that the Grand Avenue and Yuma West corridor evaluation studies were approved by the Regional Council last year. He indicated that the Southeast Valley has yet to have a corridor evaluation study. Mr. Pearsall stated that the ADOT Intercity Rail Study would provide the MAG region with one corridor evaluation study in the Southwest Valley. He said that these studies mean that MAG will have three corridor evaluation studies to inform if commuter or intercity rail is good for the Valley.

Mr. Pearsall also noted that this study ties in with the Western High Speed Rail Alliance and the Golden Triangle of Los Angeles, Las Vegas, and Phoenix. He stated that ADOT is considering joining the Alliance in order to represent the MAG, PAG, CAAG corridor from Phoenix to Tucson. Mr. Pearsall concluded his presentation by saying that Mike Keyes, the project manager for the ADOT study, was also present to answer questions.

Chair Schoaf thanked Mr. Pearsall for his report and asked members if they had questions.

Councilwoman Neely stated that she realized that this had a short timeframe and the application had to be submitted by April 4, but she wondered if MAG would get credit for matching funds it recently gave

to ADOT for another study. Mr. Pearsall replied that the funding MAG gave as a match last fall to ADOT for its application for a study of the Wellton Branch was declined by the Federal Railroad Administration. He added that the matching funds were never allocated to ADOT and remain in MAG's funds. Mr. Pearsall went on to explain that they had inquired if any of these past endeavors MAG had done on a regional level could be used as an in-kind match and the Federal Railroad Administration said the match needed to be in cash.

Councilwoman Neely asked if this previous match to ADOT was \$250,000. Mr. Pearsall replied that he would need to get back to Councilwoman Neely with the amount.

Councilwoman Neely stated that the Sun Corridor has been a priority for MAG, and as the megaregion grows, this is probably a good investment. She expressed that she wanted to ensure that MAG gets credit for what it has done so far.

Mayor Lewis asked MAG's role in the study process. Mr. Pearsall replied that MAG is on the ADOT project management team and will sit at the table throughout the study process. He noted that staff attends the monthly coordination meetings, and if the Regional Council so decided, its profile in the process could increase.

Mayor Lewis asked if this study would determine where the rail lines would be. Mr. Smith replied that this is the study MAG has been awaiting – it will determine where the line comes in to the East Valley. He stated that ADOT has a study underway and with additional funding, a complete study with a record of decision could be done. Mr. Smith apologized for the lateness of the request, but it was an opportunity that fell into ADOT's lap. He said that if approved, ADOT staff would present updates to the Regional Council as the study progresses. Mayor Lewis asked for confirmation that the study results were anticipated in about three years. Mr. Pearsall replied yes.

Councilman Esser asked Mr. Pearsall to revisit the reason for the short timeline of April 4. Mr. Pearsall replied that about one month ago, Florida declined the high speed rail funding it had received and returned it to the Federal Railroad Administration. He said that the Federal Railroad Administration decided to allow other states to participate in a competitive bid process of about two and one-half weeks.

Vice Chair Hallman stated that the presentation referenced the Wellton line and entrance into the Valley. He expressed his concern that this implies that the route has already been concluded, when it will be years before the best route into the Valley will be determined through this study, whether it comes in through Mesa, the east/west Union Pacific, south from the Gila River Indian Community, etc. Mr. Smith referenced the map that shows the alternative routes that will be studied. Vice Chair Hallman said that he would make a motion when the time was appropriate.

Mayor Rogers asked for clarification of the routes that would be studied, because two different maps had been shown. Mr. Pearsall stated that the MAG commuter rail system map had been displayed to show how one study would benefit the other. He explained that one of the corridors in ADOT's eight-color line system it is beginning to study will reach into the southeast Valley to tie into downtown

Phoenix. Mr. Pearsall stated that if the region tries to get passenger rail to the State Capitol this study might provide the opportunity to reopen the Wellton line.

Mayor Rogers asked if federal funds could be used for the study. Mr. Pearsall replied they could not. He explained that the funds requested of MAG helps bolster the conceptual intercity rail. Once ADOT decides on a corridor, they would give MAG the environmental documents needed to take the project all the way to construction. Mr. Pearsall stated that this provides the opportunity to double down on that corridor or study another East Valley corridor for potential commuter rail. It brings passenger rail to downtown Phoenix and potentially to expand to the West Valley.

Mayor Rogers asked if confirmation had been received from the Federal Railroad Administration that these funds could not be used for those other studies. Mr. Pearsall replied yes. He added that staff also asked if ADOT could apply additional study money to the study of the Wellton Branch and were told the Florida money is not for study, but for implementation, due to the NEPA element. He noted that there is a fine line between the two. Mr. Pearsall stated the Federal Railroad Administration views this as the step just prior to going into preliminary engineering, whereas the Federal Railroad Administration views the study of the Wellton line just as a study.

Mayor Rogers stated that the Federal Register talks about design, engineering, location, surveying, mapping, etc. She asked if this was the fine line Mr. Pearsall was referencing. Mr. Pearsall replied yes. Mayor Rogers asked about ADOT's match. Mr. Pearsall replied that ADOT is studying this internally to see what it can put forward. He added that Mr. Keyes would probably be able to speak to that. Mayor Rogers commented that it seemed appropriate ADOT would have some skin in the game.

Mayor Rogers stated that California's Governor and two senators have supported the efforts in their state and she asked if Arizona's Governor and state senators support the efforts here. Mr. Smith replied he was not aware if that support was there or not; they have not asked that question.

With no further questions, Vice Chair Hallman moved to provide matching funds over a three year period to ADOT for the proposed Federal Railroad Administration grant application, not to exceed a total of \$500,000, to complement the portion of the proposed rail line that would be in Maricopa County. Mr. Arnett seconded, and the motion passed unanimously.

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

Lindy Bauer, MAG Environmental Director, stated that work continues on the Five Percent Plan for PM-10. Ms. Bauer stated that the EPA has emphasized that the focus needs to be on high winds, and she noted that since the MAG Five Percent Plan was submitted in 2007, the region has had no violations at the monitors during stagnant conditions.

Ms. Bauer indicated that Maricopa County is revising the 2008 emissions inventory and it should be available by the next Regional Council meeting. She reported that MAG has provided significant information: vacant land documentation, revised the paved road emissions, and windblown dust emissions. Ms. Bauer stated that MAG has begun using the new EPA MOVES model one year earlier

than required. She added that new information has been received from agriculture and Maricopa County has been working on rule effectiveness. Ms. Bauer stated that more measures may need to be added, but the region is maxed out on measures – 53 from the PM-10 Plan and 77 from the Serious Area Plan – which are still being implemented. She stated that the modeling in the Plan needs to be revised, agricultural best management practices need to be addressed, and three years of clean data at the monitors are needed.

Ms. Bauer stated that the EPA has a Clean Data Policy, which it has applied to other PM-10 nonattainment areas. Ms. Bauer stated that EPA's Clean Data Policy is the best case scenario for the region. She explained that if the region has three years of clean data at the monitors (2009, 2010, 2011), EPA could then issue a finding of attainment. Ms. Bauer noted that 2009 might be a clean year, 2010 was a clean year, and if 2011 is a clean year, the region would have three years of clean data at the monitor and a chance for attainment.

Ms. Bauer stated that Maricopa County's monitoring data needs to be quality assured to EPA by May 1, 2012, but if the region gets an attainment finding, under the Clean Air Act the requirements are suspended to do a five percent plan and get five percent reductions in emissions, as long as the area stays clean at the monitors. Ms. Bauer remarked that with the severe economic downturn in this region, MAG thinks there are enough regulations in place. She said that after an attainment finding, a maintenance plan could be pursued.

Ms. Bauer stated that the Executive Committee feels that proactive leadership from MAG is critical, in cooperation with the air agencies, business, and industry, to prevent PM-10 exceedances, not only at the air quality monitors, but throughout the region, because air quality is a health issue. Ms. Bauer stated that the prevention of windblown exceedances is critical. Some of the prevention ideas include: notifications by ADEQ to the cities and towns when high winds or stagnant conditions are forecasted with three to five day advance notice; designation of a contact person or person by cities and towns; design customized Rapid Response Action Plans; review local dust control ordinances in advance; watch real time monitor readings; check city/town operations that are dust-generating to ensure that dust control measures are in place; distribute monitor maps to the city departments, contractors that do work for the city, and contractors that come in for permits; check areas that are most likely to produce dust emissions; and notify appropriate business and industry associations if help is needed with other sources.

Ms. Bauer then informed the Council of an exceedance that occurred in a neighborhood near an air quality monitor on March 14, 2011. She said that the exceedance was a result of off-road vehicles riding around on a dirt lot that is adjacent to the monitor. Ms. Bauer commended the City of Phoenix rapid response, who put up a fence around the property the next day and sprayed it down with water.

Ms. Bauer spoke about recent dust prevention activities: MAG held a workshop with local governments, Maricopa County, and ADEQ on March 7, 2011; the City of Phoenix created a Dust Reduction Task Force on March 16, 2011; the MAG Regional Council Executive Committee approved \$90,000 for Maricopa County upgrades to provide "near real time" monitor data to prevent exceedances and also funding for a PM-10 Prevention Video on March 21, 2011; Maricopa County departments are mobilizing to prevent dust; MAG is developing a template for a Rapid Response Action Plan; ADEQ

is refining the Maricopa County Dust Control Action Forecast; and business and industry associations are notifying members when high winds are forecasted.

Ms. Bauer stated that ADEQ is working on draft legislation to help prevent exceedances. She explained the concept: If you have a permit, you would be required to do one additional measure to keep down the dust for your operation, a type of best management practice, which would be incorporated into your permit. Other sources the County regulates but do not have permits would be asked to do the same thing.

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

Mr. Smith stated that only eight months remain in 2011, and the region can overcome this. He said it will take vigilance by the cities and towns, assisting the County, and working with industry, and then the five percent reductions will go away. Mr. Smith stated that this is the region's best opportunity and that is the reason for the outreach to the municipalities.

Chair Schoaf expressed his appreciation for Mr. Smith's comments. He said that he felt there is support by the Regional Council. Chair Schoaf stated that even though the region gets through this year clean, it cannot revert to dirty air. He stated that this represents a change in the way of doing business – one that will remain.

8. Development of the FY 2012 MAG Unified Planning Work Program and Annual Budget

Becky Kimbrough, MAG Fiscal Services Manager, reported on the development of the 2012 MAG Unified Planning Work Program and Annual Budget. She stated that each January the proposed dues and assessments are presented, and she noted that for FY 2012 MAG staff is proposing that the dues and assessments be maintained at 50 percent. Ms. Kimbrough stated that the dues and assessments draft, which was updated with Census 2010 numbers, was included in the agenda material.

Ms. Kimbrough stated that the draft FY 2012 proposed projects were brought forward in February. She then summarized some changes to the proposed projects. Ms. Kimbrough stated that \$25,000 is being added to the Gila Bend Small Area Transportation Study – \$20,000 from the Maricopa County Department of Transportation and \$5,000 from the Town of Gila Bend – for a revised project total of \$95,000. Ms. Kimbrough stated that MAG is adding \$50,000 to use as match for a grant from the Federal Railroad Administration to the Nevada Department of Transportation for the Western High Speed Rail Alliance that was on the agenda earlier.

Ms. Kimbrough stated that the MAG FY 2012 draft budget is about 70 percent complete. She noted that this draft includes the division narrative and the estimated budget amounts by project, funding source, and division budgets. Ms. Kimbrough stated that due to the current economic conditions facing member agencies, the FY 2012 draft budget does not include projected salary increases for FY 2012.

Ms. Kimbrough stated that the remodel of the MAG floors that was included in the FY 2011 capital budget has gone much slower than anticipated. Due to this delay in schedule, MAG had to carry forward

the remodel budget into the draft FY 2012 Work Program. Ms. Kimbrough noted that the draft FY 2012 capital budget, which is located on page A-16 in the appendix, has been revised to accommodate most of the costs for the remodel. She stated that since the draft budget was mailed, a copy machine for \$5,610 was added to the capital budget, and this cost will be included in the next update of the budget.

Ms. Kimbrough stated that the Intermodal Planning Group meeting, held March 29, 2011, at the MAG offices, went well. She explained that at the meeting the draft FY 2012 Work Program was reviewed by the Federal Highway Administration and the Federal Transit Administration. She said that representatives from the Arizona Department of Transportation, City of Phoenix Transit Department, the RPTA, METRO and the Arizona Department of Environmental Quality also attended. Ms. Kimbrough reported that MAG received very nice comments from the federal and state agencies in this meeting. She added that formal comments are expected later and will be brought to the Regional Council.

Chair Schoaf thanked Ms. Kimbrough for her report. No questions from the Council were noted.

9. Update on the 2010 Census

Jami Garrison, MAG Socioeconomic Research Program Manager, stated that in December 2010, the U.S. Census Bureau announced the apportionment numbers for national and state populations from the 2010 Census. She said that in March 2011, the Census Bureau released local-level redistricting data, the population 18 years and over by 63 race categories, Hispanic/Latino origin, and total housing units, both occupied and vacant.

Ms. Garrison stated that the State of Arizona had a population of 6,392,017 and Maricopa County had a population of 3,817,117 as of April 1, 2010. She displayed a chart of the total state population by decade and she said that for the past three decades approximately 60 percent of the state's population have resided in Maricopa County.

Ms. Garrison pointed out the racial/ethnic distribution of the population in the region from the 2000 Census and the 2010 Census. She said that the Hispanic population increased from about 25 percent to about 30 percent, the Black population increased from about three and half percent to about 4.6 percent, and the Asian population increased from about two percent to about 3.5 percent.

Ms. Garrison then reviewed Census 2010 data on housing units. She said that MAG receives a lot of requests for vacancy and occupancy rates. Ms. Garrison displayed a map of the region showing the concentration of vacant units across the region, and she pointed out that the darkest brown indicates 1,000 or more vacant housing units per square mile. She noted that the County as a whole averages just under 25 vacant housing units per square mile. Ms. Garrison noted that overall, the Maricopa County had a vacancy rate of just under 14 percent as of Census Day 2010.

Mr. Smith noted that the number of vacant housing units in Census 2010 totaled approximately 227,000 and the number of vacant housing units in 2005 was approximately 100,000.

Councilwoman Neely asked the status of those vacant housing units, for example, are they all in foreclosure or one-third in foreclosure? Ms. Garrison replied that the Census data do not provide that information. She said that MAG has foreclosure information but it does not have a way to map that information specifically to vacant units.

Councilwoman Neely asked the current foreclosure rate. Mr. Smith replied that the foreclosure rate was at one time about 60,000 and it is now approximately 55,000, which is a portion of the 227,000.

Mayor Schlum asked if there was any delineation made between a vacant property and a property that was occupied by someone who was not counted here, for example, a winter visitor. Ms. Garrison replied that the Census was self enumeration, which means that seasonal residents would have been counted where they felt was their home state. She added that the unit here would be considered vacant for seasonal purposes. Ms. Garrison stated that MAG does not yet have that data, but more detailed housing data from the 2010 Census are expected to be released by the end this summer.

Mr. Arnett stated that a large number of vacant units appeared to be in Apache Junction and asked if those units were outside Maricopa County. Ms. Garrison replied that was correct and she noted that some of the data were from Pinal County. Mr. Arnett commented that the vacancies did not appear to be accurate. Mr. Arnett stated that the information he recollected would indicate that there would be a greater number of vacancies in Queen Creek than in Apache Junction. Mr. Smith noted that staff would research this and bring back an answer to a future meeting.

Ms. Garrison continued the presentation by showing a chart of the Maricopa County vacancy rates in the decennial and mid-decade counts back to 1990. She advised that according to the 1990 Census, the vacancy rate was at 15 percent in April 1990 and is just under 14 percent as of Census Day 2010.

Ms. Garrison stated that the State Demographer's office produces annual state and county population estimates. She said that in comparing the 2010 Census count with the July 1, 2010 estimate, the state population estimate was five percent higher and the estimate for Maricopa County was seven percent higher. Mr. Smith stated that the State provides MAG with a control number and it is MAG's job to distribute the numbers throughout the region. He reported that MAG staff worked with the State Demographer's office to develop a lower control number, but no one could have envisioned the reduction resulting from the Census 2010 count.

Ms. Garrison stated that MAG staff will be working with the MAG Population Technical Advisory Committee (POPTAC) and MAG member agencies to collect and review data in order to determine whether or not to challenge the 2010 Census counts under the Bureau's Count Question Resolution program, which begins in June 2011 and runs through June 2013. She stated that MAG staff will work with the State Demographer's office to review the current population estimates process and review alternative methods. Ms. Garrison stated that staff will work with MAG POPTAC, Management Committee and Regional Council to explore options for improving the process and opportunities for data collection and data quality that will also help in estimating the population changes going forward. She added that MAG staff will also be working closely through the POPTAC to evaluate options for the mid-decade (2015) population count.

Mr. Arnett asked the numbers that will be used for the redistricting commission. Ms. Garrison replied that the numbers released in March 2011 will be used for redistricting. She noted that any changes or challenges from the Count Question Resolution will not change the numbers used for apportionment or redistricting.

Supervisor Wilcox asked if possible undercounts would be looked at in the review of estimates process. She remarked that many people were afraid to be counted. Ms. Garrison replied that undercounts are a part of the Count Question Resolution process. She advised that the Census Bureau has specific guidelines for challenges, such as geocoding (incorrect locations) and coverage (housing units missed that had occupants).

Supervisor Wilcox asked for confirmation that challenges would not be taken into consideration for redistricting. Ms. Garrison replied that was correct, even if a challenge is successful.

Ms. Garrison concluded her presentation by stating that MAG staff will continue to produce maps, reports and tables, such as those included in the agenda packet, and post them on the www.magcensus.com website.

10. Legislative Update

Nathan Pryor, MAG Intergovernmental Coordinator, provided an update on legislative issues of interest. He noted that a legislative summary was at each place. Mr. Pryor first addressed House Bill 2208 by saying that a potential amendment is being discussed that would, among other things, call for dust action general permits in the non-attainment area in Maricopa County. Mr. Pryor noted that this item is on the April 1, 2011, ADEQ Five Percent Stakeholders meeting agenda for discussion. He noted that staff will monitor discussion on this topic.

Mr. Pryor then discussed federal legislation. He said that the federal government continues to operate under a continuing resolution through April 8, 2011. Mr. Pryor reported that two earlier extensions to the FY 2011 budget were passed with little discussion to keep the government operating. He stated that reductions are becoming more difficult to identify and agree upon in light of a government shutdown. He said that he will monitor this activity.

Mr. Pryor stated that despite not having a FY 2011 budget, Congress is also working on a FY 2012 budget. He reported that the Administration is calling for increases to transportation spending.

Mr. Pryor reported on Surface Transportation Reauthorization, by stating that on March 31, 2011, the House Highway and Transit Subcommittee had hearings on Reauthorization and about 40 witnesses testified. He indicated that he would continue to monitor activities related to the FY 2012 budget.

Chair Schoaf thanked Mr. Pryor for his report. No questions from the Council were noted.

11. Request for Future Agenda Items

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

Chair Schoaf directed that an agenda item be on a future Executive Committee agenda regarding the Arizona Open Meeting Law and how it applies, or does not apply, to the loss of a quorum and continued discussion of non-action items on the agenda.

12. Comments from the Council

An opportunity was provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Mr. Arnett noted that President Obama had mentioned Mayor Scott Smith, and it was not often that a mayor is mentioned by the President.

Adjournment

There being no further business, Councilman Esser moved, Councilwoman Neely seconded, the meeting adjourned at 6:30 p.m.

Chair

Secretary