

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

June 29, 2011
MAG Office, Mesquite Room
Phoenix, Arizona

MEMBERS ATTENDING

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

* 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 5:00 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

A roll call attendance was taken.

Chair Schoaf introduced Vice Mayor Jeff Brown as proxy for Mayor Gail Barney, Queen Creek.

Chair Schoaf noted that the revised agenda and material for agenda items #5C and #5E had previously been transmitted to members were at each place.

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.

No requests were received.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported that the remodel of the MAG offices is going well and is expected to be complete in time for the September committee meetings.

Chair Schoaf thanked Mr. Smith and asked if there were any questions from the Council. 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. None were noted.

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

5A. Approval of the May 25, 2011, Meeting Minutes

The Regional Council, by consent, approved the May 25, 2011, meeting minutes.

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

The Regional Council, by consent, approved amendments and administrative modifications to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update. The Fiscal Year 2011-2015 MAG Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) 2010 Update were approved by the MAG Regional Council on July 28, 2010, and have been modified seven times with the last modification approved in May 2011. Since then, there is a need to modify two projects in the programs that are receiving federal Highway Safety Improvement Program (HSIP) funds. ADOT has also requested

project changes for six projects, the City of Mesa is also requesting changes to two projects for fiscal reasons. The Management Committee recommended approval of these change requests. Since the Management Committee met, MAG was contacted by the City of Chandler and Phoenix. Due to lower costs, it is necessary to modify the project costs for a transit project for it to move forward. All of the projects to be amended may be categorized as exempt from conformity determinations and an administrative modification does not require a conformity determination.

5C. Interim Closeout of the Federal Fiscal Year (FFY) 2011 MAG Federally Funded Program

The Regional Council, by consent, approved: (1) to advance four projects, priority #1, and program the \$2.99 million made available through Closeout to increase funding on projects based on modal categories, priority #2. For the Air Quality/Paving category, to increase funds to ELM09-802, and increase federal funds to other FY 2011 paving projects. For the Intelligent Transportation System (ITS), to increase funds to projects based on the PM-10 emission reductions ranking. For the Bicycle/Pedestrian category, to increase funds to projects based on the PM-10 emission reductions ranking, and any funds in excess of the \$543,331 amount (Maricopa County MMA11-724, \$130,000 and City of Mesa MES13-905, \$413,331) go toward the Litchfield Park project (LPK05-101C, \$293,880). The funds made available from the deletion/de-obligation of PHX09-619, \$1,010,000, go to fund LPK05-101C with an increase of \$293,880, MES13-905 with a total increase of \$1,067,600, and fund TMP10-629 with an increase of \$61,851. (2) to delete federal funds from projects and to defer projects from FFY 2011 to FFY 2012 or later, and (3) to amend and modify the FY 2011-2015 Transportation Improvement Program, and as appropriate, the Regional Transportation Plan 2010 Update. The 2011 Closeout process will follow the Draft FY 2009 MAG Federal Fund Programming Principles (Principles) which set forth guidelines on project selection for available federal funds. Per the Principles, projects submitted for use of Closeout funds will be selected based on the following three priorities: 1) Advance projects, 2) Add additional federal funds to an existing project, and 3) Fund new projects. There is only \$2.99 million available to be programmed through the FFY 2011 Closeout process to increase funds for projects (priority #2), or fund new projects (priority #3). These funds are from the deletion or abandonment of programmed FFY 2011 projects. On June 8, 2011, the Management Committee recommended to advance three projects (Priority #1), and program the \$2.99 million made available through Closeout to increase funding on projects based on modal categories (Priority #2). Under the Air Quality/Paving category, it was recommended to increase funds to ELM09-802 as formally requested, and increase federal funds to other FY 2011 paving projects. For the Intelligent Transportation System (ITS), it was recommended to increase funds to projects based on the PM-10 emission reduction rankings. For the Bicycle/Pedestrian category, it was recommended to increase funds to projects based on the PM-10 emission reductions ranking, and any funds in excess of the \$543,331 amount (Maricopa County MMA11-724, \$130,000 and City of Mesa MES13-905, \$413,331) go toward the Litchfield Park project (LPK05-101C, \$293,880). Attachment One lists the projects and revised cost information related to the recommendation. The Management Committee also recommended approval of requests to delete federal funds and defer projects from FFY 2011 to FFY 2012 or later. Since the mailout of the Regional Council agenda, the City of Phoenix notified MAG that project PHX09-619 will not move forward as a construction project, and will need to de-obligate/delete the federal funds in the amount of \$1,010,000 from the project. This then adds \$1,010,000 the funds available for the Bicycle and Pedestrian project category. Based on the motion from the MAG

Management Committee, these funds can fulfill the recommendation to fund LPK05-101C (\$293,880), then continue to fulfill the request to fund MES13-905 (\$1,067,600 - total), and then fund the TMP10-629 project with \$61,851.

5D. Appointment of Councilmember Ben Cooper, Town of Gilbert, to Serve as One of the Seven Largest Cities/Towns Elected Officials on the Transportation Policy Committee

The Regional Council, by consent, appointed Councilmember Ben Cooper, Town of Gilbert, to complete the unexpired term of the Gilbert seat as one of the seven largest cities/towns elected officials on the Transportation Policy Committee (TPC). The composition of the TPC, established by the Regional Council on April 24, 2002, includes elected officials from the seven largest cities/towns and that members serve two year terms of office. On June 30, 2010, the member agency representatives to the TPC were appointed. Due to recent elections, the seat held by the Town of Gilbert, as one of the seven largest cities/towns, is vacant. The Mayor of the Town of Gilbert requested that Councilmember Ben Cooper be appointed to complete the unexpired term of the Gilbert seat on the TPC.

5E. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program (TIP). The amendment and administrative modification involve several projects, including Highway Safety Improvement Program projects and projects for the Interim Closeout of the Federal Fiscal Year 2011 MAG Federally Funded Program. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. Comments were requested by June 24, 2011.

6. Election of Officers of the Transportation Policy Committee

The composition of the Transportation Policy Committee (TPC) was approved by the MAG Regional Council on April 24, 2002, placed in state statute by House Bill 2456 (Arizona Revised Statutes §28-6308), and included in the MAG Committee Operating Policies and Procedures adopted by the MAG Regional Council on July 22, 2009. The adopted MAG Committee Operating Policies and Procedures provide that a Chair and Vice Chair who are duly elected members of a MAG member agency shall be elected from the members of the Transportation Policy Committee at the June meeting of each year to serve one-year terms with succession of positions occurring through the ascending order of officers. Due to the recent departure of the Vice Chair of the TPC, both the Vice Chair and Chair positions needed to be elected by the MAG Regional Council at the June 29, 2011, Annual Meeting. Letters from those interested in being Vice Chair or Chair were requested to be submitted by June 13, 2011. Mayor Lyn Truitt, Surprise, submitted a letter of interest for Chair and Mayor Jim Lane, Scottsdale, submitted a letter of interest for Vice Chair.

Mayor Lewis moved to elect Mayor Lyn Truitt, Surprise, as Chair of the Transportation Policy Committee and Mayor Jim Lane, Scottsdale, as Vice Chair of the Transportation Policy Committee. Mayor Rogers seconded.

Chair Schoaf asked if there was discussion of the motion. There was none. He noted that no public comment cards had been received. The vote on the motion passed unanimously.

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

Lindy Bauer, MAG Environmental Director, provided an air quality update. She noted that MAG has now prepared preliminary projections of PM-10 emissions for 2011 and 2012, based on the revised 2008 Periodic Emissions Inventory published by the Maricopa County Air Quality Department in March 2011.

Ms. Bauer explained that from the preliminary projections of 2011-2012 PM-10 emissions staff calculated the five percent reduction and found that the additional reduction needed to meet the five percent target in 2012 is approximately 1,600 tons. Ms. Bauer indicated that legislation passed this year and agricultural measures have not yet been incorporated and they are also looking through the TIP for projects that might be open to traffic in 2012, such as paving unpaved roads, alleys or shoulders.

Ms. Bauer stated that on May 2, 2011, the Environmental Protection Agency provided draft guidance documents on the implementation of the Exceptional Events Rule. She noted that the draft guidance documents had been transmitted to the Regional Council. Ms. Bauer said that comments are due by June 30, 2011. She stated that MAG and the Arizona Department of Environmental Quality (ADEQ) have concerns regarding the draft guidance document. Ms. Bauer noted that ADEQ reviewed and agrees with MAG's comments. Ms. Bauer stated that the Western States Air Resources Council also has significant concerns. Ms. Bauer stated that MAG sent a letter outlining MAG's concerns to the EPA that day, and a copy would be sent to the Regional Council and intergovernmental representatives.

Ms. Bauer informed the Regional Council that the region had a close call recently when the Buckeye PM-10 monitor almost had an exceedance. She noted that the monitor is outside the nonattainment area, and they watch this monitor because in the past, EPA has threatened to expand the size of the nonattainment area if there are exceedances at the monitor. Ms. Bauer noted that Buckeye staff, when informed of the situation, went right out to the area and asked the farmer to please not create dust. She noted that organizations such as the Maricopa County Farm Bureau and the Arizona Cotton Growers were also notified. Ms. Bauer stated that the farmer was cooperative and ceased operations, allowing the numbers to decrease. She stated that the prevention activities seem to be working well.

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

8. MAG Economic Development Committee Update

Denise McClafferty, MAG Management Analyst, began the report on the activities of the MAG Economic Development Committee (EDC). She stated that a joint project with the Greater Phoenix Economic Council to develop a website is underway. Ms. McClafferty stated that the project is to provide regional economic development information that will assist existing businesses, new businesses, or those businesses interested in relocating to Arizona. She stated that a prototype of the joint website will be presented at the July 5 EDC meeting.

Ms. McClafferty stated that another focus of the EDC is to expand business relationships and has received presentations on the importance of doing business with Canada and Mexico. In addition, she noted, MAG staff has been working with the Canadian Consulate and the Consul General from Mexico to plan two separate business roundtable discussions with the EDC members.

Ms. McClafferty stated that at the June meeting, the EDC was provided reports on the aerospace and defense industry in Arizona. She said that the outcome of this meeting was that the Arizona Commerce Authority will be taking the lead on organizing a trade association for the aerospace industry in Arizona. Ms. McClafferty added that MAG, PAG and ADOT, in cooperation with the Arizona Aerospace and Defense Commission, are beginning discussions on an aerospace supply chain study scope of work.

Ms. McClafferty stated that the Arizona Commerce Authority has agreed to take a leadership role in coordinating an event to discuss economic development opportunities for the Intermountain West, and planning meetings have been held regarding holding a Summit.

Amy St. Peter, MAG Human Services Manager, continued the presentation by reporting on the Brookings Metropolitan Business Planning Initiative. She said that the opportunity to apply for the Brookings Metropolitan Business Planning Initiative was presented at the May meetings of the EDC and Regional Council. She said that since approval by the Regional Council to undertake submitting a proposal, Dr. Kannan Ramaswamy from the Thunderbird School of Global Management has been added to the proposed leadership advisory team.

Ms. St. Peter stated that if MAG is selected, Brookings would have a goal of raising \$150,000 to help defray their costs. This would amount would be needed over a two year period, at \$75,000 each year. Ms. St. Peter stated that it is anticipated that the region could generate this contribution, especially after the lead initiative has been identified.

Ms. St. Peter stated that MAG staff recently participated in a conference call with Brookings and answered questions Brookings had about MAG's proposal. She explained that MAG was one of ten regions to be invited to submit proposals, and Brookings has indicated it plans to work with four to six regions in this round of pilot projects. Ms. St. Peter stated that Brookings has confirmed three sites and it is anticipated Brookings will select one to three more sites for this round.

Ms. St. Peter stated that Brookings indicated it will be conducting two more conference calls this week. She said that Brookings inquired if MAG would lose any opportunities by waiting until the next round, and MAG communicated a strong preference for participating in this round. Ms. St. Peter advised that Brookings indicated it will communicate the status of MAG's proposal by July 8, 2011.

Chair Schoaf thanked Ms. McClafferty and Ms. St. Peter for their presentations. No questions from the Council were noted.

9. Election of Regional Council Officers and Executive Committee Members

On May 25, 2011, the MAG Nominating Committee recommended a slate of officers for 2011-2012. The MAG officer positions are Chair, Vice Chair and Treasurer. The officers serve one-year terms with

succession of positions occurring through the ascending order of officers. In accordance with the MAG Nomination Process, three At-Large members were also nominated to serve on the Executive Committee. According to the MAG Nomination Process, the Past Chair of the Regional Council also serves on the Executive Committee.

Mayor Scruggs, Chair of the Nominating Committee, moved to elect the slate recommended by the Nominating Committee: Mayor Hugh Hallman, Tempe, Chair; Mayor Marie Lopez Rogers, Avondale, Vice Chair, Mayor Scott Smith, Mesa, Treasurer, Mayor W. J. "Jim" Lane, Scottsdale, At-Large Member; Mayor Michael LeVault, Youngtown, At-Large Member; Vice Mayor Thelda Williams, Phoenix, At-Large Member; and Mayor Thomas Schoaf, Litchfield Park, Past Chair. Mayor Tibshraeny seconded.

Chair Schoaf asked if there were any other nominations or discussion of the motion. There were none. No public comment cards were received. The vote on the motion passed unanimously.

10. 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.

No requests for future agenda items were noted.

11. 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.

Councilmember Esser wished everyone a Happy Fourth of July.

Adjournment

There being no further business, Councilmember Esser moved, Vice Chair Hallman seconded, the meeting adjourned at 5:15 p.m.

Chair

Secretary