

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

September 21, 2011
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Hugh Hallman, Tempe, Chair
Mayor Marie Lopez Rogers, Avondale,
Vice Chair
* Councilwoman Robin Barker, Apache Junction
Mayor Jackie Meck, Buckeye
Mayor David Schwan, Carefree
Councilman Dick Esser, Cave Creek
Mayor Jay Tibshraeny, Chandler
Mayor Lana Mook, El Mirage
* President Clinton Pattea, Fort McDowell
Yavapai Nation
Mayor Jay Schlum, Fountain Hills
* Mayor Ron Henry, Gila Bend
* Governor William Rhodes, Gila River Indian
Community
Councilmember Ben Cooper for Mayor John
Lewis, Gilbert
* Mayor Elaine Scruggs, Glendale
* Mayor Georgia Lord, Goodyear

* Mayor Yolanda Solarez, Guadalupe
Mayor Thomas Schoaf, Litchfield Park
* Supervisor Mary Rose Wilcox, Maricopa Co.
Mayor Scott Smith, Mesa
Mayor Scott LeMarr, Paradise Valley
Mayor Bob Barrett, Peoria
Vice Mayor Thelda Williams, Phoenix
* Mayor Gail Barney, Queen Creek
* President Diane Enos, Salt River
Pima-Maricopa Indian Community
Mayor Jim Lane, Scottsdale
Mayor Lyn Truitt, Surprise
* Mayor Adolfo Gamez, Tolleson
* Mayor Kelly Blunt, Wickenburg
Mayor Michael LeVault, Youngtown
* Felipe Zubia, State Transportation Board
* Victor Flores, State Transportation Board
Roc Arnett, Citizens Transportation Oversight
Committee

* Those members neither present nor represented by proxy.
Attended by telephone conference call.

1. Call to Order

The meeting of the MAG Regional Council was called to order by Chair Hugh Hallman at 5:30 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Hallman noted that Mayor Bob Barrett, Mayor Scott LeMarr, Mayor Marie Lopez Rogers, Mayor Jackie Meck, Mayor Tom Schoaf, Mayor David Schwan, Mayor Scott Smith Mayor Jay Tibshraeny, and

Mayor Lyn Truitt were participating in the meeting by teleconference. He introduced and welcomed Councilmember Ben Cooper as proxy for Mayor John Lewis.

Chair Hallman stated that for agenda item #9, updated lists of exceedances of the 24-hour PM-10 standard, sorted by date and by monitor were at each place.

Chair Hallman requested that members of the public who would like to comment fill out a blue public comment card for the Call to the Audience agenda item or a yellow public comment card for Consent Agenda items, or items on the agenda for action. He noted that transit tickets for those who used transit to attend the meeting were available from staff.

3. Call to the Audience

Chair Hallman noted that the Call to the Audience provides an opportunity 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 for public comment were received.

5. Approval of Consent Agenda

This agenda item was taken out of order.

Chair Hallman noted that agenda items #5A, #5B, #5C, and #5D, #5E were on the Consent Agenda. He noted that no public comment cards had been received. Chair Hallman asked members if they had questions or requests to hear an item individually. None were noted.

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

5A. Approval of the July 27, 2011, Meeting Minutes

The Regional Council, by consent, approved the July 27, 2011, meeting minutes.

5B. MAG Pedestrian and Bicycle Facilities Design Assistance Program

The Regional Council, by consent, approved the following projects through the MAG Design Assistance for Pedestrian and Bicycle Facilities Program: Phoenix: Grand Canal Multi-use Pathway at 23rd Avenue for \$80,000; Gilbert: Multi-use Pathway Development for \$66,549; Glendale: New River Path Connection for \$77,200; Mesa: Gateway Shared Use Path for \$120,000; Cave Creek: Bicycle Lanes Project for \$41,250; and the Phoenix: Bridge - Children's Museum to Arizona Science Center for \$80,000. The fiscal year (FY) 2012 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2011, includes \$300,000 for MAG Design Assistance

for Bicycle and Pedestrian Facilities. There was also \$164,999 carry over funding. The Design Assistance Program allows MAG member agencies to apply for funding for the preliminary design portion of a bicycle or pedestrian project. According to federal law, any project which is not constructed after being designed with federal transportation funds could be required to return the funds used for design to the Federal Highway Administration. At the August 16, 2011, meeting, the Bicycle and Pedestrian Committee reviewed and ranked applications for project funding. Eight applications requesting \$655,280 in funding were originally submitted for consideration. Two jurisdictions subsequently withdrew their applications. The Committee voted to recommend approval of six projects for \$464,999. The Transportation Review Committee recommended approval of the six Design Assistance projects on August 25, 2011, and the MAG Management Committee recommended approval on September 7, 2011.

5C. 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 the modification of funding amounts for Arterial Life Cycle Projects in FY 2012 of the TIP. 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 are requested by September 16, 2011.

5D. MAG Misdemeanor Domestic Violence Protocol Model

The Regional Council, by consent, approved the MAG Misdemeanor Domestic Violence Protocol Model. A report on the MAG Domestic Violence Protocol Evaluation Project was presented to the MAG Management Committee on May 11, 2011, and the MAG Regional Council on May 25, 2011. The MAG Domestic Violence Protocol Evaluation Project has resulted in a protocol model for standardizing the region's response to misdemeanor domestic violence crimes. Formal support is being sought from the Arizona Peace Officers Standards and Training Board, Arizona Prosecuting Attorney's Advisory Council, and Arizona Association of Chiefs of Police. On July 21, 2011, the Arizona Criminal Justice Commission voted to support the concept of project expansion to include a statewide model. The MAG Misdemeanor Domestic Violence Protocol Model was recommended for approval by the MAG Regional Domestic Violence Council on August 30, 2011, and by the MAG Management Committee on September 7, 2011.

6. Draft Fiscal Year 2012 Arterial Life Cycle Program

Christina Hopes, MAG Transportation Planner, reported on the Draft Fiscal Year 2012 Arterial Life Cycle Program (ALCP). Ms. Hopes stated that the ALCP is funded by three sources: the half cent sales tax or Regional Area Road Fund (RARF), MAG Surface Transportation Program funds (STP-MAG), and Congestion Mitigation and Air Quality (CMAQ) funds. She displayed a graph of Proposition 400 revenue for November 2003, October 2009, and November 2010 that showed the decline in revenue since the Regional Transportation Plan was first developed. Ms. Hopes noted that this meant a deficit

of funds in the program and advised that the ALCP must be fiscally constrained in order to comply with state law.

Ms. Hopes stated that Section 270 of the ALCP Policies and Procedures provide guidelines for program deficits, which is to delay projects in priority order. However, if this policy had been followed, it would have resulted in almost all of the projects being unfunded. Ms. Hopes stated that in February 2011, the Transportation Policy Committee recommended a proportional reduction in reimbursements to member agencies in the ALCP. She then explained the attachments in the agenda packet. She noted that Appendix 1-A showed the initial reduction estimated in March at \$245 million and she added that member agencies were allowed to reprioritize their ALCP projects based on local priorities. Ms. Hopes then said that they were able to bring \$50 million back into the program, which brought the reduction amount to \$196.5 million. This is shown in Appendix 1-B. Ms. Hopes stated that Appendix 1-C shows the impact to each Lead Agency and project.

Ms. Hopes stated that member agencies are permitted to make changes to their ALCP projects during the annual update process. She said that the changes were presented to and recommended for approval by the MAG Street Committee. The projects include (1) a Town of Gilbert project on Queen Creek Road to change the scope to eliminate one mile of roadway that had been completed by a developer; (2) City of Scottsdale project, change in project scope to the CAP Canal frontage road; (3) City of Scottsdale delete the segment of Redfield to Raintree on Hayden Road and replace it with three intersection improvements; (4) Maricopa County change the alignment of two projects on El Mirage Road.

Ms. Hopes reviewed the updated project schedules and reimbursements. She said that 29 project segments were advanced, 70 projects were deferred due to the decrease of regional and local funds, and 36 project segments had regional funds reduced due to the deficit. Ms. Hopes noted that the inflation rate used was 2.6 percent.

Ms. Hopes stated that six projects were completed in FY 2011; \$72.6 million in Proposition 400 funds was programmed for reimbursements, \$41.3 million was deferred from FY 2011 to a later year, and \$31.3 million was reimbursed to Lead Agencies. Ms. Hopes noted that of this amount, the completed projects received \$15.8 million and the projects underway received \$15.5 million. Ms. Hopes stated that 38 projects are underway in FY 2012 and \$103.3 million is programmed for reimbursements.

Ms. Hopes stated that the requested action was to approve: (1) the Draft FY 2012 Arterial Life Cycle Program (ALCP), (2) amendments and administrative modifications that are exempt from conformity to the MAG FY 2011-2015 Transportation Improvement Program for ALCP projects programmed for work and/or reimbursements in FY 2012, and (3) amendments and administrative modifications to the FY 2011-2015 MAG Transportation Improvement Program and to the Regional Transportation Plan 2010 Update, as appropriate, contingent on a new Finding of Conformity.

Chair Hallman thanked Ms. Hopes for her report. He asked members if there were any issues for discussion. Hearing none, Chair Hallman called for a motion.

Mayor LeVault moved, Vice Mayor Williams seconded. Chair Hallman asked if there were questions. None were noted. The vote on the motion passed unanimously.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region.

Mr. Smith thanked those whose work resulted in a successful remodel of MAG's office space on the second and fourth floors: MAG staff members Monique de los Rios-Urban and Audrey Skidmore and her staff, and the remodel partners. He offered a special thanks to the City of Phoenix, which donated the installation and LED lighting that had been purchased with its stimulus funds. Mr. Smith noted that MAG's LED lighting is the first commercial application in the region and will save energy. He noted that LED lighting also decreases the occurrence of migraines. He stated that MAG saved a lot of money by having the Saguaro Room tables refurbished by Arizona Correctional Industries. Mr. Smith added that some minor upgrades to the third floor will be made at a later date.

Ms. de los Rios-Urban continued the report. She said that the remodel was a very quick project, accomplished in three months, mostly during the summer downtime. Ms. de los Rios-Urban reported that the second floor is now a meeting center that is available for use by all member agencies. She remarked that this project could not have been accomplished without the assistance of the partners who donated time and materials, such as the City of Phoenix.

Ms. de los Rios-Urban stated that MAG had about 15 years of challenging conditions in this building – inadequate space and technology that was not up to date. She stated that the second floor now has seven meeting rooms that have a capacity of 280 people and the latest technology. Ms. de los Rios-Urban stated that the project came in under budget and on time. She stated that part of the project remains – updating some of the finishes on the third floor. Ms. de los Rios-Urban invited members to participate in the tour after the meeting. She then showed some photos of the meeting rooms, and she pointed out the electronic signage that directs meeting attendees.

Mr. Smith stated that the Environmental Services, Information Services, Information Technology, and Human Services divisions were relocated to the fourth floor from their third floor offices to allow for the meeting rooms. He stated that MAG has made a 15-year commitment to this building, having signed a ten-year lease with a five-year renewal option. Mr. Smith noted that the third floor will receive new carpet, which is the original carpet from 1989, and new paint. He gratefully acknowledged the assistance of Debbie Cotton, Director of Phoenix Transit, who was a great help to MAG during the remodel.

Mr. Smith provided an update on the transit tour to Salt Lake City on October 13-14, 2011. He stated that so far, 40 people have indicated they will attend, and members who wish to take the tour can still contact Marc Pearsall at the MAG office.

Chair Hallman thanked Mr. Smith and Ms. de los Rios-Urban for their reports. He expressed his appreciation to the partners for their contributions. Chair Hallman stated that he was glad to have a meeting center that will showcase what MAG does.

Chair Hallman stated that the rest of the agenda items would be heard at the next Regional Council meeting.

7. The Future of Federal Transportation Funds

This agenda item was not considered.

8. Update on Interstate 11 and the Punta Colonet Port and Potential Arizona Rail Crossing

This agenda item was not considered.

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

This agenda item was not considered.

10. Update on the MAG Economic Development Committee

This agenda item was not considered.

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.

No requests for future agenda items were noted.

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.

No comments were noted.

Adjournment

There being no further business, Vice Mayor Williams moved, and Councilmember Esser seconded the motion to adjourn the meeting at 5:45 p.m.

Chair

Secretary