

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

March 27, 2013
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Marie Lopez Rogers, Avondale, Chair
Vice Mayor Alex Finter for Mayor Scott Smith,
Mesa
Councilwoman Robin Barker, Apache Junction
* Mayor Jackie Meck, Buckeye
Vice Mayor Melissa Price for 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 Linda Kavanagh, Fountain Hills
* Mayor Ron Henry, Gila Bend
* Governor Gregory Mendoza, Gila River Indian
Community
Vice Mayor Ben Cooper for Mayor John
Lewis, Gilbert
* Mayor Jerry Weiers, Glendale
Mayor Georgia Lord, Goodyear

Councilmember Joe Sanchez for Mayor
Yolanda Solarez, Guadalupe
Mayor Thomas Schoaf, Litchfield Park
* Supervisor Steve Chucuri, Maricopa Co.
Mayor Scott LeMarr, Paradise Valley
Councilmember Cathy Carlat, Peoria
Mayor Greg Stanton, Phoenix
Mayor Gail Barney, Queen Creek
* President Diane Enos, Salt River
Pima-Maricopa Indian Community
Mayor W. J. "Jim" Lane, Scottsdale
Mayor Sharon Wolcott, Surprise
Mayor Mark Mitchell, Tempe
* Mayor Adolfo Gamez, Tolleson
* Mayor John Cook, Wickenburg
Mayor Michael LeVault, Youngtown
* Victor Flores, State Transportation Board
Joseph La Rue, State Transportation Board
Roc Arnett, Citizens Transportation Oversight
Committee

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference

1. Call to Order

The meeting of the MAG Regional Council was called to order by Chair Marie Lopez Rogers at 11:35 a.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Mayor Jay Tibshraeny, Councilmember Robin Barker, and Vice Mayor Alex Finter, as proxy for Mayor Scott Smith, joined the meeting via teleconference. Chair Rogers welcomed Councilmember Joe Sanchez as proxy for Mayor Yolanda Solarez of Guadalupe, Vice Mayor Melissa Price as proxy for Mayor David Schwan of Carefree, and Vice Mayor Ben Cooper as proxy for Mayor John Lewis of Gilbert.

Chair Rogers announced that on March 20, 2013, the Transportation Policy Committee recommended approval of agenda items 5B, 5C, 5E, and 9, which were on the Regional Council agenda. She noted that materials for agenda items #8 and #11 were at each place.

Chair Rogers 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. Parking validation and transit tickets for those who used transit to attend the meeting were available from staff.

3. Call to the Audience

Chair Rogers 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.

Chair Rogers recognized public comment from Pat Vint, who commented on the attempt by the City of Phoenix to cut police and fire, which he thought would be awful. Mr. Vint stated that the City of Phoenix is the most inefficiently run city and he noted that he has had more than 20 different city departments come to his neighborhood. Mr. Vint stated that the Phoenix City Council directed City Manager David Cavazos to contact him, but it was the Water Treatment Plant that contacted him and he was complaining about floods and stupidity. Chair Rogers noted that public comments need to pertain to items that fall under the jurisdiction of MAG. She asked Mr. Vint what MAG could address that was under its jurisdiction. Mr. Vint replied that he thought this was an association of governments and included the City of Phoenix. He asked if Chair Rogers was going to tell him he could not speak. Chair Rogers said that she was not going to tell him he could not speak, but MAG could only address issues under its jurisdiction and the City of Phoenix would need to address issues under its jurisdiction. Mr. Vint stated that he has gone to the City of Phoenix, but it has done no good. He asked if the City of Phoenix had more influence at MAG since it was a large city. Chair Rogers replied that each member had one vote at MAG. Mr. Vint stated that was the problem with the City of Phoenix – there are eight council members who each have one vote. Mr. Vint stated that his problems began with Paul Johnson when he was told he built his shop in the street. He reported that Mayor Johnson told Mr. Vint that if the city employees said Mr. Vint was wrong, then he was wrong. Mr. Vint asked what kind of stupidity was that. He stated that his five-foot tall wife went to see six-foot, six-inch Mayor Johnson and Mr. Vint thought she was going to knock his head off. Mr. Vint stated that he probably should have held Mayor Johnson down so she could. Mr. Vint stated that Andy Kunasek thinks this group should be eliminated

because it does nothing. He said that it has proven this true because it has done nothing to protect him. Chair Rogers stated that MAG plans for the region. She stated that an issue with a city needs to be addressed by that city. Mr. Vint stated that it did no good for him to go to the City of Phoenix.

Mayor Stanton stated that he would speak with Mr. Vint after the meeting. Mr. Vint questioned Mayor Stanton about when the next City Council meeting would be held. Chair Rogers thanked Mr. Vint for his comments.

Chair Rogers recognized public comment from John Rusinek, who commented on his ongoing air quality problems. He stated that his problems started in 2005. Mr. Rusinek stated that he spoke to Maricopa County Air Quality staff who said she would pay a site visit within two days, and he did hear from her, so after three to four weeks he spoke to other staff members. He then reported a visit by a staff member sent by the County Board of Supervisors regarding a 13-foot strip. This staff member indicated that this strip might not be dust proofed. Mr. Rusinek stated that he went to the Department of Environmental Quality in February and the supervisor there read Mr. Rusinek's eight-year log book on that the City of Phoenix would not read. Mr. Rusinek's time expired. Chair Rogers thanked Mr. Rusinek for his comments.

Chair Rogers recognized public comment from Dianne Barker, who remarked on how nice it was outside and that bicycling can act as traffic calming. Ms. Barker remembered two individuals who recently passed away: Eddie Basha, who did a lot for the area and was an advocate for transportation; and Diane Carroll, who was an asset to public transit. Ms. Barker referenced the previous statement that each agency has one vote and had to laugh because she has seen Phoenix, who has half the vote, control the forum with itself and one other vote. Ms. Barker stated that we spent money with an attorney to break that tie. She thanked staff for reporting her comments accurately in the minutes. Ms. Barker stated that she was a firm believer in mediation and she referenced a current criminal trial and the non-transparency of legal fees. Ms. Barker stated that MAG needs to find a way to put citizens at the top of the organization chart. She said under federal 28 highway, citizens are supposed to be heard and considered. Chair Rogers thanked Ms. Barker for her comments.

Chair Rogers recognized public comment from Marvin Rochelle, who gave a tribute to Eddie Basha, whom he had known for more than 60 years. He said Mr. Basha was a wonderful gentleman and a good friend, who never did anything to dishonor any of God's children. Mr. Rochelle expressed that he heartily disagreed with Mr. Vint, and added that he thought Mr. Vint did not understand government roles. Mr. Rochelle stated that each city has its own entities. Cities meet at MAG to discuss regional business, not individual city business. He advised that citizens who have a city-based problem need to talk to the city again and again until they get what they think is right. Mr. Rochelle stated that he thought the cities work very hard for the good of the region. Chair Rogers thanked Mr. Rochelle for his comments.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. He displayed a photograph of the shield for the newly designated Interstate 11. Mr. Smith noted the significant

amount of work on Interstate 11 by MAG staff Eric Anderson and Bob Hazlett. He then displayed tracking maps of heavy and medium sized trucks departing from Phoenix that were developed with the data from transponders. Mr. Smith pointed out that trucks already have found the route where Interstate 11 would be located and the connection to Salt Lake City. Mr. Smith remarked that Interstate 17 probably should have continued north to Kanab, Utah.

Mr. Smith stated that the Sun Corridor Retreat took place on March 6, 2013. He noted that the event featured Mayor Becker from Salt Lake City and a panel of mayors discussing opportunities in the Sun Corridor. Mr. Smith stated that a report was also presented on the Kansas City SmartPort at the Retreat.

Mr. Smith stated that a group of elected and business officials attended the Binational Economic Forum in Nogales, Sonora, Mexico, on March 22, 2013. He reported that the purpose of the trip was to strengthen trade with Mexico. Mr. Smith stated that attendees toured the Continental electronics plant in Mexico. Mr. Smith stated that Mayor Rogers and Mayor Stanton spoke at the event, along with Tucson Mayor Rothschild. He stated that the event received media coverage from two national television stations, in addition to newspaper articles. Mr. Smith expressed his appreciation to MAG staff members, Samantha Wolfe and Denise McClafferty, for their work in arranging the trip. Mr. Smith expressed his appreciation to the elected officials who attended the event.

Mr. Smith stated that a joint proposal called MAG Special Events Travel Surveys and Model Development was accepted for publication to the International Journal of Transportation Research. He noted that since 2009, the MAG Transportation System Analysis Program has published or presented 24 papers to professional journals and conferences. Mr. Smith acknowledged MAG staff, led by Vladimir Livshits, for their contributions.

Chair Rogers thanked Mr. Smith for his report. She stated that the representatives in Mexico were very appreciative of the attendance by the MAG representatives at the Binational Forum. Chair Rogers thanked Mr. Smith and staff for their hard work.

Mayor Stanton stated that Ms. Wolfe had done highly professional work organizing the trip and it made MAG look good. He stated that the most important part of the trip for him was the speaker from the economic development department of the state of Sonora. Mayor Stanton stated that the average income of the Mexican middle class is growing, and the Mexican GDP will exceed Brazil's soon and Mexico will have the fifth largest economy in the world. He stated that the growing Mexican middle class is an untold story. Mayor Stanton stated that he heard very good information on the trip that he will utilize when he speaks publicly on this issue.

Mr. Smith stated that MAG staff will send a press release to all the cities who attended the trip. He noted that the press release can be tailored to each city.

Chair Rogers suggested that information received on the trip could be posted on the internet for those who were unable to attend.

5. Approval of Consent Agenda

Chair Rogers noted that agenda items #5A, #5B, #5C, #5D, #5E, #5F, and #5G were on the Consent Agenda.

Chair Rogers asked members if they had questions or requests to hear a Consent Agenda item individually. None were noted.

Mayor Schoaf moved approval of the Consent Agenda. Mayor Lord seconded, and the motion passed unanimously.

5A. Approval of the February 27, 2013, Meeting Minutes

The MAG Regional Council, by consent, approved the February 27, 2013, meeting minutes.

5B. FFY 2013 MAG Closeout Funds: Design Phase for FY 2015 Congestion Mitigation and Air Quality Projects

The MAG Regional Council, by consent, approved the Congestion Mitigation and Air Quality (CMAQ) projects for a design phase that will authorize in FFY 2013, up to the maximum federal share of 94.3 percent of eligible project costs and of the necessary amendments and administrative modifications to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, changes to the Regional Transportation Plan 2010 Update. To ensure that all estimated levels of Congestion Mitigation and Air Quality (CMAQ) Obligation Authority (OA) is fully programmed for Federal Fiscal Year (FFY) 2013, the recommendation from the modal committees in December 2012 and January 2013 was to fund a design phase for the proposed FY 2015 CMAQ construction projects. The MAG Regional Council approved the final list of FY 2015 CMAQ construction and procurement projects on February 27, 2013. For projects to receive design phase federal funding, the project sponsor must submit related project information to the Arizona Department of Transportation no later than June 28, 2013. This item was recommended for approval by the Transportation Review Committee on February 28, 2013, by the MAG Management Committee on March 13, 2013, and by the Transportation Policy Committee on March 20, 2013.

5C. Project Changes – Amendment and Administrative Modification to the FY 2013 Arterial Life Cycle Program, FY 2011-2015 MAG Transportation Improvement Program and the Regional Transportation Plan 2010 Update

The MAG Regional Council, by consent, approved amendments and administrative modifications to the FY 2011-2015 MAG Transportation Improvement Program, FY 2013 Arterial Life Cycle Program, and as appropriate, to the Regional Transportation Plan 2010 Update. The Fiscal Year (FY) 2011-2015 MAG Transportation Improvement Program and Regional Transportation Plan 2010 Update were approved by the MAG Regional Council on July 28, 2010, and have been modified twenty-three times with the latest modification approved on February 27, 2013. Since then, there is a need to modify projects in the programs. Tables A, B, and C include a list of proposed administrative corrections and

project changes in the Arterial Life Cycle, Highway, and Transit Programs. These modifications are mainly minor adjustments to financial information. This item was recommended for approval by the Transportation Review Committee on February 28, 2013, by the MAG Management Committee on March 13, 2013, and by the Transportation Policy Committee on March 20, 2013.

5D. MAG Regional Programming Guidelines for Federal Transit Formula Funds

The MAG Regional Council, by consent, approved the MAG Regional Programming Guidelines for Federal Transit Formula Funds. The Regional Programming Guidelines for Federal Transit Formula Funds outlines the process for programming Federal Transit Funds in the region. The set of guidelines was developed in coordination with working group meetings and MAG Transit Committee input through various phases of the development cycle. It includes the roles of the various agencies and the process of developing the projects for inclusion in the Transportation Improvement Program. In order to meet the deadline for development and approval of the Transportation Improvement Program, the competitive evaluation process is required to be initiated prior to Regional Council approval of the Guidelines. This item was recommended for approval by the Transportation Review Committee on February 28, 2013, and by the MAG Management Committee on March 13, 2013.

5E. Proposed Major Amendment to the MAG Regional Transportation Plan to Add the Light Rail Transit Extension on Main Street: Mesa Drive to Gilbert Road

The MAG Regional Council, by consent, approved the proposed major amendment to the Regional Transportation Plan to add a 1.9 mile light rail transit extension on Main Street, from Mesa Drive to Gilbert Road, the removal of federal Surface Transportation Program (STP) funds totaling \$153,366,043 (2011\$) from sixteen (16) Arterial Life Cycle Program (ALCP) projects, and of the amendments and administrative modifications the Regional Transportation Plan 2010 Update, Arterial Life Cycle Program, and the FY 2011-2015 MAG Transportation Improvement Program. On October 24, 2012, the MAG Regional Council requested consultation on the proposed major amendment to the Regional Transportation Plan to add a 1.9 mile light rail transit (LRT) extension on Main Street, from Mesa Drive to Gilbert Road. In November 2012, the State Transportation Board, the Regional Public Transportation Authority (RPTA), and the Maricopa County Board of Supervisors recommended approval of the major amendment. On January 30, 2013, the MAG Regional Council recommended the proposed major amendment undergo the necessary air quality conformity analysis. The air quality conformity analysis is complete, and the final step in the major amendment process is to approve the technical amendments and modifications to the Regional Transportation Plan, Arterial Life Cycle Program, and the FY 2011-2015 MAG Transportation Improvement Program. This includes the removal of federal Surface Transportation Program funds totaling \$153,366,043 (2011\$) from sixteen (16) Arterial Life Cycle Program projects. This item was recommended for approval by the Transportation Review Committee on February 28, 2013, by the MAG Management Committee on March 13, 2013, and by the Transportation Policy Committee on March 20, 2013.

5F. New Finding of Conformity for the FY 2011-2015 MAG Transportation Improvement Program and Regional Transportation Plan 2010 Update, As Amended

The MAG Regional Council, by consent, approved the new Finding of Conformity for the FY 2011-2015 MAG Transportation Improvement Program and Regional Transportation Plan 2010 Update, as amended. On January 30, 2013, the MAG Regional Council approved a proposed major amendment to the Regional Transportation Plan to add a 1.9-mile light rail transit extension on Main Street, from Mesa Drive to Gilbert Road and that the Regional Transportation Plan (RTP) 2010 Update and the FY 2011-2015 MAG Transportation Improvement Program (TIP) be amended subject to the necessary air quality conformity analysis. MAG has conducted the conformity analysis for the proposed amendment and the results of the regional emissions analysis, when considered together with the TIP and RTP as a whole, indicate that the amendment will not contribute to violations of federal air quality standards. On February 8, 2013, a 30-day public review period began on the conformity assessment and amendment. Comments were requested by March 11, 2013.

5G. 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) and Regional Transportation Plan 2010 Update. The amendment and administrative modification involve several projects, including Arterial Life Cycle Program projects for Mesa and Scottsdale, the addition of the design phase for several FY 2015 Congestion Mitigation and Air Quality funded projects, 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.

11. MAG 2013 Carbon Monoxide Maintenance Plan for the Maricopa County Area

This agenda item was taken out of order.

Lindy Bauer, MAG Environmental Director, presented the Draft MAG 2013 Carbon Monoxide Maintenance Plan for the Maricopa County Area. She stated that carbon monoxide (CO) is a colorless, odorless, tasteless gas that used to be a problem in the region during the winter months. However, the region has met the standard and been clean for several years. On April 8, 2005, EPA approved the Revised MAG 1999 Serious Area Carbon Monoxide Plan with an attainment date of 2000. Ms. Bauer indicated that EPA also approved the MAG 2003 Carbon Monoxide Redesignation Request and Maintenance Plan with a maintenance date of 2015. In addition, EPA redesignated the Maricopa County Nonattainment Area to attainment status. Ms. Bauer commented that there have been no violations of the one-hour CO standard since 1984 and the eight-hour CO standard since 1996.

Ms. Bauer reviewed the carbon monoxide maintenance area. She stated that the maintenance area encompasses 1,882 square miles. There are 13 carbon monoxide monitors in Maricopa County of which 12 are inside the maintenance area.

Ms. Bauer discussed the carbon monoxide monitoring data. She noted that MAG closely tracks the air quality monitoring data. Ms. Bauer added that several measures implemented by local governments, the State, and the federal government have resulted in tremendous progress in reducing carbon monoxide. She stated that in 1984 there were 86 exceedance days of the carbon monoxide standard. However, the region has had no exceedances for over a decade. Ms. Bauer indicated that CO concentrations have also decreased significantly. She noted that in 2012, the second highest eight-hour carbon monoxide concentration was 2.5 parts per million (ppm) against the standard of 9 ppm, which is way below the standard.

Ms. Bauer stated that the MAG 2013 Carbon Monoxide Maintenance Plan is designed to meet the requirements of section 175A(b) of the Clean Air Act. The Clean Air Act requires an additional plan demonstrating maintenance of the standards ten years beyond the initial ten year period. Ms. Bauer indicated that the prior plan demonstrated maintenance through 2015. She commented that the maintenance plan is due eight years after redesignation to attainment which is April 8, 2013. The plan must demonstrate attainment ten years after 2015, in this case through 2025.

Ms. Bauer presented the 2008 average weekday carbon monoxide emissions during the winter season in the carbon monoxide maintenance area. She noted that the 2008 Maricopa County Carbon Monoxide Emissions Inventory serves as the base for the Maintenance Plan. In 2008, the total CO emissions were 901.6 metric tons per day. Ms. Bauer mentioned that a majority of CO emissions, 64.5 percent, is vehicle tailpipe related. Nonroad sources make up 31.2 percent of the CO emissions. Ms. Bauer commented that area and point sources contribute the smallest percentages.

Ms. Bauer discussed the MAG 2013 Carbon Monoxide Maintenance Plan measures. She indicated that the general approach for this plan was to rely on the measures from the prior Serious Area Plan and Maintenance Plan, which were approved by EPA. Ms. Bauer stated that there are ten measures, most of which are related to the Vehicle Emissions Testing Program.

Ms. Bauer discussed the MAG 2013 Carbon Monoxide Maintenance Plan contingency measures. The plan includes contingency measures that have air quality benefit above and beyond what is used to demonstrate maintenance of the CO standard. The contingency measures include: gross polluter option for I/M Program waivers; increased waiver repair limit options; and reinstatement of the Vehicle Emissions Inspection Program for motorcycles. Ms. Bauer indicated that with regard to the third contingency measure, in November 2012, EPA proposed to approve a plan revision submitted by the Arizona Department of Environmental Quality (ADEQ) to eliminate the requirement for motorcycles to be tested in the Vehicle Emissions Testing Program. ADEQ has made a commitment to reinstate the program if a violation of the CO standard occurs.

Ms. Bauer reviewed the Maintenance Plan analyses and results and the CO standards. The second highest monitored value each year should not exceed 35 ppm for one-hour or 9 ppm for an eight-hour average. Ms. Bauer stated that three different analyses were performed, these included: Emissions Inventory Comparison, Scaling Maximum Concentrations, and Intersection Analysis. She added that two Weight of the Evidence Evaluations were also conducted in which actual air quality trends and

meteorological data were utilized. The results of the analysis are that the maximum 2025 eight-hour carbon monoxide concentration is 4.0 ppm, which is half the CO standard.

Ms. Bauer stated that the plan also produced a Motor Vehicle Emission Budget for 2025. The Motor Vehicle Emission Budget, for the purpose of conformity, will be 559.4 metric tons per day. She stated that the conformity analysis is done to ensure that transportation plans, programs, and projects will not contribute to violations of the air quality standards.

Ms. Bauer presented the schedule for the MAG 2013 Carbon Monoxide Maintenance Plan. On January 18, 2013, the draft plan was available for public review. The public hearing was conducted on February 19, 2013 in which no public comments were received. Ms. Bauer stated that February 28, 2013, the AQTAC recommended adoption to the MAG Management Committee. The MAG Management Committee recommended approval to the MAG Regional Council on March 13, 2013. Ms. Bauer stated that if the MAG Regional Council adopts the plan, MAG will submit the plan to ADEQ and EPA on March 29, 2013. Ms. Bauer indicated that the plan deadline for submission to EPA is April 8, 2013.

Ms. Bauer reported that on March 21, comments were received from a citizen after the public hearing comment period. She noted that the comments and response to comments were at each place and had also been emailed to members in a revised summary transmittal. The comments indicated that one of the largest contributors to the carbon monoxide emissions is the Imsamet aluminum recycling plant in Goodyear, which is nearby commercial retail, residential subdivisions, and public facilities that were not there ten years ago. Ms. Bauer stated that the citizen requested that the Regional Council consider a motion to amend the plan with a new monitoring location near the site. She advised that these comments were referred to Maricopa County Air Quality Department, which maintains and operates the air quality monitoring network and issues air quality permits, for consideration and a response.

Ms. Bauer stated that under the Clean Air Act, the Maricopa County Air Quality Department must undergo a network assessment every five years and an annual review to ensure its monitors are adequate. She noted that most recently, the network assessment was done in 2010 and the review was done in 2011. Ms. Bauer noted that the County concluded that adding any new carbon monoxide monitors was unnecessary because the concentrations were uniformly low across the region. She noted that the County has a 30-day public review period and then conducts a public hearing. Ms. Bauer stated that Imsamet is not a major source of carbon monoxide and passed its test in October 2012 for carbon monoxide. Ms. Bauer noted that the reports on the monitor are available at the County Air Quality Department. She stated that the Carbon Monoxide Plan was before the Regional Council for action.

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

Chair Rogers recognized public comment from Dianne Barker, who said that she was glad to hear that a lot of carbon monoxide was assigned to motor vehicles, and before, it was businesses. She said she was not at the public hearing but did file timely on MAG's TIP and for it being out of conformity for air quality for ozone, particulates, and carbon monoxide and it is not fiscally constrained. Ms. Barker said she had asked for it to be on the next agenda of the Management Committee, but no one has responded to her. Ms. Barker stated that her recourse is to go to the Federal Highway Administration

because she has to be heard and considered. Since there has not been a violation of the carbon monoxide standard for a long time, maybe monitors should be placed where accidents are occurring. Chair Rogers thanked Ms. Barker for her comments.

With no additional comments, Mayor Mark Mitchell moved to adopt the MAG 2013 Carbon Monoxide Maintenance Plan for the Maricopa County Area. Mayor Michael LeVault seconded, and the motion passed unanimously.

Chair Rogers reopened the public comment period on the Consent Agenda. Ms. Barker commented on agenda item #5E. She stated that MAG's own information says that the arterial program is overprogrammed. Ms. Barker remarked that light rail is a control measure and that probably is a good thing. She commented on how arterial project funds will be going to light rail and Mesa will repay the funds in 2018. She said that the arterial roads fund is overprogrammed and the Regional Area Road Fund says Proposition 500 will be needed because revenue is down \$2 billion and is paying back bus for the extension in the northwest. Ms. Barker stated that it is time for there to be one transportation authority over everyone called BOSS. Chair Rogers thanked Ms. Barker for her comments.

6. Domestic Violence Protocol Model Implementation Survey

Steve Campbell, Police Chief for the City of El Mirage and Vice Chair of the MAG Regional Domestic Violence Council, provided a report on the Domestic Violence Protocol Model implementation survey. Chief Campbell, with more than 30 years of law enforcement experience including 29 years with the Phoenix Police Department, said that he has seen first-hand the cost of domestic violence on governments, families and businesses.

Chief Campbell thanked his predecessor as Vice Chair, Chief Jerald Monahan, Domestic Violence Council Chair Barbara Marshall from the Maricopa County Attorney's Office, and MAG staff Amy St. Peter and Renae Tenney, for keeping up the momentum on this effort.

Chief Campbell stated that the Misdemeanor Domestic Violence Protocol Model is making a difference for victims of domestic violence. He said that they took a survey to see where in the City incidents were occurring and how they could be mitigated with the greatest impact for the least amount of resources. Chief Campbell stated that domestic violence calls are the most common, the most dangerous, and the most expensive calls for service, especially when responding to repeat calls from the same household. He noted that one household in the City had more than 40 calls in five years. Chief Campbell pointed out the time spent on each of these calls: the police officer, the police dispatcher, victim advocates, and crisis intervention and social services staff.

Chief Campbell stated that the Misdemeanor Domestic Violence Protocol Model provided the information they needed to completely overhaul the protocols and practices his department uses when responding to domestic violence calls. Chief Campbell stated that the next goal is to extend use of the Protocol Model statewide.

Chief Campbell stated that he has personally called police chiefs to share his success with the Protocol Model and he also requested they complete a survey indicating their agencies' level of implementation of the protocol. He stated that 19 law enforcement agencies in Maricopa County responded to the survey, and their responses showed that 95 percent of them are using the Protocol Model in some fashion.

Chief Campbell stated that the Protocol Model was sent to agencies statewide and they could adapt them to their individual needs. He noted that seven agencies outside Maricopa County responded to the survey and 89 percent of those agencies reported some use of the Protocol Model. Chief Campbell stated that MAG's work in the domestic violence field has spread throughout the state. He will continue to seek opportunities to speak about the benefits of using the Protocol Model.

Chief Campbell stated that using the Protocol Model will save cities money by making law enforcement's response to domestic violence calls more efficient. He encouraged support and leadership of the City Managers to help the Police Chiefs. Chief Campbell noted the support he received from the El Mirage Mayor and City Council. He reported that a STOP grant from the Governor's Office provided funding for a part-time victim advocate, and financial support from the City Council has led to this position becoming a full-time position. Chief Campbell stated that the Protocol Model is a valuable component to saving lives.

Chair Rogers thanked Chief Campbell for his report and asked members if they had questions.

Mayor LeVault stated that the Town of Youngtown contracts with the Maricopa County Sheriff's Office for law enforcement. He asked if the Sheriff's Office protocol tracks closely with the MAG Protocol Model. Chief Campbell replied that the Sheriff's Office has been contacted and invited to participate in the survey as well as ongoing efforts of Protocol Evaluation Project.

Chair Rogers read a statement on behalf of Mayor Lana Mook, who was unable to attend the Regional Council meeting. The City of El Mirage recognizes the accomplishments of Police Chief Campbell, Domestic Violence Council Chair Barbara Marshall, and all of the Domestic Violence Council members who have done a tremendous job in bringing awareness to domestic violence, evaluating current protocols, and building a framework of best practices. The El Mirage Police Department released 12 public service announcements that are currently being aired on the El Mirage public access channel and available on MAG website. Mayors were invited to use these public service announcements to increase awareness of domestic violence in their communities.

7. The 21st Annual American Trails International Trails Symposium

Thomas Fitzgerald addressed the Regional Council on the 21st Annual American Trails International Trails Symposium that will take place at the Fort McDowell Yavapai Nation Resort on April 14-17, 2013. Mr. Fitzgerald stated that the American Trails organization has been in existence for 25 years to promote multimodal trails and preserve funding for trails. Mr. Fitzgerald stated that the conference is held every two years, and this year, more than 700 people from ten countries are expected to attend.

Mr. Fitzgerald stated that this is the first time the conference will be held on tribal lands and Arizona is the first state to hold the conference twice. He then explained sponsorship opportunities and noted that 19 scholarships will be awarded to youths. Mr. Fitzgerald provided packets of material and business cards to members.

Chair Rogers thanked Mr. Fitzgerald for his report. She asked the Council if they had questions.

Councilmember Carlat asked Mr. Fitzgerald to elaborate on the economic generation of recreation and trails for the state. Mr. Fitzgerald replied that studies by Arizona Game and Fish and Arizona State University have shown that recreation as a whole is a billion dollar industry. He stated that a lot of people come from other areas to enjoy the open spaces and trails in Arizona and this is a huge economic generator. Mr. Fitzgerald expressed appreciation to Fountain Hills, Mesa, Peoria, Phoenix, Scottsdale, Tucson, Maricopa County, and Pima County for sponsorships. He encouraged other communities to be a part of the symposium. Mr. Fitzgerald stated that the symposium held in Chattanooga, Tennessee generated \$2 million to \$3 million and generated approximately \$3 million in Redding, California, in addition to the millions of dollars in public and political support. Mr. Fitzgerald stated that the symposium will provide long lasting effects and an opportunity to showcase Arizona's assets.

Chair Rogers stated that there are wonderful trails and beautiful country that many do not take the time to experience. She expressed her hope for a successful event.

8. Potential Metropolitan Planning Area Boundary Adjustment and Amendment to the MAG By-Laws

Mr. Smith stated that even though this item was on the agenda for possible action, the letter from the Governor on the MAG Metropolitan Planning Area (MPA) Boundary had not yet been received and that means action will need to be taken at a future Regional Council meeting. In addition, the Gila River Indian Community has indicated it wants all of its community to be part of MAG and we are awaiting a letter. Mr. Smith stated that he provided a detailed report of this item at last month's Regional Council meeting, and he would give a short review this month. He noted that this effort is to help MAG meet the federal regulations to include the urbanized area and the area expected to be urbanized in its planning boundary.

Mr. Smith displayed maps of these areas and of the travel demand patterns between Maricopa and Pinal Counties. He said that more than 285,000 trips between the counties are made per day. Mr. Smith displayed a boundary map of the new Casa Grande MPO that has been sent to the Governor. He showed the draft map of the MAG MPA Boundary that was included in the agenda packet, and a newly revised map of the MAG MPA Boundary that includes the entire Gila River Indian Community.

Mr. Smith stated that once the letter is received from the Governor, the Regional Council would consider an amendment to the MAG By-Laws, which have been sent out for the required 15-day review. If the amendment is approved, the agencies who submitted resolutions (Town of Florence and City of Maricopa) would be approved and given membership certificates. Mr. Smith stated that the new members would be included in the dues and assessments for the new fiscal year 2014. He noted that City

of Maricopa Mayor Christian Price was at the meeting, and he expressed his regrets that action could not be taken at this meeting.

Mr. Smith stated that because MAG is a Transportation Management Area, it is required to be certified by the federal agencies every four years. He said that MAG was advised at the 2004 and 2009 certifications to comply with the federal regulations regarding urbanized areas and now is the time to take action. Mr. Smith expressed his hope that this would be ready for action at the April meeting.

Chair Rogers thanked Mr. Smith for his report and asked if there were any questions.

Mr. Arnett asked if there had been any conversation with the Ak-Chin Indian Community. Mr. Smith replied that there had been no conversations with the community although it has been discussed. He advised that if the draft map was approved and Ak-Chin wanted to become a member, it would need to pass a resolution to join MAG. Mr. Smith added that Pinal County would also need to be notified if the MAG MPA map was approved, because there would be significant unincorporated land in Pinal County in the MAG MPA.

Chair Rogers called forward Mayor Christian Price from the City of Maricopa to address the Regional Council.

Mayor Price stated that he spoke to the Ak-Chin Community recently and it has not made a decision on membership yet. He said they are waiting to see where things fall. Mayor Price added that it is plausible that the Community might join MAG if the City of Maricopa is accepted because the Community and the City of Maricopa are in such proximity. Mayor Price expressed his appreciation for the opportunity to be at MAG.

9. Proposed Funding Scenarios and Project Changes for the Transportation Alternatives Program

Teri Kennedy, Transportation Improvement Program Manager, provided a report on the new Transportation Alternatives program that is in the new federal legislation, Moving Ahead for Progress in the 21st Century (MAP-21). Ms. Kennedy stated that MAP-21 programs are authorized for two years and it allocates funding to regional planning organizations for programming.

Ms. Kennedy stated that the Transportation Alternatives program combines the Recreational Trails, Transportation Enhancements, and Safe Routes to School programs and reduces the funding level of the combined old levels. She noted that it is the responsibility of large urbanized areas over 200,000 in population to program Transportation Alternatives funding. Ms. Kennedy stated that Federal Fiscal Year (FFY) 2013 and 2014 Transportation Alternatives funds, estimated at \$4.2 million and \$4.3 million, need to be programmed.

Ms. Kennedy stated that the Transportation Enhancement Program and Safe Routes to School Program have been sunsetted, but approximately \$9.8 million in projects in the MAG region are in the ADOT program for 2013 and 2014, with only \$8 million available. Ms. Kennedy stated that in addition to this, MAG has its own funds that need to be programmed immediately.

Ms. Kennedy stated that a short term programming proposal was developed to deal with the Transportation Alternatives funding, and for the long term, a scenario will be developed by the Managers Working Group for programming projects. Ms. Kennedy stated that for the short-term, they want to protect the Obligation Authority. She stated that the average project development timeline is three to five years, however, they do not have that amount of time so they are looking at currently programmed projects in the region. Ms. Kennedy stated that the process goal is to ensure the projects continue and will address over-programming from the old SAFETEA-LU funds.

Ms. Kennedy referenced material in the agenda packet that outlined how they would like to enhance the Safe Routes to School and Transportation Enhancement projects that needed additional federal funding. She noted that this amount is approximately \$2 million for FY 2013 and approximately \$3.7 million for FY 2014. Ms. Kennedy stated that the amount for FY 2015 (includes the MAG Allocation and the Carryforward) totals approximately \$7 million for a new call for projects. She added that these amounts are contingent upon federal legislation.

Ms. Kennedy stated that the Regional Council was requested to approve the scenario for short term and long term programming methodologies and of the associated amendments and modification to the FY 2011-2015 Transportation Improvement Program (TIP), the Regional Transportation Plan 2010 Update, and for inclusion in the Draft FY 2014-2018 TIP and Draft 2035 Regional Transportation Plan as appropriate.

Chair Rogers thanked Ms. Kennedy for her report. No questions from the Council were noted.

Mayor Barney moved approval, Mayor Mitchell seconded, and the motion passed unanimously.

10. Development of the FY 2014 MAG Unified Planning Work Program and Annual Budget

Rebecca Kimbrough, MAG Fiscal Services Manager, provided a report on the development of MAG's draft Unified Planning Work Program and Annual Budget for Fiscal Year 2014. She stated that the Work Program is developed each year in conjunction with member agency and public input. Ms. Kimbrough stated that the project narratives, the draft budget document and Programs in Brief (which contains the newly proposed projects) were included in the March agenda packet. She noted that the budget is approximately 60 percent complete and the estimated budget is based on the indirect cost rate. Ms. Kimbrough stated that the document also includes the capital budget, which is similar to last year's capital budget. She stated that some of the funds for the implementation of the ERP system will be carried forward to finish the installation and training.

Ms. Kimbrough noted that the Intermodal Planning Group meeting has been scheduled for April 3, 2013. She stated that the federal agencies review the MAG work program at this meeting, and any comments received will be brought forward at the next Regional Council meeting. Ms. Kimbrough stated that this item was on the agenda for information and input on the development of the Work Program and Annual Budget.

Chair Rogers thanked Ms. Kimbrough for her report. She asked if the document would include any changes necessitated by the finalization of the MAG MPA boundary. Ms. Kimbrough replied that was correct and the narratives for the new planning boundaries had not yet been done. She added that this was the reason the budget was at 60 percent completion.

12. Legislative Update

Nathan Pryor provided an update on legislative issues of interest. Mr. Pryor referenced the material in the agenda packet regarding Regional Infrastructure Improvement Zones (RIIZ). He said that this was a topic of discussion at the MAG Executive Committee on March 18, 2013, and the Executive Committee gave direction to have discussion at Regional Council. Mr. Pryor stated that RIIZ was brought to MAG's attention by the National Association of Regional Councils (NARC), of which MAG is a member and Mayor Rogers is on its Board because she is President of National League of Cities.

Mr. Pryor stated that NARC is requesting support for federal legislation on RIIZ. He explained that a RIIZ is a tax deductible contribution for infrastructure projects – another tool for supporting local projects through a financing mechanism. Mr. Pryor then explained the steps to create a RIIZ. First, a business or individual applies to an MPO, which then verifies project eligibility in its long range plan. The RIIZ would then be approved by the MPO's Regional Council and a certificate filed with the state's attorney general's office and the Internal Revenue Service. After these steps are completed, the RIIZ is ready to receive private or individual funding.

Mr. Pryor then displayed a list of national, statewide, regional, and local organizations that support RIIZ, which originated in the Cincinnati MPO. Mr. Pryor stated that the concept was brought forward at the last Congress. It did not move forward at that time but is being brought back. He stated that NARC is requesting support for legislation that would enact RIIZ. Mr. Pryor added that more detail, including changes to the IRS code, still need to be fleshed out.

Chair Rogers thanked Mr. Pryor for his report and asked if there were questions.

Mayor Lane asked the difference between RIIZ and IDAs. Mr. Pryor replied that he would research the differences between them and report back. Mayor Lane asked if RIIZ was an extension of a municipality's or government entity's tax-free status to private financing. Mr. Pryor replied that he understood that the funds from the private sector would become a tax deductible contribution. Mayor Lane asked about the interest on the financing. Mr. Pryor replied that details on interest still need to be worked out.

Chair Rogers stated that this item would be brought back after more information was gathered.

(Discussion returned to this agenda item later in the meeting and action was taken. See page 16.)

13. 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.

Mr. La Rue stated that the Interstate 11 sign shown during the Executive Director's Report, was unveiled at a meeting of the CAN-DO Coalition. He said that Interstate 11 is more than a road – it is an economic development opportunity. Mr. La Rue stated that WESTMARC passed a Resolution of Support for Interstate 11. He stated that further meetings in the region to gain support for Interstate 11 are planned. Mr. La Rue encouraged everyone to continue the message and he volunteered the assistance of the community liaison group at ADOT to help disseminate information. Mr. La Rue stated that deliverables from the study being done by ADOT and Nevada should be ready in approximately 60 days and he would suggest they be brought to this group.

Mayor Stanton recognized the passing of Mr. Eddie Basha, who meant very much to the community with his business and charitable work. Mayor Stanton suggested that a condolence letter be sent to his family from MAG to say how much we appreciate his work and how it has benefitted all of the citizens.

(Discussion and action for agenda item #12 continued here.)

Mayor Schoaf asked that discussion return to agenda item #12. He stated that he thought the Executive Committee had directed that this item be taken to the Regional Council for possible action to support the concept of the RIIZ as opposed to an informational item. He asked for clarification if his understanding was correct. Mr. Smith replied Mayor Schoaf was correct.

Mayor Schoaf stated that if the Regional Council was not in a position to take action, it needs to be clear in direction to staff what is to be brought back to the Regional Council. Mayor Schoaf stated that alternative financing mechanisms are important to the state, because federal funds will be decreasing, as noted in the presentation given earlier in the meeting, and we can probably anticipate this trend will only accelerate. He stated that we need to look at these types of alternatives for financing infrastructure or we will not be able to provide infrastructure needed by our citizens. Mayor Schoaf expressed concern that this would be left to die because it is a unique idea and goes beyond the IDA. He said that an IDA is a bond to finance infrastructure; RIIZ is a cash donation to the construction of the infrastructure itself. Mayor Schoaf stated that a RIIZ does not depend on lending, but on taxpayers who pay for the project directly with tax deductible dollars. He expressed his disappointment that the Regional Council did not do more with this, because it could be another tool in the toolbox. Mayor Schoaf stated that he thought MAG should support RIIZ.

Mayor Lane stated that he was hoping to get more information, but as Mayor Schoaf said, it sounds like a reasonable approach to diminishing financing and funding. He indicated he was not entirely clear about the distinctions between RIIZ and IDA, but from what has been reported, RIIZ sounds like an innovative and new approach to funding.

Mayor Schoaf stated that staff needs to be directed if additional clarification is needed. He said that a RIIZ is an example of having local funding and local control over projects, which he felt was needed. Mayor Schoaf said that if anyone had questions, he urged they be given to staff. He said that the concept was at the stage that specific parameters of legislation are still being hammered out, but he felt the Regional Council needed to take a stand and say it supports alternatives that bring local control for local projects. Mayor Schoaf stated that he felt it was a concept the Regional Council should support.

Mayor Lane expressed that he would support a vote to gather additional information on RIIZ.

Mayor Schoaf stated that he understood it would be a vote in favor of the concept. He said that he felt the Regional Council needed to get behind the concept so it can move forward.

Chair Rogers asked for clarification that the vote would be to support the concept. Mr. Smith stated that action could be taken if the Regional Council returned to agenda item #12.

Mayor Lane moved to have staff continue with the process and concur with the concept and continue to assemble the information in order that the Regional Council could make an ultimate decision.

It was noted that the motion was sufficient for NARC's purposes.

Mayor Schoaf seconded the motion.

Mayor LeVault stated that he generally agreed with Mayor Schoaf's comments about being more innovative on funding. He said that his question was if RIIZ legislation passes as proposed, does it require the State of Arizona do anything or would it just require a change to the IRS code.

Mr. Pryor replied that he understood there are roles for state attorneys general's offices and would probably have to be defined in legislation, but by and large it would require a change to the IRS code.

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

14. 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.

Chair Rogers stated that many members of the MAG Regional Council will be on a GPEC trip to Washington, D.C., on April 24, 2013, the date of the next Regional Council meeting. She said the meeting date will probably be changed to one of the two possible dates: April 25 or May 1. A show of hands indicated that a May 1 meeting could work.

Adjournment

There being no further business, Mayor Lane moved, Mayor Stanton seconded, and the meeting adjourned at 1:10 p.m.

Secretary

Chair