

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

May 28, 2014
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Michael LeVault, Youngtown, Chair	Mayor Rebecca Jimenez, Guadalupe
Mayor W. J. “Jim” Lane, Scottsdale, Treasurer	Mayor Thomas Schoaf, Litchfield Park
# Vice Mayor Robin Barker, Apache Junction	Mayor Christian Price, City of Maricopa
Councilmember Kenneth Weise, Avondale	Supervisor Steve Chucuri, Maricopa County
Mayor Jackie Meck, Buckeye	Mayor Alex Finter, Mesa
* Councilmember Mike Farrar, Carefree	* Mayor Scott LeMarr, Paradise Valley
* Councilmember Reginald Monachino, Cave Creek	# Mayor Bob Barrett, Peoria
Mayor Jay Tibshraeny, Chandler	Mayor Greg Stanton, Phoenix
Mayor Lana Mook, El Mirage	* Supervisor Todd House, Pinal County
* Mayor Tom Rankin, Florence	Mayor Gail Barney, Queen Creek
* President Ruben Balderas, Fort McDowell Yavapai Nation	* President Diane Enos, Salt River Pima-Maricopa Indian Community
Mayor Linda Kavanagh, Fountain Hills	Mayor Sharon Wolcott, Surprise
* Mayor Steven Holt, Gila Bend	Mayor Mark Mitchell, Tempe
* Governor Gregory Mendoza, Gila River Indian Community	* Mayor Adolfo Gamez, Tolleson
Mayor John Lewis, Gilbert	Mayor John Cook, Wickenburg
Mayor Jerry Weiers, Glendale	Mr. Jack Sellers, State Transportation Board
Mayor Georgia Lord, Goodyear	Mr. Joseph La Rue, State Transportation Board
	Mr. 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 Michael LeVault at 11:33 a.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Mayor Bob Barrett and Vice Mayor Robin Barker participated in the meeting via teleconference. Chair LeVault welcomed back Mayor Barrett to the Regional Council.

Chair LeVault introduced Councilmember Kenneth Weise, representing Avondale. He noted that Mayor Marie Lopez Rogers had resigned her seat as Avondale Mayor to pursue the seat on the Maricopa County Board of Supervisors vacated by Supervisor Mary Rose Wilcox.

Chair LeVault noted that on May 21, 2014, the Transportation Policy Committee recommended approval of item 5C that was on the Regional Council agenda. He announced that the report from the MAG Nominating Committee, which was mailed to members previously, was at each place. Chair LeVault noted that the election will be on the agenda for the June 25, 2014, MAG Regional Council meeting.

Chair LeVault noted that hearing assisted devices were available from MAG staff. Chair LeVault 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. Transit tickets for those who purchased a transit ticket to attend the meeting and parking validation were available from staff.

3. Call to the Audience

Chair LeVault 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 LeVault recognized public comment from Ms. Dianne Barker, who said that dance helps her to be multimodal. She said that she thought she was probably one of the few who come to the meetings in a mode other than a car. Ms. Barker stated that she received a letter from MAG, and although she objected to the rules, she would comply. Ms. Barker stated that they misspelled her name in the letter. Ms. Barker said that the letter referenced a comment attributed to her that MAG could not prevent her from doing cartwheels during her comment period, however, she never, ever said that. She said that the Open Meeting Law provides with discretion on dealing with the public. Ms. Barker read from the letter, which was addressed to her from the MAG General Counsel law firm, that MAG had indicated to her on repeated occasions over many years that cartwheels are disruptive to the meeting and present the potential for injury to herself and other meeting attendees. Ms. Barker acknowledged that MAG has told her this, but only one time, not on repeated occasions. She said that the letter says that public bodies can impose restrictions and she should cease performing cartwheels at the MAG meetings. Ms. Barker stated that the letter goes on to say that MAG welcomes her participation, but engaging in cartwheels may result in an enforcement of speaking rules, which are acknowledged by a speaker when they fill out a public comment request card. Ms. Barker stated that the rules require a person to conduct themselves in a professional and appropriate manner and she felt that her attire was appropriate for performing acrobatics. She said that she was performing to show the health benefits of a multimodal lifestyle. Chair LeVault thanked Ms. Barker for her comments.

Chair LeVault recognized public comment from Dr. Marvin Rochelle, who said that in 1997, he had suggested to the FTA and then-ADOT director Mary Peters that Interstate 17 should be double-decked. He said that he informed them they could see an example of double-decking in Austin, Texas. Dr. Rochelle stated that he heard in 2002 that the double-decking improvements would be done, but since then nothing has been done to alleviate the traffic. Chair LeVault thanked Dr. Rochelle for his comments.

Chair LeVault recognized public comment from Mr. Pat Vint, who stated that he and Mr. John Rusinek had met with the city of Phoenix Street Department and will meet with the Neighborhood Services Department. He expressed his thanks for MAG allowing him to speak at meetings on whatever he wants as long as it is relevant to MAG. Mr. Vint stated that he could not understand having an organization of cities where a person could not speak on anything they wanted to. He stated that not enough people come to public meetings because they are afraid they are going to be wiped out. Mr. Vint stated that the city of Phoenix destroyed a couple of his businesses and is after some they do not realize he is involved in. He said this is a disaster. Mr. Vint stated that the agenda item, *Comments from the Council*, should be *Comments from the Council and Citizens* so citizens can comment after the committee's business is concluded. He said that 99 percent of the time there are no comments and that is a disaster. Why come to meetings if you have no comments or questions? Mr. Vint stated that citizens have a right to speak and they pay all of the bills. He said that hopefully, some of the Regional Council members are in business and not just on the take. Mr. Vint stated that Frank Fairbanks told him he paid taxes, but Mr. Vint asked him where he got the money to pay taxes. He indicated that nine out ten people work for someone else. Chair LeVault thanked Mr. Vint for his comments.

Chair LeVault recognized public comment from Mr. John Rusinek, who spoke on his ongoing dust problem. Mr. Rusinek stated that he and Mr. Vint met with his councilman for 40 minutes three weeks ago. He said that the meeting was supposed to be one hour. In addition, he had requested 20 minutes to set up his evidence before the meeting started, but his councilman arrived early and not everything was put out. Mr. Rusinek stated that he spoke to the councilman about the driveway and the councilman responded that everyone violates ordinances and laws. Mr. Rusinek said to the councilman that a person who gets caught must pay the piper. He passed around packages of different sized gravel and reported that his councilman said he could not see much difference between sizes. Mr. Rusinek thanked MAG for the opportunity to speak. He added that Ms. Barker said it like it is and he thanked her for her participation. Chair LeVault thanked Mr. Rusinek for his comments.

4. Executive Director's Report

Mr. Dennis Smith, MAG Executive Director, reported on items of interest to the MAG region. Mr. Smith reported on the effort to streamline the border crossing process for Mexican citizens who want to visit Arizona. He stated that the Central Arizona Governments has now joined, which makes a total of eight agencies now participating in this process. Mr. Smith stated that they have met with the joint field command and will be meeting with some of the Congressional Delegation. He stated that this effort is all about tourism and shopping in the Valley.

Mr. Smith announced that two of Sun Health's photographs, submitted by the Greater Phoenix Age-Friendly Network, placed among the 500 photographs submitted for a national competition sponsored by Grantmakers in Aging.

Mr. Smith stated that MAG received the Public Relations Society of America 2014 Bronze Anvil award for campaign tactics for the Don't Trash Arizona anti litter campaign. He reported that 52 entries were selected out of 734 entries. Mr. Smith acknowledged the contributions of Olson Communications, WhyFor Design, and Three Flags Media for their efforts on the campaign.

Mr. Smith encouraged members to RSVP for the Desert Peaks Awards event on June 25, 2014, in conjunction with the MAG Annual Meeting. He requested reservations be submitted soon as space is filling up fast.

Mr. Smith conveyed the sad news of the passing of one of MAG's retired modelers, Mr. Clyde Hahn, at the age of 91. Mr. Hahn started his transportation career in the organization that predated the formation of MAG in 1967 and retired from MAG at age 84. Mr. Hahn was the "go-to guy" when it came to coding the MAG models for important projects such as the MAG Freeway System. Mr. Hahn served honorably in the Army Air Corps, flew 31 different planes, and flew the hump over the Himalayan mountains in WWII. In addition, Mr. Hahn also was an instructor in nuclear weapons and worked for General Electric. Mr. Hahn was survived by his wife, Eva, and will be missed.

Chair LeVault thanked Mr. Smith for his report.

Mayor Linda Kavanagh asked if Don't Trash Arizona signs could be installed at Shea Boulevard, where they have a trash problem.

Ms. Kelly Taft, MAG staff, stated that Adopt a Highway signs are probably available from ADOT, and brochures and litter bags are available through the Don't Trash Arizona program.

Mayor Kavanagh asked about the signs that won the contest. Ms. Taft stated that the No Cups, No Cans, No Butts campaign won the Bronze award for Tactics, which includes mobile billboards, web messaging, online advertising, and contests. She offered to meet with Mayor Kavanagh after the meeting to determine the needs of her community.

Mayor Sharon Wolcott expressed that there are opportunities to spread the anti litter message, such as on bus benches, trash receptacles, etc.

Ms. Taft stated that they could work with the consultant on additional opportunities. She noted that the target demographic of the Don't Trash Arizona campaign is males, 18-34 years of age, and Cups, Cans, and Butts represent the three most common types of litter. Right now, they are targeting places like convenience stores and gas stations, especially near freeways, with such things as gas toppers, floor clings, and stickers.

Mayor Wolcott spoke of observing drivers dumping their ashtrays while waiting at stoplights. Ms. Taft noted that litter violations can be reported on the Don't Trash Arizona website by entering the make and model of the vehicle and its license plate number.

5. Approval of Consent Agenda

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

Chair LeVault recognized public comment from Ms. Dianne Barker, who expressed that multimodal transportation and moving feel good. She said that citizens have a passion and belief in moving America but their three minutes are up. Ms. Barker commented that the April 23, 2014, Regional Council meeting minutes were accurate, and yes, she did perform a cartwheel. She offered to come to any neighborhood for free. Ms. Barker commented on the city of Phoenix org chart that did not have a line from the citizens to the government, but she got one from the town of Fountain Hills that is connected. Ms. Barker stated that she has never been in a position of people wanting to give money to her so she could run for office. She remarked that if you are not doing service to the people then you might as well be putting on roofs. Ms. Barker commented on the Public Participation Plan. She said that the Open Meeting Law says that members can ask questions, add an item to the agenda, and ask for clarification, and this is missing at MAG. Ms. Barker reported that the state Open Meeting Law does not require a public comment period, but this clashes with federal law. She stated that the city of Phoenix is the grant recipient for transit funds and there are earmarks for light rail in the East Valley. Ms. Barker cautioned about having to repay bonding someday. Chair LeVault thanked Ms. Barker for her comments.

Chair LeVault recognized public comment from Mr. Vint, who thanked Ms. Barker for her comments. Mr. Vint stated that he had requested at a Management Committee meeting that citizens be able to comment at the end of meetings. He remarked that light rail is a disaster; even though it is cheaper than elevated rail, it destroys businesses and kills people. Mr. Vint stated that he rode BART in San Francisco and it was a wonderful experience. He said that he heard business people did not want rail because passengers could look in their windows, and he suggested they get a curtain. Mr. Vint stated that anyone who works for a government agency downtown and lives within five miles of a light rail station should be forced to take light rail to work and pay the fare. He remarked that Phoenix wants to increase the parking meter charge to \$6 per hour, which is a disaster, but could encourage people to ride light rail. Mr. Vint stated that you had better start thinking about the citizens and businesses. He said he had been in business for more than 50 years and had provided for his own retirement, but now has to pay for the two Phoenix city managers who took advantage of the system and the current city manager just covers up for the past two. Mr. Vint stated that he will speak to Mr. Zuercher, Mayor Stanton, Councilman DiCiccio, and Councilman Gates as long as they talk to him. He said that they think they are gods and anointed. Chair LeVault thanked Mr. Vint for his comments.

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

Chair LeVault called for a motion to approve Consent Agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, and #5J. Mayor Jay Tibshraeny moved approval of the Consent Agenda. Mayor Lana Mook seconded, and the motion passed unanimously.

5A. Approval of the April 23, 2014, Meeting Minutes

The MAG Regional Council, by consent, approved the April 23, 2014, meeting minutes.

5B. Appointment of Mayor Alex Finter, City of Mesa, and Mayor Bob Barrett, City of Peoria, to Serve on the Transportation Policy Committee

The MAG Regional Council, by consent, approved the appointment of Mayor Alex Finter, City of Mesa, and Mayor Bob Barrett, City of Peoria, to the Transportation Policy Committee. The composition of the Transportation Policy Committee (TPC), established by the Regional Council on April 24, 2002, includes elected officials from the seven largest cities/towns, which includes the City of Mesa and the City of Peoria. Mesa's appointed representative on the TPC, Mayor Scott Smith, recently resigned his position on the Mesa City Council. Mesa's new mayor, Alex Finter, is requesting that he be appointed as the City of Mesa representative on the TPC as one of the seven largest cities/towns elected officials. Peoria's appointed representative on the TPC, Councilmember Cathy Carlat, recently resigned her position on the Peoria City Council. Peoria Mayor Bob Barrett is requesting that he be appointed as the City of Peoria representative on the TPC as one of the seven largest cities/towns elected officials.

5C. Project Changes - Amendment and Administrative Modification to the FY 2014-2018 MAG Transportation Improvement Program, 2014 Arterial Life Cycle Program, and as Appropriate to the 2035 Regional Transportation Plan

The MAG Regional Council, by consent, approved the amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program, the 2014 Arterial Life Cycle Program, and as appropriate to the 2035 Regional Transportation Plan. The Fiscal Year (FY) 2014-2018 MAG Transportation Improvement Program (TIP) and 2035 Regional Transportation Plan were approved by the MAG Regional Council on January 29, 2014, and the second amendment to the TIP was approved on March 26, 2014. Since then, there is a need to modify projects in the programs. The requested project changes include modifications to the Highway and Transit programs and to projects in the Arterial Life Cycle Program. These modifications do not require a conformity determination. On April 24, 2014, the Transportation Review Committee recommended the changes as noted in the TRC columns of Tables A and B. On May 14, 2014, the MAG Management Committee recommended approval of the changes as noted in the MC columns of Tables A and B. On May 21, 2014, the Transportation Policy Committee recommended approval of the changes.

5D. Freeway Management System Expansion - Revised Budget and Schedule

The MAG Regional Council, by consent, approved the proposed budget and schedule for the expansion of the Freeway Management System (FMS) for fiscal years 2015-2019 and of MAG conducting a study for a comprehensive reevaluation of the life cycle of current FMS-related technology infrastructure to be performed by the year 2017. The Regional Transportation Plan identifies the Freeway Management System (FMS) as a key regional strategy for managing operations on the freeway system, and includes funds for ADOT to implement its expansion. The previous implementation schedule developed by the Arizona Department of Transportation (ADOT) would have completed the FMS expansion by 2025. However, due to cost savings in recent years, ADOT has been able to expand FMS coverage faster than

originally planned and has requested MAG approval of a revised budget and schedule. This is necessary for ADOT to move ahead with FMS projects in the Five-Year Highway Construction Program. On March 4, 2014, the ITS Committee recommended approval of the revised budget and schedule and also recommended that MAG perform a study, by 2017, on a comprehensive reevaluation of the life cycle of FMS-related technology infrastructure. The schedule and revised budget for fiscal years 2015 through 2019 and the MAG study were recommended for approval on March 24, 2014, by the MAG Transportation Review Committee and on May 14, 2014, by the MAG Management Committee.

5E. FY 2015-2017 MAG Transportation Alternatives Non-Infrastructure Safe Routes to School Projects

The MAG Regional Council, by consent, approved the listed Transportation Alternatives Non-Infrastructure Safe Routes to School projects for Fiscal Years 2015-2017. The current federal transportation program authorization, Moving Ahead for Progress in the 21st Century (MAP-21) consolidated three previous programs (Transportation Enhancements, Safe Routes to School, and Recreational Trails) into a new federal funding category named Transportation Alternatives. The MAG region receives about \$4.4 million per year in Transportation Alternatives funds, which can be used to fund two categories of projects: Transportation Alternatives Infrastructure projects and Transportation Alternatives Non-Infrastructure Safe Routes to School projects. Through previous MAG action, \$400,000 per year out of the total Transportation Alternatives allocation has been set aside for Safe Routes to School projects. In response to a MAG call for Safe Routes to School projects for Fiscal Years (FY) 2015-2017, issued on January 9, 2014, three project applications were received. All three projects were recommended for approval on March 25, 2014, by the MAG Transportation Safety Committee, on April 24, 2014, by the MAG Transportation Review Committee, and on May 14, 2014, by the MAG Management Committee. A second call for projects is planned to program the remaining Transportation Alternatives funds for FY 2015-2017.

5F. FFY 2014 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program Recommendation for the Phoenix/Mesa Urbanized Area

The MAG Regional Council, by consent, approved the priority listing of applicants with funding amounts for the Federal Fiscal Year (FFY) 2014 Federal Transit Administration Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program for the Phoenix/Mesa Urbanized Area, of forwarding the listing to the City of Phoenix Public Transit Department, and of amendments and administrative modifications to the FY 2014-2018 MAG Transportation Improvement Program and as appropriate, to the 2035 Regional Transportation Plan. The Federal Transit Administration (FTA) provides Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Transportation Program funding for capital assistance awards. This award program is available to agencies and public bodies that provide transportation services for older adults and people who have a disability. MAG prepares the Section 5310 priority listing of applications for the Phoenix/Mesa Urbanized Area (UZA) which is approved through the MAG committee process, and forwarded to the City of Phoenix Public Transit Department for submission to the FTA. Approximately \$3 million is available for this year's Section 5310 Phoenix/Mesa Urban UZA projects. The available funding amount includes approximately \$2.9 million in FTA apportionment for the Phoenix/Mesa UZA, more than \$400,000 in carry over from the FY 2013 Section 5310 process, and minus the ten percent administration fee to the City of Phoenix as the Designated Recipient. On April 23, 2014, the MAG

Elderly and Persons with Disabilities Transportation Program Ad Hoc Committee developed a priority listing of applicants with funding amounts to be forwarded for Section 5310 funding for the Phoenix/Mesa UZA. The priority listing was recommended for approval by the MAG Management Committee on May 14, 2014.

5G. Draft Title VI and Environmental Justice Program

The MAG Regional Council, by consent, approved the draft Title VI and Environmental Justice Program. Title VI and Environmental Justice activities are mandated by the federal government to ensure that people of all races, income levels, ages, and abilities have an equal voice in the planning process and receive equal benefit from the results of such planning. MAG is actively engaged in Title VI and Environmental Justice activities as a sub-recipient of federal funding. In order to facilitate a thorough understanding of these activities, a Title VI Program has been developed. The Program reflects activities that fulfill the responsibilities assigned to Metropolitan Planning Organizations as set forth by the Federal Transit Administration circular FTA C 4702.1B under chapter six. The draft Title VI and Environmental Justice Program was recommended for approval by the MAG Human Services Technical Committee on April 10, 2014, the MAG Human Services Coordinating Committee on April 23, 2014, the MAG Transportation Review Committee on April 24, 2014, and the MAG Management Committee on May 14, 2014.

5H. Draft Transit Oriented Development Regional Strategy

The MAG Regional Council, by consent, approved the draft Regional Transit Oriented Development (TOD) Strategy and to move forward with developing a regional TOD plan. In 2013, the Valley Metro Transit Oriented Development (TOD) Working Group agreed that as stewards of implementing the transit program in the region, Valley Metro and MAG should have a joint TOD strategy committing support to the improvement of connections between high demand transit, job centers, and housing. The proposed TOD strategy provides the opportunity to leverage these transportation investments and work collaboratively with communities to boost market opportunity to levels feasible for TOD and economic development. The purpose of this TOD strategy is to promote the integration of land use and transportation by leveraging the regional transit system. The focus will be on existing and future transit corridors as approved in the Regional Transportation Plan, as well as high transit demand corridors associated with activity centers within the region. The TOD strategy will establish a framework for implementation through collaborative partnerships with MAG, Valley Metro, and others, including the development community. This item has been recommended for approval by the Transportation Review Committee on April 24, 2014, and by the MAG Management Committee on May 14, 2014.

5I. Conformity Consultation

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

5J. Approval of the Draft MAG Public Participation Plan

The MAG Regional Council, by consent, approved the draft MAG Public Participation Plan. The Maricopa Association of Governments (MAG) conducts a robust four-phase public involvement process dedicated to ensuring that all people in the region have an opportunity to provide input into transportation planning and programming process. To conduct this process, MAG utilizes a Public Participation Plan. This plan details the ways in which MAG incorporates public input into the decision making process. The plan has been updated to reflect the requirements of new federal guidelines known as Moving Ahead for Progress in the 21st Century (MAP-21). As with previous federal guidelines known as TEA-21 and SAFETEA-LU, MAP-21 requires the Public Participation Plan to “define a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, agencies or entities responsible for safety/security operations, providers of non-emergency transportation services receiving financial assistance from a source other than Title 49, United States Code (U.S.C), Chapter 53, and other interested parties with reasonable opportunities to be involved in the transportation metropolitan planning process.” The draft MAG Public Participation Plan was recommended for approval by the MAG Management Committee on May 14, 2014.

6. Revisions to the Arterial Life Cycle Program Policies and Procedures

Mr. John Bullen, MAG staff, provided a report on revisions to the Arterial Life Cycle Program (ALCP) Policies and Procedures. Mr. Bullen stated that the ALCP is the financial management tool for the arterial component of the Regional Transportation Plan. He noted that the program is guided by the ALCP Policies and Procedures, which were last approved by the MAG Regional Council on December 9, 2009.

Mr. Bullen stated that last spring, the Managers Working Group held a meeting to discuss changes to the Policies and Procedures. He reported that there was general consensus to address project commitment, better define the program’s annual development and budget process, and develop a toolkit of program rebalancing and methodologies. Mr. Bullen stated that the Managers Working Group felt that any program rebalancing caused by a deficit or surplus should first go to the Managers Working Group for direction.

Mr. Bullen stated that two elements were added to the policies to strengthen project commitment: requiring an annual city manager commitment letter to certify staff and resources are available and creating Programming Principles. He stated that the ALCP Working Group first looked at the feasibility of a deferral policy, however, numerous challenges associated with such a policy were identified.

Mr. Bullen stated that discussion then proceeded with the Programming Principles policy, which addresses reimbursements programmed in the short-term, establishes work-based milestones as the basis

of programming decisions during the annual update, and creates advancement priorities to fill in the gaps.

Mr. Bullen stated that the Working Group then addressed the annual program development/budget process. He said that the Managers Working Group requested more involvement when there is a program deficit/surplus. Policies were revised so that any program deficit/surplus first goes to the Managers Working Group for direction. Mr. Bullen explained that a toolbox of rebalancing methodologies was developed that will provide options for their consideration.

Mr. Bullen stated that the revisions to the Policies and Procedures also addressed some inconsistencies. They established a federal fund invoice approval and payment process, streamlined administrative requirements, and addressed the match requirement for federally funded projects.

Chair LeVault thanked Mr. Bullen for his report and asked members if they had questions.

Mayor Lana Mook asked if any negatives were foreseen for the revised policies and procedures. Mr. Bullen replied that the revised policies and procedures have unique benefits. He said that the programming principles allowed the program to be reactive. Mr. Bullen noted that the intent of the policies and procedures is to ensure that funds are available to agencies in the present and in the future.

Mayor Sharon Wolcott asked how the revisions might impact the ability to make project changes. She referenced the funding, which was originally programmed for arterial projects in Mesa that were deemed unneeded, was shifted to a light rail project. Mr. Bullen replied that the revisions would not preclude any project changes. He said that sometimes an agency's priorities could shift and project changes could still be made.

Mayor Wolcott referenced the commitment letter by an agency each year. She said she wanted to ensure that a commitment letter would not preclude an agency from changing a project, and would allow the funds to be shifted to another project. Mayor Wolcott asked if there was anything in the policies and procedures that would tie an agency's hands in regard to making project changes.

Mr. Bullen replied that the timing of the commitment letter runs concurrent with the ALCP update. He noted that any changes an agency anticipates could be included in the letter.

Mayor Lane referenced the pros and cons in the agenda packet that the proposed revisions to the ALCP policies and procedures will strengthen project commitment, ensure reimbursements are programmed in an efficient manner, improve development of the annual update, improve delivery of federally funded projects, and streamline administrative requirements. Mayor Lane stated that in times of funding shortfalls, value added reviews were conducted. He asked if there were any specific efficiencies in these components that will extend construction dollars.

Mr. Bullen replied that he thought the efficiencies would come into play to shift the reimbursements around to the point the funds will be available reliably for projects that move along. He indicated this could allow projects to move along more quickly than they would otherwise and saves on inflation costs and increased construction costs.

Mayor Jim Lane asked about the streamlining of administrative costs. Mr. Bullen explained that the revised ALCP policies and procedures will decrease the detail and the time required by staff to put together some of the requirements.

Mayor Lane asked if there was a real prospect of reduced expenditures through implementation of these revised ALCP policies and procedures. Mr. Bullen replied that was correct.

Mayor Thomas Schoaf said that Mr. Bullen mentioned that these high level policies would be used as a guide in rebalancing. He asked in which section this could be found. Mr. Bullen replied it was on page seven. He said that it captures some of the rebalancing strategies that have been used over the years, for example, elimination of program bonding, or elimination or reduction of program inflation, etc.

Mayor Schoaf noted that when he read the material he did not see a lot of guidance in terms of policy with rebalancing. He said that the revised ALCP policies and procedures say that projects could be eliminated but not the policy used to determine the elimination.

Mr. Bullen stated that the Working Group asked that specific procedures be left open ended. He said that specific policy direction could be chosen depending on the nature of the program deficit or surplus, with the thought that any rebalancing would be brought forward to the policy makers for direction.

Mayor Schoaf stated that rebalancing is difficult to do when in a deficit situation because everyone thinks their project is critical to the region. He said that the revised ALCP policies and procedures could be approved today, but he thought it was important for MAG to work on a policy to give guidance for rebalancing, and do it while not in a deficit mode. Mayor Schoaf stated that the Regional Council could discuss this now and get some guidance so when a deficit arises in the future, we could do a better job for the region rather than for an individual municipality.

Mr. Smith noted that if the Regional Council approved the item today, this one issue could be brought back.

Mayor Schoaf replied that he would like to do that. He indicated he had no problem approving the revised ALCP policies and procedures as presented, but they did not really change the current process for rebalancing, however, he would like to have the discussion while not in a crisis mode.

With no further discussion, Mayor Greg Stanton moved approval of the proposed revisions to the Arterial Life Cycle Program Policies and Procedures with the comments provided. Mayor Schoaf seconded, and the motion passed unanimously.

7. Introduction of a Near-Term Improvements Strategy for the Interstate 10/Interstate 17 Corridor

Mr. Bob Hazlett, MAG staff, provided a report on some near-term improvements that could be made to the 35-mile, north-south Interstate 10/Interstate 17 corridor between the Loop 202 Pecos Stack and the Loop 101 North Stack. He introduced project staff, Steve Beasley and Trent Kelso from the Arizona Department of Transportation (ADOT).

Mr. Hazlett described the area of reference as a 35-mile corridor representing the transportation “The Spine” of Metro Phoenix. Mr. Hazlett stated that \$1.47 billion is programmed in the Regional Transportation Plan for improving the corridor. He noted that 43 percent of all daily trips in the Valley use some portion of the Spine. Mr. Hazlett then explained that previous corridor and environmental impact statement studies for Interstate 10 and Interstate 17 were recommended for cancellation by ADOT and MAG with FHWA concurrence, because the improvements shown in the studies were too extensive and did not meet the regional goals for the corridor. In addition, conditions have changed and new multimodal ideas have been discussed.

Mr. Hazlett stated that a path forward was identified at a Spine workshop on October 31, 2012, attended by representatives from ADOT, FHWA, the cities of Chandler, Phoenix, and Tempe, Valley Metro/RPTA, and MAG. He said that the path forward includes identifying near-term improvements, developing a corridor master plan, conducting environmental studies, and implementing the design, construction and operation of the Spine.

Mr. Hazlett said that the Near Term Improvements Strategy is still under development and study by ADOT. He explained that the options under consideration include alternatives targeting bottlenecks and enhancing traffic operations. Mr. Hazlett emphasized that candidate projects must rapidly meet environmental requirements and a near-term construction timeframe. Mr. Hazlett noted that in his presentation he would be referencing “inbound” (heading into downtown Phoenix), and “outbound” (heading out of downtown Phoenix).

Mr. Hazlett stated that the Mini-Stack interchange on Interstate 10 between SR-51/SR-202L and US-60 is one of the most congested segments under study, particularly the high occupancy vehicle (HOV) lanes. He said that one potential option is striping another lane on the outbound side. Mr. Hazlett stated that sufficient pavement width exists to accommodate this safely. He noted that the lane could be an HOV lane or a general purpose lane, and added that this is still under study.

Mr. Hazlett then addressed some potential improvements to Interstate 10 between SR-143 and US-60. He noted that another potential improvement is implementing a ramp braid on the inbound segment to help improve traffic weave and improve operations. Mr. Hazlett noted that sufficient right-of-way exists at the interchange to accommodate this. He noted that in the outbound direction between US-60 to SR-143, because a flyover cannot be accommodated, they are considering adding a collector/distributor road to eliminate the weave between the two freeways.

Mr. Hazlett stated that extra general purpose lanes inbound and outbound could be added on Interstate 10 between Baseline Road and SR-202L/Santan Freeway.

Mr. Hazlett stated that the best option for near term improvements to Interstate 17 without a master plan is to add auxiliary lanes between the interchanges in the segment from 16th Street to 19th Avenue. He remarked that adding any improvements outside this segment is difficult without a major environmental process. Mr. Hazlett also noted that work has begun on improvements to Interstate 17 at Pinnacle Peak and Happy Valley Roads. He noted that advancing the projects is important to the city of Phoenix.

Mr. Hazlett addressed improvements to traffic operations and ITS enhancements, in addition to improvements to the Freeway Management System. He said that congestion begins at approximately 1,600 vehicles per hour per lane, however, capacity for a freeway lane is approximately 2,200 vehicles per hour per lane. Mr. Hazlett stated that adding such improvements to traffic operations and ITS enhancements could add back that capacity. He pointed out the importance of coordinating ramp metering, which would be most helpful to Interstate 17. Mr. Hazlett stated that another strategy is to add a DPS officer at the Traffic Operations Center. He noted that the officer would be able to dispatch officers and their presence could help in the effort to stop wrong-way drivers.

Mr. Hazlett stated that next steps include the possible inclusion of potential projects in the Transportation Improvement Program this fall. He added that the corridor master plan project website, www.spine.azmag.gov will be operational in the next few weeks.

Chair LeVault thanked Mr. Hazlett for his report and asked members if they had questions.

Mayor Lane thanked Mr. Hazlett for a great presentation. He referenced the improvements to the exit and entrance ramps on Interstate 17, from 19th Avenue to 16th Street appeared to contain a public safety element in addition to improving traffic flow.

Mr. Hazlett replied that Mayor Lane was correct. He explained that this is the only place left in the system where there are no auxiliary lanes that run from the entrance ramp through to the exit ramp in between traffic interchanges. Mr. Hazlett remarked that the improvements have a double benefit – they would not only improve traffic flow, but also decrease the crash rate because vehicles can enter the freeway more safely.

Mayor Lane noted Mr. Hazlett's mention of the proximity of development in this area and asked if the improvements would be more costly due to development. Mr. Hazlett replied that the roadway is elevated somewhat and will require widening, and the bridge over Central Avenue will also require widening. He indicated the improvements will be costly, but in the grand scheme of things, they are not the most expensive improvements planned.

Mayor Lane noted that this is a highly used route. Mr. Hazlett agreed, and added that it is the alternative to using Interstate 10 and its tunnel.

Mayor Linda Kavanagh asked if there were plans on using more technology beyond the digital message boards. She noted that Google maps now will indicate where there is congestion. By the time the message boards indicate an incident, it is too late to exit. Mayor Kavanagh stated that it would be useful to have technology for Smartphones.

Mr. Hazlett replied that Mayor Kavanagh raised an important point. He said that technology is ever-changing. He said that numerous apps exist for Smartphones, but we have to get more data to the apps so they are as accurate as possible. Mr. Hazlett stated that adding more information, video sharing, and maintenance support are elements. He stated that they are also exploring having messaging on surface streets to communicate incidents before vehicles even enter the freeways.

Councilmember Kenneth Weise asked the status of ramp metering coordination as a way to optimize traffic flow.

Mr. Hazlett replied that currently, most ramp meters are not connected back to traffic signals. Mr. Hazlett stated that tying the ramp metering back to the signals presents the question, “How much delay do you want to burden other facilities?” He remarked that this will require significant discussion. Mr. Hazlett noted that some of the infrastructure is already in place, but significant traffic engineering will be required to ensure traffic signal timing and ramp metering work together.

Mr. Smith thanked ADOT staff for taking the lead on the near term improvements. He noted that the two environmental impact statement studies identified concepts that this region could not afford. Mr. Smith noted that the two environmental impact statement studies were then rescinded, but from them came beneficial work. Mr. Smith mentioned MAG has discussed with ADOT the possibility of Department of Public Safety staff in the ADOT Traffic Operations Center. He stated that active traffic management, which was relevant to Mayor Kavanagh comments, is using technology to make freeways more efficient. Mr. Smith mentioned the recent wrong-way drivers and added that Department of Public Safety staff in the ADOT Traffic Operations Center could help make freeways safer.

Mayor John Lewis expressed that the near term improvements looked good and he asked the next steps toward implementation.

Mr. Hazlett replied that the projects need to be programmed into the TIP so that ADOT can begin design and environmental clearances. He added that contractors would then be brought on board to begin construction. Mr. Hazlett remarked that he thought the earliest the near term improvements could be open to traffic would be 2017. He also noted that a lot of the improvements could happen sooner than later because they are technology-based and some of the technology is already in place. Mr. Hazlett stated that much of the implementation is a matter of getting the right people in the right places.

8. Vacancy in the Business Seat Representing Transit Interests on the Transportation Policy Committee

Mr. Dennis Smith reported that Proposition 400, passed by the voters of Maricopa County in 2004, authorizes the President of the Senate and the Speaker of the House of Representatives to each appoint three business members to six-year terms on the Transportation Policy Committee (TPC). He noted that one of these business members must represent transit interests.

Mr. Smith stated that in January 2010, the Speaker of the House of Representatives appointed Mr. Ron Barnes of Total Transit as the TPC business member representing transit. On April 17, 2014, Mr. Barnes notified MAG that he would be resigning his seat on the TPC. Mr. Barnes’ term will expire on December 31, 2016.

Mr. Smith stated that state law also provides that the Chairman of the Regional Planning Agency may submit names to the President and Speaker for consideration in the TPC appointments. On April 24, 2014, the Chair of the MAG Regional Council sent a memorandum to the Regional Council requesting they submit the names and bios of individuals to be considered in the appointment.

Mr. Smith stated that three names were received: Mr. Nick Promponas of First Transit, Mr. Stanton Sipes of Total Transit, and Mr. Charles Heullmantel, former Chair of the Tempe Transportation Commission. Mr. Smith reported that on May 21, 2014, the Transportation Policy Committee recommended that all three of the names be forwarded to the Speaker of the House for consideration in the appointment. He noted that the Regional Council could recommend one name or all three to the Speaker, who ultimately would be the one to make the appointment.

Chair LeVault thanked Mr. Smith for his report and asked if there were questions. Being none, Mayor Georgia Lord moved to forward all three names received: Mr. Nick Promponas, Mr. Stanton Sipes, and Mr. Charles Heullmantel, to the Speaker of the House for consideration in the appointment of the Transit Interest seat on the Transportation Policy Committee. Mr. Jack Sellers seconded, and the motion passed unanimously.

9. Northern Arizona Council of Governments Loan Request and Proposed Project Advancements

Ms. Teri Kennedy, MAG staff, reported on the request by the Northern Arizona Council of Governments (NACOG) that MAG enter into a loan agreement to assist them with \$4,252,198 in Federal Fiscal Year (FFY) 2014 Surface Transportation Program (STP) funds from the Federal Highway Administration (FHWA) that they cannot utilize this year.

Ms. Kennedy explained that the Arizona Department of Transportation (ADOT) has developed a loan program to assist councils of governments (COGs) and metropolitan planning organizations (MPOs) to loan Surface Transportation Program (STP) funds that they are not able to use each year. Ms. Kennedy reported that the loan program between COGs, MPOs, and the State protects local agency federal funding that could be at risk. She noted that suballocated funds must be authorized by the end of the federal fiscal year or they could be swept.

Ms. Kennedy described the request from NACOG, which consists of \$4.2 million of FHWA STP funding from NACOG to be loaned to MAG in FFY 2014. She said that NACOG requests repayment in FFY 2016, 2017, 2018, and 2019. Ms. Kennedy stated that this would allow MAG to complete projects sooner, and no interest, no inflation, nor fees will be applied to the loan.

Ms. Kennedy stated that the bicycle/pedestrian, paving of unpaved roads, ITS, Air Quality (CMAQ Funded) Closeout was conducted in February 2014 and all eligible requests were met. The Safety (HSIP-MAG) Programming Closeout took place in March 2014 and all eligible requests were met. Ms. Kennedy stated that the Arterial Life Cycle Program (ALCP) has three projects that are federally funded, are underway, and meet the requirements to accept the FHWA STP funding: Northern Parkway Phase II, Avenida Rio Salado, and Gilbert Road Light Rail Extension.

Ms. Kennedy stated that the goal of the loan program is to fully utilize federal revenues coming to Arizona, advance other agency projects funded with STP/CMAQ based on projected revenues and project schedules, narrow the expenditure to revenue gaps across the program, and maintain a fiscally constrained program. Ms. Kennedy then reviewed the financials that showed MAG's ability to fulfill the request.

Chair LeVault thanked Ms. Kennedy for her report and asked members if they had questions.

Mayor Jim Lane noted that Ms. Kennedy's report answered a lot of his questions. He asked if the loan program was consistent with each agency's charters. Ms. Kennedy replied that in the past, ADOT would put forward projects that were shelf ready, but with the reduction in the HURF, ADOT can no longer do that. She stated that each of the COGs and MPOs has its own policy on how it will approve loans, but generally no interest or inflation are charged and repayment is dollar for dollar. Ms. Kennedy stated that the loan program has been beneficial for MAG – a two percent calculation represents \$135,000. She remarked that these are not large sums of money, but could save someone some bonding. Ms. Kennedy stated that the goal is to build the projects as soon as possible. She added that MAG has a huge backlog of ALCP projects through 2025 that are ready to go.

Mayor Lane added that there is also the amount of federal funds at risk. Ms. Kennedy noted that if ADOT had enforced this policy in 2011, a total of \$37 million could have been lost.

Mayor Lane stated that it sounded like an excellent use of funds as long as the timing coordinates with all of the agencies involved. Ms. Kennedy stated that the program is helpful to other COGs and MPOs who do not have as many ready projects. She explained that MAG sometimes runs into problems and this year she was close to asking for unused safety funds in order to ensure MAG could program all of its projects.

Chair LeVault expressed that he wished there were more programs of this type at the government level.

Mayor Christian Price moved approval to enter into a loan with the Northern Arizona Council of Governments in the amount of \$4,252,198 in Federal Fiscal Year 2014 Surface Transportation Program funds and to advance federal funding on three Arterial Life Cycle Program projects: Northern Parkway Phase II, Avenida Rio Salado, and Gilbert Road Light Rail Extension. Mayor Mark Mitchell seconded, and the motion passed unanimously.

10. Approval of the Draft FY 2015 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments

Ms. Becky Kimbrough, MAG staff, provided a report on the Draft FY 2015 MAG Unified Planning Work Program and Annual Budget and the Member Dues and Assessments that were being presented for approval.

Ms. Kimbrough stated that the draft Work Program has been presented incrementally since January. She noted that the 2015 Grand Avenue Transit Users Feasibility Study, a joint project headed up by RPTA in the amount of \$100,000, was added to the list of new pass-through projects. Ms. Kimbrough stated that besides this change, there are no additional appreciable differences from the information presented last month.

Ms. Kimbrough noted that the overall increase for the FY 2015 draft Work Program and Annual Budget is .67 percent. She explained that the largest dollar increase is in budgeted pass-through agreement costs. Ms. Kimbrough stated that the increase reflects an increase for street sweepers, the aforementioned Grand Avenue Transit Feasibility Study, and the On-Board Survey of Transit Users. She added that personnel costs impacted the budget. Ms. Kimbrough stated that the next largest increase to the budget is for maintenance and repair costs which have increased due to copier and computer equipment and

software maintenance. Ms. Kimbrough stated that the largest dollar decrease in overhead is for capital outlays which essentially include replacement computer equipment.

Ms. Kimbrough stated that MAG submits its Work Program each year to the Government Finance Officer's Association for review and application for the Distinguished Budget Presentation Award. She noted that MAG has received this award for the 15th consecutive year for the FY 2014 Work Program, and she added that the FY 2015 MAG Work Program will be submitted for the 16th consecutive year in August 2014.

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

Mayor Lana Mook moved approval of the draft FY 2015 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments. Mayor John Lewis seconded, and the motion passed unanimously.

11. Legislative Update

Mr. Nathan Pryor and Ms. Teri Kennedy, MAG staff, provided an update on legislative issues of interest. Mr. Pryor reported that MAP-21, the federal surface transportation authorization, is set to expire at the end of September 2014. Mr. Pryor stated that the White House and the Senate Environment and Public Works Committee have released their versions of a reauthorization bill. The House is expected to release its version in June or July.

Mr. Pryor stated that MAG staff has been working with a few national associations to understand the potential implications of these bills, in particular, their impact on metropolitan planning organizations. He stated that we are on an unsustainable path in regard to federal funding for surface transportation. Mr. Pryor said that the federal fuel tax has remained at 18.4 cents per gallon since 1993, but fuel efficiency of vehicles has negatively impacted the Highway Trust Fund.

Mr. Pryor stated that transfers from the General Fund to the Highway Trust Fund (HTF) – approximately \$54 billion since 2008 – have been made for a number of years to keep the HTF solvent. He noted that the White House bill proposes to continue the existing fuel tax and push for tax reforms to fund surface transportation, however, Congress has indicated it does not favor addressing tax reforms this year.

Ms. Kennedy reported on the shortfall in the Highway Trust Fund, which has a long term issue and a short term issue. In the long term, the federal gasoline sales tax feeds the Highway Trust Fund continues to decline, and statewide, 75 percent of projects are federally funded. She noted that last year, this region received \$450 million in federal highway funding and federal transit funding.

Ms. Kennedy said that the short term issue is cash flow. She stated that the Highway Trust Fund should maintain a \$4 billion balance threshold in order to meet reimbursements. Ms. Kennedy advised that the Federal Highway Administration must take action to implement cash management measures if the threshold is not maintained and Congress has not taken action to infuse the fund with money that in the past has come from the General Fund. Ms. Kennedy pointed that dropping below the \$4 billion threshold is projected to occur at the end of July 2014.

Ms. Kennedy explained FHWA methods to address Highway Trust Fund cash flow should Congress not act: 1) Move from daily to weekly reimbursements (this would result in little to no effect on ADOT and local agencies). 2) Align reimbursements with Trust Fund deposits, twice monthly (this could slow down requested reimbursements). 3) Make proportional payments to states based on available Trust Fund cash, for example, reimburse 60 percent of each request. Using a \$100 example as an initial request, FHWA would reimburse \$60. The remaining \$40 would be rolled over to the next reimbursement which would be at 60 percent. (This methodology could be a major impact to state and local agencies and could result in contract amendments, project delays, etc.).

Ms. Kennedy stated that ADOT recommends that local agencies review their obligated federally funded projects, close out inactive projects, request reimbursement for expenses incurred, and move from quarterly requests to monthly requests for reimbursement. Ms. Kennedy expressed that she was more concerned with immediate cash flow right now than reauthorization.

Chair LeVault thanked Ms. Kennedy and Mr. Pryor for their reports. It was noted that no action was being requested.

Chair LeVault asked if partial reimbursements had been done before. Ms. Kennedy replied that partial reimbursement was done in the 1990s, but did not last long.

Mr. Pryor noted that he heard on a webinar that morning about a House proposal to suspend Saturday mail delivery to save \$13.5 billion over ten years. He noted that averages out to \$1.5 billion annually and the Highway Trust Fund needs about \$5 billion this year, in addition to restrictions on moving funding from one column to another.

12. 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 were noted.

13. 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.

Adjournment

There being no further business, the meeting adjourned at 1:10 p.m.

Chair

Secretary