

DRAFT MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
TRANSPORTATION REVIEW COMMITTEE

May 26, 2011

Maricopa Association of Governments Office
302 North First Avenue, Suite 200, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Peoria: David Moody, Chair	Maricopa County: Clem Ligocki for John Hauskins
ADOT: Kwi-Sung Kang	Mesa: Scott Butler
Avondale: Sue McDermott for David Fitzhugh	*Paradise Valley: Bill Mead
Buckeye: Scott Lowe	Phoenix: Rick Naimark
Chandler: Patrice Kraus	#Queen Creek: Kevin Johnson for Tom Condit
El Mirage: Lance Calvert	RPTA: Bryan Jungwirth
Fountain Hills: Randy Harrel	Scottsdale: Dave Meinhart
*Gila Bend: Eric Fitzer	Surprise: Bob Beckley
*Gila River: Doug Torres	Tempe: Robert Yabes for Chris Salomone
*Gilbert: Tami Ryall	Valley Metro Rail: John Farry
Glendale: Terry Johnson	Wickenburg: Rick Austin
Goodyear: Cato Esquivel	*Youngtown: Grant Anderson for Lloyce Robinson
#Guadalupe: Gino Turrubiarres	
Litchfield Park: Paul Ward for Woody Scoutten	

EX-OFFICIO MEMBERS ATTENDING

Street Committee: Dan Cook	Bicycle/Pedestrian Committee: Katherine Coles, City of Phoenix
*ITS Committee: Nicolaas Swart, Maricopa County	*Transportation Safety Committee: Julian Dresang, City of Tempe

* Members neither present nor represented by proxy. + - Attended by Videoconference
- Attended by Audioconference

OTHERS PRESENT

Eric Anderson, MAG	Maria Deeb, Mesa
Eileen Yazzie, MAG	Jim Huling, Mesa
Kevin Wallace, MAG	Andy Granger, Peoria
Ed Stillings, FHWA	Greg Haggerty, Dibble Eng.
Kwi-Sung Kang, ADOT	
Darryl Crossman, Litchfield Park	

1. Call to Order

Chairman David Moody from the City of Peoria called the meeting to order at 10:04 a.m.

Before proceeding with the agenda, Chairman Moody made several announcements to the Committee. He announced that an addendum had to be made to the agenda regarding project amendments and administrative modifications to the MAG Fiscal Year (FY) 2011-2015 Transportation Improvement Program (TIP). He also directed the Committee's attention to revised handouts at their places for agenda items #5 and #10.

2. Approval of Draft April 28, 2011 Minutes

Chairman Moody asked if there were any changes or amendments to the April 28, 2011 meeting minutes, and there were none. Mr. David Meinhart from City of Scottsdale motioned to approve the minutes. Mr. Lance Calvert from the City of El Mirage seconded, and the motion passed by a unanimous voice vote of the Committee.

3. Call to the Audience

Chairman Moody announced that he had not received any cards requesting to speak and moved on to the next item on the agenda.

4. Transportation Director's Report

Chairman Moody invited Mr. Eric Anderson to present the Transportation Director's Report. Mr. Anderson announced that sales tax revenues had been positive for the last seven months. He reported that the Regional Area Road Fund (RARF) revenues were up 7.3 percent over the previous and were up 2.8 percent year-to-date. He stated that if the current trend continued that revenues would exceed the projection of \$300 million by about \$5 million.

Next, Mr. Anderson announced that a Sustainable Transportation and Land Use forum would be held downtown the following Thursday on June 2, 2011. He stated that the event was co-sponsored by MAG and the Urban Land Institute (ULI). He announced that several nationally recognized developers would be presenting at the forum as well as Mayor Scott Smith from the City of Mesa.

Chairman Moody asked if there were any additional questions or comments about the Transportation Director's Report. There were none, and he proceed to the next item on the agenda.

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

Chairman Moody invited Ms. Eileen Yazzie, MAG Transportation Programming Manager, to present on the Interim Closeout of the Federal Fiscal Year (FFY) 2011 MAG Federally Funded Program. Ms. Yazzie directed the Committee's attention to revised handouts at their places for the agenda item.

Ms. Yazzie informed the Committee that the required carryforward of federal funds to assist with the obligation of future projects was projected at just under \$7 million. She stated that this was the lowest carryforward in the region since 2005.

Ms. Yazzie addressed revisions to the agenda handouts at their places. She announced that three projects had been removed from the deferral request table. She explained that additional information was needed regarding those deferral requests. She stated that if the information for those projects became available in the near future that the requests would move forward at the MAG Management Committee. Ms. Yazzie stated that the tables had been revised to the correct administrative errors. She noted the addition of a Priority 2 Valley Metro Rail (VMR) project, the addition of a Priority 3 Avondale project, and the correction of a Glendale project from Priority 3 to Priority 2.

Ms. Yazzie reported that a memorandum from the Air Quality Technical Advisory Committee (AQTAC) regarding the Congestion Mitigation and Air Quality (CMAQ) evaluation scores had been sent electronically to the Committee and was available at their places. She stated that the evaluations listed were ranked based on the estimated Particulate Matter 10 (PM-10) emission reductions.

Ms. Yazzie reminded the Committee that the draft Federal Fund Programming Principles (Principles) were currently in place. She noted that the Committee could elect to apply the Principles in the project selection process or opt to use another methodology. Ms. Yazzie briefly explained the programming priorities as listed in the Principles. She stated that Priority 1 would advance federally funded projects of the same mode currently programmed in the MAG FY11-15 TIP with federal funds in a future year. She stated that Priority 2 would increase the federal funds on an existing, unobligated project up to the originally programmed, federal-aid maximum or the maximum established by the mode in the Regional Transportation Plan (RTP), whichever is less. Then, she stated that Priority 3 would allocate federal funds to new projects.

Moving on, Ms. Yazzie directed the Committee's attention to the revised handout in attachment one. She reported two new deferral requests for first time deferrals (\$762,000); two new deferral requests for a second time or more deferrals (\$900,000); and one new project deletion request (\$102,500) had been added to the table. She explained that the deleted project had been completed using American Recovery and Reinvestment Act (ARRA) funds and did not need the additional federal funds currently allocated to the project.

Ms. Yazzie announced that the federal funds available for closeout was estimated at \$2.6 million and explained the calculations to the Committee. First, she noted the current estimate for CMAQ and Surface Transportation Program (STP) funds was approximately \$131 million

plus a carryforward of \$18.4 million totaled \$131.6 million in FFY11 federal funds. She stated that after accounting for the projected CMAQ obligations (\$43.3 million) and the projected STP-MAG obligations (\$77.3 million) that the remaining balance would be approximately \$11 million. Then, she deducted the deleted funds to be programmed (\$2.6 million) and the projects to be advanced (\$2 million), which left the projected remaining balance in FFY11 to carryforward to FFY12 at \$6.37 million. She explained the carryforward was required to ensure that the region could meet the programmed obligation in FFY12 and FFY13 for deferred projects. She reported that the \$2.6 million for reprogramming had become available from the requested project deletions.

Next, Ms. Yazzie discussed the programming priorities listed in the Principles in more detail. She stated that Priority 1 would advance federally funded projects currently in the approved TIP and that Priority 1.1 would advance and increase the amount of federal funds programmed for projects currently in the approved TIP. She stated the Priority 2 would add federal funds to federally funded projects in the approved TIP and that Priority 2.1 would add federal funds to a new design phase for a construction project currently programmed in the approved TIP. Finally, Ms. Yazzie explained that Priority 3 would allocate federal funds to new projects.

Ms. Yazzie announced that 23 projects had been submitted for consideration during closeout. Then, she provided a breakdown of the projects by priority. She reported that the projects submitted for funding consideration included:

- Priority 1: \$739,000
- Priority 1.1: \$2.54 million advance and \$3.3 million in new/additional funds
- Priority 2: \$3.2 million
- Priority #3: \$18.8 million

Then, Ms. Yazzie addressed programming scenarios outlined in the agenda attachment. She stated that under Scenario 1, Priority 1 projects would be advanced to the current FFY and that available federal funds would be allocated to projects based on modal category. She explained the under Scenario 1, \$1.66 million of the \$2.6 million would be allocated to Priority 2 paving of unpaved projects in FFY11 (\$444,400) and later FFYs (\$1.26 million). She stated that the remaining funds would be allocated to Priority 2 Intelligent Transportation System (ITS) projects (\$425,000) and Priority 2 bicycle/pedestrian projects (\$543,331). Ms. Yazzie announced to the Committee that MAG Staff had received clarification from the Federal Highway Administration (FHWA) that federal funds could not be increased on a project that had already obligated, but that federal funds could be increased on projects that had not yet obligated.

Moving on, Ms. Yazzie discussed Scenario 2, which would allocate federal funds for Priority 2 projects based on anticipated air quality benefits estimated in the AQTAC CMAQ evaluations. She stated that under Scenario 2, Priority 1 projects would be advanced to the current FFY and that the \$2.65 million would be allocated to Priority 2 paving of unpaved road projects based on the CMAQ evaluation scores. She reiterated that the evaluation scores provided in the AQTAC memorandum were based on PM-10 benefits not cost-effectiveness as they had been in previous years.

Ms. Yazzie then summarized Scenario 3, which would allocate federal funds to reward the timely completion of projects. She explained that under Scenario 3, Priority 1 projects would be advanced to the current FFY and that the \$2.65 million would be allocated first to Priority 2 projects submitted by member agencies that did not submit requests to defer federally funded projects and second to Priority 2 projects based on the CMAQ evaluation scores.

Ms. Yazzie acknowledged a proposed revision to Scenario 1 suggested by the City of Mesa. She stated that the proposed revision to Scenario 1 would increase the federal funds allocated to ITS projects to \$490,000.

After presenting the proposed programming scenarios, Ms. Yazzie requested input from the Committee. Mr. Scott Butler from the City of Mesa requested clarification on the difference between Scenarios 1 and 2. Ms. Yazzie replied that Scenario 1 allocated funding based on modal category whereas Scenario 2 placed a greater emphasis on the paving of unpaved road projects. Mr. Butler inquired which scenario would better address the PM-10 issue in the region. Ms. Yazzie estimated that Scenario 1 would have a greater benefit regarding regional PM-10 reduction than Scenario 2 based on the CMAQ evaluation scores.

Mr. Bryan Jungwirth from Valley Metro/RPTA addressed the VMR project with a PM-10 score of zero. He stated that the project was currently programmed to purchase new buses with grant funds. He explained that by allocating closeout funds to the project that the grant funding could be reallocated to preventive maintenance, which would lessen the projected service cuts to bus routes due to budget shortfalls. He stated that funding the VMR project would provide PM-10 benefits because it would reduce the number of cars on the road.

Mr. Paul Ward from the City of Litchfield Park inquired if under Scenarios 1 and 2, additional funds would be allocated to a City of Mesa bicycle and ITS project (MES13-905). Ms. Yazzie replied that for the six Priority 1 projects, MAG Staff had contacted each member agency to determine if the projects could be advanced without increasing the federal funds allocated to the project. She stated that according to the member agencies, three projects (CHN14-102, MES13-905, and PHX14-102) could be advanced to current FFY without increasing the federal funds programmed.

Mr. Ward also addressed the City of Litchfield Park project submitted. He explained that an additional \$293,000 in federal funds had been requested for an underpass project. He informed the Committee that the project was one of the only federally funded projects in Litchfield Park for several years. He noted the lack of federal funds allocated to the City by MAG in previous years and acknowledged the support of the City's mayor and city manager for the project.

Mr. David Meinhart from the City of Scottsdale commented on Scenario 3. He suggested that in the future, the region should consider including the scenario in revisions to the Principles. He noted that few projects would be eligible based on the timeliness of project delivery, but emphasized the importance of timely project delivery in the region.

Mr. Clem Ligocki from Maricopa County requested clarification on the AQTAC CMAQ

evaluation rankings. Ms. Yazzie replied that the projects listed in the table were ranked based on the estimated PM-10 reduction. She explained that historically the projects had been ranked on cost-effectiveness, but that the AQTAC had recommended the project rankings based on PM-10 scores to address the current air quality issues in the region.

Mr. Terry Johnson from the City of Glendale inquired in the projects listed in attachment three were projected to obligate in FFY11. Ms. Yazzie replied yes. A brief discussion followed. Chairman Moody inquired if there additional questions regarding the agenda item. There were none, and he asked if the Committee would like to put forth a motion.

Mr. Butler motioned to approve Scenario 1, as presented by MAG Staff. Ms. Patrice Kraus from the City of Chandler seconded the motion. Chairman Moody clarified that if the Committee approved the motion as presented, then the Committee would need to discuss the programming of federal funds for the bicycle/pedestrian and ITS projects submitted for funding consideration. Mr. Butler inquired if MAG Staff had any suggestions on how to allocate the remaining funds to the bicycle/pedestrian and ITS projects. Ms. Yazzie proposed that the Committee could allocate the funding based on the CMAQ evaluation scores.

Mr. Butler requested to amend the original motion to include the programming of the remaining funds to bicycle/pedestrian and ITS projects based on the CMAQ evaluation scores. Ms. Kraus seconded the amended motion.

Mr. Ward requested clarification on the CMAQ rankings. Ms. Yazzie replied that ranking would be based on the estimated PM-10 reduction. A brief discussion followed.

Mr. Meinhart inquired if funding would be allocated to new projects under the amended motion. Ms. Yazzie replied yes. Mr. Meinhart stated that he could not support allocating federal funds to new projects. Ms. Kraus requested clarification on the new projects listed in the CMAQ evaluation table. Mr. Ligocki inquired if Mr. Meinhart's comments included a proposed amendment to the motion currently on the table. Mr. Meinhart affirmed that his comment included an amendment to the current motion to remove new projects in the CMAQ evaluation table from funding consideration. Mr. Johnson seconded Mr. Meinhart's amendment to the current motion on the table.

Chairman Moody informed the Committee that a vote must be held on the motion to amend the current motion on the table. Chairman Moody called a vote on the motion to amend the current motion. The motion to amend was passed by a majority voice vote of the Committee with four nay votes from the cities of Avondale, Chandler, Phoenix and Mesa and an abstention by the City of Litchfield Park.

Chairman Moody called a vote on the amended motion, which would advance three Priority 1 projects to the current FFY and program the \$2.65 million made available through closeout to increase funding on projects based on modal categories, Priority 2. The motion also would (1) increase funds for ELM09-802 and increase federal funds to other FY 2011 paving projects in the air quality/paving category; (2) increase funds for bicycle/pedestrian and ITS projects based on the PM-10 emission reductions ranking; (3) delete federal funds from projects and to defer

projects from FFY 2011 to FFY 2012 or later; and (4) amend and modify the FY 2011-2015 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update. The motion passed by a majority voice vote of the Committee with one nay vote from the City of Litchfield Park.

6. Programming the Fiscal Year 2012 Arterial Life Cycle Program

Chairman Moody invited Mr. Eric Anderson, MAG Transportation Director, to present on the programming of the FY 2012 Arterial Life Cycle Program (ALCP). Mr. Anderson informed the Committee that several member agencies reported the advance construction of projects programmed in the ALCP. He stated that some ALCP projects and/or reimbursements has been deferred to Phase V (FY 2027-2031) to address a \$245 million deficit of program funds.

Mr. Eric Anderson expressed concerns about creating an unfunded liability for the region by allocating post-Proposition 400 funds to reimbursements programmed in Phase V for advanced constructed projects in the ALCP. He expressed the need for the region to have a clean slate when a new proposition was presented to voters for consideration. He acknowledged the difference between ALCP projects and projects programmed in the Freeway and Transit Life Cycle Programs, which would be constructed and reimbursed in Phase V. He explained that because these projects would be constructed and reimbursed in Phase V there was not an implied liability of repayment for those projects.

Mr. Anderson emphasized the distinction was important because policy makers in future years could decide at that time if they wanted to proceed with the projects programmed for Phase V. He explained that under the current policies, programmed reimbursements in Phase V of the ALCP would create an unfunded liability for a future proposition.

Mr. Anderson expressed concerns about documenting the Phase V ALCP reimbursements in the Regional Transportation Plan (RTP), a document that moves forward under federal law. He discussed the TPC guidance on the preferred methodology to address the deficit of ALCP program revenues. He acknowledged the TPC guidance that if program revenues improve that regional funds be restored to ALCP projects in the same method the funds were removed.

Mr. Anderson proposed the Phase V ALCP reimbursements be excluded from the RTP, as a federal document, but documented in the approved ALCP to avoid creating an unfunded liability for a future proposition. He explained that in taking this approach deferred revenues would be documented regionally but would not be included in federally reviewed documents.

Chairman Moody inquired if there were any questions or comment regarding the agenda item. Mr. Meinhart expressed support for maintaining a tracking mechanism for reimbursements deferred to Phase V.

Chairman Moody inquired if the Committee should vote in favor of the proposed action listed in the agenda packet would a draft policy be developed by MAG Staff. Mr. Anderson stated that he would like to have the Committee discuss the item today and present a refined policy

statement to the Committee at the June meeting. Mr. Anderson expressed support for policy language that would document the TPC's guidance of restoring programmed reimbursements in the same method the reimbursements were removed, if revenues improved.

Ms. Kraus suggested the Street Committee make the first effort in flushing out the policy language to address the concerns presented by Mr. Anderson. Chairman Moody asked Mr. Dan Cook, Chair of the MAG Street Committee, if he believed this was a task that committee could accomplish. He replied yes. Ms. Kraus also suggested that MAG Staff develop draft policy language for the Street Committee to review. Chairman Moody concurred.

Chairman Moody inquired if there were any additional question or comments about the agenda item. There were none.

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

Chairman Moody announced that the next item to be heard would be the addendum to the agenda regarding project changes. He invited Ms. Yazzie to present amendments and administrative modification to the MAG FY11-15 TIP. Ms. Yazzie informed the Committee that the project changes were needed to reflect the allocation of Highway Safety Improvement Program (HSIP) funds to two projects in the region. She stated that projects needed to be reflected in the TIP in order to obligate in current FFY.

Mr. Ward motioned to recommend approval of amendments and administrative modifications to the FY 2011-2015 MAG TIP, and as appropriate, to the RTP 2010 Update. Mr. Lance Calvert from the City of El Mirage seconded the motion, and the motion passed by a unanimous voice vote of the Committee.

7. Request for Future Agenda Items

Chairman Moody inquired if the members had any topics or issues of interest they would like to have considered for discussion at a future Committee meeting. There were none, and Chairman Moody moved onto the next agenda item.

8. Member Agency Update

Chairman Moody asked members of the Committee if they would like to provide updates, address any issues or concerns regarding transportation at the regional level, and asked if any members in attendance would like to address recent information that was relevant to transportation within their respective communities. There were none.

9. Next Meeting Date

Chairman Moody informed members in attendance that the next regularly scheduled meeting of the Committee would be held on June 30, 2011, in the Lake Powell Room at the Valley Metro/RPTA building. Chairman Moody encouraged the Committee to park at the MAG building for the meeting. There be no further business, Chairman Moody adjourned the meeting at 10:59 a.m.