

November 14, 2007

TO: Members of the MAG Regional Council Executive Committee
Members of the Building Lease Working Group

FROM: Mayor James M. Cavanaugh, City of Goodyear, Chair and
Mayor Keno Hawker, City of Mesa

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDAS FOR THE MAG
REGIONAL COUNCIL EXECUTIVE COMMITTEE AND POSSIBLE EXECUTIVE SESSION
AND JOINT MEETING OF THE MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE
AND THE BUILDING LEASE WORKING GROUP

Executive Committee

Monday, November 19, 2007 - 12:00 noon
MAG Office, Suite 200 - Cholla Room
302 North 1st Avenue, Phoenix

Joint Executive Committee & Building Lease Working Group

Monday, November 19, 2007 - 12:30 p.m.
MAG Office, Suite 200 - Cholla Room
302 North 1st Avenue, Phoenix

A meeting of MAG Regional Council Executive Committee, followed by a joint meeting of the MAG Regional Council Executive Committee and the Building Lease Working Group (BLWG) has been scheduled for the times and place noted above. Members of the Committee and the Working Group may attend the meeting either in person, by telephone conference, or by video conference.

Please park in the garage under the building. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Alana Chavez at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions regarding the Executive Committee agenda items, please contact Mayor James Cavanaugh at (623) 882-7782. For the BLWG, please contact Mayor Keno Hawker at (480) 644-2388. For MAG staff, please contact Dennis Smith, MAG Executive Director, at (602) 254-6300.

EXECUTIVE COMMITTEE AGENDA

1. Call to Order

The meeting of the Executive Committee will be called to order.

2. Call to the Audience

An opportunity will be provided to members of the public to address the Executive Committee 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. Members of the public will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Executive Committee requests an exception to this limit. Please note that those wishing to comment on action agenda items will be given an opportunity at the time the item is heard.

COMMITTEE ACTION REQUESTED

2. For information and discussion.

ITEMS PROPOSED FOR CONSENT* BY THE EXECUTIVE COMMITTEE

3. Approval of Executive Committee Consent Agenda

Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items that are being presented for action. Following the comment period, Committee members may request that an item be removed from the consent agenda. Consent items are marked with an asterisk (*).

*3A. Approval of the October 15, 2007 Executive Committee Meeting Minutes

*3B. Vendor Selection for Digital Aerial Photography

In May 2007, the MAG Regional Council approved the FY 2008 Unified Planning Work Program and Annual Budget, which included \$85,000 for digital aerial photography for use in planning activities by both MAG and its member agencies. As in past years, this photography has been made available at no charge to MAG member agencies. MAG issued an Invitation for Bids and on September 14, 2007 received three bids to provide this product, from Aerials Express, AirPhotoUSA (Digital Globe) and

3. Approval of Executive Committee Consent Agenda.

3A. Review and approve the October 15, 2007, Executive Committee meeting minutes.

3B. Approval of the selection of Aerials Express to provide digital aerial photography in an amount of \$32,250 plus applicable tax.

Landiscor. A multi jurisdictional evaluation team reviewed the bids, and it was recommended to MAG that the lowest bid of \$32,250 plus tax from Aerials Express be selected. On November 7, 2007, the MAG Management Committee recommended approval of this item. Please refer to the enclosed material.

*3C. Amendment to the FY 2008 MAG Unified Planning Work Program and Annual Budget to Provide for a MAG Air Quality Associate

For this region, MAG is responsible for developing the regional air quality plan and performing the regional air quality conformity analysis. This highly specialized work is conducted by the MAG staff and through consultant contracts. To meet this technical need, MAG is requesting that a MAG Air Quality Associate position be added to the MAG Unified Planning Work Program and Annual Budget in the amount of \$80,000. MAG federal funds will be used for this purpose.

3C. Approval to amend the FY 2008 MAG Unified Planning Work Program and Annual Budget to provide for an Air Quality Associate for an amount of \$80,000.

**ITEM PROPOSED TO BE HEARD
BY THE EXECUTIVE COMMITTEE**

4. Update on the Regional Office Center

At the October 15, 2007, Executive Committee and Building Lease Working Group meeting, staff was directed to continue the negotiations regarding the Regional Office Center and to bring the results of the negotiations to the November Executive Committee meeting for consideration.

The Executive Committee may vote to recess the meeting and go into executive session for the purpose of discussion and consultation with MAG's attorneys for legal advice and for MAG to consider MAG's position and instruct its attorneys concerning negotiations for contracts concerning the Regional Office Center including land acquisition from owner, draft memorandum of cooperation among partners, construction of the building, development agreement with the City of Phoenix, and claim by Ryan Companies. A.R.S. 38-431.03(A)(3) and (4). The meeting may then be reconvened to take action to recommend the following to the MAG Regional Council for consideration: 1) Signed Letter of Intent with the Landowner to purchase property; 2) Draft Memorandum of Cooperation and Signed Letter of

4. Information and discussion to review negotiations regarding the Regional Office Center.

Understanding by Directors from MAG, Regional Public Transportation Authority (RPTA) and Valley Metro Rail (VMR); 3) Final Terms for Development Agreement with the City of Phoenix and 4) Resolution of the indemnification with the Ryan Companies. Please see enclosed material. Signed Letter of Understanding by Directors from MAG, Regional Public Transportation Authority (RPTA) and Valley Metro Rail (VMR) to be provided when received.

The Executive Committee meeting will be adjourned and a meeting of the Joint Executive Committee and Building Lease Working Group will be convened, after which the Executive Committee meeting will reconvene.

**ITEM PROPOSED TO BE HEARD
BY THE EXECUTIVE COMMITTEE AND
THE BUILDING LEASE WORKING GROUP**

1. Call to Order

The meeting of the Executive Committee will be called to order.

2. Call to the Audience

An opportunity will be provided to members of the public to address the Joint Executive Committee and Building Lease Working Group 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. Members of the public will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Committee requests an exception to this limit. Please note that those wishing to comment on action agenda items will be given an opportunity at the time the item is heard.

3. Update on the Regional Office Center

At the October 15, 2007, Executive Committee and Building Lease Working Group meeting, staff was directed to continue the negotiations regarding the Regional Office Center and to bring the results of the negotiations to the November Executive Committee meeting for consideration. The status of negotiations will be reviewed.

2. For information and discussion.

3. Information, discussion, and possible action to recommend the following to the MAG Regional Council for consideration: 1) Signed Letter of Intent with the Landowner to purchase property; 2) Draft Memorandum of Cooperation and Signed Letter of Understanding by Directors from MAG, Regional Public Transportation Authority (RPTA) and Valley Metro Rail (VMR); 3) Final Terms for Development Agreement with the City of Phoenix and 4) Resolution of the indemnification with the Ryan Companies.

4. Recommendation to Accept the Rankings for a Design-Build Team

At the July 9, 2007, Executive Committee meeting, MAG staff received direction to issue a Request for Qualifications (RFQ) for the design and construction of the Regional Office Center per Title 34 procurement guidelines. The RFQ was issued on August 1, 2007, and the Statements of Qualifications were due to MAG by August 30, 2007. A five member panel reviewed and short-listed applicants on September 6 and interviews were held on September 11, 2007. Formal action to approve selection of a design build team was delayed at the September 12, 2007, Executive Committee meeting pending further selection panel discussion and deliberations. The panel has presented a recommended ranking of the following firms to MAG as follows: (1) McCarthy/DMJM, (2) Sundt/SmithGroup, and (3) Ryan/RNL. The Executive Committee is requested to accept the rankings for the one-step design-build services RFQ for the purpose of authorizing MAG to enter into negotiations for a design-build team and to recommend the rankings to the MAG Regional Council for approval.

5. Adjournment

The MAG Executive Committee will reconvene for the consideration of the following items:

4. Information, discussion and possible action to accept the rankings for the one-step design-build services RFQ for the purpose of authorizing MAG to enter into negotiations for a design-build team and to recommend the rankings to the MAG Regional Council for approval.

**ITEMS PROPOSED TO BE HEARD
BY THE EXECUTIVE COMMITTEE**

5. Building a Quality Arizona (BQAZ) Update

Over the past year, the Arizona Councils of Governments and Metropolitan Planning Organizations Association has been meeting to discuss growth and transportation issues. As a result of these meetings, a statewide Reconnaissance Study has been initiated and the Arizona Department of Transportation has authorized \$7 million for transportation framework studies. On November 9, 2007, a meeting of the BQAZ Management Committee was held to discuss the progress of the Reconnaissance Study and the management structure for the framework studies. An update on these activities will be provided to the Executive Committee. Please refer to the enclosed material.

5. Information and discussion.

6. Annual Performance Review of the MAG Executive Director

The employment agreement entered into with the MAG Executive Director in January 2003 provided that the Executive Committee conduct an annual performance review in consultation with the Regional Council. On December 15, 2003, the Executive Committee approved an evaluation survey for the MAG Executive Director's performance review. The process for conducting the annual evaluation and salary review will be discussed. Please refer to the enclosed material.

7. Desert Peaks Awards

The Maricopa Association of Governments biennially hosts an awards program to recognize regional excellence. The prestigious awards are presented to those agencies and individuals who have demonstrated a commitment to promoting, recognizing, and attaining the ideals of regionalism. On September 12, 2007, the Executive Committee provided input on changes to the Awards schedule as well as recommendations for potential venue locations. Staff will seek additional input on event flow and provide information obtained during site visits for the Committee's review and recommendation.

8. Adjournment

6. Information, discussion and possible action to proceed with the process for the performance review for the MAG Executive Director.

7. Information, discussion, and possible action.