

June 15, 2004

TO: Members of the MAG Regional Council

FROM: Mayor Wendy Feldman-Kerr, Queen Creek, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.

Wednesday, June 23, 2004

Arizona Club

Bank One Center

201 N. Central Avenue, Suite #3800, Phoenix (see enclosed map)

Reception - 5:30 p.m.

Desert Peaks Awards - 6:15 p.m.

Arizona Club

Bank One Center

201 N. Central Avenue, Suite #3700, Phoenix

**THE NEXT REGIONAL COUNCIL MEETING WILL BE HELD AT THE ARIZONA CLUB
AT THE TIME AND PLACE NOTED ABOVE.**

Supporting information is enclosed for your review. Members of the Regional Council may attend the meeting either in person or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. This meeting will be held in conjunction with the Sixth Desert Peaks Awards. MAG will host the Desert Peaks Awards reception at 5:30 p.m. The Awards presentation is scheduled to begin at 6:15 p.m.

Parking is available in the parking garage on the southeast corner of First Avenue and Van Buren Street. Parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip.

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 Valerie Day at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
June 23, 2004**

	<u>COUNCIL ACTION REQUESTED</u>
1. <u>Call to Order</u>	
2. <u>Pledge of Allegiance</u>	
3. <u>Call to the Audience</u> An opportunity will be provided to members of the public to address the Regional Council 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 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 Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.	3. Information.
4. <u>Executive Director's Report</u> The MAG Executive Director will provide a report to the Regional Council on activities of general interest.	4. Information and discussion.
5. <u>Approval of Consent Agenda</u> Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk.	5. Approve the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. <u>Approval of the May 26, 2004 Meeting Minutes</u>	5A. Review and approve the May 26, 2004 meeting minutes.
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AIR QUALITY ITEMS

*5B. New Finding of Conformity for the Special FY 2004-2007 MAG Transportation Improvement Program and the Regional Transportation Plan, as Amended

The conformity assessment on the proposed amendment, which includes a regional emissions analysis, concludes that the FY 2004-2007 MAG Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) meet all applicable federal conformity requirements and are in conformance with applicable air quality plans. The proposed amendment includes an Arizona Department of Transportation request to advance a State Route 85 project and add a new Loop 101 Agua Fria Freeway auxiliary lane project; an adjustment to the completion date of the light rail transit (LRT) 20-mile minimum operating segment to December 2008; and to the completion date of the LRT five-mile link to Metrocenter to 2012. On June 1, 2004, following a 30-day public review and comment period, a public hearing was held on the proposed amendment to the TIP and RTP, and conformity assessment. The Air Quality Technical Advisory Committee and Management Committee recommended approval of the draft conformity assessment. This item is on the June 16, 2004 Transportation Policy Committee agenda. An update will be provided on action taken by the committee. Please refer to the enclosed material.

*5C. Conformity Consultation

MAG is conducting consultation on a conformity assessment for an amendment to the FY 2004-2007 MAG Transportation Improvement Program (TIP). The amendment includes a request from Maricopa County to add a new Design Concept Report and Environmental Assessment Project for Loop 303 from I-10 to US 60 (Grand Avenue) to FY 2004. The proposed amendment also includes new transit projects and changes to existing transit projects from Valley Metro to ensure that the Federal Transit Administration Grant Application and the TIP are in

5B. Approve the new Finding of Conformity for the Special FY 2004-2007 MAG Transportation Improvement Program and the Regional Transportation Plan, as amended.

5C. For consultation.

conformance. In addition, as part of the Federal FY 2004 Interim Year End Closeout, the proposed amendment includes new projects and changes to existing projects in the FY 2004-2007 MAG TIP. The amendment includes new projects that may be categorized as exempt to determine conformity and minor project revisions that do not require a conformity determination. Please refer to the enclosed material.

TRANSPORTATION ITEMS

*5D. Amendment of the Special FY 2004-2007 MAG Transportation Improvement Program and the Regional Transportation Plan for Light Rail Transit

Valley Metro Rail has requested changes to the budget and schedule for completion of the light rail transit (LRT) system. The changes would modify the Regional Transportation Plan (RTP) and the Special FY 2004-2007 MAG Transportation Improvement Program (TIP). In accordance with State law, the proposed modifications to the RTP have been submitted for consultation to the Regional Public Transportation Authority, the Arizona Department of Transportation, Maricopa County, Indian communities and cities and towns. At its meeting on May 26, 2004, the Transportation Policy Committee reviewed and responded to comments received. The results of an air quality conformity assessment indicate that the proposed transportation action meets the applicable transportation conformity criteria. A public hearing on the proposed amendment to the TIP and Regional Transportation Plan, and conformity assessment was held on June 1, 2004. The Transportation Review Committee and Management Committee recommended approval of an amendment to the RTP and TIP to reflect the LRT changes. This item is on the June 16, 2004 Transportation Policy Committee agenda. An update will be provided on action taken by the committee. Please refer to the enclosed material.

5D. Approve an Amendment of the Regional Transportation Plan and Special FY 2004-2007 Transportation Improvement Program to reflect the light rail transit changes proposed by Valley Metro Rail, affecting the Minimum Operating Segment and the Metrocenter Link, contingent upon a finding of air quality conformity.

*5E. Proposed Amendment and Administrative Adjustments to the FY 2004-2007 MAG Transportation Improvement Program for Transit Projects

Each year, when the Federal Transit Appropriations are released, the Regional Public Transportation Authority (RPTA) reviews the Federal Transit Administration (FTA) Grant Application that is under development and adjusts the projects listed in the Grant and the TIP to ensure that the two programs are in conformance. It is necessary to either amend the TIP or to carry out some Administrative Adjustments to incorporate several changes to existing transit projects. These changes include the deletion of four projects, adjustments to 12 projects, the deferral of six projects and the addition of 19 new projects. Other projects have had the scopes and funding sources changed, increased and/or reduced. All of the proposed changes may be categorized as exempt projects or minor project revisions for which an air quality conformity analysis is not required. Consultation on the conformity assessment for the proposed changes is considered under a separate agenda item. The Transportation Review Committee and Management Committee recommended approval. This item is on the June 16, 2004 Transportation Policy Committee agenda. An update will be provided on action taken by the committee. Please refer to the enclosed material.

*5F. Amendment of the FY 2004-2007 MAG Transportation Improvement Program for ADOT Highway Projects and a Maricopa County Design Concept Report and Environmental Assessment

On November 25, 2003, the FY 2004-2007 MAG Transportation Improvement Program (TIP) was approved by the MAG Regional Council. Since that time, ADOT has notified MAG that it is making several changes to the improvements scheduled on State Route 85, between Buckeye and Gila Bend. In addition, ADOT is adding a State funded District Minor project on Loop 101 (Agua Fria Freeway) to FY 2004. Maricopa County has requested the addition of a Design

5E. Approve an Amendment and Administrative Adjustments to the FY 2004-2007 MAG TIP for transit projects submitted by RPTA as shown in the Attached Table.

5F. Approve an Amendment of the FY 2004-2007 Transportation Improvement Program to advance a State Route 85 project from FY 2007 to FY 2004; to add a new project on Loop 101 (Agua Fria Freeway) between 31st Avenue and 51st Avenue to FY 2004; and to add a Design Concept Report and Environmental Assessment for Loop 303, from I-10 to US-60 (Grand Avenue), to FY 2004.

Concept Report for Loop 303, from I-10 to US-60 (Grand Avenue). All of these projects require an amendment to the TIP to be able to proceed. The Transportation Review Committee and Management Committee recommended approval of an amendment to the TIP. This item is on the June 16, 2004 Transportation Policy Committee agenda. An update will be provided on action taken by the committee. Please refer to the enclosed material.

*5G. Proposed New Federal Functional Classification for 43rd Avenue, Lower Buckeye Road to 0.8 Miles South

The City of Phoenix has submitted a project for consideration for MAG federal funds during the FFY 2004 Closeout process. The project has been highly recommended by the Arizona Department of Environmental Quality (ADEQ) as a partial solution to Particulate Matter (PM-10) problems in the area and will utilize both Congestion Mitigation and Air Quality Improvement Program funds and Surface Transportation Program (STP-MAG) funds. To support the use of STP-MAG funds, the roadway needs to be federally functionally classified as an Urban Collector or higher. The Transportation Review Committee recommended concurrence. At its June 9th meeting, the Management Committee recommended concurrence and that the project go through the ADOT process before finalization. Please refer to the enclosed material.

*5H. Federal Fiscal Year 2004 MAG Federal Funds Interim Closeout and Amendment/Adjustments to the FY 2004-2007 MAG Transportation Improvement Program and FY 2004 and FY 2005 Unified Planning Work Programs and Annual Budgets

In this phase of the closeout process, approximately \$23.3 million is available for the interim closeout, plus a possible \$1.5 million in redistributed Obligation Authority. Approximately \$36 million in project requests have been received for the funds available. On March 25, 2004, the Transportation Review Committee

5G. MAG concurrence with Federally functionally classifying 43rd Avenue, Lower Buckeye Road to 0.8 miles south as an Urban Collector or Minor Arterial, whichever is appropriate, noting that the project will go through the ADOT process before finalization.

5H. Approve the interim closeout of Federal FY 2004, as shown in the attached Tables and recommend amending/adjusting the FY 2004-2007 MAG TIP and the FY 2004 and FY 2005 Unified Planning Work Programs and Annual Budgets to allow the projects to proceed.

(TRC) recommended allowing 19 projects, totaling \$18.4 million, to defer from FFY 2004 to later years. This is in addition to \$4.9 million in uncommitted funds. To utilize the available funds, on May 27, 2004, the TRC recommended 17 projects, totaling \$23.9 million, plus an additional \$1.3 million in contingency projects if any further funds become available or if any projects unexpectedly drop out. The Management Committee concurred with the TRC. This item is on the June 16, 2004 Transportation Policy Committee agenda. An update will be provided on action taken by the committee. Please refer to the enclosed material.

*5 I. Requested Changes to the FY 2004 MAG Regional Freeway Program

The Arizona Department of Transportation has requested two material changes to the FY 2004 MAG Regional Freeway Program. A.R.S. 28-6353 requires that MAG approve any change in priorities, new projects, or requests that materially increase the cost of a project. The first requested change is to add \$1.0 million to the Systemwide Preliminary Engineering project due to the production of a design concept report, extensive hydraulic studies and geotechnical investigations and a change in interchange concepts for a section of the Red Mountain Freeway. ADOT is also requesting that a new project be established for design work necessary for utility relocation in the amount of \$80,000. Both of these changes are required to complete the current Regional Freeway Program in 2007. MAG has examined the need for both of these changes and finds that they are warranted. A review of the net impact of these changes indicates that the cash balances for the MAG Regional Freeway Program are adequate to accommodate the requested changes. The Management Committee recommended approval. This item is on the June 16, 2004 Transportation Policy Committee agenda. An update will be provided on action taken by the committee. Please refer to the enclosed material.

- 5 I. Approve the requested changes to increase the funding for Systemwide Preliminary Engineering by \$1.0 million and add the new project to provide for utility relocation design work in the amount of \$80,000.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEM

- 6. Appointment of Members and Officers for the Transportation Policy Committee

On April 24, 2002, the Regional Council approved the composition of the Transportation Policy Committee (TPC). The approved composition provided for two-year terms for the three members to achieve geographic balance, the two At-Large members, the Native American member and the Freight member.

On June 26, 2002, the Regional Council appointed the members of the Transportation Policy Committee. At that meeting, the Regional Council clarified that the business representatives would serve two-year terms with a maximum of four years. On July 24, 2002, the Chair and Vice Chair were appointed.

On February 5, 2004, HB 2456, was signed which provided that the incumbent representatives of the private sector on the TPC would serve until December 31, 2004, and may be reappointed by the President of the Senate or the Speaker of the House. However, this section of HB 2456 was subject to a conditional enactment and is not in effect unless the tax is approved by the voters on November 2, 2004. The Regional Council is requested to appoint the members of the TPC and the officer positions (Chair and Vice Chair). Please refer to the enclosed material.

- 6. Appointment of the members and officers of the Transportation Policy Committee.

GENERAL ITEMS

- 7. Maricopa County Request for Assistance with the West Nile Virus

The Maricopa County Environmental Services Department and the Public Health Department are requesting assistance from the MAG member agencies in addressing the West Nile Virus. The virus is borne by mosquitos and cases of illness are being reported to Maricopa County. The

- 7. Information, discussion and possible action to assist Maricopa County with the West Nile Virus.

County is requesting assistance from the MAG member agencies in controlling mosquitos on public property, assistance in communicating the issue through municipal public information offices and in receiving calls from the public regarding potential cases. A representative from Maricopa County will make a report to the members of the Regional Council. Please refer to the enclosed material.

8. Election of Regional Council Officers and Executive Committee Members

The MAG Nominating Committee has recommended a slate of officers for 2004-2005. The MAG officer positions are Chair, Vice Chair and Treasurer. In accordance with the MAG Nomination Process, three At-Large members were also nominated to serve on the Executive Committee. According to the MAG Nomination Process, the Past Chair of the Regional Council also serves on the Executive Committee. Please refer to the enclosed material.

9. Comments from the Council

An opportunity will be 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.

8. Election of the Regional Council officers: Chair, Vice Chair and Treasurer, and the three At-Large Members as members of the Executive Committee. According to the MAG Nomination Process, the Past Chair of the Regional Council also serves on the Executive Committee.

9. Information.