

May 20, 2008

TO: Members of the MAG Regional Council

FROM: Mayor James M. Cavanaugh, Goodyear, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.
Wednesday, May 28, 2008
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

Dinner - 6:30 p.m.
MAG Office, Suite 200

The next Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. 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 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.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
May 28, 2008**

	<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. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. <u>Approval of the April 23, 2008 Meeting Minutes</u>	5A. Review and approval of the April 23, 2008 meeting minutes.
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TRANSPORTATION ITEMS

***5B. Pedestrian Design Assistance and Bicycle Design Assistance Projects for 2008 Funding - Phase II**

The FY 2008 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2007, includes \$200,000 for the Pedestrian Design Assistance Program and \$300,000 for the Bicycle/Shared-Use Design Assistance Program. The Pedestrian Working Group, the Regional Bicycle Task Force, the Transportation Review Committee, and the Management Committee recommended approval of three projects for funding from the Design Assistance Program: Avondale: Garden Lakes Sidewalk (\$60,000); City of Phoenix: Third Street Promenade (\$65,000); and City of Mesa: Adobe Road Complete Streets (\$30,000). Please refer to the enclosed material.

***5C. Interim Closeout of the Federal Fiscal Year 2008 MAG Federally Funded Program**

The federal fiscal year (FFY) 2008 Interim Closeout established that member agencies submitted requests to defer or delete federal funds from projects for approximately \$40.1 million. As a result, the amount of funds available during the interim closeout is approximately \$14.7 million. The amount available for the FFY 2008 Closeout may change due to the future project deferrals. Any changes will be provided in the upcoming months. The deadline for FFY 2008 Closeout project submittal and initial deferral notification was April 18, 2008. The Management Committee recommended approval of the Interim Closeout. This item is on the May 21, 2008, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

***5D. Arterial Life Cycle Program Status Report**

A status report on the Arterial Life Cycle Program (ALCP) is provided for the period between October 2007 and March 2008 and includes an

5B. Approval of the following projects for funding from the Design Assistance Program: Avondale: Garden Lakes Sidewalk (\$60,000); City of Phoenix: Third Street Promenade (\$65,000); and City of Mesa: Adobe Road Complete Streets (\$30,000).

5C. Approval of a list of projects to be carried forward from FFY 2008 to FFY 2009 or later and approval of a list of projects requesting removal of federal funds.

5D. Information.

update on ALCP Project work, the remaining FY 2008 ALCP schedule, and ALCP revenues and finances. Please refer to the enclosed material.

*5E. Fiscal Year 2008 - Arterial Life Cycle Program Regional Area Road Fund Closeout

The Arterial Life Cycle Program (ALCP) Regional Area Road Fund (RARF) Closeout process was established in the December 19, 2007 ALCP Policies and Procedures. A fiscal analysis of ALCP revenues and expenditures and a list of eligible projects for the ALCP RARF Closeout were completed. After reviewing the output of the financial analysis, MAG staff recommended that three eligible projects are reimbursed in the FY2008 ALCP Regional Area Road Funds (RARF) Closeout. The Transportation Review Committee and the Management Committee recommended advancing the reimbursements. This item is on the May 21, 2008, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

*5F. Proposed Revisions to the MAG Enhancement Funds Working Group

In April 1993, the Regional Council established the Enhancement Funds Working Group. The purpose of the Working Group is to make recommendations to the Arizona Department of Transportation Enhancement Fund Review Committee for the expenditure of federal transportation enhancement funds. Since the Working Group was established, some of the committees that provided representatives to the Working Group have ceased to exist and other vacancies have occurred on the Working Group. On May 14, 2008, the Management Committee recommended changes to the Working Group regarding (1) leadership, (2) composition and (3) operating procedures. Please refer to the enclosed material.

5E. Approval of advancing reimbursements from 2012, 2013, and 2014 to 2008 for the FY 2008 Arterial Life Cycle Program (ALCP) Regional Area Road Fund (RARF) Closeout for ALCP Projects: Lake Pleasant Parkway, Arizona Avenue at Chandler Boulevard, and Val Vista: Warner to Pecos, totaling \$14.978 million, and amend the FY 2008 ALCP and 2007 RTP Update as necessary.

5F. Approval of the proposed revisions to the MAG Enhancement Funds Working Group regarding the (1) leadership, (2) composition and (3) operating procedures of the Enhancement Funds Working Group.

AIR QUALITY ITEMS***5G. Consultation on Proposed Transportation Conformity Processes for the 2008 MAG Conformity Analysis**

Federal and state conformity regulations require that MAG consult with federal, state, and local air quality and transportation agencies on proposed processes for conformity analyses on the Transportation Improvement Program and the Regional Transportation Plan. MAG is distributing for comment the proposed processes to be applied beginning with the upcoming conformity analysis for an amendment to the FY 2008-2012 MAG Transportation Improvement Program and the Regional Transportation Plan 2007 Update. Comments regarding this material were requested by May 23, 2008. Please refer to the enclosed material.

5G. Consultation.

GENERAL ITEMS***5H. Social Services Block Grant Revised Allocation Recommendations**

Under a planning contract with the Arizona Department of Economic Security (DES), the MAG Human Services planning program annually recommends allocations for locally planned Social Services Block Grant (SSBG) dollars to meet human services needs in the MAG region. On March 14, 2008, DES notified MAG that the U.S. Department of Health and Human Services is requiring revised allocation recommendations for SSBG funding reflecting a 19.722 percent budget cut proposed at the federal level. While it is hoped that the proposed budget cut will not be approved, a revised plan needs to be submitted to DES by the end of May. The MAG Human Services Technical Committee, the MAG Human Services Coordinating Committee, and the MAG Management Committee recommended approval of the revised SSBG allocations. Please refer to the enclosed material.

5H. Approval of the revised FY 2009 Social Services Block Grant allocation recommendations reflecting the proposed funding reduction at the federal level.

*5I. Approval of the Draft FY 2009 MAG Unified Planning Work Program and Annual Budget

Each year MAG develops a Unified Planning Work Program and Annual Budget. This year, draft budget presentations were held and incremental information on the budget was presented beginning in January 2008 through April 2008. The total dues and assessments for FY 2009 were kept at the same level as FY 2008 due to the current uncertain economic conditions facing our members. As adjustments to the budget were made, the draft budget document was updated and presented to the Management Committee, Regional Council Executive Committee, and Regional Council. The Work Program and Annual Budget was discussed by State and Federal agencies at the April 2, 2008 Intermodal Planning Group meeting. The Management Committee recommended approval of the resolution. Please refer to the enclosed material.

*5J. Regional Office Center Update

On April 23, 2008, the MAG Regional Council approved the following: 1) Analyze the current agency leases and project staff growth and the amount that would be spent in the next 15 years and apply that amount as a tentative budget to consider at different development sites; 2) Direct staff to identify buildings for sale and/or lease in the Greater Phoenix Metro area; 3) Request David Kaye, the owner of the property at 1st Avenue/McKinley, to negotiate a first right of refusal on the property and terminate the payment of \$38,000 per month.

These steps were followed, and on May 19, 2008, meetings of the Regional Office Center Working Group and the Regional Council Executive Committee were held. The consensus was to direct the staff to do the following: 1) Pursue inspecting two properties for purchase located at 210 E. Earll and 111 W. Monroe and set up a tour of the locations within 30 days; 2) Investigate other property tax incentives, if any, that may be viable at the 210 E. Earll location; 3)

5I. Approval of the resolution adopting the Draft FY 2009 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments.

5J. Approve the MAG Executive Committee recommendation to direct staff to do the following: 1) Pursue inspecting two properties for purchase located at 210 E. Earll and 111 W. Monroe and set up a tour of the locations within 30 days; 2) Investigate other property tax incentives, if any, that may be viable at the 210 E. Earll location; 3) Postpone the Guaranteed Maximum Price (GMP) on the Regional Office Center until information on the two purchase properties is provided; 4) Attain a market rate indicator for the agencies to identify financing position to buy and/or build; 5) Not accept the Letter of Intent (LOI) terms from Mr. Kaye for the 1st Avenue/McKinley site at this time.

Postpone the Guaranteed Maximum Price (GMP) on the Regional Office Center until information on the two purchase properties is provided; 4) Attain a market rate indicator for the agencies to identify financing position to buy and/or build; 5) Not accept the Letter of Intent (LOI) terms from Mr. Kaye for the 1st Avenue/McKinley site at this time. Please refer to the enclosed material.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6. Transportation Planning Update

In December 2007, the Regional Council amended the Unified Planning Work Program and Annual Budget for a statewide survey to measure public attitudes regarding transportation. In February 2008, the Regional Council approved the selection of a consultant and statewide focus groups were conducted. Following the focus groups, and with input from the Transportation Policy Committee, a polling instrument was developed for the statewide survey. A scientific household telephone survey was conducted from April 22-May 9, 2008. Survey results are being analyzed, and a presentation summarizing the initial topline findings of the Statewide Transportation Survey will be presented.

On April 23, 2008, a joint meeting of the Regional Council and the Transportation Policy Committee was held. Representatives from the Arizona Department of Transportation discussed the Preliminary Critical Needs Definition document, and representatives from the TIME Coalition discussed an initiative that is being proposed for the November 2008 General Election. An update will be provided on the ballot initiative language and the impact on Proposition 400 projects. Please refer to the enclosed material.

6. Information and discussion.

GENERAL ITEMS

7. MAG 208 Small Plant Review and Approval for the Proposed Preserve at Goldfield Ranch Water Reclamation Facility

Maricopa County has requested that MAG review the proposed Preserve at Goldfield Ranch Water Reclamation Facility through the Small Plant Review and Approval Process of the MAG 208 Water Quality Management Plan. The proposed facility would have an ultimate capacity of 400,000 gallons per day and reclaimed water would be disposed of through reuse and recharge. The Fort McDowell Yavapai Nation and Salt River Pima-Maricopa Indian Community are within three miles of the project and both have expressed concern about the Draft Small Plant Review and Approval.

On March 20, 2008, the MAG Water Quality Advisory Committee recommended approval of the Draft Small Plant Review and Approval for the proposed facility. On April 9, 2008, the MAG Management Committee recommended approval of the Draft Small Plant Review and Approval for the proposed facility recognizing the commitment volunteered by the developer to treat the effluent at a level higher than required by the state: 10 milligrams per liter (mg/l) for total suspended solids, 10 mg/l for biochemical oxygen demand, 5 mg/l for total nitrogen, and 1 mg/l (85 percent efficiency) for total phosphorus.

In April, the President of the Salt River Pima-Maricopa Indian Community requested a one-month delay to provide them an opportunity to hire an independent consultant to investigate information brought forward by the Salt River Project in an April 8, 2008 letter. Also, MAG received a May 13, 2008 letter from the Arizona Department of Environmental Quality regarding the project. The consultant report is on the May 22, 2008 Water Quality Advisory Committee agenda. An update will be provided under separate cover. Please refer to the enclosed material.

7. Information, discussion, and possible approval of the MAG Management Committee recommendation: approval of the proposed Preserve at Goldfield Ranch Water Reclamation Facility as part of the MAG 208 Water Quality Management Plan recognizing the commitment volunteered by the developer to treat the effluent at a level higher than required by the state: 10 mg/l for total suspended solids, 10 mg/l for biochemical oxygen demand, 5 mg/l for total nitrogen, and 1 mg/l (85 percent efficiency) for total phosphorus.

8. Legislative Update

An update will be provided on legislative issues of interest.

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. Information, discussion and possible action.

9. Information.