

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

May 22, 2002  
MAG Office, Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Skip Rimsza, Phoenix, Chairman	* Mayor Edward Lowry, Paradise Valley
Mayor Ron Drake, Avondale	Vice Mayor Pat Dennis for
Mayor Dusty Hull, Buckeye	Mayor John Keegan, Peoria
Mayor Edward Morgan, Carefree	Mayor Wendy Feldman-Kerr, Queen Creek
Vice Mayor Ralph Mozilo, Cave Creek	* President Ivan Makil, Salt River
Mayor Jay Tibshraeny, Chandler	Pima-Maricopa Indian Community
Mayor Roy Delgado, El Mirage	Mayor Mary Manross, Scottsdale
* Mayor Sharon Morgan, Fountain Hills	Mayor Joan Shafer, Surprise
* Mayor Chuck Turner, Gila Bend	Mayor Neil Giuliano, Tempe
* Governor Donald Antone, Gila River Indian Community	* Mayor Adolfo Gamez, Tolleson
Mayor Steven Berman, Gilbert	Councilmember Richard Creel for
Mayor Elaine Scruggs, Glendale	Mayor Lon McDermott, Wickenburg
Mayor Bill Arnold, Goodyear	Mayor Daphne Green, Youngtown
* Mayor Margarita Cota, Guadalupe	Dallas Gant, ADOT
Mayor J. Woodfin Thomas, Litchfield Park	Joe Lane, ADOT
* Supervisor Don Stapley, Maricopa County	F. Rockne Arnett, Citizens Transportation Oversight Committee
Mayor Keno Hawker, Mesa	+Mayor Douglas Coleman, Apache Junction

\*Those members neither present nor represented by proxy.

+Non-voting

#Attended by videoconference or by telephone conference call.

1. Call to Order

The meeting of the Regional Council was called to order by Chairman Skip Rimsza at 5:03 p.m.

15. Discussion or Consideration of the Terms of Employment of the MAG Executive Director

This agenda item was taken out of order.

Mayor Keno Hawker moved to recess the meeting to conduct an executive session and to reconvene the meeting for possible action relating to the terms of employment of the MAG Executive Director. Mayor Joan Shafer seconded, and the motion carried unanimously. The authority for such an executive session is A.R.S. § 38-431.03(A)(1).

The Regional Council meeting reconvened at 6:00 p.m.

2. Pledge of Allegiance

Chairman Rimsza recognized proxies Vice Mayor Pat Dennis for Mayor John Keegan, Peoria, and Councilmember Richard Creel for Mayor Lon McDermott, Wickenburg.

Chairman Rimsza stated that the RPTA has agreed to provide transit tickets for those who used transit to come to the meetings.

4. Call to the Audience

This agenda item was taken out of order.

Chairman Rimsza stated that according to our public comment process, members of the audience who wish to speak, are requested to fill out the cards which are available on the tables adjacent to the doorways inside the meeting room. He noted that there was a three minute time limit. Public comment is provided at the beginning of the meeting for non-agenda items.

Chairman Rimsza noted recognized public comment from DD Barker, who stated that she looked forward to seeing the speaking rules posted, which will eliminate confusion over when public comment is allowed on agenda items. She stated that finality is needed to questions asked by the public. Ms. Barker stated that it was disturbing that the joint public hearing was attended by only two citizens. She felt that the event was not publicized enough, even though outreach was done. Ms. Barker stated that Frank Fairbanks demonstrated that MAG did not provide enough outreach to him when he requested a weighted vote during consideration of the budget at the Management Committee meeting. Ms. Barker stated that MAG should hire a person good at telephoning, which is what business does. She stated that multimodal is good and performed a cartwheel. Chairman Rimsza thanked Ms. Barker for her comments.

Chairman Rimsza recognized public comment from Blue Crowley, who mentioned the Ad Hoc CMAQ Group. When asked to see the sheet, it said light rail is critical. How critical is it if it doesn't touch Peoria and Glendale? Mr. Crowley commented that the Short Range Transit Report summary wasn't extensive enough. He stated that the open house was a slap in the face, where there was no quorum of Regional Council. If you do a process, get your butts in a chair and be a part of it. Mr. Crowley stated that part of the reason why there was an executive session is because of the weighted vote at Management Committee. He stated that this is the second time there was an executive session and the public has asked to input but was denied because no action was being taken. The public should have the opportunity to input. Chairman Rimsza thanked Mr. Crowley for his comments.

Chairman Rimsza stated that an addendum to the agenda, agenda item #14, Appointment of the MAG Transportation Policy Committee, and supporting material, was at each place. He noted that an addendum to the agenda, agenda item #15, Discussion or Consideration of the Terms of Employment of the MAG Executive Director, was at each place and had already been considered.

Chairman Rimsza announced that this was the last Regional Council meeting for Mayor Jay Tibshraeny, Chandler, who served on the Regional Council since 1994, and on the Executive Committee since 2000. Chairman Rimsza presented Mayor Tibshraeny with a gift representing MAG's appreciation for his service the MAG Region. Mayor Tibshraeny expressed his thanks. He stated that it has been enjoyable

working with all of the mayors. Mayor Tibshraeny stated that he hoped to work with everyone again, as he would be seeking office in the State Senate next year for the new District 21.

3. Approval of April 24, 2002 Regional Council Meeting Minutes

Mayor Hawker moved to approve the minutes of the April 24, 2002 meeting. Mayor Roy Delgado seconded, and the motion carried unanimously.

5. Executive Director's Report

James M. Bourey stated that the Tucson tax election was overwhelmingly defeated, with 69 percent voting against and 31 percent in favor. This will have significant implications for the State. Chairman Rimsza stated that he had spoken to the Tucson mayor and they have discussed going back to the people now that they understand their concerns.

Mr. Bourey stated that the new MAG Website was launched recently. He noted that the Website offers a search feature and links to member agencies and MAG documents.

Mr. Bourey stated that installation and testing of the videoconferencing system has been completed. There will be a public demonstration of the system next week. Mr. Bourey stated that some members of the Regional Council will participate in the demonstration.

Mr. Bourey stated that the annual meeting is scheduled for June 26, 2002, scheduled in conjunction with the Desert Peaks Awards. He stated that the judges have met and selected the award winners. Mr. Bourey added that the award finalist letters were mailed out May 21, 2002.

6. Approval of Consent Agenda

Chairman Rimsza stated that public comment is provided for consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the committee can request that an item be removed from the consent agenda and considered individually. Chairman Rimsza stated that agenda items #7 and #8 were on the consent agenda.

Mayor Tibshraeny moved to approve consent agenda items #7 and #8. Mayor Shafer seconded.

Chairman Rimsza recognized public comment from DD Barker, who stated that hiring a consultant to develop transportation options is a positive move. She stated that ITS will unite all as a region. Ms. Barker stated that she and another citizen commented on this item at the Management Committee meeting. She read their remarks from the Summary Transmittal: "A citizen stated that he supports ITS solutions for transportation and that the proposed project does not seem to go far enough. He stated that the region needs more forward looking solutions that are based on a better understanding of sensors and software. The second citizen stated she also supported ITS solutions and requested that the consultant to be instructed to examine any existing regional policies developed through earlier studies. She also suggested that all consultants that submitted proposals be listed." Chairman Rimsza thanked Ms. Barker for her comments.

A vote was taken on the question, which passed unanimously.

7. Consultant Selection for the MAG Regional Concept of Transportation Operations

The Regional Council, by consent, approved the selection of Kimley-Horn and Associates to develop the MAG Regional Concept of Transportation Operations for an amount not to exceed \$250,000. The MAG Planning Work Program includes a consultant project to develop a concept of transportation operations for the MAG region. A request for proposals was advertised and four qualifying proposals were received. The Management Committee recommended that Kimley-Horn and Associates develop the project for an amount not to exceed \$250,000.

8. Approval of Social Services Block Grant Fund Recommendations, State Fiscal Year 2002-2003

The Regional Council, by consent, approved the priority needs, services and SSBG funding recommendations for SFY 2002-2003 to be forwarded to the Arizona Department of Economic Security for advertisement and contracting. On April 18, 2002, the MAG Human Services Coordinating Committee recommended approval of the State Fiscal Year (SFY) 2002-2003 funding recommendations for the locally planned Social Services Block Grant (SSBG) totaling \$4,090,579. This represents a \$662,019 reduction from the 2001-2002 MAG SSBG Plan due to cuts to the Temporary Assistance to Needy Families (TANF) funds transferred to the Council of Governments in 2002 and a reduction in the state allocation of SSBG. The Management Committee concurred with the recommendations of the Coordinating Committee.

9. FY 2002-2006 Short Range Transit Report

Anne MacCracken, RPTA/Valley Metro staff, gave a presentation on the Short Range Transit Report (SRTR). Ms. MacCracken stated that the SRTR is prepared and updated annually by RPTA for MAG. She stated that the report evaluates transit services in FY 2000-2001 and identifies operating and capital improvements for FY 2002-2006. Ms. MacCracken stated that the plan was developed using input from MAG member agencies and citizens. The report feeds into the RPTA Long Range Transit Plan, and MAG's Long Range Transportation Plan and new Regional Transportation Plan. Ms. MacCracken added that the SRTR serves as a resource guide those interested in transit. Ms. MacCracken reviewed the highlights of the SRTR. Chairman Rimsza thanked Ms. MacCracken for her presentation.

Mayor Dusty Hull stated that the Town of Buckeye had their transit cut because of budget cuts at the County. They were selected for the cut because they are a rural area. Mayor Hull stated that there are 3,000 employees at Lewis Prison and 5,000 employees in the nuclear plant area. He added that 20 to 30 vans holding six to eight passengers each transport these employees. Mayor Hull stated that this group needs to look outside the box, the world does not end at Litchfield Road. Consideration needs to be given to employees in other areas. He suggested strip annexation to take the metro area into the work area. This would take vehicles off the road. Just because Buckeye is not populous, does not mean that there is not a large amount of employees.

10. Draft FY 2003 MAG Unified Planning Work Program and Annual Budget

Becky Kimbrough gave a presentation on the draft FY 2003 Work Program and Annual Budget. Ms. Kimbrough displayed a list that showed opportunities for input to the budget, including three budget workshops. Ms. Kimbrough stated that there was significant discussion of the budget at the May Management Committee meeting. These concerns were addressed in a memo from Chairman Rimsza and at the Executive Committee meeting and the modifications were included in the presentation.

Ms. Kimbrough stated that the MAG FY 2001 Unified Planning Work Program and Annual Budget recently received the Distinguished Budget Presentation Award from the Government Finance Officer's Association. This is the third year in a row that MAG has received this award.

Ms. Kimbrough displayed a pie chart that showed the allocation of funds that are cooperatively developed and totals \$724.6 Million. She noted that MAG typically requests approximately three percent of the STP regional funding for operations, whereas PAG uses approximately 13 percent.

Ms. Kimbrough displayed a pie chart that showed the source of funds totaling more than \$12.6 million, of which federal revenue is the largest portion at approximately 76 percent. Ms. Kimbrough showed charts of funds by expenditure category, and expenditures by program area. She noted that personnel costs represented a moderate overall increase due to anticipated increases in health benefit costs, budgeted overall employee pay increases of five percent and additional staff. She added that the proposed budget increase is 2.6 percent.

Ms. Kimbrough stated that the dues and assessments did not change and were increased only by the MAG Regional Freeway System inflation factor. Proposed assessments include Solid Waste, Water Quality, 9-1-1, Human Services, and Homeless Prevention. Ms. Kimbrough displayed a list of FY 2003 proposed new projects with the largest budget impacts, including SAM-IM Enhancements, Truck/Travel Freight Analysis, Vehicle Occupancy Survey, HPMS Traffic Count, and Calibration of EMME/2.

Ms. Kimbrough outlined proposed changes to the FY 2003 budget and budget process. MAG will forward the proposed dues and assessments to member agencies in January of each year. In April of each year, the Management Committee will hold a study session to review the annual budget and work program. Ms. Kimbrough stated that MAG will provide an Executive Summary that outlines new programs and needed resources for implementation of the programs. She stated that the budget will reflect a start date of January 1, 2003 instead of October 1, 2002 for the Socioeconomic Modeling Planner. Additionally, costs associated with the MAG name change and Town Hall will be taken out. Ms. Kimbrough displayed a list of the proposed position changes. Chairman Rimsza thanked Ms. Kimbrough for her presentation.

Chairman Rimsza noted that action needed to be taken for agenda item #9, FY 2002-2006 Short Range Transit Report. He stated that he would recognize public comment on agenda items #9 and #10, followed by action on the items.

Chairman Rimsza recognized public comment from Mr. Crowley, who commented on agenda item #9. He stated that Gila Bend and Buckeye were included as metro areas with buses in the 1989 plan put together by Mayor Hawker, Ms. Barker, and himself. He stated that light rail is critical for some reason. Until they figure out getting rail out there and to Gilbert, the job is not getting done. Mr. Crowley stated that there is not much in the SRTR for Buckeye, Gila Bend, Avondale and Gilbert. He stated that he wants more being done than just sitting at the table. Mr. Crowley stated that he has mentioned before that Phoenix should abandon the I-10 Express Terminal to the State, so the State and the County will be at the table. Mr. Crowley commented on agenda item #10. He gave a thumbs up to Mr. Fairbanks. Mr. Crowley stated that Mr. Bourey has been running roughshod over this group. The 300 lb. gorilla was right. Mr. Crowley stated that the vote needs to be split that would separate operations from light rail and freeway. He added that there is no heavy rail. Chairman Rimsza thanked Mr. Crowley for his comments.

Chairman Rimsza recognized public comment from Ms. Barker, who stated that she is offended about the order in which she is called upon to deliver her public comments. No matter what order the cards are turned in, or going alphabetically, she is called on second or left out. Ms. Barker stated that she deserves an apology for when she was overlooked, but if it is not forthcoming, she would understand. Ms. Barker commented on agenda item #9. Ms. Barker stated her support for the bus system. She stated that it is a very good one. She stated that the City of Phoenix is the backbone of the system and they are the grant recipient. Ms. Barker mentioned that a utility engineer who examined light rail, was not favor of the project, because of pollution, digging, and congestion. Ms. Barker encouraged writing to FTA to not support the plan. She stated that the Short Range Transit Plan was sued because it could not reach long term objectives to move people and cut down on pollution and congestion. Ms. Barker commented on giving people choices. Get the express bus information out. We need to watch out where we are going or we may end up there. Chairman Rimsza thanked Ms. Barker for her comments.

Mayor Hawker moved to approve the FY 2002-2006 Short Range Transit Report contingent upon a finding of conformity for the MAG FY 2003-2007 Transportation Improvement Program. Mayor Delgado seconded, and the motion carried unanimously.

Mayor Hawker moved to approve the resolution adopting the FY 2003 MAG Unified Planning Work Program and Annual Budget and the member dues and assessments and to amend the FY 2002 MAG Unified Planning Work Program and Annual Budget and the FY 2002 Transportation Improvement Program to incorporate the FY 2002 Surface Transportation Improvement Program funds identified in the FY 2003 Unified Planning Work Program and Annual Budget, and include the amendments that were outlined in Chairman Rimsza's memo to the Executive Committee dated May 16, 2002. Mayor Thomas seconded.

Mayor Manross commented on bullet #2 that stated that the budget was "reduced to reflect a phase-in of staff. The budget should reflect the hiring of one additional planner at this time to lay out the role and responsibilities of reviewing developments of regional impact. Once the scope of the new Division is established, MAG shall brief MAG Mayors, City Managers, and city planning staff to get their input on the proposed roles and responsibilities. By January, MAG may pursue approval to hire two additional staff if the proposed scope warrants this staffing level. The budget should reflect the two additional planners for a six-month period versus full year funding." She commented that hiring a Regional Development Senior Planner needs to be deferred until the Regional Council has specified the scope and agreed to the purpose of the program. Mayor Manross stated that it has not yet been determined how the regional development process will work. She suggested that funding for the position be placed in contingency. Mayor Manross stated that we need to know first what the scope will be, otherwise, it is placing the cart before the horse.

Mayor Hawker stated that phasing is appropriate. Staff will help define the scope, then get concurrence from the Regional Council. Mayor Hawker expressed his support for approval of the Work Program and modified in incremental steps, with concurrence by the Regional Council, as amended.

Mayor Scruggs expressed her appreciation for the changes made to the Work Program. However, this item has not been discussed by the full Regional Council and without policy direction from the full Regional Council. She was not comfortable with creating one full time position to begin work on July 1. Mayor Scruggs stated that there is qualified MAG staff that can develop the scope of work, which would then come to the Regional Council to determine direction. Regional Planning is a new area and is a sensitive issue to cities. A better understanding of the regional planning function is needed. Mayor

Scruggs stated that the memo recommendations were good, except she felt it more appropriate to place the funds for the Regional Development Senior Planner into a contingency fund and have current MAG staff conduct the regional planning effort to develop the scope. After that was completed, MAG staff would come back to the Regional Council who would then provide direction. She stated that she wanted to amend the motion to that effect. Chairman Rimsza stated that a main motion could be made to approve the budget that would not include the Regional Development Senior Planner position. Mayor Hawker as maker of the motion, agreed to amend his motion. Mayor Thomas as second, agreed.

Mayor Manross asked for clarification of the Town Hall position. Chairman Rimsza replied that existing resources could be used, and a contract issued if needed. Mr. Bourey explained that the budget included a position that would assist in that area and other areas, but was not specifically dedicated to the Town Hall.

Mayor Giuliano asked for clarification of the motion. Chairman Rimsza stated that the hiring of the Regional Development Senior Planner was taken out of the motion, and the main motion was for the approval of the budget. A vote on the main motion passed unanimously.

Chairman Rimsza stated that the issue of the Regional Development Senior Planner would be considered. Mayor Giuliano expressed his desire to not move forward at this time.

Mayor Hawker moved to approve the Regional Development Senior Planner position in order to implement land use and transportation issues. The scope of work done by the Planner would be brought back to the Regional Council for consideration. Mayor Feldman-Kerr seconded.

Mayor Hawker stated that this is a step in the right direction as MAG moves forward with the new TPC. MAG has been criticized because we do not look at issues in a unified way. Mayor Hawker stated that a process is needed so that the impacts of development would be known, and this would allow a jurisdiction to go back to a developer to mitigate the impact. Right now, that type of analysis is not available. He stated that this is long overdue.

Mayor Manross concurred with regional planning, but this is putting the cart before the horse. She stated that projects of regional significance have not yet been defined. This issue needs to be defined first, before a planner is put on staff.

Mayor Feldman-Kerr stated that regional planning is a new direction. Unlike Town Hall, someone with planning expertise is needed to spearhead the work and start us off in the right direction.

Mayor Scruggs stated that regional planning has not yet been defined. When cities develop their plans, they look at many areas, such as human services, safety, education, etc. By hiring staff at this time, it would define that the planner would be for transportation. Mayor Scruggs stated that more discussion is needed to determine what that planner will do, because the planner may be for something other than transportation planning. She stated that she would not support the motion because the issue has not been discussed, and what areas of work we need to be in.

Mayor Feldman-Kerr moved to amend the motion that once the Regional Council has set the scope of work for the Regional Development position, then the position would be advertised, and that this should take place within the next quarter. Mayor Thomas seconded, and the motion carried unanimously.

11. Approval to Begin Implementation of Regional Town Hall Meetings

On November 29, 2001, the MAG Governance Task Force unanimously recommended that MAG hold regional town hall meetings with a specific invitation list for the purpose of advising the Regional Council on goals and policies. This recommendation was considered at the retreats of the Management Committee and Regional Council. The members at the Regional Council Retreat unanimously forwarded the town hall meeting recommendation to the Regional Council. The Management Committee recommended proceeding with the Town Hall and having the Regional Council form a subcommittee of Regional Council members to develop the goals, policies and budget for the annual Regional Town Hall Meeting.

Mayor Feldman-Kerr moved to approve that MAG proceed with implementing an annual Regional Town Hall Meeting to advise the Regional Council on goals and policies and for the Regional Council to form a subcommittee of Regional Council members to develop the goals, policies and budget for the annual Regional Town Hall Meeting. Mayor Delgado seconded.

Before a vote was taken, Chairman Rimsza recognized public comment from Mr. Crowley, who asked how many believe citizens such as DD Barker and himself would be part of Town Hall? What he sees is you are being exclusive, not inclusive. Mr. Crowley encouraged further outreach. If there had been a placard placed at Central Station, more would have attended the open house/public hearing. You are doing what you want, when you want, who you want. Mr. Crowley stated that when Chandler did not get their freeway, you did not get the bus. Sometimes, you get parochial like that. Mr. Crowley stated that unless this group addresses an issue, it will not be done. Mr. Crowley mentioned that the I-10 Express Terminal needs to be abandoned. He brought up that when the terminal was constructed, the buses would not fit. Mr. Crowley stated that the largest employer in the state is the State of Arizona. Chairman Rimsza thanked Mr. Crowley for his comments.

Chairman Rimsza called for a vote on the question, which carried unanimously.

12. Consideration of Apache Junction as a MAG Member Agency

As part of the MAG Governance Task Force recommendations, the issue of granting MAG membership to the City of Apache Junction was discussed. The Task Force recommended extending membership to local governments in the contiguous urbanized area. This recommendation, which would apply to the City of Apache Junction, was discussed at the Management Committee and Regional Council Retreats. Apache Junction is currently included in the MAG Transportation Improvement Program and is part of the Nonattainment Area for PM-10. The Management Committee recommended granting MAG membership to Apache Junction.

Chairman Rimsza stated that this issue has been before the Regional Council before. He stated that a motion would be appropriate.

Mayor Hawker moved to approve granting MAG membership to the City of Apache Junction and direction to prepare a draft By-Laws amendment. Mayor Steven Berman seconded.

Mayor Scruggs stated that Apache Junction has been chosen as a possible member of the TPC and they sit as a non-voting member of the Regional Council. She noted that Apache Junction is a 35-mile square city, all of which except one square mile is included in another county. Mayor Scruggs

commented that if granted membership, they would have the same voting power as member cities that are much larger. Mayor Scruggs commented on the upcoming transportation election issue. She remarked that it could be difficult for parts of Maricopa County to embrace an election when they never received what was promised in the last election. Mayor Scruggs stated that it is not appropriate for Maricopa County when we have to divide the money with an area of one square mile.

Mayor Feldman-Kerr stated that it is extremely important to involve communities. We receive funds based on their behalf because they are included in the urban growth area. Essentially, we are taking money and not providing them an opportunity to say how that money will be spent. Mayor Feldman-Kerr stated that membership for Apache Junction would not be an issue for her if the money were given to CAAG. She added that Queen Creek is a member of CAAG, even though only a small portion of their Town is in the CAAG region. Mayor Feldman-Kerr expressed her support for granting Apache Junction full voting rights.

Mayor Douglas Coleman asked that members look beyond the box at a regional level. Apache Junction is a part of the region. He stated that when MAG documents go out, there is a notation by Apache Junction's name signifying they are non-voting. They would like to be able to take the asterisk off their name and be a part of MAG. Mayor Coleman stated that he did not know if he should stay or go when an executive session was called, until he heard that only voting members were requested to stay. Mayor Coleman stated that for transportation planning and programming purposes, the population of Apache Junction is included in the calculation of federal funds by the Federal Highway Administration for the MAG region, because it is in the urbanized area. Transportation projects for Apache Junction are likewise included in the MAG TIP. Mayor Coleman stated that the PM-10 nonattainment area extends into Pinal County in the Apache Junction area. He stated that it is kind of MAG to make decisions on their behalf and allow them to sit at the table, but unfair to not allow them to participate fully.

Mayor Hull stated that Apache Junction is larger than Buckeye. Any time a community is added, it dilutes the strength. He expressed concern for that strength. Mayor Hull added that the bus line in Buckeye was financed through another county. The size of the territory gives you strength to move things in that direction. Mayor Hull stated that he could not support full membership for Apache Junction until that strength was equalized.

Mayor Thomas noted that discussion of the technical and policy implications were premature. Conclusions may be reaching farther than requested.

Mayor Scruggs stated that this was an issue that has moved forward before there was full discussion. She stated that she would like a better understanding of Apache Junction's funding and how the funds are used. Mayor Scruggs stated that there have been votes against 208 plans for Buckeye and other West Valley communities because of transportation that needs to be provided for developments. She stated that there are general plans approved by the voters, but there are communities in other parts of the region that do not want the development to go forward because then transportation money would have to be appropriated. Mayor Scruggs stated that Mayor Hawker has expressed concern for leapfrog developments. Some think that going to Buckeye is leapfrog, and some think that going to Apache Junction is leapfrog. If there was a better understanding mechanically and operationally, there might be more support.

Mayor Drake asked for clarification of a By-Laws amendment. Chairman Rimsza replied that this was a policy discussion and the details would be finalized later.

Mayor Giuliano commented on trying to be more inclusive. He stated that MAG just concluded an examination on Governance to broaden MAG. Mayor Giuliano stated that he understood the concern that there would be one more vote on the east side, but there are residents in Maricopa County that do not have a vote on MAG matters. Mayor Giuliano stated that this needs to be rectified. MAG needs to work together on this. It is a matter of representation.

Mayor Arnold stated that impact is a key word in regional planning. He stated his agreement for supporting solutions to issues that impact regional and transportation system. Mayor Arnold stated that he had no problem with Apache Junction being part of MAG.

A vote on the question passed by a vote of 14-8. Mayor Edward Morgan, Vice Mayor Ralph Mozilo, Mayor Steve Berman, Mayor Neil Giuliano, Mayor Keno Hawker, Mayor Skip Rimsza, Mayor Jay Tibshraeny, Mayor Bill Arnold, Mayor Mary Manross, Mayor Wendy Feldman-Kerr, Mayor Roy Delgado, Mr. Dallas Gant, Mr. Joe Lane, Mr. Roc Arnett voted yes. Vice Mayor Pat Dennis, Mayor Daphne Green, Mayor Ron Drake, Mayor Dusty Hull, Mayor Elaine Scruggs, Mayor Joan Shafer, Mayor J. Woodfin Thomas, and Councilmember Richard Creel voted no.

Questions were raised whether this was a transportation-related issue and the ADOT and CTOC members should be allowed to vote. Chairman Rimsza stated that even with the three votes in question, the motion passed. Chairman Rimsza commented that this was relevant to transportation and determined that their votes would be allowed. There were no challenges to the ruling of the Chair.

13. Amendment to the MAG By-Laws Clarifying ADOT and CTOC Voting Responsibilities on the Executive Director Annual Evaluation and Updating References to the MAG Executive Director

Chairman Rimsza stated that this item came to the Executive Committee as a recommendation to create a process for the Chair to determine if an item was transportation-related, in regard to voting responsibilities of ADOT and CTOC. Mr. Bourey read the amended language from page four of the memo included in the agenda packet that stated, "The ADOT and CTOC members shall participate only in matters which are primarily transportation related. The Chair of the Regional Council shall determine whether an item is primarily transportation related. The Regional Council may overturn the determination of the Chair." He noted that there were two dimensions to the amendment, one for voting, and one for participation.

Mayor Hawker moved to approve the amendment to the MAG By-Laws regarding ADOT and CTOC voting responsibilities. Mayor Giuliano seconded.

Chairman Rimsza recognized public comment from Mr. Crowley, who questioned why a change was needed. He stated that Governance was started because the most important thing was addressing transportation. Then you are telling ADOT and CTOC you can't vote on this. Mr. Crowley stated that state law says that CTOC serves in an advisory capacity to the Governor and the County Board of Supervisors with citizen involvement. He brought up that CTOC members are not eligible to receive reimbursement, so members need to cover the cost of their meals. When ADOT and CTOC members feel out of the loop, remember that you told them not to sit at the table. Mr. Crowley stated that participation in the Town Hall needs to be more encompassing. He stated that Mr. Arnett reaches out. Representatives from the state, the cities, and two from the county are needed. Participation is representative of us. Chairman Rimsza thanked Mr. Crowley for his comments.

Chairman Rimsza recognized public comment from Ms. Barker, who stated that this is important information from the MAG attorney. Ms. Bisman pointed out that the By-Laws do not address the Executive Director and which members are allowed participation in employment decisions. Further definition in regard to the Executive Director is needed. Ms. Barker stated that CTOC is allowed to vote on transportation and there is transit money there. We need to watch out where we are going or we may end up there. Ms. Barker commented that most people focus on the automobile. Legislation led us there. She stated that an independent audit of freeway and transit money is needed. Chairman Rimsza thanked Ms. Barker for her comments.

Mayor Giuliano stated that was his desire to be even more specific in the By-Laws amendment where it said “shall participate only in matters which are transportation related.” He stated his support that ADOT and CTOC should be involved in Executive Director decisions. Mayor Giuliano asked for clarification if the specific language needed was before the Council. Chairman Rimsza explained that the amendment gives the Chair the right to make a ruling, which could be overturned by the body. He expressed his support for ADOT and CTOC participating in transportation related matters, but this amendment gives that right to the body to change that ruling. Chairman Rimsza explained that every once in a while, there will be an issue, for instance, homeless or senior issues, that needs to be determined and the body will rule. He stated that a way to identify and give direction to the Chair is needed. Chairman Rimsza stated that the amendment also clarifies the Executive Director as the Secretary of MAG.

Mayor Feldman-Kerr stated that defining transportation can be ambiguous. She suggested that MAG Counsel work on this. Mayor Feldman-Kerr expressed concern for putting the Chair in the position to make that determination.

Chairman Rimsza stated that further definition is needed. He stated that the amendment could be tabled for one month. Mayor Hawker withdrew his motion. Mayor Giuliano withdrew his second.

Mayor Thomas suggested drafting the By-Laws amendment for Apache Junction membership simultaneously.

#### 14. Appointment of the MAG Transportation Policy Committee

Chairman Rimsza stated that because not all potential candidates for the Transportation Policy Committee have been briefed, this item could be tabled for one month until the list could be put together. He asked Mayor Hawker, Chair of the Regional Council Transportation Subcommittee, if that was acceptable. Mayor Hawker replied that was acceptable.

Mr. Bourey suggested that members also consider ideas for how the Chair of the TPC would be selected by the committee. Mayor Scruggs suggested that the length of term and process for selecting a Vice Chair would also need to be considered.

Mayor Thomas commented on the Short Range Transit Report. He stated that of the \$126 million in expenditures, the farebox brought in only \$24 million in revenue, or a \$16 per person subsidy. Mayor Thomas encouraged fiscal responsibility on this.

Mr. Gant asked for clarification that the agenda items being continued would be considered at the June 26th meeting, because this was the Desert Peaks Awards evening. Mr. Bourey responded that the June meeting was a usual business meeting.

There being no further business, the meeting adjourned at 7:25 p.m.

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Chairman

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Secretary