

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
TRANSPORTATION ENHANCEMENT FUNDS WORKING GROUP

Wednesday, March 20, 2002 – 10:00 a.m.  
MAG Office Building, Suite 200 - Saguaro Room  
302 North First Avenue, Phoenix

MEMBERS PRESENT

Councilman Greg Stanton, Co-Chair, City of Phoenix  
Grant Anderson, Goodyear, representing the MAG Street Committee  
Angela Dye, representing the American Society of Landscape Architects Arizona Chapter  
Marcie Ellis, representing the West Valley Fine Arts Council  
Reed Kempton, Maricopa County, representing the MAG Pedestrian Working Group

\*Andre Licardi, representing the Arizona Commission of the Arts  
\*Mary O'Connor, Tempe, representing the MAG Regional Bicycle Task Force  
\*Doug Kupel, representing Archaeological and Historic Preservation (Arizona Preservation Foundation)

\*Those members neither present nor represented by proxy.

OTHERS PRESENT

Dawn M. Coomer, MAG  
Lynn Timmons, Phoenix

Sharon Wood, Phoenix

2. Introduction of Working Group Members and Members of the Audience

Committee members and audience members introduced themselves. Angela Dye noted some spelling errors and corrections to the meeting minutes.

4. Schedule for Round X Enhancement Funds

Dawn Coomer presented information on the Round X Transportation Enhancement Funds Schedule. The schedule is provided in Attachment A of the agenda packet. To begin the process, MAG will host a workshop for potential applicants on April 8<sup>th</sup> in the afternoon. This workshop will explain the eligibility requirements and process used to select transportation enhancement funds. Applications will be due to MAG approximately 5 weeks later. This time frame is shorter than in recent rounds of funds, but necessary to complete the MAG process requirements and still have the applications to ADOT by the deadline. About one week later, the MAG Regional Bicycle Task Force and Pedestrian Working Group will

review bicycle and pedestrian applications submitted. Their comments will be forwarded to the Enhancement Funds Working Group (EFWG) for their consideration in reviewing the applications. The EFWG will have their first meeting on Wednesday, May 29<sup>th</sup> to review applications. The next meeting will focus on additional review and ranking applications, and will be held on June 10<sup>th</sup>. A third meeting has also been tentatively scheduled if needed for additional ranking of projects. That meeting has been scheduled for June 24<sup>th</sup>.

Following a recommendation of projects by the EFWG, the recommended projects will go to the MAG Management Committee and Regional Council for action in July, 2002. The applications are due to ADOT by September 6, 2002. A three-day meeting of the State Transportation Enhancement Review Committee is planned for sometime in October, 2002.

Grant Anderson asked how much funding was available this year. Ms. Coomer responded that ADOT had not yet determined the amount of funding available, but that she was expecting \$7.5 million for local projects and \$5.5 million for state projects. Ms. Coomer added that she would keep the Working Group informed of how much funding would be available.

Ms. Dye asked which projects were funded last year. Ms. Coomer said she couldn't quite remember. Ms. Dye read a list of projects. Ms. Coomer said that two state projects were funded: the Wickenburg project and the Tovrea Castle project. Four local projects were funded, including the Avondale project, the Goodyear project, the Phoenix 2<sup>nd</sup> Avenue project, and a Gilbert project. Ms. Coomer said a list would be presented to the Working Group at their next meeting.

Mr. Anderson asked who was on the committee this year. Ms. Coomer named the members of the committee. Mr. Anderson asked about Mr. Harrell. Ms. Coomer responded that Mr. Harrell retired from the City of Chandler and he represented the MAG Management Committee on the Working Group. A new representative from the Management Committee has not yet been selected for the Working Group. Ms. Dye said that this person should be selected soon since having representation from the Management Committee was important to the process.

1. Call to Order

Co-Chair Stanton called the meeting to order at 10:20 a.m. when a quorum was reached. Marcie Ellis introduced herself to the Working Group.

3. Approval of the May 30, 2001 and June 11, 2001 Meeting Minutes of the Enhancement Funds Working Group

Grant Anderson moved to approve the May 30, 2001 and June 11, 2001 meeting minutes with the changes noted by Ms. Dye earlier in the meeting. Marcie Ellis seconded the motion. Mr. Stanton asked if the changes were substantiative, and Ms. Coomer responded that the changes were minor. The motion passed unanimously.

## 5. Role of the MAG Enhancement Funds Working Group

Co-Chair Stanton recognized Dawn Coomer to present information to the Working Group. Ms. Coomer noted that the role of the Enhancement Funds Working Group (EFWG) was being reviewed since many members were new or had only served a few years. She mentioned that Ms. Dye was one of the original members of the EFWG.

The EFWG was formed by the MAG Regional Council in April of 1993. The membership of the EFWG was created so that all of the eligible project areas are represented. For example, Reed Kempton serves on the EFWG to represent pedestrian concerns, and Ms. Dye represents the landscape architecture community. The EFWG ranks and recommends projects to be submitted to ADOT to the Management Committee and Regional Council. All of the meetings of the EFWG are open to the public and the public are encouraged to attend the meetings.

The transportation enhancement program was created to fund projects that go “above and beyond” typical transportation projects. The process is managed by the state department of transportation. In fact, the federal legislation mandates that each state department of transportation manage the enhancement fund process. Therefore, the eligibility of projects and the general process is determined by ADOT.

The EFWG reviews and ranks all projects that are submitted from the MAG region. All projects from a MAG member agency must go through the MAG process. Applications cannot be submitted directly to ADOT. The top ranked applications equal to the amount of funding available are forwarded to the state for additional evaluation. In most years, all of the projects received by MAG have been forwarded. There have been a few years, however, when not all of the projects could be forwarded since they exceed the total amount of funding available.

An important role of the EFWG is to recommend changes to applications to strengthen them for statewide competition. Many of the members of the EFWG are familiar with the state process and their input helps to improve the quality of applications. The EFWG likes to see these changes incorporated into the applications. In prior years, the EFWG has also made recommendations to ADOT. For example, the EFWG has noted that more funding should go to the MAG region than the typical 20 percent received by cities and towns in the MAG region. As another example, the EFWG recommended changing a project from the local category to the state category for the state competition.

The EFWG should be ranking projects based on their merit and strength. While many of the committee members do work for cities and towns, they serve to represent the committees that appoint them. For example, while Reed Kempton works for Maricopa County, he does not represent Maricopa County on this committee. He actually represents the Pedestrian Working Group, and serves to insure that pedestrian concerns are adequately address in the evaluation process. We like to have representatives of the various committees make reports back to their committees.

Ms. Coomer asked for questions from the EFWG. Ms. Dye stated that the American Society of Landscape Architects is preparing a white paper to create a position on the reauthorization of TEA-21. The next transportation legislation, TEA-3, will hopefully be improved from the last version. She urged Working Group members to contact her with any issues or concerns that could be incorporated into the white paper.

Marcie Ellis asked how public art components are being incorporated into enhancement projects. She noted that public art should be a high priority when the EFWG evaluates and ranks projects. Visual appeal is very important and encourages economic development. Ms. Ellis added that several freeway projects in the East Valley have been visually enhanced while freeway projects in the west valley were not enhanced. This disparity should not occur, either.

Ms. Coomer explained that ADOT has a difficult time incorporating public art into enhancement projects. ADOT staff has said that it is difficult to provide specifications that meet their procurement requirements for public art projects. In fact, ADOT often prefers that public art components of projects are funded with local funds instead of federal funds.

Ms. Dye added that when the EFWG was formed nearly 10 years ago, there were criteria developed to evaluate projects. Projects that meet multiple enhancement fund categories were typically ranked higher in the process. She stated that many newer members may not be familiar with this ranking criteria.

Mr. Anderson stated that it may be helpful for the EFWG to examine the criteria and evaluate whether it is meeting the goals of the state committee that evaluates and selects applications. It would be helpful to know how the state committee views our criteria, and whether they are supportive of the EFWG criteria. If there is a problem with the evaluation criteria, then it should be changed.

Ms. Coomer stated that the EFWG uses the same ranking criteria as the ADOT Transportation Enhancement Review Committee (TERC). Ranking criteria to be used by the EFWG are distributed with the applications each year. However, sometimes there are unwritten criteria that are also considered in the evaluation process, and these are more difficult to understand and determine. Ms. Coomer added that the MAG region typically receives 20 percent of the available funds. Since the TERC consists of representatives from throughout the state, there is a tendency to distribute the available funding to all areas of the state. In general, each area of the state receives about 20 percent of the funds available.

Co-Chair Stanton summarized the discussion by noting two important issues: (1) does the MAG region obtain enough funding, and (2) is the state committee really selecting the highest priority projects as determined by MAG?

Mr. Anderson stated that the TERC needs to take the MAG priorities more seriously. Last year, some projects were funded that were not high on the MAG priority list. Does this happen in other years, too? In addition, although the TERC likes to distribute the funding

throughout the state, that criteria is not written down anywhere. It's difficult to develop good applications and to increase funding for the MAG region without an idea of all the criteria used in evaluating and selecting projects.

Co-Chair Stanton stated that revisiting the criteria used to rank projects would be useful. Ms. Dye said that knowing updates on the various aspects of ranking on an annual basis would be helpful. Some new categories of eligible projects had been added to the legislation, and this information is important for the EWFG to understand. Also, it may be appropriate for the EFWDG to determine strategies in approaching the TERC to help increase the amount of funding coming to projects in this region.

Co-Chair Stanton suggested that one approach could be only to submit two or three projects to the state, and then they would understand that these are the highest priority projects. Ms. Ellis stated that this committee needs to be sure that their goals match the goals of the ADOT committee. Mr. Anderson added that the state board may not like having their choices limited by the MAG committee, and they may just decide not to fund any projects at all in the MAG region if they don't have enough choice of projects.

Ms. Dye provided a follow-up comment to the discussion of ADOT staff. She explained that the City of Tempe had become self-certified so that they could review all of their own construction drawings and be assured that their concerns were incorporated into their enhancement project. She contrasted that situation with a City of Peoria project. Peoria is not self-certified, and it was problematic. Since ADOT staff typically focuses on building roads, they may not have the expertise to address some of the types of projects that are constructed with enhancement funds. She added that there is not enough staff in the division that deals with enhancements. This lack of staff further delays the schedule of many projects, which can be frustrating to cities and residents. In addition, art elements are not standardized and the ADOT project development process is ill-equipped to handle art in projects. She added that ADOT staff needs this type of feedback so that they can work to improve the process and make it better. These types of comments could be submitted from this committee to ADOT staff. Some cities will not even use enhancement funds because the process can be very cumbersome, and smaller cities may not have the staff expertise or time to deal with these issues that come with developing projects.

Ms. Ellis added that the public art component of a Litchfield Park project was facing elimination because of a staffing issue. Litchfield Park does not have experience with the project development process, and the public art component of this project is important to maintain.

Co-Chair Stanton stated that all projects submitted to the state could have a public art component, and that this would send a message to the state committee that public art is important. Ms. Ellis added that some type of streamlining in project implementation is important. In addition, is it possible that a public art component can be removed from a project once it gets to the state level for evaluation?

Mr. Anderson stated that while a joint meeting with the state committee may not be possible, it is still important to clarify the expectation of components of projects that are eligible. Ms. Dye suggested that input be given to ADOT staff. She added that a historical analysis of the types of projects selected for funding would be helpful. What types of projects have been funded? Which projects have been built? Which projects have been withdrawn because the implementation was too difficult? Ms. Coomer stated that she could provide this information to the EFWG.

Co-Chair Stanton asked if the evaluation criteria should be revisited, and Mr. Anderson stated that would be a good thing to do. However, this was the only meeting scheduled prior to the ranking, and the ranking meeting is typically a lengthy meeting. Ms. Coomer stated that an additional meeting could be scheduled to review the evaluation criteria. Mr. Anderson suggested that Ms. Coomer mail the information to the EFWG, and then members could decide if a meeting was needed. The EFWG agreed with this suggestion, and Ms. Coomer stated that information on ranking criteria and a historical analysis could be mailed.

#### 6. Call to the Audience

Lynn Timmons addressed the committee. She noted that this committee may wish to take a position on the TEA-21 reauthorization. An issue at the national level is whether control of enhancements should be at the state or regional level of government. The National League of Cities is asserting that the regional level should have control of the project selection process. A formal recommendation by this committee, for consideration by the Regional Council, may be warranted. She added that the regional MPOs and COGs may have an additional burden in administering projects if there was regional selection of projects. Co-Chair Stanton said that this item should be added to a future agenda for additional discussion and possible action. Ms. Dye stated that it would be very important to understand all of the implications of taking a position before taking a formal position forward for consideration by the Regional Council, and the EFWG agreed.

#### 7. Process for Review of Applications

Co-Chair Stanton recognized Dawn Coomer to provide information on issues raised during prior review of enhancement fund applications. Ms. Coomer provided a summary of the major issues raised in prior years by applicants and explained that a draft process for consideration by the EFWG had been outlined in agenda attachment C. Some participants have voiced concern over the order in which applications are reviewed by the Working Group. While applications are typically reviewed in alphabetical order, some may be taken out of order at the discretion of the Co-Chairs. In years where ranking meetings have lasted for more than two hours, applicants have expressed a desire to MAG staff that the process be more predictable to allow them to make better use of their time by attending the meeting during the time frame required for making presentations to the EFWG.

Applicants have also expressed concern that applications discussed in the beginning of the meeting receive a more thorough review than applications reviewed later in the meeting.

Applications reviewed in the beginning of the meeting have numerous questions asked by EFWG members, whereas applications reviewed later in the meeting are “glossed over.” Some have requested that the process allow for equal discussion on each application.

Members of the EFWG have expressed a concern that their comments are dismissed by potential applicants. There is a desire that applications are changed based on the expertise and insight of the EFWG members, to help improve all the applications submitted from the MAG region and increase the likelihood of increased funding.

Other issues relate to ranking of projects by EFWG members. Some applicants have expressed concern over additional public input provided to the EFWG to adjust the ranking once the ballot results have already been calculated. Some have expressed concern over “last minute” changes to rankings based on the vocal input of only a few meeting attendees. And, each year, EFWG members request that applicants identify the relative priority of projects when a jurisdiction submits more than one application. Applicants are often unable to provide this information since they may be unaware of the relative priority or not in a position to make that decision for their jurisdiction.

To address the issues raised by applicants and committee members in prior reviews of transportation enhancement funds, an approach has been identified and is being presented today to the EFWG for discussion and recommended approval.

First, three meetings are scheduled for the EFWG each year. The first meeting is to review the applications. The second meeting provides for the additional review of applications (if needed), discussion of issues raised regarding applications at the first meeting, and ranking of applications. A third meeting is scheduled, if necessary, to allow additional opportunity for application ranking. This procedure is now in place.

The second aspect is new. Ms. Coomer suggested that a list which shows the order applications are reviewed could be provided on the EFWG agenda. This list is not currently provided on EFWG agendas, and providing the list will allow applicants to make the best use of their time in attending EFWG meetings. Applications could be listed on the agenda in the order they are received by MAG staff.

Third, the review of applications could be more predictable. A five minute presentation by the applicant could be given. This amount of time may be too long given the number of applications received, but could be adjusted based on input of the EFWG. The presentation could be followed by a maximum public comment period of five minutes for each application. This public comment period would apply regardless of the number of persons attending a meeting with an interest in a particular application. The public comment period could be followed by a maximum 10 minute question-and-answer period led by the EFWG co-chairs.

While we have asked applicants to submit written responses to comments raised by the EFWG members in prior years, this policy has not been consistent. It’s important to EFWG

members that changes are made to applications based on their input, since members serve to help improve the quality of the applications. Applicants could be required to submit a written response to comments raised by EFWG members prior to the next meeting. The written response could be directed to MAG staff, and either forwarded directly to the EFWG or a summary provided by staff to the EFWG at the applicable meeting.

Another change in the process would limit public comment at the ranking meeting to a general public comment period at the beginning of the meeting. This comment period could be limited to 10 minutes total. This would provide an opportunity for the public to clarify or emphasize various portions of their applications without unduly influencing the vote of EFWG members just prior to ranking applications.

There is no change to the ranking process being proposed. To rank applications, committee members complete ballots provided by MAG staff. Once the ballots are completed, they are compiled by staff and the initial rankings are calculated. Then, the EFWG discusses the initial rankings. No additional opportunity would be provided for public input prior to adjusting the initial rankings, if any adjustment is needed.

To address the issue of multiple applications submitted by one member agency, each member agency submitting more than one application could be required to submit to MAG staff indicating the priority ranking of the projects submitted. This information could be submitted when the applications are turned into MAG, and considered in the evaluation and ranking process by the EFWG.

Ms. Dye stated that listing applications on the agenda to provide more predictability for applicants was a good idea. She asked if staff would do the presentation or if the applicant would do the presentation? Ms. Coomer responded that the applicant would be more knowledgeable about the application, and should provide the presentation. Ms. Dye felt that a brief introduction to each project by staff would be helpful to provide an overview of how the project relates to the federal legislation. Mr. Anderson voiced agreement. Ms. Coomer noted the change to the process.

Mr. Anderson stated that applicants should explain their reasons for not incorporating EFWG comments into their application, and not just state that the application won't be changed. Reed Kempton asked if knowing city priorities was important information, and questioned whether that information should be required. What if a the highest ranked project from a city did not meet EFWG criteria? Would EFWG members then be required to rank that project higher? In addition, some may not know the relative ranking when submitting applications. For example, since Maricopa County is so large, it's possible that one department may submit an application without the knowledge of another department.

Co-Chair Stanton added that a city may not want to rank applications when submitting them to MAG for political reasons. For example, Phoenix uses a district system. Ranking projects across districts may cause issues. Co-Chair Stanton suggested that this information be made optional, but not required.

Ms. Dye stated that this information is often used as a place to begin the ranking process. A member of the EFWG is not held to the ranking given by a city if they feel the projects do not meet the criteria of the program. She agreed that the ranking information is helpful, but should not be required.

Ms. Dye explained that she would need to leave the meeting soon. Co-Chair Stanton asked if a vote was necessary on this item. Ms. Coomer requested a vote, but explained that a general consensus of the EFWG would be sufficient to change the process. She would like to have some clear direction to provide to applicants at the April 8 workshop.

Marcie Ellis moved to approve the process for review of applications as provided in Attachment C, except that providing local priorities be optional instead of required. Grant Anderson seconded the motion. The motion carried unanimously.

#### 8. Other Items Relevant to Future Enhancement Fund Applications

Co-Chair Stanton noted that many items had already been discussed by the EFWG today, including the reauthorization of TEA-21 and possible changes that may improve the process, whether the criteria used by the EFWG should be reviewed by the state committee, and that statistical and historical information on the projects selected is needed as Ms. Dye requested. Ms. Dye added that it would be important to know if the EFWG is selecting projects based on the criteria, and if not, then perhaps the criteria should be modified. Ms. Coomer stated the requested information would be mailed to the EFWG, and that other items can be placed on the agenda for a future meeting. In addition, another meeting can be held prior to the review meeting if needed.

#### 9. Adjournment

The meeting was adjourned at 11:15 a.m.