

MINUTES OF THE
MAG MANAGEMENT COMMITTEE MEETING
July 14, 2004
MAG Office Building - Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Jeff Martin for Mike Hutchinson, Mesa	Terry Ellis, Peoria
Ed Beasley, Glendale, Vice Chair	Norris Nordvold for Frank Fairbanks, Phoenix
George Hoffman, Apache Junction	Joe LaFortune for Cynthia Seelhammer, Queen Creek
* Todd Hileman, Avondale	* Bryan Meyers, Salt River Pima-Maricopa Indian Community
Carroll Reynolds, Buckeye	Jan Dolan, Scottsdale
Jon Pearson, Carefree	Jim Rumpeltes, Surprise
* Usama Abujbarah, Cave Creek	Jeff Kulaga for Will Manley, Tempe
Patrice Kraus for Mark Pentz, Chandler	Ralph Velez, Tolleson
* B.J. Cornwall, El Mirage	Shane Dille, Wickenburg
* Tim Pickering, Fountain Hills	* Mark Fooks, Youngtown
+ Lynn Farmer, Gila Bend	Dale Buskirk for Victor Mendez, ADOT
* Urban Giff, Gila River Indian Community	Mike Ellegood for David Smith, Maricopa County
Brian Townsend for George Pettit, Gilbert	Ken Driggs, Valley Metro/RPTA
Stephen Cleveland, Goodyear	
+ Tom Morales, Guadalupe	
Stuart Brackney, Litchfield Park	
Tom Martinsen, Paradise Valley	

- * Those members neither present nor represented by proxy.
- # Participated by telephone conference call.
- + Participated by videoconference call.

1. Call to Order

The meeting was called to order by Vice Chairman Ed Beasley, at 12:04 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Vice Chairman Beasley announced that Tom Morales and Lynn Farmer were attending the meeting via videoconference call. He welcomed Carroll Reynolds as interim Town Manager for Buckeye. Vice Chairman Beasley stated that transit tickets were available from Valley Metro/RPTA for those using transit to come to the meeting. Parking validation was available from MAG staff for those who parked in the parking garage. Vice Chairman Beasley stated that materials for agenda items #8 and #9 were at each place.

3. Call to the Audience

Vice Chairman Beasley stated that Call to the Audience provides an opportunity to the public to address the Management Committee on items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Vice Chairman Beasley noted that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Public comments have a three minute time limit and there is a timer to help the public with their presentations. When two minutes have elapsed, a yellow light will come on notifying the speaker that they have one minute to sum up. At the end of the three minute time period, a red light will come on. Vice Chairman Beasley stated that for members of the audience who wish to speak, comment cards are available from the staff.

Vice Chairman Beasley recognized public comment from Dianne Barker, who said that she came to the meeting in an SUV. Because she normally uses the bus, she was shocked at gas prices. Ms. Barker stated that the posted speed limit on Central Avenue is 35 m.p.h. and most people drive 40 m.p.h. She said that FHWA has indicated that the 18 m.p.h. speed of light rail will be an improvement over the current traffic speeds of 12 m.p.h. along Central. Ms. Barker said that this shows the EIS is ridiculous. Ms. Barker stated that the public dialogue on the Plan has not yet begun, and many arguments have been handed in to the Elections Department. She commented on the article in The Arizona Republic that says that the MoveAZ plan is not multimodal, just roads and highways. More information can be obtained at www.savearizona.org. She noted upcoming MAG meetings: Regional Council on July 28th and Executive Committee on July 19th. Vice Chairman Beasley thanked Ms. Barker for her comments.

Vice Chairman Beasley recognized public comment from William “Blue” Crowley, who commented on the time allotted to public comment on the consent agenda. Mr. Crowley stated that a light rail station will be built at Sweet Acacia Park on Central and Roosevelt; however, there is no bus service on West Roosevelt. Mr. Crowley recommended a neutral publication on the economy published by the University of Arizona. Mr. Crowley commented that the lightning storms are the responsibility of MAG because of the ozone problems in the area. He said that he wanted MAG to clean up the air and fix transportation. Mr. Crowley stated that bicycle, transit, and pedestrian modes need to be considered on all roadway projects. Vice Chairman Beasley thanked Mr. Crowley for his comments.

4. Executive Director’s Report

Dennis Smith provided an update on reauthorization. He said that an agreement was reached on \$295 billion, with \$285 guaranteed. Mr. Smith added that details on the distribution were not yet available. Mr. Smith stated that the Senate had requested \$318 billion and the House had requested \$256 billion. He noted that issue for the MAG region is including PM-10 in the CMAQ formula. Mr. Smith stated that additional information is expected on July 16th.

Mr. Smith reported that the Sixth Desert Peaks Awards was a great success. He expressed appreciation to those who submitted nominations. Mr. Smith reported that a record amount of sponsorships was received, which reduced the cost of the event by more than half of the cost of previous events. He said that many positive comments were received on the event. Additional comments may be forwarded to Denise McClafferty at MAG.

Mr. Smith announced that Federal Highway Administration and Federal Transit Administration, in coordination with the Environmental Protection Agency, approved the finding of conformity for the Transportation Improvement Program and the Regional Transportation Plan, as amended that were approved by the Regional Council on June 23, 2004.

Mr. Smith introduced a new MAG staff member, Gary Dunagan. Mr. Dunagan is the Budget and Grants Analyst in the Fiscal Services Division, replacing a staff member who moved out of state.

Mr. Buskirk stated that ADOT had heard that Administration had not yet approved the reauthorization amount. He added that even if the House and Senate agree, there are major substantive issues and no guarantee of the amount of funds returning to the state. Mr. Smith stated that the donor/donee issue is a major issue. He indicated that staff is awaiting confirmation of the agreed upon amount and to the questions they have asked.

5. Approval of Consent Agenda

Vice Chairman Beasley stated that public comment will be received before taking action on the 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. Vice Chairman Beasley stated that agenda items #5A through #5H were on the consent agenda.

Vice Chairman Beasley recognized public comment from Ms. Barker, who stated that funding is being taken away from other projects, such as paving, and given to a project that does not have a congestion management score. She noted that the area with the worst particulate complaints is the area where light rail will be built. Ms. Barker urged not giving money to any project that does not reduce pollution. She referred to Ms. McKaughan's letter that was provided at the meeting, which says that a commitment is necessary on Rule 310. She said that the proposed plan contains no commitment. Vice Chairman Beasley thanked Ms. Barker for her comments.

Vice Chairman Beasley recognized public comment from Mr. Crowley, who commented on the amount of time for public comment on the consent agenda. Mr. Crowley urged that he be counted in the Census Survey. He stated that MAG was out of conformity on public input. He said that at the CTOC meeting the Chair disallowed an update on legislation to continue the half-cent sales tax. Mr. Crowley said that he did not see this as outreach to the public. Vice Chairman Beasley thanked Mr. Crowley for his comments.

Mr. Brackney moved to recommend approval of consent agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, and #5H. Ms. Kraus seconded, and the motion carried unanimously.

5A. Approval of June 9, 2004 Meeting Minutes

The Management Committee, by consent, approved the June 9, 2004 meeting minutes.

5B. Enhancement Funds Working Group Round XII Recommendations

The Management Committee, by consent, recommended that ranked applications from the MAG Enhancement Funds Working Group be forwarded to the Arizona Department of Transportation for consideration by the State Transportation Enhancement Review Committee. The Enhancement Funds Working Group (EFWG) was formed by the MAG Regional Council in April 1993 to review and recommend a ranked list of Enhancement Fund applications from this region to the Arizona Department of Transportation (ADOT) Transportation Enhancement Review Committee (TERC). In April 2004, after MAG was notified by ADOT that Round XII Enhancement Fund applications will be due in early September 2004, MAG member agencies were informed of the availability of the funding and a schedule for the ranking and evaluation for transportation enhancement projects. Transportation enhancement funds can be used for many types of non-traditional transportation projects, including the design and construction of pedestrian walkways and bicycle paths, landscaping, scenic and historic preservation, billboard removal, archaeological research, and other projects that are related to the surface transportation system. This year, 17 enhancement fund applications for projects on local roads were received totaling \$7,778,758 with approximately \$7.5 million available statewide. Four applications for projects on ADOT right-of-way were received totaling \$3,608,331 with approximately \$5.5 million available statewide. One local application was withdrawn at the request of the applicant and two other local applications were not considered because they were submitted late. The Working Group recommends that the attached ranked applications be forwarded to ADOT for consideration by the TERC. Projects are evaluated and ranked by the Working Group using criteria established by ADOT. The Working Group reviews applications and recommends changes to strengthen the applications and improve their ability to compete on a statewide basis. Applicants are then requested to revise their applications based upon Working Group input. After the changes are considered, the Working Group ranks the applications. Applicants are also present at the ranking meeting. Extensive opportunities for agency and public input are included in the review and ranking process that has been adopted by the EFWG.

5C. Proposed Amendment and Administrative Adjustment to the FY 2004-2007 Transportation Improvement Program for ADOT Highway Projects

- The Management Committee, by consent, recommended approval of an amendment and/or administrative adjustment to the FY 2004-2007 Transportation Improvement Program to add, delete, or make changes to some State Highway Program projects. ADOT has now approved the FY 2005-2009 State Highway Program and there have been several changes to projects listed in the previous program. As the FY 2005-2009 MAG Transportation Improvement Program (TIP) is not being developed, MAG staff has conducted an analysis of the ADOT changes and has produced a list of TIP amendments and/or administrative adjustments to balance the two

programs. The Transportation Review Committee recommended approval of an amendment and/or administrative adjustment to the TIP.

5D. Federal Fiscal Year 2004 Final Closeout and Amendment/Adjustments to the FY 2004-2007 MAG Transportation Improvement Program

The Management Committee, by consent, recommended approving the final closeout of Federal FY 2004, as shown in the attached Tables and recommended amending/adjusting the FY 2004-2007 MAG TIP to allow the projects to proceed. On June 23, 2004, the Regional Council approved a list of projects to be deferred from FFY 2004 to FFY 2005 or later and approved a list of projects to utilize the funds that are expected to be available as part of the Year End Closeout process. These projects included some contingency projects that could use any additional, supplemental or redistributed obligation authority that may be received. Since that time, four further projects have requested to be deferred. The complete list of contingency projects has now been funded with currently available funds and there is a surplus of approximately \$1 million. At their June 29, 2004, meeting, the TRC recommended that the four additional projects be deferred and further recommended a list of prioritized contingency projects that can utilize the currently available \$1 million, plus any additional Final FFY 2004 Closeout funds that may become available.

5E. Draft FY 2006-2010 MAG TIP Guidance Report

The Management Committee, by consent, recommended acceptance of the Draft FY 2006-2010 MAG Transportation Improvement Program Guidance Report. Each year at the beginning of the cycle to develop the next Transportation Improvement Program (TIP), MAG provides a TIP Guidance Report (TGR) that updates the regional Transportation Management Systems, Title VI, environmental justice and other socioeconomic factors, and other policy changes with regard to programming TIP projects. The Transportation Review Committee recommended acceptance of the FY 2006-2010 MAG TGR.

5F. 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 projects as part of the Federal FY 2004 Final Closeout of the MAG Federally Funded Program. In addition, the amendment includes Arizona Department of Transportation changes to some State Highway Program projects for consistency between the FY 2005-2009 State Highway Program currently being developed by ADOT and the FY 2004-2007 MAG TIP. The amendment includes projects that may be categorized as exempt from conformity determinations and minor project revisions that do not require conformity determinations. This item was on the agenda for consultation.

5G. Department of Housing and Urban Development Stuart B. McKinney Continuum of Care Consolidated Application Process for Maricopa County

On December 8, 1999, the Regional Council approved MAG becoming the responsible entity for a year round homeless planning process which includes submittal of the Department of

Housing and Urban Development (HUD) Stuart B. McKinney Continuum of Care Consolidated Application for Maricopa County. The Continuum of Care grant supports permanent and transitional housing and supportive services. Last year, the region received \$15.9 million with a total of \$67 million awarded since 2000. For 2004 it is anticipated there could be up to \$17 million awarded for Maricopa County. The Continuum of Care Steering Committee, formed in January 2000 by the MAG Regional Council, provides oversight of the homeless planning and application processes. Each year HUD develops a Notice of Funding Availability (NOFA) for the Homeless Continuum of Care Process. The time frame within the release of the NOFA and the due date for applications can be anywhere from 60-90 days in length. MAG Human Services staff set up a time line to meet the deadline for submittal of applications and to provide for a comprehensive rating and ranking process to recommend allocation of the potential funding. Notice of this application and time line was e-mailed to all member mayors, city managers, intergovernmental staff and Continuum of Care members on May 20, 2004. On June 24, 2004, MAG received 57 applications from nonprofit organizations in the Region. A rating and review process is currently being administered by the Valley of the Sun United Way. The strategic rating and ranking is being conducted through June with the rankings determined on July 16, 2004. The application, recommendations, and ranking are due at HUD on July 27, 2004. The time line and the MAG committee meetings do not coincide, therefore, only the data regarding the submittal of applications is available for Management Committee comments. The review and rankings will be brought forward for information after July 16, 2004. No comments from the committee were received.

5H. Building Codes Compilation and Web Addition Project

The Management Committee, by consent, recommended approval of reducing the originally budgeted amount of \$70,000 in the FY 2005 Unified Planning Work Program for the Building Codes Compilation and Web Addition project and using an intern for approximately \$12,000, to accomplish the project with funding provided by existing MAG dues. In May 2004, the Management Committee deferred action on the Building Codes Web Addition project for staff to explore alternatives to completing the project in the most cost effective manner. Following discussions with Arizona State University (ASU) School of Construction, it was determined that an intern, assisted by staff and the Building Codes Committee, could complete the tasks associated with this project. The intern would cost approximately \$12,000, with this amount being funded using existing MAG dues. This option was presented to the Building Codes Committee at their June meeting, and members of the Building Codes Committee expressed support for this concept. The Building Codes Compilation and Web Addition Project will fulfill a need that has been expressed by the Building Codes Committee for several years; that is to have information regarding prior actions, future actions, adopted programs and code amendments up-to-date and readily accessible on a Web site. The goal is to provide easy access to the relevant actions of the committee, their adopted programs, recommended code interpretations, and amendments adopted by member agencies.

6. Requested Change to the MAG Regional Freeway Program

Roger Herzog stated that the Arizona Department of Transportation has requested a material change to the FY 2004 MAG Regional Freeway Program for the segment of the Red Mountain

Freeway, from Power Road to University Drive. He noted that final cost estimates have shown a cost increase of \$54 million. Mr. Herzog advised that state statute requires that MAG approve any change in priorities, new projects, or requests that materially increase the cost of a project. MAG has examined the need for this change and found that it is warranted. Mr. Herzog noted that a review of the net impact of this change indicates that the cash balances for the MAG Regional Freeway Program are adequate to accommodate the requested changes. He stated that the Life Cycle Budget process, which has been in place since 1992, has been a major factor in being able to address these kinds of freeway program changes. Mr. Herzog also noted that as the new MAG Regional Transportation Plan is implemented, there will be a continuing need to apply the life cycle approach across all modes to make Plan adjustments that respond to new cost and revenue information. Mr. Smith commented that when design concept reports are prepared, it is normal to see changes in projects and this will also happen with the new Regional Transportation Plan. He added that the life cycle process is designed to deal with changes and that the Transportation Policy Committee is a part of the process to approve material cost changes.

Bill Hayden, ADOT, gave a presentation on the project, a four and one-half mile segment on the Red Mountain Freeway, from Power Road to University Drive. Mr. Hayden said that this is one of the most challenging segments in the entire freeway system because of physical constraints and growth. He reviewed the changes to the project, which included earthwork, drainage and freeway levee items, pavement quantity increases, and structure items. He noted that the project changes total approximately \$54 million. Vice Chairman Beasley thanked Mr. Hayden for his report and asked if members had questions.

Mr. Cleveland asked Mr. Hayden if the increase would impact other projects. Mr. Hayden replied that once the cost increase became known, staff reviewed the Life Cycle Program and ascertained that the RARF funds, combined with federal funds, are sufficient to fund the changes.

Vice Chairman Beasley recognized public comment from Mr. Crowley, who commented that public input has been received on the project since 1995, but no input was reflected in the information provided. He asked what public comment was used to get to this point? Mr. Crowley said that MAG is freeway-oriented and he could not see where reliever roads are being addressed. Mr. Crowley stated that people are not necessarily “not in my back yard,” they just want to ensure the project is done right. He said he had a problem with rubber stamping. He commented that the state says give us this much, which is equivalent to what is given to RPTA, and it is provided. Mr. Crowley said that he was told that the elimination of transit stops along Grand Avenue was a local government decision. He observed that this is not adhering to TEA-21 because bicycle, pedestrian, and transit are not being addressed. Mr. Crowley said that the way Grand Avenue was redesigned was atrocious. Vice Chairman Beasley thanked Mr. Crowley for his comments.

Mr. Martin stated that his involvement with this project dates to 1995. Mr. Martin noted that this alternative is much less expensive than the alignment supported by FHWA, which would have cost \$100 million more because it was two miles longer. He remarked that ADOT has

worked on value engineering for a long time to be cost effective. Mr. Martin noted that this is a difficult area and enhancements are prohibitively expensive because of flooding issues.

Mr. Martin moved to recommend approval of the cost increase for the Red Mountain Freeway from Power Road to University Drive. Mr. Ellegood seconded.

Before a vote was taken, Mr. Ellegood commented that the Flood Control District has worked closely with ADOT on this alignment. He noted that this location is extremely difficult because of deteriorating flood control structures, a burgeoning community and a park. Mr. Hayden pointed out that even with the cost increase the cost per mile is \$35 million, which is below the average per mile cost of \$39 million.

Mr. Reynolds noted that the increase was well within the inflation rate.

Mr. Nordvold noted that the need for changes in the transit element to the Plan may occur and will need to be dealt with the same way freeway changes have been addressed.

There being no further discussion, the vote on the motion passed unanimously.

7. Maricopa County Department of Transportation Update

Mr. Ellegood addressed the Committee on the roles of the Maricopa County Department of Transportation (MCDOT). He explained MCDOT's statutory responsibilities, such as the stewardship of county roads and serving regional travel. Mr. Ellegood stated that MCDOT could assist in bridge construction, ITS coordination, assistance to small local governments, assisting in removal of bottlenecks, and other projects in incorporated areas. He reported that the County Attorney issued an opinion that the County could participate in projects in incorporated areas if a road serves a county function, the expense is allowable under HURF statutes, the expenditure is compatible with the County budget, the County's share is proportional to County benefit, and participation is documented with an Intergovernmental Agreement. Mr. Ellegood noted that he and MCDOT staff, Clem Ligocki and Mike Sabatini, have visited cities to determine opportunities for working together on projects. He stated that input from member agencies on ways on bettering the working relationships is requested and welcomed. Vice Chairman Beasley thanked Mr. Ellegood for his report. Mr. Smith expressed his thanks to Mr. Ellegood for the outreach. He noted that \$80 million in HURF goes to the County annually. If a project complies with the requirements, an opportunity exists for the County and cities to work together on projects.

Mr. Cleveland reported on the County and his city working together on a project that, if successful, will result in a bridge across the Gila River at Cotton Lane within two years. He indicated that he appreciated the undertaking and working together as a team.

8. Update on Maricopa County Fugitive Dust Control Rules

Colleen McKaughan, EPA Region IX, addressed the Committee on PM-10 issues facing the region. She said the region is a PM-10 nonattainment area with an approved PM-10 Serious

Area Plan with an attainment date of 2006. Ms. McKaughan stated that the PM-10 air quality monitors must read clean by 2004; however, violations are widespread throughout the nonattainment area. She indicated that there is a period of time left before the attainment date, and progress can be made. Ms. McKaughan advised that if attainment is not reached by the attainment date of 2006, the region must implement a plan to reduce emissions by five percent per year until attainment is reached. She stated that this is a severe consequence. Ms. McKaughan stated that EPA is working with the State and the County on the Salt River SIP. She requested that member agencies support their efforts on the Salt River Plan, which she thinks will be effective. Ms. McKaughan referred to the letter she wrote, of which a copy was at each place. She said that she had written the letter because cities had requested more assistance from the County. She indicated that the County had an effective enforcement and compliance plan; however, it became insufficient because of extensive growth. Ms. McKaughan indicated that additional personnel and control measures would be beneficial, and she requested that cities support this effort.

Mr. Smith stated that the fact that Ms. McKaughan traveled to the meeting to update the Committee indicates the severity of the situation. He mentioned that the consequences could be significant if the PM-10 issue is not addressed.

Jo Crumbaker, Maricopa County Environmental Services Department, stated that Rule 310, which applies to dust generating operations, was recently revised, and the new requirements have implications. Ms. Crumbaker reviewed the new requirements: A soil type statement is required for all dust generating operations of one acre or larger; a water application system must be on-site for dust generating operations for areas one acre or larger, unless a visible crust is maintained or the soil is visibly damp; a trackout control device is required for dust generating operations for two acres or larger; project information signs must include the permit holder name and number; daily record keeping must include records on street sweeping, water applications, and maintenance of trackout control devices, gravel pads, fences, wind barriers, and tarps. Ms. Crumbaker noted that the county is in the process of revising earthmoving application forms, revising Rule 310 guidance in regard to minimum water availability, and updating training of inspectors on fugitive dust sources.

Ms. Crumbaker stated that since the County started the enhanced program of enforcement in May 2000, 915 notices of violations have been issued, and approximately \$1.6 million in penalties have been collected. Ms. Crumbaker stated that since 2000, the number of construction permits has increased dramatically with no increase in staff. She said that the program would be reviewed, including workload, funding and fees, and a timeline for acquiring additional staff would be drafted.

Ms. Crumbaker addressed enforcement issues around vacant lots and open areas. She said that these types of sites are significant contributors to PM-10. Ms. Crumbaker noted that law enforcement has a role to address property crime, such as trespassing, illegal dumping, and vandalism, once the lot has been brought into compliance. Vice Chairman Beasley thanked Ms. McKaughan and Ms. Crumbaker for their reports.

Mr. Martin stated that the County has made improvements, even with the small number of staff it has. He commented that the City of Mesa has a dust control program, as well. Mr. Martin commented that having only eight people to enforce the rules in the country's largest county is insufficient. He stated that the problem with a limited County staff has not changed. Mr. Martin indicated that high turnover might be a contributing factor. He said that this very issue was raised five years ago when Mesa went to the Legislature and was told to let the County handle it. He indicated that the County did not support any legislative change regarding enforcement. Mr. Martin stated that cities have spent a lot of money to pave unpaved roads, alleys, and shoulders, and to purchase PM-10 efficient street sweepers. He said that Maricopa County needs to step up, as enforcement will not be effective with only eight staff members. Mr. Martin noted that Clark County, Nevada, which is much smaller in area than Maricopa County, has 18 inspectors. He said that the Maricopa County area needs a much greater number of inspectors.

Mr. Cleveland, Chair of the Air Quality Technical Advisory Committee, stated that PM-10 plans were created in 1999 and 2000. He added that the PM-10 issue has been discussed repeatedly and briefings have been given to all interested groups. Mr. Cleveland indicated that if we have continued violations this year, in 2007, we will need to reduce pollutants by five percent that year and every year thereafter. He expressed that this had a more onerous implication than an investment in staff. Mr. Cleveland suggested a resolution at the legislative level to support the County in its endeavors. He said that MAG needs to be at the table to help the County bring the stakeholders together to resolve the problem. Mr. Cleveland expressed his appreciation to Ms. McKaughan and Ms. Crumbaker for addressing the Committee on this issue.

Mr. Ellegood commented on the difficulties in enforcing illegal entry and trespassing on County property. He said that the County contracts with the City of Phoenix Police Department to help with this huge problem. Mr. Ellegood advised that offroading not only causes dust problems, but also destroys flood control structures. He said that this problem cannot be solved with County resources alone. The County needs the assistance of the municipalities and a broad public awareness campaign is needed.

Ms. Kraus inquired about the estimated budget for the increase in County staff. Ms. Crumbaker replied that the Office of Management and Budget has not provided a number yet. She added that fees brought in approximately \$2.4 million last year. Ms. Kraus asked how the \$1.6 million in penalty fees were used. Ms. Crumbaker replied that the penalties collected go back into the enforcement process for personnel. Ms. Crumbaker said that her office has not been given details on the funds they will be allowed to use. She advised that the amount will not be enough to cover costs, which she estimated at approximately \$4 to \$5 million. Ms. Crumbaker explained about the funds that were redirected by the Legislature. Ms. Kraus asked if the \$1.6 million penalty money was a per year average. Ms. Crumbaker replied that the \$1.6 million was the cumulative amount.

Mr. Cleveland asked about the fee structure being sufficient to be effective. Ms. Crumbaker replied that the Attorney General is working on addressing this issue. Ms. McKaughan stated that the EPA is working with the County Attorney and the Attorney General to consider federal enforcement against repeat violators. She indicated that the physical presence of inspectors seems to be the only way that people follow the rules. Mr. Cleveland asked if training building

officials staff at the city level so they can communicate violations might assist in enforcement. Ms. Crumbaker replied that training of city staff is important. She noted that the County offers training classes periodically and will also come to the cities.

9. State Trust Land Reform

Michelle Green reported that a coalition has been working on a package of reforms to the Arizona Enabling Act, State Constitution and Statutes to change the method for planning, management, and disposition of State Trust Land. She said that an ad hoc legislative committee was formed to determine if a special session of the legislature should be called so that this item could go to the ballot in November. Ms. Green stated that the committee determined that the changes were too complex for review in such a short time frame. She added that the committee proposed continued work with the stakeholders toward a May 2005 special election. Ms. Green then referred to material provided at the meeting that explained how cities and towns would benefit from the proposed reforms. She noted that the document was prepared by Steve Olson, an Intergovernmental Representative for the City of Scottsdale, who represented the League of Arizona Cities and Towns throughout the process. Vice Chairman Beasley thanked Ms. Green for her report. No questions from the Committee were noted.

10. Preparations for Conducting the 2005 Census Survey

Heidi Pahl reported on preparations for the upcoming 2005 Census Survey. Ms. Pahl stated that a letter had been sent to member agencies notifying them of the schedule for their payment of the costs of the Survey. She added that invoices will be sent July 1, 2005, with payment due by July 30, 2005. Ms. Pahl stated that a team of MAG staff, Tom Remes, Kelly Taft, Harry Wolfe, and herself, will work on Survey efforts. She informed members of the office space, equipment and supplies that will be needed to conduct a successful Survey. Ms. Pahl stated that at the September Management Committee meeting, staff will present the timeline and request a recommendation on an oversight committee for the Survey. Mr. Smith noted that in 1985 and 1995, space assistance was provided by member agencies. He added that items without cost will reduce the overall Survey costs to all participants. Vice Chairman Beasley thanked Ms. Pahl for her report. No questions from the Committee were noted.

11. Comments from the Committee

An opportunity was provided for Management Committee members to present a brief summary of current events. The Management Committee 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. No comments from the Committee were noted.

There being no further business, the meeting adjourned at 1:36 p.m.

Chairman

Secretary