

MINUTES OF THE
MAG MANAGEMENT COMMITTEE MEETING
February 12, 2003
MAG Office Building - Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Terry Ellis, Peoria, Chairman	Tom Morales, Guadalupe
Jim Huling for Mike Hutchinson, Mesa, Vice Chairman	Horatio Skeete, Litchfield Park
*George Hoffman, Apache Junction	Tom Martinsen, Paradise Valley
Kristin Skabo for Todd Hileman, Avondale	Frank Fairbanks, Phoenix
Joe Blanton, Buckeye	#Cynthia Seelhammer, Queen Creek
*Jon Pearson, Carefree	Phil Matthews for Bryan Meyers, Salt River Pima-Maricopa Indian Community
*Usama Abujbarah, Cave Creek	Jan Dolan, Scottsdale
Patrice Kraus for Donna Dreska, Chandler	Jim Rumpeltes for Bill Pupo, Surprise
Shirley Berg, El Mirage	Will Manley, Tempe
Tim Pickering, Fountain Hills	Ralph Velez, Tolleson
David Evertsen, Gila Bend	*Shane Dille, Wickenburg
Urban Giff, Gila River Indian Community	*Mark Fooks, Youngtown
George Pettit, Gilbert	Dale Buskirk for Victor Mendez, ADOT
Ed Beasley, Glendale	Tom Buick for David Smith, Maricopa County
Jerene Watson for Stephen Cleveland, Goodyear	Ken Driggs, Valley Metro/RPTA

*Those members neither present nor represented by proxy.

Participated by videoconference or telephone conference call.

1. Call to Order

The meeting was called to order by Chairman Terry Ellis, Peoria, at 12:05 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chairman Ellis stated that transit tickets were available following the meeting from Valley Metro/RPTA. Parking validation was available from MAG staff for those that parked in the parking garage.

Chairman Ellis announced that for agenda item #6, TEA-21 Reauthorization Update, a list of the projects ADOT recommends as high priority for federal discretionary funding was at each place. For agenda item #9, Discussion of the FY 2004 Proposed Revenues and Expenditures and Projects in the MAG Unified Planning Work Program and Annual Budget, a list of proposed new projects for the FY 2004 Work Program was at each place. For agenda item #11, Legislative Update, a copy of the seven points approved by the Regional Council to be included in discussing legislation in regard to the half cent sales tax extension was at each place.

Chairman Ellis announced that Cynthia Seelhammer was attending the meeting via telephone conference call. He reminded Committee members to have their microphones on when speaking so that she could hear the meeting. Ms. Seelhammer acknowledged she was present and could hear the meeting.

Chairman Ellis announced that on January 17, the Executive Committee approved Dennis Smith as the MAG Executive Director. The Regional Council ratified the approval at their January 29 meeting.

3. Call to the Audience

Chairman Ellis stated that 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. Chairman Ellis stated that for members of the audience who wish to speak, comment cards are available from the staff. Staff will then bring the cards to the Chairman. Public comment is provided at the beginning of the meeting for non-agenda items.

Chairman Ellis recognized public comment from Blue Crowley, who stated that he would be in Wickenburg for the mucking and drilling contest. He brought his hammer for the contest and paraphrased it to the February 12 article in The Arizona Republic. The article is about the City of Phoenix requesting \$500 million in federal funds for the light rail project. Mr. Crowley asked why the city is hammering people with light rail. When he hears Phoenix say to do it their way, that is why he supports the County' proposals. Mr. Crowley stated that a blend is needed. He stated that when you eliminate public input, you are not in tune with federal regulations. If an agenda item is not on the agenda for action, the public is not allowed to comment. Mr. Crowley stated that there is a review of public input programs every two years. Federal legislation requires input at all levels. Mr. Crowley commented that Mr. Roc Arnett, as a member of CTOC, is not allowed to be compensated for his position on CTOC. But isn't eating a \$25 dinner after the Regional Council meeting compensation? Mr. Crowley stated that he has been told to submit a complaint in writing, but this is difficult for him because he is dyslexic. He noted that his public comment is now in writing, as it is in the official record of the meeting. Chairman Ellis thanked Mr. Crowley for his comments.

Chairman Ellis recognized public comment from Steve Dreiseszun, who stated that he is the chairman of the FQ Story I-10 Inner Loop Action Committee. Mr. Dreiseszun provided materials to members on the impacts of the inner loop to his neighborhood. These materials were entered into the permanent record. Mr. Dreiseszun stated that impacts include noise, air pollution, vibration, and crime. He stated that mitigation efforts are ongoing in all parts of the Valley, except the central section. He noted that this segment of I-10 is the fifth busiest segment of any segment in the state, and impacts have not been mitigated. Mr. Dreiseszun stated that there are three mitigation solutions that would help the area: rubberized asphalt, noise barriers, and rerouting heavy truck traffic from the inner loop to I-17. Chairman Ellis thanked Mr. Dreiseszun for his comments.

Chairman Ellis recognized public comment from Joseph Ryan, who requested that this body discuss points he has brought up. Mr. Ryan brought materials that he distributed to meeting

attendees. These materials were entered into the permanent record. Mr. Ryan stated that HB 2288 is tied into HB 2292. They are counter productive and more bureaucratic. He expressed concern for allowing decisions to be made by the TPC. Mr. Ryan commented that there is moral turpitude in the leadership making decisions. He stated that a survey came out that said that a number of Phoenix area business leaders would take light rail to games and to Sky Harbor Airport. How can it be used to go to the airport when the proposed rail route does not go there? Mr. Ryan commented on reports that light rail will help with the Brown Cloud were misinforming people. Chairman Ellis thanked Mr. Ryan for his comments.

4. Executive Director's Report

Mr. Smith stated that on January 13 another segment of the MAG Freeway System was opened, on the Red Mountain Freeway from Gilbert to Higley Road. Mr. Smith acknowledged the hard work of the City of Mesa and the Arizona Department of Transportation. Mr. Smith noted that more than 10,000 people attended the opening.

Mr. Smith stated that the ADOT/MAG/RPTA Public Meeting is scheduled for March 6, 2003, in the Saguaro Room at the MAG office. The Open House will be held from 12:00 noon until 1:00 p.m., with the Public Hearing beginning at 1:00 p.m. The hearing will be attended by Regional Council and State Transportation Board members. Mr. Smith mentioned that the Four Corners COG directors recently met at MAG and indicated they wished they had the seamless planning and programming process with their DOT as has been implemented between ADOT and MAG.

Mr. Smith stated that the White House released its fiscal year 2004 budget proposal, setting funding levels for highways at \$29.3 billion. This budget proposal would cut funding 7.9 percent from the current funding level. He noted that this is important because it sets the baseline for TEA-21 Reauthorization. Mr. Smith stated that the Senate Environment and Public Works Committee recently ruled out an increase in the gas tax, but not the concept of indexing it to the Consumer Price Index.

Mr. Smith gave an update on the MAG Town Hall. The event will be held March 28, 2003 at the Black Canyon Conference Center. He stated that Tom Remes, MAG Senior Policy Planner, has been staffing the event with the Steering Committee that includes Regional Council members Chairman Wendy Feldman-Kerr, Mayor Boyd Dunn, Mayor Joan Shafer; City Manager, Stephen Cleveland; former Arizona House Representative Dean Cooley; Evelyn Casuga, APS; and Valerie Manning, Greater Phoenix Chamber of Commerce. Mr. Smith noted that invitations will be sent February 14th to 250 participants. The attendees will include those from cities' leadership programs.

Mr. Smith stated that the Transportation Policy Committee (TPC) meetings will now take place at 4:00 p.m., in order to conclude business earlier in the evening. A workshop was held for the TPC members and agency staff for a more in-depth discussion of performance measures and evaluation methodology. Mr. Smith stated that he would provide a report on the TPC's discussion of legislative issues later in the meeting.

Mr. Smith stated that the Regional Continuum of Care Committee on Homelessness unveiled its plan to end homelessness at its annual luncheon on February 11. He noted that Mayor Wendy Feldman-Kerr, Chair of the MAG Regional Council, addressed luncheon attendees. Opening

remarks were given by Gregg Homes, President of the Stardust Companies, which also funded the luncheon. Mr. Smith stated that the Honorable Frank X. Gordon was recognized for his contribution to the homeless issue. He noted that since 1999, the continuum has brought in nearly \$40 million for homeless programs and services in the Valley.

Mr. Smith stated that aerial photography is now available to MAG member agencies for work with our socioeconomic projections and for the development of the Regional Transportation Plan. The photography was purchased from Aerials Express, and as a result of the research done by the MAG Information Services Manager, Rita Walton, will be shared with member agencies at no cost to them. Samples of the aerial photography were displayed on screen. Mr. Smith stated that those interested in receiving the imagery contact Ms. Walton.

5. Approval of Consent Agenda

Chairman Ellis 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. Chairman Ellis stated that agenda Items #5A through #5H were on the consent agenda.

Chairman Ellis recognized public comment from Mr. Crowley, who referred to public comment on rubber sensitivities made at the January Regional Council meeting. Mr. Crowley commented on the many complaints on freeway noise. The single occupant vehicle is the problem, and illustrates that we are not getting the job done and being as multi-modal as we should be. Mr. Crowley commented that in Florida, when improvements are made to a roadway, that roadway gets bike or pedestrian improvements also. He commented that the bus stops in Phoenix do not meet standards. For example, there should be a shelter and bench for 32 daily boardings. Mr. Crowley stated that a bus route on West Roosevelt is needed. The core of the problem is each city needs circulator and connector systems. Mr. Crowley stated that we may be adding a problem by installing rubberized asphalt, because it lasts only six years and concrete lasts ten years. Chairman Ellis thanked Mr. Crowley for his comments.

Chairman Ellis recognized public comment from Mr. Dreiseszun, who stated that in December 2002, 115 miles were put in the plan for rubberized asphalt improvements to mitigate noise. However, the original plan excluded the inner loop of I-10. He noted that the map dated January 15 has expanded the installation to include segments of I-10, but is not slated until FY 2006. Mr. Dreiseszun stated that it has been 12 years since I-10 has been completed, and he understood that all have noise impacts, but their neighborhood has borne the brunt as any, and maybe more. He stated that the segment in the FQ Story area deserves to be included in the FY 2004 plan, because that segment ranked fifth heaviest in traffic, ahead of Loop 202 and Loop 101. Mr. Dreiseszun stated that the only reason the Story segment is on the map is that additional sound walls will be eliminated and applied to the asphalt cost. He referred to the four decibel noise reduction anticipated from the rubberized asphalt. Noise in their segment is recorded as 70 decibels and with the four applied from rubberized asphalt, that still leaves a 66 decibel level. Mr. Dreiseszun stated that the sooner installation takes place, the better. He indicated their segment should be first. He noted that data on his comments was included in the material he submitted for the record. Chairman Ellis thanked Mr. Dreiseszun for his comments.

Ms. Dolan requested that agenda item #5F, Approval of Rubberized Asphalt Improvements, be heard.

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

5A. Approval of January 8, 2003 Meeting Minutes

The Management Committee, by consent, approved the January 8, 2003 meeting minutes.

5B. Conformity Consultation

A proposed amendment to the FY 2003-2007 Transportation Improvement Program involves the addition of five new Transportation Enhancement projects in fiscal years 2003 and 2004. In addition, the amendment also includes the deferral of two Maricopa County intersection safety and improvement projects and one Transportation Enhancement project from FY 2002 to FY 2003. An amendment is required to add the new projects to the TIP. The amendment involves new projects that are considered exempt from conformity determinations and minor project revisions that do not require a conformity determination. A description of the projects is provided in the interagency consultation memorandum. This item was on the agenda for consultation.

5C. Revised Funding Distribution for the Clean Cities Dedicated Alternative Fuel Vehicle Rebate Program

The Management Committee, by consent, recommended approval of the revised distribution of the remaining \$12,000 in funds from the U.S. Department of Energy for the Clean Cities Dedicated Alternative Fuel Vehicle Rebate Program. On July 25, 2001, the Regional Council approved a distribution of the \$70,000 in grant funding from the Clean Cities Dedicated Alternative Fuel Rebate Program. As of January 2003, MAG was informed by some of the recipients that they will be unable to expend \$12,000 of their remaining grant funds when the grant ends on May 31, 2003. Due to the Department of Energy needing to be advised by February 28, 2003, staff contacted the remaining agencies to indicate if they could expend the remaining funds. Two agencies indicated that they could expend the remaining funds. Staff recommended that the City of Phoenix receive the remaining \$12,000.

5D. Amendment to the FY 2003 MAG Unified Planning Work Program and Annual Budget for the Telework Outreach Program

The Management Committee, by consent, recommended approval of an amendment to the FY 2003 MAG Unified Planning Work Program to use \$160,000 from the Telework Outreach Program for an Ozone Education Program conducted by the Regional Public Transportation Authority (RPTA). The RPTA Telework Outreach Program is requesting to use \$160,000 of its \$300,000 grant to launch an Ozone Education Program this Spring. On January 30, 2003, the Air Quality Technical Advisory Committee recommended amending the FY 2003 MAG Unified Planning Work Program and Annual Budget to accomplish this task.

5E. Red Letter Notification

The Regional Council approved the Red Letter Process in 1996 to provide early notification of potential development in planned freeway alignments. Development activities include actions on plans, zoning, and permits. Notifications will be placed on the consent agenda for information and discussion at the Transportation Review Committee, Management Committee, and Regional Council meetings. If a member wishes to take action on a notification, the item can be removed from the consent agenda for further discussion. The item could then be placed on the agenda of a subsequent meeting for action. ADOT received 100 Red Letter notifications for the last six months of calendar year 2002, with seven properties in or potentially in freeway right of way (see the attached). Of the seven, three were submitted by the Town of Gilbert (Val Vista/ Santan traffic interchange, for the Spectrum development; Williams Field Road/ Santan; and Val Vista Road/ Frye Road), two by the City of Phoenix (Beardsley Road/22nd Street/Loop 101; and Washington Street/Van Buren/SR 143), and one each by the Cities of Chandler (Gilbert Road/Santan) and Peoria (El Caminito Drive/91st Avenue/Loop 101). Eight other notices were distributed by ADOT with recommendations that the developer's engineer or architect get in touch with the ADOT Engineer in charge of that area in order to verify boundary lines. ADOT did not receive any requests for advance acquisition in the six-month period covered by the report.

5G. Amendment to the FY 2003-2007 MAG Transportation Improvement Program for Safety and Enhancement Fund Projects

The Management Committee, by consent, recommended approval of the Transportation Review Committee's recommendation for an amendment to the FY 2003-2007 MAG Transportation Improvement Program for federal Transportation Safety and Enhancement funds as shown on Table One. Recently, the State Transportation Board approved Transportation Enhancement Activity (TEA) funding for four projects within the MAG region. In addition, MAG was notified of two Surface Transportation program, Hazard Elimination Safety (STP-HES) funded Maricopa County projects and two TEA funded projects (one for Chandler and one for ADOT) that need to be added to the TIP. These latter four projects were originally programmed in earlier TIPs and were incorrectly reported as being underway during the development of more recent TIPs. It is necessary to amend the current TIP to include these projects in FY 2003 and FY 2004 so that they may proceed to construction. All of the projects concerned are regarded as exempt for air quality purposes and the consultation for this item was considered as a separate agenda item. The Transportation Review Committee unanimously recommended approval of this amendment.

5H. Approval of Recommendations for Social Services Block Grant Fund Recommendations, SFY 2003-2004

The Management Committee, by consent, recommended approval of the priority needs, services and funding recommendations for SFY 2003-2004 to be forwarded to the Arizona Department of Economic Security for advertisement and contracting. Each year, the Human Services Coordinating Committee identifies which services should be targeted for Social Services Block Grant Funds (SSBG). This year, the federal government has not specified and appropriated SSBG funding to the states for the 2003-2004 fiscal year. To move the funding allocation process along as soon as funds become available, the Department of Economic Security has requested that MAG identify services and funding amounts using the same funding allocation

figures as in the 2002-2003 fiscal year. To accommodate this request, the MAG Human Services Coordinating Committee has recommended using the 2002-2003 recommendations for the 2003-2004 fiscal year.

5F. Approval of Rubberized Asphalt Improvements

This item was removed from the consent agenda.

In January, the funding for the rubberized asphalt improvements was approved by the Regional Council contingent upon the map of the improvements being approved at the February meeting. On January 30, 2003, the Transportation Review Committee recommended the map for the implementation of the rubberized asphalt improvements.

Ms. Dolan stated that she was supportive of approval of the map to implement the rubberized asphalt improvements, with contingencies. She explained that the City of Scottsdale has been in discussion with ADOT and the City of Phoenix on trading schedule dates. She noted that there also might be alternative financing mechanisms that could be used by a city that would not negatively impact the system. She stated that she would like the map to be approved contingent upon if a city could work a trade with another city that would not negatively impact the rest of the system, or if a city could provide alternative funding that would not negatively impact the rest of the system, that would be allowed.

Chairman Ellis asked about any impacts that could result from Ms. Dolan's proposal. Mr. Smith stated that if there is a material cost change, that would be subject to review through the MAG process. If there is no negative impact, and is an internal trade, the change to the map could be brought back for approval. Eric Anderson stated that there are two policies that would apply: the material change policy and the acceleration policy. A change in fiscal years would be a material change, so that would need to be brought back for approval. Mr. Anderson explained that in regard to the acceleration policy, if a community wants to accelerate a project by providing alternative financing, and there is no disruption to other priorities, that could be done.

Mr. Fairbanks noted that until the meeting, he was unaware of the concerns of the FQ Story organization. He asked if it would be a problem to delay approval of the map for one month. Mr. Smith commented that there could be warm weather application considerations, which could impact when ADOT needs to go out for bid. Mr. Anderson replied that he did not anticipate a problem with delaying approval of the map.

Dan Lance, Deputy State Engineer, stated that a delay would not impact the first set of projects, which they hope to advertise in June. He added that there would be one project in the fall and one in the spring. Mr. Fairbanks commented that it would be prudent to answer questions first if time is available; if there are time constraints, it may be preferential to use Ms. Dolan's solution. Mr. Anderson stated that the urgency is to get approval of the map through the TPC, Regional Council, and the State Board.

Ms. Dolan clarified that some preparatory work is scheduled to begin in FY 2003, that is why she suggested the method she did so as not to delay these projects. Mr. Lance noted that ADOT hopes to advertise the first of the projects in June.

Mr. Huling stated that when this was discussed at the TRC meeting, the ADOT representative expressed that it was highly preferential to not delay approval of the map. The rationale was to keep the schedule on track. Mr. Huling advised that there is an expectation by the public that the rubberized asphalt installation project will begin within a reasonable amount of time. He noted the uncertainty with the legislature on the budget, so MAG should move forward with a recommendation on the map, but work with cities as long as there is no impact to the rest of the system.

Ms. Dolan moved to recommend approving the map to implement the rubberized asphalt improvements, with the contingency that if a city could work a trade with another city that would not negatively impact the rest of the system, or if a city could provide alternative funding that would not negatively impact the rest of the system, that would be allowed. Mr. Fairbanks seconded.

Mr. Anderson stated that changes could be brought back as an acceleration or material change, but an approved map would be on record.

Mr. Evertsen asked about impacts to the bid process. Chairman Ellis replied that in the spirit of the motion, any change could not impact the rest of the system.

A vote taken on the question passed unanimously.

6. TEA-21 Reauthorization Update

Tom Remes stated that at the January Management Committee meeting, a draft resolution regarding guiding principles for reauthorization was presented for information and discussion. If approved, this resolution could be used in efforts from this region to advocate for the reauthorization of the Transportation Equity Act for the 21st Century (TEA-21). Potential transit discretionary projects are included, which are being considered by the Regional Public Transportation Authority. Mr. Remes stated that a meeting with ADOT was held February 11, and a list of the ADOT priorities in each congressional district was at each place. Mr. Remes referred to the draft resolution included in the agenda packet. He stated that ADOT had expressed concern on item four, bullet one on page two that the statement was saying funding would go the MPOs. The suggested language would be “equitably distributed to the MPOs and the state.” Mr. Buskirk commented that this affects the sentence on page two, item four, “Any increase in funding to the States needs to penetrate to the local levels of government,” as well as the bullet point.

Mr. Buskirk gave a presentation on the development of the priorities in each congressional district. He noted that we have a cooperative process that operates on consensus. All projects have been cooperatively programmed with ADOT and MAG. Mr. Buskirk stated that 21 questions were answered to determine priority projects. Mr. Buskirk reviewed each priority project for congressional districts three, four, five, six, and seven, of the eight total in Arizona. He stated that ADOT is requesting letters of support recommending high priority for the projects from MAG and the cities most impacted by the projects.

Mr. Fairbanks asked about discussion of the projects with the congressional offices. Mr. Buskirk replied that the discussions had taken place. They receive numerous requests for project funding, and it is their decision which projects they will champion.

Mr. Huling noted that the rationale for the SR 153 in district four being a high priority project was that it is the last segment for completion in the RARF freeway. Mr. Buskirk commented that a number of projects was submitted in each district. The ultimate decision was based on how competitive the project being put forward.

Mr. Huling advised that the City of Mesa will be submitting a letter of support, and it was meaningful for the Management Committee to support the projects, also. He noted that the State of Arizona historically does poorly in getting earmarked funding. To be successful, continuous requests need to be made. He added that he saw no negatives in stating support.

Mr. Skeete expressed that he felt the opposite. While these projects merit funding, it was hard for him to agree. Mr. Skeete commented that just because we have been shortchanged in the past, we are now making sure we get money to distribute whether it is for the best or not. He commented that the congressional people are trying to do the right thing.

Chairman Ellis recognized public comment from Mr. Crowley, who stated that there is no letter saying that we need Canamex. He noted that people are dying on SR 85. We need Congressman Pastor and all of MAG member agencies to push for this project. Mr. Crowley stated that he did not see where MAG made a stand to get on board and have pedestrian and bike projects. He stated that he did not see this as organized and tapping into the leadership. Mr. Crowley stated that Congressman Pastor is on the Transportation Committee, and the Transportation Secretary maintains a house in Peoria. Mr. Crowley stated that MAG needs to think of the bottom part of the County and not just the top part. He stated that rural roadways are also necessary. Chairman Ellis thanked Mr. Crowley for his comments.

Chairman Ellis recognized public comment from Mr. Ryan, who stated that there is \$1 billion in the current program, of which \$34 million is for rubberized asphalt. This will affect the park and ride program, because money was found there for the rubberized asphalt. In dire times, money should be applied to something that has more value than applying rubberized asphalt on new roadways. Mr. Ryan mentioned that Sky Harbor Airport is replacing asphalt with concrete because it lasts longer than asphalt's seven years. He stated that he was sorry for the Scottsdale residents whose homes existed before the freeway, but he objected to sound walls being erected along stretches where people built their homes after the date of public knowledge. He does not agree with tax money being transferred to pay for use by a few. Mr. Ryan commented that the decibel reduction realized by rubberized asphalt could diminish as the asphalt deteriorates. He commented on freeways being planned without sufficient right of way. Chairman Ellis thanked Mr. Ryan for his comments.

Mr. Huling stated that the request is that letters of support be written for projects that would be beneficial to all. Any distribution of federal money would be helpful so funds from the half cent sales tax could be used for other projects. There is not enough money to go around. Mr. Huling stated that the more people that support the projects and send letters expressing support, the better. He stated that it is a big difference if only one support letter is sent than three or four.

Mr. Fairbanks expressed his support for proceeding with the resolution. Recognizing that Congress will be picking and choosing, it is good to go on record with support. If Arizona does not receive the funds, other states will. Mr. Fairbanks commented any funding received will

move us ahead on our goal. Mr. Fairbanks noted Mr. Crowley's comments expressing support for the SR 85 project. He stated that we are facing tough economic times, and building projects puts people to work.

Mr. Evertsen commented that MAG has been supportive of SR 85. He encouraged letters from MAG, Buckeye, Gila Bend, and Yuma supporting this project.

Ms. Skabo noted that "interim" in Mr. Smith's title needed to be stricken from the resolution.

Mr. Fairbanks moved to recommend approving the TEA-21 Reauthorization Resolution. Mr. Huling seconded, and the motion carried unanimously.

7. ADOT Life Cycle Program for the MAG Regional Freeway System and the MAG Region ADOT Statewide Program

Mr. Anderson gave a presentation on the ADOT Life Cycle Program for the MAG Regional Freeway System and a Five-Year Highway Construction Program for the MAG region. He advised that even though MAG is not going to be updating the MAG Transportation Improvement Program and the MAG Long Range Transportation Plan this year, ADOT is requesting that the attached Life Cycle Program and the MAG Region Statewide Program be approved by MAG for the purpose of public review and comment. Once public comment is received and any subsequent program changes are made, the ADOT projects will be incorporated into the next update of the MAG TIP and LRTP, subject to air quality conformity analysis. Mr. Anderson stated that the first attachment is for the Life Cycle Program for the MAG Regional Freeway System, with the changes listed on the top two pages followed by a complete listing of the projects needed to finish the freeway program. He noted that the north half of the Bethany Home TI is a new project being added to the FY 2008 program using funding from the ADOT statewide program. Mr. Anderson stated that this was not in the MAG program because it was a Paradise Freeway intersection. Mr. Anderson stated that the second attachment lists the MAG Region ADOT Statewide Program. These projects are funded from the ADOT Discretionary Program funds. The projects being added for the new year of the program (2008) are listed on the first page. This is followed by a three-page summary of the changes to the statewide program for the MAG region and then by the full listing of the projects.

Mr. Buskirk moved to recommend approval of the Life Cycle Program for the MAG Regional Freeway System and the MAG Region Statewide Program for the purpose of public review and comment. Mr. Fairbanks seconded, and the motion carried unanimously.

8. Air Quality Update

Lindy Bauer stated that the Arizona Center for Law in the Public Interest filed a lawsuit challenging the Environmental Protection Agency approval of the Revised MAG 1999 Serious Area Particulate Plan for PM-10 for the Maricopa County Nonattainment Area. On December 19, 2002, the Environmental Protection Agency filed its brief in defense of the plan. Ms. Bauer explained that in the brief, the EPA reasonably determined that the Plan has Best Available Control Measures and Most Stringent Measures for onroad and nonroad engines; the Plan met requirements without CARB diesel; the Plan provided for Best Available Control Measures and Most Stringent Measures for agriculture; requiring more than one Best Management Practice for each of the three agriculture categories could not be technologically justified and could cause

an unnecessary economic burden; extension of the attainment date was appropriately granted. Ms. Bauer stated that the American Trucking Associations, Inc. also submitted a brief on December 23, 2002 in support of the Environmental Protection Agency. She explained the main arguments in the American Trucking Associations' Brief: The Plan properly excludes CARB diesel as a Most Stringent Measure; cost renders it an infeasible control measure; expected PM reductions will not happen since refueling would likely occur outside the nonattainment area; may not receive an adequate supply for this area; would have a detrimental impact upon interstate and local trucking companies by decreasing competition in fuel refining and imposing an uneven playing field for trucking companies. Ms. Bauer displayed a timeline of the lawsuit. Chairman Ellis thanked Ms. Bauer for her presentation.

9. Discussion of the FY 2004 Proposed Revenues and Expenditures and Projects in the MAG Unified Planning Work Program and Annual Budget

Becky Kimbrough stated that as part of our new budget process, an incremental review of key components of the budget and work program is being implemented. Line item data will be presented as the development process proceeds. Ms. Kimbrough stated that four attachments were included in the agenda packet in a summary budget document, called "MAG Programs in Brief." She explained that the purpose of this document is to provide an easy snapshot of the MAG budget. Ms. Kimbrough reviewed proposed new projects shown on page two of Programs in Brief, and in the list handed out at the beginning of the meeting. She stated that no new staff positions were included for FY 2004. Ms. Kimbrough reviewed page three of the document, which provides a comparison of FY 2003 to FY 2004 total revenues and expenditures. Page four provides a summary of positions. Ms. Kimbrough noted that a correction to the Regional Development positions, which should be two, not three. She stated that operating expenses show an increase mainly due to rent in overhead and fringe benefits in personnel costs. Salary increases are based on an annual performance evaluation, and fringe expenses have increased as a result of increases in health and dental costs. Ms. Kimbrough noted that rent has increased because of the vacancy on the second floor, formerly occupied by transit. She pointed out that the budget workshop/videconference shown the timeline had been changed to February 20. Chairman Ellis thanked Ms. Kimbrough for her presentation and asked if there were questions.

Mr. Fairbanks asked if assessments would be increased. Ms. Kimbrough replied that there was no change to the overall assessments, rather a readjustment based on 2001-2002 population adjustments. Mr. Fairbanks stated that next Tuesday, the City of Phoenix will cut \$73 million from its budget and eliminate 200 jobs. He stated that philosophically, he was not opposed to increasing the budget, but it was hard to do when cities are cutting theirs. Mr. Fairbanks stated that as cities cut back on staff, it is hard to approve an increase of six staff. Mr. Smith emphasized that the MAG budget did not include any new positions.

Ms. Dolan stated her agreement with Mr. Fairbanks. Some higher growth rate cities may not be cutting budgets, most are. Ms. Dolan noted that the City of Scottsdale has announced that no market adjustment raises would be given to staff. She stated that it is hard to support a budget that is increasing while theirs is decreasing.

Chairman Ellis asked if MAG gave salary increases based on a step merit system. Ms. Kimbrough replied no, there are only annual performance evaluations that determine a MAG

employee's pay increase, with the exception of the Executive Director, who is reviewed on a different basis.

Chairman Ellis commended staff for getting the budget information to members early in the process.

10. 2005 Population Options Status Report

George Pettit reported on the recent activities of the Management Subcommittee studying special census options. Mr. Pettit stated that the monthly conference call with the Census Bureau took place. He stated that the Subcommittee is working on state legislation that is needed that would allow a survey to be used to distribute state shared revenue. He advised that no survey could take place without a change in legislation. Mr. Pettit noted that Intergovernmental Representatives are working on legislative language. There is no formula in mind yet, that would be done in March. Mr. Pettit stated that the cost of a survey was refined to \$12 million. If all cities participate, the FHWA will pay half the cost, or \$6 million. Chairman Ellis thanked Mr. Pettit for his report.

11. Legislative Update

Mr. Smith provided a legislative report on HB 2288 regarding the Regional Transportation Districts and HB 2292 regarding the half cent sales tax. He stated that a meeting on HB 2292 was held the previous week. The House Transportation Committee, chaired by Representative Gary Pierce, recommended an amendment to Representative John Nelson's striker. Mr. Smith noted that an engrossed copy was at each place. He noted that the legislation follows the federal law and recognizes the Regional Council and the Transportation Policy Committee. Mr. Smith stated that the Transportation Policy Committee's work would need to be done by September. In order to have meaningful input, the County and all agencies will have two points at which they can weigh in—when the alternatives are presented, and when the draft plan is presented. Mr. Smith stated that work is continuing on the legislation, which may be wrapped up next week. Chairman Ellis thanked Mr. Smith for his report.

12. Desert Peaks Update

Mr. Smith stated that the Desert Peaks Program has been held for the past five years to celebrate regional efforts. He stated that the FHWA has indicated that for the next program, they will not reimburse for staff time charged to Desert Peaks. Mr. Smith stated that if Desert Peaks is held, MAG will have to come up with \$36,000 or reduce the scope of the event. He added that the Executive Committee requested that the Management Committee offer their comments.

Mr. Pettit stated that the concept of Desert Peaks is a good one, but perhaps it could be another mechanism other than a banquet.

Chairman Ellis stated that he thought the event was important, however, he did not realize how costly it was. He indicated that there might be a less costly alternative, but was not sensible to increase the cost to attendees. Mr. Smith stated that costs could be reduced by cutbacks on sound systems or videotaping, or not having a dinner.

Chairman Ellis suggested that staff provide options to the Executive Committee on cost reductions.

Mr. Smith stated that deferring the event for one year has also been suggested. Ms. Kraus suggested that the event could be held every other year.

13. Comments from the Committee

An opportunity will be 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.

Chairman Ellis stated that the public has asked questions about written materials submitted for the record. These submissions will be attached to the permanent record, however, they would not be attached electronically. Mr. Driggs expressed concern for the level of detail in MAG minutes to satisfy the needs of some of the public.

Chairman Ellis announced that Stuart Brackney had resigned his position as City Manager of El Mirage.

There being no further business, the meeting adjourned at 1:45 p.m.

Chairman

Secretary