

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

November 25, 2003
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Wendy Feldman-Kerr, Queen Creek, Chair	*Supervisor Max W. Wilson, Maricopa County
Mayor Keno Hawker, Mesa, Vice Chair	Mayor Edward Lowry, Paradise Valley
* Mayor Douglas Coleman, Apache Junction	Councilmember Pat Dennis for
Mayor Ron Drake, Avondale	Mayor John Keegan, Peoria
* Mayor Dusty Hull, Buckeye	Councilmember Peggy Bilsten for
* Mayor Edward Morgan, Carefree	Mayor Skip Rimsza, Phoenix
*Vice Mayor Ralph Mozilo, Cave Creek	*President Joni Ramos, Salt River
* Mayor Boyd Dunn, Chandler	Pima-Maricopa Indian Community
* Mayor Robert Robles, El Mirage	Mayor Mary Manross, Scottsdale
Mayor Wally Nichols, Fountain Hills	Mayor Joan Shafer, Surprise
* Mayor Chris Riggs, Gila Bend	Mayor Neil Giuliano, Tempe
* Governor Richard Narcia, Gila River Indian Community	*Mayor Adolfo Gamez, Tolleson
Mayor Steven Berman, Gilbert	#Mayor Lon McDermott, Wickenburg
Mayor Elaine Scruggs, Glendale	*Mayor Bryan Hackbarth, Youngtown
Mayor James Cavanaugh, Goodyear	#Rusty Gant, ADOT
Mayor Vinicio Alvarez, Guadalupe	Joe Lane, ADOT
Mayor J. Woodfin Thomas, Litchfield Park	F. Rockne Arnett, Citizens Transportation Oversight Committee

* Those members neither present nor represented by proxy.
Attended by videoconference or by telephone conference call.

1. Call to Order

The meeting of the Regional Council was called to order by Regional Council Chair Wendy Feldman-Kerr at 12:08 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Feldman-Kerr introduced as proxies Councilmember Pat Dennis for Mayor John Keegan, Peoria, and Councilmember Peggy Bilsten for Mayor Skip Rimsza, Phoenix. She announced that Mayor Lon McDermott and Rusty Gant were attending the meeting via videoconference call.

Chair Feldman-Kerr stated that the RPTA has agreed to provide transit tickets for those who used transit to come to the meeting. She stated that garage parking validation was available from staff. Chair Feldman-Kerr noted that materials for agenda item #4 and agenda item #5 were at each place. Chair Feldman-Kerr stated that due to the room's acoustics, audience conversations carry over to the Council table, making it difficult to hear presentations. She requested that the audience keep conversations to a minimum during the meeting.

3. Call to the Audience

Chair Feldman-Kerr noted that according to MAG's public comment process, members of the audience who wish to speak are requested to fill out the cards, which are available on the tables adjacent to the doorways inside the meeting room. She stated that there is a three minute time limit. Public comment is provided at the beginning of the meeting for 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. She noted that no public comment cards had been turned in.

5. Finding of Conformity for the Draft Special FY 2004-2007 MAG Transportation Improvement Program and the Draft Regional Transportation Plan

The presentation on this agenda item was taken out of order.

Lindy Bauer addressed the Council on the air quality conformity analysis for the draft Transportation Improvement Program (TIP) and the Regional Transportation Plan (RTP) She stated that the Clean Air Act requires transportation plans, programs, and projects to conform to the purpose of the air quality plans and ensures that transportation activities do not cause violations of the air quality standards. Ms. Bauer explained the conformity requirements that must be met by the draft TIP and the RTP. She noted that the reductions in carbon monoxide and ozone emissions resulting from new federal tailpipe emissions standards will have future benefit for conformity. Ms. Bauer stated that the special TIP and RTP were modeled for years 2006, 2015, 2016, and 2026. She added that one major factor contributing to the PM-10 success is the use of PM-10 efficient street sweepers by local governments. Ms. Bauer reviewed the funding dedicated to transportation control measures.

Ms. Bauer stated that the draft 2003 Conformity Analysis concludes that the TIP and RTP meet all applicable federal conformity requirements and are in conformance with applicable air quality plans. Ms. Bauer stated that the Conformity Analysis, TIP and RTP were available for a 30-day public review and comment period that began October 23rd, followed by a public hearing on the draft TIP, Regional Transportation Plan, and Conformity Analysis on November 21st.

Ms. Bauer stated that the MAG Air Quality Technical Advisory Committee recommended approval of the conformity finding for the draft TIP and draft RTP at their meeting on November 24th. She noted that approval of the conformity finding by the Regional Council is required for MAG adoption of the TIP and RTP. Chair Feldman-Kerr thanked Ms. Bauer for her presentation and asked if there were questions.

Mayor Thomas asked if the air quality improvements could be attributed to actions by the Transportation Policy Committee or to the new federal emissions standards. Ms. Bauer replied that for conformity, the type of test performed ensures the Plan stays within the motor vehicle emissions budget set by the air

quality plan. Ms. Bauer stated that most of the improvements are a result of cleaner operating vehicles. Mayor Thomas asked how close the region is to violations. Ms. Bauer stated that the budget is set by air quality plans, assuming that the air will be meeting the standards within that year.

Mayor Hawker asked for clarification of how the standard is calculated. Ms. Bauer explained how the socioeconomic, land use, and transportation modeling data are input into the air quality modeling. Mayor Hawker asked if the particle size was changed, could that result in not making the budget? Ms. Bauer stated that size of the particle and tonnage are different measures. She explained that the monitors measure the particles in the air, and if they reach a certain concentration and exceed the standard, then we have a pollution problem. Ms. Bauer stated that the health standard is expressed in concentration, which we do not want to exceed. Mayor Hawker asked if we could have less concentrations in the region and still exceed tonnage. Ms. Bauer replied that was correct.

Chair Feldman-Kerr stated that action on agenda item #5 would follow the presentation and action on agenda item #4.

4. Final Regional Transportation Plan Input Opportunity Report and Addendum III

_____ Kelly Taft gave a presentation on the extensive public involvement efforts undertaken in the development of the Regional Transportation Plan. Ms. Taft stated that the outreach included more than 400 input opportunities and involved thousands of citizens, including special events, public workshops, the Regional Town Hall, Web opportunities, small group presentations, six public meetings and six business hearings. She noted that after the draft plan was approved on July 22nd, the draft plan was taken back to the public for further review and comment.

Ms. Taft stated that comments received were recorded, along with staff responses, in the Regional Transportation Plan Input Opportunity Report. Ms. Taft noted that the report includes Addendum III, which summarizes comments received at Management Committee, Transportation Policy Committee and Regional Council meetings that took place after the July 22nd approval, and at the November 21, 2003 public hearing. She stated that Addendum III was at each place. Ms. Taft reviewed the comments received at those meetings. Chair Feldman-Kerr thanked Ms. Taft for her presentation. She noted that no public comment cards had been turned in.

Mayor Thomas moved to accept the Final Regional Transportation Plan Input Opportunity Report, including Addendum III, which includes comments on the Draft Special FY 2004-2007 MAG Transportation Improvement Plan. Mayor Shafer seconded, and the motion carried unanimously.

Chair Feldman Kerr called for a motion on agenda item #5, Finding of Conformity for the Draft Special FY 2004-2007 MAG Transportation Improvement Program and the Draft Regional Transportation Plan. She noted that no public comment cards had been turned in.

Mayor Giuliano moved to approve the Finding of Conformity for the Draft Special FY 2004-2007 MAG Transportation Improvement Program and Draft Regional Transportation Plan. Mayor Cavanaugh seconded, and the motion carried unanimously.

6. Approval of the Draft Special FY 2004-2007 MAG Transportation Improvement Program

Paul Ward stated that each year, MAG develops a Transportation Improvement Program (TIP) that lists all required transportation related projects in the MAG region. He noted that even though federal regulations require that a TIP be developed every two years, MAG develops its TIP annually to allow for flexibility. Mr. Ward stated that the 2004-2007 Special MAG TIP serves as a guide for the last four years of the 2003-2007 MAG TIP. Mr. Ward reviewed sources of the funds in the Special TIP, which totals more than \$3 billion. He pointed out how the funds in the Special TIP are allocated by mode. Mr. Ward stated that the Special TIP includes Errata Sheet 04-5, which was included in the agenda packet. Chair Feldman-Kerr thanked Mr. Ward for his report.

Mayor Thomas asked the cause of the decrease in funding for Valley Metro rail. Mr. Ward replied that the funding decrease reflects the fact that MAG is not allowed to show federal 5309 funds in the first year of the TIP unless funding has been approved. He added funding has been approved for federal FY 2004, so federal funding was moved to later in the program and replaced with local funds. Mr. Ward commented that the net result is a slight decrease in federal funds for Valley Metro Rail projects. He noted that the fifth year, which is not included in the Special TIP, will likely show reimbursement federal funds.

Mayor Hawker asked for clarification of the \$214 million for private highways. Mr. Ward replied that was developer money.

Chair Feldman-Kerr noted that no public comment cards had been turned in.

Mayor Shafer moved to approve the Draft Special FY 2004-2007 MAG Transportation Improvement Program contingent upon a finding of conformity of the TIP with the applicable state and federal air quality implementation plans. Mayor Thomas seconded, and the motion carried unanimously.

7. Approval of the Draft MAG Regional Transportation Plan and Certification of the Plan to the Legislature and the Governor

Chair Feldman-Kerr stated that this day was a great milestone for MAG, approving the Regional Transportation Plan and certifying it to the Governor and the Legislature. She stated that the MAG region represents more than 60 percent of the population and more than 67 percent of the sales tax collected in Arizona. To continue the prosperity of this State, this Plan needs to be certified and implemented. Chair Feldman-Kerr stated that she served on the Governance Task Force, along with Mayor Skip Rimsza, Chair of the Task Force, Mayor Ron Drake, Mayor Woody Thomas, Mayor Keno Hawker; and City Managers, Ed Beasley, Glendale, Stephen Cleveland, Goodyear, Tom Martinsen, Paradise Valley, Jan Dolan, Scottsdale. Chair Feldman-Kerr acknowledged Mayor Douglas Coleman and Roc Arnett who served on the Governance Advisory Committee. She stated that the recommendations from the Governance committees led to the creation of the Transportation Policy Committee. Chair Feldman-Kerr expressed her thanks to those who served. She stated that the Regional Council Transportation Subcommittee, chaired by Mayor Hawker, with Mayor Scruggs, Councilmember Bilsten, Mayor Bill Arnold and Mr. Arnett, crafted the composition of the Transportation Policy Committee. She acknowledged Mayor Giuliano, Chair of the Transportation Policy Committee, and Mayor Scruggs, Vice Chair, for their outstanding efforts in guiding the development of the Plan.

Mayor Giuliano thanked Chair Feldman-Kerr for the support of the Regional Council in the effort to draft the Regional Transportation Plan. Mayor Giuliano stated that the TPC was extremely dedicated to their task to develop the Plan. He acknowledged members of the Transportation Policy Committee: Mayor Scruggs, Mr. Gant, Mayor Drake, Mayor Dunn, Mr. Arnett, Mayor Berman, Mayor Cavanaugh, Mayor Thomas, Maricopa County Supervisor Don Stapley, Mayor Hawker, Paradise Valley Vice Mayor Daniel Schweiker, Phoenix Councilmember Peggy Bilsten, Peoria Councilmember Pat Dennis, Mayor Manross, and Mayor McDermott, Benito Almanza from Bank of America, Dave Berry from Swift Transportation, Jed Billings from FNF Construction, Eneas Kane from DMB Associates, Diane Scherer from the Phoenix Association of Realtors, and Marty Shultz from Pinnacle West Capital Corporation Mayor Giuliano expressed thanks to the Governor, Representative Gary Pierce, and the Legislature for supporting HB 2292. Public involvement was another key component of our success. He acknowledged the efforts of the citizens, member agency and MAG staffs.

Mayor Giuliano moved that the Regional Council approve the MAG Regional Transportation Plan and certify the Plan to the Governor and the Legislature. Mayor Scruggs seconded.

Before a vote was taken, Mr. Smith thanked the Regional Council and Transportation Policy Committee for their commitment to the Plan, and to MAG staff for their hard. work. He stated that MAG staff in response to the Appreciative Inquiry survey, said that staff qualities include making a difference, professionalism, expertise, dedication, teamwork, and diversified, high quality people and work.

Chair Feldman-Kerr noted that no public comment cards had been turned in. The vote taken on the motion to approve the MAG Regional Transportation Plan and certify the Plan to the Governor and the Legislature passed unanimously.

There being no further business, the meeting adjourned at 12:52 p.m.

Secretary

Chair