

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

September 27, 2006  
MAG Office, Saguaro Room  
Phoenix, Arizona

**MEMBERS ATTENDING**

Mayor James M. Cavanaugh, Goodyear, Chair  
Mayor Mary Manross, Scottsdale, Vice Chair  
+ Councilmember Dave Waldron for  
Mayor Douglas Coleman, Apache Junction  
\* Mayor Marie Lopez-Rogers, Avondale  
# Mayor Bobby Bryant, Buckeye  
\* Mayor Edward Morgan, Carefree  
Vice Mayor Dick Esser, Cave Creek  
Mayor Boyd Dunn, Chandler  
Mayor Fred Waterman, El Mirage  
\* President Raphael Bear, Fort McDowell  
Yavapai Nation  
\* Mayor Wally Nichols, Fountain Hills  
+ Mayor Daniel Birchfield, Gila Bend  
\* Governor William Rhodes, Gila River Indian  
Community  
Mayor Steven Berman, Gilbert  
# Mayor Elaine Scruggs, Glendale  
\* Mayor Bernadette Jimenez, Guadalupe  
Mayor Thomas Schoaf, Litchfield Park

Supervisor Max Wilson, Maricopa County  
Mayor Keno Hawker, Mesa  
Mayor Ed Winkler, Paradise Valley  
Vice Mayor Vicki Hunt for  
Mayor John Keegan, Peoria  
Councilmember Peggy Neely, Phoenix  
+ Mayor Art Sanders, Queen Creek  
\* President Joni Ramos, Salt River  
Pima-Maricopa Indian Community  
Councilmember Cliff Elkins for  
Mayor Joan Shafer, Surprise  
# Mayor Hugh Hallman, Tempe  
\* Mayor Adolfo Gamez, Tolleson  
+ Mayor Ron Badowski, Wickenburg  
\* Mayor Bryan Hackbarth, Youngtown  
Joe Lane, State Transportation Board  
\* Felipe Zubia, State Transportation Board  
# F. Rockne Arnett, Citizens Transportation  
Oversight Committee

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

1. Call to Order

The meeting of the MAG Regional Council was called to order by Chair James M. Cavanaugh at 5:04 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Cavanaugh noted those participating by telephone: Mayor Bobby Bryant, Buckeye; Mayor Elaine Scruggs, Glendale; Mayor Hugh Hallman, Tempe; and Roc Arnett, CTOC. He noted those participating by videoconference: Mayor Daniel Birchfield, Gila Bend; Mayor Art Sanders, Queen Creek; Mayor Ron Badowski, Wickenburg; and Councilmember Dave Waldron, as proxy for Mayor Doug Coleman, Apache Junction.

Chair Cavanaugh welcomed proxies to the meeting: Vice Mayor Vicki Hunt for Mayor John Keegan, Peoria, and Councilmember Cliff Elkins for Mayor Joan Shafer, Surprise.

Chair Cavanaugh noted materials at each place: For agenda items #5C and #5D, a memorandum reflecting the unanimous recommendations on these items by the Transportation Policy Committee; for agenda item #7, a copy of the STAN account presentation; and for agenda #9, an informational packet on the Arizona Centennial Celebration.

### 3. Call to the Audience

Chair Cavanaugh noted that according to MAG's public comment process, members of the audience who wish to speak are requested to fill out public comment cards. The opportunity for public comment is provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chair Cavanaugh noted that no public comment cards had been turned in.

### 4. Executive Director's Report

Dennis Smith reported that MAG has received the Certificate of Achievement for Excellence in Financial Reporting, which is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Mr. Smith announced that October is Domestic Violence Month. To launch the effort, a press conference is scheduled for September 28, 2006 at the Burton Barr Central Library in Phoenix. He noted that Mayor Mary Manross, Chair of the MAG Domestic Violence Council, will be the keynote speaker at the event. Mr. Smith added that a live web chat for teens will take place that evening from 6:00 p.m. to 10:00 p.m. Chair Cavanaugh thanked Mr. Smith for his report. No questions for Mr. Smith were noted.

### 5. Approval of Consent Agenda

Chair Cavanaugh stated that public comment is provided for consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any

member of the Council can request that an item be removed from the consent agenda and considered individually. He stated that agenda items #5A, #5B, #5C, #5D, #5E, #5F, and #5G were on the consent agenda. Chair Cavanaugh asked members if they had any questions or any requests to hear an item individually. None were noted. Chair Cavanaugh noted that no public comment cards had been turned in.

Mayor Schoaf moved to approve Consent Agenda items #5A, #5B, #5C, #5D, #5E, #5F, and #5G. Mayor Waterman seconded, and the motion carried unanimously.

5A. Approval of the July 26, 2006 Meeting Minutes

The Regional Council, by consent, approved the July 26, 2006 meeting minutes.

5B. ADOT Red Letter Process

In June 1996, the MAG Regional Council approved the ADOT Red Letter process, which requires MAG member agencies to notify ADOT of potential development activities in freeway alignments. Development activities include actions on plans, zoning and permits. ADOT has forwarded a list of notifications from January 1, 2006, to June 30, 2006. Upon request any of the notices can be removed from the consent agenda and returned for action at a future meeting. ADOT received 381 Red Letter notifications in the period from January 1, 2006 to June 30, 2006. In addition to the 125 separate examples attached, ADOT has requested a complete set of plans for the developments and a plan review on an additional 122 notifications. The 122 additional notices included zoning changes and/or general plan amendments that would put future developments adjacent or very close to ADOT right-of-way that would cause concerns. The ADOT Red Letter coordinator also received 52 telephone, mail, and/or email notifications of possible impact to the State Highway System. The 52 telephone, mail, and/or email notifications consisted of 19 notifications on the Estrella Corridor, 303 Loop, 20 on the South Mountain, 202 Loop, and 13 on the I-10 Reliever. This item was on the agenda for information and discussion.

5C. Proposed Amendment/Administrative Adjustment to the FY 2007-2011 Transportation Improvement Program (TIP) for Highway and Transit Projects

The Regional Council, by consent, approved an Amendment and/or Administrative Adjustment to the FY 2007-2011 MAG Transportation Improvement Program to add one new Phoenix safety project, deferring and combining three Tempe multi-use path projects and adding several new transit projects, plus making several changes to existing transit projects and arterial life cycle program projects as shown in the attached tables. The FY 2007-2011 Transportation Improvement Program (TIP) was approved by the MAG Regional Council on July 26, 2006. Since that time, one project has been identified that needs to be added to the TIP, three projects need to be deferred, and several projects need to have the funds adjusted. An Amendment is required to add the new project and an Administrative Adjustment is needed to list the deferrals and the funding changes. The Transportation Review Committee, the Management Committee, and the Transportation Policy Committee recommended approval.

5D. Proposed Adjustment to the FY 2007-2011 MAG Transportation Improvement Program and Amendment to the FY 2007 Unified Planning Work Program and Annual Budget

The Regional Council, by consent, approved an Amendment to the FY 2007 Unified Planning Work Program and Annual Budget to add the Avondale pedestrian design assistance project, to remove the Pave Dirt Road project item from the FY 2007 Unified Planning Work Program and Annual Budget, and approved an Administrative Adjustment to the FY 2007-2011 MAG Transportation Improvement Program to remove the MAG listed Pave Dirt Road project. On May 24, 2006, the Regional Council approved the FY 2007 Unified Planning Work Program and Annual Budget and, on July 26, 2006, the Regional Council approved the FY 2007-2011 MAG Transportation Improvement Program (TIP). The Work Program contained a MAG Pave Dirt Road project. This Pave Dirt Road project was also contained in the 2007-2011 TIP as a MAG project but was also inadvertently listed as three jurisdictional projects for Cave Creek, Chandler and the Fort McDowell Yavapai Nation. It is proposed to remove the MAG Pave Dirt Road project from the TIP and to amend the FY 2007 Work Program to remove the Pave Dirt Road project. On June 28, 2006, the MAG Regional Council approved the interim closeout of the FFY 2006, which included allocating additional funds for an Avondale pedestrian design project and amended the FY 2006 and FY 2007 Work Programs to allow the project to proceed. This Avondale project was a continuation of a project started under the MAG Pedestrian Design Assistance program. Members were requested to amend the FY 2007 Unified Planning Work Program and Annual Budget to change the description of the Avondale project to a MAG project. The MAG Management Committee recommended approval of the Amendment to the Work Program and an Adjustment to the TIP. The Transportation Policy Committee recommended approval of the Adjustment to the TIP.

5E. Arterial Life Cycle Program (ALCP) – Status Report

Each quarter, MAG staff will provide member agencies with an update on projects in the Arterial Life Cycle Program (ALCP). This is the second Status Report (covering the period from April to June 2006) for the ALCP. The Status Report includes an update on ALCP Project work, the FY 2007 ALCP schedule, an ALCP revenue/financial section, and information on the Arterial Intelligent Transportation System (ITS) Program. This item was on the agenda for information and discussion.

5F. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment to the FY 2007-2011 MAG Transportation Improvement Program. The proposed amendment includes a new City of Phoenix safety improvement project located on Hatcher Road between 19th Avenue and Cave Creek Road in FY 2007. In addition, the amendment includes a new City of Tempe Western Canal multi-use path project in FY 2007. The amendment includes projects exempt from conformity determinations and minor project revisions that do not require a conformity determination. Comments on the conformity assessment were requested by September 22, 2006. This item was on the agenda for consultation.

5G. Request to Support Maintaining Social Service Block Grant Funding

The Regional Council, by consent, approved requesting Congress to not support the 19.722 percent proposed cut to the Social Services Block Grant and to maintain the current funding level. In June 2006, the MAG Regional Council approved revised allocation recommendations for locally planned Social Services Block Grant (SSBG) dollars. This was done in response to a request from the Arizona Department of Economic Security to submit a plan that reflected a 19.722 percent cut being proposed at the federal level. The MAG Human Services Technical Committee, the MAG Human Services Coordinating Committee and the MAG Management Committee recommended that Congress be requested to maintain SSBG funding at least at the 2006 level.

6. 2006 Annual Report on Status of the Implementation of Proposition 400

Roger Herzog, MAG Senior Project Manager, addressed the Committee on the 2006 Annual Report on the Status of the Implementation of Proposition 400, which is the second report in this series. He noted that the annual report on the status of projects funded by the half-cent sales tax authorized by Proposition 400 is required by state law. Mr. Herzog stated that state law also requires that a public hearing be held on the annual report. Mr. Herzog stated that the Freeway/Highway, Arterial Street, and Transit Life Cycle Programs had been incorporated into the Regional Transportation Plan (RTP). He noted that several studies have been initiated for potential future adjustments to the RTP. These studies include the I-10/Hassayampa Valley Roadway Framework Study, the I-8/I-10 Hidden Valley Roadway Framework Study, and the Commuter Rail Strategic Plan.

Mr. Herzog reported on revenues from Proposition 400. He said that Fiscal Year 2006 receipts from the sales tax were 11.4 percent higher than the estimate in the 2005 Annual Report. Forecasts of future available regional revenues are largely unchanged from the 2005 Annual Report. Mr. Herzog stated that House Bill 2865 created the Statewide Transportation Acceleration Needs (STAN) Account. He noted that MAG's share of the available funding will be approximately \$184 million for projects on the State Highway System.

Mr. Herzog reported on the FY 2006 Freeway/Highway Life Cycle Program. He said that there are 115 freeway/highway projects in the 20-year program. Mr. Herzog advised that major progress has been made on finishing the Proposition 300 program with the completion in June of the Santan Freeway and the final Grand Avenue grade separation. Mr. Herzog noted that the Red Mountain Freeway should be completed by mid-2008. He advised that preliminary engineering and environmental analysis are proceeding on Proposition 400 corridors and widenings. Mr. Herzog noted that an I-10 widening project and the Dove Valley traffic interchange on I-17 were accelerated through HELP and GAN loans. He stated that approximately \$58 million was expended on projects in the Proposition 400 freeway/highway program.

Mr. Herzog stated that approximately \$540 million has been programmed for projects scheduled to go to bid for construction in FY 2007. He noted that cost increases for FY 2007-2026 projects, most of which are in the first five years of the plan, total \$252 million, and added that these increases were able to be accommodated. Mr. Herzog stated that estimated future costs of the Freeway/Highway Life Cycle Program are in balance with projected revenues. He noted that revenues, estimated at \$10.199 billion,

exceed the costs estimated at \$10.145 billion, by approximately \$50 million. Mr. Herzog advised that during the coming fiscal year, significant additional project cost increases may be encountered in the Freeway/Highway Life Cycle Program, as detailed engineering studies are completed.

Mr. Herzog reported on the FY 2006 Arterial Streets Life Cycle Program. He said that the Arterial Street Life Cycle Program was refined and updated during FY 2006. Mr. Herzog noted that more than \$7 million in reimbursements were distributed to local governments and it is anticipated that approximately \$56 million will be distributed in FY 2007. He stated that work is proceeding on a broad range of arterial street projects over the next five years, and added that 52 Arterial Streets, including projects that have been accelerated, will be undergoing various stages of work. Mr. Herzog stated that total estimated future regional reimbursements for projects in the Arterial Street Life Cycle Program are in balance with projected revenues, with revenues exceeding costs by approximately six percent. He advised that given increasing construction costs, concerns are being raised regarding the ability of jurisdictions to provide full funding for all projects in the program. In addition, the mandatory Federal approval process can be lengthy and may pose schedule risks for projects receiving Federal funds.

Mr. Herzog reported on the FY 2006 Transit Life Cycle Program. He said that the FY 2006-2026 Transit Life Cycle Program includes 31 Bus Rapid Transit/Express routes, 32 Supergrid routes, and 37.7 miles of extensions to the 20-mile Minimum Operating Segment of the light rail system. Mr. Herzog stated that during FY 2006, funding began for 14 existing Express and four existing RAPID bus routes, ADA paratransit service, and customer service and marketing programs. Also, 62 new coaches and 20 used coaches were purchased. He stated that approximately \$66 million was expended on the Transit Life Cycle Program during FY 2006. Mr. Herzog noted that a broad range of bus planning studies was started to define service concepts in detail and provide improved future cost estimates. During the next five fiscal years, 11 new BRT/Express routes and seven new Super Grid routes will be initiated. In July 2006, service began on the first regionally funded Super Grid route on Scottsdale/Rural Road. Service is now being provided on rural connector routes. Mr. Herzog stated that construction is continuing on the LRT Minimum Operating Segment and service is scheduled to begin in December 2008. He indicated that estimated future costs for the full Transit Life Cycle Program are in balance with projected revenues, and added that recent trends of escalating wages and fuel prices will increase the pressure on balancing bus service operations costs with available revenues. Similarly, recent increases for right-of-way and construction materials are likely to drive up costs for transit capital facilities.

Chair Cavanaugh thanked Mr. Herzog for his report and asked members participating by videoconference or teleconference if they had any questions. None were noted.

Mayor Hawker commented on the performance audit that will be done in 2010. He commented that the audit would be looking at the percentage of work completed, ridership numbers, and congestion relief. Mayor Hawker stated that the light rail ridership number is known, because of the full funding agreement. He added that he did not see those figures on light rail performance measures in the report and asked when those performance numbers would be generated. Mr. Herzog noted that each project is listed in tables contained in the Proposition 400 report appendix. In each table are blank spaces where expenditures and costs for each project will be identified to monitor how each project is progressing. Mr. Herzog stated that the report also includes tables of bus miles provided and bus miles planned. He commented that the a new planning project is being put together to specifically monitor all modes in

terms of identifying performance measures. Mr. Herzog stated that these will be tracked as the program proceeds over the next several years.

Mayor Hawker asked if there will be baseline numbers prior to implementation of new routes so the Legislature can see how conditions have improved. Mr. Herzog replied that the goal was to compare the baseline to actual conditions once improvements are made. He added that another issue in a growing area is comparing the conditions with and without the improvements, since growth results in more traffic.

Mayor Hawker stated that the analyses of build and no build scenarios presented at past meetings showed deterioration over the next 20 years. He said he thought it would be useful to include that in reports now and not wait until the 2010 audit. If there is an increase from our population projections, then there will be a factor to explain that deterioration. Mayor Hawker stated that he was looking for more quantifiable numbers, especially for light rail boardings. He stated that he had not seen the FTA 2010 boarding number in light rail reports.

Chair Cavanaugh asked if we have baseline numbers for light rail. Mr. Herzog replied that FTA has definite criteria for the performance of light rail. He said that he understood this will be a key performance measure. Chair Cavanaugh asked if this data would be incorporated into future reports. Mr. Herzog replied that it would.

Mayor Hawker said that he would like to start including that information now. That way, it will be known if the target numbers have been achieved or not.

7. Statewide Transportation Acceleration Needs (STAN) Account

Eric Anderson stated that House Bill 2865 created the Statewide Transportation Acceleration Needs (STAN) account that provides \$307 million statewide to be used for the acceleration of the construction or reconstruction of freeways, state highways, bridges, and interchanges that are included in regional transportation plans. He stated that the Maricopa County region will receive 60 percent (\$184.2 million) of the fund, the Pima County area 16 percent, and the remainder of the state 24 percent. Mr. Anderson noted that the \$184 million is less than six percent of the MAG Five Year Program.

Mr. Anderson advised that the legislation requires that the funds for this region be allocated to projects in the MAG Regional Transportation Plan and that STAN funds are intended to supplement, not supplant, committed funding. Mr. Anderson then explained that MAG recommends projects to use the funds to the State Transportation Board. The Board is required to post this on its next agenda and can either accept or modify the recommendations. Mr. Anderson advised that any changes to the RTP would most likely require a TIP amendment. He stated that MAG is also required to report on activities related to the STAN account to the House and Senate by December 15, 2006, and he added that this does not mean that MAG has to take action by a certain time.

Mr. Anderson noted that some bills that did not pass this past legislative session earmarked funds for certain projects. He reviewed the project selection guidance received from the TPC. Mr. Anderson stated that the TPC discussed that projects would generally follow adopted RTP priorities. He said that

one important consideration is project readiness. He explained that some projects are not ready to be accelerated because they are undergoing environmental studies or are in the design stage. Mr. Anderson stated that the TPC discussed providing congestion relief and being performance based.

Mr. Anderson noted that typical projects to utilize STAN funds could include construction that provides congestion relief, right-of-way protection, and advance engineering and environmental work. He indicated that engineering and environmental work could be advanced to provide future project readiness in case the Legislature gives us more money next year.

Mr. Anderson stated that MAG will consult with ADOT on the status of projects. Mr. Anderson stated that the TPC discussed having subregional workshops/meetings to discuss options for using the STAN funds. He added that the October 11th TPC meeting may be cancelled, to allow more time for the workshops/meetings. Mr. Anderson indicated that potential action is anticipated in November.

Mr. Anderson stated that \$184 million is a significant amount of money, but is less than six percent of the MAG Five Year Plan. He said that many projects are in the environmental and design processes. Mr. Anderson explained that the South Mountain EIS and the I-10 Collector Distributor EIS are both underway, so they are not candidates for STAN funding now, but could be in the future. He stated that the TPC seemed to focus on Phase 1 projects; however, Phase 2 projects might be considered.

Chair Cavanaugh thanked Mr. Anderson for his report and asked members participating by videoconference or teleconference if they had any questions. None were noted.

Supervisor Wilson stated that he had worked with legislators on getting the funds together. He said that in order to keep more people happy, he and Senator Blendu worked with a formula that would divide the money by County districts, which would result in the funds being distributed by population. Supervisor Wilson stated that this formula would solve one problem in each district. He commented that the funds are not enough to fix all of the problems in the County. Supervisor Wilson indicated that there has been discussion about using the funds on one project, but residents in one area are not as concerned about other areas. He said that he hoped to have a solution to affect all of the districts in Maricopa County.

Chair Cavanaugh stated that this mirrored comments by the TPC.

Vice Chair Manross commented that unless the subregional meetings are structured the right way, they might not be worthwhile. She asked if the structure of the meetings had been discussed. Mr. Anderson replied that this had not yet been discussed. He stated that he would be meeting with ADOT next Tuesday. Vice Chair Manross remarked that forgoing the October TPC meeting might be a good idea.

#### 8. Particulate Pollution Update

Lindy Bauer, MAG Environmental Director, stated that the Management Committee was briefed in January 2006 about exceedances of the twenty-four hour PM-10 standard in the region. She noted that because of the exceedances, the region will no longer have the three years of clean data needed to attain the PM-10 standard by 2006. Ms. Bauer stated that MAG is preparing a Five Percent Plan for

submission to EPA by December 31, 2007. She said that MAG hosted a workshop in February 2006, where cities shared best practices. Ms. Bauer noted that meetings have taken place with agricultural and rock products representatives and Associated General Contractors so they are aware that a Five Percent Plan needs to be prepared. Ms. Bauer thanked Maricopa County for arranging a workshop in Clark County, Nevada, to learn of the successful air quality program in which Clark County was able to meet the standard.

Ms. Bauer noted upcoming steps that will be taken. She said that Maricopa County will launch a public outreach campaign in November 2006. Ms. Bauer advised that a suggested list of measures for the Five Percent Plan will be presented in the February/March 2007 timeframe, with commitments to implement measures from local governments requested by June 2007. Ms. Bauer commented that these measures could include additional local paving of unpaved roads, access points, dirt shoulders, and unpaved parking lots; stabilizing vacant lots; and sweeping streets with PM-10 certified street sweepers.

Ms. Bauer noted that the region will need to demonstrate three years of clean data at the monitors to attain the standard, which means 2007, 2008, and 2009, or we will need to continue to update and add measures to the five percent reduction plan. She stated that the Maricopa County Air Quality Department gave a presentation in June to the MAG Air Quality Technical Advisory Committee. The presentation included observations by Air Quality Department staff when enforcement teams were sent to the monitors to check the cause of high readings. Ms. Bauer requested that following the presentation today, members go back to their jurisdictions and see if there are any sources similar to the pictures which will be shown that they have under their control. She introduced Lucinda Swan, Dust Compliance Manager, for the Maricopa County Air Quality Department.

Ms. Swan began her presentation by displaying a graph of the number of days where at least one monitor exceeded the standard for the years 2002 to 2006. She then proceeded to show example photographs taken by County Air Quality Department staff of conditions during stagnation and high wind events, of disturbed vacant lots, trackout, and dirt shoulders, and the dust caused by not using water during high wind events. Ms. Swan commented that during some of the events pictured, it is difficult to pinpoint one source of dust because it is everywhere. She noted that some of those responsible for these incidents were issued violations.

Ms. Swan advised that she receives email notices from EPA when there is a high PM-10 potential. She noted that if Air Quality Department staff see a monitor's readings rising and staying elevated for a couple of hours, inspectors are sent out to the monitor. Ms. Swan added that she also communicates to industries that her staff will be in the area. Ms. Swan displayed a list of penalties that have been collected, including \$850,000 for dust cases.

Chair Cavanaugh thanked Ms. Bauer and Ms. Swan for their presentations. He asked members participating by videoconference or teleconference if they had any questions. None were noted.

Vice Chair Manross stated that it was noted that the Durango and the 43rd Avenue monitors had exceedances. She asked about other monitors where there were exceedances. Ms. Swan reported that Air Quality Department staff routinely observe exceedances at the Higley and Buckeye monitors. She

added that the Central Phoenix and Greenwood monitors have shown peaking events and staff have also gone out to those monitors.

Vice Chair Manross asked if perhaps the penalties were not severe enough. Ms. Swan replied that the penalties have increased over last year's. She noted that state law limits penalties to \$10,000 per day per violation. Ms. Swan advised that some contractors are requesting the assistance of the Air Quality Department to help them comply, but some resistance is noted with others. Vice Chair Manross stated that some areas have repeat violators. She expressed that we need to be more aggressive with extreme violators and get a handle on this or we will be in deep trouble in a few years.

Mayor Berman asked who has the authority to cite violators. Ms. Swan replied that Maricopa County has jurisdiction for violations of air quality regulations. She added that if cities and towns have zoning and code ordinances, they could enforce them. Ms. Swan mentioned that one city has adopted a dust control plan into its building permits and is able to enforce under the permit. Mayor Berman asked who is the typical enforcement agency in cities or towns. Ms. Swan replied it is usually municipal code enforcement.

Mayor Waterman stated that the City of El Mirage has paved close to six miles of dirt roads and four miles of shoulders on main roads, and will soon start on alleys. He said that the City's code enforcement officers will stop violators immediately and cite them.

Vice Mayor Esser asked if regulations applied to sovereign nations. Ms. Bauer stated that EPA has authority over Indian lands unless they have their own air quality plan, such as the Gila River Indian Community.

Councilmember Neely stated that her subcommittee discusses this issue monthly. She commented that offenders are coming from all over. As construction expands, more contractors are taking product from river beds to other areas. Their trucks are leaving trackout, which is then reentrained as dust when vehicles drive on the roadway. Councilmember Neely stated that the County has stepped up to get more inspectors and has been a partner with the City of Phoenix on paving shared dirt shoulders. She commended the County on these efforts and said she was pleased to have them as a partner.

Mayor Hawker asked if the shoulders paved by the City of Phoenix and the County did not have the desired impact. Ms. Swan stated that the worst areas were paved and others were stabilized. She said that the issue with stabilization is maintenance and upkeep. Ms. Swan stated that the City and the County have been doing a good job on upkeep, but vehicles drive over and park on shoulders. She stated that Phoenix and the County have posted "No Parking" signs on unpaved shoulders, which has helped somewhat, but what is needed is maintenance and law enforcement.

Chair Cavanaugh asked if there were issues with collecting the monetary penalties. Ms. Swan replied that those who dispute their fines are referred to the County Attorney's Office.

9. Arizona Centennial Celebration Update

John Driggs, former Mayor of the City of Phoenix, and representative of the Arizona Historical Advisory Commission, stated that in 2012, Arizona will celebrate its 100th anniversary of statehood. Mr. Driggs stated that the Commission has been meeting for one and one-half years to develop a centennial plan, which was adopted yesterday. Mr. Driggs advised that the State of Oklahoma, which observes its centennial next year, has been working on its celebration for eight years and has raised millions of dollars.

Mr. Driggs said that the goal of the Arizona Centennial is for every community to create a legacy project. Mayor Driggs noted that this year, \$2.5 million was appropriated for legacy projects, but this must be matched with \$5 million from non-state funds. Mr. Driggs stated that the Commission will contact each jurisdiction to discuss how to be involved in the celebration. Mr. Driggs added that he envisioned working with the state Councils of Governments on the effort.

Mr. Driggs noted that the City of Phoenix's legacy project is Papago Park/Tovrea Castle. He stated that the City of Phoenix will make Tovrea Castle a statewide protocol facility. Restoration should start within the next 90 days. Mr. Driggs said that this is a work in progress and he will come to each city and town to talk how each can become a part owner and have specific use privileges.

Mr. Driggs stated that the three cities bordering Papago Park--Phoenix, Scottsdale, and Tempe--have come up with a working agreement on the restoration and development of the park. He said it will be turned into an asset. Mr. Driggs commented that the restoration had been discussed with the Regional Council Executive Committee a couple of years ago.

Mr. Driggs spoke about the National Guard's presence in Papago Park. He said that there could be alternative plans for the 500 acres of Bureau of Land Management land it occupies and added that there will be a continued presence of the Guard, but perhaps not on all 500 acres. Mr. Driggs stated that the area could be developed as an urban regional park and Tovrea Castle as a state White House for all communities to use. Chair Cavanaugh thanked Mr. Driggs for his report.

10. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council 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 Council were noted.

There being no further business, the Regional Council meeting adjourned at 6:16 p.m.

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Chair

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Secretary