

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
TRANSPORTATION POLICY COMMITTEE MEETING**

January 15, 2003
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Neil Giuliano, Tempe, Chair	Mayor Keno Hawker, Mesa
Mayor Elaine Scruggs, Glendale, Vice Chair	*Senator Marilyn Jarrett, Arizona Senate
Benito Almanza, Bank of America Arizona	Eneas Kane, DMB Associates
F. Rockne Arnett, Citizens Transportation Oversight Committee	Vice Mayor Seth Kanter, Goodyear
Mayor Steven Berman, Gilbert	Mayor Mary Manross, Scottsdale
Dave Berry, Swift Transportation	Mayor Lon McDermott, Wickenburg
Jed S. Billings, FNF Construction	*Representative Gary Pierce, Arizona House
Councilmember Peggy Bilsten, Phoenix	*Diane Scherer, Phoenix Association of Realtors
Councilmember Pat Dennis, Peoria	Vice Mayor Daniel Schweiker, Paradise Valley
Mayor Ron Drake, Avondale	Martin Shultz, Pinnacle West Capital Corp.
*Mayor Boyd Dunn, Chandler	Supervisor Don Stapley, Maricopa County
Rusty Gant, ADOT	Mayor J. Woodfin Thomas, Litchfield Park

* Not present

#Participated by videoconference or telephone conference call

1. Call to Order

The meeting of the Transportation Policy Committee was called to order by Chairman Neil Giuliano at 5:05 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chairman Giuliano stated that transit tickets were available from RPTA for those who used transit to come to the meeting. He stated that parking garage validation was available from MAG staff.

Chairman Giuliano stated that a draft map and revised funding tables for agenda items #4D, Material Change to the State FY 2003-2007 Highway Construction Program and Amendment to the FY 2003-2007 MAG Transportation Improvement Program for Rubberized Asphalt, were at each place. For agenda item #5, Discussion of Key Statewide and Regional Policy Issues, material provided by the County was at each place. For agenda item #6, Legislative Strategy, two draft bills, HB 2288 and HB 2292, were at each place. Chairman Giuliano stated that an addendum to the agenda, item #9, Regional Transportation Plan Methodology, was at each place.

3. Call to the Audience

Chairman Giuliano stated that an opportunity is available to members of the public to offer public comment. Citizens will be requested not to exceed a three minute time period for their comments.

Chairman Giuliano recognized public comment from Donna Kruck from Arizona Bridge to Independent Living, an organization for people with disabilities. Ms. Kruck explained her concerns that rubberized asphalt could adversely affect rubber and latex sensitivities. Ms. Kruck asked if research had been done on how this could affect people. Mr. Kruck indicated that a doctor had said the rubber sensitivities were increasing. She expressed her support for the half cent sales tax extension and requested that a portion be dedicated to public transit and not all to road construction. Ms. Kruck stated that there are people who have a need for public transportation, which has helped the numbers of people who are now able to work. Chairman Giuliano thanked Ms. Kruck for her comments.

Chairman Giuliano recognized public comment from Joseph Ryan, who provided a document for the record. Mr. Ryan commented on collaboration to improve technology. Mr. Ryan commented that new technologies could decrease our dependency on petroleum products. Foreign countries have taken over the market for the production of rapid transit systems. He stated that if the federal government would assist in the development of technology, the United States could regain their market share. He mentioned that the federal government did subsidize the technology of aircraft engines in the past. Mr. Ryan urged building a low cost system and discontinuing paving brand new concrete freeways with asphalt. Chairman Giuliano thanked Mr. Ryan for his comments.

Chairman Giuliano recognized public comment from Sheila Mitton, who stated that a cost increase for public transit was recently approved by the Mesa City Council. She stated that many poor, disabled, and elderly who do not drive depend on transit. It is vital to their ways of life. Ms. Mitton complimented Mayor Giuliano and the City of Tempe on efforts to pay for buses in West Mesa. She stated that Arizona will continue to be backward regarding transportation if action is not taken secure funding for transit. Ms. Mitton urged all to work together to get the job done. Chairman Giuliano thanked Ms. Mitton for her comments.

4. Approval of Consent Agenda

Chairman Giuliano noted that agenda item #4D, Material Change to the State FY 2003-2007 Highway Construction Program and Amendment to the FY 2003-2007 MAG Transportation Improvement Program for Rubberized Asphalt, had been removed from the consent agenda for discussion.

Mr. Arnett moved to recommend approval of the Consent Agenda. Vice Chairman Scruggs seconded, and the motion carried unanimously.

4A. Approval of December 18, 2002 Meeting Minutes

The Transportation Policy Committee, by consent, approved the December 18, 2002 meeting minutes.

4B. Conformity Consultation

MAG is conducting consultation on a conformity assessment for an amendment to the FY 2003-2007 MAG Transportation Improvement Program. The amendment includes a request from Maricopa County

to add a new FY 2003 federal aid bridge rehabilitation project to strengthen the bridge at Maricopa County Route - 85 and the Agua Fria River. Also, the amendment includes the addition of \$34 million for rubberized asphalt paving projects to resurface sections of the freeway system and minor project revisions to existing TIP projects. This item was on the agenda for consultation.

4C. Amendment to the FY 2003-2007 MAG Transportation Improvement Program for Maricopa County Bridge Project

The Transportation Policy Committee, by consent, recommended approval of an amendment to the FY 2003-2007 MAG Transportation Improvement Program to add \$1 million in FY 2003, for a Maricopa County Bridge Rehabilitation Project on MC-85 at the Agua Fria River. Recently, Maricopa County was notified that it had been awarded \$1 million in Federal Bridge Replacement and Rehabilitation Funds (BR) to make repairs to the bridge on MC-85 at the Agua Fria River. To implement this project, it is necessary to amend the FY 2003-2007 MAG Transportation Improvement Program to include this project in FY 2003 so that it may proceed to construction. Projects involving bridge rehabilitation are generally regarded as exempt for air quality purposes and the consultation for this item is considered as a separate agenda item.

4E. Grand Avenue Northwest Corridor Study - SR 303L to SR 101L

The Transportation Policy Committee, by consent, recommended accepting the report and its recommendations, including designation of Grand Avenue between Loop 101 and 303 as an “enhanced arterial/limited expressway,” for consideration and analysis as needed in the MAG Northwest Area Transportation Study and the Regional Transportation Plan. The Grand Avenue Northwest Corridor Study was initiated in February 2000 to identify potential multi-modal improvements to the section of Grand Avenue between Loops 101 and 303. More than 60 options for potential improvements were considered in the study. Extensive consultation with local agencies and the public was a key element in developing the options and approximately 40 draft recommendations. One of the key elements of the Study was to develop a recommendation for the ultimate concept for this section of the corridor. It is being recommended that this section of Grand Avenue be an enhanced arterial/limited expressway.

4D. Material Change to the State FY 2003-2007 Highway Construction Program and Amendment to the FY 2003-2007 MAG Transportation Improvement Program for Rubberized Asphalt

This item was removed from the consent agenda.

In approving the formation of the Transportation Policy Committee, the Regional Council provided that the TPC recommend material cost changes regarding the Regional Freeway System. Recently, MAG member agencies and the Arizona Department of Transportation (ADOT) have proposed changes to the current ADOT 2003-2007 Five Year Highway Construction program to implement a program of paving freeways with rubberized asphalt. The approximate \$34 million in funding will come from unallocated MAG federal funds, deferral of two projects and a reduction in the cost of one project. It is anticipated that the projects deferred and reduced will be allocated funding in future Transportation Improvement Programs. Rubberized asphalt has been determined to be very effective at reducing noise on urban freeways. Existing Loop 101, Loop 202 and SR 51 freeways will be resurfaced and new sections of the Red Mountain, Santan and Sky Harbor Freeways will have rubberized asphalt included during the original construction phase. An amendment to the FY 2003-2007 MAG Transportation Improvement

Program will be needed to accomplish this change. Air quality conformity consultation on this item was considered as a separate agenda item.

Mayor Scruggs moved to recommend approving the material change to the Regional Freeway Program and amending the FY 2003-2007 MAG Transportation Improvement Program to provide \$34 million to ADOT for rubberized asphalt, contingent upon the approval of the rubberized asphalt map by the Transportation Policy Committee. Mayor Hawker seconded.

Vice Mayor Kanter asked the installation schedule for the I-10 section in the area of Avondale, Goodyear, and Buckeye. Eric Anderson replied that as freeways are widened, rubberized asphalt installation will be included as part of the project. He added a scoping meeting is being scheduled that will determine the installation schedule. Information on the schedule will be provided when it is available. Vice Mayor Kanter asked if installation would be in the 2002-2008 plan. Mr. Anderson replied that installation would probably take place farther out.

Chairman Giuliano clarified that the motion on the table would approve that the funding be moved contingent upon approval of the rubberized asphalt map by the TPC. The item would be agendaized at the February 2003 TPC meeting.

The vote taken on the motion carried unanimously.

5. Discussion of Key Statewide and Regional Policy Issues

6. Legislative Strategy

Consideration of the two agenda items was combined.

Mr. Anderson gave a presentation on the draft hypothetical highway list that was drawn up to give an idea of what projects could be built for a certain amount of money. Mr. Anderson stated that the list assumes maintaining what we have, expanding capacity and development of new corridors. Mr. Anderson reviewed costs for highway operations and maintenance over a 20 year period, which totals approximately \$680 million. He stated that improvements to existing corridors, completion of Proposition 300 corridors, new interchanges, and new corridors in the list total approximately \$6.96 billion. Mr. Anderson stated that HURF projections are currently being reviewed by ADOT. He added that after the debt is paid off about 2014, the 15 percent funds, which are funds earmarked for roads in the region, will be available for freeways in the region. Mr. Anderson explained that he took half the projected amount for the 20 year extension, which is projected to raise \$8.3 billion. The half amount totaled \$4.15 billion. As an assumption, he assigned that amount to the freeway system. He emphasized that the projects on the list had not been presented in any sort of priority order.

Mayor Thomas commented that the red indicators of congestion shifting from the southeast to the northwest. He noted that by 2030, the red indicators have disappeared in the Williams Field Road area, which could indicate that freeways in that area have been completed. Mr. Anderson commented that projections show the West Valley will be a high growth area of the region. He mentioned that the East Valley has a good arterial grid system. Mr. Anderson stated that Pinal County growth is not included in the map, and when factored in, the area will show more congestion.

Mr. Shultz asked if the project list was based on funds anticipated from the half cent sales tax extension. Mr. Anderson replied that federal funds and discretionary funds were also included.

Councilmember Dennis asked if federal guidelines require quality of life mitigation efforts, such as sound walls. Chuck Eaton, ADOT, explained that there are federal requirements that are part of the environmental process, and although not required, noise monitoring and mitigation are a matter of practice at ADOT. Councilmember Dennis asked about the effect on the cost of projects. Mr. Anderson responded that attempts are made to include those costs in the total. Dennis Smith commented that at this time, these are only rough estimates. More refined cost estimates will be forthcoming.

Mayor Thomas asked if the Rio Salado was not identified on the alignment. Mr. Anderson replied that was correct. He added that the Northern Avenue superstreet is the only one with a definite alignment. Mayor Thomas asked for clarification of discretionary money. Mr. Anderson stated that the amount was based on MAG receiving 37 percent of the ADOT discretionary funds. MAG makes this same assumption in the current long range plan, and the list is consistent with those assumptions.

Councilmember Bilsten asked for further detail about the process for drafting the list. Mr. Anderson stated that they first looked at the existing system to determine the maximum capacity with what we have today. That means without acquiring additional right of way, etc. Mr. Anderson stated that to improve I-17 would require a lot of right of way acquisition and relocation of businesses, which would be quite costly. Therefore, I-17 is not on the list. Mr. Anderson added that is not to say that it could not be on the table. He added that further analysis would be needed. Mr. Anderson stated that it is important to note that the list is draft. Councilmember Bilsten stated that local governments know what is best for its residents and each have their own plans. It is important that MAG work with cities so that what will help the ballot pass in a city will be included in the plan.

Chairman Giuliano stated that the list is a demonstration only, and projects have not gone through the evaluation process yet. The list was drafted because the TPC requested it at their last meeting for the purpose of providing an idea of a possible plan. He added that the content could change 100 percent.

Mr. Shultz commented that the list seemed to be highway oriented, but with the sales tax the plan will not be limited to highway construction. The TPC is interested in a variety of modes as long as they meet performance standards. He asked to describe when that would fit in. Mr. Anderson replied that none of the projects have been through an evaluation process. Mr. Shultz asked if the volume rate was looked at to ensure the highest volume was obtained. Mr. Anderson stated that Jim Dickey, Valley Metro/RPTA, would talk more extensively about transit in his presentation later in the meeting.

Mr. Arnett asked for clarification that the assumption of highway revenue is included the half cent sales tax extension. Mr. Anderson replied that the assumption included approximately \$4 billion of the extension. Mr. Arnett stated that he thought that the extension was projected to raise approximately \$8.3 billion. Mr. Anderson explained that he took half of the projected amount for purpose of example. Mr. Smith stated that the list just describes how big the bread box is, by taking care of highway first.

Mr. Berry asked if there was debt incurred with the current plan that still needed to be paid off? Mr. Anderson replied that the debt is HURF debt to pay off the freeway system. Also, MAG federal funds are tied up with the 2007 acceleration. GANS will run through 2014.

Jim Dickey, RPTA, gave a presentation on transit. He addressed four components: local transit network, high capacity transit, dial-a-ride, and capital projects. Mr. Dickey stated that to complete the system would require \$5 billion.

Mr. Almanza asked about the percentage of people using these options in that time frame. What types of gains have been shown in other communities that have these alternatives? Mr. Dickey replied that was still under development. He explained that the mode split that would provide the most benefit will be determined.

Mayor Hawker asked why less than a 50 percent match was shown on the BRT map. Mr. Dickey responded that several other categories, such as express and van pool programs, caused the number to be whittled down. He stated that he did not have the information with him at the meeting, but could provide further detail on the mode split.

Mr. Smith stated that revenue from a 25 year half cent sales tax is estimated at \$11 billion. The roadway list put \$6.7 billion on the table and transit puts another \$5 billion on the table. There is still another component when the return to sender concept is discussed. Mr. Smith explained that local needs could be either revenue share mode or local communities working with the TPC to put their projects into a plan. Regardless, all projects will need to go through the performance based planning process.

Chairman Giuliano stated that at the last meeting, Supervisor Stapley requested that the issue of governance be discussed. He stated that County representatives would give their presentation on governance.

Supervisor Stapley commented that governance was not his, nor the County's idea. The governance issue has been around for a long time. He introduced David Smith, County Administrator. David Smith stated that two draft bills on establishing a regional transportation district have been introduced. HB 2288 and HB 2292 were sponsored by Representative Gary Pierce. Mr. Smith stated that the Governor's Vision 21 Task Force recommendations included that the County Supervisors serve as either the interim or possibly permanent transportation district for making decisions on funds. That roads are different sizes as citizens travel from city to city is not what they expect. David Smith stated that a transportation district of five supervisors, five mayors decided by the MPO, and the Governor or representative would provide an elected body that would be accountable for a performance based plan. If the plan changes, this group would be held accountable. He added that MAG would continue in the MPO planning role. David Smith stated that this group would have the ability to IGA with Yavapai or Pinal Counties. The group could go back to the public and recommend additional resources to balance and have an effective transportation system. David Smith stated that he has heard criticism that discussing the governance issue will get in the way of the vote for the sales tax extension. Those at the County do not believe this is true. He stated that all support the extension. The governance change could be done any year desired, this year, next year, 10 years from now. Mr. Smith stated that he has heard that the district would not be responsive to local needs. He emphasized that regional needs are critical. Maricopa County Department of Transportation uses objective criteria, and he hoped that criteria would be how this works as well.

Tom Buick, Maricopa County Department of Transportation, stated that the regional transportation authority has been a strategic priority of the Board of Supervisors for the past two years. He explained that the County has been the steward of Loop 303, has assisted with Baseline Road, Gilbert Road, and 51st Avenue. In addition, the AZTech system will help manage our way out of congestion. Mr. Buick

displayed a map of congested roadways and called it a sea of red. We have serious problems that need to be resolved. Mr. Buick stated that there is a void in the deployment, operations, and maintenance of a regional, integrated, multi-modal transportation system within the County. He stated that the new transportation district would deliver an integrated, multi-modal system.

Supervisor Stapley stated that the County wants to work with all here to the extent that members want to talk. That is why they went from a five supervisor only board to the 5-5-1 composition to reflect the evolution of the region. Supervisor Stapley stated that the objective is to deliver in a unified way what the public wants.

Chairman Giuliano expressed concern that this issue could cloud over what the TPC is trying to accomplish. We know that the issue will not go away, but the main issue is coming up with a plan to send to the voters. If governance cloaks over the priority of extending the sales tax, we will not get there.

Supervisor Stapley stated that from a governance perspective, the new district will not make the same mistakes that have been made over the past 20 years. We have learned and can improve the system. Supervisor Stapley reminded all that this is regional money, not city money. He noted that the return to sender concept could be confusing to the voters.

Chairman Giuliano stated that he agreed that there is some validity that mistakes were made. However, over the past six to eight years, there has been a heightened level of cooperation between MAG and ADOT. This cooperation is resulting in the freeway system being completed by 2007, accelerated from 2014. Chairman Giuliano stated that there is a certain level of responsibility to communicate that good things have happened with MAG planning and their relationship with ADOT.

Mayor Manross stated that the County is asking for true collaboration, which is exactly why the TPC was created. MAG will continue to be mandated to do air quality and be the MPO. Mayor Manross commented that over the past few years, MAG has made great strides in governance, and has solved highway issues. She expressed confidence that MAG will be able to present to the voters and legislature that MAG and ADOT should continue to play the role they should. Mayor Manross stated that we realized that we cannot be parochial and need to stick together. That is why MAG changed. Mayor Manross referred to comments made by David Smith and Tom Buick. She stated that the restructuring that resulted in the TPC will help MAG address issues. Local communities must play a part in the decision making. Show the regional benefits of local needs or the projects should not be a part of the plan. She suggested not referring to the concept as return to sender, but as local projects that show regional benefit. Show we are trying to spread the money evenly. Mayor Manross stated that she agreed we do not want to have the governance question hanging over us when we are trying come together to go to the legislature. We need a degree of resolution so we can present a good program to the voters.

Councilmember Bilsten stated that people feel well served by MAG. MAG has subcommittees of major committees that study the issues. There is no need to put a new structure in place. All cities are at the table, plus our partners, the business community. Councilmember Bilsten stated that she is not in favor of creating a new layer of government.

Mayor Manross asked if a motion was needed to express the sentiment that HB 2288 was not supported. Chairman Giuliano noted that this could be covered under the legislative strategy agenda item.

Mayor Hawker stated that he wanted closure on this issue. Either support or not, so the County will know where they stand. If there is a 5-5-1 district and have concurrence with ADOT and the County, then before the bill can go to ballot, their entire board should be engaged in this discussion. Mayor Hawker stated that he thought the issue was resolved when governance was discussed last year, when MAG examined ways to improve itself as an organization. All cities, ADOT, the legislature, and the County, were involved in the governance study. MAG has established its credibility and represents the Valley well through the TPC. He added that clear direction needs to be given to show we are committed to the organization that was created to look at transportation planning, instead of going on with discussion of what form of governance we should have.

Mayor Scruggs expressed her concern that dismissing this issue will be viewed by the public as a simplistic way of doing business. She stated that the issue could be simplified for public consumption as “we want to be in charge instead of them,” when it is actually an issue of federal designation that MAG is the federally designated planning agency for transportation. Mayor Scruggs stated that MAG will continue to be the MPO, unless 75 percent of the members, which must include Phoenix, plus the governor, vote to do away with it. The proposed transportation district would be a duplication of effort.

Dennis Smith commented that if the transportation district is created, and MAG chooses not to dissolve, there would be duplication of effort. Any other organization’s plan and projects will have to be included in the MAG TIP and plan and pass air quality conformity analysis conducted by MAG.

Mayor Scruggs stated that MAG will continue to do business and will not turn over their responsibilities to a transportation district. She stated that MAG has done important, worthwhile accomplishments that reach back decades. It is simple to look at one thing and say the whole organization is bad. In spite of dire economic times and a governor who changed the plan, many important goals were accomplished. Prior to the 1985 election, no one could have predicted the growth rate to this degree. Mayor Scruggs noted that no one anticipated nor recognized in the 1980s, when the current plan was put together, that the public’s desire for public transit would increase. She commented that she knew this for a fact, because she served as Chair of Residents for Safe and Efficient Transportation in the City of Glendale when the plan was put together. Mayor Scruggs stated that MAG has done a good job. It is easy to pick something apart. It is easy to look at 18 months and forget 18 years. She assured that this body will not vote to disband. Mayor Scruggs commented that it is imperative that the public understand that establishing a transportation district will not mean a body that will do it all, but one more body in addition to those in place. We need to express our feelings about disbanding and giving the job to another body. The vote is not just about supporting a particular piece of legislation, but also do we vote to disband?

Supervisor Stapley stated that no one has suggested that MAG disband or go away. The bill contemplates that MAG will continue to do what they have done in the past. It is only an issue of regional decisions on the prioritization of projects. The issue is to simply prioritize improvements from a structural standpoint and improve on the past. Supervisor Stapley stated that the governance issue is not personal.

Dennis Smith commented that it is easy to forget what we have. An exceptional growth rate of 100,000 people per year puts an enormous strain on transportation and meeting air quality requirements. Mr. Smith stated that this region is lucky to have a regional planning agency that has one transportation model, does population projections, travel demand, emissions, and air quality modeling under one roof. There is no fragmentation of services here as in California. As a result, MAG is able to meet federal and

court ordered deadlines. Mr. Smith noted that we are also blessed to have one county—some COGs have four or five--and few incorporated cities for a population of over three million. He mentioned the Red Mountain Freeway opening last weekend—a freeway that opened ahead of schedule because of the design build concept. Mr. Smith commented that this is an example of the great relationship between the member agencies and ADOT.

Chairman Giuliano stated that policy issues were extensively discussed at the December 18th TPC meeting. He asked for discussion whether the horizon for the tax would be 20 years or 25 years. He indicated that the preference for a 25 year tax was expressed at the last TPC meeting. Chairman Giuliano stated that one question that was raised was whether a 25 year tax could be classified as an extension.

Mr. Shultz stated that an additional five years of tax would mean an additional \$3 billion. However, his sense was that a 20 year extension is in the minds of the public. He stated that a 25 year term came up simply as a question in the poll. Mr. Shultz stated that to be consistent as an extension, the term should be 20 years, an extension of the 1985 tax. He stated that all have needs, but for communication purposes and a sense of integrity, 20 years should be the horizon.

Mr. Berry expressed his agreement with Mr. Shultz. Politically, the closer the package is termed as an extension to the voters, the better the chance for success.

Mayor Hawker expressed his agreement for a 20 year extension. He noted that the longer the time frame, the less in touch we will be for a change in the transportation mix. For example, those responding to the poll indicated a preference for more transit, which was not a priority in 1985.

Vice Mayor Schweiker stated that it is an issue of need. If we want credibility, we cannot purposely underfund major projects and then go back and say we need more money. The polling data was so close it would be foolish to not do a 25 year tax and take the voters a good plan with ethics behind it. Tell them we know it is a 25 year extension, here is what the projects are and what they will do. We can make a saleable argument.

Mayor Scruggs commented that the issue most likely is not the voters finding a problem with the 25 year tax, but the legislature. She commented that even more important is to not have to go through this exercise again. Permission should have stated acknowledgment that no sooner than 2021 and no later than 2023, another regional election will be held to continue the tax. Mayor Scruggs commented that authority can be taken away again.

Mayor Berman commented that to the average person, whether the tax is 20 or 25 years probably makes little difference. He added that what needs to be considered is what is best for the long term plan.

Mr. Kane stated that if the legislature has concerns about a 25 year extension, would they not also be concerned about the provision of the absolute right to go back for a vote on an extension? Mr. Kane commented that it is very difficult if we put forth a plan we cannot pay for. Truth in lending is important, and we are asking the voters to in effect, lend us support for the plan they are funding. He stated that it is important to ensure that the plan is adequately funded.

Mr. Shultz stated that one could identify more need than revenue that could be produced for either a 20 year or a 25 year horizon. Our job is to come up with a prioritization for 20 years. You could argue a 25 year tax covers need more, or 35, 45, or 50 years come to mind depending on which list you use.

Mayor Scruggs commented on discussion of honesty in meeting needs. Whether you build, landscape, or maintain roads or buses, all have ongoing costs. Regardless of years, it is not being honest if the tax will have an end to it. She stated that it is important to put realism into the legislation recognizing that a plan will be approved that has needs beyond 20 years.

Councilmember Dennis stated that she herself had no problem with a 20 year tax; however, the legislature made it difficult for us to move issues along to place on the ballot. If you don't have the ability to assess need, have the ability to put on the ballot.

Chairman Giuliano commented that the consensus appeared to be in support of a 20 year tax and what Mayor Scruggs described be on the ballot that no sooner than 2021 and no later than 2023, another regional election will be held to continue the tax. No objections were noted.

Chairman Giuliano called for discussion of whether the election would be Statewide or Countywide.

Mr. Shultz stated that Vision 21 established a program to look at statewide needs for transportation. The TPC was formed and Mayor Rimsza and others reached out to other counties to see if they wanted to participate. They told us we should go ahead on our own. When they are ready, they will make it known.

Chairman Giuliano commented that the consensus appeared to be in support of a Countywide tax. No objections were noted.

Chairman Giuliano called for discussion of the return to sender concept. He explained that the concept was to take a portion of the revenue and use it for local projects with regional significance.

Mayor McDermott stated that if the tax is a Maricopa County election and passes, the money is collected in Maricopa County and spent on regionally planned projects in Maricopa County, then that, in his mind, is return to sender.

Chairman Giuliano recognized Representative Clancy Jayne, Representative John Nelson, Mesa Councilmember Mike Whalen, Phoenix Councilmember Tom Milton, and Surprise Mayor Joan Shafer, who were in attendance at the meeting. He expressed his appreciation for their interest in the process.

Councilmember Bilsten stated that Phoenix voters have contributed much to the system. Each municipality has plans and knows what will pass with their voters. You need to be able to say this amount will be put back into your city. Councilmember Bilsten stated that Phoenix voters have sent a clear message that they want to receive more than they did from the 1985 tax. She commented that she did not think that what Phoenix is asking for is not being regional. At the very least we want to be able to say for our projects that 50 percent would go to freeways, and 50 percent would go to light rail/transit. She stated that Jack Tevlin, Phoenix Deputy Director, was at the meeting to provide further detail on the Phoenix proposal.

Jack Tevlin, City of Phoenix, explained that this issue has been discussed with the City Council. They have indicated that they do not have a preference for a regional pot, or a local pot and regional pot, they just want flexibility. He stated that the City did an analysis and defined 40 percent of what is available as their fair share. Mr. Tevlin explained that they determined the 40 percent based on factors discussed by this group, such as population, congestion, employment, and sales tax share. The lowest common denominator of these factors is 40 percent. Then splitting that 40 percent into 50 percent to freeway and 50 percent to light rail/transit, they would be happy. Mr. Tevlin stated that in trying to keep it as simple as possible, the City submitted a plan to MAG and broke out the 40 percent, and said if the money becomes available, this is what they would put on the map and present to voters.

Mayor Scruggs stated that the West Valley struggled with the concept of return to sender. All have significant needs. She mentioned that the West Valley representatives recently met and worked through this issue. Mayor Scruggs stated that those on the TPC looked to gain consensus from those communities not on the TPC, so the accurate position could be known. She stated that the largest need are the large regional projects that allow all to use the facilities to go anywhere in the region. Mayor Scruggs stated that other modes beside freeways could be regional needs. She stated that the West Valley group gave direction that those on the TPC would go back to the TPC and express that they support putting all the money into one pot to be used for those major projects that bring economic development and allow mobility by various means of transportation.

Mayor Berman stated that there has to be something for him to show to his voters to gain their support. The East Valley believes the West Valley receives more projects, and vice versa. He commented that he believed it will be difficult to gain support for the tax without an assurance that each community will receive something tangible.

Chairman Giuliano brought up that forming a working group to study this issue may be an option. Some concepts might warrant further discussion. It is necessary that all buy in.

Supervisor Stapley expressed his agreement with Mayor Scruggs. If you start fragmenting, it will be perceived by voters as parochial. He stated that if the plan needs to be regional or it's not a good plan.

Mayor Drake stated that at the West Valley meeting, the group decided that return to sender was not a good concept. MAG is about regionalism. If we go down the return to sender path, then we prove the County's argument that MAG is parochial. Mayor Drake referred to City of Phoenix comments on return to sender. He stated that MAG is trying to create roads so Phoenix citizens can go to Tempe, to Phoenix International Raceway, to Country Thunder, to the ball parks in Glendale, to Surprise. Maybe Gilbert residents want to work in Avondale, and it is our job to make it easier for them to get there. Mayor Drake stated that if we do not have regional thinking and build out the regional grid, it will be very difficult for us.

Mr. Shultz commented that he understood from a transportation planning standpoint what Phoenix is trying to achieve. Each city's expectations are that congested intersections, freeways, and facilities will be incorporated into a plan that will satisfy a substantial portion of need based on performance criteria established by the planning horizon, Vision 21 and the legislation. Mr. Shultz stated that the Phoenix approach to designate 40 percent omits one thing, it does not comply with performance based criteria. If cities' needs are not satisfied, they will speak up when they see the draft plan. He stated that he thought regional planning and criteria are consistent with the business coalition's statement on the subject.

Mr. Kane stated there is a huge degree of characterization in how we discuss what is in this regional plan. What is in the regional plan must have localized flexibility. Mr. Kane expressed his belief that if the public sees cities carving up the money, the plan would not be read as a regional plan, even if needs are well met. Passing a regionally based map with spending decisions based on city based decisions begs voters to say no.

Mr. Tevlin stated that the City of Phoenix residents contributed \$2.2 billion and received \$1.1 billion in projects. The City has no choice but to try to get a better deal than the 50 cents on the dollar received in the last program. Mr. Tevlin stated that projected revenue from a 25 year tax was estimated at \$12 to \$14 billion; now a 20 year tax will be pursued. No one at the table will have enough money for their programs, but that is something everyone will have to live with. The City of Phoenix has defined 40 percent as the minimum and reasonable fair share to request.

Mr. Kane stated that the question is do we draft the plan and Phoenix assesses the plan to determine the tax equity? Are regional projects determined on performance based criteria? The point is, do the plan first, look at what is coming back in the form of regionally based projects, and then do the math, instead of starting with the math and that will prime the performance based design of the transportation system. Mr. Tevlin stated that Mr. Kane's comments agree with what the City Council discussed.

Mr. Smith stated that Phoenix is asking for the lowest percentage share. If we do a good performance based plan, 40 percent is a reasonable assumption because most roads go through Phoenix. Their projects will rank well in a performance based system.

Vice Mayor Kanter expressed his support for Mayor Scruggs's and Mayor Drake's comments. He stated that he felt consensus building that the plan be regional. If return to sender is misinterpreted on the ballot, that the tax will be divided up, it could cause the voters to not support the tax. Return to sender could put the extension in jeopardy. If you we have a good plan, Phoenix receiving 40 percent would probably be a reasonable assumption. If the ballot fails, the equity issue will be a moot point.

Councilmember Bilsten emphasized that it is important for all to realize that Phoenix has been a regional player. To be successful with the Phoenix voters, they need to feel they are reaping the benefits of funding the regional system. Phoenix has a majority of voters and those voters will pass or fail the vote. We have to be able to tell the voters they will get more than they did last time.

Mayor Hawker stated that he suggested the return to sender concept be on the poll. From his standpoint, there are some different viewpoints who got more from the 1985 tax. Mayor Hawker stated that he thought the benefit to voters would be to show benefit to their communities. He stated that Power Road is a great economic driver for the East Valley. Though it may not rank as high regionally, it is key for their success. Another question was having a half cent on a local basis and keeping it all. Mayor Hawker stated that he endorsed somewhat where the City of Phoenix is heading. He stated that he supports a type of return to sender concept. Mayor Hawker expressed that he did not have a preference if there was a regional map or subregional maps drafted to show the share.

Councilmember Dennis commented on looking at regional issues. Anything is a plus in Peoria. Stay focused on regional cooperation and put projects on a regional basis.

Mr. Anderson referred to Mayor Hawker's comment on Power Road. He stated that major streets that are of regional significance, such as Power Road, connect to job centers and will probably perform quite

well during the evaluation process. Centers such as these need good arterial access. The concept was that these regionally significant streets that are local priorities are planned regionally. Mr. Anderson stated that arterial street projects are in the current long range plan. Mr. Anderson commented that the removal of certain projects by the governor from the 1985 plan, such as Loop 303, Grand Avenue, and the Paradise, did great impact to the regional equity for the West Valley and Phoenix. He stated that it is unknown what could happen 15 years from now, so it is important to have a clear public process for material changes to the plan.

Chairman Giuliano stated that all have responsibility for answering what does the plan need to contain so all will be advocates? He stated that he sensed the Committee is more desiring of having those issues looked at as the plan is developed rather than having a funding formula at the beginning.

Mayor Berman offered clarification of his previous statements about return to sender. He added that he did not intend that a community receive 100 percent return, but some amount needs to be guaranteed. Mayor Berman stated that he could not support a plan if something meaningful did not come back to his community.

Mayor Scruggs stated that at the end of the 1985 tax, the West Valley will have received 24 percent of the miles that were voted on—the East Valley will have received 102 percent. Our citizens realize mobility is key. That is why the West Valley representatives decided against return to sender, and to focus on regional projects as the best expenditure of money. If you are looking at regional projects that serve our citizens rather than smaller projects within a city, it will show voters the plan is good for them. Mayor Scruggs asked for clarification if she heard that Phoenix would be guaranteed a certain percent.

Chairman Giuliano stated that the consensus that was emerging was to not have a funding formula, but to have a plan first. He clarified that Mr. Smith had stated it was a reasonable assumption that Phoenix might receive 40 percent, but that is unknown at this time. Mr. Smith stated that going by performance indicators, such as safety and volume, Phoenix will look well and would possibly get their target.

Vice Mayor Kanter stated that the concern the City of Phoenix is expressing is the same that the West Valley envisioned in 1985 that has not been realized. If you try to create the formula before the plan, you put the tax in jeopardy. We need to let voters know the good that has been done regionally. We need to stay together. The plan will create the equity.

Councilmember Bilsten commented that it is difficult to have a discussion without the plan. She has a responsibility to the voters. If needs are met in the plan, then Phoenix would not care about percentages. Councilmember Bilsten stated that she could not support something where the City of Phoenix voters cannot feel they are getting their fair share.

Chairman Giuliano stated that this process will provide that all get what they need—not everything, but something. He illustrated the point by the scene in the movie, “It’s a Wonderful Life,” when the customers during the run on the bank wanted to withdraw all of their money. In trying to save the bank, George Bailey asked those people, “Tell me what you really need right now.” This exercise is similar. Chairman Giuliano stated that Tempe does not want any more freeways, but the Tempe voters consistently support what has been proposed to them in the Valley. They are a significant bloc of voters.

Vice Mayor Schweiker stated that he would be surprised if Phoenix did not come up with an acceptable amount of the percentage. He stated that discussion he was hearing seemed to say that citizens only live,

work, and play only within their own corporate limits. To the contrary, we are a mobile society, and citizens live, work and play across boundaries, which makes it a much easier sell.

Mayor McDermott commented that parochialism is not why this group was formed. He stated that he has a daughter living in Tempe, a son living in Mesa, a son living in Chandler, a son living in Peoria, a son living in Avondale, and a son living in Phoenix. He is here to represent all of them.

Chairman Giuliano noted that there seemed to be consensus to not adopt return to sender.

Mr. Arnett expressed his confidence in the MAG staff process. There is no greater pressure than on them. He recalled the fair share process a few years ago with ADOT. At the end of the day, all realized that the urban area has to contribute to the rural areas to make the system work throughout Arizona. The political reality is some have not gotten what they needed. Therefore, a modified return to sender is needed. Phoenix and Mesa need some approach to that number, and the West Valley needs help. Mr. Arnett requested that a vote not be taken or locked in to not support return to sender, but consider a modified version created by staff. Need should be included in the criteria.

Mayor Scruggs stated that a majority seemed to be saying develop a plan first, but the criteria needs to be discussed and determined before a plan can be developed. We have to agree on criteria, which will identify how projects shake out. Mr. Anderson stated that the goals and objectives with performance measure examples were on the agenda for discussion. Mayor Scruggs stated that evaluation methodology and performance measures were on the original timeline for discussion tonight. Does that discussion translate into criteria? Mr. Anderson goals and objectives are linked to performance measures and the methodology provided for in the addendum would start the discussion.

Chairman Giuliano stated that there seemed to be consensus for a one-half cent sales tax. No objections were noted.

Chairman Giuliano noted that there seemed to be consensus to include ADOT, MAG and local funds as part of the plan presented to voters. No objections were noted.

Chairman Giuliano stated that his impression was that the TPC opposed HB 2288. He added that Representative Pierce's dialogue was needed. Chairman Giuliano stated that not much change in the TPC's viewpoint on this bill was anticipated.

Councilmember Bilsten moved to oppose HB 2288. Mayor Drake seconded.

Chairman Giuliano commented that he had not had the opportunity to speak with Representative Pierce or Representative Thompson on the legislation.

Mr. Shultz stated that most agree with being regional. Our culture is such that we have strong cities and a strong county. The TPC is an example of that collaboration. He expressed caution about going on record opposing the bill. Mr. Shultz noted that the Chairman, Representative Pierce, who introduced the bill, was not present at the meeting. It may be his intention to give the bill an airing to show that it does not have a very good chance with the committee or the legislature. Mr. Shultz stated that he did not believe that this bill has a very good chance of making it through the legislature. If this group wants to oppose, that is fine. This group supports the MAG process and Vision 21, the cities, and the county said the TPC is the group we want to put together the plan. Mr. Shultz stated that he would like to see

individual cities testify, if the bill even gets a hearing. Talk about opposition and concerns and let it die a natural death.

Mr. Berry stated his agreement with Mr. Shultz. He strongly urged the TPC to not vote on this issue. It would not bring clarity to the issue. In terms of our overall success, it is better to let the legislature decide this.

Chairman Giuliano asked Councilmember Bilsten if she agreed to withdraw her motion. Councilmember Bilsten replied that she would withdraw her motion. She commented that this would be another layer of government. Make sure we are sending that message that we have our own transportation planning organization in place, which can only be changed by federal law. Councilmember Bilsten emphasized making sure we are clear that we do not support establishment of a transportation authority. Mayor Drake withdrew his second.

Mr. Smith stated that staff would go to the legislature to discuss federal provisions. Chairman Giuliano stated that he and Mayor Scruggs would meet with Senator Jarrett and Representative Pierce.

Mr. Smith reviewed HB 2292, which would require MAG to establish a Transportation Policy Committee consisting of member agencies, legislators, and the private sector. He noted that this has been accomplished. Mr. Smith continued with HB 2292. The ADOT Board, the County Board, and the TPC by majority vote, shall jointly adopt a comprehensive multi-modal plan, including corridors; annually approve a life cycle map for the county; approve modifications to the plan by a majority vote of the above. Mr. Smith stated that the bill requires the ADOT Board, the Board of Supervisors and the TPC to certify the plan to the Governor and the legislature by November 30, 2003. The Plan is for 20 years. If the plan is not certified by the Governor and the legislature before December 1, 2003 and if the legislature fails to prescribe the terms for the election, the election would not be conducted. The plan would be submitted to the voters in November 2004. A contiguous county may levy a sales tax. Mr. Smith explained the federal law requirements. MAG as the MPO is required to develop the plan and TIP in cooperation with ADOT and the transit operator (RPTA). No project can proceed unless it is in the MAG TIP and plan, and the TIP and plan have passed the federal air quality conformity requirements conducted by MAG. Mr. Smith noted that if an organization predates ISTEA, as in the case of MAG, the federal law encourages that a committee such as the TPC be developed. The MPO retains the approval of the TIP and plan. The MAG TIP, without modification, is placed into the State Transportation Improvement Program.

Chairman Giuliano suggested the same strategy as HB 2288, and speaking with Representative Pierce and Senator Jarrett.

Mr. Shultz stated that the points made regarding federal law were important. He suggested staff analyze the bill. He advised that this is a vehicle bill and will not be passed word for word. Mr. Shultz commented on referencing federal law in the bill. Make sure the bill works and where it does not, make the appropriate amendments. Mr. Shultz stated that this bill's timing is consistent with a vote in 2004. Things are beginning to meld.

Chairman Giuliano stated that there appeared to be a consensus that staff and some of the TPC members look at the bill and work with Representative Pierce to see if modifications need to be made.

Mr. Smith asked for input on whether the election would be spring 2004 or November 2004. Chairman Giuliano stated that November was the consensus at the last TPC meeting. Most indicated the preference because many cities have their elections at that time.

Councilmember Bilsten stated that Gary Kaasa, communications consultant, has worked on many elections. She asked him to provide his thoughts. Mr. Kaasa stated that at the last meeting, consensus was November because it gave the greatest number of people to vote—70 percent in presidential elections vs. 20-25 percent in municipal elections. Mr. Kaasa gave an example—say polling indicated that a certain group opposed a measure, then that voting bloc could be diluted by holding a November election.

Mayor Scruggs stated that when the polling results were reviewed, there were those who were in opposition no matter what. She asked if it made sense that more voter turnout could mean that those in total opposition would not control the situation and thus provide the ballot a better chance of passing?

Councilmember Dennis commented if there is no adjustment to the current bill, is MAG looking at other vehicles to open a file with the legislature to address those that cannot be addressed? Mr. Smith that Representative Jayne has a folder available for us to work with, but we may want to work with Representative Pierce on his bill. He added that the opportunity exists to take a position at the February TPC meeting if there are unintended consequences. Councilmember Dennis expressed concern for time constraints. Chairman Giuliano commented on putting together what we want and working with the legislature.

Mayor Scruggs commented on having the second election granted as part of enabling legislation for this election.

Mr. Arnett expressed that he thought that was a good idea. He believed that Representative Pierce might think the approach reasonable. Chairman Giuliano stated that it seemed support had been expressed for that concept.

Mr. Shultz stated that the draft amendment seemed consistent with the concept. He stated that he would be glad to assist and communicate with Representative Pierce and Senator Bender.

Chairman Giuliano asked if there was consensus for a November 2004 election. Mr. Smith commented that the logic of a spring election is that if the election is lost, there is still another opportunity in the fall. He added that Proposition 300 in 1985 was a special election.

Councilmember Bilsten commented that the City of Phoenix has had great success with its special elections. During a general election, when there are a lot of propositions to decide on, it makes it easy for a voter to just vote no on everything.

Chairman Giuliano commented that the largest group of voters would be Phoenix if the election takes place in May. Mr. Smith stated that approximately half the cities have their elections in spring.

Mr. Berry expressed support for a November election. He commented that he sometimes feels ambushed by school bond elections. Mr. Berry stated that he thought it would be a more open process to have the election in November when all major issues are acted on.

Mr. Arnett stated that he had spoken to Representative Pierce at length. Representative Pierce had indicated that the bill takes care of the political climate in the legislature and other issues. Mr. Arnett stated that he thought the bill was quite well written. He mentioned that he will meet with Representative Pierce soon and express the idea to make sure the vote happens a second time and convey if ready, we can go earlier. Mr. Arnett stated that he liked that option.

Vice Mayor Kanter stated that Goodyear does not have elections in the spring. A November election would save some communities a great amount of money. He stated that he supported a November ballot, but is not adverse to an election sooner. Vice Mayor Kanter commented that the bill has a good chance if framed properly and people are given good information.

Mayor Berman stated his agreement with Councilmember Bilsten for a spring ballot. There are less issues for voters to consider, and the ballot might be more likely to pass.

Councilmember Bilsten stated that the City ran statistics on special elections and found that voters are more educated during special elections. Special elections allow information to be provided to voters so they can make good decisions. She added that there is a lot of other election information sent out for November elections that most people throw right into their recycle bins. Councilmember Bilsten stated that with Transit 2000, the voters were educated. Non-believers were turned into believers. She stated that the City of Phoenix supports a May 2004 election. Councilmember Bilsten suggested finding out costs of special elections from city clerks.

Mr. Berry commented that the 1985 election costs were reimbursed.

Mayor Scruggs stated that she had spoken in favor of a November election, but upon reflection of all the election mail that comes in November, she was considering that May might be a better time.

Chairman Giuliano commented on deferring a decision until discussion took place with the legislative leaders, but that the consensus seemed to be leaning toward a May election with a November backup.

7. Regional Transportation Plan Draft Goals and Objectives

Mr. Anderson stated that in Phase One of the Regional Transportation Plan, draft goals and objectives were developed. He added that the draft goals and objectives would be reviewed, but action was not anticipated. Performance measures, draft goals and objectives were provided to be taken back and discussed with staff. Mr. Anderson stated that feedback was welcome. Mr. Anderson stated that Values are what we believe are important. Goals are what we want to achieve to support our values. Objectives are intermediate milestones to reach our goals. Strategies are how our objectives will be met. Performance measure will the measure our progress. Mr. Anderson stated that copies of the goals and objectives workbook and the presentation would be sent out.

8. Future Agenda Items

Chairman Giuliano stated at the February 19, 2003 TPC meeting, discussion of the following items is anticipated: 1) Legislative Strategy; 2) Evaluation Methodology; 3) Sub-Area Study Results.

9. Regional Transportation Plan Methodology

An Evaluation Methodology will be used in the Regional Transportation Plan (RTP) to identify alternative packages of candidate transportation projects, assess alternatives and to help formulate a Regional Transportation Plan. The methodology will address the development of an initial set of major alternatives representing broad tradeoff concepts, as well as a final hybrid alternative that incorporates the best features of the initial alternatives. The evaluation process is aimed at assessing system performance, ranking alternatives and phasing projects consistent with MAG's regional transportation goals and objectives. The methodology will be developed under the guidance of the Transportation Policy Committee (TPC) and receive TPC review and approval before application.

Mr. Anderson stated that a the methodology evaluation will be added to the modeling workshop. Because these are very complex, the workshop environment may be a more productive arena for staff and TPC members.

There being no further business, the meeting adjourned at 8:15 p.m.

Chairman

Secretary