

April 10, 2006

TO: Members of the MAG Regional Council Executive Committee

FROM: Mayor Keno Hawker, City of Mesa, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA
FOR THE MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE

Monday, April 17, 2006 - 12:00 noon
MAG Office, Suite 200 - Cholla Room
302 North 1st Avenue, Phoenix

A meeting of the MAG Regional Council Executive Committee has been scheduled for the time and place noted above. Members of the Committee may attend either in person, by telephone conference, or by video conference. If you have any questions, please contact me at (480) 644-2388 or Dennis Smith, MAG Executive Director, at (602) 254-6300.

Please park in the garage under the Compass Bank Building. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Denise McClafferty at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

TENTATIVE AGENDA

COMMITTEE ACTION REQUESTED

1. Call to Order

2. Call to the Audience

An opportunity will be provided to members of the public to address the Executive Committee 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.

2. Information and discussion.

Members of the public 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 Executive Committee requests an exception to this limit. Please note that those wishing to comment on action agenda items will be given an opportunity at the time the item is heard.

3. Approval of Consent Agenda

Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items that are being presented for action. Following the comment period, Committee members may request that an item be removed from the consent agenda. Consent items are marked with an asterisk (*).

3. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

*3A. Approval of the March 20, 2006 Executive Committee Meeting Minutes

*3B. Consultant Selection for the MAG Specifications and Details Inventory Project

The FY 2005 MAG Unified Planning Work Program and Annual Budget includes \$80,000 of Surface Transportation Program funding for the development of the MAG Specifications and Details Inventory Project. The desired results of this inventory effort are to obtain information concerning the character and extent of existing agency supplements to the MAG Standard Specifications and Details for Public Works Construction, as well as gather and categorize the supplemental specifications and details. A request for proposals was advertised and two proposals were received. A multi-agency review team met to evaluate the proposals on March 22, 2006. The evaluation team is recommending that the firm AZ-FLASH Companies, LLC be selected for the MAG Specifications and Details Inventory Project for an amount not to exceed \$80,000. Please refer to the enclosed material.

3A. Review and approve the March 20, 2006 Executive Committee meeting minutes.

3B. Approval to select AZ-FLASH Companies, LLC. for the MAG Specifications and Details Inventory Project for an amount not to exceed \$80,000.

ITEMS PROPOSED TO BE HEARD

4. Discussion and Update on the Draft FY 2007 MAG Unified Planning Work Program and Annual Budget

Each year, the MAG Unified Planning Work Program and Annual Budget is developed incrementally in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies and approved by the Regional Council in May. This presentation and review of the draft FY 2007 MAG Unified Planning Work Program and Annual Budget represents the budget document development to date. The elements of the budget document are about 80 percent complete. Please refer to the enclosed material.

5. Update on the Regional Governmental Service Center

On March 20, 2006, the consensus of the MAG Executive Committee was to preliminarily select the McKinley and 1st Avenue site in Phoenix for the Regional Governmental Service Center pending legal and financial review of the development agreement. The Regional Council also authorized the Executive Director to request financial, legal and project management services related to the regional building project. Since the Regional Council meeting, staff has reviewed a procurement done by the City of Phoenix for legal and financial services and the Mohave Educational Services Cooperative Purchasing Agreement. Following this review, staff is recommending the following services be procured contingent upon resolution of design issues on the McKinley and 1st Avenue site:

(1) Real Estate Legal Services: If available, use the City of Phoenix Legal Department at a rate of \$145.00 per hour. If this is not available, use the MAG General Counsel, Mariscal, Weeks, McIntyre & Friedlander, P.A.

(2) Lease Agreement Legal Services and Legal Oversight. For legal services pertaining to the lease agreement for the partnering agencies, staff is recommending that the MAG General Counsel, Mariscal, Weeks, McIntyre & Friedlander, P.A. be used. The MAG General

4. Input on the development of the FY 2007 MAG Unified Planning Work Program and Annual Budget.

5. Information, discussion and approval to authorize the Executive Director to enter into the following contracts contingent upon resolution of design issues on the McKinley and 1st Avenue site: (1) Real Estate Legal Services either with the City of Phoenix or the MAG General Counsel at a rate of \$145.00 per hour; (2) Lease Legal Services and Legal Oversight with MAG General Counsel at a rate not to exceed \$145.00 per hour; (3) Project Management Services with 3D/I Group at a rate of \$95.00 per hour, not to exceed \$100,000 the first year; and (4) Financial Advisory Services through a MAG Associate Contract not to exceed \$25,000.

Counsel would also provide legal oversight on all legal matter pertaining to MAG. The rate for these services would not exceed \$145.00 per hour.

(3) Project Management Services. For project management services, staff is recommending that 3D/I Group be used from the Mohave Educational Services Cooperative Purchasing Agreement at a rate of \$95.00 per hour, not to exceed \$100,000 for the first year.

(4) Financial Advisory Services. For this service, staff is recommending that MAG use an Associate Contract not to exceed \$25, 000 to obtain the services of an individual knowledgeable in developing municipal type buildings and public finance. It is anticipated that a bonding firm will be recommended at a future meeting from the Phoenix procurement. Please refer to the enclosed material.

6. Legislative Update

An update will be provided on legislative issues of interest. Please refer to the enclosed material.

7. Adjournment

6. Information, discussion and possible action.

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
JOINT MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE AND
BUILDING LEASE WORKING GROUP MEETING

March 20, 2006

MAG Offices

302 North 1st Avenue, Phoenix, Arizona

EXECUTIVE COMMITTEE MEMBERS ATTENDING

Mayor Keno Hawker, Mesa, Chair

Mayor Woody Thomas, Litchfield Park,
Vice Chair

Mayor Mary Manross, Scottsdale, Treasurer

Mayor Wendy Feldman-Kerr, Queen Creek

* Mayor Phil Gordon, Phoenix

* Mayor Joan Shafer, Surprise

Mayor James M. Cavanaugh, Goodyear

BUILDING LEASE WORKING GROUP MEMBERS ATTENDING

Mayor Keno Hawker, Mesa, Chair

Mayor James M. Cavanaugh, Goodyear

* Mayor Ron Clarke, Paradise Valley

Frank Fairbanks, Manager, City of Phoenix

* Not present

Participated by videoconference or telephone conference call

1. Call to Order

The Executive Committee and Building Lease Working Group meeting was called to order by Chair Keno Hawker at 12:00 p.m. Chair Hawker stated that transit tickets were available from Valley Metro/RPTA for those using transit to come to the meeting. Parking validation was available from MAG staff for those who parked in the parking garage.

2. Call to the Audience

Chair Hawker noted that according to MAG's public comment process, members of the audience who wish to speak are requested to fill out the public comment cards. He stated that there is a three minute time limit. Public comment is provided at the beginning of the meeting for items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only.

Chair Hawker recognized public comment from Mr. Crowley who stated that he used transit to get to the meeting. Mr. Crowley stated that the region has 6,914 bus stops and only 1,874 are sheltered. He stated that funds are going to cover park and rides, because it is more important to shelter cars than people. Mr. Crowley commented on the weekly schedule changes for helper trips, which were placed on buses in August. He noted that these schedules became void when the new bus schedules

came out in January. Mr. Crowley asked why they were still on buses. Mr. Crowley stated that the Maricopa County site was not being looked at and he added that the Open Meeting Law must be adhered to in any building chosen. He commented that at the MAG sponsored joint meeting with ADOT and RPTA there was not a representative from each agency, only from MAG. He noted that one person does not make a quorum. Representatives from each agency need to be in attendance.

3. Update and Possible Site Selection on Phase I of the Regional Governmental Service Center

Ms. McClafferty stated that on February 13, 2006, the Executive Committee was provided an update on five sites. Following the Executive Committee meeting, the Building Lease Working Group (BLWG) met and narrowed those five sites to two sites, which include the Central and Van Buren site and the McKinley site. She noted that on February 22, 2006, the Regional Council was provided an update on the activities of the BLWG and the consensus was that we are moving in the right direction. Ms. McClafferty then set some ground rules for the presentations that included a 12 minute presentation followed by a question and answer session, not to exceed a total of 30 minutes.

Ms. McClafferty introduced Ken Lufkin with Langdon Wilson. Mr. Lufkin introduced Mike Medici from the Smith Group to provide information on the Central and Van Buren site. Mr. Medici provided a presentation on the Central and Van Buren site. He noted that the regional office space would start on the seventh or eighth floor of the office tower. He stated that ASU currently has a studio in their design, and that the regional agencies may be able to partner with ASU on this studio. Mr. Fairbanks noted that KAET will most likely be using all of this floor. Chair Hawker stated that it would be a good idea to set up the meeting room space for broadcasting. Mr. Medici noted that the design is moving forward on this site and recommended that any decisions on design be made in the next two to four weeks. He noted that the consequences of coming in later would be increased costs. Mr. Medici reviewed some of the design features involved, such as plans for a Basha's, a shuttle elevator to the meeting rooms and metal panels on the exterior for shading. He noted that public access could be limited between floors for security purposes. Mr. Medici noted that security could be arranged in various ways. He noted that the current schedule for delivery is December 2008. Ken Lufkin noted that there could also be plans for some balcony space on the 8th or 9th floor based on the current design. Chair Hawker asked if there would be a cost difference to occupy the top floors as opposed to the lower floors. Mr. Medici confirmed that there would likely be a cost difference. Mr. Medici commented on the willingness to work with the regional agencies on price and program issues. He noted that the four regional agencies would be great tenants in this building.

While the McKinley site representatives prepared for their presentation, Ms. McClafferty updated the members on the MAG lease versus purchase analysis. She stated that staff was requested to further analyze the option of MAG staying in the current building compared to MAG's cost of the new building. An analysis was provided to the members. Ms. McClafferty noted that the average cost per square foot to lease would be \$33.13 and to purchase would be \$28.53. She added that the lease analysis takes into consideration remodeling costs to the 1st, 2nd and 4th floors when they become available. The purchase analysis takes into consideration MAG's portion of the common and conference areas. The purchase analysis also factors in the square footage that can be leased to a third party.

Mr. Lufkin then introduced Steve Jordon, Chuck Carefoot, and David Kaye for the McKinley and 1st Avenue site. The team introduced a conceptual designed for this site that included a four to five story steel structure, parking garage with some secure parking. This conceptual design also includes a 10 or 11 story office structure closer to the 1st Avenue side of the land. The parking structure will run through the building. Chair Hawker asked about the cost of the building. Ryan Companies replied that the initial cost in the first proposal was approximately \$61 million and now the cost is \$345 per square foot, which is \$69 million for a 200,000 square foot building.

Ryan Companies noted that the skin of the building is limitless. It was also noted that the developer will work with the neighborhood regarding this project. Mr. Lufkin also noted that he spoke with Myra Millinger from the Maricopa Partnership for Arts and Culture and their current lease is expiring in the Fall of 2008. He stated that they would be very interested in space in this building. Steve Olson asked if he understood the timeline to be the Fall of 2008 for completion and the construction method would be design build. Ryan Companies confirmed. Mr. Smith asked if construction management at risk (CM at Risk) was an option. Ryan Companies replied that would be a viable possibility.

Mayor Manross stated that both sites are good sites. She noted that the McKinley site is more flexible and has easier access. She stated that we have more opportunity to create what we need. Mayor Thomas stated that he supports the McKinley site. Mayor Feldman-Kerr stated that ease of access is important and does not feel that the Central and Van Buren site would provide that ease with the traffic and ASU students. She noted that the McKinley site provides that ease of access, as well as providing a regional identification. Mayor Cavanaugh stated what is most important is the functionality and the day-to-day use. He noted that the building should satisfy the needs of the agencies. Mr. Smith noted that MAG already accommodates other agencies and their meeting room needs.

Chair Hawker stated that he prefers the McKinley site because we can design the building to accommodate our functions. He noted that he was concerned about the neighborhood issues and the lack of amenities. Mr. Lufkin replied that with the light rail system close by, density in that area will increase along with amenities. Mr. Fairbanks noted that the zoning on the McKinley site is there, as well as the easy access. He added that the McKinley site provides a better possibility to develop the meeting space needed. Mr. Fairbanks stated that the Central and Van Buren site is an exciting building in the downtown area. He noted that Mayor Gordon prefers the Central and Van Buren site.

Rick Simonetta stated that there would probably be fewer employees arriving by transit at the McKinley site than at the Central and Van Buren site. He added that the McKinley site would be more easily accessible by vehicle, but have less amenities in regards to lunch for staff. Sylvia Simpson stated that she was concerned with the safety of employees that do take transit at the McKinley site. She noted that both were excellent sites, but felt that Central and Van Buren was more exciting. Steve Olson stated that interrelations is high on the list. He noted that there is more opportunity to expand at the Central and Van Buren site and that the dynamics of walking will come.

Chair Hawker stated that the McKinley site is a building we can design. He noted that the property around this site will develop and amenities will come. Chair Hawker stated that the Central and Van Buren site will be a massive center with a lot going on. Mayor Manross stated that infill at the McKinley site will happen in a couple of years. She noted that this site is the most accommodating to public agencies and to the public. Mayor Thomas agreed with Mayor Manross and noted that he likes the opportunity to partner with the arts industry. Mayor Cavanaugh stated that staff input should be taken into consideration. Mayor Feldman-Kerr stated that she sees the McKinley site as a better place to be. Chair Hawker stated that the consensus of the elected officials is that McKinley and 1st Avenue is the favored, preliminary site and should be further pursued. He suggested that each agency seek staff input and work with the City of Phoenix on neighborhood issues and the proposed development in that area.

Mayor Cavanaugh asked if a partnership is more important to MAG than having an existing building that satisfies MAG. Mr. Smith replied that it is the synergy of staff and the ease for elected officials that helps everyone benefit from this building. Mr. Smith noted that MAG staff likes both the McKinley and the Central and Van Buren sites. He noted that the core of these regional agencies' business is meetings. We need to get people to meetings and get a quorum. Mr. Smith stated that the easy access is why he prefers the McKinley site. Mayor Manross stated that this will help jump start this area in downtown Phoenix. Mr. Fairbanks noted that Mayor Gordon just mentioned his preference.

Mayor Hawker recognized public comment from Mr. Crowley. Mr. Crowley stated that the building security must not violate the open meeting law. He noted that it sounds like the Central and Van Buren site might violate the open meeting law. Mr. Crowley indicated that there should be further examination on Maricopa County Block #26 site. Chair Hawker thanked Mr. Crowley for his comments.

4. Request to Authorize the Executive Director to Request Services for Financial and Legal Services Related to the Regional Office Building Project

Mr. Smith noted that these professional services will be needed to assess and preserve opportunities for the construction of the building. He noted that it is envisioned that the services of a bond attorney and a real estate/construction attorney would be needed. In addition, it would be advisable to obtain the services of a financial advisor. Mr. Smith noted that these professional services should range from approximately \$150 to \$300 per hour.

Mayor Feldman-Kerr moved to approve authorizing the Executive Director to request services for financial, legal and program management services related to the regional office building project and for the firms selected to be presented for approval at the March 29, 2006 Regional Council meeting. Mayor Thomas seconded, and the motion carried unanimously.

5. Adjournment of the Building Lease Working Group Meeting

Mayor Cavanaugh moved to adjourn the Building Lease Working Group meeting. Mayor Hawker seconded, and the motion carried unanimously.

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

6. Approval of the Executive Committee Consent Agenda

Chair Hawker stated that public comment would be heard before action was taken on the consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the Committee can request that an item be removed from the consent agenda and considered individually. Chair Hawker stated that agenda items #6A and #6B were on the consent agenda. Chair Hawker recognized Mr. Crowley for public comment. Mr. Crowley noted that the funding for bus stops is not enough. He stated that we should fund pedestrian, bike and transit to the full extent. Mr. Crowley stated that a six foot sidewalk does not meet pedestrian design standards. He noted that the \$7.9 million Grand Avenue and Osborn bridge is being built with no pedestrian facilities. Pedestrian, bike and transit should be planned for at the beginning and not at the end. He noted that the best mode for air quality and less pollution is walking.

Mayor Cavanaugh moved to approve consent agenda items #6 and #6B. Mayor Thomas seconded, and the motion carried unanimously.

6A. Approval of the February 13, 2006 Executive Committee Meeting Minutes

The Executive Committee, by consent, approved the February 13, 2006 meeting minutes.

6B. Approval to Transfer Funds Within the MAG Pedestrian Design Assistance Program

The Executive Committee, by consent, approved to reallocate \$20,000 to the following Pedestrian Design Assistance programs: \$15,000 for the City of Avondale - Littleton School Sidewalk Connection and \$5,000 for the City of Mesa - North/South Pedestrian Connection. The FY 2005 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council, included \$200,000 of Congestion Mitigation and Air Quality (CMAQ) funding for the Pedestrian Design Assistance Program. In May 2005, the Regional Council approved the projects that would receive this funding, which included the City of El Mirage Cactus Road Sidewalk Project in the amount of \$20,000. In January 2006, El Mirage decided not to proceed with its project. On February 21, 2006, the MAG Pedestrian Task Force recommended that the \$20,000 be reallocated as follows: \$15,000 for the City of Avondale - Littleton School Sidewalk Connection and \$5,000 for the City of Mesa - North/South Pedestrian Connection.

7. Discussion of the Draft FY 2007 MAG Unified Planning Work Program and Annual Budget and Expenditures and Projects in the MAG Unified Planning Work Program and Annual Budget

Becky Kimbrough, MAG Fiscal Services Manager, provided an update on the development of the FY 2007 MAG Unified Planning Work Program and Annual Budget. She said that a meeting of the Intermodal Planning Group is scheduled for April 6, at which time the Federal Highway Administration, Federal Transit Administration, and Arizona Department of Transportation will be provided a review of the Work Program. She noted that feedback from this meeting will be brought back to the Management Committee.

Ms. Kimbrough stated that each year, new projects are proposed for inclusion in the MAG planning efforts. She noted that a transportation project titled "Access to Freeway Condition Information Via Handheld Devices," has been added. In addition, preliminary discussion on a "Southwest Valley/Western Pinal County Transportation Study" is currently taking place. Ms. Kimbrough stated that the details of this project are not yet available, but it is initially proposed to be a shared cost study between MAG and Pinal County, estimated at approximately \$200,000 each.

Ms. Kimbrough stated that the estimated dues and assessments use the construction inflation factor from the most current Regional Freeway System Certification. She advised that at the Regional Council Executive Committee meeting on February 13, 2006, staff was directed to explore other indices for calculating the estimated dues and assessments. Ms. Kimbrough stated that staff spoke with several cities and the option most used was the Urban CPI at 3.4 percent.

Ms. Kimbrough stated that the total proposed overall FY 2007 budget with carryforward reflects a decrease of about 5.58 percent from last year because of the decrease in the costs of two projects. She explained that the annual budget for one of the projects, the Community Emergency Notification System, has decreased from \$1.2 million to \$350,000. Chair Hawker thanked Ms. Kimbrough for her report and asked members if they had questions.

8. Regionally Significant Development Projects

Anubhav Bagley addressed the Executive Committee on the transportation costs of Regionally Significant Development Projects (RSDP). In 2003, the Regional Council directed MAG staff to evaluate RSDPs submitted by individual member agencies, if the agency requested it, for an 18 month evaluation period. Mr. Bagley said that the information requested by the Regional Council was population, total vehicle miles traveled (VMT), and estimated construction cost of freeway and arterial lanes needed to accommodate the growth or potential growth, presented at a regional level only.

Mr. Bagley stated that RSDP criteria were developed by the Planner Stakeholder Group and approved by the Regional Council and apply to all projects that meet certain size thresholds. A RSDP generates demand for one lane mile of capacity on a freeway. Mr. Bagley gave 2,800 housing units or a 640-acre development as examples of RSDPs.

Mr. Bagley stated that in July 2005, the Regional Council approved the preparation of an annual paper on the regional impacts of cumulative development. The Regional Council recommended including all data from July 1 through June 30 for each year. The first paper would cover the period ending June 30, 2005, and would include all RSDP projects dating from the July 1, 2003 start-up.

Mr. Bagley stated that information submitted included residential completions, general plan and general plan amendment and land use changes, developments, and RSDPs. The methodology used to calculate the transportation costs of various developments was based on statistics derived from the MAG transportation models, cost of construction estimates, and VMT standards per lane-mile

by transportation facility. Mr. Bagley stated that the report focused on freeway and arterial street construction costs only, and does not include any costs associated with other roadways and other transportation modes, such as transit. Mr. Bagley stated that the methodology showed that the construction cost per freeway lane per vehicle mile of capacity was \$310.08; per arterial lane per vehicle mile of capacity was \$88.24.

Mr. Bagley explained that residential building completions indicate the direction and amount of actual growth and are used by MAG in preparing population updates and projections. He added that residential completions signify certificates of occupancy being granted by the jurisdiction. Mr. Bagley stated that residential completions accounted for 88,000 new units. This is consistent with the housing unit growth projected in the MAG Interim Socioeconomic Projections, approved by the MAG Regional Council in June 2003, and it is likely that a majority of these units was incorporated in the development of the MAG Regional Transportation Plan. Therefore, regional transportation capacity would already have been planned for this growth.

Mr. Bagley stated that total developments were analyzed for two time periods. For the July 1, 2003 to June 30, 2005 time period, 88 developments accounted for 10.5 million VMT and a construction cost of \$1.69 billion. For the July 1, 2003 to December 31, 2005 time period, 328 developments accounted for 17.3 million VMT and a construction cost of \$2.79 billion. Mr. Bagley noted that RSDPs account for 10 percent of all the developments received by MAG, but account for 90 percent of the VMT and construction costs.

Mr. Bagley reviewed next steps. He stated that other costs, such as maintenance, operations, and other infrastructure, could be reviewed and/or added to the analysis. Revenue impacts, such as sales tax and assessments, could offset costs. The Building a Quality Regional Community (BQRC) project could be refocused to address RSDP enhancements. Mr. Bagley stated that the data needs and data collection process could be refined to ensure development information is current. The work of peer MPOs and other agencies could be reviewed to see if similar work had been done. The analysis of the RSDP could be modified as directed. Chair Hawker thanked Mr. Bagley for his report.

Chair Hawker asked for clarification of the per unit cost. Mr. Bagley replied that is the total trips generated, since the methodology uses trips generated from housing units as the basis for calculation. It includes all trips in the region including commercial trips. Chair Hawker asked the capacity of a lane mile. Mr. Bagley replied the capacity is 21,500 vehicles on a freeway. Chair Hawker noted that a lane mile's cost of construction is approximately \$6 million. Mayor Cavanaugh asked for more explanation on Tables 2 and 5. Mr. Bagley stated that Table 2 is based on just residential certificates of occupancy. He noted that 88,000 units would generate 5.4 million vehicle miles of travel. Mr. Bagley stated that Table 5 is based on the number of development projects received and the number of housing units in these developments per time period. He noted that the assumptions come from the transportation models. Mayor Thomas stated that this goes back to the Governance Task Force and that Table 1 represents the criteria on what is regionally significant. Chair Hawker thanked Mr. Bagley for his report.

9. Legislative Update

Matt Clark provided an update on legislative items of interest. He stated that bills on eminent domain land use appear to be on hold to see if a compromise can be reached. Mr. Clark stated that efforts by cities, the Legislature, and others are underway to put together a compromise. He remarked that regulatory takings language in the bills remains a concern. It is thought that the Legislature will not address regulatory takings in the eminent domain compromise but let the November ballot initiative go forward, which will deal with regulatory takings.

Mr. Clark stated that there was a strike everything amendment to SB 1098 that would appropriate \$463 million from the state general fund to ADOT without earmarks. Of this, 50 percent would go to Maricopa County, 25 percent to Pinal County and Pima County, and 25 percent to the remaining counties. Mayor Thomas asked if 463 was tied to Proposition 400. Mr. Clark replied that it was not. Chair Hawker thanked Mr. Clark for his report and asked members if they had questions.

Chair Hawker recognized Mr. Crowley for public comment. Mr. Crowley commented that SB 1504 has a large number of sponsors and it seemed that it would not be a problem to get a majority of votes. He stated that this bill was rewarding Anthem for not planning. Mr. Crowley stated that legislation allows buses to idle for over one half hour in 74 degree weather. He noted that Las Vegas law is 10 minutes. He stated that 30 minutes to one hour is not air quality. Chair Hawker thanked Mr. Crowley for his comments.

10. Adjournment

Mayor Cavanaugh moved to adjourn the Executive Committee meeting. Mayor Thomas seconded, and the motion carried unanimously.

There being no further business, the meeting was adjourned at 2:10 p.m.

Chair

Secretary

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

April 10, 2006

SUBJECT:

Consultant Selection for the MAG Specifications and Details Inventory Project

SUMMARY:

In September 2004, the FY 2005 MAG Unified Planning Work Program and Annual Budget was amended and approved by the MAG Regional Council to include \$80,000 of Surface Transportation Program funding for the development of the MAG Specifications and Details Inventory Project. The desired results of this inventory effort are to obtain information concerning the character and extent of existing agency supplements to the *MAG Standard Specifications and Details for Public Works Construction*, as well as gather and categorize the supplemental specifications and details. The inventory will enable the Specifications and Details Committee to evaluate existing modifications for inclusion in or revision of the MAG publication. An initial request for proposals was advertised in February 2005 for consultant assistance; however, no proposals were received during its first advertisement. Consequently, the scope and description of the project were revised and a second request for proposals was released and advertised beginning February 9, 2006. Two proposals were received by the March 13, 2006 deadline. They were submitted by Apex Engineering and AZ-FLASH Companies, LLC.

A multi-agency review team consisting of members from Maricopa County, the City of Chandler, the City of Scottsdale, advisory members of the MAG Specifications and Details Committee and MAG staff met to evaluate the proposals on March 22, 2006. The evaluation team is recommending that the firm AZ-FLASH Companies, LLC be selected for the MAG Specifications and Details Inventory Project for an amount not to exceed \$80,000.

PUBLIC INPUT:

None has been received.

PROS & CONS:

PROS: MAG Specifications and Details allow MAG agencies and area general contractors to have access to a set of standards for public works construction that is consistent throughout the region. This inventory will help committee members determine what specifications and details are in use by different agencies, and which may be able to be standardized and included in the MAG publication. In addition, the collection of agency supplements will provide a central resource and library of public works specifications and details in the MAG region.

CONS: The review of agency supplements to the MAG Specifications and Details may prompt a major increase in the size and complexity of the MAG publication.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The MAG Specifications and Details are not prescriptive and MAG agencies are free to utilize the MAG standards as desired, or when appropriate. The supplements that individual agencies have released will be inventoried, collected, categorized and reviewed with recommendations provided to the MAG Specifications and Details Committee. These supplements may be used to implement revisions to the MAG Specifications and Details, or possibly be included directly in the MAG publication.

POLICY: Any changes will be brought forward through the annual Specifications and Details Update process and will be reviewed, recommended and approved by the Specifications and Details Committee, agency Public Works Directors, the Management Committee and the Regional Council.

ACTION NEEDED:

Recommend approval to select AZ-FLASH Companies, LLC for the MAG Specifications and Details Inventory Project for an amount not to exceed \$80,000.

PRIOR COMMITTEE ACTIONS:

On April 5, 2006, the Management Committee approved the recommendation of AZ-FLASH Companies, LLC to be selected as the consulting firm for the MAG Specifications and Details Inventory Project.

MEMBERS ATTENDING

Ed Beasley, Glendale, Chair	Mike Cartsonis for Darryl Crossman, Litchfield Park
Bridget Schwartz-Manock for Jan Dolan, Scottsdale, Vice Chair	Christopher Brady, Mesa
# George Hoffman, Apache Junction	Tom Martinsen, Paradise Valley
Charlie McClendon, Avondale	Terry Ellis, Peoria
Carroll Reynolds, Buckeye	Frank Fairbanks, Phoenix
* Jon Pearson, Carefree	Cynthia Seelhammer, Queen Creek
Usama Abujbarah, Cave Creek	* Bryan Meyers, Salt River Pima-Maricopa Indian Community
Patrice Kraus for Mark Pentz, Chandler	Jim Rumpeltes, Surprise
* B.J. Cornwall, El Mirage	Amber Wakeman for Will Manley, Tempe
Alfonso Rodriguez for Orlando Moreno, Fort McDowell Yavapai Nation	* Reyes Medrano, Tolleson
# Tim Pickering, Fountain Hills	* Shane Dille, Wickenburg
* Lynn Farmer, Gila Bend	Mark Fooks, Youngtown
* Gila River Indian Community	Dale Buskirk for Victor Mendez, ADOT
George Pettit, Gilbert	David Smith, Maricopa County
Stephen Cleveland, Goodyear	Bryan Jungwirth for David Boggs, Valley Metro/RPTA
Mark Johnson, Guadalupe	

* Those members neither present nor represented by proxy.

Participated by telephone conference call.

+ Participated by videoconference call.

On March 22, 2006, A multi-agency review team consisting of members from Maricopa County, the City of Chandler, the City of Scottsdale, advisory members of the MAG Specifications and Details Committee and MAG staff met to evaluate the proposals for the MAG Specifications and Inventory Project. The evaluation team is recommending that the firm AZ-FLASH Companies, LLC be selected for the MAG Specifications and Details Inventory Project for an amount not to exceed \$80,000.

Bob Herz, Maricopa County Department of Transportation

David Fern, P.E., City of Chandler

Rodney Ramos, P.E., City of Scottsdale

John F. Ashley, Advisory member: Arizona Cement Association

William Ast, Advisory member: National Utility Contractors Association of Arizona

Gordon Tyus, MAG Staff

CONTACT PERSON:

Gordon Tyus, MAG, (602) 254-6300.

MARICOPA ASSOCIATION OF GOVERNMENTS

INFORMATION SUMMARY... for your review

DATE:

April 10, 2006

SUBJECT:

Discussion of the Draft FY 2007 MAG Unified Planning Work Program and Annual Budget and Expenditures and Projects in the MAG Unified Planning Work Program and Annual Budget

SUMMARY:

Each year staff develops the MAG Unified Planning Work Program and Annual Budget. The Work Program is reviewed in April by the federal agencies and approved by the Regional Council in May. The proposed budget information is being presented incrementally in parallel with the development of the budget information (see Prior Committee Actions below for the presentation timeline of the budget). This presentation and review of the FY 2007 MAG Unified Planning Work Program and Annual Budget represent the budget document development to-date. The elements of the budget document are about 80 percent complete.

The Management Committee reviewed the development of the Work Program and Annual Budget at its meetings on January 11, February 8, March 8 and April 5, 2006. The Regional Council reviewed the draft budget document at its meetings on January 25, February 22, and March 29, 2006. The estimated dues and assessments were presented at these meetings using the construction inflation factor from the most current Regional Freeway System Certification. At the Regional Council Executive Committee meeting on February 13, 2006, staff was directed to explore other indices for calculating the estimated dues and assessments. Information on potential inflation indices was taken to the March 20 Regional Council Executive Committee meeting for review and staff was directed to use the prior year Consumer Price Index for all urban consumers (CPI-U). The CPI-U factor for 2005 is 3.4 percent and this has been applied to the estimated dues and assessments for FY 2007. Using the CPI-U factor of 3.4 percent results in a decrease in estimated dues and assessments of \$20,106. A revised estimated Dues and Assessments document is included. Interest was also expressed at the Executive Committee to have the flexibility in the budget to address future growth issues such as adequate public facilities. If these types of studies are desired, existing projects such as *Building a Quality Regional Community* could be modified, or a new project could be initiated using contingency funds.

In May 2004, a formal compensation study on the MAG salary schedule was performed by an outside consultant. Adjustments to the MAG salary structure were made based on the approved recommendations from this study. At the February 13, 2006 Executive Committee meeting, the Executive Committee approved a review of the MAG salary structure. This study is currently underway and it is anticipated that the results of this study will be incorporated into the final budget in May.

Each year new projects are proposed for inclusion in the MAG planning efforts. These new project proposals come from the various MAG technical committees, policy committees and other discussions with members and stakeholders regarding joint efforts within the region. These projects are subject to review and input by the committees as they go through the budget process. The proposed new projects for FY 2007 were presented at the February 8, 2006 Management Committee meeting, the February 13, 2006 Executive Committee meeting, and the February 22, 2006 Regional Council

meeting. A preliminary discussion on a "Southwest Valley/Western Pinal County Transportation Study" is currently taking place. The details of this proposed project are not yet available, but it is initially proposed to be a shared cost study between Pinal County, Maricopa County, ADOT, MAG and other potential partners including related towns and cities. The preliminary estimate for the MAG portion of this study is budgeted at \$200,000. Updates on this proposed study will be provided.

The Intermodal Planning Group (IPG) meeting was held on April 6, 2006. The draft budget document was reviewed at this meeting. There was discussion on the remaining CMAQ funding for the videoconference project which is budgeted as carryforward in FY 2007. It is anticipated that the remaining budgeted CMAQ funding will be spent during FY 2007 and that the ongoing charges for the MAG portion of the videoconference system could be incorporated into the MAG budget as overhead. The Federal Transit Administration recommended incorporating the FTA Planning Emphasis Areas into the draft budget and noted that these are similar to the FHWA Planning Emphasis Areas. The draft budget for FY 2007 will include the FTA Planning Emphasis Areas. The draft budget with any revisions will be provided at the May 2006 Executive Committee meeting. Major budget revisions are not anticipated at this time. A recommendation to approve the budget will be requested at this meeting.

In addition to the detailed MAG Unified Planning Work Program and Annual Budget, a summary budget document, "MAG Programs in Brief," is produced that will allow our members to quickly decipher the financial implications of the MAG budget. The summary budget is four pages and highlights the changes from the prior year budget in a summarized form. The summary document also includes a list of new projects with summary narrative, new staff positions, and the budgeted resources needed to implement these items.

Information for this presentation of the draft budget documents is included for your early review and input. The revised draft of Estimated Dues and Assessments for FY 2007 using the average 2005 CPI-U.

The information is considered draft and is subject to change as the budget continues through the review process.

The MAG Region as a Transportation Management Area and as a Metropolitan Planning Organization, is required (by Federal regulations 23 CFR 450.314) to describe all of the regional transportation-related activities within the planning area, regardless of funding sources or agencies conducting activities.

PUBLIC INPUT:

At the February 13, 2006 Executive Committee meeting, a citizen commented on having covered park and ride lots, but not all transit stops are sheltered.

PROS & CONS:

PROS: MAG is presenting a draft of the FY 2007 budget as well as the accompanying summary budget document, "MAG Programs in Brief." This presentation provides for an incremental review of key budget details of the complete draft budget. In January and February proposed new projects, estimated revenues and expenditures, and dues and assessments were reviewed. Additionally, we are producing a summary budget document, "MAG Programs in Brief," initially brought forward for review in February. The format for this document, as well as the draft detailed budget information, is included for continuous review. The budget summary will allow our members to quickly decipher the financial implications of the MAG budget.

CONS: None.

TECHNICAL & POLICY IMPLICATIONS:

TECHNICAL: The Federal Intermodal Surface Transportation Efficiency Act of 1991 requires a metropolitan planning organization to develop a unified planning work program that meets the

requirements of federal law. Additionally, the MAG by-laws require approval and adoption of a budget for each fiscal year and a service charge schedule.

POLICY: As requested by the MAG Executive Committee and subsequently approved by the Regional Council in May 2002, the MAG Work Program and Annual Budget detail is being presented earlier to the Management Committee and there is increased notice to members on the budget. MAG is providing a budget summary that outlines new programs and presents the necessary resources to implement these programs. This summary allows member agencies to quickly decipher the financial implications of such programs prior to their approval for implementation.

ACTION NEEDED:

Input on the development of the FY 2007 MAG Unified Planning Work Program and Annual Budget.

PRIOR COMMITTEE ACTIONS:

On April 5, 2006, the Management Committee was provided a detailed listing of proposed new projects new projects for FY 2007, a draft "MAG Programs in Brief," and a draft FY 2007 budget document.

MEMBERS ATTENDING

- | | |
|---|--|
| Ed Beasley, Glendale, Chair | Mike Cartsonis for Darryl Crossman,
Litchfield Park |
| Bridget Schwartz-Manock for Jan Dolan,
Scottsdale, Vice Chair | Christopher Brady, Mesa |
| # George Hoffman, Apache Junction | Tom Martinsen, Paradise Valley |
| Charlie McClendon, Avondale | Terry Ellis, Peoria |
| Carroll Reynolds, Buckeye | Frank Fairbanks, Phoenix |
| * Jon Pearson, Carefree | Cynthia Seelhammer, Queen Creek |
| Usama Abujbarah, Cave Creek | * Bryan Meyers, Salt River Pima-Maricopa
Indian Community |
| Patrice Kraus for Mark Pentz, Chandler | Jim Rumpeltes, Surprise |
| * B.J. Cornwall, El Mirage | Amber Wakeman for Will Manley,
Tempe |
| Alfonso Rodriguez for Orlando Moreno,
Fort McDowell Yavapai Nation | * Reyes Medrano, Tolleson |
| # Tim Pickering, Fountain Hills | * Shane Dille, Wickenburg |
| * Lynn Farmer, Gila Bend | Mark Fooks, Youngtown |
| * Gila River Indian Community | Dale Buskirk for Victor Mendez, ADOT |
| George Pettit, Gilbert | David Smith, Maricopa County |
| Stephen Cleveland, Goodyear | Bryan Jungwirth for David Boggs,
Valley Metro/RPTA |
| Mark Johnson, Guadalupe | |

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

On March 20, 2006, the Executive Committee was provided a detailed listing of proposed new projects new projects for FY 2007, a draft "MAG Programs in Brief," and a draft FY 2007 budget document.

MEMBERS ATTENDING

- | | |
|--|---------------------------------------|
| Mayor Keno Hawker, Mesa, Chair | Mayor Wendy Feldman-Kerr, Queen Creek |
| Mayor Woody Thomas, Litchfield Park,
Vice Chair | * Mayor Phil Gordon, Phoenix |
| Mayor Mary Manross, Scottsdale, Treasurer | * Mayor Joan Shafer, Surprise |
| | Mayor James M. Cavanaugh, Goodyear |

- * Not present

Participated by videoconference or telephone conference call

On March 8, 2006, the MAG Management Committee was provided a detailed listing of proposed new projects new projects for FY 2007, a draft "MAG Programs in Brief," and a draft FY 2007 budget document.

MEMBERS ATTENDING

Ed Beasley, Glendale, Chair	Mark Johnson, Guadalupe
Jan Dolan, Scottsdale, Vice Chair	Darryl Crossman, Litchfield Park
# Janine Hanna-Solley for George Hoffman, Apache Junction	Christopher Brady, Mesa
Charlie McClendon, Avondale	Tom Martinsen, Paradise Valley
Carroll Reynolds, Buckeye	Terry Ellis, Peoria
* Jon Pearson, Carefree	Frank Fairbanks, Phoenix
* Usama Abujbarah, Cave Creek	# Cynthia Seelhammer, Queen Creek
Mark Pentz, Chandler	Jacob Moore for Bryan Meyers, Salt River Pima-Maricopa Indian Community
* B.J. Cornwall, El Mirage	Jim Rumpeltes, Surprise
Alfonso Rodriguez for Orlando Moreno, Fort McDowell Yavapai Nation	Will Manley, Tempe
Ellen Pence for Tim Pickering, Fountain Hills	* Reyes Medrano, Tolleson
+ Lynn Farmer, Gila Bend	* Shane Dille, Wickenburg
* Gila River Indian Community	Mark Fooks, Youngtown
George Pettit, Gilbert	Dale Buskirk for Victor Mendez, ADOT
Stephen Cleveland, Goodyear	David Smith, Maricopa County
	David Boggs, Valley Metro/RPTA

* Those members neither present nor represented by proxy.

Participated by telephone conference call. + Participated by videoconference call.

On February 22, 2006, the MAG Regional Council was provided a proposed budget timeline, proposed dues and assessments, projected funding sources and uses, a draft "MAG Programs in Brief," and a detailed listing of proposed new projects for FY 2007.

MEMBERS ATTENDING

Mayor Keno Hawker, Mesa, Chair	* Mayor Bernadette Jimenez, Guadalupe
Mayor Woody Thomas, Litchfield Park, Vice Chair	Supervisor Max Wilson, Maricopa County
* Mayor Douglas Coleman, Apache Junction	Councilmember Jini Simpson for Mayor Ron Clarke, Paradise Valley
Councilmember Jim Buster for Mayor Marie Lopez-Rogers, Avondale	Mayor John Keegan, Peoria
Mayor Dusty Hull, Buckeye	Councilmember Peggy Neely for Mayor Phil Gordon, Phoenix
* Mayor Edward Morgan, Carefree	# Mayor Wendy Feldman-Kerr, Queen Creek
* Vice Mayor Dick Esser, Cave Creek	* President Joni Ramos, Salt River Pima-Maricopa Indian Community
Mayor Boyd Dunn, Chandler	Mayor Mary Manross, Scottsdale
Mayor Fred Waterman, El Mirage	Mayor Joan Shafer, Surprise
* President Raphael Bear, Fort McDowell Yavapai Nation	Mayor Hugh Hallman, Tempe
Councilmember John Kavanagh for Mayor Wally Nichols, Fountain Hills	Mayor Adolfo Gamez, Tolleson
* Mayor Daniel Birchfield, Gila Bend	# Mayor Ron Badowski, Wickenburg
* Governor William Rhodes, Gila River Indian Community	* Mayor Bryan Hackbarth, Youngtown
Mayor Steven Berman, Gilbert	* Vacant, ADOT
* Mayor Elaine Scruggs, Glendale	* Joe Lane, ADOT
Mayor James M. Cavanaugh, Goodyear	F. Rockne Arnett, Citizens Transportation Oversight Committee

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

Executive Committee: On February 13, 2006, the Executive Committee was provided a proposed budget timeline, proposed dues and assessments, projected funding sources and uses, a draft "MAG Programs in Brief," a detailed listing of proposed new projects for FY 2007 and an invitation for the videoconference Budget Workshop.

MEMBERS ATTENDING

- | | |
|--|---------------------------------------|
| Mayor Keno Hawker, Mesa, Chair | Mayor Wendy Feldman-Kerr, Queen Creek |
| Mayor Woody Thomas, Litchfield Park,
Vice Chair | Mayor Phil Gordon, Phoenix |
| # Mayor Mary Manross, Scottsdale, Treasurer | Mayor Joan Shafer, Surprise |
| | Mayor James M. Cavanaugh, Goodyear |

- * Not present
- # Participated by videoconference or telephone conference call

Management Committee: On February 8, 2006, the Management Committee was provided a proposed budget timeline, proposed dues and assessments, projected funding sources and uses, a draft "MAG Programs in Brief," a detailed listing of proposed new projects for FY 2007 and an invitation for the videoconference Budget Workshop.

MEMBERS ATTENDING

- | | |
|---|--|
| Dana Tranberg for Ed Beasley,
Glendale, Chair | Mark Johnson, Guadalupe |
| Jan Dolan, Scottsdale, Vice Chair | Darryl Crossman, Litchfield Park |
| # Janine Solley for George Hoffman,
Apache Junction | Christopher Brady, Mesa |
| Charlie McClendon, Avondale | * Tom Martinsen, Paradise Valley |
| Carroll Reynolds, Buckeye | John Wenderski for Terry Ellis, Peoria |
| * Jon Pearson, Carefree | Frank Fairbanks, Phoenix |
| * Usama Abujbarah, Cave Creek | # Cynthia Seelhammer, Queen Creek |
| Mark Pentz, Chandler | * Bryan Meyers, Salt River |
| * B.J. Cornwall, El Mirage | Pima-Maricopa Indian Community |
| Alfonso Rodriguez for Orlando Moreno,
Fort McDowell Yavapai Nation | Jim Rumpeltes, Surprise |
| Tim Pickering, Fountain Hills | Will Manley, Tempe |
| + Lynn Farmer, Gila Bend | Reyes Medrano, Tolleson |
| * Urban Giff, Gila River Indian Community | Shane Dille, Wickenburg |
| George Pettit, Gilbert | Mark Fooks, Youngtown |
| Stephen Cleveland, Goodyear | Dale Buskirk for Victor Mendez, ADOT |
| | David Smith, Maricopa County |
| | David Boggs, Valley Metro/RPTA |

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

On January 25, 2006, MAG Regional Council was provided a proposed budget timeline and proposed dues and assessments.

MEMBERS ATTENDING

- | | |
|--|---|
| Mayor Keno Hawker, Mesa, Chair | * Mayor Edward Morgan, Carefree |
| # Mayor Woody Thomas, Litchfield Park,
Vice Chair | Vice Mayor Dick Esser, Cave Creek |
| + Councilmember Dave Waldron for Mayor
Douglas Coleman, Apache Junction | * Mayor Boyd Dunn, Chandler |
| Mayor Marie Lopez-Rogers, Avondale | * Mayor Fred Waterman, El Mirage |
| * Mayor Dusty Hull, Buckeye | 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 James M. Cavanaugh, Goodyear
- Mayor Bernadette Jimenez, Guadalupe
- * Supervisor Don Stapley, Maricopa County
- * Mayor Ron Clarke, Paradise Valley
- Vice Mayor Bob Barrett for Mayor John Keegan, Peoria
- * Mayor Phil Gordon, Phoenix
- + Councilmember Gary Holloway for

- Mayor Wendy Feldman-Kerr, Queen Creek
- * President Joni Ramos, Salt River Pima-Maricopa Indian Community
- Mayor Mary Manross, Scottsdale
- * Mayor Joan Shafer, Surprise
- # Mayor Hugh Hallman, Tempe
- # Mayor Adolfo Gamez, Tolleson
- * Mayor Ron Badowski, Wickenburg
- * Mayor Bryan Hackbarth, Youngtown
- * Vacant, ADOT
- Joe Lane, ADOT
- F. Rockne Arnett, Citizens Transportation Oversight Committee

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

On January 11, 2006, the Management Committee was provided a proposed budget timeline and proposed dues and assessments.

MEMBERS ATTENDING

- Dana Tranberg for Ed Beasley, Glendale, Chair
- Jan Dolan, Scottsdale, Vice Chair
- * George Hoffman, Apache Junction
- Charlie McClendon, Avondale
- Carroll Reynolds, Buckeye
- * Jon Pearson, Carefree
- * Usama Abujbarah, Cave Creek
- Patrice Kraus for Mark Pentz, Chandler
- B.J. Cornwall, El Mirage
- Alfonso Rodriguez for Orlando Moreno, Fort McDowell Yavapai Nation
- Tim Pickering, Fountain Hills
- * Lynn Farmer, Gila Bend
- Urban Giff, Gila River Indian Community
- George Pettit, Gilbert
- Stephen Cleveland, Goodyear
- Mark Johnson, Guadalupe

- Darryl Crossman, Litchfield Park
- Christopher Brady, Mesa
- * Tom Martinsen, Paradise Valley
- Terry Ellis, Peoria
- Frank Fairbanks, Phoenix
- # Cynthia Seelhammer, Queen Creek
- * Bryan Meyers, Salt River Pima-Maricopa Indian Community
- Jim Rumpeltes, Surprise
- Amber Wakeman, for Will Manley, Tempe
- * Reyes Medrano, Tolleson
- * Shane Dille, Wickenburg
- Mark Fooks, Youngtown
- Dale Buskirk for Victor Mendez, ADOT
- David Smith, Maricopa County
- David Boggs, Valley Metro/RPTA

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

On January 9, 2006, the MAG Regional Council Executive Committee was provided a proposed budget timeline and proposed dues and assessments.

MEMBERS ATTENDING

- Mayor Keno Hawker, Mesa, Chair
- Mayor Woody Thomas, Litchfield Park, Vice Chair
- Mayor Mary Manross, Scottsdale, Treasurer

- Mayor Wendy Feldman-Kerr, Queen Creek
- * Mayor Phil Gordon, Phoenix
- Mayor Joan Shafer, Surprise
- Mayor James M. Cavanaugh, Goodyear

* Not present
 # Participated by videoconference or telephone conference call

CONTACT PERSON:

Rebecca Kimbrough, MAG Fiscal Services Manager, (602) 452-5051

Maricopa Association of Governments
Fiscal Year 2007
April 10, 2006
Draft Dues And Assessments

Jurisdiction	July 1, 2004 (e) Population Totals	MAG Member Dues	Solid Waste (b) Planning Assessment	Water Quality Planning Assessment	9-1-1 (c) Planning Assessment	Human Services Planning Assessment	Homeless (d) Prevention Assessment	Total (e) FY 2007 Estimated Dues & Assessments
Apache Junction	34,400	\$1,895	\$97	\$1,099	\$2,237	\$676		\$6,004
Avondale	60,255	\$3,320	\$169	\$1,925	\$3,919	\$1,185		\$10,518
Buckeye	14,505	\$799	\$41	\$463	\$943	\$285		\$2,531
Carefree	3,310	\$182	\$9	\$106	\$215	\$65		\$577
Cave Creek	4,370	\$241	\$12	\$140	\$284	\$86		\$763
Chandler	220,705	\$12,159	\$620	\$7,052	\$14,354	\$4,340	\$3,988	\$42,513
El Mirage	28,310	\$1,560	\$80	\$905	\$1,841	\$557		\$4,943
Fort McDowell Yavapai Nation	824	\$247	\$2	\$26	\$54	\$16		\$345
Fountain Hills	22,475	\$1,238	\$63	\$718	\$1,462	\$442		\$3,923
Gila Bend	2,030	\$112	\$6	\$65	\$132	\$40		\$355
Gila River Indian Community	2,740	\$151	\$8	\$88	\$178	\$54		\$479
Gilbert	164,685	\$9,073	\$463	\$5,262	\$10,711	\$3,238	\$2,975	\$31,722
Glendale	233,330	\$12,854	\$655	\$7,456	\$15,175	\$4,588	\$4,216	\$44,944
Goodyear	35,810	\$1,973	\$101	\$1,144	\$2,329	\$704		\$6,251
Guadalupe	5,380	\$296	\$15	\$172	\$350	\$106		\$939
Litchfield Park	3,920	\$216	\$11	\$125	\$255	\$77		\$684
Maricopa County (f)	232,860	\$12,829	\$654	\$7,441	\$15,145	\$4,579	\$4,207	\$44,855
Mesa	447,130	\$24,633	\$1,256	\$14,287	\$29,080	\$8,792	\$8,079	\$86,127
Paradise Valley	14,410	\$794	\$40	\$460	\$937	\$283		\$2,514
Peoria	132,300	\$7,289	\$372	\$4,227	\$8,605	\$2,601	\$2,390	\$25,484
Phoenix	1,416,055	\$78,012	\$3,978	\$45,248	\$92,745	\$27,845	\$25,585	\$180,668
Queen Creek	11,645	\$642	\$33	\$372	\$757	\$229		\$2,033
Salt River Pima-Maricopa	6,780	\$374	\$19	\$217	\$441	\$133		\$1,184
Scottsdale	221,130	\$12,182	\$621	\$7,066	\$14,382	\$4,348	\$3,995	\$42,594
Surprise	63,960	\$3,524	\$180	\$2,044	\$4,160	\$1,258		\$11,166
Tempe	160,820	\$8,860	\$452	\$5,139	\$10,459	\$3,162	\$2,906	\$30,978
Tolleson	5,445	\$300	\$15	\$174	\$354	\$107		\$950
Wickenburg	5,970	\$329	\$17	\$191	\$388	\$117		\$1,042
Youngtown	3,970	\$219	\$11	\$127	\$258	\$78		\$693
TOTALS	3,559,524	\$196,303	\$10,000	\$113,739	\$139,405	\$69,991	\$58,341	\$587,779

FY 2006 Total Costs		\$189,650	\$10,000	\$110,000	\$134,823	\$67,691	\$56,422
Based on Population		\$6,653	\$0	\$3,739	\$4,582	\$2,300	\$1,919
		3.51%	0.00%	3.40%	3.40%	3.40%	3.40%
Per Capita Cost		\$0.05515	\$0.00281	\$0.03195	\$0.03916	\$0.01966	\$0.01639

The annual dues and assessments are apportioned according to per capita populations and are increased using the CPI-U from the prior year. The CPI-U used for FY 2007 is 3.4%.

- (a) The official census numbers for 2005 are anticipated to be ready in May 2006. The final population numbers approved by Regional Council will be used for this calculation.
- (b) The Solid Waste Planning Assessment remains at the fiscal year 2006 amount of \$10,000. There is no anticipated increased activity in fiscal year 2007 for this program.
- (c) The 9-1-1 assessment is apportioned according to per capita populations excluding the City of Phoenix.
- (d) The Homeless Prevention assessment is only charged to cities who are CDBG recipients and have populations over 50,000 and to Maricopa County.
- (e) Total Dues and Assessments are based on a minimum of \$350 per member.
- (f) The Maricopa County portion of the dues and assessments includes the balance of the county, excluding Gila River Indian Community, the Fort McDowell Yavapai Nation, and the Salt River Pima-Maricopa Indian Community (except when calculating the Homeless Prevention assessment).

April 10, 2006

TO: Members of the MAG Regional Council Executive Committee

FROM: Dennis Smith, Executive Director

SUBJECT: CONTRACTUAL ASSISTANCE FOR THE REGIONAL GOVERNMENTAL SERVICE CENTER

On March 29, 2006, the MAG Regional Council approved preliminarily selecting the McKinley and 1st Avenue site for the Regional Governmental Service Center, pending legal and financial review of the development agreement. The Regional Council also authorized the Executive Director to request financial, legal and program management services related to the regional building project.

To procure these services, it was suggested at the March 20, 2006 MAG Building Lease Working Group (BLWG) meeting that a procurement done by the City of Phoenix for legal and financial services be used as a source for these services. Staff has since reviewed the City of Phoenix procurement and the Mohave Educational Services Cooperative Purchasing Agreement. Based on these procurements and comparison to other services, the following recommendations are provided contingent upon resolution of outstanding design issues relating to the McKinley and 1st Avenue site:

Real Estate Legal Services: In discussing the procurement for real estate services done by the City of Phoenix, the City of Phoenix offered that MAG could use the City of Phoenix in-house legal services for the internal rate charged within the City of Phoenix. Their rate for Real Estate/ Agreement legal review would be \$145.00 per hour. In addition to working with the City of Phoenix, the existing MAG General Counsel, Mariscal, Weeks, McIntyre & Friedlander, P.A. will also be available.

Lease Agreement Legal Services/Legal Oversight. Staff is recommending that the MAG General Counsel agreement with Mariscal, Weeks, McIntyre & Friedlander, P.A. be used to augment the legal services. This would include developing the lease-to-own agreements with the partnering agencies and providing general legal oversight for MAG at a rate of approximately \$145.00 per hour.

Project Management Services: To assist MAG in having owner representation in the construction of the building, staff interviewed the 3D/I Group, which performs project and construction management. The 3D/I Group is on the Mohave Educational Services Cooperative Purchasing Agreement. The Mohave rate for project management is \$95.00 per hour. Staff is recommending that the 3D/I Group be used for project management services not to exceed \$100,000 for the first year.

Financial Advisory Services: The Financial Advisory services are needed immediately in order to ensure that a complete and comprehensive review of all financial options is considered. MAG is recommending an associate agreement with a financial consultant familiar with municipal type development and public financing not to exceed \$25,000.

A Voluntary Association of Local Governments in Maricopa County

Financial Advisory Services Bond Attorney: It is anticipated that a bond firm will be recommended at a future meeting from the Phoenix procurement.

An update on these recommendations will be provided to the Executive Committee at the April 17, 2006 meeting. Once the real estate agreement is reviewed and financial information is completed, further commitment from the partnering agencies and their board of directors is suggested.

If you have any questions, please contact me at the MAG office.

MAG Related Bills
BILL SUMMARY
 (47th Legislature – 2nd Regular Session)
Updated: April 10, 2006

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Land Use Regulation; Compensation	SCR 1019 (As Amended)	Bee, Bennett, Burns R, Jarrett, & Tibshraeny	<p style="text-align: center;"><i>LAND USE; COMPENSATION; & EMINENT DOMAIN</i></p> <p>The Strike Everything Amendment to SCR 1019 proposes a ballot measure that, among other things, would require governments to compensate property owners for every zoning or land use decision they make.</p> <p>If passed the law would freeze current zoning, preventing government from responding to future community concerns.</p> <p>Examples of actions that could trigger lawsuits and payment from government:</p> <ul style="list-style-type: none"> • Approval or disapproval of historic overlay zoning; • Change in residential density; • Change from commercial, residential or industrial use; • Approval or disapproval of building height limits; • Approval or disapproval of neighborhood-developed special planning districts; • Approval or disapproval of liquor licenses; • Regulation of business hours or building design; • Enforcement or enactment of neighborhood preservation codes; and • Virtually any other land use regulation. <p>Furthermore, the law will provide a right to compensation when the zoning authority takes <u>no</u> action, as long as the owner can show that inaction reduces the value of his property.</p>	SENATE FIRST READ: 01/26/06 SECOND READ: 02/01/06 TRANS: DPA/SE 02/16/06 RULES: PFCA 2/22/06 COW: DPA 3/22/06 THIRD READING: 3/22/06 Sent to House: 3/22/06 HOUSE FIRST READING: 3/22/06 SECOND READING: 3/27/06 Assigned: FMPP: DPA 3/27/06 RULES:	Oppose

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Takings; Public Use; Juries; Fees	SCR 1002	Blendu Bee Burns R Martin Flake Gould Gray L Harper Huppenthal Verschoor Weiers JP	<p>Would propose for the 2006 general election ballot a constitutional amendment granting any party the right to request a jury trial to determine whether or not the taking of the property is intended for public use. Additional amendment changed the legislation to ensure that the proposal only applies to cities.</p> <p>Concerns: By allowing "any affected party" to appeal, the set of possible appeals and the dynamics of the appeal process increase by orders of magnitude.</p> <p>A Strike Everything amendment was passed in the House FMPR Committee that would propose for the 2006 general election ballot a constitutional amendment that does the following:</p> <ul style="list-style-type: none"> • Stipulates that the EEC must determine the estimated State General Fund revenues by February 1 for the next Fiscal Year (FY). • Establishes that the Legislature and the Governor must enact the state budget and all other matters relating to the state budget by April 15 for the following FY. • Mandates that except for any other law relating to an increase in state agency or department budgets, if the Legislature and the Governor do not enact the state budget and all other matters relating to it by April 15, the budget that was adopted in the previous FY will be the budget for the next FY except that the amount for each state agency or department for the next FY must be increased or decreased by the lesser of: <ol style="list-style-type: none"> 1. The combined positive or negative percentage change for the most recent available twelve-month period in the population and the cost of living. 2. The increase or decrease in State General Fund revenues as determined by the EEC. • Declares that the amount of one-time appropriations of monies for state programs must not be included in the base of state entities for purposes of the calculation. • Permits the Legislature to adjust state entity budgets based on changes in the revenues estimated by the EEC. 	SENATE FIRST READ: 01/11/06 SECOND READ: 01/12/06 Assigned: JUD: DPA 1/23/06 RULES: PFC 1/30/06 COW: DPA 2/02/06 Sent to House 2/09/06 HOUSE FIRST READING: 2/20/06 SECOND READING: 2/21/06 Assigned: FMPR: DPA/SE 3/14/06 RULES:	Oppose

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Eminent Domain; Presumption	HCR 2002	Gray C Borges Pearce	<p>States that the use of eminent domain by the state, a political subdivision of the state or a person creates a presumption that the taking is for a private use. The burden would rest with the state, political subdivision or person exercising eminent domain to establish by clear and convincing evidence facts rebutting the presumption.</p> <p>Concerns: The proposed language is tantamount to alleging that the condemning authority is attempting to perpetrate a fraud on the court in every condemnation action that it files. Ordinarily, in pleadings filed with the court, the condemning authority alleges, as required by law that the taking is for a public purpose. A presumption that the taking is actually for a private purpose seems to accuse the condemning authority of being untruthful in every condemnation pleading it files.</p> <p>On March 27, 2006 a Strike Everything Amendment was passed in the Senate Judiciary Committee that, subject to voter approval, require the Legislature to ensure that the annual budget is balanced.</p>	<p>HOUSE FIRST READ: 1/09/06 SECOND READ: 1/10/06 Assigned FMPR: DP 1/09/06 RULES: C&P 01/31/06. COW: DPA 2/09/06 Third Read 2/13/06 Sent to Senate SENATE FIRST READ: 2/15/06 SECOND READ: 2/16/06 Assigned: JUD: DPA/SE 3/27/06 RULES</p>	Oppose

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Takings; Public Use; Jury Determination	HCR 2003	Gray C Borges Pearce	<p>Very similar to SCR 1002. Allows a private property owner to request a jury to determine whether an eminent domain taking is for a public use.</p> <p>Concerns: By allowing "any affected party" to appeal, the set of possible appeals and the dynamics of the appeal process increase by orders of magnitude.</p> <p>On March 30, 2006 a Strike Everything Amendment was passed in the Senate Judiciary Committee that, subject to voter approval, prohibits a public employee labor organization (PELO) from using employee dues or fees for political activities unless the PELO has consent of the employee.</p>	<p>HOUSE FIRST READ: 1/09/06 SECOND READ: 1/10/06 Assigned FMPR: DPA 1/09/06 RULES: C&P 01/31/06. COW: DPA 2/09/06 Third Read 2/13/06 Sent to Senate SENATE FIRST READ: 2/15/06 SECOND READ: 2/16/06 Assigned: JUD: DPA/SE 3/30/06 RULES</p>	Oppose
Land Use Regulation; Compensation	HCR 2031	Gray C	<p>The bill is identical to the amended version of SCR 1019. It proposes a ballot measure that, among other things, would require governments to compensate property owners for every zoning or land use decision they make.</p>	<p>HOUSE FIRST READ: 1/30/06 SECOND READ: 1/31/06 Assigned: FMPR: DPA/SE 2/13/06 RULES: C&P 3/07/06 COW: DPA 3/14/06 THIRD READING: 3/22/06 FAILED 2/3 VOTING REQUIREMENT</p>	Oppose

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Eminent domain; fees; costs; interest	HB 2062	Gray, C Burges Pearce	Requires plaintiffs in actions for condemnation to fully disclose in writing the final project, including all aspects of work that must be performed to complete the project, to the property owner of record.	HOUSE FIRST READ: 1/09/06 SECOND READ: 1/10/06 Assigned FMPR: DP 1/09/06 RULES: C&P 01/09/06. Approved House COW: DPA 01/26/06 Third Read 2/13/06 Passed the House 2/13/06. Sent to Senate SENATE FIRST READ: 2/14/06 SECOND READ: 2/15/06 Assigned: GOV: DPA 3/16/06 RULES: PFC 3/20/06	Oppose

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Eminent Domain; Appraisals; Taxes	HB 2736	Farnsworth Gorman	Appraisals shall include the property's "good will value." Plaintiff responsible for any property taxes paid during the condemnation process. The court shall make the final order of condemnation within 180 days after the commencement of the condemnation action. Changes made to relocation costs and appraisal language. A government entity may not sell, lease, or transfer property that it acquires through eminent domain for 10 years.	HOUSE FIRST READ: 02/02/06 SECOND READ: 02/06/06 Assigned: FMPP: DP 02/13/06 RULES: C&P 3/07/06 COW: DP 3/13/06 THIRD READ: 3/15/06 Sent to Senate SENATE FIRST READ: 3/16/06 SECOND READ: 3/21/06 Assigned: GOV: DPA 3/30/06 RULES: PFC 4/05/06	Oppose
			TRANSPORTATION		

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Bond Requirements; Authorized Third Parties	SB 1098	Verschoor	<p>Increases the bond requirement for individuals applying to participate in the Arizona Department of Transportation's (ADOT) Motor Vehicle Division (MVD) third party program. Updates exemptions from the third party application bond requirement.</p> <p>A Strike Everything amendment was adopted in the House Transportation Committee on Thursday March 9, 2006. The amendment will do the following:</p> <ul style="list-style-type: none"> • Appropriates \$463 million to a highway acceleration account in the state highway fund. • 50% of the appropriated funds would go to Maricopa County. • 25% of the appropriated funds would go to counties with a population of 500,000 or more persons. • 25% of the appropriated funds would go to counties with a population of less than 500,000 or less persons. • Design a right of way purchase or construction related to new, or improvements to, I-10 between milepost 230 and milepost 260 (City of Tucson and the edge of Pima County). 	SENATE FIRST READ: 01/11/06 SECOND READ: 01/12/06 Assigned: TRANS: DP 1/24/06 RULES: PFC 1/30/06 COW: DP 2/08/06 THIRD READING: 2/08/06 Sent to House 2/08/06 HOUSE FIRST READ: 02/20/06 SECOND READ: 02/21/06 Assigned: TRANS: DPA/SE 3/09/06 RULES:	Support House Trans Committee Amendment

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Appropriation Highway Const.	SB 1248	Blendu	<p>Appropriates \$118 million in FY 2006-2007 to the State Highway Fund to accelerate existing highway construction projects. According to ADOT, from October 2003 to October 2005, the prices of the six primary materials used in highway construction have increased in the following amounts:</p> <ul style="list-style-type: none"> • Steel 41 percent • Concrete 21 percent • Lumber 9 percent • Gasoline 104 percent • Diesel 162 percent • Asphalt 40 percent <p>This legislation will result in a \$118 million impact to the state General Fund in FY 2006-2007.</p> <p><u>Amendments Adopted by the Appropriations Committee</u></p> <ul style="list-style-type: none"> • Increases the appropriation to \$118 million from \$100 million. • Appropriates the monies to the State Highway Fund instead of ADOT. <p><u>Amendments Adopted on the Floor</u></p> <ul style="list-style-type: none"> • Amendment by Sen. Martin that forces funds to be used on I-10 and/or I-17 <p>A Strike Everything Amendment was passed by the Appropriations Committee on April 5, 2006 that appropriates to SB 1248 \$300,000 and three FTE positions from the state General Fund in FY 2006-07 to the Department of Health Services (DHS) for osteoporosis research</p>	<p>SENATE FIRST READ: 01/19/06 SECOND READ: 01/25/06 Assigned: TRANS: DP 02/07/06 APPROP: DPA 2/14/06 RULES: PFC 2/20/06 COW: DPA 2/22/06 THIRD READING: 3/06/06 Sent to House 3/06/06 HOUSE FIRST READ: 3/09/06 SECOND READ: 3/13/06 Assigned: TRANS: 4/04/06 W/D APPROPS P: DPA/SE 4/05/06 RULES:</p>	Support

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
ADOT ITS	SB 1420	Martin	<p>Appropriates \$15 million from the state general fund in fiscal year 2006 - 2007 to ADOT for funding of ADOT ITS systems in Maricopa County consisting of highway cameras, message boards and a web site with current highway information. The state general fund would be repaid over a 14-year period (\$1 million per yr.) from the Regional Area Road Fund. These accelerated expenditures have not been included in the MAG Transportation Improvement Program. The section of highway that would be instrumented is 15 miles on Interstate 17 from Dunlap to Carefree Highway. This project is currently programmed for construction in 2013. The current bill requires that payments be made to the general fund on an annual basis beginning in 2007. There are a number of projects programmed prior to 2013, which have a higher priority.</p>	<p>SENATE FIRST READ: 01/30/06 SECOND READ: 02/01/06 Assigned TRANS: DP 2/14/06 APPROP: RULES:</p>	Monitor
I-17 Widening	SB 1504	<p>Martin, Bee, Bennet, Blendu, Miranda, Aguirre, Flake, Garcia, Harper, Mitchell, Tibshraeny, Verschoor, Gorman, Gallardo, Reagan, Stump</p>	<p>The sum of \$75,000,000 is appropriated from the state general fund in fiscal year 2006-2007 and in each of the five subsequent fiscal years to the department of transportation for the widening of interstate 17 from Carefree highway north approximately twenty miles to Black Canyon City with an additional highway lane in each direction. ADOT has completed the Design Concept Report (DCR) to Black Canyon City. An environmental assessment (or environmental impact statement) would need to be completed before design could begin (1-2 years for an EA or 3 + years if an EIS is required). Design could take 2 years. Construction probably could not start for at least 3 year and perhaps longer.</p>	<p>SENATE FIRST READ: 1/31/06 SECOND READ: 2/02/06 Assigned: APPROP: TRANS: DP 2/14/06 RULES:</p>	Monitor

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Relating to municipal debt	HCR 2001	Nelson Mason Blendu Prezelski Weiers	Increases the bonding capacity from 6 percent to 20 percent for public safety and transportation projects.	HOUSE FIRST READ: 1/09/06 SECOND READ: 1/10/06 Assigned: CMMA DP 1/10/06 GRGFA DP 1/18/06 RULES: C&P 01/31/06 COW: DP 2/13/06. Sent to Senate SENATE FIRST READ: 2/15/06 SECOND READ: 2/16/06 Assigned: GOV: DP 3/16/06 RULES:	Support

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
State highway fund bonds	HB 2206	Biggs	Removes the statutory cap (currently set at \$1.3 billion) on Highway User Revenue Fund (HURF) parity bonds issued by the State Transportation Board.	HOUSE FIRST READ: 1/17/06 SECOND READ: 1/18/06 Assigned: TRANS: DP 01/19/06. APPROP (P): DP 2/01/06 RULES: Amend C&P 2/21/06 COW: DPA2/23/06 Sent to Senate SENATE FIRST READ: 2/28/06 SECOND READ: 3/01/06 Assigned: TRANS: DP 3/14/06 APPROP: HELD 3/28/06 RULES:	Support
Appropriation; highway monies; repayment	HB 2332	McClure Konopnicki Lopez	Appropriates \$52,215,300 from the State General Fund to the Highway User Revenue Fund (HURF) for distribution to counties for repayment of HURF monies diverted in fiscal year 2004-2005.	HOUSE FIRST READ: 1/17/06 SECOND READ: 1/18/06 Assigned: TRANS: DPA 01/26/06. APPROP (P): RULES:	Support

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Freeway expansion; Intergovernmental Agreements	HB 2756	Weiers Kirkpatrick Allen Brown Chase Downing Jones McLain Pearce	Provides that three or more contiguous cities may enter into an intergovernmental agreement for a period of not to exceed five years for the construction or expansion of controlled access highways in the state or interstate highway system. The cities would have an election to increase the sales tax by the same percentage in each city. The monies from the tax would be provided to the state treasurer and to ADOT. Each year, the tax is collected, an equal amount up to \$5 million per year would be allocated from the state general fund to the state treasurer for deposit into the ADOT freeway construction account. Projects are required to be identified in the ADOT Long Range Transportation Plan.	HOUSE FIRST READ: 02/02/06 SECOND READ: 02/06/06 Assigned: TRANS: DISC/HELD 2/23/06 APPROP (P) RULES	Monitor
Transportation Facilities; Priorities; Appropriation	HB 2769	Gorman Borges Mason Pierce Martin Barnes Burns Farnsworth Groe Hershberger Jones McLain Murphy Nelson Nichols Paton	Provides that an ADOT departmental committee in recommending priorities shall give additional weight to projects that relieve congestion, improve accessibility, promote safety and provide economic benefits to major arterial routes. A sum of \$80 million is appropriated from the state general fund in fiscal year 2006-2007 to ADOT for deposit in a separate account of the state highway fund for cost related to new construction and improvements to the portion of Interstate 17 between the Loop 101 and northern edge of Maricopa County to relieve congestion, improve accessibility, promote safety and provide economic benefits.	HOUSE FIRST READ: 02/07/06 SECOND READ: 02/08/06 Assigned: TRANS: DISC/HELD 2/23/06 APPROP (P) RULES:	Monitor

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
<p>ADOT; Receiving monies from developer</p>	<p>HB 2791</p>	<p>Chase P</p>	<p>Allows the Arizona Department of Transportation to receive monies from a developer for use by the department for transportation projects.</p> <p>Current statute provides exemptions from bidding requirements for private entities that fund transportation projects with private monies. However, the statute does impose mandates on a private entity that chooses to pay for construction of a transportation project. These requirements include:</p> <ul style="list-style-type: none"> • The private entity must obtain a bond in an amount equal to one hundred twenty-five per cent of the anticipated construction cost of the project before advertising for bids. • The private entity must solicit sealed bids from at least four contractors who are prequalified by the department to perform a contract of the anticipated dollar amount of the construction. • The private entity is required to Award the contract to the best bidder taking into account price and other criteria as provided in the bid documents. • The private entity must obtain bonds from the selected contractor that provide the same coverage as performance and payment bonds issued under title 34, chapter 2, article 2. • The private entity is required to use department construction standards and pay all costs of department reviews of the contract and inspections of the project. • In addition, current statute allows the Department to accept donations of land for transportation purposes; for the construction, improvement and maintenance of state highways or bridges; or for transportation construction equipment. <p>This bill was introduced as a vehicle to pass a compromise that the developers, ADOT, legislature, and the AG hope to reach in the near future. The language is expected to change and a Strike Everything Amendment will put the legislative compromise in place before it passes the legislature.</p>	<p>HOUSE FIRST READ: 02/07/06 SECOND READ: 02/08/06 Assigned: TRANS: DP 2/23/06 APPROP (P): RULES:</p>	<p>Monitor</p>

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Local building construction; procedures	HB 2136	Nelson Blendu	<p style="text-align: center;">OTHERS</p> <p>Specifies that cities and towns must follow regulations outlined in title 34 relating to local building construction and procedures.</p> <p>An amendment was approved in the Senate Government Committee on March 16, 2006 that stated that "a notice shall be published by advertising in a newspaper of general circulation in the county in which the agent is located for two consecutive publications if it is a weekly newspaper or for two publications that are at least six but no more than ten days apart if it is a daily newspaper."</p>	<p>HOUSE FIRST READ: 1/11/06 SECOND READ: 1/12/06 Assigned: CMMA: DP 01/17/06 GRGFA: DPA 02/01/06 RULES: C&P 02/14/06 COW: DPA 2/16/06 Sent to Senate 2/20/06 SENATE FIRST READ: 2/21/06 SECOND READ: 2/28/06 Assigned: GOV: DPA 3/16/06 RULES: PFC 3/20/06 COW: DPA 3/30/06 THIRD READING: 4/04/06 Sent to House 4/04/06</p>	Support

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Municipal Planning; Fees Disclosure Now: Development Fee; Capital Improvements Plan	HB 2381	Patton Bee	<p>HB 2381 requires all planning fees collected and spent by a department to be made available, upon request by the legislatures body's planning department.</p> <p>A Strike Everything Amendment was added to the bill in the House GRFGA Committee. The amendment represents a complete overhaul of the development impact fee process.</p> <p>MAG and cities are concerned about this legislation for two main reasons. First, the bill will preempt local authority to set construction sales tax rates at an amount higher than other tax rates. While most larger cities do not have a discrepancy in their construction sales tax rate, several mid-size and small growing cities use a higher construction sales tax rate to pay for enhanced infrastructure and other projects to support growth. Second, the legislation will require all cities to link their development fees to projects contained within a Capital Improvement Plan. The CIP requirement is truly the most troubling part because of the additional requirements that it places on the use of development impact fees.</p>	<p>HOUSE FIRST READ: 1/19/06 SECOND READ: 1/23/06 Assigned: CMMA: W/D 2/14/06 GRGFA: DPA/SE 2/22/06 RULES: C&P 3/02/06 COW: DPA 3/09/06 THIRD READ: 3/13/06 Sent to Senate 3/14/06 SENATE FIRST READ: 3/15/06 SECOND READ: 3/16/06 Assigned: GAR: DPA 3/29/06 RULES: PFCA 4/03/06</p>	Oppose

Issue	Bill Number	Sponsor	Description	Status	Rec. Position
Underground facilities; Marking procedures	HB 2708	Tully P	<p>HB 2708 removes the exemption for underground facilities operators from marking sewer systems installed before December 31, 2005.</p> <p>Provisions</p> <ul style="list-style-type: none"> • Adds <i>underground facilities owned by another person</i> and installed before December 31, 2005 to the facilities that an operator of a sewer system is responsible for locating and marking if the facilities are located in any public street, alley, right-of-way dedicated to public use or utility easement. • Stipulates that underground facilities installed after December 31, 2005 <i>must</i> be located by referring to installation records of the facility <i>and</i> by using a statutorily approved method. Alternatively, underground facilities installed before January 1, 2006 <i>may</i> be located using installation records or other records relating to the facility, but <i>must</i> be located using statutorily approved methods. • Eliminates the exemption from an obligation for a person to represent that an underground sewer facility is abandoned if it was installed on or before December 31, 2005, and it is not owned by an underground facilities operator of a sewer system. <p>Amendments</p> <p>Counties, Municipalities and Military Affairs</p> <ul style="list-style-type: none"> • Removes the requirement to mark underground sewer facilities installed before December 31, 2005. • Allows for the use of available installation records or other records relating to the facility when locating an underground facility installed before December 31, 2005. • Removes the obligation for a person to present that an underground sewer facility is abandoned if the facilities were installed before December 31, 2005. • Clarifies that Homeowners' Associations that own underground sewer facilities located in a public right-of-way are not responsible for marking underground facilities by including them in the definition of "person" and exempting them from the definition of "underground facilities operators." • Prohibits a building official or political subdivision from requiring the installation of one or more sewer clean-outs for the purposes of locating an underground facility except as required by building code. 	<p>HOUSE FIRST READ: 2/02/06 SECOND READ: 2/06/06 Assigned: FMPPR: WD 2/15/06 COM: WD 2/15/06 TRANS: DPA 2/16/06 RULES: C&P 02/21/06 COW: DPA 3/07/06 Sent to Senate 3/10/06 SENATE FIRST READ: 3/13/06 SECOND READ: 3/14/06 Assigned: CED: RULES:</p>	

Committee Legend:

APP	Appropriations
APP-B	Appropriations - Boone
APP-P	Appropriations - Pearce
CED	Commerce and Economic Development
CMA	Counties, Municipalities and Military Affairs
COM	Commerce
COW	Committee of the Whole
ED	K-12 Education
ENV	Environment
FII	Financial Institutions and Insurance
FIN	Finance
FMPR	Federal Mandates and Property Rights
FS	Family Services
GAR	Government Accountability and Reform
GOV	Government
GRGFA	Government Reform and Govt Finance Accountability
HE	Higher Education
HEA	Health
HS	Human Services
JUD	Judiciary
NRRA	Natural Resources and Rural Affairs
NRA	Natural Resources and Agriculture
PIR	Public Institutions and Retirement
RULES	Rules
S/E	Strike Everything
TRANS	Transportation
UCCT	Universities, Community Colleges and Technology
WM	Ways and Means
W/D	Withdrawn