

MINUTES OF THE
MAG MANAGEMENT COMMITTEE MEETING
November 17, 1999
MAG Office Building - Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Frank Fairbanks, Phoenix, Chairman
Debbie Kohn for Carlos Palma, Avondale
Joe Blanton, Buckeye
Jon Pearson, Carefree
*Usama Abujbarah, Cave Creek
Lloyd Harrell, Chandler
*Maggie Reese, El Mirage
Paul Nordin, Fountain Hills
Carl Stephani, Gila Bend
*Urban Giff, Gila River Indian Community
Kent Cooper, Gilbert
Amy Rudibaugh for Martin Vanacour,
Glendale
Jerene Watson for Stephen Cleveland,
Goodyear
*Luis Gonzales, Guadalupe
*Horatio Skeete, Litchfield Park

Mike Hutchinson for Charles Luster, Mesa
Tom Martinsen, Paradise Valley
Prisilla Ferreira-Hernandez for Terry Ellis,
Peoria
*Cynthia Seelhammer, Queen Creek
*David Easchief, Salt River Pima-Maricopa
Indian Community
Roger Klingler for Dick Bowers, Scottsdale
Mike Branham for Dick McComb, Surprise
Gary Brown, Tempe
Reyes Medrano for Ralph Velez, Tolleson
Fred Carpenter, Wickenburg
Lloyce Robinson, Youngtown
Mary Peters, ADOT
Tom Buick for David Smith, Maricopa County
Ken Driggs, RPTA

*Those members neither present nor represented by proxy.

OTHERS PRESENT

Kevin Adam, Mesa
Cari Anderson, MAG
Eric Anderson, MAG
Anubhav Bagley, MAG
D. D. Barker, Citizen
Lindy Bauer, MAG
James M. Bourey, MAG
Peggy Carpenter, Scottsdale
Jim Coffman, Planning Center
Dawn Coomer, MAG
Corey Cox, MAG
William 'Blue' Crowley, Citizen
Valerie Day, MAG
Chuck Eaton, ADOT
Bob Galloway, Apache Junction
Brenda Geisen, MAG
Jim Huling, Tempe
Joe Gibbs, Phoenix

Terry Johnson, MAG
Carol Kratz, MAG
Patrice Kraus, Chandler
Norris Nordvold, Phoenix
Chris Plumb, MCDOT
Audrey Skidmore, MAG
Dennis Smith, MAG
Kelly Taft, MAG
Lisa Takata, Phoenix
Steve Tate, MAG
Gordon Tyus, MAG
Rita Walton, MAG
Paul Ward, MAG
Shauna Warner, Tempe
Harry Wolfe, MAG
Jim Wortham, Phoenix Fire

1. Call to Order

The meeting was called to order by Chairman Frank Fairbanks, Phoenix, at 12:05 p.m.

Chairman Fairbanks announced a new representative to the Management Committee, Usama Abujbarah, Interim Town Manager, from Cave Creek.

Chairman Fairbanks introduced proxies Debbie Kohn for Carlos Palma from Avondale, Amy Rudibaugh for Martin Vanacour from Glendale, Jerene Watson for Stephen Cleveland from Goodyear, Tom Buick for David Smith from Maricopa County, Mike Hutchinson for Charles Luster from Mesa, Prisilla Ferreira-Hernandez for Terry Ellis from Peoria, Roger Klingler for Dick Bowers from Scottsdale, Mike Branham for Dick McComb from Surprise, and Reyes Medrano for Ralph Velez from Tolleson.

Chairman Fairbanks announced that Mike Branham was attending his last Management Committee meeting. He announced that Mr. Branham had accepted a new position. Mr. Branham stated that he had been named Executive Director of the Criminal Justice Commission. Chairman Fairbanks expressed appreciation and thanks to Mr. Branham for his outstanding service to the region and wished him good luck.

2. Approval of October 13, 1999 Meeting Minutes

Fred Carpenter moved, Debbie Kohn seconded, and it was unanimously carried to approve the minutes of the October 13, 1999 Management Committee meeting.

3. Call to the Audience

Chairman Fairbanks stated that we have a timer to assist the public with their presentations. He noted that public comments have a 3 minute time limit. When 2 minutes have elapsed, the yellow light will come on notifying the speaker that they have 1 minute to sum up. At the end of the 3 minute time period, the red light will come on. He stated that for members of the audience who wish to speak, cards are available from the staff who will bring it to the Chairman. Public comment is provided at the beginning of the meeting for non-agenda items.

Chairman Fairbanks recognized public comment from Blue Crowley, who mentioned an article titled, "Valley Traffic Going Nowhere," written by Mary Jo Pitzl, that appeared in the *Arizona Republic*. He extended congratulations on the efforts of all involved with Valley Vision 2025, although more effort needed to be made to receive input. He indicated that he received a 50 percent return on the surveys he handed out. Mr. Crowley indicated that his earlier comments about arrest and trespassing charges had not been recorded in the minutes. Mr. Crowley commented he will be submitting a letter at the next Regional Council meeting for the record. He stated that since he is not given copies of all MAG documents, he needs to review them in the MAG library. Mr. Crowley mentioned that the letter to the Governor shows that the job is not being done right on PM-10. Chairman Fairbanks thanked Mr. Crowley for his comments.

Chairman Fairbanks recognized public comment from Bill Stephens, who stated that he is affiliated with the Earth Millennium Project. Mr. Stephens stated that the tax structure needs to be reconsidered. He said that county or state based taxes would be more effective than city taxes. Mr. Stephens commented on the unity when Herb Drinkwater served on the Regional Council.

Mr. Stephens stated that formation of a State Transit Authority would reduce bickering. He stated that the MTA in Boston is a good example to follow.

5. Approval of Consent Agenda

This agenda item was taken out of order.

Chairman Fairbanks stated that public comment is provided at the beginning of the meeting for consent items. After hearing public comment, any member of the Committee may request that an item be removed from the consent agenda and considered individually. Chairman Fairbanks noted that agenda items #6, #7, #8, #9, #10, #11, #12, and #13 were on the consent agenda.

Chairman Fairbanks recognized public comment from Blue Crowley, who commented on agenda item #9, Approval of the July 1, 1999 Municipality Resident Population Updates. He stated that the population estimates were too conservative. Mr. Crowley mentioned that apartment residents are using dirt alleys for ingress and egress. He noted that, even though these would not be federally funded projects, these alleys should be paved because the dust is contributing to brown cloud. Mr. Crowley stated bathroom facilities at transit centers should remain open during service hours. He indicated that shower facilities would be nice at park and ride lots for bicyclists. He commented bike lanes need to be painted for safety reasons on Grand Avenue. Mr. Crowley stated that a bike tunnel needs to be built at Grand Avenue and the Grand Canal. He indicated that this will help with air quality conformity. Chairman Fairbanks thanked Mr. Crowley for his comments.

Chairman Fairbanks asked if any members had questions, discussion or requested removal of any item on the consent agenda.

Hearing none, Chairman Fairbanks asked for a motion to recommend approval of the consent agenda. Lloyd Harrell moved, Mike Branham seconded, and it was unanimously carried to recommend approval of consent agenda items #6, #7, #8, #9, #10, #11, #12, and #13.

4. Executive Director's Report

This agenda item was taken out of order.

James M. Bourey stated that the Management Committee Retreat is scheduled for December 10, 1999 at the Arrowhead Country Club in Glendale. He indicated that the agenda would be sent out soon. The Management Committee Retreat will mirror the agenda of the Regional Council Retreat.

Mr. Bourey stated that a joint meeting of the MAG Regional Council Executive Committee, the Regional Council Transportation Subcommittee and the PAG Regional Council was held on October 27, 1999 at Francisco Grande Resort in Casa Grande. He noted that transportation funding estimates, the Governor's Transportation Vision 21 Task Force, Growing Smarter and Citizen's Growth Management Initiative, and State legislation were discussed.

Mr. Bourey stated that a joint meeting of the Regional Council and the Governor's Transportation Vision 21 Task Force was held on November 4, 1999 at the MAG office. He said that it was a productive meeting with discussion on transportation needs, funding options and governance.

Mr. Bourey stated that he recently attended the Arizona Town Hall, whose theme was "Uniting a Diverse Arizona." He remarked that discussion focused partially on the differences of urban and rural areas.

Mr. Bourey stated that a new organization representing the interests of MPOs across the country, the MPO Alliance, is being formed.

Mr. Bourey announced that an Internet taxation forum is scheduled for 2:00 p.m. on December 16, 1999 at the MAG office in the Saguaro Room. He mentioned that this issue was mentioned by the Mayors as an area of great concern.

Mr. Bourey stated that a Legislative luncheon is scheduled for November 19, 1999 at the MAG office. He said an issues briefing will be given to some Legislative staff.

Mr. Bourey stated that he will be attending a meeting of the Census Advisory Committee in early December. He said that all addresses in the mail out-mail back area provided by cities will be mailed a questionnaire, however, there will not be follow up by the Census Bureau on questionnaires not returned. Mr. Bourey also noted that a process has been agreed to by the Census Bureau to add new construction. Mr. Bourey stated that mayors and leaders of the Indian communities, along with each city's Census contact, will receive a letter soon regarding participation in the new construction program.

Mr. Bourey stated that a \$10,000 amendment to the contract for modeling support and enhancement will be presented to the Regional Council for their consideration.

Mr. Bourey introduced two new MAG staff members. Anubhav Bagley was previously with SAIC and received his Bachelor's in New Delhi, India, and Master's in Environmental Planning from Arizona State University. Mr. Bourey introduced Brenda Geisen, formerly with the Arizona Department of Environmental Quality. He mentioned that she is completing her studies in Environmental Studies at ASU West. Ms. Geisen will work on the MAG 208 Water Quality Plan.

Chairman Fairbanks thanked Mr. Bourey for his report and asked if there were any questions or comments.

Roger Klingler asked if ideas for the Management Committee Retreat agenda could be submitted. Mr. Bourey replied that all suggestions are welcome. Chairman Fairbanks requested members to submit any suggestions or ideas to Mr. Bourey.

Paul Nordin asked if the decision to present the \$10,000 contract amendment to the Regional Council for consideration was because of policy rules. Mr. Bourey replied that the contract had originally been approved by the Regional Council. He stated that the decision was based on historical practice, rather than policy. He expressed his position that a change to the original approval should be brought back to the Regional Council for their consideration.

Debbie Kohn stated that communities outside of the mail out-mail back area do not qualify for the update of new home construction. She suggested these communities contact the local Census Bureau to get the information in order to participate.

6. Consultation on Conformity Assessment for Proposed Administrative Adjustment to the FY 2000-2004 MAG Transportation Improvement Program

The Arizona Department of Transportation (ADOT) has requested a change to the MAG Regional Freeway Program. Freeway connections on the Pima Freeway at Scottsdale Road and Pima Road are being accelerated to provide safer conditions between phased construction in the corridor. This change does not involve an acceleration of the freeway facility between Scottsdale Road and Pima Road. The proposed project may be categorized as a minor project revision for which a conformity determination is not required.

7. Consultation for Project-Level Conformity Determination on the Proposed City of Phoenix South Central Avenue Transit Center

The City of Phoenix has requested concurrence for the project-level conformity determination prepared for the South Central Avenue Transit Center. The South Central Avenue Transit Center is proposed for the northwest corner of Central Avenue and Broadway Road in Phoenix. The project is in the FY 2000-2004 MAG Transportation Improvement Program (TIP) for fiscal year 2001. An amendment to the TIP is not required. As a bus terminal, this project was exempt from the regional emissions analyses according to the federal conformity guidelines. The estimated total cost of this project is \$4 million. Federal Transit Administration funding in the amount of \$3,200,000 has been programmed for this project. MAG has reviewed the air quality impact analysis prepared by the City of Phoenix for completeness and concurs with the findings.

8. Consultant Selection for the Regional Off-Street System Plan

The Management Committee, by consent, recommended selecting the consultant firm Robert Bein, William Frost and Associates to develop the Regional Off-Street System Plan for an amount not to exceed \$100,000. In May, 1999, the MAG Regional Council approved the Unified Planning Work Program which included \$100,000 in FHWA Planning Funds to develop a region-wide system of off-street pathways for non-motorized travel. A request for proposals (RFP) was advertised for consulting assistance for the development of the Plan. Three consultant proposals were received in response to the RFP. A multi-agency proposal review team interviewed the consultants and unanimously recommended that the consultant firm Robert Bein, William Frost & Associates be selected to develop the Regional Off-Street Pathways System Plan for an amount not to exceed \$100,000.

9. Approval of the July 1, 1999 Municipality Resident Population Updates

The Management Committee, by consent, recommended approving the July 1, 1999 Municipality Resident Population Updates. MAG staff has prepared draft July 1, 1999 Municipality Resident Population Updates. The Updates were prepared using data supplied and verified by MAG member agencies and a method that has been used over the past nine years. These Updates were also made consistent with a draft July 1, 1999 Maricopa County Update that was recommended for approval by the MAG Population Technical Advisory Committee (POPTAC) and by the Management Committee and were approved by the Regional Council on November 3, 1999. The MAG POPTAC recommended approval of the July 1, 1999 Municipality Resident Population Updates on November 2, 1999. The Director of the Department of Economic Security is required to forward the Updates to the Economic Estimates Commission by December 15th of each year. The Updates are used to allocate \$23 million in lottery funds to local jurisdictions and to determine expenditure limitations where appropriate.

10. Consultant Selection for MAG Database Enhancement Project

The Management Committee, by consent, recommended that the following firms be selected for the MAG Database Enhancement Project not to exceed the following amounts: (1) Terra Systems be awarded \$78,506 for Task 1; (2), InfoTech be awarded \$249,700 for Task 2; (3), Applied Economics be awarded \$80,878 for the database development components of Task 3, and that Arizona State University undertake Tasks 4 and 5, for a total of \$186,930. In May 1999, the Regional Council approved the FY 2000 MAG Unified Planning Work Program, including consultant project(s) to update and enhance the MAG Socioeconomic Database at a cost not to exceed \$750,000. This update will form the base for developing new population and socioeconomic projections after Census 2000. The project includes the update of the MAG Street Centerline file, employment and land use databases, special populations and miscellaneous other data needed to prepare new projections. In August a Request for Proposals (RFP) was issued and nine proposals were received. The RFP contained five tasks. A multi-agency evaluation group reviewed the proposals and recommended that: Terra Systems undertake Task 1 of the project, study oversight with emphasis on ensuring consistent Geographic Information System standards throughout all the tasks; InfoTech undertake Task 2, update of the MAG Street Centerline File; Applied Economics undertake Task 3, the compilation of the databases for employment, development and redevelopment; and that Arizona State University undertake Tasks 4 and 5, which involves the update of special populations and other data. It was also recommended that the Geographic Information System (GIS) portion of Task 3 be deferred until more work progresses on Task 2 (Street Centerline File Update) and that the \$153,986 earmarked for the work be reserved for a future contract.

11. MAG FY 2001 PSAP Equipment Funding Request and MAG FY 2001-2005 PSAP Equipment Program

The Management Committee, by consent, recommended approving the MAG FY 2001 PSAP Funding Request and MAG FY 2001-2005 PSAP Equipment Program for submittal to the Arizona Department of Administration. Each year, the Public Safety Answering Point (PSAP) Managers submit inventory and upgrade requests that are used to develop a five year equipment program that forecasts future 911 equipment needs of the region and will enable MAG to provide estimates of future funding needs to the Arizona Department of Administration (ADOA). According to the ADOA Order of Adoption, which stipulates allowable funding under the Emergency Telecommunications Services Revolving Fund, the funding request for FY 2001 is required to be submitted to the ADOA by December 15, 1999. The Management Committee is requested to recommend approval of the funding request and the equipment program for submittal to ADOA.

12. Update on Reductions of Social Services Block Grant Funds

The Management Committee, by consent, recommended that the State of Arizona be requested to replace Social Services Block Grant funds that are reduced with funds transferred from the federal cash assistance program, Temporary Assistance to Needy Families. Also, if Temporary Assistance to Needy Families funds are not available, that these funds be replaced by general fund dollars. Under a contract with the Arizona Department of Economic Security, the MAG Human Services Coordinating and Technical Committees annually identify which services should be funded with federal Social Services Block Grant (SSBG). Funding recommendations for the next fiscal year, beginning in July 2000 are to be reduced by \$638,690 due to a congressional funding

reduction in the TEA-21 legislation which reduces the Social Services Block Grant from \$1.9 billion to \$1.7 billion. The congressional budget amounts for this current fiscal year are unknown at this date, and may also result in the need for an immediate reduction in current contracts for social services in our region. The Human Services Technical and Coordinating Committees are waiting for the final federal funding amounts to develop these recommendations. They meet on November 19, 1999 to accomplish that task.

The MAG Human Services Committees have successfully worked with the Arizona State Legislature to replace last year's funding cuts with funds transferred from the federal cash assistance program, Temporary Assistance to Needy Families (TANF). The reductions for the next year are only partially offset by the transferred TANF funds. If Congress reduces this year's appropriation from \$1.9 billion to \$1.7 billion as feared, then there are no TANF funds identified to maintain essential services.

13. Approval of the Homeless Planning Process

The Management Committee, by consent, recommended submitting a regional grant application to the U.S. Department of Housing and Urban Development for federal Stewart B. McKinney Act funds for homeless programs for this region and for MAG to assume the responsibility for the planning process for these funds. On July 22, 1999, representatives of the U.S. Department of Housing and Urban Development requested that MAG convene a community planning process which would result in an application for federal Stewart B. McKinney Act Funds for homeless programs for our region. After examination of the implications and costs to take on this responsibility and meetings with numerous stakeholders, the MAG Human Services Coordinating Committee recommended submitting a regional grant application to the U.S. Department of Housing and Urban Development for federal Stewart B. McKinney Act funds for homeless programs for this region and for MAG to assume the responsibility for the planning process for these funds. A proposed structure for the regional planning process has been developed and working groups will begin to meet during December, pending Regional Council approval.

14. Valley Vision 2025 Update

Mr. Bourey stated that the Valley Vision forums have been completed and input received will be considered in refining the draft goals. He mentioned that the Greater Phoenix Leadership (GPL) met last week. This meeting will be followed up by a session including Mayor Giuliano, Quentin Smith of GPL, and Mr. Bourey to discuss GPL's participation in Valley Vision. Chairman Fairbanks thanked Mr. Bourey for his report and asked if there were any questions.

15. Advancements of Scottsdale Road and Pima Road Interchanges on the Pima Freeway

Eric Anderson stated that ADOT has requested a change to the MAG Regional Freeway Program to provide an improved and safer "end-of-freeway" condition on the Pima Freeway. ADOT has requested that the traffic interchanges at Scottsdale Road and at Pima Road on the Pima Freeway be advertised for construction in January 2000 with completion in March 2001. He explained that these two interchanges are currently included in the Pima Freeway segment to connect Pima Road and Scottsdale Road. This segment is the last segment of the Pima Freeway to be constructed and is approved for acceleration under an agreement between ADOT and the City of Scottsdale. This last segment would have been completed near the time of completion of the two adjacent projects, but due to delays related to drainage issues, the timing of the segment is uncertain. Mr.

Anderson stated that ADOT has concerns that the “end-of-freeway” condition at Scottsdale Road and Pima Road might have to be in place until the middle of 2003. ADOT is proposing to build the ramp connections, crossroad improvements, and the overpass structures at Scottsdale Road and Pima Road to optimize the flow of traffic in a safe condition. Constructing the two interchanges now will also reduce the traffic disruption in the future when the final segment of the Pima Freeway is built. Mr. Anderson stated that if the freeway acceleration goes forward, it would include these interchanges. To accomplish the request, \$7.8 million would be taken from the Scottsdale Road to Pima Road project to fund the traffic interchanges. Once the drainage issues are resolved, the roadway between Scottsdale Road and Pima Road would be built.

Chairman Fairbanks thanked Mr. Anderson for his presentation. He asked Mr. Anderson for reassurance that environmental regulations are being followed. Mr. Anderson stated that there are no environmental concerns. The only issue on the main line is drainage, which may be redesigned.

Ms. Kohn asked Mr. Anderson for confirmation that no other projects would be negatively impacted in either funding or time. Mr. Anderson replied that is correct.

Mr. Klingler commented on the drainage issue. He stated he is confident that federal assistance will be given soon and the entire project may be accelerated. Mr. Klingler stated that it makes sense to eliminate an end of freeway condition.

Roger Klingler moved, Jon Pearson seconded, and it was unanimously carried to recommend approving the accelerated construction of the Scottsdale Road and Pima Road traffic interchanges on the Pima Freeway to provide for better and safer traffic conditions, and if the freeway acceleration goes forward, it would include these interchanges.

16. MAG Pedestrian Plan 2000

Dawn Coomer stated that in July 1993, the MAG Regional Council adopted the MAG Long Range Transportation Plan Summary and Update, which included a Pedestrian Plan for the MAG region. She said that the Pedestrian Working Group was formed in 1994, with Mike Branham as Chair. Since the Pedestrian Working Group was formed, several additional projects and programs to encourage walking in the region have been implemented. These plans and programs have been included in the MAG Pedestrian Plan 2000.

Ms. Coomer introduced Jim Coffman from the Planning Center, a consultant on the project. Mr. Coffman summarized the positive impacts of the MAG Pedestrian Plan 2000 and the Plan purpose. He stated that programs and actions that guide and encourage the development of pedestrian areas and facilities to increase walking were identified and recommended in the Plan, and would also guide the activities of the Pedestrian Working Group.

Mr. Coffman stated that the five Plan goals address land use, public awareness, funding, design for people, and linkage. He commented that pedestrian is an integral part of the transportation plan. Mr. Coffman stated that key parts of the Plan are the planning models, based on widely accepted transportation models. The Plan is tied to the *MAG Pedestrian Area Policies and Design Guidelines*. He indicated that projects would be done where they matter the most, getting the most “bang for the buck” and improving pedestrian safety and comfort. Mr. Coffman outlined the action plan to continue funding the Design Assistance Program, to develop the pedestrian

design model ordinance, and to educate and inform the public on the benefits and reasons for walking. Chairman Fairbanks thanked Ms. Coomer and Mr. Coffman for their presentations.

Chairman Fairbanks recognized public comment from Blue Crowley, who stated that if more “bang for the buck” is wanted, the most cost effective way to improve conditions for pedestrians is to eliminate right turns on red. He stated that enforcement and paint would be the most effective weapons. Mr. Crowley commented that it is the DOT’s responsibility to eventually separate bicycle and pedestrian facilities. Chairman Fairbanks thanked Mr. Crowley for his comments.

Mike Branham moved, Kent Cooper seconded, and it was unanimously carried to recommend approving the MAG Regional Pedestrian Plan 2000 for inclusion into the FY 2000 Update of the MAG Long Range Transportation Plan.

17. FY 2000 MAG Enhanced Early Phase Input Opportunity Report

Dawn Coomer stated that the goal of the public involvement program is to provide an opportunity for early and continuing involvement in the transportation planning process. She indicated that the public involvement process is divided into four phases: early input, mid-phase, final phase, and continuous involvement. Ms. Coomer stated that the early phase input opportunity was conducted from June through October, 1999. During this phase, public input was used to identify and address upcoming issues and work topics to address in the next update of transportation plans and programs. She said that a Regional Transportation Stakeholders meeting, Regional Aviation Stakeholders meeting, MAG transportation committee meetings, open houses, community group meetings, and transportation survey were held to gather input. Ms. Coomer indicated that approximately 475 people were contacted to provide their input on transportation issues.

Ms. Coomer summarized the comments received from public input. The most common concerns were for increased transit service, improved air quality, completion of the freeway system with a minimum of construction congestion, increasing bicycling opportunities for short local trips, and increased options for special transportation needs. She stated that additional comments were received on alternative fuel vehicles, aviation, ITS, regional planning and safety.

Ms. Coomer summarized the survey results. She indicated that respondents expressed extreme concern for traffic congestion, adequacy of mass transit, and transportation safety. To relieve these issues, respondents expressed a willingness to spend more on bus and rail service and synchronization of traffic signals. Ms. Coomer displayed a slide of a pie chart that showed how the respondents would allocate money for projects: Rail with 22 percent, bus with 19 percent, freeways with 16 percent, streets with 10 percent, ITS and Human Services with 9 percent each, and bike and pedestrian with 6 percent. Chairman Fairbanks thanked Ms. Coomer for her presentation and asked if there were any questions.

Chairman Fairbanks recognized public comment from Blue Crowley, who stated that more outreach is needed in the process. He commented on the low attendance at the open house. He said that the minutes of the Board of Supervisors and CTOC should reflect hostility shown at the stakeholders meetings. Chairman Fairbanks thanked Mr. Crowley for his comments.

18. EPA Approvability Problem with the MAG 1999 Serious Area Particulate Plan for PM-10

Lindy Bauer stated that on November 9, 1999, the Environmental Protection Agency (EPA) notified MAG by telephone and Governor Hull by letter that there was an approvability problem with the MAG 1999 Serious Area Particulate Plan for PM-10. If the plan cannot be approved by March 2, 2000, the first sanction will be imposed which involves two to one off-sets for major industrial sources. Ms. Bauer indicated that if the plan is not corrected by September 2, 2000, the second sanction will be imposed which involves the loss of federal highway funds. Ms. Bauer commented that if sanctions are imposed, conformity lapses and there could be a potential loss of \$2.8 billion in funding. She said that the EPA stated that they had issues with the plan: the expected 90 percent compliance by Maricopa County for the County's Fugitive Dust Rule 310, a lack of a strategy for paving unpaved roads and lack of measures to control dust on unpaved roads. Ms. Bauer noted that the 90 percent compliance figure was established by the PM-10 Subcommittee of the Governor's Air Quality Strategic Task Force. She stated that enforcement of the Rule 310 has been decreasing, based upon County data submitted to EPA. Ms. Bauer stated that although more than \$350 million in projects have been submitted, the EPA has indicated that the region has \$40 million of uncommitted CMAQ funds.

Ms. Bauer displayed slides showing the sequence of events for Serious Area PM-10 Plan schedule, beginning in August 1997. She listed the 2006 PM-10 Emission Reductions from committed control measures, such as better enforcement of dust control rules, paving of roads and shoulders, charbroiler controls, fuel reformulation, and traffic signal synchronization.

Ms. Bauer commented that the EPA said that four months is needed to review the Plan prior to their approval. She said that to avoid the March 2, 2000 sanction, the corrected Plan would have to be submitted by November 2, a week before the letter was written on November 9.

Ms. Bauer stated that discussions are ongoing with the EPA on possible solutions. She indicated that at a meeting between Maricopa and the EPA, a public education program was suggested by the County. Ms. Bauer indicated that measures recommended by staff include reducing compliance from 90 percent to 80 percent, committing \$5.4 million for paving principal County dirt roads, \$5.4 million for paving remaining County dirt roads with greater than 130 ADT, \$3.4 million for paving streets in Goodyear, Apache Junction, Avondale, and Tempe, and \$5.7 million to purchase approximately 48 PM-10 efficient street sweepers with CMAQ funds. She indicated these projects will be presented to the Transportation Review Committee on November 23, 1999. Chairman Fairbanks thanked Ms. Bauer for her presentation and asked if there were any questions.

Mary Peters asked if a response had been given by the EPA as why they waited until November 9th to send the letter. Ms. Bauer replied that no reason had been given. Mr. Bourey indicated that the EPA has had the plan for several months. He stated that staff raised the question as to whether four months is needed by the EPA for review. Mr. Bourey indicated that a four month review is not reasonable.

Ms. Peters asked if the region would be subject to different standards if requirements are not met. Ms. Bauer replied that conformity would lapse if the standard is not met by September 2, 2000. Ms. Peters asked the effects on the region. Mr. Bourey replied that all projects not started, totalling \$2.8 billion, would not be able to begin construction. Mr. Smith stated that the new TIP is in the development process. He stated that we are demonstrating good faith to the EPA by presenting for consideration to the Regional Council the purchase of vacuum street sweepers and paving unpaved roads.

Mike Hutchinson asked about the cities of Goodyear, Avondale, Apache Junction, and Tempe, referred to in the presentation, receiving CMAQ funds for paving dirt roads. Ms. Bauer replied that those cities had submitted requests. Mr. Hutchinson commented on Mesa's dealings with the County in Mesa's attempts at enforcement of the Rule 310. He asked if staff had a strategy for improving County enforcement. Ms. Bauer stated that the County, EPA and ADEQ met yesterday. The EPA indicated that more commitment would be needed. Ms. Bauer noted that the EPA was scheduled to meet with the County again today to discuss the improvements needed to Rule 310 in more detail. Mr. Bourey stated that a level of agreement is needed. He said it is critical for an overhaul the implementation of rule 310.

Mr. Nordin asked if regional and federal elected officials could be of assistance in resolving this issue. Mr. Bourey stated that a presentation had been given to the Executive Committee on November 16, 1999. He indicated that the first step is to elevate the issue within the EPA structure. Chairman Fairbanks stated that the EPA is enforcing the law, and there is no chance that they will change their position. He noted that there are many legal groups that file lawsuits against the EPA. Chairman Fairbanks stated that we need to deal with the situation, not assign blame or attempt to get the EPA to back off.

Ms. Kohn asked if changing the 90 percent compliance rate to 80 percent would be acceptable to the EPA. Ms. Bauer replied that would depend on Maricopa County's enforcement performance. Prisilla Ferreira-Hernandez stated that the EPA has given an unreasonable timeline. She expressed optimism that an extension would be given. She asked if the lapse would affect non-federally funded projects. Ms. Bauer replied that a conformity lapse on September 2nd would affect any projects that are regionally significant whether they are funded by the federal, state, or local governments. Chairman Fairbanks clarified that it would not affect local projects, such as street paving projects, since they are not regionally significant.

Lloyd Harrell stated that caution should be used in automatically using CMAQ funds to solve problems. He indicated that a strategy needs to be devised to resolve the issue.

Lloyce Robinson referred to a letter that was faxed to her city and nine other cities from Colleen McKaughan from EPA, Region IX. Ms. Robinson stated that not all cities in the region were sent this letter. She said she was told that the EPA did not expect us to be able to avoid the March 2, 2000 sanction due to the short timeline.

Tom Martinsen asked if options on funding strategies would be discussed at the TRC meeting on November 23rd. Mr. Bourey replied that information is included in the agenda packet that was mailed out on November 16th.

Ms. Peters asked about the conformity lapse on March 2nd. Ms. Bauer replied this would not occur until September 2nd. Mr. Bourey stated that we do not want any sanctions to fall, but the sanctions on March 2nd would involve two to one off-sets for major industrial sources.

Mike Branham stated that private unpaved roads need to be addressed. He commented that the EPA may not realize how many unpaved roads there are. Ms. Bauer stated that \$5.4 million of CMAQ funds would be allocated for these County roads. She stated that public money cannot be applied to private roads. Ms. Bauer explained a process used by MCDOT to turn unpaved private roads in to public roads so federal money could be used. Tom Buick clarified this process of private roads qualifying for federal money. He stated that courtesy grade roads were under

public maintenance before regulations took place. Mr. Buick said that these roads will continue to be maintained by the County, although they remain private. He indicated that the majority of unpaved roads in the County are public with less than 150 vehicles per day. Mr. Buick indicated that the County is not able to convert all private roads to public roads. He remarked that the 90 percent compliance got the EPA's attention. Mr. Buick commented that they would probably question 80 percent. He stated that Al Brown, Director of Maricopa County Environmental Services, was present at the meeting and would answer any questions.

Mr. Brown stated that a meeting of the County with the EPA was scheduled for 2:00 p.m. that day. He indicated that the EPA has strong feelings regarding enforcement. Mr. Brown stated that Maricopa County has issued 5 enforcement citations. Mr. Brown noted that the County has been increasing staff, which would eventually reach 13. He indicated that he would follow up with Ms. Bauer on the County's meeting with the EPA.

Mr. Carpenter asked the source of the funds. Mr. Smith stated that attempts are made to honor assigned rankings. He indicated that a budget agreement was passed by Congress recently which will give us an additional \$3.5 million without touching money already allocated to projects. Mr. Carpenter asked if spending the money would impact any other projects. Mr. Smith replied that it would not.

Chairman Fairbanks stated that it makes sense to spend CMAQ funds on street sweepers and paving to solve the problem. He asked if this expenditure would result in the most impact of any other solutions. Ms. Bauer replied that paving is rated the highest in reducing particulates on unpaved roads.

Ken Driggs commented on increasing enforcement efforts. Mr. Brown stated that improvements are being made to improve the programs and process and additional training given to inspectors to enforce the rule.

Chairman Fairbanks stated that this is a critical issue that requires strong, fast, effective action. He indicated that this could be accomplished by pulling together.

19. The 1999 Brown Cloud Project for the MAG Area

Cari Anderson gave a presentation on the 1999 Brown Cloud Project for the MAG Area. She said the project is designed to review the existing source data and identify potential measures to reduce the visible Brown Cloud. The report includes information on brown clouds in western urban areas; the brown cloud in Maricopa County; emission sources contributing to the brown cloud; and potential control measures to decrease the brown cloud. Ms. Anderson displayed a slide of pie charts that identified emission sources that contribute to the Brown Cloud from data gathered in 1994 to 1995. Ms. Anderson stated the report recommends mandating the use of clean burning diesel fuel, encouraging retrofits and replacements of nonroad diesel engines and equipment, strengthening the voluntary onroad diesel vehicle retirement program, electrifying truck stops through a pilot program, implementing a toll-free number for smoking vehicle complaints, and implementing a smoking vehicle identification and citation program. She mentioned that two additional measures suggested for further study include the implementation of remote sensing devices for detecting smoking vehicles and the implementation of an inspection/maintenance program enhancement to detect or test for smoking vehicles or high emitters of particulate matter. Ms. Anderson summarized the schedule of review for the Brown

Cloud Project report before consideration by the Regional Council in December 1999. Chairman Fairbanks thanked Ms. Anderson for her presentation and asked if there were any questions.

Gary Brown asked for clarification of electrifying truck stops. Ms. Anderson stated that instead of idling to keep their refrigeration units running, diesel trucks could hook up to electric current to reduce idling. Mr. Carpenter asked if this option could help with PM-10 reduction. Ms. Anderson replied that it could.

Chairman Fairbanks recognized public comment from Blue Crowley, who stated that 52 percent of the problem is gas. He requested staff provide him with the number of smog sensing devices. Mr. Crowley stated that all government employees should use mass transit. He asked what is MAG's trip reduction program since they now have 50 employees. Mr. Crowley indicated that drive throughs also contribute to the idling problem. He stated that the County has not spent HURF funds. Street vacuums should be used instead of sweepers. Mr. Crowley encouraged heavy rail from Phoenix to Flagstaff.

Chairman Fairbanks recognized public comment from Bill Stephens, who stated that emergency funding is needed to get the buses running 24/7. He stated that publicizing and encouraging transit by making the fees very cheap or even free would result in increased use of transit. Mr. Stephens commented that schools, such as Camelback, North, and Central High Schools, need to be rezoned as home schools to clean the air. He indicated that this would also improve the school systems.

Jeff Martin replaced Mike Hutchinson.

Gary Brown moved, Fred Carpenter seconded, and it was unanimously carried to recommend approving the 1999 Brown Cloud Project for the MAG Area and request that the potential implementing entities consider the recommended measures for implementation, if feasible.

21. MAG Policies on Smart Growth and Update on the Citizens Growth Management Initiative

This agenda item was taken out of order.

Mr. Bourey stated that Growing Smarter had been discussed at many meetings. He indicated that the Executive Committee and the Management Committee had recommended that staff get further input on the principles before action was taken by the Regional Council in December. Mr. Bourey stated that staff recommends that the Regional Council adopt a general policy position on growth related legislation, rather than on Growing Smarter or on the Citizens Growth Management Initiative. Mr. Bourey outlined the eight principles of good planning: 1) Proactively encourage the conservation of meaningful open spaces in urban and rural areas, including the implementation of the MAG Desert Spaces Plan. 2) Recognize that there are significant differences between the issues facing urban and rural, high growth and slow growth areas. 3) Local governments make planning decisions and use the zoning process to balance the rights of existing residents with those of developers and/or new residents and businesses. 4) New development should pay the full marginal costs of public facilities with the exception of development within infill incentives districts. Clear statutory authority should be established for local governments to institute a development of regional impacts mechanism to broaden the discussion on development proposals that have greater than local costs. 5) Counties that are significantly urbanized should have the authority to regulate minor land divisions that is equivalent to existing city authority. 6) Support

existing local government policies encouraging public participation in the planning and zoning processes. 7) Seek the express authorization for local governments to designate areas outside of which infrastructure and services are limited or not provided at public expense. 8) Promote redevelopment, revitalization and infill projects. Chairman Fairbanks thanked Mr. Bourey for his presentation and asked if there were any questions.

Hearing none, Chairman Fairbanks asked for a motion to recommend approving the MAG Policies on Smart Growth. Tom Martinsen moved, Paul Nordin seconded, and it was unanimously carried.

20. Y2K Update

Kelly Taft stated that at a meeting of Valley Managers, it was suggested that MAG convene a series of Y2K forums to facilitate the sharing of information and best practices about preparing for Y2K. She stated that six forums have been held, with a seventh scheduled for 10:00 a.m. on December 3, 1999 at the MAG office. Ms. Taft stated that a packet was at each place that contained a detailed summary on each forum. She indicated that Jim Wortham, Phoenix Fire, was present to answer any questions about the effects of Y2K on the region's 911 system. She stated that speakers at the forums gave presentations on electric, telephone, gas, and water utilities, city and state disaster services, public information, 911 operations, liability, public safety, health care, grocery industry, petroleum industry, and people with disabilities. Each forum also included roundtable discussions for cities to share information for dealing with Y2K.

Ms. Taft stated that most agencies reported significant progress in preparing for Y2K. Although there was a general feeling of optimism that there will be no significant crises, the majority of presenters felt it important to prepare for worst-case scenarios. Ms. Taft stated that concern was expressed for people's behavior during the rollover, specifically on New Year's Eve and New Year's Day. For example, if people suddenly begin hoarding resources such as water, groceries, gasoline, medical supplies or cash, that behavior could in itself create shortages. Continually picking up the telephone to check the dial tone or call 9-1-1 to see if it is working could create disruptions in service.

Ms. Taft stated that a Valleywide Public Information Officer (PIO) Y2K team was formed to address many of these issues. She indicated that the PIO team will be working with the media before, during and after the rollover. The team produced a brochure, in English and Spanish, containing information on preparing for Y2K. 250,000 of these brochures have been distributed throughout the region.

Ms. Taft noted that safety concerns on New Year's Eve, especially at the city celebrations in Phoenix and Tempe, include traffic congestion, crime, random gunfire, alcohol consumption, available emergency room space, crowd control and numerous related problems. Ms. Taft noted there is a strong possibility of an overburdened 911 system. She explained that under normal circumstances, if one agency's lines become full, the next call is "rolled over" to another agency. However, because all systems are expected to experience heavy call volume, the rollover function will be "turned off" during New Year's Eve and New Year's Day. This means when the system is full, 9-1-1 callers will get a busy signal. She indicated that PIOs have been working to advise citizens to keep trying their call in the event of an emergency. Ms. Taft mentioned the importance of communicating to residents that they should only call 9-1-1 in the event of a life-threatening emergency.

Ms. Taft stated that another issue of concern during New Year's Eve and New Year's Day is the potential for overloaded emergency rooms and hospitals. The Valleywide PIO Y2K team has been working with Valley hospitals to determine how best to communicate to both emergency crews and citizens which hospitals are experiencing overflow, so that those needing medical attention can go directly to those facilities experiencing lighter patient volumes.

Ms. Taft indicated that many cities will station police officers or city staff members at every fire station or other "citizen contact centers" during the 24-hour period beginning December 31st. These centers will be manned by a city staff member equipped with a two-way radio connected to police and fire so that citizens can report emergencies in the event of phone system outages.

Mr. Bourey expressed thanks to Ms. Taft for the excellent job developing the forums. He commented that a lot of useful information was provided. Chairman Fairbanks also expressed thanks to Ms. Taft.

Chairman Fairbanks recognized public comment from Bill Stephens, who stated that sufficient emergency personnel should be available to protect the airlines against someone seeing New Year's Millennium as an opportunity for a criminal act. Chairman Fairbanks thanked Mr. Stephens for his comments.

There being no further business, the meeting was adjourned at 2:00 p.m.

Chairman

Secretary