

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

December 12, 2001  
MAG Office, Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Skip Rimsza, Phoenix, Chairman	Mayor Keno Hawker, Mesa
Mayor Ron Drake, Avondale	Mayor Edward Lowry, Paradise Valley
* Mayor Dusty Hull, Buckeye	* Mayor John Keegan, Peoria
* Mayor Edward Morgan, Carefree	Mayor Wendy Feldman-Kerr, Queen Creek
* Vice Mayor Ralph Mozilo, Cave Creek	* President Ivan Makil, Salt River Pima-Maricopa Indian Community
Mayor Jay Tibshraeny, Chandler	Mayor Mary Manross, Scottsdale
Mayor Roy Delgado, El Mirage	* Mayor Joan Shafer, Surprise
* Mayor Sharon Morgan, Fountain Hills	Mayor Neil Giuliano, Tempe (via telephone)
* Mayor Chuck Turner, Gila Bend	* Mayor Adolfo Gamez, Tolleson
* Governor Donald Antone, Gila River Indian Community	Mayor Larry Roberts, Wickenburg
Mayor Steven Berman, Gilbert	* Mayor Daphne Green, Youngtown
* Mayor Elaine Scruggs, Glendale	F. Rockne Arnett, ADOT
Mayor Bill Arnold, Goodyear	Dallas Gant, ADOT
* Mayor Margarita Cota, Guadalupe	Bill Beyer, Citizens Transportation Oversight Committee
Mayor J. Woodfin Thomas, Litchfield Park	+Mayor Douglas Coleman, Apache Junction
* Supervisor Andy Kunasek, Maricopa County	

\*Those members neither present nor represented by proxy.

+Non-voting

1. Call to Order

The meeting of the Regional Council was called to order by Chairman Skip Rimsza at 5:10 p.m.

2. Pledge of Allegiance

This agenda item was not considered.

Chairman Rimsza stated that non-action items would be considered until a quorum was met.

4. Call to the Audience

Chairman Rimsza recognized public comment from Blue Crowley, who was not present.

Chairman Rimsza recognized public comment from Laine Schoneberger, who stated that he was Vice President of Gateway Ranch Home Owner's Association and a member of the zoning committee. Mr.

Schoneberger stated that he was at the Regional Council meeting representing 1,200 Gilbert residents who support agenda item #13, Requested Changes to the MAG Regional Freeway Program. Mr. Schoneberger thanked members for considering the recommendation. Chairman Rimsza thanked Mr. Schoneberger for his comments.

Chairman Rimsza recognized public comment from Diana Garr, who stated her support for agenda item #13, Requested Changes to the MAG Regional Freeway Program. She hoped that in addition, all of the pro file be lowered, because under the current design, the roadway rises up behind her house. Chairman Rimsza thanked Ms. Garr for her comments.

## 5. Executive Director's Report

James M. Bourey stated that the Governor's Vision 21 Task Force will have their final meeting on December 13, 2001 to approve their final recommendations. He noted that a copy of their recommendations was at each place. Mr. Bourey stated that at their last meeting, the Vision 21 Task Force added a recommendation for a five-member elected body with taxing authority. The body's authority would also include land use and transportation planning and review of developments of regional impact. Chairman Rimsza commented on the possibility of creating a master zoning committee that would examine general plan applications. Mr. Bourey stated that they would create a general land use plan with which cities' plans would need to be consistent. Chairman Rimsza asked if the board would be able to recommend more density than what cities want? Mr. Bourey stated that their recommendations would be more restrictive rather than less.

Mr. Bourey stated that a third Contingency Planning Forum is scheduled for December 18, 2001. Presentations will be given by the local FBI and Salt River Project on the safety of the water supply.

Mr. Bourey stated that the Governor has launched a statewide economic study. Mr. Bourey has been asked to serve on the Leadership Council that was established to work on the study to spur economic development in the state.

Mr. Bourey stated that New York University is conducting a study on smart growth and has conducted interviews with representatives in the region. Mr. Bourey stated that he will provide results of the study as they are made known.

Mr. Bourey stated that two time lines of the extension of the half cent sales tax are being drafted for the Executive Committee. One time line will assume a November 2003 vote and the other will assume a November 2004 vote. He stated that the time line for proceeding on the 2003 vote is extremely tight and the 2004 date looks more realistic. Chairman Rimsza stated that the time lines will help illustrate how much work needs to be done to get the item on the ballot. Because there is a lot of work to be done, the 2004 cycle seems to be a more possible date. Chairman Rimsza stated that the time lines will also be transmitted to Regional Council members.

Mr. Bourey introduced a new MAG staff member, Mele Koneya. Mr. Koneya previously worked with the State of Nebraska, and holds a Master's degree in Community and Regional Planning.

Mayor Arnold asked who was involved in the Contingency Planning Forums. Mr. Bourey replied that the Management Committee and Public Works staff received meeting notices. He stated that public

works, water/wastewater, and emergency personnel have attended the forums. Mr. Bourey added that the attendees want to foster a regional evacuation plan and public information plan. He stated that other regions in the country have undergone similar efforts. The forums provide an opportunity to share information.

Chairman Rimsza reminded members that TEA-21 funding is coming up. He stated that transportation funding is critical and the region needs to ensure that the maximum federal commitment is made for the region to receive matching money. Chairman Rimsza expressed concern that the funding may be capped. He asked Mr. Bourey to keep members updated. Chairman Rimsza thanked Mr. Bourey for his report. Chairman Rimsza asked Mr. Bourey for the next order of business that could be accomplished without a quorum. Mr. Bourey stated that action was possible on the Governance Task Force recommendations, but we were not expecting action. He mentioned that the recommendations would be a major item of discussion at the Regional Council retreat.

Chairman Rimsza announced that this was the last Regional Council for Bill Beyer. He presented Mr. Beyer with a framed resolution of appreciation for Mr. Beyer's service to the region. Mr. Beyer stated that it has been a pleasure and an honor to serve and he appreciated the experience.

#### 16. MAG Governance Task Force Recommendations

This agenda item was taken out of order.

Chairman Rimsza asked Mr. Bourey to review the Governance Task Force recommendations. He stated that the Task Force wanted to refer the concepts and put detail to the concepts at the Regional Council retreat. Chairman Rimsza stressed the importance of adopting the recommendations.

Mr. Bourey stated that the Task Force made nine recommendations. The first recommendation was that the Regional Council consider the concept of a policy and advisory committee structure that would integrate transportation, land use and air quality policy. This would include business representation and other stakeholders. The policy committee would have additional power that could not be overruled with a simple majority vote.

Chairman Rimsza stated that the idea of non-elected officials on the Regional Council was rejected by the Governance Advisory Committee. The policy and advisory committees would get more input from the business community. He asked if the Management Committee had any consensus on the recommendation. Mr. Bourey stated that the Management Committee felt the committee would have additional power, but more clarification was needed on whether this committee would be policy or advisory.

Mayor Feldman-Kerr stated that the reason that the business community was not added to the Regional Council was because the Advisory Committee felt that business representation would do the most good at the committee level. Chairman Rimsza stated that they expressed that the actual work is done at the committee level.

Mr. Bourey stated that the second recommendation was that we expand the business and other stakeholder representation on all of the MAG technical and advisory committees. He noted that the Management Committee expressed concern with the word "all."

Mr. Bourey stated that the third recommendation was that we integrate the local and regional transit planning into the regional transportation system planning effort. Chairman Rimsza noted that this recommendation does not suggest a merging or elimination of RPTA, just a more focused effort to bring transit planning into transportation planning with other modes.

Mr. Bourey stated that the fourth recommendation was that we delegate more responsibility and authority to an expanded executive committee, comprised of members from the MAG Regional Council. He explained that there have been no numbers of representatives or responsibilities set yet. Mr. Bourey added that the full Regional Council may meet less frequently, but that also has not yet been determined. Chairman Rimsza noted that the short quorum at tonight's meeting was an example of why the Executive Committee should be empowered.

Mayor Hawker stated that the reason that only concepts were recommended was that the Task Force was trying to keep options open and get general direction from the Regional Council. Structures could be picked apart if one or another element was not liked. He stated that the recommendations could be taken to the State Legislature and show that it makes sense that MAG manages the half cent sales tax.

Mayor Giuliano joined the meeting via speaker telephone.

Mayor Hawker stated that it is a great commitment of time for a Regional Council member to know the issues, and some mayors are unable to commit to the time required to accomplish that. Mayor Hawker stated that the Executive Committee members will need to be aware of the time commitments required to be a member, especially in the area of federal transportation regulations and funding.

Mr. Bourey stated that the Management Committee expressed no major concerns for this recommendation.

Mayor Manross asked if it was anticipated that the Executive Committee would meet monthly and be involved in day-to-day operations. Chairman Rimsza replied that whether they would have more responsibilities and what those responsibilities are would be up to the Regional Council. However, he thought that their responsibilities would be more regional issues than policy issues. Mr. Bourey stated that it is envisioned that their responsibilities would be more procedural in nature, such as approving contracts.

Mr. Bourey stated that the fifth recommendation was that we hold Town Hall meetings, with a specific identified invitation list, that will advise the Regional Council on goals. He mentioned that the Management Committee expressed concern with the word "specific" because they thought it narrowed the list of participation. They felt it important to be more broad. Chairman Rimsza stated that the end result is having people attend the Town Halls who will contribute.

Mayor Tibshraeny joined the meeting. Chairman Rimsza announced that a quorum was present.

Mayor Manross asked how frequently the Town Halls would be held. Chairman Rimsza stated that they would be held on a regular basis. The actual basis would be decided at the retreat. Quarterly would be too often and could become burdensome. Annually may not be often enough to provide direction.

Mr. Bourey stated that the sixth recommendation was that there be a review and report of the impact of proposed significant residential development on the regional facilities for transportation, open space, wastewater and water, prior to the jurisdiction taking action on the development. Mr. Bourey clarified that this recommendation does not give MAG any authority over the actions of individual jurisdictions. He indicated that there was some concern at Management Committee how it would take place and not delay land use decisions.

Mayor Thomas stated that there has been concern expressed with cumulative impacts of smaller developments that could become a large mass development. Mayor Hawker commented on discussions of the integration of land use and transportation planning. He stated that there have been developments where impacts to the current infrastructure were not taken into account. Chairman Rimsza stated that the information from the report will help communities get what is needed to alleviate the impacts of development. He noted that presently, the impacts cannot be assessed. This information could help with that assessment. Implementation of this recommendation would be an important step and would ultimately leave the decision-making process to the local jurisdiction.

Mayor Delgado stated that he was under the impression that air quality impact was a part of this recommendation. Mr. Bourey stated that air quality impacts were not specifically mentioned, but would be done automatically as a part of the transportation process.

Mr. Beyer suggested adding wastewater to the recommendation.

Mayor Manross stated that the review and report could help smaller communities that do not have large staff resources.

Mayor Thomas commented on including the County, in addition to the cities, in the review and report of developments.

Mr. Bourey stated that the seventh recommendation was that data compiled on residential developments of significance would be integrated into the TIP and Long Range Transportation Plan, and 208 approval processes, where there is an action that would be going forward to the Regional Council. He explained that this recommendation would make data on significant residential developments available.

Mr. Bourey stated that the eighth recommendation was that the Regional Council consider whether they want to extend voting participation to local governments in the contiguous urbanized area.

Mr. Bourey stated that the ninth recommendation was that after these recommendations are accepted, we look at re-branding MAG. Mayor Manross stated her agreement with examination of re-branding MAG after the recommendations had been adopted. Chairman Rimsza stated that there has been a consensus that after adoption, it will be more apparent whether a re-branding is appropriate.

Mr. Bourey added that the Management Committee had a full discussion on the recommendations and expressed that they would like to continue being involved in the effort.

Chairman Rimsza stated that the recommendations would be the main focus of work at the Regional Council retreat. He noted that the governance process was very intensive and time consuming. Chairman Rimsza expressed his thanks to the Task Force for their efforts. Chairman Rimsza stated that

their work advanced the goal of the extension of the half cent sales tax. With the changes, MAG will better demonstrate they are able to manage the tax.

Mayor Tibshraeny expressed his thanks to Chairman Rimsza and other Task Force members for their time and effort.

3. Approval of November 7, 2001 Meeting Minutes

This agenda item was taken out of order.

Mr. Beyer moved to approve the minutes of the November 7, 2001 meeting. Mayor Thomas seconded, and the motion carried unanimously.

6. Approval of Consent Agenda

Chairman Rimsza stated that public comment is provided for consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the committee can request that an item be removed from the consent agenda and considered individually. Chairman Rimsza stated that agenda items #7, #8, #9, #10, #11 and #12 were on the consent agenda.

Mayor Hawker requested that agenda items #9 and #11 be heard.

Bill Beyer moved to approve consent agenda items #7, #8, #10, and #12. Mayor Thomas seconded

Before a vote was taken, Chairman Rimsza recognized public comment from Mr. Crowley, who stated that there was no supporting information provided on agenda item #10, MAG Participation in Transportation Public Opinion Focus Groups and Regional Telephone Survey. He stated that he was at the RPTA Board retreat and you are dealing with poisoned fruit from a poisoned tree. Mr. Crowley stated that he was not provided an opportunity to comment at their retreat and hoped there would be public comment at the Regional Council retreat. Mr. Crowley stated that \$50,000 is not an insignificant amount of money and could buy a small house. He stated that he wished a motion had been made on agenda item #16, MAG Governance Task Force Recommendations, so he could comment. MAG needs to be proactive, not reactive. Mr. Crowley brought up that there are more funding opportunities than sales tax. He stated that no one is elected to MAG except Mr. Bourey. Mr. Crowley stated that he has already spoken to the Legislature about governance.

Chairman Rimsza called for a vote on the motion to approve consent agenda items #7, #8, #10, and #12. The motion carried unanimously.

7. Proposed 2001 Revisions to MAG Standard Specifications and Details for Public Works Construction

The MAG Standard Specifications and Details for Public Works Construction, represent the best professional thinking of representatives of several Public Works Departments and are reviewed and refined by members of the construction industry. They were written to fulfill the need for uniform rules governing public works construction performed for Maricopa County and the various cities and public agencies in the county. It further fulfills the need for adequate standards by the smaller communities and

agencies who could not afford to promulgate such standards for themselves. The MAG Standard Specifications and Details Committee has completed its review of proposed 2001 revisions to the MAG Publication. Similar to last year, a summary of these recommendations was sent, on October 10, 2001, to members of the MAG Management Committee and to MAG Public Works Directors for review for a period of one month. No objections to any of the proposed revisions have been suggested within the month review time frame and the proposed revisions are now regarded as approved and formal changes to the printed and electronic copies have begun. It is anticipated that the annual update packet will be available for purchase in early January, 2002.

8. Amendment to the FY 2002-2006 MAG Transportation Improvement Program

The Regional Council, by consent, approved an amendment to the FY 2002-2006 MAG Transportation Improvement Program, as described in attached Table One. On July 25, 2001, the Regional Council approved the FY 2002-2006 MAG Transportation Improvement Program (TIP). Since that time, several projects have been identified that need to be added or changed: (1) add a Phoenix/ADOT Federally funded project that will increase the number of left turn lanes to Thunderbird Drive at I-10; (2) change the description of the Apache Junction CMAQ funded dirt road paving project; (3) add two Maricopa County Federal safety funded projects on the Loop 303; and (4) combine three Maricopa County CMAQ funded ITS projects into one.

10. MAG Participation in Transportation Public Opinion Focus Groups and Regional Telephone Survey

The Regional Council, by consent, approved contracting with the RPTA for MAG to provide up to \$25,000 for the RPTA consultant West Group Marketing Research to conduct focus groups and to conduct a regional telephone survey regarding the extension of the one-half cent sales tax. At the November Regional Public Transportation Authority Board meeting, members expressed interest in having focus groups and a regional telephone survey taken to ascertain public attitudes regarding what the overall split of funds should be if the one-half cent sales tax is extended. The members also requested that the questions for the survey be reviewed by RPTA, MAG and stakeholder agencies. It is envisioned that the RPTA and MAG would each contribute up to \$25,000 for the focus group and survey work. The RPTA would amend their contract with West Group Marketing Research to conduct focus groups and conduct the telephone survey.

12. Approval of Recommendations for Social Services Block Grant Fund Recommendations, FY 2001-2002

The Regional Council, by consent, approved the priority needs, services and funding recommendations for FY 2001-2002 to be forwarded to the Arizona Department of Economic Security for advertisement and contracting. Under a planning contract with the Arizona Department of Economic Security (DES), the MAG Human Services Planning program annually researches and solicits input on human services needs in the MAG region. The needs are prioritized and stated as problems. The MAG Human Services Coordinating Committee identifies which services should be directed to the problems, and they recommend targeting \$4.142 million of the State's Social Services Block Grant (SSBG) funds for the identified services. These recommendations reflect a funding reduction to our region of approximately \$1.2 million since 1990. Services funded by the Social Services Block Grant include assistance to the most vulnerable people in our region, including our very low income children and families, elderly people, victims of domestic violence, homeless people and those with disabilities. Over the past three years, the State of Arizona has endeavored to offset the tremendously negative effects of these reductions by

replacing some of the reduced SSBG funds with federal Temporary Assistance to Needy Families (TANF). This past legislative session, \$1,038,900 TANF funds were directed to the Councils of Governments for both FY2002 and FY2003 to help offset past reductions to locally planned SSBG services. The MAG portion was \$609,653. After this replacement ends in FY2003, it is uncertain how these services will be maintained at their current levels. Additionally, \$500,000 of these funds for FY2003 are in jeopardy in the proposed DES Budget Reduction Plan.

9. Amendment to Add Airport Road from I-10 to Osborn Wash to the MAG FY 2002-2006 Transportation Improvement Program

This item was removed from the consent agenda to be heard.

On November 6, 2001, the Transportation Review Committee (TRC) recommended adding the Buckeye project, Airport Road from I-10 to Osborn Wash, to the MAG FY 2002-2006 Transportation Improvement Program (TIP). Since this road is regionally significant and is not in the current TIP, an air quality regional emissions analysis has been conducted and is going through the air quality consultation process. To better understand projects of this scope, the MAG Regional Governance Task Force has suggested that the overall nature of projects of this type throughout the region be discussed when an individual element such as a TIP amendment is being considered. The Airport Road Traffic Interchange at I-10 has already been approved by MAG, as has the amendment to the 208 Water Quality Management Plan for this project.

Eric Anderson stated that the MAG TIP must include regionally significant projects in the region. No new arterial can be built unless that project is in the TIP. Mr. Anderson stated that this agenda item is a request to add that arterial to the TIP. Mayor Hawker asked Mr. Anderson to proceed on a presentation for agenda item #11 because it is tied to agenda item #9. Mr. Anderson stated that agenda item #11 was the consultation on conformity for the TIP amendment.

Mayor Hawker extended his apologies that he did not recognize the impacts of the 208 amendment and TIP amendment when those amendments were being considered for approval by the Regional Council. He stated that at the January retreat, the Regional Council will be dealing with the coordination of land use and transportation. Mayor Hawker commented that this project is a perfect example of a subdivision coming on-line that will have regional impacts. He noted that he had difficulty bringing his concerns forward at this point, because the developer has completed the processes required of them. Mayor Hawker mentioned that he did not want to penalize a development that did what they were supposed to do. He requested that action on this agenda item be postponed until after the January Regional Council retreat. Mayor Hawker stated that the examination at the retreat may be too late to halt the project. The impacts should have been recognized earlier.

Chairman Rimsza noted that since the land use/transportation structure recommendation has not yet been adopted, it is hard to penalize this project, even if it is only a time delay. He asked Mr. Anderson if all of the requirements had been followed. Mr. Anderson replied that the processes have been followed and the project has been approved by the jurisdiction. The TIP amendment for the interchange and the 208 amendment have been approved by the Regional Council. Chairman Rimsza stated that this is a fairness issue, because all of the processes have been followed.

Mayor Thomas stated that because the 208 and interchange amendments have already been approved by the Regional Council, it is too late to halt the project. However, this could show where the Regional Council could make a difference in the future.

Mayor Arnold expressed concern with this project because it borders his city. He indicated that he was in favor of waiting to take action until after the retreat.

Chairman Rimsza noted that Mayor Hull was unable to represent the Town of Buckeye because he was ill.

Mr. Arnett stated that the interchange has already been approved. He noted that the roadway is designed to accommodate future travel modes, such as light rail. Mr. Arnett stated that he supported moving forward. Mr. Arnett stated that there will be more than one ingress and one egress. He brought up that DMB Properties has provided the money for the interchange.

Mayor Hawker stated that there were two parts to item #11, and his only concern was with Whitestone Boulevard.

Mayor Hawker moved to delay the decision on Whitestone Boulevard until after the January 11, 2002 Regional Council retreat discussion. Mayor Arnold seconded.

Chairman Rimsza recognized Karrin Taylor, representative from DMB Properties. Ms. Taylor stated that the plans have been in process since 1997. The process has included the County, MAG and ADOT. Ms. Taylor stated that the interchange plans with ADOT are at the 60 percent design level and the project is expected to begin construction in four months. Ms. Taylor expressed appreciation for the concerns voiced by Mayor Hawker, but this development is not just a subdivision, but is a planned community. Ms. Taylor explained how the development would be a balanced, sustainable community with more than four million square feet of commercial and employment area, that will generate jobs. Ms. Taylor stated that the projected jobs/housing balance is 1.1, which is close to the MAG target of 1.2. She stated that a major university has been looking at locating in the area. Ms. Taylor stated that there may be a reverse commute opportunity. She stated that this development is an opportunity to create a balanced community that creates jobs and economic development. Ms. Taylor stated that DMB Properties has made a commitment to pay for water/wastewater services, the interchange, and roadway improvements. She urged action be taken tonight.

Enias Kane, General Counsel for DMB Properties. He stated that it is important to note that DMB Properties has spent tens of millions of dollars already on the process to develop this property. Mr. Kane stated that this is an opportunity to create a new town in the West Valley. The elements are similar to another DMB Properties project in North Scottsdale, DC Ranch. Mr. Kane stated that the project is balanced and sustainable. As a private development, the costs of water/wastewater, infrastructure and roadways are financed. Mr. Kane noted that the development meets the goals of Growing Smarter. He stated that any delay is extremely serious because of the late stage of development.

Mayor Arnold asked if Loop 303 was a part of the Roads of Regional Significance in the process. Ms. Taylor replied that it was a part. They were requested to look at Roads of Regional Significance but also interest in an interchange. Mr. Kane stated that there is a master plan for all aspects of a sustainable community, and it would not be developed piecemeal.

Mayor Thomas stated that the jobs/housing balance of 1.1 will mean that there will be people coming from other areas. He brought up that even if there is a delay in taking action until after the retreat, any data or analysis will still not be prepared. Mayor Thomas stated he would not support the motion.

Mayor Drake stated his support for the development and that it will be a great project.

Chairman Rimsza called for a vote on the motion to delay action until after the January 11, 2002 Regional Council retreat. The motion was defeated with Mayor Arnold, Mayor Berman, Mayor Delgado, Mayor Giuliano, Mayor Hawker, Mayor Tibshraeny, and Mayor Roberts, voting yes and Chairman Rimsza, Mr. Arnett, Mr. Beyer, Mayor Drake, Mayor Feldman-Kerr, Mr. Gant, Mayor Lowry, Mayor Manross, and Mayor Thomas, voting no.

Mayor Drake moved to approve the Amendment to Add Airport Road from I-10 to Osborn Wash to the MAG FY 2002-2006 Transportation Improvement Program. Mr. Arnett seconded. The motion passed with Mayor Hawker and Mayor Arnold voting no.

#### 11. Conformity Consultation

This item was removed from the consent agenda to be heard.

The proposed amendment to the FY 2002-2006 MAG Transportation Improvement Program (TIP) includes a request from the Town of Buckeye to add a new 2.5 mile arterial roadway, Whitestone Boulevard. The project provides for phased construction of a 4-lane facility from Interstate 10 north along the Airport Road (211th Avenue) alignment. The estimated cost of the privately-funded roadway is \$2,969,200. The project has been determined to be regionally significant. A regional emissions analysis was required. The results of the regional emissions analysis on the proposed new project included in the Long Range Transportation Plan 2001 Update and TIP, meet the transportation conformity requirements for carbon monoxide, ozone, and particulate matter. In addition, the amendment includes a request to add a joint City of Phoenix/Arizona Department of Transportation federal aid project to increase the number of left turn lanes at Thunderbird Road and Interstate 17, to change the description of a City of Apache Junction dirt road paving project, and to combine three Maricopa County federally funded Intelligent Transportation System projects into one project. The amendment is required to revise these federal aid projects. A conformity determination is not required for these projects. The amendment also includes a request to add two Maricopa County federal safety projects on Loop 303. These projects may be considered exempt under the federal transportation conformity rule.

#### 13. Requested Changes to the MAG Regional Freeway Program

Eric Anderson gave a presentation on two requested changes to the MAG Regional Freeway Program. ADOT requested that \$16.868 million in FY 2002 funding be transferred from the South Mountain Corridor to the Gilbert to Williams Field segment of the Santan Corridor. This transfer would allow for additional right-of-way purchases in the Santan Corridor which should result in program savings. Mr. Anderson stated that since the EIS for the South Mountain Corridor will not be completed until mid-2004, right of way money allocated to the South Mountain Corridor is not needed at this time. Mr. Anderson stated that \$5 million in 2003 and \$11.868 million in 2004 would be returned to the South Mountain project. He added that the changes will not negatively impact the financial plan for the MAG

Regional Freeway Program and could benefit the program by avoiding future land value increases. Mr. Anderson explained that since this is a change in fiscal years, it is considered a material change and must have Regional Council concurrence.

Mr. Anderson stated that the Town of Gilbert requested that the Santan Freeway at the junction with the Southern Pacific railroad tracks at Rittenhouse Road pass under the tracks. The original design for this segment has the freeway going over the tracks. Mr. Anderson noted Gilbert's concern with the neighborhood impacts at this location since the freeway structure would be significantly elevated to provide sufficient clearance, which could be up to 40 feet. Mr. Anderson stated that Parsons Brinckerhoff estimated that the project would cost an extra \$2 million, and the consultant for ADOT, DMJM, estimated that the additional cost would be \$4 to \$5 million. Mr. Anderson stated that there is a broad range of cost estimates because design is only in the conceptual stage. He added that Gilbert is willing to contribute up to \$2 million for the project. Mr. Anderson stated that there is sufficient cash flow to accommodate this project. He added that if the project cost reaches \$4-5 million, the freeway program would be responsible for the additional cost. Mr. Anderson explained that since this is a change in the vertical profile of the freeway, it is considered a material change and must have Regional Council concurrence.

Mayor Berman moved to approve the requested changes to transfer \$16.868 million from the South Mountain Corridor to the Santan Corridor in 2002, with the funds returned to the South Mountain Corridor in 2003 and 2004, and to change the profile of the Santan Freeway to go underneath the Southern Pacific Railroad crossing at Rittenhouse Road. Mayor Hawker seconded.

Before a vote was taken, Mayor Thomas commented on the flooding that occurs in underpasses during heavy rain, such as on I-17. Mr. Anderson explained that pump stations and drainage designs for the new freeways will prevent this type of flooding.

Hearing no further discussion, Chairman Rimsza asked for a vote on the motion, which passed unanimously.

#### 14. MAG PM-10 Efficient Street Sweeper Study

Doug Collins gave a presentation on the study performed on PM-10 efficient street sweepers. Mr. Collins stated that in the Revised MAG 1999 Serious Area Particulate Plan for PM-10 for the Maricopa County Nonattainment Area, MAG committed to conduct a study on the applicability of the PM-10 efficient street sweepers certified by the South Coast Air Quality Management District in the Maricopa County nonattainment area. He noted that these sweepers are designed to reduce reentrained dust on paved roads. Mr. Collins stated that several MAG member agencies committed to review the results of the study and then determine if the PM-10 efficient street sweepers were economically and technologically feasible for use in their respective jurisdictions, primarily to replace older equipment. The overall objectives of the study were to: Collect information on the operational characteristics of certified and noncertified street sweepers; collect information on the current use of certified street sweepers in PM-10 nonattainment areas; and summarize the information collected in the study. Mr. Collins stated that the study gathered information from sweeper manufacturers and California agencies using certified sweepers was requested. A survey of 14 local jurisdictions was conducted to compare data on their use of certified and non-certified sweepers. Mr. Collins stated that the report collected information on sweeper availability, selection, and cost; and certified sweeper operations and maintenance.

Mayor Thomas moved to approve the MAG PM-10 Efficient Street Sweeper Study. Mayor Delgado seconded.

Before a vote was taken, Chairman Rimsza recognized public comment from Blue Crowley, who suggested that one table in the report could be eliminated. He stated that jurisdictions need to include service and maintenance costs in their contracts, because those costs are higher with certified sweepers. Mr. Crowley stated that PM-225s are a part of the Brown Cloud and need to be considered.

Hearing no further comments, Chairman Rimsza asked for a vote on the motion, which passed unanimously.

15. Status Update on the June 30, 2000 Single Audit and Management Letter Comments, MAG's Comprehensive Annual Financial Report (CAFR) and OMB Circular A-133 Reports (i.e., "Single Audit") for the Fiscal Year Ended June 30, 2001

The public accounting firm of Deloitte & Touche LLP completed field work on September 7, 2001 on the audit of MAG's Comprehensive Annual Financial Report (CAFR) and Single Audit for the fiscal year ended June 30, 2001. She stated that an unqualified audit opinion was issued. The independent auditors' report on compliance with the requirements applicable to major federal award programs, expressed an unqualified opinion on the Single Audit. Ms. Kimbrough stated that the Single Audit report indicated there were no reportable conditions in MAG's internal control over financial reporting considered to be material weaknesses, no instances of noncompliance considered to be material and no questioned costs. The Single Audit report had no new or repeat findings. Mr. Kimbrough noted that no new or repeat Management Letter comments were issued for the fiscal year ended June 30, 2001.

Mr. Bourey introduced Rebecca Kimbrough, MAG Fiscal Services Manager. Chairman Rimsza asked Ms. Kimbrough if he was correct that MAG had a perfect audit. Ms. Kimbrough confirmed that was correct. Chairman Rimsza asked if there were any questions. Hearing none, he asked for a motion.

Mayor Tibshraeny moved to accept the MAG Comprehensive Annual Financial Report and Single Audit Report for the year ended June 30, 2001. Mayor Hawker seconded, and the motion carried unanimously.

Mayor Thomas commented on agenda item #12, Approval of Recommendations for Social Services Block Grant Fund Recommendations, FY 2001-2002, In light of the current budget situation, the impacts will be a challenge.

There being no further business, the meeting adjourned at 5:45 p.m.

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Chairman

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Secretary