

**INFORMAL SESSION
March 17, 2003**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., March 17, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman; Andy Kunasek, Vice Chairman; Don Stapley, Max W. Wilson, and Mary Rose Wilcox. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

PRESENTATION: REGIONAL TRANSPORTATION AND HOUSE BILL 2292

Item: Presentation and discussion regarding House Bill 2292, regarding the Regional Transportation Plan. The presentation will focus on developing the Regional Transportation Plan, scheduling and developing of possible alternative scenarios. (ADM2053)

Eric Anderson, Transportation Manager, Maricopa Association of Governments (MAG), spoke on the proposed outline for what the long-term Regional Transportation Plan (RTP) will become and some of the challenges that have been identified to date. He said he would include an overview of RTP background studies that have been conducted, the make-up of the policy committee, a brief summary of the survey conducted last December and where they plan to go from this point.

Mr. Anderson indicated that this is the largest regional transportation plan in the last 40 years when the blueprint for the present freeway plan was conceived and which is now being completed. It is time to again look creatively into the next 40-60 years to determine what kind of transportation facilities need to be provided for residents. He indicated that it will be important to monitor how the plan performs as it is being implemented. In 1985 the first half-cent sales tax was implemented with the passage of Proposition 300. At that time there were only a few miles of freeway in the County and Proposition 300 emphasized freeways as the important goal to plan for and obtain. Mr. Anderson said that freeway construction will continue to be a priority but a balanced transportation system also needs to be incorporated by increasing investments in public mass transit and improving major street systems. The transportation tax expires in 2005 and population projections are for more than six million people in this region by 2030. Clearly these projections call for the implementation of a regional transportation plan. He identified the expected growth areas for population and future employment centers. He also identified current and future congestion trouble spots on arterial surface streets and intersections, and said it is important to plan for adequate alternatives for traversing the Valley in all directions.

Mr. Anderson stated that a high-speed and high-capacity transit system throughout the Valley would be as important as freeways. MAG has conducted studies on this question for the past two years. He identified several alternatives, as follows:

- High capacity transit plans including bus and express bus, rapid transit and possibly light rail.
- Valley Metro local bus networks expansion.
- Rural transit with dial-a-ride services, HOV systems with connectors, possibility of tolls.
- Design options, including double decking on I-17, to free current bottlenecks on freeways.
- Area studies on arterial streets.
- Additional highways; connecting the 303 to I-17.
- Enhanced east/west highway networks for relief to the I-10, and a Northern Ave. super street.
- Connecting transportation systems with Pinal County in southeast valley.
- Widen and enhance Grand Avenue route to the northwest valley.
- Arterial travel-speed studies and database for metro areas throughout the valley at peak hours.

INFORMAL SESSION
March 17, 2003

Mr. Anderson spoke of the financial constraints the RTP faces even considering reasonably expected revenues in accordance with federal law and revenues from the half-cent sales tax extension. He said, "We expect the extension will raise about \$8.3 billion between 2006 and 2025 and obviously there is a lot of interest in how that money might be allocated."

Supervisor Stapley asked, "How much additional money would be generated from other "pots" in that same 20-year period?"

Mr. Anderson replied, "Our total estimate for the regional plan right now is about \$29 billion. That includes all the highway user revenue fund monies, with about half going to ADOT, some to counties and some to cities and towns.

Discussion ensued on specifics of different funding sources and the amount that could be expected from each of them.

Mr. Anderson said they will develop alternative funding and application strategies, varying the amount of the sales tax monies allotted to freeways, mass transit and major street projects across the valley. They will evaluate expected performances but they expect that core projects will remain constant. He said that the order in which the projects will be built is expected to be "a very challenging exercise" because of parochial issues. He reported that MAG's December survey had indicated that transportation ranks as the third most important concern of Valley residents, with education the most important and crime in the #2 spot. He announced that an average of 78% of respondents indicated they would support the extension of the half-cent sales tax to pay for transportation improvements. A certified plan must be ready for presentation to the Legislature by November 30, 2003. He recapped that HB 2292 requires two formal votes by the County Board of Supervisors on the Alternatives Analysis and on the Draft Plan. He said that if questions or issues arise prior to those votes Board members could consult with him or other members of the committee.

Chairman Brock said that he is not aware of any mass transit system in the country that pays for itself. He was concerned how this would be overcome here. He asked if Mr. Anderson was aware of any plans that had private sector funding of any kind.

Mr. Anderson replied that he believed there might be some very narrowly focused examples around the country and he did not know of any studies combining public funding for the western region.

Discussion ensued on major infrastructure improvements and monies required to bring the existing rail system into compliance for passenger service through rail replacements, parallel tracks and expansion of signals and switching facilities. Also discussed were strategies to mitigate truck traffic through metro areas using collector distributor systems. Pinal County housing development's encroachment on East Valley towns and cities and planned transportation alternatives to handle this impact on both counties.

Other topics discussed included what entities are involved in the approval process for the transportation plan; the survey's polling process and actual public support for transit expansion; whether retailers located along the Salt River Indian Community would be subject to the half cent sales tax; and local funding control disputes involving cities vs. regional concerns.

David Smith asked Mr. Anderson if the \$29 billion coming in over the next 20 years is enough money to cover the plan he had presented today.

INFORMAL SESSION
March 17, 2003

Mr. Anderson explained that he had not presented a plan but rather a list of needs. The half-cent revenue is not enough to do everything needed in this region.

Chairman Brock called a short break after which the Board reconvened.

DISCUSSION: RESPONSE TO REGIONAL TRANSPORTATION PLAN

Item: Discussion in response to the presentation by the Maricopa Association of Governments (MAG). McDOT will address the County's position on House Bill 2292 and related developments in the Legislature. New roles, responsibilities and opportunities for the Board of Supervisors under House Bill 2292 will also be explored including: (ADM2053)

- Consultation requirements in the development of the regional transportation plan;
- Opportunities to ensure the regional perspective and accountability in plan implementation;
- Concerns with process and schedule in development of the regional transportation plan;
- Principles and performance evaluation criteria which will serve as the basis for Board positions regarding the Regional Transportation Plan.

Tom Buick, Director, Maricopa County Department of Transportation (McDOT) said he wanted to put the discussion about transportation in context. He indicated his belief that the Board's role as consultants had been taken to the highest level, "you recommend approval, disapproval, changes or modifications, and that those recommendations must be responded to. You have the opportunity to put forward the regional perspective and the idea of accountability for the subsequent implementation." These are two key roles that were previously expressed as primary goals for the Board. He said it is important to speed up the planning process as much as possible, "but you don't want to opt for speed and consensus at the sacrifice of clarity and understanding. Now is the time for critical thinking on the implications of adopting a plan and making tough judgments early on in the process."

He spoke of the principles and performance evaluation criteria he felt could be implemented by the Board in making their formal pronouncements on the plan. He suggested three principles to follow:

- Demand technically sound, unbiased information in a timely manner to evaluate the data and facilitate making recommendations.
- Insist on a regionally focused, cost efficient, integrated transportation system where plans and components have benefits that exceed the cost.
- Obtain performance criteria and benefit cost ratios: vehicle or person miles of travel, vehicle hours of travel and pollution percentages generated from these additions to the system.

He suggested having three study sessions or meetings prior to the first vote, on or around June 1. The first session would be to set the performance criteria on which decisions will be made. The second would be to hear what the alternatives are and how they measure up to those criteria. The third meeting would be for a formal vote.

Discussion ensued on the implication and impact of the Board's input in the final decision since they didn't get the desired veto authority that was requested.

Mr. Buick said the Board's input from a regional point of view is unique and one that is not available from any other body. He suggested setting absolute thresholds to adhere to, such as, maintaining air quality

INFORMAL SESSION
March 17, 2003

that is no worse than today's and making sure that travel time by mass transit would be comparable to the automobile. This would measure whether the alternatives put on the table are going to perform satisfactorily or not. When the thresholds are met then the question becomes: Which should be the top priority?

Karen Osborne explained the election procedures regarding the wording of the legislation that is passed and its impact on the ballot language that can be used – whether wording can be used to tell the people what actually happens if the measure is passed. She said the Board can also submit explanatory letters for inclusion in the election publicity pamphlet. She recommended setting the vote for the primary election in September 2004, as the best one to get a single message out to voters. It would also be the least expensive and usually averages a 30% voter turnout. Ms. Osborne will coordinate possible dates with McDOT and report back to the Board.

EXECUTIVE SESSION CALLED

Pursuant to A.R.S. 38-431.03, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) to recess and reconvene in Executive Session to consider items listed on the Executive Agenda as follows.

LEGAL ADVICE, PENDING OR CONTEMPLATED LITIGATION -- A.R.S. §38-431.03(A)(3) AND (A)(4)

Maricopa County (adv.) City of Phoenix

Christopher Keller, Chief Counsel, Division of County Counsel
John W. Paulsen, Deputy County Attorney, Division of County Counsel
David H. Benton, Deputy County Attorney, Division of County Counsel
Joy Rich, Director, Planning & Development, Maricopa County
Thomas K. Irvine, Outside Counsel

LEGAL ADVICE -- A.R.S. §38-431.03(A)(3)

HUD housing regulations

Christopher Keller, Chief Counsel, Division of County Counsel
William Scalzo, Chief Community Services Officer
Jim Satterwhite, Executive Director, Housing Administration
William Sims, Esq., Moyes Storey

RECORDS OR INFORMATION EXEMPT BY LAW FROM PUBLIC INSPECTION; LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION -- A.R.S. §38-431.03(A)(2), (A)(3), AND (A)(4)

Procurement issues concerning Solicitation 02132-RFP, Preprogrammed Software for Human Resources Management

Christopher Keller, Chief Counsel, Division of County Counsel
Sandi Wilson, Deputy County Administrator
Wes Baysinger, Director, Materials Management
Steve Dahle, Procurement Officer
Danica Bunjevic, Office of the CIO
Sue Outland, Consultant

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
March 17, 2003**

PENDING OR CONTEMPLATED LITIGATION -- A.R.S. §38-431.03(A)(4)

PMI-DVW Real Estate Holdings L.L.P. v. Maricopa County and Del Webb Corporation CV 2001-001879

Jean Rice, Deputy County Attorney, Division of County Counsel
Mike Wilson, Lands and Right-of-Way Division, Property Manager
Gary Scott, Lands and Right-of-Way Division, Acquisitions Manager

LEGAL ADVICE, PENDING OR CONTEMPLATED LITIGATION -- A.R.S. §38-431.03(A)(3) AND (A)(4)

Helene Abrams v. Maricopa County

Martin Demos, Deputy County Attorney, Division of County Counsel
Mary Cronin, Deputy County Attorney, Division of County Counsel
Barbara Wiess, Government Affairs Officer

Jamie Demery, et al. v. Maricopa County Sheriff Joseph Arpaio, et al., U.S. District Court No. CIV 01-0983-PHX-EHC

Michael G. Sullivan, Deputy County Attorney, Division of County Counsel

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board