

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
MAG REGIONAL COUNCIL EXECUTIVE COMMITTEE
February 16, 2021

This meeting was conducted virtually via Zoom.
The link to a video recording of the meeting [can be found here](#).

MEMBERS ATTENDING

*Mayor Jerry Weiers, Glendale, Chair #Mayor John Giles, Mesa: Vice Chair #Mayor Kenneth Weise: Treasurer	#Mayor Kate Gallego, Phoenix #Mayor Kevin Hartke, Chandler #Mayor Les Peterson, Carefree #Mayor Alexis Hermosillo, El Mirage
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* Not Present

Participated virtually

1. Call to Order

Acting Chair John Giles called the virtual meeting of the Executive Committee to order at 12:00 p.m.

2. Call to the Audience

Members of the public were asked to submit written comments related to this meeting through the MAG website. Comments may be sent at any time leading up to the meeting, but must be received at least one hour prior to the posted start time for the meeting.

This is the opportunity for the public to comment on items that fall under MAG's jurisdiction that are not on the agenda, or that are on the agenda for discussion and not for action.

No public comment was received.

3. Approval of Consent Agenda

Acting Chair Giles stated that items 3A through 3D were on the consent agenda. He updated the committee on action taken at the February 10, 2021, MAG Management Committee meeting for consent agenda items 3B through 3D. Acting

Chair Giles asked if any member had a question or would like a presentation on any of the consent items. None were noted.

Mayor Hartke moved approval of the consent agenda. Mayor Peterson seconded the motion and the motion carried unanimously with Mayor Gallego, Mayor Hartke, Mayor Hermosillo, Mayor Peterson, Mayor Weise, and Acting Chair Giles voting in favor of the motion.

*3A. Approval of January 19, 2020, Meeting Minutes

The MAG Executive Committee, by consent, approved of the January 19, 2021, meeting minutes.

*3B. Solicitation of the Fiscal Year 2022-2025 MAG Pedestrian and Bicycle Design Assistance Facilities Program and Active Transportation Services On-Call

The MAG Executive Committee, by consent, approved of the solicitation of the Fiscal Year (FY) 2022-2025 MAG Pedestrian and Bicycle Design Assistance Facilities Program and Active Transportation Services on-call consultant list.

The current FY 2018–2021 Pedestrian and Bicycle Facilities Design Assistance Program On-Call and MAG Bicycle and Pedestrian Master Plans and First Time Updates On-Call list is set to expire on June 30, 2021. A new FY 2022-2025 MAG Pedestrian and Bicycle Design Assistance Facilities Program and Active Transportation Services On-Call Consultant List is required to provide seamless and continued consultant availability moving into the new work program fiscal cycle.

*3C. See Me AZ Consultant Selection

The MAG Executive Committee, by consent, approved of a contract with Davidson Belluso, Inc., to facilitate work related to media management and message distribution and to conduct two surveys for the See Me AZ Pedestrian and Bicyclist Safety Education program for an amount not to exceed \$300,000 for a 1-year term. MAG may, at its option, offer to extend the period of this agreement up to a maximum of two, 1-year options, based on consultant performance and funding availability.

On May 20, 2020, the MAG Regional Council approved an amendment to the Fiscal Year (FY) 2021 MAG Unified Planning Work Program (UPWP) and Annual Budget to administer the See Me AZ Pedestrian and Bicyclist Safety Education program for

\$300,000. Administration of the See Me AZ program will include the use of paid and earned media related to the See Me AZ messaging and before and after surveys in conjunction with enforcement activity pilots to be conducted in spring and fall of calendar year 2021. On December 23, 2020, MAG advertised a Request for Proposal to solicit proposals from firms to implement the media components and to conduct the before and after surveys. Two proposals were received by the deadline. One proposal was disqualified as it failed to complete a Bidders List as required by the Arizona Department of Transportation Disadvantaged Business Enterprise ("DBE") program.

An evaluation team, including two MAG staff and three member agency planning and enforcement staff reviewed the responsive proposal and met to discuss the evaluation results and determine if MAG should solicit additional proposals. The evaluation team formed a consensus to recommend MAG move forward with the process to award a contract to Davidson Belluso, Inc. The base contract period shall be a 1-year term. MAG may, at its option, offer to extend the period of this agreement up to a maximum of two, 1-year options, based on consultant performance and funding availability.

*3D. Transportation Improvement Program Project Changes

The MAG Executive Committee, by consent, approved of amendments and administrative modifications as appropriate to the FY 2020-2024 MAG TIP, and 2040 MAG RTP Update, as appropriate.

The Fiscal Year (FY) 2020-2024 MAG Transportation Improvement Program (TIP) and the 2040 MAG Regional Transportation Plan (RTP) Update were approved by the Regional Council on February 26, 2020, and have since been amended nine times. Since approval of the last amendment, additional changes and modifications are needed.

4. Annual Performance Review of the MAG Executive Director

Acting Chair Giles indicated the next item was the annual performance review of the MAG executive director. He called for a motion to recess the meeting and go into executive session to discuss the evaluation process for the MAG Executive Director's review. The authority for such an executive session is A.R.S. § 38-431.03(A)(1).

Mayor Weise made a motion to go into executive session and the motion was seconded by Mayor Peterson. The motion carried unanimously with Mayor Gallego, Mayor Hartke, Mayor Hermosillo, Mayor Peterson, Mayor Weise, and Acting Chair Giles voting in favor of the motion.

The meeting went into executive session at 12:04 p.m.

Acting Chair Giles reconvened the regular meeting at 12:34 p.m.

Mayor Hartke made a motion to approve the survey instrument and evaluation process for the MAG Executive Director's performance review and discussion and consultation concerning the process for the MAG Executive Director's annual performance review. Mayor Hartke asked if he should include in the motion what took place during executive session. MAG Legal Counsel Sam Coffman stated it would not be appropriate to repeat confidential information discussed during executive session, but said Mayor Hartke could include in the motion additional information that was appropriate.

Acting Chair Giles stated he would welcome additional information to the motion in addition to the instrument. Mayor Hartke added to the motion the addition of a job description and the first motions taken by Executive Director Eric Anderson. Acting Chair Giles asked if Mayor Hartke also would like to include performance measures and objectives. Mayor Hartke stated that he would.

Mayor Gallego added a friendly amendment for the performance measures to include developing suggested performance measures as well as sharing them with peer organizations.

With no further discussion, Acting Chair Giles called for a vote on the motion. Mayor Gallego, Mayor Hartke, Mayor Hermosillo, Mayor Peterson, Mayor Weise, and Acting Mayor Giles voted in favor of the motion, which carried unanimously.

5. Discussion of the Development of the Fiscal Year 2022-2023 MAG Unified Planning Work Program and Annual Budget

MAG Senior Accountant Amy Aeppli provided a report on the development of the Fiscal Year (FY) 2022-2023 MAG Unified Planning Work Program and Annual Budget (UPWP). She stated MAG is currently in the process of developing the biennial UPWP document. As the UPWP makes its way through the committee

process, information is presented incrementally for information and discussion with the final draft presented in May for approval.

Ms. Aeppli stated in January, MAG provided a draft of the proposed member dues and assessments as well as the budget timeline. This month, staff is presenting a draft of the proposed new projects for information and discussion.

There were no questions or comments.

6. Legislative Update

MAG Policy and Government Relations Director Nathan Pryor provided the Executive Committee with an update on Senate Bill 1650 offered by Arizona Senator David Livingston. The bill contains two parts, including one for an increase to the statewide gas tax, indexed for inflation. The second part of the bill relates to enabling legislation for the Maricopa County region to go back to the ballot for the regional sales tax for transportation. Mr. Pryor indicated MAG expressed concern for the bill as proposed. He thanked MAG leadership and member agencies, and in particular, Mayor Giles, Mayor Gallego, and Mayor Weiers in their roles as Regional Council and Transportation Policy Committee leadership, for discussing the bill with Senator Livingston and Senator Tyler Pace who chairs the Senator Transportation Committee.

Mr. Pryor noted Bill 1650 was scheduled to be heard yesterday in the Senate Transportation Committee but was held. This week is the deadline for bills to be heard in committees of origin. MAG staff will continue to monitor and track developments if the bill returns in some form during the legislative session.

Mayor Weise commented that as part of a recent West Valley Mayors and Managers meeting, Senator Livingston spoke about Bill 1650 and the support he had for the bill within the legislature and possibly with the governor. He asked if staff had any insights about the bill and if it has any support. Mr. Pryor stated MAG is still tracking why the bill was held. He mentioned the business community, cities and towns and other associations who signed in with support, as neutral and in opposition to the bill. Mr. Pryor added leadership had conversations with Senator Pace recently about concerns with the bill.

Mayor Weise noted a couple of issues that he has his team had regarding the bill. One was the increase in the gas tax, when the governor has come out publicly saying he would not be supporting any new taxes. Mayor Weise stated everyone

agrees the gas tax should be increased, but now might not be the best time for that. Second, he had questions about the three-quarters of a cent mentioned in the bill. Mayor Weise questioned the tax rate for the Proposition 400 extension and noted the rate has not been decided and MAG does not know if it will be a half-cent, three-quarters, or a full cent. He stated he believes Senator Livingston may have tried to split the difference between a half-cent and a full cent and went with the three-quarters of a cent. Mayor Weise added in his opinion, the three-quarters tax rate does not make this an extension of the tax, but an increase. An extension would be a continuation of the half-cent sales tax. He stated MAG would have to decide the rate soon and asked for Mr. Anderson to provide an update on what the tax rate would be.

Mr. Pryor stated Bill 1650 as introduced was going to have a number of challenges due to the inclusion of the statewide tax as well as the provisions around the three-quarters of a cent sales tax. The region is working on its long-range transportation plan that is scheduled to be completed in the summer. He noted Bill 1650 was very prescriptive with modal buckets and where the funds would go. What the region is currently developing is not a straight line from Proposition 400 to the next plan. Mr. Pryor added MAG's message has been consistent that we should let the plan process play out and have a better understanding of regional needs and revenues. He indicated conversations are still to come regarding political dynamics and what voters will support.

Mr. Anderson added MAG is out in the field now with a public opinion poll that will be key to gauging where people are relative to transportation and their willingness to pay a higher tax. He explained if you are asking taxpayers to increase their investment in transportation, their own financial security becomes an important part of that and with the effects of the pandemic, many people are hurting economically. It will be interesting to see the results of the poll, which may inform policymakers in terms of strategy moving forward. Mr. Anderson commented the region may find that things are getting better by November 2022, which is the target date for the ballot. He stated the region also may find there is no appetite for anything above a half-cent. At that point, we could wait for the economy to improve to put it on the ballot or we could stick with a half-cent. The information policymakers are looking for in terms of what the region will get under the different funding scenarios will be made available over the next two months, with March and April being key months.

Mr. Anderson repeated a comment about Senate Bill 1650 that he also made at the recent West Valley Mayors and Managers meeting. He noted Senator Livingston

made a statement that the bill would double the bus service in the region, but that math does not work. Mr. Anderson indicated the way Bill 1650 was structured at a three-quarters of a cent with different funding buckets, the bus operation component would increase approximately 12-13 percent over Proposition 400. This would lead not to a doubling of bus service, but rather an approximately 10 percent increase. He noted this is another example of why it is important to understand what the tradeoffs are before engaging in legislation.

Acting Chair Giles stated he see it as a positive that Bill 1650 did not move forward. He commented he is looking forward to working with Mayor Gallego and the Transportation Policy Committee in coming up with policy in the near future and also looking forward to working with Senator Pace so that a year from now there is a bill being heard by the Transportation Committee that MAG endorses and reflects the policies that we want to recommend.

Mayor Weise talked about how money would be spent in Senator Livingston's bill. He emphasized how the money is spent needs to be decided by city leadership and Regional Council because they know what is best for their residents. Mayor Weise added that although light rail will probably never come out to Avondale or the West Valley, there should not be a restriction on other cities that need to use that funding for what they want to do, just as there should not be a limitation on bus service that is so important to Avondale, Goodyear, and the West Valley. It should be up to the city and the boards to decide what money is needed and the percentages needed to make those goals happen.

Acting Chair Giles agreed with Mayor Weise's statements.

7. Request for Future Agenda Items

Acting Chair Giles asked if there were any requests for future agenda items.

There were none.

8. Comments from the Committee

Acting Chair Giles asked if there were any comments from the committee.

There were none.

Adjournment

With no further business, Acting Chair Giles adjourned the meeting at 12:50 p.m.

Chair

Secretary