

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., June 16, 2003, in the Board of Supervisors Conference Room, 301 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).

**SUMMER RECREATION PROGRAM – PARKS AND RECREATION**

Presentation by Parks and Recreation on the Summer Recreation Program and recognition to Jim Braden who started the program and made it a success. (C30030240) (ADM3200)

Bill Scalzo, Chief Community Services Officer & Director of Parks & Recreation  
Stacey Niles, Grant Coordinator, Parks & Recreation  
John and Jim Braden

Bill Scalzo said the Parks and Recreation Department's Summer Recreation program has been presented in rural areas and small towns mostly in the West Valley for 40 years. Jim Braden, who wore many hats as teacher, coach and assistant principal at Dysart High School for 29 years, has been running the recreation program for about the same length of time. His son, John, has worked with him for the past several years and will now take over the program as his father retires from these efforts. Mr. Scalzo presented a slide show illustrating many of the projects that nearly 200 area children have gotten involved in during the summer programs. It featured photos of different, innovative arts and crafts projects, sporting events and even hands-on instructions on how to make your own pizza at a local pizzeria. The program is free to the children. Many businesses, schools and libraries have gotten involved in the process over the years by donating facilities, supplies and services.

Mr. Scalzo presented a plaque and expressed his thanks and appreciation for the efforts Jim Braden has given to the development of this exceptionally fine program that has benefited so many children and their families through the years. He told Mr. Braden, "You are one of our heroes."

**~ Supervisor Wilcox left the meeting ~**

**COUNTY'S POSITION ON THE REGIONAL TRANSPORTATION DEVELOPMENT PLAN**

Adopt the official County position concerning the Maricopa Association of Governments three Regional Transportation Plan alternative scenarios.

Tom Buick, Director of Transportation and County Engineer  
Mike Sabatini, P.E., Assistant County Engineer

Tom Buick reminded the Board that the County is in the "evaluation of alternatives" stage of the Regional Transportation Plan process. He reported that "parochialism is running rampant" in discussions at the MAG Transportation Policy Committee meetings and among other interested parties. He added, "This Board of Supervisors is in the position to articulate the regional overview that is missing." He indicated that the key is an objective view on how best to allocate the funds. He spoke of "capacity enhancements" that primarily apply to the roadway system of the arterial network of primary roads. He said that there are demands for additional capacity beyond six lanes. However, he said that it isn't practical to keep adding additional lanes because once you get beyond six lanes you have to contend with undesirable choices such as consideration of alternative bypasses, improved signal coordination, and using the intelligent transportation systems to the

maximum to add additional transit capacity while still allowing the six lanes to function effectively. He doesn't consider it a viable solution. He added that a key question for the Board to consider is how the regional operations and maintenance should be funded, within the current State funded freeway maintenance program.

**~ Supervisor Wilcox returned to the meeting ~**

Mike Sabatini reviewed the three scenarios of the transportation plan that focus on freeways, arterial streets, and mass transit systems. He cited interesting research he had found indicating that in comparing Phoenix with other similar cities, Phoenix has the fewest number of single-occupant vehicles in operation. He indicated that the other cities in the comparison have made tremendous investments in public transportation and light rail transit, yet they do not enjoy the same low level of vehicles having only a driver. He said that the reason was that Phoenix leads the nation in carpooling, which he claimed as a "self-selecting mode of travel preferred by the people living in this region." Therefore, he felt that a focus on developing more HOV (High Occupancy Vehicle) lanes would be appropriate in developing a regional transportation plan for this area. When both rail and bus rapid transit is considered, it is the expansion of express buses that would take greater advantage of the HOV lanes, if developed.

Mr. Buick reminded the Board that bus rapid transit is 1.7 times more cost-effective for the same service than a light rail system. He said that the rail system's 20-mile renovation and update is already in place but MCDOT does not advocate expanding that area of the Plan and does believe that any expansion funds should be transferred to bus rapid transit for greater profitability and productivity.

Supervisor Stapley said that this data is both interesting and useful as it reinforces the convictions that he and others have had for some time about the cost effectiveness of trains and light rail vs. buses and HOV lanes. He asked for backup information on the Phoenix preference for carpooling and also asked for similar data on express bus usage. He plans to use these as talking points to facilitate all the Supervisors "singing the same song" when attending MAG and other meetings addressing the subject.

Mr. Buick replied that he would send this information and added that the 1.7 cost-figure (above) is from MAG's own study on high capacity transit.

Supervisor Wilson reiterated an earlier plea for consideration of a northern hook-up between the I-10 and the 303 to facilitate east-west-transportation, which he said is long over-due and over-looked. He believes that another overlooked component is the fact that 400,000 new homes will be a reality in the Northwest Valley before many more years have passed. He indicated that mass transit plans must look ahead and include that projected growth when establishing locations for new transportation. His last point was for additional bridges across the Agua Fria River in more locations along the river. This would facilitate travel for residents by eliminating the need for them to detour to the few available bridges as they are forced to do now.

Mr. Buick said these have already been discussed with the MAG staff and he will emphasize them again in the cover memo that is sent to MAG with the County's suggestions for changes to the alternative plan.

Mr. Sabatini interjected his last point which covered the basic arterial street system suggested by MAG in all three modeling scenarios saying, "It would spend \$1.6 million for a "not-specific network of roadways." MCDOT suggests the substitution of the County's Primary Network of Roadways, adopted by the Board in 1997, as the basis for the allocation of funds on the arterial roadway improvement segment, replacing MAG's projected arterial system. In summary, MCDOT's recommendations are for freeways with more HOV lanes; use of the County's Primary Network of Roadways for arterial street improvements; and emphasis on bus rapid and express transit over rail mass transit.

In response to a question from Supervisor Wilcox, Mr. Buick explained that the funding for mass transit services would come from a variety of sources. "The half-cent sales tax would be targeted for bus rapid transit that is regional in nature and which is supportive of the bus rapid transit network. But those funds would not be used for local bus transit systems." He recommended that operation and maintenance costs (O&M) would be supplemented through local funding and suggested a five-cent, statewide gasoline tax be implemented to cover it. He said that today's reality is that ADOT is finding it very difficult to operate and maintain the system that they have in place and if you add more to their system without finding additional funding, it would be very difficult for that to actually be a useful system. He added that the same would be true for the arterial improvements and the roads of regional significance in the County Primary System. He stated that the gas tax has not been increased by the Arizona Legislature for eight years, and that other states have done so to meet rising costs. Mr. Buick said that Arizona needs to follow their lead because the need is clearly there. The gas tax has not kept pace with the increasing demands from population, which is increasing far more rapidly than the essentially flat increase in our highway user funding.

Supervisor Stapley said this has been discussed often at the MAG TCP meetings but no decision was ever made. He said, "What is MAG programming into their sophisticated software to meet these needs? What are they putting into their plan to take care of this matter?" He asked if they were relying on ADOT to come up with a way to pay for operation and maintenance.

Mr. Buick said that is one option they have observed and he believes it may be reflected by other special interest groups involved in MAG's policy committee.

Mr. Sabatini explained a chart on page 9 of the handout showing the Sales Tax Capital Uses between Option One and Option Two and using either a five-cent gas tax increase for freeway maintenance or a 25% local match for transit operations. MCDOT wanted the Supervisors to choose their preferences between items on the two options to identify what information should be sent back to MAG in the preliminary response. Discussion ensued on this matter and also on the question of light rail vs. bus rapid transit.

Mr. Buick asked why the County should care whether it is rail or bus when the important question is which is the better solution to the issues present in Maricopa County now and in the projected future. It was determined that the need to be flexible was paramount and should be adhered to even though at this time the economic responsibility seems to point to bus transit as the more cost effective. It was noted that in the future rail transit between outlying cities could become the desired mode of transportation and the Plan must keep that option flexible to such future changes.

Discussion was held on the effect that Maricopa County's support of the Trip Reduction Program may have had on the increased use of carpooling in this area. Consensus was that the fines levied and the active carpooling support coupled with the vanpool program has had a definite, positive impact in encouraging companies and citizens to utilize these modes of transportation.

Rip Wilson, County lobbyist specializing in transportation issues, said that Speaker Flake will name a legislative, ad hoc oversight committee later today that will be given a "crash course on where MAG and the TPC are starting to harden around their plan at their first formal meeting on June 25." He indicated that RTD (Regional Transportation District) concepts could be introduced as a presentation to the committee at about the time the County receives its plan from MAG for a formal comment on or about July 16." He commented that he is also "seeing and hearing" the same things Tom Buick alluded to, "that parochialism is out there, as predicted, and is really starting to harden up making it much more difficult to introduce a comprehensive, or cogent, governance over the development of this plan." He believes there will be some fairly serious fragmentation taking place in the committee over the summer. Mr. Wilson observed that the business community has been an ally of the County in terms of current legislative interaction and it is important for the

County to stay as close to them as possible. He added that an issue could arise with them when it comes to M&O vs. capital. He advised the Board to communicate their thoughts on this matter to those business leaders they may know as soon as possible. "We don't want to surprise those folks if we can help it." The business community's thought is that the half-cent sales tax monies should be spent exclusively on capital and it should be HURF's (Highway User Revenue Fund) responsibility to take care of M&O. He did say he believes they are softening a little in the face of political realities surrounding the issue.

Supervisors Stapley and Wilcox asked if there was a way to include a five-cent gas tax in the ballot question. Mr. Wilson explained the issue by saying that the political component is a balancing act in getting the half-cent extension before the voters in such a way that enough votes are generated to get it passed. The political reality is that the communities who are not going to see large capital expenditures – on freeways for instance – still need to vote for it, and they are all looking for "what can you do for me." He said that the only way that kind of support "can be bought is through the transit component, and there isn't enough capital in transit to make it work so you have to throw in the M&O money. (Option 2)

David Smith remarked that mixing any other issue (five-cent gas tax) with the half-cent sales tax extension on the ballot would surely be opposed by the contractor groups and the cities that already feel they are getting the bare minimum. He explained that the promotions for the half-cent say that it is not a tax increase but an extension of an existing tax. "Put a five-cent gas tax in there and all of a sudden it is a tax increase." He added that the reality of needing more revenue than what was in the half-cent was apparent in the Governor's Vision 21 Plan, and it calls for some strategic thinking about where the additional money is coming from. He felt that would be an appropriate task for a truly regional group to determine and said, "Put that question to this new legislative committee." He advised the Board that "you are in the perfect position of taking the statesmanlike approach and saying exactly what you believe about what's best for the Valley as a whole. You don't have the parochial issues that the others are beginning to expound."

Tom Buick said there are desirable, and undesirable, components in both Option One and Two and, "we are at the alternative's discussion now, not at the final discussion. The choice is yours as to how you want to posture your ideals at this stage of the process."

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to send a short letter of clear intent, with no mixed messages, to MAG today so they will have time to peruse it prior to their meeting in two days. (See below). Discussion ensued on what points were most important to include in it. Supervisor Stapley was given final approval of the letter's content in order to facilitate speed and it was suggested that it be emailed with a hard copy to follow that would be signed by all five Supervisors to show unanimity on the issues.

June 16, 2003

Mr. Neil Giuliano  
Chair, MAG Transportation Policy Committee  
Mayor of Tempe  
302 N. 1<sup>st</sup> Avenue, Suite 300  
Phoenix, AZ 85003

Dear Mayor Giuliano:

The Maricopa County Board of Supervisors recently discussed the three alternative scenarios for the Regional Transportation Plan presented by the Maricopa Association of Governments, MAG. The Board focused primarily on the most efficient use of the funds available, for future freeways, arterial roads, transit systems, and other regional improvements.

Funding options were discussed for existing and new freeway projects. The Supervisors support a fully developed freeway system including additional through lanes, HOV lanes, and eliminating freeway bottlenecks. The Board recommends that only capital expenditures be provided from the proposed ½ cent sales tax for these facilities. They also encourage innovative financing approaches that foster public-private partnerships. An example would be private sector financing of HOV lanes with repayment via tolls.

In addition, the Board felt that MAG had not adequately addressed in the three scenarios the east/west mobility needs of the region, particularly between the Loop 303 and the Loop 101. Another example would be to preserve a future high speed, high capacity corridor by including a State Route 74 extension between US 60 (Grand Avenue) and Vulture Mine Road (the MAG designated CanaMex Corridor).

The Board realizes that sufficient funding of operations and maintenance needs to be addressed. However, they recommend that the State Legislature should consider increasing the gas tax to fund maintenance instead of using the ½ cent sales tax. If this were done, the Board recommends that the entire tax should then be indexed to inflation.

Capital expenditures for specific arterial roadway improvements are recommended as opposed to the open ended MAG funding policy. These improvements should occur only on the County's Primary System Routes as adopted in our Comprehensive Plan. Our Primary System Routes include all the adopted MAG Roads of Regional Significance as well as other important regional roadways. The County is not recommending any sales tax funds be used for maintenance for arterial road projects.

Recognizing today's commitments, the Board recommends that we move forward in the future on the principle that transit investments go to the technology that gives us the best value to the taxpayer. With this in mind, the Board recommends that a system of regional transit bus routes be identified and funded with ½ cent sales tax funds for capital improvements only. The express bus rapid transit service blends well with the freeway HOV program to deliver an effective and efficient transit system.

The Board recognizes that the original 20 miles of light rail facilities will comprise the transit backbone of the region and provide a high level of service for those residents who will use it. However, funding any expansion of this system should not use any ½ cent sales tax funds as the Board considers regional bus routes and express bus service on existing facilities to be the most cost effective alternatives in the near future.

Other regional programs that provide new bike facilities, trails, vanpool and ridesharing opportunities, and improve air quality are recommended for capital and maintenance funding with a 50/50 match between local funds and the ½ cent sales tax.

Should you have any questions concerning the County's position on these issues please contact Don Stapley, the County representative on the MAG Transportation Policy Committee at (602) 506-7431.

Sincerely,

/s/ Fulton Brock, Chairman of the Board

/s/ Don Stapley, District 2

/s/ Andy Kunasek, District 3

/s/ Max W. Wilson, District 4

/s/ Mary Rose Wilcox, District 5

**EXECUTIVE SESSION CALLED**

Pursuant to A.R.S. 38-431.03, motion was made by Supervisor , seconded by Supervisor , and unanimously carried (5-0) to recess and reconvene in Executive Session to consider items listed on the Executive Agenda dated June 16, 2003, as follows.

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

**Compromise Cases** – David Andrews, Lloyd Barkdoll, Ignacio Daniel, David Keefer, Kikki Jo King, Ryan Miller, Cynthia Peterson, Alma Refugio.  
Barbara Caldwell, Outside Counsel

**Write-Off Cases** – Louis Alanis, Stephen Ley, David Preda, Darren Streich.  
Barbara Caldwell, Outside Counsel

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION -- A.R.S. §38-431.03(A)(3) and (A)(4)**

**Legal advice concerning creation on Housing Authority and related Intergovernmental Agreements and By-Laws.**

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

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

**Legal advice regarding ARS §38-431 et seq.**

Paul E. Golab, Deputy County Attorney, Division of County Counsel

**PERSONNEL MATTERS -- PROMOTION, DEMOTION, SALARY, ETC. -- A.R.S. 38-431.03(A)(1)**

**Re: David Smith, County Administrative Officer**  
**Re: Fran McCarroll, Clerk of the Board**

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION -- A.R.S. §38-431.03(A)(3) and (A)(4)**

**Legal advice and counsel regarding expansion of the Queen Creek Landfill.**

David H. Benton, Deputy County Attorney, Division of County Counsel  
Bill Scalzo, Chief Community Services Officer  
Ash Madhok, Director, Solid Waste

*MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK*

**INFORMAL SESSION**  
**June 16, 2003**

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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Fulton Brock, Chairman of the Board

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Fran McCarroll, Clerk of the Board