

Transportation Advisory Board

Maricopa County Department of Transportation

MINUTES Tuesday, January 21, 2014

The Board was offered written materials pertaining to agenda items prior to the meeting. (This material is available upon request to the Maricopa County Department of Transportation.) The Board retains the right to take agenda items out of order as needed for quorum or other purposes. This meeting was posted in accordance with the Arizona Open Meeting Law and Statement of Posting located in the Clerk of the Board of Supervisors' office.

TAB MEMBERS PRESENT

Chairman Marc Erpenbeck, District 1
Jeff Martin, District 2
Wes Gullet, District 3
Merlyn Carlson, District 4

STAFF MEMBERS PRESENT

John Hauskins, Director
John Paulsen, County Attorney's Office
Alfred Erives, Construction
Ben Markert, Project Management
Bill Hahn, Project Management
Chuck Williams, Planning
Clemenc Ligocki, Planning
Denise Lacey, Planning
Ed Williams, Engineering
Eric Mayer, Project Management
Gail Chimel, Planning
Jack Lorbeer, Planning
Juan Castaneda, Planning
Kellee Kelley, Planning
Lee Jimenez, Planning
Margaret Gianfarcaro, Engineering
Mitch Wagner, Board of Supervisors Liaison
Nariman Zadeh, Project Management
Roberta Bonaski, Public Information Office
Theresa Jones, Planning
Tricia Brown, Project Management

GUESTS PRESENT

Art Brooks, Strand
Bill Cowdrey, HDR
Christy Sipos, Littlejohn Engineering
Dan Cook, City of Chandler
Dan Richards, Strand
Jason Pagnard, Burgess & Niple
John Tuter, Littlejohn Engineering
Kevin Kimm, KHA
Mike Sabatini, Baker
Steve Jimenez, Stanley Consultants, Inc.

REGULAR BUSINESS

1. **PLEDGE OF ALLEGIANCE**
INTRODUCTIONS
CALL TO THE PUBLIC

Chairman Erpenbeck called the meeting to order at 9:05 a.m. Board Member Gullet led in the Pledge of Allegiance.

A quorum was present.

Attendees introduced themselves.

Call to the Public: No requests to speak were presented.

2. **APPROVAL OF THE MINUTES**

Presentation: None scheduled

Suggested Action: It is moved the Transportation Advisory Board approve the minutes of the November 19, 2013 TAB meeting as submitted.

MOTION: **Vice Chairman Martin motioned the November 19, 2013 TAB meeting minutes be approved as submitted; Board Member Carlson seconded the motion.**

ACTION: *Motion passed unanimously.*

GENERAL BUSINESS

3. DIRECTOR'S UPDATE

MCDOT and County News

Mr. Hauskins discussed the SmartDrive Program Demonstration that occurred December 3, 2013 where the Standing Committee on Research, with members from all over the country, came to see MCDOT's program. Mr. Hauskins explained that the SmartDrive Program is part of the Connected Vehicle Program, which puts short range radios in vehicles; in this case, testing those radios that are talking to our signals. Mr. Hauskins noted that there is potential for a mandate to put short range radios in all vehicles manufactured in 2018 and later. Mr. Hauskins further explained that the purpose of the program is to communicate back and forth with the signals and vehicles, which will reduce accidents as much as 85%.

Mr. Hauskins provided an update to the traffic signal updates at University Drive and Crismon Road and at University Drive and Signal Butte. He explained that MCDOT is putting in foundations for signal poles and upgrading the signals.

Mr. Hauskins discussed the ribbon cutting ceremony of Phase I of Northern Parkway, where former District 4 County Supervisor Max Wilson, current County Supervisor Clint Hickman of District 4 and other notable members were in attendance. He stated that Phase I of the project is substantially complete with the exceptions of some punch list items that the contractor was not able to complete, and we are shifting that over to the new contractor who is going to be starting the landscaping in February. Mr. Hauskins indicated that Phase II of Northern Parkway is moving to final design and that staff is currently coordinating with the City of Peoria on this phase of the design.

4. QUIET ZONE ORDINANCE (DOT-01-2013)

Presentation: Mitch Wagner, Board of Supervisors Liaison

Suggested Action: Public Hearing of the Enhanced Regulatory Outreach Program and possible recommendation to the Board of Supervisors for approval

Mr. Wagner stated that this is the second hearing for this Quiet Zone Ordinance, which is part of the Enhanced Regulatory Outreach Program (EROP). He stated that there hadn't been any change to the ordinance from the presentation that was made at the November 19, 2013 meeting with the TAB. Mr. Wagner also noted that MCDOT has not received any additional public comments, questions, or issues and is still on the same schedule as we had before and would like to get this out to the Board of Supervisors for approval on February 12th. Mr. Wagner requested that the TAB recommend their approval to the Board of Supervisors.

MOTION: Vice Chairman Martin moved that the TAB recommend the Quiet Zone Ordinance to the Board of Supervisors for approval; Board Member Gullet seconded the motion.

ACTION: *Motion passed unanimously.*

Mr. Hauskins added that this ordinance complies with the federal regulations, as MCDOT currently has established quiet zones in the County.

5. **PATENT EASEMENT ABANDONMENT ORDINANCE (DOT-02-2013)**

Presentation: Mitch Wagner, Board of Supervisors Liaison

Suggested Action: Public Hearing of the Enhanced Regulatory Outreach Program and possible recommendation to the Board of Supervisor for approval

Mr. Wagner mentioned that this is a second hearing for this ordinance and that there has been some editing done since the last hearing. Mr. Wagner indicated that he had received no additional comments. Mr. Wagner indicated that he had received emails from Leon Spiro, who raised a number of concerns that have been addressed by the County Attorney's Office. Mr. Wagner requested a motion that the TAB recommends approval from the Board of Supervisors.

Board Member Gullet asked Mr. Paulsen if he could explain how the ordinance works. He asked if, as long as a patent easement remains in operation, it would not be abandoned by the County?

Mr. Paulsen replied that is correct. He introduced Mr. Wayne Peck, Deputy County Attorney, who is the author of the ordinance, to address questions.

Mr. Peck mentioned that the genesis of the ordinance is from Supervisor Kunasek and that there are a number of people who want these easements abandoned because they are of no use to their property. Mr. Peck explained that the ordinance provides a process by which someone can request that a patent easement be abandoned. The test is that there has to be an opinion from MCDOT that it is not in use and MCDOT sees no potential for future use. If there is any question, the recommendation is going to be not to abandon. It's not as if adopting the ordinance abandons easements, it does not; an applicant has to go through the process.

Mr. Peck stated his perception that Mr. Shapiro's concern is not about use of a patent easement on Mr. Shapiro's property, but rather as a global issue. Mr. Peck explained that if an easement is actually being used, or is necessary because it's how access will occur in the future, the recommendation will be not to approve abandonment. He said that otherwise the Board could overturn the recommendation and affirm the abandonment finding if the easement is not in use and not necessary.

Chairman Erpenbeck asked how a determination is made on the likelihood of the future use.

Mr. Peck stated that each application will be studied by a few divisions within MCDOT. It will be based on what's currently going on, future plan, etc. It will be on a case by case basis, not a "one size fits all."

Mr. Hauskins stated it's important and incumbent upon MCDOT to look at the framework studies that we have, where roads may go in the future, etc.; in those areas we would probably take a closer look. He stated his belief that this was predominantly drafted to address those properties that are in unincorporated county areas, etc. He opined that the likelihood of those easements being used is pretty slim. Mr. Hauskins expressed that MCDOT would try to be understanding and judicious.

Mr. Peck mentioned that in a majority of cases property owners are not even aware that they have patent easements on their property. Mr. Peck noted that he does a lot of work with Planning and Development and has observed that many people will come in with a developmental plan and the patent easement is discovered when the review is being done. He observed that the patent easements are generally less necessary closer to the urbanized areas.

MOTION: Vice Chairman Martin moved that the TAB recommend the ordinance to the Board of Supervisors for approval; Board Member Gullet seconded the motion.

ACTION: *Motion passed unanimously.*

6. **BUDGET RECOMMENDATIONS FOR THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FISCAL YEARS 2015-2019**

Presentation: Jack Lorbeer, Planning Division Manager

Suggested Action: For information and discussion of the Transportation Improvement Program budget for fiscal years 2015-2019

Mr. Lorbeer stated that all of the divisions at MCDOT participated in developing the TIP recommendations and thanked everyone for their assistance.

Mr. Lorbeer discussed the development schedule of the FY 2015 – FY 2019 Transportation Improvement Program (TIP). Mr. Lorbeer stated that MCDOT is currently working from the FY 2014 - 2018 TIP, which was adopted by the Board of Supervisors in May 2013. Mr. Lorbeer provided the annual schedule in which staff presents their recommendation for the next five years to the TAB for their approval.

Mr. Lorbeer presented key TIP elements, noting that projects often occupy multiple years. Mr. Lorbeer also noted that there are several important phases of a project; Scoping, design, and construction are the major ones. Mr. Lorbeer stated that project budgets are adjusted based upon actual cost. He added that expenditures must not exceed revenue projections.

Mr. Lorbeer explained the two basic parts of the TIP structure: the annual work plan budget for FY 2015, and the FY 2016 – FY 2019 TIP years. He explained there are 12 bins, which are separate "pots" of money for the specific projects we have.

Mr. Lorbeer stated that there are different types of projects that make up the MCDOT TIP. He said the projects are compartmentalized into 12 bins that include scoping, design and construction. He explained that capacity projects take up the majority of the projected TIP as they include widening or completion of new facilities. He added that the other two major groups are preservation and traffic management.

Mr. Lorbeer stated that the total program for FY 2015 is \$74.3 million and the remaining four-year work program is similar in its make-up; it is projected that the five-year program will be \$320 million.

Mr. Lorbeer stated that two of the bins that make up the bulk of the capacity projects are County's arterials and regional arterials with partnerships through the Maricopa Association of Governments' Arterial Life Cycle Program (ALCP). He added that these two bins make up \$181.7 million of the program and consist of major capacity projects such as Northern Parkway, Riggs Road, MC85, El Mirage and Deer Valley Road.

Mr. Lorbeer stated that pavement preservation includes two bins; one for pavement and one for bridge, and totals approximately \$48.9 million. He explained that Traffic Management has three bins that include ITS, safety projects, and miscellaneous improvements such as signal improvements or intersection improvements and are estimated at \$45 million over the five-year plan. Mr. Lorbeer noted the remaining bins are dust mitigation, planning, partnerships, administration, and right-of-way, and they total up to about \$45 million.

Mr. Lorbeer stated that he would like to reiterate fiscal constraint. He pointed out that there are two key categories that should be observed, cash carry-over and year end cash carry-over. Mr. Lorbeer said that in 2016 and 2017 MCDOT is programmed with very little carry-over for the next three years as indicated in the presentation. He stated that it is not until 2018 that cash carry-over will begin to rebuild. He stated that MCDOT has hired Jacobs Engineering to do a future needs analysis and the new project rating system will be used to rate those projects once they are identified. Mr. Lorbeer stated that staff would be analyzing the project bin reserves to ensure the maximizing of money available for projects.

Mr. Lorbeer asked if the item could be opened for discussion and stated that staff would be returning on February 3rd to ask for approval for a recommendation.

Board Member Carlson asked that if the air quality regulators are ready to declare air quality acceptable, what impact would this have to what MCDOT is planning?

Mr. Hauskins replied that recently the Environmental Protection Agency (EPA) has agreed to our mitigation program, and, having done that, EPA says the things we are already doing are acceptable to them. Mr. Hauskins emphasized that what we have to do is make sure we don't have any exceedances. Mr. Hauskins stated that this doesn't mean we should stop our efforts to mitigate the PM10 and PM2.5.

Vice Chairman Martin stated that one of the things he considers when he looks at the TIP is the new projects that come in, and usually that starts with scoping. He noted that there is a column for candidate assessment reports, but it doesn't identify what those projects

are. He asked if TAB could get a list of what MCDOT thinks some of these projects might be.

Mr. Williams indicated that "candidate assessment reports" includes all of the planning studies and that scoping will develop from civil engineering. Mr. Williams added that there have not been any identified scoping projects yet and the projects listed with an "S" (Scoping) were identified in the previous years and there are no new scoping projects identified at this time.

Mr. Lorbeer added that part of the process is as you get into FY 2018 and FY 2019 we consider the needs analysis for these years to lower those red volumes. He said MCDOT hired Jacobs Engineering, and we will be reviewing the MAG model for them to look at future forecasts. He added that MCDOT will also ask MAG to look at existing conditions and have them identify what corridors have issues after Northern Parkway is done, after Riggs Road Corridor, and big capacities that are taken up the next fiscal four years. Mr. Lorbeer said his plan is to return to TAB as the study comes forward and identify all of those corridors.

Vice Chairman Martin stated that he appreciates that. He said one of the reasons he asked is that he sees all of the programmable capacities and it takes time to go from planning, to scoping to designing.

Mr. Lorbeer concurred and added that in FY 2014 we start looking at FY 2018 and FY 2019. He said when we find the greatest needs we will certainly be involved in the process in seeing which ones are needed and which ones TAB would recommend.

Vice Chairman Martin asked when this will occur.

Mr. Lorbeer replied the process is about one year and asked Denise Lacey if the notice to proceed is next month?

Ms. Lacey affirmed that the process would begin next month and that the needs analysis should be moving forward as the scope is currently being developed and is due to staff next week. She indicated that a quick turn around on the work assignment is anticipated with analysis occurring by mid-February. She said a copy of that schedule will be provided to TAB Members.

Mr. Lorbeer stated that the needs analysis will be discussed regularly on the TAB agenda once staff starts to identify and prioritize projects with rating system.

Chairman Martin mentioned that the Gilbert Road project is in the MAG RTP, and there is some design in the year 2019. He asked if that is still funded in MCDOT's program.

Mr. Hauskins stated that there have been meetings with Mesa and the Salt River Pima-Maricopa Indian Community, who are partnering with MCDOT on the project. Mr. Hauskins stated that there is still funding in the Arterial Life Cycle Program (ALCP), but that the City of Mesa currently does not have adequate funding for the project. Mr. Hauskins also added that the project has been pushed back a few years to allow the city

of Mesa to re-group with their funding. He also noted that both MCDOT and Salt River Pima-Maricopa Indian Community are ready to pursue the project but were in no rush.

Vice Chairman Martin asked Mr. Hauskins if he knew the magnitude of Mesa's contribution for the project?

Mr. Hauskins stated that depending on their status it would be one-third of the project cost. The Salt River Pima-Maricopa Indian Community, City of Mesa and MCDOT will contribute one-third each, but this matter is still in discussions

Mr. Lorbeer stated that if there are no more questions, we will be back in a couple of weeks for the TAB's approval.

7. **STANDARD REPORTS**

Presentation: None scheduled
Suggested Action: For information only
Reports included: Board of Supervisors Summaries (TAB members only)
Corridor Status and DCR Update
TIP Productivity Report

There was no discussion.

8. **TAB FORUM**

(This section of the agenda allows TAB members to present a brief summary of current events or information of general interest in a public forum. The TAB is not allowed to discuss any matter that is not specifically identified on the agenda.)

There was no discussion.

9. **NEXT MEETING DATE**

The next TAB meeting is scheduled for Monday, February 3, 2014 at 9:00 a.m.

10. **REQUEST FOR FUTURE AGENDA ITEMS**

(This section of the agenda allows TAB members to suggest topics they wish to have considered at a future TAB meeting. The TAB is not allowed to discuss any matter that is not specifically identified on the agenda.)

Vice Chairman Martin stated that he had a request to have a discussion on county road standards in terms of some of the improvements.

Mr. Hauskins responded that MCDOT is already having that discussion.

Chairman Erpenbeck stated that any update on that subject would be helpful.

11. **CALL TO ADJOURN**

The meeting adjourned at 9:51 a.m.