

CITIZEN'S TRANSPORTATION OVERSIGHT COMMITTEE

Arizona Department of Transportation

Minutes

January 18, 2011

A Citizen's Transportation Oversight Committee (CTOC) meeting was held at the Arizona Department of Transportation, 206 South 17th Avenue, Phoenix, Arizona 85007 on January 18, 2011 at 4:00 p.m., with Chairman Roc Arnett presiding.

Members Present:

F. Roc Arnett, Chairman
Kyle Robinson, Maricopa County District 1
Susan Brechbill, Maricopa County District 2
Nelson Ladd, Maricopa County District 3
Sharolyn Hohman, Maricopa County District 5

Members Absent:

Larry Woods, Maricopa County District 4
Jack Lunsford, Member-at-Large

Others Present:

William "Blue" Crowley, Citizen	Steve Wilcox, AECOM
Kwi-Sung Kang, ADOT RFS	Lauren Neu, Strand Associates
Bill Jameson, Attorney A.G. Office	Peter Loughlin, Loughlin Enterprises
Steve Hull, ADOT RFS	Elizabeth Neville, ADOT RFS
Jim Poggemeyer, SUNDT	Pierce Homer, Moffatt & Nichol
Mindy Lee, ADOT CCP	Chuck Eaton, AECOM Consultants
Doug Nintzel, ADOT CCP	Gail Lewis, ADOT Office of P3
Steve Beasley, ADOT VPM	Bill Hayden, Citizen
Lydia Warnick, ADOT TOC	Larry Langer, ADOT VPM
Mike Taylor, Valley Metro	Kent Dibble, Dibble Corporation

1. Call to Order:

Chairman Roc Arnett called to order the Citizen's Transportation Oversight Committee meeting at 4:00 p.m.

2. Pledge of Allegiance:

The Chair led the CTOC members and the public in the Pledge of Allegiance.

3. Roll Call:

The Chair asked for Roll Call. Elizabeth Neville, Board Secretary called the roll.

4. Welcome and Opening Remarks:

The Chair welcomed the public, public officials, members of CTOC and staff to the meeting.

The Chair then acknowledged and presented Nelson Ladd of District 3 with a Certificate of Appreciation signed by Governor Brewer for his service to the citizens of Maricopa County and the Citizens Transportation Oversight Committee from 2005 to 2011.

5. Call to the Public:

Blue Crowley, citizen, stated one of the things MAG and RPTA had agreed to before we had the session was a super grid bus. It will move a lot of people from 2011 to 2012 all the way to 2032 and the problem I have with that is there is no funding for any of this until after the tax runs out in 2026 and that goes to a vote at best. Since I can't predict the future, I can't say that that's going to happen. You have these parts of it on the old plan that is not going to be adhered to. Hopefully if the economy turns around we can address that better by putting things on there like 83rd Avenue and 75th Avenue finally getting a bus but that would be in 2032 so they need to move some of these things up. I live in Wickenburg on the west side and my District 5 representative not being here and this is what I was going to talk about. We have two roundabouts and a bypass and I believe it was dedicated last March; we now have so many potholes that one is approximately 21 feet long and three feet wide. The reason the asphalt is there is for drainage. If large trucks coming through don't have drainage off that concrete, they slip over and fall. Instead of them having a stop sign there which would do a lot better for the area, they have a yield sign and a lot of times the 18-wheelers don't yield to it and that is part of what has caused this failure of the asphalt. You are welcome to come up there. The first thing that people see coming in that roundabout is these five large chuck hole sections and around the circle in the roundabout all of the asphalt is dimpled up. We brought this to the attention of ADOT and I was told that people did not like to work during the holidays. They said on the 14th we have Gold Rush Days and the first thing people are going to see are potholes because they still haven't gotten to it and now that will be four months. I don't see how ADOT finds it acceptable to allow a project that is less than a year old to have that kind of deterioration and not have made something happen either by themselves because they stated that the asphalt was up to ADOT standards or bite the bullet themselves because it's a safety and an aesthetic problem. Thank you.

The Chair stated that we should have someone look into those potholes. It was noted staff will follow up.

6. Approval of Minutes for the 11/30/10 Meeting:

The Chair called for a motion to approve the minutes of the November 30, 2010, meeting.

Board Action: Susan Brechbill moved to approve the November 30, 2010, minutes. The motion was seconded by Nelson Ladd and carried unanimously.

7. Freeway Managed Lane Concept and P3 Applications:

Pierce Homer, Transportation Director, Moffatt & Nichol, and former Virginia Secretary of Transportation, provided a presentation on the I-495 Beltway Managed Lane Project in Virginia and Public Private Partnership Projects. He began by providing a background on how Virginia is structured. One thing Virginia was able to do in anticipation of and reaction to declining traditional revenue sources was to create an expansive program of Public Private Partnerships. That allowed for the undertaking of port and rail improvements, to enter into the airport driving past significant highway improvements, the largest single extension of the rail system. The Regional Transit Network connects two of the most successful HOV corridors in the United States. The Capital Beltway is the busiest road in Virginia. It has the largest concentration of employment in Virginia and serves the Washington DC area. A project currently under construction allows additional lanes on the Beltway. The new lanes are managed lanes, or hot lanes. Buses and carpools of three or more travel for free. Vehicles carrying one or two people have the option of paying a toll to travel the HOV lanes. The toll varies depending on the traffic is called congestion pricing. There are ten access points to the road. Bridge rehabilitation is being included in the project. The project timeline was reviewed and lessons learned were shared. The most important thing in a major capital project is time that includes not only construction but planning and working through early issues. Studies began in 1992

with a Major Investment Study identifying the need for Beltway improvement in 1994. Other activities included public hearings, public comment, private entity proposal, environmental impact process and signed agreement. When the comprehensive agreement was signed in 2007, it was at the beginning of the economic collapse. Two important things to remember is a creative proposal that was different and outside the norms of traditional planning and design and submitting it as an unsolicited proposal under the P3 Program. In terms of issues being addressed in Maricopa, six points are 1) competition of ideas is at least as important as the price competition if not more so, 2) test commercial ideas directly in the environmental process, 3) build in-house staff capabilities, 4) identify key public benefits to protect or advance, 5) track financial trends and 6) use flexibility of design-build to address local and community concerns. The single biggest mistake was not thinking through consequences of putting up sound walls and the cost involved. Design build allowed for the flexibility to change.

There was a question asked about the length of the road.
In reply Mr. Pierce stated it was 14 miles long.

Susan Brechbill, Member stated from a design standpoint, what is the company's proposal to lessen the impact?

Mr. Pierce replied the company said they would discard some of the preconceived notions and find a facility that works within existing right-of-way. They built retaining walls and eliminated the major interchange reconstruction and they used a smaller footprint of the project to fit within the existing right-of-way.

Ms. Brechbill asked what is the toll structure on the Beltway.

In reply Mr. Pierce said the congestion level is managed by the toll road. As congestion goes up, the toll rate goes up. There is no cap. It works because right next to it, you can drive for free.

Ms. Brechbill asked how that works mechanically.

In reply Mr. Pierce stated it is an electronic toll collection. However, if you have three people in the car, you ride for free. The transponder is put in the windshield at the toll. The tolls are Easy Pass making it convenient.

Nelson Ladd asked how does a visitor from out of state get the transponder. There will be an enforcement module; a photograph is taken of your license plate with a warning for your first offense. It's difficult to enforce on out of state drivers. Among the Easy Pass states, there are interstate agreements.

With the cost of the project being \$2 billion, what was the original cost before going with the partnership?
It would have been about \$4.5 billion.

Mr. Nelson asked if the State of Virginia pay for the project or were there federal dollars contributing?

Mr. Pierce stated out of the \$2 billion project, about \$400 million are federal funds allocated to Virginia. That is the public sector investment. The remainder is financed through about \$400 million of private equity and \$1.2 billion of revenue bonds. They are called Private Activity Bonds.

Ms. Brechbill asked how the toll revenue going to be distributed.

Mr. Pierce said first to operations, second to pay debt service, third to equity share holders. If there are revenues beyond that, there is a graduated scale between the Commonwealth of Virginia and the private toll operator.

Kyle Robinson, Member asked if out of state visitors pay at a toll booth.

Mr. Pierce said no, there is no room for a manual toll booth. That process including signage has yet to be fully worked out. You will receive a photo in the mail asking you to pay for using the lane.

The Chair asked how long had the public private partnership law been in effect before the 2007 signed agreement.

Mr. Pierce stated the law was signed in 1995. Beginning in 1997, we started to have projects developed under the law. This was maybe the 5th project developed under the law.

The Chair asked Mr. Pierce the tenure of his time.

In reply Mr. Pierce said he was Deputy Secretary beginning in 2002 and became Secretary in 2005 and left in January 2010.

The Chair inquired, were you in the process of developing criteria or evaluating the unsolicited proposal?

Mr. Pierce replied that the law allows for the submission of an unsolicited proposal. It's the same criteria as the solicited proposal. If someone submits an unsolicited proposal, we post it for 120 days to see if there will be competing proposals. The goal at the conceptual level is to get different ideas. No one chose to compete.

8. P3 Projects and Processes:

Gail Lewis, Director, ADOT Office of P3 Initiatives and International Affairs, provided an update concerning P3 projects and processes. The paradigm being used in Arizona was shared and includes policy issues, projects and programs. ADOT's Steering Committee has been helpful getting P3 integrated into the process. An outside consultant is helping to formulate, guide, evaluate and negotiate programs as they come forward. Stakeholders receive information updates. An advisory committee will provide feedback. The State Transportation Board reviews the overall program, places projects on STIP and awards the final contract(s). Policy discussions with the Urban Metropolitan Planning Organization are underway to accomplish several objectives including develop a common knowledge base among local officials, a common understanding of Arizona law and the ADOT program, experience of other regions in using P3 to build and manage transportation, policy statement on principles for the use of P3s in the region and identify opportunities in the region. Like Virginia, we have the ability to accept unsolicited proposals. And have the opportunity to go out for solicited options. While policy decisions are being discussed, we have temporarily suspended the acceptance of unsolicited proposals for toll highway projects only. Current activities include communication options such as focus groups, polling, utilizing the media, public involvement and web improvements. Policy discussions are occurring with MAG, PAG, CAAG and other stakeholders. In preparation for the possibility of the highway projects in the future, a list of planned and proposed projects is captured in a matrix. A number of non-highway projects also are being reviewed. Looking at programs we can integrate P3 concepts into agency plans and processes. Legislative changes need to be made including expanding the list of eligible activities such as solar, closing loopholes that affect the financial model and a loss of revenue and adding a tolling enforcement authority. Non traditional projects are smaller and could begin right away. P3s are a long-term funding strategy. They can take awhile to develop.

The Chair asked what is the notion for Aviation P3s?

Ms. Lewis said it would be at the Grand Canyon Airport, which ADOT owns. It could include user fees; however, we are talking about commercial interest that would operate out of the airport.

The Chair added what about old aviation facilities?

In reply, Ms. Lewis stated the P3 legislation allows for aviation facilities to be done under the existing legislation. If there were an airport that wanted to partner with ADOT, we would be happy to have those discussions.

Mr. Robinson asked if there projects under consideration at this point?

Ms. Lewis replied, not right now but we have had at least five private vendors come in with the idea of unsolicited proposals that they would be interested in bringing forth when the time is right. MAG just released an RFP to do a system-wide study for hot lanes.

The Chair asked how long might the moratorium last for highways.

Ms. Lewis said a firm timeframe is difficult to provide. Changes sought in the legislation will make the environment even more conducive to get a proposal. Caution is being exercised to avoid opposition.

9. Loop 303 Freeway Projects:

Steve Beasley, Transportation Engineer Manager, ADOT Valley Project Management provided an update concerning ADOT Loop 303 projects. A Loop 303 overview was provided. There are 16 miles between I-10 and US60 and another 23 miles to I-17. The 303 was conceived in 1985 and was included in the Regional Freeway System as part of Proposition 300. Revenues are down. In 1998, there was discussion about abandoning the concept of the 303 and letting the local communities build it. The State Transportation Board kept the project and entered into an IGA/JPA with MCDOT for the operation and maintenance of the interim roadway. In November 2004, the 303 was included back in the Regional Transportation Plan and Proposition 400 for about \$1.42 billion. In July 2006, 303 was taken back from the county and state funded environmental documents were completed. In June 2007, final designs for Happy Valley Parkway to I-17 were underway and in July 2008, intersection improvements started at Bell, Cactus and Waddell Roads. In January 2009, construction started from Happy Valley Parkway to I-17. In March 2009, the federal environmental document and design concept report was completed for 303 between I-10 and US60. In July 2009, final design contracts were issued for the interchange at I-10 and in August 2009, five final designers were selected for segments from I-10 to US60. In general, Loop 303 will be a rolling profile. There will be a regional drainage system from Bell Road south to Gila River. A map of the completed project was shown and includes system interchanges. Full shoulder and auxiliary lanes will be included along with a median large enough for future building of additional lanes without disrupting traffic on the mainline freeway. At I-10, there will be five levels at the interchange. The south half of the interchange has been moved to the unfunded portion of the Regional Transportation Plan. The north half is being built with allowances for the south half. The map of the Northern Parkway Interim TI was shared. Final design is underway for the I-10 system interchange. The Peoria to Waddell and Waddell to Mountain View combined project is scheduled for late spring 2011. The Glendale to Peoria section will be advertised in late summer 2011. The Thomas to Camelback segment will be advertised in fall 2011. The Camelback to Glendale segment will be advertised in summer 2010. In 2014, the Grand Avenue Interim Interchange will be advertised for construction. And future projects include RTP Phase III that includes a 6-lane freeway from Grand to I-17, three design segments and two construction segments. RTP Phase IV includes the completion of a 6-lane freeway from Grand to I-17, design the final US60 interchange and design two segments at MC85 to I-10. Phase V includes a US60 Ultimate Interchange, an Ultimate Interchange at Northern Parkway and build the freeway between MC85 to I-10 including Phase 2 of the I-10 System Interchange.

In reply to a question about water flow.

Mr. Beasley stated the capacity varies throughout. A lot of the water comes from the west.

As a follow up question, will that drainage be on the west side from I-10 to US60?

In reply, at US60 it is on the east side but it's a smaller system and it crosses on the north end, through a pipe underneath to the west side and stays on the west side to the Gila River.

Question asked: What is the total right-of-way? In reply, it is about 200 feet in most places and widens to 400 plus at the interchanges.

In reply to a question about the delay in the south half of the I-10 Interchange.

Mr. Beasley stated that portion will not be needed for quite some time. There is a preliminary design on the final interchange so what we build today does not get in the way.

The Chair asked about the overpass at Grand Avenue and US60.

Mr. Beasley said yes, it will still be used. The current bridge will be widened and a twin bridge will be used on the other side.

Mr. Nelson asked why the 101 to 99th Avenue was moved over ¼ to a ½ mile.

Mr. Beasley said he is not exactly sure. He heard that it was moved off of 99th Avenue because of traffic concerns.

There was conversation about the name of the new 303 Freeway.

The Chair suggested the "Elaine Scruggs Freeway".
Mr. Beasley stated it is currently under discussion.

10. Staff Report:

Steve Hull, ADOT Special Assistant to CTOC, provided an update on the 2010 Five-Year Regional Transportation Plan Performance Audit which is in progress. As the reports come in, CTOC members will be asked for input and involvement. The auditor is currently reviewing the reports and information that MAG, ADOT and Valley Metro provided. This audit looks at the performance of how the money was used in each account.

The Financial Compliance Audit is the annual audit that CTOC does to ensure money from Proposition 400 is divided properly. That audit has been completed and the report is included in CTOC member's packet. It is a clean audit

An update was also given on current ADOT Freeway projects. Projects under construction include Loop 303. The section from Happy Valley to I-17 is nearly completed. Background preparation work is underway for SR143 Sky Harbor Boulevard Traffic Interchange and construction should be completed in spring 2012. The San Tan Freeway HOV lane project is under construction and should be completed late this year or early next year. Another HOV project under preparation is Loop 101 from I-10 past I-17 to Tatum, which is about 30 miles of HOV lanes in each direction to be completed by the end of this year. Additional work is US 60/Grand Avenue construction, and on I-10 from Sarival to Dysart and Verrado Way to Sarival.

11. Recommendation for Future Agenda Items:

The Chair asked Board members for any suggestions or areas of concern they would like addressed.

Ms. Brechbill suggested an update on the South Mountain Freeway and a report on the MAG Study/HOT.

12. Next Scheduled Meeting:

Tentative – MAG Joint Public Meeting
Friday, March 2011
Maricopa Association of Governments
Phoenix, Arizona 85003

Tuesday, May 17, 2011 at 4:00 p.m.
Arizona Department of Transportation
206 South 17th Avenue - Auditorium
Phoenix, Arizona 85007

13. Adjournment:

The meeting adjourned.