



Meeting Minutes

**Executive Board
Special Meeting
Wednesday, April 28, 2010
1:30 PM**

**Prescott Valley Police Department
7601 E. Civic Circle - Training Room
Prescott Valley, AZ 86314**

BOARD MEMBERS PRESENT

Town of Chino Valley
Town of Prescott Valley
Town of Dewey-Humboldt
Yavapai County
State Transportation Board
City of Prescott

Ron Romley, Chairman
Mike Flannery, Vice-Chairman
David Nystrom, Secretary-Treasurer
Carol Springer
William "Bill" Feldmeier
Mary Ann Suttles

CYMPO STAFF PRESENT

Interim Administrator
Program Manager
Program Coordinator

Chris Bridges
Vicky McLane
Jean Knight

ADDITIONAL ATTENDEES

FHWA
FTA
ADOT

Town of Prescott Valley

Town of Dewey-Humboldt
City of Prescott
Yavapai County
Dava & Associates
Prescott Transit
Territorial Transit

Nate Banks, Ed Stillings
Jerome Wiggins
Jennifer Toth, Charla Glendening, Teri Kennedy,
Justin Feek, Mary Ann Roder, Scott Omer
Vice-Mayor Nye, Councilwomen Lasker,
Norm Davis
Vice-Mayor Wright, Joel Berman
Craig McConnell
Phil Bourdon, Mike Willett
Dava Hoffman, James Bramble
Steve Silvernale
Lindsay Bell

1. CALL TO ORDER

Chairman Romley called the meeting to order at 1:30 PM.

2. ROLL CALL

CYMPO Program Coordinator Jean Knight performed roll call. Self-introductions were performed.

DISCUSSION/POSSIBLE ACTION

3. DISCUSSION REGARDING THE DAILY ACTIVITIES, REQUIREMENTS, and BENEFITS OF AN MPO

Chris Bridges, Interim CYMPO Administrator

Chairman Romley thanked Nate Banks, FHWA, and Jennifer Toth, ADOT, for being in attendance. He stated that the Board has some concerns.

Chris Bridges, CYMPO Interim Administrator, introduced Nate Banks, FHWA.

Nate Banks, FHWA, began with a brief presentation regarding the MPO definition. It is defined by the federal government as the designated local decision making body that is responsible for carrying out the metropolitan planning process for the urbanized area plus any other contiguous area that is expected to be urbanized within the next 20 years. The MPO must include representation from local governments who represent at least 75% of the affected population, including the largest incorporated city based upon population. The process of designating a MPO is done cooperatively with the Governor.

Mr. Banks explained what happens if there is not a MPO when it is required. Primarily funding is lost. There are two things that an MPO is required to do; 1) develop a transportation plan and 2) use that plan to develop a Transportation Improvement Plan (TIP). If the TIP is not developed by the MPO the Federal Department of Transportation cannot approve for funding any transportation project that would have been funded with federal funds. Without the MPO all federal funding will go away. Mr. Banks related what is required in the development of the Transportation Plan.

What is required of the MPO operation is determined by the units of local government represented by the MPO and should be done so cooperatively with ADOT. The MPO decides various issues related to the number and types of committees, what those committees responsibilities are, how often they meet, etc.

Mr. Banks handed out copies of federal law Title 23 explaining that it is the core of what FHWA does, as well as the planning regulations.

Nate Banks introduced Jennifer Toth, ADOT. Ms. Toth explained that if there is not an MPO there is a lack of funding available on all of the roads and modes to the urbanized area. This also includes state roads. Additionally, she emphasized that the funding sources that are allocated to the MPO are planning funding (5.7% match) and generally used for the MPO operations as well as the planning studies. ADOT provides to the COGs and MPOs discretionary money from State Planning and Research money (SPR), as well as STP funds. Jerry Wiggins, FTA, gave a brief over view of funds that FTA provides.

Ron Romley, CYMPO Chairman, related the PL funds not received create a hardship for the local entities; it increases the participation amount. Mr. Banks explained the legislative reasoning of pulling funds and the reallocation. Ms. Toth indicated that when the rescissions were done, they were specified what categories the funds had to come out of. On a normal year the PL funds are obligated immediately. When Safety-Lu expired October 2009 FHWA and ADOT have been operating under a continuing resolution; it has been month-by-month. The delay is usually the feds, not ADOT.

Mr. Romley verified the earlier comment made by Mr. Banks regarding the federal funding loss if there is not an MPO; Mr. Banks reiterated that all federal funding is lost. Mrs. Toth related that the state has fewer funds available to assist; it is federal money. Additionally, only projects in the TIP get approved and an MPO is the only one who can prepare the TIP.

Member Springer questioned the population threshold. Mr. Banks responded that it is unknown at this time. This will not occur until there is a new highway bill which should occur only after they determine how to pay for it. The population of this MPO was briefly discussed.

Mr. Banks indicated that if the rules allow us to back out due to the population limit, an MPO is not required. Vice-Chairman Flannery question if the governor can make an exception and the response was no due to the current law. Mr. Banks indicated he could not answer potential issues that may or may not occur, as the new law, if enacted, is unknown at this time. Mr. Wiggins gave a few examples should this occur on the Transit side.

Member Springer questioned what would occur if one of the entities did not want to remain in the MPO. She questioned how this would affect them and the rest of the entities in the MPO. Mr. Banks indicated that the MPO has to include the largest city and it has to include 75% of the population within the MPO boundary. If the remaining population is the 75% it is still allowed, if they do not it is a problem. (Covered by the urbanized area) If it does not meet the 75%, there is not a valid MPO. Member Feldmeier stated that if a political subdivision pulls out and they no longer meet the criteria there is no longer a recognized MPO. Mr. Banks stated that there is no longer representation covering 75% of the population within the MPO boundary, you no longer have a valid MPO. Mrs. Toth related as an example using that Dewey-Humboldt pulled out the MPO would still exist and still get federal funding. However, if Prescott pulled out the MPO would disappear and lose federal funding.

Member Feldmeier indicated that forming an MPO is voluntary. He reiterated that what was discussed earlier is there are two things required of an MPO: transportation plan and list of projects. He then questioned who looks at this. Mr. Banks related FHWA and ADOT. Mr. Stillings indicated that there is also the Title 6, Environmental Justice, disadvantaged areas and a lot of no so clear things. Member Springer stated that one of the things they are trying to assess is relating to the financial situation and trying to determine precisely how much staff is needed to perform what is required and how much work this encompasses. Chairman Romley is concerned about mandated requirements and funds not coming with this.

Mr. Banks stated that the MPO receive funding; PL funds and the state gets State Planning and Research (SPR) funds that are given to the local MPO bodies. The third source of funding is STP funds that can be used for planning purposes. All of these require matches. Member Feldmeier questioned if there is a concern of FHWA how the MPO meets the criteria. Mr. Banks responded the staff has to be independent of the County or the City. The public participation process is a local decision; you have to have one.

Vicky McLane, CYMPO Program Manager, stated there are some things that were left out that are required, such as; Public Participation Plan, Title 6, Unified Planning Work Program, Transportation Improvement Program, Long Range Plan, Coordinated Human Services Public Transportation Plan. Mr. Banks stated these are required but it can be simple.

Chairman Romley commented that soft dollars; elected officials are not included. He stated the Executive Board puts in a lot of time and needs to be considered.

Lora Lee Nye, Town of Prescott Valley Vice Mayor, indicated that meetings by phone could be a violation of the Open Meeting Law. Mr. Wiggins indicated that the Open Meeting Law needed to be adhered to.

Mr. Wiggins, FTA, indicated that to receive FTA funds you have to meet the eligibility requirements.

Patty Lasker, Town of Prescott Valley Councilwoman, questioned how would we meet our transit needs if there was not an MPO? Mr. Wiggins indicated that we would not be eligible for federal funds. She then questioned if there was an intergovernmental agreement would this qualify and the response was no.

Member Springer questioned if ADOT adds on to the basic requirements of responsibilities. Mrs. Toth responded the only addition is the Highway Performance Monitoring System (HPMS). She then explained what this process is.

Lindsay Bell, Territorial Transit, requested the advantages to forming an MPO. Mr. Banks responded that this can enhance the area.

Chris Bridges, CYMPO Interim Administrator, commented that an MPO being an independent agency; could these services be contracted out? Mr. Banks responded that you still need an MPO to contract out; at least a minimum staff to contract the information. If the Board decides to do some reorganization, how can FHWA and ADOT assist? Mrs. Toth and Mr. Banks responded indicated that they, FHWA and ADOT, are there to assist in any way.

Phil Bourdon, Yavapai County, requested that the HURF Swap program be looked at. Mrs. Toth reiterated that ADOT is a federal aid program now, if HURF revenues come back, this might be an option in the future. Due to the economic times this will not occur in the near future.

Mr. Banks commented that we could contract our congressional representative with concerns that FHWA cannot. Mrs. Toth suggested U.S. as well as state representatives.

4. ADJOURNMENT

The meeting was adjourned at 2:20 PM.