



**CENTRAL YAVAPAI  
METROPOLITAN PLANNING ORGANIZATION  
7501 E. Civic Circle, Prescott Valley, AZ 86314**

**EXECUTIVE BOARD MEETING  
Wednesday, November 18, 2009  
6:00 P.M.**

**Yavapai County Administration Bldg.  
Supervisors Boardroom**

**1015 Fair Street  
Prescott, AZ 86305**

---

---

***MEETING MINUTES***

**BOARD MEMBERS PRESENT**

Town of Prescott Valley

City of Prescott

Town of Chino Valley

Yavapai County

Town of Dewey-Humboldt

State Transportation Board

Mike Flannery, Chairman

Robert "Bob" Luzius, Vice-Chairman

Ron Romley, Secretary/Treasurer

Supervisor Carol Springer

Councilman David Nystrom

William "Bill" Feldmeier (Exited at 7:30PM)

**AGENCY REPRESENTATIVES PRESENT**

Yavapai County

City of Prescott

Town of Chino Valley

Town of Prescott Valley

ADOT Prescott District Engineer

Phil Bourdon, Chris Bridges, Mike Willett

Mayor Elect Marlin Kuykendall, Craig McConnell

Ron Gritman

Norm Davis

Alvin Stump

**CYMPO STAFF PRESENT**

Administrator

Program Manager

Program Coordinator

Administrative Assistant

Jodi Rooney

Vicky McLane

Jean Knight

Deb Hernandez

**ADDITIONAL ATTENDEES**

TransitPlus

League of Women Voters

Citizens

Territorial Transit

Prescott Transit

CWAG

Suzanne O'Neill

June Ruth

Sandy Willett, Bob Viscount

Lindsay Bell

Steve Silvermale

Ken Janeck

**1. CALL TO ORDER, ROLL CALL AND/OR INTRODUCTIONS**

The meeting was called to order by Chairman Mike Flannery at **6:00 P.M.** Deb Hernandez, CYMPO Administrative Assistant, performed roll call.

**2. ANNOUNCEMENTS and CYMPO UPDATES**

CYMPO Administrator Jodi Rooney provided the following updates:

- SAFETEA-LU second continuing resolution
- ADOT layoffs
- Draft IGA in process between CYMPO and Avondale
- Dual M-TAC / Executive Board Meeting December 3, 2009, at 8 AM
- M-TAC met today to discuss future MPO Fiscal Operations
- Wildlife Corridors Assessment Workshop, Monday, November 23, 2009

**3. CALL TO THE PUBLIC:** This item is to provide an opportunity for presentation of comments by the public on subjects *not* on the agenda. Individuals wishing to address the Board need not request permission in advance and are limited to three (3) minutes.

There were not comments from the public.

**4. APPROVAL OF MINUTES: October 21, 2009**

**MOTION**

Vice-Chairman Luzius presented a **Motion** to approve the October 21, 2009, Executive Board minutes. The **Motion** was seconded by Secretary/Treasurer Romley.

**VOTE ON THE MOTION**

The vote was unanimous.

**5. 5307 GRANT AND OTHER TRANSIT FUNDING ISSUES**

*Jodi Rooney, CYMPO Administrator*

*Suzanne O'Neill, TransitPlus*

CYMPO Administrator Jodi Rooney informed the Board of on-going conversations with the Federal Transit Administration (FTA) regarding their position on CYMPO's FY-05 Section 5307 apportionment. FTA maintains the funds were not obligated; our research does not corroborate that belief. Regarding Surface Transportation Program (STP) flexed funds; CYMPO was allocated funds in 2008 but not in 2009. We are asking why other Arizona entities received funds but not CYMPO; we will keep you informed.

TransitPlus Principal Suzanne O'Neill was introduced and provided information on leveraging funds being spent for transportation in order to match 5307 funds for the benefit of the community. Referring to her memorandum dated November 12, 2009, included in the agenda packet, she reiterated the steps necessary to take before a Request for Proposal (RFP) could be extended, which could take a minimum of 10 – 12 months. She suggested the Board consider a Request for Information (RFI) as it requires collaboration of agencies within the community who will provide matching funds.

T-TAC Chairman Mike Willett related at the November 12, 2009, T-TAC meeting, a motion to develop an RFP using the entire allotment of 5307 funds on a fixed route service did not move forward. He stated member agencies have expressed an interest to develop enhanced vouchers when they replied to preference survey and those preferences should be considered when developing an RFP.

Member Springer asked if CYMPO receives \$600,000 - \$700,000 per year and we maximize the amount matched for the voucher program, how much would remain to be used on a fixed route system?

Mr. Willett expressed Prescott and Prescott Valley use LTAF dollars received from the state on an annual basis to match 5307 funds. The amount of LTAF money received varies but for discussion purposes assume they receive \$250,000 leaving approximately \$400,000 in a given year.

Member Springer wanted to know what can be done with the left over money; can the remaining amount be used for the fixed route?

Suzanne O'Neill stated that determining how to leverage 5307 funds is a good idea and there are a lot of resources in the area. It would be easy to issue an RFI to see who responds and what they are willing to offer. The issue is not whether you have \$400,000 or \$650,000 but rather how much local match people might be able to come up with that is eligible to be used. In the para-transit area there is a good chance we could get something solid going, in part because the match ratio for ADA para-transit can be done at 90/10 versus 50/50 for fixed route. For \$100,000 worth of service you would have to come up with a \$10,000 match. One of the things that can be used as match is the contribution of volunteer drivers. You could find out on both the fixed route side and the para-transit side what is viable with an RFI. With any of these there are compliance and FTA issues that need to be followed; management capacity has to be built up both at the CYMPO level and with the providers in terms of knowing what the expectations are.

Chairman Flannery related to Mrs. O'Neill that he appreciated her memo as it lays out steps that need to be done and it shows a lot of work is needed that CYMPO does not have the expertise for. Consideration would be needed to outsource this expertise and the contribution level. Additionally, FTA clearance would be needed if we used the RFI. Suzanne O'Neill clarified preparing the RFI needs technical expertise to make sure it is in compliance with FTA rules. 5307 funding comes with a double-edged sword; FTA says you are a designated recipient – you are responsible. You do not have to check with FTA at each level, but you better do it correctly or they (FTA) will come back after-the-fact. As she was composing the memo, she said the most difficult part was coming to a decision; however, using an RFI process puts a large portion of work back on the community or the providers. She also stated this work could be contracted for approximately \$5,000 with a 20% contribution, which would be a \$1,000 shared expense for agency members.

Chairman Flannery added, upon completion of the implementation plan two large issues remain: funding and governance. This does not even deal with the ultimate problem of governance. Who will oversee this thing? We have heard repeatedly “we do not want CYMPO to do this, we want someone else” so we have to find someone willing to do that.

Vice-Chairman Luzius asked where the transit administrator fits in? We have talked about a transit administrator before and heard again for approximately \$7,000 each (Yavapai County, Prescott and Prescott Valley) we could obtain a transit administrator who would do this work and also approach the governance. CYMPO Administrator Rooney replied we cannot underestimate FTA rules and guidelines that must be followed. Someone with the expertise is needed to provide oversight in the areas of governance and a regional transit authority. Currently we have an opportunity with Avondale to exchange capacity for a two year contracted transit administrator.

Member Feldmeier asked if there was a state or federal requirement directing CYMPO to move into the transit arena. Mrs. O'Neill replied there was not. He then wanted to know who we were doing this for. Mrs. O'Neill informed him, the residents of this community. Mr. Feldmeier then inquired why the current service provided could not continue through the use of vouchers and who in our area has been managing the vouchers. Mrs. O'Neill replied the first phase of CYMPO's transit plan was an enhanced voucher program; if you use federal money there are additional good management practice requirements to make sure accountability is in place. Presently NACOG administers the voucher program.

Member Springer stated that we have been collecting this money and saving it. We have had to give away two years already; does that mean we have two years or three years of money available? CYMPO Administrator Jodi Rooney informed her three years of money is available. CYMPO has gone through an extensive grant process to “park” that money. Member Springer said we have three years, almost \$2M, and does not see any way (given the match requirement) CYMPO will be able to disburse that amount of money. How can Cottonwood figure out a way to use the money and provide an effective system for their citizens when we cannot?

Lindsay Bell of Territorial Transit commented CYMPO and member agencies have been on a planning path and taken steps towards a regional transit system. The money has not been lost, 2003 and 2004 monies have been given away, but 2005 and 2006 have been captured; if an acceptable plan is filed before July 1, 2010, the 2007 dollars will also be captured and the availability of those funds continue towards the program. Collectively, over the past five years, there has been approximately \$300,000 spent on transit planning. The need for transit has been documented, we know the support available, and have a realistic plan for transit. She stated this discussion is a radical departure from the plans to move the community forward with a realistic transit plan responsive to the demonstrated needs of this community; furthermore, I cannot believe we are going to dismiss \$300,000 of planning for a totally new plan.

Member Springer asked how many years can we “park” the money before someone says, this plan is not going anywhere, and you are not playing by the rules. Ms. Bell indicated at some point federal officials will say you have to put up or shut up; and they said that a little bit with the 2005/2006 monies, but we are not at that point yet. To set aside everything we have done thus far does not make sense. Member Springer defended her position saying we do not seem to have a confirmed way to come up with match money as it is foolish to count on LTAF money for the next 2-3 years. Ms. Bell agreed LTAF is probably not the most stable source of funding; however, it is not the only source of funding. A lot of different things can be used for the match including in-kind services. Local government is not the only means to come up with local match; other opportunities need to be explored.

Member Springer then stated she was not happy with the thought of hiring another body in the CYMPO office. She then asked, if the money sitting there is available for capital, is it available for us to distribute in the form of grants to providers for vans who currently provide services (if they can come up with the match)? Ms. Bell responded potentially that could be done in the future. CYMPO has filed two different grant applications with the FTA for the 5307 dollars. With each application a plan of service was filed stating \$250,000 would be used for the voucher program or to expand the voucher program and for dispatching software. Should you deviate from the activities described a great effort would have to be made to modify that grant application. It would be much easier to shift direction on future applications. To do what you are suggesting is a radical departure from the proposal CYMPO, as a grant recipient, made to the Feds. Member Springer then asked if a different proposal was submitted every year. Ms. Bell replied, yes, CYMPO has three years from the year funds were allocated in to file that plan. Once the plan has been filed and approved, you have a few more years to spend those dollars, in line with the plan filed.

TransitPlus, Suzanne O’Neill, said one of the things she saw coming out of this was not turning the plans on end but rather taking those plans in place, and initiating something with an RFI to see what kind of partnerships can be established and how to begin implementation. As a result of the meetings today, you may already have some real options but you would need an RFI to formalize those options and secure financial partners. Member Springer stated she disagrees that this is a 180 degree turn; asking for an RFI is not a deviation from our plan, it is a way to be creative and look for ways to use the money within the given constraints.

Steve Silvernale, Prescott Transit, commented he has had discussions with FTA and other associations he is affiliated with who have contracts with the FTA to assimilate information about their programs. He has been advised that Prescott Transit can use the money they spend for inner-city transportation (shuttle service for the SR 69 to I17 corridor costing \$1.2M annually) as a local match. Prescott Transit is in compliance with those requirements necessary to receive federal dollars. He believes that he is able to meet the match requirements and use those dollars.

Suzanne O’Neill agreed with Mr. Silvernale saying there are opportunities but clarified of the \$1.2M he spends on the airport shuttle, only a small amount of that money, if any, could be used for the capital portion in this particular situation. On the other hand the \$85,000 he spends on the city bus every year could absolutely be

used. It would be great if he was willing to put that money up in terms of match but that is also where you determine from each of the providers what they are willing to do and what they need in return. Another important issue in terms of compliance is determining if the funds are eligible as they cannot match other federal dollars or non-DOT federal dollars.

Yavapai County Public Works Director Phil Bourdon stated he was not an advocate of increasing staff; however, there is a need to initiate the governance structure with a transit professional. We need to find local service providers who are willing to partner and put that money to use locally. This could be achieved with the RFP process and a transit professional to guide this process. Chairman Flannery added, through the IGA, this professional would be secured for a two year period of time. Member Springer then asked why CYMPO does not contract out for this professional. Mr. Bourdon indicated that could be done.

Chairman Flannery asked CYMPO staff when the IGA with Avondale would be complete enough to present to the Board. CYMPO Administrator Jodi Rooney advised that just recently a document was received from Avondale; adjustments need to be made, and once the T-TAC approves the IGA it will be submitted to the Executive Board for approval. Mrs. Rooney expressed the next T-TAC meeting would be December 10, 2009, with an opportunity to review the IGA for discussion and potential recommendation to the Executive Board at the January 2010 meeting.

Vice-Chairman Luzius thanked Mr. Bourdon for his comments.

Member Ron Romley said Chino Valley has no vested interest in 5307 funds but, he also agreed with Mr. Bourdon. We need a transit administrator to be the nucleus of this program. Someone needs to be available to guide the RFP process in making selections, oversee the contract, etc. CYMPO is not structured for that at this point in time. He also agreed with Member Springer in that CYMPO cannot be adding staff. However, we need someone with transit expertise to guide us or we will never move transit ahead.

Member David Nystrom commented if surveys and planning has already taken place but the program has not moved forward, it is because you do not have a “Champion” to take you to the next step. CYMPO needs a transit professional, for a defined period of time, to push this to the next level.

Member Feldmeier said that if CYMPO needs a transit professional, it should be through a contract for service.

CYMPO T-TAC Chairman Mike Willett clarified, based on Suzanne O’Neill’s memo, the RFI would be an inexpensive way to find out if there were valid proposals. If the T-TAC and Executive Board deemed there were valid proposals, then the RFP process could begin.

## **6. CYMPO BY-LAWS - AMENDMENT**

*Ron Romley, CYMPO Secretary/Treasurer*

CYMPO Secretary / Treasurer Ron Romley stated the Board has been working on amending the by-laws for some time and once again a question has been raised specifically regarding Article 4, Section 6. He expressed his desire to table this item until proper wording can be agreed upon to the entire Board’s benefit.

Chairman Flannery stated his concern was regarding those participating in transit and those not participating in transit and the commitment of funds. Currently the by-laws state each executive board member has “one vote pertaining to all matters coming before” whether there is a financial interest in the matter or not and feels that should be more carefully reviewed.

**MOTION**

Secretary/Treasurer Romley presented a **Motion** to table this item until further review of Article 4, Section 6 can be re-done. The **Motion** was seconded by Vice-Chairman Luzius.

**VOTE ON THE MOTION**

The vote was unanimous.

**7. ADOT CONSTRUCTION FACILITIES PROGRAM**

*Jodi Rooney, CYMPO Administrator*

CYMPO Administrator Jodi Rooney advised it was time to submit project recommendations to ADOT Prescott District for consideration and funding in their five year program. Mrs. Rooney shared last year's letter indicating Construction and Scoping Projects and informed the committee of the M-TAC's current project recommendations.

**MOTION**

Vice-Chairman Luzius presented a **Motion** to approve the ADOT Construction Facilities Program as outlined: Reaffirm existing projects with emphasis on SR 89 (Chino) to SR 89A; additionally, to include:

**Construction Projects:**

- SR 89A Spur

**Scoping Projects:**

- SR 169 from I-17 to SR 69
- SR 69 from SR 169 to SR 89
- Chino Valley Extension (New)

The **Motion** was seconded by Secretary/Treasurer Romley.

**VOTE ON THE MOTION**

The vote was unanimous.

**8. NATIONAL ASSOCIATION OF REGIONAL COUNCILS – LETTER OF SUPPORT**

*Jodi Rooney, CYMPO Administrator*

CYMPO Administrator Jodi Rooney articulated, the National Association of Regional Councils (NARC) is requesting a letter of support for potential legislation on Regional Infrastructure Improvement Zones (RIIZs) which offers innovative funding solutions to encourage private-sector investment by offering favorable tax credits.

Member Springer suggested since this is “*proposed legislation*” she would like to keep our support general enough that we are not committed to a specific course of action; we need to leave ourselves a way out should the actual wording of the bill be something that we initially did not agree upon.

Member Feldmeier stated if Chairman Flannery were to sign this letter, he asked that Chairman Flannery be comfortable with the parameters of the letter to accommodate Member Springer's suggestion. Chairman Flannery commented, since this is in the forming stage, we should track the progress of the legislation prior to providing a letter of support and bring it back when we have more information becomes available.

Member Springer stated the letter could be written that we “*support the concept of*” then outline the portions we support.

**MOTION**

Member Feldmeier presented a **Motion** to send a letter, with parameters specified by the discussion, approving the concept of the establishment of Regional Infrastructure Improvement Zones (RIIZs). The **Motion** was seconded by Vice-Chairman Luzius.

**VOTE ON THE MOTION**

The vote was unanimous.

**9. PROPOSED FUTURE AGENDA ITEMS**

*Jodi Rooney, CYMPO Administrator*

Items for the December (or subsequent meeting) Agenda are:

- MTIP Amendment
- ARRA
- 5307 Funding
- LTAF: Programming of STP Funding FY10-11
- Election of Officers
- Year-to-date Financial Update
- Future MPO Fiscal Operations
- CYMPO By-Laws Amendment

**10. UPCOMING SCHEDULED MEETINGS**

- **JOINT** Executive Board / M-TAC Meeting: **Thursday, December 3, 2009, 8:00 AM** Prescott City Hall, Council Chambers, 201 S. Cortez, Prescott, AZ  
(*CYMPO Multimodal Technical Advisory Committee monthly meeting*)
- T-TAC Meeting: **Thursday, December 10, 2009, 8:00 AM**, Prescott Valley Town Hall, 7501 E. Civic Circle, **Conference Room #433**, Prescott Valley, AZ  
(*CYMPO Transit Technical Advisory Committee monthly meeting*)
- State Transportation Board: **Friday, November 20, 2009, 9:00 AM**, Phoenix, AZ and **Friday, December 18, 2009, 9:00 AM**, Tucson, AZ

Chairman Flannery presented Vice-Chairman Luzius with a framed certificate of appreciation for his participation on the CYMPO Board. Vice-Chairman Luzius responded by saying it had been a pleasure working with CYMPO.

**11. ADJOURNMENT**

Chairman Flannery adjourned the meeting at 7:36 PM.