

Mark Nexsen - Chair
Buster Johnson – Vice Chairman
Don Callahan – Secretary/Treasurer
Donna Brister-McCoy – Board Member
Deanna Beaver – Board Member



Lake Havasu City Police Facility
Meeting Room
2360 McCulloch Boulevard N.,
Lake Havasu City, AZ 86403
www.LHMPO.org

**LAKE HAVASU METROPOLITAN
PLANNING ORGANIZATION (LHMPO)
EXECUTIVE BOARD MEETING AGENDA
Tuesday, June 21, 2016, 3:00 PM**

One or More Executive Board Members May Attend Telephonically

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CALL TO THE PUBLIC:** This item is to provide an opportunity for citizens wishing to address the Executive Board on issues within the jurisdiction of the LHMPO planning area that are not on the Agenda. Your comments SHALL be limited to five (5) minutes or less. Please be advised that Executive Board Members may not respond to comments or questions brought up during call to the public.
- 5. CONSENT AGENDA**
 - 5.1** Approve the Executive Board Meeting Minutes of May 10, 2016
(Task #100)
- 6. ANNOUNCEMENTS, COMMUNICATIONS, UPDATE REPORTS**
 - 6.1** ADOT Northwest District Update Report
 - 6.2** LHMPO Manager Report
- 7. PUBLIC HEARINGS**
 - 7.1** Discussion and Possible Action, if necessary, to comply with Arizona Open Meeting Law following the Executive Session regarding the Annual Evaluation of the MPO Manager. Possible actions include, but are not limited to, finding of satisfactory or unsatisfactory performance, salary adjustment, or any direction or action necessary to place an item on a future agenda relating to the MPO Manager's evaluation, salary adjustment, or employment agreement.
(Task # 102)
 - 7.2** Discussion and Possible Action to Approve JPA 14-0004163-T Amendment 3: LHMPO Work Program Agreement Between the Arizona Department of Transportation (ADOT) and the Lake Havasu Metropolitan Planning Organization (LHMPO)
(Task #102)
- 8. FUTURE AGENDA ITEMS**

9. UPCOMING MEETING SCHEDULE

- LHMPO TAC Meeting: **June 28, 2016, 12:30 PM**, 900 London Bridge Rd, Bldg. E, Lake Havasu City, AZ 86404 **PLEASE NOTE MEETING TIME CHANGE**
- State Transportation Board Meeting: **July 15, 2016, Camp Verde, AZ**
- Executive Board Regular Meeting: **July 12, 2:00 PM**, Lake Havasu City Police Facility Meeting Room, 2360 McCulloch Boulevard N, Lake Havasu City, AZ 86403

10. ADJOURNMENT

Pursuant to the Americans with Disabilities Act (ADA), the Lake Havasu Metropolitan Planning Organization endeavors to ensure the accessibility of all of its programs, projects and services to all persons with disabilities. If you need an accommodation for this meeting, please contact Jeanette Buckley, Lake Havasu MPO at (928) 453-2823 at least 48 hours prior to the meeting so that accommodations may be arranged.

Agenda Item # 5.1

**LAKE HAVASU MPO
REQUEST FOR ACTION
JUNE 21, 2016**

SUBJECT: ACTION TO APPROVE THE CONSENT AGENDA

SUBMITTED BY: Jean Knight, MPO Manager

AGENDA TYPE: **CONSENT AGENDA**

ATTACHMENTS:

Executive Board Meeting minutes of May 10, 2016

SUMMARY/BACKGROUND:

Attached are the minutes from the Executive Board meeting held May 10, 2016

ACTION OPTION:

Motion to approve the Consent Agenda

OR

Motion to approve the Consent Agenda, with the noted changes

RECOMMENDATION:

Motion to approve the Consent Agenda

Mark Nexsen - Chair
Buster Johnson – Vice Chairman
Don Callahan – Secretary/Treasurer
Donna Brister-McCoy – Board Member
Deanna Beaver – Board Member



Lake Havasu City Police Facility
Meeting Room
2360 McCulloch Boulevard N.,
Lake Havasu City, AZ 86403
www.LHMPO.org

**LAKE HAVASU METROPOLITAN
PLANNING ORGANIZATION (LHMPO)
EXECUTIVE BOARD MEETING MINUTES
Tuesday, May 10, 2016, 2:00 PM**

One or More Executive Board Members May Attend Telephonically

1. CALL TO ORDER

Chairman Nexsen called the meeting to order at 2:00 p.m.

2. PLEDGE OF ALLEGIANCE

Chairman Nexsen led the Pledge of Allegiance.

3. ROLL CALL

The roll call was performed by Jeanette Buckley:

Present: Mark Nexsen, Donna Brister, Deanna Beaver, and Buster Johnson.

Absent: Don Callahan

4. CALL TO THE PUBLIC:

There were no public comments.

5. CONSENT AGENDA

5.1 Approve the Executive Board Meeting Minutes of March 8, 2016

5.2 Call for Executive Session Pursuant To A.R.S. § 38-431.03(A) 2:00 P.M., Tuesday, June 21, 2016

MOTION

Member Brister presented a motion to approve the Consent Agenda as presented. Motion was seconded by Member Beaver.

VOTE ON MOTION

The vote on the motion was unanimous.

6. ANNOUNCEMENTS, COMMUNICATIONS, UPDATE REPORTS

6.1 Rural Transportation Advocacy Council (RTAC)

Kevin Adam with Rural Transportation Advocacy Council (RTAC) reported on the following:

- State Legislature adjourned Saturday
- There was increase in transportation funding
- The revenue is 22 million above the expenditures
- Limiting any permanent changes to expenditures for transportation
- Maintaining the HURF transfers to DPS at the same level as last year which was \$107 million

- \$86.5 million is being transferred from the general fund into transportation for one time spending this is broken down as follows: \$30 million to local government, \$56.5 million to statewide highway construction (this is earmarked for specific projects)

6.2 ADOT Northwest District Update Report

Alvin Stump, ADOT Northwest District reported on the following:

- Funding for the Kiowa/SR95 design is going through the programming process
- Bids open Friday for a Bridge Rehabilitation Project on I-40 for three bridges around milepost 11
- Bids open on May 20th for Haviland Rest Area Parking Lots and West Kingman TI Interim Improvements

Chairman Nexsen inquired if any pavement rehabilitation projects were planned for the I-40. Alvin Stump indicated that there is spot repairs projected to be done before the end of the fiscal year.

6.3 LHMPO Manager Report

Jean Knight reported on the following:

- The Transportation Improvement Program (TIP) was published in the newspaper for 30 day public comment period on May 6, 2016, this will be brought back to the Executive Board for approval in July
- ADOT's 5 year program is out for public comment, this will be approved at the AZ State Transportation Board meeting in Holbrook, June 17, 2016

7. PUBLIC HEARINGS

7.1 Discussion and Possible Action to Approve Western Arizona Council of Government's (WACOG) Regional Transportation Coordination Plan

Jean Knight advised the Executive Board that the Lake Havasu MPO is part of the WACOG Regional Transportation Coordination Plan. The Coordination Plan is for human service providers and agencies that apply for 5300 funding or have active 5300 grants in place. There are three human service providers in the Lake Havasu MPO region: Achieve, New Horizons and Havasu Mobility.

There was a discussion on what the role of Lake Havasu MPO Executive Board and the Lake Havasu MPO was with the WACOG Coordination Plan. Jean Knight explained that Lake Havasu MPO is a partner in the WACOG Coordination Plan.

MOTION

Vice Chairman Johnson presented a motion to accept the FY2016 Western AZ Regional Transportation Coordination Plan. Motion was seconded by Member Beaver.

VOTE ON MOTION

The vote on the motion was unanimous.

7.2 Discussion and Possible Action to Approve FY2017 Unified Planning Work Program (UPWP)

Jean Knight informed the Executive Board that Federal Highways and ADOT have already reviewed the Unified Planning Work Program, when they came for their federal review meeting. There is one change to the document that is requested by the City Attorney Kelly Garry and that is the Organization and Management page. The change is in the wording of services provided by

Lake Havasu City. Estimated funding for FY2017 is \$386,162, the carryover is higher than usual due to FY2016 funding not being available until February of this year. The match for Lake Havasu City for FY2017 is \$73,704, and the match for Mohave County is \$744.

Jean Knight advised the Executive Board that under the FY17 Special Projects Planned there will possibly be one of two studies performed:

- Traffic Study – Lake Havasu Ave – Mesquite Ave to Mulberry
- Alternative Bridge Crossing to Island Feasibility Study

MOTION

Member Beaver presented a motion to approve the Draft FY17 Unified Planning Work Program with the noted changes. Motion was seconded by Member Brister.

VOTE ON THE MOTION

The vote was unanimous.

8. FUTURE AGENDA ITEMS

Chairman Nexsen requested any suggestions for future agenda items. No suggestions given.

9. UPCOMING MEETING SCHEDULE

- LHMPO TAC Meeting: **May 24, 2016, 1:30 PM**, Lake Havasu City, AZ, 900 London Bridge Rd, Bldg. E, Lake Havasu City, AZ 86404
 - State Transportation Board Meeting: **May 20, 2016**, Flagstaff, AZ
 - Executive Board **Executive Session: June 21, 2016, TIME TO BE DETERMINED**, Lake Havasu City, AZ, Lake Havasu City Police Facility Meeting Room, 2360 McCulloch Boulevard N, Lake Havasu City, AZ 86403.
 - Executive Board **Regular Meeting: June 21, 3:00 PM**, Lake Havasu City, AZ, Lake Havasu City Police Facility Meeting Room, 2360 McCulloch Boulevard N, Lake Havasu City, AZ 86403
- PLEASE NOTE: THE JUNE MEETING HAS BEEN CHANGED FROM JUNE 14TH TO JUNE 21ST TIME TO BE DETERMINED.**

10. ADJOURNMENT

Motion was presented by Vice-Chairman Johnson to adjourn and seconded by Member Brister. Vote on the motion was unanimous. Meeting adjourned at 2:30 p.m.

**LAKE HAVASU MPO
REQUEST FOR ACTION
JUNE 21, 2016**

SUBJECT: ANNOUNCEMENTS, COMMUNICATIONS, UPDATE REPORTS

SUBMITTED BY: Jean Knight, MPO Manager

**AGENDA TYPE: ANNOUNCEMENTS, COMMUNICATIONS, UPDATE
REPORTS**

ATTACHMENTS:

SUMMARY/BACKGROUND:

6.1 ADOT Northwest *may* provide ADOT District Updates

6.2 MPO Manager *may* provide Updates

ACTION OPTION:

RECOMMENDATION:

**LAKE HAVASU MPO
REQUEST FOR ACTION
JUNE 21, 2016**

SUBJECT: Discussion and Possible Action, if necessary, to comply with Arizona Open Meeting Law following the Executive Session regarding the Annual Evaluation of the MPO Manager. Possible actions include, but are not limited to, finding of satisfactory or unsatisfactory performance, salary adjustment, or any direction or action necessary to place an item on a future agenda relating to the MPO Manager's evaluation, salary adjustment, or employment agreement.

SUBMITTED BY: Jean Knight, MPO Manager

AGENDA TYPE: PUBLIC HEARING

ATTACHMENTS:



SUMMARY/BACKGROUND:

Discussion and Possible Action, if necessary, to comply with Arizona Open Meeting Law following the Executive Session regarding the Annual Evaluation of the MPO Manager. Possible actions include, but are not limited to, finding of satisfactory or unsatisfactory performance, salary adjustment, or any direction or action necessary to place an item on a future agenda relating to the MPO Manager's evaluation, salary adjustment, or employment agreement.

ACTION OPTION:

To be determined from Board discussion

RECOMMENDATION:

To be determined from Board discussion

**LAKE HAVASU MPO
REQUEST FOR ACTION
JUNE 21, 2016**

SUBJECT: Discussion and Possible Action to Approve JPA 14-0004163-T Amendment 3: LHMPO Work Program Agreement Between the Arizona Department of Transportation (ADOT) and the Lake Havasu Metropolitan Planning Organization (LHMPO)

SUBMITTED BY: Jean Knight, MPO Manager

AGENDA TYPE: PUBLIC HEARING

ATTACHMENTS:

JPA 14-0004163-T Amendment 3: LHMPO Work Program Agreement
(Attachments referenced are available for viewing in the LHMPO Office)

SUMMARY/BACKGROUND:

Annually the LHMPO is required to sign a Joint Project Agreement (JPA) with ADOT in regards to the Unified Planning Work Program (UPWP) aka Work Program. Rather than a new JPA this year the FY 2014 is being amended.

The attorney has reviewed the JPA as well as the attachments it references and did not have any issues. The attachments referenced are 50+ pages; however are available for review. The LHMPO complies with the JPA as well as the referenced attachments.

Staff is requesting the Board approve.

ACTION OPTION:

Motion to approve the JPA #14-0004163-T Amendment 3 and authorize the Chairman to sign

RECOMMENDATION:

Motion to approve the JPA #14-0004163-T Amendment 3 and authorize the Chairman to sign

Agreement No	JPA-14-0004163-T Amendment Three
AG Contract No	P0012011001543
CAR No	JPA-16-0005881-T
Project No	PS50121P; PL50121P
Section	Multimodal Planning Division
Advantage Vendor No	465001047 01
ProcureAZ Vendor No	PZ000038747
MPO DUNS No	079327291
Description	LHMPO Agreement for Work Program Implementation

**JOINT PROJECT AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION**

THIS AGREEMENT Amendment Three, established pursuant to Arizona Revised Statutes (A.R.S.), §28-101, §28-334, §28-367 et seq., is entered into _____, between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, herein referred to as the ADOT and authorized to enter into this Agreement under A.R.S. §28-401; and the LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION (LHMPO) herein referred to as the MPO. ADOT and the MPO are collectively referred to as the "Parties", and individually as ADOT, MPO, and "Party".

RECITALS

- 1) To ensure a continuing, cooperative, and comprehensive transportation planning process that involves cooperation/coordination between the MPO and ADOT through the sharing of information.
- 2) The MPO is charged with the responsibility of carrying out transportation planning and programming processes that lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods; and supports metropolitan community development and social goals.

The Original agreement and any Amendments are being amended.

The parties agree to amend the above-referenced Agreement to extend the completion date to June 30, 2017 and to the following modifications, replacements, and additions:

- Section 1 Item (c) is replaced
- Section 8 Item (c) is modified
- Section 28 Paragraph 4 is modified
- Section 30 Item 2 is modified

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representations herein, the parties desiring to be legally bound, do agree as follows:

Section 1.0 SCOPE OF WORK

Section 1 Item (c) is replaced to read:

(c) FAST Act: Fixing American's Surface Transportation Act

On December 4, 2015, President Obama signed the Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94) into law—the first federal law in over a decade to provide long-term funding certainty for surface transportation infrastructure planning and investment. The FAST Act places focus on safety, keeps intact the established structure of the various highway-related programs we manage, continues efforts to streamline project delivery and, for the first time, provides a dedicated source of federal dollars for freight projects.

The FAST Act, effective October 1, 2015, mandates additional requirements relevant to this Scope. The MPO shall incorporate the requirements as requested or required by ADOT or any applicable agency of the US DOT.

Section 8.0 PROCUREMENT, FIXED ASSETS, TRAVEL

(c) Travel

Paragraph 1 is modified to read: "All travel may be directly approved by the MPO consistent with and in support of identified work tasks contained within the approved WP. Only actual expenses are reimbursable, within maximum reimbursement limits as described and established by the rates for travel: A.R.S. 38-621 through 38-627, Reimbursement for Expenses; State of Arizona Accounting Manual, Section 50.65, Vendor Travel, Section 50.95 Reimbursement Rates available at <https://gao.az.gov/publications/saam>. Travel costs paid to vendors or other non-employees must always be supported by appropriate documentation including receipts."

Section 28.0: FTA CERTIFICATIONS AND ASSURANCES

Paragraph 4 is modified to read: "SUBRECIPIENT also understands and agrees that these Certifications and Assurances are pre-award requirements, generally required by Federal law or regulation, and do not include all Federal requirements that may apply. The FTA Master Agreement for Federal FY 2016, <https://www.transit.dot.gov/funding/grantee-resources/sample-fta-agreements/sample-fta-agreements-october-1-2015>, contains a list of most of those requirements."

Section 30.0: MISCELLANEOUS PROVISIONS

Item (2) is modified to read: "This Agreement shall become effective July 1, 2016 upon its execution by all Parties hereto and shall remain in force and effect through June 30 of the following year, unless terminated, cancelled or extended as otherwise provided herein. By mutual written amendment, this Agreement may be extended for supplemental periods of up to a maximum of twelve (12) months. The Department reserves the right to unilaterally extend the period for thirty-one (31) days beyond the stated expiration date."

Except as amended by this Amendment 3, the Original Agreement, Amendment 1, and Amendment 2 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

**LAKE HAVASU METROPOLITAN PLANNING
ORGANIZATION**

**STATE OF ARIZONA
Department of Transportation**

By _____
**Mark S. Nexsen,
Chairman**

By _____
**Michael Kies, Assistant Director
Multimodal Planning Division**

Date


Date

APPROVAL OF LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION

I have reviewed the above referenced proposed intergovernmental agreement, BETWEEN the ARIZONA DEPARTMENT OF TRANSPORTATION, MULTIMODAL PLANNING DIVISION and LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION, and declare this agreement to be in proper form and within the powers and authority granted to the LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED _____

Attorney for the LAKE HAVASU METROPOLITAN PLANNING ORGANIZATION

		
MARK BRNOVICH ATTORNEY GENERAL	OFFICE OF THE ARIZONA ATTORNEY GENERAL STATE GOVERNMENT DIVISION / TRANSPORTATION SECTION	DAWN NORTHUP DIVISION CHIEF COUNSEL SUSAN E. DAVIS ASSISTANT ATTORNEY GENERAL DIRECT LINE: 602-642-8855 E-MAIL: SUSAN.DAVIS@AZAG.GOV


JOINT PROJECT AGREEMENT
DETERMINATION

A.G. Contract No. P0012011001543 (JPA 14-4163-T), Amendment Three, an Agreement between The State of Arizona and the Lake Havasu Metropolitan Planning Organization, has been reviewed pursuant to A.R.S. § 28-401, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: April 12, 2016

MARK BRNOVICH
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED:rl:#5021164
Attachment