

From: [Farhad Moghimi](#)
To: [Ed Honea](#)
Subject: Concerns
Date: Thursday, August 4, 2022 7:08:32 PM
Attachments: [CAC comments.pdf](#)

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Per our conversation here is the list of concerns we discussed the other day.

The RTA is a Regional Transportation Authority established by the state. The RTA must comply with state laws. The CAC must comply with the open meeting laws and refrain from circumventing the law as they develop the draft plan.

The RTA Board has statutory authority to develop a Regional Transportation Plan, and the voters decide on the fate of the next plan and tax.

CAC is not tasked to establish any regional policies. They are only tasked to select a list of projects for the next draft RTA plan.

It appears there are a few very eager members of the CAC that want to establish no-growth and environmental policies that are stricter than state and federal laws for all the member jurisdictions through this regional transportation plan.

Policy issues will be addressed by the Board. Even then the Board cannot impose policies on individual jurisdictions. RTA has no authority to establish land use, growth, or environmental policies.

Proposed changes to the Guiding Principles:

Remove any and all ambiguity in the guiding principles so it doesn't become an issue that would impede reaching consensus later in the process.

A) The RTA cannot mitigate climate change without any clear federal or state regulations. Change to "mitigate for environmental impacts." Environmental impacts can be assessed during project implementation and impacts can be mitigated based on regulatory requirements.

Climate change mitigation is ambiguous and too broad of a statement that cannot reasonably be implemented at individual project level without any regulatory requirements.

B) Equity is also undefined and impossible to measure. Benefits of regional investments are distributed regionally. The voters will ultimately decide if they see the benefits in the proposed investments. Remove equity statement, again if it is a policy issue it will be addressed by the RTA Board.

C) Responding to changed conditions is a policy issue as well. The Board has the authority to govern and will do so in compliance with the state law. Responding to changes is a governance issue and is not delegated to any committee. The voters do not respond well to plans that will promise one thing and then reserve the right to change later. Again, ambiguous for a ballot initiative.

D) Establishing the budget and percentage of each element are also the Board's responsibility. Not delegated to any committee.

E) Remove use of congestion management techniques and behavioral change measures to reduce vehicle miles traveled. Forcing use of transit or other modes are policy issues, do not apply to all communities and not delegated to the CAC to impose on all voters.



MEMORANDUM

DATE: August 19, 2022

TO: RTA Citizens Advisory Committee

CC: RTA Board and Technical Management Committee

FROM: Marana Mayor Ed Honea, RTA Vice Chair *Ed Honea*

Re: CAC's revised guiding principles

After watching the last few RTA Citizens Advisory Committee meetings, it is clear that several members of the committee continue to stray from their assigned task by getting into policy matters.

As a longstanding member of the RTA Board, I am concerned because this board specifically directed CAC members to focus on plan development and to leave policy matters in the hands of the RTA Board. Instead, I saw a handful of people dominating the Aug. 15 meeting again with policy and political discussion, and very few others contributing to the conversation.

The revised guiding principles adopted by the CAC force a political agenda on the rest of the region. Even the RTA Board cannot impose such policies on its member jurisdictions. It appears that a few of the CAC members want to establish no-growth, social, and environmental policies which are stricter than federal and state laws.

The new guiding principles are written in such a way that assumes the RTA is a metropolitan planning organization (MPO). That is not the case. Saddling a future RTA plan with federal MPO requirements would remove the flexibility that the state-established RTA provides to the region.

The RTA Board allowed the CAC to revisit the guiding principles but with the caveat to not delve into policy matters (e.g., land use, growth, social or environmental) which are handled at the board level.

To revise the guiding principles document to remove policy-related language, I propose the following changes:

- 1) Change principle No. 5 to "mitigating for environmental impacts" and remove climate change language as recommended by the TMC.

Environmental impacts can be assessed during project implementation and impacts can be mitigated based on regulatory requirements. The RTA, however, cannot mitigate climate change without any clear federal or state regulations.

- 2) Remove principle No. 4 on equity as recommended by the TMC.

Benefits of regional investments are distributed regionally. The voters will ultimately decide if they see the benefits of the proposed investments. Equity is a policy matter that would be addressed by the RTA Board. If left in, this principle could impede building consensus later in the plan development process.

- 3) Remove language in principle No. 7 that refers to changing conditions.

Responding to changing conditions is a governance issue and not delegated to a committee to determine. Research has shown that voters do not respond well to initiatives that promise one thing and then reserve the right to change components later. If this language is not removed, it will be fraught with legislative scrutiny.

- 4) Remove goal No. 1

Use of congestion management techniques to reduce vehicle miles traveled are policy issues that will be addressed at the RTA Board level and not directed by the CAC through a plan development goal.


Again, your charge as CAC members is to provide a draft regional transportation plan that voters in the region will likely support. To develop such a plan requires collaboration. True collaboration appears to be absent not only at the CAC meetings but also in respecting the input from the TMC and the RTA Board, and direction from RTA staff. Collaboration also involves representation. Recently, many voices on the CAC have been silent. This does not present the board with a sense of cohesiveness among CAC members.

When only a handful of the CAC members are dictating the conversation, we will not have a broad regional perspective and a balanced plan. Please make the suggested changes to make this document something we can all get behind.

Date: August 23, 2022

To: RTA Citizen's Advisory Committee

CC: RTA Board

From: Shane Dille, Town Manager 

Re: **Comments Related to CAC's Proposed Guiding Principles**

In representing the collective sentiments of Mayor Murphy, Beth Abramovitz and myself, we understand the RTA Board allowed the CAC to revisit the guiding principles but specifically stated that policy matters are handled by the board, not by the CAC. This point is of paramount importance.

The revised guiding principles document, however, now includes mostly policy language in our opinion. We are largely concerned about the voting preferences and expectations of our community when they are asked to cast their vote. With the intent of seeing overwhelming support at the polls, we propose the following comments in hopes to return the document to what it is and should be intended for.

As mentioned previously, the CAC is not tasked to establish any regional policies. The CAC is only tasked to select a list of regional projects submitted by the jurisdictions for the next draft RTA plan. Continuing down this path, the RTA runs the same risk and fate as that of our counterparts in Maricopa and Pinal counties, where they were targeted by legislatures and the Courts for using the RTA more like an MPO and through this regional transportation plan pushing political agendas onto state recognized local jurisdictions and attempting to enforce those agendas by risking funding. Remember that neither the CAC, nor even the RTA Board, has the authority to impose local land use, social or environmental policies on our jurisdictions. These are rights statutorily surrendered to each independent jurisdiction through the State's Constitution.

We believe that our voters will vote in support of RTANext if the focus is simple and straight forward – to further the region's efforts to enhance safety and traffic mitigation in our transportation network. This clear focus is applicable to all modes of transportation and should include, where appropriate, matters of equality, inclusion, and climate mitigation.

Also, as recommended by the Technical Management Committee (TMC), the final version of the Guiding Principles document should not contain anything that we can't specifically measure or be used for any project evaluation ranking process.

In other words, what will the voters, RTA auditors and state legislators hold us accountable for in the future based on this document? Will the RTA and its members be able to measure the outcomes, or will everyone be set up for failure in these areas if we are not able to define, measure and report on outcomes after we spend \$2 Billion of taxpayers' money?

Specifically, our proposed changes to the Guiding Principles are as follows:

- A)** The climate change mitigation statement is ambiguous and too broad of a statement and cannot reasonably be implemented on an individual project level without any regulatory requirements. Change to “mitigate for environmental impacts”, as opposed to “climate mitigation”, at the project level.
- B)** Equity is also undefined and impossible to measure. Remove all ambiguity in the guiding principles as recommended by the TMC.
- C)** The Board has the authority to govern and will do so in compliance with the state law. The statement about changing circumstances is problematic if not qualified – carte blanche is a problem and not the right answer. The Board does need to have flexibility built into the Plan to appropriately react to changes along the way, but such flexibility should always be viewed through the lens of the voters who approved to ballot originally. If substantial change is being considered to a project down the road, the option to present such change(s) to the voters should be the default and not the exception.
- D)** As directed by the RTA Board, establishing the budget and percentage of each element are also the Board's responsibility. Not delegated to any committee. The budget statement should be removed.
- E)** Use of congestion management techniques and behavioral change measures to reduce vehicle miles traveled, such as imposing use of transit or other modes, are policy issues and not delegated to the CAC. Different parts of the region have different needs and broad-brush urban-centric techniques, or policies do not apply to all areas of the region. The statement should be removed.

Thank you and I hope that the CAC will seriously consider these comments and other comments from the RTA Board and the TMC to make the adjustments.