

ARIZONA STATE TRANSPORTATION BOARD

Douglas A. Ducey, Governor

Steven E. Stratton Chairman
 Jesse Thompson, Vice Chairman
 Gary Knight, Member
 Richard Searle, Member
 Jenn Daniels, Member
 Jackie Meck, Member
 Ted Maxwell, Member

Welcome to a meeting of the Arizona State Transportation Board. The Transportation Board consists of seven private citizen members appointed by the Governor, representing specific transportation districts. Board members are appointed for terms of six years each, with terms expiring on the third Monday in January of the appropriate year.

BOARD AUTHORITY

Although the administration of the Department of Transportation is the responsibility of the director, the Transportation Board has been granted certain policy powers in addition to serving in an advisory capacity to the director. In the area of highways the Transportation Board is responsible for establishing a system of state routes. It determines which routes are accepted into the state system and which state routes are to be improved. The Board has final authority on establishing the opening, relocating, altering, vacating or abandoning any portion of a state route or a state highway. The Transportation Board awards construction contracts and monitors the status of construction projects. With respect to aeronautics the Transportation Board distributes monies appropriated to the Aeronautics Division from the State Aviation Fund for planning, design, development, land acquisition, construction and improvement of publicly-owned airport facilities. The Board also approves airport construction. The Transportation Board has the exclusive authority to issue revenue bonds for financing needed transportation improvements throughout the state. As part of the planning process the Board determines priority planning with respect to transportation facilities and annually adopts the five year construction program.

PUBLIC INPUT

Members of the public may appear before the Transportation Board to be heard on any transportation-related issue. Persons wishing to protest any action taken or contemplated by the Board may appear before this open forum. The Board welcomes citizen involvement, although because of Arizona's open meeting laws, no actions may be taken on items which do not appear on the formal agenda. This does not, however, preclude discussion of other issues.

MEETINGS

The Transportation Board typically meets on the third Friday of each month. Meetings are held in locations throughout the state. **Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Transportation Board asks that people attending Board meetings in person take safety precautions they feel appropriate to protect themselves and others. In addition, for the time being the Transportation Board will conduct concurrent telephonic/WebEx virtual meetings.** In addition to the regular business meetings held each month, the Board may conduct at least one public hearings each year to receive input regarding the proposed five-year construction program. Meeting dates are established for the following year at the December organization meeting of the Board.

BOARD MEETING PROCEDURE

Board members receive the agenda and all backup information one week before the meeting is held. They have studied each item on the agenda and have consulted with Department of Transportation staff when necessary. If no additional facts are presented at the meeting, they often act on matters, particularly routine ones, without further discussion. In order to streamline the meetings the Board has adopted the "consent agenda" format, allowing agenda items to be voted on en masse unless discussion is requested by one of the board members or Department of Transportation staff members.

BOARD CONTACT

Transportation Board members encourage citizens to contact them regarding transportation-related issues. Board members may be contacted through the Arizona Department of Transportation, 206 South 17th Avenue, Phoenix, Arizona 85007, Telephone (602) 712-4259.

NOTICE OF PUBLIC SPECIAL BOARD MEETING OF THE STATE TRANSPORTATION BOARD

Pursuant to A.R.S. Sec. 38-431.02, notice is hereby given to the members of the State Transportation Board and to the general public that the State Transportation Board will hold a board meeting open to the public on Friday, November 23, 2021, at 9:00 a.m. The Board may vote to go into Executive Session to discuss certain matters, which will not be open to the public. Members of the Transportation Board will attend by telephone conference call. The Board may modify the agenda order, if necessary.

EXECUTIVE SESSION OF THE STATE TRANSPORTATION BOARD

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Arizona State Transportation Board and to the general public that the Board may meet in Executive Session for discussion or consultation of legal advice with legal counsel at its meeting on Tuesday, November 23, 2021, relating to any items on the agenda. Pursuant to A.R.S. 38-431.03(A), the Board may, at its discretion, recess and reconvene the Executive Session as needed, relating to any items on the agenda.

CIVIL RIGHTS

Pursuant to Title VI of the Civil Rights Act of 1964, and the Americans with Disabilities Act (ADA), ADOT does not discriminate on the basis of race, color, national origin, age, sex or disability. Persons that require a reasonable accommodation based on language or disability should contact the Civil Rights Office at (602) 712-8946 or email

CivilRightsOffice@azdot.gov. Requests should be made as early as possible to ensure the state has an opportunity to address the accommodation.

De acuerdo con el título VI de la Ley de Derechos Civiles de 1964 y la Ley de Estadounidenses con Discapacidades (ADA por sus siglas en Inglés), el Departamento de Transporte de Arizona (ADOT por sus siglas en Inglés) no discrimina por raza, color, nacionalidad, edad, género o discapacidad. Personas que requieren asistencia (dentro de lo razonable) ya sea por idioma o por discapacidad deben ponerse en contacto con 602.712.8946. Las solicitudes deben hacerse lo más pronto posible para asegurar que el equipo encargado del proyecto tenga la oportunidad de hacer los arreglos necesarios.

AGENDA

A copy of the agenda for this meeting will be available at the office of the Transportation Board at 206 S. 17th Avenue, Phoenix, Arizona at least 24 hours in advance of the meeting.

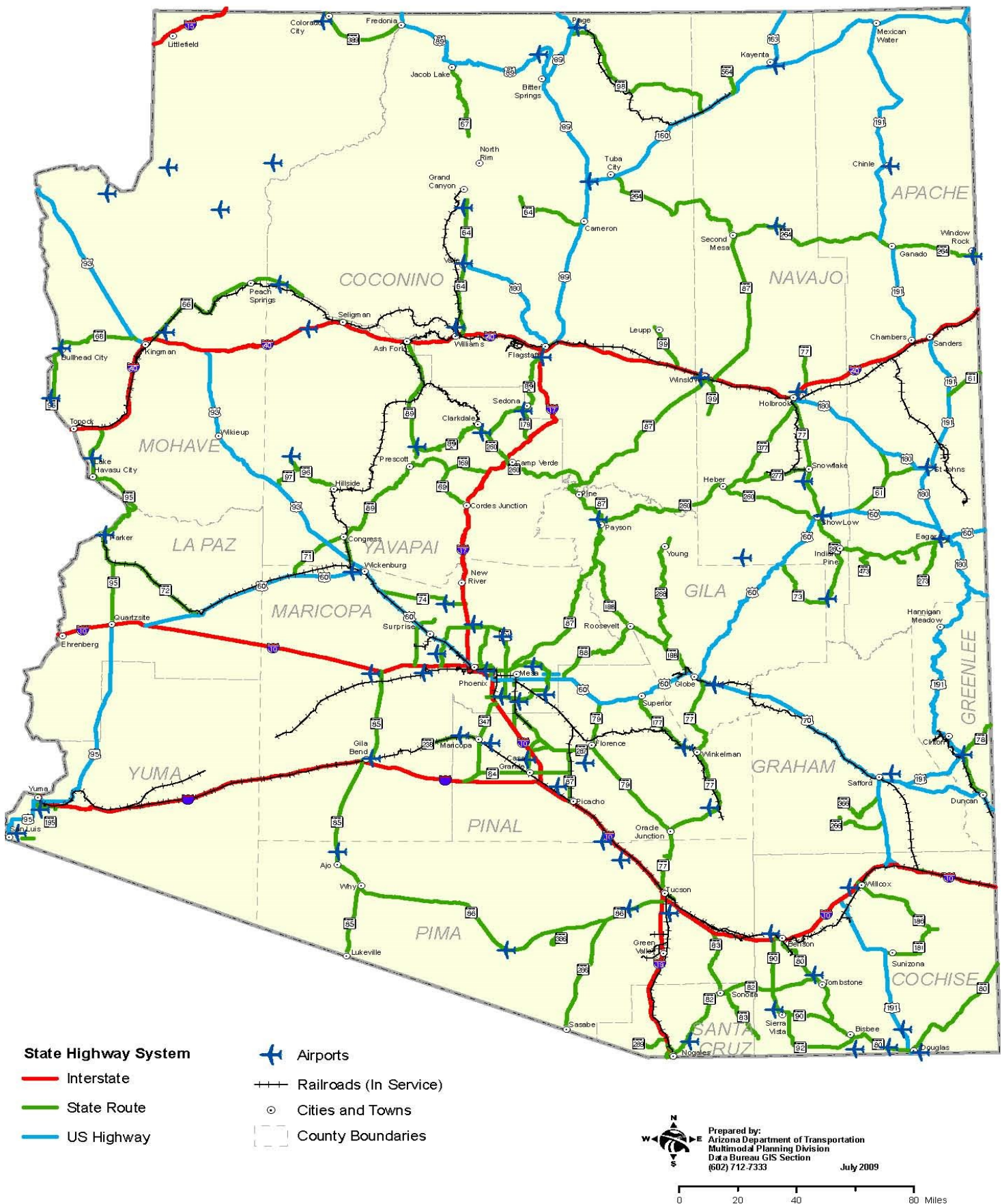
ORDER DEFERRAL AND ACCELERATIONS OF AGENDA ITEMS, VOTE WITHOUT DISCUSSION

In the interest of efficiency and economy of time, the Arizona Transportation Board, having already had the opportunity to become conversant with items on its agenda, will likely defer action in relation to certain items until after agenda items requiring discussion have been considered and voted upon by its members. After all such items to discuss have been acted upon, the items remaining on the Board's agenda will be expedited and action may be taken on deferred agenda items without discussion. It will be a decision of the Board itself as to which items will require discussion and which may be deferred for expedited action without discussion.

The Chairman will poll the members of the Board at the commencement of the meeting with regard to which items require discussion. Any agenda item identified by any Board member as one requiring discussion will be accelerated ahead of those items not identified as requiring discussion. All such accelerated agenda items will be individually considered and acted upon ahead of all other agenda items. With respect to all agenda items not accelerated, i.e., those items upon which action has been deferred until later in the meeting, the Chairman will entertain a single motion and a single second to that motion and will call for a single vote of the members without any discussion of any agenda items so grouped together and so singly acted upon. Accordingly, in the event any person desires to have the Board discuss any particular agenda item, such person should contact one of the Board members before the meeting or ADOT Staff, at 206 South 17th Avenue, Room 135, Phoenix, Arizona 85007, or by phone (602) 712-4259. Please be prepared to identify the specific agenda item or items of interest.

Dated this 22nd day November, 2021

Arizona Highways, Airports, and Railroads



ARIZONA STATE TRANSPORTATION BOARD

STATE TRANSPORTATION BOARD
SPECIAL TELEPHONIC ONLY
BOARD MEETING
304.907.1325 / ACCESS CODE 853 896 565#
11:30 a.m., Tuesday, November 23, 2021

Telephonic Pursuant to A.R.S. Sec. 38-431.02, notice is hereby given to the members of the State Transportation Board and to the general public that the State Transportation Board will hold a special telephonic only board meeting open to the public on Tuesday, November 23, 2021, at 11:30 a.m. The Board may vote to go into Executive Session, which will not be open to the public. The Board may modify the agenda order, if necessary.

Public Participation Members of the public who want to observe or participate in the Transportation Board meeting can only access the meeting by using the telephone number and access code shown above and also shown at the State Transportation Board website www.aztransportationboard.gov. Join the meeting as a participant and follow the instruction to use your telephone to enable audio. After joining the meeting, please mute your line by pressing *6.

EXECUTIVE SESSION OF THE STATE TRANSPORTATION BOARD

Pursuant to A.R.S. 38-431.03 (A)(3), notice is hereby given to the members of the Arizona State Transportation Board and to the general public that the Board may meet in Executive Session for discussion or consultation for legal advice with legal counsel at its meeting on Tuesday, November 23, 2021. The Board may, at its discretion, recess and reconvene the Executive Session as needed, relating to any items on the agenda.

PLEDGE

The Pledge of Allegiance led by Floyd Roehrich, Jr.

ROLL CALL

Roll call by Board Secretary

OPENING REMARKS

Opening remarks by Chairman Stratton

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, as amended.

Reminder to fill out survey cards by Floyd Roehrich, Jr.

https://docs.google.com/forms/d/e/1FAIpQLSc4D2Claw1iAlkGtVgGx_BqtrFgSE_ASd26of6JnVkd3HiKcg/viewform

CALL TO THE AUDIENCE (information only)

TELEPHONIC ONLY:

An opportunity for citizens to discuss items of interest with the Board. To address the Board please fill out a Request for Public Input Form and email the form to boardinfo@azdot.gov. Only the telephonic option is available. The form is located on the Transportation Board's website <http://aztransportationboard.gov/index.asp>. Request for Public Input Forms will be taken until 11:00 AM the morning of the Board Meeting. Since this is a telephonic only meeting, we ask everyone to mute their phone line after joining the meeting. Mute your phone line by pressing *6 on your telephone keypad. When your name is called to provide your comments, unmute your phone line by pressing *6 and you will have three minutes to make your comments. When you finish your comments, please press *6 to mute your line.

A three minute time limit will be imposed.

SPECIAL TELEPHONIC ONLY BOARD MEETING

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***ITEM 1: RIGHT OF WAY RESOLUTION (action as noted):**

Staff will present right of way resolution NO.2021-11-A-039 for board approval.
(For discussion and possible action — Dallas Hammit, Deputy Director of Transportation /
State Engineer)

RES. NO. 2021-11-A-039

PROJECT: AZM-600-5-701

HIGHWAY: EAST PAPAGO (RED MOUNTAIN FREEWAY)

SECTION: Jct. I-10 – 44th St.

ROUTE NO.: State Route 202 Loop

DISTRICT: Central

COUNTY: Maricopa

DISPOSAL: D – C – 101

RECOMMENDATION: Extinguish and relinquish all right, title, and interest in and to that certain easement right of way acquired for public roadway and drainage retention purposes under Arizona State Land Department Agreement No. 16-91011, dated June 26, 1986, that is no longer needed for the State Transportation System.

***Adjournment**

*ITEMS that may require Board Action

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REPORT AND RECOMMENDATION

TO THE HONORABLE ARIZONA STATE TRANSPORTATION BOARD:

The Infrastructure Delivery and Operations Division has made a thorough investigation concerning the vacation and extinguishment of a certain portion of highway drainage easement right of way originally acquired for use within the above referenced project.

Being the Preliminary Transportation Corridor recommended by the Regional Council of the Maricopa Association of Governments, the right of way to be vacated and extinguished was previously adopted and approved as the State Route Plan for the East Papago Highway, a future controlled access highway, by Arizona State Transportation Board Resolution 84-02-A-05, dated February 17, 1984. The Resolution provided for advance acquisition; and corridor rights and access control were established as an integral part of the highway, therein designated as State Route 217. Resolution 86-10-A-66 of September 19, 1986, established the East Papago Highway Corridor right of way from 25th Street east to 44th Street as a state highway. Thereafter, Resolution 87-11-A-105, dated December 18, 1987, renumbered and redesignated State Routes 216, 217, and part of State Route 220 as the Red Mountain Freeway portion of the State Route 202 Loop.

Said portion of highway drainage easement right of way is no longer required in the State Transportation System, nor will it necessarily be used for public highway purposes.

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Accordingly, I recommend that said portion of highway drainage easement right of way be removed from the State Transportation System by vacation and extinguishment thereof, in accordance with Arizona Revised Statute §28-7214.

This resolution is considered the only document necessary to vacate and extinguish said portion of highway drainage easement right of way; and no other instrument of conveyance is legally required.

The portion of highway drainage easement right of way to be vacated and extinguished was acquired by the State of Arizona, by and through its Department of Transportation, for roadway, drainage, and storm water runoff retention basin purposes, through that certain Arizona State Land Department Right of Way Agreement No. 16-91011, dated June 26, 1986. It is delineated on maps and plans on file in the office of the State Engineer, Infrastructure Delivery and Operations Division, Phoenix, Arizona, entitled: "Right of Way Plan of the EAST PAPAGO, Jct. I-10 - 44th St., Project AZM-600-5-701", and is shown in Appendix "A" attached hereto.

All other rights of way, easements and appurtenances thereto, subject to the provisions of Arizona Revised Statutes §28-7210, shall continue as they existed prior to the vacation and extinguishment of the portion of highway drainage easement right of way depicted in Appendix "A".

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The vacation and extinguishment becomes effective upon recordation in the Office of the County Recorder in accordance with Arizona Revised Statutes §28-7213; and this resolution is considered the only document necessary to vacate and extinguish said portion of highway drainage easement right of way; and no other instrument of conveyance is legally required.

Pursuant to Arizona Revised Statutes §§28-7046 and 28-7214, I recommend the adoption of a resolution making this recommendation effective.

Respectfully submitted,

DALLAS L. HAMMIT, Deputy Director
for Transportation / State Engineer
Arizona Department of Transportation

ARIZONA DEPARTMENT OF TRANSPORTATION
 205 South 17th Avenue
 R/W Titles Section, MD 612E
 Phoenix, Arizona 85007-3212

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RESOLUTION OF EXTINGUISHMENT

DALLAS L. HAMMIT, Deputy Director for Transportation and State Engineer of the Arizona Department of Transportation, on November 23, 2021, presented and filed with the Arizona State Transportation Board his written report under Arizona Revised Statutes §§28-7046, 28-7210, and 28-7214, recommending removal of a certain portion of highway drainage easement right of way from the State Transportation System by the vacation and extinguishment thereof.

Said portion of highway drainage easement right of way is no longer required in the State Transportation System, nor will it necessarily be used for public highway purposes.

Accordingly, it is recommended that said portion of highway drainage easement right of way be removed from the State Transportation System by vacation and extinguishment thereof, in accordance with Arizona Revised Statute §28-7214.

The portion of highway drainage easement right of way to be vacated and extinguished was acquired by the State of Arizona, by and through its Department of Transportation, for roadway, drainage, and storm water runoff retention basin purposes, through that certain Arizona State Land Department Right of Way Agreement No. 16-91011, dated June 26, 1986. It is delineated on maps and plans on file in the office of the State Engineer, Infrastructure Delivery and Operations Division, Phoenix, Arizona, entitled: "Right of Way Plan of the EAST PAPAGO, Jct. I-10 - 44th St., Project AZM-600-5-701", and is shown in Appendix "A" attached hereto.

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This resolution is considered the only document necessary to vacate and extinguish said portion of highway drainage easement right of way; and no other instrument of conveyance is legally required.

WHEREAS said portion of highway drainage easement right of way is no longer needed for State transportation purposes, nor will it necessarily be used for public highway purposes; and

WHEREAS a remaining portion of highway drainage easement right of way is still needed for State transportation purposes and is to be used for public highway purposes; and

WHEREAS this resolution is considered the only document necessary to vacate and extinguish said portion of highway drainage easement right of way; and no other instrument of conveyance is legally required; and

WHEREAS because of these premises, this Board finds public convenience requires that said portion of highway drainage easement right of way be removed from the State Transportation System by vacation and extinguishment; therefore be it

RESOLVED that the recommendation of the Deputy Director is adopted and made a part of this resolution; be it further

RESOLVED that the portion of highway drainage easement right of way no longer needed for State transportation purposes, is removed by vacation and extinguishment from the State Transportation System; be it further

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RESOLVED that this vacation and extinguishment becomes effective upon recordation in the Office of the County Recorder in accordance with Arizona Revised Statutes §28-7213; and that this resolution is the only document necessary to vacate and extinguish said portion of highway drainage easement right of way; and no other instrument of conveyance is legally required; be it further

RESOLVED that the remaining portion of the highway easement right of way not being disposed herein shall remain in the State Transportation System for use as such.

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CERTIFICATION

I, DALLAS L. HAMMIT, Deputy Director for Transportation and State Engineer of the Arizona Department of Transportation, do hereby certify that the foregoing is a true and correct copy from the minutes of the Arizona State Transportation Board, made in official session on November 23, 2021.

IN WITNESS WHEREOF I have hereunto set my hand and the official seal of the Arizona State Transportation Board on November 23, 2021.

DALLAS L. HAMMIT, Deputy Director
for Transportation / State Engineer
Arizona Department of Transportation

Seal

