

March 24, 2006

To: ODOT  
Art Anderson and Debbie Timms

Cc: Senator Alan Bates and Representative Peter Buckley  
Mayor Vicki Bear, Phoenix City Council, Jim Wear and Jeannell Wyntergreen

Re: Proposed process improvements, guidelines, and changes for both the  
Citizens Advisory Committee (CAC) and the Project Development Team (PDT)  
of the Fern Valley Interchange

On Monday, February 27, 2006 at a meeting hosted by the Phoenix Association of Business and Property Owners in concert with concerned citizens, and attended by our State Representatives, Senator Alan Bates and Representative Peter Buckley, as well as by Art Anderson of ODOT, Mr. Anderson was asked, in the course of the evening, whether ODOT would entertain suggestions for changing and restructuring how the CAC and PDT were organized and how they function and operate.

In response to that question, Mr. Anderson responded, "Of course, put your suggestions in writing."

Per Mr. Anderson's invitation, we are hereby doing that.

Please find attached two documents listing proposed changes and new guidelines we feel are instrumental to the effectiveness and transparency of both these crucial bodies in performing their jobs. We request that these changes and guidelines be immediately and fully adopted and implemented prior to both these bodies continuing in their missions.

These proposals and guidelines are also being presented to the Phoenix City Council with a request that they formally endorse their recommendation and implementation.

We respectfully request that these guidelines be discussed, acted upon and implemented as early as the next CAC meeting currently scheduled for April 5, 2006, and subsequently be forwarded to the next PDT meeting for further adoption and implementation.

We thank all of you at ODOT for your continuing efforts to partner with us and with the City of Phoenix in finding and creating the best solution for our community and our interchange.

**FERN VALLEY INTERCHANGE  
CITIZENS ADVISORY COMMITTEE (CAC)**

**PROPOSAL FOR PROCESS IMPROVEMENTS,  
GUIDELINES & CHANGES**

We, the people of the City of Phoenix, in collaboration with the Phoenix Association of Business and Property Owners, numerous City of Phoenix staff and elected officials, and other concerned citizens, hereby propose to ODOT, to the CAC, and to the PDT, that the following guidelines and changes be adopted for improving the functionality, transparency, value and effectiveness of the Fern Valley Interchange (FVI) Citizens Advisory Committee (CAC).

Our intent in proposing these guidelines and changes is to ensure that the CAC operates to the highest standards of efficacy and public responsiveness, and that it also act independently of any undue influence by ODOT, RVCOG, or any other "official" pressures or preconceived notions (intended or otherwise) from "above."

These proposals and suggestions reflect the cumulative insight of current and former CAC members, frequent citizen guests at CAC meetings, our state representatives, and other interested parties who have observed or participated in the CAC process in Phoenix over the past two years.

**Guidelines & Changes for Implementation:**

1. All CAC members must sit facing the public.
  - We challenge you to name a single city council, commission or government body that sits with any portion of its back to the public.
2. Only one or two ODOT representatives should be seated at the main table.
  - The ODOT technical team and support staff can be standing by, in the audience or well to the side.
  - The current arrangement of ODOT personnel sitting elbow to elbow for the length of an entire table creates a formidable "wall of ODOT" that is intimidating and unnecessary. It should be changed.
3. Take public testimony and comments early in the meeting and again at the end.
4. Major proposals or ideas must undergo at least two meeting cycles before being put to a vote.
  - Every city council in the state must have a first and second hearing on all major actions that come before it.
5. All CAC meetings should be moderated and run by a neutral third party, to be chosen by a vote of the CAC with input from ODOT. That entity should not be a member of the CAC, an elected Phoenix city official, or an employee of either ODOT or RVCOG.
  - The role and neutrality of RVCOG in this process has been compromised and must be reevaluated and possibly discontinued.
  - This entity shall also be responsible for clarifying or finalizing the language of any action or actions to be voted upon by the CAC.
6. Meeting agendas should be established by the same neutral third party (not by ODOT), with input from ODOT, CAC members and the public as to what items should be on any given meeting's agenda.
  - A "CAC Comfort Check" discussion must be included on each meeting's agenda.
7. CAC members must make contact with the public they represent and bring to the table, on behalf of their constituencies, comments and suggestions that they have gathered.
  - This too should be a regular agenda item.
  - The CAC subcommittees currently being formed may go a long way toward fulfilling this requirement and need.

8. ODOT must bring to the table an attitude of "How can we serve you to make your ideas work?" rather than "Forget it, you can't do this, it'll never work, the state/feds won't allow it."
  - Without this significant attitude adjustment, this process will merely bog down again and again. This item is critical.
9. CAC members must take responsibility for requesting and receiving all the information and answers they need prior to voting or taking any position.
  - Informed independent transparent decision-making is the duty of every CAC member.
  - Per the challenge from our State Representatives, it is incumbent upon every CAC member to refuse to vote or proceed if they do not have the information or answers required to make a genuinely informed decision.
10. Copies of all minutes, maps (both rejected and forwarded) and other information reviewed and/or acted upon by the CAC and PDT and/or presented by ODOT must be made more accessible to the general public, with copies to be physically located in the community of Phoenix.
  - This would include copies of all CAC and PDT minutes, materials, maps and Powerpoint presentations, including those displayed by ODOT at the March 1, 2006 open house.
  - These could be in the form of 8.5 x 11 reductions.
  - Copies should be maintained, at a minimum, at Phoenix City Hall, the Phoenix Public Library, and the Phoenix Post Office.
  - This information should be updated as frequently as practicable, with an appointed ODOT employee charged with making the reductions in a timely fashion, and a designated CAC or ODOT member to deliver the updates to City Hall, the Library and Post Office.
  - Local availability of these materials should be publicized to the community.
11. ODOT's FVI website must also be revised immediately to reflect all that has happened in the past several months, plus updated regularly and accurately, within one week of all CAC and PDT meetings.
  - This shall include minutes, latest news, newly discussed or adopted alternatives, timelines, member changes, etc.
  - One ODOT and one CAC member should be designated to ensure compliance.
12. All official ODOT communications, PR and media (including the publication "Moving Forward with ODOT") must be completely up-to-date and accurately reflect the truth of all processes and decisions as well as controversies and opposing sides of ongoing debates. In short, stop the spin and tell the truth.
13. The names, email addresses and phone numbers of all current CAC and PDT members must be posted on ODOT's FVI website and be kept current at all times.
14. The CAC and PDT must revisit and redefine the project's "Purpose and Need" to meet the newly defined, more limited scope of the project as publicly acknowledged by ODOT (Art Anderson and Debbie Timms), our State Representatives (Dr. Alan Bates and Peter Buckley), the City of Phoenix (Mayor Bear, Jim Wear, and various Councilors), and The Phoenix Association of Business and Property Owners in concert with concerned citizens.

It is our sincere belief that only by adopting and implementing the guidelines and changes proposed above can the CAC reestablish and affirm the credibility it requires to move forward on its mission of bringing to the public, on their behalf, the absolute best, most reasonable, safe, sane, effective, fiscally responsible, least negatively impactful, long-term solution possible for the design and creation of our community's Fern Valley Interchange.

It may even be possible that what ODOT and our community accomplishes here can serve as a model for how projects such as these will be deliberated throughout the state for years to come.

To do the most good, while doing the least harm. That must be the goal of this entire project from beginning to end.

**SUMMARY OF ACTION ITEMS  
to be taken by  
FERN VALLEY INTERCHANGE  
CITIZENS ADVISORY COMMITTEE (CAC)**

**April, 2006**

- 1) Fill CAC vacancies.
- 2) Adopt these guidelines and immediately implement all changes.
- 3) Elect a neutral, third-party moderator to run the meetings and set agendas.
- 4) Redefine the project's "Purpose and Need."
- 5) Study, review and choose new alternative(s).

**FERN VALLEY INTERCHANGE  
PROJECT DEVELOPMENT TEAM (PDT)**

**PROPOSAL FOR PROCESS IMPROVEMENTS,  
CHANGE OF VENUE FOR MEETINGS,  
AND OTHER GUIDELINES & CHANGES**

We, the people of the City of Phoenix, in collaboration with the Phoenix Association of Business and Property Owners, numerous City of Phoenix staff and elected officials, and other concerned citizens, hereby propose to ODOT, to the PDT, and to the CAC, that the following guidelines and changes be adopted for improving the functionality, transparency, value and effectiveness of the Fern Valley Interchange (FVI) Project Development Team (PDT).

Our intent in proposing these guidelines and changes is to ensure that the PDT operates to the highest standards of efficacy and public responsiveness. We further seek to ensure that the voices of the citizens, both directly and through their Citizens Advisory Committee (CAC), are fully heard, acknowledged and embraced by the PDT as they make their ultimate, final decisions—decisions that will irrevocably affect every resident, business and property owner in the Phoenix community in the foreseeable future.

These proposals and suggestions reflect the cumulative insight of current and former PDT and CAC members, citizen guests at PDT and CAC meetings, our state representatives, and other interested parties who have observed or participated in the Fern Valley PDT process over the past two years.

**Guidelines & Changes for Implementation:**

1. PDT meetings should be scheduled no sooner than two weeks after the most recent CAC meeting.
  - Adequate time must be allowed for public review and comment.
  - Adequate time must be allowed for PDT review and informed decision-making.
2. PDT meetings must be held in the community of Phoenix, and at a time conducive to public attendance and involvement.
  - ODOT's White City offices (besides being difficult to find) are a significant distance from the affected community and its citizens and are not the right venue for these all-important meetings.
  - All PDT meetings must be held in or immediately near Phoenix. To do otherwise is ineffectual, is bad public policy, and is simply wrong.
  - Meetings should be held at 6 pm or other reasonable time conducive to attendance by more members of the public.
3. Take public testimony and comments early in the meeting and again at the end.
4. Final design alternatives must undergo at least two meeting cycles before being put to a vote.
  - Every city council in the state must have a first and second hearing on all major actions that come before it.
5. PDT members should attend all CAC meetings and should actively seek dialog with individual CAC members to ensure that the voices of the public are being heard and incorporated.
  - A designated member of the CAC might also be included as a PDT member.
6. ODOT must bring to all PDT meetings (as well as to CAC meetings) an attitude of "How can we make the alternatives selected by the CAC work?" rather than "Forget it, you can't do this, it'll never work, the state/feds won't allow it."
  - This item is critical. Without this significant attitude adjustment, this process will merely bog down again and again.

7. PDT members must take responsibility for requesting and receiving all the information and answers they need prior to voting or taking any position.
  - Informed independent transparent decision-making must be the charge for every PDT member.
  - Per the challenge from our State Representatives, it is incumbent upon every PDT member to refuse to vote or proceed if they do not have the information or answers required to make a genuinely informed decision.
8. The PDT (and CAC) must revisit and redefine the project's "Purpose and Need" to meet the newly defined, more limited scope of the project as publicly acknowledged by ODOT (Art Anderson and Debbie Timms), our State Representatives (Dr. Alan Bates and Peter Buckley), the City of Phoenix (Mayor Bear, Jim Wear, and various Councilors), and The Phoenix Association of Business and Property Owners in concert with concerned citizens.

No body of individuals has as much power, influence and supremacy over how the citizens, businesses and traveling public of the greater Phoenix community will live, enjoy and benefit—or not—from the decisions it ultimately makes as these, the individuals on the Fern Valley Project Development Team. (And it is of some interest and concern that only two of these members actually reside in the Phoenix community.)

These people are it, the end all and be all, for better or worse. And the process must ensure that they make their decisions and wield their power in as open, able and high-minded a fashion as possible.

It is our sincere belief that by adopting and implementing the guidelines and changes proposed above, the PDT will stand more firmly on higher ground as they press ahead in deciding for all of us the absolute best, most reasonable, safe, sane, effective, fiscally responsible, least negatively impactful, long-term solution possible for the design and creation of our community's Fern Valley Interchange.

To do the most good, while doing the least harm. That must be the goal of this entire project from beginning to end.

**SUMMARY OF ACTION ITEMS  
to be taken by**

**FERN VALLEY INTERCHANGE  
PROJECT DEVELOPMENT TEAM (PDT)**

**April, 2006**

- 1) Fill PDT vacancies (if any).
- 2) Adopt these guidelines and immediately implement all changes.
- 3) Change the venue for all PDT meetings to the Phoenix community.  
Conduct meetings at a more reasonable time.  
Hold meetings no sooner than two weeks after the most recent CAC meeting.
- 4) Redefine the project's "Purpose and Need."
- 5) Study, review and choose new alternative(s).

March 24, 2006

To: Brian Sheadel, ODOT

Cc: Peter Schuytema, Christina Fera-Thomas, Art Anderson and Debbie Timms (ODOT)  
Senator Alan Bates and Representative Peter Buckley  
Mayor Vicki Bear, Phoenix City Council, Jim Wear and Jeannell Wyntergreen

Re: Modeling Guidelines  
to be applied to the Design and Construction of Fern Valley Interchange

Brian,

On behalf of the Phoenix Association of Business and Property Owners, Mayor Bear, and those members of the Phoenix City Council and Planning Commission in attendance, we extend our sincerest gratitude to you for joining us March 15th to review and discuss proposed new alternatives for the Fern Valley Interchange. We especially thank you for your warm and open-minded reception to the various new ideas and ways of both looking at and justifying the design alternatives proposed.

In the course of the evening, we discussed, under your guidance, formal ways by which we can justify a more modest alternative to the design and construction of the Fern Valley Interchange, consistent with the more limited scope of the project currently being supported by Art Anderson, our State Representatives, City of Phoenix officials, and residents of the community.

A number of suggestions were made to that end, and you asked us to put those suggestions in writing and forward them to you and to the ODOT technical team of engineers for further consideration and inclusion. Please find those suggested guidelines attached.

Our intent, as we discussed that night, is for ODOT to adopt these modeling guidelines as the standards by which to justify and support our proposed design alternatives when it comes to working out the technical numbers vis a vis traffic flows, VCs, queuing scenarios and related needs and requirements.

These proposed guidelines are also being presented to the Phoenix City Council with a request that they formally endorse their recommendation and implementation.

We thank you, and everyone at ODOT, for your continuing efforts to partner with us and with the City of Phoenix in finding and creating the best solution for our community and our interchange.

## **FERN VALLEY INTERCHANGE MODELING GUIDELINES PROPOSAL**

We, the Phoenix Association of Business and Property Owners, in collaboration with City of Phoenix staff and elected officials and other concerned citizens, hereby propose to ODOT, to the CAC, and to the PDT, that the following guidelines be adopted and applied in the modeling of traffic flows, VCs and queuing scenarios and requirements that will affect the ultimate design, outcome and development of the new Fern Valley Interchange.

Our intent in providing these guidelines is to demonstrate that with common sense application of phased modeling scenarios, we can safely and effectively build a Fern Valley Interchange today that will serve the needs and requirements of both the citizens of Phoenix and the traveling public for the next 20 years and beyond, while maintaining the least negative impact upon the lives and livelihoods of residents, travelers and business owners in and around Phoenix.

### **Phase 1 Years 1-10.**

1. Base diamond interchange (including new overpass bridge) with up to 6 lanes of traffic flow, including turn lanes as necessary.
2. Fern Valley Road widened to 6 lanes, including turn lanes as necessary, for its entire length from Hwy. 99 to N. Phoenix Road.
  - a. East Side of Fern Valley Road includes a dedicated right-only lane serving the truck stop and adjoining property and the existing Pear Tree Lane, as well as two left turn lanes onto N. Phoenix Road.
  - b. West Side of Fern Valley Road includes a widened Bear Creek Bridge and an alignment at Hwy. 99 as yet to be determined, but based on one of 2 models including:
    - i) its current terminus at Ray's Food Place, or
    - ii) the "Golden Triangle" solution of one-way roundabout-like traffic flowing between Fern Valley, Hwy. 99, and Bolz Road.
3. Highway 99 improvements, including turn lanes as necessary, no medians, and improved signalization, between Coleman Creek (just north of Cheryl Lane) and Bolz Road.
4.
  - a. Realignment of N. Phoenix Road around the east side of Arrowhead Ranch, with a free flowing connection to the existing N. Phoenix Road somewhere near Campbell Road.
  - b. Connector road between the newly aligned N. Phoenix Road, the soon to be built North (Home Depot) Street, and the existing N. Phoenix Road.

### **Phase 2 Years 10-15.**

1. Construction of an overpass at South Stage Road connecting Hwy. 99 with N. Phoenix Road.

### **Phase 3 Years 15-20 and beyond.**

1. Construction of a large-scale, regional interchange at South Stage Road, that will meet the growing needs of south Medford as well as Phoenix for years to come.

It is our firm belief that if ODOT models traffic flows as generated under the phased modeling scenarios proposed above, the numbers will concretely demonstrate that building a more modest Fern Valley Interchange today will more than adequately and safely meet the needs of our local and regional communities for the next 20 years and beyond.