

2009 RESOLUTIONS
OF THE
LEAGUE OF ARIZONA CITIES AND TOWNS

RESOLUTIONS FORMALLY ADOPTED
FOR THE
LEAGUE OF ARIZONA CITIES AND TOWNS
2009 POLICY STATEMENT

Cities and Towns support affordable housing efforts and recognize that the maintenance and continued funding of the Housing Trust Fund (“HTF”) administered by the Arizona Department of Housing is critical to addressing workforce and affordable housing challenges. This flexible funding source is particularly vital to smaller communities’ efforts to support the most vulnerable populations in achieving safe and decent housing.

Submitted by:

City of Flagstaff, City of Prescott, City of Sedona

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A. Purpose and Effect of Resolution

Support public efforts to provide suitable housing and the continued maintenance and funding of the Housing Trust Fund (“HTF”) administered by the Arizona Department of Housing. The HTF is a critical tool for communities in providing safe and decent housing for vulnerable and low-income populations, especially the smaller and rural communities. The funds have provided shelter for the homeless, emergency response to fire closures, health and safety repairs for the elderly and disabled, homeownership opportunities and many other important functions. For communities not eligible for Federal and alternative sources, which are available to major metropolitan communities, this resource is vital to serving those who are unable to help themselves. Additionally, the level of flexibility in the HTF allows it to serve populations outside what most Federal funding sources are restricted to. The HTF must be funded at a level able to sustain the valuable role it plays in Arizona’s housing.

B. Relevance to Municipal Policy

The support of the HTF will preserve cities’/towns’ ability to provide safe and decent housing for vulnerable populations. It can provide projects or act as leverage for local, Federal and private dollars which combine to produce expanded tangible benefit. The reduction of HTF funds restricts cities’/towns’ ability to provide safe and decent housing and shelter.

C. Fiscal Impact to Cities and Towns

The fiscal impact on cities/towns, if the HTF is restored and funded on an ongoing basis, is the sustained ability to apply for and utilize HTF dollars to serve vulnerable populations, react to urgent situations, and leverage outside funds to complete important projects. The \$10.2 million dollar existing reduction is funding not available to cities/towns and it is difficult to quantify the resources that are not able to be accessed due to a lack of HTF for leverage. Future reductions will serve only to further weaken communities.

D. Fiscal Impact to the State

The HTF is already a program of the State and has been a valuable and effective one. The preservation of its funding would potentially require reductions from other sources to address the current and anticipated State budget situation.

E. Contact Information

Name: Jim Wine
Phone: 928-779-7685, ext. 7299

Title: Deputy City Manager
Email: jwine@ci.flagstaff.az.us

Recommend that the State of Arizona continue to support retention of existing economic development tools and programs and increase access to new tools for cities to help them remain competitive nationally and internationally. Economic development remains a strong driver to the State's economy by providing high wage jobs and thereby increasing revenues to municipalities and the State.

Submitted by:

City of Flagstaff , City of Wilcox, Town of Buckeye, Town of Queen Creek, City of Yuma

A. Purpose and Effect of Resolution

Although a resolution addressing economic development was submitted last year and was accepted by the committee it is important that economic development continue to be a goal for the League given that 91% of the state's income tax revenues come from municipalities. Cities and towns are the economic engines that positively impact the state's well being.

In order to attract new, high-wage jobs to Arizona to sustain our economic health it is crucial that we have adequate funded tools to be competitive. Cities and towns need additional support from the State for new job attraction because they frequently must compete with not only a city in another state but also with a state government. In addition, we are now often competing internationally for companies. Arizona's competitive edge against these areas has been diminished. The purpose of this resolution is to maintain existing program like the GPLET and job training funding while identifying and implementing new programs that assist municipalities in their efforts to attract new business, keep current business, and retain business expansion in the state.

B. Relevance to Municipal Policy

The disparity between the cost of living and availability of good paying jobs is significant, especially in Flagstaff and other rural communities. High wage jobs are critical for the economic health of Arizona's cities and towns. Unfortunately Arizona lacks the economic tools and funding to assist municipalities in attracting high-wage employers. Individual municipalities require significantly more financial incentives than can be provided solely through local funding in order to be successful.

C. Fiscal Impact to Cities and Towns

Attracting high wage paying businesses improves the local economy and creates tax dollars for the entire state. Increased state assistance can make the difference in the effort to attract new business to Arizona or to assist a local business that is considering expanding in another state rather than expanding in Arizona.

D. Fiscal Impact to the State

Creating and funding economic development programs to support local government's efforts to bring business to Arizona, both the state and municipalities would experience increased employment and tax revenues. Existing programs need to be maintained and reinforced to remain competitive.

E. Contact Information

Name: Jim Wine
Phone: 928-779-7685, ext. 7299

Title: Deputy City Manager
Email: jwine@ci.flagstaff.az.us

Urges the Legislature to modify state liquor laws to enhance the ability of municipalities to address community-related problems associated with liquor establishments, such as requiring the Department of Liquor Licenses and Control and the State Liquor Board give greater consideration to city recommendations on proposed liquor licenses.

Submitted by:

City of Prescott, Town of Prescott Valley, City of Scottsdale, City of Cottonwood, City of Phoenix, City of Bullhead City, City of Kingman

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A. Purpose and Effect of Resolution

This resolution proposes to modify state liquor laws to improve the ability of municipalities to address public safety and quality of life concerns associated with problem liquor establishments, primarily through the State Liquor Department and Board. Some examples are as follows:

- 1) Allow cities to request a hearing of the State Liquor Board at the time of renewal for existing licenses when sufficient reason exists to request the Board to not renew the license; and/or
- 2) Create a 12-month provisional permit for licenses when a municipality recommends denial of a license but the Board grants approval; and/or
- 3) Modify the definition of licensed premises to include parking lots of bars and liquor stores; and/or
- 4) Hold license applicants accountable to commitments made during the application process.
- 5) Modify the membership of the State Liquor Board to include a municipal law enforcement representative.
- 6) Give careful consideration to a municipality’s concerns regarding the owner/manager, particularly when factual research demonstrates poor past performance.

B. Relevance to Municipal Policy

Poorly managed liquor establishments pose considerable problems for law enforcement and surrounding neighborhoods, such as crime, noise violations and parking issues. Reforms to liquor laws increasing the consideration of impacts to neighborhoods would greatly enhance the ability of municipalities to protect public safety and quality of life in these neighborhoods. Legislation addressing problem liquor establishments and changes to Arizona liquor laws have been an ongoing challenge for cities and towns. Cities and towns should have the ability to plan their communities as they believe best, including the location and operation of liquor establishments. The proposed provisions allow cities to have a greater role in the liquor licensing process for liquor establishments to ensure that are addressed.

C. Importance of Resolution to Your City or Town

Legislation addressing problem liquor establishments and changes to Arizona liquor laws have been an ongoing challenge for cities and towns. Cities and towns should have the ability to plan their communities as they believe best, including the location and operation of liquor establishments. The proposed provisions allow cities to have a greater role in the liquor licensing process for liquor establishments to ensure that are addressed.

D. Fiscal Impact to Cities and Towns

These provisions should result in fewer police calls for liquor establishment-related incidents, reducing the need for law enforcement resources and increased costs to cities and towns.

E. Fiscal Impact to the State

Anticipated costs to the State would be minimal, primarily one time administrative implementation costs by the State Liquor Department and Board.

F. Contact Information

Name: Connie Tucker
Phone: (928) 777-1144

Title: Management Analyst
Email: connie.tucker@cityofprescott.net

Urges the Legislature to modify State Statutes to allow cities and towns to request a price range in a Request for Proposal or Statement of Qualification solicitation for Professional Services.

Submitted by:

City of Prescott, Town of Prescott Valley, City of Bullhead City

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A. Purpose and Effect of Resolution

This resolution proposes to modify State Statutes 34-103 and 34-603 to allow municipalities to request a price range for the fees associated with the services listed in a Request for Proposal/Statement of Qualifications (RFP/SOQ) solicitation. The price range will only be one of several criteria used to evaluate the proposals and would not be allowed to be weighted more than 20% of the total score.

B. Relevance to Municipal Policy

34-103 does not allow a municipality to consider fees for services in the selection process for certain professional services. This has led to many instances where municipalities spend weeks in the selection process and find that the fees charged by the #1 rated firm far exceed the budgeted amount. The municipality is then required to restart the negotiation process with the #2 firm, and so on until a fee within the budgeted amount is agreed upon. In some cases, the municipality has to reissue the RFP/SOQ because they are unable to reach an agreement on fees, resulting in months of delay in starting a project and increasing the costs associated with the project.

The RFP/SOQ process is an important component of any municipality's Capital Improvement Program. Any delay to the process will ultimately result in increased costs to the citizens of the municipality. Having the ability to evaluate the fee structure range at the beginning of the process will enable a municipality to save time and start the project sooner.

C. Importance of Resolution to Your City or Town

The RFP/SOQ process is an important component of any municipality's Capital Improvement Program. Any delay to the process will ultimately result in increased costs to the citizens of the municipality. Having the ability to evaluate the fee structure range at the beginning of the process will enable a municipality to save time and start the project sooner.

D. Fiscal Impact to Cities and Towns

This provision should allow municipalities more timely completion of their needed capital projects and other projects requiring professional services, as well as ultimately saving the taxpayers money.

E. Fiscal Impact to the State

There should be no increased fiscal impact to the State.

F. Contact Information

Name: Connie Tucker,
Phone: (928) 777-1144

Title: Management Analyst
Email: connie.tucker@cityofprescott.net

Urges the Governor and the State Legislature to develop and pass legislation that supports the implementation of the 2006 recommendations from the Governor's Emergency Medical Services Access Task Force to address the shortage of physicians in the State of Arizona. The League encourages the Legislature to be consistent with Task Force recommendations, including: expanding the level of Graduate Medical Education (GME) funding; expanding medical school capacity within the state universities; addressing issues affecting the attraction and retention of physicians from out-of-state; reducing obstacles to medical practice in Arizona; and addressing any other major issues that affect a physician's decision to locate or remain in Arizona to practice.

Submitted by:

City of Sierra Vista, City of Flagstaff, Town of Huachuca City, City of Willcox, City of Douglas, City of Bisbee, City of Benson, Town of Oro Valley, City of Prescott

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A. Purpose and Effect of Resolution

Part II of the 2005 Arizona Physician Workforce Study, conducted by specialists from the University of Arizona and Arizona State University, identified that since 1992 to 2004, Arizona's physician supply is not keeping up with its population growth. The situation has not gotten any better. Arizona has 219 physicians per 100,000 population, well below the national average of 293 per 100,000. Rural communities in the state are affected by the shortage even more, with one county at under 60 physicians per 100,000. Specialty physicians are particularly difficult to recruit and retain. By way of example, the City of Sierra Vista's regional hospital is now the only location in all of Cochise County in which a woman can deliver a baby outside of a setting in which emergency services are available.

On May 25, 2006, Governor Napolitano signed Executive Order 2006-09, forming the Emergency Medical Services Access Task Force. This Task Force obtained and reviewed data and public input on the issue of physician shortage, with an emphasis on access to emergency care. The Task Force developed a number of recommendations that were presented in a report on December 13, 2006. No legislation has been implemented to improve the situation to date.

Since approximately 60% of physicians who complete their training in Arizona teaching hospitals remain to practice within the state, enhancing the Graduate Medical Education (GME) program is a critical component to addressing this shortfall; one of the Task Force's recommendations. The Task Force also recommended reducing obstacles to medical practice in Arizona. Recruitment and retention of physicians is hampered throughout the state by higher professional liability premiums as compared to other states, and this is certainly an obstacle needing attention.

B. Relevance to Municipal Policy

Health care is a key component of the overall quality of life for any community. It is an attraction and retention component for both business and military activities, both of which are the backbone of the state's economy. An adequate supply of physicians is the foundation of quality healthcare, and although most barriers to physician recruitment and retention are beyond the direct control of local government, the health of our citizens should be a strong consideration for local legislative input and advocacy. The National League of Cities has incorporated citizen health in its overall federal legislative platform by developing and advocating for health programs for children and youth.

C. Importance of Resolution to Your City or Town

There should be no negative fiscal impact on Cities and Towns. To the contrary, not only will there be an intrinsic gain to Cities and Towns in overall quality of life of their residents if accessibility to health care is improved, but all communities in the state can use improved health care as an economic development tool in the future.

D. Fiscal Impact to Cities and Towns

Implementation of some of the Task Force recommendations will require additional investment by the state in medical education. However, some recommendations can be implemented with little to no affect on state finances. But like the cities and towns, improvement in access to health care results in an improvement in the ability of the State to attract

corporations who value health care access as a major factor in relocation to Arizona. In addition, more physicians in the rural areas of the state will reduce the number of trips on already overcrowded roadways that residents from those areas make to the Phoenix or Tucson metropolitan areas to seek treatment.

E. Fiscal Impact to the State

None.

F. Contact Information

Name: Robert Blanchard
Phone: (520) 227-8338

Title: City Council Member
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Urge the State Legislature to adopt legislation establishing a uniform property tax assessment methodology for deed-restricted housing created under an affordable housing program that recognizes the limited profits owners of deed-restricted housing can realize.

Submitted by:

City of Sedona, Town of Camp Verde

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A. Purpose and Effect of Resolution

Cities and towns with affordable housing programs are increasingly focused on ensuring that any affordable housing created remains affordable to the target population for an extended period of time. The initial purchase price of a home created under an affordable housing program is below what the home would sell for at full market price. Owners agree through deed restriction to limit the price at which the homes can be resold to ensure that the homes remain affordable. In Arizona there is no standard methodology for assessing deed-restricted housing, and County Assessors individually determine how to assess such properties. Some assess deed-restricted housing using the same market value as surrounding market rate properties, and some create a category of deed-restricted housing that recognizes the below-market sales prices and the significant limitation on profit that the owners can realize. As Assessors change, there is always the possibility that a different assessment methodology could be applied to deed-restricted housing. In cases where deed-restricted housing is sold and resold well below market value but are taxed as if owners are realizing the same gains as any other homeowner, over time taxes can make the home unaffordable, especially in areas with high property values.

B. Relevance to Municipal Policy

Cities and towns with affordable housing programs should be able to rely on taxes being assessed uniformly over time so that the homes are not lost as an affordable housing resource.

C. Fiscal Impact to Cities and Towns

Possible impact to cities or towns that levy property taxes. Also, changes to property tax/valuations could impact counties and thus schools.

D. Fiscal Impact to the State

There should be no direct impact to the State since it does not levy a property tax.

E. Contact Information

Name: Audree Juhlin
Phone: 928-204-7107

Title: Assistant to the Director, Community Development
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Amend Title 39-121.01(D) to allow additional fees for voluminous or substantial public records requests.

Submitted by:

City of Prescott, Town of Prescott Valley, City of Bullhead City

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A. Purpose and Effect of Resolution

Municipalities conduct hundreds of public records requests each year. While the majority of such requests are routine, and involve only minimal amounts of documents or a specific document, a small percentage of the records requests require intensive staff time to research and copy the requested records. At a time when municipal budgets are strained and staff increases are unlikely, these voluminous requests will have a significant impact on city staff. Amending Title 38 to provide for and cover the actual staff time and costs for these requests by allowing municipalities to assess a search fee and actual hourly fees to recoup the employee costs involved in fulfilling these voluminous requests will help prevent unduly burdensome and expensive requests, including frivolous type requests, from being foisted on the general public. Our proposal is that requests involving in excess of 100 pages of documents, or those which involve substantial amounts of research, location and assembly time by city staff, involving in excess of one hour of staff time (such as archival requests for voluminous documents, substantial historical and data base research, and many other such requests, which could also include requests such as all e-mails between two particular agencies or within a department, such as a police department, etc) be billed at the actual costs of the clerical and staff time for such personnel as are necessarily and actually involved in processing the request.

B. Relevance to Municipal Policy

Transparency is essential to municipal government and processing public records requests is one component of that transparency. However, some requests are tendered, whether inadvertently or otherwise, entailing undue expense and cost to local government and of course, ultimately the taxpayers. The amount of resources required to respond to a small percentage of voluminous records requests, and these appear to be increasing exponentially, are not adequately covered within the statutory limitations for fees. Often, huge boxes of archival material, e-mails, and massive document searches cause hours of staff time and expense. Currently there is no incentive for requesting parties not to focus their inquiries to what they actually are seeking and some of the many requests appear to be excessive or actually designed or intended to be burdensome or oppressive. Establishing a reasonable, actual cost fee for these searches will encourage persons to be more specific and directed in their public records requests and will ensure that the extreme costs and time involved in huge requests will not be an additional burden on already strained municipal resources.

Again, by way of example, some requests are very vague and over-broad, i.e. “all e-mails” when a city receives tens of thousands of e-mails in a week, or “all documents related to Project X” where Project X is a multi-phase, multi-year project that involves a literal truckload of documents. These types of requests involve excessive staff time, ultimately costing our citizens. Our city and many others have received numerous such requests this past year. If the requestors had to pay for the actual costs associated with these requests, the requestors may be inspired and would have incentive to narrow the scope of the request and limit it to the documents they truly want. Currently, there is no such incentive and no method for the government to recover the excessive time and costs foisted upon the taxpayers and municipal departments.

C. Fiscal Impact on Cities and Towns

Cities would be able to recover the actual costs associated with complying with the public records requests, allowing strained staff and financial resources to be used for local services. Requestors desiring huge truckloads of documents should reasonably bear the actual staff time and costs for their voluminous requests.

D. Fiscal Impact to the State

The State would also be able to recover its actual costs as well when processing public records requests.

E. Contact Information

Name: Connie Tucker,
Phone: (928) 777-1144

Title: Management Analyst
Email: connie.tucker@cityofprescott.net

Urges the Legislature to act on behalf of all cities and towns, asking for protection, authorization and full appropriations for funding of the Edward Byrne Memorial Justice Assistance Grant (Byrne/JAG Grant Program).

Submitted by:

City of Cottonwood, City of Prescott, Town of Chino Valley, Town of Camp Verde

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A. Purpose and Effect of Resolution

This resolution seeks to ensure future funding to the Byrne/JAG Program. The Byrne/JAG program is a partnership among federal, state and local governments to create safer communities. As our cities continue to grow and expand, drug trafficking, gang and violent crime threats grow with it. This program is vital to the funding of the Partners Against Narcotics Trafficking (PANT) program and other anti-drug/gang programs throughout Arizona. Byrne JAG funds are crucial to crime control and prevention programs that have contributed to nationwide reductions in crime. In the City of Cottonwood alone, with introduction and Byrne/JAG's fiscal support of a PANT office in our community, crime statistics were reduced a staggering 40%. Without this program, communities can not possibly provide the funds needed for narcotics team activities or drug abuse prevention and education activities.

B. Relevance to Municipal Policy

This would ensure funding of local narcotics task forces, reducing the devastating impact illegal substances have on our communities.

C. Fiscal Impact to Cities and Towns

Byrne/JAG funding was cut heavily in 2007, dropping from \$520 million to \$170 million. Passage of this desired legislation will continue to provide funding necessary for the protection and prevention activities offered by PANT which would otherwise not be possible. In turn, it would directly impact crime rates, insurance rates/losses, quality of living, increase prisoner costs, increase child abuse/neglect cases, decreased property values, etc, in our cities and towns.

D. Fiscal Impact to the State

The Bureau of Justice (BJS) determines the state allocations and awards them to the State Administering Agency (SAA) which is the Arizona Criminal Justice Commission (ACJC). These funds are then awarded on a competitive basis based on previously determined priorities. If this funding is not available, our state and nation would see an explosive increase in crime rate, decreased property values and quality of living environments, increased incarceration expenses, increased child abuse/neglect incidents, and increased unemployment to name only a few. This funding is essential to crime control in our communities.

E. Contact Information

Name: Diane Joens Title: Mayor
Phone: 928-634-5526 or 928-634-4112 Email: mayor@dianejoens.com

Urges the Arizona Congressional Delegation to work on comprehensive immigration reform at the Federal level.

Submitted by:

City of Prescott, Town of Prescott Valley

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A. Purpose and Effect of Resolution

Immigration reform is vital to the economic development of municipalities in Arizona. Comprehensive immigration reform is needed to address the current shortage of workers in Arizona in the service industries (such as restaurants, hotels, hospitals, landscapers to mention just a few). The League of Cities and Towns should send a letter to our congressional delegation containing the following recommendations:

1. Create a guest worker program. Most illegal immigrants come to the United States to work. A guest worker program would give them a chance to legally work in the United States. By allowing guest workers, U.S. authorities could focus on drug dealers and security hazards instead of job-seekers.
2. Secure the border, prevent illegal residents and workers.
3. Encourage the Federal Government to comprehensively address illegal immigration. Any mandates placed upon local jurisdictions to enforce federal immigration law should be fully reimbursed to the localities for any costs they incur.
4. Inform the public. Too many people still do not have an accurate picture of the full economic impact of immigrant labor.

B. Relevance to Municipal Policy

The Federal government has abdicated its responsibility to secure the borders and enforce immigration laws. Cities have been forced to take resources away from other local services to address immigration issues, straining local budgets. The current shortage of service workers has been further exacerbated through the employer sanctions law, as immigrant labor is leaving the state. Local businesses are at risk when they are unable to hire the workers needed to carry out their trade. As local businesses are affected, sales tax revenue to the cities declines, putting vital services at risk.

C. Fiscal Impact to Cities and Towns

Establishing a guest worker program would allow local authorities to use resources to provide needed services to their citizens instead of using the resources to enforce Federal immigration laws. The net impact would be more usable revenue that could be devoted to vital core programs. It would also have the added benefit of helping to stabilize sales tax revenues.

D. Fiscal Impact to the State

The State would also benefit from a guest worker program, as it too could use its resources on its citizens, and not on Federal immigration enforcement. Similar to the benefits for cities and towns, more usable revenue that could be devoted to vital core programs. For example, less State Police resources would need to be allocated to immigration enforcement issues.

E. Contact Information

Name: Connie Tucker,
Phone: (928) 777-1144

Title: Management Analyst
Email: connie.tucker@cityofprescott.net

Urges the Arizona State Legislature to amend the existing state statute (A.R.S. 13-602) to make property damage in the form of graffiti a class 1 misdemeanor.

Submitted by:

City of Phoenix, Town of Buckeye, City of Surprise, City of El Mirage, City of Peoria

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A. Purpose and Effect of Resolution

Graffiti crime continues to plague our cities and towns. Graffiti vandals rarely impact one site but instead spread their blighting impact on many properties throughout our communities. The cost to local governments and private property owners creates an unnecessary burden. For example, the City of Phoenix will spend an estimated \$4 million next fiscal year on graffiti removal, money that could be better spent on other important city services. Increasing the penalty related to this crime may raise the consequences associated with vandalizing properties with graffiti.

B. Relevance to Municipal Policy

Graffiti vandals do not recognize jurisdictional boundaries. Increasing the penalties may act as a deterrent, resulting in healthier communities and budget savings to local governments.

C. Fiscal Impact to Cities and Towns

There is no anticipated fiscal impact to cities and towns.

D. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

E. Contact Information

Name: John Wayne Gonzales
Phone: (602) 534-5271

Title: Intergovernmental Liaison
Email: john.wayne.gonzales@phoenix.gov

Urges the Arizona State Legislature to permit city and/or county water and wastewater providers to enter into mutual aid agreements with private utility companies in emergency situations.

Submitted by:

City of Phoenix, Town of Marana, City of Mesa, City of Peoria

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A. Purpose and Effect of Resolution

The Arizona Water and Wastewater Agency Response Network (AZWARN) is a voluntary statewide cooperative program that provides expedited access to the resources (equipment and manpower) needed to respond to a water or wastewater emergency that would cause a disruption. Arizona is the 23rd state to establish such a program. Currently, 10 jurisdictions, from Phoenix to Prescott Valley, are participating in the program.

State law prohibits local governments from entering into similar agreements with private utilities. City and county governments are permitted to exercise authority and enter into intergovernmental agreements only with one another. These agreements are negotiated prior to the services being needed, with the jurisdictions that choose to participate negotiating the assistance available and repayment options.

This resolution seeks a change in state law to specifically permit these agreements.

B. Relevance to Municipal Policy

These recommended changes would increase the ability for member agencies to respond to man-made or natural disasters in a timely manner, protecting our residents from any interruption of service.

C. Fiscal Impact to Cities and Towns

Only municipalities that voluntarily join AZWARN face the possibility of financial expenditures in case of emergency.

D. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

E. Contact Information

Name: John Wayne Gonzales
Phone: (602) 534-5271

Title: Intergovernmental Liaison
Email: john.wayne.gonzales@phoenix.gov

Urges the Legislature to amend the current candidate signature requirements for nonpartisan local elections to give a city or town the option to either utilize existing signature requirements or cap the number of required signatures at a set number. This would not impact recall, initiative, referenda, state or federal office signature requirements.

Submitted by:

City of Scottsdale, City of Chandler

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A. Purpose and Effect of Resolution

Under current Arizona law, candidates for City Council in at-large cities must collect valid signatures equal to five-percent of the total number of votes cast in the previous mayoral election. For cities with high voter turnout, this formula significantly increases the amount of signatures required to run for city council as compared to a similar sized city or town with a low or average voter turnout.

In 2006, the Legislature passed SB 1041 changing the election cycle of several cities from the spring to the fall. Historically, fall and/or presidential elections receive a higher percentage of voter turnout than spring elections which will cause the election signature requirement for these cities to rise even higher than it is currently

As an example, during the 2004 General Election, there were 109,469 votes cast in the City of Scottsdale. If the same number of people were to vote in the 2008 General Election and the Mayoral Election is decided at the same, a candidate for the 2010 City Council race will need to collect 5,473 valid signatures to have their name placed on the ballot.

In 2008, Representative Michele Reagan introduced HB 2385, which would have given cities the **option** of staying with the current system *or* capping the total amount of needed signatures at 1000. The legislation would not have affected district cities, nor would it have changed existing recall or initiative processes. HB 2385 failed to pass during this past session.

B. Relevance to Municipal Policy

Unfettered access to the election process is a cornerstone of our democracy. The current election signature requirements create an unnecessary burden and obstacle to those considering running for City Council in those affected cities. It should be adopted policy to encourage rather than discourage those willing to seek and serve the people of their communities as elected officials.

C. Fiscal Impact to Cities and Towns

There is no anticipated fiscal impact to cities and towns. There may be reduction in costs to validate submitted election signatures.

D. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

E. Contact Information

Name: Bridget Schwartz Manock
Phone: (480) 312-2423

Title: Government Relations Director
Email: BSchwartzManock@ScottsdaleAZ.gov

Requests that statutes, including A.R.S. §39-204, requiring publication of notices, agendas, reports, and other statutorily mandated publications, in a newspaper, be amended to allow cities and towns the option to publish on an official website.

Submitted by:

City of Yuma, Town of Quartzsite, City of Apache Junction, City of Nogales, City of Flagstaff, Town of Paradise Valley

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A. Purpose and Effect of Resolution

There are no less than 26 statutes, including 16 in Title 9, that require cities and towns to publish, in a newspaper, notices, agendas, financial reports, etc. These statutes specify the number of times a notice must be published and when and where publication must be made. Some statutes also dictate the size of the notice (e.g. quarter page) and the font size. Publication must be in a newspaper of general circulation, having "a bona fide list of paying subscribers", in the county where the city is located.

- o Yuma has only one local daily newspaper which has an average, county-wide, daily circulation of 21,000-22,000. In contrast with the newspaper, the City of Yuma website has an average of over 10,000 pages downloaded from the City website each week. (Data for the total number of website visits is not available, but is estimated to be much higher.)
- o The local newspaper in the City of Flagstaff has an average, county-wide, circulation of 11,500 Monday - Friday and 12,000 on Sunday. In 2007, the official site for the City of Flagstaff averaged 61,000 hits per day.
- o The City of Apache Junction has no local newspaper, but publishes in the Mesa Daily Tribune. The circulation figures for Apache Junction are unavailable. Website data was not available.
- o The local newspaper in the City of Nogales has an average, county-wide, twice-weekly circulation of 2800, compared to a population of nearly 24,000. Website visit data is not available at this time.
- o The Town of Paradise Valley has no local newspaper, but publishes in a regional newspaper. Paradise Valley has an average of 941 pages downloaded per day and approximately 9941 website visits per month.

Posting on an official website may reach more people, save money and be much more convenient to the user.

B. Relevance to Municipal Policy

Cities seek to provide the most information to the widest audience as quickly as possible. The internet is rapidly overtaking newspapers as the primary source of news and information. Posting required notices on an official website will reach a wider audience in less time and keep citizens better informed on matters that affect them.

C. Fiscal Impact to Cities and Towns

In FY 2006-2007 the City of Yuma spent \$110,194.81 on publication in the newspaper and \$106,523.52 in FY 2005-2006. (The rates are discounted based on a guaranteed amount of advertising each year.) The City of Apache Junction spends approximately \$60,000 annually on publication. The City of Nogales budgeted \$75,000 in 2007 for legal publications. The Town of Paradise Valley budgets \$32,000, and spends approximately \$16,000 annually. Allowing cities to publish on their website will free these funds for critical services.

D. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

E. Contact Information

Name: Connie Scoggins
Phone: (928) 373-5055

Title: Assistant City Attorney
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To ask the Legislature and the Governor to continue their support of policies that strengthen the mission viability of Arizona’s military installations.

Submitted by:

City of Avondale and City of Peoria

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A. Purpose and Effect of Resolution

The purpose of this resolution is to continue activities at the state level that enhance the mission viability of Arizona’s military installations. The military industry in Arizona is a key component of our local, regional and state economy. There are five (5) major military installations across Arizona: Davis-Monthan Air Force Base, Army Intelligence Center & Fort Huachuca, Luke Air Force Base, Yuma Army Proving Grounds and Marine Corp Air Station – Yuma.

Arizona has long been considered a model state for how it has passed laws to protect the missions of its military installations throughout the years. The Arizona Legislature has taken a variety of proactive steps in this regard, including (but not limited to) the creation of,

- enhanced notification requirements of proposed development in the vicinity of military airports;
- heightened disclosure on the sale of land within the vicinity of military airports;
- a chart of compatible land uses within high noise and accident potential zones;
- sound attenuation standards for development near military airports;
- statutes prohibiting natural gas storage facilities within nine miles of military airports;
- zoning protections around auxiliary fields to mirror those around primary military airports;
- a “Military Installation Fund” used to buy land near bases or finance infrastructure improvements;
- notification to potential homebuyers under military training routes of military activity overhead.

The effect of this resolution would be to encourage state lawmakers to stand behind these protections and improve upon them whenever possible. It is especially important that state and local leaders not take backward steps that could weaken these protections or programs in any way, especially as they come under challenge due to misinterpretation of the statutes or as a result of encroachment pressures from incompatible development.

This resolution would likewise provide an opportunity to inform fellow legislators about the tremendous economic impact military bases have on our state’s economy. It is our fiduciary responsibility to continue to be leaders in protecting our military bases, not only for the economic interests of the state, but also for our nation’s defense.

B. Relevance to Municipal Policy

Military bases in Arizona exert a profoundly positive social and economic impact on local governments throughout the state. At Luke Air Force Base alone, Base personnel volunteered over 100,000 hours in the community and entertained over 200,000 visitors for open house visits during 2007. Supporting the statutory protections and programs of Arizona’s military also helps to strengthen the operations of our state’s military bases. In this manner, we protect a constant and stable revenue source that stands impervious to fluctuations or downturns in the economy. Most cities throughout the State of Arizona are home to active duty, reservists or military retirees, thus making this resolution relevant to cities and towns statewide. Any disruptions to the missions of our military bases could significantly affect the local and state economies that benefit from their presence.

C. Fiscal Impact to Cities and Towns

On July 21, 2008 in Tucson, Governor Napolitano released a state-funded study entitled *Economic Impact of Arizona's Principal Military Operations – 2008*. According to the Governor's office, the report details the economic contributions of Arizona's major military installations. Arizona's military operations are increasingly important to the state's economy, creating and supporting tens of thousands of jobs and generating more than \$9 billion in revenue every year. The report examines the impact of the facilities themselves, as well as other economic activity that is generated by their presence.

The report found that the direct employment impact of the facilities is substantial. Nearly 46,000 employees (civilian included) are tied directly to the installations statewide -- as many jobs as created by Arizona's two largest private employers (Wal-Mart and Banner Health Systems). More than 96,000 employees were identified in direct, indirect and induced employment. This equals the number of workers at the state's top five employers.

The military, like other industry sectors in our economy, contracts for services and spends for operations, which is another key part of our State's economy. This generates private sector jobs while adding \$401 million in tax payments that keep our communities and state moving forward,

D. Fiscal Impact to the State

The State benefits from the military "industry," just as the cities and towns do as detailed in the economic impact report cited above. Unlike most other industries throughout Arizona, the funding of military operations, and the economic impact that results, is almost entirely independent of economic conditions. This makes the economic impact of the military in Arizona arguable one of the most important revenue generators the State relies on.

Arizona's commitment to funding military operations is relatively low. As part of the State's policies to maintain and enhance missions, the Governor and the Legislature created a Military Installation Fund (MIF). Beginning in fiscal year 2004-2005, \$4.825 million dollars began being appropriated from the State general fund to the MIF – a total of \$100 million over 20 years. Private property owners can apply for financial compensation associated with the impacts of land use restrictions for compatibility, high noise and accident potential zones near military installations. The MIF is a good faith effort to insure that property owners are compensated for the impact of owning property within close proximity to military bases.

Unfortunately, the MIF became targeted for cuts within the FY 2009 state budget. As lawmakers struggled to close an historic \$2 billion budget deficit, \$3 million was swept from existing MIF funds and the annually scheduled appropriation from the general fund to the MIF was reduced by an amount equal to its annual appropriation (\$4.8 million).

E. Contact Information

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Oppose efforts to impose federally mandated public safety collective bargaining on local governments.

Submitted by:

League Staff with approval of the resolutions subcommittee

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A. Purpose and Effect of Resolution

Oppose federal efforts to require cities and towns to follow federally mandated collective bargaining standards. This concept, contained in H.R. 980, passed the U.S. House of Representatives by a significant margin and currently is waiting for action in the U.S. Senate.

B. Relevance to Municipal Policy

The Public Safety Employer-Employee Cooperation Act of 2007 would severely damage the historic relationships that exist between state and local elected officials, their employees, and the constituents they represent. State, county, and municipal officials provide workers with excellent salaries, benefits and working conditions that are responsive to the fiscal needs and limitations of state, county and city governments, and reflect the priorities of the communities that elected officials represent. This legislation would force states and localities to adopt federal collective bargaining standards, disregard existing state laws and ordinances that were developed to create an effective and efficient public sector workforce, and place the needs of a select group of workers – public safety officers – in front of the larger needs of the community or other public sector employees. It would, quite simply, undermine state, county and municipal autonomy with respect to making fundamental employment decisions by mandating specific working conditions, including collective bargaining.

C. Fiscal Impact to Cities and Towns

The fiscal impact on cities/towns could be significant, particularly for cities and towns that presently do have collective bargaining.

D. Fiscal Impact to the State

None.

E. Contact Information

Name: Ken Strobeck
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Oppose the IRS pension reform rules that eliminate the “age plus years of service” formulas in public pensions.

Submitted by:

League Staff with approval of the resolutions subcommittee

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A. Purpose and Effect of Resolution

In May 2007, the IRS published Final Regulations in the Federal Register on distributions from a pension plan upon attainment of normal retirement age. For governmental plans, the changes are effective for plan years starting on or after January 1, 2009. (The Regulations do not allow for the fact that state and local governments have different legislative or constitutional processes with varying timelines that must be followed in order to change a governmental retirement plan.)

In August 2007, the IRS issued a Notice (See attached Plan Notice 2007-69), which, among other things, requested comments from sponsors of governmental plans on whether normal retirement age under such a plan may be based on years of service.

In December 2007, in response to the Notice, organizations representing governmental plans submitted comments outlining legitimate concerns with the Regulations. To date, the IRS has not responded to the Comment Letter and NLC, along with other groups that represent governmental plan sponsors, sent an additional letter to the IRS requesting an extension of the effective date by which governmental plans must be in compliance with the new regulations.

B. Relevance to Municipal Policy

Established pension plans in Arizona typically utilize an “age plus years of service” to determine an employee’s normal retirement age. The IRS rule is currently very vague but has potential to greatly impact existing plans. For example, the proposed minimum age range is 55-62 years old. It does not clarify if this rule would apply to existing employees, new employees in existing plans or only newly established plans after the rule becomes effective.

C. Fiscal Impact to Cities and Towns

Because of the proposal’s lack of details, the fiscal impact is difficult to determine. It possibly could lower overall pension obligations, since employees likely would be working longer and contributing to the plan longer. It could also reduce the number of “return to work” employees. If the proposal does not apply to all employees, there could be significant administrative costs in keeping separate records.

D. Fiscal Impact to the State

This proposal would apply to the state pension programs and well, so they would likely face similar impacts as mentioned for cities and towns above.

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