



**CITY COUNCIL  
AGENDA BILL**

AB 1038  
July 13, 2010  
Special Business

<b>SUBJECT: ROUTE TRANSFER OF STATE ROUTE 89A TO THE CITY FROM THE ARIZONA DEPARTMENT OF TRANSPORTATION.</b>	<b>Proposed Council Action:</b> Discussion/Possible Direction
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<b>DEPARTMENT OF</b>	Public Works, Charles Mosley
<b>TIME TO PRESENT</b>	30 Minutes
<b>OTHER COUNCIL MEETINGS</b>	May 25, 2010 , February 24, 2010, October 14, 2008
<b>EXHIBITS</b>	A. Final Draft of the Route Transfer Study dated February 9, 2010 B. Related emails and reports C. Yuma Turnback

City Attorney Approval	Reviewed 7/6/10. M. Goimarac	<b>Expenditure Required</b>
		\$ Unknown
City Managers Recommendation	Direct staff to negotiate a route transfer of SR89A from L'Auberge Lane to the western boundary of Red Rock High School. This action does not commit the City to a route transfer at this time. It essentially provides the City until January 1 to further evaluate costs associated with a route transfer and negotiate with ADOT for a route transfer agreement. If an agreement isn't reached by January 1, 2011, then ADOT intends to move forward with the installation of continuous roadway lighting on SR89A	<b>Amount Budgeted</b>
		\$ 0
		<b>Account No.</b> (Narrative may be included)

**SUMMARY STATEMENT**

The Council is being presented with an update of staff's research regarding a proposed route transfer of SR 89A between approximately L'Auberge Lane, west to the western boundary of Red Rock High School. Staff will also brief City Council on the meeting between ADOT officials and City officials that occurred on June 29.

## Background:

On October 14, 2008, the City Council directed staff to “request ADOT fund an independent route transfer study that will evaluate all the issues and costs involved with a turnback of the west SR 89A corridor.” The draft report was originally presented to City Council in February. The draft report was also provided to the newly-seated City Council at the May 25, 2010 City Council meeting. Based upon Council direction at that meeting, staff has continued to investigate the impact of a transfer of State Route SR 89A and portions of SR 179 (From the “Y” to just south of the SR 179/Ranger Road intersection) on the City of Sedona.

ADOT did not finalize the West Sedona Route Transfer Study presented at the May 25, 2010 Council meeting so that a number of questions raised by the City could be addressed as part of the study. Since the May 25, 2010 City Council meeting, staff has:

1. Requested that additional information be included in the route transfer analysis on the costs of addressing a rock fall area between the Brewer Road intersection and Rolling Hills Drive;
2. Requested that ADOT address a number of other related issues that would need to be considered as part of a route transfer;
3. Contacted several jurisdictions regarding their experience with route transfers

Responses were received from:

- City of Flagstaff
  - City of Wickenburg
  - City of Yuma
  - City of Prescott
4. Met with ADOT staff to discuss issues related to a route transfer
  5. Coordinated with ADOT staff on work related to the pavement rehabilitation project.

ADOT is still in the process of completing the route transfer study report. The report focuses on the route transfer of two areas described in the draft transfer study.

ADOT estimates that its maintenance costs for SR 89A between the area from L’Auberge to beyond the High School is approximately \$30,045 annually. In addition to the annual maintenance costs, it would be necessary to overlay the road every ten to fifteen years. ADOT’s current pavement rehabilitation project overlay cost in 2010 dollars is about \$4.8 million including a design and inspection factor of 20%. Assuming a minimum pavement life of 10 years, and an inflation factor of 3%, an equivalent annualized set-aside of \$562,706.62 would be required. If the inflation factor were 4%, the annualized set-aside would need to be \$591,796.22. The set-aside would be necessary unless the City used some other financing alternative at the time the improvements were necessary. The annual inflation factor for construction over the last 10 years averaged nationally about 4.1 % per the Engineering New Record Construction Cost Index.

The City has been informed by ADOT that it will be receiving a letter from ADOT in response to a letter sent by Mayor Adams requesting additional time to research a route transfer. ADOT has informed City officials that the letter will state that ADOT will need to receive a formal City Council resolution from the City by August 15, that directs City staff to negotiate with ADOT for a route transfer. ADOT further informed staff that a route transfer agreement

needs to be reached by January 1, 2011 or it will proceed with the lighting project on SR 89A. ADOT has offered to provide funding towards the construction of alternative pedestrian safety improvements as well as funding for annual roadway maintenance for multiple years, and has also stated it will build the traffic signal at Andante and Airport Roads. The details of the funding offered by ADOT will be included in the letter. The letter should be available at the July 13 City Council meeting.

On June 29, Mayor Adams, the City Manager and the Public Works Director met with John Halikowsky, Director of ADOT, Bob Montoya, Chairman of the State Transportation Board, Bill Feldmeyer, incoming Chairman of the State Transportation Board and other ADOT officials. The purpose of the meeting was to again encourage ADOT to consider other alternatives to continuous roadway lighting and retain control of the highway. The City also requested that ADOT delay the lighting project for one year so that the City could further evaluate the possibility of a route transfer. The outcome of the meeting was as follows:

1. The Chairman of the State Transportation Board Mr. Montoya, Board member Mr. Feldmeyer, and the Director of ADOT were very clear that ADOT would not change its position regarding the installation of continuous roadway lighting unless the City agrees to a route transfer.
2. ADOT is not willing to delay the project for a year. They are willing to delay the project until January 1, as long as the City Council passes a resolution by August 15 directing staff to negotiate with ADOT for a route transfer. The resolution does not commit the City to a route transfer, but provides additional time to study the issue and negotiate a route transfer agreement with ADOT. If an agreement is not reached by January 1, 2011 then ADOT officials stated it would move forward with the lighting project.

The reason that staff requested a delay of one year is to provide time for the completion of a conceptual design study of the corridor to accurately estimate the cost of alternative pedestrian safety improvements. One year may be an optimistic timeframe to achieve community consensus on a design and it could take much longer. Under even the most optimistic scenario, the time required to complete the study exceeds the current ADOT deadline of January 1.

In lieu of developing a conceptual design, it is possible to obtain a professional analysis of probable costs associated with other pedestrian safety alternatives along SRA. While it would not provide the detailed analysis that a design concept would provide, it would provide estimates of probable costs. The analysis could be completed by the end of November 2010. The analysis would provide cost estimates of pedestrian safety improvements and provide City council information regarding the gap between the level of funding currently being offered by ADOT, and the estimated cost of the improvements. The gap would represent the costs the City would potentially incur to install the pedestrian safety improvements. If City Council proceeds with the negotiations, staff recommends that the services of a traffic engineering consultant be used to assist in identifying the probable costs associated with the route transfer.

If the City is opposed to the installation of continuous roadway lighting, it is clear that the only remaining alternatives are to negotiate a route transfer or pursue some legal action. The

State of Arizona, including the Governors Office and ADOT has made it clear on numerous occasions that it will not change its position regarding continuous roadway lighting.

Staff will brief City Council on the information received from other communities that have completed route transfers.

**BOARD/COMMISSION RECOMMENDATION(S): N/A**

**ALTERNATIVE(s):**

1. Pass a resolution directing staff to negotiate a route transfer of SR89A between the “Y” and the western boundary of Red Rock High School.
2. Send Notice to ADOT informing that the City does not want to pursue a route transfer of SR 89A within the City of Sedona.
3. Pursue some other alternative such as legal action.

**RECOMMENDATION**

City Manager

I MOVE TO: Direct staff to prepare a resolution for approval at the July 27, 2010 City Council meeting that directs staff to negotiate with the Arizona Department of Transportation for a route transfer of SR89A between the “Y” and the western boundary of Red Rock High School.

SR 89A/SR 179  
West Sedona Route Transfer Study  
SR 89A: MP 369.4-374.2 and SR 179: MP 313.27-313.42

Task Assignment MPD 08-10



*Draft Final*

February 9, 2010

PREPARED FOR:  
ADOT/City of Sedona  
as requested by Sedona City Council



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# 1 Introduction

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This study is a cooperative effort between the Arizona Department of Transportation (ADOT) and the City of Sedona (City). The overall goal of the ADOT/Sedona Route Transfer Study is to develop a summary of system needs and an initial estimate of cost implications from existing documentation for transferring reference of State highway routes in the City of Sedona from the State to the City. The information provided in this report is intended to serve as the basis for future discussions between the City and the State regarding route transfers.

This report includes the following information:

- Roadway Design Standards applicable to the subject roadways, including right-of-way, cross-section, pavement section, curb & gutter section, sidewalk and ADA ramps, drainage, traffic signals, etc.
- Drainage Issues were identified and documented through discussions with the City and ADOT. (Note: No roadway or drainage design, analysis or modeling was conducted as part of the study.)
- Existing and future traffic operations analysis, as well as a discussion of proposed improvements and crash history, is summarized from the recently completed document: *Verde Valley Multimodal Transportation Study* (Yavapai County, 2009).
- Functional Classification per ADOT classification maps, including the existing right-of-way, cross-section, bicycle, transit, parkway, sidewalk, curb and gutter, and median/turn lanes.
- An outline of the route transfer process and a time frame of necessary approvals as referenced in this Study.

Unless otherwise noted, information was collected through a review of ADOT design standards, as-built drawings, the 100 percent plans for projects currently under construction and discussions with the City and ADOT.

## Study Segments

The study addresses two routes located in the City of Sedona;

- SR 89A: MP 369.40–MP 374.20 including the roundabouts at SR 89A/SR 179 (the ‘Y’) and the SR 89A/Brewer Road intersection.  
This segment begins at approximately Arts Village Drive (MP 369.40) and extends beyond the ‘Y’ (MP 374.20), abutting the section of SR 89A already turned back to the City of Sedona.
- SR 179: MP 313.27–MP 313.42  
Segment abuts the south leg of the ‘Y’, then south along SR 179 to and including the Ranger Road intersection.

The study roadway segments and study intersections are shown in Figure 1. Existing and planned signalized intersections are also identified in Figure 1.

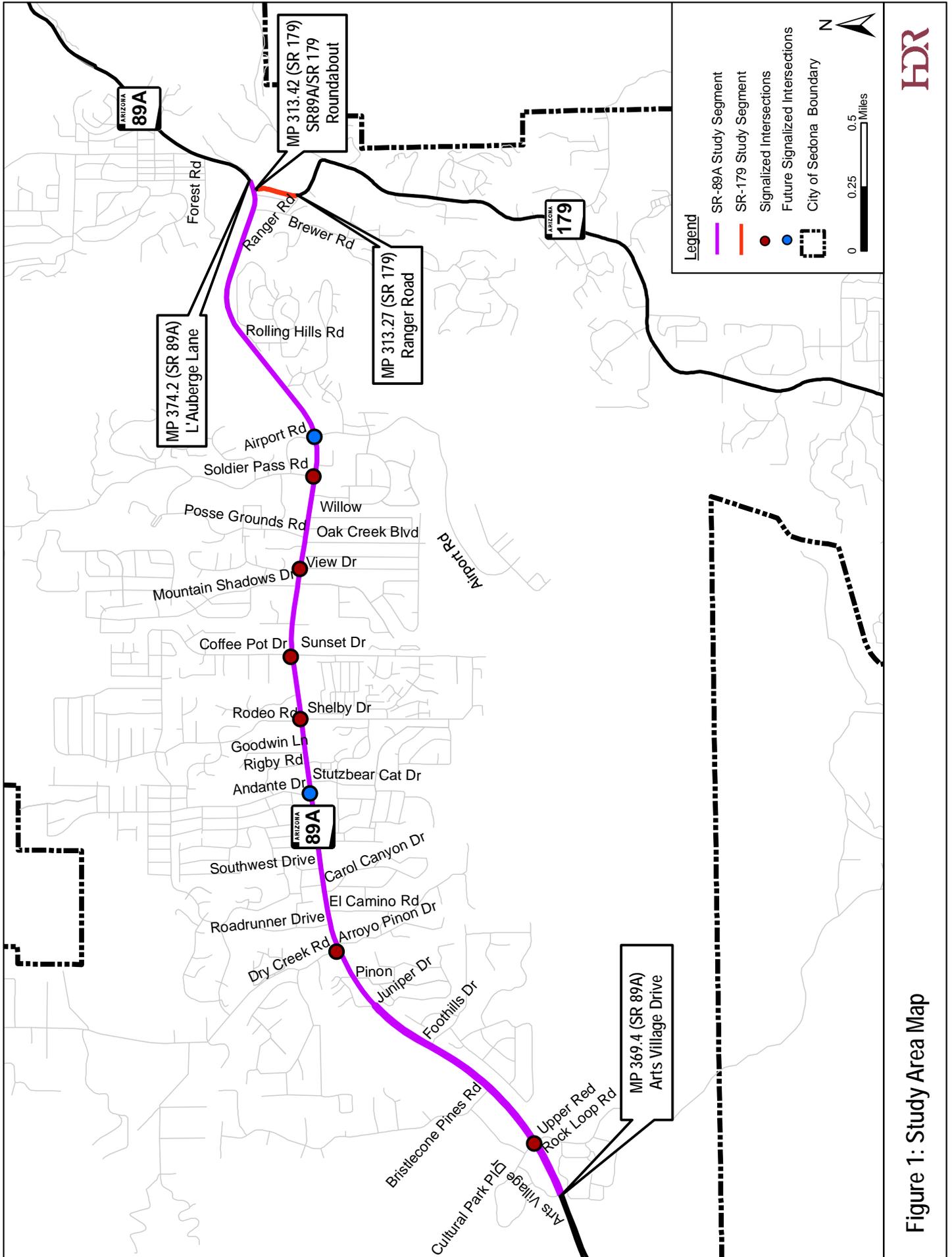


Figure 1: Study Area Map



## 2 Segments

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### ***Basis of Existing Roadway Analysis***

Existing roadway characteristics (right-of-way width, pavement width, curb and gutter, sidewalk, and drainage structures) were determined from ADOT as-built drawings and the 100 percent plans for projects currently under construction.

The routes were also assessed using the 2008 ADOT State Route photo log and the *Google Maps street view*. These tools were used to evaluate general roadway conditions, identify lane configurations, and identify variances between existing roadways and the construction documents. The *Google Maps street view* photos of the area appear to provide the most current information for roadway characteristics<sup>1</sup>. The Google information was used to resolve discrepancies between the 2008 ADOT photo log information and the 100 percent plans. Some of the information obtained from the Google street view photos included: pavement widths, lane configurations, curb and gutter and sidewalk.

### ***Basis of Drainage Analysis***

Engineers from ADOT and the City were interviewed to determine where drainage issues have been observed within each of the study segments and to discuss potential solutions to those drainage issues.

### **Methodology**

Several types of drainage issues were discussed with ADOT and the City. Issues included the following:

- Culvert overtopping occurs in some locations such as Coffee Pot Drive and Southwest Drive where overflow may spill onto SR 89A. This is typically a problem during short duration high intensity events in the spring when rain falls on snow. These issues are typically infrequent, short-term problems associated with an intense storm event such as the flood event of September 10, 2009.
- Some additional drainage systems, such as the Stormceptor system found adjacent to SR 179 requires ongoing maintenance that increases the risk of system failure.

Where watercourses with FEMA-delineated floodplains cross the study segments, the culverts and/or drainage features were evaluated to estimate the potential for the 100-year peak discharge rate to cause overtopping. Further design, research, and analysis would be required to determine the extents of these and other potential costs.

The summaries of drainage issues for the two study segments presented here do not represent an exhaustive analysis of potential drainage issues that may be encountered. No hydrologic or hydraulic analyses were performed for this study to determine where existing roadway, storm drain, or culvert conveyance capacities may fall short of the City of Sedona standards<sup>2</sup>.

### ***Functional Classification***

The functional classification of a road network groups roads that have similar design and traffic characteristics. One functional class differs from another according to the degree of access (the connection between roadways and properties along the roadways) and mobility (the movement of people and freight from place to place.) An arterial, for example, provides mobility over long

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<sup>1</sup> Google acquires satellite and other imagery from several companies; some of the images referenced were dated 2009, several referenced images were not dated.

<sup>2</sup> The project limits fall within both Yavapai and Coconino counties; current City of Sedona standards, the 10yr event between curbs and 100-yr event in the right of way (ROW), are compliant with both governing counties.

distances with minimal access to adjoining properties. A collector, on the other hand, provides access to adjacent properties rather than serving long distance travel.

Both SR 89A and SR 179 are classified by ADOT as Urban Principal Arterials, and as Arterials in the Verde Valley Multimodal Transportation Study. Figure 2 shows an excerpt of the Sedona Urban Area Functionally Classified Roads (ADOT, 2005).

## **SR 89A**

State Route 89A is an eighty-mile highway that runs from Prescott north to Flagstaff. Known as the *Si Birch Memorial Highway* in Sedona, the segment considered here is from MP 369.40 (the west end of the Study Segment, Arts Village Drive) to MP 374.20 (just beyond the 'Y').

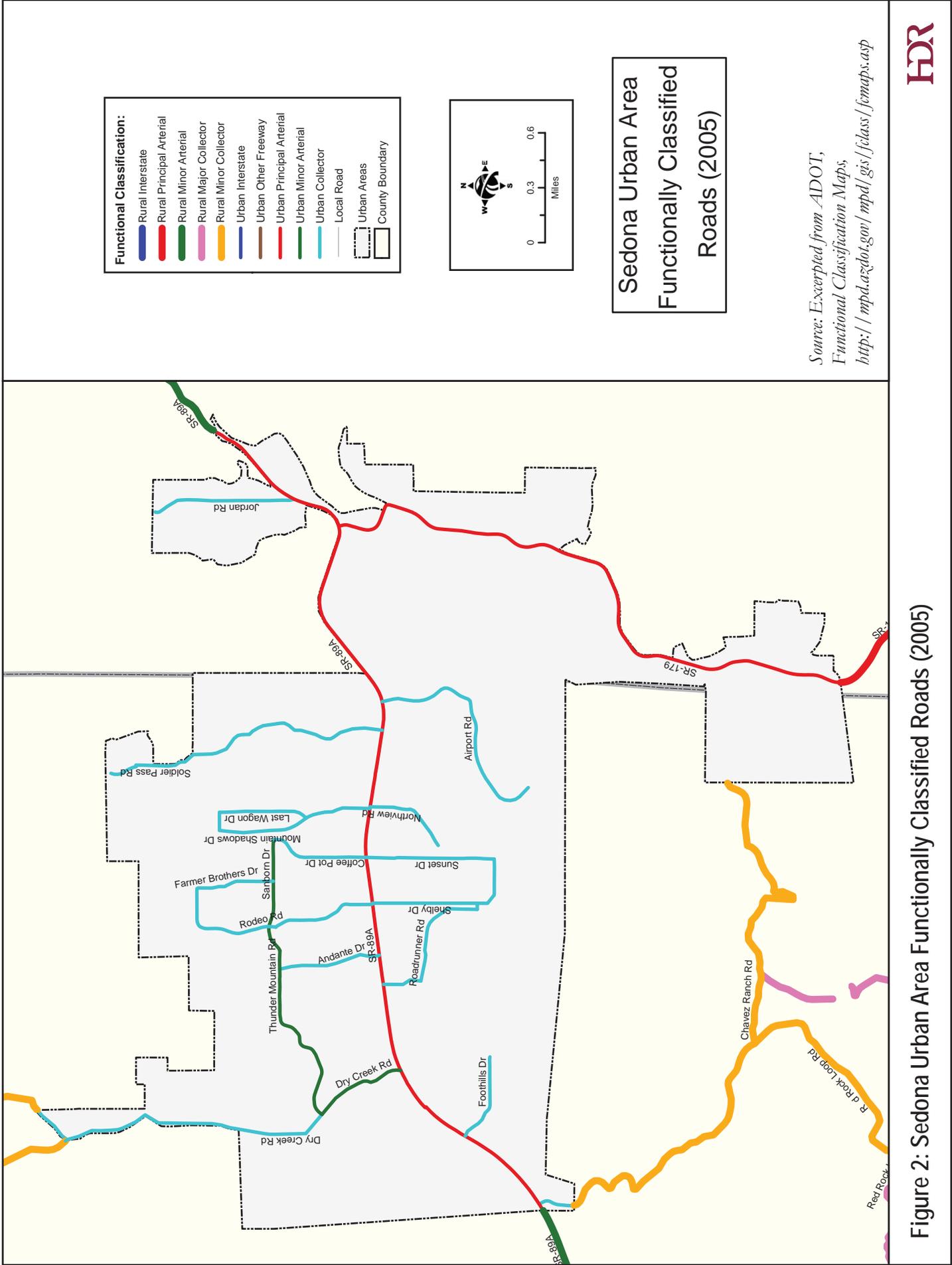
### **Roadway**

The intent of the roadway geometrics section of this report is to provide general characteristics and is not intended to be all encompassing.

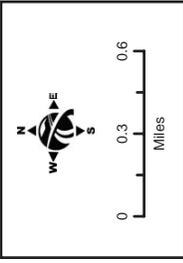
### **Roadway Standards**

Based on an intergovernmental agreement between the State of Arizona and the City, ADOT is responsible for the roadway, curb and gutter, retaining walls, medians, and channelizations of SR 89A and SR 179; therefore, the ADOT Roadway Design Guideline (RDG) was used as the basis for evaluating the existing roadways (ADOT, 2007b). In discussions with ADOT and the City it was acknowledged that the sidewalks are maintained by the City.

Some of the construction along the ADOT routes such as retrofitted dedicated turn lanes was covered by ADOT permits. As-built drawings for permit projects were not collected or evaluated for this report.



- Functional Classification:**
- Rural Interstate
  - Rural Principal Arterial
  - Rural Minor Arterial
  - Rural Major Collector
  - Rural Minor Collector
  - Urban Interstate
  - Urban Other Freeway
  - Urban Principal Arterial
  - Urban Minor Arterial
  - Urban Collector
  - Local Road
  - Urban Areas
  - County Boundary



**Sedona Urban Area  
Functionally Classified  
Roads (2005)**

Source: Excerpted from ADOT,  
Functional Classification Maps,  
<http://mpd.azdot.gov/mpd/gis/class/jcmaps.asp>

**Figure 2: Sedona Urban Area Functionally Classified Roads (2005)**

## Roadway Characteristics

This section summarizes the current roadway conditions and characteristics for the study section of SR 89A, including the roundabouts at the SR 89A/SR 179 intersection and the SR 89A/Brewer Road intersection. Table 1 compares the current roadway characteristics to the standards in the RDG and identifies the roadway deficiencies.

Table 1. Roadway Characteristics for SR 89A: MP 369.40 to MP 374.20

Item	Current Condition	ADOT RDG	Meet ADOT RDG Standards?
ROW	132'–200' (66'–100' left, 66'–100' right)	100' minimum / 130' desired (Urban)	Yes
Posted Speed <sup>a</sup>	40 mph MP 369.26-370.68	30 mph to 50 mph for arterial streets with curb and gutter development	_b
	35 mph MP 370.68-373.18		
	40 mph MP 373.18-374.24	30 mph to 60 mph Urban Highways	
	25 mph MP 374.24-374.76		
Lane Configuration	MP 369.40 (Study Segment start to the west) to Juniper Dr is four through lanes with median	Four through lanes with one shared turn lane (Urban)	Yes
	Undivided from Juniper Dr to Study Segment end to the east		
Pavement Width	64' typical	68' (Urban)	No
Bike Lanes	None	16' outside lane to accommodate bikes	No
Edge Treatment	Curb and gutter	Curb and gutter (Urban)	Yes
Sidewalk	5' s/w on both sides from approx 1,600 ft to the east of the Study Segment start (369.40)	Optional 5' concrete sidewalk (Urban)	Yes
Ramps	Sidewalk ramps exist at all intersections that have sidewalks.	Refer to ADOT "C Standards" (C-05.30)	_c
Drainage Structures	Culverts throughout. Channels between Calle del Sol and Tortilla Dr	100-yr storm event within row	Not evaluated

Source: ADOT Roadway Design Guidelines, January 2007; ADOT As Built Plan, 1980 and 2009.

Note: RDG – Roadway Design Guidelines

<sup>a</sup> Since the design speed was not available for this segment of SR 89A, the posted speed as reported in the ADOT Speed Regulations Report is noted here.

<sup>b</sup> ADOT RDG standards specify desirable design speed, not available here.

<sup>c</sup> The sidewalk ramps were not evaluated for consistency with ADOT RDG standards; ramps are to be reconstructed as part of the West Sedona pavement rehabilitation project.

Pavement on the Study segment of SR89A to the 'Y' appears to be in fair condition with some surface cracking. A pavement preservation project programmed for FY 2011 will replace pavement on this segment from MP 370.80 to MP 374.00. The remainder of the Study Segment, where the roundabouts

have recently been constructed, the pavement is in excellent condition. Sidewalk ramps exist at all intersections that have sidewalks.

### Roadway Consideration

Restriping to reduce lane widths to accommodate bicycle traffic is planned as part of the pavement preservation project mentioned in the preceding paragraph.

### Drainage

There is one Federal Emergency Management Agency (FEMA) designated flood zone impacting the SR 89A segment, where the Soldier Wash crosses under the roadway just west of Brewer Road.

At the Soldier Wash crossing of the alignment there is a pair of culverts conveying the flow underneath the roadway. According to as-built information, the structure consists of two 144" reinforced concrete pipes at a 25 degree skew to the roadway alignment (ADOT, 1977). A preliminary review of the structure was conducted in order to determine its capacity to handle flooding events as per the current Flood Insurance Study (FIS) indicated flows. Table 2 is a summary of the initial findings.

Table 2. FEMA Watercourse Crossing

Watercourse	Culvert Dimensions (ft)	FIS 100-Year Flow Rate (cfs)	Existing Bridge Passes w/ No Overtopping	Additional Drainage Needs	Improvement Costs
Soldier Wash	2 – 144"	1720	YES	None	-

Source: *Flood Insurance Studies, 1995.*

Note: FIS – Flood Insurance Study

### Southwest Drive

Flooding occurs periodically west of the intersection of Southwest Drive and SR89A. The system capacity of the drainage crossing SR 89A is estimated to be less than the 25-year event according to calculations prepared for the City of Sedona<sup>3</sup>.

### Traffic

#### Current and Future Traffic Conditions

Unless noted otherwise, the source of all current traffic conditions data is the Verde Valley Multimodal Transportation Study, May 2009 (Yavapai, 2009).

#### *Posted Speed Limit*

The posted speed limit on SR-89A west of the Dry Creek Road intersection is 40 mph; from Dry Creek Road to Airport Road is 35 mph; on SR-89A from the SR-179 intersection to MP 374.23 the posted speed limit is 25 mph.

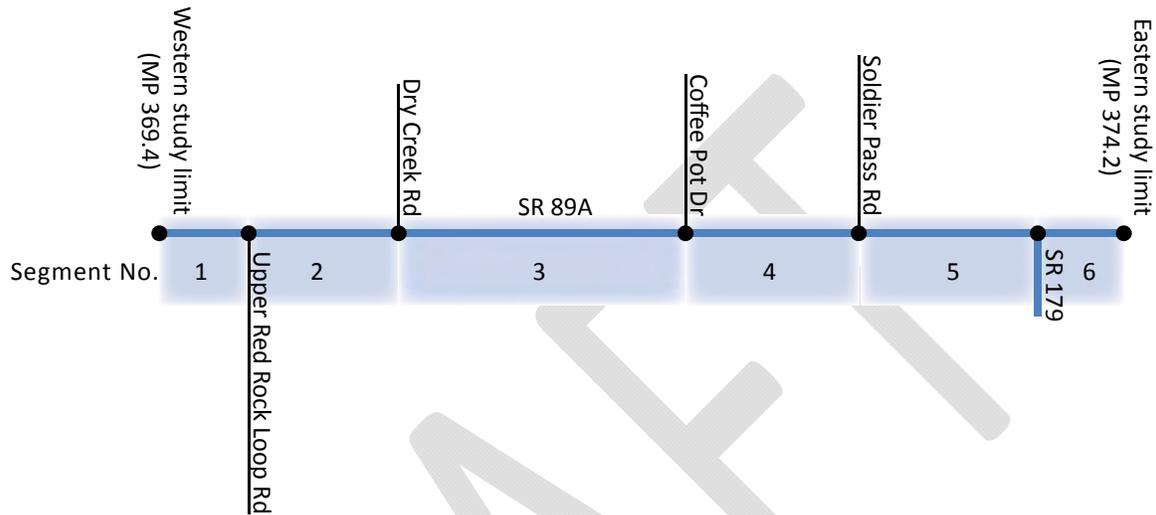
#### *Current and Future Traffic Volumes*

The Verde Valley Multimodal Study reported traffic volumes for segments of SR 89A for the years 2007, 2015, and 2030.

<sup>3</sup> Calculations were prepared for the City of Sedona by Dibble and Associates, report on file with the City of Sedona.

Figure 3 shows the segments for which volumes were reported, and Table 3 shows an inventory of estimated traffic volumes for the segments of SR 89A corresponding to the numbered segments found in Figure 3.

Figure 3. Schematic Showing Traffic Volumes and Level of Service Segments along SR 89A



Note: See Table 3, *Existing and Future ADT and Congestion Level Along SR 89A*, for volumes and service levels.

***Current and Future Segment Level of Service***

Level of service is a qualitative measure of traffic operations stated in terms of factors such as speed, travel time, freedom to maneuver, traffic interruptions, comfort, convenience, and safety. The best level of service is unrestricted or nearly unrestricted traffic flow, known as “Under Capacity.” The worst LOS is a congested or severely congested traffic condition, known as “At” or “Over Capacity.” In a rural area, the acceptable level of service is usually considered to be at the least-congested end of the “Near Capacity” range, and in an urban area, the acceptable level of service is usually considered to be in the middle of the “Near Capacity” range.

Table 3 shows the level of service as reported in the Verde Valley Multimodal Study.

Table 3. Existing and Future ADT and Congestion Level Along SR 89A

Segment			Year 2007		Year 2015		Year 2030	
ID	From	To	ADT	Congestion Level <sup>a</sup>	ADT	Congestion Level <sup>a</sup>	ADT	Congestion Level <sup>a</sup>
1	Western study limit	Upper Red Rock Loop Rd	16,600	Under	21,890	Under	26,670	Near
2	Upper Red Rock Loop Rd	Dry Creek Rd	18,080	Under	25,580	Near <sup>b</sup>	31,620	Near
3	Dry Creek Rd	Coffee Pot Dr	23,750	Near <sup>c</sup>	28,770	Near	34,140	Near
4	Coffee Pot Dr	Soldier Pass Rd	32,370	Near	36,660	Near	41,260	Near
5	Soldier Pass Rd	SR 179	28,220	Near	33,000	Near	39,670	Near
6	SR 179	Eastern study limit	25,330	Near	N/R	N/R	N/R	N/R

Source: Figures 2-7, 3-9 and 3-10; Verde Valley Multimodal Transportation Study, May 2009.

Notes: ADT – Average Daily Traffic

N/R – Not Reported

Traffic volumes are rounded to nearest 10

a. Congestion level is defined relative to capacity, where:

Under capacity:  $V/C \leq 0.5$  Near capacity:  $V/C = 0.51$  to  $0.9$  Over capacity:  $\geq 0.91$  to  $> 1.0$

b. The segment between Upper Red Rock Loop Rd and Bristlecone Pines Rd operates at “Under Capacity” congestion level

c. The segment between Dry Creek Rd and El Camino Rd operates at “Under Capacity” congestion level

## Improvements

This section summarizes the potential improvements that are planned and could be considered along the study route in conjunction with the route transfer process.

### Planned Projects

The following planned projects are taken from the ADOT Flagstaff District Current Projects list and associated referenced documents located on the ADOT website (ADOT, 2009a).

- **SR 89A at Airport Road:**  
Traffic signal and intersection improvement project at the intersection of SR89A and Airport Road (SR89A MP 373.06) to install an intersection traffic signal, construct a northbound right turn lane (and associated drainage improvements), and upgrade sidewalk ramps at the corners. Scheduled: FY10 (Latest Cost Estimate: \$749,462 (*Stage V PSE*)/\$731,584 (*IGA/JPA 08-122-1*))
- **Continuous Highway Lighting:**  
A Highway Enhancements for Safety (HES) project to install roadway lighting from Dry Creek Road (SR89A MP 371) to Airport Road (SR89A MP 373), install a traffic signal at the intersection of SR89A and Andante Drive, construct a southbound right turn lane at Andante Drive, and construct improved returns and sidewalk ramps at the SR 89A/Andante intersection. Scheduled: FY11 (Cost Estimate: \$2,469,000 (Final PA))
- **West Sedona (NB & SB):**  
A pavement preservation project to remove and replace 2.5" of AC on SR89A from MP 370.8 to MP 374.1. The project includes restriping to reduce lane widths to accommodate bicycle traffic as part of the pavement preservation and sidewalk ramp reconstruction. In addition, the City will fund street paving work on Mountain Shadows Drive and Northview Road. A southbound right turn lane at the intersection of SR89A and Posse Grounds Road will be jointly funded by ADOT's Flagstaff District minor funds and the City of Sedona, and the City of Sedona will fund reconstruction (re-profiling) of the Posse Grounds Road transition to SR89A for the turn lane. Scheduled FY11 (Cost Estimate: \$4,243,000, Final PA) – exclusive of sidewalk ramp reconstruction)

### Identified Roadway Improvements

- **Evaluation of the Soldier Wash Crossing** of the alignment to determine the structural condition of the culvert. This would be a concept study (cost includes checking hydraulics of existing culvert, evaluate roadway overtopping, make recommendations for improvements).
- **Dry Creek Road Widening;** add 200-foot eastbound right turn lane on SR-89A, widen Dry Creek Road at the intersection to accommodate north and southbound right turn lane – traffic signal heads show signs of being struck by right turning trucks (cost item typically includes new pavement, new signage, curb and gutter, sidewalk, ADA compatible ramps, utility/signal pole relocation, striping, grade and drainage adjustment, landscaping, and new striping).
- **Coffee Pot Intersection,** restripe intersection to include dual left turns. Project would include dual left turns, re-striping east bound and west bound of SR 89A (tasks include obliteration of existing pavement, new signage, new striping).<sup>4</sup>
- **Bristlecone Pines Road,** study to evaluate the closure of Bristlecone Pines Road to improve safety on SR 89A. This concept study would include evaluating the alternative access, traffic operational analysis, identify type of road closure (examples include fence, cul-de-sac, barricade).<sup>4</sup>
- **Southwest Drive,** evaluate periodic flooding west of Southwest Drive at the storm drain crossing of SR 89A.<sup>4</sup>

<sup>4</sup> This is a recommendation identified during an ADOT/Sedona Route Transfer Study project meeting on November 3, 2009.

## SR 179

This section summarizes the current roadway conditions and characteristics of SR 179 from the 'Y' to and including Ranger Road. Table 4 compares the current roadway characteristics to the standards in the ADOT RDG and identifies the roadway deficiencies.

SR 179 is currently in the midst of re-construction and will be finished in mid 2010. ADOT will supply as-built drawings as part of the transfer.

### Roadway

The intent of the roadway geometrics section of this report is to provide general characteristics and is not intended to be all encompassing.

### Roadway Standards

Based on an intergovernmental agreement between the State of Arizona and the City, ADOT is responsible for the roadway, curb and gutter, retaining walls, medians, and channelizations of SR 89A and SR 179 (ADOT, 2007). In discussions with ADOT and the City it was acknowledged that the sidewalks are maintained by the City.

### Roadway Characteristics

Table 4. Roadway Characteristics for SR 179: MP 313.27 to MP 313.42

Item	Current Condition	ADOT RDG	Meet ADOT RDG Standards?
ROW	66' to 100'	100' minimum/ 130' desired (Urban)	No <sup>a</sup>
Design Speed	35 MPH	30 MPH to 50 MPH for arterial streets with C&G development 30 MPH to 60 MPH Urban Highways	Yes
Lane Configuration	Two through lanes with an alternating shared left turn lane and raised median (Urban)	Four through lanes with one shared turn lane or raised median (Urban)	No <sup>a</sup>
Pavement Width	54.84' from the SR 89A/ SR 179 roundabout to approx. 400' south on SR 179 then 61.42' to Ranger Road (Study segment end at MP 313.27)	68' to 76' (Urban)	No <sup>a</sup>
Bike Lanes	8' Paved bike lane	16' outside lane to accommodate bikes	Yes
Edge Treatment	Curb and gutter	Curb and gutter (Urban)	Yes

Table 4. (cont.) Roadway Characteristics for SR 179: MP 313.27 to MP 313.42

Item	Current Condition	ADOT RDG	Meet ADOT RDG Standards?
<b>Sidewalk</b>	10' sidewalk from the SR 89A/ SR 179 roundabout to approx. 400' south on SR 179 then 6' sidewalk to Ranger Road (Study segment end at MP 313.27)	Optional 5' concrete sidewalk (Urban)	Yes
<b>Drainage Structures</b>	None	100-yr Storm Event within ROW	Not evaluated

*Source: ADOT Roadway Design Guidelines, January 2007; ADOT SR 179 100 percent Construction Plan, November 2006; Google Street View Map, 2009.*

Note: a A collaborative community-based process was conducted between August 2003 and December 2004 to plan corridor improvements that would equally address safety, mobility, and preservation of scenic, aesthetic, historic, environmental, and other community values. To accomplish this, the Arizona Department of Transportation (ADOT) used an innovative process called the Needs Based Implementation Plan (NBIP). The resulting design is an outcome of this process.

The SR 179 Study Segment pavement is in excellent condition. The road was recently repaved when the roundabouts at SR89A/SR179 and SR89A/Brewer Road were constructed. Sidewalk ramps are in-place at all intersections that have sidewalks.

### Roadway Consideration

According to the roadway classification for this route, the pavement width and lane configuration does not meet ADOT RDG standards. This is due to the design that originated with a community-based process, done in collaboration with stakeholders to plan corridor improvements that addressed safety, mobility, and preservation of scenic, aesthetic, historic, environmental, and other community values.

### Drainage

The SR 179 segment is not impacted by any FEMA designated watercourses.

There is a storm drain system that begins at the 'Y' along the west side of SR 179, then to the roadway median at Ranger Road, and eventually outfalling into Oak Creek after a Stormceptor© System that is maintained by the City according to the intergovernmental agreement between the City and ADOT. There are a total of five catch basins in the SR 179 Study Segment.

### Other Potential Issues:

At this time no other drainage issues have been observed or reported.

## Traffic

### Current and Future Traffic Conditions

Unless noted otherwise, the source of all current traffic conditions data is the Verde Valley Multimodal Final Report May 2009 Transportation Study (Yavapai, 2009).

#### *Posted Speed Limit*

The posted speed limit 25 mph – along SR-179 from the ‘Y’ to the Study Segment end.

#### *Traffic Volumes*

Average Annual Daily Traffic (AADT) on SR 179 south of SR 89A was reported as 19,540 in 2008(ADOT, 2009b). The plans for SR 179 improvements estimate the 2025 ADT at 23,000 vehicles per day (ADOT, 2006). Anticipated future traffic volumes were not reported for this segment in the Verde Valley Multimodal Transportation Study.

#### *Segment Level of Service*

SR-179 segment from MP 313.27 to MP 313.42 operates at under capacity ( $V/C \leq 0.5$ ). Anticipated future traffic volumes were not reported for this segment in the Verde Valley Multimodal Transportation Study.

## Improvements

This section summarizes the potential improvements that are programmed, planned, and need to be considered along the study route in conjunction with the route transfer process.

### Programmed Projects or Identified Roadway Improvements

There are no programmed projects or suggestions for roadway improvements along the Study Segment of SR 179 at this time.

### 3 Maintenance

#### ***Drainage Maintenance***

An intergovernmental agreement between the State of Arizona and the City details the responsibilities of ADOT and the City in relation to the State routes located within the City limits (ADOT, 2007). Responsibilities identified in this agreement include:

- ADOT - All drainage maintenance within the State Right-of-Way except for the Stormceptor Stormwater Treatment Systems installed along Oak Creek.
- City of Sedona - All Stormceptor Stormwater Treatment Systems installed along Oak Creek, even if they are within the State maintained highway drainage.

#### ***Roadway Maintenance***

The 2007 intergovernmental agreement between the City and ADOT details their respective responsibilities in relation to the state routes located within the City limits (ADOT, 2007a). In general terms; within the City limits ADOT maintains the roadway and curb and gutter of SR 89A and SR 179, and the City maintains the sidewalk. See Appendix A for the intergovernmental agreement, which lists out the responsibilities of each agency.

Table 5 shows the past five years of maintenance costs for the study segment of SR89A. Table 6 lists the annual maintenance cost reported by the City of Sedona. The combined average annual maintenance cost based on these yearly costs is \$13,134 per mile. Applying this annual cost per roadway mile to the SR 179 segment (0.15 mile) would result in an estimated additional \$1,970 maintenance cost.

Table 5. ADOT Maintenance Costs for SR 89A

ADOT Costs	FY 05	FY 06	FY 07	FY 08	FY 09
SR 89A, MP 369.4 - 374.2	\$31,795	\$20,385	\$30,446	\$31,562	\$36,038
<b>5 Year Average:</b>	<b>\$30,045</b>				
<b>Average Annual Maintenance Cost Per Roadway Mile</b>	<b>\$6,259</b>				

Source: Arizona Department of Transportation, December 2009.

Note: Costs include Maintenance, Signals and Signing/Striping costs.

Table 6. City of Sedona Maintenance Costs for Study Segment of SR 89A

City of Sedona Costs	Average Annual Maintenance Cost
Sidewalk repair	\$2,000
Street sweeping	\$9,000
Snow plowing	\$5,000
Pothole repair	\$1,500
Sign replacement	\$2,000
Storm cleanup	\$13,500
<b>Total</b>	<b>\$33,000</b>
<b>Average Annual Maintenance Cost Per Roadway Mile</b>	<b>\$6,875</b>

Source: City of Sedona, January 2010

## 4 Crash Data

A crash analysis was conducted for the City using crash data provided by the ADOT Traffic Safety Division for the period between October 1, 2004 and October 1, 2009. This goal of this analysis was to identify high crash intersections and roadway segments where additional study and possible mitigation is needed to improve roadway safety. A total of 768 crashes occurred during the analysis period encompassing 688 crashes along SR 89A Study Segment as well as 80 crashes along the SR 179 Study Segment.

High crash intersections and roadway segments were identified during the 5-year analyses period. Table 7 identified the high crash intersections with 10 or more crashes. Note that intersection crashes are those that occur within a 250 foot radius of the intersection and do not include mid-block or roadway segment crashes. The traffic intersection of SR 89A at SR 179 had 52 crashes (the roundabout at SR 89A was completed before September, 2008).

Table 7. Highest to Lowest Crash Intersections (10 or more crashes)

Location along SR 89A	Crashes	Location along SR 89A	Crashes
<b>SR 179</b>	<b>52</b>	<b>Airport Rd</b>	12
<b>Coffee Pot Dr</b>	<b>41</b>	<b>Brewer Rd</b>	12
<b>Mountain Shadow Dr</b>	<b>24</b>	<b>Soldier Pass Rd</b>	11
<b>Rodeo Dr</b>	<b>18</b>	<b>Harmony Dr</b>	11
<b>Upper Red Rock Loop Rd</b>	<b>17</b>	<b>Dry Creek Rd</b>	11
<b>Shelby Dr</b>	<b>15</b>	<b>Stutz Bear Car Dr</b>	10
<b>Andante Dr</b>	<b>13</b>	<b>Northview Rd</b>	10

Source: Arizona Department of Transportation, Traffic Safety Division, 2009c.

Note: Crash data was analyzed for the period between October 1, 2004 and October 1, 2009.

High crash roadway segments were identified along SR 89A and SR 179 and are shown in Table 8. The roadway segment on SR 89A within milepost 371 (Carol Canyon Dr to Sunset Dr) had 118 crashes during the analyses period. There were 90 segment crashes (53 crashes on SR 179 and 37 crashes on SR 89A) within the traffic intersection of SR 89A and SR 179.

Table 8. Highest to Lowest Crash Roadway Segments

Location along SR 89A	Crashes
<b>MP 371 (Carol Canyon Dr to Sunset Dr)</b>	<b>118</b>
<b>MP 372 (Sunset Dr to Airport Rd)</b>	<b>111</b>
<b>On SR 179 at MP 313 (At the intersection of SR 89 and SR 179)</b>	<b>53</b>
<b>MP 374 (At the intersection of SR 89 and SR 179)</b>	<b>37</b>
<b>MP 373 (Airport Road to SR 179)</b>	<b>31</b>
<b>MP 370 (Foothills Dr to Carol Canyon Dr)</b>	<b>16</b>
<b>MP 369 (Lower Red Rock Loop Rd to Foothills Dr)</b>	<b>11</b>

Source: Arizona Department of Transportation, Traffic Safety Division, 2009c.

Note: Crash data was analyzed for the period between October 1, 2004 and October 1, 2009.

## 5 Costs

As a means to assess the cost implications for each study route, preliminary planning level cost estimates were developed for the improvements to be considered along each study route. Maintenance cost per lane mile is also included in the estimate for each study route. All the costs are in 2009 dollars. These estimates do not include the SR 179 project currently under construction.

Table 9 summarizes the recommended projects and costs. These preliminary planning costs were summarized from existing documentation. Table 10 summarizes the annual maintenance costs for both ADOT and the City of Sedona.

Table 9. Recommended Projects and Preliminary Planning Costs

Roadway	Timeline	Status	Unit	Cost	Responsible Entity	Comments
<b>Roadway and Intersection Improvements</b>						
SR 89A at Airport Road	FY 2010	PR	Lump Sum	\$750,000	ADOT	Provided by ADOT
Continuous Highway Lighting	FY 2011	PL	Lump Sum	\$2,469,000	ADOT	Provided by ADOT
West Sedona (NB & SB)	FY 2011	PL	Lump Sum	\$4,243,000 <sup>a</sup>	ADOT <sup>b</sup>	Provided by ADOT
<b>Identified Roadway Improvements</b>						
Evaluation of the Soldier Wash Crossing	-	PL	Lump Sum	\$10,000	Sedona	Assumed that hydrological data will be received from the Flood Insurance Study
Dry Creek Road Widening	-	PL	Lump Sum	\$150,000	ADOT/Sedona	Cost includes new EB RT lane on SR-89, NB RT lane on Dry Creek Rd, SB RT lane on Dry Creek Rd
Coffee Pot Intersection	-	PL	Lump Sum	\$15,000	Sedona	Cost does not include possibility of additional signal head and signal timing adjustments
Bristlecone Pines Road Closure	-	PL	Lump Sum	\$10,000	Sedona	Estimated for site inspection and study
<b>Drainage Improvements</b>						
Southwest Drive	-	PL	Lump Sum	\$400,000	Sedona	New culvert across SR 89A west of Southwest Drive
<b>Total Improvement Cost</b>				<b>\$8,047,000</b>		

Source: HDR (2010), ADOT Flagstaff District Current Projects along SR 89A, [http://www.us93corridor.com/highways/districts/flagstaff/Projects/Current\\_Projects.asp](http://www.us93corridor.com/highways/districts/flagstaff/Projects/Current_Projects.asp)

Note: PR – Programmed PL – Planned

a Cost does not include sidewalk ramp reconstruction (each ramp to be individually evaluated and designed).

b A portion of this project (the southbound right turn lane at the intersection of SR89A and Posse Grounds Road) will be jointly funded by ADOT’s Flagstaff District minor funds and the City of Sedona.

Table 10. Annual Operation and Maintenance Costs

Annual Operation and Maintenance Costs	Unit	Cost	Responsible Entity
ADOT average annual roadway maintenance cost <sup>a</sup>	Annual Cost	\$30,990	ADOT
City of Sedona maintenance cost	Annual Cost	\$33,000	Sedona
<b>Total Annual Cost</b>		<b>\$63,990</b>	

Source: City of Sedona (2010), Arizona Department of Transportation, December 2009.

Note: Annual Operation and Maintenance Costs do not include crash and insurance related costs that the City currently incurs. The City presently enforces traffic regulations and investigates crashes along the roadway.

a Includes interpolated cost for Study Segment of SR 179

## 6 Route Transfer Process

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### **BACKGROUND**

Arizona statutes give the Transportation Board authority to remove routes on the state highway system that no longer serve a state function. Statute refers to such a removal as abandonment, wherein the route reverts to the underlying city or county agency or to another agency identified in the intergovernmental agreement that implements the abandonment. To avoid the implication of a unilateral ADOT action, the term transfer is now generally used when referring to the abandonment process. The requirements for route transfer are contained in ARS 28-7209, as follows:

*If the board vacates or abandons a portion of a state route or state highway pursuant to section 28 304, the board shall:*

*Vacate or abandon the portion of the route or highway in cooperation with an affected jurisdiction and in full recognition of the financial and administrative impacts of the changes on the affected jurisdiction.*

*Provide four years' advance notice to the affected jurisdiction, except as provided in paragraph 3 and except that, by mutual agreement, the board and the affected jurisdiction may waive this requirement for notification.*

*Provide at least one hundred twenty days' advance notice to the affected jurisdiction for the abandonment of new street improvements such as cul de sacs and reconnections of existing streets resulting from highway projects.*

*Before a paved highway is vacated or abandoned, the pavement before the vacating or abandonment shall be in such a condition that additional surface treatment and major maintenance of the highway are not required for at least five years, unless the board and the affected jurisdiction agree to waive the requirement of this subsection.*

These statutes require that Board actions for route transfers be undertaken in cooperation with affected local agencies. Pavements are required to be in a condition such that no major maintenance is needed for five years, and, with the exception of new construction associated with highway projects, a four-year advance notice is required. Pavement condition and notification requirements may both be waived by mutual agreement, and that has been the approach used by ADOT on past route transfers. Intergovernmental agreements are the vehicle used to establish the specific terms and conditions of route transfer, including the waiving of the notification requirement.

The results of this Route Transfer Study are intended to provide the City and ADOT with a framework for determining whether to pursue route transfers for the identified routes, and how to proceed with such transfers. This chapter outlines a suggested process and key considerations for implementing potential route transfers. The process and considerations are discussed in the following sections.

## ***Route Transfer Considerations***

### **General Considerations**

Route transfers involve a negotiated transfer of route ownership and the attendant operational and financial responsibilities. The impact of these responsibilities, both positive and negative, should be thoroughly acknowledged and addressed. This section describes some of the key aspects to be considered in undertaking a route transfer agreement.

Under the current condition, ADOT assumes the responsibility and costs for operating and maintaining the routes included within this study. Those costs include regular maintenance and field operations as well as long-term preservation and operational improvement capital costs. These operation and maintenance (O&M) cost responsibilities are generally assumed by the local jurisdiction under a route transfer.

As owner of the facilities, ADOT is also subject to a certain amount of risk-based liability that is more difficult to quantify. This risk is generally assumed by the local jurisdiction in a route transfer. In addition, ownership-related risk and responsibilities require that ADOT review and approve any requested modifications to their system that typically arise from local development or City network operational needs. The ADOT review and approval process is in addition to regular City review and approval processes, and is sometimes at cross purposes due to ADOT's overriding state highway system mission. Route transfer would give the City full operational control of these roadways to make modifications suiting their overall objectives and to be responsive to local needs.

There are myriad minor regulatory and administrative costs associated with roadways that also are typically assumed by local jurisdictions in a route transfer. Such costs include water quality compliance testing for storm drainage systems; responding to public requests, complaints and inquiries; and reporting such as roadway conditions data for the national Highway Performance Monitoring System (HPMS) data base. These are relatively small costs individually, but collectively may be significant. Good data are not readily available for these minor costs.

A variety of improvements have been identified to bring the study routes up to desired conditions. While responsibility for some of these improvements is still subject to further discussion, they are all considered eventual operational needs within the route corridors. These improvements, or other alternate improvements, can be part of the equity consideration in a route transfer. In light of limited resources, each party will need to consider the impact of such improvements, both positive and negative, on their overall priorities.

## Advantages and Disadvantages

The decision whether or not to pursue route transfers will depend upon the City's and ADOT's consideration of the relative advantages and disadvantages of the transaction. For both parties, route transfer will have an impact on system responsibilities, authorities and long-term ownership costs. In order to be viable, these impacts and the overall terms of potential transfers will need to be deemed advantageous by both ADOT and the City. The primary advantages and disadvantages identified in this study are summarized below.

### Advantages:

#### *ADOT*

- Reduced O&M costs
- Reduced risk exposure
- Reduced development review and permitting responsibility
- Reduced regulatory responsibility (water quality compliance)
- Reduced administrative burden (public issues, data reporting)

#### *City of Sedona*

- Improved public responsiveness
- Improved roadway development control
- Improved development approval process by eliminating ADOT "third party" review
- Increased roadway operational control
- Transfer terms (financial and/or project commitments) could accelerate priority improvements

### Disadvantages:

#### *ADOT*

- Transfer costs (financial and/or project commitments)
- Transfer costs will displace other priorities

#### *City of Sedona*

- Increased O&M costs
- Increased risk exposure
- Increased regulatory responsibility (water quality compliance)
- Increased administrative burden (public issues, data reporting)
- Ownership costs will displace other priorities

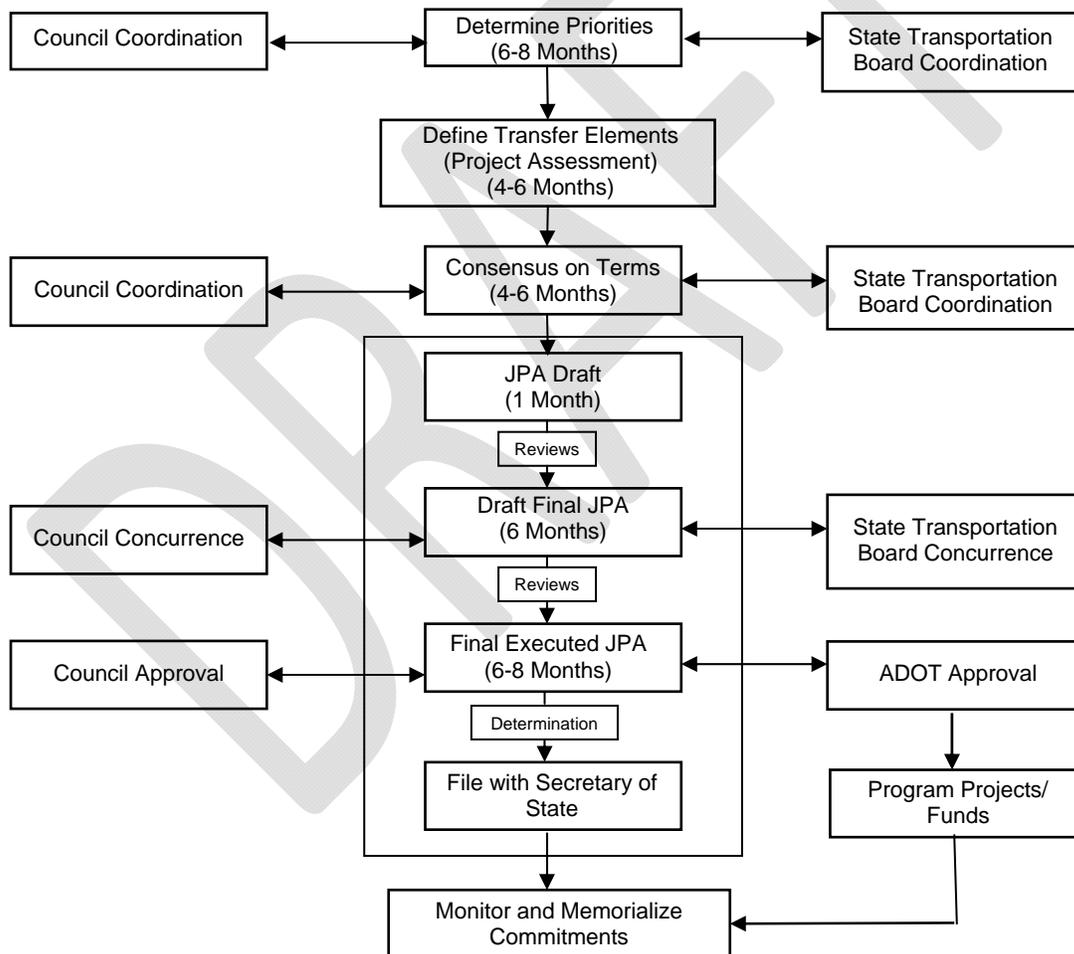
This study provides data on the quantifiable O&M costs, including capital improvement costs to bring the routes to a desired condition consistent with current long-range planning. The financial aspects will need to be evaluated by decision makers, along with the less quantifiable considerations, in determining whether to move forward with any potential transfers.

### Suggested Route Transfer Process

#### Process

A specific process has not yet been developed by ADOT for development and execution of route transfers. The ADOT Policies and Procedures Memorandum, MGT – 14.01 Department-Wide Agreement Policy, details ADOT’s internal responsibilities and procedures for preparation and proper use of agreements between governments and between ADOT and the private sector (Joint Project Agreements - JPA’s); however, MGT – 14.01 deals mainly with JPA content and review processes. The suggested route transfer process incorporates the JPA process, but additionally defines the process leading up to the JPA and suggests specific coordination that should occur during the JPA development. A flow chart and typical durations for the suggested process are shown in Figure 4.

Figure 4. Process Flow Chart



The process has five basic steps:

1. Determine Priorities
2. Define Transfer Elements
3. Consensus on Terms
4. Develop JPA
5. Monitor Commitments

Each of these steps is detailed in the following sections.

### ***Determine Priorities***

While not intended to be a comprehensive list, some of the major considerations for assessing priorities could include:

- *Transfer costs and agency financial capabilities* – the ability of each agency to take on the financial burden associated with a transfer will be a primary consideration
- *Magnitude and relative importance of deficiencies* – if improvements associated with a route transfer are highly valued, the priority may be higher than other routes with similar costs
- *Current route suitability for state or local system needs* – ADOT places a higher priority on transferring routes that no longer serve state highway functions; those routes typically serve important local transportation functions
- *Future operational control advantages/disadvantages* – is there a significant advantage or disadvantage to having control over signal timing and location; striping and lane configuration; drainage operation; or other operational elements?
- *Future roadway development control opportunities* – are there significant opportunities for future road development where control of those decisions may be beneficial?
- *Roadway improvements* – routes that have a combination of existing and/or planned improvements by ADOT or local private development towards City of Sedona desired conditions will tend to be more highly valued.

Due to the need to involve the Board and Council, the prioritization process may take at least six to eight months to complete, and possibly longer. Once there is consensus on which routes to consider for transfer, it is necessary to define the specific elements and terms of the transfer arrangement.

### ***Define Transfer Elements***

This study identifies the costs associated with operating and maintaining the study routes; deficiencies of routes relative to long-range planning expectations; and general improvements and costs to bring the routes to a condition consistent with long-range planning and statutory route transfer requirements. Study results are intended to support the decision making for whether to move ahead with transfers, and the prioritization of such transfers. Once those decisions have been made, additional study is required to develop consensus on the specific scope and cost of improvements to be included; the respective responsibilities for those improvements; and general terms of the proposed route transfer. It is proposed that a modified version of the ADOT Project Assessment (PA) process be used to document this consensus process.

The ADOT PA process provides a standardized and accepted format for developing project team and stakeholder consensus on the specific scope, schedule and budget for improvement projects as well as defining project-specific responsibilities and requirements. The PA process is undertaken in a project team environment including all project stakeholders. It begins with a project kickoff meeting and coordination continues throughout the process through regular progress meetings. The general format for a PA includes the following sections:

- Introduction – describes the project location, purpose and objectives
- Background – describes existing conditions and provides data relevant to the development and analysis of the project
- Project Scope – describes alternatives considered, analysis results, and the detailed scope of the consensus improvements
- Project Development – describes the significant project development requirements such as environmental documentation, permitting, utilities coordination, design exception requests, right-of-way requirements, waste or borrow sites, etc.
- Other Requirements – describes any other special considerations, requirements or responsibilities unique to the project
- Estimated Costs – provides a detailed estimated cost for all elements of the project in a standardized format using current ADOT data base costs
- Action Required by the Priority Planning Advisory Committee – describes any required action for programming the project or modifying an existing scope, schedule or budget

Within the PA framework, the route transfer itself will be treated as the “project”, which may include a number of individual improvements at various sites. The PA will define the scope and estimated cost of the consensus improvements; the specific terms of the transfer and associated responsibilities and requirements; and the anticipated schedule of the transfer process inclusive of JPA preparation and any elements tied to the transfer such as design, permitting, right-of-way acquisition and construction. This process will provide a sound basis for the critical management/decision maker consensus and initiation of the JPA.

Depending on the complexity of the improvements, the PA process typically takes four to six months to complete, but can take as much as a year or more for complex situations requiring extensive data gathering and analysis. The types of work identified in this study will likely be on the order of 6 months. Costs also will vary depending on scope and complexity, but typically should range from \$25,000 to \$60,000. ADOT indicated they will initiate and fund any required PA’s through their normal project scoping process.

### ***Consensus on Terms***

Before initiating any route transfer JPA it is essential that consensus be forged between the City and ADOT, at both the staff and decision maker levels, on the specific details of the terms of the proposed transfer. The PA will provide the process and data to support the consensus development. To that end, it is important that all of the transfer details be addressed in the PA document. While each situation will be unique, following are some of the key elements that will need to typically be addressed:

- The physical limits and timing of the route transfer
- Any operational or maintenance responsibilities that ADOT will continue to maintain within the transfer limits
- Any additional operational or maintenance responsibilities of either party outside the route transfer limits
- The specific scope and timing for agreed operational or maintenance responsibilities that are part of the transfer
- The specific scope, timing and responsibilities for agreed improvements and/or compensation that are part of the transfer
- Any budget limitations such as a “not to exceed” amount

- Definition of milestone events or required actions that will consummate the transfer

Either the initial draft PA or the final PA document should be presented to the Transportation Board and City Council for concurrence prior to initiating a JPA. Presenting the initial draft could expedite the process by gaining decision maker consensus during the PA development, and allowing for any requested revisions to be incorporated into the final document. This will depend on the comfort level of the project team with the results of the initial draft PA. Because of Council and Board involvement, this consensus process may require four to six months to complete.

### ***JPA Development***

The JPA is a legal contract between ADOT and the City that will define the terms of the route transfer. As noted, the ADOT Policies and Procedures Memorandum MGT – 14.01 provides guidance for the preparation and processing of JPA's. In addition, the ADOT Joint Project Agreements staff is in the process of preparing a flow chart for the development of JPA's to facilitate the overall process. The process is very detailed but involves the following major steps:

- JPA staff and Project Manager develop draft JPA
- JPA staff circulates draft for internal ADOT review
- JPA staff edits and prepares draft final JPA and circulates for agency review
- JPA staff edits and submits final JPA for Attorney General approval
- JPA staff circulates final JPA for agency signatures
- JPA staff circulates final JPA for ADOT signatures
- JPA staff submits final signed JPA to Attorney General for Determination Letter
- JPA staff sends to Secretary of State for filing
- Secretary of State returns stamped originals for files

The JPA process involves several iterations of reviews and approvals, and usually requires a minimum of six months to one year to complete. Comprehensive scoping in the PA process and close adherence to the guidelines in MGT -14.01 help expedite the process. In addition to the existing guidelines, the process depicted in Figure 9.1 recommends that the Council and Board be included in the review and concurrence process for the draft final JPA to avoid any surprises when the final is processed for signature.

### ***Monitor Commitments***

The terms of the JPA often include future milestones or actions to be performed by one or both parties for the terms to become effective. It is not uncommon for the terms to be implemented incrementally as these milestones or actions are completed. This JPA aspect is addressed in MGT – 14.01, but is worth noting here to make sure the monitoring aspect is included in the overall process.

The JPA must include a responsibility matrix that delineates roles and responsibilities throughout the life of the agreement, from inception through completion of the actions outlined in the agreement. The general requirements of the matrix are included in section 1.05. c. of MGT – 14.01, but the actual long-term monitoring is not discussed. It is recommended that the JPA be treated internally as a project, with a project manager assigned to monitor the execution of the JPA terms. As milestones or actions are completed, the incremental completions and associated commitments should be documented in official correspondence between the agencies. This is an obvious, but sometimes overlooked, aspect of JPA execution that avoids misunderstandings down the road.

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## **Appendix A**

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### **INTERGOVERNMENTAL AGREEMENT BETWEEN THE STATE OF ARIZONA AND CITY OF SEDONA**

**Dated April 17, 2007**

(ADOT/JPA File No.: 06-067-I)

**and**

**AMENDMENT NO. ONE**

**Dated March 20, 2009**

ADOT/JPA File No.: 06-067-I  
AG Contract No.: KR07-0141TRN  
Project: Maintenance  
Section: SR 179 & 89A  
TRACS No.: H3414 03C  
Budget Source Item No.: 15107

**INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
CITY OF SEDONA

**THIS AGREEMENT** is entered into this date April 17<sup>th</sup>, 2007, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF SEDONA, acting by and through its MAYOR and CITY COUNCIL (the "City").

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes § 48-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.

3. The purpose of this Agreement is to define Operational & Maintenance responsibilities for all State highways within the limits of the City of Sedona, namely SR 89A from MP 368.6 to 374.2 and SR 179 from MP 310.4 to 313.8, hereinafter referred to as the "Project". The responsibility of each party is defined under Section II, Scope of Work of this Agreement. Please note that this Agreement will replace JPA 90-124.

**THEREFORE**, in consideration of the mutual covenants expressed herein, it is agreed as follows:

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NO. 28825  
Filed with the Secretary of State  
Date Filed: 4/17/07  
Jeanie K. Stevens  
Secretary of State  
By: [Signature]

## **II. SCOPE OF WORK**

### 1. The State shall:

a. Be responsible for any required betterments to SR-179 and SR- 89A including; reconstruction of roadway, curbs, retaining walls, medians and channelizations; bridges and drainage; guardrails and fences; transportation permits (such as overweight, overwidth and overheight as prescribed by law); and permits for highway right-of-way encroachments and use.

b. Maintain all longitudinal painted guide lines, crosswalks, stopbars, turn arrows and legends on SR-179 and SR-89A, except those pavement markings associated with bike lanes, and approve any other markings to be placed within the limits of SR-179 and SR-89A.

c. In the event of future traffic signal pole knock down, the State will replace the pole, mast arm, etc. with City supplied "Street Furniture" or the State will erect a standard ADOT pole, mast arm and ancillary equipment. In the event of future non standard ADOT roadway safety lighting pole knock down, the City will replace the "Street Furniture" in it's entirety, or the State will erect a standard ADOT roadway safety light and pole in it's place. The State will not replace or maintain any pedestrian pathway or continuous roadway safety lighting.

d. Provide traffic signal and intersection lighting maintenance to any standard ADOT equipment not specifically assigned to the City that is within the State Right-of-Way.

e. Maintain the highway drainage system within the State Right-of-Way except for the Stormceptor@Stormwater Treatment Systems installed along Oak Creek.

f. Maintain roadway retaining walls within the State Right-of-Way.

### 2. The City shall:

a. Be responsible for sidewalk and pedestrian pathway repair, replacement and routing maintenance including sweeping and cleaning of sidewalks and pedestrian pathways.

b. Be responsible for all street sweeping, litter control and pickup, weed control and mowing, and control of overgrowth of vegetation.

c. Be responsible for parking striping, curb marking and "No Parking" signs. Signs to be supplied by the City.

d. Be responsible for routine inspections maintenance and replacement of stop signs that intersect SR-179 and SR-89A.

e. Be responsible for maintenance and replacement of the bike lane pavement markings, signing, and any increased street sweeping associated with the bike lanes.

f. Be responsible for all City utilities within State Right-of-way, including all Stormceptor@Stormwater Treatment Systems installed along Oak Creek, even if they are within the State maintained highway drainage system.

g. Enforce all City ordinances regarding the placement of signs or other objects within public Rights-of-Way on SR-179 and SR-89A.

h. Be responsible for snow removal within the City limits on SR-179 and SR 89A in the event ADOT can not get crews into the area during severe storms or until such time as ADOT crews are available.

- i. Be responsible for all pothole patching outside the curb to curb limits of the highway or A.C. shoulder to A.C. shoulder limits of the highway, i.e., access driveways, parking areas, etc.
- j. Provide all electrical power necessary for all signals, pedestrian and roadway safety lighting.
- k. Provide maintenance to the finish of "Street Furniture" roadway safety lighting and traffic signal poles, mast arms, and heads highway luminary equipment including fixtures, ballast, lamps, and the exterior of signal control cabinets, and replacement parts for the optical emergency vehicle pre-emption system when necessary.
- l. In the event of future traffic signal pole knockdown, participate in the costs of "Street Furniture" replacement above and beyond the prevailing cost of State standard poles, mast arms, etc. The City will provide "Street Furniture" replacement pole, mast arm and ancillary equipment or accept the installation of a standard State pole, mast arm and ancillary equipment.
- m. Be responsible for all Pedestrian and continuous roadway lighting enhancements within the City limits. Including all maintenance and replacement of the lighting poles and fixtures.
- n. Be responsible for all maintenance of "Street Furniture" roadway safety lighting that uses non-standard ADOT poles and equipment. In the event of future roadway safety lighting pole knockdown, the City will replace the "Street Furniture" in it's entirety, or accept the installation a standard ADOT roadway safety light and pole in it's place.
- o. Be responsible for the landscape irrigation system including all testing, adjusting, repairing and operation of the irrigation system and shall furnish all water and electrical power necessary to operate the irrigation system.
- p. Be responsible for the landscaping consisting of the care of all landscaping in accordance with accepted horticultural practices keeping all areas free of weeds, undesirable grasses and litter, furnishing and applying insecticide/herbicide sprays and dust to combat diseases and other pest, pruning and replanting as required.
- q. Be responsible for installation, maintenance and replacement of all artwork and fixtures installed in the State Right-of-Way, including but no limited to artwork, decorative walls fountains, and vegetation art within the roundabout centers.
- r. Grant the State without cost permission to enter City Right-of-Way as required to conduct any and all construction and preconstruction related activities to SR-179 and SR 89A including without limitation, temporary construction easements or temporary Right-of-Entry to accomplish among other things, soil and foundation investigations.
- s. Conduct all maintenance work in a manner to minimize traffic congestion and interference with through traffic. All traffic control will meet the requirements of the Arizona Department of Transportation's "Uniform Traffic Control Manual for Highway Construction and Maintenance".

### **III. MISCELLANEOUS PROVISIONS**

1. This Agreement shall become effective upon signatures by the parties hereto, and shall remain in full force in perpetuity.
2. The State shall assume full responsibility and liability for the actions of the State and be responsible for the Operations and Maintenance as they relate to this Agreement. The City shall assume full responsibility and liability for the actions of the City and be responsible for the Operations and Maintenance as they relate to this Agreement.
3. This Agreement shall become effective upon filing with the Secretary of State.

- 4. This Agreement may be cancelled in accordance with Arizona Revised Statutes § 38-511.
- 5. The provisions of Arizona Revised Statutes § 35-214 are applicable to this Agreement.
- 6. In the event of any controversy, which may arise out of this Agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes § 12-1518.
- 7. All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail, addressed as follows:

Arizona Department of Transportation  
 Joint Project Administration  
 205 S. 17<sup>th</sup> Avenue, Mail Drop 616E  
 Phoenix, Arizona 85007  
 (602) 712-7525  
 (602) 712-7424 Fax

City of Sedona Public Works  
 Attn: Charles P. Mosley, P.E.  
 102 Roadrunner Drive  
 Sedona, Arizona 86336  
 Phone # (928) 204-5348  
 Fax # (928) 282-7207

8. This Agreement is subject to all applicable provisions of the Americans with Disability Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable Federal regulations under the Act, including 28 CFR Parts 35 and 36. The parties to this Agreement shall comply with Executive Order Number 99-4 issued by the Governor of the State of Arizona and incorporated herein by reference regarding "Non-Discrimination".

9. Non-Availability of Funds: Every payment obligation of the State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligations. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments as a result of termination under this paragraph.

10. In accordance with Arizona Revised Statutes § 11-952 (D) attached hereto and incorporated herein is the written determination of each party's legal counsel and that the parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form.

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

**CITY OF SEDONA**

**STATE OF ARIZONA**

Department of Transportation

By   
 PUD COLQUITT  
 Mayor

By   
 DOUGLAS A. FORSTIE, P.E.  
 Deputy State Engineer, Operations

ATTEST:

By   
 CHERRY LAWSON  
 Clerk

G:06-069 City of Sedona  
 SR 179 & 89A Operation & Maintenance  
 July 13, 2006-ly  
 Revised January 11, 2007 Carl's comments.  
 Final revised January 22, 2007 sent to Charles Mosley  
 Final revised January 31, 2007 review by Sedona & ADOT-ly

RESOLUTION NO. 2007 - 06

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION REGARDING OPERATION AND MAINTENANCE RESPONSIBILITIES FOR ALL STATE HIGHWAYS WITHIN THE SEDONA CITY LIMITS, AND PROVIDING AUTHORIZATION FOR THE MAYOR TO EXECUTE SAID AGREEMENT.**

WHEREAS:

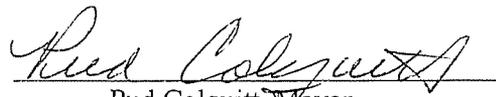
The City of Sedona desires to enter into an intergovernmental agreement with the Arizona Department of Transportation setting forth their mutual obligations in connection with operation and maintenance responsibilities for all State highways within the Sedona City Limits.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE COUNCIL OF THE CITY OF SEDONA, ARIZONA, THAT:

The City of Sedona, through its Mayor and Council, hereby approves the Intergovernmental Agreement with the Arizona Department of Transportation, JPA File No. 06-067 setting forth their mutual obligations in connection with operation and maintenance responsibilities for all State highways within the Sedona City Limits.

The Mayor is authorized to execute said agreement on behalf of the City of Sedona, Arizona.

PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 13<sup>th</sup> day of March, 2007.

  
Pud Colquitt, Mayor

ATTEST:

  
Cherry Lawson, C.M.C.  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

ATTORNEY APPROVAL FORM

FOR CITY OF SEDONA

INTERGOVERNMENTAL AGREEMENT DETERMINATION

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the CITY OF SEDONA, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned CITY Attorney who has determined that it is in proper form and within the powers and authority granted to CITY under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties to enter into said Agreement.

Dated 3-16, 2007

  
\_\_\_\_\_

Attorney

<p>TERRY GODDARD Attorney General</p>	<p style="text-align: center;"> <b>OFFICE OF THE ATTORNEY GENERAL</b> STATE OF ARIZONA</p>	<p>CIVIL DIVISION TRANSPORTATION SECTION Writer's Direct Line: 602.542.8855 Facsimile: 602.542.3646 E-mail: Susan.Davis@azag.gov</p>
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**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR07-0141TRN (**JPA 06-067-I**), an Agreement between public agencies, i.e., The State of Arizona and City of Sedona, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

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

DATED: April 10, 2007

TERRY GODDARD  
Attorney General

  
SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

SED:mjf:1008246  
Attachment

ADOT File No.: IGA/ JPA 06-067-I  
AG Contract No.: KR07-0141TRN  
**Amendment No. One**  
Project: Maintenance  
Section: SR 179 & 89A  
TRACS No.: H3414 03C  
Budget Source Item No.: 15107

**AMENDMENT NO. ONE  
TO  
INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
CITY OF SEDONA

**THIS AGREEMENT**, entered into this date March 20<sup>th</sup>, 2009, Amendment No. One amending JPA No. 06-067-I, A.G. Contract No.: ~~PKR07-0141TRN~~, and executed April 17, 2007, and filed with the Secretary of State under No. 28865, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF SEDONA, acting by and through its MAYOR and CITY COUNCIL (the "City"). The State and the City are collectively referred to as "Parties".

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.

**The purpose of this amendment is to clarify maintenance responsibilities regarding Americans with Disability Act ("ADA") ramps, and also regarding retaining, sound or decorative walls.**

**THEREFORE**, in consideration of the mutual Agreements expressed herein, this Agreement is amended as follows:

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No. 28865  
Filed with the Secretary of State  
Date Filed: March 20 2009  
Ken Bennett  
Secretary of State  
By: Marie Resenk

**II. SCOPE OF WORK**

**Article II, paragraph 1.f. is replaced in full and paragraph 1.g. is added in full, as follows:**

1. The State will:

f. Be responsible for the maintenance of the structural integrity of all highway earth retaining walls and sound walls within State right-of-way.

g. Assume full responsibility for the design and construction of all sidewalks and handicapped access ramps installed as part of the State Highway 179 project in Sedona (179 CN 310 STP TEA-179-A-(002) B and (001) B). Be responsible to replace any or all ramps that require replacement if it is ever determined by federal or state government, or a court of competent jurisdiction, that said ramps fail to comply with ADA standards. If the current ADA standard regarding ramps is changed or modified by the federal or state government, the timetable for coming into compliance with any new modifications is subject to ADOT policies and at State expense.

**Article II, paragraphs 2.a. and 2.t. will be replaced in full as follows:**

2. The City will:

a. Be responsible for sidewalk and pedestrian pathway repair, replacement and routine maintenance, including sweeping and cleaning of sidewalks and pedestrian pathways. Excluded in this responsibility is the replacement of the sidewalk handicapped ramps if the only purpose is to replace them for lack of ADA compliance.

t. Be responsible for the maintenance and repair of all decorative walls within State Right-of-way, including the painting and repair of any of the rustication enhancements on the highway retaining or sound walls. Decorative walls include the small retaining walls for the sidewalks (curbwalls, etc.), the small retaining walls used solely for landscaping (such as those in the roundabout centers, etc.) and any walls or concrete used solely to support artwork

**III. MISCELLANEOUS PROVISIONS**

**Article III, paragraph 11 will be added in full as follows:**

11. The Parties shall comply with Arizona Revised Statutes § 41-4401 to the extent applicable to the activities under this Agreement.

**ALL NOTICES OR DEMANDS** upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
 Joint Project Administration  
 205 S. 17<sup>th</sup> Avenue, Mail Drop 637E  
 Phoenix, Arizona 85007  
 (602) 712-7124  
 (602) 712-3132 Fax

City of Sedona  
 Attn: Public Works Department  
 102 Roadrunner Drive  
 Sedona, Arizona 86336  
 (928) 204-5348  
 (928) 282-7207 Fax

**EXCEPT AS AMENDED** herein, **ALL OTHER** terms and conditions of the original Agreement remain in full force and effect.

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

**CITY OF SEDONA**

By   
ROB ADAMS  
Mayor

**STATE OF ARIZONA**

Department of Transportation

By   
SAM MAROUFKHANI, P.E.  
Deputy State Engineer, Development

ATTEST:

By   
CHERRY LAWSON  
Clerk

Initial amendment draft 12/11/08 ghc  
Revisions per City 1/7/09

**ATTORNEY APPROVAL FORM FOR THE CITY OF SEDONA**

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the CITY OF SEDONA, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 19 day of February, 2009.

  
\_\_\_\_\_  
City Attorney

RESOLUTION NO. 2009- 06

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO INTERGOVERNMENTAL AGREEMENT JPA 06-067-I EXECUTED BETWEEN THE CITY OF SEDONA AND ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT), ON APRIL 17, 2007, TO CLARIFY THE MAINTENANCE RESPONSIBILITIES OF THE PARTIES REGARDING AMERICANS WITH DISABILITY ACT (ADA) RAMPS AND RETAINING, SOUND OR DECORATIVE WALLS ON STATE ROUTES 179 AND 89A WITHIN THE CITY LIMITS**

*WHEREAS*, two or more public agencies may enter into an intergovernmental agreement pursuant to ARS 11-952.A, and for public improvements specifically under ARS 48-572/28-401, and

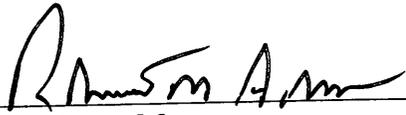
*WHEREAS*, the City of Sedona ("City") and the State of Arizona, Department of Transportation (ADOT) previously entered into an intergovernmental agreement on April 17, 2007, describing the duties and responsibilities of the parties for operation and maintenance of State Routes 179 and 89A within the city limits, being JPA 06-067-I, and

*WHEREAS*, the parties have negotiated Amendment No. 1 to the above IGA to clarify maintenance responsibilities regarding Americans with Disability Act (ADA) ramps, and also regarding retaining, sound or decorative walls,

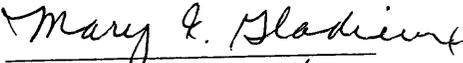
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE COUNCIL OF THE CITY OF SEDONA, ARIZONA, THAT:

The City of Sedona, through its Mayor and Council, hereby approves Amendment No. 1 to the Intergovernmental Agreement between ADOT and the City of Sedona for operation and maintenance of State Routes 179 and 89A, contract JPA 06-067-I, previously executed on April 17, 2007, regarding maintenance responsibilities for ADA ramps, and retaining walls, as described in the Amendment.

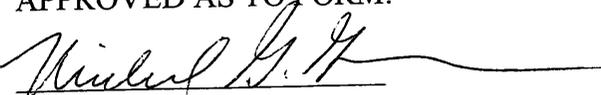
PASSED AND ADOPTED by the Mayor and Council of the City of Sedona, Arizona, this 10<sup>th</sup> day of February, 2009.

  
\_\_\_\_\_  
Rob Adams, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk - Deputy

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

<p><b>TERRY GODDARD</b> Attorney General</p>	<p style="text-align: center;"> <b>OFFICE OF THE ATTORNEY GENERAL</b> STATE OF ARIZONA</p>	<p><b>CIVIL DIVISION</b> <b>TRANSPORTATION SECTION</b> Writer's Direct Line: 602.542.8855 Facsimile: 602.542.3646 E-mail: Susan.Davis@azag.gov</p>
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**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR07-0141TRN (**IGA/JPA 06-067-I, Amendment No. One**), an Agreement between public agencies, i.e., The State of Arizona and City of Sedona, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

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

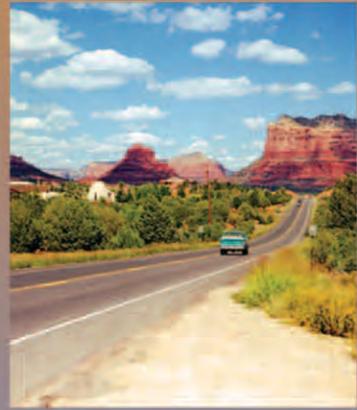
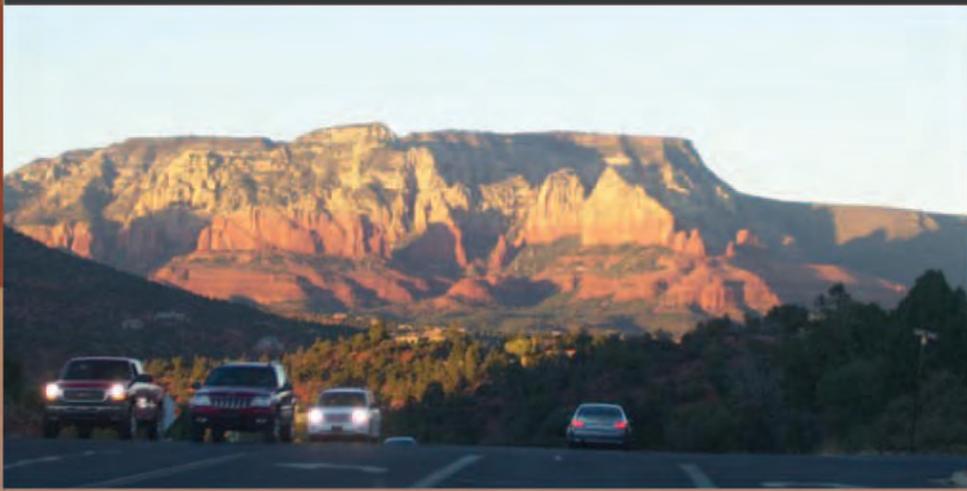
DATED:      March 16, 2009

TERRY GODDARD  
Attorney General

  
SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

SED:mjf:419774  
Attachment

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**Andi Welsh - RE: Route Transfers Around the State**

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**From:** John Harper  
**To:** 'Charles Mosley' , 'Tim Ernster'  
**Date:** 4/14/2010 8:28 AM  
**Subject:** RE: Route Transfers Around the State  
**CC:** Audra Merrick , John Dalby  
**Attachments:** Audra Merrick , John Dalby

---

Here is an updated list with 2 new additions – City of Prescott and Town of Wickenburg.

---

**From:** John Harper  
**Sent:** Thursday, April 08, 2010 3:27 PM  
**To:** 'Charles Mosley'; Tim Ernster  
**Cc:** Audra Merrick  
**Subject:** Route Transfers Around the State

Charles and Tim

As requested in our conference call last Friday, we have assembled a list of communities that have accepted a route transfer over the past several years and a couple that will happen this summer. We have included contact information. If more of these come in over the next few days/week, I will pass them along. Hopefully, these should get you started on your research.

If you have any questions, please let me know.

John

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**Andi Welsh - RE: Route Transfers Around the State**

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Charles and Tim

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If you have any questions, please let me know.

John

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**From:** Charles Mosley  
**To:** Tim Ernster  
**Date:** 5/11/2010 12:11 PM  
**Subject:** Fwd: RE: Sedona RTS Teleconference — SR 89A Route Transfer Questions

**CC:** AMerrick@azdot.gov; JHarper@azdot.gov

Tim,

I spoke with John Harper and Audra Merrick today and they provided answers to my questions as listed below. My questions to other jurisdictions are still out standing. Responses are in italics below. I have sent a copy to John and Audra so they can verify if I have accurately reflected their answers.

>>> John Harper <[JHarper@azdot.gov](mailto:JHarper@azdot.gov)> 4/12/2010 2:48 PM >>>  
Thanks Charles

We will discuss and will get back with you.

John

-----Original Message-----

From: Charles Mosley [<mailto:CMosley@sedonaaz.gov>]  
Sent: Friday, April 09, 2010 5:09 PM  
To: John Harper; Tim Ernster  
Subject: Re: Sedona RTS Teleconference

Here are the questions.

Can we negotiate the cost responsibility for the work items identified in the Route Transfer Study? *yes. The items in the Route Transfer Study were provided for information regarding the possible impact of the transfer and identification of issues. The actual negotiation of the transfer is a different process. I may involve sit down meetings and exchange of correspondence to reach a mutually satisfactory arrangement. The goal is not to shove the transfer.*

Can we negotiate that ADOT will do certain of the work items as part of the transfer study? *Yes. For instance we could negotiate that the overlay continue.*

What kinds of stormwater quality improvements would ADOT contribute toward as part of the transfer? *Although this is something has not been raised in other transfers. It could be negotiated. I explained that I was thinking of catchbasin inserts to minimize oils, greases, and silt.*

What are the utility agreements that would transfer to the City upon transfer of the road? Are these open to renegotiation? *At this time they are not aware of any, but they are checking into them. This would be addressed in the final Sedona Route Transfer Document by HDR consultants. The Final Draft of the document was held open so answers to some questions the City has could be included. Also FHWA requested the insertion of some Federal interest language into the report. This would address the City reimbursing the Federal Government for abandonment/transfer of property purchased using federal funds.*

Are there access rights to adjacent properties or other properties that the City would need to respect upon transfer? *They are looking into this. Generally things are done by permit.*

Would ADOT contribute the cost of the street lights to the City to use as it choose in addition to other transfer payments? *This would be subject to negotiation. The funds proposed to be used for the street lights are FHWA funds, which would not be available so far as John and Audra know, if ADOT did not pursue the lights. This means asking the State to find funds, if they were given to the City.*

Are there any lawsuits relative to the roadway that the City would need to be indemnify regarding? Also would the City be indemnified on an time of occurrence basis regarding claims recieved after transfer of the roadway?

*This question and the next were addressed as one. ADOT is responsible for occurrences prior to the transfer date. The City is responsible thereafter. The issue of claims arising before the City had a chance to implement projects for which it received funds might be handled based on the concept of a project in the works.*

Is there a timeframe regarding which the City would be indemnified for existing conditions after the transfer?

Would the City receive a clear title for the whole right-of-way upon transfer? *HDR will look into this as part of their work.*

Could the City request the design of three roundabouts as part of the transfer process? The road may have increased traffic and roundabouts may be needed when a median is constructed. This may facilitate discussion about needed additional right-of-way that is foreseeable under currently projected traffic conditions. I am thinking at Soldier Pass, Coffee Pot or Rodeo, and in the area around Andante and Navajo Drive.

*This would be a negotiated item.*

Charles Mosley, P.E. MPA  
Director of Public Works/City Engineer  
City of Sedona  
(928) 204-7132

Please consider conservation prior to printing this e-mail.

Charles Mosley, P.E. MPA  
Director of Public Works/City Engineer  
City of Sedona  
(928) 204-7132

Please consider conservation prior to printing this e-mail.

>>> John Harper <[JHarper@azdot.gov](mailto:JHarper@azdot.gov)> 4/2/2010 1:44 PM >>>  
Tim and Charles

Recap of teleconference with John Harper, Tim Ernster and Charles Mosley today (4/2/10).

We discussed the status of the route transfer study and whether it can be finalized or left open for a few months.

Here is what we agreed to in order to determine the next steps with the RTS.

- City will by 4/9/10 prepare a list of questions/issues that they believe the City Council will have regarding the RTS.
- ADOT and City will determine whether the questions can be answered by ADOT or City staff or would it be best to have HDR do the research.
- If it is determined that some research is needed by HDR, then we will discuss with James Zumpf on whether there is funding to do so.
- It was undetermined whether the information gathered will need to be put into the RTS. It could just as well be council communication via memo. Therefore it is possible that the RTS could be closed out.
- We believe it may be necessary to reconvene the TAC to help determine the future of the RTS and/or HDR future.

Charles believes there will be a need for HDR to help with research for instance on existing utilities and other issues that would stretch staff's time. Are there agreements in place that might obligate the City for certain actions in the future? Are there other maintenance obligations that may be missing in the report?

Charles also asked about recent route transfers in the state. The city would like to contact those communities to get a sense of the pros and cons after the transfer to see if they need to include those considerations in this transfer. ADOT will get that information to the City in the next week or so.

We also discussed the actual route transfer process/negotiations and how that might look. I mentioned that we should first try to answer the questions the City will bring forth on 4/9/10, then we could sit down and look at how we might be able to put the framework in place that could work for both parties.

At a minimum, should the route transfer happen, the City would like ADOT to construct the pavement preservation project in west Sedona, the Airport traffic signal and the signal at Andante plus turn lane.

Let me know if this is what we discussed and if there is anything to add or change.

John

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**From:** Mark Landsiedel <MLandsiedel@flagstaffaz.gov>  
**To:** "Charles Mosley" <CMosley@sedonaaz.gov>, "ataft@ci.quartzsite.az.us" <...>  
**Date:** 5/11/2010 9:38 PM  
**Subject:** RE: Request for State Route Turnback concerns

**CC:** Tim Ernster <TErnster@sedonaaz.gov>  
Charles:

I have negotiated one route transfer for Flagstaff about 4-5 years ago. We are currently negotiating another. It's rather difficult to put that experience in an email. I'd rather have a two-way dialogue. Can you give me a call? My calendar is open until 10:30 a.m. and from 3-5 p.m. on Thursday. Let me know if there's a specific time when we can talk.

Mark G. Landsiedel  
Community Development Director  
211 West Aspen  
Flagstaff, Arizona 86001  
928.226.4842  
mlandsiedel@flagstaffaz.gov

-----Original Message-----

From: Charles Mosley [mailto:CMosley@sedonaaz.gov]  
Sent: Friday, May 07, 2010 2:23 PM  
To: Mark Landsiedel; ataft@ci.quartzsite.az.us; smckay@ci.wickenburg.az.us;  
jim.ferguson@ci.winslow.az.us; billlee@cityofsomerton.com; mark.nietupski@prescott-az.gov;  
paul.brooberg@yumaAz.gov  
Cc: Tim Ernster  
Subject: Request for State Route Turnback concerns

The City of Sedona is looking to develop a list of the issues it should consider when considering the turnback of a State Route. In this case we are looking at SR 89A as it runs through the City's western business district. I am contacting you because I was informed that you have recently dealt or are currently dealing with a turnback. I have attached a copy of the list I recieved, along with a map showing the area we are considering for a turnback.

In particular I have the following questions:

1. What are the issues that have arisen since the turnback that you wish you had raised during the turnback negotiations with ADOT?
2. What are approaches to the turnback that your community used that you would recommend to other communities?
3. How did the turnback affect your operating budget?
4. Do you need to set aside funds to perform major maintenance on the turnback road, in order to avoid budget spikes? I think this would proably apply in the case of smaller cities.
5. Besides Public Works what other departments were significantly affected by the turnback? Police, fire, community development, ???
6. Why was the turnback pursued?

Thank-you for whatever information you are willing to provide.

Charles Mosley, P.E. MPA  
Director of Public Works/City Engineer  
City of Sedona  
(928) 204-7132

Please consider conservation prior to printing this e-mail.

**From:** Charles Mosley  
**To:** ataft@ci.quartzsite.az.us; billlee@cityofsomerton.com; jim.ferguson@ci...  
**Date:** 5/7/2010 2:23 PM  
**Subject:** Request for State Route Turnback concerns  
**Attachments:** Route Transfers Statewide info for Sedona April 2010.xls; Sedona turnback map.pdf

**CC:** Tim Ernster

The City of Sedona is looking to develop a list of the issues it should consider when considering the turnback of a State Route. In this case we are looking at SR 89A as it runs through the City's western business district. I am contacting you because I was informed that you have recently dealt or are currently dealing with a turnback. I have attached a copy of the list I received, along with a map showing the area we are considering for a turnback.

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5. Besides Public Works what other departments were significantly affected by the turnback? Police, fire, community development, ???
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Thank-you for whatever information you are willing to provide.

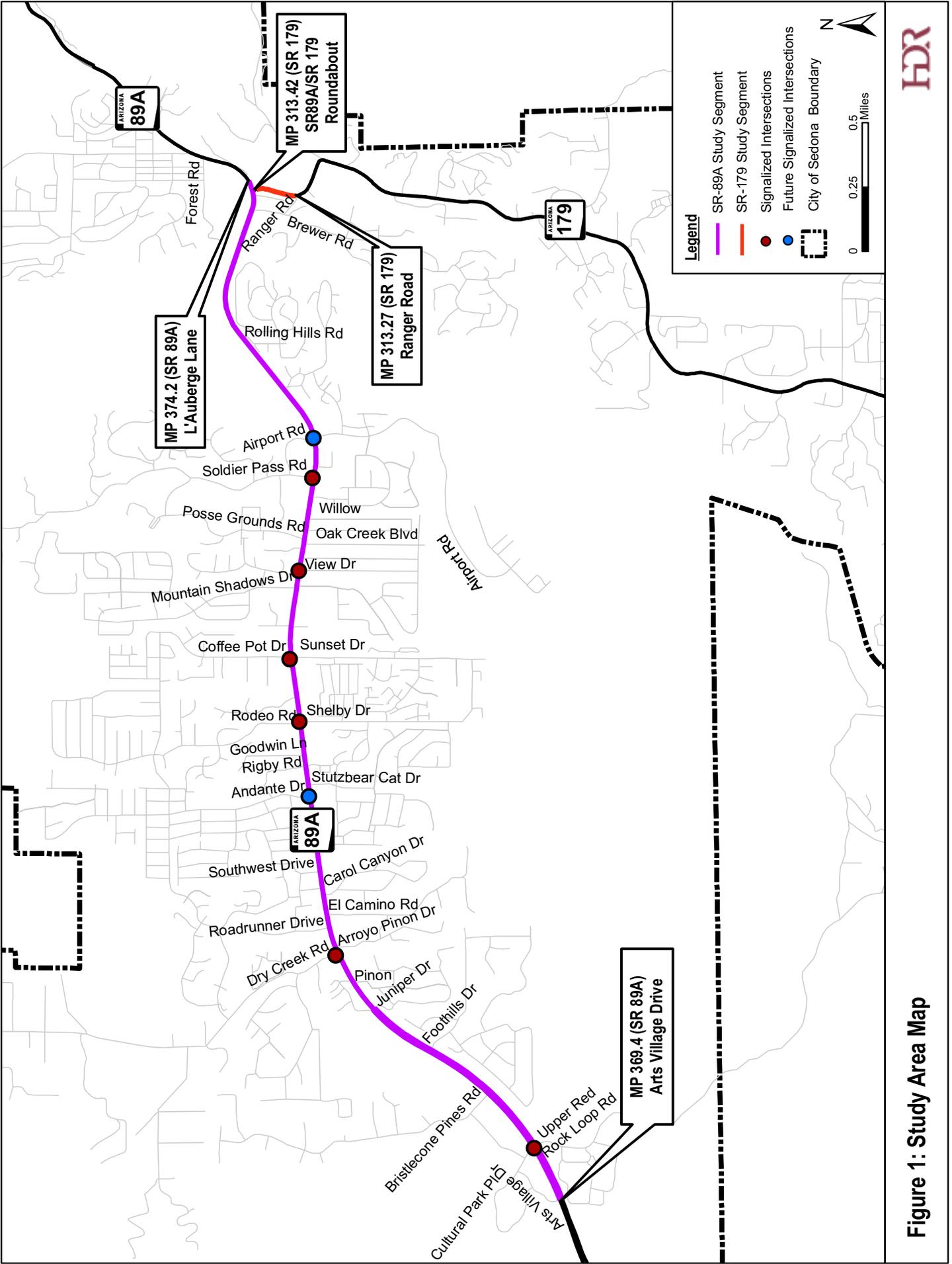
Charles Mosley, P.E. MPA  
Director of Public Works/City Engineer  
City of Sedona  
(928) 204-7132

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## ADOT Route Transfers for City of Sedona Information April 14, 2010

Community	Date Transferred	Route(s)	Contact Info
City of Flagstaff	2009	Portions of US89, F-40, Business 40	Mark Landseidel 928-226-4842 mlandsiedel@ci.flagstaff.az.us
City of Winslow	2005	Route 66 (Business 40)	City Manager's Office at (928) 289-2423
Town of Quartzite	2007	Business 10 through town	Alex Taft, Town Manager (928-927-4333)
City of Yuma	Scheduled for 2010 August	US95 and Business 8 through in the City	Paul Brooberg, City Engineer (928) 373-4520
Yuma County	Scheduled for 2010 August	US95 and Business 8 Frontage Roads in the County	Roger Patterson, County Engineer (928) 817-5110
City of Somerton	2009	Portion of US95 through City limits	Bill Lee, Town Manager (928) 627 8866
City of Prescott	2006	SR89 between Sundog Road and Willow Lake Road. A two mile section	Mark Nietupski 928.777.1130, or Scott Tkach 928.777.1140
Town of Wickenburg	2010	Turn back is in progress to abandon US 93 from the interim bypass to US 60	Steve Mckay 928.232.9588





**Figure 1: Study Area Map**



**From:** Charles Mosley  
**To:** "Paul.Brooberg@yumaaz.gov".GWIA.Sedona  
**Date:** 6/4/2010 5:27 PM  
**Subject:** Re: FW: Request for State Route Turnback concerns

**CC:** John O'Brien; Tim Ernster  
Thank-you for responding so thoroughly. It was helpful.

Charles Mosley, P.E. MPA  
Director of Public Works/City Engineer  
City of Sedona  
(928) 204-7132

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>>> "Brooberg, Paul - Director of City Engineering" <[Paul.Brooberg@yumaaz.gov](mailto:Paul.Brooberg@yumaaz.gov)> 6/4/2010 3:29 PM >>>  
Mr. Mosley:

I have attempted to provide a succinct response to your inquiry below.  
Should you desire additional information, please let me know and I will  
respond in a more timely manner than this first effort.  
Paul Brooberg, P.E.  
City Engineer  
Yuma, Arizona

-----Original Message-----

From: Charles Mosley [<mailto:CMosley@sedonaaz.gov>]  
Sent: Friday, May 07, 2010 2:23 PM  
To: [mlandsiedel@ci.flagstaff.az.us](mailto:mlandsiedel@ci.flagstaff.az.us); [ataft@ci.quartzsite.az.us](mailto:ataft@ci.quartzsite.az.us);  
[smckay@ci.wickenburg.az.us](mailto:smckay@ci.wickenburg.az.us); [jim.ferguson@ci.winslow.az.us](mailto:jim.ferguson@ci.winslow.az.us);  
[billlee@cityofsomerton.com](mailto:billlee@cityofsomerton.com); [mark.nietupski@prescott-az.gov](mailto:mark.nietupski@prescott-az.gov); Brooberg,  
Paul - Director of City Engineering  
Cc: Tim Ernster  
Subject: Request for State Route Turnback concerns

The City of Sedona is looking to develop a list of the issues it should consider when considering the turnback of a State Route. In this case we are looking at SR 89A as it runs through the City's western business district. I am contacting you because I was informed that you have recently dealt or are currently dealing with a turnback. I have attached a copy of the list I recieved, along with a map showing the area we are considering for a turnback.

In particular I have the following questions:

1. What are the issues that have arisen since the turnback that you wish you had raised during the turnback negotiations with ADOT?

The turnback to the City has not yet occurred. However, one issue that has arisen is the 11-year duration between the execution of the turnback agreement and the anticipated actual occurrence and the deterioration of the roadways during the interim. The District ADOT office has put what monies have been available into the existing streets but, in a nutshell, the City negotiated away its ability for anything better.

2. What are approaches to the turnback that your community used that you would recommend to other communities?

My recommendation is the opposite of what you have requested. Rely on your professional staff to perform the negotiations with the State, not a member of the local governing organization, as that staff understands construction and maintenance costing far better than the typical elected

official.

3. How did the turnback affect your operating budget?

There has been no effect as of this time. The City's Field Operations (Streets Division, et al) is gearing up its maintenance budget in anticipation of the additional lane miles to be kept clean, both for aesthetics and to reduce the potential for the generation of windblown particulate matter. As the City is not increasing its sweeper fleet, there is also an acknowledgement that residential sweeping will probably be reduced by one round annually. The City's traffic signal inventory will also be doubling, as a result of the turnbacks, with the inherent increase in maintenance and power costs.

4. Do you need to set aside funds to perform major maintenance on the turnback road, in order to avoid budget spikes? I think this would probably apply in the case of smaller cities.

There will be an impact on the annual budget for maintenance and, since the City's Capital Improvement Program (CIP) utilizes funds that remain after the O&M budget has been established, the street construction portion of the CIP will have less funding with which to work.

5. Besides Public Works what other departments were significantly affected by the turnback? Police, fire, community development, ???

Since the City's turnback agreement with the State essentially only involves rights-of-way lying within the City Limits, the effect of the turnbacks will primarily affect the City's Police (more miles to patrol), Field Operations (more miles to maintain) and Engineering (more signals and area to monitor for upgrades/modifications).

6. Why was the turnback pursued?

The local communities of Yuma County and the Cocopah Nation desired the State to construct SR 195, a direct route between Interstate 8 and the new Port of Entry at San Luis, Arizona. The State agreed to do so, with the stipulation of the turnback of several roadways within the County.

Thank-you for whatever information you are willing to provide.

Charles Mosley, P.E. MPA  
Director of Public Works/City Engineer  
City of Sedona  
(928) 204-7132

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## **TURNBACK RESEARCH AND DISCUSSIONS**

### City of Prescott – Conversation with Public Works Director, Mark Nietupski (6-1-10)

- The turnback involved several miles of SR 89 from White Spar through the center of Prescott and from the Tribal boundary out to Willow Lake.
- Mark was not with the City of Prescott when the negotiations occurred, but he inherited the results.
- ADOT can unilaterally abandon the highway after bringing the road up to standards, so negotiations have to be done carefully and realistically.
- This particular turnback process was very complicated and complex and took ten years to complete for the many segments involved, as it was processed in segments.
- The difficulty is anticipating all of the improvements that are desired. There is always something that will come up at a later date that will incur additional costs to the City.
- Need to think about what we want 89A to look like in the future (i.e. medians, traffic signals, roundabouts, etc.)
- ADOT did most of the construction, not Prescott. This included a pavement overlay, interchange project and drainage improvements.
- Be as thorough and as detailed in the Joint Project Agreement (JPA) as we possibly can.
- Prescott has franchise agreements with their private utility companies and the utility companies had to move their utilities at their own expense, not Prescott's.
- Do our utilities exist by permit with ADOT? This issue needs to be researched thoroughly. We need to be completely aware of the rights of utility companies as they relate to any ADOT permits.

## **July 1, 2010 – Yuma Turnback discussion – SR 280 and SR 195 – JOB’s Notes**

On July 1, 2010, Charles Mosley and John O’Brien had a phone conference with John Harper, ADOT District Engineer and Paul Patane, ADOT’s Yuma area District Engineer.

### SR 280 Turnback

- The SR 280 turnback agreement was approved in 2000 and the actual turnback occurred within a few months of signing the agreement.
- After the agreement was signed, ADOT gave Yuma \$6.2 million in cash.
- In 2000, ADOT designed a typical five-lane section, including the widening of the Union Pacific Railroad bridge, for about a one-mile length of SR 280. The estimated cost of this improvement was \$6.2 million. (ADOT did not get Union Pacific approval of the bridge construction used for the estimate. Yuma had to secure this and it may have resulted in additional cost.)
- It took eight years for Yuma to put the project out to bid, which they did in 2008. Yuma also added several enhancements to the project beyond the previously agreed upon typical ADOT design, including raised medians, landscaping, wider sidewalks and also added a landscaped separation from the edge of curb and the location of the sidewalk. Yuma also included a thicker structural pavement section than what the typical ADOT section called for.
- Because Yuma added enhancements and waited eight years after the signed turnback agreement to put the project out to bid, Yuma’s enhanced project cost about \$15 million when they finally got around to construction.

### SR 195 related Turnback

- The e-mail from the Yuma Director of City Engineering, Paul Brooberg, addressed the turnback of portions of US95 and Business 8 through in the City of Yuma.
- This was a contingent turnback and it will not be finalized until all of the improvements for SR 195 were completed. Although the work was completed in 2009 turnback was delayed for a year due to local budget issues.
- The SR 195 turnback agreement was signed in 1999.
- ADOT’s original design concept report, completed in 1999, estimated a total project cost of \$75 million. When the project was finally bid, ten years later, the cost had risen to \$100 million.
- Through cash and credits, Yuma and adjacent contributed \$27 million and ADOT contributed approximately \$73 million toward SR 195. The \$27 million was made up of \$13million cash and \$14 million in credits based upon ADOT not performing pavement rehabilitation on the roads to be turned back and committing those funds to SR 195 improvements.
- *ADOT did not adjust the local contribution dollar amount although the project cost increased due to environmental clearances taking longer than anticipated.*

*Summary Minutes*  
**Special City Council Meeting**  
**Vultee Conference Room, Sedona City Hall**  
**106 Roadrunner Drive, Sedona, AZ**  
**Tuesday, July 13, 2010, 2:30 p.m.**

1. **Call to Order/Pledge of Allegiance:** Vice Mayor Hamilton called the meeting to order at 2:30 p.m.
2. **Roll Call: Roll Call:** Vice Mayor Cliff Hamilton, Councilor Mark DiNunzio, Councilor Barbara Litrell, Councilor Mike Ward, Councilor Dennis Rayner, Councilor Dan McIlroy. Mayor Rob Adams participated by phone.

**Staff present:** City Manager Tim Ernster, Assistant City Manager Alison Zelms, Community Services Director Andi Welsh, Assistant Engineer Andy Dickey, Director of Public Works Charles Mosley, Director of Community Development John O'Brien, City Clerk Randy Reed and Deputy City Clerk Alison Carney.

3. **AB 1038 Route Transfer of State Route 89A to the City from the Arizona Department of Transportation (ADOT) - Discussion/possible direction**

Tim Ernster stated given the short time frame given by ADOT we felt we should give you an update. Prior to John and Charles making a presentation he'd like to give a quick summary of a meeting between city officials and ADOT a few weeks ago. We had John Harper, Bob Montoya and Bill Feldmeier. At that meeting we talked to ADOT about the City's desire to have ADOT maintain control of the road. We didn't think it was reasonable to expect the city to give an answer by mid-August. We requested a year to do our analysis. ADOT stated they did not support delaying the project for a year. They offered to extend the time frame to January 15 with the understanding there will be an agreement between ADOT and the City for a route transfer. If there isn't an agreement, they would proceed with roadway lighting. They would need a resolution from Council by August 15 directing staff to create a resolution to pursue a route transfer. We don't feel the timeframe is sufficient to do a full-blown route transfer. We could probably come back to Council in November with a professional analysis of some logical costs associated with a route transfer. If Council wanted to go ahead with the resolution we would recommend hiring a consultant to work with staff between now and November. We could come back to Council the end of November or early December so Council could make an informed decision. It's clear ADOT will not change its position. There seems to be solidarity on ADOT's position. That position is if we don't take back SR89A they will proceed with continuous roadway lighting. One alternative is to pass a resolution directing staff to negotiate a route transfer. Second, notify ADOT that we're not interested in a route transfer. Third, there might be other possible steps. We're not asking you to make any formal Council action this afternoon. You have two more Council meetings to make your decision. We could bring back more information the second meeting in July or August 10. Today we're looking for direction from Council on additional information you need from staff to help you make this decision. John and Charles have researched what other communities have gone through in route transfers.

Charles Mosley stated one lesson learned from other communities is to negotiate strongly and identify what we want from a monetary standpoint. We want to know how much money you

think is appropriate. Make sure you understand the status of the right-of-way. If money from the federal government was used to purchase the right-of-way that has to be taken into account. In talking to ADOT this did become an issue because they decide to sell a portion of the property, then Federal Highway Administration (FHWA) had to be involved with the sell because FHWA allowed the purchase of the property using federal funds and those funds have a specific purpose and that was use as a right-of-way. We ran into a case where one city who did a turnback, the pavement installed had some failure and the city had to fix it a few years later. The story from the other side was due to trailers hitting it. There's probably truth on both sides, but he needs to still talk to the person there at the time. The lesson he took from that is to make sure we have clear warranties relative to what ADOT is giving us. The overlay ADOT is giving us should be good for 10 years. The last issue is planning how to use your money. When one community received its funding they decided to use that funding for pavement. When they went for enhancement funds, then they couldn't use those funds to do the paving work. They elected to use the turnback money for portions of projects that they couldn't secure other grant funding for. If you take the money back, it's a good idea to plan how you intend to use that.

John O'Brien stated you have comments from Prescott, Wickenburg, and Winslow, the interesting thing with Yuma is that they agreed to a turnback for SR280 in the year 2000 for about a 1-mile length. The price was \$6.2 million. It took Yuma 8 years to get that project out to bid. They added enhancements, raised medians, sidewalks, so by the time the enhancements were added and the 8-year gap, the project came in at \$15 million. So that's another lesson, to use that money quickly and keep those enhancements in mind.

Charles stated it took them time to negotiate with the Railroad Company. The gap between a concept and construction-ready documents can be awhile. It's not unusual to be a couple years. It can easily go 4-5 years.

John stated also the public process in determining what you want the highway to look like, also contributes to the timeframe.

Vice Mayor Hamilton asked if the ADOT letter is a public record?

Tim Ernster confirmed.

Vice Mayor Hamilton stated maybe it'd be helpful to share ADOT's five starting points.

Tim Ernster stated ADOT made an initial offer. It's our impression that this probably is negotiable. They made it clear to use that they aren't going to close that gap, that there is room to negotiate but we shouldn't expect them to come up with a large additional sum of money. They would complete the upcoming pavement preservation project, \$4.4 million. They would install the new traffic signal on SR89A at Andante \$400,000. They would provide \$75,000 each year for 10 years for operation and maintenance funds. They would provide funding for design and developing for \$2.75 million. They would support request for eligible expenditures, TBA-amount. They have agreed to work to address cost-sharing requests in the Sedona Route Transfer Study. If the city elects to negotiate with ADOT they urge us to work on traffic safety issues during that period.

Mayor Adams stated he thought the deadline was January 1, not January 15.

Tim Ernster stated the deadline on the letter is January 15.

Councilor Rayner stated because we received a lot of letters from the public and there's a lot of misinformation out there, do we publish a letter like this in the paper? What's the protocol because this straightens out a lot of disfacts that are out there?

Tim Ernster stated it's a good idea. We can provide a letter to the media and hopefully they'd print it.

Councilor Ward asked staff what they know of the federal funding process. What percentage of ADOT funds is federal and not state?

John stated right now it's 100%.

Charles stated we've been told by ADOT to consider it'll be state funds. ADOT receives money from the feds but are to turn them into state money.

Councilor Ward stated so ADOT would apply for federal funding and do the project. If the city owns the road what access do they have to federal funds?

Charles stated we can apply to federal funding. When we receive that funding we're subject to all the federal guidelines. We have construction grants through NACOG.

Councilor Ward stated so the money will come through NACOG?

Charles stated one comes through NACOG, the other goes through ADOT and to the ADOT board for final approval.

Councilor Ward stated so ADOT could decide if they want to or not make application.

Charles stated if we have the road we make the application and the ADOT board makes the final decision. It's a citizen board, not ADOT staff. The steps are, we decide that we want to make an application, it goes through NACOG, NACOG members review and rank the submissions, that's competition at the NACOG level, then those projects go to the state level and compete statewide. We've been successful in some.

Councilor McIlroy asked if we have a vision for West Sedona that we can see happening?

Charles stated right now, no.

Councilor McIlroy asked if the consultant engineer would give us that vision?

Charles stated no, all we can give them now is what we've heard in the past. They include what the lighting committee put forward. They also include medians.

Councilor McIlroy asked if we have an idea how long it will take to study West Sedona and come up with our vision should we take it back?

Charles stated no. He guesses four years between the public process.

John stated it'd take 2-4 years to do the public process to come to a community census.

Councilor McIlroy stated the purpose today is to go forward with the negotiations or not and there's no strings attached. We can say let's talk. There's nothing wrong with that. Is there a downside he's not seeing?

Charles stated if Council wants to consider the transfer, the more time to consider it, the better.

Councilor McIlroy stated if we act today, we give ourselves another month. If we wait until their August 15 deadline we lose that time.

Tim Ernster stated there is no harm in that because it doesn't commit us. It's not on the agenda for action, but if the direction was to go in that direction, we could start the process.

Councilor Litrell asked if there's an ADOT strategy in Arizona to get rid of the roads that go through cities, if so, why and what were the reasons the cities gave for taking over the road?

Charles stated ADOT has looked at urban corridors and have suggested at times for cities to take them over because it allows people to do what they want to do. ADOT has seen this as counter to their fundamental mission. They're not an urban roadway agency, they're a Highway agency. A lot of cities took over because they had things they'd like to see done and ADOT doesn't do it.

Councilor Litrell asked for Flagstaff's experience.

Charles stated Flagstaff wanted to develop an area of town and they wanted to take over the roads there because it fit what they wanted to do.

John stated in Uptown, the turnback was so we could retain as much parking in the right-of-way as possible and ADOT wanted to eliminate that parking. It gives greater aesthetic control for the community.

Councilor Litrell stated with our own experience in Uptown she knows there's a lot of public controversy, so are we in a better position today than we were then?

John stated a lot of communities said there's always something that comes up that we didn't anticipate. Make sure you cover everything you want to get. In Uptown we got ADOT to pay for improvements up Apple Avenue.

Councilor DiNunzio asked what will the marching orders be for the consultant. Will he/she be analyzing the safety of SR89A then make recommendations to safety improvements and then the costs? What are we asking for?

Charles stated we're asking for this person to look at different alternatives from a safety point of view and give her analysis of what she thinks of that. There was some question of where medians might be placed, so look for clear definition of that and give us some cost for the alternatives, but definitely not to come up with a new pedestrian safety analysis.

Councilor DiNunzio asked if staff will look at the impact of construction and the period of construction that the engineer is not looking at?

Charles stated we try to absorb that in the concept of the range of cost for a project. If you don't have a full design there are a lot of things you don't know that's why we're asking for a range of costs.

Tim Ernster stated we feel this will give Council an educated range of what the city might be getting itself into if it agrees to a route transfer and what those costs might be. It won't be definitive enough to say we'll have a median break here, a lighted crosswalk here, but it will help us in our discussions with ADOT. He thinks the city will incur some costs above and beyond what ADOT would agree to give us.

Mayor Adams stated regarding the transportation and enhancement funding can it be used for highway maintenance, upgrades? When ADOT normally does these things, what percentage of that money comes from what pot?

Charles stated with regard to the enhancement funding, it's for capital improvement areas, it's not used for maintenance. It's used for enhancement like sidewalks, landscaping, and pedestrian lighting. If you stay within your dollar limit, which is \$750,000, you have to come up with 5-6% local match.

Mayor Adams stated the funding the cities get from NACOG is on a rotation basis.

Charles stated that's correct. It's on a rotating basis. The transportation enhancement is kind of like that but less so it goes more on a point system and need.

Mayor Adams stated what is the likely source of funding for the maintenance and operating expenses and what are the costs to the city most likely?

Charles stated we should count on local funds. \$75,000 operating costs that ADOT is talking about will cover our operating costs. It won't include lights or other upgrades.

Mayor Adams stated the \$75,000 will come from ADOT for the next 10 years? Then it becomes our operating cost.

Charles stated as far as capital improvements, Winslow looked at the enhancement type funding, we should look at construction-type grants to help us out, but also as the money received from the turnback as our source for improvements. If we don't get any grants it would fall on our capital budget. We have to compete for it so there's a risk we might not get it. Right now the money that the enhancement grants promise is years out. Besides just the risk of getting it, there's also the timing of being able to secure the funding.

Mayor Adams stated so the enhancement funding would go toward highway maintenance.

Charles stated it would have to be landscaping, median construction, pedestrian lighting.

Mayor Adams stated paving, to him, would be maintenance.

Charles stated paving would have to come out of local funds.

Mayor Adams asked if there's other federal funding we could use to help with the paving costs?

Charles stated none that come to mind.

Mayor Adams stated we're talking an average of \$300,000 a year set aside for the overlay every 10-15 years.

Charles stated yes, the overlay we're talking about now is about \$4 million. Annually, you'd need to set aside \$500,000 for a 10-year period.

Mayor Adams stated originally we were talking about a 2-mile stretch, not from SR179 to city limits.

Vice Mayor Hamilton stated the 10-year for overlay is a minimum, this is a worst case scenario. We wouldn't expect anything less than 10 years.

Charles confirmed.

Vice Mayor Hamilton stated the consultant we might hire, would that come out of the contingency fund?

Tim Ernster stated that's correct. It'd have to come out of the operating contingency.

Vice Mayor Hamilton asked if there were local folks qualified to do that?

Charles stated he is talking to one company out of Scottsdale. He doesn't think it's realistic to ask for local volunteers who might be qualified.

Vice Mayor Hamilton stated ADOT has started out the process by putting an offer on the table through their letter. Tim Ernster met with ADOT, do you have a sense the negotiation might include an inflation factor if we're talking 2-4 years out?

Tim Ernster stated we never got into that specific discussion with ADOT but we definitely would discuss that with them.

Councilor Litrell stated ADOT mentions their willingness to do the Andante traffic signal. That was one of the top priorities of the safety committee. If the city moves forward in exploring the route transfer, would ADOT install the traffic signal at Andante during the negotiation period?

Tim Ernster stated we could talk with them about that if Council directs us to move forward.

Charles stated ADOT thought they would include it in the overlay project if the lighting didn't move ahead.

Tim Ernster stated Councilor Litrell is suggesting to accelerate that because that's something that happens regardless.

Councilor Litrell stated absolutely.

*Vice Mayor Hamilton said due to time, he's limiting public comment to 2 minutes.*

Doug Blackwell, Sedona, stated he supports Council entering negotiations with ADOT. Daytime crashes have been 233, and 17 nighttime crashes. There have been zero fatalities. In 2010 there have been 40 day time crashes and 2 night time crashes and zero night time injuries. This is about safety. It's not about getting customers into businesses faster if medians are installed. As business owners speak in favor of lights on SR89A it wonders why they're not concerned with safety. Keep your moral priorities together. It's not about getting customers into your business faster it's about safety. If someone is injured during the day on SR89A and an attorney gets a hold of the reports his case is figured out.

Fire Chief Nazih Hazime: Vice Mayor Hamilton read his statement: "In the Fire District line of business, I feel compelled to ask of the Council, whatever their decision is on this agenda item, that it is driven to support highway safety. This is for the safety of our residents, first responders and the 4 million tourists we serve. Thank you."

Robert Holeman, owner of Real Suites, stated this is a bad mistake to consider doing this. The city is cutting, now you're looking at growing your expenses. We have no idea what the costs will be. He has so many guests who tell him they're scared to walk outside because they can't see anything. He thinks they're wrong.

Jennifer Wesselhoff, representing the Sedona Chamber of Commerce, stated she picked up Telluride's paper asking if anyone is interested in sponsoring a pot-hole. Telluride took over the 3-mile portion of the road because the residents wanted a bike lane adjacent to the road about 15 years ago. CDOT paid Telluride \$2.8 million to take over the road. It will take \$10 million to rebuild the road. Residents are distraught that the pot-hole filled road doesn't match their vision. Will we be in the same situation as the City of Telluride in 15 years.

Manuel Sanchez, Sedona, stated he's not sure he's convinced it's a good idea to take over SR89A simply because of the cost to the city. SR89A in Sedona is better than 95% of cities in the U.S. The streets are safe, we need to educate our drivers not change the ownership of the road. It doesn't make sense to add to the city budget.

Ernie Strauch, Sedona, stated to answer Councilor Litrell's question about ADOT's strategy if you go to the state transportation board web site you find a policy to encourage turnbacks in urban areas on state roads. Glading Jackson, the firm that helped us convince ADOT to start talking to us and Jim Harris, both are now owned by AECOM. He would encourage they ask AECOM to bid. He asks they reduce the turnback portion from Airport Road to Dry Creek. He encourages them to obtain crash statistics for the roundabouts at the Y. On SR179 in the last 5 years we've had 52 crashes. On SR89A we've had 1.

Mike Webster, owner of Mexidona, stated he's not in favor of taking the road back. We don't need a tax increase. We don't need continuous medians. How do businesses get product into their businesses with continuous medians.

John Rod Sheehan, Sedona, stated in 2004 he bought a building in the Village, got it up to 80% occupancy and sold it, when construction started, occupancy dropped. There isn't an issue of

businesses being moral, there are no businesses. Construction on SR179 wiped out every business along the route.

Ron Draxler, Sedona, stated he's been an insurance broker for the past 25 years. It's fiscally irresponsible to spend the money to go forward with that. You don't realize what the soft costs are. You put lights in Uptown and on SR179, if there's ever an accident at night in West Sedona, trial lawyers will have a feast with you asking why you didn't put lights up. The soft costs are adding 3-miles of prime highway to your exposure, your premiums could go up. He's against the acquisition.

Lee Clegg, Sedona, stated he's not in favor of the move to take back the highway. It's a terribly serious situation. Despite the excellent work you will do, you have to remember unexpected consequences and unanticipated consequences. We see this all the time in construction. This is an area where we can look at the federal department of transportation and see if they can stop funding for lights in Sedona. Why not? That's the real issue here and that he agrees with.

Trent Cosse, Sedona, stated he's a CPA and he has seen a number of clients suffer along SR179 in the Village. Many have gone out of business. He hasn't heard a single word in regards to the effect on local business. You're talking about having all right-hand turns, which means you're going to increase the flow of traffic to 50% at each of the intersections, which sounds like a good part of the day on SR89A will be a parking lot trying to get through those points. He's in favor of safety but taking over the highway and increasing the costs to the city, there have been many things glazed over. He doesn't favor it. He has a number of clients who don't favor it.

*Vice Mayor Hamilton brought it back to Council at 3:40 p.m.*

Councilor Rayner stated he keeps hearing from the public an assumption that we're going to put in medians. We're not at that point yet. There's also an assumption we're going to put in roundabouts. That's not going to happen either. We have to talk about this first. We're not committing to anything. There are a lot of people who'd like to see us have greater control over SR89A. A lot of people don't want the lights. If we don't take over 89A unless we bring the lawsuit, we'll get those lights shoved down our throats. We have to move forward and discuss all the elements.

Councilor Litrell stated we need to know that ADOT is holding a gun to our heads that says you'll take back the road or get the lights they designated. The majority of residents don't want the lights. It's been shown the lights aren't the best at improving safety. When we look at the possibility of what will improve safety, it could be as simple as the light at Andante, or 1 or 2 on-demand lighted crosswalks. It doesn't have to be medians or roundabouts. It could be what the community chooses to have. Right now we don't have a choice. ADOT is saying these lights or take back the road. In the packet they give the background for the route transfer process, which says ADOT has the authority to remove rights from the state system that no longer serves their function. ADOT has a policy these days to work more with the cities but they could decide on their own if they chose to give the road back to their city. She trusts that they've done this in the past. It is a matter of just saying, let's talk. During this time we need an enormous amount of public information.

Councilor McIlroy stated he sees no harm in empowering staff to open negotiations with ADOT. We can talk until January 15. A lawsuit would be ill-advised. Taking the road back is

something we should talk about.

Councilor DiNunzio stated it's not about ADOT vs. the City. ADOT is concerned about safety on the highway. They did a study 4 years ago at the City's request and they found the road is too dark for a 2-mile stretch and they came up with a simple solution which was dark-sky compliant lighting. Numerous Councils agreed with them. He sees them as following a logical path. He doesn't question their motives. Now we're debating whether or not we want to buy in to that solution or not. They say if you don't buy into our solution, take back the road. There is going to be a cost to us to take back that road. Hard and soft costs. It's going to be a long period of time before it gets done. And when it gets done it may be as safe as if it has lights. The defect of being overly dark will be addressed by us designing something other than lights or not. What he sees us doing is either we're going to get expert advice that tells us what the cost is to improve the road. He can't imagine someone saying we don't need medians or lights along the whole length. It's not going to happen. We can postpone the inevitable, but the cost is going to come back at the end of November without the unanticipated costs.

Councilor Ward stated he's been involved in testifying for the State Transportation Board. It's clear that ADOT is attempting to position Sedona into taking back 89A by using lights as leverage. We're in a weak position for negotiating at this point. Before we start talking of taking it back we should wait until we know what we want and how much it'll cost and then stick it to ADOT. They are desperate to give us the road back. When we have an idea of what we want we'll be in a strong bargaining position to tell them what we want. He doesn't see any point in wasting staff time. He's not against taking back the road and he's not happy with the lights, he'd assume to call ADOT's bluff and say we'll deal with you later.

Mayor Adams stated he's seen a long series of misrepresentations. When it was first brought up ADOT determined the roadway is unsafe. It came to Council and ADOT said the solution was to put in lighting. Without doing research or going to the public Council voted to put the lights in. He came back the next day asking for a reconsideration and they came up with the pedestrian safety committee which came up with over alternatives. Council Scagnelli later made the motion to support roadway lighting, that motion was based on a misrepresentation of the facts. She said either continuous medians would be put down the corridor or roadway lighting, that was not the case. Continuous medians had never been fully vetted. It's been a long history of misrepresentation on what the issue is. He agrees that ADOT is putting the shotgun to our heads. He doesn't consider either option to be a real palatable solution. The real solution is other alternatives poised for 89A safety. He doesn't see a problem with directing staff to do the research to determine the costs. His main concern is that we aren't going to have the time to do the public process. He will refuse to do the turnback without an adequate public process. He supports moving forward and making the decision on August 15 whether to enter into the negotiations. If we don't have the time for the adequate public process and we're not clear of the ramifications then he can't support it.

Vice Mayor Hamilton stated he believes ADOT. They have the shotgun and they're prepared to use it. He hopes we do some public polling to determine what the community thinks. We continue to hear that construction caused business to fail in the Village they seem to forget that we've been in a major recession. Installing lights will create construction along both sides of 89A for about a year.

***Motion: Vice Mayor Hamilton moved to direct staff to prepare a resolution for approval at the***

***August 10, 2010, City Council meeting that directs staff to negotiate with the Arizona Department of Transportation for a route transfer of SR89A between the "Y" and the Red Rock High School and to further proceed with securing the services of a traffic engineer consultant to assist in identifying the improvement/repair needs and probable costs associated with a route transfer. Seconded by Councilor Rayner.***

***Motion withdrawn.***

Mayor Adams stated he'd rather focus on between Airport and Dry Creek Road. He'd like an amendment that we make that negotiate to be between those two points.

Vice Mayor Hamilton and Councilor Rayner agreed to the amendment.

Charles stated during the preparation of the transfer report, the issue was discussed. ADOT was strong on the transfer going from the last transfer forward, they don't want a gap between. You should have staff try to negotiate that.

John stated maybe in the negotiations we can discuss that issue, but he'd rather not get into that at this point.

Mayor Adams stated he withdraws his amendment.

Councilor Litrell stated they refer to SR179 from Brewer to 89A, are they including that?

Charles stated yes, because there's confusion as to how to control the Y. That's why we back down to 179 and the first intersection so it's clear how the Y is controlled.

John stated so from Ranger Road to the Y would be included.

Councilor Litrell stated that shouldn't be included.

John stated that's an issue we can discuss in the future.

Mike Goimarac stated verbal direction is okay as long as staff understands. You want to negotiate a route transfer study, maybe there can be tweaking of the location in those negotiations.

Councilor Ward asked if staff has time to do a thorough job?

Tim Ernster stated we have enough time to do what we described. We can't do a full design concept with public input. We can give you an estimated cost.

Vice Mayor Hamilton asked if cost for a consultant would be reasonable to give at the August 10 meeting?

Tim Ernster stated yes, we could do that.

Mike Goimarac stated you have a pending motion that's been seconded. Were you intending to withdraw that and give us verbal direction? We do have that motion.

**Vice Mayor Hamilton stated he'd withdraw his motion and proceed with verbal direction. Councilor Rayner agreed.**

Councilor McLlroy asked Tim Ernster if he has to wait until August 10 to start?

Tim Ernster stated we'll move forward. It's clear direction.

*No legal action was taken.*

- 4. Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:
  - a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. §38-431.03(A)(3).****Following any discussions in executive session of the above matters, the City reserves the right to discuss and/or act on any of the above listed legal matters in open session.****

*No executive session was held.*

- 5. Return to open session. Discussion/possible action on executive session items.**

*No executive session was held.*

- 6. Adjournment:** Vice Mayor Hamilton adjourned the meeting at 4:06 p.m. without objection.

**I certify that the above is a true and correct summary of the Special City Council Meeting held on July 13, 2010.**

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Alison Carney, Deputy City Clerk