

Mr. Chairman, members of the Board, thank you for giving me this opportunity to speak to you today.

I am Mike Ward, of Sedona Arizona

I am a member of the Sedona City Council and have been selected by the City Council to speak on its behalf. We are requesting that ADOT extend the deadline of the Route Transfer Agreement to December 15. We ask for this delay because a group of voters has filed a legal petition calling for a referendum on the Council's decision to accept the transfer. Until the election the city cannot take action on the issue.

As a State Board of Transportation, you have exclusive control over the State's highways, including those highways within Sedona's city limits. We recognize that you have a duty to insure that these roadways are safe and that for the past few years you have attempted to fulfill that duty with respect to proposed improvements of Hwy 89A. While we have disagreed on how to go about improving this roadway, it was our sincere hope, as it was surely yours, that by entering the route transfer agreement, our differences would be resolved and that you could transfer control of this roadway to the City to allow us to put in our desired safety improvements.

Our State Constitution guarantees the right of the citizens to appeal legislative actions of their elected councils by referring the Council's decision directly to the voters.

Exercising their rights, a group of Sedona voters successfully met all of the legal requirements in petitioning for a referendum vote to either affirm or reverse the council's decision on the route transfer. Yavapai and Coconino counties have certified the petitions which contain 14% of the registered voters in Sedona who may or may not represent the opinion of the majority. County and state election rules determined the earliest election date possible as November 8, 2011.

While the City would like to immediately assume full ownership and control of this roadway, the pending referendum makes that legally impossible. This citizen referendum has put both the city and ADOT in a difficult situation.

We humbly appeal on behalf of the voters of Sedona, that you defer action to opt out of the transfer agreement until after the November 8<sup>th</sup> referendum election to

allow the voters to exercise their constitutional right to decide this important community issue.

I also appeal to the state board's self interest. It is clear through your good faith and flexibility during our negotiations over the last nine months that you are very much interested in divesting yourself of the urban highway corridor through West Sedona. Our negotiations demonstrate that ADOT and the City of Sedona do have the ability to work together on difficult issues as evidenced by the award-winning transformation of Highway 179. Neither process has been easy. The difference between having a similar success with Hwy 89A depends on your continued patience and forbearance for another 6 months.

We have both come too far to give up now. This negotiated Transfer Agreement may be our last opportunity to accomplish our mutual goals of city ownership and roadway safety improvements that are in conformity with the desires of the Community.

Our City stands ready and willing to do whatever is legally possible in order to alleviate your concerns about deferring this matter until after the referendum election in November. Please give us the opportunity to reach a final resolution of this issue that meets our mutual goals and aspirations while at the same time respecting the legal right of the citizens of Sedona to give their final say at the ballot box.

Again, thank you for the opportunity to address you in behalf of the Sedona City Council.