



**Chandler • Arizona**  
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#14  
MAR 22 2007

**MEMORANDUM**

**Public Works Department - Council Memo No. TN07-026**

**DATE:** MARCH 22, 2007  
**TO:** MAYOR AND COUNCIL  
**THRU:** W. MARK PENTZ, CITY MANAGER *WMP*  
DANIEL W. COOK, ACTING PUBLIC WORKS DIRECTOR *DWC*  
**FROM:** MIKE NORMAND, ACTING ASSISTANT PUBLIC WORKS DIRECTOR - *MN*  
TRANSPORTATION & OPERATIONS  
**SUBJECT:** RESOLUTION NO. 4050 AUTHORIZING THE CITY TO APPLY TO JOIN VALLEY METRO RAIL, INC. (METRO), AN ARIZONA NON-PROFIT CORPORATION; AUTHORIZING PAYMENT OF NOT MORE THAN \$15,000 IN MEMBERSHIP FEES FOR THE REMAINDER OF FISCAL YEAR 2006/07 AND \$50,000 IN ANNUAL MEMBERSHIP FEES FOR FISCAL YEAR 2007/08; AND AUTHORIZING THE MAYOR TO SIGN THE "ADDITIONAL PARTY TO JOINT POWERS AGREEMENT"

RECOMMENDATION: Staff recommends approval of Resolution No. 4050, authorizing the City to apply to join Valley Metro Rail, Inc. (METRO), an Arizona non-profit corporation; authorizing payment of not more than \$15,000 in membership fees for the remainder of fiscal year 2006/07 and \$50,000 in annual membership fees for fiscal year 2007/08; and authorizing the Mayor to sign the "Additional Party To Joint Powers Agreement".

BACKGROUND AND DISCUSSION: In 2002, the cities of Phoenix, Glendale, Mesa and Tempe executed a Joint Powers Agreement to establish METRO as an Arizona non-profit corporation for the purpose of planning, designing, constructing, and operating a light rail transit system. The 20-mile initial operating segment of the light rail system is currently under construction and expected to begin operations in December 2008. Additional high capacity transit corridors and light rail extensions are identified and funded in the Maricopa Association of Governments Regional Transportation Plan approved by Maricopa County voters in 2004 (Proposition 400). The funded light rail extensions are located in the Cities of Phoenix, Tempe and Glendale.

Regional, high-capacity transportation systems such as light rail require years of advance planning and coordination with participating communities, as well as regional, state and federal agencies. In 2003, the City of Chandler completed a High Capacity Transit Major Investment Study, which designated the Rural Road, Chandler Boulevard and Arizona Avenue/Union Pacific Railroad Chandler Branch Line corridors for future development of high capacity transit systems. By joining METRO, the City will have the opportunity to participate in the planning

and design of the regional light rail system and future light rail extensions that could serve Chandler.

The Joint Powers Agreement, By-Laws and Articles of Incorporation for METRO provide for the admission of new members. The City would be required to name a representative to the METRO Board of Directors and contribute \$50,000 per year towards the Corporation's operating costs.

TRANSPORTATION COMMISSION: This resolution was reviewed at the March 15, 2007 meeting of the Transportation Commission and recommended for approval by a vote of 5 to 0.

FINANCIAL IMPLICATIONS:

Cost: Prorated membership fee not to exceed \$15,000 for FY 2006/07, plus \$50,000 annual membership fee for fiscal year 2007/08.  
Savings: N/A  
Long Term Costs: \$50,000 annual membership fee (will include in future Transit Services ongoing operations budget).

Fund Source:

<u>Acct. No.:</u>	<u>Fund Name:</u>	<u>Program Name:</u>	<u>Funds:</u>
101.1290.0000.5265	General Fund Non-Departmental	Other Sponsorships	\$65,000

PROPOSED MOTION: Approval of Resolution No. 4050, authorizing the City to apply to join Valley Metro Rail, Inc. (METRO), an Arizona non-profit corporation; authorizing payment of not more than \$15,000 in membership fees for the remainder of fiscal year 2006/07 and \$50,000 in annual membership fees for fiscal year 2007/08; and authorizing the Mayor to sign the "Additional Party To Joint Powers Agreement".

Attachments: City of Chandler Resolution No. 4050  
Additional Party To Joint Powers Agreement

RESOLUTION NO. 4050

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA AUTHORIZING THE CITY TO APPLY TO JOIN VALLEY METRO RAIL, INC (METRO), AN ARIZONA NON-PROFIT CORPORATION; AUTHORIZING PAYMENT OF NOT MORE THAN \$15,000 IN MEMBERSHIP FEES FOR THE REMAINDER OF FISCAL YEAR 2006/07 AND \$50,000 IN ANNUAL MEMBERSHIP FEES FOR FISCAL YEAR 2007/08; AND AUTHORIZING THE MAYOR TO SIGN THE "ADDITIONAL PARTY TO JOINT POWERS AGREEMENT" IN THE FORM ATTACHED.

WHEREAS, the Cities of Phoenix, Glendale, Tempe and Mesa executed a Joint Powers Agreement in 2002 for the purpose of planning, designing, constructing, and operating a regional light rail transit system; and

WHEREAS, the Joint Powers Agreement, By-Laws and the Articles of Incorporation of Valley Metro Rail, Inc. provide for the admission of other cities, towns, counties and Indian tribes that are in the Phoenix metropolitan area as additional parties to the Joint Powers Agreement; and

WHEREAS, the City of Chandler has designated Rural Road, Chandler Boulevard and Arizona Avenue/Union Pacific Railroad Chandler Branch Line as corridors for future development of high capacity transit systems (Resolution 3611); and

WHEREAS, the City desires to participate in the planning, design, construction and operation of future light rail extensions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona as follows:

Section 1. The City is authorized to apply for membership in Valley Metro Rail, Inc.

Section 2. The payment of the annual membership fee of not more than \$15,000 for the remainder of fiscal year 2006/07 and the annual membership fee of \$50,000 for fiscal year 2007/08 to Valley Metro Rail, Inc. is authorized.

Section 3. The Mayor is authorized to execute the *Additional Party to Joint Powers Agreement*, in the form attached hereto, to participate in Valley Metro Rail, Inc. (METRO), an Arizona non-profit corporation formed for the purpose of designing, constructing, operating and maintaining a light rail transit system.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day  
of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4050 was duly passed and  
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the  
\_\_\_\_ day of \_\_\_\_\_, 2007, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

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

**ADDITIONAL PARTY TO JOINT POWERS AGREEMENT**

WHEREAS, the City of Phoenix, the City of Tempe, the City of Mesa and the City of Glendale entered into that certain Joint Powers Agreement For The Design, Construction and Operation of The Light Rail Transit Project on September 24, 2002 and which was recorded in the Official Records of Maricopa County, State of Arizona on September 26, 2002 as document No. 2002-0992011, and

WHEREAS, the aforesaid cities thereafter associated themselves and formed a nonprofit corporation under the Arizona nonprofit corporation act (ARS 10-3101 et. seq.) and subsequently filed Articles of Incorporation with the Arizona Corporation Commission on September 27, 2002 for Valley Metro Rail, Inc., and

WHEREAS, the City Council of the City of Chandler has, by action taken at its duly noticed and convened meeting on March 22, 2007, authorized its Mayor to apply for membership in Valley Metro Rail, Inc. and to execute and become a party to the aforesaid Joint Powers Agreement,

NOW THEREFORE, the Mayor of the City of Chandler by affixing his signature below hereby adds the City of Chandler as a party to the aforesaid Joint Powers Agreement and binds the City of Chandler to all the terms and conditions contained therein.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2007.

CITY OF CHANDLER

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

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