

# UPDATE



The Arizona Association for Economic Development is the leading advocate for responsible economic development for all of Arizona.

## Preparing for *Prop 207*

[ Rachel Busch, City of Scottsdale ]

Proposition 207, a statute officially titled “the Private Property Rights Protection Act,” was on the Nov. 7 ballot through the initiative process, and unofficial results had the measure approved 955,533 votes to 519,161, or 65 percent to 35 percent.

No one yet knows what the impact Prop 207 will have on Arizona’s



communities; however, in a proactive statement, the League of Arizona Cities and Towns released recommendations on how local governments can respond to Prop 207’s requirement that landowners be provided compensation for new land-use laws that diminish fair market values of the property. Below are some of their suggestions:

### *What is a “land use law?”*

Prop. 207 is very specific as to what constitutes a “land use law.” Any statute, rule, ordinance, resolution or law enacted by any level of government—the state, any county, city or town—that regulates the use or division of land is a “land use law.” This definition applies to any zoning, subdivision, design guidelines, aesthetic regulations or other development restrictions enacted after Prop. 207 becomes law. However, a lack of action (e.g. denying a zoning change) does *not* appear to constitute an enactment of a land use law.

### *Seek a waiver before enacting the land use change.*

A possible way to prevent a Prop 207 claim from arising would be to request a landowner to sign a waiver before taking action (e.g. rezoning) on a parcel, particularly if the landowner requests a zoning change. Be cautious in considering future annexations into the city. Property owners in areas that currently have limited county zoning that may become subject to new, more restrictive city zoning may file a Prop 207 claim if they have not agreed to a waiver.

### *When considering a land use change, rely on the exemptions in the new statute.*

There are several types of land-use changes that are exempt (ex. public health, safety & transportation, etc.) from Prop. 207 claims, but the specific items have not been litigated to clearly establish their legal definition. Cities will have the burden of proof under the new statute to show that the land use change falls under one of the exceptions.

### *Processing a Prop 207 claim:*

Once the new law goes into effect, a property owner may file a demand for compensation if a new land-use ordinance, law or resolution is passed that limits the use of their land that they believe has diminished the value of their property. The statute specifies that a landowner does NOT need to submit a land use application, such as a request for a variance, in order to claim compensation. The new law further gives a landowner a cause of action if a land use law is still in place 90 days after the landowner makes a written demand for compensation.

### *When does Prop 207 go into effect?*

The measure will become effective once the results of the election have been canvassed and the Governor proclaims the final vote. This process will likely be completed no later than mid-December 2006.

These recommendations can be viewed in full at [www.azleague.org/pdf/a112106\\_01prop207.pdf](http://www.azleague.org/pdf/a112106_01prop207.pdf).

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# EDDE Awards

[ Amanda Elmore, Barton Malow ]

The EDDE Awards (Economic Development Distinguished by Excellent) were established in order to honor significant contributions to the advancement of AAED and Economic Development in the state of Arizona. There are nine nomination categories including:

- Large Economic Developer of the Year
- Small Economic Developer of the Year
- Large Organization of the Year
- Small Organization of the Year
- Member of the Year
- Best of Arizona Award
- William W. Lampkin Award
- Workforce Practitioner of the Year
- New Member of the Year

This year's recipients will be presented with their awards at the 2007 Spring Conference EDDE Awards Banquet which will be held on the evening of Thursday, May 3, 2007.

Nomination forms will be available Wednesday, January 10, 2007 at [www.aaed.com](http://www.aaed.com). The deadline for submitting your nominations is Friday, February 9, 2007. Nominations should be mailed, emailed or faxed to the AAED office.

Nominations:

- must be made by members of AAED
- self-nominations will not be accepted
- companies and individuals are not eligible to win the same award two years in a row
- only written and electronic nominations will be accepted on or before the nomination deadline

Please help recognize and support your peers through your nomination.

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## SPOTLIGHT: Bruce Coomer

*For the past 14 years, Bruce has been an active member of AAED, even presiding as president in 2003-04. It made sense when the announcement came in November that the 1999 AAED Member of the Year was named Executive Director of the organization. He most recently worked with the Arizona Department of Commerce as a business attraction manager for the past two years, with 30 years prior to that in the transportation industry. Please welcome AAED Executive Director, Bruce Coomer to the Spotlight...*



*Favorite AAED success?*

The success of AAED in the last five years has been phenomenal. If we progress as rapidly over the next five as the past five, I will have done my job well.

*What do you hope to accomplish in your first year on the job?*

I expect to continue the momentum we have in progress. I plan to change very little. We need to focus on strengths and continue to be the leading advocate for economic development in Arizona.

*What is your most challenging opportunity ahead of you?*

There are two. The first is to get the work force practitioners and economic development practitioners more interactive with one another. Relocating companies' top concerns are the availability, skill set, and education of the workforce. So, there is room for more teaming up ahead.

The second is to support and build our organization in both Northern and Southern Arizona by having more AAED sponsored events in both regions.

*What is a little known fact about you?*

I was a catcher and a homerun leader for the Edgewater A&W baseball team. In 1959 our team won the Colorado State Championship and advanced to the Little League World Series.



## NEWSWORTHY

[John Bowers, AAED]

James Mason, City of Peoria Economic Development Department, has been promoted to Assistant to the City Manager of Peoria. Congratulations to James, who also chairs the AAED Events Committee!

And congratulations, as well, to AAED Board Member and Professional Education Committee chair John Chan, who has been named Director of the City of Phoenix Downtown Development Office. John has served as Interim Director of the office for the past several months. Phoenix has also named Donald Maxwell as head of its Community & Economic Development Department. Donald was previously Director of Economic Development for Virginia Beach, VA.

Tucson-based University Physicians Health Plans, a division of University Physicians Healthcare, has made its University Physicians Healthcare Group plan for small businesses and the self employed available for the first time in Maricopa County. Healthcare Group of Arizona is the state-sponsored health plan covering almost 23,000 Arizonans. It was created in 1985 and offers various flexible HMO plans. University Physicians Healthcare Group is represented in AAED by Mark Hillard. Additional information about the plan is available at 1-866-407-0960 or [www.uphcg.com](http://www.uphcg.com).

Bill Sheely is a new AAED representative from The Orcutt Winslow Partnership. Bill replaces Sergio Martinez, who has joined DLR Group. We also want to welcome Orcutt Winslow Partnership, headed by AAED Past President Herman Orcutt, to their new offices in the Phoenix corporate Center, also the home of the AAED World Headquarters.

Reggie Blonstein has joined Leo a Daly as Director of Business Development. Reggie moves from Archicon.

## 4th Annual Legislative Luncheon Set for Feb. 20

[Pete Klute, Klute Communications]

Mark you calendars now for the AAED Legislative Luncheon on Tuesday, Feb. 20, 2007. Outback Steakhouse is again catering this fourth annual event which will be held in a tent set up on the Senate-side lawn of the state capitol in Phoenix. The event starts at 11:30 a.m. and ends at 1:30 p.m.

All 90 members of the Arizona Legislature will receive formal invitations from AAED. However, individual AAED members are urged to invite the State senator and two representatives from their own districts to attend as their guests. It is important that as many AAED members as possible, including those from rural areas, participate in this event by being present, hosting and sitting with the elected representatives from their own districts and discussing the economic development issues with them. A brief welcome and general comments about AAED's legislative agenda for 2007 will be the only program. Otherwise, the event is an informal one.

The steak luncheon will be served buffet style and tables and chairs will be set up throughout the tent. Each legislator will receive information about AAED and a gift (with a value of less than \$10) when they check in. The luncheon is free for legislators and \$50 for members.

Further information about the 4th Annual Legislative Luncheon will be sent to all AAED members in January but reservations can be made now by calling AAED at (602) 240-2233.

## New Members



Ruth Clark, Environmental Planner/Project Manager  
SWCA Environmental Consultants  
2120 N. Central Ave., Ste 130, Phoenix, AZ 85004  
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Joan Warren, Associate V.P. Workforce  
Central Arizona College  
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## CALENDAR OF EVENTS

### JANUARY

#### January 2

Phoenix Membership Luncheon  
11:30 am – 1:15 pm  
Phoenix Country Club  
Program: "Healthcare as an Economic Development Catalyst"

#### January 18

Southern Arizona Membership Luncheon  
11:00 am – 2:00 pm  
Doubletree Hotel, Reid Park, Tucson  
Special Extended Program:  
"Healthcare & a Healthy Economy:  
How Healthcare Impacts Economic Development"

### FEBRUARY

#### February 6

Phoenix Membership Luncheon  
11:30 am – 1:15 pm  
Phoenix Country Club  
Program: "Real Estate Values"  
Speaker: Richard Merritt,  
Elliot Pollack & Associates

#### February 20

Annual Legislative Luncheon  
11:30 am – 1:30 pm  
State Capitol Lawn, Phoenix  
See page 3 for details

## New Face at AAED

[ Myra Getsch, AAED ]

AAED welcomes Jessica Lynn Olsen who joined our staff as Office Assistant on

November 8, 2006.

She is very outgoing and brings a lot of enthusiasm to the job to help provide our membership with the best service and assistance possible.



To help you get acquainted here are a few facts about Jessica. Like her predecessor, Jessica comes to us from a military

background. She was in the United States Navy from 1996 to 2004 and is currently in the U.S. Army National Guard. She is the proud mother of a 2 year old son, Devon, and a 3 year old daughter, Deanna. Her husband too is in the Navy and is currently stationed at Great Lakes Naval Station outside of Chicago. Jessica loves horseback riding, golfing and cruising on her Harley Davidson (L.H. should appreciate that).

Please introduce yourself when you see Jessica at upcoming events and help us make her feel welcome.



CONGRATULATIONS TO L.H., PROUD GRANDPA TO LILY KRAUS. LILY WAS BORN ON SUNDAY, NOVEMBER 19, 2006 AT 2:02PM. SHE WEIGHED 7 POUNDS, 2 OUNCES AND MEASURED 19½ INCHES. GRANDPARENTS JILL AND L H ARE RESTING QUIETLY AT HOME AND A FULL AND COMPLETE RECOVERY IS ANTICIPATED.

### The Update

would like to know *what your community is doing* in response to Proposition 207. Please send your responses to the editor at [rbusch@scottsdaleaz.gov](mailto:rbusch@scottsdaleaz.gov).



Last month's Latest Dirt column incorrectly identified the location of the Embraer project. Mesa is the proud city to have one of the world's leading manufacturers of commercial and corporate jets bring one of their four executive jet service centers to Williams Gateway Airport.

## AAED Members Make Record Donation!

AAED President Elect and senior board officer, Garrett Newland (pictured below, on left) presented a check from proceeds from raffle sales at the December 5th Charity Fundraiser and Phoenix Luncheon to Mike Mercy, Executive Director, Foundation for Burns and Trauma. The final check amount totaled \$2,090.00 which is the largest donation amount ever from AAED. Thanks to all the people who donated raffle prizes and purchased raffle tickets!



A special thanks the Jenny Ellis and the AP team for putting together such a successful charity event.

### AAED Update

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*Photo, top of page 1: The Town of Oro Valley's 2006 Holiday Parade and Tree Lighting*