DATE & TIME: March 17, 2021 at 4:00 PM
LOCATION: Online Zoom Meeting
CALL IN: 877-853-5257  MEETING ID: 868 9036 3152  MEETING PASSWORD: 768096
*Please download the Zoom application prior to the meeting on a device that has a microphone (smart phone, laptop). You will need to enter in the meeting ID and meeting password. If you wish to participate by phone only, please call 877-853-5257. Enter meeting ID 868 9036 3152. Use password 1768096 and when asked for Participant ID, please push #.

**Pinal RTA Board Meeting Agenda**

I. Call to Order – *Chair Craig McFarland*

II. Pledge of Allegiance

III. Roll Call & Introductions of Guests

IV. Call to the Public (Members of the public may speak on any item not listed on the agenda. Items presented during the Call to the Public portion of the Agenda cannot be acted on by the Pinal RTA Board. Individual Board members may ask questions of the public but are prohibited by the Open Meeting Law from discussing or considering the item among themselves until the item is officially placed on the agenda. Individuals are limited to a two-minute presentation. For the sake of efficiency, the Chair may eliminate the Call to the Public portion of any agenda.)

V. Consent Agenda (All items on the Consent Agenda are considered to be routine and will be approved by a single vote. A Board member or the Executive Director may request that an item be removed from the Consent Agenda and considered separately.)
   A. Approval of January 27, 2021 Pinal RTA Board Meeting Minutes
   B. TAC Recommendation to Reaffirm Voter-Approved Program Phases – *Dan Marum*
   C. TAC Recommendation on Allocation of Funds to East-West Corridor Segments - *Dan Marum*
   D. Transit Subcommittee Update – *Dan Marum*

VI. Information Items
   A. Status Update on Vangilder Lawsuit – *Andrea Robles*
   B. Progress Report on Two Board-Appointed Working Groups on Policy Guidance – *Dan Marum*
   C. Progress Report on Intergovernmental Agreements – *Dan Marum*
   D. TAC Recommendation to Recognize Updated Revenue Forecast for Planning Purposes – *Dan Marum*
   E. TAC Recommendation to Obtain New Revenue Forecasts during FY 2022 – *Dan Marum*

VII. New Business
   A. Executive Session for the purpose of obtaining legal advice from the Pinal Regional Transportation Authority’s Attorney, pursuant to A.R.S. 38-431.03(A)(3). Topics pertain to implementation of the Plan and contracts and IGAs needed to implement the Plan - *Bill Sims*

VIII. Upcoming Meetings & Events
   PRTA TAC – April 13, 2021 – Apache Junction
   PRTA Board - April 28, 2021 – Apache Junction

IX. Adjourn

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*The Board may go into executive session for purposes of obtaining legal advice from the PRTA Attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3). This agenda may be subject to amendment 24 hours before the meeting.*
Date: March 10, 2021
To: Pinal RTA Board
From: Angela Gotto
Subject: Pinal RTA Board Minutes – January 27, 2021

Recommended Motion
Move to approve the Pinal RTA Board minutes from January 27, 2021.

Attachment(s)
January 27, 2021 Pinal RTA Board minutes
DATE: January 27, 2021  
TIME: 4:00 p.m.  
LOCATION: 2540 W. Apache Trail, Suite 108; Apache Junction, AZ 85120

I. CALL TO ORDER  
Chairman Craig McFarland called the meeting to order at 4:04 PM.

II. PLEDGE OF ALLEGIANCE  
Chairman McFarland led the Pinal RTA Board, guests, and staff in the Pledge of Allegiance.

III. ROLL CALL AND INTRODUCTIONS  

Members Present: Craig McFarland, Jon Thompson, Christian Price, Robin Benning, Mila Besich, Robert Schroeder, Jamie Ramsey  

Members Absent: Joe Dietz, Micah Powell, Tara Walter, Patricia Armenta  

Guests: Irene Higgs, Jason Hafner, Scott Bender, Duane Eitel, Heather Wilkey, Leo Lew, Martina Burnam, Kevin Adam  

Staff: Dan Marum, Amy Moran, Doug Eberhart, Bill Sims, Andrea Robles, Travis Ashbaugh, Angela Gotto

IV. CALL TO THE PUBLIC  
No one answered the Call to the Public

V. CONSENT ITEMS  
Councilmember Robin Benning, Town of Queen Creek, made a motion to approve the December 16, 2020 Pinal RTA Board Meeting minutes. Mayor Jon Thompson, City of Coolidge, seconded the motion. The motion passed unanimously.

A. Approval of the Pinal RTA Board Meeting Minutes – December 16, 2020  
The December 16, 2020 minutes were approved under Consent Item V-A.

VI. INFORMATION ITEMS  
Draft IGAs and Project Fact Sheets  
Mr. Bill Sims provided the Board with an update on the Pinal RTA Draft IGAs and Fact Sheets. He stated that the structure of these items started in November 2017. He stated that the IGAs will be the framework for the RTA projects. Mr. Sims stated that the IGAs will identify the lead agency for the project, obligating the lead agency to identify a source of funds to complement the RTA funds, that expenditures are properly procured and to make sure the projects are integrated into the larger plans. He stated that the IGAs will be implemented once the fact sheets are completed. Mr. Sims stated that the fact sheets have been distributed to the lead agencies and Wilson & Company is receiving feedback from those agencies. He stated that the fact sheets will be similar to a scope of work and that they implement the IGAs. Mr. Dan Marum stated that the fact sheets that have been distributed to date are for the major roadway projects and have been distributed to Pinal County, the City of Casa Grande and the City of Maricopa for review. He said that draft fact sheets for the local road program have also been developed, and background work has begun for the public transportation and the administration IGAs. Mr. Marum stated that these draft IGAs should be out for review in the next 30-45 days. Mayor Craig McFarland asked if the fact sheets were
going to contain the actual cost of the project or the voter approved cost. Mr. Marum stated that both costs would be represented on the project fact sheet. Questions, comments, and discussion followed. This was an information item.

**Transit Subcommittee**

Mr. Dan Marum informed the Board that staff has re-initiated working with the PRTA Transportation Advisory Committee and one of the items in the TAC Bylaws is the reconstitution of the Transit Subcommittee. He stated that the subcommittee would report to the TAC and address items related to the expenditures of public transportation component of the plan including the distribution of transit operations, park-n-ride facilities, and supporting dial-a-ride and ride-shares. Mr. Marum stated that composition of the subcommittee has been formed, and that some jurisdictions have chosen not to have representation at this time. He stated that the subcommittee would deal with the areas that deal with public transit funding and those findings would be brought back to the TAC and the Pinal RTA Board for review and action as appropriate. Questions, comments, and discussion followed. This was an information item.

**Development of 5-Year TIP for FY 2022 – FY 2026**

Mr. Doug Eberhart informed the Board that the previous items are the building blocks to get to a 5-Year Transportation Improvement Program (TIP). He stated that the TIP is required by state statutes and should be prepared annually. Mr. Eberhart stated that a TIP will be ready to be approved prior to the beginning of the new fiscal year. He stated that the projected revenues collected from the tax will be adequate to pay out the amounts that were indicated to the voters and will honor the funding commitment made by the PRTA. Mr. Eberhart stated that the TIP will show all funds for the project and what the funding sources are. He stated that this is a requirement of the statute and each funding source for every project will be shown on the TIP. Mr. Eberhart stated that the draft TIP will include all phase one projects that were provided in the voter information. Questions, comments, and discussion followed. This was an information item.

**VII. NEW BUSINESS**

**Approval of TAC Bylaws**

Mr. Dan Marum informed the Board that the TAC Bylaws dated December 3, 2020 have been approved by the TAC meeting in January. He stated that the TAC elected a chair and a vice chair at their meeting in accordance with the TAC Bylaws. Mr. Marum stated that the TAC Bylaws need Board approval to be finalized. He stated that the date would be changed to January 27, 2021 to show finalization of Board approval. Mayor Mila Besich, Town of Superior, made a motion to approve the TAC Bylaws as presented. Councilmember Robert Schroeder, City of Apache Junction seconded the motion. The motion passed unanimously.

**Working Group Formation Discussion**

Mr. Dan Marum informed the Board that two policy documents are currently in draft form and need to be review. He stated that the formation of a working group would allow for review and comment on these policy documents. Mr. Marum stated that the purpose of the two working groups is to review the Policy Operations and Procedures (POP) manual and the Local Roads Program document. He stated that the POP manual will be the guidance for the main projects that are throughout the County and that the Local Road Program will be guidance for the four communities that receive the annual distribution of funds for construction and improvement of their local roads. Mr. Marum stated that the draft documents would be distributed to both groups for review and that a comment resolution matrix would be formed for the Board’s review. He stated that the goal is to have the documents back for approval at a Board meeting in the near future. Questions, comments, and discussion followed. This was an information item.
Appointmen of Working Groups

Mr. Dan Marum stated that there should be no more than five members in each of the working groups. Mayor Craig McFarland, City of Casa Grande, stated that the recommendations seemed appropriate as each of the recommendations represents an agency that would be affected by those documents. Mayor Christian Price, City of Maricopa, stated that there were currently seven recommended for the POP working group and if there are only up to five allowed, we should designate only five. Mr. Marum stated he was correct. Mayor Price stated there are some people absent, but that he would be willing to represent the City of Maricopa and the region on the POP working group. Councilmember Robin Benning, Town of Queen Creek, asked if the working groups would be voting on the manuals as it seems as though there could be an issue with having two votes if you are in the working group and on the Board. Mr. Dan Marum stated that the working groups will only review and make suggested changes and edits which will be tracked in a comment resolution matrix and then returned to the RTA Board for approval. He stated that the working groups are informal groups that are not voting on the manuals but making recommendations to the Board only. Mr. Bill Sims stated that this would be an informal group of individuals who would come up with recommendations to the administrators, Scott Bender and Andrea Robles. He stated that this is to ensure comments are received from key stakeholders to the administrators who would then bring the items to the Board.

The Board recommended that the representatives of the POP Manual working group consist of the new representative (to be determined) from the Pinal County Supervisors; Mayor Jon Thompson, City of Coolidge; Mayor Craig McFarland, City of Casa Grande; Mayor Tara Walter, Town of Florence; and Mayor Christian Price, City of Maricopa.

The Board recommended that the representatives of the Local Road Programs work group consist of Mayor Micah Powell, City of Eloy; Mayor Jamie Ramsey, Town of Kearny; Mayor Patricia Armenta, Town of Mammoth; Mayor Mila Besich, Town of Superior; and the new representative (to be determined) from the Pinal County Supervisors.

East-West Corridor Update

Mr. Doug Eberhart informed the board that the City of Maricopa is getting ready to build the two western-most miles of the East-West Corridor. He stated that there is no known Board direction for funding project segments, as opposed to the entire project. Mr. Eberhart stated that the PRTA Plan allocates a total of $67.2 million for the entire 21-mile corridor. He stated that doing straight math the cost comes out to approximately $3 million a mile, but that is not the only alternative. Mr. Eberhart stated that a decision on this matter may set a precedent for future funding of other corridors. He stated that there is a design-concept report (DCR) that estimated the cost of the corridor split up into 12 phases. Mr. Eberhart stated that the staff from the three communities involved with this project – City of Maricopa, City of Casa Grande, and Pinal County – met to discuss funding options. The options discussed were proportional to the cost of the different segments (proportional to the individual phase costs) and the milage-based approach. Mr. Eberhart stated that this matter will be going to the TAC for further consideration and incorporation in the draft TIP. Questions, comments, and discussion followed. This was an information item.

Election of Officers

Ms. Andrea Robles stated that in accordance with the PRTA Bylaws, elections for a Chair, Vice-Chair and Secretary/Treasurer take place in January each year. Councilmember Robin Benning made a motion to elect Mayor Craig McFarland as Chair and Mayor Mila Besich as Vice-Chair for the calendar year of 2021. Mayor Craig McFarland made a motion to elect Councilmember Robin Benning as Secretary/Treasurer. Mayor Jon Thompson seconded the motion. The motion passed unanimously.
VIII. UPCOMING MEETINGS
The next Pinal RTA Board meeting will be held on February 24, 2021.

IX. ADJOURN
Chairman Craig McFarland adjourned the meeting at 5:22 PM.
Date: March 10, 2021
To: Pinal RTA Board
From: Dan Marum, PRTA Interim General Manager
Subject: TAC Recommendation to Reaffirm Voter-Approved Program Phases

**Recommended Motion**
Move to reaffirm the project implementation schedule in the voter-approved PRTA Regional Transportation Plan.

**Summary Discussion**
The first five-year portion (Phase 1) of project implementation in the PRTA Regional Transportation Plan was to extend from Fiscal Year (FY) 2018 through FY 2022. Due to the Goldwater Institute Vangilder lawsuit, essentially the first four years of this five-year period will have elapsed without PRTA being allowed to implement projects. However, local jurisdictions have advanced the delivery of high-priority, Phase 1 roadway improvement projects in the approved regional transportation plan.

Fiscal Year 2021 ends three and a half months from now. The following question has arisen. Assuming a favorable decision from the Arizona Supreme Court this spring, should PRTA modify the voter-approved schedule of four phases, or do its best to implement the Phase 1 projects in just a single year and then proceed on to Phase 2 as originally scheduled? On March 9, 2021, the PRTA Transportation Advisory Committee recommended that the Board reaffirm the original phasing schedule.

As an analytical exercise, staff developed an alternative phasing schedule that would begin Phase 1 in FY 2022 (staring July 1, 2021) and essentially shorten all phases from five years to four. This would allow more time to get Phase 1 projects built and thus minimize potential perception that projects were not being delivered on time. However, this approach would provide no other practical benefits.

Tax collection began on April 1, 2018 and is unaffected by how implementation phases are defined. This means that sufficient funds have accrued in the PRTA escrow account to not only pay for the Phase 1 projects but also to begin Phase 2 projects. By reaffirming the original implementation schedule, Phase 2 projects can get underway as originally scheduled and not be forced to wait several years for a newly-determined Phase 2 starting date. The sooner that projects can get underway, the less they will suffer from construction cost increases that typically occur over time.

Reaffirming the voter-approved schedule facilitates reimbursement of any eligible costs that have been incurred for Plan Elements, including the regional road projects, administrative costs, local roadway improvements, and public transportation. Funds that could have been paid out during FY 2018 through 2021 but are frozen in escrow would become immediately available with a favorable Arizona Supreme Court ruling and subject to execution of an Intergovernmental Agreement between the PRTA and the respective funding recipient.
Date: March 10, 2021
To: Pinal RTA Board
From: Dan Marum, PRTA Interim General Manager
Subject: TAC Recommendation on Allocation of Funds to East-West Corridor Segments

Summary Discussion
In recent months, the TAC has received briefings regarding the segmentation of the PRTA East-West Corridor project because the City of Maricopa is preparing to undertake the westernmost two-mile segment of this 21-mile project. The information presented to the voters in 2017 did not discuss segmentation of projects, and the PRTA Board has not previously considered how to split up the total corridor funding into smaller pieces for project segments.

At its meeting of March 9, 2021, the PRTA Transportation Advisory Committee recommended that funding for East-West Corridor segments be allocated in proportion to the estimated segment costs as identified in the project’s Design Concept Report (DCR).

As the DCR for the East-West Corridor identified 12 construction phases including phases located in different political jurisdictions, it is foreseeable that the East-West Corridor could be further segmented into smaller projects going forward.

It has been determined that the 12 segments (“phases”, as defined in the DCR) of the East-West Corridor have widely varying costs that do not correlate closely with their segment length. The inclusion or absence of major structures accounts for much of the differences between segment costs. An alternative funding approach, allocating funds solely on the basis of segment length (miles) was discussed and considered by the TAC, but was not recommended.

Segmentation is likely to occur on many other PRTA Roadway Element projects. This places considerable importance on the determination of how to allocate PRTA funds for segmented projects in this initial application. The TAC recognized that this first segmentation case may set an important precedent, but they stopped short of recommending that this approach always be used in the future. They anticipate that the Board will decide each future instance on a case-by-case basis.
Date: March 10, 2021
To: Pinal RTA Board
From: Andrea Robles, PRTA Executive Director
Subject: Transit Subcommittee Update

Summary Discussion
PRTA member jurisdictions have now identified their representatives to serve on the Transit Subcommittee to the PRTA Transportation Advisory Committee (TAC). The Transit Subcommittee will report to the TAC and will assist in developing recommendations to fund specific programs and projects under the Public Transportation Element of the PRTA Regional Transportation Plan.

On March 9, 2021, the TAC took action to formulate a proposed agenda for the Transit Subcommittee. The first meeting will include agreement on subcommittee operating guidelines, election of a chair and vice chair, and a staff briefing on the details of the Public Transportation Element as approved by the voters. The subcommittee then (in this initial meeting or a subsequent one) needs to quickly work on detailed recommendations for projects to be programmed in the upcoming PRTA Transportation Improvement Program for Fiscal Years 2022 to 2026.
Date: March 10, 2021
To: Pinal RTA Board
From: Andrea Robles, PRTA Executive Director
Subject: Status Update on Vangilder Lawsuit

Summary Discussion
Oral arguments before the Arizona Supreme Court were conducted in December 2020, and a favorable outcome is needed to allow the Pinal Regional Transportation Authority to begin implementing the Regional Transportation Plan that the county’s voters approved in November 2017. Tax collection began on April 1, 2018 and the PRTA escrow account now holds over $50 million accumulated for Phase 1 projects. Several cases were decided by the Court in February 2021 that were argued in December 2020, close in time to the arguments on the Vangilder case affecting the PRTA. On this basis, there is strong reason to expect that a decision in the Vangilder case may be handed down in March, literally any day now.

Assuming a favorable court decision, this timing reinforces the need to continue the efforts underway to develop a 5-year Transportation Improvement Program for fiscal years 2022 to 2026. Fiscal year 2022 begins less than four months from now, on July 1, 2021.
Date: March 10, 2021
To: Pinal RTA Board
From: Dan Marum, PRTA Interim General Manager
Subject: Progress Report on Two Board-Appointed Working Groups

Summary Discussion
In January 2021, the PRTA Board created two ad-hoc working groups to provide input for two guidance documents indicating how PRTA funds will be distributed to recipient jurisdictions. These two guidance documents are:

- Policies, Operations and Procedures (POP) Manual for major road projects
- Guidance for Local Roadway Projects (Eloy, Kearny, Mammoth and Superior)

The ad hoc Working Group for the POP Manual met on March 3, 2021 to review the draft manual (modeled after the Pima RTA manual in Tucson) and offer suggested revisions. A revised draft is now being circulated to that Working Group for their review, with the goal of bringing a proposed manual to the full Board no later than April. It is anticipated that the draft Manual will be provided to the TAC at its April meeting for review and input.

The ad hoc Working Group for Guidance on Local Roadway Projects has not met as of March 10. Efforts to convene a meeting of that group are continuing. The draft document includes a two-page introduction followed by two pages of guidance and two one-page project submittal and reporting forms.
Date:  March 10, 2021

To:  Pinal RTA Transportation Advisory Committee

From:  Dan Marum, PRTA Interim General Manager

Subject:  Update on IGA Development

Summary Discussion

For several meetings, staff has made the PRTA TAC aware that an Intergovernmental Agreement (IGA) is expected to be required in order for any community to receive PRTA funds. This is a requirement that staff has included in the draft PRTA Policies, Operations and Procedures Manual that is being prepared with input from an ad hoc Working Group of Board members. At its first meeting, held on March 3, 2021, the Working Group concurred with this requirement.

Additionally, action by the Arizona Supreme Court appears to be imminent in the case that will determine whether or not the PRTA may proceed in implementing the Regional Transportation Plan that was approved by the voters in November 2017.

These two news updates place additional urgency on the preparation of IGAs between PRTA and each jurisdiction that will be receiving PRTA funds. IGA preparation has begun and will continue in earnest during the month of March, with priority being given to those jurisdictions expected to receive funds to reimburse expenses already incurred or programmed for the first year of the 5-Year Transportation Improvement Program.
Date: March 10, 2021
To: Pinal RTA Board
From: Dan Marum, PRTA Interim General Manager
Subject: TAC Recommendation to Recognize Updated Revenue Forecast for Planning Purposes

Recommended Motion
Move to incorporate the updated revenue forecast in future PRTA planning efforts.

Summary Discussion
The Voter Information Pamphlet (VIP) for the November 2017 PRTA Special Election indicated that a total of approximately $641.8 million would be generated by the proposed excise tax. Staff review of the calculations, together with review of actual revenue collection to date, has led to the conclusion that the total revenue estimate for the tax will actually be $671.8 million, an increase of $31 million. Staff has proposed that this revised revenue total be accepted and acknowledged for use in future PRTA planning efforts.

The new higher revenue total is due to the fact that the revenue collection schedule in the VIP did not match the actual schedule. Tax collection began on April 1, 2018, whereas the ballot reflected it starting nine months earlier (July 1, 2017) which was not possible because that was roughly four months before the election. The nine months of revenue “missing” in FY 2018 will get replaced with nine months at the end of the 20-year tax, when the County’s population will be much larger and annual revenues will be roughly three times the FY 2018 level.

To reiterate, the extra $31 million in projected revenue is not a new forecast from economic experts. Instead it is a calculation of what is expected based on what did occur and what is now anticipated over the 20-year life of the tax. See table below.

<table>
<thead>
<tr>
<th>COMPARISON OF 2017 PRTA REVENUE PROJECTION AND 2021 REVENUE OUTLOOK</th>
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<tbody>
<tr>
<td>THE VOTER PAMPHLET SAID:</td>
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<tr>
<td>All numbers are millions</td>
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<tr>
<td>2017 Voter Pamphlet</td>
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<tr>
<td>FY 2018 began</td>
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<tr>
<td>July 1, 2017</td>
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<td>FY2018</td>
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<td>FY2019</td>
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<td>FY2020</td>
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<tr>
<td>FY 2021 to FY2037</td>
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<tr>
<td>Projected FY2038</td>
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<tr>
<td>20-Year Total</td>
</tr>
<tr>
<td>$641.8</td>
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<tr>
<td>$671.8</td>
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<tr>
<td>Difference = increase of $31 million</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>ACTUAL AND CURRENT OUTLOOK</th>
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<tbody>
<tr>
<td>2021</td>
</tr>
<tr>
<td>Updated</td>
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<tr>
<td>Outlook</td>
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<tr>
<td>Explanation</td>
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<tr>
<td>$2.5 full year was not collected, tax started 4/1/2018</td>
</tr>
<tr>
<td>17.1 actual was slightly lower than projection</td>
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<tr>
<td>19.6 actual met projection</td>
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<tr>
<td>586.9 projected by Elliott D. Pollack in 2017</td>
</tr>
<tr>
<td>46.7 these months replace missing months from 2018</td>
</tr>
</tbody>
</table>
Date: March 10, 2021

To: Pinal RTA Board

From: Dan Marum, PRTA Interim General Manager

Subject: TAC Recommendation to Obtain New Revenue Forecasts during FY 2022

Recommended Motion
Move to direct staff to initiate efforts to obtain new revenue forecasts during FY 2022.

Summary Discussion
Projections of revenues to be generated by the PRTA transportation excise tax were developed by the economic forecasting firm of Elliot D. Pollack prior to the November 2017 Special Election. Apparently, there were several iterations of forecasts, and a forecast likely prepared prior to FY 2017 was used in the Voter Information Pamphlet. In other words, the latest forecasts available to the PRTA at this time are at least four years old.

At the March 9, 2021 meeting of the PRTA Transportation Committee (TAC), the TAC approved a recommendation to the Board that new revenue forecasts should be obtained during Fiscal Year 2022.

As a peer example, the Pima RTA in Tucson has a policy that its revenue forecasts should be updated at least once every three years. This policy currently is included in the draft Policies, Operations and Procedures (POP) Manual that is under development with the assistance of a PRTA Board-appointed working group. The Manual has not yet been approved by the PRTA, but that is what the Manual prescribes.

There has not been a great need for updated forecasts while the PRTA tax revenues have been frozen in escrow due to the Goldwater Institute Vangilder lawsuit, but there is reason to believe that this litigation will be resolved in the very near future.

The enormous economic uncertainties associated with the COVID-19 pandemic offered an additional reason to NOT update revenue forecasts during the past year or so, but the Pinal County economy has weathered this crisis with great resiliency. Thanks to the availability of vaccines, things have stabilized enough that forecasts can once again be made with some greater degree of confidence.

Efforts to pursue new revenue forecasts will include obtaining price quotations from potential vendors and also identifying how to pay for the forecasts from the PRTA budget. This effort in FY 2022 could set an example for how to do this every three years going forward. The Pima RTA reports spending approximately $20,000 for revenue forecasts from the University of Arizona Eller School of Management.