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Notices of Final Rulemaking

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**10. A description of the changes between the proposed rules, including supplemental notices, and final rules:**

None

**11. A summary of principal comments and the agency response to them:**

None

**12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

None

**13. Incorporations by reference and their location in the rules:**

None

**14. Was the rule previously adopted as an emergency rule?**

No

**15. The full text of the rules follows:**

**TITLE 7. EDUCATION**

**CHAPTER 1. STATE BOARD OF DIRECTORS FOR COMMUNITY COLLEGES OF ARIZONA**

**ARTICLE 7. INSTRUCTIONS, FACULTY, AND STAFF**

Section

R7-1-712. Providing Community College Credit Courses in Another Community College District

**ARTICLE 7. INSTRUCTIONS, FACULTY, AND STAFF**

**R7-1-712. Providing Community College Credit Courses in Another Community College District**

**A.** A community college district (offering district) may not provide credit courses at a location in another community college district (affected district), unless prior to the delivery of classes the offering district has received authorization for such courses from the state Board in accordance with the following procedure.

1. Except as provided herein, the offering district shall notify the state Board and the affected district(s) of its intent to request state Board authorization to provide credit courses at a location in the affected district as soon as feasible and not less than 45 days prior to the date of the state Board meeting at which the request will be considered. If the affected district(s) agrees in writing to less than 45 days notice the offering district shall notify the state Board not less than 30 days prior to the date of the state Board meeting at which the request will be considered.
2. No later than 15 days prior to the date of the state Board meeting at which the request will be considered the affected district(s) governing board shall state its support for or objection to the proposed authorization for the offering of credit courses in its district, and its reasons for its position.
3. The state Board shall consider the support or objection of the affected district(s) along with the rationale of the offering district in determining if the requested authorization is to be granted. In reaching its decision as to the best interest of the state, the state Board shall be guided by the application of the following criteria:
  - a. The identified community, state, regional, or national need for the course;
  - b. The ability of the offering district to provide a unique or superior course, or to provide it in a manner that results in a superior service;
  - c. The ability and desire of the affected district to provide the proposed course in a manner that satisfies the identified need; and
  - d. Any adverse impact of the proposed course on existing programs or services of the affected district or other Arizona community college districts.

**B.** For all credit courses covered by this rule:

1. The state Board shall approve tuition and fees.
2. State aid may be claimed.
3. An annual report for the previous fiscal year shall be submitted to the state Board by September 1 of each year. The annual report shall include location, credit courses offered, and enrollment.

**C.** Community college credit courses provided in another Arizona community college district via distance education technology to a designated receive site (such as a distance education classroom or an audio or videoconference site) are subject to the provisions of this rule.

**D.** Community college districts providing credit courses at a distance that can be accessed by individuals at non-designated receive sites (such as internet or correspondence) are not subject to the provisions of this rule but shall follow the provisions of R7-1-714.

NOTICE OF FINAL RULEMAKING

TITLE 20. COMMERCE, BANKING, AND INSURANCE

CHAPTER 8. GREATER ARIZONA DEVELOPMENT AUTHORITY

PREAMBLE

**1. Sections Affected**

R20-8-101  
R20-8-102  
R20-8-103  
R20-8-104  
Table A  
R20-8-201  
R20-8-202  
R20-8-203

**Rulemaking Action**

Amend  
Amend  
Amend  
Amend  
Amend  
Amend  
Amend  
Amend

**2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. § 41-1554.04

Implementing statutes: A.R.S. §§ 41-1554.04 and 41-1554.05

**3. The effective date of the rules:**

April 10, 2001

**4. A list of all previous notices appearing in the register addressing the final rules:**

Notice of Rulemaking Docket Opening: 6 A.A.R. 3656, September 22, 2000

Notice of Proposed Rulemaking: 6 A.A.R. 4437, November 24, 2000

**5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: Tom Belshe  
Executive Director

Address: Greater Arizona Development Authority  
3800 North Central Avenue, Suite 1650  
Phoenix, Arizona 85012

Telephone: (602) 280-8121

Fax: (602) 280-8145

**6. An explanation of the rules, including the agency's reasons for amending the rules:**

During its 1997 session, the Arizona State Legislature established the Greater Arizona Development Authority (Authority) for the purpose of making funds available to provide technical assistance to infrastructure projects of political subdivisions, Indian tribes, and special districts, and financial assistance for infrastructure projects of political subdivisions, Indian tribes, and special districts. The proposed rule amendments accomplish the following:

- (1) Allows subdivisions of Indian tribes (i.e. chapters, villages, districts) to compete for technical assistance awards. This change was brought about by passage of SB 1086 during the 2000 legislative session.
- (2) Allows the ex-officio board members of the Authority to assign designees to the board of directors. This change was brought about by passage of SB 1086 during the 2000 legislative session.
- (3) Removes "managerial support capacity" as a criterion to determine if an application for technical assistance is an eligible application.
- (4) Provides staff of the Authority more flexibility in setting and extending application deadline dates for the technical and financial assistance programs.
- (5) Provides staff of the Authority more flexibility in determining what information is necessary to determine if an application for technical or financial assistance is an "eligible application".

SB 1086 was passed during the 2000 Arizona Legislature and the bill makes one very significant change to GADA's technical assistance program. The bill, which was supported by the Navajo, Hopi, and Tohono O'odham Nations, allows tribal subdivisions, which now have more responsibility for local infrastructure needs, to compete for GADA technical assistance awards. By allowing tribal subdivisions to compete for technical assistance awards, the technical assistance program provides more relevant help to the tribes.

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A.R.S. § 41-1554.04 provides that the Authority shall establish application forms for technical assistance, a procedure to review and approve or disapprove applications for technical assistance, criteria by which technical assistance will be awarded, and a means to prioritize applications for technical assistance. A.R.S. § 41-1554.05(D) provides that the Authority shall establish an application process and method of determining the allocation of technical assistance in accordance with A.R.S. § 41-1554.04. The other proposed amendments would strengthen the process for determining the eligibility of technical and financial assistance applications by providing more flexibility for the staff of the authority to require certain information of the applicant dependent on the nature of the project. It also removes the requirement that staff use financial and managerial capacity information provided by the applicant to determine whether the application for technical assistance is an “eligible application.” Information concerning financial and managerial capacity will be used as a priority criterion for awarding assistance.

**7. A reference to any study that the agency relied on in its evaluation of or justification for the final rules and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**

None

**8. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:**

The rules do not diminish a previous grant of authority to a political subdivision of this state.

**9. The preliminary summary of the economic, small business, and consumer impact:**

The impact is expected to be positive. While small business and consumers may have user rates and fees increased to pay for the new infrastructure financed by the Greater Arizona Development Authority, the net effect is expected to be positive for two reasons:

- (1) The projects will be developed faster with GADA participation, accelerating the benefits to the local community.
- (2) The Authority will provide financial support and technical assistance to local communities for infrastructure development.

Because of the wide range of possible projects with varying local impacts, it is difficult to estimate or generalize about the potential economic impact of the Authority. It can be said that the Authority’s beneficial contribution will be in the acceleration of the development of necessary projects. In some cases, assistance can accelerate a project, reducing the time for the community to begin using the infrastructure, improving the economic well being of residents as well as the overall quality of life.

**10. A description of the change between the proposed rules, including supplemental notices, and the final rules:**

None

**11. A summary of the principal comments and the agency response to them:**

No public comment was received before the close of record on December 30, 2000.

**12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable

**13. Incorporations by reference and their location in the rules:**

None

**14. Were the rules promulgated as emergency rules?**

No

**15. The full text of the rules follows:**

**TITLE 20. COMMERCE, BANKING, AND INSURANCE**

**CHAPTER 8. GREATER ARIZONA DEVELOPMENT AUTHORITY**

**ARTICLE 1. TECHNICAL ASSISTANCE**

Section

R20-8-101. Definitions

R20-8-102. Application Process

R20-8-103. Eligibility Criteria

R20-8-104. Priority; Approval and Disapproval; Protest

Table A. Priority Criteria – Project Development Account

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**ARTICLE 2. FINANCIAL ASSISTANCE**

Section

- R20-8-201. Definitions
- R20-8-202. Application Process
- R20-8-203. Eligibility Criteria

**ARTICLE 1. TECHNICAL ASSISTANCE**

**R20-8-101. Definitions**

In addition to the definitions prescribed in A.R.S. § 41-1554, the following definitions apply in this Article:

1. "Administratively complete" means that an applicant has completed the application for technical assistance and provided all of the ~~required~~ information that staff determines is applicable.
2. "Applicant" means a political subdivision, special district, ~~or~~ Indian tribe, or tribal subdivision that applies to the Authority for technical assistance.
3. "Authority" means the Greater Arizona Development Authority.
4. "Board" means the board of directors of the Authority or their designees.
5. "Economic impact summary" means an economic analysis that establishes the economic context for a project based on information provided by the applicant.
6. "Economic overview" means an economic analysis that establishes the economic context for a project based on public data and information provided by the applicant.
7. "*Infrastructure*" means any facility located in this state for public use and owned by a political subdivision, special district or Indian tribe that retains ultimate responsibility for its operation and maintenance. A.R.S. § 41-1154(6).
8. "Project" means the whole, or any distinguishable segment or segments, of publicly owned infrastructure for which technical assistance is being requested or provided.
9. "Project Assistance Account" means an account within the Technical Assistance Program of the Authority designed to provide technical assistance for eligible infrastructure projects that are in the final phases of project development.
10. "Project Development Account" means an account within the Technical Assistance Program of the Authority designed to provide technical assistance to eligible infrastructure projects that are in the early or exploratory phases of project development.
11. "Staff" means the Executive Director and the Finance Director of the Authority.
12. "Technical assistance round" means a period of time established by the Board during which applications for technical assistance are sent to potential applicants, returned to the Authority, analyzed by Staff, and submitted to the Board for approval or disapproval.
13. "*Tribal subdivision*" means any chapter, district or village that is recognized by an Indian tribe by resolution or through tribal constitution and that receives technical assistance. A.R.S. § 41-1554(14).

**R20-8-102. Application Process**

- A. The Board shall annually establish a due date by which applications for technical assistance shall be submitted for each technical assistance round, and the number of technical assistance rounds to be held in a given state fiscal year. To the extent it deems necessary, the Board may extend the due date by which applications for technical assistance are to be submitted.
- B. The Authority shall send solicitation letters to potential applicants at least 60 days before applications are due. Other interested persons may submit requests to the Authority to be placed on a mailing list to be utilized by the Authority in sending out solicitation letters.
- C. An applicant shall provide ~~the following information~~ to the Authority by the established due date for ~~such~~ applications on a form provided by the Authority any of the following information that the staff determines is applicable:
  1. Contact information for the applicant, including name, address, and telephone number;
  2. A description of the type of technical assistance being requested and an estimate of the cost of the technical assistance;
  3. A detailed description of the project;
  4. A summary of the anticipated economic impact the project will have on the community as estimated by the applicant;
  5. The estimated starting date, completion date, and projected cost of the infrastructure project for which the technical assistance is being requested;
  6. The projected sources and uses of funds for the infrastructure project, including public and private in-kind contributions;
  7. A list of professional and outside service providers who have worked with the applicant on any part of the project; ~~and~~ or
  8. An indication of whether the application is for monies from the Project Development Account or the Project Assistance Account.

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- D. In addition to the application required in subsection (C), an applicant shall provide ~~the following information~~ to the Authority by the established due date for ~~such~~ applications any of the following information that the staff determines is applicable:
1. A planning document specific to the locality of the project for which the technical assistance is being requested that includes the project, such as a capital improvement plan, local strategic plan, or similar planning document or evidence that the project has been discussed in meetings or in study sessions of the governing body of the applicant;
  2. If the project is listed on the project priority list of the Water Infrastructure Finance Authority or on the Department of Transportation's Five-Year State Plan, a document evidencing this fact;
  3. A resolution from the governing body of the applicant stating the following:
    - a. The project is in the best interests of the residents;
    - b. The estimated economic impact on the community; ~~and~~
    - c. The commitment of local funds, if applicable; or
  4. If the applicant is a tribal subdivision:
    - a. A resolution from the tribal council in support of the tribal subdivision's technical assistance application; or
    - b. Certification by the tribal council that the tribal subdivision may enter into intergovernmental agreements with state agencies without further tribal council action.
  45. The applicant's most recent financial statements.
- E. Staff shall analyze each application received on or prior to the due date for applications for technical assistance to determine whether the application is administratively complete and whether an applicant meets the eligibility criteria prescribed in R20-8-103. Applications for technical assistance ~~which that~~ are determined to be both administratively complete and eligible for technical assistance under R20-8-103 shall be submitted to the Board for prioritization and possible funding. Applications ~~which that~~ are either not administratively complete or do not meet the criteria in R20-8-103 shall not be submitted to the Board.

**R20-8-103. Eligibility Criteria**

To be eligible to receive technical assistance, an applicant shall satisfy the following criteria:

1. The applicant is a political subdivision, Indian tribe, tribal subdivision, or special district;
2. The technical assistance requested is for the development or financing of an infrastructure project;
3. The application is administratively complete;
4. The applicant provides evidence that the project has public support;
5. The applicant provides evidence that the project is part of an adopted comprehensive plan, for example, a capital improvement plan, a local strategic plan, or similar planning document or evidence that the project has been discussed in meetings or in study sessions of the governing body of the applicant;
6. ~~The applicant has the capacity to provide managerial support to the project;~~
76. The cost of the technical assistance does not exceed 10% of the total cost of the final project;
87. The applicant does not have an open award agreement for technical assistance with the Authority; and
98. The applicant is not requesting technical assistance for a project that has already received funds from the Financial Assistance Program.

**R20-8-104. Priority; Approval and Disapproval; Protest**

- A. The Authority shall request the Department of Commerce prepare an economic overview for each of the projects eligible for technical assistance that establishes the economic context for the project.
- B. During each technical assistance round, the Board shall determine the order and priority of infrastructure projects, for both the Project Development Account and the Project Assistance Account, for which an eligible application for technical assistance has been received. For the Project Development Account, the Board shall use a scale of 75 points maximum for all applications based on the criteria in Table A. For the Project Assistance Account, the Board shall use a scale consisting of 95 points maximum for tribal applications and a scale consisting of 100 points maximum for all other applications based on the criteria in Table B. Application scores shall then be prioritized based on a percentage of the points received to total points possible.
- C. Applications for monies from the Project Development Account with tied scores shall be prioritized by comparing the scores that each application received in Table A under the following categories in descending order of importance:
1. Evidence of local support for the project;
  2. Evidence of the project's impact on the community; and
  3. Evidence of ~~sufficient that~~ financial and managerial capacity to operate and maintain the project will be researched and developed as part of the requested technical assistance.
- D. The prioritization under subsection (C) is as follows:
1. The tied application with the higher score under subsection (C)(1) shall have priority over other applications;
  2. If the tied applications have the same score under subsection (C)(1), the application with the higher score under subsection (C)(2) shall have priority over the other applications;

3. If the tied applications have the same score under subsections (C)(1) and (C)(2), the application with the higher score under subsection (C)(3) shall have priority over the other applications;
  4. If the tied applications have the same score under subsections (C)(1), (C)(2), and (C)(3), the Board shall determine the priority of the applications.
- E.** Applications for monies from the Project Assistance Account with tied scores shall be prioritized by comparing the scores that each application received in Table B under the following categories in descending order of importance:
1. Evidence of local support for the project;
  2. Evidence of a permanent funding source for the project;
  3. Evidence of the project's impact on the community; and
  4. Evidence of sufficient financial and managerial capacity to operate and maintain the project.
- F.** The prioritization under subsection (E) is as follows:
1. The tied application with the higher score under subsection (E)(1) shall have priority over other applications;
  2. If the tied applications have the same score under subsection (E)(1), the application with the higher score under subsection (E)(2) shall have priority over the other applications;
  3. If the tied applications have the same score under subsections (E)(1) and (E)(2), the application with the higher score under subsection (E)(3) shall have priority over the other applications;
  4. If the tied applications have the same score under subsections (E)(1), (E)(2) and (E)(3), the application with the higher score under subsection (E)(4) shall have priority over the other applications;
  5. If the tied applications have the same score under subsections (E)(1), (E)(2), (E)(3) and (E)(4), the Board shall determine the priority of the applications.
- G.** The Board shall approve or disapprove each eligible application for technical assistance based upon the priority list and available funding for technical assistance. The Board may fund all or a portion of a technical assistance request.
- H.** The Authority shall mail the Board's written determination to each applicant within 90 days after the date that all applications for technical assistance are due.
- I.** For each approved project, the Authority shall establish a date by which the commitment of the Authority to provide technical assistance expires. The Authority shall not provide technical assistance for an approved project if the applicant does not complete all agreements with the Authority on or before that date.
- J.** The Authority shall bypass a project within a technical assistance round and offer funding to the next highest-ranking project if the project is not ready to proceed within the next 6-month period after the award date.
- K.** An applicant whose project for technical assistance is disapproved may file a protest with the Board as follows:
1. The applicant shall submit its reasons for protesting the decision of the Board, in writing, within 20 days of the date of the Board's written determination, in a letter addressed to the Chairperson of the Board, with a copy to the Executive Director of the Authority.
  2. The Authority shall review the substance of the protest and respond, in writing, by mail, to the applicant, within 30 days. Staff shall distribute a copy of the response to the Board.
  3. Upon receipt of the Authority's written response, the applicant may request an opportunity to make a direct presentation to the Board. Staff shall schedule the presentation for the next regular Board meeting.
  4. Following the applicant's presentation, the Board shall decide whether to review the applicant's request for technical assistance. Within 30 days after the presentation, the Board shall, in writing, notify the applicant of its final decision regarding the applicant's request for technical assistance.

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**Table A. Priority Criteria – Project Development Account**

<b>Priority Criteria – PROJECT DEVELOPMENT ACCOUNT</b>		<b>Point Total</b>
<b>1. Evidence of local support for the project based on the following:</b>		<b>30 points</b>
The project is included in the General Plan, Capital Improvement Plan, or other similar planning document of the applicant or has been discussed in meetings or study sessions of the applicant’s governing board.	Up to 15 points	
The project has public/private partnerships that will provide financial or in-kind services.	Up to 10 points	
The project has received a resolution of support from the governing board of the applicant.	5 points	
<b>2. Evidence of the project’s impact on the community based on the following:</b>		<b>30 points</b>
An economic impact summary as prepared and submitted by the applicant.	Up to 10 points	
The project addresses health, safety, and welfare issues.	Up to 10 points	
An economic overview prepared by the Department of Commerce.	Up to 5 points	
The applicant has not previously received funding from the GADA Technical Assistance Program.	5 points	
<b>3. Evidence of <del>sufficient</del> that information regarding financial and managerial capacity necessary to operate and maintain the project will be researched and developed as part of the requested technical assistance.</b>		<b>15 points</b>
<b>Maximum Point Total</b>		<b>75 points</b>

**ARTICLE 2. FINANCIAL ASSISTANCE**

**R20-8-201. Definitions**

In addition to the definitions prescribed in A.R.S. § 41-1554, the following definitions apply in this Article:

1. “Administratively complete” means that an applicant has completed the application for financial assistance and provided all of the ~~required~~ information that the staff determines is applicable.
2. “Applicant” means a political subdivision, special district or Indian tribe that applies to the Authority for financial assistance.
3. “Authority” means the Greater Arizona Development Authority.
4. “Board” means the board of directors of the Authority or their designees.
5. “Dedicated revenue source” means the origin of money committed by an Indian tribe to be used for repayment of a loan.
6. “Economic evaluation” means a detailed economic analysis based on public data and information provided by the applicant.
7. “Financial assistance round” means a period of time established by the Board during which applications for financial assistance are sent to potential applicants, returned to the Authority, analyzed by Staff, and submitted to the Board for approval or disapproval.
8. “Infrastructure” means any facility located in this state for public use and owned by a political subdivision, special district or Indian tribe that retains ultimate responsibility for its operation and maintenance. A.R.S. § 41-1154(6).
9. “Pledged revenues” means any monies to be received by a political subdivision or special district, including property taxes, other local taxes, fees, assessments, or charges pledged by a political subdivision or special district as a source for repayment of a loan repayment agreement.
10. “Project” means the whole, or any distinguishable segment or segments, of publicly owned infrastructure for which financial assistance is being requested or provided.
11. “Staff” means the Executive Director and the Finance Director of the Authority.

**R20-8-202. Application Process**

- A. The Board shall annually establish a due date by which applications for financial assistance shall be submitted for each financial assistance round, and the number of financial assistance rounds to be held in a given state fiscal year. To the extent it deems necessary, the Board may extend the due date by which applications for financial assistance are to be submitted.
- B. The Authority shall send solicitation letters to potential applicants at least 60 days before applications are due. Other interested persons may submit requests to the Authority to be placed on a mailing list to be utilized by the Authority in sending out solicitation letters.
- C. An applicant shall provide ~~the following information~~ to the Authority by the established due date for ~~such~~ applications on a form provided by the Authority any of the following information that the staff determines is applicable:
  1. Contact information for the applicant, including name, address, and telephone number;
  2. Financial statements, audits, or comprehensive annual financial statements relating to the applicant for the applicant’s current fiscal year;



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3. Financial statements, audits, or comprehensive annual financial statements relating to the applicant for the previous 5 fiscal years;
  4. The proposed or estimated financial statement or budget, and business plan or management plan for the current and next fiscal years;
  5. A fee schedule for the applicable enterprise funds for the current and past 5 fiscal years if not included in response to subsections (C)(2), (3), and (4);
  6. The source of pledged revenues or dedicated revenue source to be used to repay the requested financial assistance;
  7. The amount of pledged revenues or money collected through the dedicated revenue source for each of the previous 5 fiscal years;
  8. An estimate of the amount of pledged revenues or money that will be collected through the dedicated revenue source for the current fiscal year;
  9. A projection of the amount of pledged revenues or money that will be collected through the dedicated revenue source for each of the next 5 fiscal years;
  10. A list of professional and outside service providers, including their professional qualifications, that are working or have worked on the project;
  11. An estimate of the project costs, including applicable planning, design, and construction costs, as well as estimated annual operation, maintenance, and replacement costs;
  12. An estimated schedule of required disbursements of the financial assistance; ~~and or~~
  13. Any information that may have a negative effect on the applicant's application, or on its financial condition, including material information relating to other projects undertaken by the applicant, pending lawsuits, and current investigations by state or federal authorities.
- D.** In addition to the application required in subsection (C), an applicant shall provide ~~the following information~~ to the Authority by the established due date for ~~such~~ applications any of the following information that the staff determines is applicable:
1. Copies of documentation relating to outstanding indebtedness, including official statements, financial assistance agreements, and amortization schedules;
  2. A detailed description of the project, with an explanation of how the project complements the overall development of the community, including the following, if available and applicable:
    - a. Copies of project feasibility studies, engineering reports, project designs, rate studies, and related material;
    - b. A detailed timeline for the project; and
    - c. A planning document specific to the locality of the project for which the financial assistance is being requested that includes the project, such as a capital improvement plan, local strategic plan, or similar planning document;
  3. A resolution of the governing body of the applicant stating the following:
    - a. The project is in the best interests of its residents;
    - b. The commitment of local funds, if applicable; and
    - c. If a political subdivision, then confirmation of the pledge of the state-shared revenues;
  4. For a political subdivision, a written commitment by its governing body to complete all applicable reviews and approvals and to secure all required permits in a timely manner;
  5. For a political subdivision, evidence of voter approval to incur debt in connection with the project:
    - a. If the election for voter authorization has been held, a copy of the ballot evidencing voter authorization for the debt in connection with the project and official action canvassing the results of the election;
    - b. If the election for voter authorization is scheduled to be held after the application date, sample ballot language and evidence of a plan to obtain voter authorization for the debt to be incurred in connection with the project;
  6. For a political subdivision, if voter approval has been obtained for substantially the same project but with a different funding source, evidence of that approval in lieu of that required by subsection (D)(5); and
  7. For an Indian tribe, evidence of the current or proposed establishment of a dedicated revenue source under the control of a tribally chartered corporation or other tribal entity subject to suit by the Attorney General, or evidence that additional assets that are subject to execution by the Attorney General without the waiver of any claim of sovereign immunity by the Tribe have been designated as additional security.

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E. Staff shall analyze each application received on or prior to the due date for applications for financial assistance to determine whether the application is administratively complete and whether an applicant meets the eligibility criteria prescribed in R20-8-203. Applications for financial assistance ~~which~~ that are determined to be both administratively complete and eligible for financial assistance under R20-8-203 shall be submitted to the Board for prioritization and possible funding. Applications ~~which~~ that are either not administratively complete or do not meet the criteria in R20-8-203 shall be submitted to the Board with a recommendation that they be disapproved.

**R20-8-203. Eligibility Criteria**

To be eligible to receive financial assistance, an applicant shall satisfy the following criteria:

1. The applicant is either a political subdivision, special district, or ~~an~~ Indian tribe;
2. The financial assistance requested is for an infrastructure project;
3. The application is administratively complete;
4. The applicant demonstrates that the financial assistance can be repaid and the level of security pledged to the loan is consistent with A.R.S. §§ 41-1554.06(D)(4) through A.R.S. § 41-1554.06(D)(6);
5. The applicant demonstrates that the project is ready for construction and the applicant is ready to proceed;
6. The applicant provides evidence that the project has public support;
7. The applicant provides evidence that the project is part of an adopted comprehensive plan, for example, a capital improvement plan, local strategic plan, or similar planning document; and
8. The applicant has the capacity to manage, construct, and operate the infrastructure project.