

AGENDA



**REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, APRIL 1, 2009
at 6:30 P.M.**

If you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off when you enter Council Chambers. Remove your hats for the Pledge of Allegiance. All Presentations are limited to 10 minutes.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Special Session – March 18, 2009
 - 2) Executive Session – March 18, 2009 (Recorded)
 - 3) Regular Session – March 18, 2009
 - b) **Set Next Meeting, Date and Time:**
 - 1) April 8, 2009 at 5:00 p.m. – Work Session
 - 2) April 15, 2009 at 6:30 p.m. – Regular Session
 - 3) April 22, 2009 at 6:30 p.m. – Council Hears Planning & Zoning
 - 4) May 6, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning
 - 5) May 20, 2009 at 6:30 p.m. – Regular Session
 - 6) May 27, 2009 at 6:30 p.m. – Council Hears Planning & Zoning
 - c) **Possible approval of Proclamation declaring the month of April as “Substance Abuse Awareness Month” in the Town of Camp Verde.** (Staff Resource: Brenda Hauser)
 - d) **Possible approval of Proclamation declaring the month of April as “Child Abuse Prevention Month” in the Town of Camp Verde.** (Staff Resource: Brenda Hauser)
 - e) **Possible approval of Proclamation declaring the month of April as “National Library Week” in the Town of Camp Verde.** (Staff Resource: Gerard Laurito)
 - f) **Possible approval of Ordinance 2009-A363 an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving the sale of real property, as described on Exhibit A attached hereto. This property is a vacant .36 acres parcel of residential land located east of McCracken Lane in the 1200 Block South, a portion of parcel 404-02-171.** (Staff Resource: Lynda Moore)
 - g) **Possible approval of Resolution 2009-762, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving and adopting the Intergovernmental Agreement (“IGA”) between the Town of Camp Verde, (“Town”) and the participating public agencies as defined in A.R.S §11-951 (“Parties”) for the purpose of defining Workers’ Compensation Coverage in joint activities and authorizing the Mayor to execute the IGA and declaring an emergency to exist.** (Staff Resource: Michael K. Scannell)
 - h) **Possible approval of the monthly financial update for the period ending February 28, 2009**
 - i) **Possible approval to renew Intergovernmental Agreement with the Camp Verde Unified School District for the Triangle Parking Lot and Trail that was approved by the Camp Verde School Board.** (Staff Resource: Lynda Moore)
 - j) **Possible approval of attached letter opposing HB-2259 which amends the procedures for the implementation of local development fees and authorization for the Mayor to execute the letter.** (Staff Resource: Mayor Gioia)
5. **Call to the Public for Items not on the Agenda.**
6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

7. Discussion, consideration and possible appointment of a Council member to fill former Council member German's term that expires in June 2011. The candidates for the position are Carol German and Tim Sykes.

Mayor Gioia requested item 8: ~~Carried over from the March 18, 2009 Regular Session~~

8. Discussion, consideration, and possible selection of projects to include in the Legacy Projects to commemorate Arizona's Centennial in 2012.
9. Presentation by a Chamber of Commerce Representative followed by discussion, consideration and possible direction to the Manager with respect to the Town's financial support of the Chamber's FY 2009/10 Budget, 12 month funding request as follows: 1) \$70,000 for the Chamber Visitors' Center and tourism operations; 2) An amount not to exceed \$35,000 for matching funds as required by the Chamber of Commerce's application to the Arizona Office of Tourism for the local and regional TEAM Grant that will be used for marketing, advertising, and promoting Camp Verde. (Staff Resource: Michael K. Scannell)
10. Presentation, discussion and possible direction to staff concerning the attached recommendation of the merchant group for addressing their concern with the recently adopted amendment to Section 118 of the Planning and Zoning Ordinance dealing with A-Frame signs. (Staff Resource: Nancy Buckel)

Councilor Garrison requested items 11 and 12: ~~Carried over from the March 18, 2009 Regular Session~~

11. Discussion, consideration, and possible direction to staff to amend Resolution 2007-745, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolution 2000-447 and establishing meeting policies and procedures for Council and all Town Commissions, to include an e-mail policy AND TO CORRECT OR AMEND INCONSISTENCIES IN THE RESOLUTION.
12. Discussion, consideration, and possible direction to staff to include a detailed Point of Order procedure in the modified version Robert's Rules of Order that will be presented to Council for consideration at the earliest possible date. Discussion may include the method with which the Mayor handled the discussion and her Point of Order made during the January 21, 2009 meeting.
13. Discussion, consideration, and possible approval of Memorandum of Understanding between Northern Arizona Council of Governments (NACOG) – Economic Workforce Development Division and the Town of Camp Verde to allocate additional funds in the amount of \$4,253 from LTAF II for the administration of the Voucher Transit System and possible discussion and/or direction to staff authorizing allocation of a portion of LTAF II funds for the Town's administrative services. (Staff Resource: Ron Long)
14. Discussion, consideration, and possible approval to apply for a 2009 Community Oriented Policing Services (COPS) grant under the COPS Hiring Recovery Program. (Staff Resource: Dave Smith)
15. Discussion, consideration, and possible approval by Council to accept ADOT's plan for the closure of the Newton Lane access to SR 260.
16. Discussion, consideration, and possible approval of the Parks & Recreation Special Event Handbook and Application for individuals and groups hosting events on Town owned property. (Staff Resource: Lynda Moore)
17. Discussion, consideration, and possible direction to staff relative to the vacant Parks Administrative Assistant/Events Coordinator position and, in the event that the position is not authorized to be filled, discussion and possible direction to staff regarding a reduction in the number of events and programs hosted by the Town of Camp Verde. (Staff Resource: Lynda Moore)

Councilor Smith requested item(s) 18

18. Discussion, consideration, and possible action relative to directing staff to amend the Town Code of the Town of Camp Verde, and more specifically to direct staff to draft an ordinance for adoption on April 8, 2009, as an emergency measure, which makes provision for an individual who has been duly elected by the electors of the Town of Camp Verde to fill the unexpired term of a vacated Council seat and to be formally seated as a Council Member on the day following the certification of the canvass of the vote or as soon as is practicable thereafter.

Councilor Garrison requested item(s) 19

19. Discussion, consideration, and possible direction to staff regarding fast tracking the revisions of the Planning and Zoning Ordinance.

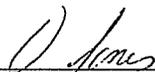
Mayor Gioia requested item(s) 20

20. Call to the Public for Items not on the Agenda.

There will be no Public Input on the following items:

21. Advanced Approvals of Town Expenditures
 - a) There are no advanced approvals.
22. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
23. Adjournment

Posted by:



Date/Time:

3-27-09

8:30 a.m.

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

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**MINUTES
SPECIAL SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
Wednesday, MARCH 18, 2009
5:00 p.m.**

1. Call to Order

The meeting was called to order at 5:00 p.m.

2. Roll Call

Mayor Gioia, Vice Mayor Hauser, Councilors Garrison, Smith, and Kovacovich were present

Also Present: Town Manager Mike Scannell, Town Attorney Bill Sims (*by telephone conference*), Community Development Director Nancy Buckel, and Recording Secretary Margaret Harper.

3. Update, discussion, consideration, and possible direction to staff and/or discussion or consultation with the Town Attorney for legal advice concerning Canyon Wood Supply owned by California Hotwood, Inc. formerly known as Zellner's Wood Yard.

On a motion by Hauser, seconded by Kovacovich, the Council unanimously voted to go into Executive Session for Items 3, 4 and 5.

Attorney Sims recommended that the Council go into Executive Session concerning this item; a decision was then made to go into Executive Session on the following two items as well.

4. Update, discussion, consideration, and possible direction to staff and/or discussion or consultation with the Town Attorney for legal advice concerning the encroachment of a garage owned by Aileen Smart onto the Town's property located on Basham Circle.

5. Advice from legal counsel with respect to the potential rescission of the Transaction Privilege Tax on residential property and the potential legal ramifications attendant to that possible action.

A recess was called at 5:02 to go into Executive Session; the meeting was called back to order at 6:28 p.m.

6. Adjournment

On a motion by Hauser, seconded by Garrison, the meeting was adjourned at 6:28 p.m.

Margaret Harper, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on the 18th day of March 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2009.

Debbie Barber, Town Clerk

**MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, MARCH 18, 2009
6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Council motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion

1. **Call to Order**

The meeting was called to order at 6:30 p.m.

2. **Roll Call**

Mayor Gioia, Vice Mayor Hauser, Councilors Garrison, Smith, and Kovacovich were present; there are two seats vacant.

Also Present: Town Manager Mike Scannell, Town Attorney Bill Sims (*joining the meeting at 9:29 p.m. by telephone conference*), Community Development Director Nancy Buckel, Sr. Planner Mike Jenkins, Sr. Accountant Lisa Elliott, Councilors-Elect Baker, Roulette and Whatley, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Smith.

4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) **Approval of the Minutes:**

- 1) Special Session – March 4, 2009
- 2) Executive Session – March 4, 2009
- 3) Regular Session – March 4, 2009

b) **Set Next Meeting, Date and Time:**

- 1) March 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning
- 2) April 1, 2009 at 6:30 p.m. – Regular Session
- 3) April 15, 2009 at 6:30 p.m. – Regular Session
- 4) April 22, 2009 at 6:30 p.m. – Council Hears Planning & Zoning

c) **Possible approval of Resolution 2009-759 with corrected BOA Schedule, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, setting meeting dates and times for Council, and all Commissions/Committees.** (*Staff Resource: Debbie Barber*)

d) **Possible approval of Resolution 2009-757, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, supporting the use of the existing agreed upon transportation funding distribution formula for the allocation of the Arizona Department of Transportation Share of Federal Economic Recovery Funds.** (*Staff Resource: Councilors Garrison and Smith*)

e) **Possible approval of the following Council correspondence:**

1. **Letter to Congresswoman Ann Kirkpatrick asking for support of the existing cooperatively developed transportation funding distribution for the allocation of ADOT's estimated \$350 million share of economic recovery funds.** (*Staff Resource: Councilors Garrison and Smith*)
2. **Letter to the State Transportation Board asking that they maintain support of the Casa Grande Resolves for use of the existing distribution formula for allocating ADOT's share of the economic recovery funds.** (*Staff Resource: Councilors Garrison and Smith*)
3. **Letter to Governor Jan Brewer requesting that the local office of the State Division of Child Support Enforcement remain open in Cottonwood, as opposed to Prescott.** (*Staff Support: Mayor Gioia*)
4. **Letter to Congresswoman Ann Kirkpatrick encouraging signing onto the bipartisan letter to the Interior and Environment Appropriations Subcommittee, urging the provision of \$325 million for the federal Land and Water Conservation Fund program (LWCF), \$125 million for the LWCF stateside program, and \$125 million for the Forest Legacy Program.** (*Staff Resource: Mayor Gioia*)
5. **Letter to Legislators opposing Urban Revenue Sharing Cuts.** (*Staff Resource: Mayor Gioia*)

f) **Possible approval of Resolution 2009-763, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring and adopting the results of the Primary Election held on March 10, 2009.** (*Staff Resource: Debbie Barber*)

g) **Possible approval of the Citizen Complaint Procedures for Personnel and Non-Personnel complaints.** (*Staff Resource: Debbie Barber*)

h) **Possible approval of Proclamation declaring the month of April as "Fair Housing Month" in the Town of Camp**

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Verde. (Staff Resource: Matt Morris)

- i) Possible approval of the distribution of funds received from the Yavapai-Apache Nation through Prop 202 Initiative as requested in the letter received on February 2, 2009. \$28,029.00 (50%) to the Tutor program at the Camp Verde School Unified School District; \$14,014.50 (25%) to South Verde High School; and \$14,014.50 (25%) to the Town Parks & Recreation department. (Staff Resource: Lisa Elliott)
- j) Possible approval of a budget appropriation correction for the Fiscal Year 2008-2009 Budget. The appropriation increase is \$360.00 for the Beaver Creek Library water utility site. (Staff Resource: Lisa Elliott)

On a motion by Hauser, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the exception of Item 4.g), and with the correction to the Minutes of March 4, 2009 as noted.

Hauser requested that the portion of the Minutes of March 4, 2009, Page 2, Item 6, third paragraph, that reads, "...her Marine is coming home from the war zone," be corrected to read, "...her Marine is going to the war zone."

Garrison requested that Item 4.g) be pulled for separate consideration.

4.g) Possible approval of the Citizen Complaint Procedures for Personnel and Non-Personnel complaints.

On a motion by Garrison, seconded by Kovacovich, the Council voted 4-1 to direct staff to take a look at Councilor German's Citizen Complaint procedure and try to make it somewhat simpler, with a 'no' vote by Smith.

Garrison noted that former Councilor German had intended that the subject complaint procedure be simple and quick; Garrison believes the proposed document should be returned to staff to simplify.

5. Call to the Public for Items not on the Agenda.

(Comments from the following individuals are summarized.)

Howard Parrish reminded everyone about the event last year to celebrate the mail delivery by the Sheriff's Posse; they will deliver mail again this year on May 1st, anyone with a horse is invited to join in on meeting the Posse as they arrive. An individual from Cornville is working with Parrish on items for the Centennial, and plans on a presentation to Council.

Sharon Roddan spoke at length to again detail the reasons for her extreme displeasure about how she believes the bidding process on the housing replacement and rehab program was handled by Matt Morris over the objection of certain members of the Housing Commission, to the detriment of local businesses.

Bob Burnside expressed thanks for the Consent Agenda that seems to have now elected him as the candidate for Mayor.

There was no further public input.

6. Council Informational Reports

Smith reported on the Sanitary District meeting last week; moving ahead with the tentative plans for the 15-acre site was unanimously approved; as for the proposed Animal Shelter, Smith suggested perhaps agendizing the item and getting a non-profit group to head up that project. Smith requested an agenda item for discussion and possible direction to staff regarding opening Sierra Verde Road from Old Church Road, pursuant to a letter received from a citizen.

Garrison said she was concerned about the length of time it will take to correct the ordinances, which according to Mr. Scannell will take two or more years. Garrison said that most of the Town's legal problems circle around the ordinances; she requested an agenda item to discuss how to put overhauling the ordinances on the fast track.

Kovacovich thanked the voters for their confidence in him shown at the election last week; also, the Department of Water Resources will be measuring wells this week and next. That individual said that most of the wells tested so far have not indicated significant change from five years ago.

Hauser displayed a Stewards of Public Lands trash bag; everyone is encouraged to carry one in their car to pitch in and help pick up trash along the roads. Hauser reported that Ken Travis, State Parks Director, is retiring, and it is hoped that the work on the Verde Greenway will continue under the new director. The March on Meth and Dump the Drugs Day are set for March 28th; a poster contest will be held for all school grades up to the 12th Grade. Hauser also reported on the Verde Watershed meeting held today.

Gioia said he will be doing his best to make sure he is relaying information; he has learned that Ft. Verde is safe to be open until July; Gioia reported on his attendance at the Mayors meeting in Clarkdale and reviewed the items addressed. Gioia had praise

for the results of the HOME Grant Program, and he thanked everyone who had been involved. Gioia commented on the DWR program being conducted, and reported that a group has been formed under the name of Friends of Camp Verde Animal Shelter that can use all types of volunteer help; the phone number is 567-2650. The Canoe Challenge and Highland Games are set for March 28th.

7. **Presentation and discussion of the FY 2008 audit report by Lumbard and Associates.** *(Staff Resource: Lisa Elliott)*
After the subject report that was given in detail by Lisa Lumbard, of Lumbard and Associates and a brief discussion with Council, the audit report was formally approved in combination with the action taken on the following Item 8.

There was no public input.

8. **Discussion, consideration, and possible direction to staff relative to taking steps to remedy the weaknesses that are noted in the letter from Lumbard and Associates, P.L.L.C.** *(Staff Resource: Michael Scannell)*
On a motion by Hauser, seconded by Kovacovich, the Council unanimously accepted the Audit Report by Lumbard and Associates, and the remedies to the weaknesses that had been noted by the Finance Department Sr. Accountant.

Sr. Accountant Elliott gave a comprehensive report on the steps that have been taken to remedy weaknesses, including the "Whistle Blower" policy. In response to a question regarding the anticipated time line to put the policy in place, Town Manager Scannell advised the Council that staff has had active discussions with people who offer whistle blower services and he may be coming back to Council for approval to hire a person to work on that issue.

There was no public input.

9. **Possible appointment to the following commissions: Parks & Recreation Commission – term expires in September 2010. There is one application from Karen Thomas and possible appointment to the Trails & Pathways Commission – term expires in September 2011 and the Board of Adjustments – term expires in September 2011. There is one application from Ed Mezulis for both the Trails & Pathways and BOA positions.** *(Staff Resource: Debbie Barber)*
On a motion by Hauser, seconded by Kovacovich, the Council unanimously voted to appoint Karen Thomas to the Parks & Recreation Commission, and to continue the other appointment to the next meeting.

Karen Thomas outlined to the Council her background and desire to contribute somehow to the community, and serve on the Parks and Recreation Commission.

It was noted that the other candidate, Ed Mezulis, was not present, and it was decided to postpone any decision at this time.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Linda Buchanan requested that the individual not be appointed to multiple Boards and Commissions.

There was no further public input.

10. **Discussion, consideration, and possible authorization to advertise for a Request for Qualifications (RFQ) for Design/Build services for the Community Park located off McCracken Lane.** *This is a budgeted item in the CIP. (Staff Resource: Ron Long)*
On a motion by Hauser, seconded by Smith, the Council unanimously authorized staff to advertise for a Request for Qualifications (RFQ) for the Design/Build services for the Community Park.

Town Manager Scannell referred to his recommendation to have the engineering design work completed in advance of receiving Heritage Grant funding in order to move along as quickly as possible. The amount of \$100,000 could be appropriated from the Capital Improvement budget for use in securing the design services for roadways, ball fields, electric water and wastewater. A competent professional could be identified through the RFQ process, and Council would be requested to authorize the bid. The Town would then be in a position to capitalize on any Federal stimulus monies or other possible future funding sources by having a "shovel ready" project. Scannell discussed other funding options with the Council, including a GADA loan. Gioia confirmed the need to have projects ready to go in order to be considered for not only the stimulus funds but for other appropriations through earmarks. There was a brief discussion comparing the use of an RFP and an RFQ; Scannell believes that the RFQ process adequately serves the purpose.

PUBLIC

(Comments from the following individual are summarized.)

Linda Buchanan said she hopes the Town is able to move the Park project forward with every dime available, and to save money requested that the air conditioning not be run with the door remaining open.

There was no further public input.

11. **Public Hearing, discussion, and possible approval of Ordinance 2009-A359 an Ordinance of the Town of Camp Verde, Yavapai County, Arizona, adopting an Amendment to the Zoning Map of the Planning and Zoning Ordinance for parcel numbers 404-02-161 through 170 of the Northeast Industries Commerce Park from C3 to M1, consisting of approximately 5.63 acres. Location of the property is off Howard's Road to Boyles Way.** (Staff Resource: Nancy Buckel)
On a motion by Hauser, seconded by Garrison, the Council voted 4-1 to deny the application; Smith abstained, with a brief explanation of his concern that there could possibly be some mistaken perception of a conflict of interest.

STAFF PRESENTATION

Community Development Director Buckel said the application is for a rezoning of the subject portion of the Northeast Industries Commerce Park located in the center of the subdivision. Mr. Boyles, the owner and original developer of the industrial park, had indicated a potential purchaser and the need for additional industrial property in the community. Buckel said that although the M-1 zoning may not be attractive to or favored by those residents in the nearby proximity, it does provide the Town a location for industry, and industry brings jobs. Buckel reviewed the complex history of the property in connection with the Land Use Map, the zoning and rezoning actions, the zoning on the adjoining residential properties, and the existing conflict. Buckel compared the slight difference between C-3 zoning and M-1. Mr. Boyles held the neighborhood meeting, as required; some residents attended and discussed two overriding issues; one, that Mr. Boyles would not keep his word to them, since they believe he had not done so on a prior rezoning hearing. Also, in going from M-1 to C-3, there are some uses that are not as acceptable to the nearby residents, which the owner could control through a deed restriction, but there is no guarantee that the restriction would remain in the event of a new owner. When the Planning & Zoning Commission heard this application, they listened to the citizens who spoke against the rezoning, determined their concerns were valid, and voted to not recommend approval. If Council approves the amendment, staff would recommend that there be a provision for some type of screening, if possible, between the development and the residents on the perimeter. Another concern for the residents is that the M-1 zone allows for adult entertainment activities. Buckel projected onto the screen the site plan showing the Boyles subdivision, the different lots and their existing zoning, and the residential areas; and another slide indicating the relationship of the area to the General Plan. Buckel noted that the roadway was constructed to withstand heavy truck traffic, and the width is sufficient.

PUBLIC HEARING OPEN

Applicant's Statement

Sam Boyles said he had consulted an attorney who had indicated that restrictions could be placed on a deed for a term as long as 99 years, and he would be willing to place restrictions as to the permissible activities in M-1 listed as Nos. 11, 16 and 18. As for the complaint about the prior hearing, Mr. Boyles explained the plan that would eventually have the screening wall in place as the lots are developed.

Rick Rosenzweig, of Sound Investments, said he had been involved in a number of industrial sales on Old Hwy 279, and he believes there is a need for flexibility to create a small amount of M-1 in a business park environment that could provide jobs.

COMMENT FROM OTHER PERSONS

(Comments from the following individuals are summarized.)

Dorothy Brown stated that she really does not want this to go to M-1; whatever he puts on a deed the property can always be sold to another person, it has no place in a residential area.

Sandra Perrin said she lives in the Diamond Creek North subdivision, immediately south of the affected property; the spot zoning is not in the best interest of the neighborhood; the only way to positively keep out adult bookstore is to keep the zoning from being put in place. She is opposed, concerned about the noise issue and the proposed sections of a block wall, and there is no sewer.

Laura Bleak said that she submitted a letter in opposition, and lives in the Diamond Creek Ranch North subdivision, close to the development; they are definitely concerned with the prospect of M-1 being so close; their children would be faced with even a 99-year restriction, and she is concerned about property value.

Linda Buchanan said that in a document in the agenda packet Sam Boyles is quoted at the neighborhood meeting as stating that he has been negotiating with Ron Smith on his house, and going on to say if he lived in the town there would be a lot of changes in this town for the good; she hopes Smith would not vote on the application in case there is some basis in that statement.

There were no further comments from other persons.

APPLICANT'S REBUTTAL

Sam Boyles said that he only made a comment that if he lived here he would like to have Ron Smith's home. Mr. Boyles again explained how he operates his existing business on the property, and has been in contact with a potential unnamed purchaser of the property bringing in a business that would mean many jobs for the community.

PUBLIC HEARING CLOSED

Council Discussion

The discussion opened with a question to Buckel regarding how much M-1 property already exists in the town and whether being zoned M-1 would increase the value of the property. Mr. Rosenzweig volunteered the comment that generally M-1 would be less expensive. As for his comment about having sewer available, Mr. Boyles said that it would have to be a substation. There was further discussion on the different uses allowed in M-1 zoning; Mr. Boyles said there is no guarantee that the business he had referred to would actually come in, but the M-1 zone is necessary in order to negotiate with the company; he assured the Council that he did not want to do anything that would be detrimental to the property or the neighborhood. Mr. Boyles also explained at length his efforts toward energy conservation. Buckles commented that Mr. Boyles has been voluntary in agreeing to waivers; however, it may be possible for a subsequent owner to challenge any restrictions placed on the property.

A recess was called at 8:52 p.m.; the meeting was called back to order at 9:00 p.m.

12. **Discussion, consideration, and possible direction to staff relative to the March 4, 2009 direction to staff to provide data on the yield of residential rental property transaction privilege tax broken out by residential and commercial for review by Council and decision on what action to take. (Staff Resource: Michael Scannell)**

A motion by Smith to hold in abeyance any actions relative to enforcing the Transaction Privilege Tax on residential rental properties in the Town of Camp Verde as an Attainable Housing Strategy, **failed for lack of a second.**

Staff was directed to leave the issue as it is with no further action.

Scannell gave his analysis, as previously requested by Council, of the Transaction Privilege Tax current yield on residential and commercial property, and the current level of compliance with residential property rentals, as of the Fiscal Year to date, July 1, 2008 through January 30, 2009. Scannell outlined the adjustments that would have to be made on other taxes in order to offset the loss of revenue from discontinuing both the residential and commercial Transaction Privilege Tax, if Council would so elect, resulting in an increase in the sales tax to as much as 2.21%, for example.

The members discussed with Scannell his research supporting the analysis, concern for the adverse impact on low income renters by enforcement of the subject tax, as well as concern that the law should either be enforced to create a level playing field where everyone is paying their share, or completely eliminated. It was also suggested that the law be left on the books, since there are those who are paying the tax, and go through an education process slowly to help people understand what is expected. It was also pointed out that increasing the sales tax would affect everyone instead of just the low income renters. Garrison shared a recent incident she observed; a cashier told a customer that if he paid in cash he would not have to pay the sales tax.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Robin Whatley questioned whether the landlord would pass on the savings to the tenant, if the law were removed; she agrees the tax would have to be made up somewhere, but suggests it be made in a creative way.

Linda Buchanan said she was relaying a recommendation from the Housing Commission: During the regular meeting on March 17, 2009, the Commission recommended that the tax be held in abeyance. It is a regressive tax with the greatest burden placed on those living in the lowest socio-economic conditions, and holding the residential rental tax in abeyance is a critical element of Camp Verde's affordable housing strategy. The future commercial development may more than offset this slight reduction in the budget revenue.

Jackie Baker thanked the Housing Commission and Ms. Buchanan for the report; she agrees it would be helpful to withhold the tax.

Bob Burnside requested a report on the advice given to Council by the attorney on this issue at the Executive Session today, as provided by the Town Code.

There was no further public input.

Scannell outlined his understanding that he had been directed to work with Mr. Zelachowski on the education program for the community on the tax issue only, but not to proceed with the audits without authorization from Council. Smith commented on the input from Ms. Whatley, with the proposal that by closing the Housing Department the tax could be paid for several times over.

Note: Town Attorney Bill Sims joined the meeting by telephone conference at 9:29 p.m.

Scannell paraphrased the question posed by Bob Burnside; in essence, is the Town Council authorized to disclose the nature of the conversation which occurred in Executive Session so that the public can have some understanding of the guidance that was provided? Scannell added that the question had to do with the Transaction Privilege Tax on Camp Verde residential units.

In summary, Sims said that if each and every one of the Council members chose to waive the attorney-client privilege and the Code of Confidentiality under the Executive Session law and permit him to publicly reveal his legal advice, he could do that, if so directed; that would not include communications that occurred in Executive Session. With complete agreement of Council, Sims said he had advised that were the Town to cause suspension of those taxes, it could cause a legal concern regarding claims under the Equal Protection Clause of the Arizona and the U. S. Constitution, should there be a suspension of a tax solely for those residential units, unless the Town could demonstrate a rational basis, which could be part of an over-arching program to provide attainable housing. However, unless the Town has a program for providing attainable housing, it becomes questionable whether or not suspension of tax was reasonably related to providing attainable housing. A challenge could be brought by citizens based on a lack of a rational basis for dissimilar tax treatment between residential properties and commercial property.

Councilor Smith and Kovacovich requested item 13:

- 13. Discussion and consideration of the allegations made by Carlie Androus, citizen, relative to the Mayor withholding information from Council members and staff regarding correspondence and e-mails; directing staff without Council approval to hold funds from the Prop 202 gaming compact distribution; and the Mayor's failure to timely report to Council concerning his meetings and his activities as the Yavapai Apache Nation Liaison.**

There was no action taken.

Smith explained that this item involved the discovery that Mayor Gioia, the Yavapai-Apache Nation liaison, had placed a hold on the Prop 202 gaming distribution check without Council authority, met with Tribal Chairman Beauty to discuss the distributions to local governments who had objected to the Nation's suggestions for allocating the funds, and then sent e-mails to several Valley leaders reporting on that meeting, without notifying the Council members or Town staff. Smith stated that the function of a Council-appointed liaison is to participate in discussions and duly report back to the Council for authorization or direction to act on its behalf. The independent actions taken by the Mayor outlined above were not authorized by the Council. Smith stressed the importance of transparency and the importance of following the rules. Kovacovich commented that the Town does not need such renegade actions, and a suggestion that issues go through staff first and perhaps can be dealt with without coming to Council.

Mayor Gioia said that he became concerned upon hearing from other Mayors and Supervisors that they were displeased at the suggestions for use of the Prop 202 funds, and felt that his immediate actions were in essence to avoid a "train wreck" and to assist the Nation and friends in the rest of the Verde Valley. Gioia said he is remiss, and that he apologizes and has apologized, and has assured the Council that he will take measures to avoid that lack of communication in the future. As for the check, Gioia said he believed that he had no authority to sign the check without first going to Council, which led to the delay because of a problem with scheduling.

Sims reviewed the requirement of the Open Meeting Law which prohibits any discussion on future agenda items; once a liaison is appointed, that official must funnel communications back only through a properly agendaized meeting. This problem arises from using an elected official. As for cashing the check, if the proceeds were not to be used for the good of the general public, that could have been a problem. Had the check been presented to the Manager and had the Manager made the decision just as a cautionary move not to cash the check, Sims believes that would have been appropriate. Gioia commented that he felt he had been acting as a peacemaker and had acted correctly, and was concerned about the relationship with the Nation. Garrison

outlined how she became aware of the problem that arose, beginning with a newspaper article and inquiry into the status of the check and Gioia's related independent activities and failure to inform Council in any way. There was further discussion and stress on the need for transparency and communication.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Linda Buchanan said she is a devotee of the Open Meeting Law, and grateful for the newsmen who sit through the meetings in order to keep the public informed; she appreciates that the issue was brought forward and the community has a right to know what is happening.

Robin Whatley commented that the check was not presented until March 4th, cashing it would be like putting the cart before the horse, as far as she is concerned; this is exactly why the Citizen Complaint Process is needed, which she reviewed in detail pointing out that Ms. Androus would have been required to make the presentation to Council herself, but not a word has been heard from her tonight.

Jackie Baker said that this type of issue was confronted not too long ago regarding the Sanitary District Liaison, and based on past experience on the Council there is no other way to discuss and get to the bottom of an issue; she feels somewhat sure that Mayor Gioia would not do this again.

Carlie Androus said all she wanted to know is why we get a check, a gift from someone, and they designate it for a particular cause, why do we feel we can do something else with it? Who are we to tell people what to do with their money? (*Gioia said that Prop 202 does not specify that we be told what to do with the check, and the Chairman has said everyone has a choice. The Town of Camp Verde has recognized what the Tribe has requested. A brief exchange followed.*)

There was no further public input.

Hauser described how the Town communicated with the Tribe in the past as to use of the funds. Smith reminded everyone that according to Prop 202 the Nation is not required to give Camp Verde one dollar; concern over funds to benefit the entire community was his concern.

Councilor Garrison requested items 14 and 15:

14. Discussion, consideration, and possible direction to staff to amend Resolution 2007-745, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolution 2000-447 and establishing meeting policies and procedures for Council and all Town Commissions, to include an e-mail policy AND TO CORRECT OR AMEND INCONSISTENCIES IN THE RESOLUTION.
15. Discussion, consideration, and possible direction to staff to include a detailed Point of Order procedure in the modified version Robert's Rules of Order that will be presented to Council for consideration at the earliest possible date. Discussion may include the method with which the Mayor handled the discussion and her Point of Order made during the January 21, 2009 meeting.

Mayor Gioia requested item 16:

16. Discussion, consideration, and possible selection of projects to include in the Legacy Projects to commemorate Arizona's Centennial in 2012.
17. Call to the Public for Items not on the Agenda.
18. Advanced Approvals of Town Expenditures
 - a) There are no advanced approvals.
19. Manager/Staff Report
20. Adjournment
On a motion by Hauser, seconded by Smith, the meeting was adjourned at 10:31 p.m.

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 18th day of March 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2009.

Debbie Barber, Town Clerk



**TOWN OF CAMP VERDE
Camp Verde, Arizona**

Proclamation

Declaring April as:

SUBSTANCE ABUSE AWARENESS MONTH

WHEREAS, few citizens of the Town of Camp Verde are unaffected by substance abuse; and

WHEREAS, substance abuse is directly associated with crimes against persons and property, domestic violence, physical illness, child abuse, driving while impaired and drug-related vehicular collisions; and

WHEREAS, the resources and capacity of the courts and detention system, hospital emergency rooms and providers of behavioral health services are severely stretched by the proliferation of methamphetamine and other substances with the Town of Camp Verde; and

WHEREAS, the Town of Camp Verde has united against methamphetamine and drugs and alcohol abuse to form MATForce, the Yavapai County Substance Abuse Coalition; and

WHEREAS, MATForce views substance abuse as a community problem that is best addressed through a variety of strategies that bring together education, treatment and criminal justice resources in a coordinated, individualized approach; and

WHEREAS, MATForce has declared April 2009, as "Substance Abuse Awareness Month" to heighten public awareness of the dangers of substance abuse and of available treatment options.

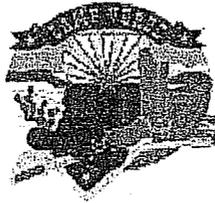
THEREFORE, the Town of Camp Verde proclaims the month of April 2009 as Substance Abuse Awareness Month.

Dated this 1st day of April 2009.

Tony Gioia, Mayor
Town of Camp Verde

ATTEST:

Deborah Barber, Town Clerk



**Town of Camp Verde
Camp Verde, Arizona**

PROCLAMATION

Declaring April as:

Child Abuse Prevention Month

- Whereas,** the abuse and neglect of children is a major public health issue facing our nation today and affecting the quality of life for generations to come; and
- Whereas,** an average of three children die every day from maltreatment, and 85 percent of those children are under the age of six; and
- Whereas,** child abuse and neglect can be prevented through increased public involvement and programs to help parents develop the skills and resources they need; and
- Whereas,** we believe all children have the right to grow up safe and healthy, free from abuse and neglect,

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde, Camp Verde, Arizona, do hereby proclaim April as:

Child Abuse Prevention Month

IN WITNESS THEREOF, I have set my hand and caused the seal of Camp Verde to be affixed this 1st day of April 2009.

Issued this 1stnd day of April 2009.

ATTEST:

Tony Gioia, Mayor

Deborah Barber, Town Clerk

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: 4/1/9

Meeting Type: Regular

Type of Presentation: Verbal

REFERENCE DOCUMENT:

National Library Week Proclamation

AGENDA TITLE: (Be Exact):

A proclamation by the Mayor and town Council of the town of Camp Verde Arizona that April 12 – 18, 2009 is National Library Week.

PURPOSE AND BACKGROUND INFORMATION:

This proclamation shows support for the Camp Verde Community Library and the services it provides to the citizens of Camp Verde

STAFF RECOMMENDATION(S): (Suggested Motion)

Type of Document Needing Approval: Acceptance/Approval

Ceremonial proclamation

Comments:

Fund:

Town Attorney Reviewed Yes No N/A

Line Item:

Comments from Attorney:

Submitting Department: Library

Contact Person: Gerard Laurito

Town Manager/Designee:

**National Library Week 2009
Proclamation**

WHEREAS, our nation's libraries make a difference in the lives of millions of Americans, today, more than ever;

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn, and work in this challenging economy;

WHEREAS, libraries are part of the American Dream – places for opportunity, education, self-help, and lifelong learning;

WHEREAS, library use is up nationwide among all types of library users, continuing a decade-long trend;

WHEREAS, libraries play a vital role in supporting the quality of life;

WHEREAS, libraries can help you discover a world of knowledge, both in person and online, as well as personal service and assistance in finding what you need, when you need it;

WHEREAS, libraries are a key player in the equity of access and narrowing the “digital divide;”

WHEREAS, libraries, librarians, library workers, and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that (*Camp Verde Town Council*) proclaim National Library Week, April 12-18, 2009. I encourage all residents to visit our library this week to take advantage of the wonderful library resources available and thank their library workers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Official Seal of Camp Verde on this 1st day of April 2009.

Tony Gioia, Mayor
Town of Camp Verde

ATTEST:

Deborah Barber, Town Clerk

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: April 1, 2009

Meeting Type: Regular Session

Type of Presentation:

REFERENCE DOCUMENT:

Consent agenda - Ordinance 2009-A363

AGENDA TITLE: (Be Exact):

Possible approval of Ordinance 2009-363, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving the sale of real property identified as a vacant .36-acre parcel located east of McCracken Lane in the 1200 Block South of parcel 404-02-171.

PURPOSE AND BACKGROUND INFORMATION:

STAFF RECOMMENDATION(S): (Suggested Motion)

Approve Ordinance 2009-363, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving the sale of real property identified as a vacant .36-acre parcel located east of McCracken Lane in the 1200 Block South of parcel 404-02-171.

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount

Attorney Review Yes No

Attorney Comments

Fund:

Line Item:

Submitting Department: Parks & Recreation

Contact Person: Lynda Moore

Town Manager/Designee:



ORDINANCE 2009-A363

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF
CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING THE SALE OF REAL
PROPERTY, AS DESCRIBED ON EXHIBIT A, ATTACHED HERETO.**

WHEREAS, A.R.S. § 9-241 and A.R.S. § 9-402 authorize municipalities to sell real property;

WHEREAS, the Town has complied with the requirements of A.R.S. § 9-402 for the sale of real property the real property described on Exhibit A, attached hereto; and

WHEREAS, the Town's intent is to sell the property described on Exhibit A, attached hereto.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE
TOWN OF CAMP VERDE:**

1. The Town of Camp Verde hereby approves the execution and delivery of a purchase contract and escrow instructions and such other instruments necessary to consummate this transaction.

PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the ___TH day of March 2009.

Approved: _____
Tony Gioia, Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

Approved as to form:

Town Attorney

EXHIBIT A
LEGAL DESCRIPTION

The following is a description of a parcel of land, located within the Northwest quarter of Section 5, Township 13 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being a portion of that parcel of land described in Book 4583, page 637, Record Source #1 (R1) records of the Yavapai County Recorders office, said parcel being more particularly described as follows:

BEGINNING at the BLM brass cap marking the Center North 1/16 corner of said Section 5, from which a BLM brass cap marking the North quarter corner of said Section 5, bears North 00°02'42" West, Basis of Bearing at a distance of 1,321.26 feet, thence South 89°56'13" West, a distance of 394.45 feet, along the South lines of those parcels of land described in Book 3991, page 182, Book 4577, page 456, and Book 488, page 305, records of the Yavapai County Recorders Office, to the East right of way line of McCracken Lane and a plastic cap atop a Y:z" rebar stamped L.S. 26925;

Thence South *Or*38'59" West, a distance of 37.49 feet, along the said right of way line, to plastic cap atop a Y:z" rebar stamped L.S. 26925;

Thence South 89°14'34" East, a distance of 399.51 feet, to a plastic cap atop a Y:z" rebar stamped L.S. 26925;

Thence North 00°02'47" West, a distance of 42.87 feet to the POINT OF BEGINNING.

Meeting Type: Regular

Type of Presentation: Written

**Workers Compensation IGA with Arizona Governmental Agencies Approved by
RESOLUTION 2009-762**

AGENDA TITLE: POSSIBLE APPROVAL OF RESOLUTION 2009-762, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT ("IGA") BETWEEN THE TOWN OF CAMP VERDE ("TOWN") AND THE PARTICIPATING PUBLIC AGENCIES AS DEFINED IN A.R.S §11-951 ("PARTIES") FOR THE PURPOSE OF DEFINING WORKERS' COMPENSATION COVERAGE IN JOINT ACTIVITIES AND AUTHORIZING THE MAYOR TO EXECUTE THE IGA AND DECLARING AN EMERGENCY TO EXIST. (Staff Resource: Michael K. Scannell)

PURPOSE AND BACKGROUND INFORMATION:

This item was placed on the consent agenda as it is non controversial issue, the IGA is a good risk management practice and has been approved by the Town Attorney and vetted by other attorneys.

The Issue:

ARS 23-1022(D) states that public employees who work on joint projects with public employees from other jurisdictions must have an IGA in place in order to alleviate all public agencies involved from general liability claims in the event an employee is injured. Specifically, ARS 23-1022(D) states that the IGA makes all employers co-employers for the sake of workers' compensation purposes, thus ensuring workers' compensation is the sole remedy for any injured employee (please see attached statute). Absent an IGA, should an employee become injured while working on a joint project with another jurisdiction, that employee would be entitled to workers' compensation benefits from his/her primary employer, however he/she could still sue the other jurisdiction as no IGA is in place, thus negating the statutory protection.

Potential Exposure:

Presently, all governmental employers in the state of Arizona are confronted by an area of significant liability imposed by ARS 23-1022(D) regarding workers' compensation being the sole remedy for employees when working jointly with other governmental entities

Currently, the Town is exposed to liability covering law enforcement, task forces, general employees, and public works department. There have been a number of general liability claims of this type surfacing in recent years and the trend appears to be continuing. The IGA is in response to the aforementioned law suits which are mainly against law enforcement, but it is also takes into account employees from other departments.

Due to extensive defensive tactics training, academy injuries, membership on SWAT and other tactical teams, participation on joint task forces, patrol and detention activities provide the largest area of exposure. However, this issue is much broader than law enforcement. Many joint operations are conducted daily on an impromptu basis by employees of the state, counties, cities, reservations and federal entities without an IGA in place (high speed pursuits, serving warrants in other jurisdictions, joint public works operations, etc.). Should employees involved with these activities become injured, they could still sue the other agencies involved absent an IGA.

When Cities and Towns enter into Intergovernmental Agreements there is almost always a question as it relates to the handling Workers' Compensation, the General Liability and Errors and Omissions coverage. If the Town chooses to sign the agreement, then that part of your IGA is covered if you enter into an agreement with a county, city or town or if you already have an agreement with the county, city or town. This IGA would

remove a liability loop hole whereby an injured employee working within another public agency pursuant to an Intergovernmental Agreement would not be able to sue the other governmental agency. This Intergovernmental Agreement would also apply if/when the Town's off duty officers moonlight for private companies.

At the time of the staff report preparation, this IGA had been passed by approximately fifteen (15) cities and towns (with more coming on board) and ten (10) of the eleven (11) Counties that belong to the Arizona County Insurance Pool.

The Intergovernmental Agreement would be filed with Secretary of State by Loss Control Director Doug Muell, Ph.D., SPHR, of the Arizona County Insurance Pool and would have far reaching coverage with Workers' Compensation issues.

STAFF RECOMMENDATION(S): APPROVE RESOLUTION 2009-762, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT ("IGA") BETWEEN THE TOWN OF CAMP VERDE ("TOWN") AND THE PARTICIPATING PUBLIC AGENCIES AS DEFINED IN A.R.S §11-951 ("PARTIES") FOR THE PURPOSE OF DEFINING WORKERS' COMPENSATION COVERAGE IN JOINT ACTIVITIES AND AUTHORIZING THE MAYOR TO EXECUTE THE IGA AND DECLARING AN EMERGENCY TO EXIST.

Finance Director Review

Budgeted/Amount Yes No N/A X

Fund:

Line Item:

Comments:

Attorney Review Yes X No N/A

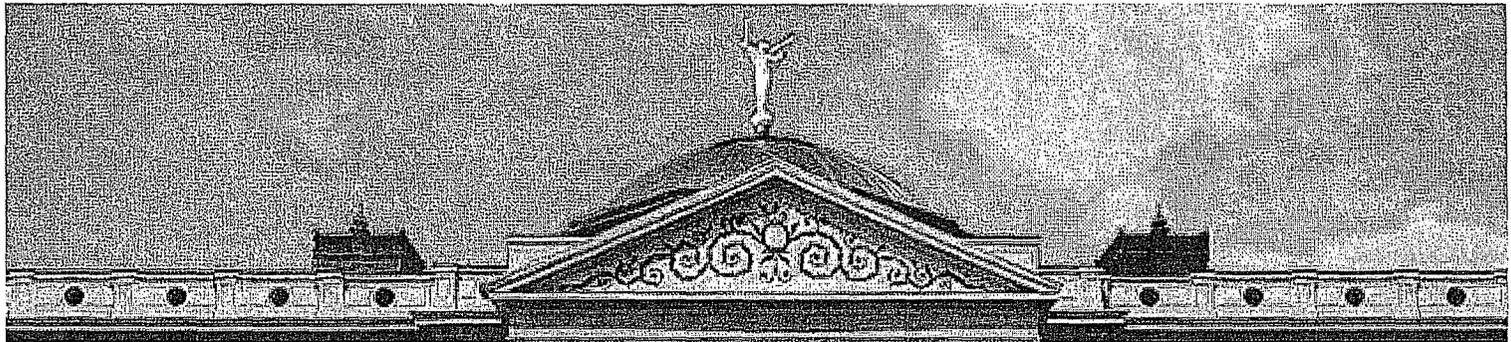
Submitting Department: Administration/Manager

Contact Town Manager Michael K. Scannell: Signature



Workers Compensation IGA with Arizona Governmental Agencies Approved by RESOLUTION 2009-762

Arizona State Legislature

Bill Number Search: 

Forty-ninth Legislature - First Regular Session

[change session](#) | [printer friendly version](#) | [site map](#) | [email](#)[Senate](#)[House](#)[Legislature](#)[Bills](#)[Committees](#)[Statutes](#)[Executive](#)[Calendars](#)[News](#)[ARS TITLE PAGE](#) [NEXT DOCUMENT](#) [PREVIOUS DOCUMENT](#)23-1022. Compensation as exclusive remedy for employees; definition; exceptions; public agency employees

A. The right to recover compensation pursuant to this chapter for injuries sustained by an employee or for the death of an employee is the exclusive remedy against the employer or any co-employee acting in the scope of his employment, and against the employer's workers' compensation insurance carrier or administrative service representative, except as provided by section 23-906, and except that if the injury is caused by the employer's wilful misconduct, or in the case of a co-employee by the co-employee's wilful misconduct, and the act causing the injury is the personal act of the employer, or in the case of a co-employee the personal act of the co-employee, or if the employer is a partnership, on the part of a partner, or if a corporation, on the part of an elective officer of the corporation, and the act indicates a wilful disregard of the life, limb or bodily safety of employees, the injured employee may either claim compensation or maintain an action at law for damages against the person or entity alleged to have engaged in the wilful misconduct.

B. "Wilful misconduct" as used in this section means an act done knowingly and purposely with the direct object of injuring another.

C. This section does not apply to an action for medical malpractice against any employee of a hospital maintained by the employer pursuant to section 23-1070. Any suit allowed by this subsection is subject to the lien rights provided by section 23-1023.

X D. An employee of a public agency, as defined in section 11-951, who works under the jurisdiction or control of or within the jurisdictional boundaries of another public agency pursuant to a specific intergovernmental agreement or contract entered into between the public agencies as provided in section 11-952 is deemed to be an employee of both public agencies for the purposes of this section. The primary employer shall be solely liable for the payment of workers' compensation benefits for the purposes of this section.

E. Every public agency as defined in section 11-951 for which an intergovernmental agreement or contract is in effect shall post a notice pursuant to the provisions of section 23-906, in substantially the following form:

"All employees are hereby further notified that they may be required to work under the jurisdiction or control of or within the jurisdictional boundaries of another public agency pursuant to an intergovernmental agreement or contract, and under such circumstances they are deemed by the laws of Arizona to be employees of both public agencies for the purposes of workers' compensation."

RESOLUTION NO. 2009-762

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT (“IGA”) BETWEEN THE TOWN OF CAMP VERDE (“TOWN”) AND THE PARTICIPATING PUBLIC AGENCIES AS DEFINED IN A.R.S §11-951 (“PARTIES”) FOR THE PURPOSE OF DEFINING WORKERS’ COMPENSATION COVERAGE IN JOINT ACTIVITIES AND AUTHORIZING THE MAYOR TO EXECUTE THE IGA AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the TOWN and the PARTIES are authorized to enter into this IGA pursuant to A.R.S. § 11-951 et seq.; and

WHEREAS, pursuant to A.R.S. § 11-951 et seq., the term “Public Agencies” shall include the federal government or any federal department or agency, Indian tribe, this state or any other state, all departments, agencies, boards and commissions of this state or any other state, counties, school districts, cities, towns, all municipal corporations, and any other political subdivisions of this state or any other state; and

WHEREAS, the TOWN and the PARTIES desire to formally define, for the purpose of Workers’ Compensation and A.R.S. § 23-1022(D), the nature of the relationship that exists between themselves as employers when employees of one Party are participating in intergovernmental operations or activities within the jurisdiction of another Party or in cooperation with the employees of another Party as described in the IGA; and

WHEREAS, this IGA becomes effective when executed by two or more Parties and shall remain in effect until written notification is provided to the Arizona Counties Insurance Pool, the Arizona Municipal Risk Retention Pool, the State Fund, or the Self Insured Providers of a Party’s intent to withdraw from participation, or until a majority of the Parties agree in writing to terminate this IGA; and

WHEREAS, the TOWN desires to have this Resolution presented at its April 1, 2009 Council meeting and has determined that approval of the IGA is in the best interest of the TOWN and its residents; and,

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the TOWN of CAMP VERDE, YAVAPAI County, Arizona, that an emergency be declared to exist to assure timely participation in the Intergovernmental Agreement, and that this Resolution shall be effective immediately upon its passage and adoption.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CAMP VERDE,
YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:**

Section 1: The approval of the IGA, as described above, is in the best interests of the residents of the TOWN of CAMP VERDE.

Section 2: The TOWN formally approves and adopts the IGA with the PARTIES, by reference as if set forth herein in full, as outlined above in Resolution No. 2009-762.

Section 3: The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the TOWN of CAMP VERDE, YAVAPAI County, Arizona.

Section 4: The Mayor is authorized and empowered to execute the IGA and TOWN officials are authorized and directed to carry out the intent of the Agreement on behalf of the TOWN.

PASSED AND ADOPTED by a majority vote of the Town Council of CAMP VERDE, YAVAPAI County, Arizona, this ____ day of April, 2009.

APPROVED/EXECUTED:

Mayor, Tony Gioia

ATTEST:

TOWN Clerk, Debbie Barber

APPROVED AS TO FORM:



TOWN Attorney, Bill Sims

RESOLUTION NO. 2009-762

**INTERGOVERNMENTAL AGREEMENT
REGARDING WORKERS' COMPENSATION
IN JOINT ACTIVITIES**

WHEREAS, the Parties (as defined in Section IV below) hereby enter into this Agreement in order to define for the purposes of Workers' Compensation the nature of the relationship between themselves as employers when employees of one Party are participating in intergovernmental operations or activities within the jurisdiction of another Party or in cooperation with the employees of another Party; and

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to A.R.S. § 11-951 et seq.; and

WHEREAS, participation in this Agreement has been approved by appropriate action of the governing body of each Party,

NOW, THEREFORE, the Parties agree as follows:

I. PURPOSE

- A. The purpose of this Agreement is to define, for the purposes of Workers' Compensation in the State of Arizona and in accordance with A.R.S § 23-1022(D), the employment relationship that exists between the Parties as employers when the employees of one Party are participating in intergovernmental operations or activities within the jurisdiction of another Party or in cooperation with the employees of another Party. Such operations or activities may be general activities, law enforcement specific activities or public works specific activities as described below.
1. General activities include, but are not limited to, traveling while on official business, providing and/or attending training, membership on joint committees, providing mutual aid in governmental services, or any other non-specific activity that involves employees from two or more Parties.
 2. Law enforcement specific activities include, but are not limited to, participating in criminal or administrative investigations, providing back-up assistance in daily operations, providing assistance in pursuits, participating in patrol and detention academies and follow-on training, participation in task forces and/or tactical teams, travel while on official business, transportation of arrestees and/or inmates, providing any type of mutual law enforcement assistance, or any other activity that requires a coordinated law enforcement effort by two or more Parties, to include any and all patrol and detention operations.

3. Public works specific activities include, but are not limited to, any type of joint roadway maintenance operation, participation in training, travel while on official business, providing any type of mutual public works assistance, or any other activity that requires a coordinated public works effort by two or more Parties.
- B. This Agreement works in tandem with, and does not supplant, any existing intergovernmental agreement(s) that may be in effect between any two or more of the Parties. In the absence of another agreement, or in the absence of a Workers' Compensation provision in the other agreement, the provisions of this Agreement shall apply.

II. WORKERS' COMPENSATION LIABILITY

- A. For the purposes of Workers' Compensation, an employee of a Party to this Agreement, who works under the jurisdiction or control of, or who works within the jurisdictional boundaries of, another Party pursuant to this Agreement or to another specific intergovernmental agreement having no Workers' Compensation provision, is deemed to be an employee of both the Party who is the employee's primary employer and the Party under whose jurisdiction or control or within whose jurisdictional boundaries the employee is then working, as provided in A.R.S. § 23-1022(D).
1. The primary employer Party of such employee shall be solely liable for the payment of Worker's Compensation benefits payable as the result of the employee's participation in such activity.
 2. Each Party to this Agreement shall comply with the provisions of A.R.S. § 23-1022(E) by posting the required public notice.
- B. The employees of each Party to this Agreement shall remain under the ultimate control of said Party notwithstanding their participation in intergovernmental operations or activities. Employees of a Party participating in intergovernmental operations or activities are not considered employees of any other Party for any purpose except as described in paragraph II.A above. Each Party shall remain responsible for its employees' salaries and employee-related benefits, discipline and similar matters and shall be solely responsible for its employee's civil wrongs, and each employee shall be deemed to be performing regular duties for the primary employer Party while engaged in intergovernmental activities.

III. RECORDS RETENTION

The Parties agree to comply with the records retention requirements of A.R.S. § 35-214 as applicable.

IV. PARTIES

- A.** As used herein, the terms "Party" and "Parties" refer to those public agencies (as defined in A.R.S. § 11-951) which have evidenced their intention to be bound by the terms and conditions of this Agreement by the duly authorized execution of a "Signature Page" in the form attached hereto. Signature Pages may be executed in counterpart, and additional Parties may be added from time to time by the execution of Signature Pages without the consent or approval of the other Parties.
- B.** The original of this Agreement and all Signature Pages shall be maintained by the Arizona Counties Insurance Pool, 1905 W. Washington, Suite 200 Phoenix, AZ 85009, which shall provide periodic updates to the Parties as new Parties are added.

V. DURATION

- A.** This Agreement becomes effective when executed by two or more Parties. As to each Party, this Agreement becomes effective when said Party executes and delivers to the Arizona Counties Insurance Pool a Signature Page as described in paragraph IV.A above. It shall remain in effect as to said Party unless and until said Party notifies the Arizona Counties Insurance Pool in writing of its intent to withdraw from participation, or until a majority of the Parties agree in writing to terminate this Agreement.
- B.** Any amendment to this Agreement shall be in writing and executed by all Parties.
- C.** This Agreement is subject to cancellation pursuant to A.R.S. § 38-511, the terms of which are hereby incorporated by reference.
- D.** If any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall continue to be valid and enforceable to the full extent permitted by law.

SIGNATURE PAGE

IN WITNESS WHEREOF, the undersigned Parties agree to be bound by the terms and conditions of the foregoing Intergovernmental Agreement Regarding Workers' Compensation In Joint Activities. Each Party warrants that each individual executing this Agreement on its behalf has been duly authorized to do so by resolution or other appropriate action of its governing body and that, when so executed, this Agreement shall constitute a valid and binding obligation of said Party. Each Party further warrants that this Agreement has been reviewed by its legal counsel and has been determined to be in proper form and within the scope and authority of the Party.

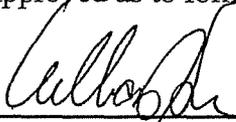
Party

Signature of Authorized Signatory

Title

Date

Approved as to form and authority:



Attorney for Party

3/4/09

Date

On _____, _____ personally appeared before me, to be the signer of the above documents, and he/she acknowledged that he/she signed it.

Date

Notary Public

(Seal)

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: April 1, 2009

Meeting Type: Regular

Type of Presentation: None

REFERENCE DOCUMENT:

Fiscal Year 2008-2009 Budget

AGENDA TITLE: (Be Exact):

Possible approval of monthly financial update for the period ending February 28, 2009

PURPOSE AND BACKGROUND INFORMATION:

Staff desires to keep Council abreast of the financial status of the Town on a monthly basis as it pertains to revenue and expenditure projections for the 2008-2009 fiscal year.

Staff has been closely monitoring the Town Sales Tax collections along with the State Shared Revenues collections. While seasonal fluctuations have occurred, Staff has seen no substantial change from the report given to Council on March 4, 2009. Staff still believes that total expenditures will fall within the total revenues collected during the fiscal year.

Staff will continue to monitor the revenues and expenditures for the remainder of the fiscal year and will continue to bring to Council a monthly update on the financial status of the Town.

STAFF RECOMMENDATION(S): (Suggested Motion)

Acceptance of monthly financial update.

Type of Document Needing Approval:

None

Finance Director Review

Budgeted/Amount

Attorney Review Yes No

Attorney Comments _____

Fund:

Line Item:

Submitting Department: Finance

Contact Person: Lisa Elliott, Senior Accountant

Town Manager/Designee:

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: April 1, 2009

Meeting Type: Regular Session

Type of Presentation:

REFERENCE DOCUMENT:

IGA for School Parking Lot

AGENDA TITLE: (Be Exact):

Discussion, consideration and possible approval to renew the Intergovernmental Agreement with the Camp Verde Unified School District for the Triangle Parking Lot and Trail that was approved by the Camp Verde School Board.

PURPOSE AND BACKGROUND INFORMATION:

On February 18, 2009, Council approved entering into an IGA with the Camp Verde Unified School District for the Triangle Parking Lot and Trail. The IGA that you approved was not the IGA approved and signed by the School Board. The difference in the two IGA's is under Agreement, #9. Number 9 of the IGA you approved said "Right of First Refusal" and the IGA approved by the School Board says "Option to Purchase". Mike Scannell and I called the Town Attorney and he did not see a problem with the verbiage of the IGA approved by the School Board.

STAFF RECOMMENDATION(S): (Suggested Motion)

Approve renewing the Intergovernmental Agreement with the Camp Verde Unified School District for the Triangle Parking Lot and Trail that was approved by the Camp Verde School Board.

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount

Attorney Review Yes No

Attorney Comments

Fund:

Line Item:

Submitting Department: Parks & Recreation

Contact Person: Lynda Moore

Town Manager/Designee:

INTERGOVERNMENTAL AGREEMENT
TRIANGLE PARKING LOT AND TRAIL

This Intergovernmental Agreement ("Agreement") for use of a parking lot and trail is entered into this 12th day of November, 2008, by and between Camp Verde Unified School District No. 28, a political subdivision of the State of Arizona ("CVUSD"), and the Town of Camp Verde, an Arizona municipal corporation (the "Town"), each individually a "Party" and jointly "the Parties".

RECITALS

The Town and CVUSD agreed to the construction and Town use of the triangle parking lot and access trail adjacent to Butler Park and the District Office (the "Facility") as a public parking lot and trail on CVUSD property and to cooperatively act to maintain the Facility.

The Facility has been built by the Parties and the Parties desire to enter into this Agreement for the use and management of the Facility.

CVUSD is authorized to enter into this Agreement pursuant to Arizona Revised Statutes Section 15-342(13), Section 15-364(A), and Section 11-952.

The Town is authorized to enter into this Agreement under ARS Section 15-364(B) and Section 11-952.

Now therefore, for the mutual covenants and consideration contained herein, the Parties agree as follows:

AGREEMENT

1. TERM. The term of this Agreement shall commence on November 12, 2008, and end on November 12, 2011, unless terminated as allowed by section 8. This Agreement may be extended by either Party for successive terms of four years upon written notice of intent to extend delivered to the other Party not less than thirty (30) days prior to the end of the then-current term.
2. PURPOSE. The purpose of this Agreement is to set forth the responsibilities and contributions of the Parties with respect to the operation of the Facility and the sharing of operational costs and maintenance of the Facility.
3. USE. The Parties each represent that the Facility will be used only for the purpose of a vehicle parking and pedestrian trail. The Parties agree to comply with all applicable state, federal or city laws and regulations, and with the policies and regulations of CVUSD pertaining to the use and occupancy of the Facility. Neither Party shall use or allow any portion of the Facility to be used for any unlawful purpose. Neither Party shall commit or allow to be committed any waste or nuisance in or about the Facility, or

subject the Facility to any use that would damage any portion of the Facility or raise or violate any insurance coverage maintained by CVUSD.

4. FINANCIAL CONTRIBUTIONS.

A. Pursuant to ARS Section 15-1105(A), CVUSD may lease school property to any organization for recreational purposes in the interest of the community. CVUSD must charge a reasonable use fee for such lease, which fee may include goods contributed or services rendered by the Town to CVUSD.

The reasonable use fee for lease of CVUSD property shall be services rendered by the Town as follows:

Town will operate and maintain the Facility.

Town will set fees for use of the Facility and collect the same.

Town will use fees collected to pay all expenses of operation and maintenance (including but not limited to utilities, supplies, and personnel) of the Facility except as expressly provided elsewhere in this Agreement.

B. CVUSD shall provide non-potable water and pay for electricity used by the Facility. This provision shall survive termination of this Agreement as long as Town is operating the Facility; provided, however, that if such termination occurs and Town continues to operate the Facility, CVUSD and Town may negotiate for Town to reimburse CVUSD for the expenses of water and electricity provided by CVUSD to the Facility.

C. The Parties shall review the income and expenses relating to the Facility as frequently as the Parties shall agree, but not less than once during each Term of this Agreement.

D. To the extent of available funds, each Party shall include in its budget each year an amount necessary to meet the Party's financial responsibilities, as set forth in this Agreement.

E. In the event the Facility is abandoned for a period of one year or is permanently closed, then Town shall be responsible for the cost of restoring the site to its condition prior to construction of the Facility.

5. INSURANCE.

A. CVUSD will procure, at its expense, and maintain during the term hereof, a policy of general liability insurance against claims for bodily injury, death and property damage occurring in connection with the use of the Facility as part of its general policy.

B. Town will procure, at its expense, and maintain during the term hereof, a policy of general liability insurance against claims for bodily injury, death and property damage occurring in connection with the use of the Facility as part of its general policy.

6. LIABILITY. Town agrees to conduct its activities in the Facility in a careful and safe manner. Where both CVUSD and Town, including their employees, agents or representatives participated in the liability causing event, each Party shall contribute to the common liability a pro rata share based upon its relative degree of fault as established by compromise, arbitration or litigation; provided, however, that notwithstanding any other provision of this Agreement to the contrary, any agreement by a Party to defend, hold harmless or indemnify the other Party shall be limited to, and be payable only from, available insurance or self-insurance coverage for liability assumed by contract, if any, available as a part of a general liability insurance program.

7. ENTIRE CONTRACT. This Agreement is the entire contract between Town and CVUSD. The Parties shall not be bound by or be liable for any statement or representation of any nature not set forth in the grant application or this Agreement. Changes of any of the provisions of this Agreement shall not be valid unless reduced to writing and signed by both Parties.

8. TERMINATION. This Agreement may be terminated by a majority vote by the governing board of either Party. The Party terminating the Agreement must notify the other Party in writing prior to December 15 of the year prior to the effective date of termination. The effective date of termination will be June 30 of the year after notification.

* 9. OPTION TO PURCHASE. If CVUSD sells the real property upon which the Facility is located, CVUSD shall first offer to the Town the Facility and real property of a size to effectuate the purpose for which the Facility was constructed at a price which is the appraised value less an amount which is the total of the funds contributed by Town for original construction of the Facility plus all subsequent capital contributions to the Facility by Town. The town will have 60 days to exercise the option to purchase following the notice from the District.

10. WAIVER. The failure of either Party to insist upon strict performance of any of the provisions of this Agreement or to exercise any rights or remedies provided by this Agreement, or either Party's delay in the exercise of any such rights or remedies shall not release the other Party from any of its responsibilities or obligations imposed by this Agreement and shall not be deemed a waiver of any right of the Party to insist upon strict performance of this Agreement.

11. ASSIGNMENTS AND SUBLETTING. Town shall not have the right to assign this Agreement or allow any other person or entity to use or occupy any or all of the Facility without the prior written consent of CVUSD, which consent may be granted or withheld at CVUSD's sole discretion.

12. DEFAULT. In the event that the Town fails to pay any fee or other sum required to be paid by the Town hereunder when due, or otherwise fails to comply with or observe any other provisions of this Agreement, in addition to any other remedy that may be

available to the CVUSD by reason of such failure, whether at law or in equity, the CVUSD may immediately terminate this Agreement and all rights of the Town hereunder.

13. ARBITRATION. In the event of a dispute hereunder, the parties agree to use arbitration insofar as required by Arizona Revised Statutes Sections 12-1518 and 12-133, and the rules promulgated thereunder.

14. CONFLICT OF INTEREST. The Parties understand that this Agreement is subject to cancellation pursuant to Section 38-511 of the Arizona Revised Statutes.

15. GOVERNING LAW. This Agreement shall be governed by the laws of the State of Arizona, the courts of which state shall have jurisdiction of the subject matter hereof.

16. RELATIONSHIP.

A. The Parties agree that neither the Town nor any employees or other personnel of the Town will for any purpose be considered employees of CVUSD, and with respect to the Town and any employees or other personnel of the Town, CVUSD shall not be responsible in any manner for the supervision, daily direction and control of the Town and any of its employees or other personnel or the payment of salary (including withholding income taxes and social security), workers' compensation and disability benefits for Town and any of its employees or other personnel.

B. The Parties agree that neither CVUSD nor any employees or other personnel of the CVUSD will for any purpose be considered employees of the Town, and with respect to CVUSD and any employees or other personnel of CVUSD, the Town shall not be responsible in any manner for the supervision, daily direction and control of CVUSD and any of its employees or other personnel or the payment of salary (including withholding income taxes and social security), workers' compensation and disability benefits for CVUSD and any of its employees or other personnel.

17. AUTHORITY.

A. The individual signing below on behalf of the Town hereby represents and warrants that he/she is duly authorized to execute and deliver this Agreement on behalf of the Town and that this Agreement is binding upon the Town in accordance with its terms.

B. The individual signing below on behalf of CVUSD hereby represents and warrants that he/she is duly authorized to execute and deliver this Agreement on behalf of CVUSD and that this Agreement is binding upon CVUSD in accordance with its terms.

In Witness whereof, the Parties execute this Agreement:

FOR CVUSD:

By: Dennis Sterrett
Dennis Sterrett, Governing Board President

Attest: Tonya Brogdon
Tonya Brogdon, Superintendent/Board Secretary

This Agreement is in the proper form and is within the power and authority granted under A.R.S. Section 11-952 *et seq.*:

By: _____
Attorney for CVUSD

FOR TOWN:

By: _____
Tony Gioia, Mayor

Attest: _____
Deborah Barber, Clerk

This Agreement is in the proper form and is within the power and authority granted under A.R.S. Section 11-952 *et seq.*:

By: _____
Town Attorney

Meeting Type: Regular

Type of Presentation: Verbal

AGENDA TITLE: Discussion, consideration and possible approval of the attached letter opposing HB 2259 which amends the procedures for the implementation of local development fees and authorization for the Mayor to execute the letter. (Resource: Mayor Gioia)

PURPOSE AND BACKGROUND INFORMATION:

Representative Biggs is sponsoring HB2259. The Bill amends the procedures for the implementation of local development fees; places a moratorium on municipal fees for 24 months after the final approval of the development and prohibits counties from assessing development to schools, except for street, water and sewer utilities improvements.

History

A.R.S. § 9-463.05 requires the governing body of a municipality to adopt or amend an infrastructure improvements plan (Plan) before the assessment of a new or modified development fee. Currently, the Plan is required to estimate future necessary public services that will be required as a result of new development and the basis for the estimate. In addition, the Plan is required to forecast the costs of infrastructure, improvements, real property, financing, other capital costs and associated appurtenances, equipment, vehicles and furnishings that will be associated with meeting those future needs for necessary public services.

Pursuant to A.R.S. § 11-1102, counties that have adopted a capital improvements plan can assess development fees within the covered planning area. Such fees are assessed to offset the capital costs for water, sewer, streets, parks and public safety facilities determined by the plan to be necessary for public services provided by the county to a development in the planning area.

A.R.S. § 9-500.18 prohibits a city or town from assessing or collecting any development fees or costs from a school district or charter school. This prohibition does not include fees assessed or collected for streets, water and sewer utility functions.

Provisions

- Requires monies received from a development fee identified in a Plan to be used for the benefit of the same area within which the development fee was assessed.
- Mandates that the municipal credit provided toward the payment of a development fee be based on the cost identified in the Plan.
- Requires municipalities to forecast, rather than consider, the contribution to be made in the future, in cash or by taxes, fees, assessments or other sources of revenue derived from the property owner, towards the capital costs of the necessary public service covered by the development fee. Municipalities must include the contributions in determining the extent of the burden imposed by the development.
- Specifies that the Plan's estimate of future necessary public services that result from new development must be in the area within which the development fee will be assessed. A comparison of the necessary public services provided to existing and new developments must be included in this forecast.

- Requires the Plan to forecast the revenue sources that will be available to fund the necessary public services.
- Requires municipal development fee ordinances to prohibit new development fees or increased portions of modified development fees against a development for 24 months after the date of the municipality's final approval of the development unless material changes are made to the site plan or subdivision plat that was the subject of the final approval.
- Prohibits the extension of the 24 month period by renewal or amendment of the site plan or the final subdivision plat that was the subject of the final approval.
- Requires municipalities to issue, on request, a written statement of the development fee schedule applicable to a development.
- Prohibits counties from assessing or collecting development fees from a school district or charter school, other than fees assessed or collected for streets, water and sewer utility functions.
- Exempts developments that received their final approval before January 1, 2010 from changes to the procedures for municipal development fees.
- Defines the term final approval.
- Contains a delayed effective date of January 1, 2010 for changes in the statutes related to municipal development fees.
- Makes technical and conforming changes.

STAFF RECOMMENDATION(S): Approve the attached letter opposing HB 2259 which amends the procedures for the implementation of local development fees and authorize the Mayor to execute the letter.

Finance Director Review

Budgeted/Amount Yes No N/A X

Fund:

Line Item:

Comments:

Attorney Review Yes No N/A X

Submitting Department: Council

Contact (Resource: Mayor Tony Gioia): *Signature*_____

DRAFT - [Separate Letters to Honorable Steve Pierce/Andy Tobin/Lucy Mason]
April 2, 2009

The Honorable Steve Pierce
1700 W. Washington,
Room 304
Phoenix, AZ 85007

Re: Opposition to HB 2259 Development Impact Fees

Dear Senator Pierce:

On behalf of the Camp Verde Town Council and staff, I would like to inform you that we are opposed to House Bill 2259. I am urging you to oppose any efforts to establish a statewide suspension, rollback or outright moratorium on development impact fees, as part of the FY 2010 budget process for the following reasons:

1. Growth should pay for itself; the cost to the individual is minuscule over the life of a 30 year mortgage, but can provide the much needed revenues to fund infrastructure in a small, developing Town such as Camp Verde.
2. Anyone having to pay for impact fees before or after the moratorium on development fees would be at a disadvantage, as they would be paying for infrastructure vs. individuals applying for building permits who would not have to pay for infrastructure while the moratorium is in effect.
3. If the moratorium comes to fruition, we will have building without the corresponding development impact fees for infrastructure which that the new influx of people will need and use in their daily lives.
4. Arizona Cities and Towns are continually being threatened with the loss of state-shared revenues especially in these challenging economics times. We cannot predict if and/or when, these state-shared revenues will be reduced, making development fees even more critical to our financial life-line and survival.

Camp Verde residents have been very clear to their local legislative body that they want development to pay for itself. This is the only way to ensure that long-time residents, who have paid for development in the past, do not have to repay for further development that is generated by newcomers to our Town. In addition, these new residents are entitled to the same level of service, which our long-time residents receive. To that end, I am asking you oppose House Bill 2259, as it does not benefit Arizona Cities and Towns, especially our developing Town with its small budget.

Please feel free to contact me via the information below, if you have any questions, comments or concerns regarding this matter.

Sincerely,

Tony Gioia, Mayor
(928) 567-6631 x 307
mayorgioia@cvaz.org

Cc: Camp Verde Town Council
Michael K. Scannell, Town Manager

TG:cjb

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#7



**TOWN OF CAMP VERDE
AGENDA ACTION FORM**

Meeting Type: **Meeting Date:** **Type of Presentation:**

Reference Document:

Agenda Title: (Be Exact):

Purpose and Background Information:

Staff Recommendation(s): (Suggested Motion)

Comments:

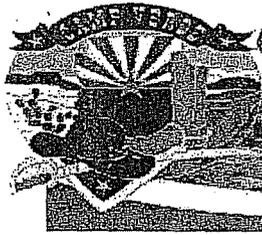
Fund: **Line Item:** **Attorney Reviewed** Yes No N/A

Comments from Attorney:

Submitting Department: **Contact Person:**

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Camp Verde, Arizona

03-24-09P12:35 RCVD

Name: CAROL GERMAN		Date: MARCH 24, 2009	
Home Address: 1227 S. McCracken Lane, Camp Verde, AZ 86322			
Mailing Address, if different: N/A			
Email Address: dcgerman@msn.com			
Home Telephone: 928-567-9042		Work Telephone: N/A	
Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Do you own commercial property in the Town of Camp Verde <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Length of residency in the Town of Camp Verde: 18 YEARS		Do you operate a business in Camp Verde? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Name and address of business (if applicable): N/A			
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession: EDUCATOR/ADMINISTRATOR			
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list names of board/commission and dates served: PLANNING AND ZONING COMMISSION - CURRENTLY			
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:			
1. CAMP VERDE TOWN COUNCIL		3.	
2.		4.	
Education and Community Service			
Schools Attended:		Degree:	Year:
AZ STATE UNIVERSITY		MA	1966
NORTHERN AZ UNIVERSITY		BS	1964
Civic Activities-Service Organizations		Office Held:	Year Begun: Year Ended:
CV LIBRARY ENDOWMENT BOARD		CO-SECRETARY	2004 CURRENT
CCCVL		MEMBER	2007 CURRENT
Please state why you would like to be appointed to a Town Board, Commission, or Committee: TO SERVE THE COMMUNITY			
What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?			
(a) TO SET POLICY FOR THE TOWN OF CAMP VERDE			
(b) TO OBTAIN ALL FACTS RELATING TO ISSUES TO MAKE INFORMED DECISIONS			
(c)			

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: _____

EDUCATION, BACKGROUND AND SERVICE ON VARIOUS BOARDS AND COMMISSIONS

FOR THE TOWN OF CAMP VERDE, SERVICE ORGANIZATIONS, YAVAPAI COUNTY, AND

YAVAPAI COLLEGE.

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 567-6631, extension 100 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: *Coral Hammer* Date: *Mar. 24, 2009*

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual	
Date Appointed by Council	
Board or Commission appointed to:	



STATE OF ARIZONA
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
CAMPAIGN FINANCE LAWS STATEMENT
[A.R.S. §§ 16-311, 16-905(K)(5)]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector, am a candidate for the office of TOWN COUNCIL subject to the action of the _____ Party, at the Primary Election to be held _____, should I be nominated.

I will have been a citizen of the United States for 66 years next preceding my election and will have been a citizen of Arizona for 64 years next preceding my election and will meet the age requirement for the office I seek and have resided in YAVAPAI County for 18 years and in the precinct _____ for 18 years before my election.

I do solemnly swear (or affirm) that, at the time of filing, I am a resident of the county, district or precinct which I propose to represent, and as to all other qualifications, I will be qualified at the time of election to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

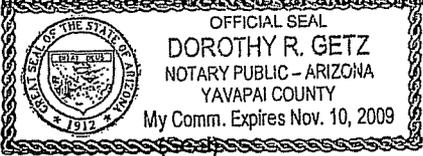
1227 S. McCracken Ln. CAMP VERDE, AZ 86322
Actual residence address or description of place of residence (city or town) (zip)

Post Office Address N/A (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot. A.R.S. § 16-311.G.
GERMAN CAROL
LAST NAME FIRST NAME

Carol German
CANDIDATE SIGNATURE

Subscribed AND SWORN to (or affirmed) before me this 24 day of MAR, 2009



Dorothy R. Getz
Notary Public

I have read all applicable laws relating to campaign financing and reporting.

Carol German
CANDIDATE SIGNATURE



Camp Verde, Arizona

Name: <u>Tim Sykes</u>		Date: <u>3/24/09</u>	
Home Address: <u>3844 Sparrow Ln Camp Verde AZ 86322</u>			
Mailing Address, if different: <u>Same</u>			
Email Address: <u>TLSykes2@LDSLIVING.COM</u>			
Home Telephone: <u>567-5730</u>		Work Telephone: <u>202-0771</u>	
Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Do you own commercial property in the Town of Camp Verde <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Length of residency in the Town of Camp Verde: <u>2 YRS</u>		Do you operate a business in Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name and address of business (if applicable): <u>3844 Sparrow Ln FHTM</u>			
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession: <u>Electrician, Fire fighter/Emt</u>			
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list names of board/commission and dates served: <u>Library</u>			
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:			
1.		3.	
2.		4.	

Education and Community Service			
Schools Attended: <u>West High</u>	Degree: <u>Fire fighter #2</u>	Year: <u>12 YRS</u>	
<u>Northland Pioneer College</u>			
Civic Activities-Service Organizations	Office Held:	Year Begun:	Year Ended:
<u>Football Coach</u>			
<u>Base Ball Coach</u>			

Please state why you would like to be appointed to a Town Board, Commission, or Committee: _____

What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?

- (a) To make Decisions Together AS a Council For The Benefit of The Town
- (b) To Listen, Learn and help The Town Follow Through with Decisions
- (c) To Listen To The Council of Commissions and To help w/ the Decisions By way of Vote in Council. Look in To all Ideas and Thoroughly Listen and Learn.

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: *I have Been Trying To keep up on all agendas OF The Town, I have Passion and Love For This Small Town. I care about The Merchants and The Citizens of Campverde. I Believe I can Be an asset To the Town, Council and Future with The Citizens of This Town. I (IF Appointed) will Do my Best In all aspects OF This Job and For This Community. I will Dedicate my Time and my Knowledge For This Important Possision.*

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 567-6631, extension 100 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: *[Signature]* Date: 3/24/09

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual:	
Date Appointed by Council:	
Board or Commission appointed to:	



STATE OF ARIZONA
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
CAMPAIGN FINANCE LAWS STATEMENT
[A.R.S. §§ 16-311, 16-905(K)(5)]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector, am a candidate for the office of Council 2 Yrs Term subject to the action of the N/A Party, at the Primary Election to be held N/A, should I be nominated.

I will have been a citizen of the United States for ALL/44 years next preceding my election and will have been a citizen of Arizona for 7 years next preceding my election and will meet the age requirement for the office I seek and have resided in Yavapai County for 7 years and in the precinct Camp Verde for 2 years before my election.

I do solemnly swear (or affirm) that, at the time of filing, I am a resident of the county, district or precinct which I propose to represent, and as to all other qualifications, I will be qualified at the time of election to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

3844 Sparrow Ln Camp Verde Az 86322
Actual residence address or description of place of residence (city or town) (zip)

Post Office Address _____ (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot. A.R.S. § 16-311.G.
Sykes Tim
LAST NAME FIRST NAME

CANDIDATE SIGNATURE

Subscribed AND SWORN to (or affirmed) before me this 24 day of March, 2009



Jennie Chavez
Notary Public

I have read all applicable laws relating to campaign financing and reporting.

[Signature]
CANDIDATE SIGNATURE

Meeting Type: Regular

Type of Presentation: Verbal

#9

09-10 Budget for Chamber of Commerce's Visitors' Center & TEAM Grant

AGENDA TITLE: Presentation by a Chamber of Commerce Representative followed by discussion, consideration and possible direction to the Manager with respect to the Town's financial support of the Chamber's FY 2009/10 Budget, 12 month funding request below:

1. \$70,000 for the Chamber Visitors' Center and tourism operations; and
2. An amount NOT TO EXCEED \$35,000 for matching funds as required by the Chamber of Commerce's application to the Arizona Office of Tourism for the local and regional TEAM Grant that will be used for marketing, advertising, and promoting Camp Verde.

PURPOSE AND BACKGROUND INFORMATION:

The Town desires to retain the Chamber of Commerce to maintain a visitors' center and to promote, develop and enhance tourism, to help maintain a strong local economy for the Town and its surrounding areas, and to render specific professional and technical services to the Town.

With respect to the TEAM Grant, \$5,000 is allocated for the regional advertising; the remaining amount is for local advertising.

I am seeking your direction as to the level of funding that you believe the Town can provide to the Chamber of Commerce in the 2009/10 Budget.

1. **STAFF RECOMMENDATION(S): Provide direction to the Manager with respect to the Town's financial support of the Chamber's FY 2009/10 Budget as discussed above.**

Finance Director Review

Budgeted/Amount Yes No X N/A

Should you elected to fund in the 09/10 budget, an appropriation will be established.

Fund: 01-20-17

Line Item: 7800 – Visitors' Center
7801 - Team Grant

Comments:

Attorney Review Yes No N/A X

Submitting Department: Administration/Manager

Contact Town Manager Michael K. Scannell: Signature 

4/10
TOWN OF CAMP VERDE
Council Agenda Action Form

Meeting Date: 4-1-09

Meeting Type: Regular Session

Type of Presentation: Verbal

REFERENCE DOCUMENT: N/A

AGENDA TITLE: Presentation, Discussion and possible Direction to staff concerning the attached recommendation of the merchant group for addressing their concern with the recently adopted amendment to Section 118 of the Planning and Zoning Ordinance dealing with A-Frame signs.

PURPOSE AND BACKGROUND INFORMATION: At the March 4th Council meeting, staff was directed to meet with the merchant group that was opposed to the enforcement of the recently adopted regulations to Section 118 of the Planning and Zoning Ordinance. Council also directed staff to refrain from enforcing the new regulations for 30 days. This direction was based on the Town Manager's recommendation to allow staff time to meet with members of the business community to work out a strategy to more fairly address the needs of the merchants during this current economic crisis.

The Town Manager and Community Development Director have met with the merchant group of five for the past three weeks to devise a plan that was acceptable to all. The business group is proposing to follow staff's and the attorney's recommendation to apply for a blanket variance from the Board of Adjustment for a period of two years to allow the continued use of their current A-frame signs. This will provide time for the merchants to participate in the revision process of Section 118 to address some of their concerns with the current restrictions outlined in the regulations. Included in the packet is a letter of request from the merchant group outlining the proposed process.

This variance would cover **ONLY** those businesses that choose to participate in the process. If the Board of Adjustment approves the variance, the participating business owners will still have to apply for Administrative Design Review and provide an Indemnity Agreement and Certificate of Insurance for their signage.

Staff canvassed the business district and noted **ALL** businesses currently using A-frame signs. Then letters were sent out to **ALL** businesses currently using A-frame signs notifying them of the opportunity to participate in this merchant group. Staff provided contact information so that they might discuss this process with the merchant group representative or Town Staff. Our goal was to provide this opportunity to every business owner who wants to be involved in the process.

STAFF RECOMMENDATION(S): Staff is recommending that Council direct staff to continue to work with the merchant group and begin processing their request for a variance as soon as a complete application is accepted. This would include scheduling a Special Session of the Board of Adjustment, if necessary. Staff should also continue to hold the enforcement of the recently adopted regulations pertaining to A-Frame signs in abeyance until a decision is made by the Board of Adjustment. After which, all businesses without a variance will be prohibited from using A-frame signs unless they meet the criteria outlined in Section 118.

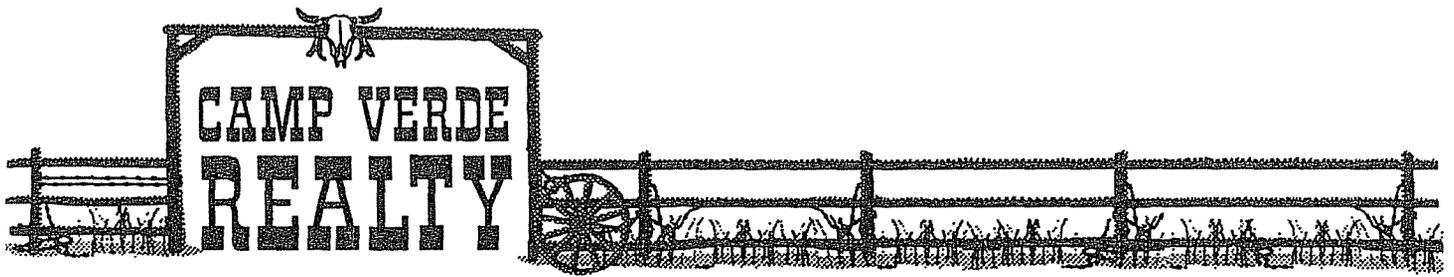
Staff is recommending against approving any request to waive the fee of \$620, because we are already allowing all of the businesses to be heard under one application. This activity will take a great deal of staff time and resources to process and the citizens of our community should not fund the activity benefiting only a small group. This is just a recommendation and the final decision is, as always the Council's.

Type of Document Needing Approval: Other

Submitting Department: Planning Zoning

Contact Person: Nancy Buckel

BACK TO TOP



295 S. MAIN ST. • P.O. BOX 1773 • CAMP VERDE, AZ 86322 • 928-567-6474 • FAX 567-6252

March 25, 2009

Dear Mayor and Council Members:

I am Bill Carter and have been appointed to represent the merchants of Camp Verde.

First the merchants and I wish to thank you for this opportunity to address this issue and work together on this project.

The merchants of Camp Verde are making a request for a period of time in which to revise the current regulations concerning the "A" frame signs to advertise their respective businesses in Camp Verde.

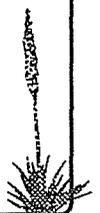
As part of our recommendation to Council, the merchants request being able to participate in the "Blanket Variance" process, to be heard by the Board of Adjustments. The merchants are requesting a 2 year variance from the current prohibition of "A" frame signs.

Additionally we are requesting that council agree to waive the \$620.00 fee for the blanket variance application.

**Respectfully,
Camp Verde Merchant Committee**

Bill Carter
Bill Carter

" THE TEAM THAT WORKS! "



BACK TO TOP



RESOLUTION 2008-745

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, SUPERSEDING RESOLUTION 2000-447 AND ESTABLISHING MEETING POLICIES AND PROCEDURES FOR COUNCIL AND ALL TOWN COMMISSIONS

WHEREAS, the Legislature has made substantial modifications to the Open Meeting Law (OML), ARS Sections 38-431 through 38-431.09, effective July 18, 2000, and

WHEREAS, changes in the law concerning executive sessions, meetings, open calls to the public and enforcement should be adopted by the Council as a policy and procedural directive to staff, and

WHEREAS, it would be in the best interest of the Town to adopt Policies and procedures for meetings applicable not only to the Council but also its boards, commissions, and committees, collectively named "public bodies herein,

NOW THEREFORE THE COUNCIL RESOLVES AS FOLLOWS:

- 1. Meetings.** A meeting by less than a quorum of a public body is permissible under the OML, and is at times necessary to prepare for Town business or obtain information concerning pending or future agenda items. Violations of OML could occur if ideas are shared from a meeting of *less* than a quorum of members of a public body with intent to circumvent the OML, whether by one of the members attending, or an intermediary, such as a member of the staff, or a member of the public. Discussions concerning Town business that result in a quorum by whatever means must be done in a public meeting.
- 2. Calls to the Public.** The OML now allows an open call to the public to allow individuals to address the public body on any issue within its jurisdiction, subject to reasonable time, place, and manner restrictions. Pursuant to Section 2-3-7.E, remarks shall be limited to three (3) minutes, unless the Mayor or chair for good cause modifies the time limits. At the conclusion of the *call* to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter, or may

ask that a matter be put on a future agenda. The public body may not otherwise discuss or take legal action on matters raised. Public input will normally be allowed on all agenda items of the public body except the consent agenda, staff updates, reports by members of the public body, and advance approvals.

3. *Management of Meetings.*

- A. Where practicable, executive sessions will be held prior to the regular business meetings, as opposed to during a meeting or following a meeting.
- B. Meetings will conclude at 10:00 p.m. with planned recesses during the meetings.
- C. Council member discussion is limited to three (3) minutes per member. If an item is opened for public input, the public may address the item ONE time. Public input is limited to three (3) minutes.
- D. All routine, administrative-type items such as contract awards and approvals, proclamations, etc. shall be placed on the Consent Agenda.
- E. Previously approved items, such as budgeted items, do not require further Council approval and will not be placed on an agenda.
- F. Consent Agenda items, excluding all Ordinance and Resolution titles, will not be read aloud.
- G. All presentations will be limited to 10 minutes for the presentation and discussion period.

4. *Executive Sessions.* The Council may instruct its attorneys or representatives regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation. Agenda items in executive sessions must specifically refer to the matter as well as the statutory authority for the session, and minutes reflect the instructions given to the attorneys. To prevent the public from having to wait an indefinite period while an executive session is in progress, if the Council cannot comfortably fix a time to reconvene, the Council will wait until a special session is posted, or the next normal meeting date, to take action on the item.

5. *Current Events Summary.* The Mayor, chair, or Manager may recite a brief summary of current events without listing in the agenda the specific matters to be summarized, provided that the summary itself is listed on the agenda, and the public body does not propose, discuss, deliberate or take legal action on any of the matters, unless the matter was specifically listed in the summary for legal action.

6. *Enforcement.* The public body and staff will cooperate in written investigative demands by the County Attorney or Attorney General investigating a complaint of a violation of the OML, and supply the information requested by subpoena,

written statements, and depositions. All requests shall come through and responses reviewed by the Town Attorney, or special counsel retained by the Council, to maintain the independence of the investigation. Under the expanded liability provisions of the OML, any person found violating the law, or knowingly aiding another to violate the law, may be ordered to pay a civil I penalty not to exceed \$500 for each violation, and, in the case of a public officer, be removed from office and assessed attorneys fees and court costs.

7. E-Mail. A "meeting" under ARS 38-431.4 now Includes gathering in person or through technological devices. This would mean e-mail or communications through wireless PDA devices could constitute a meeting by members of the public body and/or staff, and is subject to the same policy as set forth In "meetings" above. E-mail communications between members of the public body concerning public business are also considered public records, and the originator will send a copy to the Town Clerk who will print a hard copy in a separate file for public inspection. E-mail cannot be used by staff or members of the public body to conduct straw polls on municipal issues, or discuss Town business by a quorum or more of its members. If e-mail is used by staff or members of a public body to distribute informational material or web sites, it should not be made with the intention of soliciting responses and deliberations on the topic. Whenever possible, e-mail should not be used to communicate with the Town Attorney concerning pending litigation or requests for legal advice.
 8. Legal Opinions. If there is a legal issue concerning an agenda item, the Town Attorney or legal counsel may be requested by the Mayor, after direction by the Council, to provide a written opinion to Council, call for a vote for an executive session, or to discuss the matter with the interested Council member in private, rather than give impromptu opinions during the meeting. The Town Manager may also request a formal written opinion in advance of a meeting. This would not prevent the attorney from responding to questions on procedures, or explaining the provisions of forms or documents related to the agenda items.
 9. Correspondence. Procedure for handling correspondence will depend on which of the following categories are applicable:
 - A. Incidental correspondence are routine items that do not set policy for the Town, such as acknowledging receipt of documents, public relations responses, letters of appreciation, and congratulations for special activities and events. Incidental correspondence will be answered by the Mayor, or such other member authorized by Council. Individual Council members may review the correspondence and comment to the Mayor on a particular response, or request a review by the full Council.
-

B. Policy correspondence is that which purports to set or explain Town official policy, such as letters of support, expressions of position or opinion, or assertions of intent. It must first receive approval of a majority of the Council at a public meeting, and will then be signed by the Mayor, or such other member authorized by Council, on behalf of the Council.

1. At the first meeting in January of each year, Council shall adopt a Policy Statement that authorizes the Mayor, as the Town's Chief Elected Official, to support or oppose bills introduced during Legislative Sessions when they adversely affect the Town's interests and require an immediate response.

C. Implementation correspondence is that which implements a policy or position already established by the Council, such as continuing letters of support on legislation, positions on actions by other government agencies, responding to public information requests, and other administrative steps identified in the initial presentation of the issue and approved by the Council. It will be signed by the Mayor, or such other member authorized by Council, on behalf of the Council.

D. Public Inspection each type of correspondence will be kept chronologically in a separate binder available for public inspection, and when possible, indexed by subject.

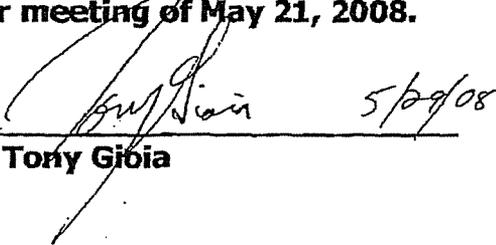
E. Citizen Complaints (Non-Personnel): Any correspondence that is addressed to the Town, the Mayor, and/or a Council member and that is signed or otherwise verified and identified to be a citizen complaint concerning any issue(s) relating to official Town business or responsibility as authorized by statute or other legal authority shall be directed to the Town Manager upon receipt to assign appropriately for resolution. Appropriate tracking measures shall be established in order for resolution to be reported back to the Town Manager, the complainant, and the Town Council.

10. Agenda Format. The public bodies shall follow the form and sample detailed content as set forth in **Exhibit A**, which illustrates provisions of this resolution.

11. Mail Distribution. Upon receipt of mail addressed to the Town of Camp Verde, or the Council as a whole, it will be opened and copied to the Mayor and full Council. Upon receipt of mail addressed to the Mayor alone, or an individual Council member, the mail will be opened, date stamped, and copied. Nothing in this policy is intended to require the release of confidential correspondence as protected under State or Federal laws. Should the Mayor or individual

Council members determine that a non-personnel complaint is being made by a citizen or citizens, the correspondence shall be referred to the Town Manager in order for appropriate assignments to be made and allowing the process for resolution to be started. Should the Mayor or individual Council member(s) determine a complaint is being lodged against an employee of the Town; the correspondence shall be referred to the Town Manager for further investigation and resolution keeping the personnel matters confidential.

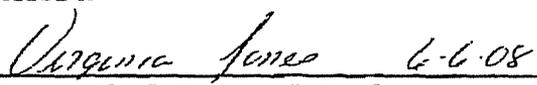
PASSED AND APPROVED by a majority vote of the Common Council at the regular meeting of May 21, 2008.



Mayor Tony Gibia

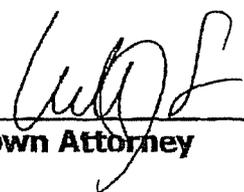
Approved as to form:

Attest:



Town Clerk Deborah Barber

VIRGINIA JONES



Town Attorney

Exhibit A attached

EXHIBIT "A"

AGENDA



**REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, APRIL 16, 2008
at 6:30 P.M.**

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time.

2. **Roll Call**

3. **Pledge of Allegiance** – *(Please remove your hat.)*

4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

- a) **Approval of the Minutes:**
 - 1) April 9, 2008 – Work Session – Quarterly Reports
 - 2) April 2, 2008 – Regular Session
- b) **Set Next Meeting, Date and Time:**
 - 1) Council Hears Planning & Zoning – April 23, 2008 at 6:30 p.m.
 - 2) Regular Session – May 7, 2008 at 6:30 p.m.
 - 3) Regular Session – May 21, 2008 at 6:30 p.m.
 - 4) Council Hears Planning & Zoning – May 28, 2008 at 6:30 p.m.
- c) **Possible approval of Proclamation declaring April 13-19, 2008 as National Library Week.** Staff Resource: Mayor Gioia
- d) **Possible approval of Proclamation declaring April as Child Abuse Prevention Month.** Staff Resource: Debbie Barber
- e) **Possible acceptance of the following letters of resignation and presentation of Certificates of Appreciation to Trapper Moore, Chair Parks & Recreation; Ginger Mason, Vice-Chair Parks & Recreation; and Dugan McDonald, Vice-Chair of Design Review Board.** Staff Resource: Debbie Barber
- f) **Possible award of bid for a comprehensive classification and compensation study to the low bidder Public Sector Personnel Consultants not to exceed \$25,000.** There is \$50,000 budgeted in Consultant Services, Line Item 01-50-55-6604. Staff Resource: David R. Smith
- g) **Possible approval of a hiring freeze of all vacant Town positions.** Staff Resource: Michael Scannell
- h) **Possible authorization for Town Manager to review and approve or reject any budgeted expenditures over \$1,000 through the end of the 2007-2008 fiscal year.** Staff Resource: Michael Scannell
- i) **Possible approval of the interfund transfers to correct unbudgeted and misappropriated amounts in the FY 2007/2008 budget.** Staff Resource: Michael Scannell

- j) **Possible consolidation of the Town's bank accounts.** Staff Resource: Michael Scannell
5. **Call to the Public for Items not on the Agenda.**
6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**
Note: Requests may be identified, but no discussion of the item will occur at this time.
7. **Discussion, consideration, and possible award of bid for CDBG project #107-07 to Asphalt Paving and Supply to include Alternate #2, for a total contract price of \$465,231, authorization for the Mayor to execute the contract documents, and authorization for staff to request a transfer of CDBG administration funds to the project fund as needed.** This is a budgeted item in CDBG and CIP. Staff Resource: Ron Long
8. **Discussion, consideration, and possible authorization for the Mayor to send a letter to the U.S. Forest Service requesting that they refrain from divesting public lands located within the Town limits.**
9. **Discussion and possible action by Town Council relative to taking a position opposing any ballot measure that may be placed on the Nov. 08 ballot which addresses the possible transfer of the administration and management of Camp Verde Sanitary District to the Town.** Staff Resource: Mayor and Council
10. **Discussion, consideration, and possible adoption of a Council Mission Statement, Duties, and Performance Objectives for FY 2008/09.** Staff Resource: Mayor and Council
11. **Discussion, consideration, and review of proposed fees for business licenses, liquor licenses, and residential and commercial rental units, followed by possible direction to staff to make appropriate modifications to the rates and/or Town Code so that the new rates and rules will become effective by July 1, 2008.** Discussion may include, but not be limited to current rates; non-compliance; methods to ensure compliance with the Town Code as it relates to business licenses; additional requirements for business licenses; and establishing fees for liquor licenses and sales tax on liquor.
Staff Resource: Debbie Barber
12. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

13. **Advanced Approvals of Town Expenditures**
There are no advanced approvals.
14. **Manager/Staff Report**
15. **Adjournment**

Posted by: _____ Date/Time: _____
Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

#13

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: Apr 1, 2009

Meeting Type: Regular Session

Type of Presentation:

REFERENCE DOCUMENT:

1) Memorandum of Understanding 2) Approval to allocate funds for administrative duties

AGENDA TITLE: (Be Exact):

1) Discussion, consideration and possible approval of Memorandum of Understanding between Northern Arizona Council of Governments (NACOG) - Economic Workforce Development Division and the Town of Camp Verde to allocate additional funds in the amount of \$4,253 from LTAF II for the administration of the Voucher Transit System and, 2) discussion and/or direction to staff authorizing allocation of a portion of LTAF II funds for the Town's administrative services.

PURPOSE AND BACKGROUND INFORMATION:

On July 2, 2008, a Memorandum of Understanding prepared by NACOG was brought to Council for review and approval requesting that NACOG be retained to continue the administration of the Voucher Transit System through Fiscal Year '09, using the rollover balance of \$9,405.30 from the 2008 LTAF II funding. Council approved the MOU. NACOG is seeking possible approval of an MOU to allocate additional funds for the continuance of the Voucher Transit System through the end of Fiscal Year 08/09 as the ridership has increased and there are not enough funds remaining from the rollover to continue services. In addition, staff is seeking authorization to allocate a portion of LTAF II '09 funds for administrative services. Specifically \$6,367 (20%) of administrative assistant salary plus \$1,000 for supplies/travel. LTAF II 2009 funds were distributed in January.

STAFF RECOMMENDATION(S): (Suggested Motion)

1) Approval of a Memorandum of Understanding between Northern Arizona Council of Governments-Economic Workforce Development Division and the Town of Camp Verde to allocate addition funds in the amount of \$4,253 from LTAF II 2009 funds for the administration of the Voucher Transit System and, 2) approval to allocate \$6,367 (20%) of administrative assistant salary plus \$1,000 for office supplies/travel from LTAF II 2009 funds for the Town's administrative services.

Type of Document Needing Approval:

1) Memorandum of Understanding 2) Approval to allocate funds for administrative duties

Finance Director Review

Budgeted/Amount Yes

Attorney Review Yes No

Attorney Comments _____

Fund: LTAF II 2009

Line Item: 06-50-18-9999

Submitting Department: Public Works

Contact Person: Ron Long

Town Manager/Designee:

MEMO

To: Mayor and Council, Town Manager Michael Scannell and Town Engineer Ron Long

From: Valerie House

Date: 2-13-09

RE: Memorandum of Understanding (MOU) with NACOG regarding Voucher Transit System – LTAF II funding

Staff is seeking approval of an MOU (attachment 1) between NACOG and the Town to allocate additional funds for the continuance of transit service through the end of 08/09 fiscal year. Following is a recap of the actions taken in the past year. An attached spreadsheet reflects current expenses and distributions of LTAF II funds. (Attachment 2)

In April of 2008, Debbie Barber issued a memo to the Town Manager, Mayor and Council explaining the fundamentals of the current Voucher Transit System; its funding process, some background on how the grant works and information regarding the anticipated funding. (Attachment 3)

At the May 21, 2008, Council meeting *“Staff was directed to negotiate and renew the contract with NACOG stipulating that \$2,500 be paid to the Veterans’ Van (VVVV) for 08 year from the \$11,000 rollover of LTAF II funds; an additional \$2,500 goes to the VVVV for next year’s budget, with the balance of the rollover in the amount of \$6,000 to be utilized to improve service to the Camp Verde Voucher Program, and bring back the contract for review and approval.”*
Note: In the minutes it was noted that the \$11,000 was just an approximate amount, payments had not yet been received for April and May, the actual rollover was \$9,404.

On July 2, 2008, a Memorandum of Understanding was brought to Council for review and approval; requesting the Town to continue administration of the Voucher Transit System through Fiscal Year ’09; using the rollover balance of \$9,404 from the 2007 LTAF II funding. Council approved the MOU between NACOG – Economic/Workforce Development Division and the Town of Camp Verde.

Based on historical billings, invoices for 18 to 20 people per month at \$2,351 per quarter, the rollover balance of \$9,404 was predicted to be sufficient to cover a full fiscal year of the voucher program. However, voucher requests have increased bringing the total usage up to 28 per month: now the next two quarterly billings to be around \$4,477.50. In addition and inadvertently, the \$2,500 donation, approved by council May 21, 2008, to Veteran’s Vans was not deducted from the roll over amount as directed. The donation will be paid from the newly funded LTAF II ’09

grant received in January in the amount of \$20,733.59 (pending submission by VVVV of the paperwork required by our Non-Profit Funding Program procedures).

Consequently, the MOU drafted for approval includes the additional funds for increased use and administrative fees needed to continue the program through June 30, 2009. A new MOU will be brought before Council again in July 2009 for possible approval of any rollover funds to continue the next fiscal cycle 09/10.

Staff would also like direction from Council to allocate 20% of an administrative assistant salary towards Town administration for one year (estimated at \$6,367) from LTAF II '09 funds as well as, \$1,000 for office supplies and travel expenses to be used for research and working towards the development of a new transportation program. The spreadsheet, attachment 1, shows the projected expenditures from LTAF II for the next year. Any amounts allocated to administrative support would begin March 1, 2009 and continue through March 1, 2010.

Alternatively, the entire FY '09 LTAF II funds could be allocated specifically for administrative fees for researching and establishing a new transportation program and, once the \$9,404 balance has been used by the Voucher Transit System, we could end the program altogether. However, staff does not support this option as there is not currently another option for those who depend on the service.

Attachment #1

AMENDED
MEMORANDUM OF UNDERSTANDING
Between Northern Arizona Council of Governments-
Economic/Workforce Development Division
and the
Town of Camp Verde, Arizona

General Provisions

I) Introduction – Purpose of amended Memorandum of Agreement

This amended Memorandum of Understanding (MOU) is made and entered into by and between the Northern Arizona Council of Governments – Economic Workforce Development, hereafter referred to as NACOG, and the Town of Camp Verde, hereafter referred to as the Town.

The purpose of this amended MOU is to establish an agreement between NACOG and the Town concerning their respective rights and responsibilities for the development and implementation of a voucher transit system, or VTS, which shall serve Camp Verde Residents in providing transportation services to the following areas, the Town of Camp Verde, the City of Cottonwood and the City of Sedona, hereafter referred to as the Verde Valley.

All parties agree to coordinate and collaborate their efforts in mutual planning and implementation to ensure that Camp Verde Citizens benefit from this service. The vouchers shall be issued to residents of the Town to be used for travel only within the Verde Valley. Residents of the Town will pay a \$2.00 co-payment per service provided.

II) NACOG - Authorities and Responsibilities Expressly Implied

1. Fiscal Agent: NACOG will act as the fiscal agent for the VTS being responsible to receive and disperse funds.
2. Eligibility: NACOG will establish eligibility screening which conforms to the requirements set forth. Income level shall be based primarily on current income information.
3. Reporting: NACOG will collect data regarding all VTS users to include residency, origination, user name, eligibility category, age, income level as appropriate, and destination. This information will be compiled and reported to the Town on a quarterly basis.

4. Records Management: NACOG will prepare and maintain all records relating to the VTS for the duration of this agreement. Records will be released to the Town, upon request, at the termination of this agreement.
5. Staff: NACOG shall select and employ staff in order to provide project supervision and direct client services. This staff shall also perform administrative services as applicable.
6. Compensation: NACOG will receive a 15% administrative fee for performing all duties set forth herein.
7. Contributions: NACOG, when applicable, will make available other resources to VTS recipients.

III) Services to be provided

It is understood and agreed upon by all parties that this agreement is the result of collaboration between the Town and NACOG. NACOG will develop and implement the VTS program, per the following guidelines:

1. Funds will be distributed based on residency not on origination/destination of travel, i.e., the residency of a recipient shall determine the allocation of funds from the respective Town's VTS budget.
2. Transportation originations and destinations will be limited to Town of Camp Verde, City of Cottonwood and the City of Sedona for the purpose of work, education, job search, school, social services, counseling, medical appointments. Basic needs is to be limited to Town of Camp Verde only.
3. Eligibility includes youth, elderly (55 or older), developmentally disabled and low-income adults.
4. Special needs clients and unaccompanied youth will be given transportation only when appropriate accessibility and safety precautions can be provided.
5. Clients deemed eligible will be given vouchers based on a monthly expenditure budget of the Town of residency. The vouchers will be given out on a first come first serve basis beginning on the 1st on each month.

6. Transportation will be provided only by NACOG approved and contracted vendors.
7. NACOG may, as the Town has requested, authorize processing of vouchers by select organizations as may be deemed appropriate. Said organizations will be required to comply with all record maintenance procedures set forth by NACOG to facilitate the reporting process. NACOG reserves the right to withdraw on-site voucher processing from any organization which does not comply with required procedures.
8. The Town agrees that NACOG shall not be held accountable in the event of abuse by another organization utilizing on-site voucher processing. Neither shall payments be denied for services rendered by providers in good faith.

IV) Assignment of this agreement

This agreement is not assignable in whole or in part by NACOG without the express written permission of the Town.

V) Term of this agreement

The Town and NACOG agree that the terms of this agreement will become effective upon execution by signature and shall continue in effect such time as either party provides 30 days written notice to modify or amend or terminate this agreement.

VI) Conflict of Interest

Pursuant to A.R.S. Section 38-511, the Town may cancel this agreement, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting, or creating the agreement on behalf of the Town is, at any time while the agreement or any extension of the agreement is in effect, an employee or agent of any other party to the agreement with respect to the subject matter of the agreement. In the foregoing event, the Town further elects to recoup any fee or commission paid on behalf of the Town from any other party to the agreement arising as a result of this agreement.

VII) Funding Level

The Town agrees to fund the voucher program in the amount of \$4,253.00.

VIII) Signatures

This amended Memorandum of Understanding shall constitute the entire agreement of both parties and is executed upon signature.

Passed, Approved, and Adopted by the Mayor and Council of the Town of Camp Verde this ____ day of _____, 2009.

Tony Gioia, Mayor

ATTEST:

Deborah Barber, Town Clerk

Pursuant to A.R.S. Section 11-952(D), the foregoing agreement has been reviewed by the undersigned attorney for the Town of Camp Verde, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this state to the Town of Camp Verde.

Town Attorney

Teri Drew
NACOG – Regional Director
Economic/Workforce Development Division

Attachment #2

NACOG VOUCHER PROGRAM FY 08-09 ACTUAL SPREADSHEET

LTAFF II - Grant 09 funded	\$	20,733.59
Carried over balance approved July 2, 2008:	\$	9,405.30
Total Beginning Balance:	\$	30,138.89
<u>Expenses applied:</u>		
Billing paid for services from 7/1/08-9/30/08	\$	(2,351.00)
Billing paid for services from 10/1/08-12/31/08	\$	(2,351.00)
BALANCE to date:		\$25,436.89
<u>Less proposed expenses for approval :</u>		
Billing services for 1/1/09 - 3/31/09 (inc's administrative fees)	\$	(4,477.50)
Billing services for 4/1/09 - 6/30/09 (inc's administrative fees)	\$	(4,477.50)
Less donation for Verde Valley Veterans Vans to be paid out of carry over & designated by Council 5/21/08	\$	(2,500.00)
Administrative salary - Town employee @ 20% for 1 year: March 1, 2009 -March 1, 2010	\$	(6,367.00)
Office supplies, travel exp, etc. for transportation research	\$	(1,000.00)
Estimated roll over balance:		\$6,614.89

Attachment #3

TOWN OF CAMP VERDE



Memorandum Clerks Office

To: Mayor and Council
cc: Mike Scannell, Town Manager
From: Debbie Barber
Date: April 24, 2008
Re: Update on the Voucher Transit System

Voucher Transit System (VTS)

Funding Sources:

LTAFF II Funds	\$17,988.77
25% Local Match	<u>4,497.19</u>
Total Project Cost	\$22,485.96

In addition to the Town's contributions, clients are required to contribute \$2.00 per trip.

Background:

The Town receives LTAFF II funding for eligible transit projects on an annual basis. The amounts are based on population and require a 25% cash match. Eligible projects include planning and training related expenses, capital expenses related to the acquisition, construction, and improvement of public transit facilities and equipment; operating expenses; and marketing and administration of such programs as carpooling, transit usage, walking and biking, and alternative work schedules. The program is intended to serve the general public, elderly, disabled, and welfare recipients and low-income persons engaged in employment activities.

This is the second year for the VTS program. A Memorandum of Understanding was signed with NACOG Economic/Workforce Development Division to act as the fiscal agent for the VTS. The Town contributes 15% of the total project costs to NACOG for the administration function. The MOU requires a 30-day termination notice.

Corliss Rivera of the Workforce Development Division in Cottonwood deals directly with program recipients. The VTS program sets eligibility based on current income. The VTS provides taxi rides from Camp Verde to Cottonwood for medical and social services (DES offices) only and to Sedona for medical purposes only. The program serves the low-income, elderly, and disabled. Each recipient is allowed a maximum of \$80.00 per month in vouchers. The cost for a one-way trip to either Cottonwood or Sedona from Camp Verde is \$40.00 or \$80.00 per roundtrip. Ms. Rivera explained that the high cost is due to only two available vendors in the Verde Valley. The vendors are CJ's Need-a-Lift and Red Rock Taxi.

As evidenced by the attached report, 203 people requested rides from July 2007 through March 2008. The average number of persons served by VTS each month in 2007 was 25, while the first three months of 2008 showed some decline in usage, serving an average of 17 persons per month.

Anticipated Funding:

Currently, LTAF II funds are scheduled for state-wide budget cuts. Therefore, we do not anticipate funding for FY 08/09. We have two years to expend the initial allocation. NACOG has requested that the Town roll over approximately \$11,000 remaining in the VTS program to the next budget year in order to continue the program.

Council Action:

Council should decide if the VTS program presents a good return on our investment and serves the citizens well and if not, determine if another program would better serve the Town's residents. If Council wishes to continue the VTS, then approve the roll over of the remaining \$11,000 to the next budget year. If not, then direction to staff to send a letter to NACOG to change the program to another eligible use such as funding for the Verde Valley Veteran's Van would be appropriate.

If you have any questions, please let me know.

#14

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Type: Regular

Meeting Date: April 1, 2009

Consent: **Executive Session/Confidential:** Type(s) of Presentation: Verbal

AGENDA TITLE: : Discussion, Consideration, and Possible Approval to apply for a 2009 Community Oriented Policing Services (COPS) grant under the COPS Hiring Recovery Program.

PURPOSE AND BACKGROUND INFORMATION: The COPS Hiring Recovery Program is a competitive grant program that provides funding directly to law enforcement agencies having primary law enforcement authority. Up to \$1 billion in grant funding is available for the hiring and rehiring of career law enforcement officers. There is no local match required, but grant funding will be based on current entry-level salary and benefit packages. Any additional costs for higher salaries or benefits for particular individuals hired including Holiday Pay and Overtime will be the responsibility of the Town.

The COPS Hiring Recovery Program grant will provide 100% funding for entry-level salaries and benefits for thirty-six (36) months for newly hired full-time sworn officer positions including filling unfunded vacancies. If the Town were to be awarded a CHRP grant, it must agree to retain the position(s) for a period of 12 months following the conclusion of the grant.

The Camp Verde Marshal's Office currently has two (2) existing unfunded vacant positions. Staff would like to apply for a CHRP grant to fund both of these positions. This would equate to the Town receiving approx. \$320,000 in federal funds over three years if the grant were awarded. The deadline for submitting a grant application is April 14, 2009. If awarded, the funds would be available by July 2009.

STAFF RECOMMENDATION(S): Approve the Camp Verde Marshal's Office staff to submit a grant application to fund two (2) Deputy Marshal positions under the 2009 COPS Hiring Recovery Program.

LIST ALL ATTACHMENTS:

Type of Document Needing Approval (Check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Acceptance/Approval | <input type="checkbox"/> Agreement/Contract | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Grant Submission | <input type="checkbox"/> Intergovernmental Agreement |
| <input type="checkbox"/> Liquor/Bingo Application | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Resolution | <input type="checkbox"/> Special Consideration |
| <input type="checkbox"/> Special/Temp Use Permit | <input type="checkbox"/> Other: | <input type="checkbox"/> Presentation/Report Only |

Finance Director Review

Budgeted/Amount N/A \$

Comments:

Fund:

Line Item/:

Submitting Department: Marshal's Office

Contact Person: David R. Smith

Town Manager/Designee: _____

#15

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: April 1, 2009

Meeting Type: Regular Session

Type of Presentation:

REFERENCE DOCUMENT:

[Empty box for Reference Document]

AGENDA TITLE: (Be Exact):

Discussion, and possible approval by Council to accept ADOT's plan for the closure of the Newton Lane access to SR 260.,

PURPOSE AND BACKGROUND INFORMATION:

The Yavapai Apache Nation has secured a permit from the US Forest Service for automobile access from the nation's Tunlii housing subdivision to Newton Ln. With the continued development of Tunlii, traffic on Newton will significantly increase, from 30 Average Daily Trips (ADT) to over 150 ADT. The design capacity of Newton Ln access will be greatly exceeded. It is agreed by ADOT, and The Nation, that Horseshoe Bend offers better safety and access capabilities for local citizens and visitors needing to access SR 260 from this area. Map is attached.

STAFF RECOMMENDATION(S): (Suggested Motion)

Staff recommends that Council accept ADOT's plan to close access to 260 at Newton Ln.

Type of Document Needing Approval:

[Empty box for Type of Document]

Finance Director Review

Budgeted/Amount [Empty box]

Attorney Review Yes No

Attorney Comments [Empty line]

Fund: [Empty box]

Line Item: [Empty box]

Submitting Department: Public Works

Contact Person: Ron Long

Town Manager/Designee: [Empty box]



YAVAPAI-APACHE NATION
2400 West Datsi Street Camp Verde, Arizona 86322
Phone (928)567-1021 Fax (928)567-1082

March 4, 2009

Mayor Tony Gioia
Town of Camp Verde
473 S. Main Street, Suite 102
Camp Verde, Arizona, 86322

RE: Closure of Newton Lane/Highway 260 Access

Dear Mayor Gioia:

The Yavapai-Apache Nation ("Nation") has now secured a permit from the United States Forest Service to have automobile access from the Nation's Tunlii housing subdivision ("Tunlii") to Newton Lane. In line with this permit, the Nation wants to convey its position to the Town of Camp Verde that Newton Lane's access point to Highway 260 be closed. This closure would require Newton Lane traffic to access Highway 260 via Horseshoe Bend – a detour the Nation agrees with. The Nation has also conveyed this position to the Arizona Department of Transportation, who concurs with the closure as well.

With the continual development of Tunlii, the Nation is now significantly improving Tunlii Way, an access road heading west from Tunlii, which connects to Cherry Lane and Highway 279. During the Tunlii Way road construction and after the closure of Newton Lane's access point to Highway 260, the Nation anticipates that vehicle use of Newton Lane will increase significantly for the next eight (8) to ten (10) months. The Nation expects that vehicular use of Newton Lane will dramatically decrease when Tunlii Way is completed.

Again, the closure of Newton Lane's access point to Highway 260 is a position the Nation totally supports. This closure will benefit all of our citizens. Should you have any questions about the Nation's position on the closure or about the Nation's road construction plans in relation to Tunlii, please feel free to contact me at any time.

Sincerely,

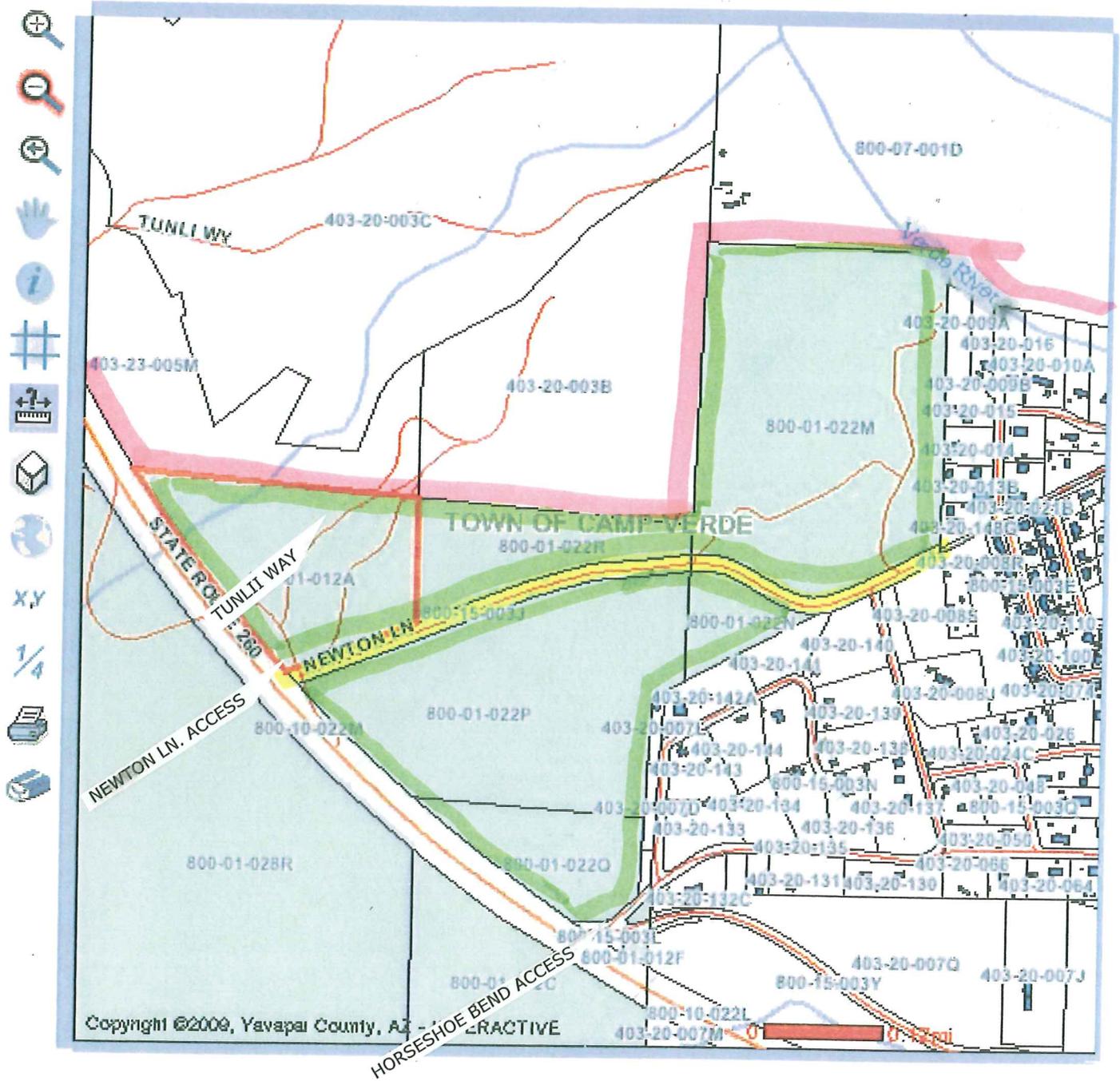

Thomas Beauty, Chairman

BACK TO TOP

- c. YAN Tribal Council
YAN Attorney General
Dallas Hammit, ADOT
Ron Long, Camp Verde Public Works

Interactive Mapping Application

Search By Property



Owner Information - Parcels

Owner

Prescott National Forest

TOWN C.V. ROW

YAVAPAI APACHE NATION

[Back To Top](#)

#16

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: April 1, 2009

Meeting Type: Regular Session

Type of Presentation:

REFERENCE DOCUMENT:

Special Event Handbook

AGENDA TITLE: (Be Exact):

Discussion, consideration and possible approval of the Special Event Handbook and Application for individuals and groups hosting events on Town owned property.

PURPOSE AND BACKGROUND INFORMATION:

Staff has put together an application and handbook to guide individuals and groups hosting special events on Town owned property through the process that is required to host an event. This will help guide the applicant, as well as each department that will have a role in the event.

STAFF RECOMMENDATION(S): (Suggested Motion)

Approve the special event application and handbook for individuals and groups hosting special events on Town owned property.

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount

Attorney Review Yes No

Attorney Comments

Fund:

Line Item:

Submitting Department: Parks & Recreation

Contact Person: Lynda Moore

Town Manager/Designee:



TOWN OF CAMP VERDE
 Parks & Recreation Department
 395 S. Main Street, Camp Verde, AZ 86322
 928-567-0535 fax 928-567-1540

DRAFT

SPECIAL EVENT PERMIT APPLICATION

GENERAL INFORMATION

Sponsoring Organization: _____

Responsible Party: _____

Home Phone: _____ Work: _____ Cell: _____

Mailing Address: _____

Event Name: _____ Annual Event: Yes No Years _____

Date(s) of Event: _____ Start Time: _____ AM / PM End Time _____ AM / PM

Set-up Time: _____ AM / PM Take Down Time: _____ AM / PM

SPONSORS

Is the sponsoring organization a non-profit? Yes No

Please provide proof of non-profit status: _____

Benefiting non-profit organization(s): _____

Benefiting in what capacity? (Please be specific)

EVENT DESCRIPTION

Please give a detailed description of event/festival: _____

Anticipated Attendance: _____

Proposed Location of Event:
 (Please list all facilities to be used
 including parking lots, facility, streets,
 Parks, etc.)

_____	_____
Facility	Location
_____	_____
Facility	Location
_____	_____
Facility	Location

Forward application to the following departments:

- Parks & Recreation
- Public Works-Streets Division
- Maintenance Department
- Marshal's Office
- Clerk's Office
- Finance Department
- Planning & Zoning Department
- Risk Management Department
- Camp Verde Fire District
- Town Council

Department Remarks: **Please forward remarks to the Parks & Recreation Department**

Received:

- Event Producer Insurance date _____
- Vendor Insurance date _____
- Council Approval for alcohol date _____
- Fees for Security date _____
- Casual Business License & Fees date _____
- Approval for Street Closure date _____
- Event Fees date _____
- Deposits date _____

Fee and Deposit Work Sheet

Deposits

Key(s) _____
Cleaning/Security/Damage _____

Total Deposits _____

Rental Fees

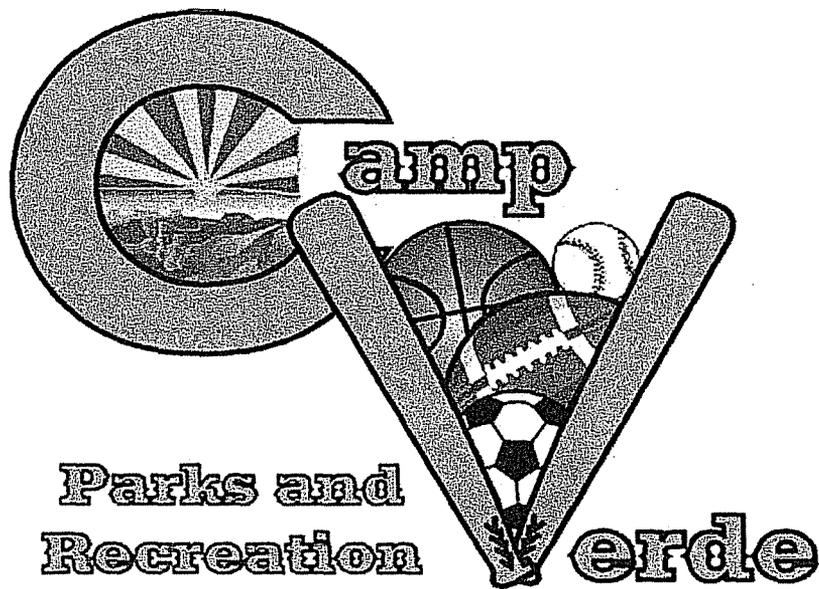
Fencing _____
Tent Lighting _____
Stage _____
Ramada/Vendor Electric _____
Use of Water _____
Kitchen _____
Gym _____
Gym Floor Prep _____
Room 206 & 207 _____
Room 204 _____

Total Rental Fees _____

Total Due _____

SPECIAL EVENT

DRAFT



HANDBOOK

To assist you in planning your events in our town, Camp Verde Parks & Recreation has compiled this helpful handbook for hosting an event or festival. Inside you will find information on how to file applications for event permits and licenses, and many of the answers to your questions about insurance requirements, clean-up, street closure, licenses, town tax and more. As we continue to build a more efficient and effective local government, Town of Camp Verde departments have worked hard to streamline the event permitting process while continuing to provide vital services that help make your event safe and successful.

This hand book also contains a Special Event Application and a checklist of everything you need to know and do to host an event on Town of Camp Verde property, streets, ROW and sidewalks. You will also find contact names and numbers that can help you plan your event.

This handbook will be helpful as you plan an event that contributes so much to the spirit and economy of Camp Verde. Thanks for all you are doing to make Camp Verde the best to work, live and play!

Respectfully,

Lynda Moore
Parks & Recreation Director

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2 Timeline for Hosting Special Events	5
3 Fee Schedule	6
4 Special Event Fees & Deposits	7
5 Casual Business License	8
6 State TPT Numbers and Sales Tax	9
7 Street Closures	10 & 11
8 Banners	12
9 Site Map	13
10 Clean-up Plan	14
11 Insurance Requirements	15
12 Alcohol Beverage Process	16
13 Security	17
14 Health Department Permits	18
15 Fire Safety Requirements	19
16 Tents, Temporary Structures and Vehicles	20

Who must apply?

Anyone who wants to host a festival, parade, concert, race, or public gathering that will be held at the Community Center, parks, or that will affect public property or rights-of-ways (ROW) must file a Special Event Permit Application with the Town of Camp Verde Parks & Recreation Department.

What is a special event?

A festival or event in Camp Verde that will:

- Be held on or affect Town property, streets, ROW or sidewalks;
- Require Town services beyond those the town provides its citizens under ordinary, everyday circumstances; and/or
- Have activities that require issuing one or more additional licenses or permits (alcoholic beverages, food sales, parades, and street closure).

An application must be submitted for a Special Event Permit with the Town of Camp Verde with payment of the required fees and deposits.

What is your classification?

Class B – Non-profit, individuals, groups or organizations using facilities whose purpose is clearly of a non-profit nature and benefits the Town in part or whole.

Class C – Profit making individuals, groups or organizations using facilities for raising money or whose purpose is clearly of a profit making status.

What is the process?

Anyone who plans to host a Special Event (as defined above) in the Town of Camp Verde must follow the procedures below. It should be noted that prior to issuance of a Special Event Permit, all steps listed below must be completed before your event will be approved and a special event permit issued.

- 1) *Check for facility availability by calling Parks & Recreation at 928-567-0535 ext. 134.*

Please note: Inquiries of availability does not guarantee that the date is reserved for your group.

- 2) *If a facility is available, submit a Special Event Permit Application, all necessary permit applications, event fees and the cleaning/security/ damage deposit to the Town of Camp Verde Parks & Recreation Office, located at 395 S. Main Street, Camp Verde, AZ.. Once the application is received by the Parks & Recreation Department, the date requested will tentatively be reserved for your event. Applications are available at the Parks & Recreation Office between the hours of 8 a.m. and 5 p.m., Monday through Friday or on our website at www.cvaz.org.*

All Special Event Permit Applications must be legible, printed or typed and must be submitted at least 90 days prior to the event.

- 3) *Once the event producer submits a complete application, all appropriate departments must review and approve it. Various departments may include:*

- Parks & Recreation Department
- Public Works- Streets Division
- Maintenance Department
- Marshal's Office
- Finance Department
- Planning & Zoning Department
- Clerks Office
- Risk Management Department
- Camp Verde Fire District
- Town Council

- 4) After each department has reviewed your application and has returned their comments to the Parks & Recreation Director, you will be notified that your application has or has not been approved.

TIMELINE for Planning Your Special Event

SECTION 2

90 Days Prior to Hosting a Special Event

- Check availability of facility being requested.
- Request reservation for tentative date for your event.
- Submit Special Event application, all permits, cleaning/security/damage deposits and required facility rental fees.
- Request Street Closure Permit
- Submit Liquor License Application to the Camp Verde Fire Department for approval.

60 Days Prior to Hosting a Special Event

- Submit Liquor License Application to Town Clerks Office

45 Days Prior to Hosting a Special Event

- Submit Health Department Event Coordinator Form

30 Days Prior to Hosting a Special Event

- Submit Certificate of Insurance to the Risk Management Department

14 Days Prior to Hosting a Special Event

- Submit Casual Business License and fees to the Clerk's Office.
- Submit Certificates of Insurance for all participating vendors
- Submit payment for off-duty officers to the Finance Department.

SPECIAL EVENT FEES & DEPOSITS

SECTION 3

	Class B	Class C
Key Deposit	\$50.00 per key	\$50.00 per key
Cleaning/Security/Damage Deposit	\$500.00	\$500.00
Fencing	\$5.00 per panel	\$10.00 per panel
Tent Lighting	\$20.00	\$30.00
Stage	\$150.00	\$200.00
Ramada/Vendor Electric	\$100.00	\$150.00
Use of Water	\$20.00	\$40.00
Kitchen (<i>1 or 2 day event</i>)	\$75.00 per day	\$100.00 per day
Gym (<i>1 or 2 day event</i>)	\$200.00 per day	\$400.00 per day
Gym Floor Preparation	\$50.00	\$75.00
Room 206 & 207	\$75.00 per day	\$100.00 per day
Room 204	\$50.00 per day	\$75.00 per day

PA Systems, extension cords, water hoses, cash registers, tables & chairs are not available

Verde Valley Rental
Cottonwood, AZ
928-634-8531

Red Rock Rental
Sedona, AZ
928-282-5313

Arizona Tents & Events
Phoenix, AZ
602-252-8368

SPECIAL EVENT FEES AND DEPOSITS

SECTION 4

All Cleaning/Security/Damage Deposits and Equipment/Facility Fees are due at time you submit your application into the Parks & Recreation Office.

The use of buildings and/or facilities shall not be granted when, as determined by the Parks & Recreation Director, such use is not in the best interest of the Town.

The Parks & Recreation Department reserves the right to cancel or suspend any and all events with little or no notification in the case of inclement weather, unsafe conditions or damage to the facilities and/or fields as well as but not limited to, repair and maintenance.

If you have any questions or need assistance with your application please contact:

Lynda Moore
Parks & Recreation Director
928-567-0535 ext. 136
lmoore@cvaz.org

CASUAL BUSINESS LICENSE

SECTION 5

The event producer and all vendors are required to have a business license; either a regular or casual business license. (see Town Code, Chapter 9 included in your packet)

It is the vendor's responsibility to submit an application and associated fees to the Clerks Office. The certificate must be displayed during the entire event.

The fee for the Casual Business License is \$50.00 per day.

Just prior to the opening of your event, a Parks & Recreation staff person will make an onsite inspection. Any vendor who does not have a casual business license on display in a conspicuous place (Town Code, Sec. 9-1-6) will not be allowed to open their booth.

Town of Camp Verde Clerks Office
Debbie Barber, Town Clerk
473 S. Main Street
Camp Verde, AZ 86322
Phone 928-567-6631 ext. 107
Fax 928-567-9061
dbarber@xcaz.org

STATE TPT NUMBER AND SALES TAX

SECTION 6

The event producer and all exhibitors at your event are expected to collect and pay applicable sales tax.

It is the responsibility of the event producer to provide a list of vendors to the Clerk's Office and the Arizona Department of Revenue. The list should include each vendor's name, business name, mailing address and phone number.

Contact Information

Arizona Department of Revenue
Megan Hinton
License Compliance Officer
Phone 480-545-3531
Fax 480-545-3596
mhinton@azdor.gov

Town of Camp Verde Clerks Office
Debbie Barber, Town Clerk
473 S. Main Street
Camp Verde, AZ 86322
Phone 928-567-6631 ext. 107
Fax 928-567-9061
dbarber@xcaz.org

An event producer who wants to host an event that will involve closing of a town right-of-way (ROW) must request permission from the Town of Camp Verde Marshal's Office at least ninety (90) days before an event. Street closings and placement of barricades/signage Town of Camp Verde streets and ROW must be coordinate with and approved by the following Town Departments: Parks & Recreation, Public Works-Streets Division and Marshal's Office. If an event requires closure of streets or public ROW, proper barricades and signage are required.

All signage and barricades must comply with the Manual of Uniform Traffic Control Devices. To ensure the event producers are in compliance, the Town of Camp Verde will be responsible for placement and removal of all barricades and signage before and after an event. Event producers will be invoiced for all costs incurred to rent, insure, and transport barricades to and from an event site. Should a private barricade company do the barricading; the company must submit a traffic control plan and evidence of insurance to the Parks & Recreation Director for review. The staffing of traffic control work shall be determined by the Town of Camp Verde, Street Division and the Camp Verde Marshal's Office.

The Town of Camp Verde may request that an event producer notify affected businesses and/or residents if an upcoming event will require street closing(s) and/or send a Street Closing press release and camera ready site map to all media at least two weeks prior to an event.

You will also be required to notify the Fire Department if an upcoming event will require street closure.

Listed below are the procedures to request a road closure and/or barricades:

To request a road closure and/or barricades, submit a Special Event Application to the Parks & Recreation Department a minimum of 90 days prior to your event indicating your road closures and/or barricades. Road closures and restrictions will be reviewed on a case-by-case basis by the Parks & Recreation Department. You must submit a detailed site map showing where barricades and signs will be placed at the event.

Forms that will be needed:

Certificate of Insurance (see section 11)

Public Works-Street Division Traffic and Safety Permit and applicable fees

Important Phone Numbers

Public Works Department
Ron Long, Public Works Director
Deborah Ranney, Administrative Assistant
395 S. Main Street
Camp Verde, AZ 86322
928-567-0534 ext. 137

Fire Department
Barbara Rice
928-567-9401

Marshal's Office
Lt. Earl Huff
928-567-6621

BANNERS

SECTION 8

Town banner poles are located at the corner of Finnie Flat Rd and Main Street, next to Rain Tunnel Car Wash and on Hwy. 260 and Oasis Rd.

If you would like to hang banners advertising your event, you must submit a Banner Pole application along with your Special Event application. The banner application can be found in your packet. The Parks & Recreation Director must approve application. All Banner Pole Policies and Procedures will be followed.

Banners shall not be permitted for religious or political activities.

Banner Size Information:

Finnie Flat and Main- 2' x 8'
Hwy. 260 and Oasis- 4' x 12'

The event producer must attach a Site Map of the event to the Special Event Application.

A Site Map should define the event area and include the following information if applicable:

- Location of all tents and temporary structures that will be erected (inflatable, small carnival games, beer garden, etc.).
- Location of all vendors
- Location of all dumpsters and trash receptacles
- Location and layout of tables, chairs, picnic tables, etc., that will be used
- Location of any stages that will be used or placed
- Entrances and exits

CLEAN-UP PLAN

SECTION 10

You must submit a clean-up plan with your Special Event application. The clean-up plan must include the following information:

- A site map of the festival or event area, showing the types and locations of dumpsters and individual trash receptacles. (The Town of Camp Verde encourages the use of recycle containers at all events)
- The names and contact information of individual and/or groups responsible for cleaning up during and after the event.

If an event producer fails to clean up a venue adequately or causes damage to Town of Camp Verde property or facilities, your \$500 deposit will be forfeited. The Town will bill the event producer for any costs to clean or repair damaged property over the \$500 deposit.

Event producers are responsible for prompt clean up of Town property, restrooms, parking lots, streets, right-of-ways and sidewalks. Event producers are responsible for clean up from the time when the set-up begins until tear down crews have finished and vacated the premises.

Event producer is responsible for clean-up of restrooms and for restocking the paper products.

Town of Camp Verde dumpsters are not available. Event producers will need to provide their own adequate roll-off dumpsters. It is your responsibility to have the roll-off delivered and picked up.

Information:

North American Waste – 567-0250
Waste Management – 1-800-762-9708
Taylor and Sons – 649-8335
Arid Waste – 567-0213
SWS – 634-6275

INSURANCE REQUIREMENTS

SECTION 11

The Promoter of the event must provide a certificate of insurance for General Liability insurance of at least \$1,000,000.00 per occurrence and \$2,000,000 aggregate against claims for bodily injury, death and property damage and names the **Town of Camp Verde, AZ as an Additional Insured.**

If liquor is sold at the event, an additional \$1,000,000 liquor liability policy is required naming the Town of Camp Verde as Additional Insured.

In addition, all food and craft vendors participating in your event must provide a certificate of insurance for General Liability insurance of at least \$1,000,000.00 per occurrence and \$1,000,000 aggregate against claims for bodily injury, death and property damage and names the **Town of Camp Verde, AZ as an Additional Insured.**

Certificates of Insurance must be turned into the Parks & Recreation Department at least 14 days prior to the opening date of your event. **Certificates of Insurance must specifically name the Town of Camp Verde, 473 S. Main Street, Camp Verde, AZ 86322, as additional insured and must also include the name and date of your event. Certificates without this information will not be accepted.**

(Insurance is available through the Tenant User Liability Insurance Program (TULIP). SEE ATTACHED HOW TO GUIDE

ALCOHOL BEVERAGE PROCESS

SECTION 12

If you plan to sell alcoholic beverages at your event you must submit a "Special Event Liquor License" from the Arizona Department of Liquor & Control for Town Council approval. You can obtain the License application at www.azliquor.gov or call 602-542-5141.

Sixty (60) days prior to your event, submit the completed Special Event Liquor License Application, to the Clerk's office at 473 S. Main Street, Camp Verde, AZ 86322. You will also need to submit a copy of your application to the Camp Verde Fire Department, located at 26 W. Salt Mine Rd., Camp Verde. The Clerk will not schedule for Council approval without first receiving clearance from the Camp Verde Fire Department. You will be notified of the date that your liquor license requests are on the Town Council agenda. You will be charged a Liquor License handling fee once your application has received Council Approval.

It is important that you are present at that meeting. Town Council meetings are held the first and third Wednesdays of each month.

If your liquor license is approved by Council, you will be required to provide liquor liability insurance (see section 11) and you will also be required to hire security through the Marshal's Office. (see section 13)

It is the responsibility of the event producer to provide adequate security for an event. The type and location of the event, presence of alcoholic beverages, crowd size and other factors will determine the amount of security needed. All security must be obtained through the Camp Verde Marshal's Office.

The Camp Verde Marshal's Office will review your application and determine the number of officers required.

All fees for off duty officers must be paid at least 14 days prior to your event. You must submit payment to the Camp Verde Finance Department. The Finance Department is located at 395 S. Main Street.

Off-duty officers:

- \$50.00 per hour, per officer
- Minimum of two officers

HEALTH DEPARTMENT PERMITS

SECTION 14

As the promoter of an event you are required to submit an Event Coordinator form to the Yavapai County Health Department at least 45 days before the event. You will also be asked to supply a vendor list and event map to the Health Dept. and Fire Department no later than 5 days before the start of the event.

If you plan to sell food or drink at your event or if you plan to have outside vendors who sell food or drink then you must notify the Yavapai County Health Department at 928-639-8138. All food and drink vendors are required to have a Yavapai County Health Permit. The Health Department will make an on-site inspection of your food booths prior to opening of event.

FIRE SAFETY REQUIREMENTS

SECTION 15

An event producer is required to follow Camp Verde Fire District "Fire Safety Standards".

Included in your Special Event packet, you will find a booklet that outlines the fire and safety practices found in the Fire and Building Codes adopted by the Town of Camp Verde and the Camp Verde Fire District.

It is the responsibility of the event producer to contact the Fire District to discuss your event and set up a time for an inspection.

Camp Verde Fire District
Barbara Rice, Inspector
928-567-9401

**TENTS, TEMPORARY STRUCTURES
AND VEHICLES**

Stakes are not permitted on Town grounds, parks or rights-of-way. All tents and canopies must be weighted down.

Vehicles are not allowed on any grass areas or sidewalk.

If you are hosting an event that requires a vehicle(s) to drive onto a field, you must state this on your Special Event Application. Parks & Recreation staff will mark the sprinkler heads and event producer will be invoiced for costs incurred.

Any damage done by stakes or vehicles, either by the event producer or their individual vendors will be the responsibility of the event producer.

Canopies and tents must meet the requirements of the "Fire Safety Standards" provided by the Camp Verde Fire Department. A copy of the "Fire Safety Standards" is included in your packet.

Fire lanes must be kept open at all times to allow access for emergency vehicles.

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**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: April 1, 2009

Meeting Type: Regular Session

Type of Presentation:

REFERENCE DOCUMENT:

Parks Admin. Position

AGENDA TITLE: (Be Exact):

Discussion, consideration and possible direction to staff relative to the open Parks Administrative Assistant/Events Coordinator position and, in the event that the position is not authorized to be filled, discussing reducing the number of events and programs hosted by the Town of Camp Verde.

PURPOSE AND BACKGROUND INFORMATION:

Council directed me to bring this item back on the April 1st with a comprehensive report. In reviewing the situation and in consultation with the Town Manager, we believe that if it is Council's desire to fund this position, we will find the money to do so. Having said that, I am reluctant to move forward with my request that you fill this position. I am concerned about the austere conditions that we face presently and the possibility of a further deterioration of the economy which may result in a future reduction in the work force. Given that I am not moving forward with my request, I believe that Council should seriously consider transitioning a number of events that we host presently to the private sector. If these events are truly vital to the private sector it would seem that the private sectors would step forward to sponsor and administer these events.

STAFF RECOMMENDATION(S): (Suggested Motion)

1) Do not move forward with hiring for this position. 2) Begin conversation with the private sector on sponsoring and administering these events.

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount

Attorney Review Yes No

Attorney Comments

Fund:

Line Item:

Submitting Department: Parks & Recreation

Contact Person: Lynda Moore

Town Manager/Designee:

Rev.8-08

BACK TO TOP

Memo

To: Mayor and Council
From: Lynda Moore, Parks & Recreation Director
CC: Michael K. Scannell, Town Manager and Debbie Barber, Town Clerk
Date: 3/20/2009
Re:

On March 4, 2009, I came before you with a request to authorize staff to fill the Parks Administrative position. You directed me to come back before you on April 1, 2009 with a comprehensive report on events and funding for this position.

I am forgoing my request to fill this position. Although this is a budgeted position in the 08/09 budget, I would not want to chance hiring someone, only to find out that they would be laid off in the 09/2010 fiscal year.

I have attached the Parks & Recreation Calendar of Events. To the far right of the page you will see an E (events) and/or R (recreation). Anything with an R falls under the responsibility of the Recreation Supervisor and an E would fall under the responsibility of the Events Coordinator/Administrative Assistant. Many of the events and programs are perceived as value to our community.

Without the Admin./Events Coordinator position, I have evaluated the calendar and you will see a strike through of the events that I feel would have to be removed in order to adequately run the department and provide quality events/programs for the community.

Some of these events are significant to the community. With the declining economy that we are facing, I do not feel it is financially feasible to the Town of Camp Verde to continue funding these events. I would recommend that we discontinue hosting these events and ask the community to step up and take the larger events over. I perceive the larger events being the Pecan & Wine Festival, Cornfest and Fort Verde Days.

If Council's wish is to keep the events, I would ask that the Events Coordinator position be filled. This position would have to be funded from the General Fund.

1st Tue. each Month	Parks & Recreation Commission Meetings 5:30pm	Room 106
Third Thurs. each Month	Parks & Recreation Youth Commission	R
Wednesday's & Friday's	Teens A Chillin Youth Center Open	602 1st street
Jan. TBA	Little League Registration Begins 567-4224	Superior Medical
Jan. 20th	Men's League Basketball Registration Deadline	Recreation Office
Jan 21st & 24th	Grasshopper Basketball Clinic	R & E
Jan 24th	Grasshopper B-Ball Registration Deadline (5th - 8th grade)	R
Feb. 13th, 14th 15th	9th Annual Pecan, Wine & Antique Festival	E
Mar. 7th	Az. Game and Fish Clinic	R
Mar.13th - April 17th	Spring Golf League	R
Mar. 19th	Wii Senior Bowling 2pm	E
Mar.28th	9th Annual Verde River Canoe Challenge	R
Mar. 29th	Bus Trip to Phoenix Zoo	E
The Month of April	Bus Trip to Diamond Backs Game	R
April 11th	Annual Easter Egg Hunt	E
April 16th	Wii Senior Tennis 2pm	E
April 18th	Earth Day	R & E
April 22nd	Co-Rec Softball League Registration Deadline	R
May 2nd	Family Social Night Ping Pong, Wii, Board Games	E
May 8th	Mother/Daughter Pajama Party and Mini Spa Night	E
May 4th- June 5th	Summer Program Registration	
May 11th - 15th	Golf Lessons	R
May 21st	Nintindo Wii Senior Bowling 2pm	E
May 23rd	Camp Verde Heritage Pool Opens	Heritage Pool
June 1st - 5th	British Challenger Soccer Camp	R
June 13th	Family Fun Night Swim & Skate Party	R
The Month of June	Bus Trip to Diamond Backs Game	R
June 8th - July 17th	Youth Summer Program	R & E
June 6th	Family Social Night Ping Pong, Wii, Board Games	E
June 18th	Nintindo Wii Senior Tennis 2pm	E
June 20th	8th Annual KVRD Father/Child Golf Tournament	R & E
Mid June	Youth Football Registration Begins 567-4224	Superior Medical
June 27th	Movie in the Park	E
July 4th	Independence Day Celebration	E
July 18th	48th Annual Cornfest	E
July 20th - 24th	Hunter Education Week/ Class	R
July 29th	3 on 3 Basketball League Registration Deadline	R
July 11th	Family Fun Night Swim & Skate Party	R
July 21st - 25th	Hunter Education Class and Week	R
July 25th	Movie in the Park	E
Aug. 1st	Family Social Night Ping Pong, Wii, Board Games	E
Aug. 4th	National Night Out	Community Center
Aug. 15th	Movie in the Park	E
Sept. 5th	Community Chili Cook-Off and Salsa Challenge	E
Sept. 11th	Patriot Day	Main Street
Sept. TBA	Kingdom of the Spiders Reunion	E
Sept. 26th	Montezuma Castle 10K & 2 Mile Run/Walk	R
Oct 9th, 10th, 11th	Fort Verde Days Bull Bash	Community Center
Oct. 9th, 10th, & 11th	53rd Annual Fort Verde Days	E
Oct. 9th	Fort Verde Days Dinner	E
Oct. 9th & 10th	Fort Verde Days Co-Rec Softball Tournament	R
Oct. 21st & 24th	Grasshopper Basketball Clinic	R & E
Oct. 24th	1st - 4th Grade Grasshopper B-Ball Registration Deadline	Community Center
Oct. 31st	Trick or Treat Main Street	E
Oct. 31st	Teen Halloween Party	R
Nov. 8th	Veteran's Day Parade	R & E
Dec. TBA	Christmas Craft Bazaar	E
Dec. TBA	Christmas Parade of Lights and Holiday Program	E

#18

Ron Smith agenda item 4-1-09

Background: The Town Code, in its current form, requires that a candidate who wins a duly held election for a vacated Council seat must wait to take his/her seat on the Town Council until the date on which all duly elected Council Members who have won election are seated.

The current procedure is proper in all instances except in those cases where the certification of the election results in the successful candidate having been elected to a vacated seat on the Town Council. The current procedure, as set forth in the Town Code, deprives the citizens of the right to be represented by a duly elected official. Forcing the individual elected to office to fill an unexpired term (vacated seat) to wait for the passage of time to take his/her seat deprives the citizens of the representation that they deserve.

My recommendation is that the Town code be amended promptly to correct this oversight. If the Council agrees with my suggested amendment, in my agenda title, I have requested that staff draft an emergency ordinance and that said ordinance be placed before Council on April 8, 2009. The practical effect of accepting my amendment is that Pete Roulette will be afforded the opportunity to take his seat on April 8, 2009 rather than waiting until June 3, 2009.

Your support on my amendment will be appreciated. This is all about respecting the democratic process and honoring the sentiments of the community.