

AGENDA



**REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, AUGUST 1, 2007
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**

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) July 18, 2007 – Regular Session

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

1) Joint Work Session with the Library Advisory Commission – August 8, 2007 at 6:30 p.m.

2) Regular Session – August 15, 2007 at 6:30 p.m.

3) Council Hears Planning & Zoning – August 22, 2007 at 6:30 p.m.

c) **Possible appointment of P&Z Commission member Bob Burnside as liaison to the Design Review Board for a 6-month term, as recommended by the Planning & Zoning Commission.**

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

6. **Presentation of a \$1,000 check to the Camp Verde Marshal's Office by Diane Joens and Stewards of Public Lands to monitor, educate, and enforcement of laws aimed at stopping illegal dumping on public land.**

7. **Presentation by The Osborne Group on the Health Information Exchange.** This is an informational item about the future of electronic medial records.

8. **Discussion, consideration, and possible appointment to Housing Commission for the term expiring in September 2009.**

9. **Discussion and review of the IGA with the Camp Verde Unified School District for the Camp Verde Heritage Pool facility and property use, and possible acceptance or modification of the District's offer to maintain the current annual financial contribution of \$12,800 and to continue insurance coverage for the next 3 years, with the next review of the IGA to take place in the year 2010.**

10. **Update and discussion of the plans for Black Bridge Park as requested by Council.**

11. **Discussion, consideration, and possible support of resolutions submitted by communities throughout Arizona for consideration at the League of Arizona Cities and Towns Resolution Committee meeting on Tuesday, August 28, 2007 at 1:30 p.m. at the Fairmont Scottsdale Princess Resort located at 7575 E. Princess Drive, Scottsdale, Arizona.** (Copies of the proposed resolutions are available in the Clerk's Office and on the Town's web site at www.cvaz.org)
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**
 - a) **There are no advanced approvals.**
14. **Manager/Staff Report**
15. **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.
16. **Adjournment**

Posted by:

J. Jones

Date/Time:

7-27-07

9:00 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.

**MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, JULY 18, 2007
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 Smith, Garrison, Kovacovich, and Elmer were present; Councilor Parry was absent.

Also Present: Town Attorney Brad Woodford, Finance Director Dane Bullard, Community Development Director Nancy Buckel, Parks & Recreation Director Lynda Moore, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Kovacovich.

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) There are no minutes for approval.

b) Set Next Meeting, Date and Time:

1) Council Hears Planning & Zoning – July 25, 2007 at 6:30 p.m.

2) Regular Session – August 1, 2007 at 6:30 p.m.

3) Work Session – August 8, 2007 at 6:30 p.m.

4) Regular Session – August 15, 2007 at 6:30 p.m.

5) Council Hears Planning & Zoning – August 22, 2007 at 6:30 p.m.

c) Possible approval of the contract between the Chamber of Commerce and the Town of Camp Verde.

On a motion by Hauser, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the exception of Item 4.c).

Gioia said that a majority of the council members may be present July 25th at 4:00 p.m. for the groundbreaking for the Sanitary District plant on site.

Councilor Garrison requested that Item **c)** be pulled for discussion.

4.c) Possible approval of the contract between the Chamber of Commerce and the Town of Camp Verde.

On a motion by Hauser, seconded by Smith, the Council unanimously approved the contract between the Chamber of Commerce and the Town of Camp Verde, with the changes noted.

Roy Gugliotta, Chamber of Commerce Director, confirmed that he had received minor changes in the contract after review by the Town Attorney. The provision regarding promotional information in advance of events was discussed, with input from Parks & Rec Director Moore. The changes indicated in the editing notes were clarified by Attorney Woodford in response to the Council's request.

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

Johnny Guthrie, City Attorney for Cottonwood, introduced himself and said that they have an open door policy for the Legal Department, and offered their cooperation and said he would also like to be able to call on the Camp Verde attorneys.

Brenda Hauser displayed the new issue of Arizona Highways and the 4-page article on the Mail Trail, with pictures of Howard Parrish, among others. Parrish is recovering well from heart surgery performed today, and will be going home Thursday.

Gioia said he plans to look into the necessary steps to take to change the Agenda format to insert the Council Informational Reports item near the beginning of the Agenda in the future as a courtesy to the public.

There was no further input.

6. **Discussion, consideration, and possible direction to staff regarding the process to allow for development of government facilities required for the provision of utilities and public services within the Town of Camp Verde.**

There was no action taken.

Staff was directed to pursue the subject process and the construction of policies within the zoning ordinances and any other part of the Town Code that needs to be addressed in order to facilitate public facilities in an expedient manner in the Use Permit process.

Community Development Director Buckel explained that this is an issue that her department has been working with lately, and as it may come up more often as the Town grows, she would like to have guidance on how the Council would want her to handle it. The issue affects government, quasi-public and public facilities that want to service our community, and Buckel said she needs to know which process to use, either rezoning or a use permit, or permission by the Town to operate pursuant to recognition of the business or status of the entity. Buckel cited as an example where the Fire District is looking to expand and put substations throughout the community in different locations, and the District has asked which process to go through to accomplish that. Basically, the Camp Verde Water District is operating under a special use permit for their tanks, structures and storage areas. Buckel reviewed the use permit process as well as the rezoning process, and her research on the different ways of how other communities handle those agencies. Buckel said she has started working with the Attorneys on changing the use permit language to allow for some regulation of those activities. The Council discussed the examples cited by Buckel, as well as the comments by Secretary-Treasurer Jack Blum and Fire Chief Philip Harbeson of the Fire District stressing the urgency for additional stations and the need to have the issue resolved as soon as possible in light of fast-rising construction costs.

Attorney Brad Woodford said that use permits are not necessarily temporary; use permits are put into zoning ordinances for permitted uses within certain zones, where because of their characteristics a certain use may be more intrusive than other uses, and therefore certain conditions may be imposed. For a permanent structure there is generally no time limit on a use permit. Also, use permits make sense because some government facilities and public utilities need to be located in the community regardless of the existing zone. Woodford said there is language that needs to be cleaned up in the Zoning Ordinance regarding use permits; for example, adding government facilities such as facilities for fire and sanitary districts. One major difference is that every zoning applied is referable; use permits are not. The public is equally involved in those decisions. Woodford said there needs to be criteria for use permits in the Zoning Ordinance; the purpose for a use permit stated in the Ordinance is incorrect; the 10-year limit should be removed; and the transferability issue needs to come out, and those changes will be worked on. Woodford said he believes that the use permit process is a proper way to handle

the subject issue, and it would be very beneficial to the Town. Woodford also confirmed that the use permit process would be ultimately faster than a rezoning.

Buckel further explained the time line for the public notification process, and also pointed out that there is a use permit application pending concerning the Verde Lakes Water Company; Buckel suggested that the Council could go ahead and make a decision on that application pursuant to the existing policy.

PUBLIC INPUT

James Bullard, Camp Verde Water Company, commented that there is a State Statute that allows water utilities to operate in any place, and believes that the Statute would cover the Fire Department as well.

Nancy Floyd wanted to know how long it will take for the planned changes to the existing Special Use Permit provisions. *Attorney Woodford estimated with hearings by the Planning & Zoning Commission and the Council, two meetings.*

Jim Bullard, P&Z Commissioner, questioned the comment in the Staff Report stating that the Commission was apprehensive about Use Permits; only two people had objected.

There was no further public input.

7. **Discussion, consideration, and possible selection of a new auditing firm for the 2006-2007 fiscal year.**

There was no action taken.

Staff was directed to contact the four firms agreed upon and request submission of bids within two weeks, to include what they are going to charge and what they will provide in their audits.

Finance Director Bullard said that staff is looking at the possibility of retaining a new audit firm as previously directed, and has contacted four firms that are recognized by the Government and Finance Officers Association of Arizona; each of the firms are in good standing and are competent firms. Staff is asking Council to either appoint a firm or direct staff to go back and go through the bid process to obtain the total price for a full audit on the Fiscal Year 06-07 and bring back to Council for approval.

Scott J. Graff, from the Firm of Colby & Powell, introduced himself and outlined the structure and experience of his firm, and responded to detailed questions from the members regarding what his firm had to offer the Town of Camp Verde.

The Council discussed the information submitted by each of five firms. There was a suggestion to exclude Fester & Chapman, the firm that is currently doing auditing for the Sanitary District. The members generally expressed preference for going through the RFQ process. Bullard suggested that staff could contact the four firms other firms that have submitted information to the Council and request formal bids. Bullard said he will e-mail each of the firms with follow-up information they may require and try to get a formal commitment, and possibly schedule for the following Council meeting.

There was no public input.

8. **Discussion, consideration, and possible direction to staff to establish a procedure for making Town donations to local entities or groups. There is \$32,000 budgeted in the FY2007/08 CIP budget under Organizational Donations.**

There was no action taken.

Councilor Smith explained that the focus of this item is to try to establish a fair Town ongoing procedure for donating money to local groups. Smith outlined recommendations to create a guidelines and qualifications procedure, develop a suitable application form, and form a committee to review the applications and make recommendations to Council. Smith said he would recommend that Norma Garrison and Gwen Gunnell come up with the suggested procedures and present them to Council; Smith confirmed that they are both willing to do that. Smith cited examples, including the need for some organizations to be able to depend on funding on an annual basis. He also pointed out that such a procedure would also be of help in determining funding in the budget for organizational donations. Smith's recommendation, which was also based on discussions with Garrison who had simultaneously come up with the same idea and had done research on it, was received with general approval and agreement from the Council to pursue the matter further.

There was no public input.

Prior to considering Items 9, 10 and 11, the members agreed to move ahead and address Items 12 through 15 first.

9. **Discussion, consideration, and possible direction to staff regarding the purchase of Camp Verde Water System. Note: Council may vote to go into Executive Session pursuant to ARS §431.03.A7 for discussions or consultations with designated representatives in order to consider Council's position and instruct representatives regarding negotiations for the purchase, sale, or lease of real property.**

On a motion by Hauser, seconded by Kovacovich, the Council voted unanimously to go into Executive Session.

There was no further action taken.

There was no public input.

10. **Discussion, consideration, and possible direction to staff concerning the Development Agreement with Steve Coury. Note: Council may vote to go into Executive Session pursuant to ARS §38-431.03.A.4 for discussion or consultation with the attorney in order to consider Council's position and instruct the attorney 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.**

On a motion by Hauser, seconded by Kovacovich, the Council voted 5-1 to go into Executive Session; with a 'no' vote by Smith.

There was no further action taken.

There was no public input.

11. **Discussion with the Finance Director concerning his performance review for the period covering Sept 2005 through Sept 2006, followed by discussion, consideration, and possible approval of a merit salary increase. This is a budgeted item in the General Fund. Note: Council may vote to go into Executive Session pursuant to ARS §38-431.03 (A)(1) for discussion or consideration of assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.**

On a motion by Hauser, seconded by Kovacovich, the Council voted 5-1 to go into Executive Session; with a 'no' vote by Smith.

On a motion by Smith, seconded by Kovacovich, the Council unanimously approved a 2.5 percent merit salary increase for the Finance Director, retroactive to September 1, 2006.

PUBLIC INPUT

Ray Floyd commented that the Council is wrong by doing this ten months after it should have been done; effort should be made to give a review in a timely manner.

There was no further public input.

12. **Call to the Public for Items not on the Agenda.**

There was no public input.

13. **Advanced Approvals of Town Expenditures**

a) There are no advanced approvals.

There were no advanced approvals of Town Expenditures.

14. **Manager/Staff Report**

Lynda Moore distributed copies of a written financial report on the Crawdad Festival showing a net loss of \$19,349.01. Moore reported that the merchants were very happy with how the event helped their businesses. Moore also said that a retreat for the P&R Commission is being planned to address events, whether they are for recreation or for tourism. Moore reported that the merchants were very happy with how the event helped their businesses. The Council suggested that the Parks & Rec Commission also discuss getting more sponsorship support from the merchants in future events.

15. **Council Informational Reports**

Smith commended the All Stars who showed very well in the State Championship. In addition, the Learning Center received an award for being No. 1 in the State.

Garrison wanted to advise the Council that she will be absent on August 15th; she will be the Governor's Rural Development Conference. She plans to attend training conferences and bring back to share as much information as possible.

Elmer encouraged everyone to go to Chamber of Commerce meetings; the next meeting is scheduled for next Thursday. He will miss the Council meeting of August 22 because of his company meeting in Phoenix.

Hauser commented on her attendance at today's meetings, including the VWA and WAC.

Gioia also reported on the Verde Watershed Association and the Sonoran Institute's Study; the resolution that Camp Verde is fostering to the League of Cities & Towns regarding protection of the watershed and the rivers has been mentioned in that Study. Gioia added that the Corn Festival was huge, with great corn from Hauser & Hauser Farms.

A recess was called at 8:20 to go into Executive Session; the meeting was called back to order at 10:31 p.m. at which time further action was taken on Item 11.

16. **Adjournment**

On a motion by Hauser, seconded by Garrison, the meeting was adjourned at 10:33 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 Regular Session of the Town Council of Camp Verde, Arizona, held on the 18th day of July 2007. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2007.

Debbie Barber, Town Clerk

MEMO

Date: July 25, 2007

To: Deborah Barber, Town Clerk

From: Nancy Buckel, Community Development Director

At the July 12, 2007 meeting of the Planning and Zoning Commission, the Commission voted to recommend Bob Burnside to the Council for appointment for the six month position on the Design Review Board. Commission Bullard's term has expired.

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

Meeting Type: Regular

Meeting Date: August 1, 2007

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

AGENDA TITLE: Presentation by Diane Joens and Stewards of Public Lands of a \$1,000 check to the Camp Verde Marshal's Department to monitor, educate and enforce against illegal dumping on public lands.

PURPOSE AND BACKGROUND INFORMATION: The original grant funding totaling \$5,000 was sponsored by Supervisor Chip Davis and provided by Yavapai County through a Forest Project Funds Grant. The Stewards of Public Lands received this grant for equal distribution to law enforcement agencies of the 5 incorporated cities and towns in the Verde Valley. The grant was received from the Board of Supervisors for: 1) reducing fire hazards on public lands, protecting the urban rural interface of incorporated cities and towns; and protecting people and property from wildfire hazards 2) raising public awareness about the pollution and unsightliness that illegal dumping causes; 3) acknowledging the partnership established between the Stewards of Public Lands, Cocopai Resource Conservation and Development as their fiscal partner, and local city and town governments and 4) acknowledging that the Stewards' long term efforts will only be successful through cleanups, maintenance, education and ENFORCEMENT against illegal dumping.

STAFF RECOMMENDATION(S): Accept the funding with appreciation

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 checked="" type="checkbox"/> Other: | <input type="checkbox"/> Presentation/Report Only |

Finance Director Review

Budgeted/Amount N/A \$ _____

Comments:

Fund:

Line Item/:

Submitting Department: Administration Contact Person: David R. Smith

Town Manager/Designee: _____

Please Note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.

TOWN OF CAMP VERDE
473 S. MAIN STREET SUITE 102
CAMP VERDE, AZ 86322
PHONE: (928)567-6631

Fax 567-9061

COMMISSION/COMMITTEE/BOARD INTEREST FORM

NAME: Kathy Davis
PHYSICAL ADDRESS: 1825 Monroe Lane Camp Verde AZ 86322
MAILING ADDRESS: PO Box 1671 Camp Verde AZ 86322
PHONE (HOME): 928-821-1969 (WORK): — e-mail condors@commspeed.net

**WHICH COMMISSION/COMMITTEE/BOARD ARE YOU INTERESTED IN?
(ONE FORM FOR EACH COMMISSION/COMMITTEE/BOARD)**

COMMITTEE

- DESIGN REVIEW
 BOARD OF ADJUSTMENTS
 BOARD OF APPEALS
 TRAILS & PATHWAYS COMMISSION
 HOUSING COMMITTEE

- EQUESTRIAN ARENA FACILITY
 LIBRARY ADVISORY COMMISSION
 PARKS AND RECREATION COMMISSION
 PLANNING AND ZONING COMMISSION
 TOWN COUNCIL (vacancy in middle of term)

PLEASE ANSWER THE FOLLOWING QUESTIONS
(Attach additional sheet if necessary)

1. Why do you want to serve on this commission? Camp Verde has a situation of limited and often expensive housing. I desire to be part of developing a strategic approach to improve housing opportunities. Critical to this is public engagement (open meetings, etc) and collaboration with other CV committees for infrastructure and amenities (parks, trails, streets)
2. Tell us about yourself. How long have you lived in the area, your experience, your interest in the community. Any general information you feel pertinent. We have had property here since 1993, built a home in 2000, and became a resident in 2002. I supervise employees who need long and short term affordable housing. I am concerned about lack of housing as well as lack of public engagement in overall planning. Camp Verde can develop housing and retain its appeal of open space, friendly community, and quality of life.
3. What experience and/or knowledge do you have that makes you uniquely qualified to serve on this commission?

I have been federally employed for 36 years as an ecologist and manager. I have extensive experience in planning, public engagement, compliance, and completing projects. I have written many reports and scientific ~~reports~~ articles.

4. What do you believe the duties of this commission are and how much time do you expect to spend accomplishing these tasks?

I believe the duties include examining the housing needs of Camp Verde, to prepare a gap analysis of what exists and what is needed in the future. With this information, develop strategic action to bridge the gap, which can include demographic analysis,

5. (Answer only if you are applying for Planning & Zoning Commission) Have you read the Camp Verde General Plan? How does the General Plan relate to decisions you will be making as a commissioner? What do you think of the General Plan as it is now and where do you see it going in the future?

accessibility (Americans with Disabilities Act), infrastructure, traffic and roadways, sanitation, cost, housing type (single family, multiple family, apartments, etc), neighborhood parks, etc. Critical to success is working collaboratively with other committees, commissions, town hall, town council, and public. I expect a minimum of 10 hours monthly

SIGNATURE: Kathy Davis

DATE: 7/11/07

FOR OFFICE USE ONLY

DATE CONTACTED & INVITED TO APPEAR BEFORE COUNCIL _____
STAFF CONTACTING INDIVIDUAL _____
DATE APPEARED BEFORE COUNCIL _____
DATE APPOINTED _____

Note: Interest forms will be held for a period of six months and reviewed as openings occur.

TOWN OF CAMP VERDE
PO BOX 710
CAMP VERDE, AZ 86322
PHONE: (928) 567-6631

COMMISSION/COMMITTEE/BOARD INTEREST FORM

NAME: Jackie Baker
PHYSICAL ADDRESS: 1432 N. Powderhorn Road
MAILING ADDRESS: 1432 N. Powderhorn Road
PHONE (HOME) : 567-4279 :e-mail

**WHICH COMMISSION/COMMITTEE/BOARD ARE YOU INTERESTED IN?
(ONE FORM FOR EACH COMMISSION/COMMITTEE/BOARD)**

- | | | | |
|-------------------------------------|------------------------------|--------------------------|--|
| <input type="checkbox"/> | DESIGN REVIEW | <input type="checkbox"/> | EQUESTRIAN FACILITY COMMITTEE |
| <input type="checkbox"/> | BOARD OF ADJUSTMENTS | <input type="checkbox"/> | LIBRARY ADVISORY COMMISSION |
| <input type="checkbox"/> | BOARD OF APPEALS | <input type="checkbox"/> | PARKS AND RECREATION COMMISSION |
| <input type="checkbox"/> | TRAILS & PATHWAYS COMMISSION | <input type="checkbox"/> | PLANNING AND ZONING COMMISSION |
| <input checked="" type="checkbox"/> | HOUSING COMMITTEE | <input type="checkbox"/> | TOWN COUNCIL (vacancy in middle of term) |

PLEASE ANSWER THE FOLLOWING QUESTIONS

(Attach additional sheet if necessary)

1. Why do you want to serve on this commission? *The availability of affordable/attainable housing is a vital component of a community's economic viability and its sustainability. As a Council member, I was a strong proponent of developing the town's housing programs and the housing department.*

2. Tell us about yourself. How long have you lived in the area, your experience, your interest in the community. Any general information you believe pertinent. *I have been a permanent resident for 21 yrs and a visitor since the early 1960s when my parents moved here. I have 4 generations that are all very proud to call Camp Verde home. I served two terms as a Council member, one year as Vice Mayor, the executive board of NACOG and the Risk pool.*

3. What experience and/or knowledge do you have that makes you uniquely qualified to serve on this commission?

As a Council member, I remained committed to the housing efforts, never missing one Gov Conference on Rural Development, which focuses on housing efforts throughout the state. I was the only Council member that participated in these conferences. I never missed an opportunity to discuss our housing needs with regional, County, and state officials. I'm very proud of the work that staff and Council have accomplished in such a short period of time!

4. What do you believe the duties of this commission are and how much time do you expect to spend accomplishing these tasks? _____

The duties are defined by the Town Code and determined by the Town's needs. A Commissioner's duty is to research, advise and make recommendations to Council

5. (Answer only if you are applying for Planning & Zoning Commission) Have you read the Camp Verde General Plan? How does the General Plan relate to decisions you will be making as a commissioner? What do you think of the General Plan as it is now and where do you see it going in the future? _____

SIGNATURE: Jackie Baker DATE: 6-7-07

FOR OFFICE USE ONLY

DATE CONTACTED & INVITED TO APPEAR BEFORE COUNCIL _____
STAFF CONTACTING INDIVIDUAL _____
DATE APPEARED BEFORE COUNCIL _____
DATE APPOINTED _____

Note: Interest forms will be held for a period of six months and reviewed as openings occur.

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

Meeting Type: Regular

Meeting Date: August 1, 2007

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

AGENDA TITLE: Discussion, consideration and possible acceptance of the Camp Verde Unified School District's offer to continue their annual \$12,800 financial contribution and insurance coverage (liability and property) for the Camp Verde Heritage Pool until the next proposed review date in 2010.

PURPOSE AND BACKGROUND INFORMATION: The District's financial contributions (\$12,800) and insurance coverage provisions were previously agreed upon in an October 2000 Intergovernmental Agreement (IGA) with the Town. Per the IGA, Section 4, the Town and District decided to review the agreement again in 2003. However, this is the first review of the District's contribution since the approval of the IGA in 2000.

STAFF RECOMMENDATION(S): Accept the District's offer and plan to review again in 2010

LIST ALL ATTACHMENTS:

1. District's July 3, 2007 letter
2. October 2000 Camp Verde Heritage Pool Intergovernmental Agreement

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

- | | | |
|---|---|--|
| <input checked="" 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 \$0

Comments:

Fund:

Line Item/:

Submitting Department: Administration Contact Person: David R. Smith

Town Manager/Designee: _____



Please Note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.

CAMP VERDE UNIFIED SCHOOL DISTRICT #28

"HOME OF THE COWBOYS"



July 3, 2007

David Smith, Interim Town Manager
Town of Camp Verde
473 S Main St, Suite 102
Camp Verde, AZ 86322

Dear Mr. Smith:

The Camp Verde Unified School District has been reviewing facility and property use agreements. The District and the Town have an Intergovernmental Agreement on the Camp Verde Heritage Pool. Section 4 requires the Town and the District review the District Financial Contribution every three years. No review has been completed since the agreement was signed in 2001. The District proposes maintaining the current financial contribution of \$12,800 annually and continued District provided insurance coverage for the next three years with the next review in 2010.

The District has no agreement on the skateboard park built next to the pool. The District requests the Town Staff review Town records for a copy of an Intergovernmental Agreement related to the skateboard park. If the Town does not have a copy of the IGA, the District will draft an IGA for the skateboard park similar to the pool IGA. The District does carry insurance on the skateboard park.

We appreciate the Town's assistance in updating our records and agreements. Please feel free to contact me with any questions.

Sincerely,

Jeff D. Van Handel, Ph.D.
Superintendent

Camp Verde Unified School District #28

410 Camp Lincoln Road

Camp Verde, Arizona 86322

Phone: 928-567-8000

Fax: 928-567-8004

Email: jvanhandel@cvusd.k12.az.us

**INTERGOVERNMENTAL AGREEMENT
"Camp Verde Heritage Pool"**

THIS AGREEMENT entered into upon the last date of execution by the agencies herein according to law, by and between the Town of Camp Verde, an Arizona municipal corporation (hereinafter "Town"), and the Camp Verde Unified School District No. 28 (hereinafter "District").

W I T N E S S E T H:

WHEREAS, the Town as applicant and the District as third party/partner have filed a grant application with the Arizona State Parks Board dated June 29, 1993, to construct a community swimming pool complex as a public outdoor recreational facility under the federal Land and Water Conservation Fund (LWCF), established by Public Law 88-567 and ARS §41-503, and ARS §15-364

WHEREAS, the application and Town Resolution 93-239 require preparation of an intergovernmental agreement containing the contributions of the parties toward the grant, equal sharing of operational costs, and responsibilities of the parties for operation of the facility,

NOW THEREFORE, the Town and District agree as follows:

1. Site Management.

- (a) The Town will be responsible for scheduling use of the pool and related facilities, primarily through its Parks & Recreation Department. During the time the schools are in session, priority in scheduling will be given to the students and school-sponsored activities.
- (b) The Town will hire and schedule all staff and employees for operation of the pool and related facilities. The Town assumes responsibility and liability for its employees hired pursuant to this agreement. Additionally, the Town will operate and maintain the pool and related facilities.
- (c) The District will provide liability insurance and property insurance for use of the facility as part of its general policy.
- (d) User revenues will be set by the Town, and collected into a separate account for expenditure on operational costs.
- (e) In the event the District sells or abandons the property on which the pool facility is located, it shall first offer to the Town the site and necessary related grounds at a price which is reasonable market value, less the funds already contributed by the Town for the grant construction, and all subsequent capital contributions including repairs and expansions. Such sale or abandonment shall be contingent upon completion of the 25-year lease or repayment

of grant funds per Resolution 99-201 of the District, dated February 9, 1999.

- 2. Duration.** This agreement will remain in effect until cancelled by either party. The Town and the District agree to prepare and adopt necessary budgets annually to meet their monetary responsibilities described in the grant application and asset forth herein.
- 3. Cancellation.** This agreement may be terminated by a majority vote by the governing board of either party subject to the following:
- (a) The Party terminating the agreement must notify the other party in writing by 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.
 - (b) Once terminated, the scheduling preference contained in 1(a) above will cease.
 - (c) Once terminated, the financial contribution contained in Part 4 of this agreement will cease, except that the District will continue to provide water for the pool so long as the Town operates the pool, with reimbursement by the Town as negotiated at that time.
 - (d) Once terminated, the condition of 1.e continues.

4. District Financial Contribution

The District will make an annual financial contribution to the facility operational and maintenance costs in the sum of \$12,800. And will provide water, electricity and facility insurance per 1(c). The Town will invoice the District not later than May 15 and the District will pay the Town not later than June 30 of each year beginning 2001. The Town and District agree to a three-year review of expenses.

Town of Camp Verde

Barbara Miller
Barbara Miller, Mayor

10-10-2000
Date:

ATTEST

Deborah Barber
Deborah Barber, Clerk

APPROVED AS TO FORM:

Ron Ramsey
Ron Ramsey, Town Attorney

Camp Verde Unified School District No. 28

By: Charles German

Date: 11/14/2000

ATTEST:

By: Jane E. Pollock

Clerk

APPROVED AS TO FORM:

By: Victoria E. UWA

Yavapai County Attorney

TOWN OF CAMP VERDE
Council Agenda Action Form

Meeting Type: Regular

Meeting Date: August 1, 2007

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

AGENDA TITLE: (Be Exact): Discussion and update on Black Bridge Park in regards to the plan that was requested by Town Council and plans to move forward with the work.

PURPOSE AND BACKGROUND INFORMATION: Update on progress of Black Bridge Park

STAFF RECOMMENDATION(S): None

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 checked="" type="checkbox"/> Presentation/Report Only |

Finance Director Review

Budgeted/Amount N/A \$

Comments:

Fund:

Line Item/:

Submitting Department: Parks & Recreation

Contact Person: Lynda Moore

Town Manager/Designee: _____

Please Note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.

**2008 RESOLUTIONS
SUBMITTED FOR CONSIDERATION BY THE RESOLUTIONS COMMITTEE
August 28, 2007**

Resolution	Sponsor/Contact	Co-Sponsor(s)	Comments	Staff Rec.	Action
1	Obtain Funding For Air Quality Mandates	El Mirage- Pat Dennis, IGR	Goodyear, Surprise, Avondale, Peoria, Buckeye		
2	Encourage Economic Development Incentives	Flagstaff- John Holmes, Interim City Manager	Wilcox, Buckeye, Queen Creek, Yuma		
3	Continue Small Town Revenue Appropriation	Patagonia- Randy Heiss, Town Clerk	Hayden, Jerome, Duncan		
4	Mandate Native Plant Standards	Apache Junction- George Hoffman, City Manager	Queen Creek		
5	Increase Municipal Input on Liquor Licenses	Prescott --Connie Tucker, Management Analyst	Prescott Valley, Avondale		
6	Allow Requests for Prices Ranges on Fees in RFQ/SOQ's	Prescott --Connie Tucker, Management Analyst	Prescott Valley		
7	Approve Private Utilities in Unincorporated Areas	Queen Creek- Mark Young, IGR	Buckeye, Florence, Star Valley		
8	Encourage Forest Health Initiatives	Payson- Fred Carpenter, Town Manager	Pinetop-Lakeside, Duncan, Star Valley, Apache Junction		
9	Protect State Shared Revenues from Tax Cuts	Camp Verde- Tony Gioia, Mayor	Jerome, Duncan, Yuma, Douglas		
10	Regulate Pseudoephedrine Sales Statewide	Camp Verde- Tony Gioia, Mayor	Douglas		
11	Maintain Heritage Funding Levels	Camp Verde- Tony Gioia, Mayor	Jerome, Yuma, Buckeye, Douglas		
12	Preserve and Protect the CDGB Program	Camp Verde- Tony Gioia, Mayor	Jerome, Yuma, Douglas		
13	Consider Impacts on Rural Areas In Transportation Funding Decisions	Camp Verde- Tony Gioia, Mayor	Douglas, Yuma		

Resolution	Sponsor/Contact	Co-Sponsor(s)	Comments	Staff Rec.	Action
14	Allow Local Watershed Decision Making	Camp Verde- Tony Gioia, Mayor	Jerome, Douglas, Buckeye		
15	Support Funding for Water Quality	Lake Havasu City- Charlie Cassens, IGR	Bullhead City, Kingman, Parker		
16	Support Initiative to Exempt Municipalities from STL Auctions	Lake Havasu City- Charlie Cassens, IGR	Bullhead City, Kingman		
17	Encourage Cooperation Between Counties and Municipalities	Avondale- Shirley Gunther, IGR	Peoria		
18	Withhold Critical Infrastructure Information/ Public Utility Mapping	Surprise- Randy Jackson, CIO	Buckeye		
19	Support Funding For Commuter Rail	Surprise- Michelle Lehman, IGR	El Mirage, Tucson		
20	Exempt Courts From Weapon Storage Laws	Bullhead City- Rob LaFontaine, IGR	Lake Havasu City, Kingman		
21	Allow Code Enforcement Employees to Issue Citations	Bullhead City- Rob LaFontaine, IGR	Lake Havasu City, Kingman		
22	Support Funding for the State Telecom. Revolving Fund	Phoenix- John Wayne Gonzales, IGR	Litchfield Park, Mesa, Tucson, Peoria		
23	Establish the State as the P.I.L.T. Pass Through Entity	Quartzsite - Dan Field, Manager/Attorney	Parker		
24	Support Increased Transportation Funding	Buckeye- Ruth Garcia, IGR	Avondale, Queen Creek		
25	Allow Local Governments to Create Development Rights Transfer Programs	Tucson- Jason Baran, IGR	Peoria, Yuma		

**2008 RESOLUTIONS
OF THE
LEAGUE OF ARIZONA CITIES AND TOWNS**

RESOLUTIONS FOR CONSIDERATION
BY THE
LEAGUE RESOLUTIONS COMMITTEE

on
August 28, 2007

(The following resolutions were received by July 2, 2007 for consideration by the League Resolutions Committee.)

RESOLUTION #1

Arizona State Legislature provide funding to Nonattainment Area A for paving dirt roads, shoulders and alleys and provide a funding source to local governments for the enforcement of non permitted sources, such as unpaved parking and unpaved vehicle staging areas, unpaved roads, unpaved shoulders, vacant lots and open areas. The legislature would also provide funding to Maricopa County for additional inspectors for the enforcement of county Rule 310.

Submitted by:

City of El Mirage, City of Goodyear, City of Surprise, City of Avondale, City of Peoria, Town of Buckeye

A. Purpose and Effect of Resolution

The Phoenix nonattainment area continues to violate the 24 hour PM-10 standards during both windblown and stagnant conditions. On March 23, 2007, EPA proposed to find that the area failed to attain the PM-10 standard by the required attainment date of December 31, 2006. Maricopa Association of Governments (MAG) is working with the Arizona Department of Environmental Quality (ADEQ) and the Maricopa County Air Quality Department (MCADQ) to develop a new PM-10 plan (the 5% plan) for submittal to EPA by December of 2007. All Cities in the Phoenix nonattainment area are working on measures to reduce PM-10 particulate matter and participate in the new PM-10 plan. Measure 53 was approved by the MAG Regional Council on May 23, 2007. This measure requests the Arizona State Legislature to provide funding that is necessary for cities and towns to implement and enforce measures 21, 22, 31,32,35,38 and 39.

B. Relevance to Municipal Policy

The measures 21,22, 31,32,35,38 and 39 rely heavily on the cities and towns aggressively paving dirt roads, shoulder and alleys as well as the enforcement of non permitted sources in the nonattainment area. The support of the legislature for funding for these measures and funding additional inspectors to Maricopa County for the enforcement of rule 310 is needed to meet the new PM-10 plan. The emissions reduction goal for the new plan is five percent each year until the standard is met plus five percent as a contingency, for a total of 13,782 tons.

C. Fiscal Impact to Cities and Towns

Each city and town is demonstrating the fiscal impact through resolution of the measures that their council has agreed to commit to in addressing the reduction of PM-10 within the nonattainment area.

D. Fiscal Impact to the State

The transportation infrastructure in the Nonattainment Area A (Maricopa County) is the backbone for commerce in the State of Arizona. With out the state providing the funding resources to MAG, Cities and Towns and Maricopa County to implement PM-10 measures and rule 310, the Phoenix nonattainment area has the potential of loosing over 6 billion dollars in Federal transportation dollar as well as all the transportation projects will come to a halt until the EPA evaluates and creates a plan for the nonattainment area.

E. Contact Information

Name: Pat Dennis
Phone: (623) 867-2942

Title: Intergovernmental Affairs Administrator
Email: pdennis@cityofelmirage.org

RESOLUTION #2

Recommend the State of Arizona identify, fund and implement economic development programs to provide support to Arizona communities to enable them to compete with cities in other states that are receiving substantial assistance for their recruiting effort from their state government.

Submitted by:

City of Flagstaff , City of Wilcox, Town of Buckeye, Town of Queen Creek, City of Yuma

A. Purpose and Effect of Resolution

Attracting new, high wage jobs to Arizona is critical to our economic health. Yet, at a time of fierce competition for these jobs, Arizona lacks adequately funded tools to be successful. Cities and towns need additional support from the State for new job attraction because they frequently must compete with not only with a city in another state but also with a state government.

For example, the City of Flagstaff made a generous bid to become the new location of the Tesla Motors manufacturing plant. Tesla is the manufacturer of high-end, technologically advanced electric automobiles. The opportunity to add 400 high wage jobs to the State's economy was lost to Albuquerque, New Mexico. The State of New Mexico provided a number of incentives to the company. While the State of Arizona made an extraordinary effort to help Flagstaff, the additional support that the State of New Mexico provided for Albuquerque overwhelmed Flagstaff's bid.

The result of this Resolution would be an examination of what types of tools and funding states are using to assist local government's efforts to attract new business or to keep business expansion in state and implementation of the funding and programs best suited to this state.

B. Relevance to Municipal Policy

The disparity between the cost of living and available jobs with good pay in Flagstaff and many Arizona cities is significant. High wage jobs are critical for the economic health of Arizona's cities and towns. However, as the Tesla experience demonstrates, the State of Arizona lacks the economic tools and funding to assist municipalities in attracting high-wage employers. Individual municipalities require significantly more financial incentives than can be provided solely through local funding if we want to succeed.

C. Fiscal Impact to Cities and Towns

Economic growth of Arizona's cities is reliant on the creation of new high-wage jobs. If a city can attract a high wage paying business, it improves the local economy and creates tax dollars for the city, state, schools and other public agencies. Increased state assistance can make the difference in the effort to attract business to Arizona or to assist a company that is considering expanding in another state to expand in Arizona instead. However, funding statewide economic assistance through the use of existing city and state shared revenues for cities would be self defeating because it would reduce the local funds available for economic development.

D. Fiscal Impact to the State

The creation of new, high wage jobs is vital to economic success of this state. By creating and funding economic development programs to support local government's efforts to bring business to Arizona, the state, cities and towns would experience increased employment and tax revenues. A funding mechanism would have to be developed for this program.

E. Contact Information

Name: John Holmes
Phone: (928) 779-7604

Title: Interim City Manager
Email: jholmes@ci.flagstaff.az.us

Encourage Economic Development Incentives

RESOLUTION #3

Urges the Legislature to enact legislation that will continue the fiscal year 2007-2008 state budget appropriation of \$850,000 to be distributed to the state's towns with populations under 1,500.

Submitted by:

Town of Patagonia, Town of Hayden, Town of Jerome, Town of Duncan

A. Purpose and Effect of Resolution

The purpose of the proposed Resolution is to minimize the harm that occurs when Arizona's smallest towns with limited tax bases and little or no growth experience declines or only marginal increases in the amount of state shared revenues that they receive. State law currently requires a community to have a population of at least 1,500 to become incorporated. Last year's League Priority Resolution to address this issue resulted in another one-time state budget appropriation of \$850,000 that will equalize state funding distributed to these communities to the approximate amount of state sales tax and urban revenue sharing that would be distributed to an incorporated community of 1,500. The effect of the proposed Resolution is to establish a longer-term appropriation that will provide a more predictable revenue base for the state's towns with populations under 1,500 to allow them the time necessary to continue planning for annexation, economic development, or other local, sustainable revenue sources.

B. Relevance to Municipal Policy

The proposed Resolution will preserve local control and the municipal services provided in six small towns by ensuring them approximately the same amount of funding from the state as is enjoyed by a town of 1,500 population. Without this funding, these small municipalities will be forced to continue reducing services and may not survive the decade.

C. Fiscal Impact to Cities and Towns

Under the current revenue sharing statutes, the amount of shared revenues distributed to these municipalities is insufficient to cover the rising costs of fuel, health insurance for employees, municipal liability insurance, state retirement contributions, worker's compensation insurance and inflation. The fiscal year 2007-2008 appropriation provides additional funding to meet the rising costs of providing local government services in these communities and the funding needed to address a host of issues deferred due to the lack of adequate funding in the past. If legislation providing for a long-term appropriation is not enacted, the positive effects of the current appropriation will be negated and the financial distress that could place these communities at the edge of dis-incorporation will be restored. It is therefore essential that this Resolution go before the Legislature again in 2008.

D. Fiscal Impact to the State

The proposed Resolution would cost the state approximately \$850,000 annually from the state general fund. If the appropriation is continued as proposed, the funds will continue to be distributed based proportionately on the difference between each town's DES population estimate and the population of an incorporated municipality of 1,500 persons.

E. Contact Information

Name: Randy Heiss
Phone: (520) 394-2229

Title: Town Clerk/Treasurer
Email: patagoniagov@qwest.net

RESOLUTION #4

Urges the Arizona State Legislature to mandate all Arizona cities and towns in desert regions include/adopt Native Plant Standards to protect native plants that are indigenous to their area and (2) Urges the Arizona State Legislature to provide the Arizona Department of Agriculture proper enforcement mechanisms to enforce Native Plant Standards.

Submitted by:

City of Apache Junction, Town of Queen Creek

A. Purpose and Effect of Resolution

The purpose of a Native Plant Standards resolution is to protect native plants and to ensure appropriate re-vegetation for all development projects. Under Arizona’s native plant law, native plants cannot be removed or destroyed without following the required notice to the state. Desert plants that are considered protected include: all of the cacti, exotic plants like ocotillo, and protected trees (ironwood, palo verde, mesquite, and acacia). The Arizona Department of Agriculture relies on property owners to comply with procedures to remove or destroy protected plants but does not currently have the proper staffing to enforce and/or inspect all the notices it receives. Native Plant Standards provide for in-place preservation protection of existing plants and the transplanting of native plant materials indigenous to Arizona. There are four deserts in North America that all extend into parts of Arizona: Sonoran, Mojave, Great Basin, and Chihuahuan. The size, form, or location of certain mature specimen plants, such as the Saguaro or the Ironwood tree, make finding a comparable nursery-grown tree for replacement difficult or impossible. Leaving such plants in place or salvaging them for incorporation into landscaping is beneficial both from a financial and practicable application. Native vegetation within the specified size requirements enhances a city or town’s aesthetic appeal by conserving the mature desert habitat and providing unique picturesque opportunities. By mandating all towns and cities in desert regions adopt Native Plant Standards, the Arizona Legislature can protect Arizona’s valuable resources; preserve the organic characteristics of the desert regions; preserve desert wildlife habitat and food sources; encourage the use of native plants that are drought tolerant; and reduce the potential for erosion of water, wind, or subsidence. The proposed resolution will require cities and towns in desert regions to assist the Department of Agriculture by having efforts in place at the local level to ensure that property owners and developers are preserving and protecting native plants. In addition, the purpose of the resolution is to provide the Department of Agriculture proper enforcement mechanisms to enforce Native Plant Standards.

B. Relevance to Municipal Policy

Residents of all Arizona cities and towns either live in or visit Arizona’s desert regions. Several cities and towns in Arizona have adopted Native Plant Standards. By mandating all cities and towns in desert regions adopt such standards, they can protect the land in which residents reside and enjoy.

C. Fiscal Impact to Cities and Towns

None.

D. Fiscal Impact to the State

Unknown: The Arizona State Legislature would need to make a determination as to how to provide the Arizona Department of Agriculture proper enforcement mechanisms.

E. Contact Information

Name: George Hoffman
Phone: (480) 474-5066

Title: City Manager
Email: ghoffman@ajcity.net

RESOLUTION #5

Urges the Legislature to modify state liquor laws to enhance the ability of municipalities to address community-related problems associated with liquor establishments, such as requiring the Department of Liquor Licenses and Control and the State Liquor Board give greater consideration to city recommendations on proposed liquor licenses.

Submitted by:

City of Prescott, Town of Prescott Valley, City of Avondale

A. Purpose and Effect of Resolution

This resolution proposes to modify state liquor laws to improve the ability of municipalities to address public safety and quality of life concerns associated with problem liquor establishments, primarily through the State Liquor Department and Board. Some examples are as follows:

- 1) Allow cities to request a hearing of the State Liquor Board at the time of renewal for existing licenses when sufficient reason exists to request the Board to not renew the license; and/or
- 2) Create a 12-month provisional permit for licenses when a municipality recommends denial of a license but the Board grants approval; and/or
- 3) Modify the definition of licensed premises to include parking lots of bars and liquor stores; and/or
- 4) Hold license applicants accountable to commitments made during the application process.
- 5) Modify the membership of the State Liquor Board to include a municipal law enforcement representative.

B. Relevance to Municipal Policy

Poorly managed liquor establishments pose considerable problems for law enforcement and surrounding neighborhoods, such as crime, noise violations and parking issues. Reforms to liquor laws increasing the consideration of impacts to neighborhoods would greatly enhance the ability of municipalities to protect public safety and quality of life in these neighborhoods.

C. Importance of Resolution to Your City or Town

Legislation addressing problem liquor establishments and changes to Arizona liquor laws have been an ongoing challenge for cities and towns. Cities and towns should have the ability to plan their communities as they believe best, including the location and operation of liquor establishments. The proposed provisions allow cities to have a greater role in the liquor licensing process for liquor establishments to ensure that are addressed.

D. Fiscal Impact to Cities and Towns

These provisions should result in less police calls for liquor establishment-related incidents reducing the need for law enforcement resources and increased costs to cities and towns.

E. Fiscal Impact to the State

Anticipated costs to the State would be minimal, primarily one time administrative implementation costs by the State Liquor Department and Board.

F. Contact Information

Name: Connie Tucker
Phone: (928) 777-1144

Title: Management Analyst
Email: connie.tucker@cityofprescott.net

RESOLUTION #6

Urges the Legislature to modify State Statutes to allow cities and towns to request a price range in a Request for Proposal or Statement of Qualification solicitation for Professional Services.

Submitted by:

City of Prescott, Town of Prescott Valley

A. Purpose and Effect of Resolution

This resolution proposed to modify State Statute 41-2578 to allow municipalities to request a price range for the fees associated with the services listed in a Request for Proposal/Statement of Qualifications (RFP/SOQ) solicitation.

B. Relevance to Municipal Policy

41-2578 does not allow a municipality to consider fees for services in the selection process for certain professional services. This has led to many instances where municipalities spend weeks in the selection process and find that the fees charged by the #1 rated firm far exceed the budgeted amount. The municipality is then required to restart the negotiation process with the #2 firm, and so on until a fee within the budgeted amount is agreed upon. In some cases, the municipality has to reissue the RFP/SOQ because they are unable to reach an agreement on fees, resulting in months of delay in starting a project and increasing the costs associated with the project.

C. Importance of Resolution to Your City or Town

The RFP/SOQ process is an important component of any municipality's Capital Improvement Program. Any delay to the process will ultimately result in increased costs to the citizens of the municipality. Having the ability to evaluate the fee structure range at the beginning of the process will enable a municipality to save time and start the project sooner.

D. Fiscal Impact to Cities and Towns

This provision should allow municipalities more timely completion of their needed capital projects and other projects requiring professional services, as well as ultimately saving the taxpayers money.

E. Fiscal Impact to the State

There should be no increased fiscal impact to the State.

F. Contact Information

Name: Connie Tucker,
Phone: (928) 777-1144

Title: Management Analyst
Email: connie.tucker@cityofprescott.net

RESOLUTION #7

Arizona Corporation Committee must require private utilities applying to establish within an unincorporated county area to get approval from municipalities within a 6-mile radius of such utility.

Submitted by:

Town of Queen Creek, Town of Buckeye, Town of Florence, Town of Star Valley

A. Purpose and Effect of Resolution

The purpose of this resolution is to help prevent leapfrog development caused by private utilities and help municipalities implement and effective infrastructure plan for their commuters.

Currently, private utilities can establish in the unincorporated county areas with little or no input from cities and towns that are adjacent to these sites. There are instances in the state in which development has leapfrogged communities and created a financial hardship on cities and towns due to insufficient infrastructure to accommodate this development.

Mirroring the incorporation requirements of the state, an area must get approval from communities within a 6-mile radius of the proposed incorporation, or in this case constructing a utility. If approval of adjacent cities and towns was required, notification would allow cities and towns to review and implement an infrastructure plan that would be more effective. Requiring such approval would encourage communication between all parties in order to address population as well as other future demands in these areas.

B. Relevance to Municipal Policy

41-2578 does not allow a municipality to consider fees for services in the selection process for certain professional services. This has led to many instances where municipalities spend weeks in the selection process and find that the fees charged by the #1 rated firm far exceed the budgeted amount. The municipality is then required to restart the negation process with the #2 firm, and so on until a fee within the budgeted amount is agreed upon. In some cases, the municipality has to reissue the RFP/SOQ because they are unable to reach an agreement on fees, resulting in months of delay in starting a project and increasing the costs associated with the project.

C. Importance of Resolution to Your City or Town

This resolution will provide the economic and financial security necessary to maintain the upkeep of current infrastructure and keep pace with future needs in a region.

D. Fiscal Impact to Cities and Towns

None.

E. Fiscal Impact to the State

None.

F. Contact Information

Name: Mark Young
Phone: (480) 358-3150

Title: Intergovernmental Liaison
Email: mark_young@queencreek.org

Approve Private Utilities in Unincorporated Areas

RESOLUTION #8

(1) Urges the Federal Government to adopt policies that will enable proper timber culture to assist in managing our forests to create a healthy condition and (2) Urges the Federal Government to facilitate viable economic uses of renewable forest resources in an environmentally sound manner.

Submitted by:

Town of Payson, Town of Pinetop- Lakeside, Town of Duncan, Town of Star Valley, City of Apache Junction

A. Purpose and Effect of Resolution

Improved forest health in Arizona’s mountainous areas remains a major concern to residents and visitors alike. Each year our national forests are subject to devastating wild fires. There is a body of scientific evidence that suggests thinning of Arizona’s forest in an environmentally friendly way that respects larger and old growth timber would facilitate return of the forests to the more natural conditions that existed before large-scale settlement of the West. Modern timber culture accomplished in accordance with the National Environmental Policy Act can foster economic vitality of Arizona’s mountain communities and greatly improve the health of our forests. This resolution call upon the Federal government to adopt policies that will facilitate the goal of reducing wild fires while encouraging utilization of renewable resources and improving the economic health of rural communities.

B. Relevance to Municipal Policy

Residents of all Arizona cities and towns either live in or visit Arizona’s mountain communities. Improving forest health promotes economic diversity within those communities, which are within or adjacent to forests while helping to ensure the forests will be there in the future for all Arizonans to enjoy.

C. Fiscal Impact to Cities and Towns

None.

D Fiscal Impact to the State

Meeting the goals of the resolution requires no additional State or Federal expenditure, although full implementation of all healthy forest initiatives would require dedication of both State and Federal funds.

E. Contact Information

Name: Fred Carpenter
Phone: (602) 254-0481 ext 262

Title: Town Manager, Payson
Email: fcarpenter@ci.payson.az.us

RESOLUTION #9

Urges the Legislature to implement a system that will hold harmless cities and towns which rely heavily on the State Shared Revenue in the event of tax cuts (i.e. raise State Shared Revenue percentages to municipalities to compensate for tax cuts).

Submitted by:

Town of Camp Verde, Town of Jerome, Town of Duncan, City of Yuma, City of Douglas

A. Purpose and Effect of Resolution

Some cities and towns, particularly small rural communities, rely heavily on State Shared revenue to supply services, such as police, administration, planning and zoning, recreation, maintenance, libraries, and senior services. While tax cuts are beneficial to Arizona citizens, a reduction in State Shared Revenues would severely impact local services.

B. Relevance to Municipal Policy

This would keep local revenues at an acceptable level without having to cut services to local citizens.

C. Importance of Resolution to Your City or Town

Some communities, especially those without other revenue sources, rely heavily on State Shared Revenues for their maintenance and operating budgets to provide essential services to their citizens.

D. Fiscal Impact to Cities and Towns

There would be no cost to cities and towns.

E. Fiscal Impact to the State

There would be a fiscal impact to the State equal to portion of Shared Revenues eliminated by the proposed tax cut.

F. Contact Information

Name: Tony Gioia,
Phone: (928) 567-6631 ext 103

Title: Mayor, Town of Camp Verde
Email: towncouncil@cvaz.org

RESOLUTION #10

Urges the Legislature to modify the statutes that regulate the sale of pseudoephedrine products in all forms by requiring a statewide electronic database in addition to photo identification, the signing and maintenance of not only a written log, but also a statewide computerized record listing the persons purchasing the product and quantity. This electronic database must be required and utilized by all establishments selling pseudoephedrine products listing the persons purchasing the product and quantity.

Submitted by:

Town of Camp Verde, City of Douglas

A. Purpose and Effect of Resolution

In 2005, the legislature adopted rules on the sale of cold and allergy medication containing pseudoephedrine. The main provision of the adopted legislation required that these products be sold from behind the counter. The legislature passed additional rules requiring photo identification and the signing and maintenance of a written log to further reduce the use of pseudoephedrine the manufacturing of illicit drugs. A statewide electronic database to enter purchases will further reduce the easily available product necessary for the production of methamphetamines. This electronic tracking database will curtail the efforts of those producing methamphetamine products from going store-to-store to purchase enough pseudoephedrine to produce methamphetamine.

B. Relevance to Municipal Policy

Pseudoephedrine is one of the primary ingredients used in the production of methamphetamine. The number of methamphetamine labs that are being discovered by law enforcement throughout the state is growing at an alarming rate. Not only are these labs fabricating a drug that destroys lives and invites crime into our communities, but also the chemical residue associated with the production of methamphetamine creates a hazardous and toxic situation within neighborhoods. Local law enforcement personnel are usually tasked with the hazardous and expensive duty to secure and clean these labs. By adopting additional regulations, the goal is to make it more difficult to create methamphetamine, thereby mitigating its negative impacts within our communities.

C. Importance of Resolution to Your City or Town

Curtailling the availability of pseudoephedrine products will reduce the number of "meth" labs in our area, thereby reducing the availability of the drug. Illegal drug use is related to many violent and non-violent crimes such as domestic violence, identify theft, burglary and theft.

D. Fiscal Impact on Cities and Towns

The manufacturing and use of methamphetamines is directly or indirectly contributing to a significant percentage of crime. With the reduction of the availability of methamphetamines, the cost for arrests and incarcerations are reduced.

E. Fiscal Impact to the State

The manufacturing process of methamphetamines produces toxic waste, which is expensive to dispose. The reduction of "meth" labs will reduce the amount of money that is spent statewide to clean up the toxic waste that is left behind when the labs are discovered.

F. Contact Information

Name: Tony Gioia,

Phone: (928) 567-6631 ext 103

Title: Mayor, Town of Camp Verde

Email: towncouncil@cvaz.org

Regulate Pseudoephedrine Sales Statewide

RESOLUTION #11

Urges the Legislature to maintain the original funding levels and usage of the Arizona Heritage Fund, including dedicated funding from the State Lottery monies.

Submitted by:

Town of Camp Verde, Town of Jerome, City of Yuma, Town of Buckeye, City of Douglas

A. Purpose and Effect of Resolution

This resolution seeks to ensure that all Arizona communities can continue to apply for park development funding assistance. The Arizona State Parks Heritage Fund is vital to communities seeking to accomplish park development and improvement projects to accommodate both current recreational demands as well as the projected future needs created by continued urban growth. State voters have recognized the need for additional and improved recreational facilities as evidenced by their approval to have lottery moneys fund park and recreational projects. Full funding of the Heritage Fund will help preserve our natural, cultural and historic resources and act in accordance with the will of the people as expressed through support of a ballot initiative.

B. Relevance to Municipal Policy

The Arizona Heritage Fund provides revenue to local governments for land acquisition and development of local, regional, and state parks. Funding is also provided for trail construction, historic preservation projects and non-motorized trail development. The Heritage Fund is a resource that cities and towns use to assist with open space acquisition and preservation and the development of public recreational facilities. Local government performance goals include citizen perception of service delivery to the community. Residents have identified park development and improvements as an essential service to be provided by the municipality. Doing so is especially critical as urban growth continued to occur and the demand for more recreational opportunities increases.

C. Importance of Resolution to Your City or Town

Heritage Fund revenue is used to assist with the development of public recreational facilities and historic preservation. Maintaining the Heritage Fund will have an impact by allowing the cities and towns throughout Arizona to continue preservation of natural beauty, cultural and historic resources and to provide recreational opportunities for our citizens.

D. Fiscal Impact to Cities and Towns

The Arizona State Parks Board Heritage Fund provides funding for local, regional and state parks, historic preservation projects and motorized trail development. Maintaining full funding to the Heritage Fund will allow cities to leverage both public and private support for recreational areas and historic and cultural preservation.

E. Fiscal Impact to the State

As the Heritage Fund receives it's funding only from the State Lottery Fund, and this funding is specified by formula with a maximum cap, there is no impact to the State General Fund. If State Lottery revenues decrease in any given year the amount of funding for the Heritage Fund programs decreases accordingly. There is no obligation for any funding from the State's General Fund to make up the shortfall. This resolution is intended to urge the State Legislature to avoid the temptation to solve temporary budgetary problems with Heritage Funds, but instead to realize the long term benefits the State will derive from the proper, originally intended, application of these funds.

F. Contact Information

Name: Tony Gioia,
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Title: Mayor, Town of Camp Verde
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Maintain Heritage Funding Levels

RESOLUTION #12

Urges Congress to preserve and fully fund the Community Development Block Grant Program.

Submitted by:

Town of Camp Verde, Town of Jerome, City of Yuma, City of Douglas

A. Purpose and Effect of Resolution

To authorize the League to act on behalf of all cities and towns asking the Arizona Congressional Delegation to contact Congressional leadership and ask for authorization and full appropriations for the Community Development Block Grant Program (CDBG).

B. Relevance to Municipal Policy

Cities and towns benefit from CDBG dollars either through a direct annual appropriation or through the state department of Commerce. CDBG dollars are the most flexible federal grant funds available and help communities with redevelopment and building projects as well as programs and services to support low and moderate-income citizens.

C. Importance of Resolution to Your City or Town

Small, rural areas, such as Camp Verde rely heavily on CDBG funds as the basis for comprehensive neighborhood-based stabilization and revitalization. Without CDBG monies, the Town's budget cannot possibly provide the funds needed for housing rehabilitation, street improvements, etc.

D. Fiscal Impact to Cities and Towns

CDBG funding has been cut heavily since FY01. The program has never been adjusted for inflation, since its inception in 1974. The 2000 Census added over 100 new entitlement communities further diluting an already dwindling formula allocation. Arizona's growing population, housing overcrowding and aging infrastructure create demands for increased CDBG dollars, not less.

E. Fiscal Impact to the State

The state benefits from CDBG dollars as well and works closely with small cities and towns to distribute CDBG funds to them through the Department of Commerce.

F. Contact Information

Name: Tony Gioia,
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Title: Mayor, Town of Camp Verde
Email: towncouncil@cvaz.org

RESOLUTION #13

Urges the Legislature to consider impacts to rural areas when allocating transportation funding.

Submitted by:

Town of Camp Verde, City of Yuma, City of Douglas

A. Purpose and Effect of Resolution

The purpose of the resolution is to highlight that Camp Verde and other rural communities bear a disproportionate burden of funding the statewide transportation system when the roads and highways in rural Arizona benefit the state as a whole, not just the rural communities. Funding of the statewide transportation system, which serves the needs of commerce, tourism, recreation, interstate and intra-state travel, should not be treated as rural funding, but as statewide funding which benefits all citizens of Arizona. The current system of allocation hinders rural communities' efforts to obtain funds for individual, local transportation needs. Projects in their regions are frequently perceived as satisfying the need to be equitable in allocating funds when, in fact, those projects that are given priority are often of benefit to the State as a whole rather than the local community. Thus the truly local transportation needs remain unfunded.

B. Relevance to Municipal Policy

Reallocation of transportation funding to improve allocations for local projects will enable rural communities to meet local needs rather than needs which benefit the State as a whole.

C. Importance of Resolution to Your City of Town

The funding received by local communities is generally earmarked for transportation projects in their regions, which often benefit the State as a whole. For example, improvements on Interstate 40 are perceived to benefit northern Arizona when, in fact, the greater benefit accrues to the major urban areas through commerce, since this highway is primarily used for the transportation of goods and services and interstate travel, not by local travelers. As a result, the individual, local transportation needs of rural communities are frequently ignored or given low priority. Revising the transportation formula to provide rural communities with a fair share of funding for local projects will place them on a more equitable footing with large urban communities in serving the needs of their residents.

D. Fiscal Impact to Cities and Towns

Reallocation of the funding formulas will ensure that the transportation system in the rural areas of the State are built, rehabilitated and maintained as a State priority. Safe and adequate transportation in rural communities is critical to the welfare and economic vitality of the major urban areas, as goods and services are transported throughout the State utilizing the highway system.

E. Fiscal Impact to the State

The resolution recommends a reallocation of existing funds and therefore should not result in any new taxes, state appropriations or other funding increases to the State.

F. Contact Information

Name: Tony Gioia,
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Title: Mayor, Town of Camp Verde
Email: towncouncil@cvaz.org

Consider Impacts on Rural Areas in Transportation Funding Decisions

RESOLUTION #14

Urges the Legislature to protect the few remaining perennial Rivers and Streams in the State of Arizona by enabling local watershed decisions on water resources.

Submitted by:

Town of Camp Verde, Town of Jerome, City of Douglas, Town of Buckeye

A. Purpose and Effect of Resolution

Similar to the proposal by those concerned about the San Pedro Watershed, the Legislature is urged to enable the creation of Special Watershed Districts. Empowered by the voters, these Watershed Districts would have the authority to make local decisions (within the confines of State law) concerning water supplies, groundwater pumping, aquifer depletion, surface water protection, etc.

The Verde River is one of the five designated Wild and Scenic Rivers and one of the ten most endangered rivers in the United States. Many endangered species occupy this corridor. A large riparian ecosystem exists here and it truly sustains a large population of our human culture in this arid Southwest. In addition to these features, like the other few perennial Arizona rivers and streams, the Verde River provides recreational opportunities which contribute to the economy of the many communities through which the Verde River flows. Finally the Verde River is a substantial source of water for the communities it flows to and through.

B. Relevance to Municipal Policy

Protecting the State’s scarce renewable water resources is critical to our existence and the economic viability of our future. Formulating plans and making decisions on a local level is synonymous with setting a course for a region’s future. There certainly may be severe economic consequences for not managing water on a regional basis, along with the possible impacts of federal actions or lawsuits due to endangered species issues. Because growth and water are the biggest concerns of Arizona watersheds, municipalities should have some control over their destiny.

C. Fiscal Impact to Cities and Towns

Municipal costs are dependant on the degree of involvement in a watershed and the extent of any regional projects.

D. Fiscal Impact to the State

Depending on the structure of Special Watershed Districts the State may see a reduction in its costs and responsibilities.

E. Contact Information

Name: Tony Gioia,
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Title: Mayor, Town of Camp Verde
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RESOLUTION #15

Supports state and federal funding for Arizona cities and towns that take steps to improve and preserve the quality of the waters of the state, including its groundwater, lakes, rivers and streams.

Submitted by:

Lake Havasu City, Bullhead City, City of Kingman, the Town of Parker

A. Purpose and Effect of Resolution

Recognizes and supports the efforts of communities in Arizona that must take significant steps to remediate and/or protect ground and surface waters of the state. Supports efforts of regional organizations such as the Colorado River Regional Sewer Coalition (CRRSCo) to obtain state and federal assistance for communities required by state and federal agencies to invest in infrastructure projects to protect groundwater and surface water quality. For example, the Colorado River is the most significant river of the American Southwest, providing fresh water, power, recreational opportunities and food for over 20 million Americans, including millions of Arizonans living in Mohave, La Paz, Yuma, Maricopa and Pima counties. The financial responsibility for mitigating potential threats to this significant natural resource, however, has been placed on the backs of Arizona citizens who happen to live along the River. Large numbers of septic tanks and overloaded and aging wastewater collection and treatment facilities contribute potentially harmful nitrates to groundwater systems that are used for local water supplies. Some of these aging systems have the potential to impact water quality of lakes, rivers and streams. These conditions exist in many growing rural and formerly-rural communities in Arizona. Excessive intake of nitrate contaminants can cause serious health effects, such as increased rates of cancer, birth defects, miscarriage, reduced body growth, thyroid problems, and even death. The River communities of Bullhead City, Lake Havasu City and the Buckskin Sanitary District have already taken on huge debt in order to eliminate nutrient pollution and to improve and protect the quality of groundwater adjacent to and under the influence of the Colorado River. This resolution is important to all communities, not only those that receive water from the Colorado River, but any community in the state that is forced to take on infrastructure projects that the state may deem necessary to protect its waters.

B. Relevance to Municipal Policy

Municipalities are trusted to undertake public works projects needed to protect local natural resources. Some communities, such as Bullhead City, Page and Lake Havasu City, have been mandated or were under the threat of a mandate with no financial support by the state to undertake massive infrastructure projects to improve and protect the waters of the state. All Arizonans benefit from these projects, especially those who rely on the Colorado River, including residents of Phoenix and Tucson, but the state has forced only the citizens living in a few communities to pay for them. The state and federal agencies responsible for monitoring the quality of the waters of the state must also share in financial responsibility when threats are identified and must be addressed at the local level.

C. Fiscal Impact to Cities and Towns

The CRRSCo organization stands ready to allocate federal funds to help communities offset the high cost of constructing new wastewater collection and treatment systems or to renew or replace aging systems along the Colorado River. State assistance in the form of grants, income tax credits, or simple budget allocation, would also help offset construction costs and ease the financial burden for those citizens who live in Arizona communities that are subject to a consent decree from the state.

D. Fiscal Impact to the State

Federal funding allocations have no direct fiscal impact to the state. The level of assistance authorized by the state would be limited by either statute or available budget appropriation determined via the legislative process.

E. Contact Information

Name: Charlie Cassens
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Title: Intergovernmental & Communications Affairs Manager
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Support Funding for Water Quality

RESOLUTION #16

Support statewide ballot initiative to exempt cities and towns from the auction process for the acquisition of Arizona State Trust Lands for essential public right-of-ways.

Submitted by:

Lake Havasu City, Bullhead City, City of Kingman

A. Purpose and Effect of Resolution

Arizona has over nine million acres of land currently held in trust for the common schools. Trust law is a state constitutional measure that requires Trust lands be sold or leased for their highest use and highest appraised value to the highest bidder at public auction. Earning money for Arizona's public schools is the primary mission of the Trust; however, burgeoning values for Trust land assets renders acquisition for essential public right-of-way purposes unattainable for most municipal entities. Making the acquisition of public right-of-way less burdensome for municipalities would accelerate economic development in the state, provide efficient public transportation corridors and further enhance the value and desirability of adjacent state lands and other properties. The acquisition of Trust land for public right-of-way purposes would enable adjacent Arizona communities to actively plan for the construction of transportation corridors and connecting thoroughfares in, around and between communities. These corridors would ease growing commuter concerns, provide alternative routes for commerce and improve public access to surrounding State Trust lands, making them even more attractive to developers and increasing their value to the schools.

B. Relevance to Municipal Policy

Trust lands are a substantial component of the process under Arizona's 1998 Growing Smarter program and are integrated into the General Plans of many communities across the state. Some communities, like Lake Havasu City for example, are virtually surrounded by Trust land that is needed for necessary public roads and infrastructure, but can only be acquired at public auction for the highest possible value. This situation holds hostage the economic development potential of those Arizona communities that simply cannot afford to pay resort property prices for land needed for a road.

C. Fiscal Impact to Cities and Towns

Fiscal benefits for cities and towns that must otherwise indebt their citizens to acquire Trust lands for needed public right-of-way. Improved access increases the development potential for undeveloped land, thereby expanding the economic base of the community and the state.

D. Fiscal Impact to the State

Any perceived loss of immediate revenue for the Trust would be offset by the economic benefits that result from the improved public access and subsequent enhanced value and development potential for the adjacent Trust lands and other properties.

E. Contact Information

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RESOLUTION #17

Urges the Governor and Legislature to recognize the distinction between County and municipal governing powers, their authority and limitations of each. Urges the Legislature to encourage better spirit of cooperation between counties and municipalities in developing solutions to conflicts that occur as a result of one governing body deferring responsibility to the other.

Submitted by:

City of Avondale, City of Peoria

A. Purpose and Effect of Resolution

To elevate the dialogue between municipal and county governments and ensure that municipalities are not negatively impacted by the failure of county governments to address issues that fall under their jurisdiction.

B. Relevance to Municipal Policy

In recent years, cities have been faced with responsibilities that counties were once provided of the county. Examples include air quality monitoring and enforcement, fire protection to county islands and the enforcement of military statutes that affect Auxiliary 1 Field at Luke Air force Base. Additionally, in recent years municipalities have incurred significant increases the cost of providing county services. A better spirit of cooperation between county and municipal governing entities will assist in developing solutions to conflicts that affect mutual constituencies and help prevent legislative intervention or action.

C. Fiscal Impact to Cities and Towns

Continued *cost transfers* from the county will further push expenses from the County onto municipalities.

D. Fiscal Impact to the State

This resolution does not require any state funding.

E. Contact Information

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RESOLUTION #18

We need a clear legislative statement allowing us to withhold critical infrastructure maps, water resource locations and/or telecommunications paths from public records requests on the basis of security. We would also want to require the utilities and telecommunication infrastructure providers to give us this information.

Submitted by:

City of Surprise, Town of Buckeye

A. Purpose and Effect of Resolution

Telecommunications providers will not provide fiber network maps for city use. Network maps are required in order for our public safety officers to know their location and to monitor for any tampering. Qwest has stated that they would be willing to provide network maps to cities, but only if the maps are not made public. However, there is general consensus that any maps made available to us would be under the public records provisions and would have to be divulged upon request. This poses a homeland security issue regarding the protection of critical infrastructure.

Case law does seem to provide an exemption to the public records provisions, but an express declaration is needed from the Legislature to provide clarity.

B. Relevance to Municipal Policy

Cities and their public safety officials will be able to better plan for the protection of critical public infrastructure.

C. Fiscal Impact to Cities and Towns

No fiscal impact known.

D. Fiscal Impact to the State

None.

E. Contact Information

Name: Randy Jackson
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RESOLUTION #19

Urge the State Legislature to fund and collaborate with Burlington Northern-Santa Fe (BNSF) and Union Pacific (UP) railroads for the expansion of freight capacity and the development of commuter rail as part of a multi-modal solution to Arizona's growing transportation issues.

Submitted by:

City of Surprise, City of El Mirage, City of Tucson

A. Purpose and Effect of Resolution

The purpose of this resolution is to address BNSF and UP's expansion of freight capacity and explore all the funding mechanisms to provide an alternative form of transportation. A commuter rail system that uses existing freight-train routes throughout the state and creates a multi-modal transportation system.

B. Relevance to Municipal Policy

All communities would benefit from expanding multi-modal options within the state. This system would assist in alleviating congestion in major transportation corridors and also address the state's air quality measures.

C. Fiscal Impact to Cities and Towns

Cities and towns will explore all funding mechanisms to expand freight capacity and develop a commuter rail system. Until the funding sources are identified, the fiscal impact to cities and towns cannot be estimated.

D. Fiscal Impact to the State

Until the funding sources and mechanisms are identified, the fiscal impact to cities and towns cannot be estimated.

E. Contact Information

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RESOLUTION #20

Urges the Legislature to exempt court buildings, facilities and court rooms from gun storage locker requirements prescribed in ARS 13-3102.01; and place court buildings, facilities and court rooms under the same exemption enjoyed by licensed liquor establishments as outlined in ARS 13-3102.01(B).

Submitted by:

City of Bullhead City, Lake Havasu City, City of Kingman

A. Purpose and Effect of Resolution

The purpose of this exemption is to increase the safety of any person conducting business, visiting or working in a court building, facility or courtroom. The overall effect would be a stipulation that no deadly weapons would be allowed in any court building, facility or courtroom regardless if a gun storage locker is available. Courtrooms are one of the most volatile public environments where individual's personal rights, families and property are directly affected by court action. When people are imprisoned, families are separated or property lost, people can and do act out in violent displays up to and including shooting the other party, the court personnel and innocent bystanders. Courts in some larger jurisdictions have full-time security staff and the budget to afford to enforce such things as gun lockers and personal screening. Some mid-size jurisdictions have more limited resources and, therefore, more limited security measures. Many small jurisdictions have no security whatsoever, other than a sign on the door. Here, criminal defendant's can be appearing in the courtroom with a gun in their belt.

B. Relevance to Municipal Policy

An exemption for courts would stipulate that regardless of whether a gun storage facility was available or not, deadly weapons would not be permitted in any court building, facility or courtroom. Court officials would be empowered to require court patrons to remove any weapon prior to the commencement of any court proceeding. The safety of those inside the courtroom would be increased as the opportunity for a spontaneously violent reaction to a ruling or decision would be diminished.

C. Fiscal Impact to Cities and Towns

Prior legislation has mandated that cities expend funds to provide for gun storage facilities. This exemption in policy however, would not require additional expenses beyond what was called for prior to the adoption of A.R.S. 13-3102.

D. Fiscal Impact to the State

No potential fiscal impact to the State. An appropriation or grant from the State Legislature could be a potential resource to assist smaller cities and towns with the costs of providing gun storage lockers.

E. Contact Information

Name: Rob LaFontaine
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RESOLUTION #21

Urges the Legislature to vest non-peace officer, municipal code enforcement employees with authority to cite ordinance violators with criminal misdemeanor and petty offense(s) using the Arizona Traffic Ticket and Complaint Form. The proposed statute attached establishes procedural safeguards and training standards. The governing board of a city or town is also required to authorize by ordinance.

Submitted by:

City of Bullhead City, Lake Havasu City, City of Kingman

A. Purpose and Effect of Resolution

Municipalities statewide are increasing efforts to enforce nuisance, property maintenance and zoning ordinances to improve the quality of life in their communities and a time-consuming long form criminal complaint process utilizing the time of prosecutors and judges is an inefficient use of criminal justice resources. Non-peace officer municipal code enforcement employees whose duties include enforcement of any law, ordinance or rule that has criminal penalties, have no specific authority from the legislature to utilize the Arizona Traffic Ticket and Complaint Form to cite ordinance violators for criminal misdemeanor and petty offense crimes. Presently, the officers must draft a long form criminal complaint for review by a prosecutor who then swears to the charge before a judge and then the long form complaint is served on the defendant, or sent a summons by the court. This is a time-consuming process for enforcement of nuisance, zoning and property maintenance violations with misdemeanor or petty offense penalties.

The effect of the legislation would authorize municipalities the option to vest municipal code enforcement officers with the authority to use the Arizona Traffic Ticket and Complaint form to charge a person when a misdemeanor or petty offense has been committed in their presence and there is probable cause to believe the person to be cited has committed the criminal offense(s). The officer shall only cite and release a person that signs the written promise to appear and shall seek the assistance of a peace officer if a physical arrest of the person is necessary.

B. Relevance to Municipal Policy

The governing body of a city or town may provide by ordinance that municipal code enforcement officers may use the Arizona Traffic Ticket and Complaint form approved by the Arizona Supreme Court to charge municipal code violators.

Enforcement personnel need to have adequate training in the criminal justice process to avoid civil liability issues for cities and towns. The proposed statute would generally follow the requirements and procedures that law enforcement officers must observe and establishes education, training and experience qualifications. Municipal code enforcement officers who meet the following requirements for training, education or experience would be qualified to criminally cite persons with the Arizona Traffic Ticket and Complaint form so long as they have: (1) successfully completed Arizona Peace Officer Standards training (AZ POST) from a police academy as prescribed in ARS § 41-1822(A) or AZ POST acceptable equivalent within five years of the date of hire; or (2) completed sixty college credits from an accredited U.S. educational institution of higher learning with at least forty college credits in the study of U.S. Federal and State Constitutional Law, U.S. Criminal Procedure, U.S. Criminal Law including the laws of arrest, search and seizure and the American Justice System within five years of the date of hire; or (3) retired as a peace officer from an American jurisdiction, with at least twenty years of peace officer experience, within the last five years of the date of hire.

NOTE: A similar resolution was offered last year and not approved. This issue has new traction as a result of the Arizona Supreme Court case Roubos/Kttl vs. Miller, City of Tucson Real Party In Interest No. CV-06-0181-PR, March 20, 2007, which held; civil infraction proceedings constituted civil actions for purposes of a statute that allowed for an attorney fee award to the defendant, that prevailed in a civil action brought by a city.

C. Fiscal Impact to Cities and Towns

Return in costs of labor and resources for ordinance enforcement by code enforcement officers. Cities and towns would avoid the possibility of paying the defendant's attorney's fees in unsuccessful civil enforcement proceedings.

Allow Code Enforcement Employees to Issue Citations

RESOLUTION #21

D. Fiscal Impact to the State

None.

E. Contact Information

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Allow Code Enforcement Employees to Issue Citations

RESOLUTION #22

This resolution urges the State Legislature to address the funding shortfall for the state's telecommunications revolving fund.

Submitted by:

City of Phoenix, City of Litchfield Park, City of Mesa, City of Peoria, City of Tucson

A. Purpose and Effect of Resolution

New communication technologies have placed additional burdens on public safety answering points (PSAP's). In order to let 911 operators know important information such as wireless phone callback numbers and wireless user geographical locations when users dial 911, computer networks need to be upgraded.

Several years ago, the state swept the revolving fund, in the amount of \$15 million. In addition, the legislature did not act when the monthly 911 fee decreased from 37-cents to the current 20-cents during the last three years, placing additional stress on the fund balance. State legislative action is needed to restore the swept funds and/or apply the current 911 fee on other telecommunication services.

B. Relevance to Municipal Policy

The original 1984 telecommunications funding legislation falls short of meeting the needs of today's population and technological advancements. Issues such as Geographical Information Systems, Wireless Technology, Training and Education are at the forefront of today's PSAP's needs. Enhancing current revenues are needed to cover the costs of upgrading our shared emergency communication systems.

C. Fiscal Impact to Cities and Towns

This resolution does not impact municipalities. There may be a one-time impact of \$15 million to the state.

D. Fiscal Impact to the State

The restoration of the \$15 million would more than likely be appropriated via the state budget process. Other funding could come in the form of taxes placed on telecommunication services that are currently not assessed the monthly 911 fee.

E. Contact Information

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RESOLUTION #23

Urges the State Legislature to enact legislation that would establish the State of Arizona as the pass-through entity to reallocate and redistribute in whole or part any P.I.L.T. payments (payment in lieu of taxes) from the United States Secretary of the Interior which are currently ONLY made directly to counties (units of general local government). Said proposed legislation would require sharing of P.I.L.T. with eligible Arizona cities and towns and/or other smaller units of general purpose government. This legislation is authorized by 31 United States Code, Chapter 69 (also known as P.L. 97-258, as amended).

Submitted by:

Town of Quartzite, Town of Parker

A. Purpose and Effect of Resolution

"Payments in Lieu of Taxes" (or PILT) are Federal payments to local governments that help offset losses in taxes due to nontaxable Federal lands within their boundaries. Public Law 94-565 establishes these payments. This resolution is being proposed because most Arizona counties who directly receive "Payments in Lieu of Taxes" (PILT) from the federal government do not share any of these funds with cities and towns that are impacted by federal entitlement lands within their boundaries.

In actuality, it is the cities, towns, and fire districts that provide most of the services on such lands (either within or bordering the entities' boundaries). The services are typically provided out of necessity due to distances, logistics, and the failure of BLM or Forest Service to have the resources to respond in a timely manner. Emergency services personnel are trained to respond when people need help to the detriment and expense of the entities' taxpayers (e.g. Quartzsite Police Department responded to over 2,000 calls from federal lands within and without the Town boundaries last year and the Quartzsite Fire District of approximately 300 calls). Municipal roads are impacted with heavily weighted RVs, travel trailers, and buses that HURF calculations do not take into effect when weighted towards permanent population.

PILT payments are intended to help fund vital services provided by local governments such as firefighting and police protection, construction of public schools and roads, and search-and-rescue operations. The Federal government views PILT payments as one of the ways that it can be a "good neighbor to local communities". See generally- <http://www.doi.gov/pilt/summary.html>

PILT payments go directly from the Federal government to the Counties under the current system. The reason this occurs is based upon the Federal government's interpretation and definition of "local government", which is reserved exclusively to joint municipal/county governments only in Alaska and, more importantly, in the remaining States to the counties. This definition is especially interesting considering that Arizona Counties are actually an "arm of the State of Arizona". Although the federal agencies allow sharing of PILT funds between the counties and municipalities, the decision to do so is left entirely within the Counties' own discretion. Frankly, most do not share and do not intend to ever share thereby absorbing the PILT monies into their general fund. Effectually, county governments merely ignore the fact that the bulk of expenses for services are being borne solely by the affected municipalities. In other words, the counties actually can "have their cake and eat it too".

Neither Parker nor Quartzsite, being the only two incorporated entities in La Paz County receives any PILT funds from La Paz County even though in 2006 the County receives \$1,070,982 in PILT funds from BLM reflecting 1,829,124 of federal acres. The same holds true for any other special district within La Paz (i.e. Quartzsite Fire District, Quartzsite School District, etc.). This inequity is clearly evident after revealing that the Town of Quartzsite has several large Long Term Visitor Areas (LTVAs) operated by the Bureau of Land Management within its boundaries. Winter visitors primarily camp-out at these LTVAs and pay nontaxable lease amounts for far less than those charged by local RV Parks, thereby affecting the Town's local businesses and collection of local sales tax revenues. The Town not only provides services in the form of public safety, environmental, social services, and transportation to the individuals that use the federal facilities, but also, assist the BLM as "good neighbors" in providing services to areas outside the Town's jurisdictional boundaries due to exigent/emergency circumstances, as well as the distance between the LTVAs and BLM's office in Yuma. In addition, the Quartzsite Fire District (a special district) provides services to BLM land without any remuneration.

Establish the State as the P.I.L.T. Pass Through Entity

RESOLUTION #23

The same holds true for the Town of Parker, which provides law enforcement to BLM land. The Parker Fire Department (a special district) provides service to these lands also. We know that this is true within other Arizona jurisdictions, as well. (The City of Page has also indicated a concern over the refusal of the Counties to equitably share PILT monies.) There is an option in federal law/regulation that allows the State to distribute the PILT funds as a pass-through entity. The State of Wisconsin is the only state that currently opts for this alternative. Redistribution or reallocation of PILT can be more equitably and fairly shared if the State of Arizona controls such distribution. This can be accomplished through the implementation of 31 U.S.C.A., Chapter 69, P.L. 97-258-Section 6907, which states:

"State legislation requiring reallocation or redistribution of payments to smaller units of general purpose government

(a) Notwithstanding any other provision of this chapter, a State may enact legislation which requires that any payments which would be made to units of general local government pursuant to this chapter be reallocated and redistributed in whole or part to other smaller units of general purpose government which

- (1) are located within the boundaries of the larger unit of general local government,
- (2) provide general governmental services and

(3) contain entitlement lands within their boundaries. Such reallocation or redistribution shall generally reflect the level of services provided by, and the number of entitlement acres within, the smaller unit of general local government.

(b) Upon enactment of legislation by a State, described in subsection (a), the Secretary shall make one payment to such State equaling the aggregate amount of payments which he otherwise would have made to units of general local government within such State pursuant to this chapter. It shall be the responsibility of such State to make any further distribution of the payment pursuant to subsection (a). Such redistribution shall be made within 30 days after receipt of such payment. No payment, or portion thereof, made by the Secretary shall be used by any State for the administration of this subsection or subsection (a).

(c) Appropriations made for payments in lieu of taxes for a fiscal year may be used to correct underpayments in the previous fiscal year to achieve equity among all qualified recipients."

Counties have argued that PILT should not be shared because they feel that the municipalities do not have a legal obligation to respond to individuals on federal lands and that, if they do, the municipalities are "paid back" through the generation of local sales tax from those individuals. Although there is some minimal logic in their reasoning; however, the fact is, that most Counties do not typically supply any resources or "general governmental services" (See Section 6907(a)(2) above, supra) towards the eligible federal lands in question and only garner the rewards and monetary windfall to supplement their general fund budgets. This mode of operation is not unlike the present situation where the County (without having to lift a finger) reaps the property tax benefits from the municipality's diligence, time, and expense in attracting, courting, and processing new development within the city or town. In addition, the failure of the municipal entity or fire district to respond, goes against the training and philosophy of most emergency services personnel and can result in unnecessary defense costs in legal actions. (e.g. the Quartzsite Fire District has a perfect example of having to defend against a decision to not respond even though the victim was outside the District's).

Based upon the foregoing, this Resolution is proposing legislation for the State of Arizona to activate the federal option to distribute PILT funds as a pass-through entity. Clearly, the State would be politically inclined to distribute portions of the monies to all local entities, including not only the counties, but impacted cities and towns as well. The Counties would know that State politics may substantially affect their bottom-line in this matter. As a result, the mere action alone of the League pursuing such legislative fix would surely bring the stubborn counties to the negotiation table. Moreover, the "Fire District Association" surely would be supportive of such legislative change in the distribution of PILT and could partner with the League on lobbying this matter.

B. Relevance to Municipal Policy

According to the federal formula established by the PILT law, there are three categories of entitlement lands:

· Federal lands in the National Forest System and the National Park System, lands administered by BLM, lands in Federal water resource projects, dredge areas maintained by the U.S. Corps of Engineers, inactive and semi-active Army installations, and some lands donated to the Federal government (section 6902 payments)

· Federal lands acquired after December 30, 1970, as additions to lands in the National Park System or National Forest Wilderness Areas (section 6904 payments)

Establish the State as the P.I.L.T. Pass Through Entity

RESOLUTION #23

Federal lands in the Redwood National Park or lands acquired in the Lake Tahoe Basin near Lake Tahoe under the Act of December 23, 1980, (Section 6904 or 6905 payments).

Several of the League's entities have these types of entitlement lands within their boundaries. Most Counties refuse to share the amounts received in PILT with smaller units of general local governments. This includes Fire Districts as well.

The BLM indicates on its website under "FAQ" that, "Eligibility for payment under the PILT program is reserved for local governments (usually counties) that provide services such as those related to public safety, environment, housing, social services, and transportation. Payment is made directly to the eligible local government unless the state government chooses to enact legislation (under guidelines prescribed in section 6907 of P.L. 97-258) to receive the payments and, in turn, pass the money on to other smaller governmental units located within the counties (Wisconsin is the only State currently employing this option)." See <http://www.doi.gov/pilt/faq.html> and <http://www.doi.gov/pilt/chapter69.html>. Section 6902 of P.L. 97-258 states that PILT payments may be used by recipients for any governmental purpose and are not required to be further distributed by recipients (usually counties) to other local government units such as school districts or cities.

Enactment of this Resolution would affect the current system of direct payments of PILT funds to Arizona Counties and require the State of Arizona to distribute these monies as a pass-through entity. Political influence of the affected cities and towns would assure that the State would equitably devise and apply a fair distribution formula to eligible entities, including municipalities.

C. Fiscal Impact to Cities and Towns

The Federal Law recognizes the inability of local governments to collect taxes on Federally-owned land, although such lands negatively impact those governments. This creates a financial impact on local entities. However, the law only recognizes county government as the "local unit of general government" in situations where the State has not specifically been designated to pass-through these funds for reallocation or redistribution to those governmental entities impacted by federal lands.

For this reason the federal law provides for the State to enact legislation as provided for in section 6907 of P.L. 97-258 to receive the payments normally made directly to the federally recognized "local government" (i.e. County) and to pass-through this money on to other smaller governmental units located within the counties. The State of Wisconsin currently applies this federal option to distribution of PILT funds. Because the State cannot retain any portion of the PILT funds for the administration of the distribution/allocation, the only fiscal impact to eligible Cities and Towns may be the need to negotiate an Intergovernmental Agreement (IGA) with the State of Arizona for subsequent reimbursement of any costs or expenses associated with said distribution.

D. Fiscal Impact to the State

P.L. 97-258-Section 6907(b), states in pertinent part that:

"No payment, or portion thereof, made by the Secretary shall be used by any State for the administration of this subsection or subsection (a)."

This would create a fiscal impact to the State; however, surely the benefiting entities could contract for such distribution services offered by the State through intergovernmental agreement. In the alternative, there may be other unrelated legislative issues that can be used in negotiations to favor the State as a means of offset for these distribution services.

Clearly, the fiscal impact would be greatly felt by the Counties that would be forced to rightfully share the funds with the entities that truly incur the costs. Obviously, the Counties' funds would drastically be reduced, and therefore, even the mention of pursuing such legislation may bring the counties to the bargaining table.

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Establish the State as the P.I.L.T. Pass Through Entity

RESOLUTION #24

Support for enhancing transportation funding.

Submitted by:

Town of Buckeye, City of Avondale, Town of Queen Creek

A. Purpose and Effect of Resolution

The purpose of the resolution is to support the enhancement of transportation funding sources. Arizona is now the fastest growing state in the nation and State transportation funding should be elevated to a level that provides adequate resources for planning and delivering additional transportation infrastructure to keep pace with the State's growth.

The effect is to alleviate the State's urgent transportation needs and prevent future areas of traffic congestion.

B. Relevance to Municipal Policy

This resolution will provide the economic security necessary to maintain the upkeep of current transportation infrastructure and keep pace with future transportation needs.

Transportation must remain an urgent priority for State lawmakers because of the impact this issue has across all State agenda items. In effect, adequate transportation infrastructure is a conduit to a strong economy.

C. Fiscal Impact to Cities and Towns

Potential to provide additional transportation funds for local, regional projects. With an improved transportation system, businesses will become more productive and will have a positive impact on the economies of the cities and towns in which they are located.

D. Fiscal Impact to the State

Potential to provide additional transportation funds for state projects. With an improved transportation system, businesses will become more productive and will have a positive impact on the State's economy.

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RESOLUTION #25

Urges the State Legislature to enable municipalities to enter into agreements with counties to provide for inter-jurisdictional transfer of development rights.

Submitted by:

City of Tucson, City of Peoria, City of Yuma

A. Purpose and Effect of Resolution

A.R.S. section 11-821.03 enables counties to develop programs that will permit development rights (density of development) to be transferred from one piece of property to another. The county statute permits, on consent of both property owners, development rights to be transferred from a sending property to a receiving property on the condition that the sending property then be protected from certain types or amounts of development. While the sending property has its density reduced, the receiving property may develop more intensely than would otherwise be allowed.

Development rights transfer programs have been successfully implemented in many other states.

B. Relevance to Municipal Policy

In responsibly managing the health, welfare and safety of their residents, local elected representatives are charged with appropriately planning and encouraging growth while addressing the public's call for community amenities.

A statute that would allow local governments to facilitate the transfer of development rights among property owners, would enable local governments to encourage needed infill development while simultaneously providing for open space management or neighborhood protection that is demanded by the constituents.

This transfer mechanism does so without negatively affecting property rights. A program implemented in cooperation with a county would permit rural preservation while directing development in to more appropriately suited urban areas.

C. Fiscal Impact to Cities and Towns

No anticipated fiscal impact to municipalities.

D. Fiscal Impact to the State

This legislation would not impact the State.

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