

ADDENDUM TO THE AGENDA



**REGULAR SESSION
MAYOR and COMMON COUNCIL
of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, AUGUST 17, 2005
6:30 P.M.**

Regular Business:

- 8. Discussion, consideration, and possible direction to staff to negotiate terms and costs of contract for the evaluation of Camp Verde Water System. (This is an item in the Capitol Improvement Plan that has not yet been funded)**
- 9. Discussion, consideration, and possible direction to staff concerning the Tischler proposal for Development Impact Fees. (This is an unbudgeted item)**

Mayor Gioia requested items 12 & 13:

- 13. Discussion, consideration, and possible approval of the following resolutions submitted by the Town for consideration at the annual League of Cities and Towns conference.**
 - c. Urging the Legislature to repeal the Request for Qualifications (RFQ) bidding process.**

Posted by: U Jones

Date/Time: 8-16-05 3:45 p.m.

Note: Pursuant to A.R.S. §38-431.03.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.

**LEAGUE OF ARIZONA CITIES AND TOWNS
2005 RESOLUTION**

Urges the Legislature to repeal the Request for Qualifications (RFQ) bidding process.

Submitted by: Town of Camp Verde

- A. **Purpose and Effect of Resolution**
This resolution urges the Legislature to repeal the RFQ legislation.

- B. **Relevance to Municipal Policy**
The RFQ process requires that price negotiations begin *after* a contractor has been selected based on qualifications. The RFQ process has resulted in difficulty in the course of budget planning. In addition to the confusion the RFQ process has caused, we find that a great amount of staff time as well as the time and expenses the contractor incurs, is wasted when the price is outside budgetary constraints. This can be avoided if the price is provided in the same manner as the RFP process.

- C. **Importance of Resolution to your City or Town**
Repeal of the RFQ process has created difficulty in selecting a contractor for a desperately needed project. The ability to award a contract based on price is extremely vital to fiscal health of our community.

- D. **Fiscal Impact on Cities and Towns**
This could have a profound impact on cities and towns through the saving of staff time, the expenses related to advertising and negotiations, and would allow for greater budgetary control.

- E. **Fiscal Impact to the State**
The State would realize the same benefits.

**SECOND
ADDENDUM TO THE AGENDA**



**REGULAR SESSION
MAYOR and COMMON COUNCIL
of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, AUGUST 17, 2005
6:30 P.M.**

Regular Business:

- 15 a. Discussion, consideration, and possible direction to staff regarding resignation of previous Town Magistrate, Lyndall McElhaney. (Council may vote to go into Executive Session pursuant to ARS §38-431.03(A)(!))**

Posted by: J Paulsen

Date/Time: 8/16/05 11:37 AM

Note: Pursuant to A.R.S. §38-431.03.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.

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AGENDA



**REGULAR SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, AUGUST 17, 2005
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 to minimize disruption of tonight's meeting.

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) Work Session – August 10, 2005
- 2) Regular Session – August 3, 2005
- 3) Executive Session – August 3, 2005
- 4) Council Hears Planning & Zoning – July 27, 2005

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

- 1) Council Hears Planning & Zoning – August 24, 2005 at 6:30 p.m. – **CANCELLED**
- 2) Work Session – August 24, 2005 – August 24, 2005 at 3:00 p.m.
- 3) Regular Session – September 7, 2005 at 6:30 p.m.
- 4) Work Session – September 14, 2005 at 2:30 p.m.
- 5) Regular Session – September 21, 2005 - **CANCELLED**
- 6) Work Session – September 28, 2005 at 3:00 p.m.

c) **Possible approval of Proclamation proclaiming September as Grandparent/Elder Recognition Month.**

d) **Possible approval of Proclamation declaring September 8 as International Literacy Day and the month of September as International Literacy Month.**

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

6. **Discussion, consideration, and possible approval of Ordinance 2005-A311, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County Arizona, amending Section 2-3-1 of the Town Code.** This ordinance amends Regular Meetings as follows: regular & planning/zoning meetings are set for the first and third Wednesdays at 6:30 p.m. and work sessions are set for the second and fourth Wednesdays of each month.

7. **Discussion, consideration, and possible approval of the fare for the Dial-a-Ride program.**

8. **Discussion, consideration, and possible direction to staff to negotiate terms and costs of contract for the evaluation of Camp Verde Water System.**

9. **Discussion, consideration, and possible direction to staff concerning the Tischler proposal for Development Impact Fees.**

10. **Possible approval of Resolution 2005-652, Development Agreement with Mark Weiland property owner and the Camp Verde Water System – a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving the development agreement between the Town, Mark Weiland, and the Camp Verde Water System for the expansion of the water system to the Lucky Canyon Subdivision located off of Salt Mine Road in the Town of Camp Verde, and authorizing the Mayor to execute the agreement.**
11. **Discussion, consideration, and possible direction to staff concerning financial reporting issues, policies, procedures, and authorities.**

Mayor Gioia requested items 12 & 13:

12. **Discussion, consideration, and possible approval to become a Government Member of Arizona Heritage Alliance, a group that works together to maintain the long-term viability of the Heritage Fund.** The \$500 membership fee is an unbudgeted item from the General Fund.
13. **Discussion, consideration, and possible approval of the following resolutions submitted by the Town for consideration at the annual League of Cities and Towns conference:**
 - a. **Urging the Legislature to support efforts to preserve and fully subsidize the Arizona State Parks Heritage Fund through full allocation of state lottery monies to the Fund as directed by the voters.**
 - b. **Urging the Legislature to adopt legislation permitting digital record storage of original documents.**

Councilor Smith requested item #14:

14. **Discussion, consideration, and possible direction to staff concerning the development of an ordinance limiting the sale of over-the-counter medications used in the production of dangerous and illegal drugs.**
15. **Call to the Public for Items not on the Agenda**

There will be no Public Input on the following items:

16. **Advanced Approvals of Town Expenditures**
17. **Manager/Staff Report**
18. **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.
19. **Adjournment**

Posted by: 

Date/Time: 8-12-05 11:15 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.

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**MINUTES
WORK SESSION
MAYOR and COMMON COUNCIL
of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, AUGUST 10, 2005
2:30 P.M.**

1. **Call to Order**
Mayor Gioia called the meeting to order at 2:32 p.m.
2. **Roll Call**
Mayor Gioia, Vice Mayor Baker, Councilors Hauser, Kovacovich, Parrish, and Smith were present. Councilor Teague arrived at 2:26 p.m.

Also Present

Manager Bill Lee, Community Development Director Will Wright, Sr. Planner Nancy Buckel, Finance Director Dane Bullard, Parks & Recreation Director Lynda Moore, and Town Clerk Deborah Barber

3. **Presentation by CH2MHill concerning water system evaluations.**
CH2MHill representatives provided a PowerPoint presentation on their company's experience in utility company evaluations, a copy of which is attached. Representatives answered questions from Council.

Public Input

Harve Stanley asked if there would be a water conservation component.

4. **Presentation by Doug Stroh concerning the new library facility.**
Doug Stroh presented renderings of the proposed building and described the floor plan. The library and meeting rooms will be located on the first floor and administrative offices on the second floor.

Public Input

Harve Stanley asked if green standards would be considered in the construction.

5. **Discussion, consideration, and possible direction to staff concerning financial reporting issues, policies, procedures, and authorities.**
Council spoke to this item at length, expressing concerns about the lack of cash handling procedures, conducting raffles, the lack of financial accountability, the inaccurate reporting, special events that negatively affect the merchants they are supposed to help, selling liquor and the associated liability, and receiving information when it is requested. Council members also agreed that it had been made clear that staff hours, including comp time and overtime, were to be tracked as expense items directly related to the event. Council members also agreed that it was unacceptable to wait this length of time for information, and that the Finance Director should have financial information readily available as public record.

Lee and Bullard advised that procedures are being developed to address these items.

Public Input

Lynda Moore apologized for the frustration Council felt. She advised that staff had been very busy, that these reporting requirements were new, and that everything would go much better in the future.

Charlotte Salsman agreed that there should be accountability and financial safeguards in place.

6. Presentation by Paul Tischler concerning development impact fees.

Mr. Tischler described his experience in preparing studies for communities considering development impact fees, and explained how they must be used.

Jack Blum suggested that Council consider adding the fees to support the increased needs of the Fire District. Baker said that she thought that this would require an IGA between the Town and the District. Dave Fackler agreed that the fee would likely be permitted and would require an IGA.

7. Presentation by Burgess & Niple concerning water system evaluations.

Burgess and Niple representatives provided a PowerPoint presentation on their company's experience in utility company evaluations, a copy of which is attached. Representatives answered questions from Council.

There was no public input.

8. Discussion of possible economic incentives and infrastructure improvement district for the SR 260 access road system.

Dave Fackler of NFPD discussed the pros and cons of improvement districts and urged Council to first get what they could from the state, county, and the developers. He pointed out that there is a high cost associated with the state limiting access to properties. He advised that although an improvement district is a possibility, it is premature until it is known how 260 will be constructed. Council asked Fackler to come up with something for them to consider.

Public Input

Clive Jordan said that the Town could provide utilities and other services to a location, but that at some point, the owner/developer needs to step in with improvements. He suggested that Council consider bonding to fund projects such as this, and that he has experience working with bonding committees.

9. Sponsoring plaques for the lights along Main Street.

Council did not discuss this item.

10. Requiring developers to provide PowerPoint presentations depicting their proposals.

Council did not discuss this item.

11. Development of a residential fire sprinkler ordinance.

Will Wright explained that Council adopted the 2003 ICC Fire Code and sprinklers were required in buildings that are 5,000 square feet and over. Council discussed the need for requiring them for residences in high-density areas.

Jack Blum said that they should be required for garages and hallways since most fires start in the carport or garage and hallways are exits. He also asked if Council could enforce restrictions set up by the Fire District. Council asked staff to schedule a joint work session with the Fire District to discuss these concerns, as well as the need for development impact fees.

Public Input

Bob Johnson asked if the fire department would take their engine across the new Miller's bridge.

Clive Jordan said that Council was proposing to spend a lot of money and that if they were going to sell a bond issue, they should start soon.

12. **Purchase of remote microphones for the podium.**

Council did not discuss this item.

13. **Adjournment**

The meeting was adjourned at 6:34 p.m.

Tony Gioia, Mayor

Deborah Barber, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing Minutes are a true and accurate accounting of the discussion of the Mayor and Common Council of the Town of Camp Verde during the Work Session of the Town Council of Camp Verde, Arizona, held on the 10th day of August 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk

**MINUTES
REGULAR SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, AUGUST 3, 2005
6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Input is placed after Council motion 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 Baker, Councilors Smith, Kovacovich, Parrish and Teague were present; Councilor Hauser was absent.

Also Present: Town Attorney Bill Sims, Marshal Dave Smith, Town Clerk Debbie Barber, Sr. Planner Nancy Buckel, Special Projects Administrator Wendy Escoffier, Grants Administrator Carol Keefer, Deputy Town Clerk Virginia Jones and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Councilor Smith.

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

a) Approval of the Minutes:

1) July 20, 2005 – Regular Session

b) Set Next Meeting, Date and Time:

1) Work Session – August 10, 2005 at 2:30 p.m.

2) Regular Session - August 17, 2005 at 6:30 p.m.

3) Council Hears Planning & Zoning – Regular Session – August 24, 2005 at 6:30 p.m.

c) Possible authorization for Mayor to sign Juvenile Accountability Block Grant Form.

On a motion by Kovacovich, seconded by Baker, the Council unanimously approved the Consent Agenda as presented.

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

Ira Piper wondered if any of the members are aware that the Salt River Project is fencing off the river by the freeway bridge; signs have been posted indicating No Trespassing, and the only way down would be a walkway. Also there is another area on Oak Creek that is being fenced off.

There was a brief discussion with the Mayor including the response that perhaps it was caused by the issue of the Willow Fly Catcher and plans to reserve an area for a riparian habitat.

There was no further public input.

6. **Discussion, consideration and possible direction to staff regarding the concept of providing affordable rental housing in Camp Verde.**

On a motion by Teague, seconded by Baker, the Council directed staff to bring back to Council a development plan and strategy for low-income housing and rentals.

Town Clerk Debbie Barber's presentation reviewed the background of a project that was developed in connection with the issue of affordable housing in Camp Verde, introducing the team members consisting of Paul Harris with the Department of Housing, Coordinator; Wendy Escoffier, Carol Keefer and Nancy Buckel, staff members; and Paul Magallanez, Deputy Director with the City of Phoenix Department of Housing. After receiving scholarships to develop the

skills, knowledge and experience necessary for a successful housing development, and working with the Department of Housing, the team developed a project that the lending agencies have deemed fundable. Ms. Barber also outlined plans to form a Housing Commission to work on reviewing and implementing the strategy that has been developed; it is anticipated that the Council will be requested to make those appointments in September. Describing the project that the team designed, as well as sources of funding, Ms. Barber explained that the Council was now requested to provide direction to staff on whether or not to take the project from a virtual one to a reality.

Paul Harris, in a brief presentation followed by a discussion with the Council including input from the Town Attorney, reviewed the function of the Arizona Department of Housing and how it can work with the Town to help in efforts to create affordable housing and in community development activities; the funding sources and methods available to assist in those efforts were also reviewed.

There was no public input.

7. **Discussion, consideration and possible approval of Resolution 2005-651, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, supporting tourism efforts within the community and supporting the submission of a grant application by the Chamber of Commerce for Rural Community Assessment program Technical Assistance administered by the Arizona Office of Tourism.**

On a motion by Gioia, seconded by Kovacovich, the Council unanimously approved Resolution 2005-651, supporting tourism efforts within the community and supporting the submission of a grant application by the Chamber of Commerce for Rural Community Assessment program Technical Assistance administered by the Arizona Office of Tourism.

Carol Keefer, Grants Administrator, acknowledged individuals from the Chamber of Commerce, Roy Gugliotta, Chamber Director, and Kala Pearson, Board member. Ms. Keefer said that Mr. Gugliotta had alerted her to the grant opportunity available through the Arizona Office of Tourism (AOT) for technical assistance. Ms. Keefer said that with the help of Gugliotta and Pearson a grant proposal had been prepared that she believes stands a good chance, stressing that there is no money that will be required from the Town.

Mr. Gugliotta and Ms. Pearson provided input to explain how the program works and that the Chamber will be taking the lead working with AOT; he added that the Yavapai-Apache Nation has signed a similar resolution expressing their support for the program. Mr. Gugliotta and Ms. Pearson both commended Carol Keefer for her superior work and talent in preparing grant applications. During the discussion with Council Mr. Gugliotta also pointed out that using the name, "Main Street Merchants" is limiting and unfair since there are businesses in surrounding areas of Camp Verde; and confirmed that there would be no monies involved in supporting the program.

There was no public input.

8. **Discussion, consideration, and possible approval of SRP 2005-02: a request made by Jim Rohr for approval of a site plan for a commercial office complex to be located on parcel #404-30-007 (2.77 acres) and is zoned C2-4.**

On a motion by Smith, seconded by Kovacovich, the Council voted 6-1 to approve SRP 2005-02, approval of a site plan for a commercial office complex to be located on Parcel 404-30-007 (2.77 acres), and is zoned C2-4; with the addition of a right-turn lane and widening opening of driveway entrance, and eliminating the proposed sidewalk; with a 'no' vote by Teague.

Sr. Planner Buckel reminded the Council that at the last meeting this item was tabled until staff could review the issues that were raised at that meeting. The request for approval is now back

before the Council for a decision. Buckel referred to a memo from the Streets Inspector that had been distributed to the members that provided an assessment of the problem. Buckel reviewed the information and suggestions in the memo, and gave rough estimates of the cost differences between the sidewalk and the alternate asphalt overlay. As for a turning lane, Buckel has discussed with the applicant widening the driveway to accommodate larger vehicles, such as wide semi-trucks. The Council briefly discussed location of utilities and the safety aspects in connection with the proposed turning lane.

Jim Rohr, owner of the subject property, offered his expectations for the project, mainly to provide affordable rental units for small businesses, including those just starting out, and construct an attractive office complex that fits into the community. He discussed the points raised by the Streets Inspector, and as an alternate suggested ribbing the asphalt as the most inexpensive remedy to remind drivers to slow down. As for widening the entryway, Mr. Rohr said he would be willing to work with the Town on that suggestion. Displaying a map of the complex, and with input from the Construction Manager, **Dean Willet**, the members discussed with the applicant the options for providing a deceleration, or turning lane. There was a question of the suggested ribbing causing some hazard for drivers. Marshal Smith said he was unable to comment about what liability might be created; Attorney Sims said he felt the greater liability would result from motorists losing control going down a hill without some way to decelerate.

The Council discussion included a strong objection that imposing on the applicant the burden of providing the turning lane was unfair when adjacent businesses had not been required to do so, and the alternate suggestion that the Town bear the expense of providing the turning lane, which was met with strong disagreement. It was agreed that the applicant's proposed complex had presented the Town with a unique problem. The Council members discussed possible compromises with the applicant, with one suggestion that the requirement for a turning lane be imposed as a condition of approval, and then addressed at a later stage of construction, in order for the developer to proceed with the complex at this time in light of pressing financial issues. The applicant expressed his agreement with the suggested compromises, not only the turning lane issue but widening the driveway and doing away with the sidewalk. Staff was directed to look into possible financial incentives that might help the developer with the expense of the turning lane.

PUBLIC INPUT

Robert Johnson commented on how ribbing works on the highways, suggesting an existing location to review, and agreed that there is definitely a need for a right-turn lane.

John McReynolds, a former Council member, also agreed that a turn lane was a good idea for that area, and suggested that the creation of the right-turn lane should be done simply and safely at this time in anticipation of future work that the Sewer District may be doing in connection with the growth of Camp Verde.

There was no further public input.

(Mayor Gioia announced that Items 10 and 11 would be heard prior to Items 9 and 8a.)

8.a Discussion or consultation with the attorney for review/update of Town Code.

On a motion by Baker, seconded by Teague, the Council voted unanimously to go into Executive Session pursuant to ARS Sec. 38-431.03(A)(3).

(The meeting was adjourned to go into Executive Session at 8:43 p.m.)

(The Regular meeting was called back to order at 9:15 p.m.)

Council agreed that Jackie Baker, Chet Teague, Tony Gioia, the Attorney and staff members Bill Lee, David Smith, and Dane Bullard are to work on making corrections to the Town Code.

9. **Discussion, consideration, and possible direction to staff to prepare an ordinance amending Section 2-3-1 of the Town Code regarding Meeting Date and Times.**
On a motion by Teague seconded by Baker, Council directed staff to prepare an ordinance amending Section 2-3-1 of the Town Code regarding Meeting Date and Times, to set work sessions on the second and fourth Wednesday of every month at 3:00 p.m. and Regular Session on the first and third Wednesday of every month.

The Council discussed the proposal to change meeting dates and times and the explanation that it would provide the benefit of being able to thoroughly research and discuss issues at an informal Work Session to prepare for the next Council meeting, thereby eliminating time-consuming discussions at the formal meeting prior to taking actions. Mayor Gioia requested 'Call to the Public' be placed before the consent agenda.

10. **Discussion, consideration, and possible direction to staff on economic incentives and infrastructure improvement district for the Highway 260 access road system.**
There was no action taken.

Staff was directed to request the Town Manager to contact Dave Fackler to review the concept discussed, to add the Mayor's suggestions for inclusion in the Incentive Policy, and bring it back to Council for a Work Session.

Mayor Gioia explained that with the movement toward construction on Highway 260 and discussions of access roads he wanted to bring the issue to Council for discussion and perhaps add a District or include specific stipulations on the Town Development Incentive Policy; Gioia would recommend that the developers be required to build access roads on their properties off of the reconstructed 260, and reviewed methods for providing financial incentives. It was suggested that the issue could be discussed perhaps more thoroughly in a Work Session. Gioia agreed and explained that he was introducing the subject so that the rest of the Verde Valley would understand that Camp Verde is serious about the Highway 260 access issue. It was also agreed that the Work Session should include the property owners.

Attorney Sims said that the incentives suggested were great for a start, and a Work Session would be helpful. He strongly recommended development or impact fees as tools to use in offering incentives, and explained how that would work. Sims cautioned the Council that in essence waiving costs probably would not be correct legally, or wise, whereas the property owner could pay up front and then get a credit against all the fees in the future. He suggested adding into the Incentive Policy the development fee component and using the Downtown Redevelopment Zone to avoid property taxes, explaining how those would help to benefit the Town and the property owners.

It was agreed to move this item to a Work Session in order to delve deeply into the issue.

11. **Call to the Public for Items not on the Agenda**
There was no public input.

12. **Advanced Approvals of Town Expenditures**
There were no expenditures.

13. **Manager/Staff Report**
There was no report.

14. **Council Informational Reports**
Parrish stated he just returned from Northern California and there are houses going up everywhere, lots of truck traffic, and the tomatoes are ripe.

Teague stated there has been lots of rain, weeds, and football has started.

15. **Adjournment**

On a motion by Teague, seconded by Kovacovich, the meeting was adjourned at 9:57 p.m.

Tony Gioia, Mayor

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 meeting of the Town Council of Camp Verde, Arizona, held on the 3rd day of August, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk

**MINUTES
COUNCIL HEARS PLANNING & ZONING
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, JULY 27, 2005
6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
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Public input, where appropriate, is heard prior to the motion.

1. **Call to Order**

The meeting was called to order at 6:31 p.m.

2. **Roll Call**

Mayor Gioia, Vice-Mayor Baker, Councilors Smith, Hauser, Kovacovich and Teague were present; Councilor Parrish was absent.

Also Present: Town Manager Lee, Community Development Director Wright, Sr. Planner Nancy Buckel, P&Z Commissioners Bullard and Parry, 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) Special Session – July 13, 2005
- 2) Executive Session – July 13, 2005

b) Set Next Meeting, Date and Time:

- 1) Regular Session – August 3, 2005 at 6:30 p.m.
- 2) Work Session – August 10, 2005 at 2:30 p.m.
- 3) Regular Session - August 17, 2005 at 6:30 p.m.
- 4) Council Hears Planning & Zoning – Regular Session – August 24, 2005 at 6:30 p.m.

On a motion by Baker, seconded by Hauser, the Council unanimously approved the Consent Agenda as presented.

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

Dennis Lockhart, a private landowner in the Verde Valley who owns a well on his property voiced his strong objection to “Mayor Gioia pulling everybody’s well records” and making multiple copies of his well records and giving them out to people who have no business with his personal records.

Mayor Gioia responded that he was given those records from a well driller as information for a scientific research; USGS is reviewing them for knowledge of the Verde Valley, and the Town’s water consultants are also reviewing them for water information. Mr. Lockhart objected that nobody got his permission.

Cheri Wischmeyer, a resident of Camp Verde, reviewed her complaint first brought to the attention of the Council seven months ago setting out serious concerns regarding members of the Town’s management officials. She said she hopes the current Council will take her concerns more seriously than the former body, and move forward with a resolution.

Tom Neilson said that he thought that Main Street was beautiful and he likes it very much; he is so proud that the sidewalks are coming about. He also described a program in Payson that he has shared with Manager Lee, involving the sale of memorial plaques to be installed on the poles; it is one way to recover the cost of some of the poles.

Mayor Gioia responded to Mr. Neilson's comments that there is no guarantee on the Town being successful in the three grant applications. Gioia then addressed Ms. Wischmeyer's complaint with the explanation that the Town has been pursuing the concerns she has raised; a question about a conflict of interest has slowed the process down drastically, and Gioia apologized for the time it is taking.

There was no further public input.

6. **Discussion, consideration, and possible acceptance of Azure Street into the Town's road system. Azure Street is located in the Verde Cliffs Subdivision.**

There was no action taken.

Staff was directed to continue with the practice of determining that all improvements in front of each home being completed need to be already done before a Certificate of Occupancy is issued.

Community Development Director Wright reviewed the request of Universal Homes, the builder who has been building a number of homes in the Verde Cliffs development involving approximately 60 permits with 50 in various stages of construction. Approximately five of the homes will be completed within about 3 to 4 weeks at which time the builder will be seeking Certificates of Occupancy. In the belief that the Town must accept at least a portion of one street in front of those homes in order to be granted the CofO's, the builder has submitted the subject request. Wright has confirmed that this is not the case, and because there are still a number of improvements to be made, staff is recommending that a CofO be granted for those completed homes with the understanding that there is still work to be done. The financial assurances, or bond, are still in place and will not be released until final approval by the Town and determination that repair to any damages during completion has occurred.

The Council agreed that for the protection of the Town, and even though temporary CofO's could be granted, the better solution would be to only accept public roads after any work to be done by heavy equipment has been completed. Wright said that the builder has been informed that any improvements in front of any home that is being completed need to be finished, and the builder has agreed with that request. Staff was directed to continue with that practice.

There was no public input.

(Council agreed to hear Item 8 prior to Item 7.)

7. **Discussion, consideration and possible approval of Ordinance 2005-A313, an ordinance of the Town of Camp Verde, Yavapai County, Arizona, changing the zoning from R1L to Commercial for 39 acres and amending the PAD dated January 2003 for Homestead as shown in Exhibit "A" for Five (5) parcels 404-23-008V, 403-23-008Z, 403-23-010K, 403-23-010Z, and 404-19-152L consisting of approximately 377.1 acres to allow the following changes as shown on Exhibit B: 1) Relocation of the Educational Site; 2) Redesign of the Street System including some exceptions to Street Standards as shown in Exhibit 'C'; 3) Exceptions to the design standards as shown in Exhibit 'D'; 4) Change of Name of Development to Simonton Ranch. This project is located along State Route 260 and Finnie Flat Road between I-17 and Cliff's Parkway.**

On a motion by Baker, seconded by Kovacovich, the Council unanimously approved Ordinance 2005-A313, an ordinance of the Town of Camp Verde, Yavapai County, Arizona, changing the zoning from R1L to Commercial for 39 acres and amending the PAD dated January 2003 for Homestead as shown in Exhibit "A" for Five (5) parcels 404-23-008V, 403-23-008Z, 403-23-010K, 403-23-010Z, and 404-19-152L consisting of approximately 377.1 acres to allow the following changes as shown on Exhibit B: 1) Relocation of the Educational Site; 2) Redesign of the Street System including some exceptions to Street Standards as shown in Exhibit 'C'; 3) Exceptions to the design standards as shown in Exhibit 'D'; 4) Change of Name of Development to Simonton

Ranch; this project is located along State Route 260 and Finnie Flat Road between I-17 and Cliff's Parkway; the changes also should include that the relocation of the Educational Site will be the maximum time as allowed by law; and also the changes requested as previously noted regarding (1) water used for construction purposes to come from effluent when possible, (2) ditch water when possible and any other alternative method available, and (3) transfer any non-used surface water rights to the Town; and (4) transfer of any non-used well water rights on the site to be brought up during the final plat process.

STAFF PRESENTATION

Director Wright reviewed the problem that had been brought up just prior to the last meeting regarding the question of requested exceptions and the lack of authority for the Council to grant those exceptions other than under a PAD. After considerable discussion the Commission voted to approve the request for a zoning map change and amendment to a PAD for the site. Wright pointed out changes in the most current proposed ordinance before the Council, and explained the reasons for those adjustments. The Council is basically being asked to consider an update from what was duly accepted and approved by Council several years ago for the Harvard Homestead development that included approval of 1100 units. The changes reflect what the Council has asked of the developer, namely that there be more commercial properties, and relocation of the planned open space and the educational area. Wright described other changes involving less roadways and pathways along the washes amounting to 8 to 10 acres of additional open space. The Commission has approved the amended version of Mr. Simonton's project that was necessary in order to be granted the exceptions for the zoning and the subdivision regulations to allow him to put in the kind of developments that Mr. Simonton believes will be the most productive and also good for the community.

PUBLIC HEARING OPEN

Applicant's Statement

Scott Simonton displayed boards to illustrate the sequence of the process leading to the issue that is now before the Council. At this point the Mayor requested that the applicant discuss some water issues, and a point of order was called as to the procedure for holding a public hearing, as had been adopted by the Council, with the Town Attorney confirming that the hearing should proceed in the order listed on the agenda.

Mr. Simonton continued with his presentation, commenting on the inordinate amount of time spent and work he has done and discussions he has had with staff, with members of the Council, with local builders, realtors and other developers in trying to come up with what should be put on the property. He was concerned with what the Town would want, what is marketable and trying to reconcile many different opinions. Mr. Simonton then reviewed the project using the display boards, describing the details and uses planned for the different areas, and explaining how he has responded to all the input he had received and adjusting to the zoning issue, including input from the Town Attorney.

COMMENT FROM OTHER PERSONS

Ron Maughan, Superintendent of the Camp Verde Unified School District, first commended Mr. Simonton for his work and dedication to working with the community and the School District. Mr. Maughan said that when the Harvard project was approved there was a commitment to a 10-acre site for an elementary school, and reviewed the background of the development up to the present owner of the property. He said that the School District continues to expect to have a ten-acre site somewhere near the middle of town on which to build the elementary school. Mr. Maughan also stressed the flexibility of the Board to cooperate in order to accommodate the project, regardless of where the site is located within the development, but that the citizens do expect setting aside an area for the school. He also raised the question of when the 10-year period mandated for construction of a school site would begin, whether this year when the current development is commenced, or 6-1/2 years ago when the original approval was granted. The position of the School Board is that because of the ongoing uncertainty of where the site would be located the Board never had the opportunity to even consider beginning construction.

Mr. Maughan added that the Town would be asked to support the position of the Board on that issue, and to keep in mind that there remains the expectation that the site would be closer to the middle of Town.

Bob Womack, Camp Verde, commented that the Camp Verde real estate prices are escalating rapidly; Mr. Simonton is planning to develop some affordable, or lesser-priced homes as well as some upscale and nicer homes. Mr. Womack believes it is a good project and a timely one, and he hopes that the Town does not use a lot of phantom water issues to distort facts, and that the project will be approved in order to put Mr. Simonton in business. Mr. Womack added that the Town needs him and he needs the Town.

Jim Bullard, Camp Verde, said he would like it to be remembered that most of the people in the development will be retirees and commented on having the school there.

Lynn Reddell, Camp Verde, recalled being present during the many times that Harvard had talked to the Council; the land that was proposed for the school was out front at the highway. Mr. Simonton is showing putting it back closer to the industrial, which was not intended originally. Pushing it to the back is not fair to the Town or to the children, and putting it back near industrial is not appropriate. Ms. Reddell also expressed her belief that the time should start when the ground is ready to build on, not 6-1/2 years ago.

APPLICANT'S REBUTTAL

Mr. Simonton requested from Attorney Woodford confirmation of Mr. Simonton's understanding that it is illegal for a Town to require donations of sites or monies to school districts. Mr. Woodford said that current statutes allow the Town to reserve, not require donation of a school site for a period of time. The 10-year period for reservation of a school site was also discussed, and Mr. Simonton said that if the Council agrees that the site should remain as originally indicated and the School Board wants that, then he would agree with that decision, although that would eliminate the area planned for 1/2-acre homes. Mr. Simonton also commented on what he felt was no need for an elementary school in the development, considering the 80 acres that the School District is negotiating to acquire from the Forest Service, as well as the unfairness of a retirement development being required to provide schools for children from other developments when no other development in Town has been asked for the same commitment. Mr. Simonton described further his plans for providing for development of a Town park along the Verde River as part of the development, and the area he feels would be better suited for the school site.

PUBLIC HEARING CLOSED

(A recess was called at 8:27 p.m.; the meeting was called back to order at 8:36 p.m.)

Council Discussion

The discussion commenced with a comment from Attorney Woodford that he has not yet researched the question regarding amendment of a PAD and whether the time allowed for reservation of school sites starts anew or not. However, there is no question that the site can be reserved for the balance of the original 10-year period, or the Council could reserve the site for the maximum time allowed by law; Mr. Woodford will submit a written opinion as to what exactly that would be. There was also further discussion with Mr. Maughan regarding the proposed acquisition of the 80 acres from the Forest Service, and Mr. Maughan's reiteration that the School Board would support the relocation of the school site within the development if it is in the best interest of Mr. Simonton. It was also generally agreed that because of the expansive soil in the original site, relocation of the school site might be the better choice, plus it would also be near the site reserved for the open space area and the planned trails system, and less of an impact on the expense to the developer. There was further discussion with Mr. Simonton regarding the proposed number of units for the area with the original school site, and confirmation as to his commitment in the PAD for the school site and that the School Board is willing to work with the development in moving the site.

The subject of the water issues was discussed in detail with Mr. Simonton and among the Council members at length. Gioia first discussed with Mr. Simonton the suggestion that stipulations be included regarding use of reclaimed effluent water for construction sites wherever appropriate; surface water rights on the property be used in development of the property; the transfer to the Town of water rights not utilized in landscaping; and turn over to the Town any wells on the property. Mr. Simonton indicated his desire to be sensitive to the environment and water issues in the Town; he also said he would have no problem with turning over unused or unreserved water rights to the Town. The issue of the wells on the property and their locations was also discussed. Mr. Woodford confirmed that since the applicant has agreed to transfer to the Town excess water rights not used, the Town would have the right to accept them, even though the Town does not currently have a water portfolio or own a water company.

Mayor Gioia requested that a portion of the final motion be entered into the record at this point, and after some suggestions for changes were discussed, that portion basically would provide as follows: (1) water used for construction purposes must come from reclaimed effluent when available, or (2) surface water from the ditches, (3) after the development Mr. Simonton and successors agree to transfer any non-used surface water rights to the Town to be calculated by landscape or qualified water professionals, (4) Mr. Simonton will transfer all wells on the property to the Town ownership; any non-used wells will be deeded to the Town. During the discussion of water rights with Mr. Simonton, he confirmed that he will be holding the water shares and controlling and only meting out to each development what it needs or will use and that Mr. Simonton will end up with whatever is left over; however, the wells are a separate issue but he will assist the Town in whatever way he can. Mr. Simonton said he would commit to the issues regarding water rights as a zoning stipulation that can be enforced in connection with final plats during the development projects. Mr. Woodford agreed that the enforcement could be done at the subdivision final plat time; access rights will also need to be transferred in order that the wells can be used.

There was considerable discussion regarding the remaining exceptions that Mr. Simonton had requested as to the number of units, lot coverage increases and decreases, the proposed street sections, sidewalks and pathways, on-street and off-street parking, accesses to properties, and setbacks.

8. Discussion, consideration, and possible approval of SRP 2005-02: a request made by Jim Rohr for approval of a site plan for a commercial office complex to be located on parcel 404-30-007 (2.77 acres) and is zoned C2-4.

On a motion by Teague, seconded by Baker, the Council voted unanimously to continue Item 8 until next week.

Director Wright explained that the proposed office complex would be almost directly across from Babe's Restaurant on Montezuma Castle Highway, with 11 units consisting of offices in the front and warehouse activities in the rear. The site plan review is a precursor to the design review that it is hoped will be in place soon, and provides Council the opportunity to review the elevations, signage, circulation and parking requirements for the project. The Commission has unanimously approved the site plan review with certain stipulations, one of which was that a deceleration lane be provided.

Dean Willet, the project manager, spoke regarding the request for the deceleration lane, saying that four different civil engineers had agreed that such a requirement would not be necessary in a 25-MPH zone, and the study suggested would be very expensive. Mr. Willet described briefly the layout and construction of the project, explaining that he had only been prepared to discuss the request for the deceleration lane.

There was a thorough discussion of the question of the need for a deceleration lane, a suggestion for creating one perhaps by eliminating the proposed sidewalk, the suggestion that if



July 27, 2005

Tony Gioia
Mayor of Camp Verde
475 South Main
Camp Verde, AZ.86322

Dear Mayor,

Would you be so kind as to sign the attached Proclamation announcing September as **Grandparent/Elder Recognition** month a time when we urge the populace to visit the elderly living in community facilities. These visits mean the world to our elders. Amazing as it may seem more than half of the seniors living in these communities have No visitors.

Many of these seniors are the same people who fought for our country, built and financially supported our communities, provided for us in our youth, and created programs we are benefiting from today. These people now sit waiting alone for a kind word of encouragement from someone reminding them that they are special, and needed by their community most importantly to let them know that they still have something to offer future generations.

Light Heart's mission is to increase visitation to the elderly living in retirement/assisted living, skilled nursing and convalescent communities and to promote community awareness as to their needs.

"Grandparent/Elder Awareness" month is an important time to acknowledge our seniors and those special people who have helped us along the way in life. We are looking forward to many happy events taking place during the month of September and encourage everyone's participation.

The enclosed packet will show you how our efforts have had impact on your community.

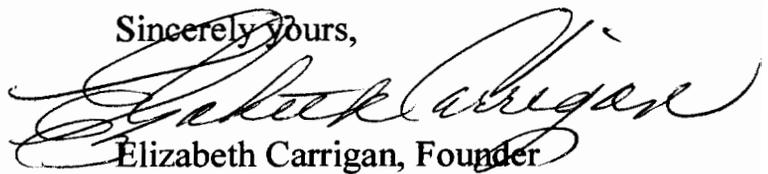
This past year three hundred students throughout the Verde Valley participated in Light Heart's **Project "H.U.G."** (Helping to Unite Generations) and **"Adopt a Grandparent"** service learning programs (K-12th grades). These were not field trip visits where the children visit on occasion. This program is designed to become part of the students class lessons with visits taking place during school hours.

Preparation is now underway for Light Heart's ninth annual **"Magic in Believing"** Holiday gift drive for the elderly and continues to grow every year. The seniors are interviewed by volunteers and their caregivers prior to the holidays to find out what they want or need and Light Heart arranges for them or their facility to become adopted by individuals, organizations or businesses in the community. Last year *seven hundred seniors* were adopted and almost without exception they received every item they asked for. All of their presents were delivered to them beautifully wrapped and tagged with their name on each gift in time for their holiday party. We also hope to expand our "Secret Santa" gifts to a small group receiving "Meals on Wheels"

Today's technology has allowed us to move at laser speed with little time left for the nourishment of the human spirit. Medical science has allowed people to live longer; however it has not created a pill for the loneliness many experience. Nothing can replace the need for human touch. Many of us want to help but don't know how or where to begin. Our organization shows communities how to make a difference in a very special way through our intergenerational programs and community projects. If you have any questions, please give me a call at 634-0770. I am always happy to talk about the Light Heart Foundation, my heart's work.

After signing the Proclamation, please return it to Light Heart in the attached, self-addressed envelope or I would be happy to come and pick it up. Thank you for your consideration of this request.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Elizabeth Carrigan".

Elizabeth Carrigan, Founder
Light Heart Foundation

Proclamation

WHEREAS: September 2005 has been designated as Grandparent/ Elder Recognition Month by the Light Heart Foundation; and

WHEREAS: the Mission of the Light Heart Foundation is to increase visitation and promote community awareness as to the needs of the elderly living in assisted living, retirement and convalescent communities; and

WHEREAS: in times past, villages were made up of extended family communities; and

WHEREAS: the elderly were the storytellers to the young so that history was not lost; and

WHEREAS: the villages have disappeared along with reverence for the wisdom that the elders possessed; and

NOW THEREFORE, I, the Mayor of Camp Verde hereby proclaim September 2005 as Grandparent/Elder Recognition Month in the Verde Valley and urge citizens of all ages to visit the elderly in community facilities to let them know that we care, that we remember that they fought for our country and built our communities.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of Clarkdale this _____ day of _____ 2005.

Tony Gioia
Mayor of Camp Verde



(928) 634-0770

Just A Reminder That

September is
Grandparents & Elder
Awareness Month



YOU CAN SPONSOR:

A group of 10 or more Seniors and/or Youth Visitors

A Special Outing • Entertainment • Ice Cream Social
Theater • Musical Event • Breakfast • Lunch • ????????????

We can help you create your own event!

You can also help sponsor our
"Garden's of Good Wishes" project at one of our local care facilities

Light Heart Foundation is a non profit organization dedicated to visits to the elderly living in retirement/assisted living and convalescent communities we **are** Making a difference one visit and one smile at a time.

For more information call Beth at (928) 634-0770 to find out how YOU can help
Make a difference in a seniors life

Your tax deductible contribution may be sent to
Light Heart Foundation • 989 S. Main Street, Suite A-217 • Cottonwood, AZ 86326

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

**Declaring September 8th as
INTERNATIONAL LITERACY DAY
And
The Month of September As
*INTERNATIONAL LITERACY MONTH***

Whereas, the United Nations declared the 8th of September, “*International Literacy Day*” in 1966 in order to recognize agencies, programs and individuals involved in the struggle against illiteracy; and

Whereas, the Camp Verde Adult Reading Program requested the Town proclaim the 8th day of September as *International Literacy Day*; and the Town will come together to celebrate Literacy Day on September 8, 2005; and

Whereas, Adult Literacy is a major problem in Arizona today, adversely affecting the quality of life and economic standards of many families; and

Whereas, the Town of Camp Verde believes there should be help for those who need to learn to read or wish to improve their reading skills; and

Whereas, we can open the doors that illiteracy has locked.

NOW THEREFORE, The Mayor and Common Council of the Town of Camp Verde, Camp Verde, Arizona, do hereby proclaim the 8th day of September 2005 as:

INTERNATIONAL LITERACY DAY

Issued this 17th day of August 2005.

Tony Gioia, Mayor

ATTEST:

Deborah Barber, Town Clerk

STAFF REPORT

Council meeting of: August 17, 2005 – Regular Session

Title: **Discussion, consideration, and possible approval of Ordinance 2005-A311, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County Arizona, amending Section 2-3-1 of the Town Code.** This ordinance amends Regular Meetings as follows: regular & planning/zoning meetings are set for the first and third Wednesdays at 6:30 p.m. and work sessions are set for the second and fourth Wednesdays of each month.

Budgeted item: No

Description of Item: This ordinance changes the meeting dates and times.

Staff Recommendation: N/A

Comments: Council directed staff to set two work sessions per month. This ordinance changes the fourth meeting of the month from Council Hears Planning & Zoning to a work session.

Attachments: Yes

Prepared by: Debbie Barber

STAFF REPORT

Council meeting of: August 17, 2005 – Regular Session

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Budgeted item: No

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Staff Recommendation: N/A

Comments: Council directed staff to set two work sessions per month. This ordinance changes the fourth meeting of the month from Councils Hears Planning & Zoning to a work session.

Attachments: Yes

Prepared by: Debbie Barber



ORDINANCE 2005-A311

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE,
YAVAPAI COUNTY, ARIZONA,
AMENDING SECTION 2-3-1 OF THE TOWN CODE**

Article 2-3, Section 2-3-1, Regular Meetings is amended as follows:

Article 2-3

COUNCIL PROCEDURES

Section 2-3-1 Regular Meetings

Regular Council Meetings. The Town Council will hold regular meetings at 6:30 p.m. on the first and third Wednesdays at the Town Hall complex on Main Street for general business, Planning & Zoning matters, and public hearings as may be required by law, with the ~~fourth Wednesday set aside for Planning & Zoning matters, and the second Wednesday set aside for work sessions as needed~~ second and fourth Wednesdays set aside for work sessions. A work session, in lieu of or in conjunction with a regular meeting, may be called. If a regular meeting or work session is cancelled, such as near a holiday, notice of the cancellation shall be posted. ~~Additional items may be added to the Council Hears Planning & Zoning agenda, or Planning & Zoning items to the Regular Agenda, at the Mayor's discretion.~~

PASSED AND ADOPTED in open meeting by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 17th day of August 2005.

Tony Gioia, Mayor

Approved as to form: _____

Town Attorney

Attest:

Date:

Deborah Barber, Town Clerk

STAFF REPORT

Council meeting of: August 17, 2005

Title: **Discussion, consideration, and possible approval of Dial-A-Ride fare.**

Budgeted Item: N/A

**Description of
Item:**

As the Town moves forward with preparing for transit service, a fee needs to be established for service. Since the Town is beginning transit service with one bus, staff is recommending a Dial-A-Ride only service. This scenario will allow a driver to pick up passengers from any address within the town limits as long as road conditions allow and deliver to any address within the town limits.

A \$2 charge for one-way service is comparable with what is charged in Cottonwood.

Staff

Recommendation: Request Council approval for a \$2 charge per one-way trip for door-to-door transit service.

Attachments: No

Prepared by: Wendy Escoffier

STAFF REPORT

Council Meeting of: August 17, 2005

Title: Discussion, consideration and possible direction to staff to negotiate terms and costs of study of the Camp Verde Water System.

Description of Item: Burgess and Niple and CH2Mhill presented proposals at the August 10, 2005 Town Council Work Session.

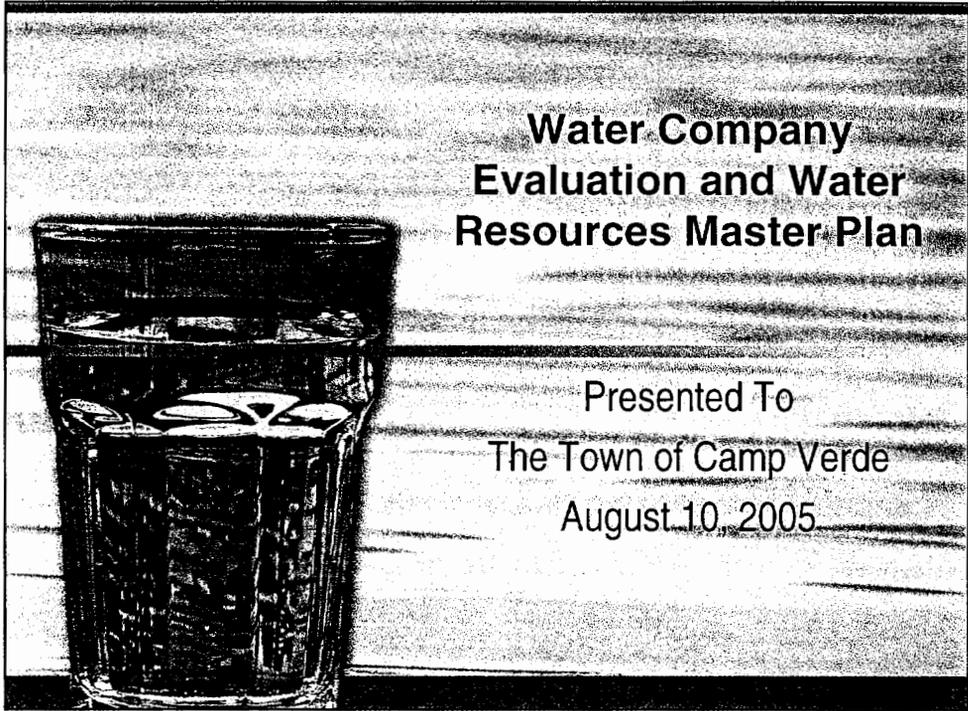
Comments:

Staff Recommendation: None

Attachments: Yes No

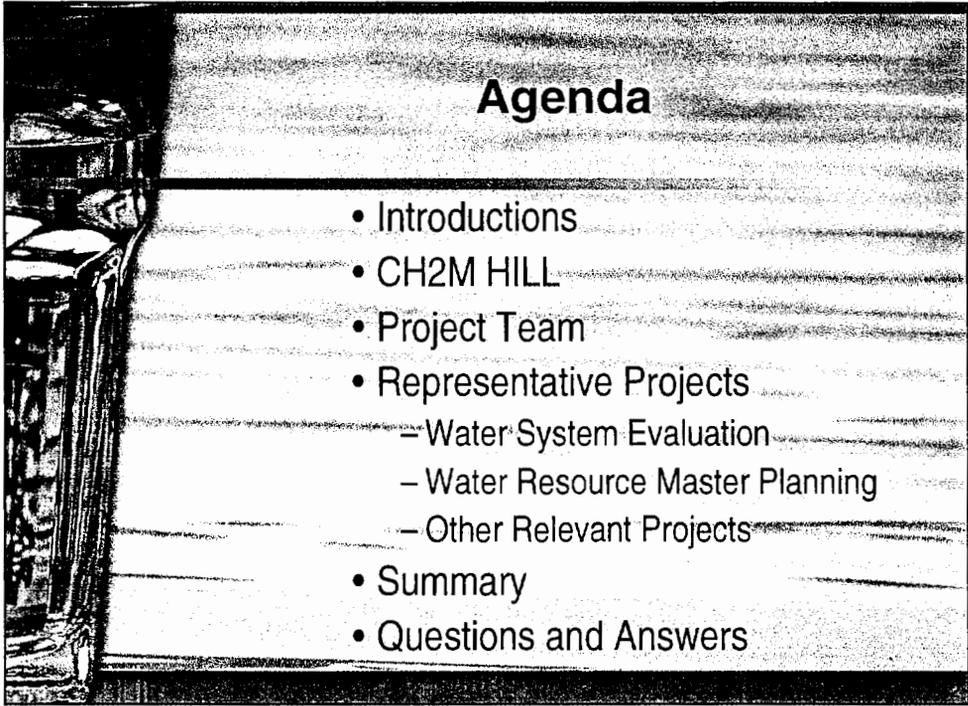
Is This a Budgeted Item: N/A YES NO

Prepared by: Carol Brown for Bill Lee



**Water Company
Evaluation and Water
Resources Master Plan**

Presented To
The Town of Camp Verde
August 10, 2005

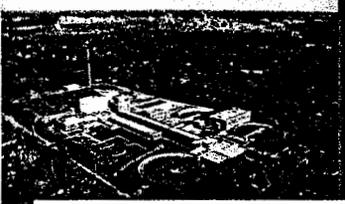


Agenda

- Introductions
- CH2M HILL
- Project Team
- Representative Projects
 - Water System Evaluation
 - Water Resource Master Planning
 - Other Relevant Projects
- Summary
- Questions and Answers

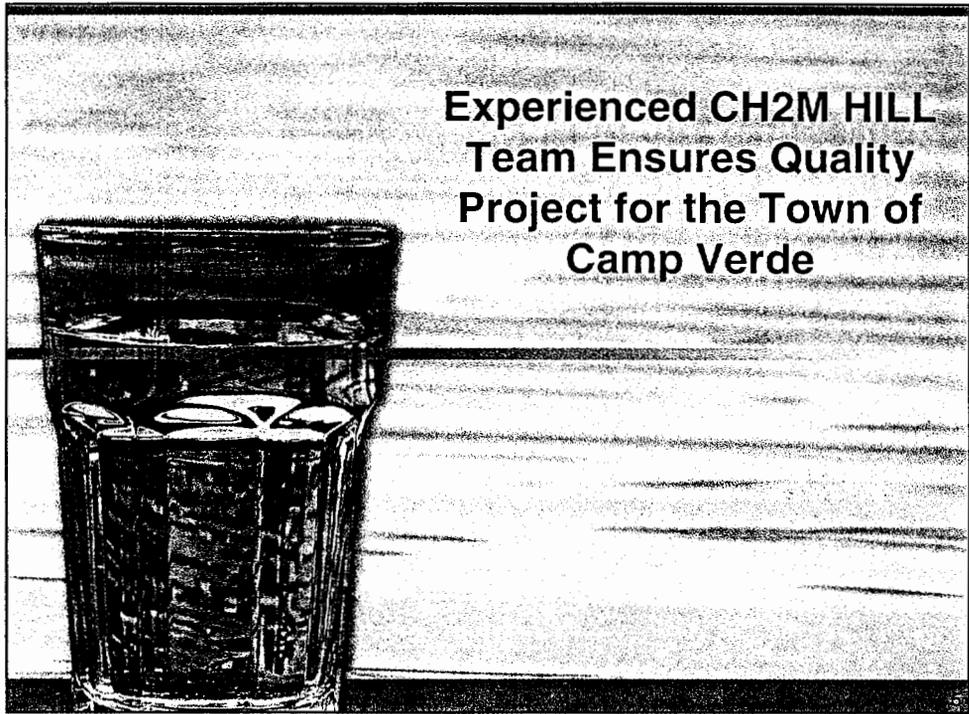


**CH2M HILL:
A leader in Water
Resource Planning and
Facility Design for
Almost 60 Years**

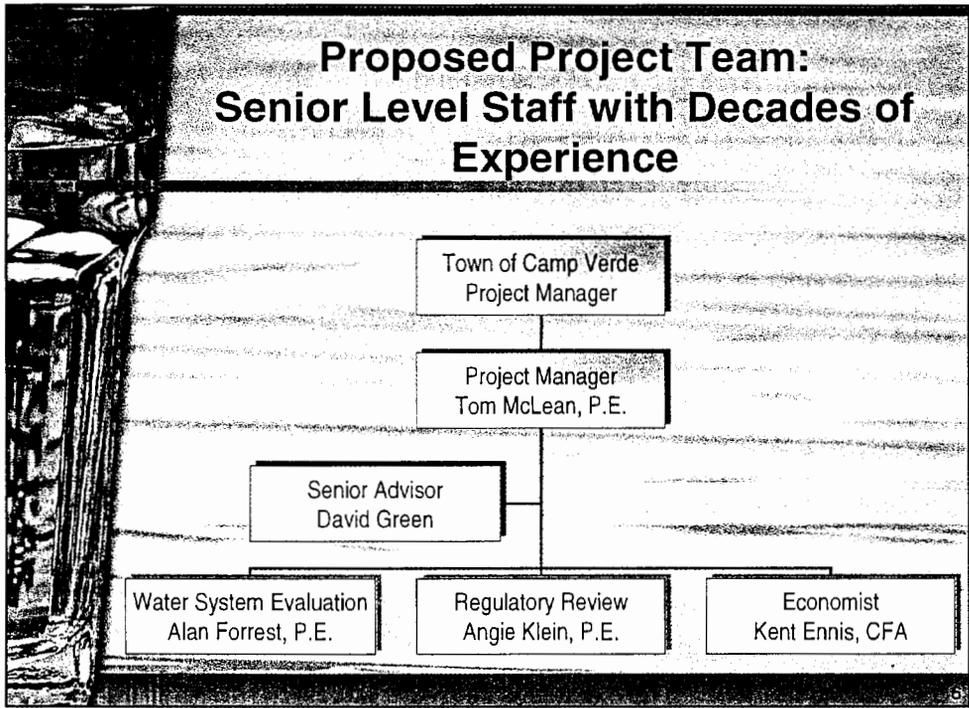


CH2M HILL

- Employee Owned Company
 - over 14,000 employees
 - more than 165 offices worldwide
 - global company with local focus
- Broad Arizona Experience
 - Phoenix office established in 1988
 - professional staff of 135
 - offer full range of professional services: transportation, water, wastewater, and financial
- Reputation for Quality
 - proven track record for meeting client objectives: technical, financial, and schedule
 - 80% of projects from repeat clients

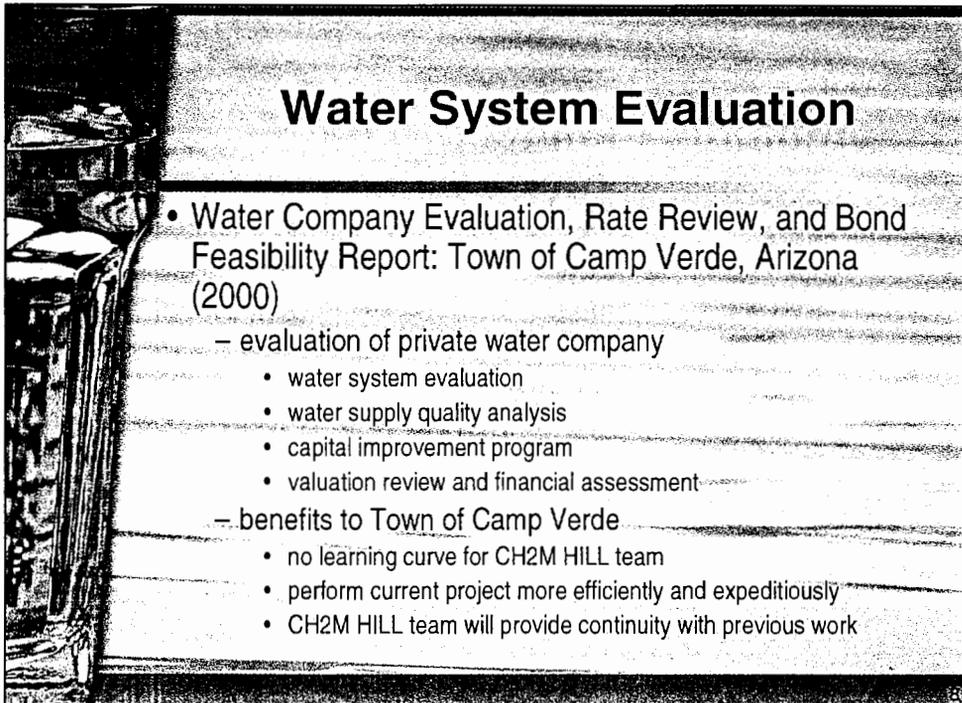


**Experienced CH2M HILL
Team Ensures Quality
Project for the Town of
Camp Verde**





**Representative Projects:
Broad Experience on
Similar Projects
Throughout Arizona**



Water System Evaluation

- Water Company Evaluation, Rate Review, and Bond Feasibility Report: Town of Camp Verde, Arizona (2000)
 - evaluation of private water company
 - water system evaluation
 - water supply quality analysis
 - capital improvement program
 - valuation review and financial assessment
 - benefits to Town of Camp Verde
 - no learning curve for CH2M HILL team
 - perform current project more efficiently and expeditiously
 - CH2M HILL team will provide continuity with previous work



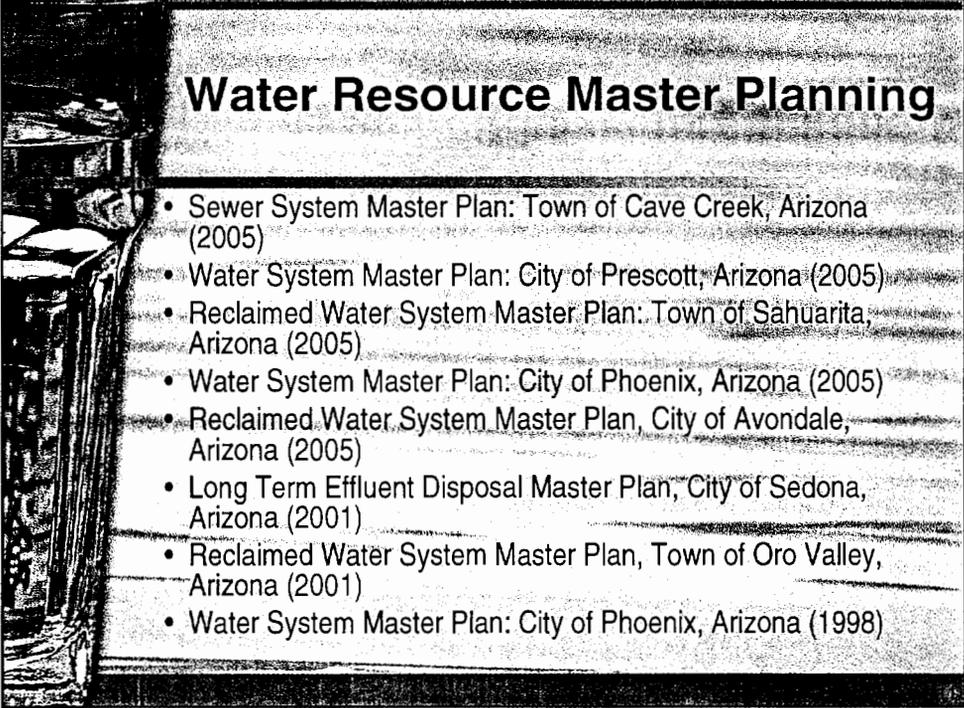
Water System Evaluation (cont.)

- Prescott Valley Water Company Evaluation: Town of Prescott Valley, Arizona (1997)
 - evaluation of Shamrock Water Company system
 - water quality assessment
 - estimated O&M budget
 - financial evaluation and water system valuation
- Bond Feasibility Study to Acquire Assets of Private Water Company: Town of Fountain Hills, Arizona (1999)
 - evaluation of Chaparral City Water Company
 - capital improvement program
 - financial evaluation
 - rate study



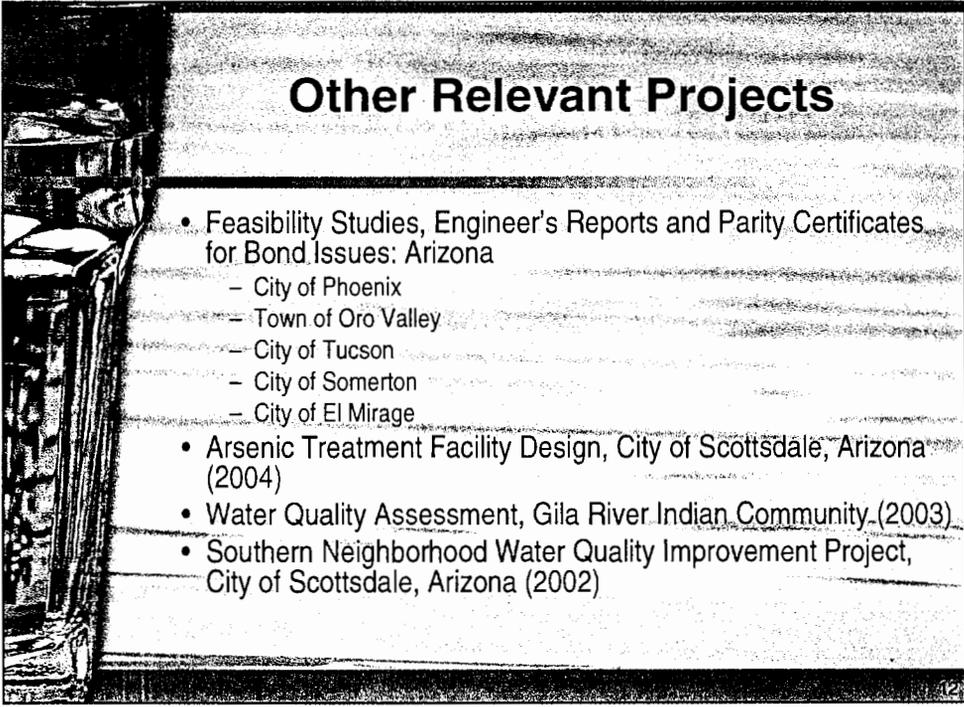
Water System Evaluation (cont.)

- Water Company Evaluation and Feasibility Study: Town of Cave Creek, Arizona (2005)
 - evaluation of Cave Creek Water Company
 - water system valuation
 - water quality assessment (water treatment enhancements?)
 - capital improvement program
- Water Distribution System Evaluation: City of Glendale, Arizona (2002)
 - inventory of water distribution system
 - asset inventory
 - main replacement program

A slide titled "Water Resource Master Planning" with a background image of water flowing over a dam. The slide lists several master plans for various Arizona locations.

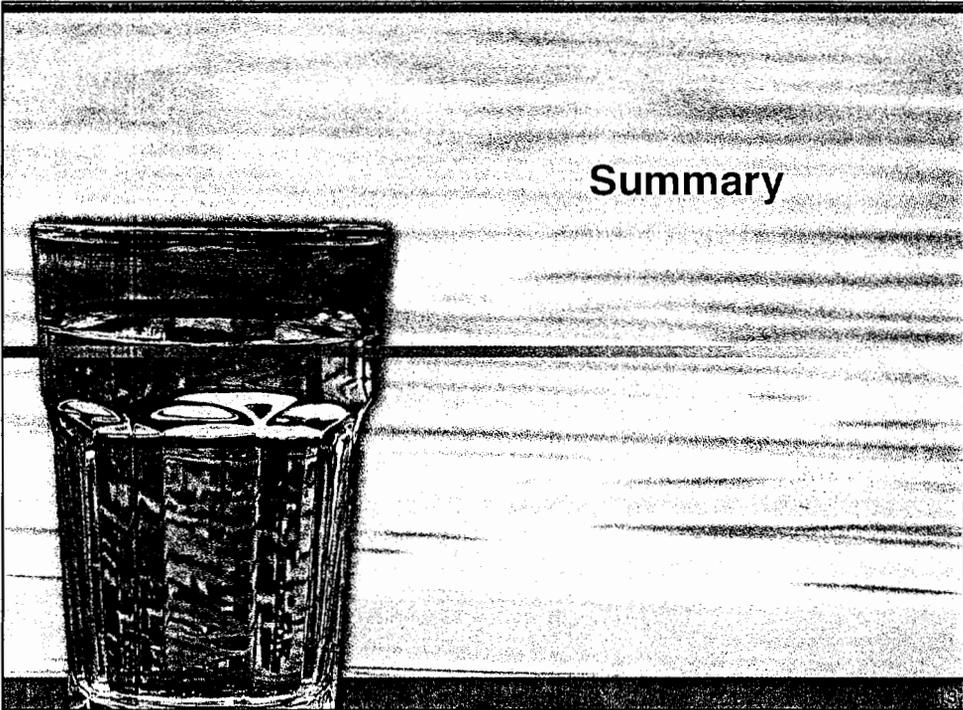
Water Resource Master Planning

- Sewer System Master Plan: Town of Cave Creek, Arizona (2005)
- Water System Master Plan: City of Prescott, Arizona (2005)
- Reclaimed Water System Master Plan: Town of Sahuarita, Arizona (2005)
- Water System Master Plan: City of Phoenix, Arizona (2005)
- Reclaimed Water System Master Plan, City of Avondale, Arizona (2005)
- Long Term Effluent Disposal Master Plan, City of Sedona, Arizona (2001)
- Reclaimed Water System Master Plan, Town of Oro Valley, Arizona (2001)
- Water System Master Plan: City of Phoenix, Arizona (1998)

A slide titled "Other Relevant Projects" with a background image of water flowing over a dam. The slide lists various projects and studies conducted in Arizona.

Other Relevant Projects

- Feasibility Studies, Engineer's Reports and Parity Certificates for Bond Issues: Arizona
 - City of Phoenix
 - Town of Oro Valley
 - City of Tucson
 - City of Somerton
 - City of El Mirage
- Arsenic Treatment Facility Design, City of Scottsdale, Arizona (2004)
- Water Quality Assessment, Gila River Indian Community (2003)
- Southern Neighborhood Water Quality Improvement Project, City of Scottsdale, Arizona (2002)

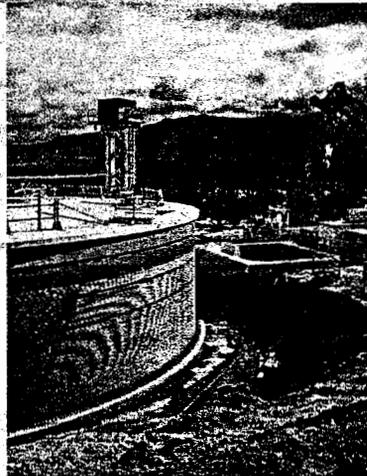


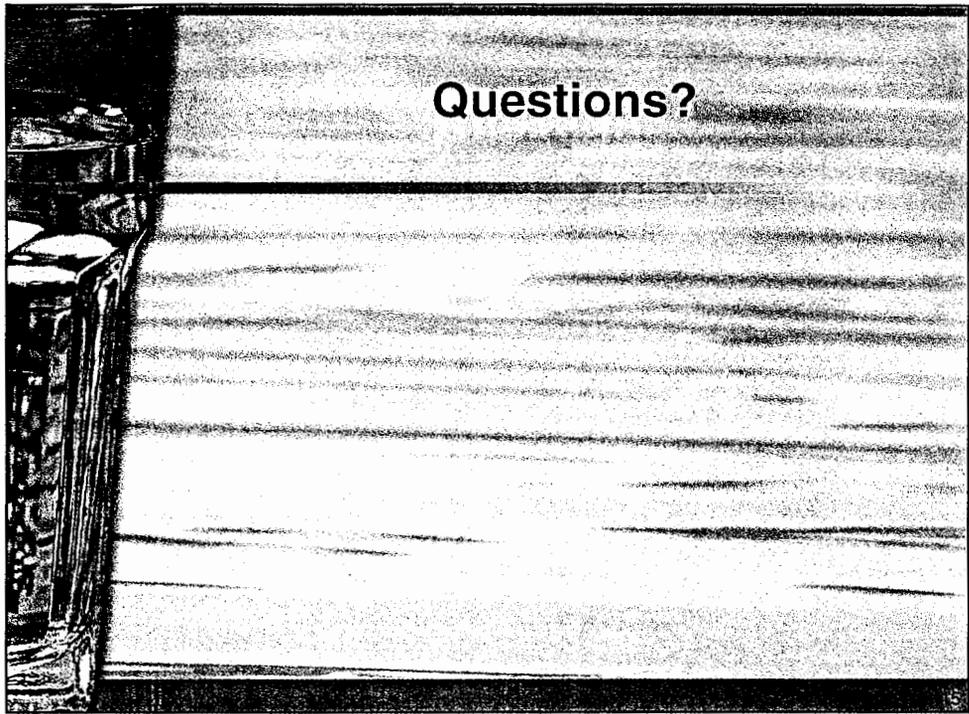
Summary



Town of Camp Verde will Benefit from CH2M HILL Experience

- Previously performed evaluation of Camp Verde Water System for Town of Camp Verde
- Senior level project team
- Long history of providing professional services (engineering, planning and financial) to clients throughout Arizona
- Recent experience in performing water system evaluations and water company valuations for Arizona clients
- Recent experience in performing water resource master plans for Arizona clients







BURGESS & NIPLÉ

*Town of Camp Verde
Camp Verde Water Systems Company
Evaluation*

Request for Qualifications

- *Asset Assessment – inventory of the Water Company Facilities*
- *Appraisal Value – value of the Water Company*
- *Company Evaluation – evaluate and determine needs of the Water Company*
- *Financial Analysis – financial impacts of purchasing the Water Company*



BURGESS & NIPLE

1. Assess Assessment

Step 1: Interview key personnel and review available records

Step 2: Inventory of Above Ground Assets:

- ✓ Well Pumps, Motors, & Appurtenances
- ✓ Fire Hydrants
- ✓ Water Meters
- ✓ Disinfection Equipment
- ✓ Titles & Easements



BURGESS & NIPLÉ

1. Assess Assessment

Step 3: Inventory of Below Ground Assets:

- ✓ Water mains and appurtenances
- ✓ Wells
- ✓ Titles & Easements

Step 4: Review Water Company Finances

- ✓ Rates
- ✓ Consumption
- ✓ Financial Reports
- ✓ Billing
- ✓ Water Loss



BURGESS & NIPLE

1. Assess Assessment

Step 5: Deliverables

✓ Inventory (spreadsheet) of Assess (Continuing Property Records or CPR) of the Water Company



BURGESS & NIPLE

2. Appraisal Value

Step 1: Above Ground Assets

- ✓ Reproduction Cost New
- ✓ Observed Depreciation

Step 2: Distribution system (below ground)

- ✓ Determine sampling requirements
- ✓ Bone yard samples
- ✓ Retain local contractor – obtain pipe samples (coupons)
- ✓ Reproduction Cost New
- ✓ Observed Depreciation



BURGESS & NIPLE

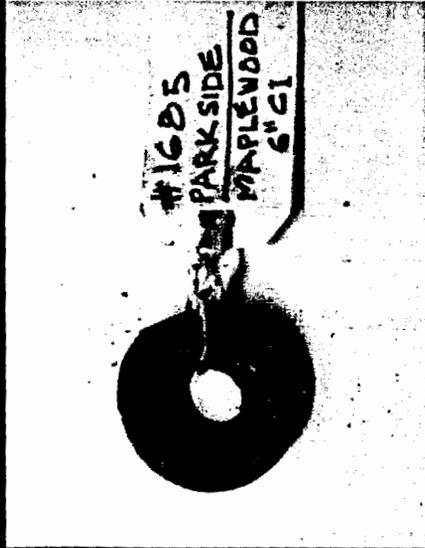
2. Appraisal Value



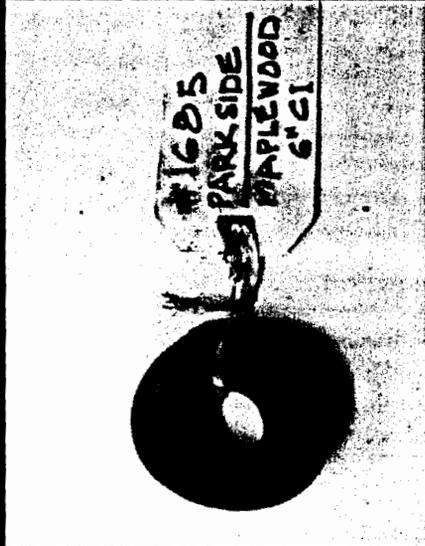
INTERIOR



EXTERIOR



INTERIOR



EXTERIOR



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2. Appraisal Value

Step 3: Wells

- ✓ Internal video inspection of wells
- ✓ Reproduction cost new
- ✓ Observed depreciation

Step 4: Appraised Value

- ✓ Update or prepare valuation report of assets –
CPR
- ✓ Dick Riethmiller – conducted over 60
evaluations in last 25 years



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2. Appraisal Value

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Location	Structure	Description	Quantity	Units	Unit Cost	R.C.N.	% - Condition	R.C.N.L.D.
System Wide	Installed	3/4" Meters	244	ea	\$ 456.83	\$ 111,466.52	100	\$ 111,466.52
System Wide	Installed	1" Meters	15	ea	\$ 494.59	\$ 7,418.85	100	\$ 7,418.85
System Wide	Installed	1 1/2" Meters	19	ea	\$ 625.46	\$ 11,883.55	100	\$ 11,883.55
System Wide	Installed	2" Meters	77	ea	\$ 678.49	\$ 52,243.73	100	\$ 52,243.73
System Wide	Installed	3" Meters	1	ea	\$ 1,254.05	\$ 1,254.05	100	\$ 1,254.05
System Wide	Installed	6" Meters	1	ea	\$ 1,792.40	\$ 1,792.40	100	\$ 1,792.40
		Total New				\$ 166,059.10		\$ 166,059.10
Installed	Installed	5/8" Meters	28	ea	\$ 432.25	\$ 12,103.00	85	\$ 10,287.55
Installed	Installed	Total Retirements				\$ 12,103.00		\$ 10,287.55
Installed		Total Adjustments to 334110				\$ 173,956.10		\$ 175,771.55

Burgess & Niple
Page 148

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Page 1

3. Company Evaluation

Step 1: Regulatory Issues

- ✓ Water quality
- ✓ ADEQ
- ✓ Safe Drinking Water Act (MCL's)

Step 2: Operations

- ✓ Personnel
- ✓ Maintenance
- ✓ Records of operation
- ✓ Customer satisfaction survey
- ✓ Financial (rates and cash flow)



BURGESS & NIPLE

3. Company Evaluation

Step 3: System Needs

- ✓ Equipment and system repairs and replacements
- ✓ Needs to meet regulatory requirements

Step 4: Report

- ✓ Cost to upgrade system
- ✓ Operational needs



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4. Financial Analysis

Step 1: Capital Costs

- ✓ Cost to purchase water company
- ✓ Cost to upgrade water system and schedule

Step 2: Operational costs

- ✓ Personnel and benefits (operations, administrative, and billing)
- ✓ Training and certifications
- ✓ Power and chemicals
- ✓ Maintenance and repairs costs



BURGESS & NIPLE

4. Financial Analysis

Step 3: Cash Flow Analysis

- ✓ Determine Revenue requirements

Step 4: Financing Options

Step 5: User Rates

- ✓ Determine rates needed to meet revenue requirements
- ✓ Rate comparison



Final Report

- ✓ Inventory of Assets
- ✓ Value of Water Company
- ✓ Needs of Water Company
- ✓ Financial Forecasting and Analysis
- ✓ Conclusions and Recommendation



BURGESS & NIPLE

Why B&N?

- ✓ *Qualifications*
- ✓ *Approach to meet your goals*
- ✓ *Provide a defensible valuation of Water Company*
- ✓ *Ongoing relationships and knowledge of area*



BURGESS & NIPLE

B&N

Questions



BURGESS & NIPLÉ

STAFF REPORT:

COUNCIL

MEETING OF: AUGUST 17, 2005

TITLE: **RESOLUTION 2005-652: A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE TOWN AND MARK WEILAND, PROPERTY OWNER AND CAMP VERDE WATER SYSTEM FOR THE EXPANSION OF THE WATER SYSTEM TO THE LUCKY CANYON SUBDIVISION LOCATED OFF OF SALT MINE ROAD IN THE TOWN OF CAMP VERDE AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.**

DESCRIPTION:

When the final plat for Phase I of Lucky Canyon Subdivision was approved on December 15, 2004, there was a stipulation that the plat could not be recorded until a development agreement was executed and delivered to the Town. In this development agreement it explains that the Town would provide reasonable assistance to the developer to acquire the necessary right of ways. Also the developer would pay the cost of the right-of-way acquisition and the cost of the water line extension. The extension must also serve the Phase 2 of Lucky Canyon Subdivision.

Attached you will find the Resolution 2004-618 for the final plat approval of Phase 1, the development agreement signed by the property owner and Camp Verde Water System along with the draft resolution that approves the development agreement and authorizes the Mayor to execute the agreement.

ATTACHMENTS: YES

PREPARED BY: Nancy Buckel, Senior Planner



RESOLUTION 2005-652

**DEVELOPMENT AGREEMENT WITH MARK WEILAND PROPERTY OWNER
AND THE CAMP VERDE WATER SYSTEM**

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE TOWN, MARK WEILAND, AND THE CAMP VERDE WATER SYSTEM FOR THE EXPANSION OF THE WATER SYSTEM TO THE LUCKY CANYON SUBDIVISION LOCATED OFF OF SALT MINE ROAD IN THE TOWN OF CAMP VERDE, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

RECITALS:

- A. The Town has the authority to enter into development agreements pursuant to ARS §9-500.05.
- B. It is determined in the best interest of the Town that it enters into the development agreement with Mark Weiland and Camp Verde Water Systems for the expansion of the water line to the Salt Mine Road area and to serve the Lucky Canyon Subdivision.

NOW THEREFORE, BE IT RESOLVED:

- 1. That the development agreement between the Town, Mark Weiland, and Camp Verde Water System with the effective date of August 17, 2005 is approved.
- 2. That the Mayor is authorized to execute the agreement for and on behalf of the Town.

Passed and adopted this 17th day of August 2005.

Tony Gioia, Mayor

Date: _____

Approved as to Form:

Town Attorney

Attest: _____
Deborah Barber, Town Clerk

When recorded, return to:

Debbie Barber, Town Clerk
and Bill Lee, Town Manager
The Town of Camp Verde
P.O. Box 710
473 S. Main St.
Camp Verde, AZ

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (this "**Agreement**") is entered into this ____ day of _____, 2005 ("**Effective Date**"), by and between the **Town of Camp Verde**, an Arizona municipal corporation (the "**Town**"), the Camp Verde Water System, a private water company (the "**Water Company**") and Mark Weiland (the "**Property Owner**"). The Town, the Water Company and the Property Owner are sometimes referred to herein collectively as the "**Parties**" or individually as a "**Party**".

RECITALS

A. WHEREAS, the Property Owner desires to develop Unit 1 and Unit 2 of certain real property located in the Town and known generally as the "Lucky Canyon Subdivision" (collectively, the "**Property**"), located as described on Exhibit A, which is attached hereto and incorporated herein by reference. Each of the units shall be referred to here as either "**Unit 1**" or "**Unit 2**;" and

B. WHEREAS, the Property lacks an adequate water supply to support development of the Property and the Property Owner desires to connect to the water system maintained by the Water Company; and

C. WHEREAS, easements must be obtained to provide the Water Company access to the Property to provide water service to the Property; and,

D. WHEREAS, the Town desires to assist to the Water Company in obtaining access to the Property; and

E. WHEREAS, the Town may assist the Water Company in obtaining access to the Property in order to provide water service to the Property pursuant to A.R.S. §§ 9-522, 48-502 and 9-463.01; and

F. WHEREAS, the Property Owner desires to subdivide the Property and has submitted a plat for Unit 1 ("**Unit 1 Plat**") for final approval by the Town and the Town has approved such plat, subject to the condition that the final plat for Unit 1 may not be recorded unless and until this Agreement is executed and recorded pursuant to A.R.S. § 9-500.05.; and

G. WHEREAS, the Property Owner intends to submit a plat for Unit 2 ("**Unit 2 Plat**") to the Town for review and approval pursuant to A.R.S. § 9-463.01 following the extension of water lines to the Property by the Water Company.

H. NOW THEREFORE, in consideration of the above premises, the promises contained in this Agreement and for good and valuable consideration, the receipt and sufficiency of which the Parties acknowledge, the Parties hereto agree as follows:

ARTICLE 1. DEFINITIONS

The following terms shall have the meanings set forth below whenever used in this Agreement, except where the context clearly indicates otherwise.

- 1.1 “Access Property” has the meaning set forth in Section 2.1.1 of this Agreement.
- 1.2 “Agreement” shall mean this Development Agreement, as amended and restated or supplemented in writing from time to time, and includes all exhibits and schedules hereto. References to Articles, Sections or Exhibits are to this Agreement unless otherwise qualified. The Recitals A through H, inclusive, are incorporated herein by reference and form a part of this Agreement.
- 1.3 “A.R.S” shall mean the Arizona Revised Statutes as now or hereafter enacted or amended.
- 1.4 “Default” or “Event of Default” means one or more of the events described in Section 4.1.
- 1.5 “Effective Date” is defined in the Preamble to this Agreement.
- 1.6 “Line Extension Agreement” has the meaning set forth in Section 2.2.1 of this Agreement.
- 1.7 “Property Owner” is defined in the Preamble to this Agreement.
- 1.8 “Party” or “Parties” shall mean as designated in the preamble to this Agreement.
- 1.9 “Property” is defined in Recital A.
- 1.10 “Term” shall mean the period commencing on the Effective Date of this Agreement and terminating on the date on which the Parties have performed all of their obligations hereunder, provided that, in no event shall the Term of this Agreement extend beyond the tenth (10th) anniversary of the Effective Date.
- 1.11 “Town” is defined in the Preamble to this Agreement.
- 1.12 “Unit 1 Plat” is defined in Recital F.
- 1.13 “Unit 2 Plat” is defined in Recital G.
- 1.14 “Water Company” is defined in the Preamble to this Agreement.

ARTICLE 2. KEY OBLIGATIONS

- 2.1 Town.

2.1.1 The Town will provide the Water Company such assistance as may be permitted by law to acquire easements over the property described on Exhibit B (“**Access Property**”).

2.1.2 The Town will record the Unit 1 Plat promptly following the execution and recording of this Agreement in the Yavapai County Recorder’s Office.

2.1.3 The Town will consider and review the Unit 2 Plat upon its submission to the Town by the Property Owner following the satisfaction of the conditions set forth in Section 2.3 of this Agreement.

2.2 Property Owner.

2.2.1 The Property Owner shall pay any and all costs associated with the extension of water service by the Water Company to serve Unit 1 and Unit 2. Such costs shall include (without limitation) any costs incurred by the Town to assist in the acquisition of easements to allow the Water Company to serve Unit 1 and Unit 2. The Property Owner shall enter into an agreement with the Water Company in the form of Exhibit C (“**Line Extension Agreement**”) to allow the Water Company to provide service to Unit 1 and Unit 2.

2.2.2 Within thirty (30) days following the completion of construction of water lines to serve Unit 1, the Property Owner will cause all lots within Unit 1 to connect to such water lines installed by the Water Company.

2.2.3 The Property Owner will not submit the Unit 2 Plat for final approval by the Town until the Water Company has extended water lines and water service to Unit 2 pursuant to Section 2.3 of this Agreement.

2.3 Water Company.

2.3.1 The Water Company shall extend water lines and water service to Unit 1 and Unit 2 pursuant to the Line Extension Agreement.

2.3.2 If (following reasonable efforts by the Water Company) the Water Company is unable to negotiate easements over the Access Property for the purpose of providing water service to Unit 1 and Unit 2, the Water Company shall notify the Town so that the Town can provide assistance pursuant to Section 2.1.1 of this Agreement.

ARTICLE 3. INDEMNITY

3.1 Indemnity by the Property Owner. The Property Owner shall pay, defend, indemnify and hold harmless the Town and its Town Council members, officers, employees and agents from and against all claims, demands, fines, penalties, costs, expenses, damages, losses, obligations, judgments, liabilities, and suits (including reasonable attorneys fees, experts' fees and court costs associated) which arise from or relate in any way to any act or omission by the Property Owner, or its employees, contractors, subcontractors, agents or representatives, undertaken in fulfillment of the Property Owner's obligations under this Agreement; provided however, that the provisions of this Section 3.1 shall not apply to loss or in any instance in which a claim is asserted based, in whole or in part, upon an act or omissions of the Town, its employees, contractors, subcontractors, agents or representatives. The foregoing indemnity obligations of the Property Owner shall survive the expiration or termination of this Agreement for a period equal to the applicable statute of limitations period.

3.2 Indemnity by the Town. The Town shall pay, defend, indemnify and hold harmless the Property Owner and their respective partners, shareholders, officers, managers, members, agents and representatives from and against all claims, demands, fines, penalties, costs, expenses, damages, losses, obligations, judgments, liabilities and suits (including reasonable attorney's and experts' fees and court costs associated) which arise from or which relate in any way to any act or omission on the part of the Town, its employees, contractors, subcontractors, agents or representatives, undertaken in fulfillment of the Town's obligations under this Agreement; provided however, that the provisions of this Section 3.2 shall not apply to loss or damage or claims therefore which are attributable to acts or omissions of the Property Owner, its agents, employees, contractors, subcontractors or representatives, and the Town shall have no defense obligations in any instance in which a claim is asserted based, in whole or in part, upon an act or omissions of the Property Owner, its employees, contractors, subcontractors, agents or representatives. The foregoing indemnity obligations of the Town shall survive the expiration or termination of this agreement for a period equal to the applicable statute of limitations period.

3.3 Other Indemnities. Any indemnities between the Water Company and the Property Owner shall be addressed in the Line Extension Agreement. Any indemnities between the Town and the Water Company will be addressed in an agreement between the Town and the Water Company if the Town and the Water Company elect to enter into an agreement in connection with their respective obligations under Sections 2.1.1 and 2.3.2 of this Agreement.

ARTICLE 4. DEFAULT; REMEDIES; TERMINATION

4.1 Events Constituting Default. A Party hereunder shall be deemed to be in default under this Agreement if such Party breaches any obligation required to be performed by the respective Party hereunder within any time period required for such performance, and such breach continues for a period of ninety (90) days after written notice thereof from the nondefaulting Party; provided, however, if the breach cannot reasonably be cured within such ninety (90) day period, then the Party shall be in default if it fails to commence the cure of such breach within the ninety (90) day period and diligently pursue the same to completion. Absent written agreement to the contrary, in the event such default, this Agreement may be automatically terminated, at the sole and absolute discretion of the non-breaching Party.

4.2 Dispute Resolution. In the event that there is a dispute hereunder which the Parties cannot resolve between themselves, the Parties agree that there shall be a forty-five (45)

day moratorium on litigation during which time the Parties agree to attempt to settle the dispute by nonbinding mediation before commencement of litigation. The mediator selected shall have at least five (5) years' experience in mediating or arbitrating disputes relating to commercial property development. The cost of any such mediation shall be divided equally between the Parties, or in such other fashion as the mediator may order. The results of the mediation shall be nonbinding on the Parties, and any Party shall be free to initiate litigation upon the conclusion of mediation.

ARTICLE 5. GENERAL PROVISIONS

5.1 Time of Essence. Time is of the essence of each and every provision of this Agreement.

5.2 Conflict of Interest. Pursuant to Arizona law, rules and regulations, no member, official or employee of the Town shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his or her personal interest or the interest of any corporation, partnership or association in which he or she is, directly or indirectly, interested. This Agreement is subject to cancellation pursuant to A.R.S. § 38-511.

5.3 Notices. All notices which shall or may be given pursuant to this Agreement shall be in writing and transmitted by: (i) personal delivery; or (ii) by deposit in the United States mail, certified or registered, return receipt requested, postage prepaid, addressed to the Parties at the addresses set forth below, or at such other address as a party may designate in writing or (iii) by any express or overnight delivery service [e.g. Federal Express], delivery charges prepaid:

If to the Town: Bill Lee, Town Manager
The Town of Camp Verde
P.O. Box 710, 473 S. Main Street
Camp Verde, AZ 86322

With a copy to: Town Attorney
The Town of Camp Verde
P.O. Box 710, 473 S. Main Street
Camp Verde, AZ 86322

If to Owner: Mark Weiland
1800 Saltmine Road
Camp Verde, AZ 86322

With a copy to: N/A

If to Water Company: Camp Verde Water Systems
P.O. Box 340
Camp Verde, AZ 86322
Attn: James B. Bullard, President

With a copy to: N/A

or to such other addresses as either Party may from time to time designate in writing and deliver in a like manner. Any such change of address notice will be given at least ten (10) days before the date on which the change is to become effective. Notices given by mail will be deemed delivered 72 hours following deposit in the U.S. Postal Service in the manner set forth above.

5.4 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona. This Agreement has been made and entered into in Yavapai County, Arizona.

5.5 Successors and Assigns. This Agreement shall run with the land and all of the covenants and conditions set forth herein shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

5.6 Waiver. No waiver by either party of any breach of any of the terms, covenants or conditions of this Agreement shall be construed or held to be a waiver of any succeeding or preceding breach of the same for any other term, covenant or condition herein contained.

5.7 Attorneys' Fees. In the event of any actual litigation between the parties in connection with this Agreement, the party prevailing in such action shall be entitled to recover from the other party all of its costs and fees, including reasonable attorneys' fees, which shall be determined by the court and not by the jury.

5.8 Limited Severability. In the event that any phrase, clause, sentence, paragraph, section, article or other portion of this Agreement is declared void or unenforceable, such provision shall be deemed severed from this Agreement and this Agreement shall otherwise remain in full force and effect; provide that this Agreement shall retroactively be deemed reformed to the extent reasonably possible in such a manner so that the reformed agreement (and any related agreements effective as of the same date) provide essentially the same rights and benefits (economic or otherwise) to the Parties as if such severance and reformation were not required. The Parties further agree, in such circumstances, to do all acts and to execute all amendments, instruments and consents necessary to accomplish and to give effect to the purposes of this Agreement, as reformed.

5.9 Schedules and Exhibits. All schedules and exhibits attached hereto are incorporated herein by this reference as though fully set forth herein.

5.10 Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto pertaining to the subject matter hereof and all prior and contemporaneous agreements, representations, negotiations and understandings of the parties hereto, oral or written, are hereby superseded and merged herein.

5.11 Recordation of Agreement. This Agreement shall be recorded in the Official Records of Yavapai County, Arizona, within ten (10) days after its approval and execution by the Town.

5.12 No Third Party Beneficiaries. There are no third party beneficiaries to the Agreement, and no person or entity not a Party will have any right or cause of action.

5.13 No Agency Created. Nothing contained in the Agreement will create any partnership, joint venture, or agency relationship between the Parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

TOWN:

TOWN OF CAMP VERDE, an Arizona
municipal corporation

By: _____
Mayor

ATTEST:

By: _____
Town Clerk

APPROVED AS TO FORM:

By: _____
Town Attorney

WATER COMPANY:

CAMP VERDE WATER SYSTEM, a
Private Water Company

By: James B. Bullard
James B. Bullard, President

PROPERTY OWNER:

Lucky Canyon Properties, LLC.

By: Mark Weiland
Mark Weiland, Owner

STATE OF ARIZONA)
) ss.
County of Yavapai)

The foregoing instrument was acknowledged before me this 10th day of August, 2005
by Miriam Karina Urias, ~~Mayor of the Town of Camp Verde~~, who
acknowledged that he/she signed the foregoing instrument on behalf of the Town.

Miriam Karina Urias
Notary Public

My commission expires:
Aug. 28, 2007



STATE OF ARIZONA)
) ss.
County of Yavapai)

The foregoing instrument was acknowledged before me this _____ day of _____, 2005 by _____, _____ of the Camp Verde Water System, who acknowledged that he/she signed the foregoing instrument on behalf of the Water Company.

Notary Public

My commission expires:

STATE OF ARIZONA)
) ss.
County of Yavapai)

The foregoing instrument was acknowledged before me this 5th day of Aug, 2005 by Mark Weiland, _____, who acknowledged that he/she signed the foregoing instrument on behalf of the Property Owner.

Colleen F. Elliott

Notary Public

My commission expires:
12/15/2007

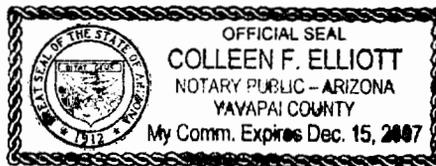


EXHIBIT A

PROPERTY AND PARCEL LEGAL DESCRIPTIONS

That part of Lot 4, Section 1, Township 13 North, Range 4 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, lying West of the Westerly right of way of Salt Mine road, described as follows;

BEGINNING at the Southwest corner of said Lot 4, said corner lying on the Westerly line of the Camp Verde Military Reservation;

THENCE North $23^{\circ}21'28''$ West along the Westerly line of said Lot 4, and the Westerly line of said Camp Verde Military Reservation, a distance of 1,447.02 feet to the Northwest corner of said Lot 4;

THENCE South $89^{\circ}56'57''$ East, along the North line of said Lot 4, a distance of 1,342.16 feet to a point on the Westerly right of way line of Salt Mine Road;

THENCE South $34^{\circ}32'57''$ West along said Westerly right of way line, a distance of 955.57 feet to the P.C. of a curve;

THENCE continuing along said Westerly right of way line and Southwesterly along the arc of said curve, concave to the Southeast, having a radius of 377.03 feet and a central angle of $38^{\circ}07'$, a distance of 250.82 feet to the P.T. of said curve;

THENCE continuing along the Westerly right of way line of said Salt Mine Road, South $03^{\circ}34'03''$ East, a distance of 303.71 feet to a point on the South line of said Lot 4;

THENCE North $89^{\circ}56'12''$ West, along the South line of said Lot 4, a distance of 179.69 feet to the TRUE POINT OF BEGINNING.



RESOLUTION 2004-618

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING FINAL PLAT 2004-05 FOR LUCKY CANYON ESTATES UNIT 1 SUBDIVISION LOCATED ON 19.90 ACRES OF PARCEL 403-06-001 CONTAINING 5 LOTS AND TRACT A. THIS PROJECT IS LOCATED OFF SALT MINE ROAD.

WHEREAS, a request for a final plat (2004-05) was filed by Mr. Tom Pender of Pender Engineering, agent for Mark Weiland, owner, of tax parcel 403-06-001 for the final plat of the Lucky Canyon Unit 1 Subdivision, and;

WHEREAS, the preliminary plat was reviewed by the Planning Commission on February 5, 2004 and by the Common Council on February 25, 2004 in public hearings that were advertised and posted according to state law, and;

WHEREAS, the purpose of the Final Plat is to allow for the development of a residential subdivision and to subdivide parcel 403-06-001, consisting of 19.90 acres, into 5 lots and Tract A and;

WHEREAS, the proposed subdivision will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved;

NOW THEREFORE THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE, TO ADOPT FINAL PLAT 2004-05 FOR THE LUCKY CANYON UNIT 1 SUBDIVISION WITH THE FOLLOWING EXCEPTION:

1. Requirement for sidewalks in the subdivision has been waived by the Council.
2. The developer will be responsible for posting the roadway as a 'No Parking' area.
3. Developer agrees to extend the Camp Verde Water Co. water line to serve Units 1 & 2 of the subdivision.
4. The Developer will pay the cost of right-of-way acquisition and the cost of the water line extension.
5. The Developer will shut down existing wells and hook up all lots in Unit 1 to the water line extension when complete.
6. The Town will provide reasonable assistance to the Developer to acquire the necessary right-of-ways.
7. The final plat will not be recorded until after the execution and delivery of a Development Agreement to the Town.

PASSED AND APPROVED by a majority vote of the Town Council of Camp Verde,
Arizona, this 15th day of December 2004.

Mitch Dickinson
Mitch Dickinson, Mayor

Date: Dec. 20, 2004

Approved as to Form:

C. Paul Woodford
Town Attorney

Attest: *Deborah Barber*
Deborah Barber, Town Clerk

STAFF REPORT

Council Meeting of: **August 17, 2005**

Title: **Discussion, consideration and possible direction to staff as it relates to Tischler's proposal on impact fees.**

Description of Item: The scope of work will provide the Town with a thorough impact fee study. In addition, the recommended impact fees and planning suggestions will give the Town guidance in prudent implementation of impact fees.

Comments: None

Staff Recommendation: Recommend Approval.

Attachments: Yes No

Is This a Budgeted Item: N/A YES NO

Prepared by: Carol Brown for Bill Lee

Copied Council and Staff

7-28-05

DH

PROPOSAL FOR DEVELOPMENT IMPACT FEE

Prepared For

TOWN OF CAMP VERDE, ARIZONA



Camp Verde, Arizona



JULY 25, 2005

Prepared By

TischlerBise

Fiscal, Economic & Planning Consultants

July 25, 2005

Mr. Bill Lee
Town Manager
Town of Camp Verde
473 South Main St.
P.O. Box 710
Camp Verde, AZ 86322

Dear Bill,

I enjoyed our meeting of last Tuesday. It is our pleasure to submit this proposal to prepare development impact fees (hereinafter called impact fees) for the Town of Camp Verde, AZ. There are several points that we would like to note that makes our proposal unique.

1. TischlerBise has prepared more public sector impact fees than any other firm (over 500). Our in house staff of six impact fee professionals ensures quality internal review.
2. TischlerBise has prepared more Arizona impact fees than any other firm. Our many Arizona clients are generally small to medium sized jurisdictions, with many being repeat clients.
3. Our business focuses on impact fees and fiscal impact analysis. These two activities, which account for our 90% of our business, reflect capital facility needs and revenue strategies. Our letterhead indicates these relevant activities.
4. We understand the minefields. Our occasional private sector work ensures that we prepare impact fees that are understandable and defensible. A recent example, Tucson, is discussed in the text.
5. Our impact fees have never been litigated in court. None of our clients has ever had to spend considerable time, effort and money to defend the fees in court.
6. We routinely provide "what if" methodological policy alternatives. Each community is unique and needs to understand alternatives. Our individual approach is a major reason why our previous impact fee work for the Town will be beneficial in this effort and why so many Arizona city managers recommend us.
7. We are willing to commit to a penalty clause if we are not completed with a draft report in 120 days. (This assumes expeditious review of our written products and prompt provision of land use forecast data.)

Please refer to appendices for additional information regarding TischlerBise's qualifications. We have included the latest TischlerBise Fiscal & Economic Newsletter and a reprint of "20 Points to Know about Impact Fees" and supplemental information regarding TischlerBise's relevant experience.

We look forward to the opportunity to discuss our approach, qualifications and work scope with you. If selected, we will commit the resources necessary to fulfill the assignment efficiently and expeditiously. Please contact Paul Tischler regarding this proposal at (800) 424-4318.

Sincerely,

Paul S. Tischler

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APPENDIX

—INTRODUCTION—

PROJECT UNDERSTANDING

It is our understanding that the Town of Camp Verde, Arizona is interested in implementing development fees (hereafter called impact fees). As part of this effort, the consultant will conduct tasks necessary for the implementation of a sound and defensible Impact Fee program. Throughout the effort, TischlerBise will work with the Town staff and other stakeholders to ensure a complete understanding of potential alternatives, methodologies utilized to calculate fees and the overall process. This analysis should include confirming land use assumptions, ascertaining levels of service, forecasting capital improvements needed to accommodate new growth, calculating appropriate credits and preparing cash flow analysis (optional). This thorough approach has led to the successful implementation of hundreds of impact fees across the country. We are confident that at the conclusion of our study we will have identified for the Town the maximum justifiable impact fee for each relevant category.

—TISCHLERBISE QUALIFICATIONS—

FIRM QUALIFICATIONS

TischlerBise, Inc., formerly Tischler & Associates, Inc., is a fiscal, economic and planning consulting firm that specializes in impact fees, fiscal impact analysis, and revenue strategies. The firm has been providing consulting services to both the public and private sectors for over 25 years. In this time, TischlerBise has prepared over 500 impact fees, and over 400 fiscal impact analyses, in both cases more than any other firm. Through its detailed approach tailored for each client, proven methodology and comprehensive product, TischlerBise has established itself as national experts on impact fees. The map below illustrates the broad geographic diversity of our client base as well as highlights the firm's Arizona impact fee clients.

- Arizona IF Clients**
- Avondale
 - Buckeye
 - Carefree
 - Casa Grande
 - Cave Creek
 - Coolidge
 - Eloy
 - El Mirage
 - Flagstaff
 - Gilbert*
 - Glendale
 - Goodyear*
 - Lake Havasu
 - Peoria
 - Phoenix*
 - Pinal County
 - Queen Creek
 - Sedona
 - Scottsdale
 - Sierra Vista
 - Surprise
 - Tolleson
 - Yuma
- *Private Sector



Even more important is our experience with Arizona cities and towns; the list above indicates our extensive Arizona experience. The vast majority of these communities have hired TischlerBise to prepare their first series of impact fees, and then to subsequently update and/or expand them. Some of the specific Arizona communities for whom we have prepared impact fees and the specific categories are listed below:

Client	Feasibility Analysis	Road/Streets/Transportation	Sewer	Water	Stormwater	Police/ Sheriff	Fire/EMS/ Public Safety	Parks and Recreation	Open Space/ Trails	Libraries	Municipal Facilities
Avondale		✓	✓	✓		✓	✓	✓		✓	✓
Buckeye		✓	✓	✓		✓		✓		✓	✓
Camp Verde	✓					✓		✓		✓	✓
Carefree	✓	✓		✓					✓		✓
Casa Grande		✓	✓			✓	✓	✓		✓	✓
Cave Creek		✓	✓	✓				✓	✓		✓
Coolidge		✓	✓			✓	✓	✓			✓
El Mirage			✓	✓		✓	✓	✓			✓
Eloy			✓	✓		✓		✓		✓	✓
Flagstaff	✓	✓				✓	✓	✓		✓	✓
Gilbert*		✓		✓			✓	✓			✓
Glendale			✓	✓	✓	✓	✓	✓		✓	✓
Goodyear (HBAA)*	✓										
Maricopa	✓						✓	✓		✓	✓
Peoria	✓	✓				✓	✓	✓	✓	✓	✓
Phoenix*		✓				✓	✓	✓	✓	✓	✓
Prescott	✓										
Queen Creek		✓	✓	✓		✓	✓		✓	✓	✓
Scottsdale			✓	✓							
Sedona		✓			✓	✓		✓	✓		✓
Show Low	✓	✓	✓	✓		✓		✓		✓	
Surprise		✓	✓	✓		✓	✓	✓		✓	✓

Client	Feasibility Analysis	Road/Streets/Transportation	Sewer	Water	Stormwater	Police / Sheriff	Fire/EMS/ Public Safety	Parks and Recreation	Open Space/ Trails	Libraries	Municipal Facilities
Tolleson	✓	✓	✓	✓	✓	✓	✓				✓
Tucson*		✓									
Yuma		✓	✓		✓	✓	✓	✓	✓		✓

* Private Sector

PERSONNEL QUALIFICATIONS

TischlerBise's widespread success can be attributed to its highly experienced staff of analysts whose relevant experience is unsurpassed. Paul Tischler, and Chris Cullinan will comprise the project team for this assessment and collectively bring over 35 years of impact fee experience to the assignment.

Paul Tischler, who is President of TischlerBise, has a BA in Economics and an MBA in Real Estate and Urban Development. Mr. Tischler will serve as principal-in-charge and will monitor the contract, ensure client satisfaction, oversee quality control and will provide input on issues related to policy. Mr. Tischler has over 30 years of experience in the area of infrastructure financing and impact fees. Recognized as an expert, Mr. Tischler frequently gives lectures and conducts workshops on impact fees and revenue exactions for various groups and organizations including the American Planning Association, the National Association of Homebuilders, National Impact Fee Roundtable, the Urban Land Institute and the Government Finance Officers Association. Mr. Tischler has also authored numerous articles on impact fees and fiscal impact analysis. These include "20 Points to Know About Impact Fees", printed in the American Planning Association's Planning Magazine, and "Impact Fees – Understand Them or Be Sorry", published in the National Association of Homebuilders' Land Development Magazine. In addition to these articles, Mr. Tischler, along with TischlerBise staff member Dwayne Guthrie, wrote the ICMA IQ Report, "An Introduction to Infrastructure Financing."

Chris Cullinan has a B.A. in Political Science and a Masters of Public Affairs in Public Financial Administration, will serve as overall project manager for this assignment. As a former Budget Director, he brings several years of financial management experience including budgeting, cost analysis, revenue analysis and forecasting, long-term financial planning, and capital improvement planning. Mr. Cullinan has prepared over 80 impact fees. His recent and current impact fee assignments include Cave Creek, AZ; Queen Creek, AZ; Peoria, AZ, Maricopa, AZ, Yuma, AZ, Sedona, AZ, Glendale, AZ, Casa Grande, AZ, Eloy, AZ, and Pinal County, AZ.

Please refer to the appendix for the complete resumes of Paul Tischler and Chris Cullinan.

—APPROACH AND METHODOLOGY—

APPROACH

TischlerBise's national reputation for preparing impact fees can be attributed in large part to our approach to *quality control*. The firm will conduct a thorough evaluation of relevant information and data in terms of its being supportable and sustainable. Another part of the quality control consideration is TischlerBise's national expertise in the areas of revenue strategies, capital improvement planning, growth policy analysis, demographics and economics. Finally, we play "devil's advocate" in terms of ensuring that the information and resulting fees will withstand close scrutiny.

Our relevant experience will allow us to discuss various technical approaches with the Town. For impact fees, it is critical that the impact fees pertain to the existing levels of service, unless there is a financial plan to provide the desired level of service for existing residents. Another important component of the impact fee analysis is to evaluate actual capital costs, as well as credits, in order to make sure that the impact fee meets the requirements of case law.

METHODOLOGY

There are three basic methodologies that can be applied in the calculation of impact fees. These are the plan-based, incremental expansion and cost-recovery approaches. The *plan-based* approach is usually based on a master plan or facility study that indicates the future facility needs over a certain time frame to service certain population thresholds. The *incremental expansion* approach reflects the methodology in which capital items are added incrementally to meet growth. An example is the need for additional police cars as the number of police personnel increase. The *cost-recovery* methodology is a third approach. This occurs when the Town has already oversized capital facilities from which new growth will benefit. This approach can be utilized with either of the first two approaches.

The selection of the particular methodology for each component of the impact fee category will be dependent on which is most beneficial for the Town. In a number of cases we will prepare the impact fees for a particular infrastructure category using several methodologies and will discuss the trade-offs with the Town.

—WORK SCOPE—

The following tasks are recommended to provide a defensible impact fee study.

Task 1: Recommend Land Use Assumptions

TischlerBise will review and, if appropriate, update annual projections of population, employment, housing, commercial, industrial and other nonresidential square footage data for at least five years. This will be based on discussions with Town staff. We will prepare a memorandum discussing the recommended land use projections. This task will serve to establish forecasts reflecting population, housing, employment, nonresidential building area and other relevant data.

Task 2: Ascertain Demand Factors and Level of Service for Relevant Public Facilities

There are several important components to this task which are outlined below.

- a. **Ascertain Demand Factors** – The actual demand factors that generate the need for new capital facilities will be reviewed.
- b. **Evaluate Existing Levels of Service** – It is important to note that impact fees should use existing levels of service for the purpose of calculating the new demand, unless there are extenuating circumstances. We will determine the existing level of service by conducting onsite interviews, evaluating the appropriate studies and analyzing relevant local data.
- c. **Determine Geographic Service Area** – The appropriate geographic service area for purposes of calculating the impact fees will be determined.

The above subtasks will enable us to ensure that three important impact fee requirements are met; namely the proportionate share, substantial benefit and rational nexus.

Task 3: Review Capital Needs and Costs and Allocate to Growth

This task will culminate in the relevant capital needs and costs due to growth.

- a. **Long Range Capital Need** - In this subtask, TischlerBise will further review the various studies and other data germane to the Town's capital facility activities. The discussions may include not only an understanding of the specific costs, but also include discussions pertaining to whether these capital facilities needs were due to normal replacement, catch-up, or new demand. The issue of catch-up will be discussed in the context of new development paying for higher levels of service than those which currently exist.
- b. **Review Cost Estimates** - In this subtask TischlerBise will review, as relevant, the various capital costs. As part of this subtask, we will ascertain whether the facilities are likely to be financed and, if so, the amortization schedule.
- c. **Evaluate Different Allocation Methodologies** – TischlerBise will consider different possible allocation methodologies to determine which is the most appropriate for each component of the particular impact fee.

As part of calculating the fee, the jurisdiction may include the construction contract price; the cost of acquiring land, improvements, materials and fixtures; the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction system improvement; and debt service charges, if the Town might use impact fees as a revenue stream to pay the principal and interest on bonds, notes or other obligations issued to finance the cost of system improvements. All of these components will be considered in developing an equitable allocation of costs.

Task 4: Determine Need for and Calculate "Credits" to be Applied Against Capital Costs

A consideration of "credits" is integral to the development of a legally valid impact fee methodology. There is considerable confusion among those who are not immersed in impact fee law about the definition of a credit and why it may be required.

ARIZONA REFERENCES

Listed below are descriptions of four of our Arizona clients.

Client

Town of Cave Creek, Arizona

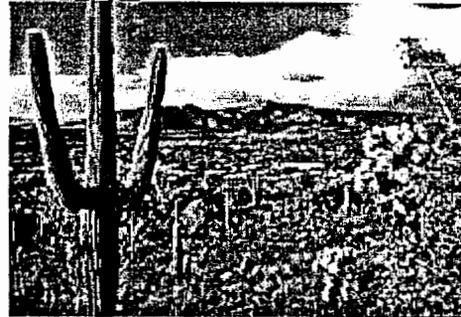
Contact

Usama Abujbarah, Town Manager
(480) 488-6611



Nature of Assignment

The Town of Cave Creek retained TA to perform a development fee feasibility analysis, which identified service areas where the Town could effectively recover new development's fair share of the Town's capital costs for facilities and equipment. These service areas were recreation, open space and trails, wastewater, water, public buildings and equipment, and roads. TA subsequently proposed the impact fees. A cash flow analysis showed



that the fees could total about \$6.4 million over six years, providing needed capital for expanding recreation facilities and public buildings as well as paying for new growth's share of basic infrastructure—like water, wastewater, and roads—that are used by new and existing residents.

Client

City of El Mirage, Arizona

Contact

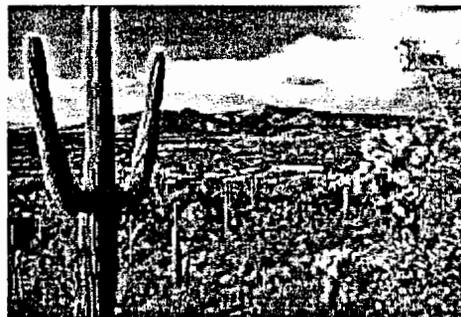
B.J. Cornwall, City Manager
(623) 972-8116



Nature of Assignment

TA prepared a Development Fee Feasibility Analysis that identified critical fiscal issues indicating that the City of El Mirage could not maintain its present level of services given its current revenue structure.

In addition to making recommendations concerning the administration of the City's enterprise funds and adoption of a capital improvement program, TA reviewed the City's facilities and equipment by department to identify where development fees could most effectively be used to fund capital improvements needed to accommodate new development. Based on this review, TA calculated water and sewer capacity fees as well development impact fees for the facilities and equipment needed by the City's fire, police, parks and recreation, and general government services.



Client

Town of Queen Creek, Arizona

Contact

John Kross, Community Development Director
(480) 987-9887



Nature of Assignment

TA was hired by the Town of Queen Creek to prepare a comprehensive package of development impact fees to offset the Town's capital costs associated with providing necessary public services to new development. In 1999, TA used a combination of methodologies to compute impact fees to support the Town's wastewater collection and treatment facilities, libraries, town buildings and vehicles, public safety, and parks, open space, and recreation facilities. In 2002, Queen Creek again retained TA to calculate a transportation impact fee and to update the impact fees adopted by the Town in 1999. Since the amount of parkland exceeded the Town's target of 6.1 acres of parkland per 1,000 residents, a unique approach of the 2002 study was TA's use of a "cost recovery" methodology for the Town's community parks. This approach permitted new development to contribute to the Town's temporary overcapacity in parkland.

NEIGHBORHOODS IN BLOOM

Client

City of Tolleson, Arizona

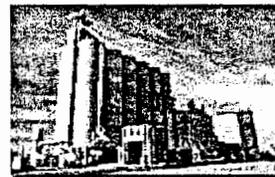
Contact

Ralph Velez, City Manager
(623) 936-7111



Nature of Assignment

TA recently completed an update of fees for this Phoenix suburb. The fee categories included water, sewer, roads, police, fire, and municipal



facilities. Tolleson is somewhat unique in that much of its future growth will be nonresidential development. The fees pass unanimously in the Fall of 2003.

There are, in fact, two (2) types of “credits” each with specific, distinct characteristics, but both of which will be included in the development of impact fees. The first is a credit due to possible double payment situations. This could occur when future contributions are made by the property owner toward the capital costs of the public facility covered by the impact fee. The second is a credit toward the payment of an impact fee for the required dedication of public sites and improvements provided by the developer and for which the impact fee is imposed.

Task 5: Complete Impact Fee Methodology and Calculation

The completion of the above task will enable the impact fee methodology and calculations to be finalized. The maximum justifiable fee that can be charged and conform to fee requirements will be calculated. (The Town will subsequently decide what percentage of the maximum justifiable fee it wants to charge.)

Task 6: Conduct Funding and Cash Flow Analysis (Optional)

In order to prepare a meaningful capital improvement plan, it is important to evaluate the anticipated funding sources. In this task, TischlerBise will prepare a cash flow analysis that indicates the sources of funding, independent of different impact fee amounts. This calculation will allow the Town to better understand the various revenue sources possible and the amount, which would be needed if the impact fees were discounted. It will also provide a good understanding of the cash flow needed to cover the infrastructure costs both for the new development and resulting credible capital improvement program.

The initial cash flow analysis will indicate whether additional funds might be needed or whether the capital improvements plan might need to be altered. This could also affect the total credits calculated in the previous task. Therefore, it is likely that a number of iterations will be conducted in order to refine the cash flow analysis reflecting the capital improvement needs.

Task 7: Preparation of Impact Fee Report

TischlerBise will prepare a draft report that summarizes the need for impact fees for the appropriate public facility category, the relevant methodologies employed and documents all assumptions and cost factors. The report will include at a minimum the following information:

- Executive Summary
- A detailed description of the methodologies used during the study
- A detailed description of all level of service standards and cost factors used and accompanying rationale
- A detailed schedule of all proposed fees listed by land use type and activity
- Other information which adequately explains and justifies the resulting recommended fee schedule

Following the Town’s review of the draft report, we will make mutually agreed upon changes and issue five copies of the final report.

TischlerBise’s fee report will have flow diagrams clearly indicating the methodology and approach, a series of tables for each activity showing all of the data assumptions and figures, and a narrative explaining all of the data assumptions, sources and the methodologies. The report will be a stand-alone document clearly understood by interested parties. Because of the firm’s extensive experience in

calculating impact fees and preparing such reports, we have developed a very succinct written product that leaves a well understood paper trail.

Task 8: Presentation/Meeting

TischlerBise will attend one meeting/public hearing to explain the analysis and conclusions.

Task 9. Liaison Committee (Optional)

In our calculation of fees around the country, it has been very beneficial to have a liaison committee. The purpose of this committee is to allow interested parties, designated by the Town, to understand assumptions and raise any questions about the technical demographic, cost, revenue, credit and other data and supporting documentation that is being used in the calculation of development fees. This will not be a forum to discuss the political and/or philosophical use of fees. Rather it will be an opportunity for these interested parties to understand the soundness and the reasonableness of the technical development fee methodology. We anticipate two meetings with this group. The first would be to discuss the initial data assumptions, after "sign-off" by the client. The second would be to discuss the draft report. Utilizing this forum will enable the focus of the public hearings to be on the political and economic issues of implementing fees, not the technical approach.

—DELIVERABLES—

TASK	DELIVERABLE
Task 1. Recommend Land Use Assumptions	Memorandum Discussing Land Use Projections
Task 2. Ascertain Demand Factors and Level of Service for Relevant Public Facilities	See Below
Task 3. Review Capital Needs and Costs and Allocate to Growth	See Below
Task 4. Determine Need for and Calculate "Credits" to be Applied Against Capital Costs	See Below
Task 5. Complete Impact Fee Methodology and Calculation	See Impact Fee Report Below
Task 6. Conduct Funding and Cash Flow Analysis (Optional)	Cash Flow Analyses Reflecting Capital Improvement Plan(s) and Applicable Impact Fees
Task 7. Preparation of Impact Fee Report	Impact Fee Report
Task 8. Presentation/Meeting	Appropriate Materials and Graphics
Task 9. Liaison Committee (Optional)	Appropriate Presentation Material

—SCHEDULE—

The time estimated to complete the impact fee report is approximately four months from the start of Task 1. This assumes prompt receipt of requested materials and data from the Client, as well as allowing sufficient time for Town staff to review the appropriate products. The anticipated four-month schedule is indicated below.

TASK	MONTH 1	MONTH 2	MONTH 3	MONTH 4
Task 1. Recommend Land Use Assumptions	■			
Task 2. Ascertain Demand Factors and Level of Service for Relevant Public Facilities		■		
Task 3. Review Capital Needs and Costs and Allocate to Growth		■		
Task 4. Determine Need for and Calculate "Credits" to be Applied Against Capital Costs			■	
Task 5. Complete Impact Fee Methodology and Calculation			■	
Task 6. Conduct Funding and Cash Flow Analysis (Optional)				■
Task 7. Preparation of Impact Fee Report				■
Task 9. Presentation/Meeting				■
Task 10. Liaison Committee (Optional)	■	■	■	■

—COST—

The estimated cost for the study is indicated below broken down by category and task.

	Parks and Recreation	\$11,820
	Police	\$ 9,030
	Library	\$ 6,640
	Municipal Facilities and Equipment	<u>\$ 8,950</u>
	SUBTOTAL	\$36,440
Optional Task 6	Conduct Funding and Cash Flow Analysis	\$10,000
Optional Task 9	Liaison Committee	<u>\$ 3,000</u>
		\$49,440

We anticipate adding an “open space and trail” component to the parks and recreation category. Based on our onsite meeting we recommend the inclusion of both optional tasks. Task 6 will provide a good basis for the CIP for new growth by category and Task 9 will allow all interested parties to understand the need and soundness of the fees.

TischlerBise’s consultant cost can be recaptured as part of the impact fee calculation.

—REFERENCES—

Listed below are some of our Arizona development impact fee client, followed by a description of four of our Arizona impact fee assignments.

Client	Contact	Feasibility Analysis	Road/Streets /Transporta tion	Sewer	Water	Storm water	Police/ Sheriff Fire/EMS/ Public Safety	Parks and Recreation	Open Space/ Trails	Libraries	Municipal Facilities
Avondale	Kevin Artz 602-925-0018		✓	✓	✓		✓	✓	✓	✓	✓
Buckeye	Carroll Reynolds 623-386-4691		✓	✓	✓		✓	✓		✓	✓
Carefree	Jonothan Pearson 480-488-3686	✓	✓		✓				✓		✓
Casa Grande	Scott Barber 520-421-2600		✓	✓			✓	✓		✓	✓
Cave Creek	Usama Abujbarah 480-488-6611		✓	✓	✓			✓	✓		✓
Coolidge	Bob Flatley 520-723-5361		✓	✓			✓	✓			✓
El Mirage	B.J. Cornwall 623-972-8116			✓	✓		✓	✓			✓
Eloy	Jim McFellen 520-466-2578			✓	✓		✓	✓		✓	✓
Flagstaff	Mary Jo Jenkins 520-774-5281	✓	✓				✓	✓		✓	✓
Glendale	Ken Reedy 602-930-2254			✓	✓	✓	✓	✓		✓	✓
Maricopa	Rodger Kolman 520-568-9098	✓					✓	✓		✓	✓
Peoria	Jeff Tyne 623-776-7114	✓	✓				✓	✓	✓	✓	✓
Queen Creek	John Kross 480-987-9887		✓	✓	✓		✓	✓	✓	✓	✓
Sierra Vista	Mary Jacobs 520-458-3315		✓			✓	✓	✓	✓		✓
Surprise	Robert Nilles 623-583-1000		✓	✓	✓		✓	✓		✓	✓
Tolleson	Ralph Valez 623-936-7111	✓	✓	✓	✓	✓	✓				✓

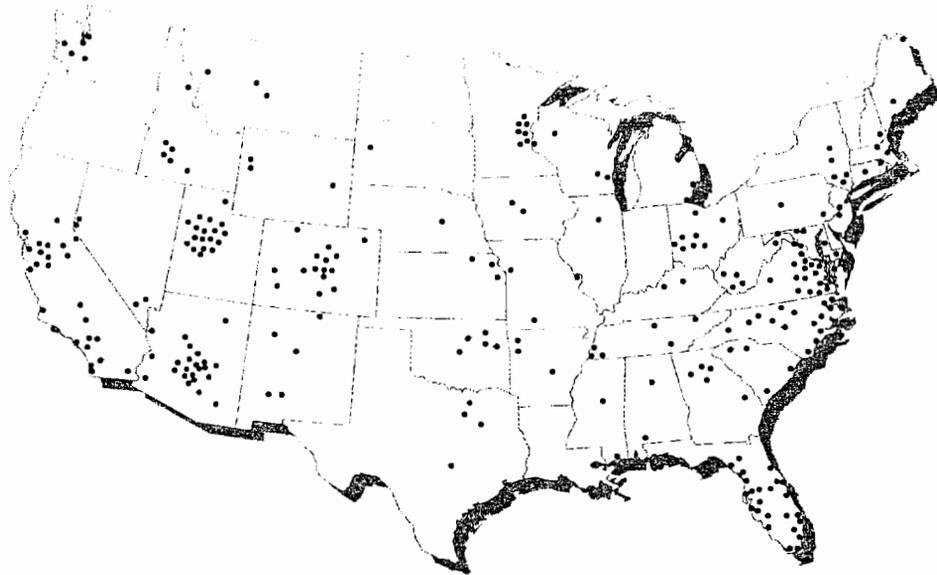
A client reference for our recent private sector work in Tucson is attorney Mary Beth Savel at Lewis and Roca. She can be reached at 602-262-5311.

TischlerBise

Fiscal, Economic & Planning Consultants

TischlerBise has provided fiscal, economic and planning consulting services to public and private sector clients for over 30 years. In this time, TischlerBise has prepared over 500 impact fees and over 400 fiscal impact analyses.

As illustrated on the map below, **T**ischlerBise has provided fiscal, economic and planning consulting services to jurisdictions across the country.



The professional services offered by **T**ischlerBise include:

- Impact (Development) Fees
- Fiscal Impact Analyses
- Capital Improvement Plans
- Market & Economic Feasibility Studies/Economic Development Strategies
- Fiscal and Economic Software

IMPACT FEES

Impact Fees are one-time payments used to fund capital improvements needed to accommodate new development. Since impact fees are applied only to new development, they have become an increasingly popular revenue source for local governments.

PUBLIC SECTOR

TischlerBise has completed over 500 impact fee studies for jurisdictions across the country. The types of facilities for which the firm has calculated impact fees include: roads, utilities, schools, parks, libraries, police, fire/EMS and municipal buildings. For those communities not sure about the practicality of impact fees and/or the impact fee categories to evaluate, TischlerBise offers an **impact fee feasibility analysis**. This cost-effective study (under \$9,000) provides a road map for the jurisdiction and can serve as a white paper. Some of TischlerBise's public sector impact fee clients include:

Bentonville, AR
Avondale, AZ
Camp Verde, AZ
Carefree, AZ
Flagstaff, AZ
Glendale, AZ
Goodyear, AZ
Peoria, AZ
Phoenix, AZ
Queen Creek, AZ
Scottsdale, AZ
Show Low, AZ
Surprise, AZ
Tolleson, AZ
Chino Hills, CA
Boulder, CO
Castle Rock, CO
Eaton, CO
Greeley, CO
Johnstown, CO
Louisville, CO
Pitkin Co., CO
Steamboat Springs, CO
Appoquinimink School Dist., DE
New Castle, DE
State of Delaware
Deerfield Beach, FL
Hillsborough Co., FL
Key Biscayne, FL
Manatee Co., FL

Pasco Co., FL
Polk Co., FL
Sunny Isles Beach, FL
Tarpon Springs, FL
Venice, FL
Post Falls, ID
Barnstable Township, MA
Calvert Co., MD
Carroll Co., MD
Cecil Co., MD
Charles Co., MD
Frederick Co., MD
Queen Anne Co., MD
Washington Co., MD
Westminster, MD
Worcester Co., MD
Madison, MS
Billings, MT
Bozeman, MT
Missoula, MT
Chatham Co., NC
Durham Co., NC
Greenville, NC
Nags Head, NC
Orange Co., NC
Albuquerque, NM
Las Cruces, NM
Taos, NM
Clifton Park, NY
Delaware, OH

Edmond, OK
Stillwater, OK
Lower Markham Township, PA
E. Greenwich, RI
Horry Co., SC
Rock Hills, SC
Summerville, SC
American Fork, UT
Brigham City, UT
Clearfield, UT
Clinton City, UT
Draper, UT
Farmington, UT
Hyde Park, UT
Kaysville, UT
North Logan, UT
Pleasant Grove, UT
South Valley Sewer District, UT
Salt Lake Co., UT
Spanish Fork, UT
Springville, UT
Wellsville, UT
Woods Cross, UT
Chesapeake, VA
Chesterfield Co., VA
Isle of Wight, VA
Suffolk, VA
Eau Claire, WI
New Berlin, WI
Teton County, WY

Listed below are several analyses of interest.

Delaware, Ohio – Delaware, a City with a population of about 6,500, is experiencing growth from Columbus. TischlerBise calculated new growth's fair share of capital costs. Based on the impact fee feasibility analysis the firm conducted, roads were not pursued because of local funds needed to supplement any road impact fees.

Peoria, Arizona - This Phoenix city has a population of over 50,000. TischlerBise prepared impact fees for libraries; parks, recreation and open space; law enforcement; fire and emergency medical services; general government; and transportation. The road impact fees had two geographic areas with higher fees in the newer, lower density northern part of the City.

Carroll County, Maryland - For the Home Builders Association of Maryland, TischlerBise critiqued the impact fees that had been developed by another consultant in Carroll County, Maryland. Following TischlerBise's review, the County reduced the fees from \$8,000 to \$2,700. TischlerBise was subsequently awarded a contract by the County for additional impact fees. As part of this assignment, the firm worked with a public/private sector committee that included the Home Builders Association.

PRIVATE SECTOR

In addition to our significant public sector experience, TischlerBise is frequently retained by private sector clients to critique impact fees and other one-time charges. This experience enables us to approach each assignment with a comprehensive understanding of various stakeholder perspectives as well as extensive knowledge regarding methodology and data. TischlerBise's private sector clients include:

Home Builders Association of Montana
Home Builders Association of Maryland
Suburban Philadelphia Home Builders Association
Home Builders Association of Richmond
Bozeman Montana Home Builders Association
Dayton, Ohio Home Builders Association
Home Builders Association of Central Arizona

FISCAL IMPACT ANALYSIS

TischlerBise has completed over 400 **fiscal impact analyses** for both public and private sector clients throughout the U.S. The types of analyses conducted by TischlerBise include: growth alternatives, annexation, specific development projects, land use prototypes and fiscal equity studies.

While most fiscal impact analyses utilize the average cost-per capita approach, TischlerBise's fiscal analysis work focuses on the more realistic case study-marginal cost approach. Under this approach, available capital facilities capacities and variable/semi-variable operating costs can be reflected. In addition, the case study-marginal cost approach reflects spatial relationships and timing of additional facilities required to serve new growth. These are important considerations not addressed by the average cost approach.

GROWTH ALTERNATIVES

When conducting an analysis of growth alternatives, different development scenarios are evaluated for their impacts over a defined period, usually between ten and twenty years. These scenarios can reflect variations in job/housing ratios as well as the amount, staging and location of development. This type of analysis can be used to compare alternative land use plans or alternative development patterns. Listed below are several analyses of interest.

Howard County, MD - TischlerBise conducted the fiscal analysis of the Howard County, Maryland General Plan. This analysis included the evaluation of several different land use scenarios. The results were critical in influencing the Plan recommendations and ultimate adoption. The General Plan won the APA National Award for Best Comprehensive Plan. The County recently retained TischlerBise for fiscal analysis evaluations for the General Plan Update, including one scenario focusing on a higher percentage of elderly.

Sun Prairie, WI - The City's revenue structure cannot maintain current levels of service under trends and two other growth scenarios. State law leaves the City with limited options for revenue enhancement.

Anchorage, AK - TischlerBise evaluated five land use alternatives under consideration for the comprehensive plan update. A major finding of the study was that the Municipality's revenue structure was unable to sustain new growth under any land use alternative. The study also revealed the extent to which the Municipality benefited from encouraging increased densities in the downtown area. TischlerBise recommended potential revenue and implementation strategies.

Metropolitan Council, MN - The fiscal impact of two different growth alternatives - compact versus trends development - was evaluated for eight jurisdictions in the Twin Cities area. There are two jurisdictions each from four different types of communities - matured, maturing, suburbanizing and developing.

FISCAL IMPACT ANALYSIS

ANNEXATION

In addition to conducting citywide or countywide analyses for local jurisdictions, TischlerBise has extensive experience in evaluating the fiscal impacts of annexation. While it is generally fairly easy to calculate the additional revenues accruing from annexation, it is usually much more difficult to ascertain the fiscal impacts of providing services and facilities. Listed below are several analyses of interest.

Delaware, OH - This city, within easy commuting distance to Columbus, experienced significant pressures for annexation. TischlerBise evaluated the fiscal impacts of various development scenarios *within* the City as well as in different annexation subareas *outside* the City as part of a comprehensive plan process. Fiscal surpluses were generated for development within the City, but deficits were generated in the annexed areas.

Wilmington-New Hanover County, NC - Annexation and extension of urban services is a “win-win” for both jurisdictions. The County was able to provide its urban services on a cost effective basis because of its economy of scale. The County did not have to provide urban services, which it was ill equipped to do, and still receive its appropriate amount of revenues. Otherwise the County would have incurred deficits.

Peoria, AZ - Evaluation of a developer requested annexation of approximately 6,500 acres of undeveloped land indicated fiscal surpluses to the City, assuming developer-funded infrastructure and a favorable market absorption schedule. Based on TischlerBise’s analysis, the City was better able to negotiate with the developer.

Deerfield Beach, FL - Because Broward County will no longer provide urban services by the year 2010, unincorporated areas will be annexed by various cities within the County. TischlerBise’s analysis of five different annexation scenarios for four individual annexation areas showed that a slow pattern of annexation is in the City’s best interests.

FISCAL IMPACT ANALYSIS

SPECIFIC DEVELOPMENT PROJECTS

Specific development projects/proposals, such as major rezoning or planned unit development, can dramatically affect the fiscal well being of a community. Therefore, it is in the best interest of a community to evaluate more than just the developer's bullish scenario. Drawing upon our experience with real estate market analysis, TischlerBise can assist a community in determining the likely absorption schedules as well as forecast other realistic alternatives. This will provide a community with a better understanding of the demands for services and resulting fiscal consequences of different rates of absorption and/or mix of development. Listed below are several analyses of interest.

Howard County, MD – On behalf of the *Rouse Company*, TischlerBise evaluated a proposed mixed use rezoning containing over 1,400 residential units and 700,000 square feet of nonresidential space. The proposed rezoning generated net surpluses due to the mix of uses. The rezoning was subsequently approved.

Mashpee Township, MA – TischlerBise conducted a fiscal impact analysis of the proposed Mashpee Commons mixed-use development. The development program was approved at the Town Meeting.

Old Bridge, NJ – TischlerBise evaluated three alternative scenarios in addition to the developer's three alternatives for a proposed planned unit development (PUD) that would increase population by nearly 50%. Information from the analysis was used by the Township in subsequent negotiations with the developer.

Twin Falls, ID – TischlerBise evaluated the fiscal impacts of a Micron plant that was considering locating just outside the City boundaries, necessitating a utility extension by the City. TischlerBise's analysis showed that although there were definitely positive spin-offs to the City from the location of a plant outside its boundaries, there were costs that outweighed these revenues.

FISCAL IMPACT ANALYSIS

LAND USE PROTOTYPES

In this type of analysis the characteristics of various residential (i.e., single family, townhouse, apartment) and nonresidential (i.e., 1,000 square feet of retail, industrial, office) “prototypes” are defined and the annual costs and revenues ascertained for each prototype to understand the generalized impacts each land use independently has on a local government’s budget. The factors used to define these prototypes typically include persons per household, employment per 1,000 square feet, vehicle trips, assessed value, etc. Listed below are several analyses of interest.

Sarasota County, FL – Evaluation of 19 land use prototypes revealed that land uses that generate positive *economic* impacts can generate *fiscal* deficits.

Tyler, TX – Analysis indicated that new residential development generates net deficits.

Steamboat Springs, CO – Nonresidential development generates net deficits, primarily because the City does not have a property tax.

FISCAL EQUITY STUDIES

A fiscal equity study answers the question of whether county property tax payments made by municipal taxpayers is subsidizing the provision of county services to unincorporated county taxpayers, or from a county perspective, whether county property taxes received from those living in municipalities are enough to cover the municipal share of countywide service costs. Listed below is an analysis of interest.

Shelby County, TN – TischlerBise prepared a fiscal equity study that focused on whether City of Memphis residents and businesses that pay County taxes are receiving a commensurate County expenditure for 16 selected public services. TischlerBise’s analysis showed the County subsidizes the City Schools, Sheriff, Planning and Economic Development, Health Care Centers, Health Services, The Medical Center, Jail, Corrections, Criminal/Civil Justice and Human Service Grants in the amount of \$88,550,839. The City subsidizes County Schools, Memphis/Shelby County Library System, Fire and Emergency Services, Parks, Public Works, and Public Assembly Facilities and Regional Amenities in the amount of \$44,524,605. The net result is an annual Shelby County subsidy of \$44,026,234.

FISCAL AND ECONOMIC SOFTWARE

TischlerBise develops computer models specific to each assignment. This **fiscal and economic software** can then be licensed as complete applications for operation and installation at client locations, with various functions and user interface options available. TischlerBise's applications are the most successful, comprehensive and widely used in the country.

Common features of all TischlerBise applications include:

- Each application is custom designed, based on each client's objectives, information and reporting needs.
- All applications are designed in a spreadsheet environment, without protected cells and formulas.
- Custom interfaces can be developed using Visual Basic.
- Applications are interactive, comprehensive and flexible.
- Changes can be made quickly and inexpensively.
- Analyses can be done jurisdiction-wide, or by geographic sub-areas.
- The "what-if" nature of the applications allows testing of a wide range of alternatives.

The following brief descriptions provide an overview of the various capabilities of TischlerBise's fiscal impact models.

FISCALS

The various fiscal impact applications developed by TischlerBise are licensed under the name of FISCALS, and are generally developed using a case study-marginal cost approach. Applications can be developed for analyzing the impact of various growth scenarios, annexations and specific development proposals, as well as various prototype land uses. Among the features available for fiscal impact applications is the ability to project "lumpy" capital facilities; factoring lag-lead time of construction and useful life; forecasting facility related and non-facility related operating expenses; and the recognition of available capacities. Flexibility is built-in that allows the user to choose between various cost and revenue projection methodologies. Other options include the ability to factor the costs and revenues associated with the existing development base, a replacement program for existing infrastructure, concurrency/adequate public facilities monitoring, tax increment financing, and bond capacity. Built-in graphics and printing features can be incorporated.

FISCAL AND ECONOMIC SOFTWARE

FISCALS GIS TischlerBise can develop its FISCALS applications with a GIS interface. This provides users with a new way to represent development changes/proposals. Instead of typing data into the FISCALS application, users “draw” development proposals on a GIS base map of the jurisdiction. The GIS interface provides an automated mechanism to summarize all these development proposals, by year, and transfer this information to the FISCALS application. FISCALS GIS requires that clients be licensed ArcView GIS (Version 3.1 or higher) users.

Listed below are several analyses of interest.

Westminster, CO – TischlerBise is designing a fiscal model for this suburban Denver city for long-term fiscal planning. The City wants to ensure that the existing revenue stream can maintain levels of service once new development is at a minimal level, and one-time fees are minimal. The City also wants to evaluate the fiscal consequences of possible higher levels of service.

Bernalillo County, NM – TischlerBise was hired to design and implement a fiscal impact model reflecting the case study-marginal cost approach. This will enable the County to evaluate the future demands for services and fiscal consequences of different growth scenarios.

Cary, NC - As part of its Comprehensive Plan update, this Town hired TischlerBise to evaluate the fiscal impacts of five different development scenarios. Now that the various fiscal impact analysis activities are completed, the firm is providing a fiscal impact model for the Town’s use in evaluating various planning and financial policy issues. This model was developed with an emphasis on the case study-marginal approach and can analyze multiple land use scenarios as well as geographic subareas within the Town. As part of this assignment, was responsible for developing cost/revenue demand generators and methodologies for each service provider (with input and sign-off from Town staff), design of the fiscal impact model and appropriate training and user documentation.

Albuquerque, NM - TischlerBise developed a fiscal impact model for the City to use in evaluating the impact of newly developing areas, particularly those being considered for annexation. In addition, the model will allow the City to plan for future capital, personnel, operating and facility needs, as well as provide valuable information for consideration when discussing development policies and formulating the Strategic Plan. As part of this assignment, TischlerBise was responsible for development of cost/revenue demand generators and methodology for each service provider, design of the fiscal impact model, appropriate training and user documentation, and ongoing assistance as needed.

CAPITAL IMPROVEMENT PLANS, GROWTH POLICY STUDIES, AND MARKET & ECONOMIC FEASIBILITY STUDIES

Capital improvement programming is one of TischlerBise's core services. As funding for infrastructure has become a critical problem, local governments have begun more long-range planning for construction and replacement of public facilities.

Much of TischlerBise's work is generated by communities' concerns with the management of growth. TischlerBise has worked with several major metropolitan areas on **growth policy studies** where results were translated directly into long-range plans.

TischlerBise conducts **market and economic feasibility studies**, site evaluations, highest and best use, pro forma and financial analyses, and business plans leading to sound investment/marketing strategies for both public and private sector clients throughout the U.S. We also assist the public sector by providing targeted research, formulating specific economic development strategies, and defining roles aimed at furthering community revitalization.

Listed below are analyses of interest.

Newton, Massachusetts - In Newton, Massachusetts, a suburb of Boston, a major developer proposed a mixed-use project, with the City paying for the structured parking. The City retained TischlerBise to determine the probable market absorption, developer proformas, and financial alternatives. Working with the City, the developer, and a neighborhood coordinating committee, TischlerBise helped to arrange a financial package that included the tax increment financing and City participation in office rent increases.

Lancaster, Texas - For this suburb of Dallas, TischlerBise prepared an economic profile and economic development assessment. The economic development assessment included products on Recommended Industry Clusters, Lancaster's Economic Infrastructure and Economic Development Recommendations.

Germantown, TN - In a number of instances, growth policy studies can be considered strategic planning studies. This was the case in Germantown, Tennessee, a suburb of Memphis. Although the City has only a modest amount of vacant land available for development, it retained TischlerBise to evaluate the fiscal impact of different types of uses for each area to dovetail the use of the areas and the fiscal results with the strategic plan.

EXPERIENCE

Mr. Tischler has over twenty-five years of consulting experience in fiscal evaluations and impact fees as well as market and economic feasibility studies. For the last twenty-two years he has been President of the consulting firm. His advice has been sought by both public and private sector clients on a broad range of decisions concerning development and growth management. His areas of specialty include: fiscal impact analyses, impact fee evaluations, revenue strategies, capital improvement plans, growth policy studies, and market and economic feasibility studies.

REPRESENTATIVE PROJECTS

- ***Fiscal Impact Analysis: FUTURE-Little Rock Project.*** Mr. Tischler conducted an analysis of the market and economic conditions of the City, which culminated in a fiscal impact analysis.
- ***Fiscal Impact Analysis: Howard County, Maryland.*** Mr. Tischler worked on the economic and fiscal analysis of the Howard County General Plan, which won the prestigious American Planning Association Award for Outstanding Comprehensive Plan and was featured in the first Casebook published by the American Institute of Certified Planners.
- ***Fiscal Impact Analyses: Sample Clients.*** Mr. Tischler has managed fiscal impact analyses for jurisdictions across the United States including: King County, WA; Phoenix, AZ; Hillsborough County, FL; Baltimore County, MD; Pima County, AZ; Nashville-Davidson County, TN; Lancaster County, PA; Albuquerque, NM; Lincoln-Lancaster County, NE; Raleigh, NC; Scottsdale, AZ; Boise, ID; Pasadena, CA; Reno, NV; Dublin, OH; Venice, FL; Post Falls, ID and Parkland, FL.
- ***Impact Fee Evaluations.*** Mr. Tischler has worked on over 400 impact and development fees for communities throughout the country. Mr. Tischler has worked in such locations as Chino Hills, CA; Scottsdale, AZ; Peoria, AZ; Las Cruces, NM; Albuquerque, NM; Boulder, CO; Castle Rock, CO; North Logan, UT; Salt Lake Co., UT; Post Falls, ID; Billings, MT; Eau Claire, WI; Beaver Creek, OH; Jefferson Co., WV; Carroll Co., MD; Frederick Co., MD; Chesterfield Co., VA; Suffolk, VA; Chatham Co., NC; Nags Head, NC; Manatee Co., FL and Deerfield Beach, FL.
- ***Revenue Strategies.*** Mr. Tischler develops revenue strategies for communities as part of fiscal impact analyses. Sample clients include: Post Falls, Idaho, and Queen Anne's County, Maryland. In Post Falls, Mr. Tischler developed recommendations for revenue strategies as an outgrowth of the firm's fiscal impact analysis of the comprehensive plan that showed a need for additional revenues to fund capital facilities. In Queen Anne's County, Maryland, Mr. Tischler developed revenue strategies considering the following issues: land use, level of service, revenue mechanisms and other topics.

- **Capital Improvement Plans.** Whether the assignment is fiscal impact analysis or preparation of impact fees, a capital improvement plan is typically prepared. In addition to the above assignments, Mr. Tischler participated in Kenosha, Wisconsin, where the firm was retained to develop a multi-year capital improvement program and in Westminster, Maryland, where a CIP process was implemented.
- **Growth Policy Studies.** Many of the four types of studies described above are generated by communities' concerns with the management of growth. Other assignments directly related to growth management include the following: In an effort to preserve agricultural land and open space, Lancaster County, Pennsylvania, retained the firm to compare the public costs and revenues associated with clustered residential development, as compared to more low density, sprawling patterns of land use. Mr. Tischler presented the results of this analysis at a seminar of the Lincoln Institute of Land Policy in Cambridge, Massachusetts. In Howard County, Maryland, the firm conducted several fiscal evaluations of General Plan alternatives. The adopted Plan seeks to retain the more rural character of the western part of the county, while encouraging development in the more urbanized eastern county.
- **Market and Economic Feasibility Studies.** Mr. Tischler has conducted numerous market and economic feasibility studies for both public and private sector clients throughout the U.S. Clients include the Bridgewater (New Jersey) Redevelopment Agency (BRA), which retained Mr. Tischler to expedite negotiations with the developer of a regional shopping center along an interstate. He conducted a market reconnaissance, a financial feasibility study from the developer's perspective, and a fiscal impact analysis from the public sector's perspective. The BRA used this information to successfully conclude negotiations with the developer. The project was discussed in the book *Edge Cities*. In Rocky Hill, Connecticut, the Town retained Mr. Tischler to evaluate the impact of a proposed residential development from market-rate to subsidized housing. The firm analyzed a range of alternatives, and presented the results to the Town Council, who in turn were better able to negotiate with the developer. Mr. Tischler worked with the Detroit Housing Authority on the redevelopment of the Herman Gardens public housing project, which included a highest and best use study. Prior to forming his own consulting firm, Mr. Tischler worked for Marcou, O'Leary and Associates, where he directed the firm's economic and fiscal analysis activities, and for Real Estate Research Corporation. Mr. Tischler has served as an instructor in real estate practices at Montgomery College in Maryland, has served as an expert witness regarding land and market values, and is trained as a real estate appraiser.

EDUCATION

M.B.A. Real Estate and Urban Development, American University

B.A. Economics, Johns Hopkins University

PROFESSIONAL RECOGNITIONS & AFFILIATIONS

- Who's Who in Real Estate
- Who's Who in Finance and Business
- Lambda Alpha International Honorary Land Economics Society
- American Planning Association (APA)
- Past Chair, Economic Development Division of the APA
- Lincoln Institute of Land Policy
- Urban Land Institute

SAMPLE SPEAKING ENGAGEMENTS

- Comprehensive and Simple Fiscal/Economic Impact Assessment, Conference on Development Impact Analysis organized by Rutgers University's Center for Urban Policy Research/ULI.
- Fiscal Impact Analysis: How Is It Done? Chesapeake Bay Program, Maryland Office of Planning
- The Future of Infrastructure Finance, National Academy of Science/National Research Council
- Comments Regarding Growth, Growth Management and Infrastructure, APA National Planning Conference
- Fiscal Impact of Suburban Development, APA National Planning Conference
- County Planning with Growth Management, APA National Planning Conference
- The Fiscal Impacts of Smart Growth, ICMA National Conference
- Seminar on Fiscal Impact Analysis and Cash Proffers, Hampton Roads, Virginia Chapter of the APA
- Effectively Utilizing Economic Development Strategies and Fiscal Impact Evaluations, California Chapter APA Conference
- Fiscal Impact Analysis: Managing Land Use Choices, Oregon and Washington APA Conference on Community Sustainability
- Ten Points to Consider in Fiscal Impact Analysis, ULI Development Impact Analysis Seminar
- Fiscal Impacts of Growth, Lincoln Land Institute Seminar
- Economic and Fiscal Impacts of Growth and Development Issues, Sensible Land Use Coalition on Growth Management: Looking Back, Moving Forward, Minneapolis, Minnesota
- Applications of Fiscal Impact Analysis and Lessons Learned, Lincoln Land Institute

SAMPLE PUBLICATIONS

- "Financing Tomorrow's Infrastructure—Solutions for Local Government," *National Research Council/National Academy of Sciences Compendium*
- "New Fangled Impact Fees," *Planning* magazine, contributing author
- "Analyzing the Fiscal Impact of Development," *International City Management Association (ICMA) Management Information Service (MIS) Report*
- "Fiscal Impact Analysis—From a Developer's Perspective," *Urban Land Magazine*
- "Fiscal Impact Analysis: A Process which Evaluates the Future of a Community," *Practicing Planner*
- "Fiscal Impact Analysis: Reader Beware, Some Caveats," *The Growth Management Reporter*
- "Real Estate Decision-making and the Computer," *National Capital Area Realtor* (Reprinted by the Institute for Business Planning)
- "Cash Flow and Its Relation to Investment," *Baltimore Real Estate and Building News*
- "An Example: The Importance of the Highest and Best Use Analysis," *The Real Estate Appraiser*
- *Managing Growth in America's Communities*, Island Press (Contributor)
- *Guide to County Capital Improvement Programming*, National Association of Counties Publication (Contributor)
- "20 Points to Know about Impact Fees," *Planning* magazine
- "Impact Fees: Understand Them or Be Sorry," *Land Development* magazine
- "Impact Fees Break Out in Maryland," *Urban Land Magazine*
- "Introduction to Infrastructure Financing," *International City/County Management Association (ICMA) IQ Service Report*

L. CARSON BISE II, AICP

Vice President

TischlerBise
Fiscal, Economic & Planning Consultants

EXPERIENCE

Carson Bise has over fourteen years of fiscal, economic and planning experience and has conducted fiscal evaluations in 24 states. Mr. Bise has developed and implemented more fiscal impact models utilizing the case study-marginal approach than any planner in the country. The applications he has developed have been used for evaluating multiple land use scenarios, specific development projects, annexations, urban service provision, tax-increment financing and concurrency/adequate public facilities monitoring. Mr. Bise has completed over 75 impact fees for parks and recreation, open space, police, fire, schools, water, sewer, roads, and general government facilities. In his six years as a planner at the local government level, he coordinated capital improvement plans, conducted market analyses and business development strategies, and developed comprehensive plans. He has also authored several articles related to fiscal impact analysis and infrastructure finance and is a frequent speaker on these subjects at such forums as the American Planning Association, International City/County Management Association, National Impact Fee Roundtable, Government Finance Officers Association and National Homebuilders Association.

REPRESENTATIVE PROJECTS

- ***Fiscal Impact Analysis: City of Wilmington and New Hanover County, North Carolina.*** Mr. Bise evaluated the fiscal effects of providing urban and nonurban services to areas outside of the City. This included evaluating existing and improved levels of service.
- ***Fiscal Impact Analysis: Anchorage, Alaska.*** Mr. Bise evaluated the fiscal impact of five future land use scenarios being considered as part of the Municipality's General Plan process.
- ***Fiscal Impact Analysis: Metropolitan Council, Minnesota.*** Mr. Bise managed and conducted this unique regional fiscal impact evaluation, which compared a compact development pattern against a more suburban one in an eight-city region.
- ***Fiscal Impact Analysis: Howard County, Maryland.*** Mr. Bise conducted an innovative fiscal impact analysis evaluating fiscal impacts of growth as well as the fiscal impacts of providing continuing services and infrastructure to the existing population.
- ***Annexation Study: Germantown, Tennessee.*** Ms. Bise evaluated various scenarios for two areas being considered for annexation.
- ***Fiscal Equity Evaluation: Shelby County, Tennessee.*** Mr. Bise evaluated the fiscal equity of the County receiving taxes from residents in and outside of the City and providing different services to the incorporated and unincorporated areas.

L. Carson Bise II, AICP

- **Impact Fee Evaluations.** Mr. Bise has completed impact fee studies for water and sewer, roads, parks and recreation, open space and trails, general government buildings and equipment, transit, schools, and public safety buildings and equipment. Clients include: National City, CA; Greenville, NC; Polk County, FL; School District of Pasco County, FL; School District of Lee County, FL; Castle Rock, CO; Greeley, CO; Eaton, CO; Steamboat Springs, CO; Clinton, UT; Farmington, UT; Logan, UT; Wellsville, UT; Charles County, MD; Worcester County, MD; Washington County, MD; and the State of Delaware.
- **Assessment District Evaluation: Draper, Utah.** Mr. Bise evaluated the differential costs associated with a proposed mountain top mixed-use development and necessary revenue rates for an assessment district to provide the necessary infrastructure.
- **Capital Improvement Planning.** Mr. Bise was responsible for coordinating the annual Capital Improvement Plan in Frederick County, Virginia and was the project manager of the Public Facilities Plan in Chesterfield County, Virginia.
- **Economic and Market Feasibility Studies: Chesterfield County, Virginia.** Mr. Bise was project manager for a market analysis and business development strategy for an older commercial area in the County. As part of this project, Mr. Bise facilitated the organization of a business group to aid in the implementation of the business development strategy.

EDUCATION

M.B.A. Shenandoah University

B.S. Geography/Urban Planning, East Tennessee State University

B.S. Political Science/Urban Studies, East Tennessee State University

REGISTRATIONS & AFFILIATIONS

- American Institute of Certified Planners
- American Planning Association (APA)
- Past Secretary/Treasurer, Economic Development Division of the APA

SAMPLE SPEAKING ENGAGEMENTS

- Annexation and Economic Development, American Planning Association Conference
- The Cost/Contribution of Residential Development, Maryland Conference on Growth
- The Cost/Benefit of Compact Development Patterns, American Planning Association Conference
- Fiscal Impact Modeling: A Tool for Local Government Decision Making, International City/County Management Association National Conference
- Growing Pains, International City/County Management Association National Conference
- Fiscal Impact Analysis in Comprehensive Planning, Virginia Chapter of the American Planning Association Conference
- Impact Fee Basics, National Impact Fee Roundtable
- Fiscal Impact Analysis and Impact Fees, National Impact Fee Roundtable

SAMPLE PUBLICATIONS

- "The Cost/Contribution of Residential Development," *Mid-Atlantic Builder*.
- "Are Subsidies Worth It?" *Economic Development News & Views*.
- "Smart Growth and Fiscal Realities," *ICMA Getting Smart! Newsletter*.

CHRISTOPHER V. CULLINAN

Fiscal/Economic Analyst

TischlerBise
Fiscal, Economic & Planning Consultants

EXPERIENCE

Christopher Cullinan conducts fiscal impact analyses, revenue strategy assessments, capital improvement funding analyses, and impact fee studies. He has prepared over 80 impact fees. He has completed a number of fiscal impact analyses as well as developed customized fiscal impact models for clients across the country. Mr. Cullinan was previously the Budget Director for the City of Charlottesville, Virginia in which he was involved with budgeting, cost analysis, revenue analysis and forecasting, long-term financial planning, and capital improvement planning. He has a B.A. in Political Science and a Masters of Public Affairs in Public Financial Administration

REPRESENTATIVE PROJECTS

- ***Fiscal Impact Analysis: Frederick, Maryland.*** Mr. Cullinan conducted a fiscal impact analysis of two growth scenarios as a part of the City's effort to update its Comprehensive Plan.
- ***Fiscal Impact Analysis: Amherst County, Virginia.*** Mr. Cullinan conducted a cost of land use study for the County where he evaluated several residential prototypes for single-family housing units as well as three nonresidential land uses.
- ***Fiscal Impact Analysis: Barnstable, Massachusetts.*** Mr. Cullinan conducted a cost of land use study analysis that evaluated residential prototypes for single-family housing units and two types of condominium units and nonresidential land uses including business park, office, shopping center, big box retail, specialty retail, hotel, restaurant, and fast food restaurant.
- ***Fiscal Impact Analysis: Falls Church, Virginia.*** Mr. Cullinan developed a fiscal impact model for the City of Falls Church, which is used by City staff to evaluate the fiscal impact of development proposals.
- ***Fiscal Impact Analysis: McDowell and Wyoming Counties, West Virginia.*** Mr. Cullinan worked on determining the continued fiscal viability of communities in McDowell and Wyoming Counties in southern West Virginia, which experienced significant devastation in 2001 and 2002 from floods. The West Virginia Secretary of Finance and Revenue was the liaison for this project.
- ***Concurrency Management Model: Carroll County, Maryland.*** Mr. Cullinan developed a concurrency management model for Carroll County, Maryland, which is used by County staff as a part of its Adequate Public Facilities Ordinance (APFO) to evaluate the impact of new residential development on the County's infrastructure capacity.
- ***Impact Fee Evaluations.*** Mr. Cullinan has completed impact fee studies for water, wastewater, police, fire, parks and recreation, trails, transportation, and municipal facilities and equipment. His impact fee assignments include several communities in Arizona including Buckeye, Casa Grande, Cave Creek, Coolidge, El Mirage, Eloy, Peoria, Surprise, Tolleson, and Queen Creek. He has also prepared impact fees for East Greenwich Fire District, RI; Jefferson County, WV; Louisville, CO; Manatee County Schools, FL; Summerville, SC; and statewide impact fees for the State of Delaware.

Christopher V. Cullinan

- **Capital Improvement Plans.** Mr. Cullinan gained extensive capital improvement programming experience while working in the public sector. Mr. Cullinan was responsible for coordinating the annual Capital Improvement Plan in Charlottesville, Virginia.
- **Revenue Strategies.** Mr. Cullinan has analyzed revenue strategies and their long and short-term impacts. He has also evaluated alternate revenue sources and made annual revenue projections.
- **Public Sector Management Experience.** In his public sector experience, Mr. Cullinan served as Budget Director for the City of Charlottesville, Virginia. Mr. Cullinan's experience in budgeting, accounting, financial management, capital budgeting, cost analysis, and long-term financial planning have been beneficial in his TischlerBise consulting assignments. He has a working knowledge of local government operations and administration, and public policy issues affecting communities.

EDUCATION

M.P.A. Public Finance, Indiana University-Bloomington

B.A. Political Science, Earlham College

AFFILIATIONS

- International City/County Management Association (ICMA)

SPEAKING ENGAGEMENTS

- Mr. Cullinan developed the curriculum and conducted workshops for appointed and elected officials in Wyoming and McDowell counties in West Virginia on improving local government financial management.



A r i z o n a H e r i t a g e A l l i a n c e

"To Protect, Preserve and Enhance the Arizona Heritage Fund and Its Objectives"

July 29th, 2005

The Honorable Tony Gioia
Mayor, Town of Camp Verde
P.O. Box 710
Camp Verde, AZ 86322-0710

Mayor Gioia:

The Arizona Heritage Alliance is comprised of groups, individuals, government entities and businesses that work together to maintain the long-term viability of the Heritage Fund and making certain that maximum benefit to Arizona is realized.

Our Mission is *to Protect, Preserve and Enhance the Arizona Heritage Fund and Its Objectives*. Our goals are to educate the general public and Alliance members throughout Arizona about the Heritage Fund; oversee legislative activity and agency interaction and most of all to protect the integrity of the Heritage Fund.

In 2003 the first successful raid on the Heritage Fund occurred. Ten point two million dollars was taken from the Game & Fish Department's acquisition fund and split between the State Parks for operations and the Land Department for fire suppression. It is impossible to argue that fire suppression and keeping are State Parks open is not important because both of these issues are critical. Whatever the arguments, the fact – that we must point out and take issue with – is that the taking of Heritage Funds is wrong because – *this money was set aside for a specific purpose by the people of Arizona*.

Since its inception in 1990, there have been over 33 unsuccessful attempts to break the integrity of the Heritage Fund. We must continue to find a way to protect the Heritage Fund from legislative funding sweeps. Due to these past efforts to divert the Fund, we know that there will be more attempts in 2005 and years to come.

As with many non-profit organizations, this is a crucial time for the Heritage Alliance. We hope you will consider becoming a Government Member. The Town of Camp Verde has only been a member of the Alliance one year, in 1994. As you can see by the enclosed compilation of Heritage Fund Grants 1990-2004, the total economic impact for the Town of Camp Verde exceeds two million dollars!!

Please consider giving \$500. Make a commitment to our mission and join us with our efforts on behalf of the Heritage Fund which is so vitally important to the Town of Camp Verde, our beautiful state of Arizona and future generations.

Thank you for your generosity.

Sincerely,

Don Farmer
President

Board of Directors

President
Don Farmer

Vice President
Elizabeth T. Woodin

Secretary
Margaret Bohannon
*Heritage Public Advisory
Committee Member. Az.
Game & Fish Dept.*

Treasurer
Janice Miano
Arizona Audubon Council

David Bartlett

Lee C. Basnar

Sam Campana
Audubon Arizona

Peter Culp
Sonoran Institute

**The Honorable Becky
Jordan**
*Former Arizona House of
Representatives,*

Anita MacFarlane
Arizona Audubon Council

Richard MacLean
*Center for Environmental
Innovation*

Brian D. Pinney
*Heritage Public Advisory
Committee Member. Az.
Game & Fish Dept.*

Ira Rubins
*Arizona Parks & Recreation
Association*

Tom Sullivan
Waterfowl

Tom Woods



Arizona Heritage Alliance

"To Protect, Preserve and Enhance the Arizona Heritage Fund and Its Objectives"

Director of Administration

August 1st, 2005

Board of Directors

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Don Farmer

Vice President
Elizabeth T. Woodin

Secretary
Margaret Bohannon
*Heritage Public Advisory
Committee Member, Az.
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*Arizona Parks & Recreation
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Tom Sullivan
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Tom Woods

The Honorable Tony Gioia
Mayor of Camp Verde
PO Box 710
Camp Verde, AZ 86322-0710

Re: Meeting with our Board of Directors

Dear Mayor Gioia,

On behalf of all the Board Members, we want to thank you for taking time out of your busy schedule to meet with us Friday, July 29th at the Camp Verde Community Center. We really enjoyed visiting your community, your staff's hospitality, and meeting with you.

You have a lovely community and please keep up the excellent work that you and your Council and community volunteers do to protect its uniqueness.

We would very much like for the Town of Camp Verde to join the Alliance as a municipal member. Please make a commitment to our mission and join us with our efforts on behalf of the Heritage Fund which is so vitally important to the Town of Camp Verde, our beautiful state of Arizona and future generations.

Also, I phoned the League of Cities and Towns and they sent over the Heritage Fund Resolution from last year. As you can see, Camp Verde was one of the sponsors of this resolution. We would be very pleased if you could submit it again for review with this years measures.

Please phone or email our office if you need anything. We may call upon you to make a few phone calls to the legislature. Thank you for your generous time and consideration.

Sincerely,

Janice Miano
Director of Administration

LEAGUE OF ARIZONA CITIES AND TOWNS 2006 RESOLUTION

STATE PARKS HERITAGE FUND

RESOLUTION 1 OF 1

Submitted By: Town of Camp Verde

Urges the Legislature to support efforts to preserve and fully subsidize the Arizona State Parks Heritage Fund through full allocation of state lottery moneys to the Fund as directed by the voters.

Submitted by: Cities of Tucson, Avondale, Bullhead City, Goodyear, Litchfield Park, Mesa, Scottsdale, Sedona, Sierra Vista, Surprise, Yuma and Towns of Camp Verde, Florence, Miami, Oro Valley, Queen Creek, Springerville and Superior

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. Arizona cities and towns continue to experience negative economic impacts that cause increased difficulty when trying to provide essential services to community residents. 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 communities to overcome these negative impacts and act in accordance with the will of the people as expressed through support of a ballot initiative.

B. Relevance to Municipal Policy

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 continues to occur and the demand for more recreational opportunities increases.

C. Importance of Resolution to Your City or Town

As our cities continue to grow and expand, the recreational demands being placed on existing facilities is outpacing a community's ability to supply sufficient venues for desired activities. There are substantial unmet local needs for recreational infrastructure improvements as well as the need to provide new facilities for those moving into the greater urban area. Recent proposed reallocation of Heritage Fund moneys will significantly diminish the amount of funding that remains to support park improvement and development projects. Preserving and fully funding the Heritage Fund will help to ensure that communities can continue to meet the recreational needs of an ever-increasing population.

D. Fiscal Impact to Cities and Towns

Passage of this legislation would help cities address their community recreational needs and allow local governments to leverage both public and private support for this purpose.

E. Fiscal Impact to the State

As the Heritage Fund receives its revenue from a dedicated funding source, the State Lottery Fund, there is relatively no fiscal impact to the State. If the State Lottery Fund revenue is low in any given year, the losses are reflected in the level of funding provided to projects in that year. No revenue is used from the State General Fund to compensate for any lack of revenue generated by the State Lottery Fund.

F: Contact Information – Mayor Tony Gioia, (928) 567-0789 or (928) 567-6631 x 103, tgif@commspeed.net

**LEAGUE OF ARIZONA CITIES AND TOWNS
2005 RESOLUTION**

Urges the Legislature to adopt legislation permitting digital record storage of original documents.

Submitted by: Town of Camp Verde

- A. **Purpose and Effect of Resolution**
This resolution urges the Legislature to permit storage of records via digital recording device(s).

- B. **Relevance to Municipal Policy**
This resolution assists the municipalities in reducing the impact of records storage. Further, it enhances the opportunity for communities to provide the public and staff with records instantaneously, while alleviating the ever-increasing need for storage space, as well as the requirement for outdated microfiche copies.

- C. **Importance of Resolution to your City or Town**
As cities and towns continue to grow, the records storage demands placed on existing facilities is outpacing the community's ability to supply sufficient storage space as well as the ability to provide copies on demand. Smaller communities have not yet invested in microfiche equipment. Microfiche is dated, requiring large investment and staff training, while digital recording systems are inexpensive, easily accessed, and minimal training time.

- D. **Fiscal Impact on Cities and Towns**
This would have a profound impact on cities and towns through the saving of space, staff time required for research and reproduction, and eliminate the need to purchase microfiche equipment or to send records out for microfiche storage. Digital record storage has improved to the point that years of records can be stored on one disk. In addition, the ability to alter original data can be denied when the documents are prepared for digital recording.

- E. **Fiscal Impact to the State**
The State would realize the same benefits.