

## AGENDA



**REGULAR SESSION  
MAYOR and COMMON COUNCIL  
TOWN OF CAMP VERDE  
COUNCIL CHAMBERS  
473 S. Main Street, Room #106  
WEDNESDAY, AUGUST 2, 2006  
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) July 25, 2006 – Joint Work Session
- 2) July 19, 2006 – Regular Session

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

- 1) Regular Session – August 16, 2006 at 6:30 p.m.
- 2) Council Hears P & Z – August 23, 2006 at 6:30 p.m. – **RESCHEDULED**
- 3) Council Hears P&Z – August 30, 2006 at 6:30 p.m.

c) **Possible approval of the Camp Verde Chamber of Commerce services agreement.**

d) **Possible approval of the Chamber of Commerce's first quarterly payment for \$33,669 for the period covering July, August, and September 2006.**

d) **Possible approval of a change order for \$5,254 to install a 2-ton Mitsubishi split system with cooling only for the equipment room at the new Marshal's facility. This is an unbudgeted item from the CIP.**

e) **Possible approval of a change order for \$4,273 to install a 42-circuit Square D Panel in the electrical room at the new Marshal's facility. This is an unbudgeted item from the CIP.**

f) **Possible approval of Amendment #2 to the IGA with ADOT, SR 260 Frontage Roads, TRACS NO. H3868 01R/03C/H5630 01C (Finnie Flat Road/Main Street). The purpose of the amendment is to modify and clarify Contract #JPA 00-173, extending the Main Street project until 2-28-07; requiring the Town to provide a right-of-way clearance memo to the State; and placing the ownership and maintenance responsibilities of Finnie Flat/Main Street in the Town's jurisdiction immediately upon satisfactory completion of the construction project.**

g) **Possible authorization for the Mayor to sign the "Delegation of Authority Agreement" with Water Infrastructure Authority of Arizona (WIFA) for the WIFA technical assistance grant to define feasibility costs & deliverables that meets both the needs of residential and commercial development outside Sanitary District boundaries.**

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

6. **Presentation by Arizona State Parks of the 2005 State Lake Improvement Funds check for the Black Bridge River Front Park land acquisition and facility development.**

7. **Discussion, consideration, and possible approval of funding for \$21,635 to cover the increased costs in asphalt prices that have occurred since Amon Builders, Inc. originally bid the project for the new Marshal's facility.** This is an unbudgeted item from the CIP fund.
8. **Discussion, consideration, and possible appointment of one member to the Library Advisory Commission to fill the term that expires in September 2008.**
9. **Discussion, consideration, and possible approval of a proposal by staff members Debbie Barber and Dane Bullard to assume the duties and partial salary of the Housing Director position.** This is a budgeted item.
10. **Discussion, consideration, and possible approval for the Town to purchase either color or black & white logos for Town vehicles.** This is a budgeted item in the General Fund.
11. **Discussion, consideration, and possible approval to purchase a used one-ton bucket truck from APS for \$19,000.** This is a budgeted item in HURF and CIP.
12. **Possible approval Resolution 2006-695, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring the Town of Camp Verde Town Code, dated August 2, 2006, to be a public record.**
13. **Possible approval of Ordinance 2006-A332, an ordinance of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference the Town of Camp Verde Town Code. A re-codification of selected prior ordinances of the Town, and proscribing penalties for violations thereof.**
14. **Discussion, consideration, and possible authorization for the Mayor to support miscellaneous resolutions submitted to the League of Cities and Towns for consideration at the August League Conference.** There are 31 resolutions for consideration.
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: U Jones

Date/Time: 7-28-06 8:15 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.*

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

**MINUTES  
JOINT WORK SESSION  
with the  
MAYOR and COMON COUNCIL  
and  
PLANNING & ZONING COMMISSION  
of the  
TOWN OF CAMP VERDE  
COUNCIL CHAMBERS  
Tuesday, July 25, 2006**

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

- 1. Call to Order**  
Vice Mayor Brenda Hauser called the meeting to order at 5:00 PM.
  
- 2. Roll Call**  
Mike Parry, Jackie Baker, Bob Kovacovich, Ron Smith.  
Absent: Mayor Tony Gioia, Howard Parrish  
  
**Also Present:**  
Planning & Zoning Commission members: Bob Burnside, Dave Freeman, and Bob Womack.  
Library Commission members: Joe Chatley, James Long, and Lisa Mina.  
Staff: Nancy Buckel and Recording Secretary Jenna Paulsen
  
- 3. Pledge of Allegiance**  
Bob Womack led the Pledge of Allegiance
  
- 4. Discussion, consideration, and review of the draft Design Review Ordinance as prepared by Casa Verde Consulting. Modification, additions, and general design review concepts will be discussed.** Matt Morris of Casa Verde Consulting gave an overview and power point presentation of the Design Review Ordinance. Morris reviewed the changes to the document based on comments that were made at the previous meeting. These changes were discussed individually. It was decided to have a 7- member board, with one Council member and one Planning & Zoning Commission member present. Discussion with the attorney will provide information on whether the Council member and the Planning & Zoning Commission member should be voting members. This will be brought back to the next meeting. Morris said that he will be working with the staff and the attorney on the final draft.
  
- 5. Adjournment**  
On a motion by Hauser, seconded by baker, the meeting was adjourned at 7:36 P.M.

\_\_\_\_\_  
Vice Mayor Brenda Hauser

\_\_\_\_\_  
Jenna Paulsen – Recording Secretary

**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 Joint Work Session of the Town Council of Camp Verde, Arizona held on the 12<sup>th</sup> day of April 2006. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2006

\_\_\_\_\_  
Jenna Paulsen Recording Secretary

**MINUTES  
REGULAR SESSION  
MAYOR and COMMON COUNCIL  
TOWN OF CAMP VERDE  
COUNCIL CHAMBERS  
WEDNESDAY, JULY 19, 2006  
at 6:30 P.M.**

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

1. **Call to Order**  
The meeting was called to order at 6:30 p.m.
2. **Roll Call**  
Mayor Gioia, Vice Mayor Hauser, Councilors Baker, Kovacovich and Parrish were present; Councilors Smith and Parry were absent.  
  
**Also Present:** Town Manager Bill Lee, Town Attorney Brad Woodford, Library Director Gerry Laurito, Receptionist/Admin. Asst. Jenna Paulsen and Recording Secretary Margaret Harper.
3. **Pledge of Allegiance**  
The Pledge was led by Parrish.
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 12, 2006 – Special Session
    - 2) July 5, 2006 – Regular Session
    - 3) July 5, 2006 – Work Session
    - 4) May 17, 2006 – Regular Session
  - b) **Set Next Meeting, Date and Time:**
    - 1) Council Hears P & Z – July 26, 2006 at 6:30 p.m.
    - 2) Regular Session – August 2, 2006 at 6:30 p.m.
    - 3) Regular Session – August 16, 2006 at 6:30 p.m.
    - 4) Council Hears P & Z – August 23, 2006 at 6:30 p.m. – **RESCHEDULED**
    - 5) Council Hears P&Z – August 30, 2006 at 6:30 p.m.
  - c) **Possible approval to renew IGA between Yavapai-Apache Nation and the Town of Camp Verde for police dispatch services.**
  - d) **Possible acceptance of Peggy Kellogg-Dickey's resignation from the Trails and Pathways Committee, with appreciation.**
  - e) **Possible acceptance of Jeanette Teet's resignation from the Library Advisory Commission, with appreciation.**
  - f) **Possible acceptance of Commission/Committee Quarterly Reports.**
  - g) **A Proclamation for July 22<sup>nd</sup> 2006 National Day of the American Cowboy.**  
On a motion by Gioia, seconded by Baker, the Council unanimously approved the Consent Agenda as presented, with **Items 4.c), d) and g)** pulled.

On a motion by Gioia, seconded by Hauser, the Council unanimously approved **Items 4.d) and 4.g).**

Mayor Gioia announced that the Work Session on Design Review is moved to July 25, 2006 at 5:00 p.m.; Item 4.c) was pulled to be handled at a later date; Item 4.d) was pulled for a presentation; Item 4.g) added, "A Proclamation for July 22<sup>nd</sup> 2006 National Day of the American Cowboy", and addressed separately.

- 4.d) **Possible acceptance of Peggy Kellogg-Dickey's resignation from the Trails and Pathways Committee, with appreciation.**

Mayor Gioia commended Ms. Kellogg-Dickey for her work on the Trails & Pathways Committee, including serving as Chairperson; he also expressed appreciation for the work done by the Committee, and presented to Ms. Kellogg-Dickey the Certificate of Appreciation from the Town of Camp Verde for her work as a volunteer.

**4.g) A Proclamation for July 22<sup>nd</sup> 2006 National Day of the American Cowboy.**

Mayor Gioia read into the record the official Proclamation declaring July 22, 2006, National Day of the American Cowboy. In essence, the proclamation of the Mayor and Common Council of the Town of Camp Verde recognizes the importance of the cowboy in establishing the American West and emphasizes the enduring special qualities and values of the cowboy and his continuing significance in the cultural role and economy of the United States, and encourages the citizens to observe the special day set aside to honor the cowboy.

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

**Bob Cain** said he had previously addressed the Council regarding a complaint about an old trailer that had been moved next to his property; the Town Manager's office has informed him that the Town has decided there is no problem with the trailer and it could stay in place; his only recourse was to appeal to the Council. Mr. Cain described the appearance and condition of the trailer to support his contention that it was an eyesore. He was invited to contact the Mayor later to discuss the situation further.

**6. Discussion with Supervisor Chip Davis regarding SR 260.**

There was no action taken.

Supervisor Chip Davis explained that he had requested the opportunity to personally discuss with the Mayor, the Council, staff and citizens of Camp Verde, the letter he had sent to ADOT regarding the improvements on SR 260 and the subsequent letter he received from the Town of Camp Verde on June 10<sup>th</sup>. Supervisor Davis first assured the Town that he does not flippantly make decisions without fully investigating and researching a particular subject, and that he does his job to the best of his ability and what he feels is best for the region as a whole. He then went on to explain in detail why he had made the recommendation that he had, reviewing the history of funding that had originally been worked out with ADOT, the ensuing problems, battles and meetings trying to find a satisfactory solution on SR 260, and the sense of a continuing lack of consensus between the entities involved. Davis reviewed the status of the different planned phases and also addressed the importance of an access management plan. Davis outlined a comparison of the systems used for the accident data contained in the Camp Verde letter and the statistics that his staff developed. Davis distributed copies of the plan for SR 260, Cottonwood to Camp Verde, Safety Improvement Projects Overview, and those projects were reviewed in detail.

Further comments from the Council members on the urgency of resolving the problems included expressing appreciation for the efforts of Supervisor Davis to try to get the necessary funding, pointing out that without his cooperation the Verde Valley would not be seeing the planned improvements until some time in the future, 2012 or even 2014. Supervisor Davis said he would be happy to work with the Town in any way that he can, and also promised the help of Yavapai County to assist Camp Verde where possible, and in working on the Access Management Plan. Davis stressed that an Access Management Plan will be important for keeping continuity in place; continuity has been lacking because of the ever-changing composition of staff and Council members.

**PUBLIC INPUT**

**Bob Womack** commended Supervisor Davis on a great job, but commented that the highest number of accidents were on the two improved sections of the roadway, suggesting that the improvements may not be doing the job and expressing disagreement with ADOT's use of the term, "throwaway." Womack believes there will be exceptions made on the Cottonwood portion

based on the anticipated addition of Lowe's in contrast to none being allowed on the Camp Verde end.

There was no further public input.

7. **Discussion, consideration, and possible recommendation to approve a liquor license application for CVS Pharmacy, as submitted by Jason B. Morris, Linda Marie Cimbron, and Melanie Kathleen Luker.**

On a motion by Baker, seconded by Kovacovich, the Council unanimously approved the liquor license application for CVS Pharmacy, as submitted by Jason B. Morris, Linda Marie Cimbron, and Melanie Kathleen Luker.

Town Manager Lee said that all the required research has been done; no comments have been received, and staff is recommending approval. There was no Council discussion.

There was no public input.

8. **Discussion, consideration, and possible appointment of one member to the Trails and Pathways Committee to fill the vacant term expiring in September 2007.**

On a motion by Hauser, seconded by Baker, the Council unanimously approved the appointment of Perry Haddon to the Trails & Pathways Committee.

Lee advised the Council that the application of Perry Haddon was the only one received for the one vacancy on the Trails & Pathways Committee; there was no Council discussion.

There was no public input.

9. **Discussion, consideration, and possible approval of expenses to replace the phone system at the Library at a cost not to exceed \$2,500.**

On a motion by Gioia, seconded by Kovacovich, the Council unanimously approved the contract with Belcom for \$2,335.39.

Lee explained that when the Marshal's department phone system was relocated to the new facility, staff had been unaware that there was a connection between that department and the Library facility. The Library has been without phone service for approximately the last 30 days. The Library Director has done extensive research on a resolution of the problem and the associated cost.

Library Director Laurito briefly reviewed the estimates received from four different companies as a result of his research, and recommended the stand-alone system offered by Belcom. The Council agreed that the more reasonable system would make more sense based on the anticipated relatively short time prior to construction of the new library, although there was some concern expressed because of the need to approve an unbudgeted expense immediately following the adoption of the current budget.

There was no public input.

10. **Discussion, consideration, and possible approval of the purchase and sale agreement for approximately 223 acres of Forest Service land to be used as a Community Park.**

On a motion by Gioia, seconded by Parrish, the Council voted unanimously that Council **will not sign or approve** the subject purchase and sale agreement with the Forest Service.

Town Manager Lee referred to the proposed IGA that would lock in the appraisal price of \$30,000 per acre through the end of February 2007. Because of the recent auction held by the Forest Service on property across from the subject land resulting in bids staying close to the suggested

opening bid number of \$14,500 per acre, it is beginning to appear that the open market may support less than the \$30,000, perhaps as little as half of that figure. The market seems to be starting to flatten and Lee suggested that it would be best to go out for new appraisals, possibly looking at a number of scenarios for smaller parcels of park land as well the entire 223 acres. The Council discussed the proposed agreement, the assurance of the Town Attorney that there appears to be an escape clause written into it, the analysis provided to the Town by an independent appraiser that indicated the \$30,000 was out of line, the possible advantage of waiting for the sale of the property across the road in order to have a comparable to base a new appraisal on, and the growing consensus among the members that \$30,00 per acre seems to be totally unreasonable at this time. The Council also briefly discussed pursuing the approach to seek help from the legislature, although it was acknowledged that it could take a number of years. Lee reminded the Council of the Heritage grant that still exists and has been extended one year.

#### **PUBLIC INPUT**

**Mike Metzel** said that the zoning on the property is residential and is supposed to be zoned public land; the first step in getting an appraisal is to have the most effective zoning. The land could have been acquired ten years ago free for an airport; according to Coconino National Forest the property is still available for an airport. Mr. Metzel suggested applying for a light-sport aircraft park; 90% of the cost could be obtained from the Federal Government according to the Sedona Airport Manager. Mr. Metzel cited *U.S. Code Title 43, Ch. 20, Sec. 869-1, Sale or Lease to State or Non-Profit Organization* as the authority to get the land free for recreational purposes from the Federal Government.

**Mitch Dickinson** also expressed his opinion that \$30,000 per acre is absolutely too much money, however badly the park is needed and wanted; the Forest Service is not being straight with the Town on this deal. Mr. Dickinson explained how the Forest Service would benefit from selling the property at that price because it makes the land on the other side appear that it is also worth that; it is obviously in their best interest to maximize the amount of money that is received from all of that. By using their own appraiser the Forest Service is dealing from a stacked deck. Mr. Dickinson referred to the entire appraisal process used by the Forest Service as ludicrous; the Town would be making a huge mistake by accepting the \$30,000 figure and signing the agreement.

**Bob Womack** agreed that signing any agreement would be a big mistake; the property would then be classified as a pending sale and that price could then be used in comparables, and probably would lock in that value.

**Lori Boyce** totally agrees that \$30,000 is too much; she has said that from Day One. She would still like to reiterate that the Town needs to be looking at the whole 223 acres, and that the Town has been working on it for a long time. As for the airport issue, she believes it would be a good thing to start public discussion on that possibility right away so that no one can claim surprise. Ms. Boyce will help by making calls and telling everyone to "get their folders out."

There was no further public input.

11. **Discussion, consideration, and possible direction to staff to negotiate the purchase of a 10.22-acre parcel known as Sunnyside Park (APN 404-02-097B) located in Camp Verde, Arizona.**

A motion by Baker, seconded by Kovacovich, to go into Executive Session to discuss the property issue failed by a 2-3 vote, with 'no' votes by Hauser, Gioia and Parrish.

Item 11 was tabled pending further discussion with the property owner.

Lee recommended that Council go into Executive Session on this item. In the event that the Council was to decide to adjourn to an Executive Session, Mayor Gioia requested a brief presentation on the subject parcel prior to that so that the public would be aware of the property being discussed. Following the vote against an Executive Session, Lee requested that the item be tabled since he had advised the property owner that the issue would not be discussed in an open hearing and he would prefer to again talk with the owner before moving any further on the subject.

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

**Lori Boyce** expressed appreciation for being able to review the Minutes on the Internet regarding all the Parks & Recreation discussion involving Lynda Moore and special events; she did not see anywhere on the Minutes where any Council member specifically said to cancel the Corn Fest. Ms. Boyce cited the portion of the Town Resolution establishing the Parks & Recreation Commission providing that the Town Council has full and final authority on all P&R issues and that no issue shall be concluded by anyone else unless so directed by the Town Council. Ms. Boyce strongly suggested that the Department Head should have a written reprimand put in her employee file regarding the Corn Fest matter. Ms. Boyce also requested that the Council direct a thank-you letter to the Hausers for donating or even if they sold the corn after they were so dismally and badly treated by the Commissioners, adding that the public should be informed of what happened. Ms. Boyce then reiterated her request that the Department Head be reprimanded for her actions.

There was no further public input.

13. **Advanced Approvals of Town Expenditures**

There were no advanced approvals of Town expenditures.

14. **Manager/Staff Report**

There was no Manager/Staff Report.

15. **Council Informational Reports**

Baker urged everyone to start being proactive, calling legislators and perhaps inviting candidates to share their stand on supporting revenue sharing issues so that the public can be informed when it comes time to vote. Baker also suggested an agenda item be included for discussion on the Hwy 260 safety issues, with the goal of setting a policy of zero tolerance for Hwy 260 within the Town limits, if possible.

Kovacovich thanked all the citizens for coming out for the Corn Fest, especially considering the off-again-on-again nature of it; a great time was had by all.

Parrish commended Bob Womack for his tremendous amount of help with the Corn Fest. Parrish gave an update on the Mail Trail, an 8-year effort, thanking some of the individuals who are now finishing up the work on the trailhead. Publicity pictures will be taken on Friday and incorporated into a DVD for distribution. The dedication will be held on September 8 and 9, 2006.

Hauser reported on the Verde Watershed meeting this morning; she commented that a very nice memorial has been posted on the website about Lori Wirt. Verde River Days is set for September 30<sup>th</sup> at Dead Horse Park. The WAC meeting was held this afternoon; the Board of Supervisors has indicated it is joining the Verde Partnership. Hauser thanked everyone for the great event, the Corn Fest; the weather was fine.

Gioia requested an agenda item to discuss Access Management, as well as direction to staff to pursue with ADOT an agreement for time for them to head up the Access Management plan and help the Town through it. The Town will accept any help that the County can give as well. The Water Advisory Committee meeting included discussions of subjects of particular interest, and

Gioia encouraged everyone to come to the next meeting that will be held in Camp Verde sometime in September.

16. **Adjournment**

On a motion by Baker, seconded by Hauser, the meeting was adjourned at 8:03 p.m.

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Tony Gioia, Mayor

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Margaret Harper, Recording Secretary

**CERTIFICATION**

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 19th day of July 2006. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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Debbie Barber, Town Clerk

**STAFF REPORT**

**Council meeting of:** August 2, 2006

**Title:** Discussion, consideration, and possible approval of the Camp Verde Chamber of Commerce services agreement.  
This is a budgeted item.

**Budgeted item:** Yes

**Description of Item:** None

**Staff Recommendation:** Recommend approval

**Comments:** None

**Attachments:** Yes

**Prepared by:** Bill Lee

**CHAMBER OF COMMERCE AGREEMENT  
FOR CONTRACTED SERVICES**

This Agreement is entered into this 1st day of July, 2006, by and between the Camp Verde Chamber of Commerce, a non-profit corporation, hereinafter referred to as "Chamber" and the Town of Camp Verde, a municipal corporation, hereinafter referred to as "Town."

Whereas, pursuant to A.R.S. § 9-500.11, the Town desires to appropriate funds to promote development and enhance tourism and assist visitors and tourists to Camp Verde with information and facilities which improve the quality of their experience when in Camp Verde; and

Whereas, the Chamber is qualified and has the experience, organization and facilities to provide visitor services, and promote Camp Verde as a destination for tourists and as a cultural-historical center, and such efforts will generate tax revenue to assist the Town in providing facilities and services to all residents of Camp Verde; and

Whereas, the Town receives a significant portion of its tax revenue from tourist spending in the community and sales tax revenue from businesses; and

Whereas, the Town desires to maintain a strong and vital local economy and to assist in the retention of existing businesses and the attraction of new businesses that are deemed desirable; and

Whereas, the Chamber is qualified and has the experience, organization and facilities to provide business services to new commercial and retail businesses coming into the community; and

Whereas, the Town and Chamber both have the desire and the commitment to build a strong local economy and promote Camp Verde;

**PURPOSE OF THE AGREEMENT**

Town hereby retains the Chamber to promote, develop and enhance tourism and economic development for Town and its surrounding areas, and to render specific professional and technical services to Town. It is understood and agreed that the Chamber, while retained under this Agreement, will also be rendering other services to its members.

Now, therefore, in consideration of the mutual promises and covenants of the parties, and other good and valuable consideration, the parties agree as the follows:

1. The Town agrees to appropriate ONE HUNDRED SIXTY-FOUR THOUSAND, SIX HUNDRED SEVENTY-SIX DOLLARS (\$164,676.00) for the fiscal year 2006 - 2007.
2. The Chamber shall maintain and staff the Visitor Center within the Town. The Visitor Center will be open to the public during the weekdays and the weekends to answer all correspondence, telephone, or walk-in inquiries for general information relating to Camp

Verde. The Visitor Center will be open, except on Christmas, Thanksgiving, and the New Year's holiday and for special days like Easter and the Fourth of July.

3. The Chamber agrees to spend FORTY SEVEN THOUSAND FOUR HUNDRED SIXTY-THREE DOLLARS (\$47,463.00) of the funds received from the Town for the following purposes related to Visitor Center activities:
  - a. Utilities
  - b. Telephone
  - c. Repair & Maintenance within the building
  - d. Insurance
  - e. Wages and Benefits for a paid staff
  - f. List of Schools and Churches
  - g. Things to See and Do in Camp Verde
  - h. Supplies and Copier Costs
  - i. Postage, mailing costs, and freight
  - j. Fulfillment pieces provided by Arizona Office of Tourism TEAM Grant
4. The Chamber will utilize Destination Marketing to attract tourists to Camp Verde for overnight visitation. The Chamber shall use SEVENTY -ONE THOUSAND NINE HUNDRED FOUR DOLLARS (\$71,904.00) of the funds received from the Town for the purposes of Destination Marketing, marketing overhead, and wages and benefits for paid staff. The Destination Marketing program shall be subject to the approval of the Town.
5. The Chamber will utilize a portion of the Town Destination Marketing funding for the purpose of investing in the Arizona Office of Tourism Regional Tourism TEAM Grant between Camp Verde, Cottonwood and Sedona.
6. Also the Town agrees to make a one time payment of THIRTY THOUSAND DOLLARS (\$30,000.00) for the Arizona Office of Tourism TEAM Matching Funds Grant. The Chamber will use THIRTY THOUSAND DOLLARS for funding specific Destination Marketing per Arizona TEAM Grant specifications and the Marketing Plan submitted to the Arizona Office of Tourism.
7. The Chamber agrees to spend FIFTEEN THOUSAND THREE HUNDRED NINE DOLLARS (\$15,309) of the funds received from the Town for economic development. The funds will be used for overhead, wages, and benefits for paid staff to help in coordinating economic development with the Town Manager and Community Development Director.
8. The Town agrees to make payments to the Chamber in four installments of THIRTY--THREE THOUSAND SIX HUNDRED SIXTY-NINE DOLLARS (\$33,669.00) on July 1,2006; October 1,2006; January 1,2007; and April 1, 2007.
9. The Tourism Development Committee and Retail Development & Retention Committees (newly formed committees) will work with the Chamber Director to provide support and directions for ongoing tourism and economic development for Camp Verde.
10. In order to maintain fairness between the many industries and retail businesses inside the Downtown and the surrounding areas, the Chamber of Commerce has developed the

- concept of the Chamber being COMMUNITY-FOCUSED versus being member, location, or program focused. The Chamber has chosen as its Mission:
- a. To BUILD A STRONG LOCAL ECONOMY FOR CAMP VERDE, THE BUSINESSES, AND THE COMMUNITY
  - b. To PROMOTE CAMP VERDE AS A DESTINATION FOR OVERNIGHT VISITORS
  - c. To PROVIDE BUSINESS TO BUSINESS SUPPORT WITHIN THE COMMUNITY
11. REPORTING: The Chamber shall submit a written report to the Town Council on a quarterly basis. The report shall account for quarterly and year-to-date expenditures, and address progress, activities and accomplishments of the Chamber during the reporting period.
  12. The Chamber agrees to provide the Town with a copy of its annual financial statement. The Town shall have the right to conduct such audits of the Chamber, as it may deem necessary, with reasonable notice to the Chamber.
  13. TERMINATION: If, and in the event that, a dispute between the parties arises as to the service to be provided under the agreement, then Town and the Chamber shall attempt to resolve said dispute.
  14. TERM: This agreement is for a period of one year and shall commence on July 1, 2006 and continue until June 30, 2007. Town will provide use of the Visitor Center to the Chamber under the terms and conditions as exist under the current lease dated July 1, 2005.
  15. COORDINATION: The Chamber Director and Town Manager shall have regular meetings to discuss the coordination between Town and the Chamber on various issues that promote tourism, economic development, and visitor information.
  16. TOWN DUTIES:
    - a. At the request of the Chamber, the Town shall disclose to the Chamber any information that pertains to the business community that may be legally released.
    - b. Town shall make available Town's facilities as it deems necessary to accommodate activities associated with Chamber business.
    - c. Town shall maintain adequate and visually appealing Visitor Center including and not limited to structure, landscaping, and parking areas.
    - d. Town shall manage the Business Recruitment Program.
    - e. Town shall provide the Chamber with information in regard to Business Recruitment Program as it pertains to Chamber's projects.
  17. This Agreement is entered into in the State of Arizona and shall be construed and interpreted under the laws of the State of Arizona including, without limitation, the provisions of A.R.S. § 38-511.

INDEPENDENT CONTRACTOR

1. The parties agree that the Chamber provides specialized services and that the Chamber enters this Agreement with the Town as an independent contractor. Nothing in this contract shall be construed to constitute the Chamber, nor any of its personnel, volunteers, or directors, as agents, employees, or representatives of the Town of Camp Verde.
2. As an independent contractor, the Chamber is solely responsible for all labor and expenses in connection with this Agreement and for any and all damages, which may arise during the operation of this agreement.
3. The Chamber shall carry insurance acceptable by the Town and shall indemnify and hold the Town and its Officials, employees and agents harmless from any and all claims, demands, actions and causes of action (including administration or alternative dispute resolution proceedings) penalties or costs (including attorneys' fees) or liability for damages for personal injury or property damage resulting from the acts or omissions of the Chamber's officers, directors, agents, employees, or volunteers in connection with this Agreement or in any way arising from the activities or services of the Chamber as set forth in this Agreement.
4. It is understood and agreed that the Chamber is free to contract with other parties or to otherwise provide additional services.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officials on July \_\_, 2006.

TOWN OF CAMP VERDE

---

Mayor Tony Gioia

CAMP VERDE CHAMBER OF COMMERCE

---

Alex Wilson, President  
APPROVED AS TO FORM:

---

City Attorney

# *Camp Verde Chamber of Commerce*

## **Strategy Planning for Camp Verde**

### **Mission Statement**

The Camp Verde Chamber of Commerce is a voluntary organization of businesses and individuals working together for the betterment of the community and its business environment and development. The Chamber's Goal is to develop communication, harmony and cooperation between the Chamber, Town, and Businesses for the economic development and growth of Camp Verde.

The Chamber is vitally interested in the economic well-being of our community and its members. We recognize that the basis of our economic well-being is this area's unique history and beauty and small town friendly atmosphere. The Chamber is committed to preserving these resources as we work to support our community businesses, tourism, and economic growth in our community.

### **Position Statement**

Camp Verde is a year-round destination that combines everything you could desire in a memorable travel experience.

We understand that the land is our livelihood as well as a gift; therefore the Chamber cares deeply about our community and works conscientiously with Town Staff on the long-term growth of our community and business development.

Camp Verde is a friendly community that is facing tremendous growth not only in the business community but in the residential section of our community as well. Therefore, this year the Chamber will focus on building tourism and destination marketing for the business community to bring tourists into our community and business development for our residents.

Camp Verde is a community that needs to develop a campaign to *Shop Camp Verde*. The reason for this is that we are losing as a conservative estimate \$36 Million in sales and \$720,000 in sale tax dollars to Cottonwood. *Shop Camp Verde Campaign* means encourage new business development in the community to create a synergy of energy that will keep residence shopping Camp Verde.

## *Strategy Planning*

### **Tourism Program Goals**

- ❖ To increase the awareness of Camp Verde as a destination for visitors
- ❖ To increase travel to Camp Verde and spending in the community
- ❖ To increase the number of Camp Verde overnights and longer leisure trips with emphasis on mid-week and off-peak travel
- ❖ To increase visitor inquiries over the previous year
- ❖ To increase our business commitment to tourism and economic development
- ❖ To create a Tourism Bureau to help in the development, enhancement, and funding of tourism from the businesses community

### **Tourism Bureau**

The purpose of the Tourism Bureau is to function as the marketing arm of the Town of Camp Verde and to increase sales tax and hotel occupancy tax collections through visitor spending. The Tourism Bureau is a division of the Camp Verde Chamber of Commerce and operates on a fiscal year membership program that begins in July of each year. Because the Tourism Bureau is a public/private partnership, local businesses pay a membership fee of \$250 to participate – on a fiscal year (FY 2007= July 06 – June 07).

Due to the Town's Investment of Dollars for Tourism, this is the first year that the Camp Verde Chamber of Commerce can offer this program to its members. Therefore, we will work with the TEAM Grant Destination Marketing Program primarily this year.

### **Goals**

- ❖ Purchasing print and electronic advertising
- ❖ Internet marketing
- ❖ Participating in regional programs
- ❖ Destination Marketing and Promotion within the travel industry Development and sponsorship of events that meet the criteria of Nature-Base Marketing

### **The Tourism Bureau will measure success by the following indicators:**

- ❖ Hotel Occupancy Tax Collected
- ❖ Internet Statistics
- ❖ Walk-ins at the Visitor Center
- ❖ Ad-Value Editorial Articles
- ❖ Lead Generation and Distribution

**Camp Verde Chamber of Commerce Current Board of Directors**

Alex Wilson – President Edwards Jones	Rob Witt – Vice President Camp Verde Realty
Bob Burness – Treasure	Mary Taylor – Secretary Taylor & Padget
Kala Pearson Luna Vista B&B Resort	William (Bill) Jump Out of Africa
Steve Schmidt Mr. Windshield	Ginger Mason Laid Back Jewelers
Kathy Scherich American Family Insurance	Ted Majewski Focus on Graphics

**Chamber's Affinity Groups to help in the planning & implementation of the Strategic Marketing Plan**

Camp Verde Hospitality Council

Camp Verde Economic Development & Retail Council

Camp Verde Tourism Development Council

Camp Verde RV Tourism Council

## **Purpose of the Strategic Marketing Plan**

The Camp Verde Strategic Marketing Plan is designed to outline all of the activities to be undertaken for FY 2006 – 2007, within the budget limitations of monies received by Chamber Membership, Town's Investment in Tourism, Visitor Center, & Economic Development, and Arizona Office of Tourism TEAM Grant. All efforts will be taken to support the Mission and Goals of this Marketing Plan:

- ❖ To motivate Arizonians to travel to Camp Verde for overnight stays of at least one day or more focusing on the Phoenix Area
- ❖ To emphasize off-peak weekday travel and off-peak months in our destination marketing approach
- ❖ To encourage residents outside of Arizona (Nevada & California) to travel to Camp Verde for overnight stays
- ❖ To motivate domestic and international tour operators to include Camp Verde in their destinations visitation (Regional TEAM Grant)
- ❖ To motivate pre/post convention/special event attendees to include Camp Verde as part of their Arizona experience. Special events include: FBR Open, Fiesta Bowl, NASCAR, special events, etc. (Regional TEAM Grant)

**This plan must also be flexible enough to make to adjust to changes in the tourism destination marketing, economic changes, and natural disasters. Also both Town and the Businesses must understand that this is the Chamber first year developing Tourism Destination Marketing and Economic Development for the Community and the rule of thumb is that it will take 18 months to two years to have this program up and running and successful. Our goals are measured on a yearly bases and a five year plan.**

In support of these purposes, this marketing plan is divided into five areas:

- ❖ Tourism
- ❖ Economic Development
- ❖ Visitor Center
- ❖ Individual AOT TEAM Grant
- ❖ Regional AOT TEAM Grant

Various marketing tactics such as: marketing research, economic development research, advertising, promotions, direct mail marketing, public relations, fulfillment of lead generation, and special events are used with each program to reach the destination marketing plan's major objectives.

## **Scope of Town's Investment & AOT TEAM Grant Funds**

To create a destination marketing campaign that promotes Camp Verde as a destination in the tourism industry and to visitors interesting in Nature-Base Tourism which Camp Verde is becoming

### **Tourism**

#### **Goals**

- ❖ To build a strong local economy for Camp Verde through Tourism
- ❖ To promote Camp Verde using Town's Investment of funds and AOT TEAM Grant money
- ❖ To build business to business cooperation to support Tourism and Events
- ❖ To promote Camp Verde as a whole using as our advantages of our Destination Drivers, Attractions, and Events

**RV Industry** – this is an industry that can bring many tourists to Camp Verde. We currently have 571 RV spaces in our community.

#### **Goals**

- ❖ Develop awareness of Camp Verde as a RV location for rallies and vacations
- ❖ Build alliances with RV parks in Camp Verde and Cottonwood
- ❖ Work with promoters to use Camp Verde as a rally location for their events
- ❖ Work with Town to develop a bus tour company that will ferry RVers around our community to our destinations, attractions, and events

### **Motorcoach Tour Companies**

#### **Goals**

- ❖ Using leads from YES Marketing (Regional Marketing TEAM Grant Contract) promote Camp Verde by sending them current information about Camp Verde
- ❖ Continually promoting Camp Verde:
  - Mailing campaign of Camp Verde events, attractions, & destinations
  - Phone calling campaign for awareness and better coordination of Camp Verde as a destination

### **Events**

#### **Goals**

- ❖ Help grow the events so that we can attract more visitors
- ❖ Meet with Parks & Recs twice a month to coordinate media promotion of events
- ❖ Promote events and Camp Verde as a whole using our destination drivers as a drawn for visitors to Camp Verde
- ❖ Email PSAs to media and promote events to the TV market
- ❖ Promote the Wine & Pecan Festival, Crawdad Festival, and Fort Verde Days
- ❖ Parks & Recs is responsible to promote in a 60 mile radius to local residents

## **Promote Camp Verde**

### **Goals**

- ❖ Promote Camp Verde as a whole emphasizing our destination drivers, attractions, and events
- ❖ Promote Camp Verde shopping, restaurants, and activities for visitors
- ❖ Promote the history of Camp Verde and our surrounding community
- ❖ Create a documentary of Camp Verde and our history that can be send to the media and to promote Camp Verde

## **Web Site Development** – create a Tourism website for Camp Verde \$14,750.00

### **Goals**

- ❖ Promote Camp Verde as a destination for visitors
- ❖ Provide information to potential visitors about Camp Verde and attractions
- ❖ To have a pictorial documentary of Camp Verde attractions for the media to download off the web for their use in writing articles about Camp Verde

## **Audio-Visual Material**

### **Goals**

- ❖ To create a documentary of Camp Verde emphasizing our destination drivers, attractions, and events that can be used in the Visitor Center and sent to the media to promote Camp Verde as a destination (money limited for video)
- ❖ To portray Camp Verde as a friendly community with many amenities for overnight visitors
- ❖ To emphasis the history of Camp Verde and all the sites and attractions that visitors will enjoy
- ❖ To create a documentary of the Mail Trail that can be used in the Visitor Center and sent to the media to promote Camp Verde hiking trails

## **Media**

### **Goals**

- ❖ Work with Arizona Highways on Article about Wineries in the Camp Verde area
- ❖ Promote Camp Verde to media to generate articles about Camp Verde and its history and attractions
- ❖ Promote the Mail Trail and its significance of 52 miles of hiking, biking, and horseback riding trail
- ❖ To promote Camp Verde through print advertising in the Arizona Republic Community Guides

## *Strategy Planning*

### **Advertising (EZ Advertising)**

#### **Goals**

- ❖ To take advantage of Arizona Office of Tourism TEAM EZ Fall and Spring Pre-Print Advertising campaign that advertiser Camp Verde in newspapers around the country
- ❖ To take advantage of Arizona Office of Tourism TEAM EZ Direct Mail Campaign to Arizona and California
- ❖ To take advantage of Arizona Office of Tourism TEAM EZ by advertising to California residents in the Sunset Travel Planner

### **Lead Generation**

#### **Goals**

- ❖ To design a brochure that features our destination drivers and attractions
- ❖ This brochure will be mailed to potential visitors that request information due to our internet and print advertising and AOT TEAM EZ Advertising

### **Education**

#### **Goals**

- ❖ Attend seminars on Tourism and Destination Marketing
- ❖ Attend the Governor's Conference on Tourism

### **Regional TEAM Grant Destination Marketing**

- ❖ Hire YES Marketing Group to promote the Region to the German Travel Agents & Tour Operators, Phoenix Pre/Post Convention Market, U.S. Domestic Motorcoach Market, and Japan Travel Agents
- ❖ Design and maintain Regional Tourism Web Site

### **Tourism Destination Marketing will be measured by the following:**

- ❖ Hotel Occupancy Tax Collected
- ❖ Internet Statistics
- ❖ Walk-ins at the Visitor Center
- ❖ Ad-Value Editorial Articles
- ❖ Lead Generation and Distribution

## **Economic Development**

### **Goals**

- ❖ Balance Retail & Tourism Mix in the nine areas surrounding Camp Verde
- ❖ Determine Mix and Economic Objectives of these nine areas:
  - Bashas' & Simonton area
  - Downtown
  - Destination Drivers area – Out of Africa, Cliff Castle Casino, & Montezuma Castle and Well
  - I-17 & 260 interchange along with the motels and entrance into Camp Verde
  - Ruskin Development and entrance into Camp Verde
  - Beaver Creek Area with Beaver Creek Golf Course
  - Cornville & Page Springs Area
  - Northeast Industries Commercial Development with 28 new commercial businesses
  - Park on Forestry land on 260
- ❖ To plan and develop downtown Camp Verde into a shopping area that magnetism tourist and residences to shop in downtown and surrounding shopping areas
- ❖ Magnetize businesses and attractions so that they can pull visitors into each of the nine areas
- ❖ To develop a balance mix of retail businesses, restaurants, shopping opportunities, night life, social activities, and maybe an antique district that will attract visitors and residence to shop Camp Verde

### **Vision**

To embrace sustainable development an approach that weights social and environment considerations along with economic factors for the growth and development of Camp Verde.

### **Objectives**

- ❖ Careful long-term management of land and community resources
- ❖ Conscientious planning for the long-term growth of our community and business development
- ❖ Continual examination of development and business opportunities that foster the long-term growth of the community and business development
- ❖ Work in cooperation with Town Manager and Community Development Director

## **Research**

- ❖ To complete a report on the economic future of Camp Verde and the approach that best takes advantage of our resources as well as weighting the social and environment factors
- ❖ To work with Community Development Director and the Town Manager to create a workable strategies that will attract new businesses into Camp Verde
- ❖ To prepare a report on shopping Camp Verde and why we are losing \$36 Million in sales and \$720,000 in sales tax to Cottonwood and how we can correct this

## **Economic Development Marketing will be measured by the following:**

- ❖ Sale Tax Dollars Collected
- ❖ New businesses in the community
- ❖ Business mix and development

## **Visitor Center**

### **Goals**

- ❖ To provide more and better information for visitors on attractions in and around Camp Verde
- ❖ Write a grant for funding from Arizona Office of Tourism for the Camp Verde Visitor Center – grant is usually around \$2,000
- ❖ Create displays funded by merchant support for to promote Camp Verde business community
- ❖ Create a audio-video display for visitors about Camp Verde
- ❖ Develop a training program for businesses and their employees about Camp Verde attractions and events

## **Visitor Center Promotional Efforts will be measured by the following:**

- ❖ Walk-ins at the Visitor Center
- ❖ Surveys of visitors to Camp Verde

Camp Verde Chamber of Commerce

385 S. Main Street  
Camp Verde, AZ 86322

# Invoice

Date	Invoice #
7/19/2006	458

<b>Bill To</b>
Town of Camp Verde PO Box 710 Camp Verde, AZ 86322

<b>Ship To</b>

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			7/19/2006			

Quantity	Item Code	Description	Price Each	Amount
1	TC	Town Contract with Chamber Quarterly Installment	33,669.00	33,669.00

<b>Total</b>			\$33,669.00
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**STAFF REPORT**

**Council meeting of:** August 2, 2006

**Title:** Possible approval of a change order in the amount of \$5,254.00 to install a (1) 2 ton Mitsubishi split system with (cooling only) for equipment room at the new Marshal's facility. This is an unbudgeted item from the CIP fund.

**Budgeted item:** No

**Description of Item:** Per attached change order.

**Staff Recommendation:** None

**Comments:** None

**Attachments:** Yes

**Prepared by:** Dave Smith/cjb



**Amon Builders, Inc**  
General Building Contractor

Office (928) 474-0689  
FAX (928) 474-8818  
www.amonbuilders.com

Eagle Springs Professional Plaza  
903 E. Hwy. 260, Suite 6  
Payson, Arizona 85541

### CHANGE ORDER

**PROJECT:** Camp Verde Marshal's Facility  
(name, address) 646 S. 1<sup>st</sup> Street  
Camp Verde, Ariz. 86322

**CHANGE ORDER NO:** 2524-CO#11B

**DATE:** July 18, 2006

**TO CONTRACTOR:** Amon Builders, Inc.  
(name, address) 903 E. Hwy. 260, Suite 6  
Payson, AZ 85541

**ARCHITECTS PROJECT NO:**

**CONTRACT DATE:** July 11, 2005

**CONTRACT FOR:** Prime Contract

**The Contract is changed as follows:** For additional materials, labor and equipment for the supply and install of (1) 2 ton Mitsubishi split system with (cooling only) for Equipment Room # 116. These costs are based on the information and direction given to Amon Builders Inc. by Stroh Rogers Architects Engineers.

Knudson Mechanical – Equip. & Materials for install of unit	\$2,335.00
Knudson Mechanical – Labor	\$1,535.00
Knudson Mech. 15% Overhead & Profit	\$580.00
Amon Builders Inc. Supervision costs 5 hrs. \$35.00 per/hr.	\$175.00
<b>Subtotal of Costs</b>	<b>\$4,625.00</b>
Amon Builders Inc. 5 % Overhead & Profit	\$231.00
Tax	\$295.00
Bond	\$103.00
<b>TOTAL COST OF THIS CHANGE ORDER</b>	<b>\$5,254.00</b>

The Original ( <u>Contract Sum</u> ) (Guaranteed Maximum Price) was	\$1,210,798.00
Net change by previously authorized Change Orders	\$ 209,265.00
The ( <u>Contract Sum</u> ) (Guaranteed Maximum Price) prior to this Change Order was	\$1,420,063.00
The ( <u>Contract Sum</u> ) (Guaranteed Maximum Price) will be ( <u>increased</u> ) (decreased) (unchanged) by this Change Order in the amount of	\$ 5,254.00
The new ( <u>Contract Sum</u> ) (Guaranteed Maximum Price) including this Change Order will be	\$1,425,317.00
The Contract Time will be ( <u>increased</u> ) (decreased) (unchanged) by.	(5 DAYS)
The date of Substantial Completion as of the date of the Change Order therefore is	

Amon Builders, Inc.  
CONTRACTOR

Town of Camp Verde  
OWNER

903 E. Hwy. 260, Suite 6, Payson, AZ 85541  
ADDRESS

P.O. Box 710, Camp Verde, AZ 86322  
ADDRESS

\_\_\_\_\_  
BY DATE

\_\_\_\_\_  
BY DATE

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
TITLE

Stroh Rogers Architects, Inc.  
ARCHITECT

132 S. Montezuma Street, Prescott, Arizona 86303  
ADDRESS

\_\_\_\_\_  
BY DATE

\_\_\_\_\_  
TITLE

**STAFF REPORT**

**Council meeting of:** August 2, 2006

**Title:** Possible approval of a change order in the amount of \$4,273.00 to install (1) 42 circuit Square D Panel in the electrical room at the new Marshal's facility. This is an unbudgeted item from the CIP fund.

**Budgeted item:** No

**Description of Item:** Per attached change order.

**Staff Recommendation:** None

**Comments:** None

**Attachments:** Yes

**Prepared by:** Dave Smith/cjb

2115 W. SHANGRI LA , SUITE #3  
PHOENIX, AZ. 85029  
PHONE# (602 944-2716  
FAX# (602)

**KNUDSON  
MECHANICAL INC.**

# Fax

**To:** AMON BUILDERS

**From:** CHRIS KNUDSON

**Attn:** DON HAMMON

**Pages:** 2

**Fax:** (928) 474-8818

**Date:** 7/10/2006

**Project:** CAMP VERDE

**Subject:** QUOTE

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

DON:

THE PRICE TO PROVIDE AND INSTALL (1) 2 TON MITSUBISHI SPLIT SYSTEM, COOLING ONLY  
WITH WALL MOUNT INDOOR UNIT IS.....\$4,450

CONDINSATE IS INCLUDED.

ELECTRICAL IS EXCLUDED.

PLEASE DO NOT HESSITATE TO CALL IF YOU HAVE ANY QUESTIONS.

THANKS, CHRIS

KNUDSON MECHANICAL



**Amon Builders, Inc**  
General Building Contractor

Office (928) 474-0689  
FAX (928) 474-8818  
www.amonbuilders.com

Eagle Springs Professional Plaza  
903 E. Hwy. 260, Suite 6  
Payson, Arizona 85541

## CHANGE ORDER

**PROJECT:** Camp Verde Marshal's Facility  
(name, address) 646 S. 1<sup>st</sup> Street  
Camp Verde, Ariz. 86322

**CHANGE ORDER NO:** 2524-CO#11

**DATE:** July 12, 2006

**TO CONTRACTOR:** Amon Builders, Inc.  
(name, address) 903 E. Hwy. 260, Suite 6  
Payson, AZ 85541

**ARCHITECTS PROJECT NO:**

**CONTRACT DATE:** July 11, 2005

**CONTRACT FOR:** Prime Contract

**The Contract is changed as follows:** For additional materials, labor and equipment for the install of (1) 2 ton Mitsubishi split system with (cooling only) for Equipment Room # 116. In addition to this we will need to install (1) 42 circuit Square D Panel (Type QOB) in the electrical room to accommodate additional circuits for panel EM1. This panel will be supplied with a 100 amp feeder in 1 1/2" conduit from panel EM. The additional circuits will be for the electrical disconnect outside for the condensing unit, power inside the equipment room for the fan coil and additional circuits for the Freezer and Cooler redundant systems. All the spare circuits in Panel EM have been utilized creating the need for this additional panel that has to be fed from panel EM into the Emergency Panel. These costs are based on the information and direction given to Amon Builders Inc. by Stroh Rogers Architects Engineers.

Knudson Mechanical – Equip. & Materials for install of unit	\$2,335.00
Knudson Mechanical – Labor	\$1,535.00
Knudson Mech. 15% Overhead & Profit	\$580.00
Otis Electric Inc. Material costs	\$1,131.00
Otis Electric Inc. Labor 44.3 hrs. @ \$44.56 per/ hr.	\$1,974.00
Otis Electric Inc. 15% Overhead & Profit	\$481.00
Amon Builders Inc. Supervision costs 10 hrs. \$35.00 per/hr.	\$350.00
<b>Subtotal of Costs</b>	<b>\$8,386.00</b>
Amon Builders Inc. 5 % Overhead & Profit	\$419.00
Tax	\$535.00
Bond	\$187.00
<b>TOTAL COST OF THIS CHANGE ORDER</b>	<b>\$9,527.00 =</b>

*\$ 3586.00 (see Exhibit)*

The Original ( <u>Contract Sum</u> ) (Guaranteed Maximum Price) was	\$1,210,798.00
Net change by previously authorized Change Orders	\$ 204,992.00
The ( <u>Contract Sum</u> ) (Guaranteed Maximum Price) prior to this Change Order was	\$1,414,563.00
The ( <u>Contract Sum</u> ) (Guaranteed Maximum Price) will be ( <u>increased</u> ) (decreased) (unchanged) by this Change Order in the amount of	\$ 9,527.00
The new ( <u>Contract Sum</u> ) (Guaranteed Maximum Price) including this Change Order will be	\$1,425,317.00
The Contract Time will be ( <u>increased</u> ) (decreased) (unchanged) by	(5 DAYS)
<b>The date of Substantial Completion as of the date of the Change Order therefore is</b>	

Amon Builders, Inc.  
CONTRACTOR

Town of Camp Verde  
OWNER

903 E. Hwy. 260, Suite 6, Payson, AZ 85541  
ADDRESS

P.O. Box 710, Camp Verde, AZ 86322  
ADDRESS

BY Don Hamman 7/12/06  
DATE  
BY Project Manager  
TITLE

BY \_\_\_\_\_ DATE \_\_\_\_\_  
TITLE \_\_\_\_\_

Stroh Rogers Architects, Inc.  
ARCHITECT

132 S. Montezuma Street, Prescott, Arizona 86303  
ADDRESS

\_\_\_\_\_  
BY DATE

\_\_\_\_\_  
TITLE



**Amon Builders, Inc**  
General Building Contractor

Office (928) 474-0689  
FAX (928) 474-8818  
www.amonbuilders.com

Eagle Springs Professional Plaza  
903 E. Hwy. 260, Suite 6  
Payson, Arizona 85541

**CHANGE ORDER**

**PROJECT:** Camp Verde Marshal's Facility  
(name, address) 646 S. 1<sup>st</sup> Street  
Camp Verde, Ariz. 86322

**CHANGE ORDER NO:** 2524-CO#11A

**DATE:** July 18, 2006

**TO CONTRACTOR:** Amon Builders, Inc.  
(name, address) 903 E. Hwy. 260, Suite 6  
Payson, AZ 85541

**ARCHITECTS PROJECT NO:**

**CONTRACT DATE:** July 11, 2005

**CONTRACT FOR:** Prime Contract

**The Contract is changed as follows:** For additional materials, required to install (1) 42 circuit Square D Panel (Type QOB) in the electrical room to accommodate additional circuits for panel EM1. This panel will be supplied with a 100 amp feeder in 1 1/2" conduit from panel EM. The additional circuits will be for the electrical disconnect outside for the condensing unit, power inside the equipment room for the fan coil and additional circuits for the Freezer and Cooler redundant systems. All the spare circuits in Panel EM have been utilized creating the need for this additional panel that has to be fed from panel EM into the Emergency Panel. These costs are based on the information and direction given to Amon Builders Inc. by Stroh Rogers Architects Engineers.

Otis Electric Inc. Material costs	\$1,131.00
Otis Electric Inc. Labor 44.3 hrs. @ \$44.56 per/ hr.	\$1,974.00
Otis Electric Inc. 15% Overhead & Profit	\$481.00
Amon Builders Inc. Supervision costs 5 hrs. \$35.00 per/hr.	<u>\$175.00</u>
<b>Subtotal of Costs</b>	<b>\$3,761.00</b>
Amon Builders Inc. 5 % Overhead & Profit	\$188.00
Tax	\$240.00
Bond	<u>\$84.00</u>
<b>TOTAL COST OF THIS CHANGE ORDER</b>	<b>\$4,273.00</b>

The Original (Contract Sum) (Guaranteed Maximum Price) was	\$1,210,798.00
Net change by previously authorized Change Orders	\$ 204,992.00
The (Contract Sum) (Guaranteed Maximum Price) prior to this Change Order was	\$1,415,790.00
The (Contract Sum) (Guaranteed Maximum Price) will be (increased) (decreased) (unchanged) by this Change Order in the amount of	\$4,273.00
The new (Contract Sum) (Guaranteed Maximum Price) including this Change Order will be	\$1,420,063.00
The Contract Time will be (increased) (decreased) (unchanged) by.	(5 DAYS)
The date of Substantial Completion as of the date of the Change Order therefore is	

Amon Builders, Inc.  
CONTRACTOR  
903 E. Hwy. 260, Suite 6, Payson, AZ 85541  
ADDRESS

Town of Camp Verde  
OWNER  
P.O. Box 710, Camp Verde, AZ 86322  
ADDRESS

BY \_\_\_\_\_ DATE \_\_\_\_\_  
TITLE \_\_\_\_\_

BY \_\_\_\_\_ DATE \_\_\_\_\_  
TITLE \_\_\_\_\_

Stroh Rogers Architects, Inc.  
ARCHITECT  
132 S. Montezuma Street, Prescott, Arizona 86303  
ADDRESS

BY \_\_\_\_\_ DATE \_\_\_\_\_  
TITLE \_\_\_\_\_

*Exhibit A*

Otis Electric, Inc.  
Construction Change Order

To: Amon Builders

Change Order: 1125C8 (revis  
Project: Marshal's Facility  
Project # 1125  
Date: 7/12/06  
Contractor: Amon Builders

RE: RFI#  
RE: RFP#

No Change in Cost                       Credit Costs                       Extra Cost

Description of Change: Install SqD Type QOB 42 circuit panel in electrical room to accommodate additional circuits to panel EM. Supply with 100 amp feeder in 1 1/2 conduit. Install circuits to heat pump indoor and outdoor units. Indoor unit in equipment room. Outdoor unit near equipment room entry.

Material:	\$1,130.90	
Rental equipment:	0	
Labor: 44.3 @ 44.56/hr	\$1,974.01	
Subtotal	\$3,104.91	
10% Overhead	\$ 310.49	
5% Profit	\$ 170.49	
Total	\$3,585.89	<i>= rounded 3586<sup>00</sup> (1131 + 1974 + 481<sup>00</sup>)</i>

Notes:

- The prices above represent the marginal increase in costs of the described change.
- Proposal is good for 14 days.

Originator: Jon Otis Firm: Otis Electric, Inc. Date: 7/12/06

Original Contract Sum:

Net Change of Previously Authorized Change Orders:

Contract Sum Prior to This Change Order:

Contract Sum Will be: (increased) By This Change Order: \$3,585.89

APPROVAL BY CONTRACTOR:

RECOMMENDATION FOR APPROVAL BY ARCHITECT:

DATE:

DATE:

APPROVAL BY OWNER

RECOMMENDATION FOR APPROVAL BY PROJ. COORD.

**STAFF REPORT**

**Council Meeting of:** August 2, 2006

**Title:** Discussion, consideration and possible approval of Amendment #2 to the Intergovernmental Agreement with ADOT SR-260 Frontage Roads, TRACS NO. H3868 01R/03C/H5630 01C (Finnie Flat Road/Main St.). The purpose of the amendment is to modify and clarify Contract #JPA 00-173.

**Budgeted Item:** N/A

**Description of Item:** This action will do the following:

1. Extend the Enhancement Construction Project completion date until February 28, 2007.
2. Require the Town to provide the State with a right-of-way clearance memo.
3. Places the ownership and maintenance responsibilities of Finnie Flat Road/Main St. (existing SR 260) in the Town's jurisdiction immediately upon satisfactory completion of the construction project.

**Staff Recommendation:** Approve the amendment

**Comments:** N/A

**Attachments:** Yes

**Prepared by:** Bill Lee/cjb

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**Arizona Department of Transportation**  
**Intermodal Transportation Division**

205 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano  
Governor

Victor M. Mendez  
Director

18 July 2006

Sam Elters  
State Engineer

Town of Camp Verde  
Attn: Bill Lee, Manager  
473 South Main Street  
Camp Verde, Arizona 86322

**Reference:**

ADOT JPA File No.: 00-173  
AG Contract No.: KR00-2046TRN  
**Amendment No. 2**  
Project: 260YV218  
Section: SR 260 Frontage Roads  
TRACS No.: H3868 01R / 03C / H5630 01C  
Budget Source Item No.:

Dear Mr. Lee:

Enclosed are three (3) original Amended Agreements and Attorney Approval forms for signature regarding the above subject Agreement, which defines the responsibilities of the Town of Camp Verde and the Arizona Department of Transportation.

Please obtain the appropriate official signatures and return the signed Agreements, Attorney Approval Forms and the Resolution Letter and/or Meeting Minutes necessary to enter into this Agreement. Return the signed original package to the attention of the undersigned with the **Arizona Department of Transportation, Engineering Consultants Section, 205 S. 17<sup>th</sup> Avenue, Mail Drop 616E, Phoenix, AZ 85007.**

Please make no other entries on the originals other than signatures, and do not date or staple the first page or make other entries other than signature. A copy of the recorded contract will be returned upon final execution with the Secretary of State. Should you have further questions please do not hesitate to call me at (602) 712-7125.

Sincerely,

Shannon L. Childs  
Joint Project Coordinator  
Engineering Consultant Section

cc: Project Manager



2001 Award Recipient

JPA 00-173  
AMENDMENT NO. 2

ATTORNEY APPROVAL FORM FOR THE TOWN OF CAMP VERDE

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the TOWN, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the TOWN under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Town Attorney

JPA 00-173  
AMENDMENT NO. 2

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DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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Town Attorney

JPA 00-173  
AMENDMENT NO. 2

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No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Town Attorney

ADOT JPA File No.: 00-173  
AG Contract No.: KR00-2046TRN  
**Amendment No. 2**  
Project No.:  
Project: 260YV218  
Section: SR 260 Frontage Roads  
TRACS No.: H3868 01R / 03C /  
H5630 01C  
Budget Source Item No.:

**AMENDMENT NO. 2  
TO  
INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE TOWN OF CAMP VERDE

**THIS AGREEMENT** is entered into this date \_\_\_\_\_, 2006, **Amendment No. 2** to JPA No. 00-173, A.G. Contract No.: KR00-2046TRN, filed with the Secretary of State under No. 24703, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the TOWN OF CAMP VERDE, acting by and through its MAYOR and TOWN COUNCIL (the "Town").

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The Town is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the Town.

**THE PURPOSE OF THIS AMENDMENT** is to a) to provide a completion date of the Project TRACS # H563001C; b) define responsibility of Town to submit a right-of-way clearance memo for Project TRACS # H563001C c) define requirements that the design plans for Project TRACS # H563001C for the area in question shall not be changed from the original 100% design plans; and d) identify maintenance responsibilities of the Gateway Features for Project TRACS# H386803C – Cottonwood to Camp Verde Segment 2.

**THEREFORE**, in consideration of the mutual Agreements expressed herein, this Agreement is amended as follows:

---

**II. SCOPE OF WORK**

**Article II, Paragraphs h., i., j., k. and l., are added in full as follows:**

1. The Town shall:

h. Complete all items of Town responsibility as outlined in the State's letter of October 27, 2004 as shown on Exhibit D, attached hereto and made a part hereof with revision to the date specified in item 7 of the Exhibit.

i. Prior to the transfer of funds from the State, complete the construction of Enhancement Project: TRACS #H563001C-Camp Verde Main St per the 100% original bid plans no later than February 28, 2007.

j. Upon completion of the purchase of Right-of-Way for Enhancement Project: TRACS #H563001C-Camp Verde Main St, provide to the State a Right-of-Way Clearance Memo, as shown on Exhibit F (Sample), attached hereto and made a part hereof.

k. Upon satisfactory completion of the State's - Landscape Establishment Phase, approve and accept the Project: TRACS #H563001C-Camp Verde Main St.

l. Upon satisfactory completion of construction, approve and accept the Town's portions of Project: TRACS# H386803C - Cottonwood to Camp Verde Segment 2 on behalf of the parties hereto, provide for perpetual and proper maintenance and all repairs of the Gateway Features located at SR 260's intersections with Finnie Flat Rd and Main St, including but not limited to concrete walls, logos, lighting, maintaining healthy landscape including the removal and treatment of weeds, operations and costs of the irrigation systems, operations and costs of the electricity for the lighting, all at the Town's own expense, as shown on Exhibit E, attached hereto and made a part hereof.

**Article II, Paragraphs h., and i., are added in full as follows:**

2. The State shall:

h. Upon satisfactory completion of the Town's portion of construction for Enhancement Project: TRACS #H563001C-Camp Verde Main St, reimburse to the Town an amount not to exceed \$54,000.00 for the completion of construction of the Project.

i. Not be obligated to maintain the Town's portions of said Projects, should the Town fail to budget or provide for perpetual and proper maintenance as set forth in this Agreement.

**EXCEPT AS AMENDED** herein, **ALL OTHER** terms and conditions of the original Agreement remain in full force and effect.

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**IN WITNESS WHEREOF**, the parties have executed this Amended Agreement the day and year first above written.

**TOWN OF CAMP VERDE**

**STATE OF ARIZONA**  
Department of Transportation

By \_\_\_\_\_  
TONY GIOIA  
Mayor

By \_\_\_\_\_  
DOUGLAS A. FORSTIE, P.E.  
Deputy State Engineer, Operations

ATTEST:

By \_\_\_\_\_  
DEBORAH BARBER  
Clerk

Exhibit D



Arizona Department of Transportation  
Intermodal Transportation Division

206 South Seventeenth Avenue Phoenix, Arizona 85007-3213

Janet Napolitano  
Governor

Victor M. Mendez  
Director

Michael Ortega  
State Engineer

October 27, 2004

Bill Lee, Town Manager  
Town of Camp Verde  
P.O. Box 86322  
Camp Verde, Arizona 86322

Project #: TEA-260-A(001)A  
TRACS #: H563001C  
Termini: Cottonwood-Camp Verde-Mogollon Rim Hwy  
Location: Camp Verde Main Street

RE: SR 260 Main Street Enhancements – Kyllingstad Frontage

Dear Mr. Lee:

This is to confirm our meeting held on-site on August 12, 2004 between FHWA, ADOT, and Town of Camp Verde staff and is in response to the letters received from Camp Verde Town Attorney of July 26, 2004 and August 06, 2004.

The following revisions to JPA 00-173 with the Town of Camp Verde will be made, based upon items discussed during the aforementioned meeting; and awaiting final confirmation that these revisions can be accomplished under current statutes, regulations, and policies:

1. The Town of Camp Verde will accept ownership jurisdiction and maintenance responsibilities of Finnie Flat Rd/Main St (existing SR 260 as described in the current JPA 00-173) immediately upon completion of the project contract's Construction Phase.
2. ADOT will complete all work required under the project contract's 1 year Landscape Establishment Phase (begins immediately after completion of the Construction Phase).
3. The Town of Camp Verde will complete acquisition of the necessary Right of Way per the current JPA 00-173.
4. The Town of Camp Verde will call for bids, award contract, and administer project for completion of all improvements in front of the Kyllingstad parcels per ADOT's current approved plans and in accordance with all Federal requirements / guidelines for bidding, awarding, administering contracts with Federal Funds.
5. ADOT will turn over to the Town of Camp Verde the pedestrian lights and plants originally planned for the area.
6. The Town of Camp Verde will submit all required proof of completed construction to ADOT for reimbursement in an amount not to exceed \$54,000.00
7. The project will be considered as complete and no reimbursement will be made if construction of the improvements is not completed by February 28, 2006.

Sincerely,

Tom Foster  
District Engineer

1109 Commerce Drive  
Prescott, Arizona 86305  
Phone 928.777.5862 Fax 928.771.0058

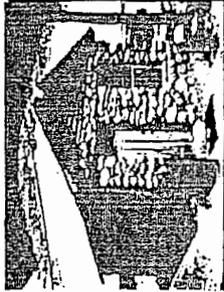
c: Aryan Lirange – FHWA  
Doug Forstie – Deputy State Engineer  
Andrew Roth – Resident Engineer  
File



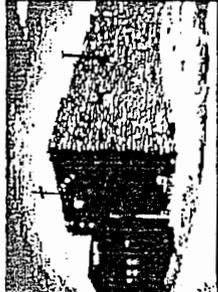




PROJECT NO.	328 - (12) USA 199
DATE	500 TY 210
SCALE	
BY	
CHECKED BY	
DATE	



CONCRETE CURB ON EASTSIDE ROAD, CAMP WOOD



CONCRETE CURB ON EASTSIDE ROAD, CAMP WOOD

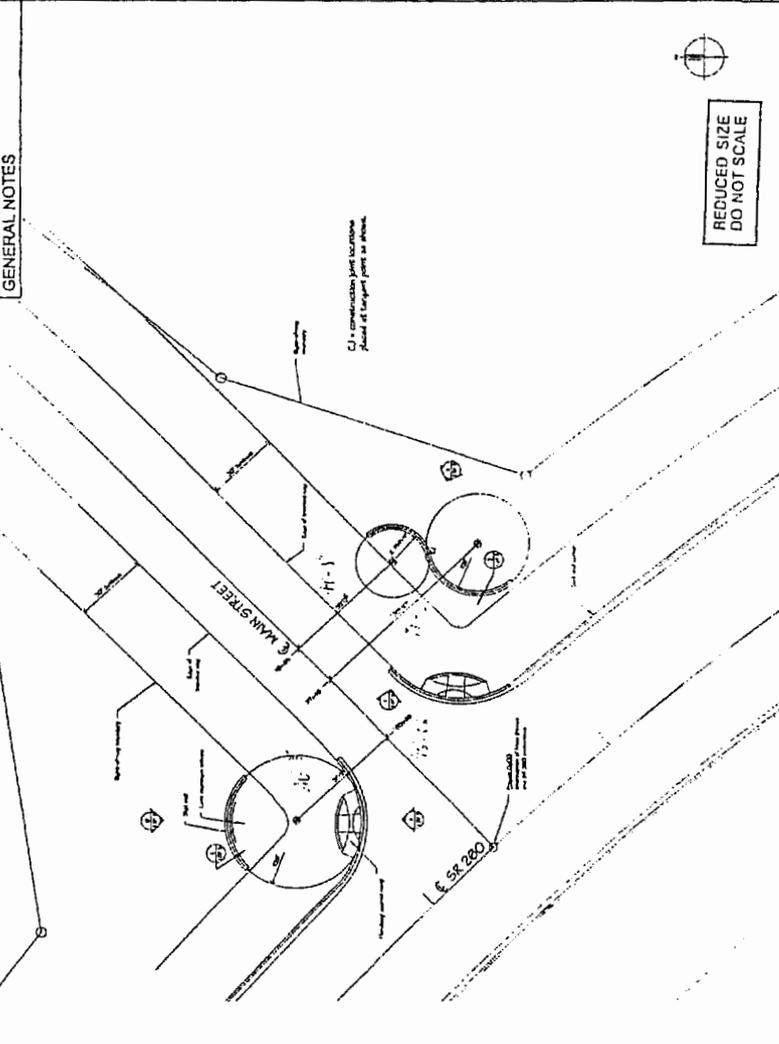


CLOSE UP OF STONE WALL CHARACTER TO BE REPLICATED BY MASONRY SAMPLES

photographs of masonry replication samples

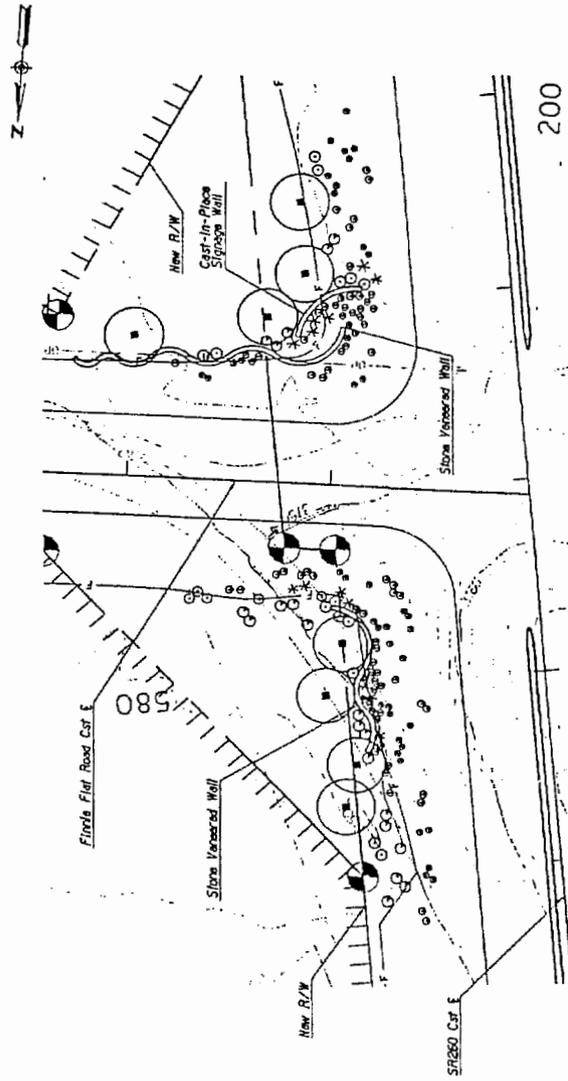
STATE	ARIZONA
COUNTY	COTTONWOOD
CITY/TOWN	CAMP WOOD
PROJECT NO.	328 - (12) USA 199
DATE	500 TY 210
SCALE	
BY	
CHECKED BY	
DATE	

- GENERAL NOTES**
- Replication shall be placed a minimum of 30' clear from the edge of excavation.
  - Support shall not obstruct construction of work.
  - Verify location, elevation, and other data before construction of replication. Replication shall be placed in 10' increments or less.
  - Support structures of gabions within replication are representative.



site plan  
 N.T.S.  
 monument at MAIN STREET

Project No. 326 - (326) (Sub 193)  
 Date 780 YV 218



NOTE:  
 For Wall details see Entry  
 Gateway Monuments Plans

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS	QTY.
⊙	<i>Prosopis velutina</i>	Velvet Mesquite	24" box		8
⊙	<i>Calliandra eriophylla</i>	Fairy Duster	1 gal		45
⊙	<i>Fallopia paradoxa</i>	Apache Plume	5 gal		19
⊙	<i>Berberis trifoliata</i>	Apartia	5 gal		20
⊙	<i>Parthenium argentatum</i>	Guayule	5 gal		38
⊙	<i>Zinnia grandiflora</i>	Prairie Zinnia	1 gal		32
* *	<i>Yucca baccata</i>	Banana Yucca	5 gal		13

REDUCED SIZE  
 DO NOT SCALE

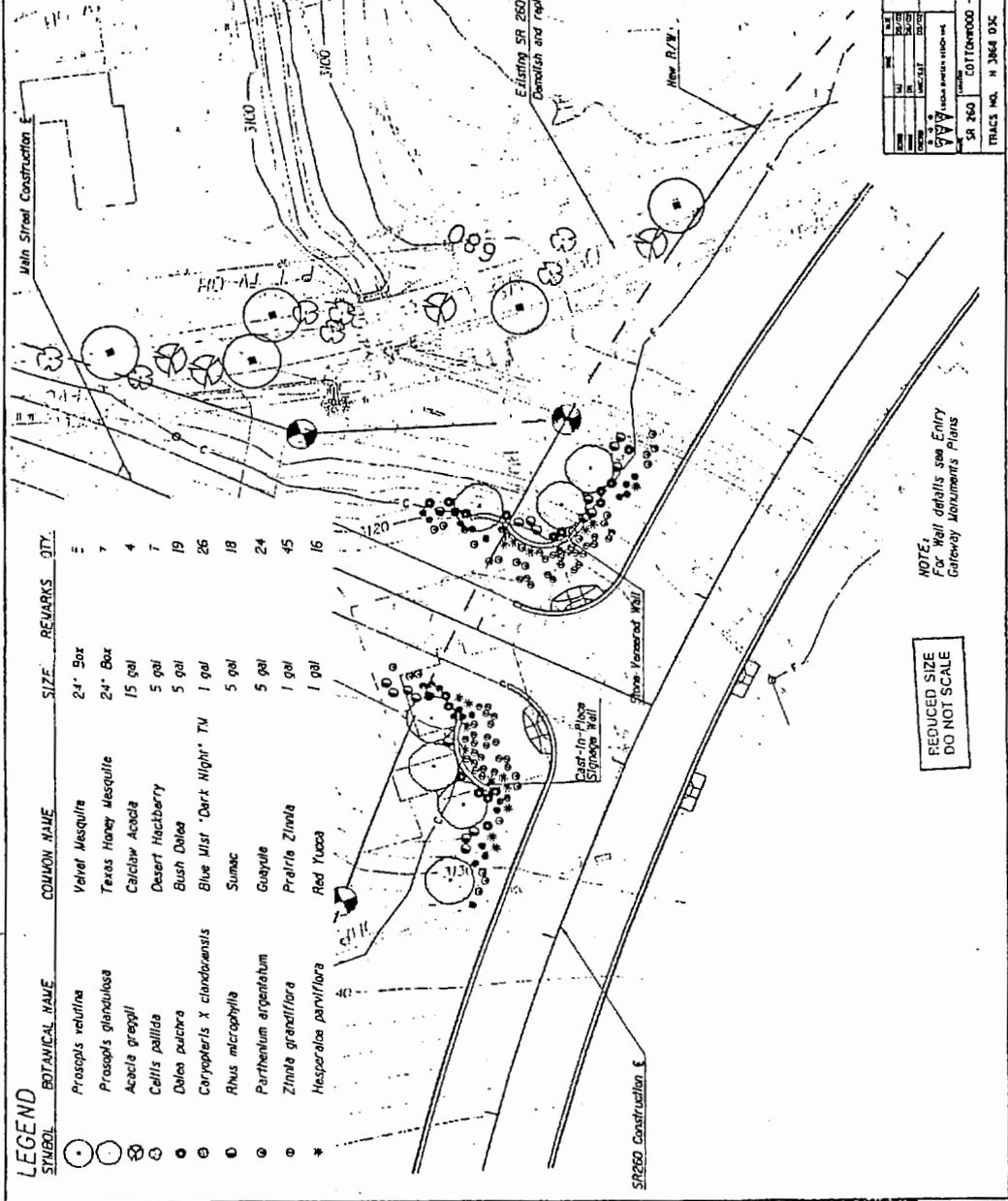
FEDERAL DEPARTMENT OF TRANSPORTATION  
 FEDERAL HIGHWAY ADMINISTRATION

PLANTING PLAN  
 FINNE PLAT GATEWAY  
 STA. 312+15 TO STA. 383+00

SR 260 COTTONWOOD - CAMP VERDE SEGMENT 2  
 TRACS NO. H 1868 O.C. 326 - 1121A

SHEET NO. 8 OF

DATE	3/16	BY	0224	SCALE	AS SHOWN
NO.	9	PROJECT	2860 TV 218		



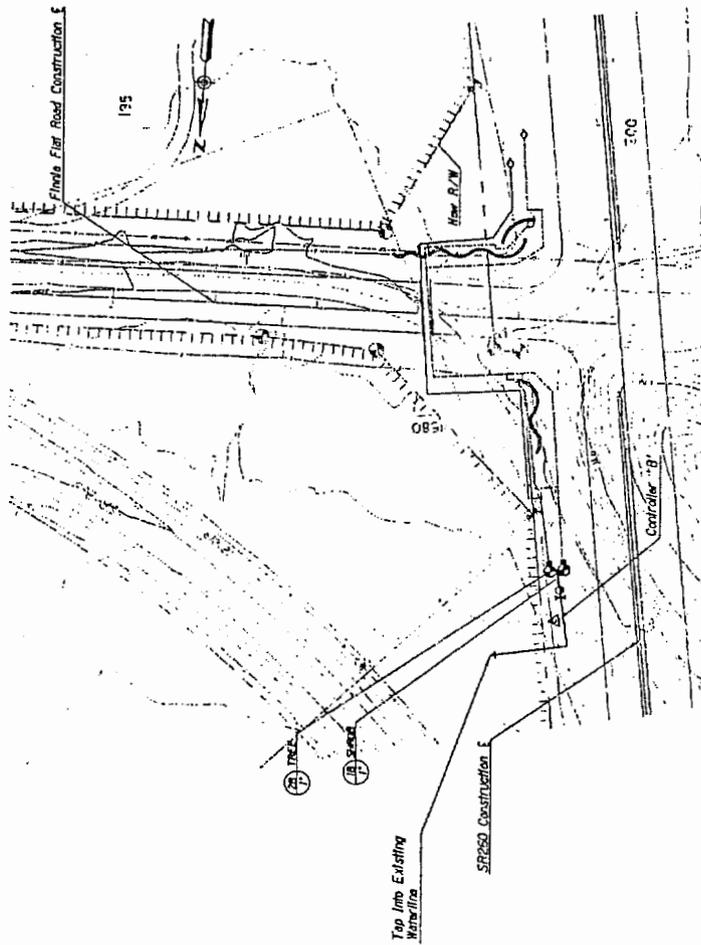
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS	QTY.
○	<i>Prosopis velutina</i>	Velvet Mesquite	24" Box		5
○	<i>Prosopis glandulosa</i>	Texas Honey Mesquite	24" Box		7
○	<i>Acacia greggii</i>	Carlelaw Acacia	15 gal		4
○	<i>Celtis pallida</i>	Desert Hackberry	5 gal		7
○	<i>Dalea pumila</i>	Bush Dalea	5 gal		19
○	<i>Caryopteris x clarendensis</i>	Blue Mist "Dark Night"™	1 gal		26
○	<i>Rhus microphylla</i>	Sumac	5 gal		18
○	<i>Parthenium argentatum</i>	Guayule	5 gal		24
○	<i>Zinnia grandiflora</i>	Prairie Zinnia	1 gal		45
*	<i>Hesperaloe parviflora</i>	Red Yucca	1 gal		16

NATIONAL DEPARTMENT OF TRANSPORTATION Federal Highway Administration	
PROJECT NO.	SR 260
SECTION	COTTONTWOOD - CAMP VERDE SEGMENT 2
DATE	3/16 - 1/21
SCALE	AS SHOWN
DESIGNER	WV
CHECKED	WV
APPROVED	WV
PROJECT TITLE	PLANTING PLAN MAIN STREET GATEWAY STA. 515+00 TO STA. 511+00
SHEET NO.	OF

NOTE:  
For Wall details see Entry  
Gateway Monuments Plans

REDUCED SIZE  
DO NOT SCALE

DATE	BY	NO.	REV.	DATE
3	3	1024	1660	195
260 TY 210				



**LEGEND**

SYMBOL	DESCRIPTION	MODEL NUMBER / MANUFACTURE	SIZE	QTY.
△	Solar Controller	LEIT 4000	4 5/8"	1
▽	Gate Valve	T-113	1"	1
○	Bactiflow Preventor w/Rp Assembly	825XA	1"	1
⊙	1" Electric Valve w/ Pressure Reg.	XCZ-100	1"	2
○	End Cap	M-66-P/AP-100	3/4"	3
—	Mainline and P.O.C.		1"	150 LF
---	Lateral Line - Tree		3/4"	550 LF
----	Lateral Line - Shrub		3/4"	840 LF
.....	Stone		4"	50 LF

REDUCED SIZE  
DO NOT SCALE

STATE	PROJECT	DATE	NO.	REV.	DATE
TX	260 TY 210	1024	1660	195	

REGIONAL DEPARTMENT OF TRANSPORTATION  
INTERNAL TRANSPORTATION DIVISION

IRRIGATION PLAN  
FINNE FLATS ROAD GATEWAY  
STA. 517+00 TO STA. 544+00

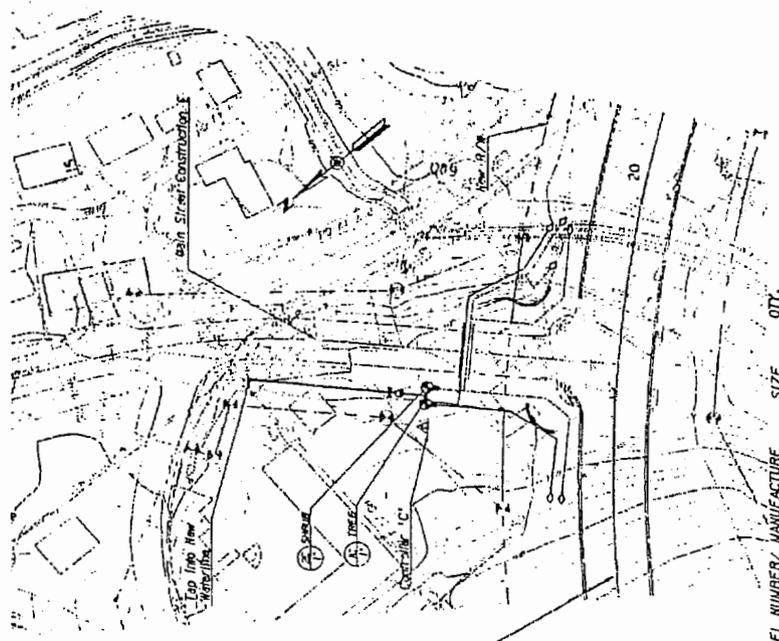
260 TY 210  
COTTONWOOD - CAMP VERDE SEGMENT 2

TRACES NO. W 3864 03C

SIZE - 112DA

SHEET 1 OF 4

DATE	1952
PROJECT NO.	336 - 112A-10
DATE	1952
PROJECT NO.	240 IV 218



**LEGEND**

SYMBOL	DESCRIPTION	MODEL NUMBER / MANUFACTURE	SIZE	QTY.
△	Solar Controller	LEIT 4000	4 Sta.	1
○	Gate Valve	T-113	1"	1
○	Backflow Preventer W/ RP Assembly	825YA	1"	1
○	1" Electric Valve W/ Pressure Reg.	XCZ-100	1"	2
○	End Cap	M-65-P/AP-100	3/4"	6
—	Mainline and P.O.C.		1"	150 LF
—	Lateral Line- Tree		3/4"	375 LF
—	Lateral Line- Shrub		3/4"	674 LF
—	Sleeve		4"	50 LF

REDUCED SIZE  
DO NOT SCALE

NATIONAL DEPARTMENT OF TRANSPORTATION  
INTERURBAN TRANSPORTATION DIVISION

PROJECT NO. 336 - 112A-10  
STATIONING FROM STA. 618+00 TO STA. 681+00

SR 740 COTTONTOWN - CAMP VERDE SEGMENT 2  
TRACS NO. H 3648 D3C 326 - 112A

SHEET 1 OF 1

Exhibit F

**\*\*\*\*\* PLACE ON TOWN OF CAMP VERDE  
OFFICIAL LETTERHEAD \*\*\*\*\***

To: Dallas Hammit – District Engineer  
ADOT Prescott District  
  
Michael Serio – ADOT Right of Way  
Project Management Section

Date:

From: Bill Lee – Town Manager  
Town of Camp Verde

Subject: TEA-260-A(001)A  
H563001C  
Cottonwood-Camp Verde-Mogollon  
Rim Hwy (SR 260)  
Camp Verde Main St  
Right of Way Clearance

All necessary rights of way for this project have been fully acquired in accordance with Intergovernmental Agreement JPA 00-173.

If you have any questions please contact me at the following:

PO Box 710  
Camp Verde, AZ 86322

(928) 567-6631 x102

c: Aryan Lirange - FHWA  
Andrew A. Roth, Jr. – ADOT Resident Engineer  
File

**EXHIBIT**

AG Contract No. KR00-2046TRN  
ADOT ECS File No. JPA 00-173  
**Amendment One**  
Project: 260YV218  
Section: SR-260 Frontage Roads  
TRACS No.: H3868 01R / 03C /  
H5630 01C

**AMENDMENT ONE**

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE TOWN OF CAMP VERDE**

THIS AGREEMENT is entered into 12 January, 2005, Amendment One to JPA 00-173, AG Contract No.: KR00-2046TRN, filed with the Secretary of State under No. 24703 pursuant to Arizona Revised Statutes, § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the TOWN OF CAMP VERDE, acting by and through its MAYOR and TOWN COUNCIL (the "Town").

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The Town is empowered by Arizona Revised Statutes § 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Town.

The purpose of this Amendment is to add Recitals 4, 5 and 6 to the Agreement: a) Construct continuity pavement by the State, located on West Industrial Drive; b) Define the responsibilities for traffic signals previously constructed by the State on State Route (SR) 260 at the following locations: Homestead Parkway; Finnie Flat Road and Main Street; and c) The Town has provided payment in the amount of \$65,000.00, as shown on Exhibit C, attached hereto and made a part hereof, to be applied to TRACS No. H5630 01C, as payment for the differential upgrades for the enhancement sidewalk project previously constructed by the State along Main Street from STA 107+65 to STA 129+87, as shown on the Construction Plans for TRACS No. H5630 01C. In addition, the Town has agreed to provide maintenance responsibilities for the previously constructed enhancement sidewalk project.

#01

NO. 24703  
Filed with the Secretary of State  
Date Filed: 01/12/05

Janice K. Brewer  
Secretary of State

By: David D. Traenwald

AG Contract No. KR00-2046TRN  
ADOT ECS File No. JPA 00-173  
**Amendment One**  
Project: 260YV218  
Section: SR-260 Frontage Roads  
TRACS No.: H3868 01R / 03C /  
H5630 01C

**AMENDMENT ONE**

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE TOWN OF CAMP VERDE**

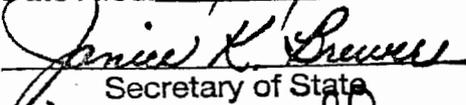
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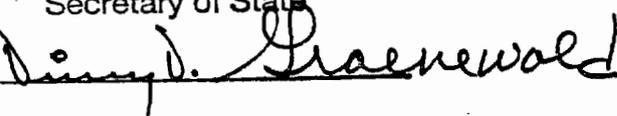
**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.
2. The Town is empowered by Arizona Revised Statutes § 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Town.

The purpose of this Amendment is to add Recitals 4, 5 and 6 to the Agreement: a) Construct continuity pavement by the State, located on West Industrial Drive; b) Define the responsibilities for traffic signals previously constructed by the State on State Route (SR) 260 at the following locations: Homestead Parkway; Finnie Flat Road and Main Street; and c) The Town has provided payment in the amount of \$65,000.00, as shown on Exhibit C, attached hereto and made a part hereof, to be applied to TRACS No. H5630 01C, as payment for the differential upgrades for the enhancement sidewalk project previously constructed by the State along Main Street from STA 107+65 to STA 129+87, as shown on the Construction Plans for TRACS No. H5630 01C. In addition, the Town has agreed to provide maintenance responsibilities for the previously constructed enhancement sidewalk project.

#01

NO. 24703  
Filed with the Secretary of State  
Date Filed: 01/12/05  
  
Secretary of State

By: 

**Under I. Recitals 4, 5 and 6 are added in full as follows:**

4. The Town has provided payment to the State for the construction of the pavement continuity at West Industrial Drive, for the total amount of \$7,785.00, as shown on Exhibit A and B, hereto and made a part hereof and agrees to provide maintenance responsibilities to the pavement continuity at West Industrial Drive, all at its own expense.

5. The Town has agreed to pay for electrical power for the Traffic Signals referenced above and constructed under TRACS No. H3868 01R, filed with the Secretary of State under No. 24703, dated 19 June 2001.

6. The Town has provided payment to the State, as shown on Exhibit C, for the differential amount of \$65,000.00, applied to TRACS No. H5630 01C, as upgrades for the previous enhancement sidewalk project along Main Street from STA 107+65 to STA 129+87 as shown on the Construction Plans for TRACS No. H5630 01C. The Town agrees to provide proper maintenance for the sidewalks, all at its own expense.

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

**II. SCOPE OF WORK**

## 1. The Town:

**Article II, Paragraph 1. e, f and g are added in full as follows:**

e. Has provided payment in the amount of \$7,765.00 for the construction of the continuity pavement section at West Industrial Drive, applied to TRACS No. H3868 03C and agrees to provide the proper maintenance for the pavement, all at its own expense.

f. Pay for electrical power to the Traffic Signals located on SR 260 at Homestead Parkway, Finnie Flat Road and Main Street, all at the own expense.

g. Has provided payment to the State, in the amount of \$65,000.00, which will be applied to TRACS No. H5630 01C for the upgrades to the previous enhancement sidewalk Project and agrees to accept ownership jurisdiction and maintenance responsibilities for the sidewalks, all at its own expense.

## 2. The State will:

**Article II, Paragraph 2. f is added in full as follows:**

f. At the request of the Town construct pavement continuity at West Industrial Drive and stamped sidewalks along Main Street, all at the Town's expense.

g. At the request of the Town, construct integral color, imprinted concrete sidewalk in a boardwalk pattern as part of TRACS No. H5630 01C.

**III. MISCELLANEOUS PROVISIONS****Article III. Paragraph 8 and 9 are added as follows:**

8. This Agreement is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations under the Act, including 28 CFR Parts 35 and 36. The parties to this Agreement shall comply with Executive Order Number 99-4 issued by the Governor of the State of Arizona, and incorporated herein by referenced regarding "Non-Discrimination".

**Under I. Recitals 4, 5 and 6 are added in full as follows:**

4. The Town has provided payment to the State for the construction of the pavement continuity at West Industrial Drive, for the total amount of \$7,785.00, as shown on Exhibit A and B, hereto and made a part hereof and agrees to provide maintenance responsibilities to the pavement continuity at West Industrial Drive, all at it's own expense.

5. The Town has agreed to pay for electrical power for the Traffic Signals referenced above and constructed under TRACS No. H3868 01R, filed with the Secretary of State under No. 24703, dated 19 June 2001.

6. The Town has provided payment to the State, as shown on Exhibit C, for the differential amount of \$65,000.00, applied to TRACS No. H5630 01C, as upgrades for the previous enhancement sidewalk project along Main Street from STA 107+65 to STA 129+87 as shown on the Construction Plans for TRACS No. H5630 01C. The Town agrees to provide proper maintenance for the sidewalks, all at its own expense.

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

**II. SCOPE OF WORK**

1. The Town:

**Article II, Paragraph 1. e, f and g are added in full as follows:**

e. Has provided payment in the amount of \$7,765.00 for the construction of the continuity pavement section at West Industrial Drive, applied to TRACS No. H3868 03C and agrees to provide the proper maintenance for the pavement, all at its own expense.

f. Pay for electrical power to the Traffic Signals located on SR 260 at Homestead Parkway, Finnie Flat Road and Main Street, all at the own expense.

g. Has provided payment to the State, in the amount of \$65,000.00, which will be applied to TRACS No. H5630 01C for the upgrades to the previous enhancement sidewalk Project and agrees to accept ownership jurisdiction and maintenance responsibilities for the sidewalks, all at its own expense.

2. The State will:

**Article II, Paragraph 2. f is added in full as follows:**

f. At the request of the Town construct pavement continuity at West Industrial Drive and stamped sidewalks along Main Street, all at the Town's expense.

g. At the request of the Town, construct integral color, imprinted concrete sidewalk in a boardwalk pattern as part of TRACS No. H5630 01C.

**III. MISCELLANEOUS PROVISIONS**

**Article III. Paragraph 8 and 9 are added as follows:**

8. This Agreement is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations under the Act, including 28 CFR Parts 35 and 36. The parties to this Agreement shall comply with Executive Order Number 99-4 issued by the Governor of the State of Arizona, and incorporated herein by referenced regarding "Non-Discrimination".

9. Non-Availability of Funds: Every payment obligation of the State under this contract is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this contract, this contract may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

**EXCEPT AS AMENDED** herein, ALL OTHER terms and conditions of the original Agreement remain in full force and effect.

---

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

TOWN OF CAMP VERDE

STATE OF ARIZONA  
Department of Transportation

By *Mitch Dickinson*  
MITCH DICKINSON  
Mayor

By *Douglas A Forstie*  
DOUGLAS A. FORSTIE, P.E.  
Deputy State Engineer, Operations

ATTEST

By *Deborah Barber*  
DEBORAH BARBER  
Town Clerk

9. Non-Availability of Funds: Every payment obligation of the State under this contract is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this contract, this contract may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

**EXCEPT AS AMENDED** herein, ALL OTHER terms and conditions of the original Agreement remain in full force and effect.

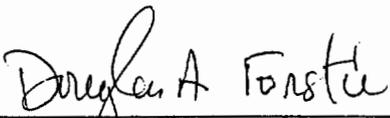
---

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

TOWN OF CAMP VERDE

STATE OF ARIZONA  
Department of Transportation

By   
MITCH DICKINSON  
Mayor

By   
DOUGLAS A. FORSTIE, P.E.  
Deputy State Engineer, Operations

ATTEST

By   
DEBORAH BARBER  
Town Clerk

JPA 00-173

**Amendment One**

APPROVAL OF THE TOWN OF CAMP VERDE

I have reviewed the above referenced proposed Intergovernmental Agreement, between the DEPARTMENT OF TRANSPORTATION, TRANSPORTATION PLANNING DIVISION, and THE TOWN OF CAMP VERDE and declare this Agreement to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 15<sup>th</sup> day of December, 2004.

  
\_\_\_\_\_  
Town Attorney

JPA 00-173

**Amendment One**

APPROVAL OF THE TOWN OF CAMP VERDE

I have reviewed the above referenced proposed Intergovernmental Agreement, between the DEPARTMENT OF TRANSPORTATION, TRANSPORTATION PLANNING DIVISION, and THE TOWN OF CAMP VERDE and declare this Agreement to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 15<sup>th</sup> day of December, 2004.

  
\_\_\_\_\_  
Town Attorney

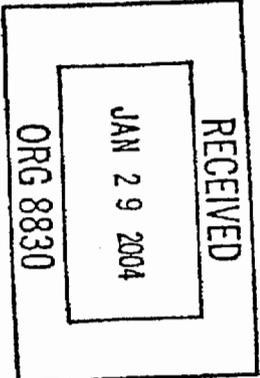
TOWN OF CAMP VERDE

Exhibit A

No. 078817

1936-78817-2

Obligatee's Description	Amount
52978 PAVING	6,075.00
*** Total ***	6,075.00



TOWN OF CAMP VERDE  
P.O. BOX 710 19281 567-6631  
CAMP VERDE, ARIZONA 86322

WELLS FARGO BANK  
CAMP VERDE, ARIZONA 86322

91 52 01 01  
CHECK NO. **No. 078817**  
1936-78817-2

\*\*\*\*\*6,075 Dollars and 00 Cents \*\*\*\*\*  
DATE 01/28/2004  
\*\*\*\*\*6,075.00\*\*\*\*\*

PAY TO THE ORDER OF ADOT

*John R. Cobble*  
ATTESTED BY THE CLERK

⑈078817⑈ ⑆122105278⑆ 0719 387672⑈

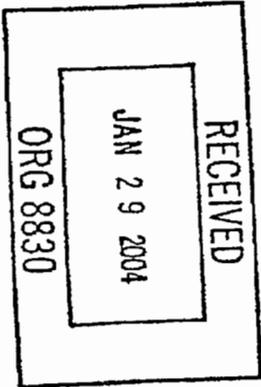
TOWN OF CAMP VERDE

Exhibit A

No. 078817

1936-78817-2

Obligation Description	Amount
52978 PAVING	6,075.00
*** Total ***	6,075.00



TOWN OF CAMP VERDE  
P.O. BOX 710 19281 567-6631  
CAMP VERDE, ARIZONA 86322

WELLS FARGO BANK  
CAMP VERDE, ARIZONA BR/22

01 52978173  
CHECK NO. **No. 078817**  
1936-78817-2

01/28/2004

\*\*\*\*\*6,075 Dollars and 00 Cents

DATE \*\*\*\*\*  
AMOUNT \*\*\*\*\*6,075.00

PAY TO THE ORDER OF  
ADOT

*John R. Cobble*  
AUTHORIZED SIGNATURE

⑈078817⑈ ⑆122105278⑆

0719 387672⑈

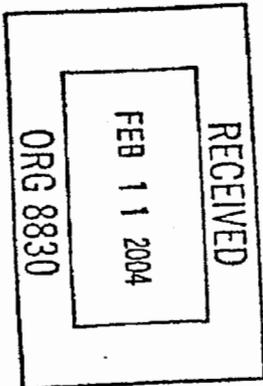
Exhibit B

TOWN OF CAMP VERDE

No. 079034

1947-79034-1

Obligat'n Description	Amount
53132 ASPHALT/INDUSTRIAL DR	1,710.00
*** Total ***	1,710.00



TOWN OF CAMP VERDE  
 P.O. BOX 710 (928) 567-6631  
 CAMP VERDE, ARIZONA 86322

WELLS FARGO BANK  
 CAMP VERDE, ARIZONA 86322

CHECK NO. **No. 079034**  
 1947-79034-1

02/11/2004

\*\*\*\*\*1,710 Dollars and 00 Cents

DATE \*\*\*\*\*1,710.00

PAY TO THE ORDER OF  
 A.D.O.T.

*John Redford*  
 AUTHORIZED SIGNATURE

⑈079034⑈ ⑆122105278⑆

0719 387872⑈

THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICRO PRINTED SIGNATURE LINES

Exhibit B

TOWN OF CAMP VERDE

No. 079034

1947-79034-1

Obligation Description

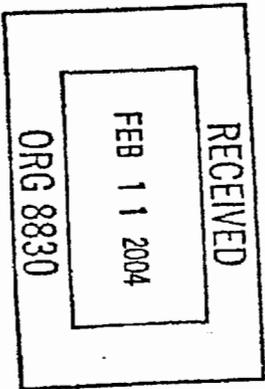
53132 ASPHALT/INDUSTRIAL DR

\*\*\* Total \*\*\*

Amount

1,710.00

1,710.00



TOWN OF CAMP VERDE  
 P.O. BOX 710 19281 567-6631  
 CAMP VERDE, ARIZONA 86322

WELLS FARGO BANK  
 CAMP VERDE, ARIZONA 86322

02/11/2004

CHECK NO. **No. 079034**  
 1947-79034-1

\*\*\*\*\*1,710 Dollars and 00 Cents

DATE \*\*\*\*\*1,710.00

PAY TO THE ORDER OF

A. D. O. T.

*[Handwritten Signature]*

AUTHORIZED SIGNATURE

⑆079034⑆ ⑆122105278⑆

0719 387672⑆

THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICRO PRINTED SIGNATURE LINE.

TOWN OF CAMP VERDE

Exhibit C

Acct 079667

1968-79663-7

Obligat'n Description

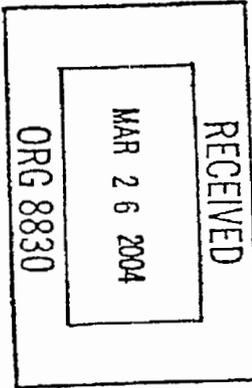
Amount

53637 STAMPED SIDEWALK

65,000.00

\*\*\* Total \*\*\*

65,000.00



TOWN OF CAMP VERDE

03/25/2004

1968-79663-7 079667

\*\*\*\*\*65,000 Dollars and 00 Cents

\*\*\*\*\*65,000.00

DATE

A.D.O.T

*Billie*  
*Billie*

079667 1221052781

0719 387572

TOWN OF CAMP VERDE

Exhibit C

NO 079667

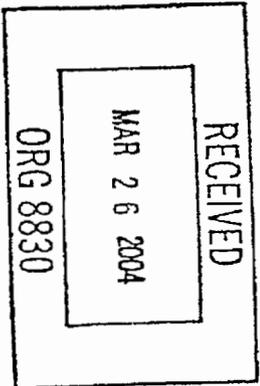
1968-79663-7

Obligat'n Description

53637 STAMPED SIDEWALK  
\*\*\* Total \*\*\*

Amount

65,000.00  
65,000.00



TOWN OF CAMP VERDE

03/25/2004

1968-79663-7  
NO 079667

\*\*\*\*\*65,000 Dollars and 00 Cents

\*\*\*\*\*65,000.00

TOWN OF CAMP VERDE

A.D.O.T

*Billie*  
*for Verdes*

079667 1221052781

0719 387572

**ACTIONS TAKEN  
REGULAR SESSION/COUNCIL HEARS PLANNING & ZONING  
MAYOR and COMMON COUNCIL  
TOWN OF CAMP VERDE  
COUNCIL CHAMBERS  
WEDNESDAY, DECEMBER 15, 2004  
at 6:30 P.M.**

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) Joint Special Session – December 3, 2004
- 2) Regular Session – December 1, 2004
- 3) Special Session – December 1, 2004
- 4) Special Session – November 24, 2004
- 5) Joint Special Session – November 17, 2004

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

- 1) Council Hears Planning & Zoning – December 22, 2004 – **CANCELLED**
- 2) Regular Session – January 5, 2005 at 6:30 p.m.
- 3) Regular Session – January 19, 2005 at 6:30 p.m.
- 4) Council Hears Planning & Zoning – January 26, 2005 at 6:30 p.m.

On a motion by Reddell, seconded by Baker, the Council unanimously approved the Consent Agenda, with the following correction to the Regular Session Minutes of December 1, 2004: Page 4, first paragraph under Council Discussion, 13<sup>th</sup> line, following the words “....General Plan is in place it may be updated.....,” delete, “at any time,....”

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

There was no public input.



6. **Discussion, consideration, and possible approval of Amendment One to the Intergovernmental Agreement with ADOT, SR-260 Frontage Roads.**

On a motion by Teague, seconded by Reddell, the Council unanimously accepted and approved the amended Intergovernmental Agreement with ADOT, SR-260 Frontage Roads, AG Contract No. KR00-2046TRN.

7. **Discussion, consideration, and possible approval of Amendment #1 to ADOT Contract JPA 93-088. This amendment allows ADOT to abandon a section of right-of-way ownership jurisdiction and maintenance responsibilities of street lighting and a traffic signal at the intersection of State Route 260 (Main Street) and Montezuma Castle Highway.**

On a motion by Teague, seconded by Baker, the Council unanimously accepted and approved AG Contract No. KR094-0103TRN, Amendment One, Contract JPA93-088.

8. **Discussion, consideration, and possible approval of Amendment #1 to ADOT Contract JPA 95-0258. This amendment allows ADOT to abandon a section of right-of-way ownership jurisdiction and maintenance responsibilities of street lighting and a traffic signal at the intersection of State Route 260 (Finnie Flat) and Cliffs Parkway.**

On a motion by Reddell, seconded by Baker, the Council voted 6-1 to approve ADOT Contract No. KR095-1810TRN, Amendment One to Contract JPA 95-025; with a 'no' vote by Gioia.

9. **Discussion, consideration, and possible approval and appointment of Court Supervisor Jacque P. Daughety, adding Assistant Magistrate duties and further appointing Duane Wyles and Michael Bluff as Assistant Magistrates for a two to four year term.**

On a motion by Dickinson, seconded by Gioia, the Council unanimously approved the appointment of Jacque Daughety, Duane Wyles and Michael Bluff as Assistant Magistrates, in addition to Jacque Daughety's Court Supervisor position, that it be for a two-year period, and

**ACTIONS TAKEN  
REGULAR SESSION/COUNCIL HEARS PLANNING & ZONING  
MAYOR and COMMON COUNCIL  
TOWN OF CAMP VERDE  
COUNCIL CHAMBERS  
WEDNESDAY, DECEMBER 15, 2004  
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There was no public input.

- \* 6. **Discussion, consideration, and possible approval of Amendment One to the Intergovernmental Agreement with ADOT, SR-260 Frontage Roads.**

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ATTORNEY GENERAL  
CIVIL DIVISION  
TRANSPORTATION SECTION

MEMORANDUM

Jeffrey T. Murray  
Assistant Attorney General

Direct: (602) 542-8859  
Fax: (602) 542-3646

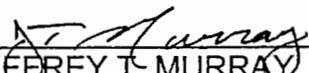
INTERGOVERNMENTAL AGREEMENT  
DETERMINATION

A.G. Contract No. KR00-2046TRN (JPA 00-173), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED January 5<sup>th</sup>, 2005.

TERRY GODDARD  
Attorney General

  
JEFFREY T. MURRAY  
Assistant Attorney General  
Transportation Section

JTM:dgr  
Attachment  
884425



ATTORNEY GENERAL  
CIVIL DIVISION  
TRANSPORTATION SECTION

MEMORANDUM

Jeffrey T. Murray  
Assistant Attorney General

Direct: (602) 542-8859  
Fax: (602) 542-3646

INTERGOVERNMENTAL AGREEMENT  
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DATED January 5<sup>th</sup>, 2005.

TERRY GODDARD  
Attorney General

  
\_\_\_\_\_  
JEFFREY T. MURRAY  
Assistant Attorney General  
Transportation Section

JTM:dgr  
Attachment  
884425

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE TOWN OF CAMP VERDE

THIS AGREEMENT is entered into 19 June, 2001, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the TOWN OF CAMP VERDE, acting by and through its MAYOR and TOWN COUNCIL (the "Town").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The Town is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Town.

3. Incident to an improvement project on SR-260 contemplated by the State, the Town has requested the State to construct collector roads adjacent to SR-260, shown on Exhibit A, which is attached hereto and made a part hereof, at no cost to the Town (contingent upon the Town acquiring the additional required right-of-way), hereinafter referred to as the Project.

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

---

NO. 24703  
Filed with the Secretary of State  
Date Filed: 06/19/01  
Robert Paulsen  
Secretary of State

Dicky J. Graenewald

AG Contract No. KR00-2046TRN  
ADOT ECS File No. JPA 00-173  
Project: 260YV218 / H3868 01R  
Section: SR-260 Frontage Roads

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE TOWN OF CAMP VERDE

THIS AGREEMENT is entered into 19 June, 2001, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the TOWN OF CAMP VERDE, acting by and through its MAYOR and TOWN COUNCIL (the "Town").

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1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

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3. Incident to an improvement project on SR-260 contemplated by the State, the Town has requested the State to construct collector roads adjacent to SR-260, shown on Exhibit A, which is attached hereto and made a part hereof, at no cost to the Town (contingent upon the Town acquiring the additional required right-of-way), hereinafter referred to as the Project.

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

NO. 24703  
Filed with the Secretary of State  
Date Filed: 06/19/01  
[Signature]  
Secretary of State

[Signature]  
Dicky D. Graenewald

## II. SCOPE OF WORK

### 1. The Town will:

a. Acquire in the name of the State, any additional right-of-way required for the Collector Road Improvements, via donation, purchase or condemnation.

b. Construct drainage improvements at the Verde Ditch/7th Street including but not limited to sub-grade, piping, retaining walls, and temporary pavement widening reconstruction.

c. Upon completion of the Project (Collector Road Improvements), upon completion of the State's Improvements to its SR 260 project and upon formal resolution approval by the State Transportation Board, accept ownership jurisdiction and maintenance responsibilities for the following: the Collector Road, (as shown on Exhibit "A"); the existing SR-260 roadway from MP 219.44 to MP 221.12 and new roadway connections of existing SR 260 to the new alignment of SR 260, MP 219.22 to MP 219.44 and MP 221.12 to MP 221.20 (as shown on Exhibit B, attached hereto and made a part hereof); and the frontage road and reconstructed area of side road intersecting SR 260 (as shown on Exhibit C, attached hereto and made a part hereof).

d. Waive the requirements of Arizona Revised Statute 28-7209 (formerly 28-106).

### 2. The State will:

a. Provide at no cost to the Town, the title reports, legal descriptions, warranty deeds and any other related documents required for the additional right-of-way to be acquired.

b. Provide drawings to the Town for the drainage improvements at the Verde Ditch/7<sup>th</sup> Street.

c. By formal resolution of the State Transportation Board, establish the Collector Road as part of the State Highway System for construction purposes.

d. Provide to State standards design plans, specifications and such other documents and services as may be required for construction bidding and construction. Incorporate or resolve Town review comments.

e. Call for bids and award one or more construction contracts for the Project. Administer same and make all payments to the contractor(s). Be responsible for all costs associated with the Project, except for the new right-of-way acquired by the Town on behalf of the State, and for any contractor claims for extra compensation due to delays or whatever reason.

f. Mill, overlay, and/or repave existing SR-260, from MP 219.44 to MP 221.12, also known as Finnie Flat Road/Main Street.

g. Upon completion of the Project (Collector Road Improvements), upon completion of the State's Improvements to its SR 260 project and upon formal resolution approval by the State Transportation Board, abandon ownership jurisdiction and maintenance responsibilities for the following: the Collector Road, (as shown on Exhibit "A"); the existing SR-260 roadway from MP 219.44 to MP 221.12 and new roadway connections of existing SR 260 to the new alignment of SR 260, MP 219.22 to MP 219.44 and MP 221.12 to MP 221.20 (as shown on Exhibit B, attached hereto and made a part hereof); and the frontage road and reconstructed area of side road intersecting SR 260 (as shown on Exhibit C, attached hereto and made a part hereof).

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said project and abandonment; provided, however, that this agreement may be cancelled at any time prior to the commencement of performance of any of the provisions of this agreement, upon thirty (30) days written notice to the other party.

## II. SCOPE OF WORK

### 1. The Town will:

a. Acquire in the name of the State, any additional right-of-way required for the Collector Road Improvements, via donation, purchase or condemnation.

b. Construct drainage improvements at the Verde Ditch/7<sup>th</sup> Street including but not limited to sub-grade, piping, retaining walls, and temporary pavement widening reconstruction.

c. Upon completion of the Project (Collector Road Improvements), upon completion of the State's Improvements to its SR 260 project and upon formal resolution approval by the State Transportation Board, accept ownership jurisdiction and maintenance responsibilities for the following: the Collector Road, (as shown on Exhibit "A"); the existing SR-260 roadway from MP 219.44 to MP 221.12 and new roadway connections of existing SR 260 to the new alignment of SR 260, MP 219.22 to MP 219.44 and MP 221.12 to MP 221.20 (as shown on Exhibit B, attached hereto and made a part hereof); and the frontage road and reconstructed area of side road intersecting SR 260 (as shown on Exhibit C, attached hereto and made a part hereof).

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c. By formal resolution of the State Transportation Board, establish the Collector Road as part of the State Highway System for construction purposes.

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e. Call for bids and award one or more construction contracts for the Project. Administer same and make all payments to the contractor(s). Be responsible for all costs associated with the Project, except for the new right-of-way acquired by the Town on behalf of the State, and for any contractor claims for extra compensation due to delays or whatever reason.

f. Mill, overlay, and/or repave existing SR-260, from MP 219.44 to MP 221.12, also known as Finnie Flat Road/Main Street.

g. Upon completion of the Project (Collector Road Improvements), upon completion of the State's Improvements to its SR 260 project and upon formal resolution approval by the State Transportation Board, abandon ownership jurisdiction and maintenance responsibilities for the following: the Collector Road, (as shown on Exhibit "A"); the existing SR-260 roadway from MP 219.44 to MP 221.12 and new roadway connections of existing SR 260 to the new alignment of SR 260, MP 219.22 to MP 219.44 and MP 221.12 to MP 221.20 (as shown on Exhibit B, attached hereto and made a part hereof); and the frontage road and reconstructed area of side road intersecting SR 260 (as shown on Exhibit C, attached hereto and made a part hereof).

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said project and abandonment; provided, however, that this agreement may be cancelled at any time prior to the commencement of performance of any of the provisions of this agreement, upon thirty (30) days written notice to the other party.

- 2. This agreement shall become effective upon filing with the Secretary of State.
- 3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.
- 4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
 Joint Project Administration  
 205 South 17 Avenue, Mail Drop 616E  
 Phoenix, AZ 85007

Town of Camp Verde  
 Town Manager  
 Box 710  
 Camp Verde, AZ 86322

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

TOWN OF CAMP VERDE

STATE OF ARIZONA  
 Department of Transportation

By *Barbara Miller*  
 BARBARA MILLER  
 Mayor *Brenda Stausen*

By *William J. Higgins*  
 WILLIAM J. HIGGINS  
 Deputy State Engineer

ATTEST

By *Deborah Barber*  
 DEBORAH BARBER  
 Town Clerk

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TOWN OF CAMP VERDE

STATE OF ARIZONA  
 Department of Transportation

By *Barbara Miller*  
 BARBARA MILLER  
 Mayor *Brenda Tausen*

By *William J. Higgins*  
 WILLIAM J. HIGGINS  
 Deputy State Engineer

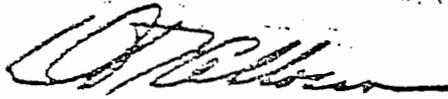
ATTEST

By *Deborah Barber*  
 DEBORAH BARBER  
 Town Clerk

RESOLUTION

BE IT RESOLVED on this 24th day of September 2000, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the Town of Camp Verde for the purpose of defining responsibilities for the acquisition of right-of-way, designing and constructing improvements to SR-260, and the subsequent abandonment of portions of SR-260 to the Town.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Deputy State Engineer for approval and execution.

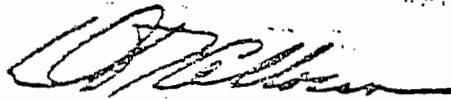


DAVID R. ALLOCCO, P.E.  
Assistant State Engineer  
Engineering Technical Group  
for Mary E. Peters, Director

RESOLUTION

BE IT RESOLVED on this 24th day of September 2000, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the Town of Camp Verde for the purpose of defining responsibilities for the acquisition of right-of-way, designing and constructing improvements to SR-260, and the subsequent abandonment of portions of SR-260 to the Town.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Deputy State Engineer for approval and execution.



DAVID R. ALLOCCO, P.E.  
Assistant State Engineer  
Engineering Technical Group  
for Mary E. Peters, Director

RESOLUTION 2000-462

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING A LETTER OF INTENT BETWEEN THE TOWN OF CAMP VERDE, AND ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT), FOR IMPROVEMENTS TO THE SR260 TURNBACK AND INDUSTRIAL DRIVE CONNECTOR ROADS AREA**

*WHEREAS*, two or more public agencies, as defined by ARS 11-951, including a municipality or a State agency, may pursuant to ARS 11-952 (1997), through a written and recorded agreement, contract for services, jointly exercise any powers common to the contracting parties, or provide for joint or cooperative actions, and

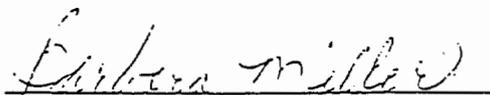
*WHEREAS*, the Town Council has reviewed the proposed letter of intent between the above parties for the development, improvement, and access design of SR260 and Industrial Drive, and determined that the protection of the health, safety and welfare of the citizens of Camp Verde is furthered by its approval, and

*WHEREAS*, the terms of the letter of intent will be reduced to a more formal intergovernmental agreement between the parties by December 31, 2000, including acquisition of highway and collector road rights of way by agreement with adjoining private landowners,

***NOW THEREFORE THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE, PURSUANT TO ARS 11-952.H, TO EXECUTE THE LETTER OF INTENT FOR SR260 TURNBACK AND INDUSTRIAL DRIVE CONNECTOR ROAD AREA, AND EXECUTE ANY SUBSEQUENT FORMAL INTERGOVERNMENTAL AGREEMENT CONSISTENT WITH THESE TERMS.***

PASSED AND APPROVED *by a majority vote of the Common Council at the regular meeting of December 13<sup>th</sup>, 2000:*

---

  
Barbara Miller, Mayor

RESOLUTION 2000-462

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE  
TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,  
APPROVING A LETTER OF INTENT BETWEEN THE TOWN OF  
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TRANSPORTATION (ADOT), FOR IMPROVEMENTS TO THE SR260  
TURNBACK AND INDUSTRIAL DRIVE CONNECTOR ROADS AREA**

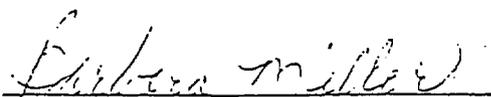
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EXECUTE ANY SUBSEQUENT FORMAL INTERGOVERNMENTAL  
AGREEMENT CONSISTENT WITH THESE TERMS.***

PASSED AND APPROVED *by a majority vote of the Common Council at  
the regular meeting of December 13<sup>th</sup>, 2000:*



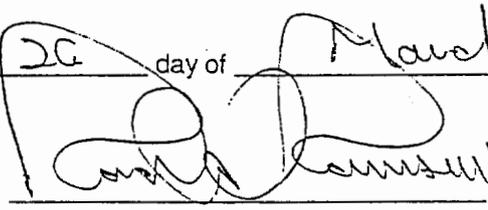
Barbara Miller, Mayor

JPA 00-173

APPROVAL OF THE TOWN OF CAMP VERDE ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the TOWN OF CAMP VERDE and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this 26 day of March, 2001.

A handwritten signature in black ink, appearing to read "C. J. [unclear]", written over a horizontal line.

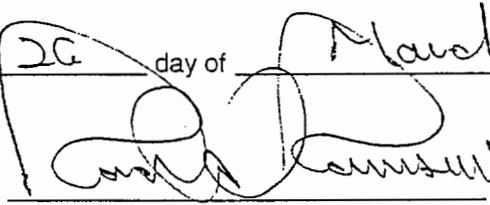
City Attorney

A large, sweeping handwritten flourish or signature in black ink, extending from the right side of the signature line.

APPROVAL OF THE TOWN OF CAMP VERDE ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the TOWN OF CAMP VERDE and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this 20 day of March, 2001.

A handwritten signature in black ink, appearing to read "C. J. Russell", is written over a horizontal line.

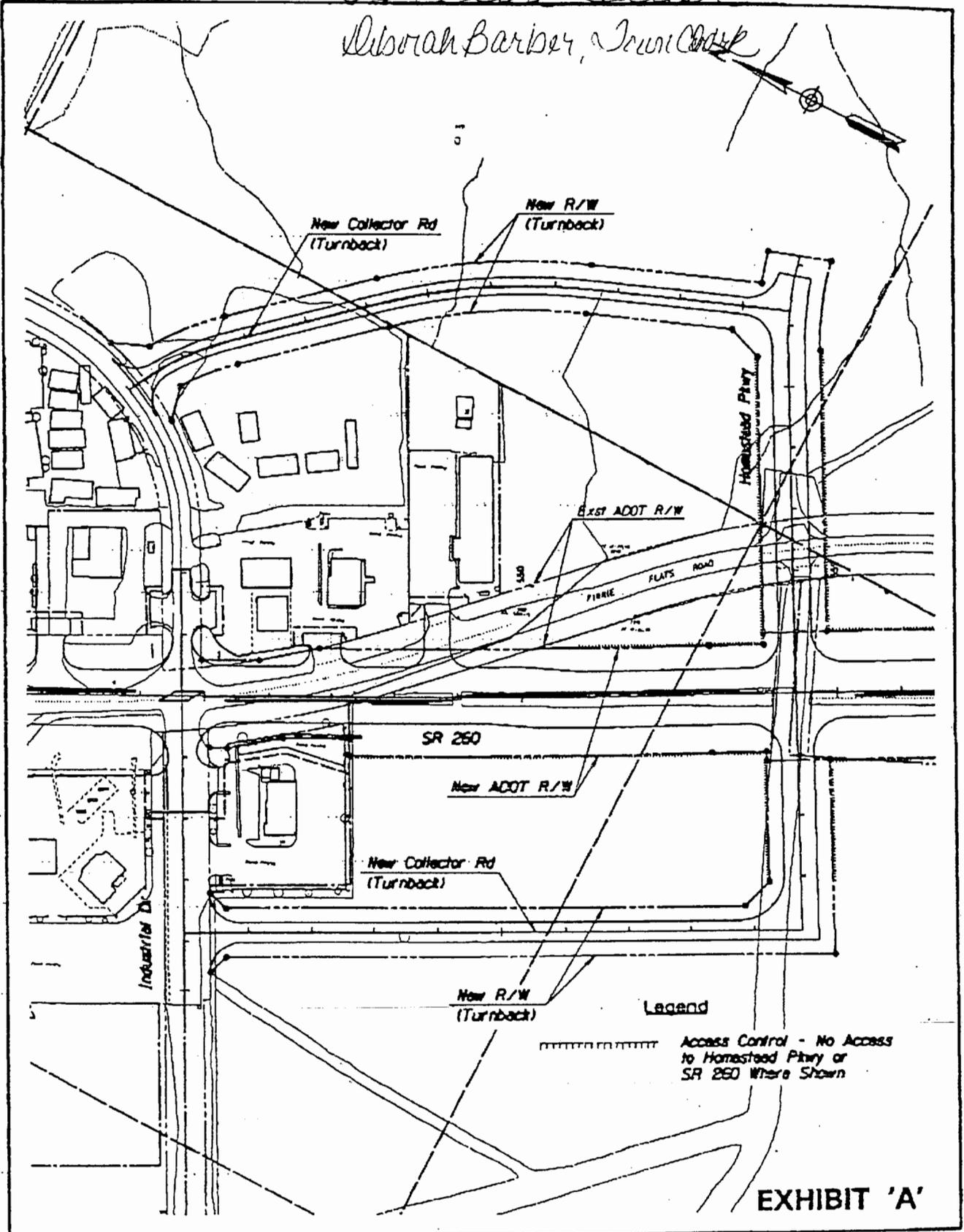
City Attorney

A large, sweeping handwritten flourish or signature in black ink, extending from the right side of the signature line.

*Quanda Lauer*

5-30-01

*Susrah Barber, Town Clerk*



Quenda Lawson  
Librah Barber, Town Clerk

5-30-01

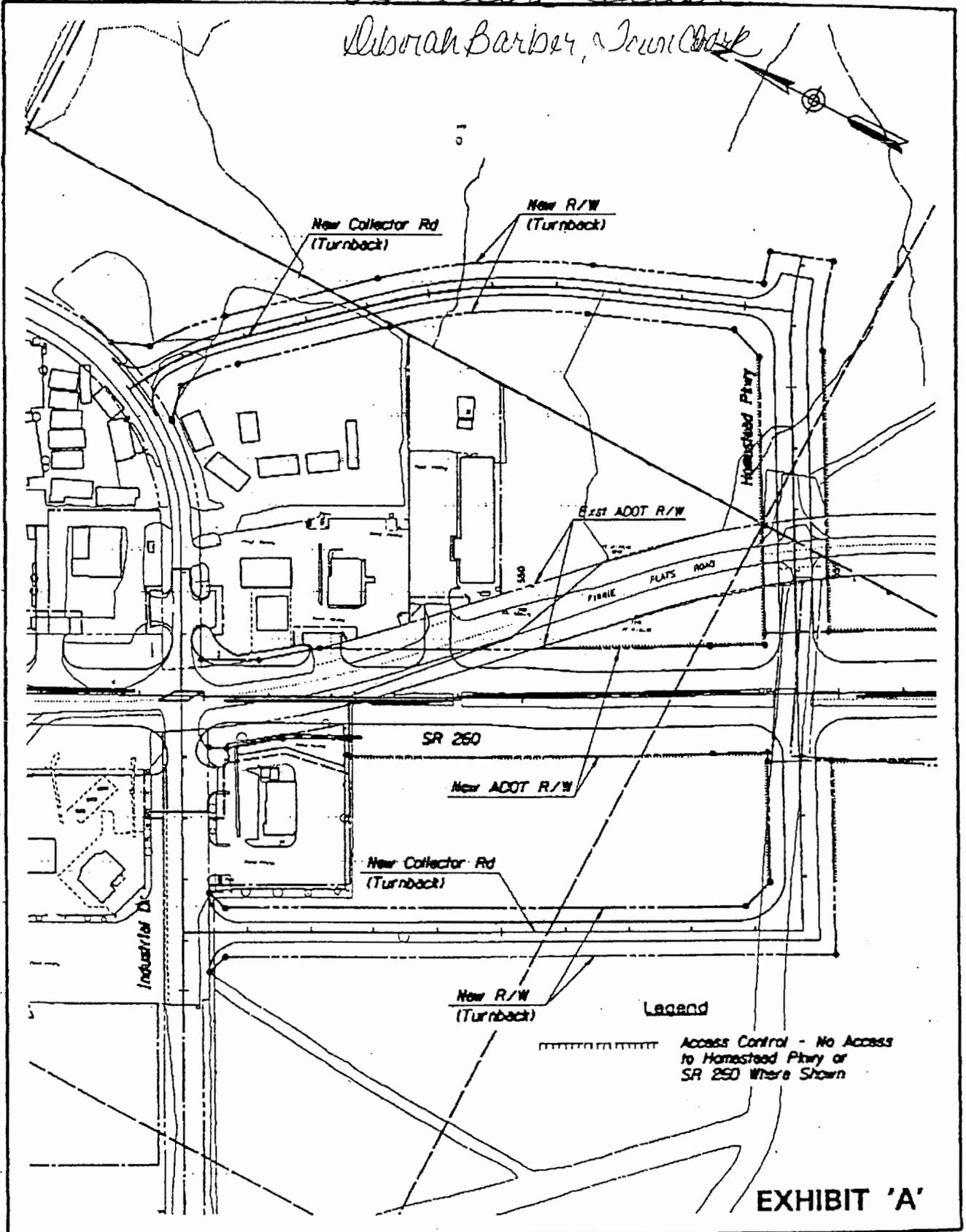


EXHIBIT 'A'



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX, AZ. 85007-2926

TRN Main: (602) 542-1680

Direct: (602) 542-8859

Fax: (602) 542-3646

JANET NAPOLITANO  
ATTORNEY GENERAL

MAIN PHONE: (602) 542-5025

FACSIMILE: (602) 542-4085

**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR00-2046TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED June 13, 2001.

JANET NAPOLITANO  
Attorney General

SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

SED:ggt

Enc.

688263



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX, AZ. 85007-2926

TRN Main: (602) 542-1680

Direct: (602) 542-8859

Fax: (602) 542-3646

JANET NAPOLITANO  
ATTORNEY GENERAL

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No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED June 13, 2001.

JANET NAPOLITANO  
Attorney General

SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

SED:ggt

Enc.

688263



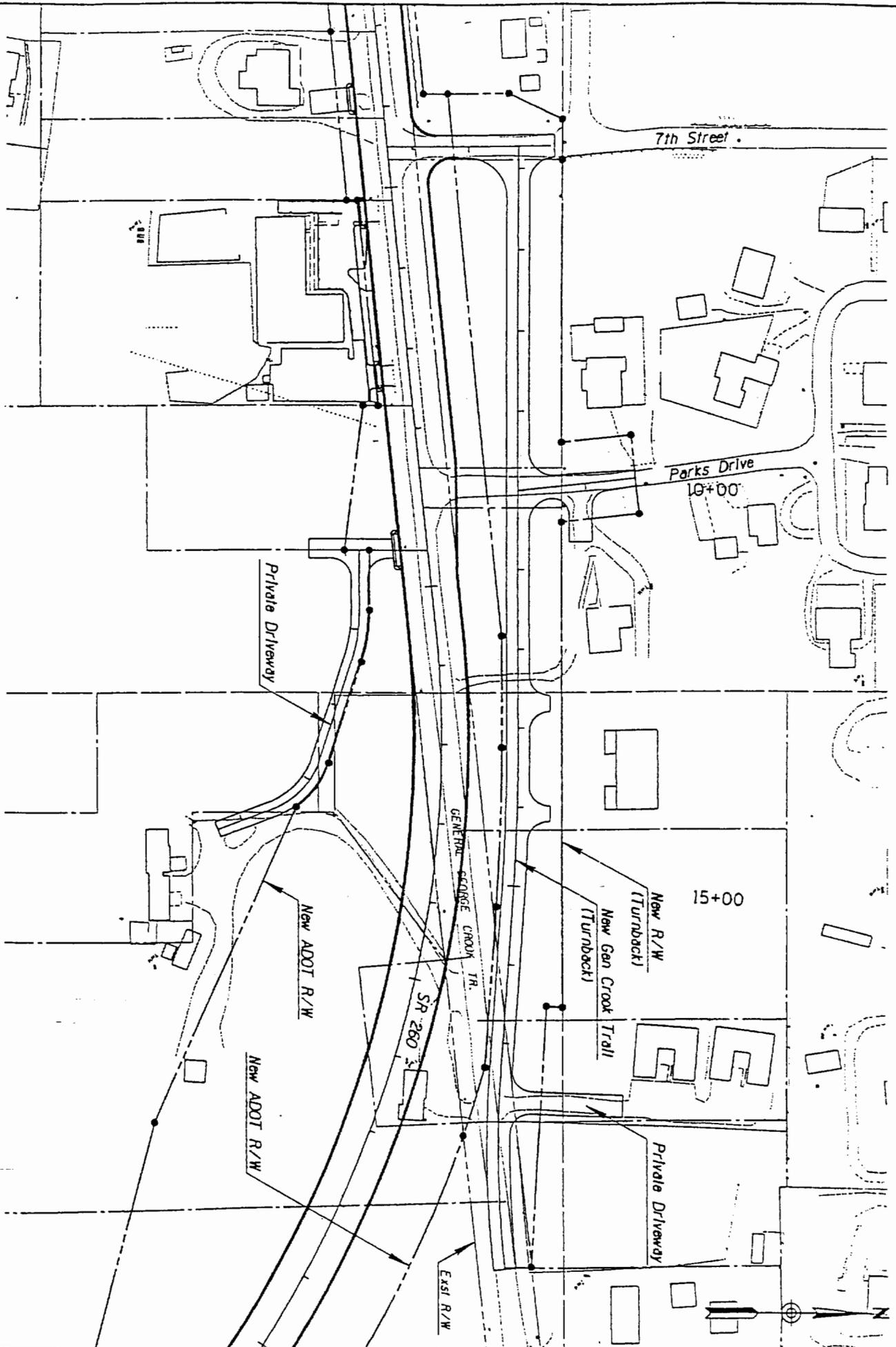
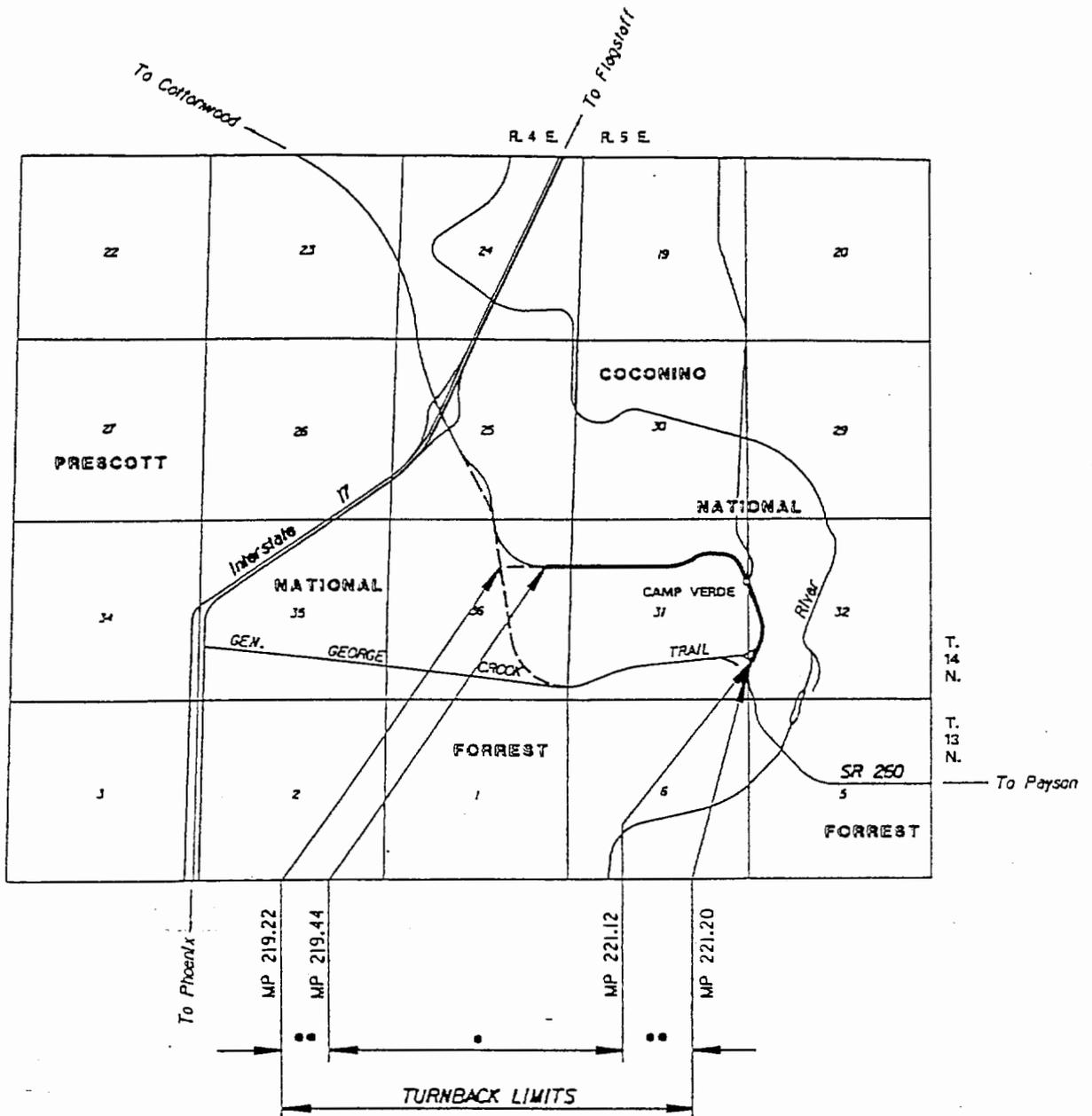
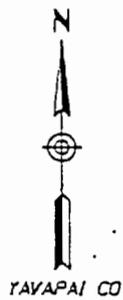
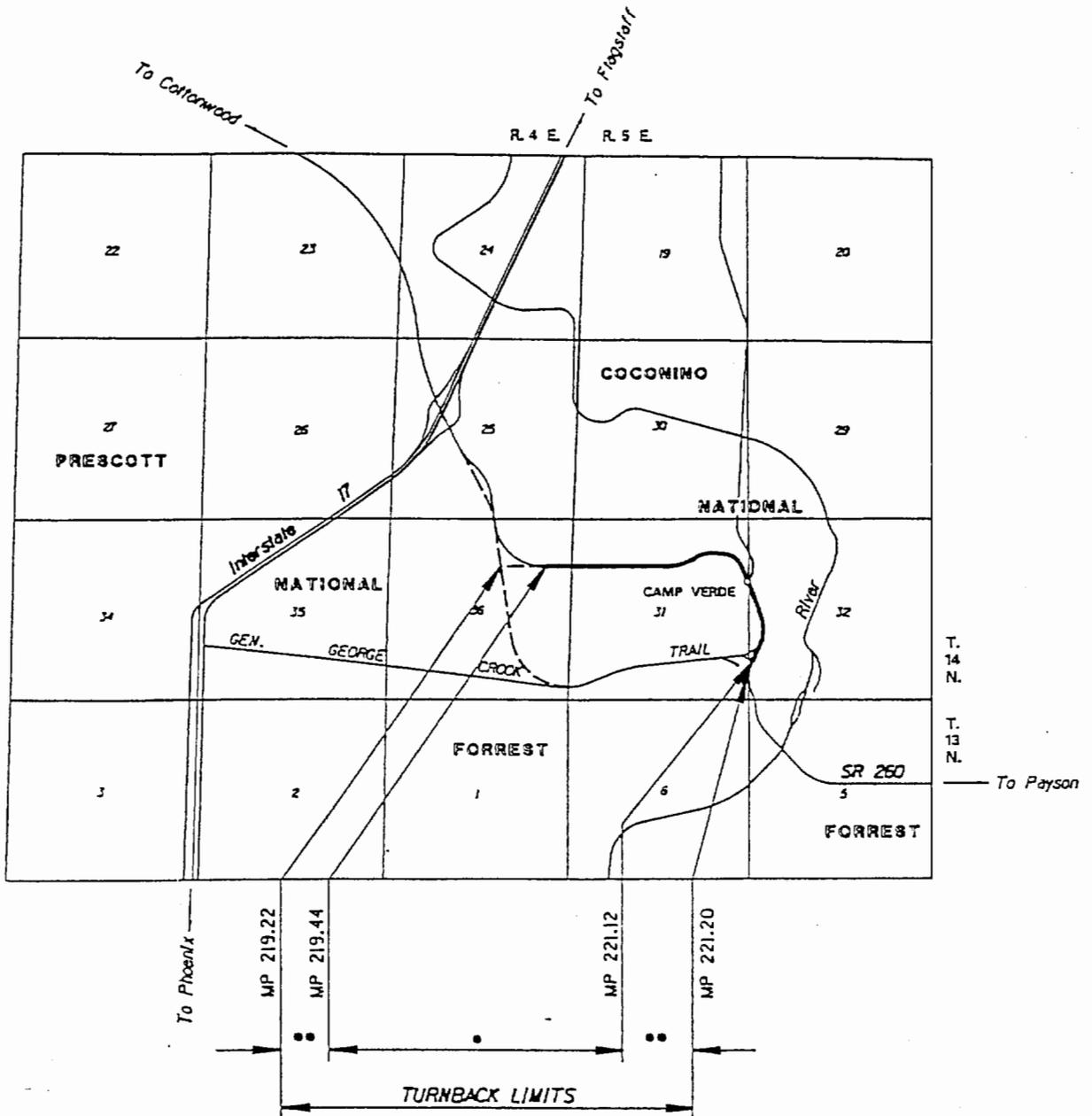
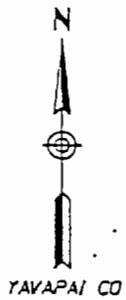


EXHIBIT 'C'



- Milepost Limits Indicated are along existing SR 250. Limits for Mill, Overlay and/or Repaving.
- Milepost Limits Indicate New Roadway Connecting Existing SR 250 to the New SR 250 Alignment.



- Milepost Limits Indicated are along existing SR 260. Limits for Mill. Overlay and/or Repaving.
- Milepost Limits Indicate New Roadway Connecting Existing SR 260 to the New SR 260 Alignment.

**STAFF REPORT**

**Council Meeting of:**

**August 2, 2006**

**Title:**

**Consideration and possible approval to sign WIFA TA Grant "Delegation of Authority Agreement" with Water Infrastructure Authority of Arizona.**

**Is This A Budgeted Item:**

**N/A**

**Description of Item:**

**This agreement gives WIFA the authority to select a consultant to perform our Technical Assistance work from their pre-approved list of consultants.**

**Comment:**

**Our staff works with this WIFA approved consultant to identify the scope of work and proceed with the project. This speeds up the project significantly both in procuring the consultant and having the scope of work approved by WIFA.**

**Staff Recommendation:**

**Sign the Agreement**

**Prepared by:**

**Michael Casebier, Grants Administrator**



# WIFA



WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA

JANET NAPOLITANO, GOVERNOR

**To: Town of Camp Verde**

**From: Laura Tsosie**

**Date: July 17, 2006**

**Re: Delegation of Authority Agreement – Town of Camp Verde and WIFA**

The purpose of this memorandum is to delegate authority to the Water Infrastructure Finance Authority of Arizona (WIFA) to select a Consultant on behalf of Town of Camp Verde for WIFA's Technical Assistance No. TA CW 012-2007. The Scope of Work (SOW) for the project will be prepared in concurrence with Town of Camp Verde representatives prior to selecting a Consultant.

The Consultant selection process will be in compliance with the requirements of the state contract. The Town of Camp Verde representatives may elect to participate, if they so choose, in the selection process by checking the appropriate box below:

*Does the Town of Camp Verde wish to participate in the Consultant selection process?*

Yes  No

Once the Consultant selection process is complete and a consulting firm is selected for the project, WIFA will notify the Town of Camp Verde and the selected Consultant to schedule a project kick-off meeting between applicable representatives of WIFA, Town of Camp Verde and the selected Consultant. WIFA will facilitate the kickoff meeting to ensure that the roles and responsibilities of each party involved are clearly outlined and understood. Additionally, at the kickoff meeting, the Town of Camp Verde and the Consultant will both be expected to sign a contract and WIFA and Town of Camp Verde representatives will be expected to sign the TA Agreement. Once the contract and the TA Agreement are signed, WIFA representatives will provide both Town of Camp Verde and the Consultant the Disbursement Requisitions and the "Notice to Proceed", which will serve as a green light for the Town of Camp Verde to begin drawing money from the TA grant as costs are incurred from the project Consultant and related.

Please note that, per the Town of Camp Verde request, WIFA is funding this project and facilitating its related process in an effort to assist the Town of Camp Verde in completing their project. Also, it is important to note that the Town of Camp Verde will have the ultimate decision of entering into a contract with the selected Consultant.

By my signing this agreement, I acknowledge that I have received this formal notice, agree to all conditions stated above and release WIFA from any harm or liability related to this contract or this project.

\_\_\_\_\_  
(WIFA Authorized Representative)

\_\_\_\_\_  
(Town of Camp Verde. Authorized Representative)

**STAFF REPORT**

**Council Meeting of:** August 2, 2006

**Title:** Presentation by a State Park's representative of the 2005 State Lake Improvement Funds (SLIF) Grant reimbursement check for the Black Bridge River Front Park land acquisition and facility development for parks, outdoor recreation and open space preservation.

**Is This a Budgeted Item:** N/A

**Description of Item:** Funds were used to purchase 4.4 acres and 6.19 acres were donated. The Town will improve the area by adding parking, handicapped accessible ramps to the river and restrooms.

**Comments:** None

**Staff Recommendation:** Parks and Recreation Commission and Council accept check.

**Attachments:** No

**Prepared by:** Bill Lee/cjb

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**COUNCIL  
AGENDA ITEM REPORT**

**Council meeting of:** August 2, 2006

**Title:** Possible approval of funding in the amount of \$21,635.00 to cover the increased costs in asphalt prices that have occurred since Amon Builders, Inc. originally bid the project for the new Marshal's facility. This is an unbudgeted item from the CIP fund.

**Budgeted item:** No

**Description of Item:** Per attached request letter.

**Staff Recommendation:** Recommend approval

**Comments:** None

**Attachments:** Yes

**Prepared by:** Councilmember Mike Parry/cjb



**Amon Builders, Inc**  
General Building Contractor

Office (928) 474-0689  
FAX (928) 474-8818  
www.amonbuilders.com

Eagle Springs Professional Plaza  
903 E. Hwy. 260, Suite 6  
Payson, Arizona 85541

June 16, 2006

Mr. Bill Lee  
Town of Camp Verde  
473 South Main St. Suite 102  
Camp Verde, Arizona 86322

Re: Camp Verde Marshal's Office – Pavement

Dear Mr. Lee,

As per our phone conversation yesterday afternoon I thought I would follow up with this letter in regards to the increase in asphalt prices that have occurred since this project was originally bid back in May 2005. Amon Builders Inc. has had other material price increases on this project, just to mention a few that included drywall, grid ceiling tile, masonry stone and FRP panels that were applied on the walls of the restrooms which Amon Builders did absorb.

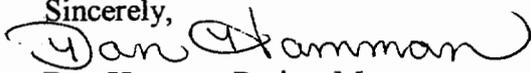
Needless to say with the added structural problems and abatement of the masonry block fill, Amon Builders has incurred additional Field and Supervision Costs not to mention our Office Costs. Amon Builders had originally figured an extra month of field costs for the structural problem and then 2 to 3 weeks of that were used up with the block fill abatement that was not anticipated. So as you can tell, this has not been the best project for us, but no matter Amon Builders is still striving to give the Town of Camp Verde a building that they can be proud of as well as a project that Amon Builders can be proud of.

Our Pay Applications that are submitted to you will reflect asphalt paving costs of \$36,352.00 with \$2,840.00 of that being for parking bumpers and striping, leaving \$33,512.00 for the 5" of ABC and 2" of compacted asphalt. Amon Builders now has material costs for ABC of \$8,978.00, asphalt costs of \$17, 589.00 and labor costs to lay down the ABC and asphalt of \$27,000.00 which totals out to be \$53,567.00 for a deficient of \$20,055.00. Amon Builders would apply only Bond & Tax to this with no overhead and profit for a total cost of \$21,635.00.

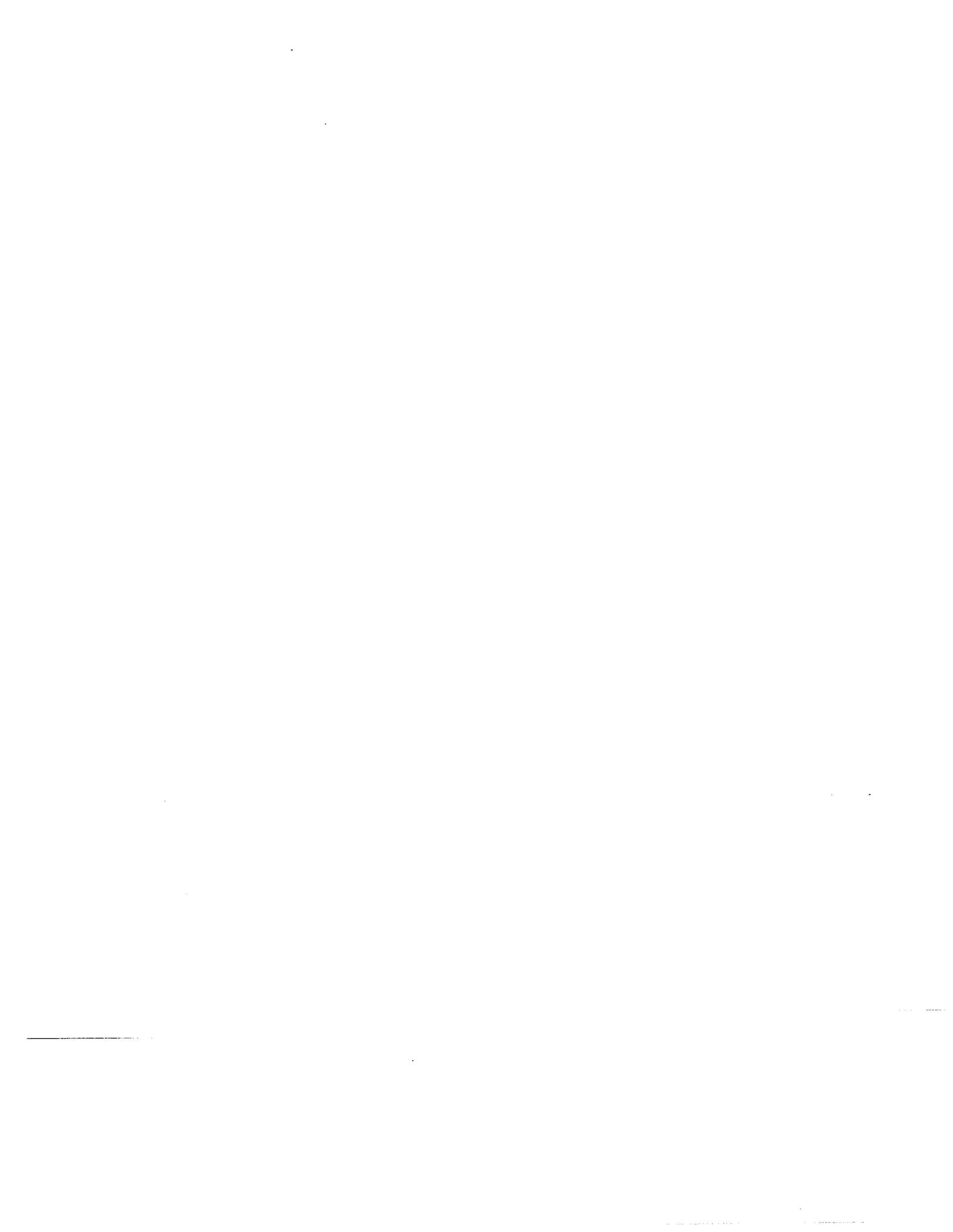
Amon Builders Inc. is asking for the Town's help on this matter. Amon Builders Inc. has bid this out to numerous paving contractors and the costs were even higher. The local contractor that we have been working with has the best number for the labor. Amon Builders will be purchasing the materials ourselves to keep the costs down so that the

material costs are not marked up. Your consideration to this matter would be greatly appreciated. Should you have any questions please give me a call here at the office at (928) 474-0689.

Sincerely,

A handwritten signature in cursive script that reads "Don Hamman". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Don Hamman Project Manager  
Amon Builders Inc.



**STAFF REPORT**

**Council meeting of:** 12-21-05 Regular Session

**Title:** Discussion, consideration, and possible appointment of one member to the Library Advisory Commission to fill the term that expires September 2008

**Budgeted item:** N/A

**Description of Item:** The Library Advisory Commission currently has two (2) vacancies. Staff has been advertising in the local newspapers to fill all the seats.

**Staff Recommendation:** None

**Comments:** None

**Attachments:** yes- letters of interest

**Prepared by:** V Jones

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

**COMMISSION/COMMITTEE/BOARD INTEREST FORM**

NAME: Ann Nason

PHYSICAL ADDRESS: 491 Dakota Dr. Camp Verde

MAILING ADDRESS: \_\_\_\_\_

PHONE (HOME): 336-432-5584 (WORK): \_\_\_\_\_ e-mail beechn23@AOL.com

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

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

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

1. Why do you want to serve on this commission? I'm interest, primarily, in children's literature, but have always been a library "hound". Since I've retired from teaching, I have the time to donate to one of my loves!

2. Tell us about yourself. How long have you lived in the area, your experience, your interest in the community. Any general information you feel pertinent.

I taught primary grades (for 100 yrs more or less) in VA & NH. We moved here on July 1st from Eden, NC. - and felt right at home from the beginning. I'm looking forward to being a contributing member of the community.

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

I think my primary qualifications are stated above - guess I should have read ahead!

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

*I understand that a new library is in the planning stages - a fact that certainly excites me. I would imagine that a significant amount of time would be spent at this juncture.*

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

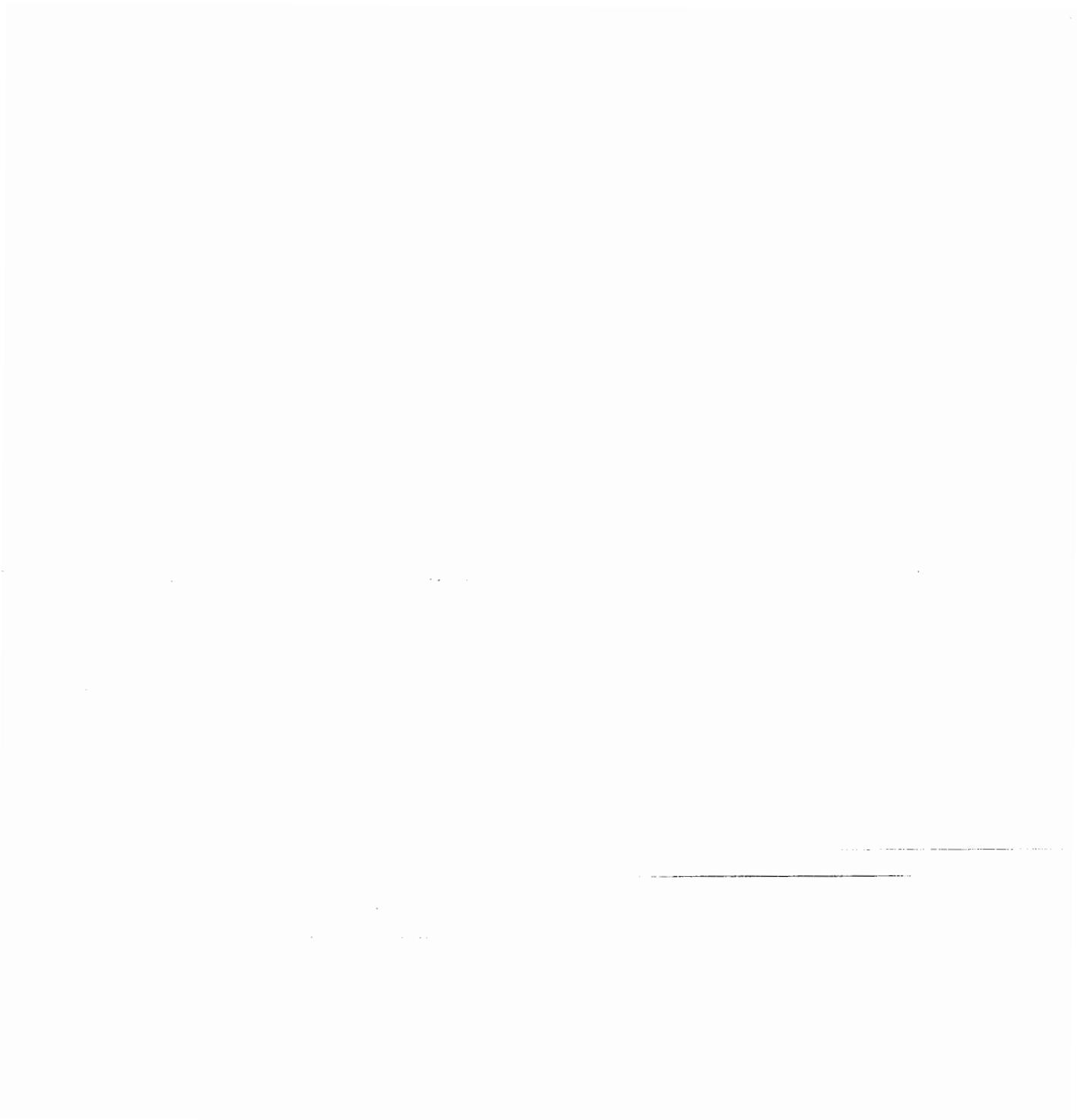
SIGNATURE: *Ann Mason*

DATE: *7/17/06*

*FOR OFFICE USE ONLY*

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

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



**STAFF  
AGENDA ITEM REPORT**

**Council meeting of:** August 2, 2006

**Title:** Discussion, consideration, and possible approval to permit staff members Debbie Barber and Dane Bullard to share the duties of the Housing Director position.

**Budgeted item:** Yes

**Description of Item:** Debbie Barber and Dane Bullard have presented a proposal to share the duties of the Housing Director, which would eventually save the Town up to \$225,000 in the General Fund.

**Staff Recommendation:** Council should consider the proposal and make recommendations with regard to the Housing Director position.

**Comments:** N/A

**Attachments:** Yes

**Prepared by:** D. Barber/D. Bullard

## *Interoffice Memo*

**To:** Mayor and Council  
**From:** Debbie Barber, Town Clerk  
Dane Bullard, Finance Director  
**Date:** August 2, 2006  
**Re:** Proposal – Housing/Neighborhood Redevelopment Director position

---

As you are aware, our housing program has a phenomenal growth potential that will be beneficial to our economy and our citizens. However, the program's success is predicated on the right leadership.

As you know, I worked very hard in establishing the Town's housing program, being the first in the State to replace mobile homes with new manufactured homes. I applied for and received over one million dollars in grants including HOME, HTF, CDBG, and a TA grant from HUD to establish our revolving loan fund and housing (RLF) program. The RLF currently has a balance of \$156,885, with a monthly income of about \$1,134 from four families. The account also earns approximately \$200 per month in interest. Finally, I have been managing the Town's housing program since its inception, except for the few months that Wendy was in the newly-formed department head position.

I have been a presenter at two different CDBG conferences and the Governor's Conference on Rural Development. I completed the Affordable Housing Institute, along with Wendy and Nancy. Housing has been my passion. Though it took a back seat as I pursued my career as Town Clerk, I've never stopped working on it and I've never stopped caring about the program's success. Furthermore, Dane is a C.P.A. with over 20 years of financial administration experience.

We feel strongly that the Town will not be able to hire an experienced person within the salary range that is offered. Even if we could find someone with grant writing and project management experience that is minimally required, the person would not be familiar with our community or the program goals. This person would require a substantial learning curve that would result in lost opportunities to apply for grants to get the program up and running.

We propose to share the duties of the Housing Director and share the \$46,000 budgeted salary. I am requesting ½ of the salary (\$23,000) and Dane is requesting

overtime hours only to be paid from grant funds that we receive. Dane's pay would be used to buy-down retirement years.

The Town would initially realize a savings of \$64,000 in salary and employee related benefits the first year; \$165,000 over the long-term; and when grants start coming in, our entire salaries could be offset by admin funds. At that point, the General Fund Budget would realize a savings of \$225,000 per year. We have submitted a Notice of Intent to Apply for a \$440,000 grant to the State Housing Fund. If Council approves this proposal, we can move forward with the grant application and receive notice of the award by September. In addition, RDA has contacted us and asked if we would like to take over Cottonwood's \$10,000 pre-development grant, as they have withdrawn from the program. RDA is working to transfer the funding, with the caveat that we have the staff capacity to move forward. It is important to note at this point, that if Council elects to hire from outside, both of these grant opportunities will be delayed until a new person is on board with the capacity and experience to receive the awards. (We have attached a copy of the State's ranking criteria to show how awards are given.)

Here is the proposed split of duties:

Debbie

- Grant Writing
- Grant Administration
- Client Services

Dane

- Statistical Analysis
- Financial Reporting & Oversight
- Homeownership Training

Shared

- Project Planning
- Project Management
- Training
- Housing Commission Meetings
- Redevelopment Committee Meetings

Our proposal is a win-win situation for the Town for the following reasons:

- Most importantly, the Town will realize a substantial financial savings by utilizing existing staff.
- The salary increases are minimal compared to the experience that you are getting. In addition, the increases will bring our positions more in line with industry standards without impacting the budget.
- The majority of the administration funds from grants will go to the general fund, offsetting our current salaries, including the increases.

- Having veteran employees who are skilled and trained alleviates much of Council's concerns about the program moving forward and will eliminate the need to oversee an inexperienced person. In addition, experience affords a greater probability of funding, while lessening much of DOH's need to oversee our projects.
- The work is spread out so that no one person is carrying too heavy a load, enabling both of us to take on the additional duties.
- This proposal allows existing employees an opportunity to grow both professionally and monetarily without having to leave Camp Verde.
- Finally, citizens and the Town will benefit from safe, decent, and affordable housing.

Thank you for your consideration, and let us know if you have any questions.

expenses and debt service throughout the period of affordability without comprising affordability.

Emergency Shelters and Temporary Housing: Since no rent is charged and fees are usually nominal, affordability is presumed. The proposed project must demonstrate financial viability absent cash flow revenue. Nominal revenues and subsidies must be sufficient to pay for operating costs.

Owner Occupied Housing Rehabilitation: Sufficient funds should be invested in each home to meet, at a minimum, the State of Arizona Rehabilitation Standards and local building codes with respect to the items that are to be addressed in the rehabilitation. Lien amounts placed on rehabilitated homes will not be allowed to exceed 100 percent combined loan to value. In some cases reconstruction will be more cost effective than rehabilitation especially for manufactured housing. Manufactured housing replacement is allowed as a rehabilitation expense.



### 2.4.3 Project or Program Team Experience and Ability to Deliver

The project or program team must demonstrate in the application the following: 1) it possesses the experience and capacity to successfully complete the proposed project or program; 2) it has developed projects or implemented programs of comparable size and complexity for similar populations; and 3) it has the capacity itself or has selected a suitable contractor to manage the project and provide the services necessary to implement the proposed program design. The financial and technical review process will evaluate the development or administration team for experience and ability to deliver the project or program as proposed. This review focuses on the skills, experience and available or potential financing of the team through the evaluation of each individual and the team as a whole.

### 2.4.4 Budget Review

The budget review process will evaluate cost reasonableness and will consider all sources and uses of funds to determine whether the program is feasible as proposed and can be completed for the budget indicated. The budget review process will evaluate the maximization of private financing, and will include gap and layering analyses. In addition to other financial analysis criteria, these criteria are used to calculate the amount of State funding that may be provided to a program.

For development projects, the review process will analyze both the construction and permanent sources and uses of funds and the project's pro forma to determine whether or not the project may be completed and operated for the costs indicated in the proposed budget. The review will determine that the site is suitable for construction of the proposed use and that all utilities and necessary amenities are available to the site, and that once completed, the project will make available affordable housing to the targeted low-income residents. For homeownership development, the review will evaluate the mortgage-to-construction financing ratios to maximize the extent to which mortgage financing covers construction financing. The cost-to-value ratios are reviewed to ensure that site and construction design both maximizes quality and amenities while reducing overall per unit costs.

#### 2.4.4.1 Cost Reasonableness

Costs will be assessed as to whether they are reasonable, realistic and customary in light of market conditions in the area. The Department will determine cost reasonableness from, among other sources, data from experience on prior projects in Arizona and consultation with construction cost experts. Failure to comply with cost reasonableness may be the basis for a denial for funding.



## **STAFF REPORT**

**Council Meeting of:** Wednesday, August 2nd, 2006

**Title:** Discussion, consideration and possible approval for the Town to either purchase color vehicle logos or black & white logos for all Town vehicles.

**Budgeted Item:** Yes

**Description of Item:** We have 2 different quotes (attached) from Az. Correctional Industries for Black & White logos and the Color logos that show the difference in cost.

**Staff Recommendation:** none

**Comments:**

**Attachments:** Yes

**Prepared by:** Ron Long/cb

AZ CORRECTIONAL INDUSTRIES  
QUOTE FOR LOGOS FOR VEHICLES

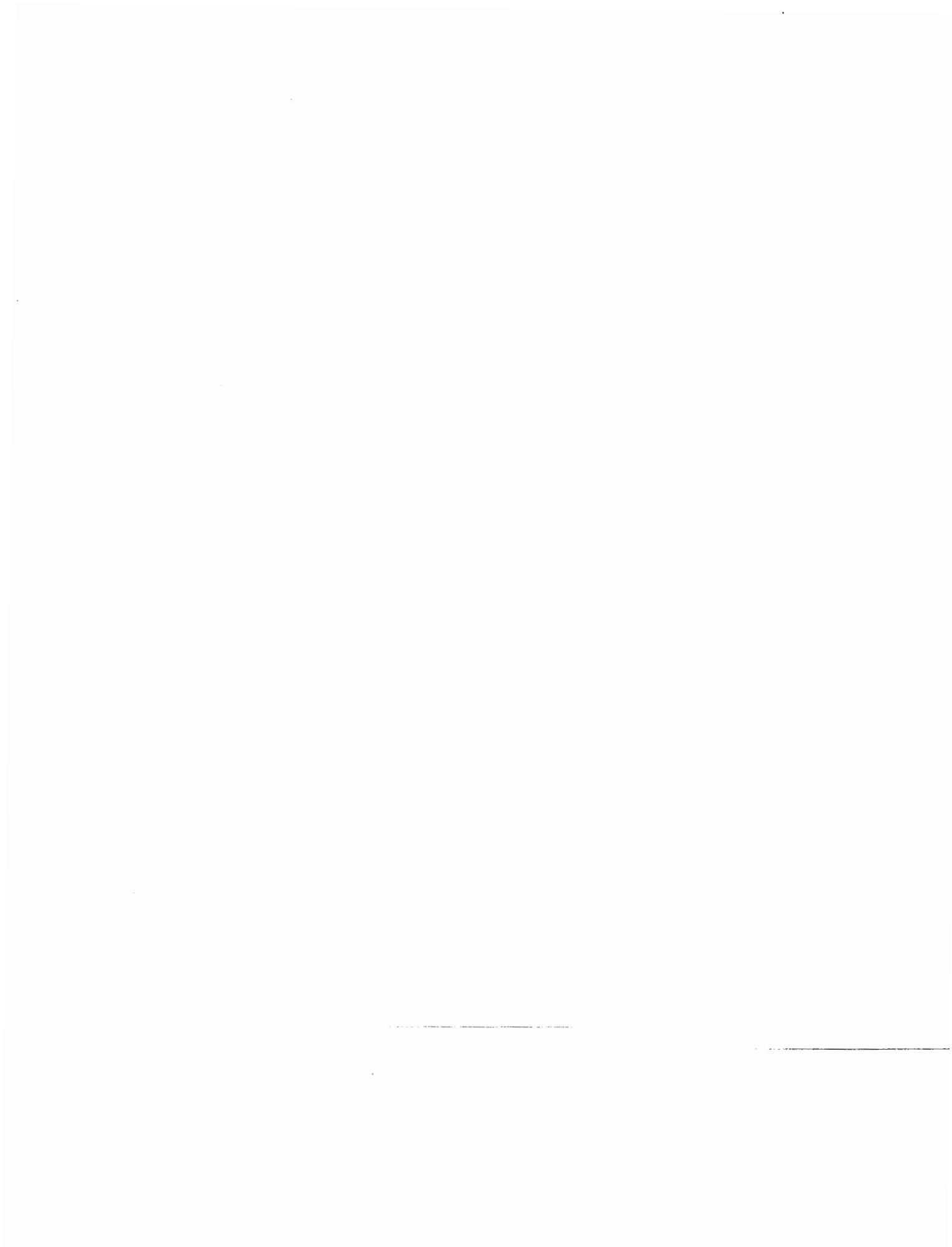
Black & White:

1 logo-	29.41 each
2-4 logos	16.84
5-24 "	9.29
25-99	5.27
100+	4.51

12 color logo- the logo with not as much detail:

1-	77.94 each
2-4	44.63
5-24	24.62
25-99	13.97
100+	11.95





## **STAFF REPORT**

**Council Meeting of:** August 2nd, 2006

**Title:** Discussion, consideration, and possible approval to purchase a Used 1 Ton Bucket Truck from APS.

**Budgeted item:** Yes-- CIP, ½ Parks & ½ HURF

**Description of item:** Council approved in the February 15<sup>th</sup>, 2006 meeting for staff to purchase a used 1 ton bucket truck with a cap of \$40,000 at an auction. Staff has an opportunity to purchase (pre-auction) a used 1 ton bucket truck from APS that is in very good condition for \$19,000 which is the price they would expect to get at their auction.

**Staff Recommendation:** Approval to purchase a used 1 ton bucket truck from APS for \$19,000 before it goes to auction.

**Comments:**

**Attachments:** Yes

**Prepared by:** Lynda Moore & Ron Long

**Jerry Tobish**, on the Chamber Board and a local business owner, also commented on those traveling through the area identifying Camp Verde with the fast food junction on their way to Sedona or Flagstaff due to the lack of signage. He located his business here because of the promises of redevelopment; the businesses need the Town to go out on a limb and promote tourism, or the businesses will not survive.

**Sam Boyles**, of Prescott, Camp Verde and California, explained that he has a business moving here, and employees will be looking to buy homes here; he agreed that the Town needs to spend money on advertising. Mr. Boyles described his business and the significant amount of money generated, commenting that he will employ an average of 20-25 people, and has had as many as 80 employees. He was drawn to Camp Verde through the Chamber; advertising is of prime importance.

There was no further public input.

The members briefly discussed the benefits of marketing as well as the methods of marketing, and the need to make wise decisions, generally agreeing on the need to promote and identify Camp Verde, while expressing some concern that more promotion and advertising have not been generated by the Chamber over the past years. After further discussion on the issue of advancing the funding requested, it was agreed that Mr. Gugliotta would prepare a draft marketing plan for the Council to review at the March 8<sup>th</sup> Work Session in order to be able to confer with the Finance Director and arrive at a decision regarding providing for funding during the annual budget process, whether for this year or next.

**A recess was called at 9:01 p.m.; the meeting was called back to order at 9:08 p.m.**

8. **Discussion, consideration, and possible approval to partner with Camp Verde High School and the Main Street Merchants on the 2006 Main Street Stampede.**

On a motion by Gioia, seconded by Baker, the Council unanimously approved the partnership with Camp Verde High School for the Main Street Merchants on the 2006 Main Street Stampede according to the recommendation of the Parks & Recreation Commission.

Parks & Recreation Director Lynda Moore said that this is the third Annual Main Street Stampede, and the Town is being asked to partner with the high school. In the past the P&R Department has fronted all the bills for the event, with the net amount split 50-50 between the Town and the high school. In connection with the request this year for 60% going to the high school and 40% to the Town, the Parks & Recreation Commission has recommended factoring in the cost of seed and fertilizer, with the Town absorbing the cost of labor, and then distribute the proceeds 60-40. During the discussion the Council commended the work done by the students and agreed that the funds were well deserved; Lee also gave an update on the amount currently on hand for the Main Street Merchants fund.

There was no public input.

9. **Discussion, consideration, and possible approval to purchase a used one-ton bucket truck at auction.**

Staff was directed to seek purchase of a used one-ton bucket truck through the auctions, under Kelly Blue Book, and under the amount that has already been authorized.

**Director Moore** reported on the recent unsuccessful attempt to get a bid on a one-ton bucket truck, and is now asking approval to go to public auction to purchase one, at a cost not to exceed \$40,000. Lee said that, among other options to consider, APS has also been contacted.

There was no public input.

10. **Discussion, consideration, and possible direction to staff to proceed with the creation of a Housing Authority or a Housing Department.**

On a motion by Smith, seconded by Baker, the Council by a 6-1 vote directed staff to proceed with the creation of a Housing Department; with a 'no' vote by Gioia.

**Carol**

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**From:** "Ron Long" <rlong@cvaz.org>  
**To:** <carolb@cvaz.org>  
**Sent:** Thursday, July 27, 2006 8:14 AM  
**Subject:** Fw: Bucket Truck

— Original Message —

**From:** Bill Lee  
**To:** [Wayne.Ferguson@aps.com](mailto:Wayne.Ferguson@aps.com)  
**Cc:** [Ron Long](mailto:Ron Long) ; [Carol Brown](mailto:Carol Brown)  
**Sent:** Monday, July 24, 2006 4:52 PM  
**Subject:** Fw: Bucket Truck

Hello Wayne, Ron Long and Marvin Buckel will make contact with them and I will ask that Carol Brown put this item back before council so that we have no issue with direct purchase. Thanks so much for all your help. Bill Lee

— Original Message —

**From:** [Wayne.Ferguson@aps.com](mailto:Wayne.Ferguson@aps.com)  
**To:** [blee@campverde-az.gov](mailto:blee@campverde-az.gov)  
**Sent:** Monday, July 24, 2006 3:50 PM  
**Subject:** Bucket Truck

Bill:

Finally reached the person to coordinate with for purchase of bucket truck. They are done using it in Prescott, so it is available, if you decide to purchase.

I have given your name, phone number, and e-mail address to Mike Scheetz, and he will be contacting you about it. He is the APS person that would coordinate the sale. They reduced the sale price to \$19,000, which is closer to what they would expect to get if it was auctioned off. There is no warranty remaining on the vehicle.

If Mike doesn't call you in the next day or two, please let me know, and I can try and reach him.

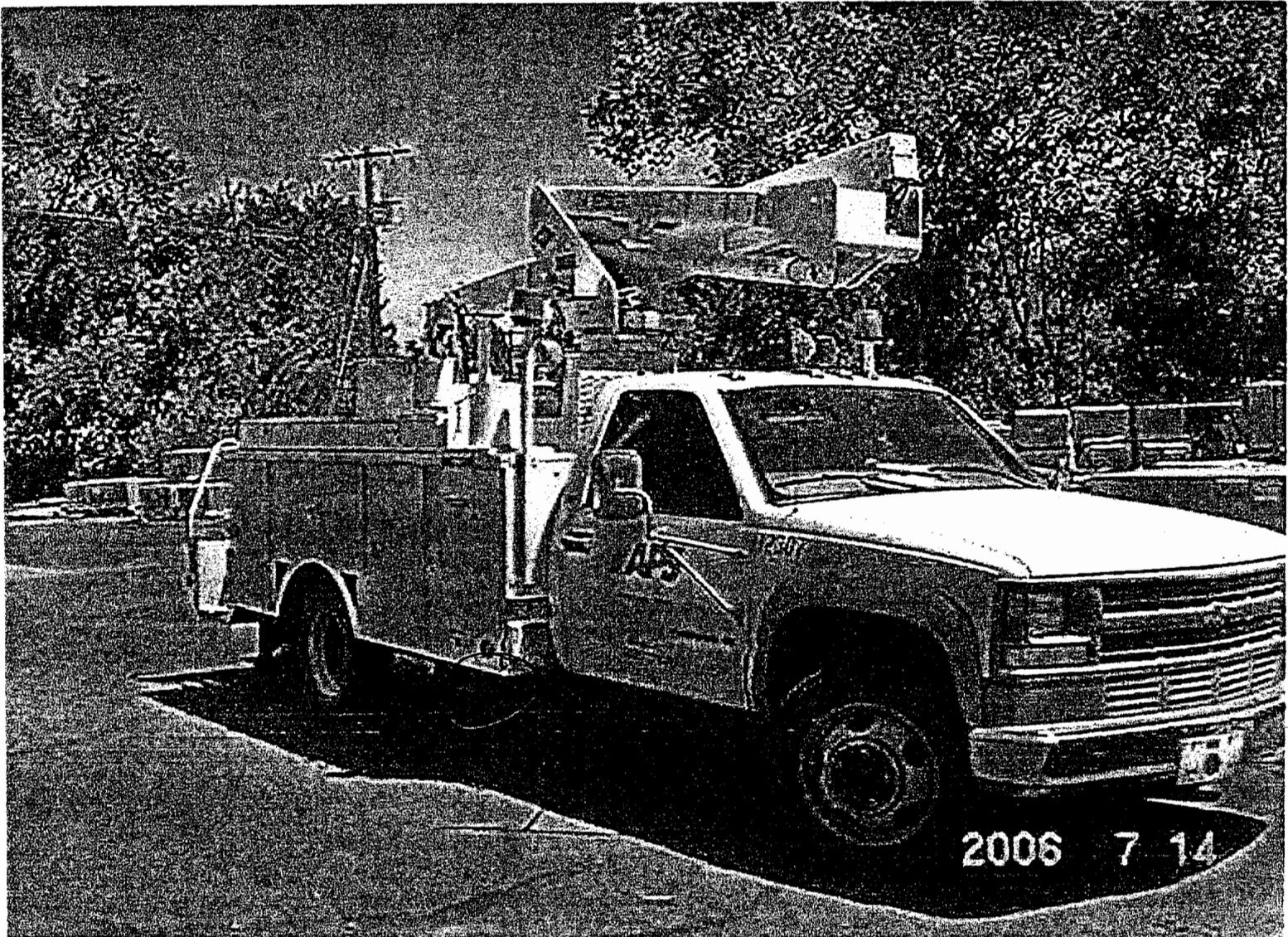
Wayne

Email Firewall made the following annotations

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--- NOTICE ---

This message is for the designated recipient only and may contain confidential, privileged or proprietary information. If you have received it in error, please notify the sender immediately and delete the original and any copy or printout. Unintended recipients are prohibited from making any other use of this e-mail. Although we have taken reasonable precautions to ensure no viruses are present in this e-mail, we accept no liability for any loss or damage arising from the use of this e-mail or

Mike Ch this cat  
Mas



Chevrolet

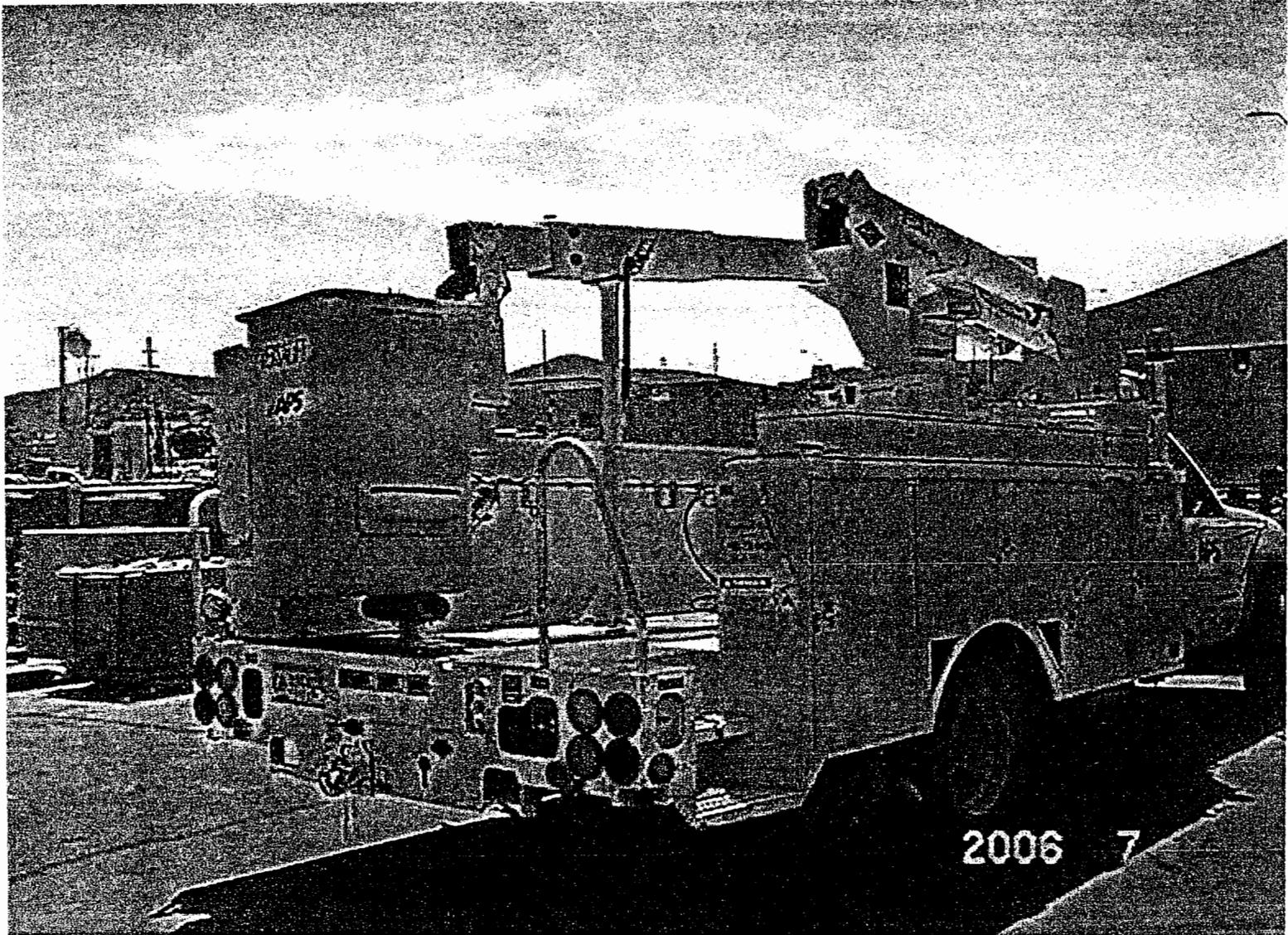
3500 Diesel-Auto

DT Has out Riggers - PTO Engine Driven

APS Has it - We think about \$25,000-



Same Basic Body as old Truck But longer to Accommodate 36" Boom



*Bucket - Gets Nice and Low*

*Low Stop To Get Into Bucket & Truck*

*Lots of Strobe & Marker Lights*

SERIAL  
NUMBER

119834

DATE  
MFG'D

03-11

ATED PLATFORM  
CAPACITY IS

350

LBS. OR

134

PLATFORM  
HEIGHT

11

FT. OR

YES

NO

DESIGN VOLTAGE

HYDRAULIC SYSTEM  
OPERATING PRESSURE

220

PSI. OR

OR LIFTING ATTACHMENT IS INSTALLED

2006

7 14 Y



**RESOLUTION 2006-695**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL  
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,  
DECLARING THE TOWN OF CAMP VERDE TOWN CODE,  
DATED AUGUST 2, 2006, TO BE A PUBLIC RECORD**

Whereas, A.R.S. Section 9-802 permits the enactment and publication by reference of a code or public record, including a statute, rule or regulation of the municipality, in the interest of economy, and

Whereas, the document entitled **The Town of Camp Verde Town Code**, dated August 2, 2006 is a lengthy re-codification of prior ordinances and resolutions enacted by the Town, together with additions and amendments, to be adopted by Ordinance 2006-A332, and which would qualify for enactment by reference by law.

**NOW THEREFORE THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE THE TOWN OF CAMP VERDE TOWN CODE, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE A PUBLIC RECORD PURSUANT TO A.R.S. SECTION 9-802, TO BE ENACTED BY ORDINANCE 2006-A332, AND ORDER THAT THREE (3) COPIES OF THE TOWN CODE, TOGETHER WITH ANY FUTURE AMENDMENTS OR ADDITIONS WHICH ARE ADOPTED, BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION.**

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 2<sup>nd</sup> day of August 2006.

\_\_\_\_\_  
Tony Gioia, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Deborah Barber, Town Clerk

\_\_\_\_\_  
Town Attorney



**ORDINANCE 2006-A332**

**AN ORDINANCE OF THE TOWN OF CAMP VERDE,  
YAVAPAI COUNTY, ARIZONA,  
ADOPTING BY REFERENCE  
THE TOWN OF CAMP VERDE TOWN CODE.  
A RE-CODIFICATION OF SELECTED PRIOR ORDINANCES OF THE  
TOWN, AND PROSCRIBING PENALITES FOR VIOLATIONS THEREOF.**

Section 1. Adoption by Reference. Pursuant to A.R.S. Section 9-802 (as amended) the Town hereby adopts for application and enforcement the **Town of Camp Verde Town Code**, dated August 2, 2006, a compilation of selected previously-adopted and modified ordinances that are declared a public record pursuant to Resolution 2006-695 and attached thereto.

Section 2. Effective Date. The effective date of the **Town of Camp Verde Town Code**, dated August 2, 2006, shall be September 1, 2006, or upon completion of publication and posting as a penal ordinance as provided by law, whichever date is later.

Section 3. Repeal. The **Town of Camp Verde Town Code** generally excludes ordinances concerning zoning, taxation, or adoption of intergovernmental agreements.

Section 4. Copies of the Town Code. At least three (3) copies of the **Town of Camp Verde Town Code**, dated August 2, 2006, and any future amendments or revisions, shall be kept on file in the office of the Town Clerk for public access. Additional copies may be purchased by the public at nominal cost for materials and reproduction. Copies placed for public access shall be readily available for public inspection during normal working hours.

Section 5. Penalty. Pursuant to A.R.S. Section 9-240.B.29 and A.R.S. Section 13-602, it is hereby declared that any violation of the **Town of Camp Verde Town Code**, dated August 2, 2006, and revisions adopted thereto is a Class 2 misdemeanor, with punishment as provided by law, unless otherwise specified within a particular section of the **Code**. For purposes of A.R.S. Section 9-803, the provisions of the Town of Camp Verde Town Code concerning penalty clauses are set forth on Exhibit A to this Ordinance.

*PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the 2<sup>nd</sup> day of August, 2006, to be effective when publication and posting, pursuant to A.R.S. Section 9-813, is completed.*

Approved: \_\_\_\_\_  
Tony Gioia, Mayor

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Deborah Barber, Town Clerk

Approved as to form:

\_\_\_\_\_  
Town Attorney

**EXHIBIT A**

**TOWN OF CAMP VERDE TOWN CODE PENALTY CLAUSES**

**Section 6-1-8 Penalty**

Any person who violates or fails to comply with any provision of this article shall be guilty of a petty offense on the first offense, and of a Class 2 misdemeanor on the first offense and a Class 1 misdemeanor on any subsequent offense, whether or not the subsequent offense involves the same animal, punishable as may be established by law.

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**Section 6-2-2 Violations; Penalty**

A. The owner of any animal that bites, attempts to bite, endangers or otherwise injures or causes injury to human beings or other animals, or destroys, damages, or causes damage to the property of another is guilty of a class 1 misdemeanor.

B. An owner of an animal charged with a violation of this article shall produce that animal for inspection or impoundment upon the request of the Camp Verde Animal Control or other designated town enforcement agent. All owners shall be responsible for any and all applicable impoundment and boarding fees in connection therewith.

C. It is unlawful for any person to fail to comply with an order of the magistrate regarding a vicious or destructive animal. It is a separate offense for each day that such a person fails to comply with the magistrate's order.

D. A violation of any provision of this article is punishable by a fine of up to two thousand five hundred dollars (\$2,500), six months in jail, three years probation or any combination thereof. The magistrate may not grant probation in lieu of, or otherwise suspend, the imposition of the minimum fine prescribed.

E. In addition to the above sanctions, upon the declaration of an animal as vicious or destructive, the magistrate shall order the owner to do one or more of the following:

1. The animal shall be kept in an enclosure that is high enough so that the animal cannot bite, harm, or injure anyone outside the enclosure. The enclosure and property whereon it is located shall be posted with conspicuous signs, and at no time shall the animal leave the enclosure unless it is muzzled, leashed and under the control of an adult human being; or
2. The animal be banished from the town limits; or
3. The animal be spayed or neutered at the owner's expense; or
4. The animal be humanely destroyed; or
5. Restitution up to one thousand dollars (\$1,000) may be ordered made by the owner to the victim. This remedy shall not abridge any civil cause of action by the victim.

F. It shall be an affirmative defense to the provisions of this article if the animal is:

1. Not at large and there is provocation; or
2. The dog is a police dog under the command of its trainer.

G. In any proceeding brought to enforce a violation of this article, the following procedure shall be used.

1. A Camp Verde Animal Control Officer or other designated town enforcement agent, upon determining that any animal within the town limits is vicious and is an immediate danger to the safety of any person or other animal, may impound the animal immediately.
2. Within ten days of the date of impoundment, the town magistrate shall conduct a hearing provided under this article.

The owner of the animal shall be notified of this hearing by the court. Upon proof of such notification, such hearing may proceed in the owner's absence

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### **Section 6-2-9 Minimum Penalties; enhancement**

A. Whenever in this article any act is prohibited or declared to be unlawful or the doing of any act is required or the failure to do an act is declared to be unlawful, the violation of such provision is a misdemeanor punishable, except for the penalties already set forth herein, by a fine of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000) and/or by imprisonment of not more than six months. The judge may not grant probation in lieu of, or otherwise suspend, the imposition of the minimum fine prescribed. In addition, a person may be placed on probation for not more than three years. The permitted fines set forth in this Section shall not be construed in any way to require only the imposition of the minimum mandatory penalties provided herein.

B. Each day any violation continues or occurs shall constitute a separate offense.

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## **CHAPTER 7 BUILDING**

### **Article 7-1 ADOPTION OF THE 2003 INTERNATIONAL CODE COUNCIL CODES, (ICC) AND RELATED PUBLIC CODES**

Pursuant to ARS §9-802, as may be amended, the Town hereby adopts for application and enforcement for all construction within Town limits the following codes heretofore in existence, together with all future amendments, revisions, and modifications as issued by the respective publishing agencies.

1. **2003 International Code Council Code Standards**, published by the International Code Council, Incorporated (ICC), 2003 Edition.
2. **2003 International Fire Code**, published by the International Code Council, Incorporated (ICC), 2003 Edition.
3. **2003 International Fuel Gas Code**, published by the International Code Council, Incorporated (ICC), 2003 Edition.
4. **2003 International Mechanical Code**, published by the International Code Council, Incorporated (ICC), 2003 Edition.
5. **2003 International Property Maintenance Code**, published by the International Code Council, Incorporated (ICC), 2003 Edition.

6. **2003 International Private Sewage Disposal Code**, published by the International Code Council, Incorporated (ICC), 2003 Edition.
7. **2002 National Electrical Code**, published by the National Fire Protection Association, 2002 Edition.
8. **2003 International Residential Code**, published by the International Code Council, Incorporated (ICC), 2003 Edition.
9. **National Fire Protection Association Standards**, published by the International Code Council, Incorporated (ICC), 2003 Edition.
10. **2003 International Building Code ASTM Referenced Standards**, published by the American Society for Testing & Materials, 2003 Edition.

11. **AND AMENDMENTS**

The effective date of the ordinance shall be April 2, 2004, after which all new construction and work in progress shall meet the standards set forth in the ICC and the above-related codes.

The Town Council shall adopt fee schedules for inspection and certification under the codes from time to time, upon recommendation of the Community Development Director.

At least three (3) copies of the ICC and the above codes, and any future amendments or revisions, shall be kept on file in the Community Development Department. All copies shall be readily available for inspection, including any supplementary pamphlets or explanatory booklets for distribution to the public. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of any standard or provision of the UBC and above related codes, including their subsequent revisions and modifications. Violations for a first offense, per site or per person, shall be a petty offense and for any second or subsequent offense committed within twelve (12) months of any prior citation or conviction, a class 2 misdemeanor.

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**Article 7-6 STREET NAMING AND ADDRESSING**

A. In accordance with Ordinance 2001 A193, street names should be appropriate and easy to read so that children in particular can pronounce the name in an emergency situation. Street names are subject to review and prior approval of the reviewing officer pursuant to the procedures provided in the Street Naming and Addressing Guidelines. New Streets must be named from a pool of historical locations, pioneer family names, local brands and native vegetation that is approved and updated by the Town Council and is available at the Community Development Department. A list of historical street names shall be submitted by staff to the Council for review and approval as required, but not less frequently than every six (6) months. The applicant also has the option of submitting a list of alternate street names along with the Preliminary Plat for possible approval by the Council.

B. This program is hereby declared the only legal addressing system for the incorporated areas within the Town.

C. Any person who fails to comply with the addressing requirements of this article within thirty days of initial notification by the addressing official shall be subject to a petty offense for the first offense, and a Class 3 Misdemeanor for a second or subsequent offense as to the same property. Each day the property is not in compliance may constitute a separate offense. "Person" includes the property owner, occupant, or any persons having control over the use of the property.

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**Article 7-7 ENFORCEMENT PROCEDURES FOR VIOLATIONS OF ZONING AND BUILDING CODES**

A. **Designation of Civil Offense.** Violations of zoning and code ordinances of the Town may be filed under the civil enforcement procedures and are declared to be civil offenses. A person shall not be charged with both a civil and criminal offense for the same violation on the same date, but a subsequent violation against the same property or person may be charged as criminal rather than civil.

B. **Hearing Officer.** The Council shall periodically appoint a hearing officer to hear and determine zoning and code violations under the civil violation procedure. The hearing officer shall not be an employee or member of any Town board or commission.

C. **Filing a complaint.** Civil complaints shall be filed using either the uniform Arizona Traffic Ticket and Complaint form, or one substantially similar, which shall cite to this ordinance as well as the particular subsection of the zoning or code ordinance applicable to the alleged violation. Each subsection of the ordinance cited in the complaint shall be deemed a separate offense. Complaints may be sworn to any building inspector or zoning code officer for the Town. The citation shall contain the date and time of the alleged violation, and direct the defendant to appear before the Hearing Officer at the specified time to enter a plea either admitting or denying the complaint. Citations will be served by personal delivery upon the defendant by the responsible inspector or code enforcement officer, or by registered mail together with a summons, in the manner set forth in rule 3.4, Rules of Criminal Procedure. The citation will state that if the defendant fails to appear, the hearing officer will enter a default judgment against him in favor of the State, and impose sanctions not to exceed \$250 for each alleged violation. Subpoenas for witnesses shall be prepared and signed at the request of either the defendant or the State, and served by personal service, certified mail, or first class mail, pursuant to ARS 13-4072, as may be amended.

D. **Hearing Procedures.** Unless otherwise modified therein, civil enforcement procedures herein shall follow the Arizona Rules of Court for Civil Traffic Violations. The Town Attorney will present evidence of the charges in the complaint. The defendant may present evidence *pro per* or through counsel. The defendant will not have a right to a jury trial. If the hearing officer finds that the charges are proven by a preponderance of the evidence, judgment shall be entered against the defendant for the State, and sanctions imposed up to \$250 per offense. If the hearing officer finds the charges not proven, the case shall be dismissed. Any sanction shall be imposed immediately, without setting a sentencing date or probationary period, except that the hearing officer may allow the defendant a time to pay the sanction not more than 30 days from the hearing date.

E. **Appeals.** The defendant may appeal the decision of the hearing officer to the Town Magistrate, pursuant to ARS 22-402.B, as may be amended, who shall conduct a review of the matter limited to whether the ordinance or code has been correctly interpreted or applied by the component. It shall not be a trial *de novo* unless the Court determines that the records are insufficient, or there is no record preserved. A record for purposes of this section consists of audio tape recordings, any written rulings of the Hearing Officer, and exhibits admitted at the hearing. Further appeal to the Superior Court, either pursuant to the civil traffic rules or through ARS 12-124.A, as may be amended, is hereby granted, but may be discretionary with the Court.

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**SECTION 7-9-12 ENFORCEMENT AND PENALTIES**

A. **Charges.** Charges levied pursuant to this Article shall be collected by the Community Development Department. The Director shall manage the Town's storm drain system.

B. **Owner of Record.** The owner of record of the property upon which a violation of this Article occurs shall be presumed to be a person having lawful control over the activity or premises unless it is demonstrated that another person has knowingly and in good faith accepted responsibility for the activity at issue. If more than one person is identified as the owner, such persons shall be presumed to be jointly and severally in lawful possession and control of the activity or premises.

C. **Notice of Violation.** The Director may issue a written notice of violation to any person who has violated or is in violation of this Article. Failure to comply with any act required in the notice of violation shall be a separate violation for each day beyond the thirtieth (30<sup>th</sup>) day following the notice of violation. Nothing in this section shall limit the authority of the Director to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation. In appropriate situations the Director may notify the person orally either in person or by telephone prior to, and in some cases in lieu of, written notification.

D. **Consent Orders.** The Director may enter into consent orders, assurances of voluntary compliance, negotiated settlement agreements or other similar documents establishing an agreement with any person responsible for noncompliance. Such documents will include specific action to be taken by the person to correct the noncompliance within a time period specified by the document, including an identification and description of the best management practices and measures to utilize in implementing the order. Such documents shall have the same force and effect as any other orders issued under this Article and shall be judicially enforceable.

E. **Cease and Desist Orders.** When the Director finds that a person has violated, or continues to violate, any provision of this Article or any related laws or regulations, or that the person's past violations are likely to recur, the Director may issue an order to the person directing them to cease and desist all such violations and direct the person to immediately comply with all requirements, and take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the person. A person's failure to comply with an order of Director issued pursuant to this Article shall constitute a violation of this Article.

F. **Civil Penalties.** In addition to any other enforcement authority contained in this Article, the Director may issue a civil citation to any person who has violated, or continues to violate, any provision of this Article or any related laws or regulations. A person who violates any requirement of this Article or any applicable NPDES or AZPDES storm water permit condition shall be civilly liable to the Town for a sum not to exceed \$27,500 per day for each violation.

G. **Criminal Penalties.** A person who willfully or negligently violates any provision of this Article, or any related laws or regulations shall, upon conviction, be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$27,500 per day for each violation and/or by imprisonment for a period not to exceed six months.

H. **Criminal Prosecution.** Some intentional violations may constitute criminal violations of federal, state, and Town law, and that under such circumstances, the Director may seek the assistance of the EPA, the Attorney General, the County Attorney, or the Town Prosecutor to commence civil and/or criminal action against any person who violates any requirement of this Article or any applicable NPDES or AZPDES storm water permit condition.

### **Section 9-4-6 Penalty**

Pursuant to Article 1-8, any person that fails to comply with any provision of this article, or uses property in violation of any provision of this article or permit issued herein, shall be guilty of a petty offense for the first offense, and a misdemeanor for a second or subsequent offense as to the same property or activity, with each day that the property or activity is not in compliance constituting a separate offense. "Person" includes the property owner, occupant, agent, or any person having control over the use of the property. Enforcement of this ordinance may also be pursuant to Council action under ARS §9-462.05, as may be amended.

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### **Section 11-1-12 False Alarms**

- A. It shall be unlawful to allow or cause a false alarm within the Town.
- B. In this article, unless the content otherwise requires:
1. "Alarm" means any mechanical or electrical device or assembly of equipment designed or arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which the police are expected to respond, or designed or arranged to signal the occurrence of a fire or excessive smoke requiring urgent attention and to which a fire department is expected to respond.
  2. "Alarm Company" means any firm, person, partnership, corporation, or entity which has servicing, maintenance, or monitoring duties or responsibilities under the terms of any agreement or arrangement with any alarm user within the corporate limits of the town.
  3. "Alarm user" means any person, firm, corporation, or entity of any kind in control of any building, premises, structure or facility in which or upon which an alarm is maintained.
  4. "False alarm" means an alarm signal to which police or fire department personnel respond with any emergency personnel or equipment when a situation requiring a response by the police or fire department does not in fact exist, and which signal is caused by the inadvertence, negligence, or intentional act or omission of an alarm company or alarm user or a malfunction of the alarm.
- C. The following shall not be considered false alarms:
1. Alarms caused by the testing, repair, or malfunction of telephone equipment or lines.
  2. Alarms caused by an act of God, including earthquakes, floods, windstorms, thunder or lightning.
  3. Alarms caused by an attempted illegal entry of which there is visible evidence.
  4. Alarms caused by the testing, repair or malfunction of electrical utility equipment or lines.
- D. Any violation of section 11-1-12 shall have the following penalties:
1. A civil sanction in an amount of not more than \$250.00 may be assessed against an alarm user for each false alarm which occurs in any building, premises, structure, or facility owned or controlled by the alarm user;
  2. A civil sanction in an amount of not more than \$250.00 may be assessed against the responsible alarm company for each false alarm which occurs in the event that a false alarm was occasioned due to the manner of installation of the alarm by the responsible alarm company.

A civil sanction in an amount of not more than \$250.00 may be assessed against the responsible alarm company for each false alarm which is occasioned by the failure of the responsible alarm company to properly service, maintain or monitor any alarm within the town.

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### **Section 12-3-6 Handicapped Parking**

Except as provided in subsection C of this section, no person may stop, stand, or park a motor vehicle within any specially designated and marked parking space provided in accordance with this section for physically disabled persons unless the motor vehicle is transporting a person eligible for the distinguishing insignia placard or displays number plates bearing the international wheelchair symbol, which are currently registered to the vehicle as provided by law.

A. If a law enforcement officer finds a motor vehicle in violation of this ordinance, the officer may issue a complaint to the operator or person in charge of the motor vehicle, or, if neither is present, to the registered owner of the vehicle for a civil traffic violation. The minimum civil sanction, if the court finds the party responsible, shall be fifty dollars (\$50.00), plus the penalty assessments prescribed by statute.

B. The posting of the handicapped parking spaces shall be designated by owners or persons having control of a parking lot or parking area for business customers. Each such parking space shall be prominently outlined with paint and posted with a permanent sign located not less than three feet or more than six feet above the grade and of a color and design approved by the Department of Transportation bearing the internationally accepted wheelchair symbol and the caption, "Reserved Parking." The designation of such parking spaces as provided herein or as required by the Town of Camp Verde shall authorize law enforcement officers and other duly authorized agents to enforce the provisions of this section and related state statutes and shall constitute a waiver of any objection by the owner or person in possession of such property to the enforcement of this section and related state statutes, and such owner shall be deemed to have consented to the access of such property.

C. Any person who is chauffeuring a physically disabled person shall be allowed, without a distinguishing insignia, a placard or number plates bearing the international wheelchair symbol to park momentarily in a handicapped designated space for the purpose of loading or unloading such disabled person. No complaint shall be issued to the driver for such momentary parking.

D. The Town Marshal/Police Chief will have the authority to institute a Volunteer Handicapped Parking Enforcement Specialist Program. The Marshal/Chief may authorize special volunteers to issue citations only to persons who violate this section of this chapter.

**2007 RESOLUTIONS**  
**OF THE**  
**LEAGUE OF ARIZONA CITIES AND TOWNS**

RESOLUTIONS SUBMITTED FOR CONSIDERATION ON JULY 17, 2006





RESOLUTION #3

**Urges the Legislature to take appropriate action to regulate deferred presentment businesses (i.e. pay day loan establishments) and encourages municipalities to partner with the State of Arizona to address issues raised by these establishments.**

*Submitted by: Avondale, Phoenix, Cottonwood, and Camp Verde*

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**A. Purpose and Effect of Resolution**

This resolution seeks to encourage the State Legislature to work with the Attorney General's Office to regulate deferred presentment businesses through the Arizona's Usury Laws, to address the proliferation of such companies throughout Arizona, in addition to the interest rates set for service. Secondly, it seeks to encourage municipalities to partner with the State of Arizona on this endeavor.

**B. Relevance to Municipal Policy**

Arizona's Usury Laws were amended in the year 2000 to permit deferred presentment business the ability to operate in the state. Since then, deferred presentment businesses have opened several hundred new locations that charge customers high interest rates on services provided. Generally speaking, the stores have clustered around established neighborhoods, with their client base comprised of primarily young and financially uneducated families. Deferred presentment businesses will have the authority to continue business as normal or expand their operation throughout the state until 2010, when the current version of Usury Law expires.

**C. Importance of Resolution to Your City or Town**

The City of Avondale is doing what it can to work with deferred presentment businesses. Over the summer of 2006, Avondale's City Council will be considering a local ordinance regulating zoning for this type of business. Avondale recognizes that this issue is larger than local government and would like to work with the state on this matter further through this resolution.

**D. Fiscal Impact to Cities and Towns**

None

**E. Fiscal Impact to the State**

None.

**F. Contact Information**

Stephanie Prybyl, Intergovernmental Affairs Manager  
City of Avondale  
623-478-3020  
[sprbyl@avondale.org](mailto:sprbyl@avondale.org)



## **E. Fiscal Impact to the State**

Without some sort of comprehensive effort to try to address the growing affordable housing needs of our state, there could be significant cost increases for basic services such as food stamps, health care, and incarceration. Any additional expenditures made to encourage the creation of affordable housing, or any changes in state law that would slightly reduce revenues collected, are an essential investment in the future of the state.

## **F. Contact Information**

Tom Hessler, Mayor, City of Sierra Vista  
520-458-3315

Affordable Housing Incentives

RESOLUTION #5

**Urges the Legislature to modify state liquor laws enhancing the ability of municipalities to address community-related problems associated with liquor establishments.**

*Submitted by: Avondale, Holbrook and Prescott*

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**A. Purpose and Effect of Resolution**

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

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

**B. Relevance to Municipal Policy**

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

**C. Importance of Resolution to Your City or Town**

Cities and towns should have the ability to plan their communities as they believe best, including the location and operation of liquor establishments. The proposed provisions allow cities to have a greater role in the liquor licensing process for liquor establishments to ensure that are addressed.

**D. Fiscal Impact to Cities and Towns**

These provisions should result in less police calls for liquor establishment-related incidents reducing the need for law enforcement resources and increased costs to cities and towns. They will also empower local City Councils with the tools necessary to address problem establishments.

**E. Fiscal Impact to the State**

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

**G. Contact Information**

Stephanie Prybyl, Intergovernmental Affairs Manager, City of Avondale  
623-478-3020  
[sprybyl@avondale.org](mailto:sprybyl@avondale.org)

Liquor License Input

RESOLUTION #6

**Urges the State Legislature to require the Department of Liquor Licenses and Control and the State Liquor Board Give Greater Consideration to City Recommendations on Proposed Liquor Licenses.**

*Sponsored by: Scottsdale and Avondale*

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**A. Purpose and Effect of Resolution**

Cities and Towns spend considerable time reviewing a liquor license applicant's background and analyzing the proposed impact a new liquor establishment might have in their community. Following the research, a formal vote of the Council occurs making their formal recommendation to the State. The State is not obligated to follow the recommendation. This resolution would grant cities more authority and increase the level of control City Councils have in determining whether a liquor establishment should be allowed to operate in their communities.

**B. Relevance to Municipal Policy**

Problem liquor establishments bring with them crime, noise violations and other issues that can require increased public safety resources. Better scrutiny and more input by local elected officials may help avoid these problems.

**C. Importance of Resolution to Your City or Town**

Legislation addressing problem liquor establishments and changes to Arizona liquor laws have been an ongoing challenge for cities and towns. Past changes to address this issue included requiring the State Liquor Board to have a 2/3-majority vote to overturn a local recommendation if the local council had a 2/3 vote to oppose.

**D. Fiscal Impact to Cities and Towns**

No expected fiscal impact to cities and towns.

**E. Fiscal Impact to the State**

No expected fiscal impact to the State.

**F. Contact Information**

Bridget Schwartz-Manock, Government Relations Director, City of Scottsdale,  
480-312-2423  
[bschwartzmanock@scottsdaleaz.gov](mailto:bschwartzmanock@scottsdaleaz.gov)

Liquor License Increased Consideration

RESOLUTION #7

**Urges the State Legislature to Permanently Fund Additional Auditor Positions at the Department of Liquor Licenses and Control.**

*Sponsored by: Scottsdale and Avondale*

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**A. Purpose and Effect of Resolution**

There are approximately 2800 restaurant liquor licenses in Arizona. The Department of Liquor License and Control (DLLC) is required by law to inspect and audit these licensees to ensure they are meeting the 40% food sales requirements. Currently, the DLLC employs only two auditors. Legislation passed this session appropriated funding for one-year to hire two additional Auditors.

**B. Relevance to Municipal Policy**

In 2005 the DLLC completed 22 full and partial audits. The Department's auditing activities are complaint driven, as there are not enough resources to proactively audit on a scheduled, regular basis. Permanent funding to hire more auditors will protect cities and towns from liquor establishments that are licensed as restaurants but operating as bars.

**C. Importance of Resolution to Your City or Town**

Adequate resources for the regulation and enforcement of liquor establishments in our communities will ensure a better quality of life.

**D. Fiscal Impact to Cities and Towns**

No expected fiscal impact to cities and towns.

**E. Fiscal Impact to the State**

A permanent funding source from the State would be required to fund this resolution. Possible funding sources could include auditing fees or an increase in the annual liquor license renewal costs.

**F. Contact Information**

Bridget Schwartz-Manock, Government Relations Director, City of Scottsdale  
480-312-2423  
bschwartzmanock@scottsdaleaz.gov

Liquor Department Auditor Funding

RESOLUTION #8

**Urges the Legislature to enact legislation removing the right to jury trials for a first or second offense in DUI cases.**

*Submitted by: Peoria and Goodyear*

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**A. Purpose and Effect of Resolution**

Amend Arizona statutes to provide that there is no right to jury trials in first and second offense Driving Under the Influence of Alcohol or Drugs (DUI) cases. This will allow for prompt processing and adjudication of these cases.

**B. Relevance to Municipal Policy**

A major component of the caseload in municipal courts is DUI offenses. Under the case law set forth by the United States Supreme Court and the Arizona Supreme Court, there is no constitutional right to a jury trial in these cases. However, Arizona has a statute that requires such jury trials. Municipal Courts incur significant expense in summoning jurors and paying jury fees, even when these cases settle on the day of trial as many do. At the same time, Municipal Courts are under increasing pressure from the Arizona Supreme Court to timely adjudicate DUI offenses, but are unable to do so, due to continual needs to reschedule around the use of jury trials.

The repeal of the state statute will provide for prompt adjudication of DUI offenses, reducing expenses to City Attorney's Offices, Municipal Courts and Law Enforcement and providing victims and defendants with prompt adjudication of the offense.

**C. Importance of Resolution to Your City or Town**

DUI offenses are a major portion of the Municipal Court Caseload in the City of Peoria. The Court, City Attorney and Police incur costs in preparing for jury trials that may not occur or may have to be rescheduled.

**D. Fiscal Impact to Cities and Towns**

There is no cost to cities and towns; there will be savings in both Municipal Court costs as well as City Attorney and Police functions. This will also impact Justice of the Peace Courts and Counties in providing savings as well.

**E. Fiscal Impact to the State**

No costs to the state, but cases will be adjudicated more quickly.

**F. Contact Information**

John Schell  
Director, Intergovernmental Affairs  
(623) 695-0573  
John.Schell@peoriaaz.gov

DUI Jury Trials

RESOLUTION #9

**Amends Arizona Law to provide that only the first \$40.00 per month of any probation fee imposed in the municipal court will be transmitted to the Superior Court Adult Probation Fund.**

*Submitted by: Peoria and Goodyear*

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**A. Purpose and Effect of Resolution**

Amend Arizona Law to provide that only the first \$40.00 per month of any probation fee imposed in the municipal court will be transmitted to the Superior Court Adult Probation Fund. All other monies should be retained by the City and mandated for use by the City in providing probation services in the municipal court.

**B. Relevance to Municipal Policy**

It is fundamentally unfair for the Superior Court and Counties to increase fees on municipal court probationers, while providing no services to such persons. Instead the Cities are forced to pay additional funds if they desire to provide service to their probationers. The proposed resolution recognizes that the Adult Probation Departments have had some subsidy from Municipal Court Probationers, but caps this amount and allows additional amounts to be used by cities for their probation programs.

**C. Importance of Resolution to Your City or Town**

Current law provides no restraint on the Superior Court and Counties attempting to use municipal court probation programs to fund Superior Court adult probation, while forcing cities to incur increasing costs. Only the legislature can restrict this practice.

**D. Fiscal Impact to Cities and Towns**

No costs to cities and towns. Cities and towns will have the ability to collect some revenue if they desire from their probationers to provide probation services, which may also reduce amounts expended for jail services.

**E. Fiscal Impact to the State**

Adult probation is a state responsibility. If these amounts from city probationers are kept by the cities, the state will have to assume additional funding for the courts or limit the growth of these programs. These costs could be placed against felony probationers who are actually receiving the services from the County.

**F. Contact Information**

John Schell  
Director, Intergovernmental Affairs  
(623) 695-0573  
John.Schell@peoriaaz.gov

Probation Fee Allocation



**F. Contact Information**

Randy Heiss  
Town Clerk/Treasurer  
(520) 394-2229  
[patagoniagov@qwest.net](mailto:patagoniagov@qwest.net)

Small Town Revenue Appropriation

RESOLUTION #11

**Urges the Arizona Legislature to amend Arizona Revised Statutes Section 12-348(H) to clarify that a court shall not award fees and other expenses to any party who prevails by an adjudication on the merits in an action to enforce a civil infraction pursuant to an ordinance of a city, town or county.**

*Submitted by: Chandler, Goodyear and Scottsdale*

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**A. Purpose and Effect of Resolution**

The purpose of this resolution is to clarify that A.R.S. Section 12-348 does not apply to actions to enforce civil infractions instituted by cities, towns and counties. The Arizona Court of Appeals recently ruled that a civil infraction is a civil action within the meaning of A.R.S. 12-348(A)(1) and that a court is required to award fees and other expenses to a party, other than the state, a county, or a city or town, who prevails in a proceeding to enforce an ordinance. As a result of this decision, unless the statute is amended, cities, towns and counties will be forced to either potentially pay large sums in attorneys fees and other expenses or to convert civil infractions to criminal misdemeanors. Criminal penalties are exempt under A.R.S. Section 12-348(H)(8).

**B. Relevance to Municipal Policy**

For many years there has been a trend in Arizona to decriminalize violations of ordinances. In part, the reason for this trend is a desire to remove the stigma of criminal convictions for relatively minor offenses. Unless the statute is amended, it is contemplated many civil infractions will be reclassified as criminal misdemeanors to avoid the potential assessment of attorneys fees and other expenses against local governments for simply attempting to enforce their ordinances.

**C. Importance of Resolution to Your City or Town**

Violation of some Chandler ordinances presently are classified as civil infractions and consideration had been given to reclassifying others, such as Zoning Code violations, as civil infractions. As a result of the Court of Appeals decision, it is unlikely this will occur.

**D. Fiscal Impact to Cities and Towns**

The fiscal impact to cities and towns of amending the statute is not known with certainty at this time but will undoubtedly result in a considerable savings of taxpayer funds.

**E. Fiscal Impact to the State**

There is no fiscal impact to the state of amending the statute.

**F. Contact Information**

Michael D. House, City Attorney  
City of Chandler  
(480) 782-4641  
Michael.House@chandleraz.gov

Civil Infraction Court Fees

Rural Transportation Funding

RESOLUTION #12

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

*Submitted by: Pinetop- Lakeside, Snowflake, Holbrook, Show Low, Taylor and Springerville*

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**A. Purpose and Effect of Resolution**

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

**B. Relevance to Municipal Policy**

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

**C. Importance of Resolution to Your City of Town**

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

**D. Fiscal Impact to Cities and Towns**

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

**E. Fiscal Impact to the State**

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

**F. Contact Information**

Jack Husted, Consultant, G K & J Communications,  
248 Becker Lake Road, Springerville AZ 85938  
928.333.3968 (office) or 928.245.0885 (cell), [jhusted@frontiernet.net](mailto:jhusted@frontiernet.net)

Rural Transportation Funding

RESOLUTION #13

**Urges the State Legislature to add language to allow a municipality to delineate on a map specific land for future Right of Way.**

*Submitted by: Surprise, Douglas, Camp Verde, Queen Creek and Goodyear*

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**A. Purpose and Effect of the Resolution**

The purpose of a master ROW map is to allow for public disclosure of future ROW to be presented to property owners prior to purchasing. The effect of this potential legislation would be reduced costs and a more efficient process overall when acquiring property for ROW.

**B. Relevance to Municipal Policy**

A municipality may obtain ROW through a more efficient and expedient process thereby reducing the risk of paying for increased property values. Providing a master ROW map at the time of sale provides one more step in the process of proper public notification to any potential buyers.

**C. Importance of Resolution to Your City or Town**

Inclusion of this language into existing statute would allow a fast growing city the opportunity to strategically plan for long-term transportation needs. The overall process of acquiring ROW would become more efficient thereby saving time and money and eliminating any development encroachments into the transportation corridors.

**D. Fiscal Impact to Cities and Towns**

There are no negative fiscal impacts to cities and towns if the above proposal is implemented. There is a potential for cost-savings by preventing development within the transportation corridors as well as speeding up the overall process of ROW acquisition.

**E. Fiscal Impact to the State**

This resolution will not carry a fiscal impact to the State of Arizona.

**F. Contact Information**

Please contact Stephanie Wilson, Intergovernmental Relations Liaison for the City of Surprise, at [Stephanie@surpriseaz.com](mailto:Stephanie@surpriseaz.com) or 623-875-4217.



RESOLUTION #15

**Encourages persons and entities interested in Arizona Cities to form an Arizona Local Government Political Action Committee.**

*Sponsored by: Peoria and Phoenix*

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**A. Purpose and Effect of Resolution**

Frequently the voices of cities and those persons and entities interested in cities are not heard in the Political Process. Cities are limited under Arizona Law in expending public money to support and oppose ballot initiatives and candidates. A political action committee on local governments would be able to collect funds from others to promote good government and the interest of cities. Such a committee could not only take political positions, but use its funds to support and defeat appropriate ballot measures and candidates.

**B. Relevance to Municipal Policy**

Cities are subject to a political process in the state and federal arena. While there are many entities lobbying for their positions, there are few entities that are participants in the process promoting good government and the pivotal role of cities in our state. Promoting formation of a political action committee to support local government will create an entity that can promote the interests of cities in the political arena in a way that others cannot.

**C. Importance of Resolution to Your City or Town**

Each year we see at the state and federal level a lack of understanding on the pivotal role of cities. This resolution offers the opportunity to reverse the lack of understanding.

**D. Fiscal Impact to Cities and Towns**

No City funds can be spent on this purpose.

**E. Fiscal Impact to the State**

No state funds can be spent on this purpose.

**F. Contact Information**

John Schell  
Director, Intergovernmental Affairs  
(623) 695-0573  
John.Schell@peoriaaz.gov

Steve Kemp  
City Attorney  
(623) 773-7370  
Steve.Kemp@peoriaaz.gov

Local Government PAC



RESOLUTION #17

***Urges the Legislature to modify the statutes that regulate the sale of pseudoephedrine products in all forms by requiring photo identification, the signing and maintenance of a written log listing the persons purchasing the product, and having these products only dispensed by pharmacists or licensed pharmacy technicians, or other methods that are believed to be effective.***

Submitted by: Cottonwood and, Avondale

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**A. Purpose and Effect of Resolution**

In 2005, the legislature adopted rules on the sale of cold and allergy medication containing pseudoephedrine. The main provision of the adopted legislation requires that these products be sold from behind the counter.

The purpose of placing additional restrictions on the sale of pseudoephedrine products - in all forms - is to prevent the use of pseudoephedrine the manufacturing of illicit drugs, reducing the easily available product required to produce methamphetamines. Restrictions that may be enacted include, but are not limited to, the following: requiring pseudoephedrine in all forms to be sold by a pharmacist or licensed pharmacy technician; requiring photo identification and the maintenance of a written log of persons purchasing the product.

**B. Relevance to Municipal Policy**

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

**C. Importance of Resolution to Your City or Town**

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

**D. Fiscal Impact on Cities and Towns**

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

**E. Fiscal Impact to the State**

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

Pseudoephedrine Regulation

**F. Contact Information**

Randy Lowe, Vice Mayor, City of Cottonwood  
928-634-5526  
[cottonwoodrandy@msn.com](mailto:cottonwoodrandy@msn.com),

Stephanie Prybyl, City of Avondale, Intergovernmental Affairs  
623-478-3001  
[sprybyl@avondale.org](mailto:sprybyl@avondale.org)

Pseudoephedrine Regulation

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RESOLUTION #18

**Urges the Legislature to consider the impact on municipalities and their residents before enacting legislation that would mandate municipalities to provide services to unincorporated areas.**

*Submitted by: Yuma, Flagstaff, Goodyear, Queen Creek, Lake Havasu City, Prescott, Douglas and Camp Verde.*

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**A. Purpose and Effect of Resolution**

This resolution would seek to reserve City services to those citizens as decided by Councils, not State Legislature.

**B. Relevance to Municipal Policy**

Cities and towns first obligation is to provide services to its citizens. These services are funded through taxes paid by citizens who live within the corporate boundaries of cities and towns.

Requiring a municipality to service unincorporated areas interferes with its primary obligation to its residents and creates a strain on financial resources.

**C. Importance of Resolution to Your City or Town**

In 2006, legislation was enacted that requires the Town of Gilbert to provide fire and emergency services to County islands within the boundaries of the town. Many cities and towns have unincorporated areas either within, or surrounded on three sides by, its boundaries. Although the 2006 legislation affected only one city, future legislation could expand this requirement to other municipalities.

**D. Fiscal Impact to Cities and Towns**

Mandating municipalities to provide services outside its jurisdictional boundaries unfairly passes the cost to residents. It is difficult to project City costs for such services. Costs increase as more services are required to be provided to more areas.

**E. Fiscal Impact to the State**

None.

**F. Contact Information**

Connie Scoggins, Assistant City Attorney, Yuma  
(928) 373-5050  
[connie.scoggins@ci.yuma.az.us](mailto:connie.scoggins@ci.yuma.az.us)

RESOLUTION #19

**Urges the Legislature to enact legislation for the State to provide bonus points on grant applications to cities that cooperate on a regional basis for the mutual public benefit for areas such as affordable housing, public transit, filming, and sustainable development practices.**

*Submitted by: Sedona, Cottonwood and Camp Verde.*

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**A. Purpose and Effect of Resolution**

The City Council on behalf of its citizens proposes a resolution that would provide a financial benefit to cities and towns that cooperate on regional issues such as affordable housing, public transit, filming, and sustainable development practices. The benefit would be by creating a system that regional projects would provide for additional points in the rating system.

**B. Relevance to Municipal Policy**

Cities and Towns may be able to provide enhanced services to their citizens.

**C. Importance of Resolution to Your City or Town**

Will provide additional incentive for cities to provide services and/or benefits on a regional basis rather than to just the residents of that specific City by providing additional points to cities who cooperate on a grant application.

**D. Fiscal Impact to Cities and Towns**

No additional increase noted. Cities and Towns that cooperate on a regional basis would be provided a financial incentive for their efforts. A regional incentive will remove competition among adjoining cities and towns for limited funding and allow projects to be planned for long-term benefits of a region rather than just one jurisdiction.

**E. Fiscal Impact to the State**

No impact is anticipated.

**F. Contact Information**

Eric J. Levitt, City Manager  
(928) 204-7186  
[elevitt@SedonaAZ.gov](mailto:elevitt@SedonaAZ.gov)

Grant Incentives for Regional Cooperation

RESOLUTION #20

**Urges the state legislature to establish the State of Arizona as the pass-through entity to reallocate and redistribute in whole or part any P.I.L.T. payments (payment in lieu of taxes) from the United States Secretary of the Interior.**

*Sponsored by: Quartzite and Parker*

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**A. Purpose and Effect of Resolution**

"Payments in Lieu of Taxes" (or PILT) are Federal payments to local governments that help offset losses in property taxes due to nontaxable Federal lands within their boundaries. Public Law 94-565 establishes these payments. PILT payments help fund vital services provided by local governments such as firefighting and police protection, construction of public schools and roads, and search-and-rescue operations. See generally <http://www.doi.gov/pilt/summary.html>.

This resolution is being proposed because most Arizona counties who directly receive PILT from the federal government do not always share any of these funds with cities and towns that are impacted by federal entitlement lands within their boundaries.

For instance, the Town of Quartzite has several large Long Term Visitor Areas (LTVAs) operated by the Bureau of Land Management within its boundaries. Winter visitors primarily camp-out at these LTVAs and pay nontaxable lease amounts for far less than those charged by local RV Parks, thereby affecting the Town's local businesses and collection of local sales tax revenues. The Town not only provides services in the form of public safety, environmental, social services, and transportation to the individuals that use the federal facilities, but also, assist the BLM as "good neighbors" in providing services to areas outside the Town's jurisdictional boundaries due to the distance between the LTVAs and BLM's office in Yuma. In addition, the Quartzite Fire District (a special district) provides services to BLM land without any remuneration.

The same holds true for the Town of Parker, which provides law enforcement to BLM land. The Parker Fire Department (a special district) provides service to these lands also.

Redistribution or reallocation of PILT can be more equitably and fairly shared if the State of Arizona controls such distribution. This can be accomplished through the implementation of 31 U.S.C.A., Chapter 69, P.L. 97-258-Section 6907.

**B. Relevance to Municipal Policy**

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

- Federal lands in the National Forest System and the National Park System, lands administered by BLM, lands in Federal water resource projects, dredge areas maintained by the U.S. Corps of Engineers, inactive and semi-active Army installations, and some lands donated to the Federal government (section 6902 payments)
- Federal lands acquired after December 30, 1970, as additions to lands in the National Park System or National Forest Wilderness Areas (section 6904 payments)
- Federal lands in the Redwood National Park or lands acquired in the Lake Tahoe Basin near Lake Tahoe under the Act of December 23, 1980, (Section 6904 or 6905 payments).

Several of the League's entities have these types of entitlement lands within their boundaries. Many Counties do not share the amounts received in PILT with smaller units of general local governments.

The BLM indicates on its website under "FAQ" that, "Eligibility for payment under the PILT program is reserved for local governments (usually counties) that provide services such as those related to public safety, environment, housing, social

PILT Repayments

services, and transportation. Payment is made directly to the eligible local government unless the state government chooses to enact legislation (under guidelines prescribed in section 6907 of P.L. 97-258) to receive the payments and, in turn, pass the money on to other smaller governmental units located within the counties (Wisconsin is the only State currently employing this option). See <http://www.doi.gov/pilt/faq.html> and <http://www.doi.gov/pilt/chapter69.html>.

Section 6902 of P.L. 97-258 states that PILT payments may be used by recipients for any governmental purpose and are not required to be further distributed by recipients (usually counties) to other local government units such as school districts or cities.

### **C. Importance of Resolution to Your City or Town**

Parker and Quartzsite are the two incorporated entities in La Paz County. La Paz County in 2006 receives \$1,077,843 in PILT funds from BLM reflecting 1,842,767 of federal acreage within the County. Neither Parker nor Quartzsite nor any other county special district receives any P.I.L.T. funds from La Paz County.

A large portion of the Town of Quartzsite consists of LTVAs, as well as other camping areas bordering on the Town's boundaries. Currently, the Town of Quartzsite is intending to annex additional large parcels of BLM land to the north and east. The Town of Parker is currently developing property in Parker South that is affected by federal lands.

These federal lands must have services provided. Without a share of PILT it will be increasingly difficult to provide those services to BLM land used for recreation or multiple uses. If the resolution does not go forward this year it must be addressed in the near future based upon fairness and equity.

Moreover, many smaller rural counties do not have municipal fire departments but have special districts, such as Fire Districts. These Districts are also impacted by uses of federal lands and could benefit from an equitable sharing of these monies. The Fire District Association surely would support such a legislative change in the distribution of PILT.

### **D. Fiscal Impact to Cities and Towns**

The Federal Law recognizes the inability of local governments to collect property taxes on federally owned land. This creates a financial impact on local entities. However, the law only recognizes county government as the local unit of general government when the State has not specifically legislated for reallocation or redistribution, not cities and towns. For this reason the federal law provides for the State to enact legislation as provided for in section 6907 of P.L. 97-258 to receive the payments normally made directly to the eligible local government (County) and to pass through this money on to other smaller governmental units located within the counties. The only state currently using this federal option is Wisconsin.

### **E. Fiscal Impact to the State**

P.L. 97-258-Section 6907(b), states in pertinent part that: No payment, or portion thereof, made by the Secretary shall be used by any State for the administration of this subsection or subsection (a).

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

Clearly, the fiscal impact would be greatly felt by the Counties who would be forced to rightfully share the funds with the entities that truly incur the costs. Obviously, the Counties' funds would drastically be reduced.

### **F. Contact Information**

Dan Field  
Quartzsite Town Manager/Attorney  
P.O. Box 2812/465 North Plymouth Road, Quartzsite, Arizona 85346  
(928) 927-4333, Fax (928) 927-4400, [townmanager@ci.quartzsite.az.us](mailto:townmanager@ci.quartzsite.az.us)

PILT Repayments

RESOLUTION #21

**Urges the Legislature to exclude boards, commissions and committees from the requirements to post legal actions to websites within three days of the action.**

*Submitted by: Yuma, Goodyear, Douglas, Buckeye and Camp Verde*

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**A. Purpose and Effect of Resolution**

This resolution seeks a modification of A.R.S. § 38-431.01 which requires that "public bodies" post legal actions taken, or any recordings, on their internet website within three working days after the meeting. Cities and towns have numerous boards, commission and committees. Posting the information required for each "public body" diverts city resources and may exceed the capacity of the Internet websites.

**B. Relevance to Municipal Policy**

Cities and towns post notice of all meetings of all boards, commissions and committees twenty-four hours prior to the meeting as required by law. In addition, some meetings are broadcast live or videotaped for later broadcast. All meetings are subject to open meeting laws and anyone can attend, and often participate in these meetings. Cities and towns make all reasonable efforts to keep the public informed of its actions. Additional Internet website posting imposes a strain on the resources and website capacity and given the intensive efforts to inform the public of City actions, is not needed.

**C. Importance of Resolution to Your City or Town**

Depending on the purpose of the boards, commissions or committees they may meet weekly, bi-weekly, monthly, bi-monthly, semi-monthly, quarterly or on an as needed basis, or may meet only once to address a specific issue. The potential for innumerable hearings along with numerous legal actions resulting in an incalculable number of postings may overload website space and Internet capability and will require additional personnel. Narrowing the focus of A.R.S. § 38-431.01 will reduce the burdens imposed by the posting requirement.

**D. Fiscal Impact to Cities and Towns**

Adding additional information to the website will result in increased Internet cost and City personnel time/cost for physically entering the information. Additional website capacity maybe required also at an unknown cost. Given the number of potential "public bodies", and the current efforts to inform the public, A.R.S. § 38-431.01 is an unreasonable demand on resources.

**E. Fiscal Impact to the State**

None, since this posting requirement is not extended to the State or to counties.

**F. Contact Information**

Connie Scoggins, Assistant City Attorney, Yuma  
(928) 373-5050  
[connie.scoggins@ci.yuma.az.us](mailto:connie.scoggins@ci.yuma.az.us)

Website Posting Exclusions

RESOLUTION #22

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

*Submitted by: Yuma, Goodyear, Queen Creek, Lake Havasu City, Camp Verde, Buckeye and Douglas.*

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**A. Purpose and Effect of Resolution**

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

**B. Relevance to Municipal Policy**

The Arizona Heritage Fund provides revenue to local governments for land acquisition and development of local, regional, and state parks. Funding is also provided for trail construction, historic preservation projects and non-motorized trail development. The Heritage Fund is a resource that cities and towns use to assist with open space acquisition and preservation and the development of public recreational facilities.

Local government performance goals include citizen perception of service delivery to the community. Residents have identified park development and improvements as an essential service to be provided by the municipality. Doing so is especially critical as urban growth continued to occur and the demand for more recreational opportunities increases.

**C. Importance of Resolution to Your City or Town**

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

**D. Fiscal Impact to Cities and Towns**

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

**E. Fiscal Impact to the State**

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

Heritage Fund Maintenance

**F. Contact Information**

Connie Scoggins, Assistant City Attorney, Yuma  
(928) 373-5050  
[connie.scoggins@ci.yuma.az.us](mailto:connie.scoggins@ci.yuma.az.us)

Heritage Fund Maintenance



RESOLUTION #24

**Urges the State Legislature to allow a consumer to place a security freeze utilizing a pin number on the consumer's consumer report.**

*Sponsored by: Surprise, Douglas and Cottonwood*



**A. Purpose and Effect of the Resolution**

This potential legislation allows a consumer to request in writing, by certified mail, that a consumer reporting agency (CRA) place a security freeze on the consumer's consumer report. When the security freeze is implemented the consumer is issued a pin number. The security freeze remains in effect until the consumer requests that the freeze be removed. The freeze will not be removed without the use of the pin number.

The purpose is to protect the consumer from identity theft that can result in fraudulent financial activities that can devastate the consumer's financial standing. There shall be no cost to the consumer to freeze the account however a nominal charge could be considered to release the freeze.

**B. Relevance to Municipal Policy**

According to the Federal Trade Commission (FTC), the major metropolitan areas with the highest per capita rates of identity theft in 2005 were Phoenix, Mesa, and Scottsdale. In 2005, the most common identity theft complaints related to credit card fraud, followed by phone or utility fraud, bank fraud and employment-related fraud. The Identity Theft Data Clearinghouse administered by the FTC and shared through the Consumer Sentinel reports that, in 2005, 9,320 identity theft complaints were filed from Arizona victims.

**C. Importance of Resolution to Your City or Town**

Identity theft is a criminal element that has the highest concentration in the Phoenix metropolitan area. It is believed that crime only fosters additional crime and so this particular criminal element needs to be removed from the community fabric by making it more difficult to successfully steal a person's identity. In addition, consumers who are victims of identity theft are impacted financially and are more likely to rely on city provided services to sustain their livelihood than those who have not been victimized by identity theft.

**D. Fiscal Impact to Cities and Towns**

There are no negative fiscal impacts. The consumer incurs all costs.

**E. Fiscal Impact to the State**

This resolution will not carry a fiscal impact to the State of Arizona.

**F. Contact Information**

Stephanie Wilson, Intergovernmental Relations Liaison for the City of Surprise  
623-875-4217  
[Stephanie@surpriseaz.com](mailto:Stephanie@surpriseaz.com)

Credit Report Security

RESOLUTION #25

**Urges the legislature to postpone the payment of accrued property taxes when cities and towns acquire property involuntarily under the improvement district laws, but require payment of those taxes when the property is sold.**

*Sponsored by: Bullhead City, Kingman and Lake Havasu City*

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**A. Purpose and Effect of Resolution**

Under current improvement district laws, such as ARS 48-548.B and 603.C, a municipality is forced to become the purchaser of property with delinquent assessments if there are no other private bidders, and must assume the payment of the bond obligations. General property taxes are a coequal first lien, and under ARS 9-404.A, some counties have insisted that unpaid property taxes be paid upon the city (improvement district) becoming the owner. This forces the municipality to expend public funds to another governmental entity, which was determined in the Eloy case to violate the Arizona constitution. The Eloy case caused legislative changes, which are now harming cities and towns. The language of ARS 9-404.A can be modified to resolve the issue. It applies when the municipality acquires real property "by purchase, exchange, condemnation, gift or otherwise", which are all in general instances of voluntary acquisition. The statute could readily be modified to clarify that it does not apply to acquisitions from improvement district delinquencies. When the municipality later sells the property, the real property taxes could be paid from the proceeds, which exceed the investment by the municipality to pay off the assessment. Related statutes, such as ARS 48-248.A may also have to be amended.

**B. Relevance to Municipal Policy**

Cities and Towns can budget sufficient funds to acquire properties needed for condemnation or purchase, including payment of existing liens or taxes, but not those that by law are struck off under delinquency provisions of improvement districts. Modifying ARS 9-404 to allow deferral of payment until the property is liquidated prevents an unplanned impact to the general fund budget. This resolution was approved in 2005 by the League and was introduced as HB 2680 but did not move forward.

**C. Importance of Resolution to Your City or Town**

Bullhead City recently had to pay over \$400,000 in general taxes on a large parcel, which was struck off as a delinquency in a roadway improvement district. There will be additional parcels, which may likewise become delinquent in that ID, as well as several sewer improvement districts (SIDs) already formed and being planned as part of the plan to sewer the city.

**D. Fiscal Impact to Cities and Towns**

Delaying payment of unpaid property taxes until "struck off" properties are liquidated prevents an unexpected reduction of the general fund budget. Payment of the unpaid taxes will occur when funds are available from sale of the property.

**E. Fiscal Impact to the State**

Collection of property taxes by counties on behalf of other taxing authorities may be delayed or diminished.

**F. Contact Information**

Susan Betts, Legislative Liaison  
(928) 763-0157  
[susan@bullheadcity.com](mailto:susan@bullheadcity.com)

Property Tax Payment Postponement



RESOLUTION #27

**Urges the Legislature to vest non-peace officer, municipal enforcement employees (code enforcement officers) with authority to cite ordinance violators with misdemeanor and petty offense(s) using the Arizona traffic ticket and complaint form. The proposed statute attached establishes procedural safeguards and qualification standards. The governing board of a city or town is also required to authorize by ordinance.**

*Submitted by Bullhead City, Kingman and Lake Havasu City*

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**A. Purpose and Effect of Resolution**

Non-peace officer, municipal enforcement employees have no specific authority from legislation to utilize the Arizona Traffic Ticket and Complaint Form to cite ordinance violators for misdemeanor and petty offense crimes. Presently the code enforcement officer must prepare a long form criminal complaint for review by a prosecutor who then swears to the charge before a judge and then the long form complaint is served on the defendant, or sent a summons by the court. This is a time-consuming process for enforcement of nuisance, zoning and property maintenance violations with misdemeanor or petty offense penalties. The proposed statute would generally follow the requirements and process that law enforcement officers must observe and establishes education, training and experience qualifications.

**B. Relevance to Municipal Policy**

Municipalities in Mohave County, as well as statewide are increasing efforts to enforce nuisance, property maintenance and zoning ordinances to improve the quality of life in their communities and a time-consuming long form complaint process utilizing the time of prosecutors and judges is an inefficient use of criminal justice resources.

**C. Importance of Resolution to Your City or Town**

Bullhead City utilized civil fines and penalties for ordinance enforcement in the areas of nuisance, property maintenance and zoning violations and determined the process was ineffective. Bullhead City has established misdemeanor and petty offense penalties for nuisance, property maintenance and zoning violations and found greater enforcement success. Kingman and Lake Havasu City have also increased efforts to improve the quality of life in their communities.

**D. Fiscal Impact to Cities and Towns**

Return in costs of labor and resources for ordinance enforcement by code enforcement officers.

**E. Fiscal Impact to the State**

No impact to the State is anticipated.

**F. Contact Information**

Susan Belts, Legislative Liaison, (928) 763-0157, [susan@bullheadcity.com](mailto:susan@bullheadcity.com)

Code Enforcement Citations

RESOLUTION #28

**Urges the State Legislature to amend the requirements for annexations within a municipal planning area.**

*Submitted by: Surprise, Queen Creek and Douglas*

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**A. Purpose and Effect of the Resolution**

The purpose of this resolution is to correlate annexation law with planning law for municipal planning areas so that fast-growing communities and property owners can plan for development using full municipal services and standards. This resolution eliminates existing contiguity requirements for property owners within a municipal planning area to petition for annexation into a municipality's corporate limits. This resolution will also allow for municipal design and development standards to be used throughout the municipal planning area. The effect of this resolution will be the ability to create sustainable and strategic planning for development within a municipal planning area.

**B. Relevance to Municipal Policy**

A local jurisdiction requires control of development standards in its planning area that includes annexation of properties that manage growth and economic development. The ability of property owners to petition for annexation into a local jurisdiction's corporate limits ensures the implementation of municipal development standards of infrastructure and design as set forth in the local ordinances. Currently, property owners must plan for Maricopa County development standards while anticipating future annexation to the city. Property planned to county standards is extremely costly to integrate with the City's infrastructure system when annexation does finally occur.

**C. Importance of Resolution to Your City or Town**

Fast growing cities need the ability to plan for development on their borders as well as within their planning areas. Petitions from property owners for annexations occur in order to ensure consistency and high quality of development. Many developments in a planning area may not meet the contiguity requirements of the existing state statute but strongly prefer to develop within the city and municipal standards. These developments should have the opportunity to annex into the city to ensure consistency and compatibility of infrastructure systems thereby reducing future costs of retrofitting.

**D. Fiscal Impact to Cities and Towns**

Amended annexation requirements are not anticipated to create a fiscal impact to Cities and Towns. It is expected that the higher quality developments that result from this proposed legislation would result in potential cost savings when future connections are made to the existing infrastructure due to the ability of the city to plan for a full infrastructure system, rather than segmented components.

**Comment:** Not sure we can say this. If we adopt this non-contiguous standard, there will be some additional cost of infrastructure. Much will be borne by the development, but some share will be carried by the city until all adjacent parcels are annexed into the city.

**E. Fiscal Impact to the State**

This resolution is not anticipated to create a fiscal impact to the State of Arizona.

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**F. Contact Information**

Stephanie Wilson, Intergovernmental Relations Liaison for the City of Surprise  
623-875-4217  
[Stephanie@surpriseaz.com](mailto:Stephanie@surpriseaz.com)

RESOLUTION #29

**Urges the Legislature to adopt new law to restrict convicted sex offenders from living within one thousand five hundred feet of a primary or secondary school or childcare facility.**

*Submitted by: Mesa and Prescott*

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**A. Purpose and Effect of Resolution**

This resolution would restrict a convicted sex offender, who has committed a crime involving a minor, from living within one thousand five hundred feet of a primary or secondary school or child care facility. A person in violation of this restriction would be charged with an aggravated misdemeanor.

**B. Relevance to Municipal Policy**

Many municipalities have long sought the authority to place residency restrictions on convicted sex offender. Prior attempts to establish residency restrictions were ruled unconstitutional and nullified by the courts. This resolution, which limits the scope of the residency restrictions to the area surrounding schools and child care facilities, is based upon existing law from the State of Iowa that was recently upheld as constitutional by the Iowa Supreme Court and the United States 8<sup>th</sup> Circuit Court of Appeals.

**C. Importance of Resolution to Your City or Town**

This resolution will help to address resident concerns surrounding the high number of convicted sex offenders that live in close proximity to schools and child care facilities.

**D. Fiscal Impact to Cities and Towns**

No fiscal impact for cities and towns is anticipated.

**E. Fiscal Impact to the State**

No fiscal impact for the State of Arizona is anticipated.

**F. Contact Information**

Scott J. Butler, Government Relations Coordinator for the City of Mesa  
480-644-2964  
[scott.j.butler@cityofmesa.org](mailto:scott.j.butler@cityofmesa.org)

Sex Offender Restrictions

RESOLUTION #30

**Urges the State Legislature and the Governor to initiate measures of influence that would delay the pending adoption of new federal rules adjusting the arsenic standard to 10 parts per billion, scheduled for January 25, 2007.**

*Submitted by: Douglas, Sierra Vista, and Safford*

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**A. Purpose and Effect of Resolution**

This Resolution endorses the Good Neighbor Environment Board Eighth Report to the President and the Congress of the United States relevant to the enactment of the Environmental Protection Association Water Quality Standards since the report recommends that those affected play a supportive role and that the Office of Research and Development (EPA), along with the Science Advisory Board Drinking Water Committee provide more scientific data on these critical water issues.

**B. Relevance to Municipal Policy**

This mandate affects the majority of water systems in the State of Arizona. The 2001 U.S. Arsenic Standard of 50 parts per billion was acceptable; lowering to 10 ppb causes great concern in as much as this metal is prevalent and is found in most common soils in the southwestern United States.

**C. Importance of Resolution to Your City or Town**

Encouraging more scientific study as to the standard for allowable maximum contaminate level for Arsenic before reducing the standards set to become effective in January 2007 may eliminate implementation costs that will be difficult for small municipalities to sustain.

**D. Fiscal Impact to Cities & Towns**

This Arsenic standard affects a great many of the cities and towns and private water systems in this state. The cost of compliance regardless of methodology used is expensive and the burden of these costs will fall on municipalities and the consumer as well.

**E. Fiscal Impact to State**

State management of these standards has prompted the Arizona Department of Environmental Quality to provide funding and human resources to formulate a State Arsenic Master Plan. These tax dollars could better serve to fund programs such as state water, environment and drought initiatives.

**F. Contact Information**

Alma Andrade, Assistant to Mayor Pro Tem, Ben La Forge: [alma.andrade@douglasaz.gov](mailto:alma.andrade@douglasaz.gov).

Arsenic Rule Postponement

RESOLUTION #31

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

*Submitted by: Phoenix and Tucson*



**A. Purpose and Effect of Resolution**

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

**B. Relevance to Municipal Policy**

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

**C. Importance of Resolution to Your City or Town**

Phoenix utilizes CDBG funds as the basis for a comprehensive neighborhood-based stabilization and revitalization strategy. Phoenix has leveraged \$181 million in CDBG dollars with other public and private funds on a 1:5 ratio. Last year Phoenix received a 9.8% cut, reducing our grant to \$17 million.

**D. Fiscal Impact to Cities and Towns**

CDBG funding has been cut six years in a row, over 15% since FY01. The program has never been adjusted for inflation, since its inception in 1974. The 2000 Census added over 100 new entitlement communities further diluting an already dwindling formula allocation. Arizona's growing population, housing overcrowding and aging infrastructure create demands for increased CDBG dollars, not less. The Administration has proposed an additional 25% cut of CDBG grants in their FY07 budget.

**E. Fiscal Impact to the State**

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

**F. Contact Information**

Lynn Timmons, Intergovernmental Programs, City of Phoenix  
602-262-1833  
[ltimmons@phoenix.gov](mailto:ltimmons@phoenix.gov)

CDBG Funding Continuation

