AGENDA
WORK SESSION
MAYOR AND COMMON COUNCIL
Of the TOWN OF CAMP VERDE
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, JUNE 8, 2016 at 5:30 p.m.

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Update and follow up from the March 9, 2016 work session regarding the requirements of adequate fire flow.**
5. **Discussion and possible direction to staff regarding the positive and negative impact on the Town regarding the potential use of Speed bumps.** Requested by Mayor German
6. **Update followed by discussion relative to the 52nd State Legislature Session, to include, but not limited to SB 1350 regarding vacation rental and short-term rental regulations. Council may also discuss other bills passed by the Legislature and sent to the governor for signing.**
7. **Discussion, and possible direction to staff regarding letter from Clear Creek Cemetery Association, to include, but not limited to possible funding.** Requested by Mayor Charles German
8. **Adjournment**

Posted by: John M. Scott Date/Time: 06-02-16 3:28PM

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.

4.

Town of Camp Verde

Meeting Date: June 8, 2016

☐ *Consent Agenda* ☐ *Decision Agenda* ☐ *Executive Session Requested*

☐ *Presentation Only* ☐ *Action/Presentation* ☐ *Work Session Agenda*

Requesting Department: *Administration*

Staff Resource/Contact Person: *Russ Martin*

Agenda Title (be exact): *Update and follow up from the March 9, 2016 Work Session regarding the requirements of adequate fire flow*

List Attached Documents:

1. *Approved minutes from 03-09-2016*

Estimated Presentation Time: *5 minutes*

Estimated Discussion Time: *15 minutes*

Reviews Completed by:

☒ ***Department Head: Russ Martin*** (comments included in report)

☒ ***Town Attorney Comments:*** N/A

☐ ***Finance Department: N/A***

Background Information:

Recommended Action (Motion):

MINUTES
WORK SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
THURSDAY, MARCH 9, 2016 at 5:30 P.M.

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

Call to Order
Mayor German called the meeting to order at 5:30 p.m.

Roll Call
Mayor Charles German, Vice Mayor Bruce George, Councilor Carol German, Councilor Robin Whatley, Councilor Jessie Jones-Murdock, Councilor Brad Gordon, and Councilor Jackie Baker.

Also Present
Town Attorney Bill Sims, Town Manager Russ Martin, Community Development Director Mike Jenkins, Building Official Robert Foreman, Risk Manager Carol Brown, Assistant Planner Kendal Welch, Town Clerk Virginia Jones, and Recording Secretary Jennifer Shilling.

Pledge of Allegiance
Mayor led the Pledge.

Discussion and possible direction to staff concerning requirement of adequate fire flow.
Mayor Charles German gave the floor to Town Manager Russ Martin. Mr. Martin explained this meeting is to decide the issue of liability for the town regarding adequate fire flow in the future and reminded everyone that the Council could go into an executive session if needed. Mr. Martin stated this is an important issue and explained the goal of the work session is to bring the Council up to speed, address changes and get direction on where to go with this issue. Mr. Martin explained there would be no decision made tonight and more meetings will follow. Mr. Martin stated there is not a standard solution for adequate fire flow, that every situation will be different. Ultimately, protecting the citizens is most important. Mr. Martin gave history of fire codes issues and stated adequate fire flow is not a new issue. One option is installing a sprinkler system but the expense on a new single family home is costly. Another option would be fire hydrants but water availability is a problem.

Council Members discussed options for adequate fire flow, which included sprinkler systems, which could be costly to new, single family homebuyers, and fire hydrants, which could be difficult to install due to lack of water that is available. Members also discussed what to do about existing older homes.

Council Members discussed the idea of a well system, if they would need a separate holding tank, an approximate cost of drilling a well and how many homes could be protected by one well.

Attorney Bill Sims explained, we need to balance the needs of a property owner vs. the town needs and safety. Mr. Sims is pleased to see the Town of Camp Verde is looking at this issue.

Building Officials could be exposed to liabilities by approving a permit that is directly prohibited by the current subdivision codes and fire codes. Mr. Sims suggests the town look at options and apply them to three different fact patterns:

1. Subdivisions yet to be created- talk with the developer and convince them to put a cost effective fire protections on the plat. Examples: The Developer could require the property owner to put a tank on site or the Developer could require the homeowner to install a sprinkler system.
2. Subdivisions already subdivided, the plat is already recorded and the homes are already built- identify property owner who controls most of the lots and say it is their interest, to protect the buyers, and require them to put in lines/hydrants or require sprinklers and not authorize any building on the subdivision until the fire flow is addressed.
3. Lots across the town- empty lots that have been long established and have already been approved or existing homes. Fire flow options are very limited.

Mr. Sims explained the town is caught between conflicting laws, and not allowed to require sprinklers but it is appropriate for the town to require a fire solution.

Council Members discussed the limited water resource and water is not guaranteed in some locations.

The town could ask the public for a solution, explaining to them where they are regarding the issues and make them aware of the consequences. The town should make the public aware of the cost for more tenders and the manpower needed to have more tenders. Explain to the public that hydrants aren't a solution because of lack of water and the town cannot require a builder to install sprinklers, Councilor Jessie Jones-Murdock stated there are so many hurdles, that we should work as a community to use the resources to the best of their abilities. She suggested requiring sprinklers on higher risk homes or having different levels of protection. This could separate who is responsible.

Motion made by Councilor Brad Gordon to adjourn to Executive Session. Seconded by Councilor Jackie Baker. **Motion** carried unanimously.

Adjourn to Executive Session at 6:19 p.m.
Return from Executive Session at 7:03 p.m.

Mayor Charles German reopened the meeting and expressed his appreciation of the patience of the audience during the Executive Session. He feels like they have come up with some possible solutions. Mayor German explained because of time restraints, he is requesting the audience write down where concerns are on the particular three options and contact the Community Development Department so it is on record. The Council will need to look further into the legal parameters. Mr. Martin explained there would be at least one more public work session to have an opportunity to express how it will affect you, and how it could lead to ordinance changes. Mayor German explained that this topic is too important to get this wrong, and is too important for our future to get this right as a community.

Attorney Bill Sims reviewed the three categories of Land Use, that are implicated by this decision as follows (what does the town do for):

1- In fill (lots that already exist), when the property owner comes in for building permits, what does the town do, what are the options that are available? What firefighter options are available?
2- Previously approved plats- is it different than In Fill lots, what should the town require, are there things done on site to respond easier to a fire.
3- Property that is not yet plated. To determine firefighting solutions, is it appropriate to rely on one tender to support multiple subdivisions.

Mr. Sims stated that the laws we are trying to satisfy is the statue that says that you as a government cannot require sprinkler systems but you are in a community where fire hydrants and water pipes are not necessarily prevalent. You have to balance the need for public safety, and you are required to have a fire fighting solution.

Update followed by discussion and possible direction to staff regarding Highway 260, to include but not limited to the next steps for wastewater development along State Route 260
Town Manager Russ Martin explained this item is on the agenda to give an update on where the Horseshoe Bend Project is. The developer wants to do the planning right and is interested in moving forward with the project. Deputy of Public Works Director Troy O'Dell provided a map of the Preliminary Sewer Alignment for each member to review. (See map) Mr. Odell explained there are three color-coded options shown on the map. The goal is to get to the lowest corner on Horseshoe Bend Drive. When each option was "walked", the Green Line was the most favorable.

Mr. Odell gave background information and explained that the property owner, Philip Monroe had asked for a Use Permit for a wastewater treatment facility. Mr. Odell felt like Mr. Monroe would be spending more than it would cost to put in a gravity line from his point A to the Town's Proposed point B. and made the suggestion to Mr. Monroe that since the Town is planning on developing the Sewer line in the near future, that perhaps Mr. Monroe would be open to other options.

Mr. Odell felt like a new study should be done to make sure costs are appropriate for all involved. The goal is to find the easiest long-term solution and avoid extra costs.

Mr. Martin stated he needed some flexibility to work with the numbers and engage someone to go out and find the answers.

Property Owner Philip Monroe addressed the Council and thanked them for allowing him to speak and for all the interest/concern they have shown to get into a win/win situation. Mr. Monroe explained that when he first purchased the park he certainly did not foresee this type of development and was set with going forward with a wastewater facility. This topic is complicated and it is hard to anticipate problems and or costs. Mr. Monroe stated he felt it may be a little premature in coming to the Council. He is still looking at other options. He wants to do what is right for the Town and himself and his Investor Group and does not want to rush into something. Vice Mayor Bruce George stated that even though Mr. Monroe feels it may be a little premature in bringing this topic to the Council, he liked that Mr. Monroe is giving them a heads

up regarding this topic. Mr. Monroe suggests coming up with a Band-Aid solution now while the study is being done. Mayor German explained the Council wants to see his park open and wanted to know the comfort level of the property owner.

The Council gave Mr. Martin permission to move forward to begin the Future Plan Study.

Mr. Odell gave a brief sewer update. CMAR didn't want to do any of their work and wanted another contractor to come in and work with the schedule. They are currently going out to bid and have had discussions with a contractor who has worked with UNS.

Discussion and possible direction to staff regarding the possibility of added Health Care for Employee's families.
Town Manager Russ Martin introduced the idea of possibly extending health care coverage for employee families. He explained that he would need an answer by next month because May 10th is the healthcare enrollment deadline. Mr. Martin will have a preliminary number after the enrollment period. Mr. Martin reviewed the cost break down report that was included in the packet (see report).

Vice Mayor Bruce George encourages the group to go with one of the plans. He would like to start with the 40% coverage and include vision and dental coverage. Other cities are providing coverage to their employee families.

Upon having clear consensus from Council, the Mayor German gave direction to Mr. Martin to start with the 40% healthcare coverage for employee families and include 100% of vision and dental.

Adjournment
Mayor German adjourned the meeting at 8:21 p.m.

Charles German, Mayor

Virginia Jones for Jennifer Shilling
Jennifer Shilling, 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 Work Session Mayor and Common Council of the Town Council of Camp Verde, Arizona, held on March 9, 2016. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 25th day of March, 2016.

Virginia Jones
Virginia Jones, Town Clerk

5.

Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: June 8, 2016

☐ *Consent Agenda* ☐ *Decision Agenda* ☐ *Executive Session Requested*

☒ *Presentation Only* ☐ *Action/Presentation* ☐ *Special Session*

Requesting Department: Public Works –

Staff Resource/Contact Person: Ron Long

Agenda Title (be exact): Staff presentation on the effectiveness of Speed Humps.

List Attached Documents: •9/17/97 Council Minutes, •Public Works Memo, and 3 Articles: •"Speed Humps – No!", •The Pros & Cons of Speed Humps, and •"Why Municipalities are Moving Away from Speed Humps" (16 Pages Total)

Estimated Presentation Time: 5 - Minutes

Estimated Discussion Time: 15 - Minutes

Reviews Completed by: N/A

☐ ***Department Head:*** ☐ ***Town Attorney Comments:***

Finance Review: ☐ **Budgeted** ☐ **Unbudgeted** ☒ **N/A**

Finance Director Comments/Fund:
Fiscal Impact: ***Budget Code:*** _____ ***Amount Remaining:*** ***Comments:*** N/A

Background Information: Citizens are requesting some type of solution to reduce speeding on residential streets, and the installation of Speed Humps on our residential streets have been suggested as a solution.

The request to install Speed Humps (aka Speed Bumps) on the Town's residential streets to reduce speed is not a new idea. The notion of installing Speed Humps was brought to Council on 9/17/97 and council directed the Town Manager to continue to review the problem. (See the attached 9/17/97 Council Minutes)

Speed Humps have been tried in many communities and the results appears to be the same; once they are installed and the side effects are realized, many of the same folks that requested them to be installed are asking for them to be removed. Speed Humps are not an effective solution to reduce speeding because of the negative side effects.

The side effects of installing Speed Humps are mostly negative and numerous as pointed out in the attached Memorandum and Articles.

Recommended Action (Motion): N/A

TOWN OF CAMP VERDE

Memorandum
Public Works Department

To: Town Council

From: Ron Long, Public Works Director

Date: June 2, 2016

Re: Speed Humps

Speeding in our neighborhoods seems to be a growing problem in our community as well as many others throughout the country. It is also becoming a hot topic at the local and regional transportation meeting I go to. The speeding has led to growing numbers of complaints and requests from our residents for some type of solution. One of the most common solutions requested by residents is to install Speed Humps/Speed Bumps. They are different in their design but serve the same purpose and are often called by either name.

Speed Humps are not the answer. Other Towns/Cities have experimented with them and most of them have completely removed them, usually at the request of many of the same folks that originally requested them. They want them removed because they cause more problems than they fix. They cause problems such as the ones listed below.

- They are expensive to install and maintain as they require regular maintenance.
- They cause damage to low clearance vehicles, particularly sports cars (even at low speed).
- They can cause discomfort and back injury to drivers and passengers and can lead to litigation.
- They cost drivers money by using more fuel and brake pads slowing down and speeding up in addition to the damage caused to suspension, oil pans and exhaust systems.
- They increase noise levels where ever they are implemented. Not just by engine and brake noise from people slowing down and speeding up, but also from trucks and trailers carrying loads that get bounced around.

- They are detrimental to the environment, increasing pollution by forcing cars to slow well below the speed limit and then accelerate away.
- They create flooding issues because they block the flow of Stormwater going down our streets, diverting it to the adjacent properties.
- They slow the response times of emergency vehicles, police cars, fire trucks and ambulances (where every minute counts).
- At night when vehicles drive over them with their lights on, this points the beam up above the normal level shining into homes and the other drivers eyes. This not only causes the nearby houses disturbance, but also gives the illusion of the headlights being flashed, dazzling and causing confusion to other motorists and often causing accidents.
- They propagate; installing them on one street often diverts traffic to alternative residential streets that don't have them causing those residents to demand the installation of speed bumps on their street as well. And so it goes from one street to the next.
- If we allow one neighborhood to install them we will be installing them on every street in this Town, and at an ever increasing closer spacing as every home owner will want one in front of their house.
- Once they are in place road maintenance, such as street sweeping, becomes a nightmare requiring each speed bump to require "hand cleaning".
- Efficient snow removal is impossible, often causing damage to equipment. (It never snows in Camp Verde)
- Nearly every Town/City that has installed them eventually pays again to have them removed once residents realize that they cause more problems than solutions.
- They lower property values because they are; unsightly, noisy, slow emergency response times, and generally do not fix the problem that they were originally installed for.
- A tremendous amount of staff time is spent dealing with; all the requests to install Speed Humps, maintaining them, responding to the numerous complaints about the problems they create, and eventually removing them.

These are the most common problems with Speed Humps, check the internet, there are many more. I have seen them work effectively in front of schools and public buildings where there is a lot of pedestrian traffic and crosswalks but not in residential subdivisions.

Installing signage is the most cost effective solution. We should look into radar signage that digitally displays the driver's current speed and the posted speed limit. These signs have been reported to be effective in slowing down most drivers. However for the repeat offenders the only real effective option is an expensive speeding ticket.

The Pros & Cons of Speed Bumps

Article sponsored by OSHA

Although speed bumps are a cost-effective initial solution to speeding problems in residential areas and school zones, they can often be expensive to maintain. And while they are a good temporary solution to speeding traffic they can create long-term problems, as well.

Safety

- Speed bumps are generally installed to slow the speed of traffic in residential areas and school zones. While they force cars to move at a slower pace, they can create problems for emergency vehicles, large trucks and buses.

Noise

- Speed bumps generally deter non-mandatory traffic on residential streets, encouraging those drivers to choose alternative routes. On the negative side, cars often slow down very quickly to avoid bounding over the speed bumps, which leads to the endless sound of squealing brakes.

- Costs

  A major shortcoming of speed bumps is that the materials they are made of break down often, requiring costly repairs.

- Materials

  Speed bumps are usually made of plastic, metal or rubber. Metal speed bumps can damage large trucks or emergency vehicles but last longer than other materials. Plastic and rubber speed bumps do less damage but generally need to be replaced more frequently.

- Misconceptions

  Speed bumps are not the same as speed humps as the latter features a gradual incline while the former have a steeper incline.

PROS AND CONS OF SPEED HUMPS

Pros

- Reduces speed.
- Diverts traffic to another streets, which is positive if the traffic is diverted from a local to a collector arterial street.
- Speed and volume changes tend to remain over time.
- Residents usually report that they are effective and generally support them.
- Emergency vehicles usually have no problem with them.
- Have advantage of being largely self-enforcing and of creating a visual impression, real or imagined, that a street is not intended for speeding or "through" traffic.
- Potential to reduce accident rates.
- Fewer citizen complaints.
- Increased safety.
- Potential noise reduction due to reduced volumes.
- Less public controversy than other concepts.
- Another tool or option in the traffic calming toolbox.

Cons

- Humps are a gentle design and thus cannot reduce speeds as much as some residents want.
- May divert traffic to other local streets thus moving the problem.
- Large trucks, buses and emergency vehicles must pass over the humps at a low speed or risk possible loss of control.
- Humps require signing and striping; some residents object to these signs and markings as unattractive.
- Noise levels increase at the hump due to deceleration/acceleration and the noise of a vehicle going over the humps.
- Initial construction and continuing maintenance costs.
- Gutter running (swerving off road into gutter or sidewalk to avoid hump with some tires.)
- More potential for neighborhood conflicts since there may not be 100 percent support for the speed hump installation.
- Potential vehicle damage if traversed at high speeds.
- Longer emergency vehicle response times possible.
- Speed variance acceleration/deceleration).
- Additional program to administer.

I began my research looking for PROs to install speed bumps. I found just the opposite. I have included articles and studies sponsored by OSHA and the National Automobile Association. I have also attached an article related to the Disabled Americans agency containing interesting although negative information regarding speed bumps. To be completely fair, I searched but found no recent studies or articles in favor of speed bumps in a rural residential community or in-town community for that matter. I found plenty of case law where agencies and communities had been sued for speed bump injuries. I also found many medical spinal injury websites sponsored by doctors warning of serious spinal injuries as a direct result of speed bumps. As a board member and paralegal, I personally would not be in favor of installing speed bumps and possibly opening the association up to potential litigation. The board may want to poll the entire membership as well prior any installation. After reviewing all the information, if the majority of the board still votes in favor of speed bumps, I do believe it would be in the best interest of the subdivision to install engineered speed bumps.

Emergency responders across the country are in direct opposition to speed bumps in residential communities as it reduces response time, which in some instances is critical to life or death. A study by emergency responders in one city showed that a 30 second delay in response time due to speed bumps would lose an additional 37 lives!

I spoke to Laura, the President of HOVE Road Association. She advised me that she was not on the Board that "yielded to the pressure of a few members insistence and installed speed bumps" but she was a part of the Board that removed them. Because of pressure, the previous board installed the bumps without due diligence resulting in poorly placed bumps, etc. Another problem was it cut down on traffic on some main streets as drivers simply diverted their driving routes to avoid the bumps. Then the residents of the new route began demanding bumps for their street. Pretty soon they had speed bumps all over! Laura said this resulted in a $100,000 error! At any rate, installing speed bumps did not culminate in the desired results and was a costly mistake. A couple of our long time members live in Ocean View and were there when the speed bumps were installed and removed. They wrote a letter regarding their experience to share with the Board and members. It is attached to this report. Many of the articles that I read also spoke of this same situation – where speed bumps were installed; only to be removed a short time later.

There have been quite a few studies conducted by state and federal agencies that measure and compare the effectiveness of various traffic calming options. As you might have guessed, each has it advantages and disadvantages. The following offers a synopsis of the research findings, which will hopefully guide the Association to the option that is best suited for our situation.

MORE STOP SIGNS and SPEED LIMIT SIGNS

PROs:	Uncomplicated to install	CONs:	Not effective in slowing traffic, May cause speeding, noise, Pollution and dangerous road Conditions.

While both of these options seem logical enough, studies have again shown that the opposite might be closer to the truth. Stop signs are generally used to indicate which driver has the right of way at an intersection. They are great at preventing crashes – not so good at getting drivers to reduce speeds. It fact, it's been found that drivers often increase their speed after stopping at a stop sign. When signs are posted for the purpose of slowing traffic, studies find that drivers often exhibit a resentful attitude toward them. This increases the chance of drivers simply running stop signs as well as speeding.

Installing speed limit signs may seem to be a logical solution to remind drivers not to speed. But numerous studies show that speed limit signs have little impact on actual driving speeds. They find that drivers do not operate by the speedometer but by the conditions they meet.

SPEED BUMPS

PROs:	Moderate cost. Somewhat effective in slowing speeds.	CONs:	Increased noise levels. May impede fire trucks and or emergency vehicles. May be unsafe to bicyclers, motorcyclists and others.

Employing speed bumps in order to slow traffic has been a popular choice for neighborhoods and government agencies throughout the U.S. In the past twelve years, one city for instance has installed 300 speed bumps. The reaction has been very mixed.

Guidelines I found that are used to determine if speed bumps are necessary and should be installed on a road is if there are approximately 600-5000 cars traveling that road. Our subdivision hardly fits into that category.

While speed bumps are proven somewhat effective in slowing average traffic speed, they also have drawbacks that must be considered. The first is noise.

Researchers of one study estimated that the undulation of cars passing over the speed bumps increased the volume of car noise by 10 to 20 decibels. Another test found that cars driving over the bumps at 10-15 MPH had a noise level equal to a car traveling 25-30 MPH. Trucks passing over the bumps at 5 to 10 MPH had a noise level equal to a truck going 25-30 MPH. The study concluded that the slower speed made the noise last over a longer period of time.

The study showed also that many communities went to great efforts to have speed bumps placed on neighborhood streets only to have it take quite a bit longer to have the speed bumps removed.

Another concern with speed bumps is that they impede fire trucks and other emergency vehicles. For this and other reasons, departments and agencies conduct extensive evaluations of the target sites before improving installation. Speed bumps are usually prohibited on streets designated as main routes for emergency vehicles. Aoao and Waena would fall into a category as main routes. Additionally, we must consider that Aoao and Waena are the main roads that tie into our ingress and egress routes, including tsunami evacuation. Installing speed bumps on roads that lead directly to our tsunami evacuation routes does not seem to be a prudent decision.

The last consideration is that speed bumps, like stop signs, often have a negative effect on adjacent streets. Drivers will often change their driving pattern to avoid bumps all together, which simply moves the problem from one block to the next. For this reason, we may find that residents who live near the alternate routes, which drivers may use to avoid the roads with speed bumps, may then demand speed bumps for their roads.

RUMBLE STRIPS

PROs:	Moderate cost. May be effective at low speeds.	CONs:	Increase noise level. May be hazardous to bicyclists

Rumble strips have been used primarily to alert drivers to upcoming stop signs or other traffic signals ahead. Studies of their use for calming traffic are limited – particularly at slower speeds where the discomfort that they produce tends to be milder than at higher speeds. The studies that have been done seem to indicate that rumble strips may cause drivers to slow down.

In one study, the rumble strips reduced speeds from 5 to 15 MPH for cars traveling at speeds of 16 to 30 MPH. In another study, the rumble strips appeared to have the effect of reducing average traffic speeds by 1 to 4 MPH with cars traveling approximately 21 – 28 MPH.

The biggest concern with rumble strips is the noise they product. The studies conducted in the U.S. tested the noise levels inside the car (with windows closed) and found the strips raised noise levels from 92 to 100! I do not believe this would be our best traffic calming solution.

RADAR SPEED SIGNS

PROs:	Moderate cost. Highly effective	CONs:	Requires power/solar

in slowing traffic. Mobile – can
be moved to problematic streets.

They are called radar speed signs, speed-reader boards, driver feedback signs and "Your Speed" signs. They can be permanently mounted like any other traffic sign or they can be attached to a trailer and moved from one location to another. All speed-reader boards alert drivers to their actual speed as they pass by. Some flash warnings such as "SLOW DOWN" when speeds reach a pre-set limit.

The studies done on driver feedback signs indicate that they are highly effective in slowing traffic, particularly when used on residential streets, near school zones and around playgrounds. They have the greatest effect on those who are traveling significantly over the speed limit. Interestingly, research results also indicate that these traffic-calming devices have a long-lasting effect. They continue to calm traffic even after they become long-standing fixtures at a location. A study conducted by the Transportation Institute showed that almost the same speed reduction was being achieved four months after installation. Other studies have shown drivers exhibit traveling significantly reduced speed months after the signs are removed. In a recent survey, traffic engineers and other safety professionals ranked driver feedback radar signs as the most effective traffic calming method for neighborhoods and school zones. Researchers suggest that the sign's effectiveness is due to the fact that, unlike static speed signs that are often ignored, feedback signs refocus driver attention on their own speed father than on their personal evaluation of driving conditions. I believe this is a significant finding as our remote location lends itself to drivers (both residents and visitors) making their own decision that there is simply no reason to obey stop signs, etc. I have personally witnessed drivers ignoring stop signs in our subdivision. I have also been guilty of not stopping completely as by my estimation at quick glance there were no other cars or people around the intersection I was crossing. I will add – the two things that always make me check my speed and/or slow down are signs that state "Children Playing" and a radar sign showing me my speed and flashing red when I am over the limit. Typically a speed limit sign is placed shortly before the radar sign so a driver has no question.

Finally, the quote we received to put in more signs is in excess of $4000 (see attached). I did some research and the radar signs are about $3800 - $4200. I have attached a quote from a radar sign company along with some information regarding this type of traffic calming.

While more investigation should be done so the Board is sure about what direction to go, I do think it would be worth considering this option instead of putting up a bunch more signs that probably won't result in the outcome we desire. We should also think long and hard about all the negative research regarding speed bumps/humps. I was very surprised at the negative results of my research, as I truly believed it would culminate in a pro speed bump decision.

radarsign
MAKING ROADS SAFER

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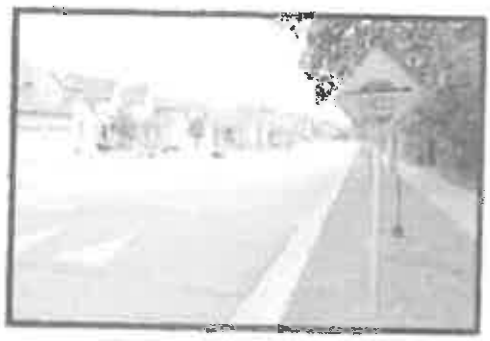
Why Municipalities are Moving Away from Speed Humps as a Traffic Calming Solution

TRAFFIC-CALMING TRENDS: Antiquated, Knee-Jerk Response to Speeding Drivers Now Being Rejected Around the World

Every day, municipalities, HOAs and school districts across the nation face problems with speeding drivers. For decades, speed humps were the only traffic-calming solution available. Today, the antiquated speed hump—a traditionally popular solution to speeding drivers—has become a controversial lightening rod in conversations involving traffic-calming solutions coast-to-coast and around the world.



Contemporary wisdom now recognizes the shortcomings of and frustrations associated with speed humps. Media report that speed humps:

- Are expensive to install and expensive to maintain—Speed humps can cost $4,500 to $7,500. [Source: *The Washington Post*, Sept. 9, 2008]
- Interfere with response times of emergency vehicles—Each speed hump costs fire trucks ten seconds in response time. [Source: ABC Orlando/WFTV, Jan. 28, 2010; and Fire Capt. Jeffrey Martin, St. Petersburg Times, Feb. 2, 2008; and the Tampa Tribune, Sept. 20, 2008]
- Reduce property values—Prospective homebuyers reject home sites near speed humps. [Source: Tampa Bay Online, Sept. 30, 2009]
- Increase noise levels—Speed humps usher in a constant barrage of scraping cars and engines revving over the humps. [Source: Tampa Bay Online, Aug. 12, 2009]

- Increase wear and tear on residential and commercial vehicles—Speed humps are a source of excessive wear on tires, brakes, suspension systems, shock absorbers and rattle dashboards. [Source: The Natchez Democrat, Oct. 28, 2009]
- Expensive to remove—Municipalities, under pressure by citizens and enforced by the courts, have been forced to remove speed humps at great expense to tax payers. [Source: Tampa Bay Online, Sept. 30, 2009]
- Increase air pollution—On roads with speed humps, carbon monoxide emissions increase by 82 percent, carbon dioxide emissions double and nitrogen oxide increases by 37 percent. [Source: BBC.com, April 22, 2009]
- Reduce fuel efficiency and increase gas consumption—By forcing drivers to brake and accelerate repeatedly, speed humps will cause a car that normally that gets 58.15 mpg travelling at a steady 30mph to deliver only 30.85 mpg. [Source: BBC.com, April 22, 2009]

Additionally, some have observed that speed humps do not change driver behavior and encourage other dangerous driving behaviors, such as going "off road" to avoid the humps.

Situation Analysis:

In 2008, in Hillsborough County, Florida some of the Carrollwood community faced significant traffic-calming dilemmas. Dangerous driver speeds had caused the roads to become unsafe for pedestrians, cyclists and other drivers. In response, the county invested $2 million in hundreds of speed humps, cushions and other devices. Within a short period of time, complaints about the speed humps began to pour in from residents, tourists and emergency responders who demanded a better solution.

As documented in the final "Neighborhood Traffic Calming Arbitration" report, Carrollwood Village residents expressed specific concerns and requests related to the speed humps:

- *"Traffic calming could have been better controlled in a more cost-effective manner through the use of speed limit flashing signs that note the speed in which the car is approaching. The speed bumps are excessive; promote unnecessary cost for continued maintenance and, over time, cause wear and tear on car alignment and shocks."* T.B.
- *"... (the speed hump) creates an unacceptable delay in emergency response..."* K.K.
- *"Speed humps cause damage to automobiles and increased noise from."* M.F.
- *"Safety, fire hazards—Noise pollution. Horrendous disfigurement of the neighborhood. Get rid of all of them. Use electronic feedback signs."* N.K.
- *"My brother's death could have been the result of four speed bumps."* W.C.

- *"Speed bumps are irritating and upsetting and painful. It's the same as going over chuck holes. Speed bumps make traffic speed unpredictable as some vehicles don't slow down."* D.C.
- *"Numerous speed humps and tables slow down response time to emergency vehicles [and subject automobiles to]obstacles which contribute the excessive wear and tear to my vehicles."* L.B.

The controversy was settled legally in 2009 when arbitrators ruled that about one-third of the newly installed speed humps should be removed. The result: Hillsborough county has spent at least $200,000 to remove the speed humps in Carrollwood Village alone.

Resolution:

Time and technology have eclipsed the traditional fix. Residents and community leaders—armed with online access to information and vendors—expect and demand an improved solution that could accommodate a broad range of needs.

In addition to speed hump removal, the arbitration report also recommended the installation of additional driver feedback signs—a solution that had been part of the original plan but delayed due to the controversy. With some 40 driver feedback signs to be installed within a beautiful residential setting, cost and aesthetic appeal became primary considerations. Local community leaders Libbie Jae and Jennifer Fritch spearheaded the search for a cost-effective and attractive solution.

"Driver feedback signs are subtle but very effective reminders to drivers without all the noise and disruption of speed humps, which have been quite divisive," says Libbie Jae. *"Radarsign offers a great solution that answered all of our needs: Not only are the signs silent and attractive, they are also very affordable and the solar power option makes them a green solution. I just see Radarsign as a win-win all the way around."*

Related Stories:

- April 2010, Columbia News Service: Millburn Township in New Jersey is forced to remove five of eight speed humps. Taxpayers estimated to foot the loss of $8,000 in installation costs plus removal fees.
- Tillamook County in Oregon openly advocates against speed humps. http://www.co.tillamook.or.us/gov/pw/Documents/speed-bump-flyer.pdf

Traffic-Calming Trends is brought to you by the traffic-calming experts at Radarsign. For information on how radar speed signs can support community and government traffic-calming initiatives, visit www.Radarsign.com or call **678-965-4814**.

About Radarsign: In 2004, Atlanta-based Radarsign™ established new industry standards for traffic-calming solutions with the debut of the world's first armored radar speed signs, which are vandal, weather and bullet-resistant. The industry's most durable radar speed signs are also the most ecological and energy efficient. Engineered and manufactured in the USA, Radarsign products are MUTCD-compliant and utilize recycled aluminum, innovative LED reflector technology, minimal battery power and solar panels to deliver bright, easy-to-read feedback to drivers. Radarsign products are scientifically proven to reduce drivers' speeds and have been entrusted to provide safe and effective traffic-calming solutions for: municipalities, treasured national parks, schools, neighborhoods, military bases, and private and public development projects across the U.S., Canada and overseas. www.Radarsign.com.

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Speed Humps – No!

From: "Road Access for Disabled Americans", www.digitalthreads.com/rada

Speed bumps slow down emergency vehicles. The maximum optimum response time for victims of sudden cardiac arrest is 4 minutes, at which time you have a 50-50 chance of survival. At 5 minutes, you have a 19% chance of survival. The average time for a fire to burn beyond its flashover point is 6 minutes.

In a study submitted to the City of Boulder, Colorado, it was determined that speed bumps would allow the death of 85 victims for every 1 they saved. They then assumed "a wildly optimistic posture" that still indicated speed bumps would cause 10 lives to be lost for every 1 saved.

In Gaithersburg, Maryland, a television station blamed speed bumps in the death of two boys in a fire.

A study for Austin, Texas, considered a 30 second delay in response time due to traffic calming devices. They estimated they would lose an additional 37 lives per year with patients of cardiac arrest. At best, only one pedestrian may be saved.

Unbeknownst to an Orange County, Florida, woman, she was airlifted by helicopter to a hospital. The fire-rescue report stated that she had fallen. The official story says that her injuries precluded an ambulance. But some neighbors think that the paramedics didn't want to drive over the nine speed humps in her neighborhood with her in the back.

Speed humps are usually installed in a series to be effective. Heavy fire fighting vehicles cannot safely regain cruising speed between the humps.

Speed bumps increase air pollution and fuel usage. Research was carried out in Austria with 6 humps and a 40-kph speed limit over a mile stretch of road. Nitrogen oxide emissions increased 10 times, carbon monoxide 3 times, and carbon dioxide 25%. Fuel consumption rose 27%.

In Portland, Maine, speed bumps were installed along Stevens Avenue. Volatile organic compound emissions increased by 46%.

> *"If you have a broken neck and need a fast smooth ambulance ride to the hospital, do you want to risk permanent paralysis or death from sudden slowing down for or bouncing over speed bumps?" – a Colorado Professional Engineer*

A study by the Transport Research Laboratory of the Department of Transportation, United Kingdom, showed that "Schemes with a 75 metre hump spacing…showed increases in CO and HC of around 70-80% and 70-100% respectively, and an increase in CO2 of around 50-60%."

Speed bumps harm the disabled and those with physical ailments. Cortney had a birth defect that caused brittle bones. One day her school bus hit a speed bump. Her arm and bones in her spine were broken.

The Commission on Disability at Berkeley wrote that "For some people with disabilities, the pain and injury which can result from driving or riding over speed humps makes these 'traffic calming devices' into virtual barricades."

In the aviation community, some charitable flights with patients are given the identifier of "Compassion". These are flights like Mercy Mission, Angel Flight, etc. The reason for the identifier is to assist controllers in avoiding turbulence, even though they are not the priority handling "Lifeguard" flights. In a sense, with speed bumps, we are adding 'turbulence' to those less fortunate than most of us.

Speed bumps make snow removal difficult, as snowplow operators would have to raise their plows at the humps.

Speed bumps increase vehicle wear and tear. This applies not just to our personal vehicles, but also to emergency vehicles and buses. Speed bumps have caused fire equipment compartment doors to open and dump stored equipment unto the street, crack frames, break a truck tank, shear off a front axle assembly, and break body welds. A British bus company estimates that speed bumps cause it an additional 40,000 a year, with broken springs, skirting, exhausts, and a collapsed suspension. Sacramento, California, will not put bus routes on streets than contain speed humps.

What evidence do we have that vertical deflection devices have been tested and found safe for all persons with disability while traveling in a wide range of motor vehicles?

Speed bumps increase noise. The increased noise is due to additional braking, acceleration, and jarring truck beds. This especially holds true for larger vehicles.

Reportedly, although I'm still trying to confirm this with the city, there was an individual in Fort Collins, Colorado, who strongly pushed for speed bumps in her neighborhood. One of them was put in front of her home. She then successfully pushed to have the city spend thousands more to have that one moved because of the increased noise.

> *"People don't realize we have 500 gallons of water inside those fire engines. With that weight, we can't take bumps very fast. We have to come to almost a complete stop." – a Californian Firefighter [Some tankers have up to 2000 gallons.]*

Speed bumps increase a community's liability for accidents associated with them. California courts have held those installing speed bumps liable for personal injuries resulting from faulty designs.

In one case, a bicyclist was awarded a $125,000 settlement against a parking lot owner for an injury incurred after striking a speed bump.

Speed bumps increase neighborhood friction and road rage. Calling a speed hump a "traffic calming device" is worse than a misnomer or oxymoron. Are people calmed when others throw obstacles in their way?

Speed bumps can cause accidents. Amy sat in the back of a car to properly hold the flowers she had bought for her parent's anniversary. The car hit a speed bump. She was thrown from her seat, hitting her head. She died about 4 months later as a result of the accident.

Experimental devices placed on a street to protect children at local schools in Portland, Maine, resulted in an increase in accidents of 35%.

Speed bumps are retrogressive. Why install a technologically poor device that presents an additional obstruction and danger to community members?

Does your community have better uses for limited financial resources? Why spend thousands of dollars on speed bumps, when items such as road surfaces, pools, sewers, and landscaping need to be maintained? Do you want speed bumps, or is the money better spent on other items?

> *"As a Firefighter/Paramedic for 15 years I know how hard it is to provide adequate care in a moving vehicle. Speed bumps make it almost impossible to do this. The ambulance either has to stop or treatment has to be postponed until after them." – from Santee, California*

It punishes all for the transgressions of a few. Is it right to burden an entire community rather than the particular offenders? Check into whether or not off-duty sheriffs or private security guards could patrol the neighborhood. Although also costly, more paths and crosswalks could be utilized.

Local Requirements: Check your local requirements. Where I live, the County Commissioners require 65% of the affected residents to approve a speed hump proposal. They also require 65% to remove them. Be aware of your local engineering guidelines and the associated expenses. Inquire as to who must meet the cost of installation. The humps must be correctly designed, painted, and signed.

As speed bumps are discriminating to the disabled, some consider the idea of voting on whether or not to install them invalid for discussion, equivalent to voting to segregate schools by race.

Bicyclists and motorcyclists are also physically impacted. Can you imagine the impact of an unwary motorcyclist hitting a speed bump? Or if snow is covering the speed bump sign or road? Imagine the lawsuit.

Speed bumps can cause accidental air bag deployment. One company confirmed four incidents of air bag deployment involving one of its models after striking speed bumps. Of the approximately 42 children killed by air bags, a clear majority has been in low speed accidents less than 15 miles per hour.

Speed bumps can injure emergency response members. One firefighter was awarded permanent disability status due to a cervical spine compression injury. Yes, she was wearing a seat belt. Another firefighter, although returned to limited duty for ten months after a speed bump accident, was then awarded full disability due to head and neck injuries received.

Web Sites: For a site with many links pertaining to speed bumps, visit: www.io.com/~bumper/ada.htm. A well-researched report for Boulder, Colorado, is available at: Http://members.aol.com/raybowman/risk97/eval1.html.

Randall Schlecht, Loveland, Colorado. For corrections or questions e-mail at bluemtn@info2000.net. Permission to reproduce all or part of this brochure is granted.

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6.

Town of Camp Verde

Meeting Date: June 8, 2016

☐ Consent Agenda ☐ Decision Agenda ☐ Executive Session Requested

☐ Presentation Only ☐ Action/Presentation ☐ Work Session Agenda

Requesting Department: Administration

Staff Resource/Contact Person: Russ Martin

Agenda Title (be exact): Update followed by discussion relative to the 52nd State Legislature Session, to include, but not limited to SB 1350 regarding vacation rental and short-term rental regulations. Council may also discuss other bills passed by the Legislature and sent to the governor for signing.

List Attached Documents:

1. Copy of SB 1350-online lodging
2. Issue 18 – Legislative Overview

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 15 minutes

Reviews Completed by:

☒ **Department Head: Russ Martin** (comments included in report)

☒ **Town Attorney Comments:** N/A

☐ **Finance Department: N/A**

Background Information:

Recommended Action (Motion):

HOUSE OF REPRESENTATIVES

SB 1350

online lodging; administration; definitions
Prime Sponsor: Senator Lesko, LD 21

DP	Committee on Ways and Means
DPA	Caucus and COW
X	Transmitted to the Governor

OVERVIEW

SB 1350 establishes regulations for online lodging, vacation and short-term rental operations.

PROVISIONS

Vacation Rental and Short-Term Rental Regulations

1. Prohibits a city, town or county from restricting the use or regulation of vacation rentals and short-term rentals based upon their classification, use or occupancy.
2. Specifies that a city, town or county may regulate vacation rentals or short-term rentals if the regulation is meant to protect public health and safety, including fire and building codes, health and sanitation, transportation or traffic control, solid or hazardous waste, pollution control and the designation of an emergency contact.
3. Allows a city, town or county to regulate vacation rentals or short-term rentals for the purpose of adopting and enforcing residential use and zoning ordinances, including ordinances relating to noise, welfare, property maintenance and other nuisance issues.
4. States that a city, town or county may limit or prohibit the use of vacation rentals or short-term rentals for each of the following purposes: housing sex offenders, maintaining a structured sober living home, selling illegal drugs, liquor control or pornography, obscenity, nude or topless dancing and other adult-oriented businesses.
5. Specifies that an owner of a vacation rental or short-term rental is still obligated to provide required residential rental property information to the county assessor.
6. States that a vacation rental or short-term rental does not include any units used for nonresidential purposes.

Online Lodging: Taxation

7. Allows an online lodging marketplace to register with the DOR for a license for the payment of taxes levied by the state or a political subdivision thereof for any online lodging transactions.
8. Requires an online lodging marketplace licensed with DOR to remit all taxes for each online lodging transaction facilitated by the marketplace.
9. Specifies that an online lodging marketplace must remit the aggregate total amount for all respective taxing jurisdictions and report taxes monthly to DOR.
10. Specifies that the activities of any online lodging marketplace are not classified as transient lodging.
11. Provides that an online lodging marketplace is not required to list or identify any individual online lodging operator on any return.

12. Exempts the gross proceeds or gross income received by an online lodging operator from any taxes for online lodging transactions made by an online lodging marketplace, for which there is written notice that the marketplace is registered with DOR for the collection of taxes and documentation of tax collected.

13. Stipulates that a city, town or other taxing jurisdiction may levy TPT, use, franchise or other similar taxes or fees on an online lodging marketplace if the following requirements are met:
    a. The adopted tax is administered, collected and enforced by DOR and remitted to the city, town or other taxing jurisdiction in a uniform manner.
    b. The adopted tax is uniform upon online lodging operators and other taxpayers of the same class within the jurisdictional boundaries of the city, town or other jurisdiction.
    c. Any adopted tax is subject to provisions relating to audits, confidential information, judicial enforcement, registration of online lodging marketplaces and tax returns.

14. Requires that the adopted tax a city, town or other taxing jurisdiction levies on an online lodging marketplace is uniform with the treatment of online lodging operators and online lodging transactions, except that:
    a. The adopted tax may be different from the state tax rate.
    b. The adopted tax may apply to online lodging transactions involving rentals of lodging accommodations for more than 29 or more consecutive days. The adopted tax must uniformly apply to all lodging accommodations for 30 consecutive days or more, and the tax base must be limited to online lodging transactions facilitated by an online lodging marketplace for rentals of lodging accommodations for 30 consecutive days or more.

Online Lodging Classification

15. Establishes the Online Lodging Marketplace Classification of TPT is comprised of businesses of operating an online lodging marketplace that are registered with the DOR for a license to collect tax.

16. Specifies that the Online Lodging Marketplace Classification of TPT does not include any online lodging marketplace that has not entered into an agreement with DOR to register for a license to collect tax.

17. States that the tax base for the online lodging marketplace classification is the gross proceeds of sales or gross income derived from the business measured by the total amount charged for an online transient lodging transaction by the online lodging operator.

18. Establishes that the tax rate of this classification is 5.5% of the tax base.

Property Manager Tax Returns

19. Allows a property manager who is licensed with DOR to file an electronic consolidated tax return with DOR, monthly, with respect to gross proceeds or gross income derived from the individual properties under management on behalf of the property owners.

20. Requires DOR to administer, collect and enforce the tax paid under an electronic consolidated return and remit the collected revenue to the appropriate city or town.

21. Specifies that the tax may not be collected from any property owner whose licensee has provided written documentation to the property owner and to the city or town that the licensee has reported and remitted or will report and remit the applicable tax with respect to the property under management.

22. Requires DOR to develop an electronic consolidated return form that separately identifies each owner's property locations and the gross income and deductions for each property location.

23. Requires a licensed real estate broker to file the return electronically using the consolidated return form developed by DOR.

24. Specifies that all participating property owners included in the same electronic consolidated return must be on the same tax payment schedule and use the same cash receipts or accrual basis of reporting.

25. Establishes that a licensed real estate broker is responsible and accountable to the property owner and to the city or town for fully and accurately reporting and paying to DOR the tax and any other amounts due.

26. Specifies that a real estate broker licensed with DOR for the payment of taxes subject to audit of the electronic consolidated returns, including data in the licensee's possession that is used in compiling and filing the electronic consolidated returns.

27. Establishes that the property owner remains ultimately responsible, accountable and liable for both the accuracy of the information given to the licensed real estate broker and for the return and payment of the full tax amount.

28. Specifies that the property owners are subject to audit of the records in the property owner's possession that are submitted to the licensed real estate broker for the electronic consolidated return.

29. Allows the property owner to withdraw any property from the electronic consolidated return on 30 day's written notice to the licensed real estate broker, DOR and the tax collector of the city or town.

Hospitality Studies Scholarship Fund

30. Establishes a Hospitality Studies Scholarship Fund, used to provide scholarships to students entering into or enrolled in a hospitality studies program at any university under the Arizona Board of Regents (ABOR) for the purpose of defraying educational costs such as room and board.

31. Requires a recipient who withdraws from the school or from the hospitality studies program before receiving a degree to repay all scholarship monies awarded to the recipient.

32. Specifies that if a recipient of the Hospitality Studies Scholarship Fund is dismissed from the university, ABOR will negotiate an appropriate repayment schedule, plus 8% interest.

33. Allows ABOR to partner with any statewide lodging and tourism association that provides matching monies in administering the fund.

Joint Legislative Study Committee on Transient Lodging

34. Establishes the 16-member Joint Legislative Study Committee on Transient Lodging for the purposes of considering current state and local government laws and regulations on transient lodging businesses.

35. Allows the Joint Legislative Study Committee to request industry data from relevant state agencies during an annual committee meeting to be held on or before September 15, 2017 and annually thereafter.

36. Requires the Joint Legislative Study Committee to report the committee's findings and any recommendations on or before December 15, 2017, and each year after, to the President of the Senate, Speaker of the House of Representatives, the Governor and provide a report to the Secretary of State.

37. Repeals and terminates the Joint Legislative Study Committee on December 31, 2020.

38. Specifies that the Joint Legislative Study Committee will consist of:

a. Three members of the Senate appointed by the President of the Senate with no more than two members from the same political party and one of whom who will serve as co-chair.
b. Three members of the House of Representative appointed by the Speaker of the House of Representatives with no more than two members of the same political party and one of whom who will serve as co-chair.
c. One member appointed by the President of the Senate who uses a residential home as a short-term rental through an online lodging marketplace.
d. One member appointed by the Speaker of the House of Representatives, who manages or operates a hotel, motel or bed and breakfast business.
e. One representative of an association of cities and towns in this state, appointed by the President of the Senate.
f. One representative of an association of counties in this state that represents a county board of supervisors, appointed by the Speaker of the House of Representatives.
g. One representative of an online lodging marketplace, appointed by the President of the Senate.
h. One representative of a statewide lodging and tourism association, appointed by the Speaker of the House of Representatives.
i. One representative of a taxpayer organization in, appointed by the President of the Senate.
j. One representative of a statewide association representing licensed real estate professionals, appointed by the Speaker of the House of Representatives.
k. One representative of a statewide multihousing association, appointed by the President of the Senate.
l. One representative of a convention and visitor's bureau in this state, appointed by the Speaker of the House of Representatives.

Miscellaneous

39. Classifies real and personal property and improvements, used for leasing or renting to lodgers, as class four property, except for:
    a. Property occupied by the owner as the primary residence, included in class three.
    b. Property used for commercial purposes as classified in class one.
40. Defines terms.
41. Makes technical and conforming changes.
42. Contains an applicability clause.
43. Sets an effective date of January 1, 2017

CURRENT LAW

TPT is imposed on a vendor for the privilege of conducting business in Arizona. Under this tax, the seller is responsible for remitting to the state the entire amount of tax due based on the gross proceeds or gross income of the business. While the tax is commonly passed on to the consumer at the point of sale, it is ultimately the seller's responsibility to remit the tax.

TPT is broken down into 16 different classifications. The transient lodging classification is comprised of the business of operating for the occupancy of *transients*—any person who either at their own or another's expense obtains lodging space on a daily or weekly basis for less than 30 consecutive days. The classification includes hotels or motels, inns, tourist homes, dude ranches, resorts, campgrounds and other similar establishments. Transient lodging does not include convalescent homes or facilities, rental of a mobile home or house trailers at a fixed structure and renting four or fewer rooms at a bed and

breakfast. The tax base for the transient lodging classification is the gross proceeds of sales or gross income derived from the business (A.R.S. §42-5070).

A.R.S. § 42-5005 stipulates that every person who receives income that is subject to TPT must apply to DOR for an annual TPT license in order to engage in or continue business. The license is valid only for the calendar year in which it was issued, but may be renewed each year.

League of Arizona Cities and Towns Legislative Bulletin

Issue 18 - May 13, 2016

Legislative Overview

The legislature adjourned at 5:45 a.m. on Saturday, May 7, 2016. The last day was frequented by stops and starts but members also processed a large number of bills. Between April 29th and the end of session, the legislature sent Governor Ducey over 200 pieces of legislation. Once the session is over the governor has 10 days to sign, veto or let a bill become law without his signature. As of this writing he has signed 245 and vetoed 9.

In this issue we will only write about a few of high profile bills. Within the next few weeks we will publish the New Laws Report, where we will provide more detail on successful legislation.

Census

At approximately 3 a.m. Saturday morning, HB2483, municipal population estimates; use passed the Senate by a vote of 28-0 and was sent back to the House for eventual transmittal to the governor's office. This bill states that cities and towns will use the U.S. Census Bureau's annual population estimates for the period between the decennial censuses. This will result in more accurate distribution of shared revenues. This bill was a League Resolution.

Community Facilities Districts

HB2568, community facilities district; formation; governance describes a new process for formation of one of these districts where the land in question is 600 acres or more. The governing board of these new districts also has a majority of private-sector individuals as opposed to city elected officials. Initially the bill failed on its Final Read in the House, but a member who voted on the prevailing side brought it back for reconsideration and it passed by one vote. Fortunately, Governor Ducey vetoed the measure, saying he sought to protect taxpayers. We thank the Governor for this action.

Online Lodging

SB1350, online lodging; administration; definitions, creates a new State TPT classification for businesses to voluntarily pay the standard state and local Hotel and Transient Lodging TPT on the business of operating an online lodging marketplace (OLM) such as Airbnb, limited to transactions that do NOT include Class One property (hotels, resorts, etc.) Anyone in this field can enter into an agreement with DOR to collect on all transactions they handle on their platform, while the property owners in all cases remain liable for being licensed and filing their own tax return each month, taking a deduction for any amounts paid by the OLM on their behalf. The bill prohibits municipalities from banning this type of short-term housing rental, but provides authority for cities to deal with nuisance properties in the same manner they would handle similar issues involving an owner-occupied or residential rental property. The bill also requires DOR to create an electronic means not later than December 2017 for property managers of residential rental properties to file a single tax return that includes all the detailed owner information (owner license number) along with the gross receipts, deductions and tax due separately stated by each business

location (owner's location numbers). Finally, the bill establishes a Hospitalities Studies Scholarship Fund for use at any State university, and creates a joint legislative study committee to consider current State and local laws and regulations on transient lodging businesses. Sponsored by Senator Debbie Lesko (R - Peoria), the final language is the result of extensive successful negotiations by the League with the Senator and other key members of the Legislature, several industry representatives from many different business models, the DOR and the Governor's office. We greatly appreciated the open dialogue amongst all interested parties that resulted in the final language, and we are very pleased the approved version addressed nearly all of our major concerns. However, given the preemption against local control regarding prohibition of this activity, the League remained officially neutral on this bill. The governor signed the bill on May 12, 2016.

Legislative Bill Monitoring

(All bills being actively monitored by the League can be found here.)

Legislative Bulletin is published by the League of Arizona Cities and Towns.
Forward your comments or suggestions to league@azleague.org.

7.

Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: June 1, 2016

☐ *Consent Agenda* ☐ *Decision Agenda* ☐ *Executive Session Requested*

☐ *Presentation Only* ☐ *Action/Presentation* ☐ *Pre-Session Agenda*

Requesting Department: **Town Clerk**

Staff Resource/Contact Person:

Agenda Title (be exact):

Discussion regarding letter from Clear Creek Cemetery Association, to include but not limited to possible funding.

List Attached Documents:

Letter from Clear Creek Cemetery Association

Estimated Presentation Time:

Estimated Discussion Time:

Reviews Completed by:

☐ ***Department Head:***_____ ☐ ***Town Attorney Comments:*** N/A

☐ ***Finance Department*** N/A
Fiscal Impact: None
Budget Code: N/A ***Amount Remaining:*** _____
Comments:

Background Information:

Recommended Action (Motion):

Instructions to the Clerk: None

Camp Verde Town Hall
473 S Main St Suite 102
Camp Verde, Az 86322
Attn: Mayor

Linda Callahan
PO Box 1464
Camp Verde, Az 86322

05/18/16

Dear Mayor,

I am writing this letter on behalf of the Clear Creek Cemetery Association. As I am sure you are aware the cemetery is of great historical significance to the people of Camp Verde and the entire Verde Valley.

The cemetery has and always will be a non profit corporation. Everything that has ever been accomplished has been with the money donated by friends and family of the residents that reside in the cemetery. Several of the families of the departed have moved away or the entire family is now buried there which leaves our donations dwindling down to almost nothing.

The request that I am making is in the hopes that the Town of Camp Verde might be willing to help the cemetery financially. We only have a few hundred dollars left in our account to pay expenses. We are paying out on the average three hundred and fifty dollars per month for maintenance, electricity and sanitation services. If there is anything that the town could do help us it would be greatly appreciated.

Thank You,

Linda Callahan

Linda Callahan