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**AGENDA
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, SEPTEMBER 4, 2019 at 6:30 P.M.**

If you want to speak ON ANY ITEM ON THE AGENDA, PLEASE complete the Request to Speak Form

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. Council Members Buck Buchanan, Joe Butner, Bill LeBeau, Jessie Murdock, Robin Whatley; Vice Mayor Dee Jenkins; and Mayor Charles German.

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.

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a) Approval of the Minutes:

- 5 1) Special Work Session – July 31, 2019
- 9 2) Regular Session – August 7, 2019
- 16 3) Work Session – August 14, 2019
- 21 4) Special Session – August 16, 2019
- 5) Executive Session – August 16, 2019 (recorded and on file)

b) Set Next Meeting, Date and Time:

- 1) Wednesday, September 11, 2019 at 5:30 p.m. – Work Session
- 2) Wednesday, September 18, 2019 at 6:30 p.m. – Regular Session
- 3) Wednesday, September 25, 2019 at 6:30 p.m. – Council Hears P&Z Matters
- 4) Wednesday, October 2, 2019 at 6:30 p.m. – Regular Session

5. Special Announcements and presentations.

23 **5.1. Report from YAC (Youth Advisory Council) members who attended the League of Arizona Cities and Towns 2019 Annual Conference - Youth Program.** [Staff Resource: Zack Garcia/Kathy Hellman]

25 **5.2. Award presentation ceremony to Deputy Ty Wantland from Mothers Against Drunk Driving (MADD) for DUI Officer of the Year for the Camp Verde Marshal’s Office.** [Staff Resource: Corey Rowley]

27 **5.3. Promotional ceremony and badge presentation for the promotion of the**

new Lieutenant within the Marshal's Office. [Staff Resource: Corey Rowley]

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.) Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to A.R.S. §38-431.01(H))

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7. Business. Legal action can be taken.

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7.1. Discussion & possible authorization for Mike Showers to sign and deliver any & all such documents necessary to consummate the deed in lieu of foreclosure of the property located at 4092 Cripple Dr., Camp Verde, Arizona (Listed as Lot 384, Verde Lakes Estates, according to the plat of record in Book 14 of Maps, page 10, records of Yavapai county, Arizona). [Staff Resource: Mike Showers]

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7.2. Approve Finance Director Michael Showers to submit Annual Expenditure Limitation Reports to the State on behalf of the Town of Camp Verde retroactively for FY19 and forward until further notice. [Staff Resource: Mike Showers]

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7.3. Discussion, consideration and possible approval of Resolution 2019-1030, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, urging the Arizona Legislature to hear and ratify an amendment to the Constitution of the United States relative to Equal Rights for men and women. [Requested by: Councilor Whatley]

41

7.4. Discussion, consideration and possible direction to Staff regarding the Friends of the Verde River donation request for Watershed Report Card and the State of the Verde Watershed Conference. [Requested by: Mayor German]

53

7.5. League of Arizona Cities and Towns 2019 Annual Conference Recap of Sessions attended and general feedback. [Requested by: Mayor Charles German]

8. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

9. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are: Copper Canyon Fire & Medical District, Yavapai College Governing Board, Yavapai Apache Nation, Intergovernmental Association, NACOG Regional Council, Verde Valley Regional Economic Organization (VVREO), League Resolutions Committee, Arizona Municipal Risk Retention Pool, Verde Valley Transportation Org, Verde Valley Transit Committee, Verde Valley Water Users, Verde Valley Homeless Coalition, Verde Front, Verde Valley Steering Committee of MAT Force, Public Safety Personnel Retirement

Board, Phillip England Center for the Performing Arts Foundation. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda

10. Manager/Staff Report Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

11. Adjournment

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

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk at 928-554-0021

Agenda items may be taken out of order.

Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - A. All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting.

Pursuant to A.R.S. §38-431.03(A)(2) and (A)(3), the Council may vote to go into Executive Session for the purpose 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.

Camp Verde Council Meetings are recorded and may be viewed on the Camp Verde website. Pursuant to A.R.S. §1-602(A)(9), parents and legal guardians have the right to consent before the Town of Camp Verde makes a video or voice recording of a minor child. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request in advance to the Town Clerk that your child not be recorded.

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DRAFT MINUTES
TOWN OF CAMP VERDE
WORK SESSIONS
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, JULY 31, 2019 AT 5:30 P.M.

No public input taken at this meeting.

1. Call to Order

Mayor German called the meeting to order at 5:32 pm.

2. Roll Call. Council Members Buck Buchanan, Joe Butner, Bill LeBeau, Jessie Murdock, Robin Whatley; Vice Mayor Dee Jenkins; and Mayor Charles German.

Dignitaries Present: Yavapai-Apache Nation Chairwoman Jane Russell-Winiecki, Federal Highway Administration Karla Petty, Federal Highway Administration Environmental Coordinator Rebecca Yedlin, Copper Canyon Fire & Medical District Fire Chief Terry Keller, District 2 Supervisor Tom Thurman, District 3 Supervisor Randy Garrison, Yavapai County Public Works Director Dan Cherry.

Also Present: Town Manager Russ Martin, Town Clerk Judy Morgan, Community Development Director Carmen Howard, Deputy Town Clerk Virginia Jones, and Recording Secretary Marie Moore.

Mayor German acknowledged Chip Davis in the audience, from Congressman Tom O'Halleran's office.

3. Pledge of Allegiance

Mayor German led the Pledge of Allegiance.

4. Work Session. No legal action to be taken.

4.1. Discussion regarding but not limited to Yavapai County Build Grant for the Verde Connect. A multi-agency discussion and update. Representatives from the following agencies may be present: Yavapai Apache Nation, Yavapai County, Federal Highway Administration - Arizona Division, Copper Canyon Fire and Medical District.

Yavapai County Public Works Director Dan Cherry presented Council with a PowerPoint Presentation regarding the Verde Connect process. The presentation covered the planning process, NEPA process, what happens without the Verde Connect road, General Plan Character Area compatibility and Opportunity Zone report. Dan Cherry spoke of studies starting in 1990, 1993, 1999, 2009, 2012 and 2016 that all identify the Verde Connect road as necessary. Mr. Cherry explained the purpose of NEPA and the process followed, including data gathering and public scoping, public meetings, public hearings and final design and construction.

Mr. Cherry explained the purpose and need for the project and what happens if not built, regional impacts, travel and emergency response times, traffic

congestion, fewer transportation choices for regional travel, increased cost in delayed construction, the loss of the \$25 million Federal BUILD Grant Funding and the impact of higher vehicle emissions and consumption of fossil fuels. Mr. Cherry explained that Cornville road is constrained and widening through the community of Cornville will impact the existing development negatively. There currently are intersection congestions issues to take into consideration at State Route (SR) 89A/SR260 that could be alleviated as well.

Mr. Cherry further explained the local implications resulting in existing and future regional planning efforts having the appearance of being less valid, increased local funding needed to maintain existing infrastructure, growth will continue and local agencies would be responsible for future improvements. The area will continue to have bifurcated communities and vehicles will continue to traverse the Verde River at various, unmanaged grade crossings. There would also be a lost opportunity for mitigating flooding problems for Middle Verde area and the likelihood of high speed broadband extension to Middle Verde is diminished.

Mr. Cherry indicated that the Verde Connect project and the Town of Camp Verde's General Plan Character Area show compatibility. Mr. Cherry spoke further of the Middle Verde cemetery and trail 19a, preservation of lands along Verde River, prevention of enclosure of natural environment within town boundaries, Middle Verde Character Area and 260 West Character Area compatibilities.

Mr. Cherry further implied that using federally funded infrastructures to support the economic opportunity zone will increase accessibility as well as attraction for potential new businesses in the vicinity.

Karla Petty, Arizona Division Administration of the Federal Highway Department spoke of the NEPA Process, and the timeline of the studies completed by spring of 2020. Once technical studies are completed, there will be a Public Hearing held sometime in the spring and summer. Following the public hearing, a final decision will be made. In the process, prior to advancing the project to design and construction, the build grant must be signed between Yavapai County and ADOT. It is anticipated in September of 2020 and cannot be done prior to the NEPA Agreement.

Mayor German questioned if there is a matrix involved when considering the NO Build option. Rebecca Yedlin of the Federal Highway Department explained that there is no matrix. Mayor German asked if there is a negative impact on a receiver of the build grant for returning the grant unused. Karla Petty explained that the grant is discretionary and that there were 91 projects granted and 12 were given the full funding of \$25 million; Yavapai County being one of the receivers. It is unknown if there is a negative impact, but a part of the application screening process is the past history of grants received and used, so that should be taken into consideration.

Mayor German asked if the funding can be used elsewhere in the Verde Valley. Karla Petty explained that the funding can only be allocated for the project applied for and must be done by September 2020. If they are not able to meet the deadlines the funds are returned.

Mayor German asked if they are willing to work with the communities as well as the County for any negative impacts and mitigate for the community.

Councilor Joe Butner inquired if the connection to Middle Verde be done in phase 2 rather than phase 1 of the project. Mr. Cherry explained that the purpose and need to change the ordered plan of the project must be met and, therefore, if the connection hasn't been made and it would be revised by USDOT and not someone local. Karla Pitts explained that the NEPA study is being conducted for both phase 1 and phase 2 so there won't be a need for a separate NEPA study.

Mayor German indicated in independent research, changing the scope of the project requires it to go back to the USDOT secretary for review.

Mayor German questioned Yavapai Apache Nation Chairwoman Russell-Winiecki if there are any tribal lands that are affected with the project as it is currently laid out. She indicated that as far as she knows, it does not. Mayor German questioned if there are plans for the Nation to have a new fire house, ambulance and heliport. Chairwoman explained that it has been discussed but is not in the immediate future plans, but it is possible for future consideration.

Chairwoman Russell-Winiecki also expressed that the Nation has received multiple grants and dealt with the NEPA process. In that time, a grant was never turned down or returned, because it is known that in the future a grant will never be received again. Chairwoman Russell-Winiecki also indicated that the Nation was not in attendance to support or oppose the project.

Mayor German spoke with Fire Chief Terry Keller from Copper Canyon Fire & Medical District and asked how the connector road would improve the response times for the Fire and Medical Department. Mr. Keller explained that due to Camp Verde being surrounded by the Verde River and split by the interstate, response times can be drastically reduced and the connector road would allow other agencies to provide backup services to the area quickly to assist the local department when it has exhausted all of its resources.

Supervisor Tom Thurman spoke of the biggest threat being wildfire, using the reservation as an example, that there is only one way in, and one way out is an issue. Terry Keller agreed that there is no escape route for the area, which the connector route would alleviate.

Mayor German questioned that should there be a need for mass evacuation in the area, could that evacuation be conducted in a timely manner without the new Verde Connection road. Terry Keller explained there are too many variables to answer that question specifically but explained that due to the road design being one way in and one way out, it is not a good design from a public safety prospective.

Terry Keller stated that Camp Verde water's main is located behind Steve Coury and if there is a bridge going to be constructed, it would be best to put a sleeve in so that water could be eventually provided to the Middle Verde area.

Councilor Joe Butner indicated that his concern is for the Character Area of the Middle Verde area and questioned if any routes would be changed after the NEPA study is passed. Supervisor Randy Garrison explained that they would be

moving forward with the new route and if any change was made, the entire process would have to be started over.

Tom Thurman explained that there would be slower travel on this route due to the geography; the B2 location is located to reduce noise and allow fiber optics connectivity; with possible flood assistance with Grandpa Wash.

Councilor Bill LeBeau questioned if the bridge would be constructed first. Dan Cherry explained that the bridge is a time consuming project. Councilor LeBeau asked if there is an estimate of what the project would cost and Mr. Cherry explained there is currently not a design yet. Randy Garrison clarified that the grant is not dedicated to a certain part of the project but will go toward the cost of the project in whole. Councilor LeBeau indicated that the original application showed the original route that was opposed by the Town of Camp Verde and the public and questioned if that is now locked in to that route because it was on the original application; how much is the entire project going to cost and how will the remaining cost minus the grant be funded.

Dan Cherry spoke of potential funding sources and that the County is not proposing new taxes to fund it.

Tom Thurman reminded everyone that they are waiting on the NEPA study.

Mayor German thanked the participants and audience for attending the meeting.

5. Adjournment:

The meeting adjourned at 7:04 p.m.

Attest:

Mayor Charles German

Judy Morgan, CMC, Town Clerk

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 Council Meeting of the Town Council of Camp Verde, Arizona, held on July 31, 2019. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2019.

Judy Morgan, CMC, Town Clerk

DRAFT MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, AUGUST 7, 2019 at 6:30 P.M.

1. Call to Order

Mayor German called the meeting to order at 6:30 p.m.

2. Roll Call

Council Members Buck Buchanan, Joe Butner, Bill LeBeau, Jessie Murdock, Robin Whatley; Vice Mayor Dee Jenkins; and Mayor Charles German were present.

Also Present

Town Manager Russ Martin, Town Clerk Judy Morgan, and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Mayor German led the Pledge

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

a) Approval of the Minutes:

- 1) Special Session – July 10, 2019
- 2) Executive Session – July 10, 2019 (recorded and on file)
- 3) Special/Work Session – July 10, 2019
- 4) Special Budget Session – July 17, 2019
- 5) Regular Session – July 17, 2019
- 6) Special Sessions – July 24, 2019
- 7) Executive Session – July 24, 2019 (recorded and on file)

b) Set Next Meeting, Date and Time:

- 1) Wednesday, August 14, 2019 at 5:30 p.m. – Work Session & *Special Session*
- 2) Wednesday, August 21, 2019 at 6:30 p.m. – Regular Session-CANCELLED per Resolution 2018-1016
- 3) Wednesday, August 28, 2019 at 6:30 p.m. – Council Hears P&Z Matters-CANCELLED
- 4) Wednesday, August 28, 2019 at 5:30 p.m. – Work Session

- c) **Possible approval of Special Event Liquor License application for Verde Valley Rangers for Event to be held on September 14, 2019.** [Staff Resource: Virginia Jones]
- d) **Possible approval of a Five-year Lease between the Town of Camp Verde and the Camp Verde Historical Society for the use of the Rock Jail building located at 44 E. Hollamon Street and the Camp Verde Grammar School building located at 435 South Main Street.** [Staff Resource: Steve Ayers]

Mayor German stated the meeting on Wednesday, August 14th should be a Work Session and a Special Session beginning at 5:30pm. He also asked to schedule a continuation of that meeting for Friday, August 16, 2019 at 9:00 a.m. with a possible Executive Session.

Councilor Butner made corrections to the Special and Executive Sessions Minutes of July 24, 2019 (4.a.6). Under Item 4.2, he changed the third paragraph, "Council provided the manager with consensus direction that the Human Resources Director position should require a Bachelor degree and also preform the Risk Management duties upon retirement of the current Risk Manager." He would also like the copy of the suggested changes to the job description that Vice Mayor Jenkins passed out, attached to the minutes. Town Clerk Morgan explained the second paragraph states this information would be attached and be part of the official minutes document.

Councilor LeBeau asked what the Special Event (4.c.) is that is scheduled for September 14th. A member of the public, Marie Declue, stated that event is called "Harvest Moon" and is a Camp Verde Promotions event.

Motion was made by Councilor Butner to approve the consent agenda with the amendments that have been made to the minutes of the Special Session of July 24, 2019 and the changes to the meeting dates (adding the additional 8/16 work/special session). Second was made by Councilor LeBeau. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Murdock, LeBeau, Butner and Buchanan approving.

5. Special Announcements and presentations.

5.1. Presentation and Invitation to Smithsonian Water|Ways Exhibit at the Library. [Staff Resource: Kathy Hellman]

Kathy Hellman gave a presentation on the Arizona tour of **Water/Ways**. It is a traveling exhibit from the Smithsonian along with Arizona Humanities, Walton Sustainability Solutions Initiatives, and the School of Historical philosophical and Religious Studies at Arizona State University who are bringing the exhibit to Arizona. This exhibit will tour 12 Arizona rural communities starting June 2018 through March 2020. This exhibit will be in Camp Verde August 24th through October 5th. This exhibit hopes to educate people as to how important water is to our community.

5.2. Arizona Law Enforcement Accreditation Program presentation by the Marshal's Office to provide overview of the process the Marshal's Office has begun to become an accredited police agency in Arizona. [Staff Resource: Corey Rowley]

Sergeant Steven Butler gave a presentation on the Arizona Law Enforcement Accreditation Program and gave an overview of the process the Marshall's Office has begun to become an accredited police agency in Arizona.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

Marie Declue spoke on the recent Cornfest event. Ms. Declue thanked the Council for allowing Meals on Wheels to sell corn at the Cornfest. Approximately \$1,300 was raised for the program.

Jackie Baker spoke on Montezuma Castle Highway. Ms. Baker inquired about the chip seal contract and stated the contractor should be held responsible for doing such a poor job.

7. Business. Legal action can be taken.

7.1. Approve Camp Verde Community Library's Agreement for Library Support Services and Membership in the YLN (Yavapai Library Network). [Staff Resource: Kathy Hellman]

Kathy Hellman stated this is a routine agreement that the Council approves every year.

Motion made by Councilor LeBeau to approve Camp Verde Community Library's Agreement for Library Support Services and Membership in the YLN (Yavapai Library Network). Second was made by Councilor Whatley. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Murdock, LeBeau, Butner and Buchanan approving.

7.2. Proposed restructuring of the Marshal's Office organizational chart. [Staff Resource: Corey Rowley]

Marshal Rowley explained that the Marshall's Office has begun the process of becoming accredited through the Arizona Law Enforcement Accreditation Program. As part of that process and potential growth of the Town, the Marshall's Office is restructuring the command structure of the Marshal's Office to enhance supervision of sections within the office. Marshal Rowley asked Council to allow them to put back on the step sheet, a Lieutenant position, and eventually a Patrol Lieutenant & Administrative Lieutenant, to replace the Commander position when Commander Armstrong retires. These positions would be at an 86 level step, which means a potential of \$1.25 raise or a 5% raise, whichever is less.

It was explained that the salary plan was on for action on this agenda and they could include a motion at that time to add the Lieutenant position at that time.

7.3. Discussion and consideration of possible rejection of all bids for the Camp Verde Sports Complex Phase 1B (Bid No.19-133). [Staff Resource: Ron Long]

Ron Long stated the plans and specifications for the Sports Complex Phase 1B were posted on the Public Purchase website March 20, 2019. May 29, 2019 the Town received three bids, all of which were over the remaining fund balance of approximately \$3.1 million. All three bids were close in projected costs. Mr. Long

stated the reason the bids were so high was that contractors are very busy during the summer/fall seasons. To reduce the cost, he suggests planning for this project to be done during the winter months. Staff would like to reject the three bids received, repackage the bid and put it back out in October/November to start the project in January 2020.

Councilor LeBeau asked to see the bid package information when it is available.

Councilor Murdock asked if a sponsor comes in for one or some of the complex components such as a field or a scoreboard, how would this be handled with the contracted work. Mr. Long indicated it would be best handled if it is done before the bidding process. Councilor LeBeau asked to be notified when the pump station is purchased.

Motion was made by Councilor Murdock to reject all bids, for the Sports Complex Phase 1B and direct staff to revise the plans and specifications and rebid Phase 1B. Second was made by Councilor Whatley. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Murdock, LeBeau, Butner and Buchanan approving.

Break: 7:45 p.m.

Resumed 7:52 p.m.

7.4. Discussion, consideration and possible approval of a new job description for a Human Resources Director. [Staff Resource: Russ Martin]

Town Manager Russ Martin stated there was a request to consider alternate language and inclusion of different minimum requirements which has resulted in a revised job description for Council's consideration. The only two changes staff did not make were related to Risk Management and who was to be the supervisor of the position.

Public Comment:

Jackie Baker stated the size of the Camp Verde community does not warrant a full-time Risk Manager; the Risk Pool (AMRRP) is a resource that supports the Town's needs in this area and provides this support to members for free.

Cheri Wischmeyer thanked Council for addressing this issue. Education (bachelor's degree) and experience (a minimum 5 years' experience in Human Resources) should be part of the job description.

Councilor Jenkins stated that this is an opportunity to eliminate a higher paid position by including risk management under the HR position, and she is strongly leaning towards requiring the bachelor's degree.

Mayor German stated we can't afford not to have someone that is top notch in the H.R. Director position. He advised they look at what support staff other municipalities have for their H.R. Departments when they cover risk management duties. Mayor German trusts Mr. Martin to manage staffing under the budget and timing of it.

Councilor Butner stated that if the Town Manager needs an (lower-level clerical)

assistant Council could approve the addition of this position. He feels this is a good opportunity to combine the two positions. He suggests that the job description be modified by eliminating the last sentence in the first paragraph; General Purpose Title; “May also serve as Town’s Risk Manager in their absence” and add the sentence: “The HR director shall also serve as the Town’s Risk Manager upon retirement or vacating of the current Risk Manager position.” Then on the next page, under **Minimum Qualifications**, under **Education and Experience**, the sentence that begins with “A Bachelor’s Degree in..” change that to, “A Bachelor’s Degree in Public Administration, Human Resources, Business Management or closely related field and 5 years of relevant experience in Human Resources, or closely related experience.” And deleting the last sentence, “Or combination of education and experience equaling a minimum of eight (8) years with minimum of four (4) years in a supervisory role”.

Councilor Murdock wasn’t comfortable with adding the first addition to the General Purpose as it is too specific to one individual. It should be a broad job description.

Councilor Butner again recommended modifying the language, “The Human Resources Director shall also serve as the Town’s Risk Manager when the current Risk Manager position is vacated.”

Motion made by Councilor Butner to approve the Human Resources Director job description as modified. Second was made by Vice Mayor Jenkins. **Motion** carried 6-1. Vice Mayor Jenkins, Councilors LeBeau, Butner, Whatley, Murdock and Buchanan approving and Mayor German against.

7.5. Discussion, consideration and possible approval of amendments to the Town’s Salary Plan. [Staff Resource: Russ Martin]

Town Manager Russ Martin stated this is an updated salary plan for Council’s consideration. This only makes changes to the highlighted jobs per the salary survey as directed for change according to Council. These include jobs elevated for individuals beyond the current pay scales as well as CVMO positions. Adjustments were also made to those positions that are at or below minimum wage today and will have to be adjusted by January 1, 2020.

Motion made by Councilor Murdock to approve the revisions to the Town’s Salary Plan and with the inclusion of adding a Lieutenant position to pay at step 86. Second was made by Vice Mayor Jenkins. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving.

7.6. Discussion, consideration, and possible instruction to the Mayor as to how to vote on the proposed League Resolutions at the League of Arizona Cities and Towns League Resolution Committee meeting (on Tuesday, August 20, 2019, JW Marriott Starr Pass Resort, 3800 W. Starr Pass Boulevard, Tucson, Arizona 85745). [Resource: Mayor Charles German]

Mayor German read the proposed League Resolutions and Council was in agreement to support all of the resolutions that are proposed.

- BFED 1-Further study and explore legislation to address the property tax code regarding “salvage” property valuations and establish a revolving fund available to cities and towns to fund blight abatement efforts. (Superior)
- GAHRE 1- Allow governing bodies the ability to address security measures for emergency situations as part of an executive session during a council meeting. (Avondale)
- GAHRE 2- Allow governing bodies to use newspapers printed and published in their county when state statute requires or allows the publication of a notice in a newspaper. (Buckeye)
- TIPW 1- Support federal legislation enacting the Nogales Wastewater Fairness Act that will apportion the costs for the operation and maintenance of the Nogales International Wastewater Treatment Plant and the International Outfall Interceptor based on the average daily volume of wastewater originating from Nogales, Arizona and Nogales, Sonora. (Nogales)
- NSQL 1 Amend statute to allow local regulation of investor-owned short-term home rentals. (Sedona)
- NSQL 2 Support legislation for Arizona to ratify the Equal Rights Amendment. Quartzsite League Staff 1 Support appropriations for the Heritage Fund. (League)

7.7. Discussion, consideration and possible direction to the Manager to prepare and submit the 2019 Election Ballot for three (3) members from candidates around the state to serve on the Board of Trustees for the Arizona Municipal Risk Retention Pool. [Staff Resource: Russ Martin]

Town Manager Russ Martin stated this is done every year. Council gave direction to support the selection of candidates; Chief of Police Daniel J. Brown from Winslow, Human Resources Administrator Krista Toschlog of Kingman, and Town Manager Jim Ferguson of the Town of Quartzsite.

8. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

No public comment.

9. Council Informational Reports.

Councilor LeBeau attended a recycling meeting in Sedona and has information to pass on to Mr. Martin.

Councilor Whatley thought that Cornfest was great. Vendors loved the set-up and process of the event.

Mayor German gave a “Well Done” to the Parks and Recreation Department.

10. Manager/Staff Report

Nothing to report.

11. Adjournment

Mayor German adjourned the meeting at 8:35 p.m.

Attest:

Charles C. German, Mayor

Judy Morgan, CMC, Town Clerk

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 August 7, 2019. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2019.

Judy Morgan, CMC, Town Clerk

DRAFT

DRAFT MINUTES
TOWN OF CAMP VERDE
WORK SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, AUGUST 14, 2019 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

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

2. Roll Call

Mayor Charles German, Vice Mayor Dee Jenkins, Councilor Robin Whatley, Councilor Jessie Murdock, Councilor Joe Butner, Councilor Bill LeBeau and Councilor Buck Buchanan are present.

Also Present

Town Manager Russ Martin, Public Works Director Ron Long, Public Works Analyst Dorie Blair, Town Clerk Judy Morgan, and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Mayor German led the Pledge

4. Work Session. No legal action to be taken.

4.1. Monopole – T-Mobile. General Direction on whether to move forward with lease and development application on possible cell phone pole on Town properties in the downtown. [Staff Resource: Russ Martin].

Town Manager Russ Martin explained that the Town was approached about the possibility of leasing a location for a cell phone pole. He asked Council to consider the idea tonight and provide consensus whether or not to move forward on this project.

Joe Van Galder and Declan Murphy with Coal Creek Consulting gave a PowerPoint presentation showing the two locations that could work for placement of the tower and how the equipment would look. The tower would be able to accommodate about 3-4 other carriers besides T-Mobile, which would improve service for the community.

Councilor LeBeau asked the height of the proposed tower and if it would match the native trees. Mr. Murphy stated it would be 90 foot, which is in the ordinance and showed an example of that the tower would look like.

Councilor Butner asked if it would be cost effective if the town wanted the tower to be shorter. Mr. Van Galder stated that it might not be viable for other carriers if it was shorter. Mr. Murphy explained there tended to be less complaints with a tree tower.

Council's consensus was to allow them to move forward with their application.

4.2. Discussion and consideration of assisting the Town of Clarkdale to

complete construction project, that is funded through NACOG, by moving our funding date back 1-year, along with Sedona, Cottonwood and Yavapai County. [Staff Resource: Ron Long]

Public Works Director Ron Long stated that the other communities have agreed to move their funding back a year. Each community tries to help each other out when they can.

Town of Clarkdale's Public Works Utility Director Maher Hazine explained the project and stated the funding would be the same.

Council's consensus was to go ahead and wait a year.

4.3. Review and possible direction on 2019/2020 Capital Improvement projects, priorities and timeframes. [Staff Resource: Ron Long and Russ Martin]

Town Manager Russ Martin stated he wanted to have Council understand what projects are out there that could be done using what is left to spend. He needs direction to move forward with specific projects. Council can also bring forward projects they are considering.

Councilor Whatley would like to set aside money in case the park bid comes back high again. She wants to be able to make up the difference if there is one, as she feels very strongly about getting the park finished.

Projects to consider are:

- Old Circle K Building - Demolishing the building. Mayor German stated he has been approached to place something in the area between the building and the carwash. It would be a mural wall to view on their walk around town, which would also include maps of the area. Mr. Martin talked about ways to save money and get help with funding that project.
- Drainage - funds could possibly be taken out of the CIP Fund. Councilor Butner asked if HURF Funds could be used. Mr. Long stated yes.
- Human Resource Office remodel - Mr. Martin reviewed the options of where to place a new H.R. office. This cost would be in the \$7,000-\$10,000 range.
- Irrigation and plantings at Main Street & Hwy 260 and Finnie Flat & Hwy 260 - a rough estimate to complete this project is \$10,000.
- Repairing or replacing the Gazebo (at Town Hall) - Mayor German would like to talk with the American Legion to see if they would be interested in helping with this project.
- Road to the Waste Water Treatment Plant - the road is loose at the base, the entry to the park and arena is not wide enough for the traffic that is out there. Mr. Long would like to pave the road because of the amount of traffic.
- Rodeo Arena - their initial request was for \$250,000. Mr. Martin stated that two weeks from tonight it will be placed on the agenda. Council should think about the questions they'd like to ask the Arena Association. Councilor Whatley would still like to prioritize the park and get it done, it should be the

#1 priority. Councilor Butner stated the \$250,000 is for the grandstands. If this gets done then it could be making money for the Town.

Councilor Jenkins stated that if there are projects that are safety-related, that is her priority. She suggested using \$197,000 for drainage and the arena, with the extra money being used as a cushion for the park.

Councilor Whatley asked when the bid on the sports complex will go out again. Mr. Long stated mid- to late-September, with bids would coming back in November. Councilor Whatley suggested doing the H.R. remodel and the drainage work, until the park bids come back, then using the remaining money for the arena if the bids come in at-cost. Councilor Butner stated the arena could be done by end of year and then be making money. Councilor Whatley stated the park needs to be done.

Vice Mayor Jenkins asked if anyone is working on grants or donations for the sports complex. Mr. Long stated the Parks and Recreation Department staff has been looking into grants, possibly through the Tennis Association and Diamondbacks. Mayor German spoke on the Little League representative writing a letter to the Diamondbacks. Councilor Whatley recommended they do it in unison with the Town Council. Mayor German spoke on reinstating the Heritage Fund with possible funding coming next year.

Public Works Analyst Dorie Blair asked for thoughts on employee involvement in fundraising for the park, and asked for clarification on what would constitute a conflict of interest. Mr. Martin stated it would be on the return if they were to be looking at getting something out of the deal. If it is a gift with no strings attached, it isn't a problem.

Mr. Martin would like direction on the plantings and irrigations tonight.

Council's consensus is to move forward with using \$10,000 to finish monuments at Main and 260 (plantings) and Finnie Flat and 260 (irrigation).

Councilor Murdock asked about the round-about monuments. Mr. Martin stated that would be \$30,000 and they are still pursuing plans from ADOT. Councilor Murdock recommended partnering with business owners in those locations for the monuments.

Mayor German asked about the project on Howard Rd and where it is in the budget. Town Manager Martin explained this is a rollover from the previous year and it involves County IGA money.

4.4. Review and direction for possible changes related to procurement and budget policies associated with Capital Improvement projects. [Staff Resource: Ron Long and Russ Martin]

Town Manager Russ Martin walked through the document and review what has been changed and how it relates to procurement process.

Council discussed going over budget; when is it appropriate to get approval from the Council or when the Manager can use his best judgement.

Mayor German would like to know when they go over budget. Mr. Martin suggested to add, "line item budget" to be more descriptive.

Councilor Butner would like to change; ***I. Approval Levels, D. Contracts & Agreements, #3***, modified to read: "...by no more than 10% for projects over \$500,000 or 15% for projects under \$500,000". Council added a D.4. "Council shall be notified of overages in 3-5 working days".

Council also discussed change orders and it was decided that anything over \$50,000 will be brought to Council.

Councilor Butner doesn't want notifications to be an impediment to get things done.

Councilor Buchanan wants to be notified of changes before the paper knows.

Councilor Murdock asked for the value received when change orders were made on the park. Mr. Long explained they definitely received value with those and went on to explain the situation that caused it. Councilor Murdock explained change orders are necessary and very valuable and those projects need to continue to move forward and get completed.

Mayor German asked what the turn-around time is on change orders and how it affects the project. Mr. Martin would like staff to have the ability with an emergency to get these ratified after the fact.

Mr. Martin is working on forms to make the process clearer. He reviewed the new section ***E. Change Orders***. Any change order that is \$50k or more will come before the Council.

Town Manager Martin asked Council to review the Procurement Policy and if there are any recommended changes to please let him know as soon as possible, before it comes back for approval.

Mr. Martin will take up to 3 Council Members out to get a visual of the lands being discussed in Executive Session, if anyone is interested in going.

5. Adjournment

Mayor German adjourned the meeting at 7:22 p.m.

Attest:

Mayor Charles German

Town Clerk Judy Morgan

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 of the Town Council of Camp Verde, Arizona, held on August 14, 2019. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2019.

Judy Morgan, Town Clerk

DRAFT

Agenda Item 4.a.4.
DRAFT MINUTES
TOWN OF CAMP VERDE
SPECIAL AND EXECUTIVE SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
CAMP VERDE, AZ 86322
FRIDAY, AUGUST 16, 2019 at 9:00 A.M.

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

1. Call to Order

Mayor German called the meeting to order at 9:10 a.m.

- 2. Roll Call.** Councilors: Buck Buchanan, Joe Butner (arrived at 9:13 a.m.), Bill LeBeau, Jessie Murdock, Robin Whatley; Vice Mayor Dee Jenkins; and Mayor Charles German.

Others Present: Town Manager Russ Martin, Water Rights Attorney Steve Wene, Water Resource Liaison Tony Gioia, Risk Manager Carol Brown, Deputy Town Clerk Virginia Jones

3. Pledge of Allegiance

Mayor German led the Pledge of Allegiance

4. Special Session – Legal action can be taken

- 4.1. Discussion or consultation for legal advice with the Water Rights Attorney, Steve Wene, regarding water settlement negotiations with the Yavapai Apache Nation and due diligence on potential purchase of the Camp Verde Water Systems Inc.** The Council may, by majority vote, recess the special session, hold an executive session and then reconvene the special session for discussion and possible action on this item as covered by A.R.S. §38.431.03 (A) (3) and (7).

On a motion by Council Member Buchanan seconded by Vice Mayor Jenkins, Council voted unanimously to go into Executive Session pursuant to ARS 38.431.03 (A) (3) and (7). Councilors Joe Butner, Bill LeBeau, Jessie Murdock, Robin Whatley: Vice Mayor Dee Jenkins and Mayor Charles German voting in favor)

Council went into Executive Session at 9:15 a.m.

Council took a break at 10:38 a.m. and reconvened Executive Session at 10:45 a.m.

- 4.1.1. Recess into and hold an executive session pursuant to A.R.S. §38.431.03 (A) (3)** Discussion or consultation for legal advice with the attorney or attorneys of the public body; **and (7)** Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase of real property, Camp Verde Water Systems Inc., located at 499 S. 6th Street, Camp Verde, Arizona.

4.1.2. Reconvene Open Session.

Council reconvened into open session at 11:16 a.m.

5. Adjournment

Without objection, Mayor German adjourned the meeting at 11:16 a.m.

Attest:

Mayor Charles German

Judy Morgan, CMC, Town Clerk

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session Council Meeting of the Town Council of Camp Verde, Arizona, held on August 16, 2019. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2019.

Judy Morgan, CMC, Town Clerk

Agenda Item 5.1.



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: September 4, 2019

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation

Requesting Department: Library

Staff Resource/Contact Person: Zack Garcia & Youth Advisory Council teens

Agenda Title (be exact): Report from YAC members who attended the League of Arizona Cities & Towns 2019 Annual Conference - Youth Program.

List Attached Documents: none

Estimated Presentation Time: 10

Estimated Discussion Time: 5

Reviews and comments Completed by:

- Town Manager: _____ Department Head: Kathy Hellman
- Town Attorney Comments: n/a
- Risk Management: n/a
- Finance Department
Fiscal Impact:
Budget Code: n/a **Amount Remaining:** _____
Comments:

Background Information: Five Camp Verde Youth Advisory Council (YAC) members accompanied Teen Librarian, Zack Garcia and Children’s Librarian, Jenni Jackson to the League of Cities and Towns conference for youth. They plan to report back to Council regarding their experience at the event.

Recommended Action (Motion): n/a

Instructions to the Clerk: We will need the laptop, projector and screen, please.

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Agenda Item Submission Form – Section I

Meeting Date: September 4, 2019

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Work Session

Requesting Department: Marshal's Office

Staff Resource/Contact Person: Corey Rowley

Agenda Title (be exact): Award presentation ceremony to Deputy Ty Wantland from Mothers Against Drunk Driving (MADD) for DUI officer of the year for the Camp Verde Marshal's Office.

List Attached Documents:

Estimated Presentation Time: 10 Minutes

Estimated Discussion Time: 0

Reviews and comments Completed by:

- Town Manager: _____ Department Head: Corey Rowley
- Town Attorney Comments: _____
- Risk Management: _____
- Finance Department
Fiscal Impact:
Budget Code: _____ Amount Remaining: _____
Comments: _____

Background Information:

On August 15, 2019, Mothers Against Drunk Driving (MADD) held their annual Honoring Heroes Recognition Banquet in Phoenix. This banquet honors law enforcement officers, first responders, and prosecutors who work diligently to support MADD's mission to end drunk driving, help fight drugged driving, support the victims of these violent crimes, and prevent underage drinking. CVMO Deputy Ty Wantland was nominated and received recognition from MADD as a 2019 MADD Hero for his work in DUI enforcement.

Since joining the Camp Verde Marshals Office in December 2018, Dep. Wantland has shown a great interest for impaired driving enforcement as well as traffic enforcement. He has conducted over 244 traffic stops resulting in 6 arrests. Since January 2019, Dep. Wantland has contacted and arrested Seven DUI drivers. This is an impressive number of DUI's for our community. The Department as a whole has had twenty-one DUI arrests since January

2019. Dep. Wantland is a motivated Deputy who inspires his peers by continually striving to maintain and uphold the high standards of the Marshal's Office.

This award will be presented by Helain Day, the Arizona State Programs Manager for Mothers Against Drunk Driving in Arizona.

Recommended Action (Motion):

Instructions to the Clerk:

Agenda Item 5.3.



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: September 4, 2019

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Work Session

Requesting Department: Marshal's Office

Staff Resource/Contact Person: Corey Rowley

Agenda Title (be exact): Promotional ceremony and badge presentation for the promotion of the new Lieutenant within the Marshal's Office.

List Attached Documents:

Estimated Presentation Time: 10 Minutes

Estimated Discussion Time: 0

Reviews and comments Completed by:

- Town Manager: _____ Department Head: Corey Rowley
- Town Attorney Comments: _____
- Risk Management: _____
- Finance Department
 Fiscal Impact:
 Budget Code: _____ **Amount Remaining:** _____
 Comments:

Background Information:

On August 29, 2019 the Marshal's Office conducted a testing process for the position of Lieutenant. The process consisted of a formal presentation on an assigned topic and an interview with a panel of supervisors from within and outside of the Marshal's Office. The position responsibilities will be of a patrol lieutenant/watch commander.

Recommended Action (Motion):

Instructions to the Clerk:

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Agenda Item 7.1.



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: September 4, 2019

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Special Session

Requesting Department: Finance

Staff Resource/Contact Person: Mike Showers

Agenda Title (be exact): Discussion & possible authorization for Mike Showers to sign and deliver any & all such documents necessary to consummate the deed in lieu of foreclosure of the property located at 4092 Cripple Creek Dr., Camp Verde, Arizona (Listed as Lot 384, Verde Lakes Estates, according to the plat of record in Book 14 of Maps, page 10, records of Yavapai county, Arizona).

List Attached Documents: 1) Deed in Lieu – Escrow Instructions

Estimated Presentation Time: 5 mins

Estimated Discussion Time: 5 mins

Reviews Completed by:

Town Attorney Comments: N/A

Department Head:

- Budgeted Unbudgeted N/A

Fiscal Impact: This property could possibly be sold for benefit to the Town or could be placed back into the Home Grant fund for future use in the program. If we choose to sell the property, we would have to repay the entire loan balance to HUD before receiving any profit from the sale. If we choose to keep the property within the Home Grant Fund, we will have to go through the procedures to find possible qualifying candidates for the program. Currently there is no staff allocated to the Home Grant program. It is estimated that this transaction will cost the Town somewhere around \$1,200.00.

Comments: We have an estimated value of the property through a local real estate agent based on a “site-unseen” estimate. That estimate would support the potential for a small profit for the Town. However, if the physical premises are not in good shape, the expected price would come down.

Background Information: The Town currently has two housing programs for low-income individuals. One program is based on monthly rental payments for improvements to the individuals property while the other is a program where an individual simply has to live in the property for a period of 15 years and the loan, provided by HUD, is forgiven with the property owned free and clear by the individual. In the event of the individual’s death the property may pass on to a “qualifying” relative (low-income qualification) if the relative continues to live within the premises as their main

residence. This property is of the second program type and did have the owner pass away within the 15-year period. The property was willed to a sister, but the sister and her family do not wish to live in the house. This puts the property into default and is now to come back to the Town. Rather than go through the foreclosure process, the sister would like to give the property back to the Town through a Deed in Lieu of Foreclosure. To do so, the title company needs Council to authorize an individual to sign the necessary documents to complete the transaction. Once title is transferred, It would need to be determined and presented to Council, as to how the Town would like to handle the property moving forward.

Recommended Action (Motion): Authorize Mike Showers to sign and deliver any & all such documents necessary to consummate the deed in lieu of foreclosure of the property located at 4092 Cripple Creek Dr., Camp Verde, Arizona (listed as Lot 384, Verde Lakes Estates, according to the plat of record in Book 14 of Maps, page 10, records of Yavapai county, Arizona).

Instructions to the Clerk: Deliver proof of passage of above item to the Finance Director to be delivered to the title agency.

ESCROW INSTRUCTIONS TO:

Yavapai Title Agency, Inc.

527 S. Main St.
Camp Verde, AZ 86322
(928) 567-0590

Escrow No: 09005785-009-EJ

Date: August 19, 2019

Escrow Officer: Elissa Jewell

Diane K. James, A Married Woman

(herein called Seller) whose address is 5703 E. River Run Dr., Cottonwood, AZ 86326 Phone _____

Town of Camp Verde, a Municipality

(herein called Buyer) whose address is 395 S. Main St., Camp Verde, AZ 86322 Phone _____

hereby employ Yavapai Title Agency, Inc. to act as Escrow Agent in connection with a sale of the following described property situated in Yavapai County, Arizona, by Seller to Buyer upon the following terms and conditions, which shall be complied with by said parties on or before September 27, 2019 ("Close of Escrow"), except as otherwise specified herein.

Lot(s) 384, of Verde Lakes Estates, Map Book 14, Map Page 10 & 11

which Seller represents to be: **4092 E. Cripple Creek Dr., Camp Verde, AZ 86322**, Tax Parcel No. **404-13-401/6**

SALES PRICE to be paid by Buyer which is represented by:	\$72,850.00	Items Marked With "X" Are The Obligations Each Party Will Pay.	SELLER	BUYER
EARNEST MONEY TO BE DEPOSITED IN ESCROW N/A	\$0.00	TAXES 2019 And Prior		X
		2020 And Future		X
		Prorate To NO PRORATIONS		
CASH PAYMENT TO BE DEPOSITED IN ESCROW on or before close of escrow	\$0.00	RECORDING FEES:		
		Deed		X
		Encumbrance		
BALANCE OF	\$72,850.00	Agreement		
Evidenced by CREDIT given in consideration for the cancellation of the certain Note secured by the Deed of Trust referred to herein.		Release of Encumbrance		X
		Affidavit of Value		X
		Other:		
		ESCROW FEES		X
		OWNER'S TITLE INSURANCE POLICY		X
		LENDER'S TITLE INSURANCE POLICY		

SEE PAGE 2 FOR BUYER AND SELLER ADDITIONAL SALE TERMS AND CONDITIONS, IF ANY, FOLLOWED BY TERMS AND CONDITIONS OF ESCROW.

These Escrow Instructions contain Buyer and Seller Additional Sale Terms and Conditions, if applicable, along with 32 paragraphs of Terms and Conditions of Escrow, exclusive of any addenda, supplements or attachments. Please ensure that you have received and read all paragraphs of these Escrow Instructions, as well as any addenda, supplements or attachments.

BUYER AND SELLER ADDITIONAL SALE TERMS AND CONDITIONS

Seller and Buyer agree as follows:

DEED IN LIEU OF FORECLOSURE

1. For the purposes of these instructions, the **Seller herein is the Trustor and the Buyer herein is the Beneficiary** of that certain Deed of Trust recorded in **Book 4653 Page 223** of Official Records of Yavapai County, Arizona.
2. The Trustor shall transfer title to Beneficiary by a Deed in Lieu of Foreclosure in consideration for the cancellation of that certain Note secured by Deed of Trust referred to herein. The Beneficiary shall accept said Deed in Lieu of Foreclosure by the execution thereof. The Trustor and Beneficiary hereby acknowledge they have been strongly advised by Escrow Agent to seek legal counsel in connection with this Deed in Lieu of Foreclosure transaction. Prior to close of escrow, Trustor and Beneficiary shall approve the Commitment for Title Insurance.
3. Consideration for the execution of the Deed in Lieu of Foreclosure includes: a) Full Release of record of the above referenced Deed of Trust and the surrender and cancellation of the Promissory Note or Notes or other evidence of debt secured by said Deed of Trust; b) The full and absolute release of Trustor from all liability on any and all promissory notes, debts, obligations, costs or charges, the payment of which was secured either by the Deed of Trust specifically referred to above or by any other Deed of Trust or encumbrance on the same property, which may have been assumed or created by Trustor as an obligation at the time of or subsequent to Trustor's acquisition of the title to said property, and which last mentioned other Deed of Trust or encumbrance, if any, with the debts and obligations thereby secured, Beneficiary will assume and agrees to pay by specific provisions set forth in said Deed in Lieu of Foreclosure.
4. The Sales Price as set forth on Page 1 is the Transfer Value for the execution of the Deed in Lieu of Foreclosure is equal to and represents the fair value of the real property described herein and includes the fair and reasonable value for the Trustor's interest in said property.
5. The reserve fund (impoundment), if any, held by Beneficiary/Lender in the above encumbrance, is to be: There is no reserve fund.
6. These instructions and the Deed in Lieu of Foreclosure are executed voluntarily and not as a result of duress or threats of any kind, and are bona fide and not given to hinder, delay or defraud the rights of creditors or contravene the bankruptcy laws of the United States. The Trustor herein is solvent and has no other creditors whose rights would be prejudiced by this conveyance.
7. The Deed in Lieu of Foreclosure is not given as security for the payment or repayment of money or indebtedness, or as security of any kind or nature, and there is no agreement or understanding, oral or written, between Trustor and Beneficiary herein, or any other person whomsoever relative to a reconveyance of the above described property to said Trustor, or to a sale or conveyance to anyone else for the benefit of the Trustor, or to any division of any proceeds realized from said property by sale or otherwise.
8. The actual possession of the property herein will be surrendered by Trustor and delivered to the Beneficiary upon close of escrow. The Trustor intends by the Deed in Lieu of Foreclosure to vest the absolute and unconditional title to said property in the name of the Beneficiary, and forever estop and bar Trustor and Trustor's heirs, executors or administrators from having or claiming any right, title or interest of any nature whatsoever, either in law or in equity, or in possession or in expectancy, in and to said property or any part thereof.

TERMS AND CONDITIONS OF ESCROW

Seller and Buyer further agree as follows:

DEPOSIT/DISBURSAL OF DOCUMENTS AND FUNDS:

1. Deposit of Documents and Funds.

(a) They will deposit with Escrow Agent the necessary documents and funds to complete this transaction. Except for the earnest money deposit, all funds required hereunder shall be deposited into escrow prior to closing in the form of a cashier's check or wired funds. All foreign funds must be wire transferred in the form of U.S. Dollars.

(b) All monies deposited with Escrow Agent in connection with this escrow will be deposited into one or more non-interest bearing escrow trust accounts of Escrow Agent with a financial institution (the "Funds Depository") whose deposits are covered by FDIC

(Page 2 of 6)

or FSLIC insurance. The parties acknowledge that funds so deposited are insured only to the limit provided by the FDIC/FSLIC and therefore release Escrow Agent from any liability for loss which may result from a lack of insurance as guaranteed by the current coverage of FDIC or FSLIC. The parties may request that any funds they deposit be placed in an interest-bearing account in accordance with instructions and fees as set forth in their Escrow Deposit Receipt.

2. Disbursement of Funds. Escrow Agent is authorized to pay, from funds deposited and held for said purpose, all amounts necessary to procure the documents and pay the charges and obligations necessary to consummate this transaction. The balance of the proceeds, if any, is to be paid to Seller(s) as their interest(s) may appear. Escrow Agent has no obligation to disburse any funds deposited by check/draft until advised by the bank that the check/draft has been honored. In the event any check/draft given by, or on behalf of, a party is subsequently dishonored, the party receiving the funds agrees to refund any remittance made to that party by Escrow Agent.

3. Completion, Recording and Delivery of Documents.

(a) Escrow Agent is authorized to execute and record on the parties' behalf the Affidavit of Real Property Value using the total consideration for the established value.

(b) Escrow Agent may, in its sole discretion, delete or make unreadable personal identifying information (such as social security or driver's license numbers) contained on documents to be recorded, unless such information is necessary for a document's validity or in order for it to be recorded.

(c) Deed Compliance. Seller authorizes Escrow Agent, if necessary, to change the Buyer's name on the executed deed to match the Buyer's name exactly as shown on the deed of trust provided by Buyer's lender, if applicable.

(d) Seller and Buyer acknowledge that deposit of Buyer's final closing funds into escrow, and Seller's deposit of all documents required for closing, shall constitute authorization to Escrow Agent to close this transaction upon fulfillment of any additional escrow/title requirements. At that time, Escrow Agent shall deliver to the proper person/entity, or file/record in the appropriate public office, all documents required to be delivered, filed or recorded to consummate this transaction.

PRORATIONS AND CHARGES

4. Taxes/Assessments. Unless the parties agree in writing that there shall be no prorations, real property taxes, improvement lien assessments, homeowner's association assessments and irrigation fees, if applicable, are to be prorated based on the latest tax/assessment bill(s) available to Escrow Agent at the close of escrow. All transfer fees will be split equally between Buyer and Seller.

The amount of any assessment or fee that is a lien at close of escrow shall be paid: Prorated and assumed by Buyer.

Any assessment or fee that becomes a lien after close of escrow shall be Buyer's responsibility. Escrow Agent is not liable in the event a subsequent tax/assessment bill is different from that used as the basis for the proration. Any adjustment necessary because of a change reflected in a later tax/assessment bill will be settled between the parties outside of escrow. Seller and Buyer agree that all prorations required in this escrow shall be calculated on the basis of a 365 day year unless otherwise instructed.

5. Rents. Any rents are to be prorated based on a rent statement to be provided to Escrow Agent by Seller and approved by Buyer prior to close of escrow. Any security deposits will be charged to Seller and credited to Buyer.

6. Escrow Charges. Except in the case of VA or FHA loans, or as otherwise agreed between the parties, escrow charges will be allocated between Seller and Buyer as follows:

a. To be charged to Buyer: Recording fees for deeds and deeds of trust; courier/express mail charges for documents sent to Buyer or Buyer's lender, mortgage broker, or any other person/ entity pertaining to Buyer; e-mail fees for loan document(s); and wire fees for funds received or disbursed on Buyer's behalf or as directed by Buyer.

b. To be charged to Seller: Recording fees for Affidavits of Disclosure, Affidavits of Property Value, releases and other documents needed to clear title; courier/express mail charges for documents or payments sent to Seller or Seller's lienholders/payees or any other person/entity pertaining to Seller; reconveyance tracking fees; and wire fees for loan payoffs, Seller's proceeds and any other funds as directed by Seller.

c. Other fees or charges: Allocated to Seller and/or Buyer according to which party incurred the particular fee or charge.

d. In the case of a VA or FHA loan, charges will be allocated according to VA or FHA requirements.

7. Unclaimed Funds Charges.

A. Stale Dated Checks: If for any reason a check from Escrow Agent is not cashed within six (6) months from the date of issuance, a \$25.00 charge will be assessed by Escrow Agent for re-issuance of the check.

B. Escheat: If for any reason a check from Escrow Agent is not cashed for one year or more, Escrow Agent will deduct a charge of \$25.00 per month from the funds as custodian for maintaining the funds in its account until the entire sum of said uncashed

check has been exhausted or a claim has been made for the remainder. In the event three (3) years elapses, any unclaimed remainder will be sent to the State of Arizona escheat fund.

C. Funds Held Pending Dispute Resolution: If for any reason funds remain in an escrow after the closing date due to a dispute wherein Escrow Agent has given Seller and Buyer at least thirty (30) days notice that said charge will accrue, Escrow Agent will deduct a monthly charge of \$25.00 from those funds as custodian for maintaining the funds in its escrow account. The deductions will occur on a monthly basis until (i) the entire sum in the escrow has been exhausted or (ii) the dispute has been resolved by mutual, written agreement or a final, non-appealable court order, whereupon Escrow Agent will distribute the remainder as directed in the agreement or court order.

PAYOFF/LENDER/INSURANCE REQUIREMENTS

8. Payoff Statements. Escrow Agent is authorized to act upon any statement furnished by a lienholder, payee or collection agent for a lienholder or payee related to the payoff of any lien against, or charge or assessment related to, the property, without liability or responsibility for the accuracy thereof. Any adjustment necessary because of a discrepancy between the statement furnished to Escrow Agent and an amount later determined to be correct shall be settled between the parties outside of escrow.

9. Lender Requirements. If Buyer is obtaining a new loan, Escrow Agent is authorized to furnish a copy of the Settlement Statement and any other information which may be required to Buyer's proposed lender in order to induce said lender to furnish the loan required to complete this transaction.

10. Homeowner/Fire/Hazard ("Homeowner's") Insurance will be provided as follows:

N/A

TITLE AND ESCROW

11. Escrow Instructions. Escrow Agent shall have no responsibility in connection with these Escrow Instructions until such time as they have been executed by Seller and Buyer and deposited with Escrow Agent. Escrow Agent shall not be bound by, nor be obligated to act upon, any instruction, demand or notice not in writing and signed by the party delivering such instruction, demand or notice.

12. Indemnification/Hold Harmless. Seller and Buyer relieve Escrow Agent of any liability for any errors or omissions by the Seller or Buyer as to statements furnished hereunder, representations made and/or the condition of the property. Seller and Buyer further agree to indemnify and hold harmless Escrow Agent against all costs, damages, attorneys fees, expenses and liabilities which it may incur or sustain arising out of or in connection with this transaction or these Escrow Instructions, unless the same has been caused by the negligence or willful misconduct of Escrow Agent.

13. Title. Seller shall convey title by general warranty deed. Buyer will take title as determined before close of escrow. As the manner of taking title may have significant legal, estate planning and tax consequences, Buyer may wish to obtain legal and/or tax advice prior to making this determination.

14. Title Insurance. Unless otherwise specified in writing by the parties Buyer shall be provided, an ALTA Homeowner's Title Policy or, if not available, an ALTA Residential Title Insurance Policy or, if not available, a Standard Coverage form of title insurance policy. The title insurance provided for herein shall be subject to the conditions of, and evidenced by the commitment for, title insurance issued by the underwriter. Buyer should examine the commitment carefully for coverages provided and make its own investigation of matters related to the real property if not covered therein and considered material to Buyer.

CANCELLATION/RESIGNATION/DISPUTES

15. Resignation. At any time and in its sole discretion, Escrow Agent can resign as escrow agent by sending written notice to Seller and Buyer. Unless otherwise specified in writing by the parties, all money and documents held by Escrow Agent will be returned to the party who delivered them into escrow, less any applicable charges, without further liability.

16. Conflicting Demands. In the event conflicting demands are made upon Escrow Agent concerning these instructions or this escrow, Escrow Agent is authorized to hold any money and documents deposited hereunder until it receives mutual, written instructions or a final, non-appealable court order determining the rights of all parties. Alternatively, Escrow Agent may, at its discretion and at any time, commence a civil action to interplead any conflicting demands to a court of competent jurisdiction. In accordance with the Indemnification/Hold Harmless Paragraph; the parties will pay any expenses, costs and attorneys' fees incurred by Escrow Agent in connection with the interpleader action and any appeal. They therefore authorize and direct Escrow Agent to deduct all such expenses, costs and attorney's fees from any escrowed funds before depositing those funds into court.

17. Cancellation. Unless otherwise specified in writing by the parties, any party who wishes to cancel this escrow because of any material breach by the other party, and who is not in material breach except as occasioned by a material breach by the other party, may cancel this escrow by delivering written notice of cancellation to either the breaching party or the Escrow Agent stating

the nature of the breach. Cancellation shall become effective immediately upon delivery of the written notice of cancellation to either the breaching party or Escrow Agent.

18. Release of Earnest Money. Escrow Agent is authorized, in the event of a dispute between Seller and Buyer regarding the earnest money deposited with Escrow Agent, to release the earnest money pursuant to the terms and conditions of these Escrow Instructions. Seller and Buyer specifically authorize Escrow Agent to act in its sole and absolute discretion in the release of the earnest money. Seller and Buyer agree to hold harmless and indemnify Escrow Agent against any claim, action or lawsuit of any kind, and from any loss, judgment or expense, including costs and attorney's fees, arising from or relating in any way to the release of the earnest money.

EXCLUDED MATTERS/PERSONAL PROPERTY

19. Personal Property. The following personal property is to be transferred as part of this transaction: NONE.

Escrow Agent assumes no liability for the transfer of personal property, its physical condition or legal status. Unless otherwise specified by the parties, any personal property is being transferred for no monetary value.

20. Excluded Matters. The following matters will be handled by the parties direct and outside escrow and Escrow Agent shall have no liability or responsibility therefore: possession of the real or personal property; transfer or payment of utilities (including but not limited to electric, gas, telephone, water, sewer or irrigation); collection of cancellation premiums from Seller's homeowners/fire/hazard insurance policy; renewal, procurement, assignability or effectiveness of flood insurance or any other policies of insurance (except as set forth in Paragraph 10); payment of personal property taxes (other than for unaffixed mobile homes); and treatment of wood infestation.

MISCELLANEOUS

21. Real Estate Commissions. The parties represent there are no Broker(s) entitled to commission for this transaction.

22. Binding Contract/Amendments. These Escrow Instructions and any addenda, supplements or amendments thereto form the only binding contract wherein Seller agrees to sell and Buyer agrees to purchase the subject property under the terms and conditions contained herein. No addenda, supplement or amendment to these Escrow Instructions shall be of any force or effect unless made in writing, signed by the parties and delivered to and accepted by Escrow Agent.

23. Counterpart and Facsimile Signatures. Any documents pertaining to this escrow that are signed in counterpart shall constitute one document, including but not limited to, escrow instructions, supplements, deeds, acceptances, Affidavits of Value and Affidavits of Affixture. Escrow Agent may accept these escrow instructions with facsimile signatures and such instructions shall be considered contractually binding between the parties whether or not the originals are received by Escrow Agent.

24. Settlement Statements. Seller and Buyer understand that a combined Settlement Statement and/or Closing Statement may be provided to each party to facilitate this transaction.

25. Close of Escrow. The day established within which compliance with any requirements must be met shall end at the close of the regularly established public business hours of Escrow Agent for that day; provided, however, that should Escrow Agent or the applicable county recorder be closed on the Close of Escrow date, the requirements may be met on the next day that both are open for business.

STATUTORY DISCLOSURES

26. Purchaser Dwelling Actions. Pursuant to Arizona Revised Statutes ("A.R.S") §12-1363.L, notice is hereby provided to the buyer of a dwelling of the provisions of A.R.S. §§12-1361, 1362 and 1363. These statutory sections set forth the requirements to be met by a buyer prior to bringing an action against the seller of a dwelling arising out of or related to the design, construction, condition or sale of the dwelling. "Dwelling" means a single or multifamily unit designed for residential use and common areas and improvements owned or maintained by an association or its members. "Seller" means any person, firm, partnership, corporation, association or other organization engaged in the business of designing, constructing, or selling dwellings. The complete statutory sections (located in Title 12, Article 14) can be viewed on the Arizona State Legislature's website: www.azleg.gov/ArizonaRevisedStatutes.asp.

27. Closing Protection Letters. Pursuant to A.R.S. §6-841.02.A, if you are a buyer or seller of a residential dwelling and a title insurance policy is to be issued by a title insurer through which Escrow Agent is underwritten, disclosure is hereby made that the title insurer shall offer on request a closing protection letter that provides protection for the loss of escrow monies due to fraud or dishonesty of the escrow agent. A "residential dwelling" is defined as an owner occupied structure or an investment property that is designated for residential use by four or fewer families. (A.R.S. 6-841.02.C).

28. Uninsured Monies. Pursuant to A.R.S. §6-841.03, if you are a buyer or seller of a residential dwelling (as defined in Paragraph 27, Closing Protection Letters, above), disclosure is hereby made that monies deposited in an escrow account are not insured against loss from fraud or theft by the State of Arizona or the United States government.

29. Good Funds Law. All parties are aware and understand that Arizona Revised Statutes §6-843 requires that an escrow agent disburse money from an escrow account only if funds are deposited and available for withdrawal. Availability of funds is determined as follows:

- (i) ELECTRONIC TRANSFERS (“wired funds”) are available for disbursement THE SAME DAY AS RECEIVED.
- (ii) CASHIER’S CHECKS, CERTIFIED CHECKS, OFFICIAL CHECKS AND TELLER’S CHECKS are available for disbursement THE SAME DAY AS DEPOSITED.

In order to avoid delays of two days or more, please use the above methods of payment whenever possible.

30. Arizona’s Notary Laws. Under Arizona law, “satisfactory evidence of identity” for purposes of a notary’s acknowledging signatures or performing jurats includes, but is not limited to: (i) a driver’s license issued by a state or territory of the U.S.; (ii) a U.S. passport , (iii) an identification card issued by any branch of the U.S. armed forces; or (iv) an identification card issued by the U.S., or a state or tribal, government containing the individual’s photograph, signature and physical description. For purposes of a real estate conveyance or financing, such evidence may also include (i) a passport issued by a foreign government if accompanied by a visa or other documentation issued by the U.S. government to establish the individual’s legal presence in the U.S or (ii) identification deemed acceptable by the U.S. Department of Homeland Security to establish the individual’s legal presence in the U.S. and any supporting documents required by said Department. All forms of identification must be unexpired. To avoid any delays in closing your transaction, you should determine as soon as possible what form(s) of identification you have. If you do not have one of the forms specified herein, you should apply for and obtain an appropriate form of identification prior to closing.

31. These Escrow Instructions shall be governed by, construed and enforced in accordance with the internal substantive laws of the State of Arizona (without reference to choice of law principals). Any suit, action or other proceeding (collectively, the “Proceedings”) brought to interpret, enforce or construe these Escrow Instructions or Escrow Agent’s obligations relating thereto or to the transaction which is the subject of this Agreement shall be commenced and maintained solely in an appropriate court of the State of Arizona. In furtherance thereof, with regard to said Proceedings, the undersigned (i) irrevocably submit to the process, jurisdiction and venue of said Arizona courts and (ii) waive and agree not to assert by way of motion, defense, complaint or otherwise any claim that a party is not personally subject to the jurisdiction of said Arizona courts, or that the forum or venue of such Proceedings in Arizona is inconvenient or improper.

32. PROFESSIONAL/LEGAL/TAX REVIEW. Seller and Buyer understand that Escrow Agent’s employees are not licensed real estate agents or attorneys and are prohibited from giving legal, real estate or investment advice and will not negotiate the transaction. They further acknowledge that Escrow Agent has made no representations, either orally or through these Escrow Instructions, as to the legal effect of the transaction described herein under any applicable federal or state laws or regulations, including but not limited to tax or contract laws, or laws otherwise affecting the rights and responsibilities of the parties. By executing these instructions, Seller and Buyer acknowledge that they have been given sufficient opportunity to have these instructions reviewed by professional, legal and tax advisors of their choice and have satisfied themselves as to the legal and tax effects, consequences and risks that may be imposed by this transaction.

THE UNDERSIGNED HEREBY ACKNOWLEDGE THAT THEY HAVE READ AND UNDERSTAND THE MATTERS CONTAINED IN THESE ESCROW INSTRUCTIONS. THEY FURTHER UNDERSTAND THAT ESCROW AGENT IS RELYING UPON THIS ACKNOWLEDGMENT IN CLOSING THE SUBJECT ESCROW.

SELLER:

BUYER:

Town of Camp Verde

Diane K. James

Date

**By:
Its:**

Date

Agenda Item 7.2.



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: September 4, 2019

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation

Requesting Department: Finance **Staff Resource/Contact Person:** Mike Showers

Agenda Title (be exact): Approve Finance Director Michael Showers to submit Annual Expenditure Limitation Reports to the State on behalf of the Town of Camp Verde retro-actively for FY19 and forward until further notice.

List Attached Documents: 1) CFO Designation Form

Estimated Presentation Time: 5 mins

Estimated Discussion Time: 5 mins

Reviews and comments Completed by:

Town Manager: _____ Department Head: _____

Town Attorney Comments: _____

Risk Management: _____

Finance Department
Fiscal Impact:
Budget Code: N/A **Amount Remaining:** _____

Comments: The State is requiring that these form be completed annually and must have Council approval in documented form. This document will serve as Council's approval into the future without having to re-approve every year.

Background Information: None.

Recommended Action (Motion): Approve Finance Director Michael Showers to submit Annual Expenditure Limitation Reports to the State on behalf of the Town of Camp Verde retro-actively for FY19 and forward until further notice.

Instructions to the Clerk: Please provide the minutes of this item to the Finance Director for submission with the form.

Notice of Chief Fiscal Officer
Designated to Officially Submit the Expenditure Limitation Report
For the year ending June 30, 2019

As required by Arizona Revised Statutes §41-1279.07(E), annually by July 31 each county, city, town, and community college district must provide the Auditor General the name of the chief fiscal officer (CFO) the governing body designates to officially submit the current fiscal year's Annual Expenditure Limitation Report (AELR) on behalf of the governing body and certify to the accuracy of the report.

Political subdivision:

Designated CFO's name:

Title:

Phone number:

Email address:

Date governing body designated the CFO: 

Attach documentation of the governing body's official action designating the above-named individual to submit the AELR as the CFO (e.g, governing body-approved resolution or adopted governing body meeting minutes). Supporting documentation must be attached or this form will not be accepted.

Attachment(s):

Political subdivisions must submit an updated form and documentation for any changes in individuals designated to officially submit the AELR.

RESOLUTION NO. 2019-1030

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, URGING THE ARIZONA LEGISLATURE TO HEAR AND RATIFY AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO EQUAL RIGHTS FOR MEN AND WOMEN.

WHEREAS, on March 22, 1972, the Congress of the United States, in both houses by a constitutional majority of two-thirds in both houses, adopted a proposition to amend the Constitution of the United States relative to Equal Rights (ERA) for men and women; and

WHEREAS, Congress originally set a deadline of March 22, 1979 for ratification, as provided for in Article V of the U.S. Constitution; and

WHEREAS, through 1977, the amendment received 35 of the necessary state ratifications; and

WHEREAS, in 1978, Congress passed a joint resolution with the intent of extending the ratification deadline to June 30, 1982; and

WHEREAS, on March 22, 2017, the 45th anniversary of Congress' submission of the ERA to State Legislatures, the Nevada Legislature became the first to ratify the ERA after the expiration of the established deadlines; and

WHEREAS, on May 30, 2018, the Illinois General Assembly ratified the ERA; and

WHEREAS, thirty-seven (37) of the required thirty-eight (38) states have now ratified the ERA.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Camp Verde, Arizona, that the Town of Camp Verde hereby supports an amendment to the Constitution of the United States relative to Equal Rights for men and women and urges the Arizona Legislature to hear and ratify the same so that Arizona may become the 38th and final state needed for ratification of the ERA to the Constitution of the United States.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Arizona on this ___th day of September, 2019.

Charles C. German, Mayor Date:

Attest:

Approved as to form:

Judy Morgan, Town Clerk Date:

Town Attorney

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August 22, 2019

The Honorable Charles German
Mayor, Town of Camp Verde
473 S. Main Street, Suite 102
Camp Verde, AZ 86322

Dear Mayor German,

The Verde River is one of the few remaining flowing rivers in Arizona, endangered by over-use, drought, and climate change. This hard-working river, along with its tributaries, serves agriculture, recreation, wildlife, and industrial uses, in addition to providing drinking water to downstream cities. Friends of the Verde River is a nonprofit organization that works collaboratively to restore habitat, sustain flows, and promote community stewardship to support a healthy Verde River system.

In 2018, Friends of the Verde River and The Nature Conservancy teamed up, with support from the USDA Forest Service and others, to produce a Verde River Watershed Report Card. In developing the report card, we worked collaboratively with stakeholders in all areas – water, habitat, and community. We held two workshops, in November 2018 and April 2019, and multiple small group and individual meetings. Many shared data with us, and we are close to having draft scores.

One outcome of the report card that I'm personally excited about is the ability to directly connect projects to results, which will enable us to increase funding for conservation and management projects and achieve our goal of a healthy Verde River System. We plan to showcase the draft final report card at the State of the Verde Watershed Conference October 28 – 30, 2019, with final reports out shortly after.

The Forest Service committed funding to cover about 45 percent of the \$250,000 estimated cost and the Nina Mason Pulliam Charitable Trust committed another 10 percent. Local municipalities, including Clarkdale, Sedona, and Cottonwood, have all contributed funds for the local match. Last year we asked Camp Verde to join us in supporting both the Watershed Report Card and the State of the Verde Watershed Conference. We can't complete this project without your support.

Last year we requested \$8,000 as Camp Verde's share of the local match. I'm renewing that request today. Won't you join the other Verde Valley cities in funding this important work?

Camp Verde's contribution will be recognized at the Conference with a Platinum level sponsorship, on our website, and in our annual report. You will have ten tickets to distribute so that Camp Verde can be represented at the conference, which we are holding at the Cliff Castle Casino & Conference Center, October 28 - 30.

I hope we can say that Camp Verde is working together with the rest of the Verde Valley on this important project to help us achieve the goal of a healthy Verde River system. I appreciate the time you and your staff have already invested in the Verde Watershed Report Card. Thank you!

Please contact me with any questions and next steps. I will be in contact to follow up on our request.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy L.C. Steele". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Nancy L.C. Steele, D.Env.
Executive Director

nancys@verderiver.org

(213) 393-7407

Cc: Steve Ayers, Economic Development

August 27, 2019

The Honorable Charles German
Mayor, Town of Camp Verde
473 S. Main Street, Suite 102
Camp Verde, AZ 86322

Dear Mayor German,

Thank you for the opportunity to follow-up on my letters of August 22, 2019, and July 11, 2018, with additional information regarding our request to support the Verde Watershed Report Card and State of the Verde Watershed Conference. I am including the two newsletters that have been produced so far regarding the development of the report card. The draft of the report card will be presented at the State of the Verde Watershed Conference October 28 – 30, in Camp Verde.

As you know, we have been working together for the health of the Verde River system and our communities for over a decade. We have secured funding to identify needs and complete projects, much of which has benefitted the Town of Camp Verde. Our successes center on collaborations, such as the Verde Front, for sustainable recreation, and the Verde Watershed Restoration Coalition, for habitat restoration. Our successes rely on all of us – cities, counties, agencies, businesses, organizations, and landowners – working together. In order to understand where we are going and how we are going to get there to support a healthy Verde River system, we have to understand where we are. That is what the Verde Watershed Report Card seeks to do. It is a snapshot in time of the way things are today in the Verde Watershed and in our communities.

The Verde Watershed Report Card will build a shared understanding of the specific challenges facing the Verde River and our communities. Through this process we are developing an understanding of what projects and actions are needed to improve poor conditions and protect good conditions.

I appreciate the time you and your staff have already invested in the Verde Watershed Report Card. Thank you! Please contact me with any questions and next steps.

Sincerely,



Nancy L.C. Steele, D.Env.
Executive Director
nancys@verderiver.org
(213) 393-7407

Cc: Russ Martin, Town Manager
Steve Ayers, Economic Development

VERDE RIVER WATERSHED REPORT CARD NEWSLETTER

Apr. 4–5, 2019 Second stakeholder workshop summary

The Verde River flows through north-central Arizona and is a primary water source for Phoenix. As it works its way down from its headwaters in the Big and Little Chino Basins, the Verde provides excellent habitat for a wide array of plants and animals. Water from the river also supports small-scale agriculture, landscaping, and accessible groundwater for communities. Recreation on the river is an important economic and cultural resource—if you haven't yet visited the Verde River you are missing out on one of the gems of the southwestern US. Due to the many values we place on the Verde, management of the river is complicated and many stakeholders are engaged in the process. This is a perfect system to apply the Watershed Report Card method.

For two days, April 4–5, a diverse group of stakeholders assembled from around the region to continue the process of developing a Verde River Watershed Report Card. The report card will have three main themes: Water, Habitat, and Communities. The communities theme is a recognition that a healthy river requires thriving communities of people who value the river in multifaceted ways. The report card process is rewarding in part due to the incredible engagement of the different stakeholders and their determination to indicate the health of the watershed in relevant and meaningful ways. Over the course of two days, we further developed indicators, discovered data to score for each indicator, and discussed scoring approaches, in some cases, discussing the selection of thresholds. We also discussed narrative that might be appropriate for the report card—some of these stories are included in this newsletter.



Indicators are being developed for each of the three main report card themes: Water, Habitat, and Communities. Photos clockwise from top left: Sally May on Fossil Creek; View from Doe Mountain Trail No. 60; Waterfall Trail Fossil Creek. Deborah Lee Soltesz.

WATER IS LIFE

As many have said, “water is life.” Certainly, in an arid climate, water’s scarcity requires that we examine how we use and share this resource. In the Verde River system, people claimed water and built 42 ditches, each with an establishment date going back more than a century. Arizona’s system of water rights, along with reserved water rights for native peoples, means that the untangling Verde river water is destined for the courts. Adjudication—the process by which a judge hears all claims and decides who as the right to how much water—is expected to bring water-rights certainty to the Verde River, someday.

WATER IS HABITAT

The amount of water on the landscape strongly influences the type of habitat available for wild plants and animals. The Verde River winds through a transitional ecoregion, part of the Mogollon Highlands. This is the region of central Arizona where the Sonoran Desert meets the Colorado Plateau. With elevations ranging from 12,000 ft in the San Francisco Mountains to 1,600 ft at the confluence of the Verde with the Salt River near Phoenix, climate is variable. More rain falls in the Verde Watershed than in other parts of the state, feeding perennial streams. The forested areas alongside the rivers and creeks support diverse bird communities, and attract characteristic animals such as otters, beavers, white-tail deer, javelina. The river itself supports native and introduced fish that feast on abundant insect life.

But changes in water flows and climate change threaten to reduce water flows and shift the location and spatial extent of the many habitats. Human impacts are changing, also, as more people move to cities in, or that impact, the watershed, such as Cottonwood, Sedona, and Prescott. Therefore, tracking and protecting the biodiversity of the Verde watershed over time is an important challenge for the many stakeholders here. Questions such as: “How much water does a fish need for healthy habitat?” are more than academic, especially if the answer will be applied in a rigorous way to water management throughout the basin.

WATER IS COMMUNITY

Thriving communities that are economically stable and within which the children are healthy and well-educated, have the best chance of succeeding in conserving the values we place on the Verde River. Many businesses in the basin depend on water from the Verde River, either directly through water for agriculture and recreational boating, or indirectly through tourism. People who live here value the river for itself. But the river supports and depends on these communities, therefore threats to healthy communities are closely tied to threats to the river itself. Continued engagement throughout the community is the most promising tool of conservation. Groups in the Verde watershed hold many events throughout the year and host volunteer efforts to clean up and conserve the river. The success of these initiatives is one indicator of engagement, useful to tracking the health of this river community.



Workshop participants brainstorming indicators. Andrew Elmore.



Project construction in the Verde watershed. Andrew Elmore.

REPORT CARD REPORTING REGIONS

The Verde River watershed is complex, spanning 190 miles of mountains, plains, and valleys. To evaluate the health of the Verde as accurately as possible, the watershed must be divided into reporting regions. These smaller regions are geographically specific and will highlight the unique differences between regions in this watershed. Factors that determine reporting regions include data density and availability, the overall biogeography of the watershed, and social and political issues in the region.

The seven reporting regions in the map to the right were conceptualized at the two stakeholder workshops. Reporting regions will continue to be revised as indicators are developed and data become available.

From top left to bottom right, the reporting regions are: Big and Little Chino, Upper Verde, Upper Verde Valley, Oak Creek, Lower Verde Valley, Wild and Scenic, and the Lower Verde.



REPORT CARD PROCESS

The first step in developing a report card is engaging stakeholders to describe the watershed graphically, with the goal of creating a shared understanding of the basin as a whole. This step was completed at the November workshop. The next two steps, Choose Indicators and Determine Thresholds, are currently underway by the project team. Physical, biological, and social indicators are being evaluated against scientifically-derived thresholds to determine the overall health of the Verde watershed. Between now and October 2019 the remaining two steps, Calculating Grades and Communicate, will be completed. Indicator scores will be summarized, converted to grades, and shared in the final report card document.



NEXT STEPS AND PROJECT TIMELINE

The development and production of the Verde River Watershed Report Card is estimated to take 15 months, with the release planned for January 2020. Following the initial stakeholder workshop in November 2018, the next seven months entail collection and analysis of data for the identified indicators. The second stakeholder workshop was held in Camp Verde, AZ on April 4–5, 2019. A draft report card will be created from April to July 2019 based on the discussion and feedback from the second stakeholder workshop. From July to November, the Verde River Watershed Report Card will be revised and finalized, with a soft-release during the State of the Watershed conference in October 2019.



Workshop participants



Participants of the second stakeholder workshop held at the Camp Verde library in April 2019. Kim Schonek.

- Steve Ayers, Town of Camp Verde
- Keith Ayotte, Arizona State Parks and Trails
- Gary Beverly, Sierra Club; Citizens Water Advocacy Group
- Brent Bitz, Friends of the Verde River
- Nicole Branton, Coconino National Forest
- Steve Chesterton, US Forest Service National Office
- George Christianson, Arizona State Parks and Trails
- Ron Corbin, City of Cottonwood
- Scott Deeny, The Nature Conservancy
- Shaula Hedwall, US Fish and Wildlife Service
- Darcy Hitchcock, The Sustainability Alliance
- Roy Jemmison, US Forest Service
- Mckenzie Jones, City of Sedona

- Kyung Kho, US Forest Service
- Greg Kornrumpf, Salt River Project
- Karon Leigh, Friends of the Verde River
- Melissa McMaster, River's Edge West
- Kelly Mott-Lacroix, Tonto National Forest
- Terri Nelson, Yavapai County
- Tom Palmer, Prescott National Forest
- Selena Pao, The Nature Conservancy
- Holly Richter, The Nature Conservancy
- Kim Schonek, The Nature Conservancy
- Morgan Scott, City of Cottonwood
- Lucas Shaw, Salt River Project
- Albert Silas, Prescott National Forest
- Nancy Steele, Friends of the Verde River
- Tracy Stephens, Friends of the Verde River
- Tom Thurman, Yavapai County Board of Supervisors
- Ron Tiller, Arizona Department of Environmental Quality
- Dave Weedman, Arizona Game and Fish Department
- Max Wilson, Friends of the Verde River
- Chad Yocum, Prescott National Forest

Science communication

- Andrew Elmore, Heath Kelsey, Alex Fries, Emily Nastase, University of Maryland Center for Environmental Science Integration and Application Network

Cover photo: Mazatzal on Fossil Creek. Deborah Lee Soltesz.



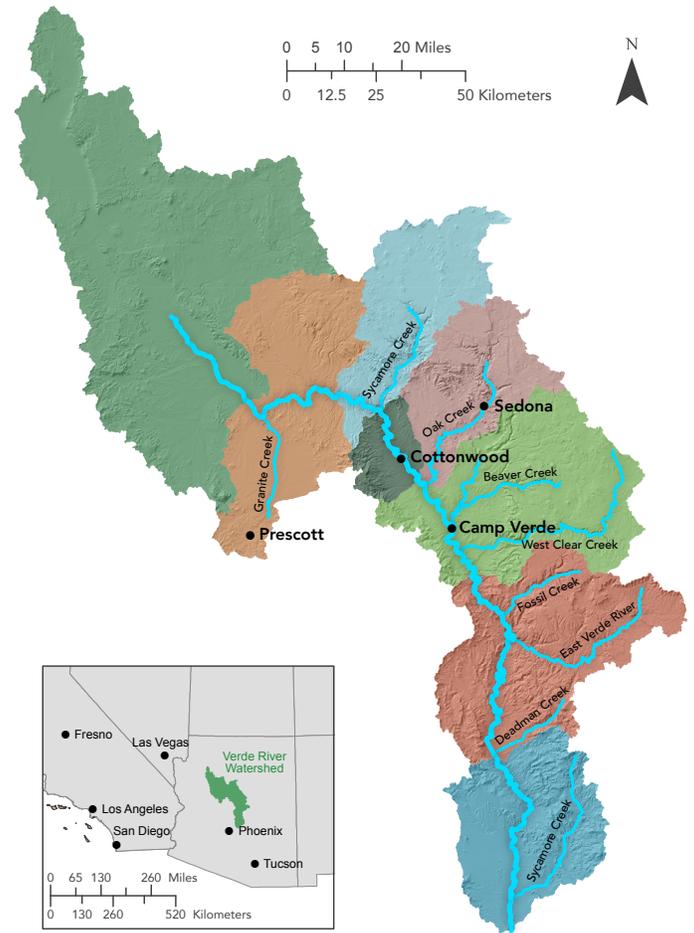
VERDE RIVER WATERSHED REPORT CARD NEWSLETTER

Nov. 13–14, 2018 Stakeholder workshop summary

The first Verde River Watershed Report Card workshop took place on November 13–14th, 2018 in Cottonwood, Arizona. More than 25 diverse stakeholders came together at this workshop to conceptualize the watershed, create a shared vision, and discuss indicators for the Verde River Watershed Report Card.

This newsletter summarizes outputs from the initial stakeholder workshop to develop the Verde River Watershed Report Card. The objectives of the workshop were to: i) introduce the project and agree on expected outcomes; ii) begin the process of developing a report card; and, iii) define the geographic scope of the report card, indicators, thresholds, data sources, and communication plan.

This project is a partnership between Friends of the Verde River and The Nature Conservancy with generous funding from the United States Forest Service and the Nina Mason Pulliam Charitable Trust. The University of Maryland Center for Environmental Science (UMCES) is leading the creation of this report card to assist Friends of the Verde River and The Nature Conservancy achieve their goals of collaboratively restoring habitat, sustaining flows, and promoting community stewardship to support a healthy Verde River system.



West fork of Oak Creek, Sedona, AZ. *Al HikesAZ CC BY-NC 2.0.*



Abundant recreational opportunities bring tourists to the Verde River. *USDA Forest Service.*



River otters are iconic to the Verde River. *Doug Von Gausig.*

PROPOSED INDICATORS OF VERDE RIVER WATERSHED HEALTH

Report cards evaluate the health of watersheds based on a set of scientifically-derived indicators and thresholds. Watershed health encompasses the chemical, physical, and biological integrity of riverine systems. This can also include the social and economic values that healthy river basins deliver to society, and the health of management and governance systems that provide protection or restoration of river health. Indicators that were brainstormed during the workshop fall under three broad categories: sustaining flows, restoring habitat, and promoting community stewardship. All of the proposed indicators will be evaluated for inclusion in the Verde River Watershed Report Card, and are listed below.



A healthy Verde River watershed has flowing **water**, natural **habitat** structure, and supports thriving **communities**.

For flows to be sustainable they must be of sufficient **water quality** and **water quantity**. Draft indicators to measure water quality include total suspended solids, temperature, dissolved oxygen, nutrients, *E. coli*, blue green algae, conductivity, stormwater management, and trash. Draft indicators to measure water quantity included water flow, surface water use, ground water use, and water management policies.

A healthy river needs healthy habitat. Indicators of **landscape condition**, such as land use, land cover, and channel morphology, reflect the impact of the river's physical surroundings on the river's health. Indicators of **biodiversity**, such as the number of species or the quantity of invasive species, reflect the diversity of life the river supports. Indicators of **climate**, such as frequency of fires and floods, temperature, and precipitation, reflect the threats to the river and the watershed.

Finally, no river system is healthy unless the communities it supports are thriving. A thriving river community has an **economy** with growing industries and rising incomes, citizens and local governments who are **engaged** and care deeply about their communities, and **recreational opportunities** on the river.

NEXT STEPS AND PROJECT TIMELINE

The development and production of the Verde River Watershed Report Card is estimated to take 15 months, with the release planned for January 2020. Following the initial stakeholder workshop in November 2018, the next seven months entail collection and analysis of data for the identified indicators. The second stakeholder workshop will be held in Cottonwood, AZ on April 4–5, 2019. A draft report card will be created from April to July 2019 based on the discussion and feedback from the second stakeholder workshop. From July to November, the Verde River Watershed Report Card will be revised and finalized, with a soft-release during the State of the Watershed conference in October 2019.



Workshop participants

- Steve Ayers, *Town of Camp Verde*
- Chrissie Bausch, *Kyl Center, ASU*
- Judy Culver, *Prescott National Forest Service*
- Scott Deeny, *The Nature Conservancy*
- Tim Elinski, *Cottonwood*
- Beth Escobar, *Town of Clarkdale*
- Jodie Filardo, *Town of Clarkdale*
- John Ford, *The Nature Conservancy*
- Bjorn Fredrickson, *Forest Service Regional Office*
- Jocelyn Gibbon, *Freshwater Policy Consulting*
- Eric Glomski, *Page Springs Cellars*
- Laura Jones, *Friends of the Verde River*
- McKenzie Jones, *City of Sedona*
- David Merritt, *US Forest Service*
- Kelly Mott LaCroix, *US Forest Service*
- Tom Palmer, *Prescott National Forest*
- Selena Pao, *The Nature Conservancy*
- Tom Runyon, *Coconino National Forest*
- Kim Schonek, *The Nature Conservancy*
- Lucas Shaw, *Salt River Project*
- Nancy Steele, *Friends of the Verde River*
- Tom Thurman, *Yavapai County Board of Supervisors*
- Ron Tiller, *Arizona Department of Environmental Quality*
- Doug Von Gausig, *Verde River Institute*
- Matthew Wilson, *Friends of the Verde River*
- Max Wilson, *Friends of the Verde River*
- Chad Yocum, *Prescott National Forest*



Participants of the first stakeholder workshop held at the Cottonwood Riverfront Water Reclamation Facility in November 2018. Chrissie Bausch.

Science communication

Andrew Elmore, Alexandra Fries, Emily Nastase, *University of Maryland Center for Environmental Science Integration and Application Network*

Cover photo: Verde Canyon. Doug Von Gausig.



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TUESDAY, AUGUST 20

- 8:00 a.m. – Golf Tournament Starr Pass Golf Club
- 9:00 a.m. – AZ We Want / AZ Progress Meters Arizona Ballroom 8-12
- 1:30 p.m. – Resolutions Committee Meeting Arizona Ballroom 6-7
- 1:30 p.m. – True Colors San Luis
- 4:00 p.m. – AMRRP Annual Meeting San Pedro
- 5:30 p.m. – Welcome Reception Arizona Ballroom Foyer/Ania Terrace
- 6:30 p.m. – APS Dinner at the League Annual Conference Tucson Ballroom

WEDNESDAY, AUGUST 21

- 7:30 a.m. – Parade of Flags Practice Arizona Ballroom 6-7
- 7:30 a.m. – Youth Program Arizona Ballroom 1-5
- 9:00 a.m. – Opening General Session Arizona Ballroom 6-7
- 12:00 p.m. – Lunch on Your Own
- 1:30 p.m. – CONCURRENT SESSIONS
 - History of Arizona Water Rights Litigation Tucson Ballroom J
 - Greater Arizona Broadband Upgrade Tucson Ballroom F
 - AMRRP Resources: New PTSD Assistance Tucson Ballroom A and B
 - Update and Discussion with the PSPRS Board Tucson Ballroom E
 - Public-Private Partnerships in Opportunity Zones Tucson Ballroom C and D
- 2:40 p.m. – CONCURRENT SESSIONS
 - Update on Colorado River Issues Tucson Ballroom J
 - League 2019 Legislative Report and Look Ahead Tucson Ballroom C and D
 - 2020 Census: The Arizona Count Tucson Ballroom A and B
 - The Basics of Economic Development for Cities and Towns Tucson Ballroom F
 - Autonomous and Connected Vehicles Arizona Ballroom 8-12
 - First Amendment Auditors: Best Practices Tucson Ballroom E
- 3:50 p.m. – CONCURRENT SESSIONS
 - Sound Management of Water Supplies Tucson Ballroom J
 - Addressing Domestic Violence in Your Community Tucson Ballroom C and D
 - Arizona Primary and Secondary Property Tax System Tucson Ballroom E
 - Elected Women: Making THE Difference Arizona Ballroom 8-12
 - When a Community Wins: How to Measure Success Tucson Ballroom F
 - Cancer Risk and Public Safety Personnel Tucson Ballroom A and B
- 6:30 p.m. – Dinner, President’s Update and Entertainment Arizona Ballroom

THURSDAY, AUGUST 22

- 8:00 a.m. – Spouse/Guest Tour : Mission San Xavier del Bac San Luis
- 8:00 a.m. – CONCURRENT SESSIONS
 - How Local Control Became “Loco” Control San Pedro
 - Border Myths and Facts Arizona Ballroom 9
 - Our State Universities, Developing the Workforce of the Future Tucson Ballroom E
 - Reading the Tea Leaves Tucson Ballroom D
 - Tackling the Homeless Issue in Our Communities Arizona Ballroom 12
- 10:00 a.m. – CONCURRENT SESSIONS
 - Using Social Media: Best Practices and Pitfalls Tucson Ballroom E
 - Moving from Council to the Legislature and Vice Versa Tucson Ballroom D
 - Benefits of a Council-Manager Form of Government Arizona Ballroom 9
 - Data Privacy in the Age of Cybersecurity Arizona Ballroom 12
 - Transportation Update San Pedro
- 12:00 p.m. – Award Luncheon Arizona Ballroom
- 2:30 p.m. – CONCURRENT SESSIONS
 - Big Vape V. Public Health: Cities and Towns in the Crossfire Arizona Ballroom 12
 - Recycling Today and in the Future...Is there a Future for Recycling? San Pedro
- 2:30 p.m. – AFFILIATE GROUP MEETINGS
 - Arizona COG Directors San Pedro
 - Arizona City Attorneys Association San Ignacio
 - Greater Arizona Mayors Association San Xavier
 - Arizona-Sonoran Council Meeting San Luis
- 4:00 p.m. – Annual Business Meeting Arizona Ballroom 5
- 6:00 p.m. – Showcase of Cities and Towns Tucson Ballroom
- FRIDAY, AUGUST 23**
- 8:00 a.m. – Speed Networking Breakfast for Municipal Officials Arizona Ballroom 12
- 9:30 a.m. – Closing General Session: Engage Our Differences Arizona Ballroom 7
- Conference Adjourned**