

AGENDA



**REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, July 16, 2008
at 6:30 P.M.**

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time.

2. **Roll Call**

3. **Pledge of Allegiance** – *(Please remove your hat.)*

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

a) Approval of the Minutes:

- 1) Work Session – July 9, 2008
- 2) Regular Session – July 2, 2008
- 3) Special Session – July 2, 2008
- 4) Executive Session – July 2, 2008 (taped)
- 5) Special Session – June 25, 2008

b) Set Next Meeting, Date and Time:

- 1) July 23, 2008 at 6:15 – Special Session
- 2) July 23, 2008 at 6:30 p.m. – Council Hears Planning & Zoning
- 3) August 6, 2008 at 6:15 – Special Session
- 4) August 6, 2008 – Regular Session
- 5) August 20, 2008 – Regular Session
- 6) August 27, 2008 – Council Hears Planning & Zoning

c) Possible approval of Form 1-R for CDBG Contract 107-07, authorizing the transfer of \$17,264.64 from Activity #1 Administration to Activity #2, Townsite Improvements project. (Staff Resource: Debbie Barber)

d) Possible award of bid and authorization to execute contracts for Project #08-049, Supply and Delivery of Asphalt to Cactus Asphalt. This is a budgeted item in Public Works. (Staff Resource: Ron Long)

e) Possible approval of IGA with Arizona Department of Transportation wherein ADOT will install and provide maintenance for a new traffic signal located at the intersection of SR 260 & Cherry Road (MP 215.9) with the Town to provide for monthly electrical costs to operate the signal and/or intersection lighting. This is a budgeted item in Public Works. (Staff Resource: Ron Long)

f) Possible authorization to extend the date for the deliverables from 10/31/2008 to 11/18/2008 to accommodate the additional public hearings for the Community Park Master Plan. (Staff Resource: Michael Scannell)

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

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

- **Councilor German's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**

Note: Requests may be identified, but no discussion of the item will occur at this time.

7. **Discussion, consideration, and possible direction to the Mayor relative to supporting some or all of the 2009 Resolutions of the League of Arizona Cities and Towns at the League Resolutions Committee meeting on August 19, 2009.**

Councilor Kovacovich requested item #8:

8. **Discussion, consideration, and possible direction to staff to set a Special Session for July 30, 2008 at 6:00 p.m. for discussion of possible changes to the Town Code.**

Councilor Garrison requested items 9, 10, and 11:

9. **Discussion, consideration, and possible direction to staff to prepare a form to include with all Commission packets that must be signed and dated acknowledging that the Commission applicant or candidate has received and read the material that has been given to them. Commission members are currently provided with General Information, Meeting Schedule, Code of Ethics, Open Meeting Law, Chapter 4 of the Town Code, Agenda Handbook, and Duties & Requirements of all Commissions upon receiving the Oath of Office.**
10. **Discussion, consideration, and possible determination of the scope of duties for the Camp Verde Sanitary District liaison.**
11. **Discussion, consideration, and possible setting of a time, date, and place to hold a Council retreat.**

Mayor Gioia requested item 12:

12. **Discussion, consideration, and possible direction to staff relative to strategic planning that includes, but is not limited to: goals, finances, services, and facilities.**
13. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

14. **Advanced Approvals of Town Expenditures**
 - a) **There are no advanced approvals.**
15. **Manager/Staff Report**
16. **Adjournment**

Posted by: U Jones

Date/Time: 7-11-08 8:45 a.m

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

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

**MINUTES
WORK SESSION
MAYOR and COMMON COUNCIL
of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room 106
WEDNESDAY, JULY 9, 2008
6:30 P.M.**

1. **Call to Order**

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

2. **Roll Call**

Mayor Gioia, Vice Mayor Hauser, and Councilors Elmer, Garrison, Kovacovich, and Smith were present. Councilor German was attending the Camp Verde Sanitary District meeting in Rooms 206/207.

Also Present:

Town Manager Michael Scannell, Community Development Director Nancy Buckel, Library Director Gerry Laurito, Housing Director Matt Morris, and Town Clerk Deborah Barber

3. **Pledge of Allegiance**

Councilor Elmer led the pledge.

Vice Mayor Hauser asked if she could take a quick moment to introduce Jerry Hunt with Yavapai Big Brothers Big Sisters. Mr. Hunt introduced himself and the two students who were with him. He explained that Josh Williams and Jessica Regan had worked with Big Brothers Big Sisters for several years and had dedicated much of their time performing invaluable services to their communities. Mr. Hunt presented both students with a \$250.00 check to help them with their college expenses. Council thanked them for their work and congratulated them for their awards.

4. **Presentation and discussion of the Quarterly Reports with the following commissions, boards, and committees:**

- a. **Board of Adjustment:** topics may include, but not be limited to, hearings and decisions that the Board made during the past quarter.

Chair Gene McIntyre reviewed the written quarterly report, which is attached and becomes a permanent part of this record. Mayor Gioia thanked Mr. McIntyre and asked that he convey Council's appreciation for their commitment and work.

- b. **Design Review Board:** topics may include, but not be limited to, hearings and decisions that the Board made during the past quarter.

Chair Jim Binnick reviewed the written quarterly report, which is attached and becomes a permanent part of this record. Points of interest included review of the new USFS Verde Ranger building; a business park to be located north of the Ace Hardware; Sutler Building restoration; Verde Valley Medical Center signage; and various commercial buildings.

Council and Mr. Binnick discussed the progress of the elements of different architectural guidelines that met the desired rural western theme.

Mayor Gioia asked Mr. Binnick to convey Council's appreciation to the Board.

- c. **Trails & Pathways Commission:** topics may include, but not be limited to, subdivision proposals, trails policy, and trailheads. Lynn Reddell explained that Chairman Parry Haddon was out of Town and asked if Council had any questions about his written report, which is attached and becomes a permanent part of this record.

In answer to questions, Reddell explained that they expect to begin working on the Copper Canyon Trail Head in September. She said the trail would serve both motorized and non-motorized recreational uses. Councilor Smith said that he and Reddell had worked on securing about \$31,000 in donations to match the \$175,000 grant from the Off Road Highway Vehicle Fund.

Reddell reported that the Trails Commission plans to meet at the Parks & Recreation Office on August 11 at 8:00 a.m. to take a tour of the area trails and pathways and she invited Council to attend.

Members also discussed other pathways that included a proposed path from the Kirkwood place near Circle K to Montezuma Castle Highway and the Jackson Flat trail proposal. Mayor Gioia asked Reddell to extend Council's appreciation to the Commission.

Public Input

Jackie Baker said that without Lynn Reddell's dedication, the Town would not be this far along. Baker noted that previous Councils supported her work and that she wanted Reddell to know how much she personally appreciated everything that Reddell has done.

There was no other public input.

- d. **Library Advisory Commission:** topics may include, but not be limited to, fund raising activities, donors, library financing, and budget.

Chair Lisa Mina asked if there were questions about the written report, which is attached and becomes a permanent part of this record. She expressed the Commission's appreciation for Council keeping their services funded at their current level. She asked for permission to trim a tree that is blocking one of the CCCVL signs.

Members discussed legal advice given by the attorney with regard to Commissioner Doering's questions about the non-profit CCCVL. Manager Smith clarified that he had determined that the attorney had previously answered these questions in a work session and did not see the necessity of incurring additional legal costs in presenting the same questions again.

Mayor Gioia asked Mrs. Mina to convey Council's appreciation to the Commission.

There was no public input.

- e. **Parks & Recreation Commission:** topics may include, but not be limited to, events held during the past quarter, Black Bridge Park, skate park, alcohol at events, Teen Center, the new restrooms, and the 118-acre park site.

Chair Robin Whatley reviewed the report, which is attached and becomes a permanent part of this record. Points of interest included that Southwest Risk recommended that the Town either provide full supervision at the Skate Park or no supervision at all and that the Parks Department has a new MySpace Page at CampVerdeParks@yahoo.com.

Members discussed the pool heating including utility costs and solar covers; the outdated activity line; and making sure that there is some activity going on for July 4, even if there are no fireworks.

Public Input

Jackie Baker noted that Council had previously approved and budgeted for a solar heating cover and asked what had happened. Gioia explained that the cover could not be installed while the pool was in use; the Town was unable to get the matching funds; and that the budget cuts stalled the purchase.

There was no other public input.

- f. **Housing Commission:** topics may include, but not be limited to, attainable housing programs and tools, Drachman Institute's final report, Cliffs Parkway property, and Fair Housing activities.

Vice Chair Linda Buchanan explained that Chair Bach was unable to attend. Buchanan reviewed the written report, which is attached and becomes a permanent part of the record. Points of interest included Intern Liu Wang from China, the Cliffs Parkway project, and the housing rehabilitation process. She thanked Council for keeping their training budget intact. Buchanan noted that there was a tremendous need for housing assistance and very limited resources. She further advised that Director Morris received a grant to NAU for his graduate work.

Director Morris explained that there were five applicants for the rehab program. He explained that the process was a learning process and he expected it to go much more smoothly the next time around.

Mayor Gioia asked Buchanan to relay Council's appreciation for their work.

There was no public input.

- g. **Planning & Zoning Commission:** topics may include, but not be limited to various zoning recommendations made to Council over the past quarter.

Chair Dave Freeman reviewed the report, which is attached and becomes a permanent part of this record. Points of interest included the water conservation plan, lack of staffing, A-frame signage, and rezoning requests.

Members discussed the Housing Commission's request for a liaison and Council member Garrison suggested that guidelines needed to be written for liaisons so that everyone would know their duties and what is expected of them.

Public Input

Jackie Baker asked why there was a need for so many liaisons. She said that Council received monthly reports and they should be able to know what is going on from those reports. She said that liaisons should be reserved for special focus matters, such as the Sanitary District.

There was no other public input.

Mayor Gioia recessed the meeting at 8:01 p.m. and called it back to order at 8:07 p.m.

5. **Discussion with the Planning & Zoning Commission members to include, but not be limited to, update and progress of the Water Conservation plan and P&Z Code revisions; avenues of information sharing between staff, Commission members, and Council members; comments and concerns related to zoning and permitting processes; functions and duties of the P&Z staff, Town attorney, inspectors, and Design Review Board; and enforcement of ordinances and nuisance issues.**

P&Z members discussed at length with Council their confusion and at times dissatisfaction and frustration with Council direction, the enforcement of the Code, and whether or not there was actually a need for the Design Review Board. There was also a lengthy discussion about Council's direction to prepare a water conservation plan. P&Z members felt that this was not a planning matter; however, Chairman Freeman had volunteered to come up with a draft plan to discuss.

During the discussion, the Mayor directed staff to update Council on the progress of rewriting the Code within the next two months. Councilor Elmer disagreed stating that Council had already decided to give staff the time they needed. Members suggested using interns or some place like the Drachman Institute to provide the assistance. Director Buckel explained that was not practical since she did not have the time to train an intern or someone who is inexperienced.

Vice Mayor Hauser, noting that she only had a few months left on Council, said that she would like to have the height restrictions in place before she leaves.

6. **Adjournment**

On a motion by Hauser, seconded by Elmer, the meeting was adjourned at 9:45 p.m.

Deborah Barber, Town Clerk

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING, minutes are a true and accurate accounting of the discussion of the Mayor and Common Council of the Town of Camp Verde during the Work Session of the Town Council of Camp Verde, Arizona held on the 9th day of July 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____ 2008

Deborah Barber, Town Clerk

**MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, July 2, 2008
6:30 P.M.**

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

1. **Call to Order**

The meeting was called to order at 6:30 p.m.

2. **Roll Call**

Mayor Gioia, Vice Mayor Hauser, Councilors Smith, Garrison, Kovacovich, German and Elmer were present.

Also Present: Town Manager Mike Scannell, Town Attorney Bill Sims (*by telephone conference*), Town Clerk Debbie Barber and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by German.

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) September 14, 2007 – Special Session (Through an oversight, these minutes were not approved by Council.)

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

1) July 9, 2008 at 6:30 p.m. – Work Session

2) July 16, 2008 at 6:30 p.m. – Regular Session

3) July 23, 2008 at 6:30 p.m. – Council Hears Planning & Zoning

c) **Possible approval of the Memorandum of Understanding between Northern Arizona Council of Governments – Economic/Workforce Development Division and the Town of Camp Verde for the administration of the Voucher Transit System.** (*Staff Resource: Debbie Barber*)

On a motion by Smith, seconded by Kovacovich, the Consent Agenda was approved as presented by a vote of 6-1; German abstained.

Councilor German said he would not be able to vote on approval of the September 14, 2007 Minutes since he was not on the Council at that time.

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

Tim Sykes, a member of the Library Commission, said that the Commission has planned to hold a fund-raising golf tournament at the BC Ranch Golf Club on August 23rd that CCCVL has volunteered to handle, and hoped to have approval of the Council in order to use the Town logo on the flyers. *Gioia said that staff would be able to help advise him on procedure.*

Lynda Moore, Parks & Recreation Director, congratulated Howard Parrish who has been named 2008 Grand Marshal; also, Barbara Wright, Camp Verde Fire Inspector has commenced a smoke alarm campaign to provide every home with a smoke alarm and will need a tremendous amount of volunteers to help. Her phone number is 567-9401.

There was no further public input.

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and

activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

- **Councilor German's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**

Note: Requests may be identified, but no discussion of the item will occur at this time.

Smith cautioned everyone to recycle the new low-watt fluorescent light bulbs rather than use trashcans or the landfill, to avoid releasing the mercury into ground water; also, the local corn is the best in the world.

Garrison said she had attended a Sanitary District meeting Monday night, and the Council Liaison will discuss that.

German reported that the Sanitary District had not yet published for the sewer district at the time of the Monday night meeting; the budget hearing will now be held on July 9th at 6:00 p.m. The District has voted to release the Town from the IGA obligation to hold the November election to take over the District; the Town has released the Sanitary District from the IGA obligation to hold the election to dissolve the District.

Elmer said he had nothing to report on the Chamber of Commerce meeting; the meeting had been held in closed session; when more information is available he will report on that. Camp Verde won their first All Stars game last night; they are doing very well with an excellent coach.

Hauser announced that MatForce is starting a new campaign on prescription drugs, called "Dump the Drug." It will be incorporated into the Verde River Days in September.

Gioia commended CCCVL on moving forward on their fund-raising efforts on behalf of the Library.

There was a brief discussion regarding moving Item 10 ahead for discussion at this point; however, the consensus was to continue addressing each item as scheduled.

7. **Discussion, consideration, and possible approval of the content of the Request for Proposal and draft consultant agreement and authorization to go to bid for the development of a Master Plan for the 118-acre Community Park.** *Staff Resource: Lynda Moore*

On a motion by Smith, seconded by Gioia, the Council unanimously approved the content of the Request for Proposal and draft consultant agreement for the 118-acre Community Park site; remove all references to the Street Maintenance facility and the Animal Shelter; include five public meetings, three with the public, one with the Yavapai-Apache Nation, and one joint work session with the Yavapai-Apache Council and the Camp Verde Town Council; and authorize staff to release the Request for Proposal and seek bids from consultants for the development of the Master Plan for the 118-acre Community Park site located off Highway 260.

Parks & Recreation Director Moore referred to the proposed Request for Proposal ('RFP'), copies of which had been included in the agenda packet for review by the Council.

The discussion opened with the request and general agreement that public hearings from the very beginning be required as part of the RFP, with at least one meeting or a work session to be held solely with the Yavapai-Apache Nation. Town Manager Scannell suggested inserting between Paragraphs 6 and 7 the language, "No less than _____ public meetings with the community during which input from the community is accepted for the design..... (etc.)" Scannell added that the decision on the number would be up to the Council, and reminded the members of the time line imposed by the grant. There was also strong objection to the provision regarding a possible site for the Public Works maintenance yard and an animal shelter on the Park property.

Scannell explained that such a possibility had been included only as part of looking at all options for the future. The Council generally agreed with the provision included in the RFP for a ten-year phasing plan.

There was no public input.

Councilor Smith requested item #8:

8. **Reconsideration, discussion, and possible award of bid and authorization to execute contracts for project 08-048, supply and delivery of aggregate base course materials. Staff recommends award to Cemex and Yavapai/Apache Sand and Rock.**

On a motion by Smith, seconded by Kovacovich, the Council unanimously approved award of the bid on Project 08-048 to supply and deliver aggregate base course materials, to both Yavapai-Apache Sand and Rock and Cemex, and authorize execution of both contract documents.

Councilor Smith explained that in connection with getting the aggregate bid for '08-'09 Fiscal Year set aside, his motion made two weeks ago awarded the bid to Cemex only; historically the annual award has been made to both Apache Sand and Rock and Rinker; Cemex has acquired the Rinker operation. Smith said he had failed to include Apache Sand and Rock together with Cemex in the motion, as staff had recommended, and is requesting reconsideration of the prior action.

There was no public input.

Vice Mayor Hauser requested item #9:

9. **Reconsideration, discussion, and possible appointment of a Council member to serve as liaison to the Yavapai Apache Nation.**

On a motion by German, seconded by Garrison, the Council voted unanimously to direct the Town Manager to contact the Tribe and have them give us their selection of a minimum of two people, and then bring back the selection to Council for a formal commitment.

Councilor Hauser said she feels that one of the members should volunteer to be the liaison to the Yavapai-Apache Nation rather than leave the decision up to the Nation. It was pointed out in the ensuing discussion that the issue had been previously discussed, with six members agreeing that the Nation should have the input into the Council member they would like to work with and that Scannell had been directed to contact the Nation to find out their preference. Scannell said he had been out of Town when that was discussed and was unaware of the decision. Garrison suggested directing staff, in particular the Town Manager, to contact Chairman Thomas Beauty and ask him if they would like to choose from the 7-member Council a liaison, and if they do not the Council will vote on a liaison to be a go-between between Council and the Tribe. A brief further discussion was held for indications of those willing to act as liaison, if invited to do so by the Nation.

There was no public input.

Councilors Garrison and Kovacovich requested item #10:

10. **Discussion, consideration, and possible direction to staff and/or the Mayor and Council as it relates to possible changes to the Town Code and/or Resolution 2003-568, which established a Code of Ethics policy, in order to clearly define the duties, powers, and responsibilities of the Mayor, the Town Council, and the Town Manager and discussion of methods in which to foster more productive working relationships between Council members and staff.**

On a motion by Smith, seconded by Garrison, the Council voted unanimously to direct staff to take the Parker Code of Ethics document, change where appropriate, including the reference to Mayor and naming the Town of Camp Verde in place of Parker, and bring that back to Council for

the next regularly scheduled Council meeting.

Gioia directed the Town Clerk to have the recommended changes to the Town Code printed up for distribution to the Council and indicated in color to set them apart from the existing Code, and then bring back to Council for discussion.

Councilor Kovacovich explained that the agenda had been left rather broad for the purpose of discussion; he has been working on changes to the Town Code, and Garrison has been working on the Code of Ethics. Prior to the Council commencing the discussion, Town Attorney Bill Sims was called and agreed to participate by telephone conference.

The members commenced to debate on whether to act on revisions as they are suggested, or to consider developing a composite draft of all their input, and a lengthy discussion followed on the procedure for collecting each member's individual input and subsequent assignment of responsibility for creating that draft. During the discussion Garrison pointed to the Code adopted by the Town of Parker as an excellent and complete document, and suggested that someone like Lance Decker may be needed to work on rewriting the Ordinance and the Code of Ethics. In response to a question, Sims said that he feels that based on Scannell's experience in other jurisdictions, he would be valuable for sitting in on a group consisting of himself, Lance Decker and Bill Sims to work on recommendations for changes; however, the most important factor is for the Council members to work together to resolve issues.

Sims said that based on his understanding of the concerns of the Council members, he believes it would be an excellent idea and recommends that either Sims or Decker prepare an outline and present it in open session concerning ideas; then get guidance in public as to those ideas and bring back a final product for approval.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Nancy Floyd said she could not understand how the Council members could not sit down and figure out the problems on their own; that is their job. She also requested clarification of the role of liaison from Council to other groups. *German confirmed that the liaison does not make decisions.*

Dave Freeman believes that the attorney would be a good focal point, being more neutral and somewhat of a buffer, such as is done in arbitration proceedings. Freeman added that perhaps two or three others who are unattached to the Town and less emotional could be included in working on the issues.

After the above public input, a further suggestion from Sims was for the Council members to submit their issues and from that either he or Decker could prepare an outline to review in a work session to get guidance from the Council in order to prepare a final document that would more closely meet the Council's needs, and bring that document back to Council within two weeks, with new language for review.

Following the motion made by Smith, the second part of the agenda item was discussed. A change suggested by Kovacovich was to the Town Code, Article 2-2, Section 2-2-4, changing Paragraph A to read in whole as follows, "The Mayor shall be the chief elected official of the Town."

Kovacovich also requested that Section 3-2-1, Paragraph D.3. be revised to exclude the Finance Director; that change had already been made on a later draft.

Smith requested Section 2-2-1, Paragraph C, be revised as follows, in part: "....A Mayor whose term is expiring is permitted to run for the office of Mayor or Council member, but limited to two

consecutive terms as Mayor or Council member.” Also, Section 2-2-4, Paragraph B, add the requirement that all voting shall follow the strict Robert’s Rules of Order.

Smith further requested a change to Section 3-2-1, Paragraph D as follows, in part: “....The Town Manager is the chief executive officer of the government....”

The members briefly discussed a suggestion by Smith to limit the term of Mayor to two years; Gioia pointed out that the voters of Camp Verde decide a term limit each time an election is held. Garrison commented on a need for guidelines on making calls to the Town Attorney.

FURTHER PUBLIC INPUT

Howard Parrish reminded the Council that there are term limits on Planning & Zoning and all commissions.

Robin Whatley requested that the public should have a chance to help make such radical decisions that the Council has been discussing, including limiting the Mayor to a term of 2 years; it should be increased to 4 years, the same as Council members, especially in light of the effort and cost of campaigning.

Nancy Floyd agreed with Ms. Whatley that the Mayor’s term limit should be decided by the public.

There was no further public input.

Town Clerk Barber reminded the Council that the voters had voted against a 4-year term limit for the Mayor in a previous election. Smith also agreed with Ms. Whatley on the 4-year term, and said that he believes that Council’s policy would permit a decision to change the term limit to 4 years. Attorney Sims said he would check on the possibility of making such a change and will report back to Council.

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

Robin Whatley said she was in favor of the Mayor and Council members getting a raise, citing the significantly higher rates of pay in neighboring communities.

Nancy Floyd suggested that the Council research properties that the Town owns with the idea of possibly selling off some parcels to help with generating funds for the Town operations.

12. **Advanced Approvals of Town Expenditures**

a) **There are no advanced approvals.**

There were no advanced approvals.

13. **Manager/Staff Report**

Barber announced that there is a need for volunteers to serve on the committee for the Park land planning; Scannell estimated that they would be required to meet possibly two times for short periods. Hauser and Elmer both volunteered to serve.

14. **Adjournment**

On a motion by Elmer, seconded by Hauser, the meeting was adjourned at 8:40 p.m.

Tony Gioia, Mayor

Margaret Harper, Recording Secretary

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Margaret Harper, Recording Secretary

**MINUTES
SPECIAL SESSION
MAYOR and COMMON COUNCIL
Of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street #106
Wednesday, July 2, 2008
5:00 p.m.**

1. Call to Order

Mayor Gioia called the meeting to order at 5:00 p.m.

2. Roll Call

Mayor Gioia, Vice Mayor Hauser, and Councilors Garrison, German, Kovacovich, and Smith were present. Councilor Elmer joined the meeting at 5:40 p.m.

Also Present:

Town Manager Michael Scannell, Marshal David Smith, and Town Clerk Deborah Barber

The Mayor read item #3 aloud and Manager Scannell recommended hearing item in Executive Session.

Motion #1:

On a motion by Hauser, seconded by German, the Council voted unanimously to hear item #3 in executive session, pursuant to ARS §38-431.03(A)(3) for discussion or consultation with the attorney for legal advice and ARS §38-431.03(A)(7) for discussion or consultation with designated representatives in order to consider Council's position and instruct its representatives regarding negotiations for the purchase, sale, or lease of real property.

Following a question by German, the Mayor asked if Council wished to discuss the other two items in executive session.

Motion #2:

On a motion by German, seconded by Garrison, the Council voted unanimously to discuss items 3 and 4 in executive session, pursuant to ARS §38-431.03(A)(3) for discussion or consultation with the attorney for legal advice and ARS §38-431.03(A)(4) for discussion or consultation with the attorney in order to consider its position and instruct the Attorney regarding the Council's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation and ARS §38-431.03(A)(3) for discussion or consultation with the attorney for legal advice and ARS §38-431.03(A)(2) for discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law, and ARS §38-431.03(A)(4) for discussion or consultation with the attorney in order to consider its position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.

The meeting was recessed at 5:03 p.m. and reconvened at 6:20 p.m.

3. Discussion, consideration, and possible direction to staff and/or discussion with the Town Attorney for options relative to the Rio Verde lease agreements and legal advice concerning the lease agreements.

Council took no action on this item.

4. Discussion, consideration, and possible direction to staff and/or discussion with the Town Attorney for options relative to the Sanitary District IGA.)

On a motion by Hauser, seconded by Smith, the Council voted unanimously to authorize the Mayor to sign a letter waiving the requirement for the Camp Verde Sanitary District to hold a November 2008 election as set forth in the May 11, 2007 IGA, Section 1.1, between the Town of Camp Verde and the Sanitary District.

5. Update and discussion with the Town Marshal regarding ongoing investigation(s).
Council took no action on this item.

6. Adjournment
The meeting was adjourned at 6:21 p.m.

Deborah Barber, Town Clerk

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING, minutes are a true and accurate accounting of the discussion of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona held on the 2nd day of July 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____ 2008

Deborah Barber, Town Clerk

**MINUTES
SPECIAL SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, June 25, 2008
6:30 P.M.**

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

1. **Call to Order**

The meeting was called to order at 6:25 p.m.

2. **Roll Call**

Mayor Gioia, Vice Mayor Hauser, Councilors Smith, Garrison, Kovacovich, German and Elmer were present.

Also Present: Town Manager Mike Scannell, Town Attorney Bill Sims (*by telephone conference*), Town Clerk Debbie Barber and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Smith.

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

a) Approval of the Minutes:

- 1) Executive Session – June 18, 2008 (taped)
- 2) Special Session – June 18, 2008
- 3) Regular Session – June 18, 2008
- 4) Special Session – June 11, 2008

b) Set Next Meeting, Date and Time:

- 1) July 2, 2008 at 6:30 p.m. – Regular Session
- 2) July 9, 2008 at 6:30 p.m. – Work Session
- 3) July 16, 2008 at 6:30 p.m. – Regular Session
- 4) July 23, 2008 at 6:30 p.m. – Council Hears Planning & Zoning

c) Discussion, consideration and possible approval of Resolution 2008-748. A Resolution of the Mayor and Common Council, of the Town of Camp Verde, Yavapai County, Arizona, adopting and declaring as a public record that certain document filed with the Town Clerk and entitled 'Town of Camp Verde Fiscal Year 2008-2009 Tentative Budget'. (Staff Resource: Lisa Elliott)

On a motion by Gioia, seconded by Hauser, the Consent Agenda was unanimously approved as presented, with stipulations as stated by Mayor Gioia.

Gioia stated that he would not vote on the June 18th meetings; however, he would like the motion to show that the budget needs to be updated; the foreword for each department needs to be addressed, as well as the changes by Council in work sessions.

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

Howard Parrish congratulated all of those who organized the Walk; it was a great experience, and the law enforcement did an excellent job.

There was no further public input.

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

- **Councilor German's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for**

placement on the District's standard agenda item for Council Updates/Reports.

German reported on the Sanitary District meeting and the presentation on WIFA, with the Bond Counsel Attorney and representative from Stone & Youngberg also in attendance; they outlined possible refinancing of the Sanitary District obligations. German added that the Council members have been given copies of the new redlined IGA document for their information. He also commented on the question of the possible election and suggested putting that on the agenda for discussion in early July for a deciding vote.

Smith also commented on the well-run group and enjoyable, fast-paced Walk. Smith said that the number of participants will probably double for next year. Smith reported on a meeting he and Marvin Buckles had with Supervisor Chip Davis regarding soliciting possible help on the Copper Canyon Trailhead.

Garrison outlined the NACOG Tourism 3-day event that will take place beginning October 23rd; there will be a meeting on July 16th from 3:00 to 6:00 at the Parks & Rec Conference room to discuss the final plans; it promises to be a very good opportunity to present Camp Verde to the NACOG people attending.

Gioia detailed his trip to Washington D.C., joining forces with the Yavapai-Apache delegation and meeting with Congressional representatives on issues of water rights and efforts to designate Verde Valley rivers as Wild & Scenic. One major accomplishment, working with Congressman Pastore, was coming up with possible significant funding for the Verde River Basin Partnership.

7. **Discussion, consideration, and possible approval of Resolution 2008-749, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Resolution 2001-471, concerning budgeting and accounting procedures relative to the allocation of Town Sales Tax Revenues.** *(Staff Resource: Lisa Elliott)*

On a motion by Hauser, seconded by Kovacovich, the Council voted 6-1 to approve Resolution 2008-749, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Resolution 2001-471, concerning budgeting and accounting procedures relative to the allocation of Town Sales Tax Revenues; **with a 'no' vote by Smith.**

Town Manager Scannell outlined the background of the resolutions allocating revenues from sales and construction tax revenues to fund special projects and needed services for the Town, portions of which were designated for the Park and Capital Improvement Funds. Scannell pointed to the current economy that has changed markedly, such that the allocation of funds pursuant to the language in the resolutions is compromising the integrity of the operation of the General Fund. It has therefore become necessary to radically alter those allocations and redirect those monies from the Capital and Park Funds into the General Fund, and it would be appropriate to amend the resolutions by changing the language to indicate goals to pursue rather than a mandatory requirement.

The members briefly reviewed with Scannell their understanding of the history and intent of the previous resolutions. There was some objection to redirecting the revenues meant for the Park Fund pursuant to the vote of the community, countered with general agreement that municipalities throughout the State are faced with difficult decisions because of the economy. It was also pointed out that the language in the proposed resolution provides that the change in allocation of funding would be temporary, and when the economy turns around the monies will be returned to the way originally intended. Scannell confirmed that staff fully intends to be redirecting those monies back, as contemplated in Resolution 2001-471, when the future allows.

There was no public input.

8. **Discussion, consideration, and possible appointment of a member to fill the vacancy on the Camp Verde Trails Commission. This term expires in September 2010.** *(Staff*

Resource: Debbie Barber)

On a motion by Hauser, seconded by German, the Council voted unanimously to appoint Elena "Ele" Espinosa to the Camp Verde Trails Commission for the term expiring September 2010.

Town Clerk Barber said that Ms. Espinosa, the one and only applicant for appointment to the Trails Commission, had confirmed her interest in serving, but was unable to attend this meeting due to a prior commitment

There was no public input.

9. **Discussion, consideration, and possible appointment of a Vice Mayor. This term expires in May 2009.**

On a motion by Gioia, seconded by German, the Council voted unanimously to appoint Brenda Hauser as Vice Mayor for the term expiring in May 2009.

There was a brief discussion regarding appointment of a Vice Mayor, with Hauser agreeing to be appointed to serve again as Vice Mayor.

There was no public input.

Councilor Garrison requested item #10:

10. **Discussion, consideration, and possible direction to staff and/or the Mayor regarding, but not limited to the 5-member subcommittee established by Council to work on revisions to the Intergovernmental Agreement (IGA); the current IGA and the revised IGA; shared funding of a Sanitary District Administrator; the last letter from the Town to the Sanitary District regarding a deadline to approve the IGA; the revised IGA that the District sent to their attorney without the involvement of the Town Attorney or the full subcommittee; the proposed election in November 2008; and establishing the scope of duties for the Sanitary District Liaison.**

The Council discussed withdrawing the requirement of an election from the IGA, and it was suggested that if Greg Freeman has support of his Sanitary District Board to withdraw that requirement from the IGA, then he can request the Council to agendaize that change for the July 2nd meeting, and, furthermore, that Freeman understands from the discussion what is required from his Board in order to notify the Council by Monday afternoon to agendaize the item for the July 2nd Council meeting.

Councilor Garrison reviewed the background of the negotiations with the Sanitary District, including Council appointment of a five-member committee for the purpose of working on the IGA and certain issues that needed to be resolved in connection with that agreement. After one meeting of the committee with the District in March, a letter was sent to the District requesting a response by April 11th regarding a revised agreement sent in February that would have canceled the election set for November asking voters to turn over control of the Sanitary District to the Town. No written response has since been received. Garrison pointed out the urgency of needing input from the District in order to make a decision regarding the November election and a decision on funding during the budget process. Garrison summarized independent actions of the Mayor that she believes have circumvented further negotiations between the Town and the District in resolving those issues that were to have been the responsibility of the five-member committee, resulting in a revised draft agreement just received from the District. In addition, Garrison also confirmed with Town Attorney Sims that the revised agreement had not been submitted to him for review or approval. The Council discussed at length the concerns expressed by Garrison, including the statements from the Mayor to clarify and defend his contacts with the District.

PUBLIC INPUT

(Comments from the following individual are summarized.)

Greg Freeman, Chairman of the Sanitary District Board, explained that his meetings with Gioia

were only intended for him to gather background information in order to respond to the Town's proposed revisions to the agreement submitted by letter last February, and cited other urgent "time-sensitive" problems with the District that had taken precedence over response to that letter from the Town. Freeman also cited perceived problems with that document and, based on his discussions with the Mayor, the subsequent decision of the Sanitary District to draft the newly revised agreement in question, without input from the Town Attorney, to submit to the Mayor and other Council members for review and further action.

There was also extensive Council discussion with Freeman, responding to his statements, including the remonstrance that the District's continuing lack of a reply to the Town's February letter as well as a follow-up letter in March, was incredibly rude, disrespectful and inexcusable. After further discussion, Freeman agreed that he would arrange to convene the Sanitary District Board immediately on an emergency basis in order to be able to agendaize and try to resolve the concerns of the Council at the meeting scheduled for July 2, particularly for Council to make a decision on the impending election deadline. Sims confirmed that the provision in the IGA relating to the election could be amended apart from the entire agreement.

There was no further public input.

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

Garrison requested an agenda item for July 2nd, for:

Discussion, Consideration and Possible Action to make changes to the Town Code to clearly define the duties, powers and responsibilities of the Mayor and the Town Council and the Town Manager, and ways to foster a more productive working relationship between them.

There was no further public input.

12. **Advanced Approvals of Town Expenditures**

a) There are no advanced approvals.

There were no advanced approvals.

13. **Manager/Staff Report**

There was no Manager/staff report.

14. **Adjournment**

On a motion by Hauser, seconded by Garrison, the meeting was adjourned at 8:55 p.m.

Tony Gioia, Mayor

Margaret Harper, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on the 25th day of June 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2008.

Debbie Barber, Town Clerk

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

Meeting Date: Jul 16, 2008

Meeting Type: Regular Session

Type of Presentation: Visual

REFERENCE DOCUMENT: Form 1-R, Contract 107-07, CLC #2

AGENDA TITLE: (Be Exact):

Discussion, consideration, and possible approval of Form 1-R, authorizing the transfer of \$17,264.64 from Activity #1, Administration, to Activity #2, Townsite Improvements project.

PURPOSE AND BACKGROUND INFORMATION:

The CDBG projects will soon be complete. A conservative estimate of the remaining Administration funds available to transfer to the Townsite project is \$17,264.14. The contracted price with Asphalt Paving Supply on this project is \$465,231. With this transfer, we will receive \$289,327.64 in CDBG monies for this project.

STAFF RECOMMENDATION(S): (Suggested Motion)

Approve CDBG contract #107-07 Form 1-R, authorizing the transfer of \$17,264.64 from Activity #1, Administration, to Activity #2, Townsite Improvements project.

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount N/A

Comments:

Fund: CDBG

Line Item:

Submitting Department: Clerk's Office

Contact Person: Debbie Barber

Town Manager/Designee:

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

X	Regional - COG:	FORM 1-R	Contract No: 107-07	
	State Special Project:		CLC No: 2	Amendment No:

**COMMUNITY DEVELOPMENT BLOCK GRANT
REVISED APPLICATION COVER SHEET**

1. Applicant: Town of Camp Verde	2. Address: 473 South Main Street, Ste. 102 Camp Verde, AZ 86322
3. Contact Person: Debbie Barber	4. Phone/Fax: 928-567-6631 x107 / 928-567-9061

5. Indicate the following information for each of the activities for which you are requesting funds:

a. Activity # and Name	b. Original CDBG Funds	c. CDBG Funds as of Last Revision	d. Non-CDBG Funds Type* and Revision	e. CDBG Revision Amount and +/- %**	f. New Total CDBG Funds
1. Administration	\$50,970.00			-\$17,264.64 (-34%)	\$33,705.36
2. Townsite Imprvmts	\$272,063.00		\$175,903.36 HURF (+\$152,383.36)	+\$17,264.64 (+6%)	\$289,327.64

* Types of non-CDBG funds are (1) Leverage, (2) Program Income, or (3) Other.
 ** Indicate the amount of the revision and percentage of difference from the **original** application.

6. Total CDBG Funds: \$323,033	7. Contract Duration: 4/18/07 – 4/12/09
---------------------------------------	--

8. Describe Revision [attach additional pages as necessary to describe revision(s)]:

The Town will have to contribute more funding than originally planned to this project, so this CLC will transfer \$17,264.64 in administration funds to project funds to help cover the difference.

9. List all other contracts affected by this revision (if applicable):
 Contract No. _____ Contract No. _____ Contract No. _____
 Contract No. _____ Contract No. _____ Contract No. _____

10. Certification: I hereby certify that I have been authorized by the governing body of this entity to make the above changes.

Signature of Authorized Representative: _____ **Date:** _____

Name (typed): Tony Gioia **Title:** Mayor

For ADOH CDBG Use Only Revision Approval
 Revision No: _____ FISCAL YEAR _____ Revision Type: CLC Amendment
 Signature: _____ Date: _____

Name (typed): _____ **Title:** _____

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

Meeting Date: July 16, 2008

Meeting Type: Regular Session

Type of Presentation: Other

REFERENCE DOCUMENT: Contract for Supply or Supply and Delivery of Liquid Asphalt

AGENDA TITLE: (Be Exact):
Consideration and possible award of Bid and authorization to execute contracts for Project 08-049 "Supply and Delivery of Liquid Asphalt"

PURPOSE AND BACKGROUND INFORMATION:
Execution of contract to the only bidder, Cactus Asphalt, for supply and delivery of liquid asphalt for use in street construction and repair projects for the 2008/2009 fiscal year. This is the second time a request for bid was advertised, Cactus Asphalt has historically been the vendor that has consistently bid and provided this product.
The expense for this deliverable is included in the 2008/2009 budget approved by council. The expense is included in line items #7700 Street Maintenance, #8710 Street Construction, and #8714, Street Paving

STAFF RECOMMENDATION(S): (Suggested Motion)
Approve bid #08-049, Supply and Delivery of Liquid Asphalt, and provide authorization to execute the contract documents.

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount Yes

Comments: Consent Agenda Item; the expense is approved in the 2008/2009 budget

Fund: Public Works, Streets Division #20-20-00

Line Item: 7700 , 8710, 8714

Submitting Department: Public Works

Contact Person: Ron Long

Town Manager/Designee:

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

Deborah Ranney

From: Jason Hoffman [jwh@cactustransport.com]
Sent: Tuesday, July 01, 2008 9:29 AM
To: dranne@cvaz.org
Subject: Supply and Delivery of Liquid Asphalt Products

Town of Camp Verde
Deborah Ranney

Regarding: Supply and Delivery of Liquid Asphalt Products

The terms, conditions and pricing from contract 08-022 will be reflected in contract 08-049.

Any questions, please call me.

Thanks,

Jason Hoffman 623-344-7697



Cactus Transport Office - 623-907-2800

08-002

PROPOSAL

Date: 6-30-08

Honorable Mayor and Town Council
Camp Verde, Arizona

Ladies & Gentlemen:

In compliance with your invitation for bid and all conditions of the Contract Documents, the undersigned

Cactus Transport, INC.

a corporation organized under the laws of the State of Arizona, a partnership consisting

of _____

or individual trading as _____ hereby proposes and agrees to furnish any and all plant, materials, labor, construction equipment, services, etceteras, required **FOR SUPPLY AND DELIVERY OF LIQUID ASPHALT IN THE TOWN OF CAMP VERDE Project No. 08-002** in strict accordance with the specifications to supply materials, equipment, and/or services, and to the satisfaction of the Owner, through its properly authorized agents and under the direction and the supervision of its properly authorized agents and strictly pursuant to and in conformity with the Specifications prepared by the Owner of their property authorized agents, as provided herein, at the unit price(s) **including all applicable taxes including, but not limited to, Arizona Vendors, Transaction Privilege Tax; Out of State Vendors, Use Tax:**

BID ITEM	UNIT PRICE
MC-250 Delivered and Spread	\$ <u>465⁰⁰</u> /per ton
SS 1H (1:1 Dilute) Delivered and Spread	\$ <u>550⁰⁰</u> /per ton

* 10 Ton Minimum - per call out
x After 2 hours spread 175⁰⁰ per hour

DELIVERY RATE SCHEDULE MAY BE ATTACHED AND SHOULD BE NOTED ABOVE

Upon Receipt of Notice of Acceptance of this bid, the undersigned will execute the formal Contract within 10 days.

The undersigned has carefully checked all the above figures and understands that the Town Council of the Town of Camp Verde Arizona will not be responsible for any errors or omissions on the part of the undersigned in making up this bid.

The undersigned understands that the Owner reserves the right to reject any and/or all bids, or to waive any informality in any bid, deemed by them to be for the best interest of the Town of Camp Verde Arizona.

The undersigned has, or will obtain, a Camp Verde business license prior to execution of the contract, and further, will ensure all subcontractors have a Camp Verde business license before beginning any work.

If applicable to the trade, the undersigned is the holder of an Arizona Commercial Contractors License Number ROC 179814 and Classification General Engineering

***By signing below the bidder certifies that submissions of this bid did not involve collusion or other anti-competitive practices and that she/he has read, understands and will faithfully execute the terms and conditions stated within this document. The signer also certifies that she/he is an officer or fully authorized agent of the bidding firm with full power and authority to submit bidding offers for the goods or services as specified.**

Respectfully submitted,

Cactus Transport, Inc

Vendor/Bidder (Company Name)

J. R. Dornery

Vendor Signature, Title

8211 W. Sherman St,
Tucson, AZ 85353

Vendor (Bidder) ADDRESS

623-907-2800

Telephone

ATTEST:

Witness: If Bidder is an Individual

(Corporate Seal)

CERTIFICATION: INTENTIONS CONCERNING SUBCONTRACTING

At the time of the submission of bids on this **CONTRACT FOR SUPPLY AND DELIVERY OF LIQUID ASPHALT PRODUCTS IN THE TOWN OF CAMP VERDE, Project No. 08-002, Camp Verde, Arizona**, my intention concerning subcontracting a portion of the work, is as indicated below.

In indicating that it is my intention to subcontract a portion of the work, this will acknowledge that such subcontractors will be identified and approved by the Engineer, or his designated representative, prior to award of this contract; and that documentation such as copies of letters, requests for quotations etc., substantiating the actions taken and the responses to such actions, is on file and available for review.

It is my intention to subcontract a portion of the work.

It is not my intention to subcontract a portion of the work.

Cactus Transport, Inc.

Name of Firm:

J. R. Doming
By: (Signature)

Vice-President
Title:

6-30-08
Date:



CONTRACT

THIS AGREEMENT made and entered into this _____ day of _____, 2008, by and between the **TOWN OF CAMP VERDE**, State of Arizona, acting by and through its Mayor and Common Council, party of the first part, hereinafter designated the **OWNER**, and, _____, party of the second part, hereinafter designated the **CONTRACTOR**.

WITNESSETH: That the said Contractor, by these presents does covenant, contract and agree with the said Owner, for and in consideration for the payments made, as provided for in the Specification and in the Proposal, to the Contractor by the said Owner at his proper cost and expense to do all the work and furnish all materials, tools, labor, and all appliances and appurtenances called for by this agreement free from all claims, liens, and charges whatsoever, in the manner and under the conditions hereinafter specified, that are necessary for **SUPPLY AND DELIVERY OF LIQUID ASPHALT PRODUCTS IN THE TOWN OF CAMP VERDE, PROJECT NUMBER 08-002**. The work done and materials and equipment furnished shall be strictly pursuant to and in conformity with the Specifications and Plans. The drawings or prints and other information furnished by the Contractor in accordance with the Specifications, are made a part of this agreement. The said Specifications and Plans prepared by the Town Engineer, or his designated representative, are intended to be complimentary. Any work appearing in or upon the one and not mentioned in the others shall be executed according to the true intent and meaning of said Specifications and Plans, drawings or prints, the same as though the said work was contained and described in all. The undersigned has, or will obtain, a Camp Verde business license prior to execution of the contract, and further, will ensure all subcontractors have a Camp Verde business license before beginning any work.

The "Call for Bids", "Special Conditions", "Specifications", "Proposals", "Plans", and "Addenda" and any other attachment in the Town's official contract documents are hereby understood to be a part of this contract.

It is further covenanted and agreed that the work shall be executed under the direction and supervision of the Town Engineer or his properly authorized agents, on whose inspection all work shall be accepted or rejected. The said Engineer shall have full power to reject or condemn all materials furnished or work performed under this Contract, which do not conform to the terms and conditions herein expressed.

In the event said Engineer exercises his right to reject work and the deficiency is not corrected, a notice of noncompliance shall be issued to the contractor. Payment may be withheld because of defective work not remedied. All claims or disputes arising out of this Contract or the breach of it may be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association.

This Contract is subject to cancellation pursuant to A.R.S. §38-511.

In return for the performance of this Contract by the Contractor, the Town agrees to pay the amount **PER THE PROPOSAL (including all applicable taxes)** through a payment schedule as described in the Contract documents and as may be modified and executed by change orders and by final quantities.

IN WITNESS WHEREOF, three (3) identical counterparts of this Contract, each of which shall for all purposes be deemed as original thereof, have been duly executed by the parties named, on the date and year first herein written.

Town of Camp Verde:

By: _____
Mayor

APPROVED AS TO FORM:

Town Attorney

Contractor: Cactus Transport, INC
By: _____
President/Owner

ROC 179814 A
Contractors License No. .
J. R. Dorney
Secretary

ATTEST:
The Mayor and Council approved this contract for execution
at their regular session of _____.

Town Clerk

The contract was reviewed and delivered, as signed by the Town, to the Contractor
on _____, 2008 by _____.

**REQUEST FOR PROPOSALS
SUPPLY AND DELIVERY OF LIQUID ASPHALT PRODUCTS
PROJECT NO. 08-049
TOWN OF CAMP VERDE**

Sealed Bids will be received at the **Office of the Public Works Dept., 395 S. Main Street, Camp Verde, Arizona 86322**, until **3:00 p.m. on Monday, June 30th** for **Supply and Delivery of Liquid Asphalt Products, Project No. 08-049**. Bids will be opened at 3:15 p.m. on Monday, June 30th, in the Office of the Public Works Dept. at 395 South Main Street, Camp Verde, Arizona 86322.

Contractors desiring to submit proposals may obtain copies of detailed plans, specifications and proposal form and full information as to the proposed work, at the **Camp Verde Public Works Department, 395 S. Main Street, Camp Verde, Arizona 86322**. The Town of Camp Verde retains the right to reject any or all proposals as it may be deemed best for the interest of the Town of Camp Verde.

The Town specifically reserves the following rights: 1) to waive minor bid irregularities; 2) to further negotiate with the successful bidder; and 3) to reject any or all bids/proposals received. Bids/proposals will be evaluated on the "lowest responsible bidder" indicating that factors other than direct cost (to include, but not limited to, quality, availability, warranty or training) may be considered. The Town of Camp Verde reserves the right to reject any or all proposals as may be deemed in the best interests of the Town.

Publish June 18th and June 25th

Deborah Ranney

From: Deborah Ranney [dranne@cvaz.org]
Sent: Wednesday, June 11, 2008 10:20 AM
To: 'cveditor@larsonnewspapers.com'
Subject: Public Notice

Editor,

Please publish this (attachment) Public Notice on June 18th and on June 25th. If you have any questions please contact me at 928-567-0534
Thanks for your help!

Deborah Ranney
Administrative Assistant
Town of Camp Verde
928-567-0534

TOWN OF CAMP VERDE
Council Agenda Action Form

Meeting Date: July 16, 2008

Meeting Type: Regular Session

Type of Presentation: Other

REFERENCE DOCUMENT: IGA/JPA 08-0371

AGENDA TITLE: (Be Exact):

Consideration and possible approval of IGA between Camp Verde and Arizona Department Of Transportation

PURPOSE AND BACKGROUND INFORMATION:

Execution of Intergovernmental Agreement between The Town of Camp Verde and Arizona Dept. of Transportation (ADOT) wherein ADOT will install and provide maintenance for a new traffic signal located at the intersection SR 260 and Cherry Road (MP 215.9); the Town of Camp Verde will provide for the monthly electrical energy costs to operate the traffic signal and/or intersection lighting.

We currently have IGA's for the three other signals located on Hwy 260

STAFF RECOMMENDATION(S): (Suggested Motion)

Approve and execute IGA/JPA 08-1371

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount

Yes

Comments:

Consent Agenda Item; the expense is estimated and approved in the 2008/2009 budget

Fund: Public Works, Streets Division #20-20-00

Line Item: 7735

Submitting Department: Public Works

Contact Person: Ron Long

Town Manager/Designee:

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

**2009 RESOLUTIONS
OF THE
LEAGUE OF ARIZONA CITIES AND TOWNS**

RESOLUTIONS FOR CONSIDERATION

BY THE

LEAGUE RESOLUTIONS COMMITTEE

on

August 19, 2008

(The following resolutions were received by June 16, 2008 for consideration by the League Resolutions Committee.)

RESOLUTION #1

Support the maintenance and continued funding of the Housing Trust Fund administered by the Arizona Department of Housing. This flexible funding source is critical to smaller communities' efforts to assist the most vulnerable populations in achieving safe and decent housing.

Submitted by:

City of Flagstaff, City of Prescott, City of Sedona

* * * * *

A. Purpose and Effect of Resolution

Support the continued maintenance and funding of the Housing Trust Fund ("HTF") administered by the Arizona Department of Housing. The HTF has been depleted to assist in balancing the FY2008 budget and was reduced by \$10.2 million dollars. This prevents new funding commitments until July and there is significant concern that there will be additional reductions in for FY2009. The HTF is a critical tool for communities in providing safe and decent housing for vulnerable and low-income population, especially smaller and rural communities. The funds have provided shelter for the homeless, emergency response to fire closures, health and safety repairs for the elderly and disabled, and many other important functions. For communities not eligible for Federal and alternative sources available to major metropolitan communities this resource is vital to serving those who are unable to help themselves. Additionally, the level of flexibility in the HTF allows it to serve populations outside what most Federal funding sources are restricted to. The HTF must be funded at a level able to sustain the valuable role it plays in Arizona's housing.

B. Relevance to Municipal Policy

The support of the Housing Trust Fund will preserve cities/towns in their ability to provide safe and decent housing for vulnerable populations. It can provide projects or act as leverage for local, Federal and private dollars which combine to produce expanded tangible benefit. The reduction of HTF funds restricts cities'/towns' ability to provide safe and decent housing and shelter.

C. Fiscal Impact to Cities and Towns

The fiscal impact on cities/towns, if the HTF is restored and funded on an ongoing basis, is the sustained ability to apply for and utilize HTF dollars to serve vulnerable populations, react to urgent situations, and leverage outside funds to complete important projects. The \$10.2 million dollar existing reduction is funding not available to cities/towns and it is difficult to quantify the resources that are not able to be accessed due to a lack of HTF for leverage. Future reductions will serve only to further weaken communities.

D. Fiscal Impact to the State

The HTF is already a program of the State and has been a valuable and effective one. The preservation of its funding would potentially require reductions from other sources to address the current and anticipated State budget situation.

E. Contact Information

Name: Jim Wine
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Title: Deputy City Manager
Email: jwine@ci.flagstaff.az.us

RESOLUTION #2

Recommend the State of Arizona continue to identify, fund, and implement economic development programs to help cities and towns be more competitive with surrounding states.

Submitted by:

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

A. Purpose and Effect of Resolution

Although a resolution addressing economic development was submitted last year and was accepted by the committee it is important that economic development continue to be a goal for the League given that 91% of the state’s income tax revenues come from municipalities. Cities and towns are the economic engines that positively impact the state’s well being.

In order to attract new, high-wage jobs to Arizona to sustain our economic health it is crucial that we have adequate funded tools to be competitive. Cities and towns need additional support from the State for new job attraction because they frequently must compete with not only a city in another state but also with a state government.

The purpose of this resolution would be to identify, fund, and implement programs that assist municipalities in their efforts to attract new business, keep current business, and keep business expansion in state.

B. Relevance to Municipal Policy

The disparity between the cost of living and availability of good paying jobs is significant, especially in Flagstaff and other rural communities. High wage jobs are critical for the economic health of Arizona’s cities and towns. Unfortunately Arizona lacks the economic tools and funding to assist municipalities in attracting high-wage employers. Individual municipalities require significantly more financial incentives than can be provided solely through local funding in order to be successful.

C. Fiscal Impact to Cities and Towns

Attracting high wage paying businesses improves the local economy and creates tax dollars for the entire state. Increased state assistance can make the difference in the effort to attract new business to Arizona or to assist a local business that is considering expanding in another state rather than expanding in Arizona. However, funding statewide economic assistance through the use of existing city and state shared revenues would be self defeating since it would reduce local funds for economic development.

D. Fiscal Impact to the State

Creating and funding economic development programs to support local government’s efforts to bring business to Arizona, the state, cities, and towns would experience increased employment and tax revenues. A funding mechanism would need to be developed for this purpose.

E. Contact Information

Name: Jim Wine
Phone: 928-779-7685, ext. 7299

Title: Deputy City Manager
Email: jwine@ci.flagstaff.az.us

RESOLUTION #3

Urges the Legislature to establish a long-term mechanism to provide additional funding to the State's towns with populations of 1,500 persons or less.

Submitted by:

Town of Patagonia, Town of Hayden, Town of Jerome, Town of Duncan, Town of Fredonia, Town of Winkelman

A. Purpose and Effect of Resolution

The purpose of the proposed Resolution is to minimize the fiscal harm that occurs when Arizona's smallest towns, with limited tax bases and minimal growth, experience declines or only marginal increases in the amount of state shared revenues that they receive. State law currently requires a community to have a population of at least 1,500 persons to become incorporated, but when this population requirement was enacted, the law did not establish an equitable level of funding to pre-existing towns that had fallen below the new population requirement. Previous League Resolutions to address this issue resulted in state budget appropriations in FY 2006-2007 and FY 2007-2008 of \$850,000 that equalized revenues distributed to these communities to the approximate amount of state sales tax and urban revenue sharing that would be distributed to an incorporated community of 1,500 persons.

The amount of revenues currently received by these municipalities is insufficient to cover the rising costs of fuel, municipal liability insurance, state retirement contributions, worker's compensation insurance and inflation. The previous state budget appropriations provided additional funding to meet the ever increasing costs of providing local government services in these communities and funding to address a host of issues that had been deferred due to the lack of equitable funding in the past. If legislation providing for a long-term funding is not enacted within the decade, the positive effects of the previous appropriations will be negated and the financial condition that could place these communities at the edge of dis-incorporation will be restored. The desired effect of the proposed Resolution is to compel the Legislature to consider legislation that will establish a long-term funding mechanism to provide additional financial resources to the State's six smallest towns that will enable them to strategically plan for and implement annexations, smart growth and economic development, and the enhancement of other local, sustainable revenue sources.

B. Relevance to Municipal Policy

The proposed Resolution reflects the core principles of the League of Arizona Cities and Towns through the preservation of local control and municipal services provided by six small towns by ensuring them approximately the same amount of funding from the state as is enjoyed by a town of 1,500 persons. Without this funding, these small municipalities will not be able to build fiscal sustainability at the local level and may eventually cease to exist.

C. Fiscal Impact to Cities and Towns

The fiscal impact on the six existing small towns will be positive, but the exact amount will depend on the amount of funding that is appropriated by the legislation. The previous \$850,000 appropriations resulted in funding to these small towns ranging from \$73,781 to \$221,334 per year, based proportionately on the difference between each town's DES population estimate and the population of an incorporated municipality of 1,500 persons. **Because the proposed Resolution DOES NOT request any change to the current revenue sharing statutes, there not anticipated to be a fiscal impact on the state's remaining cities and towns.**

D. Fiscal Impact to the State

The proposed Resolution will have an annual fiscal impact to the state, the amount of which will depend on the amount of funds available for appropriation. Having endured decades of harsh economic conditions and the resulting reduction of revenue, public services, staffing, and infrastructure maintenance/improvements, the six qualifying towns are completely sympathetic to the State's current and projected revenue shortfalls. We therefore understand that enacting legislation to address this issue may not be possible until the State's economic crisis has passed, but are requesting that

Establish Long Term Funding For Small Municipalities

RESOLUTION #3

the importance of identifying, and eventually implementing, a solution to preserving the municipal status of these unique, diverse, communities not be forgotten in the meantime.

E. Contact Information

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

Title: Town Manager
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RESOLUTION #4

Identify and establish funding sources for Arizona Water Supply Development Revolving Fund, authorized by Laws 2007, Chapter 226 of the Arizona Revised Statutes.

Submitted by:

City of Flagstaff, Town of Prescott Valley, City of Prescott, City of Cottonwood

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A. Purpose and Effect of Resolution

Laws 2007, Chapter 226 contains the statement that the Legislature finds that many water providers in Arizona, particularly in rural areas, lack access to sufficient water supplies to meet the long term water demands and these providers need financial assistance to construct water supply projects and obtain additional water supplies. The purpose of this resolution is to add to this Act additional revenue sources that would provide dependable, long term financial assistance consistent with the legislative intent.

B. Relevance to Municipal Policy

There is no funding available to support water supply development in rural Arizona. As surface water supplies dwindle and aquifers are reduced due to consumption, potential climate changes, water supplies need to be augmented for sustainability, the economic well being, and quality of life in Arizona. The lack of water will impact the environment, recreation, tourism and second home development even in the areas which have dependable water supplies. Water conservation is a solution for some areas but most of rural Arizona has already developed this to a large extent. This will require financing of large rural projects if rural Arizona is to pay "their own pay" for these projects. A funding mechanism needs to be enacted to insure monies are available for loans or other funding solutions are available for these communities.

Long term financing is needed so that cities and towns in rural Arizona do not deplete their bonding capacity to finance large water projects or they simply will not be able to afford these water supply projects. This is an issue that is not isolated to rural Arizona and will have an impact on larger municipalities as water becomes scarce.

C. Fiscal Impact to Cities and Towns

The source of revenue for the Water Supply Fund must be matched to the ultimate size and the length of time needed to accrue a sufficient amount of funds to offer loans. A large number of big water projects are needed throughout Arizona for a long term and the revenue sources need to provide a permanent, dependable, and sufficient income for a long period of time. Assets in a sufficient quantity to serve the water development needs of Arizona are needed and must be dependable.

D. Fiscal Impact to the State

Potential revenue sources include additional property tax allocations (Ad valorem taxes), annual groundwater withdrawal fees for water pumped, transaction privilege tax or a tax assessed on the sale of water, impact fees on new development based on their use of water, well impact fees for new ground water well development and/or more appropriations from the Legislature.

E. Contact Information

Name: Jim Wine
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Title: Deputy City Manager
Email: jwine@ci.flagstaff.az.us

RESOLUTION #5

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

Submitted by:

City of Prescott, Town of Prescott Valley, City of Scottsdale, City of Cottonwood, City of Phoenix, City of Bullhead City, City of Kingman

A. Purpose and Effect of Resolution

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

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

B. Relevance to Municipal Policy

Poorly managed liquor establishments pose considerable problems for law enforcement and surrounding neighborhoods, such as crime, noise violations and parking issues. Reforms to liquor laws increasing the consideration of impacts to neighborhoods would greatly enhance the ability of municipalities to protect public safety and quality of life in these neighborhoods. Legislation addressing problem liquor establishments and changes to Arizona liquor laws have been an ongoing challenge for cities and towns. Cities and towns should have the ability to plan their communities as they believe best, including the location and operation of liquor establishments. The proposed provisions allow cities to have a greater role in the liquor licensing process for liquor establishments to ensure that are addressed.

C. Importance of Resolution to Your City or Town

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

D. Fiscal Impact to Cities and Towns

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

E. Fiscal Impact to the State

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

F. Contact Information

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

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

Increase Municipal Input on Liquor Licenses

RESOLUTION #6

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

Submitted by:

City of Prescott, Town of Prescott Valley, City of Bullhead City

A. Purpose and Effect of Resolution

This resolution proposes to modify State Statutes 34-103 and 34-603 to allow municipalities to request a price range for the fees associated with the services listed in a Request for Proposal/Statement of Qualifications (RFP/SOQ) solicitation. The price range will only be one of several criteria used to evaluate the proposals and would not be allowed to be weighted more than 20% of the total score.

B. Relevance to Municipal Policy

34-103 does not allow a municipality to consider fees for services in the selection process for certain professional services. This has led to many instances where municipalities spend weeks in the selection process and find that the fees charged by the #1 rated firm far exceed the budgeted amount. The municipality is then required to restart the negotiation process with the #2 firm, and so on until a fee within the budgeted amount is agreed upon. In some cases, the municipality has to reissue the RFP/SOQ because they are unable to reach an agreement on fees, resulting in months of delay in starting a project and increasing the costs associated with the project.

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

C. Importance of Resolution to Your City or Town

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

D. Fiscal Impact to Cities and Towns

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

E. Fiscal Impact to the State

There should be no increased fiscal impact to the State.

F. Contact Information

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

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

RESOLUTION #7

Urges the Governor and the State Legislature to develop and pass legislation that supports the implementation of the 2006 recommendations from the Governor’s Emergency Medical Services Access Task Force to address the shortage of physicians in the State of Arizona. The League encourages the Legislature to be consistent with Task Force recommendations, including: expanding the level of Graduate Medical Education (GME) funding; expanding medical school capacity within the state universities; addressing issues affecting the attraction and retention of physicians from out-of-state; reducing obstacles to medical practice in Arizona; and addressing any other major issues that affect a physician’s decision to locate or remain in Arizona to practice.

Submitted by:

City of Sierra Vista, City of Flagstaff, Town of Huachuca City, City of Willcox, City of Douglas, City of Bisbee, City of Benson, Town of Oro Valley, City of Prescott

A. Purpose and Effect of Resolution

Part II of the 2005 Arizona Physician Workforce Study, conducted by specialists from the University of Arizona and Arizona State University, identified that since 1992 to 2004, Arizona’s physician supply is not keeping up with its population growth. The situation has not gotten any better. Arizona has 219 physicians per 100,000 population, well below the national average of 293 per 100,000. Rural communities in the state are affected by the shortage even more, with one county at under 60 physicians per 100,000. Specialty physicians are particularly difficult to recruit and retain. By way of example, the City of Sierra Vista’s regional hospital is now the only location in all of Cochise County in which a woman can deliver a baby outside of a setting in which emergency services are available.

On May 25, 2006, Governor Napolitano signed Executive Order 2006-09, forming the Emergency Medical Services Access Task Force. This Task Force obtained and reviewed data and public input on the issue of physician shortage, with an emphasis on access to emergency care. The Task Force developed a number of recommendations that were presented in a report on December 13, 2006. No legislation has been implemented to improve the situation to date.

Since approximately 60% of physicians who complete their training in Arizona teaching hospitals remain to practice within the state, enhancing the Graduate Medical Education (GME) program is a critical component to addressing this shortfall; one of the Task Force’s recommendations. The Task Force also recommended reducing obstacles to medical practice in Arizona. Recruitment and retention of physicians is hampered throughout the state by higher professional liability premiums as compared to other states, and this is certainly an obstacle needing attention.

B. Relevance to Municipal Policy

Health care is a key component of the overall quality of life for any community. It is an attraction and retention component for both business and military activities, both of which are the backbone of the state’s economy. An adequate supply of physicians is the foundation of quality healthcare, and although most barriers to physician recruitment and retention are beyond the direct control of local government, the health of our citizens should be a strong consideration for local legislative input and advocacy. The National League of Cities has incorporated citizen health in its overall federal legislative platform by developing and advocating for health programs for children and youth.

C. Importance of Resolution to Your City or Town

There should be no negative fiscal impact on Cities and Towns. To the contrary, not only will there be an intrinsic gain to Cities and Towns in overall quality of life of their residents if accessibility to health care is improved, but all communities in the state can use improved health care as an economic development tool in the future.

D. Fiscal Impact to Cities and Towns

Implementation of some of the Task Force recommendations will require additional investment by the state in medical education. However, some recommendations can be implemented with little to no affect on state finances. But like the cities and towns, improvement in access to health care results in an improvement in the ability of the State to attract

Implement Emergency Medical Services Access Task Force Recommendations

RESOLUTION #7

corporations who value health care access as a major factor in relocation to Arizona. In addition, more physicians in the rural areas of the state will reduce the number of trips on already overcrowded roadways that residents from those areas make to the Phoenix or Tucson metropolitan areas to seek treatment.

E. Fiscal Impact to the State

None.

F. Contact Information

Name: Robert Blanchard
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Title: City Council Member
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RESOLUTION #8

Urge the State Legislature to adopt legislation establishing a uniform property tax assessment methodology for deed-restricted housing created under an affordable housing program that recognizes the limited profits owners of deed-restricted housing can realize.

Submitted by:

City of Sedona, Town of Camp Verde

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A. Purpose and Effect of Resolution

Cities and towns with affordable housing programs are increasingly focused on ensuring that any affordable housing created remains affordable to the target population for an extended period of time. The initial purchase price of a home created under an affordable housing program is below what the home would sell for at full market price. Owners agree through deed restriction to limit the price at which the homes can be resold to ensure that the homes remain affordable. In Arizona there is no standard methodology for assessing deed-restricted housing, and County Assessors individually determine how to assess such properties. Some assess deed-restricted housing using the same market value as surrounding market rate properties, and some create a category of deed-restricted housing that recognizes the below-market sales prices and the significant limitation on profit that the owners can realize. As Assessors change, there is always the possibility that a different assessment methodology could be applied to deed-restricted housing. In cases where deed-restricted housing is sold and resold well below market value but are taxed as if owners are realizing the same gains as any other homeowner, over time taxes can make the home unaffordable, especially in areas with high property values.

B. Relevance to Municipal Policy

Cities and towns with affordable housing programs should be able to rely on taxes being assessed uniformly over time so that the homes are not lost as an affordable housing resource.

C. Fiscal Impact to Cities and Towns

Possible impact to cities or towns that levy property taxes. Also, changes to property tax/valuations could impact counties and thus schools.

D. Fiscal Impact to the State

There should be no direct impact to the State since it does not levy a property tax.

E. Contact Information

Name: Audree Juhlin
Phone: 928-204-7107

Title: Assistant to the Director, Community Development
Email: Ajuhlin@SedonaAz.gov

RESOLUTION #9

Urge the State Legislature to enact enabling legislation that would allow local control for each community in Arizona to determine for itself whether or not to require developers to include some affordable housing in new development or redevelopment projects.

Submitted by:

City of Sedona, Town of Camp Verde

A. Purpose and Effect of Resolution

Many cities and towns throughout Arizona have found that the lack of housing affordable to its workforce has a significant effect on the local economy and the community as a whole. The last several years have seen increases in the cost of homes far outstrip increases in wages, and the gap between what people can afford and what homes cost has widened dramatically. Businesses, schools, medical facilities and local governments report difficulties in recruiting and retaining qualified employees, due in part to the lack of affordable housing. Resources available to create affordable housing are limited, and it is important for cities and towns to retain options and to be able to decide how best to address that situation.

B. Relevance to Municipal Policy

Cities and towns in Arizona should have the ability to meet their affordable housing needs in the way that best suits their local situation. Each community faces different challenges in providing affordable housing, and there must be a wide range of tools available. Cities and towns need to have local control over development and redevelopment projects so that jurisdictions can make the best decisions for their communities. Enabling legislation can ensure that local control is maintained.

C. Fiscal Impact to Cities and Towns

None.

D. Fiscal Impact to the State

None.

E. Contact Information

Name: Audree Juhlin
Phone: 928-204-7107

Title: Assistant to the Director, Community Development
Email: Ajuhlin@SedonaAz.gov

RESOLUTION #10

Amend Title 39-121.01(D) to allow additional fees for voluminous or substantial public records requests.

Submitted by:

City of Prescott, Town of Prescott Valley, City of Bullhead City

A. Purpose and Effect of Resolution

Municipalities conduct hundreds of public records requests each year. While the majority of such requests are routine, and involve only minimal amounts of documents or a specific document, a small percentage of the records requests require intensive staff time to research and copy the requested records. At a time when municipal budgets are strained and staff increases are unlikely, these voluminous requests will have a significant impact on city staff. Amending Title 39 to provide for and cover the actual staff time and costs for these requests by allowing municipalities to assess a search fee and actual hourly fees to recoup the employee costs involved in fulfilling these voluminous requests will help prevent unduly burdensome and expensive requests, including frivolous type requests, from being foisted on the general public.

B. Relevance to Municipal Policy

Transparency is essential to municipal government and processing public records requests is one component of that transparency. However, the amount of resources required to respond to a small percentage of voluminous records requests are not adequately covered within the statutory limitations. Often, huge boxes of archival material, e-mails, and massive document searches cause hours of staff time and expense. Establishing a reasonable, actual cost fee for these searches will encourage persons to be more specific and directed in their public records requests and will ensure that the extreme costs and time involved in huge requested will not be an additional burden on already strained municipal resources.

Some requests are very vague and over-broad, i.e. "all e-mails" when a city receives tens of thousands of e-mails in a week, or "all documents related to Project X" where Project X is a multi-phase, multi-year project that involves a literal truckload of documents. These types of requests involve excessive staff time, ultimately costing our citizens. Our city and many others have received numerous such requests this past year. If the requestors had to pay for the actual costs associated with these requests, the requestors may be inspired to narrow the scope of the request and limit it to the documents they truly want.

C. Fiscal Impact on Cities and Towns

Cities would be able to recover the actual costs associated with complying with the public records requests, allowing strained staff and financial resources to be used for local services. Requestors desiring huge truckloads of documents should reasonably bear the actual staff time and costs for their voluminous requests.

D. Fiscal Impact to the State

The State would also be able to recover its actual costs as well when processing public records requests.

E. Contact Information

Name: Connie Tucker,
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Title: Management Analyst
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RESOLUTION #11

Support a policy that facilitates acquisition of Arizona State Trust Lands by cities and towns to be used for transportation corridors and/or essential public facilities.

Submitted by:

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

A. Purpose and Effect of Resolution

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

B. Relevance to Municipal Policy

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

C. Fiscal Impact to Cities and Towns

Although local governments may still need to borrow the funds necessary to acquire Trust lands for needed public right-of-way and/or facilities, making the public investment more affordable increases the likelihood of public support. Improved access increases the development potential for the adjacent undeveloped land, thereby expanding the economic base of the community and the state.

D. Fiscal Impact to the State

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

E. Contact Information

Name: Charlie Cassens
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Title: Intergovernmental & Communications Affairs Manager
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RESOLUTION #12

Urges the Legislature to act on behalf of all cities and towns, asking for protection, authorization and full appropriations for funding of the Edward Byrne Memorial Justice Assistance Grant (Byrne/JAG Grant Program).

Submitted by:

City of Cottonwood, City of Prescott, Town of Chino Valley, Town of Camp Verde

A. Purpose and Effect of Resolution

This resolution seeks to ensure future funding to the Byrne/JAG Program. The Byrne/JAG program is a partnership among federal, state and local governments to create safer communities. As our cities continue to grow and expand, drug trafficking, gang and violent crime threats grow with it. This program is vital to the funding of the Partners Against Narcotics Trafficking (PANT) program and other anti-drug/gang programs throughout Arizona. Byrne JAG funds are crucial to crime control and prevention programs that have contributed to nationwide reductions in crime. In the City of Cottonwood alone, with introduction and Byrne/JAG’s fiscal support of a PANT office in our community, crime statistics were reduced a staggering 40%. Without this program, communities can not possibly provide the funds needed for narcotics team activities or drug abuse prevention and education activities.

B. Relevance to Municipal Policy

This would ensure funding of local narcotics task forces, reducing the devastating impact illegal substances have on our communities.

C. Fiscal Impact to Cities and Towns

Byrne/JAG funding was cut heavily in 2007, dropping from \$520 million to \$170 million. Passage of this desired legislation will continue to provide funding necessary for the protection and prevention activities offered by PANT which would otherwise not be possible. In turn, it would directly impact crime rates, insurance rates/losses, quality of living, increase prisoner costs, increase child abuse/neglect cases, decreased property values, etc, in our cities and towns.

D. Fiscal Impact to the State

The Bureau of Justice (BJS) determines the state allocations and awards them to the State Administering Agency (SAA) which is the Arizona Criminal Justice Commission (ACJC). These funds are then awarded on a competitive basis based on previously determined priorities. If this funding is not available, our state and nation would see an explosive increase in crime rate, decreased property values and quality of living environments, increased incarceration expenses, increased child abuse/neglect incidents, and increased unemployment to name only a few. This funding is essential to crime control in our communities.

E. Contact Information

Name: Diane Joens Title: Mayor
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Maintain and Increase funding to the Byrne/JAG Program

RESOLUTION #13

Urges the Arizona Congressional Delegation to work on comprehensive immigration reform at the Federal level.

Submitted by:

City of Prescott, Town of Prescott Valley

A. Purpose and Effect of Resolution

Immigration reform is vital to the economic development of municipalities in Arizona. Comprehensive immigration reform is needed to address the current shortage of workers in Arizona in the service industries (such as restaurants, hotels, hospitals, landscapers to mention just a few). The League of Cities and Towns should send a letter to our congressional delegation containing the following recommendations:

1. Create a guest worker program. Most illegal immigrants come to the United States to work. A guest worker program would give them a chance to legally work in the United States. By allowing guest workers, U.S. authorities could focus on drug dealers and security hazards instead of job-seekers.
2. Secure the border, prevent illegal residents and workers.
3. Encourage the Federal Government to comprehensively address illegal immigration. Any mandates placed upon local jurisdictions to enforce federal immigration law should be fully reimbursed to the localities for any costs they incur.
4. Inform the public. Too many people still do not have an accurate picture of the full economic impact of immigrant labor.

B. Relevance to Municipal Policy

The Federal government has abdicated its responsibility to secure the borders and enforce immigration laws. Cities have been forced to take resources away from other local services to address immigration issues, straining local budgets. The current shortage of service workers has been further exacerbated through the employer sanctions law, as immigrant labor is leaving the state. Local businesses are at risk when they are unable to hire the workers needed to carry out their trade. As local businesses are affected, sales tax revenue to the cities declines, putting vital services at risk.

C. Fiscal Impact to Cities and Towns

Establishing a guest worker program would allow local authorities to use resources to provide needed services to their citizens instead of using the resources to enforce Federal immigration laws. The net impact would be more usable revenue that could be devoted to vital core programs. It would also have the added benefit of helping to stabilize sales tax revenues.

D. Fiscal Impact to the State

The State would also benefit from a guest worker program, as it too could use its resources on its citizens, and not on Federal immigration enforcement. Similar to the benefits for cities and towns, more usable revenue that could be devoted to vital core programs. For example, less State Police resources would need to be allocated to immigration enforcement issues.

E. Contact Information

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

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

Encourage Comprehensive Immigration Reform at the Federal Level

RESOLUTION #14

Urges the Arizona State Legislature to amend the existing state statute (A.R.S. 13-602) to make property damage in the form of graffiti a class 1 misdemeanor.

Submitted by:

City of Phoenix, Town of Buckeye, City of Surprise, City of El Mirage, City of Peoria

A. Purpose and Effect of Resolution

Graffiti crime continues to plague our cities and towns. Graffiti vandals rarely impact one site but instead spread their blighting impact on many properties throughout our communities. The cost to local governments and private property owners creates an unnecessary burden. For example, the City of Phoenix will spend an estimated \$4 million next fiscal year on graffiti removal, money that could be better spent on other important city services. Increasing the penalty related to this crime may raise the consequences associated with vandalizing properties with graffiti.

B. Relevance to Municipal Policy

Graffiti vandals do not recognize jurisdictional boundaries. Increasing the penalties may act as a deterrent, resulting in healthier communities and budget savings to local governments.

C. Fiscal Impact to Cities and Towns

There is no anticipated fiscal impact to cities and towns.

D. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

E. Contact Information

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RESOLUTION #15

Urges the Arizona State Legislature to permit city and/or county water and wastewater providers to enter into mutual aid agreements with private utility companies.

Submitted by:

City of Phoenix, Town of Marana, City of Mesa, City of Peoria

A. Purpose and Effect of Resolution

The Arizona Water and Wastewater Agency Response Network (AZWARN) is a voluntary statewide cooperative program that provides expedited access to the resources needed to respond to a water or wastewater emergency that would cause a disruption. Arizona is the 23rd state to establish such a program.

City and county governments are permitted to exercise authority and enter into intergovernmental agreements with one another. However, state law prohibits local governments from entering into similar agreements with private utilities.

This resolution seeks a change in state law to specifically permit these agreements.

B. Relevance to Municipal Policy

These recommended changes would increase the ability for member agencies to respond to man-made or natural disasters in a timely manner, protecting our residents from any interruption of service.

C. Fiscal Impact to Cities and Towns

Only municipalities that voluntarily join AZWARN face the possibility of financial expenditures in case of emergency.

D. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

E. Contact Information

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RESOLUTION #16

Urges the Legislature to amend the current local election signature requirements to give a city or town the option to either utilize existing signature requirements or cap the number of required signatures at a set number.

Submitted by:

City of Scottsdale, City of Chandler

A. Purpose and Effect of Resolution

Under current Arizona law, candidates for City Council in at-large cities must collect valid signatures equal to five-percent of the total number of votes cast in the previous mayoral election. For cities with high voter turnout, this formula significantly increases the amount of signatures required to run for city council as compared to a similar sized city or town with a low or average voter turnout.

In 2006, the Legislature passed SB 1041 changing the election cycle of several cities from the spring to the fall. Historically, fall and/or presidential elections receive a higher percentage of voter turnout than spring elections which will cause the election signature requirement for these cities to rise even higher than it is currently

As an example, during the 2004 General Election, there were 109,469 votes cast in the City of Scottsdale. If the same number of people were to vote in the 2008 General Election and the Mayoral Election is decided at the same, a candidate for the 2010 City Council race will need to collect 5,473 valid signatures to have their name placed on the ballot.

In 2008, Representative Michele Reagan introduced HB 2385, which would have given cities the **option** of staying with the current system *or* capping the total amount of needed signatures at 1000. The legislation would not have affected district cities, nor would it have changed existing recall or initiative processes. HB 2385 failed to pass during this past session.

B. Relevance to Municipal Policy

Unfettered access to the election process is a cornerstone of our democracy. The current election signature requirements create an unnecessary burden and obstacle to those considering running for City Council in those affected cities. It should be adopted policy to encourage rather than discourage those willing to seek and serve the people of their communities as elected officials.

C. Fiscal Impact to Cities and Towns

There is no anticipated fiscal impact to cities and towns. There may be reduction in costs to validate submitted election signatures.

D. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

E. Contact Information

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Allow Municipalities to Cap the Number of Required Signature to Run for City Council

RESOLUTION #17

Urges the Legislature to enact spacing requirements for payday loan business locations.

Submitted by:

City of Scottsdale, City of Phoenix

A. Purpose and Effect of Resolution

First established in 2000, Arizona Revised Statutes Section 6-1260 introduced “deferred presentment” or “non-chartered financial institutions”, also known as payday loans. A payday loan is a service that offers short-term loans on amounts based on a personal check held for future deposit. Payday loan centers offer loans that often can have interest rates exceeding 400%.

This resolution would seek legislation to set the statewide spacing requirements for payday loan business locations. Such spacing requirements could include:

A payday lending center may not be located within 1,320 feet of the same type of use or within 500 feet of a residential use.

Eight cities and one county in Arizona have enacted ordinances to set the spacing requirements within their municipal boundaries; however, there are currently no statewide laws to provide uniform regulations for the locations of payday loan centers.

B. Relevance to Municipal Policy

For some neighborhoods, there exists a sense of blight associated with clustering payday loan centers. With the tremendous growth of the cash advance lending industry and the number of payday loan centers locating in Arizona communities, some cities have tackled the problem by creating zoning restrictions, by which these merchants cannot locate within a specified distance of an existing business. This resolution would identify statewide standards for spacing payday loan facilities.

C. Fiscal Impact to Cities and Towns

There is no anticipated fiscal impact to cities and towns. There may be some staff time needed to implement, map, and monitor the spacing requirements.

D. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

E. Contact Information

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RESOLUTION #18

Requests that statutes, including A.R.S. §39-204, requiring publication of notices, agendas, reports, and other statutorily mandated publications, in a newspaper, be amended to allow cities and towns the option to publish on an official website.

Submitted by:

City of Yuma, Town of Quartzsite, City of Apache Junction, City of Nogales, City of Flagstaff, Town of Paradise Valley

A. Purpose and Effect of Resolution

There are no less than 26 statutes, including 16 in Title 9, that require cities and towns to publish, in a newspaper, notices, agendas, financial reports, etc. These statutes specify the number of times a notice must be published and when and where publication must be made. Some statutes also dictate the size of the notice (e.g. quarter page) and the font size. Publication must be in a newspaper of general circulation, having "a bona fide list of paying subscribers", in the county where the city is located.

- o Yuma has only one local daily newspaper which has an average, county-wide, daily circulation of 21,000-22,000. In contrast with the newspaper, the City of Yuma website has an average of over 10,000 pages downloaded from the City website each week. (Data for the total number of website visits is not available, but is estimated to be much higher.)
- o The local newspaper in the City of Flagstaff has an average, county-wide, circulation of 11,500 Monday - Friday and 12,000 on Sunday. In 2007, the official site for the City of Flagstaff averaged 61,000 hits per day.
- o The City of Apache Junction has no local newspaper, but publishes in the Mesa Daily Tribune. The circulation figures for Apache Junction are unavailable. Website data was not available.
- o The local newspaper in the City of Nogales has an average, county-wide, twice-weekly circulation of 2800, compared to a population of nearly 24,000. Website visit data is not available at this time.
- o The Town of Paradise Valley has no local newspaper, but publishes in a regional newspaper. Paradise Valley has an average of 941 pages downloaded per day and approximately 9941 website visits per month.

Posting on an official website may reach more people, save money and be much more convenient to the user.

B. Relevance to Municipal Policy

Cities seek to provide the most information to the widest audience as quickly as possible. The internet is rapidly overtaking newspapers as the primary source of news and information. Posting required notices on an official website will reach a wider audience in less time and keep citizens better informed on matters that affect them.

C. Fiscal Impact to Cities and Towns

In FY 2006-2007 the City of Yuma spent \$110,194.81 on publication in the newspaper and \$106,523.52 in FY 2005-2006. (The rates are discounted based on a guaranteed amount of advertising each year.) The City of Apache Junction spends approximately \$60,000 annually on publication. The City of Nogales budgeted \$75,000 in 2007 for legal publications. The Town of Paradise Valley budgets \$32,000, and spends approximately \$16,000 annually. Allowing cities to publish on their website will free these funds for critical services.

D. Fiscal Impact to the State

There is no anticipated fiscal impact to the state.

E. Contact Information

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Allow Municipal Websites to Serve as Official Publication/Notification

RESOLUTION #19

Enact legislation that requires drivers to report all traffic collisions to the Motor Vehicle Division through a web based reporting process, rather than contacting local police departments, if certain conditions are met.

Submitted by:

City of Peoria, City of Yuma

A. Purpose and Effect of Resolution

Current economic times are directing families, business, and governmental agencies to re-think fiscal expenditures and public service needs. With diminishing shared revenues, Police Departments need to look at services being provided and make a determination whether some services should be discontinued that will not impact the safety of the public.

Drivers will have a duty to report all traffic collisions to the Motor Vehicle Division through a web based reporting process.

A traffic collision report would only be taken by a Police Department in the regular course of business at the scene of a collision when any of the following reporting conditions occurs:

- A person involved in the traffic collision has been injured (complaining of pain is not considered injury; injury needs to be observable) or dies.
- One of the drivers is under the influence of alcohol or drugs.
- One of the drivers has fled the location without stopping to exchange information or check on the welfare of the other parties involved.

B. Relevance to Municipal Policy

The fiscal and time impact of not investigating civil traffic collisions would allow the diverting of resources to community issues and problems, thereby enhancing community oriented policing format. On line mandatory statewide reporting would still provide governmental agencies with the statistical analysis to enhance driving safety.

C. Fiscal Impact to Cities and Towns

The investigation time of a single non injury traffic collision is well over one hour of an officer's time. Unfortunately, a large percentage of all traffic collisions require more than one officer to investigate. One officer is assigned to investigate the collisions, while the second officer maintains traffic flow and requests tow trucks. This becomes costly to tax payers to investigate collisions which are civil.

Projecting this lost revenue is very difficult in determining the percentage of traffic citations fines collected in any year on non injury traffic collisions. Without a hand search there is no way to determine how many non-injury traffic citations were dismissed, fines suspended, fines paid or deferred by traffic school. The average break down of a collision citation is: \$20.00 Court costs; \$10.00 State surcharge; \$80.00 Probation fund; \$100.00 to Municipality. The funds received by governmental agencies through the issuance of citations at non-injury traffic collisions do not equal the cost to these agencies to investigate the civil non-injury collisions.

D. Fiscal Impact to the State

In many states law enforcement agencies do not respond to non-injury traffic collisions. In many cases state law mandates both parties to file a report with the Motor Vehicle Division within 48 to 72 hours. These reports are completed on-line in a web based reporting system. The proposed changes would require drivers to complete an on line report and be filed within 72 hours of the accident. If a driver fails to report the accident to MVD, it may result in suspension of their driving privileges.

Cost would be encumbered by the Motor Vehicle Division for the development and implementation of a statewide web based report system similar to what many other states have implemented.

Require Drivers to Report Non-Injury Accidents to MVD

RESOLUTION #19

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Require Drivers to Report Non-Injury Accidents to MVD