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**AGENDA  
TOWN OF CAMP VERDE  
REGULAR SESSION  
MAYOR AND COUNCIL  
473 S. MAIN STREET, SUITE 106  
WEDNESDAY, MAY 5, 2021 at 6:30 P.M.**

**ZOOM MEETING LINK:**

<https://us02web.zoom.us/j/81224630062?pwd=bjYzclZPU01zc2FxQ1VFMXJpeFJoUT09>

**One Tap Mobile: 1-669-900-9128 or 1-253-215-8782**

**Meeting ID: 812 2463 0062**

**Passcode: 373535**

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

1. **Call to Order**
2. **Roll Call.** Council Members Jackie Baker, Bill LeBeau, Cris McPhail Jessie Murdock, Robin Whatley, Vice Mayor Joe Butner, and Mayor Dee Jenkins.
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
  - a) **Approval of the Minutes:**
    - 1) Special Session – April 13, 2021 Page 5
    - 2) Work Session – April 14, 2021 Page 19
    - 3) Special Session – April 20, 2021 Page 35
    - 4) Executive Session – April 20, 2021 (recorded and on file)
  - b) **Set Next Meeting, Date and Time:**
    - 1) Work Session – Friday May 7, 2021 at 8:30 a.m.
    - 2) Regular Session – Wednesday, May 19, 2021 at 6:30 p.m.
    - 3) Regular Session – Wednesday, June 02, 2021 at 6:30 p.m.
  - c) **Quarterly reports for the Planning Commission and Board of Adjustments & Appeals for the period of January through March 2021.** Page 43
5. **Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)** Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council

from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to ARS §38-431.01(H))

**6. Special Announcements and Presentations**

- **Presentations and Discussion of Funding for the Yavapai Family Advocacy Center** Page 47
- **Presentation and update by Camp Verde Chambers and Business Alliance members Cheri Hauser and John Smoley.** Page 49
- **Presentation of the Verde Grown Initiative by the Economic Development Department and Local First Arizona** Page 51
- **APS Fire Mitigation and Summer Readiness Presentation** Page 53

**7. Discussion, Consideration and Possible Direction to staff to consider rescinding the Town of Camp Verde's Policies, Rules and Procedures for Town Council, Boards, Commissions, and Committees establish a best practices module and make considerations to transfer mandated policies to the Town Code.** Staff Resource: Cindy Pemberton Page 55

**8. Discussion Consideration and Possible Approval for Council to Approve a letter to Congressional Representatives regarding the Economic Development Administration Grant and Sewer Expansion in the Qualified Opportunity Zone.** Staff Resource: Russ Martin Page 93

**9. Legislative Update.** Staff Resource Russ Martin

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

**11. Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are: Copper Canyon Fire & Medical District, Yavapai College Governing Board, Yavapai Apache Nation, Intergovernmental

Association, NACOG Regional Council, Verde Valley Regional Economic Organization (VVREO), League Resolutions Committee, Arizona Municipal Risk Retention Pool, Verde Valley Transportation Org, Verde Valley Transit Committee, Verde Valley Water Users, Verde Valley Homeless Coalition, Verde Front, Verde Valley Steering Committee of MAT Force, Public Safety Personnel Retirement Board, Phillip England Center for the Performing Arts Foundation. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

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

**13. Adjournment**

*Note: Upon a public majority vote of a quorum of the Town Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes: (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1)); (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2)); (3) Discussion or consultation for legal advice with the attorneys of the public body. (A.R.S. §38-431.03(A)(3)); (4) Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body'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 (A.R.S. § 38-431.03(A)(4)); (5) Discussion or consultation with designated representatives of the public body to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5)); (6) Discussion, consultation or consideration for negotiations by the town or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6)); (7) Discussion or consultation with designated representatives of the town to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(7)).*

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the Town of Camp Verde and Bashes on 04-29-2021 at 2:00 p.m. in accordance with the statement filed by the Camp Verde Town Council with the Town Clerk

Cindy Pemberton

Cindy Pemberton, Town Clerk

*Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting. The Town of Camp Verde Council Chambers is accessible to persons with disabilities. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk at 928-554-0021.*

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**DRAFT MINUTES**  
**TOWN OF CAMP VERDE**  
**SPECIAL SESSION**  
**MAYOR AND COUNCIL**  
**473 S. MAIN STREET, SUITE 106**  
**TUESDAY, APRIL 13, 2021 at 4:30 P.M.**

**ZOOM MEETING LINK:**

<https://us02web.zoom.us/j/89274910202?pwd=ZC9kSWN4eE9ydXE1VEpUTFRZMHZodz09>

**One Tap Mobile: 1-346-248-7799 or 1-669-900-9128**

**Meeting ID: 892 7491 0202**

**Passcode: 770157**

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

1. **Call to Order** Mayor Dee Jenkins called the meeting to order at 4:30 p.m.
2. **Roll Call.** Council Members Jackie Baker, Bill LeBeau, Cris McPhail Jessie Murdock, Robin Whatley (Zoom), Vice Mayor Joe Butner, and Mayor Dee Jenkins.
3. **Pledge of Allegiance** Councilor McPhail led the pledge.
4. **Discussion and Consultation for legal advice regarding the Yavapai Apache Water Settlement.** The Council may, by majority vote, recess the special meeting, hold an executive session and then reconvene the Regular meeting for discussion and possible action on this item as covered under A.R.S. 38-431.03 (A)(1); (A)(2); (A)(3); (A)(4); (A)(5); (A)(6); (A)(7); (A)(8); and (A)(9).
5. **Presentations by various Department Representatives regarding the Camp Verde Operational requests for Fiscal Year 21-22.**  
Finance Director Mike Showers introduced the Operations Presentations. He explained the department heads would be presenting accomplishments, goals and any additional budgetary needs for their departments. The package provided to council is setup with a CIP (Capital Improvement Plan) section. The CIP is separate will be discussed near the end of the day tomorrow. The first page is the strategic plan goals developed in February. Mr. Showers asked Council to identify and call out any confusing wording or statements. The town should be finding ways to meet as many goals as possible. The packet includes a title page and an outline of tonight and tomorrow.

The packet contents for Council includes an outline, summary, and expense summaries per department.

All five years of information is available to view. Every project is listed in the back. The projects are detailed in the summary so that they can be flipped to in the detailed sections. Mr. Showers encouraged the discussion to remain focused on larger items and concepts. He stressed the importance of making sure that council has a good overall understanding of the information presented and mentioned it is best not to get to detailed during the session.

Councilor Baker complimented the book and how it is put together.

Community Development Director Melinda Lee started her presentation. She pointed out that there aren't a lot of changes to expenses this year in her department. There are not a lot of new items except wages. The wages increase is due to a request for increased staff. Community Development is requesting two additional roles, a Planner and a Zoning Inspector.

Ms. Lee currently acts as the Planner and her workload is starting to spread out to tasks for the revitalization of the Town, working with an organization doing fields clean up in Northern Arizona, and other Community Development projects. Those items are taking time away from time available to complete planning tasks. Because of the increase in applications that are being received by the Community Development Department it is becoming necessary to have an additional position in the planner role. Currently there is an Assistant Planner, but the Assistant Planner is not a Career Planner who can complete all the necessary tasks.

The Assistant Planner has also been fielding zoning issues. Any permit with a footprint generally requires a zoning inspection to be completed. A Zoning Inspector usually handles all field and zoning issues for a city. This is the second position requested for the Community Development Department. The increase in submitted permits over the last several months has created zoning tasks that are taking over some of the planning time available for the Department.

A large document scanner is also being requested in the budget for the Community Development Department. There are currently documents in storage that need to be scanned and can't be scanned with the current equipment. The archive requirements for the town mean that the documents need to be scanned and shared with other agencies more efficiently.

Signs for the Town of Camp Verde Main Street are also in the Community Development budget request. The signs are a project that has been worked on for the last several years. One of the items that facilitated this project was in regard to the A-frame signs that businesses were using to advertise on Main Street. The solution that was proposed was to provide hanging signs that would be attached at the businesses along Main Street. The budget request is \$13k. This is less than the initial \$30k estimate. The \$13k would allow for brackets, 18 poles, and approximately 30 signs. They would be decorative and a package can be put together for Council to view the design. The signs would be blanks that acquired by the Town and the businesses would be required to add their business information to the signs. The

request is in the CIP section of the packet for this project.

Ms. Lee also mentioned, the Community Development Department may require recruiting a new person due to a retirement.

Ms. Lee presented to Council in regards to the department's available office space. The current office space is limited and may need to be expanded as the department grows. Ms. Lee mentioned the department may need to expand the available office space as the department receives authorization for additional staff. Once the staffing plan is in place then better numbers and information can be presented to Council.

Mayor Jenkins wanted to clarify the request is two new positions because one other position had been added to the department earlier in the year. Ms. Lee confirmed the request was for two new positions.

Councilor Whatley stated that in the packet it said Permit Technician and she wanted to reconfirm the titles of other two proposed positions. Ms. Lee stated that the two positions requested were for a Planner and a Zoning Inspector. Councilor Whatley requested Ms. Lee to rate the job opening requests by priority as one, two, and three.

Ms. Lee stated the Permit Technician had already hired. Between the other two requested positions the priority would be for a Zoning Inspector to help with the load of new permit requests.

Judge Paul Schlegel and Veronica Pineda Court Supervisor presented for the Camp Verde Municipal Court. Judge Schlegel mentioned the Court's budget request did not reflect a request for staff wage increases. He stated that the Court didn't understand that wage increases were an issue to present to Council tonight. Judge Schlegel asked for the opportunity to resubmit the budget in order to include the wage increase information.

Finance Director Mike Showers stated the Council would not be handling wage increases for current staff at this point in time. The wage increases would be dealt with as a separate issue.

Judge Schlegel asked for clarification because the last presentation included budget items related to staffing.

Mrs. Showers clarified the staffing budget items in the last presentation were added because the additional funding was for an added position to the Department. Wage increases are being dealt with as a separate issue and not included in the operational budget.

Mayor Jenkins wanted to clarify the numbers are not increases and asked if there were adjustments for taxes and benefits. Mr. Showers stated the changes to taxes and benefits were included, but changes to employee wages are not included in this budget. Mayor Jenkins re-clarified that the wages are for an addition or deletion only. Mike Showers stated or an allocation change.

Councilor Murdock asked how things were coming with the security system. Judge Schlegel stated it that the project has been delayed because the department was not pleased with what had been presented. They want to simplify the proposal.

Town Manager Russ Martin stated that Marshal Corey Rowley had been delayed and their presentation would now be placed after other Department presentations.

Community Library Director, Kathy Hellman presented. She stated that the Camp Verde Library had no issues with the budget to discuss with Council. Ms. Hellman did want to present a background where the Library has been and where it is going. The Library has done an amazing job staying open to the community during the COVID 19 pandemic. The Library staff has done additional work cleaning and sanitizing. The staff are still sanitizing everything coming in. May 3<sup>rd</sup> the Library will go back to normal hours and be open till 8 p.m. Monday through Thursday. The Library is looking forward to getting back to normal hours.

The Library is working with an AmeriCorps Vista to revamp their volunteer program. They see opportunity in some of the seasonal RV guests in town and they want to include more variety and flexibility in the program. Ms. Hellman is hopeful the program will also allow them to help other departments with volunteer opportunities.

The Library is also starting a committee to explore digitizing Camp Verde history. Some of the Camp Verde history has gone to other surrounding communities. The Camp Verde Library doesn't have the space for a tangible collection, but is working to establish a digital collection that would be available to the community.

The Mobile STEM (Science, Technology, Engineering, and Math) Lab project is progressing however it is going slower than they had hoped.

The Camp Verde Library has extended WiFi to the patios and the signal goes all the way out to the Rezzonico Park. The Library has added security cameras and limited the wireless access to midnight. The Town Marshalls know that people shouldn't be there after midnight. The Library has added circulating WiFi hotspots and laptops which are consistently checked out.

The Library will be continuing a hybrid version of their programs. There have been several people joining the stream on Facebook as well as coming in live. Ms. Hellman believes that having the option to attend virtually is still important for those who aren't comfortable going out in the community yet.

The Library will be beginning it's in person reading for children for the summer program and are collaborating with the Parks and Recreation Department for the possibility of kid's summer camps. The Library will be starting the process to obtain a new grant for kids offering STEM.

The Community Assessment Project facilitated by the Library is completed and they



are currently wrapping up the results. They've identified four key areas where the library can take a leadership or supporting role to bring resources to the community. They believe they will be able to help with social, community health and other issues facing Camp Verde residents. The Library was able to assist with registering residents for the Affordable Care Act registering and would like to continue supporting social services in the community. The Camp Verde Library is looking to council for direction on the programs. The Library doesn't want to just offer programs and hope they are successful. The Library wants advice from council and would like to know what would be important to the community.

Councilor Baker stated that Ms. Hellman has been such a blessing to the community. She stated that the innovations, leadership, and people she has involved in the department have been absolutely wonderful. She stated that Council can't thank Ms. Hellman enough and said that she thought Ms. Hellman's work was the best in the whole state.

Ms. Hellman wanted Council to know that Gerry Laurito is retiring April 30<sup>th</sup> and they are holding a celebration to wish him bon voyage. Ms. Hellman stated that she would send an invitation to council.

Councilor Whatley wanted to thank Ms. Hellman for all that she does. She stated that she would call the Library a community center because it is so much more than books. She stated it was a benefit that the community would not have access to if not for Ms. Hellman's leadership.

Mayor Jenkins called for the Non-Departmental section from Mr. Showers.

Mr. Showers stated that the non-departmental wasn't intended to change, but did because of a business incentive agreement with a vendor on State Highway 260 which has been very good for the town. Mr. Showers stated that he had budgeted higher last year but dropped the budget 30k due to the expectation of the tax rebate he expects to pay on the agreement. It will be over budget this year.

Mayor Jenkins asked what the total estimate for the tax rebate and if the difference was insurance in the amount of the line item. Mr. Showers stated he thought he brought it in at 120k, he estimated it was 80k -85k last year. Town Manager Russ Martin said the additional amount was for thing like the water attorney and potential recycling program. Mayor Jenkins stated that the line item was 374k. Mr. Showers stated that Mr. Martin had 398k. Mr. Showers 374k number had the incentive, but did not include the increase to the water rights or potential recycling program.

Mr. Showers stated that one thing that is not included in the budget is the community outreach line. It is at 0 at this point. In May that amount will be up to Council to decide. This last year the Town spent \$12,500 to the Verde Valley Senior Center 20k to the van. Normally the line item is anywhere from \$7,500 to \$12,500. It is up to Council to decide. Right now the line item is at zero.

Human Resources, Brandy Cabrera stated her presentation would include

discussing the seven best practices for her department Culture, Selective Hiring, Self-Managed and Effective Teams, Fair Performance Based Compensation, Training and Relevant Skills, Creating a Flat and Equatorial Organization, and Making Information Equally Available to those that need it.

Ms. Cabrera stated that everything boils down to culture and how the Town engages employees. Also, providing security so that Town Staff feel secure and having security in their available benefits. Ms. Cabrera also stated that by taking the time with the hiring managers to make the right fit the HR Department can save the Town money.

Through the HR Department the Town needs to provide the necessary tools and skills, fair performance based compensation, recruitment efforts, and fair and competitive wages when compared across the state. Hierarchy should allow the HR department to be independent and able to make autonomous decisions.

There is a request in the budget for a HR Specialist to assist with regulatory and administrative tasks. The HR Specialist position has an element of confidentiality and is not just an administrative role. The Department is requesting an additional budgeted opening because of the confidentiality issue that would be a concern if the role was filled through a volunteer. The role requires an individual who would want a long term position and would be filled by someone that wouldn't go away in three months.

Recruitment and Selection in the HR Department is work intensive and includes posting jobs, asking preliminary questions, and scheduling interviews. The HR Specialist would take on those duties.

Performance Management is an area of the HR Department that includes effectively collecting feedback from Town staff. The feedback forms help the Town identify weaknesses, challenges, and improve performance. It is important to train Town Managers to understand the value of the forms. The HR Department's focus would be on training. The HR Department is passionate about learning development, teaching Managers to be organized and effective, and preparing Manager's to train their employees for advancement.

Learning and Development responses included handling conflict, knowing basic answers for HR information, and who to contact for additional information. Learning and Development will help evolve and retain employees for long term. Staff is seeking meaningful jobs and duties. If that isn't received then they'll find another place to go. The HR Department proposes a survey that looks for which tasks need to be worked on most and then implement a strategy. HR wants to know what the struggles are in order to make an assessment. The HR Department would like to implement a Personal Development Plan (PDP) for each individual so they feel that they are engaged and are being heard. Depending on the assessment of needs training could be outsourced to agencies or internal.

Succession Planning is important. To cross train employees into alternate roles can

take 18-36 months. Labeling employees as early, mid, and senior career can help with Succession Planning. The HR Department would like to create the PDP to identify and elevate high potential employees.

Appropriate compensation and benefits need to be tied in to open Town positions to get the right people here. The first week in May the HR Department should have a first draft completed. The Town should ensure open roles align with the expectations of job seekers and detail job descriptions. The job descriptions will be sent out to the Departments to review and see if there are items that need to be added.

Health and Wellness is important for the Town. The HR Department has submitted a CIP for an onsite gym facility. The facility will reduce medical claims, prescription, and benefits costs. Health insurance has reflected a 10% increase in premiums over the last few years and the HR Department hopes that it will be reduced.

In reference to HR systems Ms. Cabrera requests the additional staff member to assist in scanning documents and entering information into the program due to the confidential nature of utilizing and implementing the system.

Analytics policy updates is a priority for this year over the next 6 months. The HR Department will be digitizing employee files, succession planning, conducting engagement surveys, and a policy review update is required every 3 years. Additionally, a strategic plan is required every 4 years and will be coming up in 2024.

Strategic goals over the next year include updating the personnel manual which Council would approve. The HR Department will also collaborate with the new Risk Manager in conducting an administrative needs assessment to identify roles within our departments, to promote progressive growth and stay on the cutting edge of trends and achievements statewide within our respective goals. A lot of municipalities come to Camp Verde to learn from and look at the programs and Ms. Cabrera hopes to continue that with the new administrative role. Other strategic goals this year include succession planning, talent retention initiatives, having incentives for the difficult to fill positions, learning development surveys, and strategic planning for satisfaction in the workplace.

Councilor Baker thanked Ms. Cabrera for the information. She stated that explaining what has been done and the strategic planning is important to the Town.

Mayor Jenkins thanked Ms. Cabrera for the HR duties she completes to support town employees.

Marshal Rowley presented for the Marshal's Office. Marshal Rowley stated the accreditation progress had been started in the State with a handful of departments for best practices. Camp Verde was the 6<sup>th</sup> to join and in May will be accredited. The accreditation process was extensive and will set Camp Verde apart. The Marshal's office had faced the challenge of needing to move the command post over the past year. The Department was able to apply through the government and obtain a free box van from Southern Arizona. They were able to move the a/c and other

equipment over which allowed the Camp Verde Library to use the trailer for their STEM program.

The Department is required to conduct an audit of evidence regularly. Next year an audit is required which entails some additional cost. The complete audit consists of inspecting all evidence and property. This task is usually completed by a Sergeant. Robert Embry has recently been hired and is retired from the Navy he has been moved into a new quarter master and dispatch position. He has been getting titles, ammo, takes care of fleet, and completes quarter master duties. This is an increase in the budget and is a definite need for the Department.

The Department was able to obtain a grant for a School Resource Officer. The Department plans to work with the Yavapai Apache Nation to obtain a secondary School Resource Officer for the School. The Department is working towards a program to conduct impact moments with the kids. Marshal Rowley believes it is particularly important to cover fentanyl overdoses. The School Resource Officer position is currently filled by Deputy Handis and Marshal Rowley believes his role is vital to community. The program is also working on an anonymous tip lines, bullying, violence, and narcotics with the school.

The Department is beginning the process for a Public Safety Building. Marshal Rowley is not going to go into details in this meeting, but it's a capital improvement project that will be discussed at a later date.

80% of police vehicles have been outfitted with an AED (automated external defibrillators). The AEDs were funded 99% from public donations. Marshal Rowley stated that knowing that something is available to restart the heart if an officer goes down has been invaluable.

In the upcoming year the Department would like to implement CompStat (Comparative Statistics System). The Department did a presentation to Council on calculating statistics to identify potential crime areas, traffic areas, and help the Department apply for grants. The Department would like to get it installed this year. Camp Verde is one of the few Departments in the area that doesn't have it. The Department is working with Sedona. Being able to look at the number of officers, hours of operation for dispatch, the call volumes, coverage is invaluable. The program is analytical on steroids compared to the current record management system. It is in the Department's CIP.

The Department needs to hire new officers to be fully staffed. Out of 24 officers there are currently only 19 on the road. Last Saturday the Department conducted an open testing for law enforcement. There were 9 potential candidates that came in and 4 will be interviewed on Thursday. The Department went after brand new officers because lateral moving officers are not available in the current climate. Brand new officers are already a part of our community and know the people in it. The Department is pushing to hire three brand new slots for the academy in July. The Department is currently short three officers. It takes up to a year to get a new officer fully trained and off on their own. Two of the current officers just made it through the

training and are now out on their own. Marshal Rowley believes that those two will be here for a long time. That's what the Department is going for.

The incentive program is a draw. It sets us apart from the other agencies in the area. Having the officer's receive a \$500 sign on bonus that they can put off collecting and then increases is a great benefit. The benefits that the town has with the sick bank, the flexibility for family time, and ball game will be a draw for the local people in the community.

Although it is not reflected in the budget, the Marshal's Office is working with Town Manager Russ Martin to increase revenues by getting the Department fully trained to dispatch for the Fire Department. Streamlining the services to that area will allow us to obtain additional revenue.

The Marshal's office would also like to create a drug task force. The first goal is to get fully staffed and then to have four officers on a task force. Marshal Rowley believes Camp Verde should be doing these tasks for itself. Having a force here that does not get taken out of the community is a benefit. Some of the larger methamphetamine and fentanyl busts are happening in our community. The task force would deal with theft, narcotics, or other large crimes. The Town needs our own group of people going after the narcotics in this town. Marshal Rowley would like to have a team in place the second half of the year. If an officer does a traffic stop and finds drugs then the Drug Task Force would be called in. If it doesn't happen this year then next year it would be a priority. Marshal Rowley stated that he is concerned that currently it is Russian roulette with our youth and fentanyl.

Marshal Rowley stated that the Department has been able to do fairly well on this year's budget because the Department is down officers. He stated the cost of ammunition has increased and the Department will be making a purchase this year to offset the added cost in the upcoming year. The Department is watching the budget and keeping it extremely tight to help with the retirement fund the Department needs to pay attention to.

Marshal Rowley stated the employees are doing a fantastic job but they need relief. He mentioned that the sacrifice allowed them to take care of things this year that the Department may not be able to next year.

Mayor Jenkins wanted to clarify that the budget was to increase the Department by three officers and currently the Department is down three. In total the Department would be looking for six new hires.

Marshal Rowley stated that was correct. The three additional positions would be opened in November and if the Department was unable to hire lateral officers then the openings would move to December for a January academy start date.

Mayor Jenkins asked about the one non-sworn staff that the department wanted, but Mr. Martin left the staffing level at current.

Marshal Rowley stated that the Quarter Master position. The Department doesn't want to give up a dispatch position, but requested to add one for the inventory management needs of the Department.

Councilor Baker mentioned that part of the problem in the past was that the department would hire a new officer and once they had worked a little bit they would move on. She wanted to know if that was still the case. Marshal Rowley stated that he didn't think this was still the case. He mentioned the Department had lost a few employees to the jail and two officers move out of state. That is why the Department believes that it is the right decision to go after local candidates. It is also why wage analysis and benefits is so important.

Councilor Baker said it seems that things are more and more dangerous for officers. She stated she would like him to do what is needed in the Department to stay safe. Officer Rowley stated that the Department has provided supplies, good equipment, and cameras. He mentioned that the danger of liability by public cameras and social media is not as much of a concern if you train good officers.

Councilor Baker wanted to thank Marshal Rowley for focusing on the drug issues in the community and especially with youth.

Interim Risk Manager Chris Bryson has been in the position of mitigating risks for the town for nine months. He noted an increase in rates for police officers law enforcement of 4% and a \$23,500 increase this year in premiums for insuring officers. He has recently received an email stating that there will probably be dividends returned in the amount of ten million that would be divided among all members of risk pool July 1<sup>st</sup> 2021.

In the budget there is a safety and security request of \$2,500 for a committee and unforeseen issues of Town properties. In the budget there is also \$3,590 for medical supplies. Example items for possible use of these funds were extra gloves, PPE, masks, sanitizer, or sanitizer stations. He recognized the County is currently providing free PPE spread across county, but pointed out the Town may need equipment for unforeseen issues. He mentioned that the Zoll AEDs that the town currently uses are ten years old and only check once a week. The Town will want to start a replacement plan that is consistent with the same AEDs the Police Department is using. There are no replacement units currently available if one breaks. Mr. Bryson stated that the Department is not looking to replace all twelve units, but possibly two this year. Then the Town would purchase additional units in the future to replace the other units. AED maintenance costs are relatively low.

Mr. Bryson only sees the department growing and innovating with keeping employees and property safe. His predecessor did an excellent job in obtaining the COOP which needs to be put in play in case of a flood or fire issue. Mr. Bryson hopes the Department takes that to action. Everyone is being safe. The Department is doing what is needed to mitigate risk.

Finance Director Mike Showers stated that the Finance Department is requesting

one new employee. The role would detail in on tax review, business licenses, and minor issues that he doesn't have time to get to. This addition would free enough time that the budget documents would be able to get out to staff to review a lot earlier. With the role Mr. Showers sees the possibility of finance being able to provide additional grant assistance to all departments. Not writing, but managing on the back end which would benefit all departments.

The operations budget hardly changed at all. One thing that that the Department is asking for, but not guaranteed would be spent is an allocation for software to put budgeting documents together. The cost in the first year would be \$3700, but the price would increase the next year to \$7,400. Mr. Showers stated that he hated to spend money on something that is already getting done, but the software would be web-based and easier for the public to access. Also in the budget request is \$1,500 of equipment for the new employee role. The employee would be for about six months. It is the Clerk position that the Department was budgeting for next year. The Department is trying for an accounting position next year.

Town Clerk Cindy Pemberton directed council to page 29-30. There is not much of a variance with the total department costs, with the exception of \$5. After discussing the difference with Town Manager Russ Martin they believe the variance is a typo. Town Clerk Cindy Pemberton believes the Town Council has what is necessary and is not requesting anything unnecessary.

Town Clerk Cindy Pemberton directed the council to page 31-32 for the Town Clerk budget. She noted the Department is not running elections this year.

The Department is asking for a full time position in the Clerk's Office. This position has been asked for each year for several years. The needs for the role have not changed, and if anything the need is increasing. The Clerk's Office is now digitizing records and has over 20 years to digitize. The new position would help in the completion of this task. In addition, the position would act as an administrative assistant to the Town Manager, Council, and Mayor. Deputy Director, Virginia Jones has been in her position at the Clerk's Office for 24 years. The buck stops with her and if she were to go on vacation no one knows her job. Opening this role would allow her tasks to be cross trained. It would also allow the Deputy Clerk and Town Clerks to go to departments and assist them with regulatory and town laws that they should be adhering to. The Clerk's Office wouldn't be able to do that right now unless the Office was shut down to the public. The additional tasks are why the Clerk's Office is requesting a full time position. Aside from the new position the Clerk's Office has not asked for any other items.

Mayor Jenkins noted that Mr. Martin was asking for half time and Town Clerk Cindy Pemberton was asking for full time. She stated the need for a full-time position would provide better quality of applicants as opposed to a part time position. She stated the quality of the candidate for a full time benefited the Town because they would have a better quality service for the public and their respective duties.

Councilor Jackie Baker wanted to clarify that one full time position would serve both

needs.

Town Manager Russ Martin confirmed that one full time position would fill both needs. He stated that the purpose of showing the position as half time is that the Risk Manager is not in place. Having the knowledge of how we operate is important as far as waiting to fill the position. Bringing on a full time role is what is being presented.

Mayor Dee Jenkins clarified that the timing is the difference in the budget.

Mr. Martin discussed an increase in cost for the intended transition of IT Management. The estimate at this point is based on preliminary discussions from two months ago. The IT budget is increasing in costs because the Town needs more services. The next group will provide with more efficient and more services. The Town isn't at a hybrid model yet. Ultimately Mr. Martin would like to get a person that works for the Town and supplement with a group service. It is just more expensive. The current proposed company seems to be the most financially efficient option presently. Customer service is an issue. MerrIT wasn't incompetent, but the Town's need for growth and present needs require more service locally than what they offered. The Town has spent 100k annual for IT. Last year the town spent 30k and this new service would be 60k. When there is equipment failure you don't want to wait. When systems go down in the middle of service it hampers the system. Council will see a new contract and transition.

Councilor Baker asked if Mr. Martin had talked to several different companies or just one. Mr. Martin stated that there are only a couple of companies that provide this service in the area. The new company has just expanded here out of Anthem. The only other options are going with the one of the companies that the Town has used in the past. The proposed company is a new provider that is offering services that the Town is looking for. The services are specialty services. The Town is hoping to hire the best company, not necessarily the cheapest.

The Manager's budget is essentially the same as it was. There were some savings from the Vista Volunteer program.

Mr. Showers mentioned there were a couple things he thought of bringing up but felt they are best to deal with at the end. Revenue is best to discuss afterwards. For now it is important to just focus on what people are wanting, what they want to accomplish, and how Council feels about it. Then go and review notes and determine how much cushion there is and what is the most important.

Mr. Martin commented the numbers that will be presented are conservative and Council may need to go above those numbers in order to be able to do the things that it wants to accomplish.

Mayor Dee Jenkins asked for more detail on revenues. Mr. Showers said the detail isn't in there. He stated he took a stab and can review. Mayor Dee Jenkins stated she would send Mr. Showers an email.



**6. Adjournment**

Mayor Dee Jenkins adjourned the meeting at 7:36 PM

*Note: Upon a public majority vote of a quorum of the Town Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes: (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1)); (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2)); (3) Discussion or consultation for legal advice with the attorneys of the public body. (A.R.S. §38-431.03(A)(3)); (4) Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body'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 (A.R.S. § 38-431.03(A)(4)); (5) Discussion or consultation with designated representatives of the public body to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5)); (6) Discussion, consultation or consideration for negotiations by the town or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6)); (7) Discussion or consultation with designated representatives of the town to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(7)).*

*Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All*

**CERTIFICATION OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the Town of Camp Verde and Bhasas on 04-8-2021 at 2:00 p.m. in accordance with the statement filed by the Camp Verde Town Council with the Town Clerk

Cindy Pemberton

Cindy Pemberton, Town Clerk

*legal action of public bodies shall occur during a public meeting. The Town of Camp Verde Council Chambers is accessible to persons with disabilities. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk at 928-554-0021.*

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**DRAFT MINUTES**  
**TOWN OF CAMP VERDE**  
**WORK SESSION**  
**MAYOR AND COUNCIL**  
**473 S. MAIN STREET, SUITE 106**  
**WEDNESDAY, APRIL 14, 2021 at 5:30 P.M.**

**ZOOM MEETING LINK:**

<https://us02web.zoom.us/j/88508934249?pwd=WkJIQ2c3cHdJZXFDL1pOVlNFU0w0QT09>

**One Tap Mobile: 1-253-215-8782 or 1-346-248-7799**

**Meeting ID: 885 0893 4249**

**Passcode: 262961**

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

1. **Call to Order** Mayor Dee Jenkins called the meeting to order at 5:30 PM.
2. **Roll Call.** Council Members Jackie Baker, Bill LeBeau, Cris McPhail, Jessie Murdock, Robin Whatley (Zoom), Vice Mayor Joe Butner, and Mayor Dee Jenkins.
3. **Pledge of Allegiance** Councilor Jesse Murdock led the pledge.
4. **Presentations by various Department Representatives regarding the Camp Verde Operational requests and Capital Improvement Plan for Fiscal Year 21-22.**

Finance Director, Mike Showers explained the outline for council. There are a handful of departments presenting, revenues, and CIP with the employee discussion at the tail end.

Wastewater Division Manager, Chet Teague presented. There are only a few expenditures. The printing line item was left alone. There was a \$1,000.00 advertisement line item that the manager wanted to go down to zero. Mr. Teague wanted to leave the line item to use in the future. The department used all of the funds this year and installed signs between the arena and sewer plant. The Department may not need the same amount of funds, but would like the line item to stay and recommended \$100.00 in the budget to keep line item.

Computer services and software has gone from 16k to 7k. The Wastewater Division is getting new software for a GIS mapping to locate manholes. The Town uses Google Earth. When Google Earth changes photos the manholes move in the system. The Wastewater Division needs to be within two feet of the manhole location when they mark in the street. Since the Google Earth system was put in there have been 100 new manholes that are not located.

The Wastewater Division safety and security program went down from 70k to 5k. The lab equipment line item went down from 12k to 4k. Mr. Teague believes it needs to stay at least 9k. There are several pieces of equipment in the lab they need for daily use and backup in case something goes out in order to retain grade A specifications for the Park. The capital equipment expenditure went from 135k to 35k. Mr. Teague would like to keep that line item at 105k. They need equipment for the grind bits and are hoping to get a dump truck to haul sludge to Waste Management instead of paying for the service. There is also a need for another skid steer for the sand drying bits.

Mr. Martin stated there were operational differences in the way Mr. Martin and Mr. Teague looked at the budget. The most significant changes were in safety and the capital expenditures already in place, such as the feeder that was already acquired and approved. The additional is a place holder in the capital. Mr. Martin took the revenue that was associated with that and he put it into capital as a place holder for emergency repairs. Ultimately the 285k additional is to fill the difference between what the revenue is expected to be and what the expenses should be.

Moving into the fall the Town Council needs to talk about reserve in this fund. The Council should be discussing what reserve the Town should be getting to, what reserve the Town has, and the impact of the capital improvements. Mr. Martin stated the Town will have the most flexibility going forward with the Manager's recommendation. Mr. Martin wants to make sure there is enough in the capital going forward and the funds are not overly utilized in operations.

Mayor Dee Jenkins inquired about the non-operating net expense line. This year it is approximately 246k. Previously it was at 108k or 103k. Mr. Showers stated this is the first year this was separated out. It is basically depreciation (which is a little over a million), some connection fees, and there has been an effort on big projects. There is also loan or grant fees in this category. These items needed to be grouped below the line, so they don't reflect as regular operating revenue or expenditures. The line that Mayor Jenkins is indicating is a consolidation or net of all that fluff. For the negative part most of that is depreciation. Almost everything nets out in connection fees.

Mayor Jenkins requested an explanation of the 500k difference between the Department requested and Mr. Martin's recommendation. Mr. Showers said it was probably the timing of what got entered when. Mr. Martin said it would be tracked in the final version.

Mr. Showers said he could go back and add the numbers in if Council would like to have a better idea. Mayor Jenkins stated her concern was it looks like Mr. Martin cut what the Department is asking for by 500k. Mr. Showers stated that those line items don't come from the Department. There will be an adjustment sent to Council by May. Town Manager Russ Martin stated he put 1.2 and Mike Showers had 1.22.

Mr. Martin said when reserve policy is discussed the variable revenue tracking should be included. Mr. Martin expressed the importance to represent more

accurately to the public the expenses versus revenue for the Town. Mr. Showers said implied assumption is that wastewater didn't put any numbers in those revenue lines and the Mr. Martin said they would have revenue in those lines. Wastewater put 0 and we put 200k-300k.

Councilor Baker wanted to understand how Council can make decisions on this when it's not clear where the numbers come from or what they are. We know Wastewater gets revenue from customers.

Mr. Martin explained the revenue for 1.2 million. It is the standard for operating that business. It is possible to look at the numbers and track either revenue or expenses. This helps to see which direction operations are going. The revenue is supposed to offset the business activities are in the top lines and are traceable year to year and month to month. Projects, grants that we are finishing up, and things that fluctuate significantly are in the bottom two lines. Mr. Showers said It is important to see if what is really being budgeted and if Departments are budgeting against operational revenues. The variable items don't apply to day to day operations.

Mayor Jenkins stated to Council the -24k figure is the excess they will have this year. That number is based on estimated normal operations and normal revenue. The 1.3 million is based on stuff that is not normal such as depreciation.

Mr. Showers stated the Town doesn't have depreciation anywhere else except in this enterprise fund. The Town isn't funding depreciation per say which falls back into Mr. Martin on reserve which does need to be added. Those numbers you need get out of the way and focus on the business day to day which is the top line.

Mr. Martin pointed out a lot of the numbers below the line are items that Council has made decisions already and now are a device to track those revenues and expenses. It would be confusing to put these numbers in the regulatory line.

Councilor Baker inquired how Mr Martin makes his decisions. The people that have to do the work and provide the service to the citizens make a recommendation and there were some departments that were cut back a lot. Mr. Martin used GIS or the skid steer as an example. He questions if the Department can they live without that for another year. He has conversations internally with the departments. He looks at the areas which he believes can cut back and receives feedback Mr. Martin looks the request to determine if it is reasonable and then prioritizes them out of capital.

Councilor Murdock stated it was up to the council of seven to determine the budget. The Departments and Mr. Martin can make their recommendation and it is up to council to determine who gets what, when, and how much. That is why council is looking at summary sheet and not the detailed view. Councilor Murdock wanted to receive the overview tonight and the details later. Councilor Murdock felt council was bogged down and would like to move on. Vice Mayor Butner stated it was 500k worth of bog.

Mayor Jenkins called on Economic Development to present.

Economic Development Director Steve Ayers and Jessica Bryson presented. Economic Development has received Councils list of strategic priority items. Out of the eight short term goals six directly related to the ED.

Among those goals are creating a marketing program focused on business development, tourism, support expansion of the Main Street area, providing access to Verde River, and development of the Camp Verde Sports Complex. ED has been working really hard on the grant for the Sports Complex. ED is also working on the expansion of wastewater northward along 260. Discussion are active regarding the EDA grant and seeing some county committees for funding and participation in the project. ED has been working to stimulate growth for quality affordable housing. They have also encouraged development that retains the rural, western, and historical character while following the general plan.

Long term goals include continued growth for quality affordable housing, working to improve career technology education opportunities in the valley. Workforce development is something that is being focused on quite a bit because the department is seeing a lot of traffic in the office. Also, improving broadband access is in focus. ED will be coming to Council for participation in the Verde Valley Regional Economic Development Organization Grant. The town may be asked to spend \$20k for a \$400k grant. The EDA grant requires \$20k from participating municipalities. The Department works on workforce development, infrastructure development, business attraction, and business retention.

Jessica Bryson Economic Development Specialist discussed ongoing and planned projects over the next year. A majority of the projects fall in line with council strategic goals. Many of the projects will come at a cost and are reflected by a significant increase in budget. The project that tops the list is the EDA grant for sewer line. ED would like to get the sewer line extended because currently where the line ends is where ED stops. Pushing the infrastructure line down will allow the Town to capitalize on the Opportunity Zone areas.

In the area of workforce development there is the USDA rural development grant that we obtained. That is going to be internship pilot program with ANU. It will be in partnership with ANU, the City of Sedona, and the City of Cottonwood. The department has been working really hard with the economic community directors to accomplish it. There is a meat processing facility project that is also being worked on for workforce development to correct supply chain issues in the industries. The department has been working with U of A, the county supervisor, and local meat producers to correct the issues.

In the area of CTE (Career Technology Education) the department has been working with Yavapai College to additional educational programs where ever they reside in Yavapai County. The Department is hoping to get some local programs, but is working regionally.

ED is embarking on a Focus on Success Strategic Planning Initiative. They have

received a 30k grant from APS to develop strategic plan for a joint economic and community plan to guide the Town through the next 5 years. There has been a committee established. The Department is scheduled to start later this month on that planning initiative.

The marijuana grow economy is huge right now. There are currently six facilities in the community with the possibility of two more coming in. It is important as a community to look at the economic impacts, number of jobs, salaries, and have a good overall understanding of industry.

The department continues to work with developers and land owners. Everyday there is an influx of developers and people coming in to the office.

Verde Grown is another USDA grant initiative that is currently underway. It is a marketing and branding campaign for local agriculture producers. They play a big part in our local food network and heritage.

Affordable housing is another hot topic. There is nowhere to live or it out of the working classes affordability to live. We are currently working primarily with Verde Ranch Estates to build out the development to provide affordable housing to the Verde Valley.

A broadband initiative is underway. VVREO is currently working on an EDA grant to develop the regional middle mile of that broadband access. Economic Development has submitted for 80k wayfinding signage along the 260 corridors in partnership with public works.

Economic Development tells people that Camp Verde is a great place live, work, and play. The question to that is why? One of the reasons is the River Recreation Master Plan that council is aware of. Parson's Park improvements are scheduled for the next fiscal year. Those improvements include parking, fencing, and restroom facilities. Economic Development is also working with local recreational businesses like Verde River Adventures to provide great access to the Verde River. Homestead is an 80-acre riverfront park that Economic Development is working with Arizona State Parks and Trails, Prescott National Forrest, Friends of the Verde River, and the Archaeology Center to develop.

The Urban Upland Trail plan which is the trails initiative news is the Town was approved by the Arizona State Parks and Trails to develop a trail guide. There have been a lot of requests for maps and currently there isn't anything right now. The trail guide will be a great a way to draw people in and experience Camp Verde.

Economic Development is working on a grant through Arizona State Parks and Trails in partnership with Prescott National Forest for Grief Hill trailhead. Box T trailhead is overrun by OHV the Department is working on an emergency grant to fix damage done to that area and trailhead.

Hallett Plaza was delayed due to COVID, but local artists have been working hard

to get installed. ED will continue to work with the Arts alliance to get a mural and some other things the community is excited about.

Mr. Ayers discussed the additional staff request. They are requesting one position to work in communications and marketing. ED has worked with other departments across the board to design what person would do and determined the opening would be for an Economic Development Specialist. The individual would assist Ms. Bryson and work with other departments to make website work as it is supposed to.

ED is requesting a 50k increase for projects related to the master plan and trail plan. Goals are to finish up a few items on Rezzonico Family Park, including a moving dock and ramp. They would also like to improve the Parsons Park this year. The goal would be to make a fenced parking area with enough of a fence that would require river access to be walking from the parking area. Citizens in the neighborhood are inquiring about when the park will be completed. 20k of the 50k request would be allocated to each project. The additional 10k in the 50k request is for the Urban Upland Trail Plan to develop the network in town and signage.

Economic Development has asked for a 70k marketing budget this year. We don't have a marketing department. The objective is to utilize the additional person. The individual in the new role would market the new opportunities that are arriving in town.

ED would like funding to do business recruitment this year. ED has communications with the Arizona Commerce Authority. The businesses they are interested in are big business and they are not necessarily after the smaller ones. Funding would allow a week to ten-day trip to meet with them for a tour, visit individual business, go over promotional opportunities and to lay out for the community for potential new businesses.

Revenues from ED include two rezoning requests along 260, a 1.2 acre property that sold on homestead parkway, marijuana expansion, Out of Africa has asked us to team up for a hotel property, 76 houses, small RV park, and a three acre project on Finnie Flat road. There is furniture manufacturer out of Illinois piloting a 5k square foot project, but has asked to think in terms of 50k square foot project when sourcing property. There is a 3D home printer who is working with Yavapai College out of Chino Valley and is looking to lease and set up shop in Camp Verde. There is a piece of undeveloped property that is being looked at to do some proto type homes. Verde Valley Archeology Center is looking at a six-acre land trade to develop along Homestead. This is happening in last couple months. The Department is looking for assistance for moving projects in relation to what Town Council goals are.

Public Works Director Ron Long discussed engineering budget for public works. It is a support budget for that includes office salary, office equipment, and training. There are not significant changes from last year, so there is not much to discuss. The Department is fine with Mr. Martin recommendations.

Mr. Long presented the Storm Water budget. The budget hasn't changed much from



last year either. Most of the funding for projects for Storm Water comes from the Yavapai County Flood Control District. This year there is rollover funding of about 70k and the Department will be receiving new funding in the neighborhood of 90k. The Department plans on getting several projects done. Projects that will be started this budget year and will continue into the upcoming budget include Howards Road drainage, the entry road into the park, and also some ditches in Verde Lakes. The Department is planning those three projects to start this year carrying into next. The Department requests are not much different from Mr. Martin.

Public Works Analyst, Dorie Blair presented on Streets. The only changes that Streets had were a couple of small line items. There was a 2k line item for pest control. Rats have taken over and are eating the equipment. \$1200 in the training line item is for additional CDL drivers. There is a \$1000 item for OSHA medical supplies if there is an additional employee position added. The Department has a \$1000 request for street and safety signage. There have been several signs stolen in the last six months which means that budget was over. The only other thing the Department may need to request is if there is going to be an IGA (Intergovernmental Agreement) between the Town and ADOT. The Department may need to maintain the roundabouts on the way to Cottonwood and the weed control may be in excess of 10k.

Councilor Baker commented on the weed control and expressed her opposition to funding what ADOT should be doing. Councilor Baker asked if Mr. Martin could give Council more information. Mr. Martin said they are waiting for a draft on the agreement. Councilor Baker wanted to know what other communities are being impacted. Mr. Martin said ADOT declared everyone is being impacted.

Operationally the Street budget is a tight budget. Gas tax comes in and it's not a growing proposition. The number is projected by state. The cost of streets rise annually and operationally the budget gets tighter. There are costs associated with striping, painting, and other materials that go into the road. Also the complications, amount of traffic that goes through town, safety of staff, and monitoring traffic in work areas to ensure traffic slows down impacts the budget. Over the years things have been cut back on to make sure there enough capital. It is important to look at the ability to bring on a staff member. An additional employee takes away from the amount of money for materials for the Department. The Streets Department did not ask for additional staff because of previous years where the materials needs superseded the staffing. The department is at the point now where the additional staff needs to be looked at seriously and the possibility of utilizing the additional capital that will be discussed later. The staff wages is an 80/20 split. Only 80 percent of the wages are in this budget the other 20 percent is allocated over different departments, for example storm water. One way to adjust the budget is by putting some of their line items in the general fund to allow flexibility for staffing. If it's not this year it needs to be next year. Ms. Blair mentioned that staff is needed to provide more service to storm water due to regulations. An entire storm water crew is needed. Mr. Martin said there isn't enough money in the staffing budget, so it is something that needs to be looked at.

Councilor Baker commented it is because of things put into the budget that historically were not paid for by the town, such as the weeds at the roundabout and the federal storm water requirement with no funding. This department is important to voters even with some stating they won't vote for particular people unless the road repairs are completed. When people come in to the town and the streets are full of potholes it doesn't tell a good story about the community.

Mr. Martin stated the solution is to reallocate funding from other areas, but it will have an impact to those areas. The revenue line for the Streets Department is almost the same as it was ten years ago. Trying to do more with the same amount of money isn't sustainable. Operationally there are deficiencies with this department's budget.

Vice Mayor Butner had a meeting today with someone regarding issues at Verde Lakes Drive and the flooding. There is a federal bill looming for funding of trillions of dollars. Vice Mayor Butner wanted to know if in the next six months the Town would have flexibility for taking advantage of the infrastructure funds available. Mr. Martin He said when discussing the CIP budget the town may want to allocate funds like this which is something the Town has not done in the past.

Vice Mayor Butner inquired if the operations budget would prevent the Town from being able to structure for potential projects without funding. Mr. Showers stated that the Town has several funds outside the general fund. The non-federal grants, federal grants, and the CIP funds are key for additional funding. There is a rule that states that if the Town has not budgeted for something then the Town can't spend it. What the Town will do is budget for the large numbers even if they never happen. It is budgeted for the possibility that it could.

Vice Mayor Butner still wanted clarification if the budget that is currently being discussed allows for the projects. Mr. Showers stated that the operations budget doesn't, but there will be budgeted allowances in the other areas that council will get in June.

Ms. Blair discussed the Maintenance budget. The Department is looking at additional employees. There is a \$380 increase in uniform allowance. Other increases in the budget include an auto repair maintenance \$1400, pool \$800, and \$1200 for tools for grounds blower and tools. The building maintenance budget increased by 15k due to a service fee of 5k for the elevator service plan for the library and 10K to a Connelly agreement who come in and check all the filters and check levels. The Department's safety equipment line item increased by \$350 and there was another \$800 for fire extinguishers for additional rooms.

Mr. Martin commented on the staffing amounts on the budget. The town was looking at 2 additional employees in 2018 to 2019. There should be fourteen instead of twelve. It is fulfilling what a full year would look like to staff at that level operationally from July.

Ms. Blair discussed the fertilizer and herbicides budget has increased to 10k and the park facility maintenance budget has increased by 50k due to the Sports Complex.

Councilor McPhail wanted to know if there was enough funding in the budget for gopher control at the Sports Complex. She wanted to make sure that Council was giving the Department what they need in funding. Town Manager Russ Martin said an adjustment will be necessary because we don't know what the final cost will be until it has operated a full year.

Councilor McPhail stated the parks need what they need. Councilor McPhail commented that Council may want to consider augmenting the budget so if the Department has additional needs the funding is there.

Ms. Blair stated that she would like a separation in budget among the sports and other individual parks. Ultimately the collaboration ended in the budget presented and the Department will see how this year goes.

Mike Marshal Parks and Recreation Division Manager presented that there are not a lot of changes to the Department's budgets. Personnel costs and minimum wage increases have affected the Department. The 800 series under the parks and recreation administrative section is the electrical for the Sports Complex. Subscription and membership fees for increased staff, electrical for the Sports Complex. The Events category is pretty unchanged. The Department has added \$4,500 for sign boards for the parade. The Parks and Recreation Division is splitting the cost now with Streets because the sign is also used for events.

The pool is coming down on the electric. The pool is always a challenge with propane depending on weather and the numbers can fluctuate. The final of the 830 programming is that Department is not requesting any changes.

This year the Department will be spending a lot less money in some of their accounts because the Department is no longer producing as much stuff as they did before. The Department is rolling over the same funding as last year and will be increasing events in the upcoming year as they roll into Phase 3. Mr. Martin said the Department did an excellent job securing additional revenue from events. The Town is working again with the Verde Valley Wine Consortium on the wine portion of the event. The Town was able to leverage Yavapai College in supporting the wine industry in the Verde Valley for some additional funding as well.

Council called a break for 5 minutes 6:55 pm.

Mayor Jenkins called the session back from recess at 7:00 pm.

Mr. Showers stated he can give some high-level summaries concepts and can give detail if Council requests or Council may ask for items to be moved to another time for consideration and Mr. Showers will make a note of the item. Mr. Showers mentioned the goal for Council is to understand the proposals and where they're coming from so the Council members can decide if they agree with the proposal.

Mr. Showers remarked there was a large stream of revenue and questioned how

much was due to COVID and how much will be lost as from people feel more comfortable and may leave the town to go shop. Mr. Showers questioned how that should be taken into consideration. Mr. Showers stated he has listened to Town Manager Russ Martin, council meetings, and the public to determine what is going on and where the town may be moving. Mr. Showers has evaluated tax revenues the Town has been collecting since 2004 in all of the categories. Specifically, what the percentage growth is doing year over year if it is fluctuating or consistent. Mr. Showers looks at the current year, what that item is doing month over month, and averages for the first six months then annualizes for the year. There are some items that fluctuate seasonally where they are higher in certain months. Mr. Showers looks at the numbers differently by taking an average of month to date or quarterly and looking at the historic data. Mr. Showers evaluates the numbers by determining if the figures are dependable or if they fluctuate significantly.

There are eight major categories that are budgeted individually: communications, construction, manufacturing, retail trade, real estate rentals, restaurant and bar, accommodation, arts and entertainment, and use tax. Mr. Showers budgets them independently and then combines them to get an ending number. Then Mr. Showers reviews the numbers to determine if he feels comfortable presenting them to Council. Last year Mr. Showers was very confident in the final numbers that were budgeted at an increase and thought they were under-budgeted. Mr. Showers not expect a 1.2 million dollar difference. This year Mr. Showers believes the numbers are under-budgeted and expects there to be a big increase this year like there was a big increase last year. Mr. Showers speculated the big increase from this year may have happened because people stayed in Camp Verde to shop instead of going to Cottonwood. Mr. Showers believes people largely bought in Camp Verde or online. The numbers show people also ate in Camp Verde. Mr. Showers speculates masks and vaccinations may make it go away and the Town may lose some of that. It looks like the Town can keep the forward motion and increase rather than decrease.

Mr. Showers stated the summary for local TPT taxes is at 4.9 million in the current year and has been budgeted at 6.4 million for coming year. This represents a 30% increase. Mr. Showers believes this year will be huge and probably more than 30%. Mr. Showers estimates the revenue is coming in this year by the end of this year to be six million one hundred and five thousand. This means the budgeted numbers for fiscal year 2022 would represent a 5% increase over the year before. The budgeted 2022 fiscal year growth is following two unexpected big growth years. There is a lot happening in Camp Verde. Mike Showers believes there is reason to believe that there is sustainable growth for our local tax revenues. For the projected budgets for 2023, 2024, 2025 and 2026 Mr. Showers fell back into conservative estimates and has budgeted increases at 3%, 4%, 3% and 3%, respectively. The budgeted TPT revenue numbers puts Camp Verde in a projection to be just under eight million in 2026 in just local tax revenues. In fiscal year 2012 the Town was just under 2 million. Mr. Showers didn't want to budget so high that would allow expenses to come in that it would be difficult to back out of, but also didn't want to under budget because the Town is not allowed to have a budget that is overspent.

Mr. Showers feel the revenue numbers are a good number this year. Mr. Showers

does feel the numbers are a bit low, but doesn't feel he can present higher numbers to Council. Last year there was a 200k item added to the revenue budget. The Town decided that if the revenue came in they would do wage increases. The revenue came in and we did the increases. The Town can do things like that with the budget. Council can predict the town is 600k, 700k, or a million dollars off and wait to see if the revenue coming in before jumping into projects. Mr. Showers said he tried to give a good basis as to how and why he went where he did regarding the budget. Mr. Showers stated that he would turn it over to Town Manager Russ Martin at this point.

Councilor Baker asked about the debt ratio in relation to revenue. Mr. Showers Financial Director fully expects to still be in good shape. The numbers will change as they put special projects in but overall the number is in good shape. It was 9% last year and 8-11% this year where it is expected to be.

Councilor Jackie Baker wanted to know if the Town separated streets from the General Funds. Mike Showers stated big projects were done through moneys transferred from the general fund to the CIP that the Town did. Some of the money did come from HURF (Highway User Revenue Funds), but additional funding was needed. Money transferred from general funds to CIP to get things done is sometimes necessary.

Mr. Martin reminded Council of the wages in the ERE category with an 80/20 split. It is still an obligation in storm water, not a supplement to the HURF. Town Manager Russ Martin said they were 100% paid out of HURF a few years back, but more recently tried to realistically look at their time spent and making sure there was some allocation. The wages are generally coming out of general funds at about 20%. Mr. Martin stated that other than those two areas there is no extra funding available to the Town right now.

Mr. Martin looked at revenue as well and received additional information from Mr. Ayers and Community Development Director, Melinda Lee. Mr. Martin believes the budget could be significantly off in a good way, but not in a bad way. Mr. Martin suggested Council could comfortably add 200k additional in local tax revenue. There are a certain amount of tricks to make expenditures with revenue that you know. If the Town doesn't make the additional revenue then Council doesn't make those decisions. If the Town gets to the revenue numbers in October or November that are at or above where the Town has been it would hard as the Town manager to say don't move forward on the things that are needed. The Town has had reserve money for CIP projects in the past, but didn't need to use because the revenue came in. If the Town projects additional revenue beyond what Mr. Showers has predicted conservatively the Town can work on the wages specifically. If Council decides to wait for using the revenue for some level of implementation in the wages the Town will ultimately be behind again in the next fiscal year. The Town has done that before and has been on the conservative side of this. Mr Martin recommended taking a risk and spending the anticipated revenue for wages. If the Town spends the extra 300k to get to where is needed to for the wages the Town is still not even close to a position in the reserves that would ever be considered overspending. Mr. Martin

emphasized that the Council has opportunity there.

As the conversation transitions to CIP, Council will see that there is one million dollars in point six five money for capital. Then there is what is considered rescue money. Council could hold back money for the capital projects which could be withheld to complete the operational pieces. If in two years from this time the Town doesn't have 7 or 7.5 million dollars Council will have the opportunity to adjust accordingly. The wage problem is problem. A one million dollar problem and with this recommendation the Town is only taking a chunk of that. Town Manager Russ Martin recommends implementation to the July 1<sup>st</sup> turn around and then doing another turn around when Council is more comfortable. Mr. Martin recommends that Council doesn't budget by not accounting for revenue beyond what Mr. Shower's presentation is stating.

Mayor Jenkins requested to return to page one. She said the eleven million dollars is estimated revenue and the total expenses do not have any payroll increases. The expenses only include the requested additional positions. She noted that the balance is 100k, so if Council doesn't bump up the expected revenue by 300k then the Town doesn't have the money that is needed to adjust expenses for payroll increases. Vice Mayor Butner thanked the Mayor and commented that her explanation was a really good summary.

Mr. Martin said one of the transfer numbers is about 400k different that would be new money for capital projects that Council could associate with cushion against revenue numbers that were budget for and don't come in. Mr. Martin said there is rescue money potentially available. The rescue plan adopted by the Federal Government has two payments of up to 1.3 million dollars for two straight years. The rescue money isn't included in revenue because the numbers aren't known. It isn't clear what all can be done with the funds, but they cannot be used for tax decreases or public safety retirement. Mr. Martin believes the Town will be able to utilize the funds for the other items presented, but is not going to put the information in until the accurate information is available.

Mr. Martin directed Council to look at the number on the very top for fiscal year 22 it shows one million .65 transferred from page 1. If you go to the second page of the big sheets follow year one of 22 all the way down to the total debt payments. Some payments are being transferred by HERF. There is one million dollars and 600k of that goes to the general fund to pay off vehicles, equipment leased, and payment of the park. The remaining amount from the general fund is 400k. Council should look at that 400k for determining its fate. Outside of the potential Federal rescue money Council has 400k to look at. Mr. Martin suggested Council start looking at the projects requested and the Manager recommendations of what to accomplish. Council may end up with as much as 1.7 million with the rescue funds. Currently the budget is missing roughly 1.5 million. The Town will be able to accomplish everything in line if the rescue money for the proposed projects. Mr. Martin asked Council to look at the projects within the fiscal year and determine if they should be completed or pushed off. Council should determine if the priority list or plan needs to be adjusted for the conversation scheduled for May 7<sup>th</sup>. Council has asked Mr. Martin

to present the project information. At some point Council can complete all the projects and Mr. Martin recommends to prioritize wages over projects in 2022. Council should determine at minimum what projects of the 400k nature can be accomplished.

The biggest project facing the Town is the public roads maintenance programs. I have 800k for this. This is a good project size for bidding. It was determined the Town can get the chip seal done without crack seal and it will improve the road even without the crack seal. To go forward and spend 800k in areas where we may not have the crack sealing done then go behind a year or two later to apply it. The size of the crew for roads limits the available time that projects can be accomplished. If Council chooses to do something on this the crack seal out would need to be hired out. Mr. Martin offered to do site visits with Council if they would like to understand it more. Mr. Martin pointed out that the 800k is dependent on one of the two ways to do it. Mr. Martin stated if the Town only has 400k available then the rest of the problems probably aren't getting done. The priority is to finish the area between Camp Verde Main Street and I-17. The 800k estimated would accomplish that and into downtown. If the Town doesn't proceed with the project this fall the Town will be missing huge opportunities to get on the schedule to complete the roadwork. Mr. Martin informed Council he believes everything else is secondary on the project list. If the Town receives the rescue funds then 1.3 million is available for other projects. The Town needs to direct street staff to build out the 800k plan and get it out this summer. If the Town needs to back it out and only do half because there is only 400k available then so be it. This project should be done first and with some level of risk. If the Town waits until September the opportunity will be gone and over the winter it will be much worse to accomplish the project. The budget and CIP get approved in the July timeframe and that still doesn't mean that the projects go forward. Mr. Martin felt it was important that this project get done sometime this fall. If the rescue projects go through the Town will have more money than staff to fulfill the projects.

Mr. Martin asked Council to study the project sheets to determine other necessary projects and which ones need a timeline outside of July 1<sup>st</sup>. The moving revenue and bank accounts allow for it. Not over the next 6 months but in the next 36 months. The Town needs to take a chunk, maybe out of reserve, to allocate towards development of projects. Small projects can be developed so we can apply with the project scoped, designed.

Mayor Jenkins remarked the County has 43 million dollars allocated for infrastructure and said the Town can't obtain funding without the engineering plans. She asked if Mr. Martin would work on a prioritization of the engineering so that the Town can get in line for the funding.

Town Manager Russ Martin said yes there are obviously a lot of drainage projects but also road redevelopment. The Town doesn't take road and community development into consideration because it is too expensive. The Town is limited to talking about things to band aid fix and haven't been able to talk about the project as a WPA (Works Projects Administration) level project because of funding. The Town needs engineering to take projects to that level. There is no guarantee that

funding will be available but the Town needs to be in position to take advantage of any Federal funds available for these projects. In May Mr. Martin plans to identify the projects that the Federal funding can be used the funds for. Mr. Martin directed Council to look at the projects list there are some new. Also to review and determine how many may be COVID related.

Councilor Baker stated Council needs to make sure going forward that projects the Council commits to are done properly and to the Council's complete satisfaction with the tax payer dollars. She stated this was important to prevent some of the mistakes that were made in the past.

Mr. Martin recommended Council to talk to the folks that have put the recommendations together. Mr. Martin mentioned Community Development doesn't have much room to do the things they have now and it is difficult to work on top of each other.

Mayor Dee Jenkins asked about some requested information on the budget from Mike Showers. Town Clerk Cindy Pemberton will send it to Council.

**5. Adjournment** Mayor Dee Jenkins adjourned the meeting at 7:47 PM.

*Note: Upon a public majority vote of a quorum of the Town Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes: (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1)); (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2)); (3) Discussion or consultation for legal advice with the attorneys of the public body. (A.R.S. §38-431.03(A)(3)); (4) Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body'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 (A.R.S. § 38-431.03(A)(4)); (5) Discussion or consultation with designated representatives of the public body to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5)); (6) Discussion, consultation or consideration for negotiations by the town or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6)); (7) Discussion or consultation with designated representatives of the town to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(7)).*

*Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting. The Town of Camp Verde Council Chambers is accessible to persons with disabilities. Those with special accessibility or accommodation needs, such as large*



typeface print, may request these at the Office of the Town Clerk at 928-554-0021.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the Town of Camp Verde and Bashas on 04-08-2021 at 2:00 p.m. in accordance with the statement filed by the Camp Verde Town Council with the Town Clerk

Cindy Pemberton

Cindy Pemberton, Town Clerk

DRAFT

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**DRAFT MINUTES**

**TOWN OF CAMP VERDE  
SPECIAL SESSION  
MAYOR AND COUNCIL  
473 S. MAIN STREET, SUITE 106  
TUESDAY, APRIL 20, 2021 at 5:30 P.M.**

**ZOOM MEETING LINK:**

<https://us02web.zoom.us/j/87529111697?pwd=cWdidEdYOUNPTFJIRTNkWFhVVkNNZz09>

**One Tap Mobile: 1-346-248-7799 or 1-669-900-9128**

**Meeting ID: 875 2911 1697**

**Passcode: 535905**

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

**1. Call to Order**

Mayor Jenkins called the meeting to order at 5:30.

- 2. Roll Call.** Council Members Jackie Baker, Bill LeBeau, Chris McPhail Jessie Murdock (arrived at 5:38), Robin Whatley (via zoom), Vice Mayor Joe Butner, and Mayor Dee Jenkins.

**Also Present**

Russ Martin Town Manager, Town Clerk Cindy Pemberton, Marshal Cory Rowley (zoom), transcriptionist Dana Donahue

**3. Pledge of Allegiance**

Led by Chris McPhail

Town Clerk Cindy Pemberton read the Consent Agenda.

- 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.

Read by Cindy Pemberton Town Clerk

**a) Approval of the Minutes:**

- 1) Special Session – March 24, 2021

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

- 1) Regular Session – Wednesday, May 5, 2021 at 6:30 p.m.  
2) Work Session – Friday, May 7, 2021 at 8:30 a.m.  
3) Regular Session – Wednesday May 19, 2021 at 6:30 p.m.

**c) Possible Approval for the Finance Director to make the FY21 budget adjustments as attached on the Budget Change/Re-Appropriation Form Dated 4/7/2021.**

- d) **Possible Approval for the Finance Director to make the FY21 budget adjustments to wages as listed on the attached Budget Adjustments Form labeled BAFY21-04.**

Vice Mayor Butner motioned to approve the Consent agenda as written. Motion was seconded by Councilor Baker.

**Roll Call Vote:**

Councilor Baker- aye  
Councilor LeBeau-aye  
Councilor McPhail-aye  
Councilor Whatley-aye  
Vice Mayor Butner-aye  
Mayor Jenkins-aye  
**Motion Passes 6-0**

**5. Special Announcements and Presentations**

- **Proclamation Declaring April as Fair Housing Month.**
- **Proclamation Declaring May 2 - May 8, 2021 the 52<sup>nd</sup> Annual Professional Municipal Clerks Week.**
- **Proclamation Declaring Saturday April 24, 2021 as Camp Verde's Arbor/Earth Day Celebration.**
- **Presentation of the Verde Grown Initiative by the Economic Development Department and Local First Arizona. Staff Resource: Steve Ayers **This item has been pulled from the agenda and will be heard on May 5, 2021.****

Mayor Jenkins proclaimed April as fair housing month.

Mayor Jenkins proclaimed May 2-8 the Professional Clerks week.

Mayor Jenkins proclaimed Saturday April 24, 2021 Arbor/Earth birthday celebration.

**6. Discussion and Consideration and Possible Adoption of Town Manager's Annual Goals. Staff Resource: Russ Martin**

Russ Martin discussed the goals for the town. He stated we have not finished the goals. Most of the goals are in his job description and are addressed and reviewed as we go forward. He said he will be focusing on the pertinent goals, as per the memo. It is important to be transparent to the public about the goals. Staff

recommend council approve goals.

Councilor Baker requested more information about said goals. There are seven goals. Russ Martin stated there are certain goals the public and Council will want to know about.

Councilor Baker wanted more specifics. It appears the goals are fairly general. Russ Martin stated to read the memo. Council wanted to know what the most important goals were.

Russ Martin replied that the most important ones are;

1. Broadband and Internet. There is a larger progress needed. We could do more with social media and online payments.
2. Highway 260 project is important. When, how are we going to get it done...etc., is still undefined. Also, the water company.

Mayor Baker asked if those items did not make it to the goal list. How do we address them?

Mr. Martin stated reviews (council) are an important method of measuring progress. His progress must be assessed on a regular basis. Overall, there is a lot of uncertainty and a lot to be discussed. There is a difference between the goals of the Town Manager and those outside of his job. He said his performance is always up for review. The Council is part of the process.

Mayor Baker asked many of the goals have been completed. Mr. Martin said many on the list have been done, such as the Risk Management position.

Vice Mayor Butner moved to approve Town Manager Annual Goals as set forth on pages 47 and 48. Russ Martin asked if that included page 49. Vice Mayor Butner stated the annual goals are on pages 47 and 48. Russ Martin stated that page 49 was a summary.

Town Clerk Cindy Pemberton stated the motion stands.  
Second by Councilor Whatley.

Council Murdock stated we have a list of goals. She feels we should not disregard the memo Mr. Martin sent to Council. Mr. Martin presented the Council with what he felt he could accomplish in a year, not the list we presented him. We could still review the goals quarterly. Councilor Murdock did not feel Council should be disregarding the memo Russ Martin sent to them.

Council LeBeau was recognized by Mayor Jenkins. He stated he needed clarification on what we are approving. Are we approving the goals we gave to the manager? Or the ones he gave to us?

Mayor Jenkins replied that the motion was to approve the goals on pages 47 of 49 and 48 of 49. Is that correct? Town Clerk Cindy Pemberton stated yes, that is

correct.

Councilor Baker declared a point of order stating here was a motion on the table without a second, Town Clerk Cindy Pemberton stated there was a second by Councilor Whatley.

Vice Mayor Butner states the goals listed on pages 47 and 48 are what we are discussing. I made the motion in that fashion to be clear about the managers goals.

Councilor Whatley asked Mr. Martin on page 49, if the goals have been reiterated on pages 47 and 48. Mr. Martin replied not in full detail. Councilor Whatley asked if he added to what the memo was.

Mayor Jenkins stated page 49 is Mr. Martin's summary and pages 47 and 48 are the goals. Councilor Whatley stated she did not see the difference.

Vice Mayor Butner declared a point of order stating now is not the time to discuss this with the Russ Martin. Now is the time for the Council to make their comments, is that correct? Town Clerk Cindy Pemberton stated yes.

Councilor Whatley said would like to withdraw her second until this has been figured out. Town Clerk Cindy Pemberton declared a withdraw is not possible and the second is a standing vote. Ms. Pemberton stated you will have to stand your motion and allow the motion to proceed or make a different motion if it fails.

Councilor McPhail asked Vice Mayor Butner if he would be willing to add the memo in addition.

Vice Mayor Butner said the memo Mr. Martin compiled is a distillation of the goals the Council set for him. The Council gave Mr. Martin the goals as set forth on pages 47 and 48. He may not be able to complete them all. He has completed at least one of the goals. This is a nice checklist of goals. We don't need a lesser type of description; we need a complete set of goals. Then we will judge him accordingly.

Councilor Baker said the hard part is the word "goals". Some are just in the Town Manager job description. She said goals should be what is additional to the manager job goals. There are additional goals that he may want to accomplish. I feel that goals are those that are beyond the ordinary job description of a town manager. The memo was very helpful. It lined things out.

**Mayor Jenkins call for a Vote on motion (pages 47 48)**

Councilor Baker-aye  
Councilor LeBeau-aye  
Councilor McPhail-aye  
Councilor Murdock-no  
Councilor Whatley-no

Vice Mayor Butner-aye  
Mayor Jenkins-aye  
**Motion passes 5-2**

**7. Covid-19 Update.** Staff Resource: Russ Martin

Town offices are open. The Pecan and Wine festival was also approved. Yavapai County is at 3% Covid positive. The positive rates are up and down but are now down. Vaccinations are readily available. Everything is pretty much operational. We are financially doing very well. The sales tax generated on-line is coming to us due to Covid and the Wayfair decision. We are open to phase 3. RV parks are very busy. Our largest months are March and April. Finance Director Mike Showers thinks we are 700k over, which may be on the low end. Restaurants are full and hotels are doing well. We may have record highs. There is a lot of construction in the area. We may have some additional record highs.

**8. Legislative Update.** Staff Resource: Russ Martin

There was a judgement that all sales tax generated online, (Wayfair decision) will be sent to the area of origin. The legislature is looking to do a flat tax over the next couple of years. This is the proposal on the table. The state budget is in limbo because of this. A flat tax will affect the next two years. Three years from now the flat tax will be implemented. It will be less money in the long run. We share 214K in shared revenue. The bottom line is we will have less money.

This is reverred to as the Wayfair decision. The less money would have a significant impact on the town, less 413K if the flat tax goes through. We are currently getting 1.5m right now and will drop to just over a million in the next two years. It will have an effect on town services. The League of Cities would like to be whole and up our share by adjusting our percentage. There is a lot of change coming.

The legislature must get through budget issues.

Town Clerk Cindy Pemberton said SB1492 was recently passed and she will be emailing to the council. It regards various election laws.

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

None

**10. Council Information Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are: Copper Canyon Fire & Medical District, Yavapai College Governing Board, Yavapai Apache Nation, Intergovernmental Association, NACOG Regional Council, Verde Valley Regional Economic Organization

(VVREO), League Resolutions Committee, Arizona Municipal Risk Retention Pool, Verde Valley Transportation Org, Verde Valley Transit Committee, Verde Valley Water Users, Verde Valley Homeless Coalition, Verde Front, Verde Valley Steering Committee of MAT Force, Public Safety Personnel Retirement Board, Phillip England Center for the Performing Arts Foundation. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

Councilor Baker reported the Pecan and Wine festival was very good. The visitors were very happy to have an event to attend. They were very complementary. Councilor McPhail reported she attended tribal council meetings and the Verde Valley transportation meeting via zoom recently. She also attended the Yavapai College governing board meeting. Earth day will be this Saturday partially on zoom, it can be found on the town website. There are goody bags available. 22 tribes of Arizona have been contacted and have provided some promotional material for the Earth Day. She said the Pecan and Wine festival was big success, congratulated staff. The vendors were very happy, and several sold out. Mayor Jenkins asked where is Earth day. Councilor McPhail said it will be at Veterans Memorial Park at Montezuma Castle.

Vice Mayor Butner stated he and Councilor Baker had lunch with Terry Drew, the NACOG representative. Very productive. Discussed employment programs where NACOG pays wages to prospective town employees for three to six months and covers the employees in terms of workmen's comp etc. As many as ten to fifteen people could work under this program for the town. Also, there is a group of people that are skilled, professional people that could help with town projects, such as Verde Lakes bridge. It could be in the next six months that there will be a federal infrastructure bill that we could make use of for our own infrastructure.

Councilor LeBeau reported The Pecan and Wine festival was very well attended. Kudos to staff. There was also a roping event at the arena that was well attended.

Councilor Whatley had nothing to report at this time.

Mayor Jenkins reported she attended several meetings. The county is ramping down on its COVID meetings. Russ Martin and Mayor Jenkins attended the annual spring meeting with the Forest Service. Discussed drainage issues, mainly from their land to ours. She also attended Verde Valley Mayor Manager meetings discussing COVID 19, broadband and infrastructure and Gamma and housing and DB Rio. Reliable, highspeed broadband is a hot topic right now. Mayor Jenkins attended the Verde Valley Solutions Group about affordable housing for the valley. Broadband is a big topic. She attended a Gamma meeting where Senator Kelly spoke. He allowed each mayor to speak. The group also spoke to Senator Sinema, they spoke about COVID and the relief packages. The Camp Verde J and J (vaccine) in the gym clinic was very successful. It was three weeks in a row. Mayor Jenkins attended all three. April 8th was the last Camp Verde clinic. The Pecan and Wine festival was very well done and thank you staff. Earth Day, please go if you can. Thank you for those of you that are attending ribbon cutting ceremonies. We will give you these dates. We are all



welcome to go. Councilor McPhail said thank you, Mayor Jenkins for getting the vaccines here

**11. Manager/Staff Report.**

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

Russ Martin reported he received the housing study in his email. He will get with solutions group and get Council up to speed on the study. Perhaps by May a presentation will be available. The Town is waiting for direction from the Treasury. He attended the zoom meeting. It might be a few weeks before we get the money and what opportunities that might create. The treasury is meeting with the League of Cities and Towns and will let us know. We hired a new Risk Manager. She will be here in a month. She starts May 17. Very well-rounded background and good experience.

**12. Discussion and Consultation for legal advice regarding the Yavapai Apache Water Settlement.** Staff Resource: Russ Martin. The Council may, by majority vote, recess the special meeting, hold an executive session and then reconvene the Regular meeting for discussion and possible action on this item as covered under A.R.S. 38-431.03; (A)(2); (A)(3); (A)(4); (A)(5); (A)(6); and (A)(7).

Town Manager Martin asked that the council revert to Executive session. He will get Attorney Steve Wene on the phone.

Councilor Baker made a motion to move into executive session. The motion was seconded by Council McPhail.

**Roll Call Vote:**

Councilor Baker-aye  
Councilor LeBeau-aye  
Councilor McPhail-aye  
Councilor Murdock-aye  
Vice Mayor Butner- aye  
Mayor Jenkins-aye

**Vote passes 6-0**

Mayor Jenkins-We are in executive session at 6:20pm.

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order to consider its position and instruct its attorneys regarding the public body'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 (A.R.S. § 38-431.03(A)(4)); (5) Discussion or consultation with designated representatives of the public body to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5)); (6) Discussion, consultation or consideration for negotiations by the town or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6)); (7) Discussion or consultation with designated representatives of the town to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(7)).

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

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the Town of Camp Verde and Bshas on 04-8-2021 at 2:00 p.m. in accordance with the statement filed by the Camp Verde Town Council with the Town Clerk

Cindy Pemberton

Cindy Pemberton, Town Clerk

legal action of public bodies shall occur during a public meeting. The Town of Camp Verde Council Chambers is accessible to persons with disabilities. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk at 928-554-0021.



Town of Camp Verde

**Exhibit A - Agenda Item Submission Form – Quarterly Reports for PZC & BOA**

**Meeting Date: May 5, 2021**

Consent Agenda       Decision Agenda       Executive Session Requested

Presentation Only       Action/Presentation

**Requesting Department:** Community Development

**Staff Resource/Contact Person:** Melinda Lee, Community Development Director

**Agenda Title (be exact):**

**Quarterly reports for the Planning Commission and Board of Adjustments & Appeals for the period of January through March 2021.**

**List Attached Documents:**

1. Quarterly Report for Planning Commission
2. Quarterly Report for Board of Adjustments & Appeals

**Review Completed by:**

**Department Head:** Melinda Lee

**Background Information:** None.

**QUARTERLY REPORT  
Board of Adjustments  
January – March 2021**

**Regularly Scheduled Meetings, as needed:**           **1**

**January 12, 2021 – Regular Session**

- a. Quarterly Report for October – December 2020
- b. Election of Officers
  - 1. Chairman Ken Krebbs
  - 2. Vice Chairman Buck Buchanan

**February 9, 2021 – Regular Session**

Cancelled – No business before the Board.

**March 9, 2021 – Regular Session**

Cancelled – No business before the Board.

**Special Session Meetings:**                           **0**

**Work Sessions:**   **0**

**There were no applications approved.**

**There were no appeals denied.**

**There were no applications denied.**

**There were no items discussed.**

**There were no items discussed in work sessions.**

**There were no presentations heard by the board.**

**There was no training.**

**QUARTERLY REPORT  
Planning and Zoning Commission  
January – March 2021**

**Scheduled Meetings:     1**

**January 7, 2021: Cancelled due to lack of business**

**January 14, 2021: Regular Session**

**Present:** Hough, Faiella, Blue and Norton

**Absent:** Two vacancies exist

Election of Chairperson Mike Hough.

Election of Vice Chairperson Drew Faiella.

Items for discussion:

- a. Public Hearing, Discussion, and Recommendation of approval to the Town Council, for an application submitted by High View, LLC, for a Major Amendment to the zoning districts for an existing C2- PAD (Commercial: General Sales and Service, Planned Area Development) for the Boulder Creek Master Plan. The request is to include C3 (Commercial: Heavy Commercial) and M1 (Industrial: General) Districts within the Master Plan to allow for a broader range of land uses. The property is located on Parcel 403-15-003S, in Camp Verde, Yavapai County, Arizona.

**February 4, 2021: Cancelled due to lack of business**

**February 11, 2021: Cancelled due to lack of business**

**March 4, 2021: Cancelled due to lack of business**

**March 11, 2021: Cancelled due to lack of business**

**There were no items tabled by the Commission.**

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**Agenda Item Submission Form – Section I**

Meeting Date:

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

Requesting Department:

Staff Resource/Contact Person: Missy Sikora

Agenda Title (be exact: Presentations and Discussion of Funding for the Yavapai Family Advocacy Center

List Attached Documents: Funding Request Letter PDF

Estimated Presentation Time: 10 Mins

Estimated Discussion Time:

Reviews Completed by:

- Department Head: \_\_\_\_\_
- Town Attorney Comments: N/A
- Finance Department N/A
- Fiscal Impact: None
- Budget Code: \_\_\_\_\_ Amount Remaining: \_\_\_\_\_
- Comments: \_\_\_\_\_

Background Information:

Recommended Action (Motion):

Instructions to the Clerk:

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Town of Camp Verde

**Agenda Item Submission Form – Section I**

Meeting Date: May 5, 2020

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

Requesting Department:

Staff Resource/Contact Person: Town Clerk Cindy Pemberton

Agenda Title (be exact): Presentation and update by Camp Verde Chambers and Business Alliance members Cheri Hauser and John Smoley.

List Attached Documents:

Estimated Presentation Time: 5 Minutes

Estimated Discussion Time: 5 Minutes

Reviews Completed by:

- Department Head:                       Town Attorney Comments: N/A

Finance Review:  Budgeted     Unbudgeted     N/A

Finance Director Comments/Fund:

Fiscal Impact: None

Budget Code: \_\_\_\_\_ Amount Remaining: \_\_\_\_\_

Comments:

Background Information:

Recommended Action (Motion):

Instructions to the Clerk:

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**Agenda Report Form – Section I**

Meeting Date: April 20, 2021

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

Requesting Department: Economic Development

Staff Resource/Contact Person: Steve Ayers/Jessica Bryson

Agenda Title (be exact): Presentation of the Verde Grown Initiative by the Economic Development Department and Local First Arizona

List Attached Documents: Presentation PowerPoint Slides

Estimated Presentation Time: 10 mins

Estimated Discussion Time: 10 mins

**Reviews and comments Completed by:**

- Town Manager: \_\_\_\_\_
- Department Head: Steve Ayers
- Town Attorney Comments: \_\_\_\_\_
- Risk Management: \_\_\_\_\_
- Finance Department  
Fiscal Impact:  
Budget Code: \_\_\_\_\_ Amount Remaining: \_\_\_\_\_  
Comments: \_\_\_\_\_

**Background Information:**

Verde Grown is an initiative spearheaded by the Town of Camp Verde Economic Development, aimed at increasing capacity for local agricultural producers through an effective branding and marketing campaign. To accomplish this feat, the Town of Camp Verde obtained a \$35,000 USDA Rural Business Development Grant and contracted with Local First Arizona to facilitate the program buildout and develop the branding/marketing campaign. A group of local producers has been convened to form a Steering Committee, and their input was solicited to build out a successful campaign that really speaks to the heart of Verde Valley agriculture.

*Verde Grown intends to support various types of producers; from the local farm stands to farmers market participants, and local beef producers to local honey and goat soap producers. It is intended to help increase exposure for producers, facilitate opportunities for partnership, and provide educational opportunities (e.g., best practices in regard to water use, farming tips and tricks) for those involved. The branding/marketing piece of the program is aimed at creating a resilient food system, promoting increased access to healthy local food, and promoting and healthy agritourism environment. The brand will be made available to all participating producers so they can place it on their products, co-brand with the local farmers markets, and signal to the community that they are part of this important coalition.*

*Recommended Action (Motion): N/A*

*Instructions to the Clerk: N/A*

## APS Wildfire Safety and Fire Mitigation Efforts

Safety and reliability are top priorities for APS. We work year-round to minimize the risk of wildfires and educate customers and communities on the importance of being Firewise. APS has implemented a Comprehensive Fire Mitigation Plan (CFMP) - one of the most robust in the utility industry. The APS Forestry and Fire Mitigation Team implements the CFMP and works closely with customers, communities and local fire authorities, including the US Forest Service, to ensure we have cohesive strategies to mitigate the risk of wildfire. Highlights of the CFMP are below.

**Integrated Vegetation Management Program** – APS Forestry conducts annual inspections of transmission and distribution lines to ensure proper vegetation clearances around our equipment. This occurs in order to mitigate risk and maintain safe operations. We properly prune trees and clear brush around APS rights-of-way and equipment by mechanical treatment and utilization of herbicide application where appropriate in accordance with all state regulations. The intent of APS vegetation management is to create a safe area for our equipment to operate and also create fuel and fire breaks. Historically, our utility rights-of-way have been heavily used by the fire service as a fire break so it becomes imperative that we clear these areas routinely.

**Defensible Space Around Poles Program** – The purpose of the program is to proactively create defensible space around poles to protect APS equipment from the impacts of wildfire and prevent wildfire ignitions. The intent is to clear all vegetation within a ten-foot radius from equipment poles.

**Line Inspections and Public Safety Patrols** – We conduct an annual patrol of over 2,870 miles of overhead lines using drones, vehicles and by foot in heavily vegetated areas such as the wildland-urban interface. Annually, APS completes a pole-by-pole inspection of every distribution feeder. We identify all corrective work required on each pole and complete maintenance in advance of elevated fire conditions each year.

**Operational Protocol** – As in previous years, APS will continue our operational protocols as part of our mitigation measures during outages. Before we reenergize a line during an outage in a high fire risk area, APS will physically patrol the line with additional rigor. We recognize that this could prolong outages, but we are prioritizing the safety of our customers and communities.

**Customer Communication** – We realize any disruption of power is a major inconvenience to customers so we have sent a postcard (below) to all customers in areas of high fire risk that includes safety and Firewise tips as well as notification that, in some instances, they could experience longer than normal outages. Additional resources for customers are also available at [aps.com/wildfiresafety](https://aps.com/wildfiresafety).

In summary:

- Public safety and coordination with first responders and forest management agencies are the highest priorities for APS in helping respond to wildfires. We may need to interrupt service to certain areas as a fire mitigation measure to keep first responders safe in the event of a wildfire near electrical equipment and electrical facilities.
- We work year-round to minimize the risk of wildfires and educate communities on how to create defensible space.
- Additional resources for customers are available at [aps.com/wildfiresafety](https://aps.com/wildfiresafety).



**We work year-round to minimize the risk of wildfires.**

During high-risk conditions we take extra steps to reduce the risk of wildfires. This can include taking power lines out of service so first responders can enter the area safely. Or, we may need to take extra time to inspect lines to ensure they are not damaged before restoring power.

Because you live in a high-risk area for wildfire, these extra precautions could result in longer outages for your home. We realize any disruption of power is an inconvenience. Thank you in advance for your patience as we work to help protect first responders, communities, wildlife, the environment and property.

**Do's and Don'ts for Fire Season**

**Do reduce the density of vegetation around your home.**  
Mow grass and weeds. Thin and prune trees and shrubs. Dispose of debris properly.

**Do prepare for outages ahead of time.**  
Have flashlights, batteries and water on hand.

**Do view our outage map**  
Get up-to-date information on outages with our interactive outage map. View it online or download our app at [aps.com/outagecenter](https://aps.com/outagecenter).

**Do prepare a family plan in case of an emergency.**  
Sign up for emergency alert notifications through your county or other local resource.

**Don't go near downed power lines.**  
If you see a line down, assume it is energized. Stay at least 100 feet away. Call 911, then APS.

Please visit [aps.com/wildfiresafety](https://aps.com/wildfiresafety) for more information.





**Agenda Item Submission Form – Section I**

**Meeting Date:**

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

**Requesting Department:** Clerk’s Office

**Staff Resource/Contact Person:** Cindy Pemberton

**Agenda Title (be exact): Discussion, Consideration and Possible Direction to staff to consider rescinding the Town of Camp Verde’s Policies, Rules and Procedures for Town Council, Boards, Commissions, and Committees establish a best practices module and make considerations to transfer mandated policies to the Town Code.**

**List Attached Documents:** Town of Camp Verde Policies, Rules and Procedures

**Estimated Presentation Time:** 10 min

**Estimated Discussion Time:** 10 min

**Reviews and comments Completed by:**

- Town Manager: Included in Background       Department Head: \_\_\_\_\_
- Town Attorney Comments: N/A
- Risk Management: \_\_\_\_\_
- Finance Department  
Fiscal Impact:  
Budget Code: \_\_\_\_\_ Amount Remaining: \_\_\_\_\_  
Comments:

**Background Information:** The Clerk’s Office reviewed the policies rules and procedures in its entirety. The language of the Policy was linked to the Arizona Revised State Statutes and the Town of Camp Verde, Code. It was identified that much of what was in the policies rules and procedures was redundant. The existing policy is not enforceable and often results in no action should the policies be broken. Holding Council and Boards responsible for these mandates has become challenging to uphold. The Clerk’s office would like to create a best practices module for the Council, Boards and Commission to use actively without it being mandated. The Clerk’s office will provide a

best practices module and any current policy needing to be mandated, will become a part of the Town Code by a Council approved ordinance.

***Recommended Action (Motion): Move direct staff to proceed with Staffs Recommendations or that of the Council***





RESOLUTION 2017-973

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE  
TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,  
SUPERSEDING RESOLUTIONS 98-403, 99-426, 99-432, 2000-447, 02-538, 03-568, 08-745, 08-751, AND  
2009-766, 2011-844, and 2017-973 ESTABLISHING TOWN COUNCIL POLICIES, RULES, AND PROCEDURES  
FOR COUNCIL AND ALL TOWN BOARDS, COMMISSIONS AND COMMITTEES

*WHEREAS*, the Legislature made substantial modifications to the Open Meeting Law (OML), ARS Sections 38-431 through 38-431.09, effective July 18, 2000; and

*WHEREAS*, changes in the law concerning executive sessions, meetings, open calls to the public, and enforcement has been adopted by the Council as a policy and procedural directive to staff; and

*WHEREAS*, it is in the best interest of the Town to adopt Rules, Policies and Procedures, and place these into one document for the benefit of all parties; and

*WHEREAS*, it is in the best interest of the Town to adopt policies and procedures for meetings and conduct applicable not only to the Council but also to its boards, commissions, and committees, collectively named "public bodies" herein,

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde hereby resolve to approve and adopt the "Town of Camp Verde Town Council Policies, Rules, and Procedures" for all elected and appointed officials.

ADOPTED AND APPROVED by a majority vote of the Common Council at the regular meeting of April 5, 2017.

\_\_\_\_\_  
Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Town Clerk

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

Exhibit A attached

EXHIBIT A

Resolution 2017-973

TOWN OF CAMP VERDE  
TOWN COUNCIL POLICIES, RULES, AND PROCEDURES

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ARS 38-501-38-511

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ARS  
Financial Operations Guide

## Section 1 Rules of Procedure/Authority

### 1.1 Procedures

All meetings of the Town Council and its appointed Boards, Commissions, and Committees shall be governed by these procedures, as applicable. In addition, such meetings shall be governed by the following:

- A. Applicable provisions of the Arizona Revised Statutes ("A.R.S."), including, but not limited to, the Arizona Open Meeting Law (A.R.S. §§ 38-431 *et seq.*, as amended) and the Arizona Conflict of Interest Law (A.R.S. §§ 38-501 *et seq.*, as amended); and
- B. The Town of Camp Verde Town Code.
- C. Where not inconsistent with these rules and procedures, the Arizona Revised Statutes and the Town of Camp Verde Town Code, and *the current version of Robert's Rules of Order* will be used as a supplementary guideline.
- D. As used herein, the term "Member" shall refer to either a member of the Town Council or Board, Commission or Committee, as applicable. The term "Meeting" shall refer to a meeting of the Town Council, Board, Commission or Committee, as applicable.

### 1.2 **Parliamentarian**

- A. The Town Clerk shall serve as Parliamentarian for all Town Council meetings. The Deputy Clerk shall serve as Parliamentarian in the absence of the Town Clerk.
- B. The Town Clerk shall also serve as Parliamentarian for those Board, Commission, and Committee meetings that he or she attends.
- C. The Chairperson of a Commission or Committee shall serve as Parliamentarian for each respective Board, Commission, or Committee meeting. The Vice-Chairperson shall serve as Parliamentarian in the absence of the Chairperson. The Chairperson Pro Tem shall serve in the absence of the Chairperson and the Vice-Chairperson. In the event that there is a lack of agreement to a parliamentary procedure, the Town Clerk shall serve as the resource for a final procedural determination.

### 1.3 Points of Order

The Presiding Officer shall, after consultation with the Parliamentarian, determine all Points of Order, subject to the right of any member to appeal to the entire Town Council or any Board, Commission or Committee. In which event, following a second, a majority vote shall govern, and conclusively determine such question of order.

### 1.4 **Quorum 9-233**

Four or more Council members shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time and compel the attendance of absent members. In any meeting where a quorum is present, it shall take a majority vote of the entire Council, or a minimum of four (4) votes, to enact any measure, resolution, ordinance, or other business on the agenda.

## Section 2 Presiding Officer for Meetings

### 2.1 Mayor as Presiding Officer 9-236 TOWN CODE 2-2

The Mayor is the Presiding Officer of all meetings of the Town Council. In the Mayor's absence, the Vice-Mayor shall serve as the Presiding Officer. In the absence or disability of both the Mayor and the Vice-Mayor, the meeting shall be called to order by the Town Clerk, whereupon the Town Clerk shall immediately call for the selection of a Presiding Officer Pro Tem. The Council members present shall, by majority vote, select a Presiding Officer Pro Tem for that meeting.

### 2.2 Chairperson as Presiding Officer TOWN CODE 2-2-4 Chairperson

The Chairperson is the Presiding Officer of all meetings of the Board, Commission or Committee. In the Chairperson's absence, the Vice-Chair shall serve as the Presiding Officer. In the absence or disability of both the Chairperson and the Vice-Chair, the meeting shall be called to order by the Town Clerk or principal Town staff present, whereupon the Town Clerk or Town staff shall immediately call for the selection of a Presiding Officer Pro Tem. The Members present shall, by majority vote, select a Presiding Officer Pro Tem for that meeting.

## Section 3 Meetings of Town Council and Boards, Commissions and Committees

### 3.1 Regular Meetings 38-431.01 – TOWN CODE 2-3

- A. The Council shall establish regular meeting dates, times, meeting place by Resolution in January of each year for Town Council and all Boards, Commissions, and Committee meetings.
- B. When the day for a Regular Meeting falls on a legal holiday, no meeting shall be held on such holiday. The meeting shall be cancelled and be convened at the time and the location as designated by the Town Council or Board, Commission, or Committee.

### 3.2 Special Meetings TOWN CODE 2-3-2

- A. The Mayor, after a public vote of the Council may schedule a special session within the jurisdiction of the Town and shall direct staff to schedule a special session; or the Mayor and Manager may jointly schedule a special session to be held in appropriate facilities within Town limits, to begin at the time and place as designated in the motion.
- B. Special and emergency meetings, as permitted by law, shall be called and posted in the same manner as regular meetings by the Mayor or the Town Clerk, after confirmation of the availability of a quorum.
- C. Notices and agendas will be posted for the special sessions as required by law and additionally posted at the alternate site if applicable.
- D. Special sessions herein will not be scheduled away from Town Hall if the agenda involves public hearings on controversial topics likely to interest citizens of the Town in general rather than a particular neighborhood.
- E. A Board, Commission, or Committee may, upon majority vote and approval of the Town Manager, set a special meeting or work session.

### 3.3 Executive Sessions **38-431.01**

- A. The Town Council may hold an Executive Session pursuant to A.R.S. §§ 38-431.01. Boards, commissions, and committees may also hold Executive Sessions pursuant to A.R.S. §§ 38-431.01 with prior Council authorization.
- B. All information distributed and all discussions during an executive session shall remain confidential indefinitely and are not to be divulged or provided to or discussed with persons who were not parties to the executive session or members of the Council or Board, Commission or Committee, except as permitted or required by A.R.S. § 38-431.03 or a court order.
- C. **RETREAT REQUEST: ISSUE DISCLAIMER FOR TELECONFERENCING E SESSION**

### 3.4 Work Sessions

The Town Council or Board, Commission or Committee may schedule work or study sessions for the purpose of presentations and discussions on such issues that require more in-depth consideration by the Town Council or Board, Commission or Committee than may be possible at a Regular Meeting. No formal action may be taken by the Town Council or Board, Commission or Committee at such meetings, other than a general consensus or conveying direction to Town Staff for further action.

### 3.5 Emergency Meetings

As provided for in ARS § 38-431.02(D) and (E), Special Emergency Meetings, including a Special Emergency Executive Sessions, may be called to discuss or take action on an unforeseen issue where time is of the essence and there is not sufficient time for posting of a meeting notice 24-hours or more before the meeting. In such event, the meeting shall be held upon such notice as is appropriate or practicable to the circumstances. A Notice of an Emergency Meeting will be posted within 24-hours following the holding of an Emergency Meeting. The Notice will include the Agenda and a brief and complete description of the nature of the emergency.

### 3.6 Adjourned Meetings

Any meeting may be adjourned to a time, place, and date certain, but not beyond the next Regular Meeting. Once adjourned, the meeting may not be reconvened except at the time, date, and place provided for in the motion.

### 3.7 Meetings to be Open to the Public **38-431-011**

- A. Pursuant to the Arizona Open Meeting Law, with the exception of Executive Sessions, all Regular Meetings, Special Meetings, Work Sessions, and Emergency Meetings shall be open to the public.
- B. All public meetings may be recorded or photographed by means of audio, video, or photographic equipment; provided however, that there is no interference with the orderly conduct of the meeting and the equipment is placed in non-hazardous locations as designated by Town Staff.

### 3.8 Conduct and Decorum

- A. **Members:**
  - 1. Any Member desiring to speak shall address the Presiding Officer and upon recognition by the Presiding Officer, may speak. The Presiding Officer shall not unreasonably withhold such recognition. However, the Presiding Officer may call for a vote as to whether to continue a repetitive discussion or motion.

2. When two or more Members wish to speak, the Presiding Officer shall determine the order of speaking and recognize the first speaker.
3. While a Member is speaking, no other Member shall interrupt except to make a point of order or point of personal privilege. A point of order is raised when a Member raises a question of whether there has been a breach of the procedures. A point of privilege is raised when a disturbance occurs or when anything affecting the rights of the Members occurs and a Member states the problem; the Presiding Officer decides the question.
4. When a motion is made and seconded, the Presiding Officer shall ensure that the debate is confined to the motion.
6. The Town Council will not tolerate harassment, personal attacks, or discrimination against each other or by members of appointed Boards, Commissions, or Committees. Any Town Council appointee who violates this provision will be subject to removal by a majority vote. Elected Officials who violate this section may be subject to the provisions of Section 15.11 Sanctions. **RETREAT NOTES; VAGUE WORK WITH ATTORNEY TO MAKE LANGUAGE ALL INCLUSIVE WITH SECTION 15.11**
7. If a Member acts in violation of these rules, the Presiding Officer shall, or any Member may, call that Member to order. The Member so called shall immediately cease speaking, but may appeal to the Town Council or Board, Commission or Committee, as applicable. Any such appeal shall be decided by a majority vote without debate. See Section 1.3.

B. Town Staff:

Town Staff and employees of the Town shall observe the same rules of procedure and decorum as the members of the Town Council.

C. Public:

Members of the public attending meetings shall observe the same rules of order and decorum applicable to the Town Council. Unauthorized remarks or demonstrations from the audience, such as applause, stamping of feet, whistles, boos, yells, and/or other demonstrations shall not be permitted. The Presiding Officer, or the Council or Board, Commission or Committee as applicable, by majority vote may, after issuing a verbal warning to persons causing such disturbances, direct a police officer to remove such offender(s) from the meeting.

**Section 4 Meeting Agendas and Notices 38-431.02**

**4.1 Agenda Item Submittal for Council Regular and Special Meetings and Work Sessions**

**Procedure covered in Agenda Process Guidelines-this will change with implementation of DMS**

**(K>Templates>Agenda Process Guidelines**

- A. Items may be placed on a Regular, Special, Emergency Meeting Agenda, or Work Session Agenda for Town Council discussion and possible action by any Council member and Town staff.
- B. Contracts, ordinances, resolutions and other documents requiring review by the Town Attorney shall be provided to the Town Attorney prior to placing the item on the Agenda and in sufficient time for legal review.
- C. Any item placed on an agenda must be accompanied by supporting documents and an Agenda Action Form that contains, at a minimum, the following information:
  1. Background information on the item;



2. Financial impact if approved; and
3. Proposed action.

The documents and Agenda Action Form must be submitted to the Clerk's Office sufficiently in advance to be included in the council packet, but no later than noon on the Wednesday prior to the regularly scheduled meetings. If the agenda item is requested by a Council member, it will be noted on the agenda and the requesting member should sign an Agenda Action Form.

#### **4.2 Agenda Item Submittal for Executive Sessions**

Items may be placed on the Agenda for a Town Council Executive Session for discussion if in compliance with the Town Code, these Rules of Procedure, and applicable provisions of the Arizona Revised Statutes, by the following process:

- A. Items may be placed on an Agenda for Executive Session discussion by Council members, Town Staff, and the Town Attorney.
- B. The Town Attorney may review items submitted for Executive Session discussion prior to placement on the Agenda to ensure that the item is legally permissible to be discussed in Executive Session pursuant to A.R.S. § 38-431.03.

#### **4.3 Council Packets**

- A. Town Council packets contain the Agenda, unapproved Minutes of previous Town Council Meetings, Town Council communications, and any ordinances, agreements, or resolutions to be acted upon including Agenda Action Forms, and other documentation that may be attached to support items contained on a Town Council Agenda for all noticed meetings of the Town Council.
- B. Full packets for all noticed Town Council Meetings (except Executive Session documentation) are placed in the Council member's box. Every effort will be made to distribute full packets by the Friday prior to each Regular Town Council Meeting and not less than 24 hours prior to any Special Session.
- C. Material that is not received in a timely manner to include in the Council packets will be distributed to Council members with a bright green sheet attached, noting the agenda item number to which the document applies. These green sheets are used only in connection with agenda items to alert Council members that there is additional meeting information.

#### **4.4 Preparation of Agenda**

- A. An Agenda is the formal description of items to be considered by the Town Council at a noticed meeting of the Town Council. Complete agenda items, the Agenda Action Form, and all supporting documentation must be submitted to the Clerk's Office no later than noon the Wednesday before the meeting. Incomplete agenda requests and/or late agenda items will be returned to the submitting department.
- B. The Town Clerk shall prepare the agendas for all meetings of the Town Council based on the Agenda Action Forms that are submitted to the Clerk's Office. The Town Clerk may prepare an addendum to the Agenda for items that have emerged after the Agenda has already been distributed with the approval of the Town Manager AND the Mayor.

Addenda will be prepared on bright-green colored paper to catch the attention of Council members. Bright-green colored paper is reserved for agenda matters only and shall not be used by other Town staff.

- C. Agenda Meetings are held no later than the Wednesday before the Council meetings at a time set by the Mayor and Manager. Agenda Meetings are attended by the Mayor, Manager, Town Clerk, and no more than two (2) interested Council members for the purpose of reviewing the agenda for appropriateness, comprehensiveness, and order only. The Agenda Meeting will not be used for discussion or deliberation of the proposed agenda items. **Note: to avoid potential violations of Open Meeting Laws, no more than two Council members, in addition to the Mayor, may attend Agenda Meetings.** To avoid a possible quorum in attendance at an Agenda Meeting, interested members must notify the Town Clerk prior to an Agenda Meeting that he or she plans to attend. Incomplete or inaccurate items and/or the timeliness of items shall cause them be removed from the agenda and returned to the appropriate department with a request to resubmit the item(s) upon resolution of the issue.

Special Session agendas are usually reviewed by the Manager and the Mayor only. **RETREAT REQUESTED THIS LANGUAGE BE REMOVED**

- D. The final Agenda must be posted by Friday at noon prior to the Town Council's regular meetings. To meet this requirement, the packets are prepared no later than 10:00 a.m. on Friday mornings. Special, Executive, and Work Session agendas must be posted no later than 24-hours prior to the meeting. **RETREAT- REMOVE ARS REGULATES POSTING**

#### 4.5 Amended Agendas

The Town Clerk may amend a published Agenda, but not less than twenty-four (24) hours prior to the designated Meeting and only upon approval from the Mayor and the Town Manager. The Town Clerk may amend the agenda to correct minor errors upon notification to the Manager and/or Mayor. Subsequent amended Agendas will indicate the sequential number of the amendment and the date amended.

#### 4.6 Preparation and Posting of Meeting Notices **38-431.02 Town Code Article 4-3**

Council Agendas are posted at each of the following locations at least 24 hours before each meeting:

1. The bulletin board on the wall outside Town Hall
3. The bulletin board at Basha's
3. on the Town's Website.

Commission agendas are posted at the Town Hall Bulletin Board and on the Town's webpage.

#### 4.7 Distribution of Agendas and Notices

- A. The Town Clerk shall ensure that the Mayor and Town Council members receive copies of all Town Council Meeting Notices and Agendas, and any documentation provided for said Meeting, not less than twenty-four (24) hours prior to the Meeting.
- B. The Town Clerk shall ensure that the Town Council Meeting Notices, Agendas, and documentation, as deemed necessary, are distributed to the Town Manager and the Town Attorney and necessary Town Staff.

### Section 5 Order of Business for Town Council Meetings **Town Code 4-3**

#### 5.1 Order of Business **Town Code 4-31.a**

The Order of Business of each meeting of the Town Council shall be as contained in the Agenda as prepared by the Town Clerk and approved by the Mayor and Manager. The Agenda shall be sequentially numbered by topic and list

each item included under each agenda category followed by a brief description, including a dollar amount where appropriate.

## 5.2 Regular Meetings

The general form of the Agenda shall be as follows and may be changed as necessary:

### AGENDA

Members of the Camp Verde Town Council may attend either in person or by telephone conference call.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Consent Agenda
5. Call to the Public for Items Not on the Agenda
6. Business
7. Call to the Public for items not on the agenda
8. Council Information Reports
9. Manager/Staff Report
10. Adjournment

Presentations to the Town Council will be limited to 10 minutes, unless otherwise designated by a majority vote. Responses from the audience shall be limited to 3 minutes per speaker. 38-431.01 Meetings shall be open to the public.

- A. All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting. Public input on items other than the Call to the Public for items not on the agenda is at the discretion of the Council; however, public input is usually encouraged on non-administrative via the 'Request to Speak' card.

All Agendas shall have the following statement placed at the bottom of the Agenda: Persons with special accessibility needs should contact the Town Hall, 928-554-0021 at least 24-hours prior to the meeting.

## 5.3 Special Meetings

- A. For Special Meetings, the Agenda will generally be prepared in the following order:

### AGENDA

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Business
- V. Executive Session (optional)
- VI. Adjournment

## 5.4 Work Session Meetings

Questions may be directed by the Town Council to a member of the public or another interested party, or in appropriate circumstances, a brief presentation may be permitted by a member of the public or another interested

party on an Agenda item or a particular question related to an Agenda item. Presentations to the Town Council will be limited to 10 minutes for the presentation and discussion period, unless otherwise designated by a majority vote. Citizens may attend work-study sessions, but can speak only after an open Call for Public Input and completion of the 'Request to Speak' card prior to that item. Speakers will be limited to 3 minutes per speaker.

The Agenda generally will be prepared in the following order:

### AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Agenda Items for Discussion (Items numbered for order). Normally, work session items listed are for discussion only. No Action will be taken unless the item(s) is properly agendized for action.
5. Adjournment

#### 5.5 Executive Sessions

The Agenda for an executive session generally will be prepared in the following order:

1. Call to Order
2. Agenda Items for Discussion
3. Adjournment

#### 5.6 Items Considered in Order

- A. The Presiding Officer, or the Town Council by a majority vote, may consider items out of sequence from the printed Agenda for the meeting.
- B. Action may be taken on all items listed for action on the Agenda. In the event of an emergency, action may be taken on items not listed on the Agenda. However, the action must subsequently be noticed in accordance with A.R.S. §38-431.02, as amended.

#### 5.7 Mayor and Council Members Report on Current Events

This is the time that Council members may present a brief summary on current events. Attendance at meetings and other important information shall be listed on the agenda or shall not be otherwise stated. Open Meeting Laws prohibit the Town Council from proposing, discussing, deliberating, or taking any legal action on the information presented unless the specific item is listed on the Agenda.

#### 5.8 Manager/Staff Report on Current Events

The purpose of this section of the Agenda is to afford the Town Manager and/or staff an opportunity to provide the Town Council and the public with status reports or updates on Town projects and to alert them to upcoming Town events or regional events of potential interest. The topic of these reports shall be listed on the agenda. No discussion or action may be taken unless the specific item is listed on the Agenda.

#### 5.9 Call to the Public for items not on the agenda.

- A. Presentation of petitions or public comments on Non-Agenda items are heard under "Call to the PUBLIC for items not on the Agenda." All citizens and interested parties will be limited to a maximum of three (3) minutes to address the Town Council on a non-agenda item. However, the time limit may be waived by vote of the Town Council. you must complete a 'request to speak' card prior to that item.
- B. At the conclusion of all citizen comments, the Mayor or any Councilmember may take any or all of the following actions:
  - 1. Ask Town Staff to review the matter.
  - 2. Ask that the matter be put on a future Agenda.
  - 3. Thank the citizens for their comments.

If a citizen has criticized one or more members of the Council, the Council may respond to such criticism, but only at the conclusion of the Call to the Public.

### 5.10 Presentations

This section of the Agenda is for allowing the Mayor, Council members, Town Staff, and invited interested parties to make informational presentations to the Town Council and the public. Presentations are limited to no more than ten minutes for the presentation and discussion. Such informational items may only be discussed if specifically listed on the Agenda. No action may be taken on Presentation items unless properly agendized. The Mayor or the Chair will monitor this.

### 5.11 Consent Agenda

- A. The Consent Agenda includes items that (i) are of such a nature that discussion may not be needed or required or (ii) have been previously studied by the Town Council. These items may be adopted by a single motion, second, and affirmative vote of a majority (4) Council members. All routine, administrative-type items, such as contract awards and approvals, etc. shall be placed on the Consent Agenda.
- B. Consent Agenda items will be read aloud, to enter into the electronic record.
- C. There is no discussion on items listed under the Consent Agenda beyond asking questions for simple clarification, unless a Council member requests that an item be removed for discussion.
- D. If an item is pulled from the Consent Agenda for discussion, public input may be allowed on that item.

### 5.12 Business

- A. The Presiding Officer will introduce each Business item by reading its title or description from the Agenda. Consent Agenda items will be read aloud.
- B. If a public hearing is required for a business item, the following sequence of events will generally be followed: Appropriate Town Staff will present its report and recommendation (if any). Council members will then have an opportunity to question Town Staff. The Presiding Officer will then open the public hearing. The first speaker will be the applicant (if any), who will have an opportunity to present comments, testimony, or arguments to the Town Council. The Presiding Officer will then ask for public comment. The applicant will then be afforded an opportunity for rebuttal and concluding comments. The public hearing will then close and no further public comments will be taken. The Town Council will then deliberate and take action.
- C. Those speaking before the Town Council, other than the applicant, will be allowed three (3) minutes to address the Town Council, but time limits may be waived upon consensus of the Town Council.

### 5.13 Adjournment

The open public meeting of the Town Council may be adjourned by a motion, a second, and an affirmative majority vote or by the Presiding Officer with voicing 'without objection' to Council Members. If there is 'objection', adjournment is delayed until objection is cleared. Process would be repeated for adjournment to occur."

## Section 6 Procedures for Conducting the Meeting

Where practicable, executive sessions will be held prior to the regular business meetings, as opposed to during a meeting and/or following a meeting. Meetings will conclude at 10:00 p.m. unless a majority of Council votes to continue the meeting to a later time. Council member discussion may be limited by a majority vote if the agenda is large and the meeting is expected to last past 10:00 p.m. A break will be scheduled as close to 8:00 p.m. as possible.

### 6.1 Call to Order

All meetings shall be called to order by the Presiding Officer.

### 6.2 Participation of Presiding Officer

The Presiding Officer shall conduct the meeting. The Presiding Officer may debate and vote, subject only to such limitations of debate as are imposed on all Members.

### 6.3 Introduction/Explanation of Agenda Items

Consent Agenda Items: The Presiding Officer shall read the title and description. For other agenda items the Presiding Officer shall introduce those items by reading its full title and description, if any, and may provide additional information he or she deems necessary or reasonable. RETREAT: SHALL DESIGNATE

### 6.4 Maintenance of Order

The Presiding Officer is responsible for the maintenance of order and decorum at all times. All questions and remarks shall be addressed to the Presiding Officer.

## Section 7 Motions

### 7.1 Motion Procedure

- A. When a motion is made and seconded, it shall be stated by the Presiding Officer before debate.
- B. The maker of the motion has the right to modify his or her motion or to withdraw it entirely. If the motion is modified, the Member who has seconded it has the right to withdraw or affirm his or her second.
- C. If a modification to a motion made by another Member is accepted by the maker of the motion, the Member who seconded the unmodified motion shall be requested to reaffirm his or her second after modification. If the Member refused to reaffirm the second, the second is presumed made by the Member suggesting the modification.
- D. In the case of a tie in votes on any motion, the motion shall be considered defeated.

### 7.2 Motion to Approve or Adopt

A motion to approve or to adopt shall be to approve the Agenda item as proposed or as proposed with an amendment(s) or stipulation(s). After the motion is made and seconded, it shall require an affirmative majority vote (4 votes) to pass, unless the matter is subject to a super majority vote (two-thirds or three-quarters majority). If the motion fails, the Agenda item shall be deemed defeated, unless a new motion is introduced and seconded.

### **7.3 Motion to Deny or Disapprove**

A motion to deny or to disapprove shall be to reject the Agenda item as proposed. After the motion is made and seconded, it shall require an affirmative majority vote (4 votes) to defeat the item. If the motion fails, the Agenda item will not be deemed approved, unless a separate motion to approve or adopt is made and seconded and passes by the requisite majority vote.

### **7.4 Motion to Postpone**

A motion "to postpone" is used to postpone an item on the Agenda until a definite time or indefinitely. This motion is debatable, and because it can be applied only to the main question, it can, therefore, only be made while the main question is immediately pending (a motion and second is on the floor). This motion is commonly used to postpone an item until a more appropriate time.

### **7.5 Motion to Table**

Motions to table or more properly, to "lay on the table" is a proposal to suspend consideration of the pending motion. Under Robert's Rules of Order, a motion to table is properly used only when it is necessary to suspend consideration of a main motion in order to deal with another matter that has unexpectedly arisen and which must be dealt with before the pending motion can be properly addressed. Tabling a motion can be very useful to an assembly when 1) a presenter has been delayed or 2) timely information is not available, and staff needs to leave to retrieve or copy the information. Using the Motion to Lay on the Table enables Council to move on. When the delayed person arrives or the information is available, Council can then "take the item from the table" and resume discussion.

The use of a motion "to table" in order to 'kill' a motion is improper. A Member that seeks to avoid a direct vote on a main motion while cutting off debate should make a motion that requires a 2/3 vote, such as an "objection to consideration of the question" which is in order *before* debate has begun or a motion to "postpone indefinitely" (in order at any time with a simple majority), followed by an immediate motion for the "previous question" (2/3 vote required).

Although the motion is undebatable, the Chair can ask the maker of the motion to state his or her reason in order to establish the urgency and legitimate intent of the motion or the maker can state it on his or her own initiative.

### **7.6 Motion to Close, Limit, or to Extend Discussion**

Commonly referred to as "Calling the Question," this motion is used to limit or close debate on, or further amend, the main motion. This motion cuts off debate. The Presiding Officer shall immediately ask the Members to vote on whether to call for a vote on the main motion. The next vote will be on the main motion, which the Chair must state.

### **7.7 Motion to Amend**

- A. A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to the amendment shall not be in order.
- B. Amendments shall be voted on first, then the main motion as amended.

### **7.8 Motion to Continue**

Motions to continue shall be to a definite time. Such motions shall be amendable and debatable only as to the propriety of postponement and the time set.

## 7.9 Division of Question

If the question or motion contains two or more propositions that could be divided, the Presiding Officer may, upon his or her own initiative or upon the request of a Member, divide the question or motion into multiple questions or motions for separate consideration and action.

## Section 8 Voting Procedure **Town Code 4-3 b**

### 8.1 Casting a Vote

- A. In acting upon every motion, the vote shall be taken by casting an affirmative (“yes” or “aye”) or negative (“no” or “nay”) voice, roll call, or other vote method as determined by the Presiding Officer from which the vote of each Member *can be clearly ascertained*.
- B. The vote on each motion shall be entered into the Record by number of and the names of Members casting votes for and against, if called for by voice, roll call, or other method.
- C. If a Member has declared a Conflict of Interest and is absent during the roll call vote, the Town Clerk shall include “Absent for the vote due to declared conflict of interest” in the Official Minutes as part of the results of the vote.

### 8.2 Abstention and Recusal

- A. If a Member has a conflict of interest on a matter before the Council or Board, Commission or Committee, he or she shall declare a conflict of interest pursuant to Section 10 and recuse him or her from voting on a particular Agenda item on grounds of a declared conflict of interest.
- B. Sometimes a Member may have a reason other than a statutory or non-statutory conflict of interest that he or she believes hinders, compromises, or impairs his or her ability to cast a vote for or against a particular Agenda item. In such event, the Member may abstain from voting.

### 8.3 Tie Votes

When there is a tie vote on a motion requiring a majority vote (4 votes) for adoption or approval, the motion shall be deemed defeated.

### 8.4 **Reconsideration**

Any Member who voted with the majority may, at the same meeting, move for reconsideration of any action taken at that meeting. A request may be made at a subsequent meeting to have the item be placed on the next available Agenda for reconsideration and action. Thus, reconsideration provides ample opportunity for staff and Council to further research the matter.

After a motion for reconsideration has been acted upon, no other motion for reconsideration thereof shall be made without the unanimous consent of the Town Council or Board, Commission or Committee.

### 8.5 **Appointments by the Town Council of Board, Commission and Committee Members** **Town Code 4-1**



A nomination that does not receive a second fails. Four votes are required for appointment of Board and Commission members.

**Section 9      Meeting Records; Minutes **38-431.01(b)(1) also covered in Attorney General Handbook - Open Meeting law****

**9.1      Meeting Records**

The official record of each Town Council Meeting shall consist of any legal actions formally adopted or approved by the Town Council during the Meeting, including any attachments or exhibits thereto, and the final approved Minutes of the Meeting. The record shall also include any documents or other tangible matter submitted to the Town Council, Board, Commission or Committee or the Town Clerk for inclusion in the record by persons addressing the Council or Board, Commission or Committee in connection with agenda items during the Meeting. These records shall be maintained and preserved by the Town Clerk as the official custodian of records for the Town.

**9.2      Minutes **38-431.01(b)(1) also covered in Attorney General Handbook -Open Meeting law****

- A.      The Town Clerk's office shall provide staff support at all Council meetings to include Regular, Special, and Emergency Meetings and Work and Executive Sessions for the purpose of taking notes and/or audio recordation of the Meeting or Session, as appropriate.
- B.      For Regular, Special, and Emergency Meetings, written action Minutes instead of verbatim Minutes shall be taken so that a brief accounting of the issues discussed and actions taken is compiled and entered into the permanent Minute Book of the Town and kept on file and of record in the Office of the Town Clerk. The Minutes shall reflect Member attendance for the entire meeting (including notations indicating when a Member arrives late or leaves early). Audio or video recordings of meetings will be retained 90 days after being transcribed or in accordance with the current State of Arizona approved Records Retention and Disposition Schedules.
- C.      Executive Session Minutes shall be confidential. Executive Session Minutes shall be taken in summary form and shall be restricted to indicating the topic discussed, the speakers, and a brief summary of what was said by each speaker. Executive Session Minutes shall be kept in a separate secure confidential file in the Office of the Town Clerk. Executive Session Minutes may be accessed only as provided by the Arizona Revised Statutes or court order.
- D.      All Minutes of Meetings are Public Records under the Arizona Public Records Law (A.R.S. §§ 39-121 *et seq.*, as amended), with the exception of Executive Session Minutes. Audiotapes and videotapes of public Meetings are also Public Records.

**Section 10      Conflict of Interest **38-501 thru 38-511****

**10.1      Arizona Conflict of Interest Law -- Introduction**

Sometimes a member of the Town Council or Board, Commission or Committee may face a situation which requires that Member not to participate in a discussion and voting on an agenda item. This situation exists when the member has a pecuniary or proprietary interest in the outcome of the vote. (*This results in a "conflict of interest" as defined by the Arizona conflict of interest law, A.R.S. §§ 38-501, et seq.*) This law establishes minimum standards for the conduct of public officers and employees who, in their official capacity, are, or may become involved with, a decision that may unduly affect their personal interests or those of their close relatives.

## 10.2 Purpose of Conflict of Interest Laws

The purpose of Arizona's conflict of interest law is to prevent self-dealing by public officials and to remove or limit any improper influence, direct or indirect, that may bear on an official's decision, as well as to discourage deliberate dishonesty.

## 10.3 Applicability of Arizona Conflict of Interest Law

The Arizona conflict of interest law, as now in effect and as it may be amended in the future, applies to all matters considered by and all actions taken by the Town Council or Boards, Commissions and Committees.

## 10.4 Disclosure of Interest

Any Member who believes he may have a conflict of interest should seek the opinion of the Town Attorney as to whether a conflict exists under the Arizona conflict of interest law. Any Member who has a conflict of interest in any agenda item or other matter discussed by the Council or Board, Commission or Committee must disclose that interest. The Member must file a signed written disclosure statement fully disclosing the interest, and declare the existence of the conflict and the reasons therefore at a Town Council or Board, Commission or Committee meeting. The Disclosure of the conflict shall include a statement that the Member withdraws from further participation regarding the matter. The Town Clerk shall maintain for public inspection all documents necessary to memorialize all disclosures of a conflict of interest by a Member.

## 10.5 Withdrawal from Participation

Having disclosed the conflict of interest and withdrawn from the matter, the Member must not participate in the decision-making process of the Council or Board, Commission or Committee. Further, the Councilmember should remove himself/herself from the room while the matter is being considered and decided.

## 10.6 Rule of Impossibility

In the unlikely situation that a majority (4) of the Members have a conflict of interest on a matter such that the Town Council or Board, Commission or Committee is unable to act in its official capacity, less than a quorum may act on the matter upon approval of the Town Attorney.

## 10.7 Improper Use of Office for Personal Gain

Public officers and employees are prohibited from using or attempting to use their official positions to secure valuable things or benefits for themselves, unless such benefits are part of the compensation they would normally be entitled to for performing their duties.

## 10.8 Sanctions for Violations

Violations of the conflict of interest provisions set forth herein shall be punished as provided for by state law.

## 10.9 Non-Statutory Conflicts of Interest

The Council is committed to an open and transparent government and as such, endeavors to avoid all *appearances* of impropriety. As such, if a Member feels ethically constrained from participating in the discussion and voting on an agenda item, even though the circumstances may not technically amount to a conflict of interest under the Arizona conflict of interest law. Such conflicts may not violate the state law, but may create an appearance of impropriety. Under such circumstances, the Member should consider disclosing the conflict on the record, formally recusing himself, and stepping down from the dais until the Town Council or Board, Commission or Committee has concluded the public hearing and its discussion and voting upon the item.

## Section 11 Boards, Commissions, and Committees

The Town Council may create such Boards, Commissions, and Committees, as it deems necessary to assist in the conduct of the operation of Town government.

**11.1 Boards, Commission, and Committees Town Code Chapter 4**

- A. All Boards, Commissions, and Committees of the Town shall be classified as a regularly scheduled or unscheduled Board, Commission, or Committee. Regularly scheduled Boards, Commissions, and Committees are those that meet on a regularly scheduled basis or may be quasi-judicial in nature. Unscheduled Boards, Commissions, and Committees meet on an as called basis. All Boards, Commissions and Committees serve at the pleasure of the Council.
- B. The Town's regularly scheduled Boards, Commissions, and Committees are:
  - 1. Planning and Zoning Commission.
- C. The Town's unscheduled Boards, Commissions, and Committees are:
  - 1. Board of Adjustment and Appeals
- D. Any Board, Commission, or Committee the Town creates shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by the Town Council.

**11.2 Selection of Board, Commission, and Committee Members RETREAT: Discussion regarding background checks for Commission appointments, to be discussed at a future date**

- A. The Town Council generally makes appointments to the Town's Boards, Commissions, and Committees in January of each year and on an as-needed basis. The Town continually accepts applications from Camp Verde residents interested in serving on a Board, Commission, or Committee. The application form is available from the Town Clerk or on the Town's web site. Completed applications are kept on file for consideration when vacancies occur.
- B. A call for applications to fill vacant seats shall be published via media public service announcements, advertising where budget permits, posting, web site, and other means available to the Town.
- C. Persons applying for the vacant seats must fill out and submit the Town application form to the Town Clerk.
- D. After reviewing the completed applications, the Town Clerk shall place selection of the new Board, Commission, or Committee members on the next available Regular Meeting Agenda. The Council Packet for the meeting shall include copies of all applications received for the vacant seats.
- E. All applicants shall be notified of the time and date of the public meeting for selection of the new Board, Commission, or Committee members and shall be invited to attend so that they may answer questions by the Town Council. The public will not be able to ask questions of the applicants.
- F. At the conclusion of the question and answer session, the Council members shall vote to fill each vacancy by casting a vote in favor of one of the applicants.  
  
The applicant receiving the lowest number of votes will be dropped, and the Council will continue to vote until one applicant receives a majority of four (4) votes.
- G. Each vacancy will be voted on separately or together if applicable.

### 11.3 Qualifications for Appointment

- A. All members of Boards, Commissions, and Committees shall meet the following minimum qualifications upon their appointment, unless the Town Council by a majority vote waives or alters the requirement:
1. At least eighteen years of age.
  2. A full-time resident of the Town of Camp Verde for at least one year. Residency will be determined in the same manner as residency is determined for purposes of voting in Town elections.
- B. Town employees or appointed officers shall not be eligible for appointment to any Board, Commission, or Committee, but may be requested to provide support thereto. Council members may serve on Committees or as a liaison to a Board or Commission, unless provided otherwise. **Retreat: discussion regarding background checks**

### 11.4 Term, Vacancies, and Removal **Town Code 4-1-D**

- A. All members of the Town's Boards, Commissions, and Committees shall serve at the pleasure of the Council and any Board, Commission, or Committee member may be removed by the Town Council.
- B. A vacancy on a Board, Commission, or Committee shall be deemed to have occurred upon the following:
1. Death or resignation of a member of a Board, Commission, or Committee.
  2. A member ceasing to be a Town of Camp Verde resident.
  3. Three consecutive unexcused absences by a member from Board, Commission, or Committee meetings.

### 11.5 Applicability of Arizona's Open Meeting Law and Conflict of Interest Law

All Boards, Commissions, and Committees are subject to the Arizona Open Meeting Law and Conflict of Interest Law.

## Section 12 Council and Candidate Relations with Town Staff

### 12.1 Use of Town Staff

No Councilmember shall request any staff project without first seeking approval of the Town Manager.

Section 3-2-1.E of the Town Code: Council to Act through Manager: Except for the purpose of inquiry, the council and its members shall deal with the administrative branch solely through the manager, and neither the council nor any member thereof shall give orders or instructions to any subordinate of the manager either publicly or privately. The Town Manager shall take his orders and instructions from the Council only when sitting in a duly convened meeting of the Council and no individual Council member shall give orders or instructions to the Town Manager.

### 12.2 Information Provided to All Candidates

- A. For purposes of these Rules of Procedure, Town Council "candidates" shall be those who qualify as candidates when the nominating period closes. For purposes of these Rules of Procedure, the time period between when nominations close and the final election shall be known as the "Campaign Period."
- B. Once the candidates, including incumbents running for re-election, have been identified, all candidates shall receive Council Packets for each Town Council Meeting that is scheduled during the Campaign Period.

- C. During the Campaign Period, when one candidate submits a public information request to the Town, and is provided information, all candidates will receive the same information.

**12.3 Staff Communications through Town Manager** Retreat: discussion regarding difference between formal versus inquiry. No changes recommended

At all times, all formal communications by Town Council members to Town Staff shall be made through the Town Manager or the appropriate department head.

**12.4 Staff Communications through Town Clerk**

During the Campaign Period, all communications to Town staff regarding the pending election by Town Council members running for re-election and candidates to Town Staff shall be made through the Town Clerk, and the Clerk shall notify all other candidates of each communication. This provision shall not preclude a Councilmember speaking directly to the Town Manager regarding any matter related to Town business.

**12.5 Prohibition against Using Town Resources for Election**

Pursuant to A.R.S. § 9-500.14, no Town Council member or other representative of the Town may use Town personnel, equipment, materials, buildings or other resources for the purpose of influencing the outcome of an election. In addition, copies of candidate filings will not be provided free of charge. This rule applies to all candidates, including incumbents.

**Section 13 Correspondence Policies and Use of Personal Computers and Personal Electronic Devices for Town Business**

**13.1 Definitions**

- A. Personal Computers (PCs) means: home, business, and lap top computers not owned by the Town.
- B. Personal Electronic Devices or (PEDs) means cell phones, palm pilots, and any other equipment capable of sending or receiving electronic messages.
- C. E-Mail means messages and communications sent to or received by others through any type of technological device concerning Town business and/or matters that are or could be a future agenda item.
- D. Legal Opinion means a written opinion given by the Attorney.
- E. Incidental Correspondence means routine items that do not set policy.
- F. Policy Correspondence means that which purports to set or explain official Town policy.
- G. Implementation Correspondence means that which implements a policy or a position that is already established by Council.
- H. Citizen Complaint Correspondence means a written complaint form that has been signed and filed by a citizen. An unsigned citizen complaint will be accepted only if deemed that the complainant could become at risk for life safety reasons. Retreat: agreed to remove completely.
- I. Mail Distribution means incoming mail that is distributed by Clerk's Office staff to the appropriate party.

### 13.2 Public Access and Storage of E-Mail **ARS title 39-121**

- A. The Town cannot guarantee that PCs and PEDs used by Town Council members in conducting Town business will be protected from public access. All public records are subject to public records requests. In addition, e-mails, and other documents related to Town business not otherwise classified as public records may be subject to discovery orders in litigation. Thus, all e-mails or other correspondence received or sent by a Council member Shall be copied to the Town Clerk for the public record.
- B. Town Council members who send or receive e-mails related to Town business from PCs or PEDs shall copy the e-mail to the Town Clerk at the [townclerk@cvaz.org](mailto:townclerk@cvaz.org) e-mail address each time an e-mail is sent or received. The copies will be distributed either electronically or hard copied to all Council members.
- C. The Town shall maintain a repository for all e-mails that are received or sent by Town Council members for the time prescribed by law. The repository will be subject to public records, discovery, and other lawful requests. The Town does not have resources to delete personal comments from e-mails. Town Council members shall have no expectation of privacy with respect to the contents of e-mails copied to or forwarded to the repository.
- D. E-mails and documents related to Town business shall be retained on PCs and PEDs only for such time as needed and may be deleted from PCs and PEDs after they have been copied to or forwarded to the Camp Verde e-mail address.

### 13.3 Correspondence

- A. **Incidental Correspondence** are routine items that do not set policy for the Town, such as acknowledging receipt of documents, public relations responses, letters of appreciation, and congratulations for special activities and events. Incidental correspondence may be answered by the Mayor or other Council members. Note cards with the Town logo are available for Council use. Individual Council members may review the correspondence and comment to the Mayor or a Council member on a particular response or request a review by the full Council.
- B. **Policy Correspondence** is that which purports to set or explain official policy of the Town, such as letters of support, expressions of position or opinion, or assertions of intent. It must first receive approval of a majority (4) of the Council at public meeting and will then be signed by the Mayor or other such member authorized by Council on behalf of the Council.  
  
At the first meeting in January of each year, Council shall adopt a Policy Statement that authorizes the Mayor, as the Town's Chief Elected Official, to support or oppose bills introduced during Legislative Sessions when they adversely affect the Town's interests and require an immediate response.
- C. **Implementation Correspondence** is that which implements a policy or position already established by the Council, such as continuing letters of support on legislation, positions on actions by other governmental agencies, responding to public information requests, and other administrative steps identified in the initial representation of the issue and approved by the Council. It will be signed by the Mayor and/or other such members authorized by Council.
- D. **Public Inspection** each type of correspondence will be kept chronologically in a separate binder available for public inspection.
- E. **Citizen Complaints** is that correspondence that is addressed to the Town, the Mayor, and/or any other Council member and that is signed or otherwise verified and identified to be a citizen complaint concerning any issue(s) relating to official Town business or responsibility as authorized by statute or other legal authority shall be directed to the Town Manager upon receipt to assign appropriately for

resolution. Appropriate tracking measures shall be established in order for resolution to be reported back to the Town Manager, complainant, and the Town Council. An unsigned citizen complaint will be accepted only if deemed that the complainant could become at risk for life safety reasons.

- F. **Mail Distribution** takes place upon receipt of mail addressed to the Town of Camp Verde, the Council as a whole, or to a particular staff member or department. Mail addressed to the Mayor and/or Council will be opened, date stamped, and copied to the entire Council. Documents will only be maintained as confidential if permitted under the Arizona Public Records Act. Thus, all mail marked "Personal and confidential" or "Confidential" will be opened and placed in the appropriate Council member's box. Should the Mayor or individual Council member determine that a citizen is making a complaint or citizens, the correspondence shall be immediately referred to the Town Manager in order for the appropriate assignments to be made and allowing for the resolution process to be started. Note: all personnel matters MUST be kept confidential unless the attorney advises otherwise.

Staff and department mail will not be opened; however, the envelopes will be date-stamped and placed in the appropriate box.

Personal mail becomes business mail if delivered to the business.

## Section 14 Council Budget

### 14.1 Adoption of Town Council Budget

The annual budget for the Town adopted by the Council will contain a line item designated for Council members' expenditures. This line item shall be the maximum amount that may be reimbursed to or expended by individual Council members pursuant to this section. This line item is a part of the approved Town Council Budget.

### 14.2 Use of Budgeted Funds; Procedures **Financial Operations Guide**

- A. The Council budget may be used only for expenses incurred by individual Council members for participation in business activities and events at which a Council member is representing the Town in the Councilmember's official capacity.
- B. In order to receive reimbursement for amounts expended for participation in activities or events described in Paragraph A, a Councilmember shall submit a receipt(s) to the Finance Director showing the amount expended and the purpose of the expenditure. If no receipt was received for the expenditure, reimbursement may be given if satisfactory evidence of the expenditure is submitted to the Finance Director. If there is uncertainty regarding whether the expenditure is an expense for which the Council member may be reimbursed pursuant to this section, the Finance Director shall obtain approval from the Town Manager prior to providing reimbursement to the Councilmember.

## Section 15 Code of Conduct for Elected and Appointed Officials **Retreat: request examples from attorney for elected and appointed officials to include enforcement of policy and resolving complaints.**

### **State Constitution Article 8-removal from office**

### 15.1 Summary

The Three Rs of Camp Verde Government Leadership: Roles, Responsibilities and Respect

The Town Code provides information on the roles and responsibilities of Council Members, the Vice Mayor and the Mayor. This is a Code of Conduct for the Town of Camp Verde's elected officials.

This Code of Conduct is designed to describe the manner in which Council Members and appointed officials of the Town (collectively, "Public Officials") should treat one another, Town staff, constituents, and others they come into contact with in representing the Town of Camp Verde. It reflects the work of defining more clearly the behavior, manners and courtesies that are suitable for various occasions. This is designed to make the public meetings and the process of governance run more smoothly.

The content of this Code of Conduct includes:

- Overview of Roles and Responsibilities
- Policies and Protocol Related to Conduct
- Council Conduct with One Another
- Council Conduct with Town Staff
- Council Conduct with the Public
- Council Conduct with Other Public Agencies
- Council Conduct with Boards and Commissions
- Council Conduct with the Media
- Sanctions
- Principles of Proper Conduct
- Checklist for Monitoring Conduct

The constant and consistent theme through all of the conduct guidelines is "respect." Public Officials experience significant workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, Public Officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Public Officials to do the right thing in even the most difficult situations.

## 15.2 Overview of Roles and Responsibilities

Other resources that are helpful in defining the roles and responsibilities of Public Officials can be found in the Town of Camp Verde Code and in the Elected Officials Guide published by the League of Arizona Cities & Towns.

### Mayor

- Is directly elected by the people pursuant to ARS §9-232.03. (Town Code, Section 2-2-1)
- Acts as the official head of the Town for all ceremonial purposes
- Chairs Council meetings (Town Code, Section 2-2-4)
- Calls for special meetings (Town Code, Section 2-3-2)
- Recognized as spokesperson for the Town of Camp Verde
- Makes judgment calls on proclamations, agendas, etc.
- Recommends subcommittees as appropriate for Council approval
- Leads the Council into an effective, cohesive working team
- Sign documents on behalf of the Town of Camp Verde

### Vice Mayor

- Serves at the pleasure of the Council (Town Code, Section 2-2-2)
- Performs the duties of the Mayor if the Mayor is absent (Town Code, Section 2-2-2)
- Chairs Council meetings in the absence of the Mayor -Town Code
- Represents the Town at ceremonial functions at the request of the Mayor



## All Council Members

All members of the Town Council, including those serving as Mayor and Vice Mayor, have equal votes. No Council Member has more authority than any other Council Member, and all should be treated with equal respect.

All Council Members should:

- Fully participate in Town Council meetings and other public forums while demonstrating kindness, consideration, and courtesy to others.
- Prepare in advance of Council meetings and be familiar with issues on the agenda.
- Represent the Town at ceremonial functions at the request of the Mayor or at the request of the Council.
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Camp Verde government
- Provide contact information with the Town Clerk in case of an emergency or urgent situation arises while the Council Member is out of Town
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Conduct

## Meeting Chair

The Mayor will chair official meetings of the Town Council, unless the Vice Mayor or another Council Member is designated as Chair of a specific meeting.

- Maintains order, decorum, and the fair and equitable treatment of all speakers
- Keeps discussion and questions focused on specific agenda items under consideration
- Makes parliamentary rulings. Chair rulings may be overturned if a Council Member makes a motion as an individual and the majority of the Council votes to overrule the Chair.

## Former Council Members

Former members of the Town Council who speak to the current Town Council about a pending issue should disclose for whom they are speaking.

### 15.3 Policies and Protocol Related to Conduct

#### A. Ceremonial Events

Requests for a Town representative at ceremonial events will be handled by Town staff. The Mayor will serve as the designated Town representative. If the Mayor is unavailable, then Town staff will determine if event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Council Member should be asked to serve as a substitute. Invitations received at Town Hall are presumed to be for official Town representation. Invitations addressed to Council members at their homes are presumed to be for unofficial, personal consideration.

#### B. Correspondence Signatures

Council Members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. The Town Clerk will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor unless the Mayor requests that they be signed by another Council Member or the Town Clerk.

If correspondence is addressed only to one Council Member, then that Council Member may check with staff on the best way to respond to the sender.

**C. Endorsement of Candidates**

Council Members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official Town meetings.

**D. Public Announcements in Council Meetings**

Council Members who want to speak during the Call to the Public or Council Members Report portion of the Council meeting should notify the Chair in advance. Council Members, like members of the public who use this portion of the agenda to recognize achievements or promote an event, will be limited to three minutes each, and should keep the focus on matters of community-wide interest. Matters that may require Council action or direction should not be discussed and those items on the agenda should not be used for any form of campaigning.

**E. Public Hearing Protocol**

The applicant shall have the right to speak first. The Chair will determine the length of time allowed for this presentation. Speakers representing either pro or con points of view will be allowed to follow. All speakers should be heard. All statements should be made to and through the Chair. The applicant will be allowed to make closing comments. The Chair has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly.

Council Members should not express opinions during the public hearing portion of the meeting, except to ask pertinent questions of the speaker or staff. All Council Member comments or questions should be directed to the Chair. "I think" and "I feel" comments by Council Members are not appropriate until after the close of the public hearing. Council Members should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

Main motions may be followed by amendments, followed by substitute motions. Any Council Member can call for the question or a point of order. Only Council Members, who voted on the prevailing side, may make motions to reconsider. Motions to reconsider must be made prior to adjourning the meeting.

**F. Travel Expenses**

The policies and procedures related to the reimbursement of travel expenses for official Town business by Council Members is according to the Town of Camp Verde Financial Operations Guide, as may be amended. All Council travel in excess of the allowed budget, in which the Council Member expects to officially represent the Town and/or be reimbursed by the Town for travel costs, must be approved in advance by the Council. In addition, all out of state travel for which the Council Member expects to officially represent the Town and/or be reimbursed by the Town for related travel costs, must be approved by the entire Council PRIOR to taking the trip. The travel policy and budget for Council should be reviewed at each annual budget cycle.

**15.4 Council Conduct with One Another**

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

**A. IN PUBLIC MEETINGS**

**1. Practice civility and decorum in discussions and debate**

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

**2. Honor the role of the Chair in maintaining order**

It is the responsibility of the Chair to keep the comments of Council Members on track during public meetings. Council Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

**3. Avoid personal comments that could offend other Council Members**

If a Council Member is personally offended by the remarks of another Council Member, the offended Council Member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Council Member to justify or apologize for the language used. The Chair will maintain control of this discussion.

**4. Demonstrate effective problem-solving approaches**

Council Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

**B. IN PRIVATE ENCOUNTERS**

**1. Continue respectful behavior in private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

**2. Be aware of the lack of security of written notes, voicemail messages, and e-mail**

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message were played on a speakerphone in a full office? What would happen if this e-mail message were forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

**3. Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted. Remember the open meeting law prohibits conversations of four or more council members or the "linking" together through a common source of four or more individual conversations.

**4. Other Town Public Officials**

The foregoing guidelines concerning "Conduct with One Another" shall be followed not only by Council Members but also by other Town Public Officials.

**15.5 Council Conduct with Town Staff**

Governance of a Town relies on the cooperative efforts of elected officials, who set policy, and Town staff, who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

**A. Treat all staff as professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Inappropriate behavior towards staff is not acceptable.

**B. Limit contact to specific Town staff**

Consequently, remember Town staff is accountable to their supervisors. Tasks performed by staff that comes from outside the normal chain of supervision could cause staff confusion, inadequate work product and inefficient performance. Questions of Town staff and/or requests for additional background information should be directed only to the Town Manager, Town Clerk or Department Heads, or the Department Head's designee. The Office of the Town Manager should be copied on any request. In accordance with Town Code Section 3-2-1-E, no Council Member shall give orders or instructions to any subordinate of the Town Manager other than instructions for the purpose of inquiry without the consent of the Town Manager.

Requests for follow-up questions to staff should be made only through or with the consent of the Town Manager. When in doubt about what staff contact is appropriate, Council Members should ask the Town Manager for direction. Materials supplied to a Council Member in response to a request will be made available to all members of the Council so that all have equal access to information.

**C. Do not disrupt Town staff from their jobs**

Council Members should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

**D. Never publicly criticize an individual employee**

Council should never express concerns about the performance of a Town employee in public, to the employee directly, or to the employee's manager. Misdirected comments could violate the Town's personnel rules and limit the Town's ability to deal fairly and efficiently with personnel matters. Comments about staff performance should only be made to the Town Manager through private correspondence or conversation.

**E. Do not get involved in administrative functions**

Council Members must not attempt to influence Town staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of Town licenses and permits.

**F. Check with Town staff on correspondence before taking action**

Before sending correspondence, Council Members should check with the Town Manager to see if an official Town response has already been sent or is in progress.

**G. Do not attend meetings with Town staff unless requested by staff.**

Even if the Council Member does not say anything, the Council Member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

**H. Limit request for staff support**

Routine secretarial support will be provided to all Council Members by Clerk's Office staff. Routine secretarial support consists of simple requests that consume minimum staff time, such as an occasional letter or note, travel arrangements for Council-approved events, or providing copies of requested material. Secretarial support does not include making phone calls or other support for non-Council-sanctioned events and/or maintaining an appointment calendar.

The Clerk's Office staff will prepare and/or process all correspondence and documents that have been approved in a duly convened Council meeting by a majority of the members. All requests for secretarial support must be made through the Town Clerk.

Requests for additional staff support – even in high priority or emergency situations – should be made through the Town Manager who is responsible for allocating Town resources in order to maintain a professional, well-run Town government.

The Clerk's Office opens all mail for Council Members and distributes per the Correspondence policy. Mail delivered to Town Hall and marked 'confidential' will not be treated as confidential unless permitted under the Arizona Public Records Act, but will be distributed according to the Correspondence policy.

I. **Do not solicit political support from staff**

Council Members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff; to do so could violate the law. Town staff may, as private citizens with constitutional rights, support political candidates for other government entities but all such activities must be done away from the workplace.

J. **Other Town Public Officials**

The foregoing guidelines concerning "Conduct with Town Staff" shall be followed not only by Council Members but also by other Town Public Officials.

15.6 **Council Conduct with the Public**

A. **IN PUBLIC MEETINGS**

1. **Making the Public Feel Welcome** is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with respect

Be fair and equitable in allocating public hearing time to individual speakers

Generally, each speaker will be allocated three minutes. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he/she exhibits inappropriate behavior. After the close of the public hearing, no more public testimony will be accepted.

2. **Give the appearance of active listening**

It is disconcerting to speakers to have Council Members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

3. **Ask for clarification, but avoid debate and argument with the public**

Only the Mayor, no individual Council Members, can interrupt a speaker during a presentation. However, a Council Member can ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Council Member finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council Members to members of the public testifying should seek to clarify or expand information. It

is never appropriate to belligerently challenge or belittle the speaker. Council members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

4. **No personal attacks of any kind, under any circumstances**

Council Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

**B. IN UNOFFICIAL SETTINGS**

1. **Make no promises on behalf of the Council**

Council Members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to Town staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise Town staff will do something specific (fix a pothole; remove a library book; plant new trees, etc.)

2. **Make no personal comments about other Council Members**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.

3. **Remember Camp Verde is a Small Town**

Council Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town of Camp Verde. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

**Other Town Public Officials**

The foregoing guidelines concerning "Conduct with the Public" shall be followed not only by Council Members but also by other Town Public Officials.

**15.7 Council Conduct with Other Public Agencies**

**A. Be clear about representing the Town or personal interests**

If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the Town; 2) whether this is the majority or minority opinion of the Council.

Council Members should be clear about which organizations they represent and inform the Mayor and Council of their involvement in order to assure their independence and impartiality on behalf of the common good. Public Officials should not use their official positions to influence government decisions in which they have a substantial financial interest or a relationship that may give the appearance of a conflict of interest. Public Officials should abstain from participating in deliberations and decision-making where conflicts of interest may exist as defined under Arizona law. Public Officials should discuss issues of conflict of interest with the Town Attorney.

**B. Correspondence also should be equally clear about representation**

Town letterhead may be used when the Council Member is representing the Town and the Town's official position. A copy of official correspondence should be given to the Town Clerk to be filed as part of the permanent public record.

Town letterhead should not be used for correspondence of Council Members representing a personal point of view, and is best not used to express a dissenting point of view from an official Council position. However, should Council Members use Town letterhead to express a dissenting point of view, the official Town position must be stated clearly, so the reader understands the difference between the official Town position and the viewpoint of the Council Member.

C. **Other Town Public Officials**

The foregoing guidelines concerning "Conduct with Other Public Agencies" shall be followed not only by Council Members but also by other Town Public Officials.

## 15.8 Council Conduct with Boards and Commissions

The Town has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Council. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

A. **If attending a Board or Commission meeting, be careful to only express personal opinions**

Council Members may attend any Board or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation - especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by a Council Member at a Board or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Town Council.

B. **Limit contact with Board and Commission members to questions of clarification**

It is inappropriate for a Council member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. It is acceptable for Council Members to contact Board or Commission members in order to clarify a position taken by the Board or Commission.

C. **Remember that Boards and Commissions serve the community, not individual Council Members**

The Town Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. But Board and Commission members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."

D. **Be respectful of diverse opinions**

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on Boards and Commissions, but must be fair and respectful of all citizens serving on Boards and Commissions.

E. **Keep political support away from public forums**

Board and Commission members may offer political support to a Council member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Town Council Member.

F. **Inappropriate behavior can lead to removal**

Inappropriate behavior by a Board or Commission member should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council.

## 15.9 Council Conduct with the Media

Council Members are frequently contacted by the media for background and quotes.

- A. **The best advice for dealing with the media is to never go “off the record”**  
Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.
- B. **The Mayor is the official spokesperson for the Town.**  
The Mayor is the designated representative of the Council to present and speak on the official Town position. If an individual Council Member is contacted by the media, the Council Member should be clear about whether their comments represent the official Town position or a personal viewpoint.
- C. **Choose words carefully and cautiously**  
Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.
- D. **Other Town Public Officials**  
The foregoing guidelines concerning “Conduct with the Media” shall be followed not only by Council Members but also by other Town Public Officials.

## 15.10 Enforcement of the Ethics Policy

- A. **Complaints**
  1. Public Officials themselves have the primary responsibility to assure compliance with this Code of Conduct.
  2. The Chairs of commissions, boards, and committees and the Mayor have the additional responsibility to intervene when actions of the Public Officials appear to be in violation of this Code of Conduct as allowed under Arizona Revised Statutes.
  3. If the Mayor or the chair of the applicable board, commission or committee fails to intervene, two members of the Council, board, or commission may make a written request that the Mayor or the chair of the applicable public body to intervene. If the complaint arises out of actions or inactions of the Mayor or the chair, the matter shall be directed to the vice-mayor or vice-chair. If the Mayor, chair, vice-mayor or vice-chair fails to intervene, then the matter shall be referred to the Town Attorney. The written request to intervene shall include the specifics of the perceived violation by the offending member(s).
  4. The Town Attorney shall review the complaint and shall simultaneously notify in writing the Town official subject to the complaint of such review.  
  
Within 30 days, the Town Attorney shall submit the results of his or her review to the complainant, to the official who is the subject of the complaint, and to the Mayor or chair of the public body on which the official who is the subject of the complaint sits. If the matter cannot be resolved within ten days, the matter shall be referred to the Town Council. The Town Council shall consider the Town Attorney's report at a public meeting. If the Town Council finds an ethical violation by a person serving on a commission, board or committee, then the Town Council may remove the member from the Town board, commission, or committee.
  5. The Town Council may impose sanctions on Public Officials whose conduct does not comply with this Code of Conduct, such as reprimand, censure, loss of seniority or committee assignment, or



official travel restrictions. The Town Council may choose to vote to make a public warning to the offending party in order to cause the unethical behavior to cease and warn removal could be made upon an additional incident.

**B. Resolving Complaints against the Mayor and/or other Members of the Town Council.**

1. When complaints are levied against the Mayor or members of the Town Council, the Town Attorney shall have the authority to decide either to (a) act directly on any complaint filed against the Mayor and/or other members of the Town Council pursuant to subparagraph A above, or (b) refer a complaint to an independent reviewing authority such as a city or town attorney from another jurisdiction or an attorney from the office of the county attorney.

**15.11 Sanctions**

**A Public Disruption**

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

**B. Inappropriate Staff Behavior**

Council Members should refer to the Town Manager any Town staff that does not follow proper conduct in their dealings with Council Members, other Town staff, or the public. These employees may be disciplined in accordance with standard Town procedures for such actions.

**C. Council Members Behavior and Conduct**

In addition to sanctions imposed pursuant to paragraph A.6 above, Town Council Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the Town of Camp Verde or with inter-government agencies) or have official travel restricted.

**15.12 Principles of Proper Conduct**

**Proper conduct IS . . .**

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

**Proper conduct IS NOT . . .**

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors

- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

*It all comes down to respect.*

Respect for one another as individuals . . . respect for the validity of different opinions . . . respect for the democratic process . . . respect for the community that we serve.

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### 15.13 Checklist for Monitoring Conduct

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?
- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

## Section 16 Summary of Good Government Rules for Elected and Appointed Officials

**16.1 Summary and Notice of Statutory Authority.** The following is a brief summary of many of the items addressed in this document, along with the statutory authority. If you have a question or concern about any situation, it is best to speak to your Department Liaison, the Town Clerk, or the Town Manager *before* taking action.

**16.2 The Public's Property.** Public property belongs to the people in general, and should not be used to benefit specific public officers. *Examples* of misuse of public property are requiring employees to do tasks for superiors that are not work-related; using public computers or personnel for a personal side business; claiming false travel expenses; destroying public records; using public vehicles for personal errands; and using public employees, equipment, supplies, or facilities for political campaigns.

- Personal use of public resources is *theft* (ARS §13-1802)
- Making false representations to obtain a benefit is punishable *fraud* (ARS §13-2310)
- Computer fraud occurs when a person exceeds authorization of use of any computer (ARS §13-2316)
- Destroying, altering, or falsifying a public record is *tampering with a public record* (ARS §13-2407/§38-421)
- Using public personnel or equipment to influence the outcome of an election is *prohibited political activity* (ARS §500.14.A)

- 16.3 Public Money.** Arizona law strictly regulates the receipt, custody, control, and expenditure of public money to protect taxpayers (ARS §35-196/301). Arizona Constitution, Article IX, Section 7, prohibits governmental bodies from expending public monies to give advantage to special interests or engage in non-public enterprises. **Use of public money must always be for a public purpose.**
- 16.4 Public Procurements.** Laws regulate the expenditure of public money for procurement or any materials, services, construction, or property in order to promote competition, obtain the best product or service at the lowest price, and treat vendors equally. *Examples* of violations of this policy are sharing confidential bid information with vendors or third parties; purchasing an item outside of the required process simply because the product or price seems superior; obligating public funds without authorization; contracting for services without a purchase order (PO) and without quotes; bid-rigging to eliminate competition; and misuse of change orders to exceed budget or authorization. Intentional violations of the State code are class 4 felonies, with lesser penalties for violations of local ordinances. Personal civil liability even for inadvertent violations may also attach, including a 20% penalty, interest, costs, and damages. (ARS §41-2616.A). Contracts may be canceled and all amounts paid recovered by the public body. (ARS §38-506.A/511). State and federal *antitrust laws* apply, regardless of which procurement code is being followed, and procurement personnel risk being implicated in an anti-competitive combination if a vendor seeks direct influence by writing the specifications, seeks removal of a competitor from a vendor list, seeks inside information about competitors' bids before a bid award, asks about competitors' prices, or seeks modification of the contract after the bid is awarded. There are treble civil damages and criminal penalties for violations.
- 16.5 Conflicts of Interests.** Public policy requires that personal interests not exist as a possible factor influencing a public official in the performance of his duties. Any pecuniary or proprietary interest, direct or indirect, of public officers or employees (or their relatives), is deemed a "substantial interest" which triggers a conflict, unless it falls within one of the 11 statutory exceptions set out in ARS §38-502.10. A conflict must be declared on the public record and by filing a paper signed by the public officer or employee which fully discloses the substantial interest (ARS §38-502.3). The filing shall be in a special file established pursuant to ARS §38-509. If a conflict is made known, it is not enough to simply refrain from voting. The public officer or employee may not participate in the discussion or decision of the matter on which there is a conflict with other members of the public body before, during, or after the meeting. These steps must be taken even if there is little or no likelihood that the public servant would participate in the matter, and even if the person is confident that neither his nor her objectivity nor the public interest would be harmed by participation. The conflict of interest statutes are mandatory. Criminal penalties apply for knowing violations of the statutes, and public servants may be subject to prosecution even if they were unaware of a conflict when they took official action (ARS §38-510.A.2). In addition to civil and criminal penalties, assessment of damages, attorneys fees and costs, removal from office, and other equitable relief, a contract made on behalf of the public agency in violation of the conflict of interest laws is voidable at the discretion of the agency (ARS §38-506.A/511).
- 16.6 Compensation.** Arizona law prohibits all public officers and employees from receiving any money, tangible thing of value, or financial benefit, whether directly or indirectly, for any service rendered in connection with their duties (ARS §38-505)(Class 4 felony under ARS §38-444). The acceptance of a gift, even if given in the best intentions (without attempting to influence the public servant though rarely will gifts be brought by persons other than those who are dealing with the Town!), can still violate the law. State code section R2-5-501.C.4 prohibits employees from receiving anything of economic value as a gift, gratuity, favor, entertainment, or loan, which may even appear to be designed to influence the employee's official conduct.
- 16.7 Favoritism.** Federal and state laws are numerous which prohibit discrimination, and the reverse conduct of favoritism. Related to this are requests by constituents for assistance in dealing with other agencies or branches of government. Public officials should not use their positions to improperly influence the outcome of proceedings in which they play no official role, such as matters in other agencies or branches of

government. Responses to requests by constituents should be limited to inquiry about the status of a matter, and to help the constituent understand the procedures that may be involved, and not directly or indirectly interfere.

- 16.8 Public Records.** Public records and other matters in the office of any officer at all times during office hours shall be open to inspection by any person (ARS §39-121). The public records include records reasonably necessary or appropriate to maintain an accurate knowledge of the public officer's or public body's official activities. "Other matters" means documents which are not required by law to be filed as public records, and are held by the public officer in his or her official capacity, and in which the public's interest in disclosure outweighs the governmental interest in confidentiality. These may include informal communications such as notes, memos, calendars, and e-mail that is related to or could be related to some future Town business. *Examples* of problems areas are refusing to produce public records; purposefully delaying the release; refusing to release records based on speculation that they may contain information that does not need to be produced; refusing to disclose records because they are "only drafts" or are incomplete; refusing to disclose because of a promise of confidentiality when there is no statutory basis of confidentiality. One example of confidentiality of interest is that during and for 2 years following a public servant's position, that person may not disclose or use for personal profit confidential information acquired in the course of official duties (ARS §38-504.B). Portions of personnel files containing a peace officer's home address, home telephone number and personal cell phone, and photograph if serving or scheduled to serve as an undercover agent, are confidential.



**Agenda Item Submission Form – Section I**

**Meeting Date:**

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

**Requesting Department:** Mayor and Town Manager

**Staff Resource/Contact Person:** Russ Martin

**Agenda Title (be exact):** Discussion Consideration and Possible Approval for Council to Approve a letter to Congressional Representatives regarding the Economic Development Administration Grant and Sewer Expansion in the Qualified Opportunity Zone

**List Attached Documents:**

**Estimated Presentation Time:** 10 min

**Estimated Discussion Time:** 10 min

**Reviews and comments Completed by:**

- Town Manager:     Department Head: \_\_\_\_\_
- Town Attorney Comments: N/A
- Risk Management: \_\_\_\_\_
- Finance Department  
     **Fiscal Impact:**  
     **Budget Code:** \_\_\_\_\_ **Amount Remaining:** \_\_\_\_\_  
     **Comments:**

**Background Information:**

**Recommended Action (Motion):** Move to approve and submit a letter to Congressional Representatives regarding the EDA Grand and Sewer Expansion in the Qualified Opportunity Zone

# DRAFT pending Council Approval 05/05/21

To be emailed to:

RE: EDA Grant and Sewer Expansion in the Qualified Opportunity Zone

To: Coral J Evans, Northern Arizona Director for Senator Kelly

Ben Stewart, Outreach Director for Senator Sinema

The Town of Camp Verde has the only Qualified Opportunity Zone (QOZ) in the Verde Valley. A region with a population of 75,000 that lacks both good paying jobs and affordable housing. The entire QOZ is served by a utility package including water, electrical power, natural gas, and fiber optic communications, but, less than half of the properties within the QOZ are served by a wastewater collection system.

Since the QOZ was designated in 2018, over \$100,000,000.00 has been invested. However, almost all of that investment has occurred within the part of the QOZ served by the existing wastewater collection system. The portion not served, is zoned approximately 50 percent residential and 50 percent commercial. If the QOZ, one of Arizona's most promising, is to realize its full potential, the SR260 Wastewater Expansion Project must be completed.

We have reached out to the Economic Development Administration (EDA) for a grant to help defray some of the estimated \$8 million needed to extend the wastewater collection system main line through the 4-mile-long corridor of the QOZ not currently served. However, EDA has told us we would be ineligible because a portion of acreage could potentially become residential property.

We are reaching out to your office because we feel the needs of the entire Verde Valley require not only good paying jobs, but affordable housing for those who will work those jobs. The Camp Verde QOZ has the potential to fulfill both needs. Your support and involvement in acquiring the EDA funding necessary to complete the project would be appreciated. Please contact me should you have questions or need additional information.

On behalf of the Town of Camp Verde Mayor and Council.

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Dee Jenkins  
Mayor, Town of Camp Verde

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Joe Butner  
Vice Mayor, Town of Camp Verde

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Jackie Baker  
Councilor, Town of Camp Verde

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Bill LeBeau  
Councilor, Town of Camp Verde

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Cris McPhail  
Councilor, Town of Camp Verde

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Jessie Murdock  
Councilor Town of Camp Verde

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Robin Whatley  
Councilor, Town of Camp Verde

May 5, 2021



# Town of Camp Verde

◆ 473 S. Main Street, Suite 102 ◆ Camp Verde, Arizona 86322 ◆  
◆ Telephone: 928.554-0000 ◆ Fax: 928.567.9061 ◆  
◆ [www.campverde.az.gov](http://www.campverde.az.gov) ◆

March 22, 2021

RE: EDA Grant Application

Dear Mayor Jenkins,

Per your request, the following is a summary of the Town of Camp Verde Economic Development Department's (CVEDD) efforts to submit a Public Works Grant application to the U. S. Economic Development Administration (EDA). The CVEDD has been tasked with submitting an EDA Grant application to help fund the construction of a 4.5-mile-long extension of the Town's main line wastewater collection system, from just west of Interstate 17 to Aultman Parkway, along the State Route 260 corridor. The main line extension will serve a corridor of mixed-use properties that comprise the heart of the Verde Valley region's only Qualified Opportunity Zone (QOZ). The corridor consists of approximately 2060 acres, with approximately half currently zoned commercial/industrial and half zoned residential.

The CVEDD began work on the project in late 2018. At a meeting of the Northern Arizona Council of Government's Economic Development Council (NACOG EDC) in April 2019, the NACOG EDC unanimously approved the Town's request to submit the grant, once completed. The project is currently included in NACOG's Comprehensive Economic Development Strategy project list as a regional priority. In July 2019 we began working with Richard Berndt from EDA's Seattle office. Mr. Berndt assisted the CVEDD with the grant application, familiarizing us with EDA's application forms, reviewing a draft of ED900-P project narrative and making suggestions on how to navigate EDA's grant process.

Throughout all our conversations with Mr. Berndt, he was supportive of the application and encouraged us to continue working our way through the process. An email dated March 4, 2020, after reviewing the ED900P narrative Mr. Berndt noted, "The job potential looks strong, and industrial jobs fit well into EDA's mission." He also assured us that projects that construct critical infrastructure in QOZ's were a priority for EDA and had a reasonable likelihood of being funded. Sometime in the summer of 2020, Mr. Berndt informed us that his role as the EDA representative for Arizona would be ending, and a representative would soon be appointed whose would be solely responsible for EDA projects in Arizona.

Shortly after the new EDA representative was brought in, we requested an introductory meeting. On September 29, 2020, we invited the representative to come to Camp Verde "to see the project area, see what the QOZ has already produced for the region, get an idea of what all is going on in the region and begin working with (her) to submit a successful grant





application.” Along with the invitation we forwarded a map of the area that will be served by the wastewater project, a draft copy of the ED900-P narrative we had worked on with Mr. Berndt and an estimated project budget.

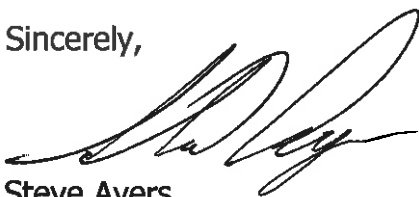
On October 15, 2020, Economic Development Specialist Jessica Bryson and I, hosted a Zoom meeting with the EDA representative. During the Zoom meeting the representative informed us that, after reviewing the ED900P narrative, the project would not qualify for EDA funding. According to the EDA Representative, because there were potential residential connections to the sewer mainline, it was not a project she would endorse or a project that would be approved by EDA. I and Jessica both got the impression that we being accused of trying to “pull the wool over the eyes” of EDA by attempting to get EDA to fund a residential sewer line.

In addition, the representative noted that EDA would not fund any project until there was a commitment from a business or businesses to develop property and hook to the line. Lastly, we asked the representative if, when COVID restrictions were lifted, she would come to Camp Verde and see what has already taking place within the QOZ and get “a lay of the land.” She informed us, and I paraphrase, “I have driven through the area and know what’s going on, so there is no need to come see the project area.”

There is an Economic Development Representative from EDA that provides technical assistance for EDA projects in Arizona. She is new to Arizona and new to economic development – NACOG is working with her to align with district project support and collaboration.

**Current Status:** The Town has received a \$1.2 million Water Infrastructure Finance Authority loan to fund the project’s engineering and issued an RFQ to get an engineering firm under contract. In the Scope of Work for the engineering firm we have asked for assistance with completing the narrative sections of the grant related to both engineering and environmental concerns. Additionally, the CVEDD has asked Joe Guzman with Northern Arizona University’s Economic Policy Institute, to provide the Town with an economic impact analysis, suggested by Mr. Berndt, as a way of demonstrating the job potential and investment potential the project would offer the Verde Valley region.

Sincerely,



Steve Ayers  
Economic Development Director  
Town of Camp Verde



# Draft ED-900P

## Narrative Text

### I.A.2 Description of region

The Town of Camp Verde is located in Yavapai County, Arizona, in a region known as the Verde Valley. The Verde Valley covers approximately 650 square miles and is located in the approximate geographic center of Arizona, 90 miles north of the Phoenix metropolitan area. In addition to Camp Verde, the Verde Valley consist of four other incorporated municipalities—Cottonwood, Clarkdale and Jerome — along with the unincorporated Census Places of Cornville, Lake Montezuma and Verde Village. The Verde Valley region has a population of approximately 64,000 residents, served by two major transportation corridors, Interstate 17 and Arizona State Route 260. Both highways link Camp Verde, at the southeast end to the upper valley communities of Cottonwood, Clarkdale, and Jerome.

The State Route 260 Sewer Extension Project, the subject of this Proposal for EDA Assistance, proposes to construct a mainline wastewater collection system along approximately 4 miles of the State Route 260 corridor – west of Interstate 17. In April 2018, the U.S. Treasury Department designated Census Tract 04025001601, an area approximately six miles long and one to two miles wide, extending along both the north and south sides of State Route 260 in Camp Verde, as a Qualified Opportunity Zone (QOZ) under the 2017 Tax Cuts and Jobs Act. The proposed project service area is located entirely within the QOZ, which is the only QOZ in the Verde Valley region.

The region has struggled since the impacts of the 2008 Recession and has been further impacted by the COVID pandemic of 2020. Although employment in the Verde Valley region has kept up with the national economy over the last five years, per capita income still lags behind the rest of the nation at \$20,447 per capita. In addition, the recession has left investors wary about investing in rural areas, limiting the region's ability to attract capital. Further complicating the situation is the large retiree community that has driven up the cost of housing. The project area provides opportunity to mitigate these regional issues.

The QOZ designation has already begun attracting capital to the region. Among the project under construction within the QOZ are an 85-acre industrial/commercial park, a 175-acre, 585-unit affordable housing project, and a 60-acre RV park. The entire length of the QOZ is served by municipal water, Arizona Public service electrical service, Unisource Gas and fiber optic telecommunications from both Century Link and Altice. However, so far all investments within the opportunity zone have been restricted to the portion that is currently served by a wastewater collection system. This project will expand the wastewater collection system mainline, the full length of the Opportunity Zone, opening nearly 1500 acres of currently undeveloped land, half zone residential and half zoned commercial/ industrial.

### I.A.3 Description of complete EDA Project

The Town of Camp Verde is requesting U.S. Economic Development Administration (USEDA) assistance to fund final design and construction of a wastewater collection system main line to serve a 4-mile long corridor along Arizona State Route 260 (SR260), west of Interstate 17, within a federally designated Qualified Opportunity Zone (QOZ).

A wastewater collection system currently serves a portion of the QOZ east of Interstate 17 and extends west of I-17 approximately 1/2 mile. The State Route 260 Sewer Extension Project service area contains approximately 2060 acres, of which approximately 1500 acres is undeveloped. The project area is centrally located between Camp Verde and the upper valley communities, and is zoned for both residential and commercial and industrial development.

#### BACKGROUND ON CURRENT SYSTEM

Camp Verde's current sewer collection system uses gravity sewer lines to transport sewage from the historic downtown area of Camp Verde and the portion of the QOZ west of Interstate 17 to a single lift station located near the intersection of SR 260 and the Verde River. That lift station handles all of the Town's current wastewater demand, which averages 220,000 gallons per day, pumping it across the river to the town's wastewater treatment facility. The wastewater treatment facility has a capacity of 650,000 gallons a day and is permitted by the Arizona Department of Environmental Quality to expand to 1.3 million gallons a day, adequate capacity to serve the proposed project service area at full buildout.

In addition to the current collection system and treatment facility, the Town of Camp Verde installed four, 18" sewer line sleeves underneath SR260 along the project corridor in 2018, when the Arizona Department of Transportation widened SR260 from two lanes to four lanes. The sleeves were constructed in preparation for the SR260 Sewer Extension Project and will enable properties located on the south side of State Route 260 to gravity drain wastewater to the north-side, where the mainline will be located.

#### PROPOSED SYSTEM EXPANSION

In 2018, the Town of Camp Verde funded a Design Concept Report (DCR) that analyzed options for expanding the wastewater collection system in project area. The DCR covers a broader area than what is outlined in this project, but it does serve to inform the construction needs of this project.

The SR260 Sewer Extension Project requires a combination of gravity sewer mains and forced sewer mains. The project's collection system will use gravity where possible to bring the flows to a local collection point, and then provide a sewer lift station to move the sewage to the current mainline gravity system located just east of I-17. The DCR calls for the following components to complete the project:

1. Installation 28,350 feet of 8" PVC gravity flow main lines
2. Installation of 25,450 feet of 8" PVC forced main line
3. Construction of one lift station facility equipped with four submersible sewage pumps (2-25hp and 2-90hp), a 3000 gallon, 8' diameter by 34' deep wet well, a diesel powered backup generator and odor control system
4. Installation of 3-Phase 460 volt electrical service to power the lift station location

#### SEWER MAIN LINE DESIGN

The sewer line pathways are defined by the topography of the project area, with gravity and force main lines laid out accordingly. The lines are engineered to handle the maximum flows from the service area. The extension of the mainline will connect to the four sleeves that were constructed during the widening of SR260.

## LIFT STATION DESIGN

The project has a single lift station, located on Old Highway 279 between the Aultman Parkway and Out of Africa Parkway. The lift station consists of a wet-well fitted with submersible sewage pumps. Pressure from the pumps push the sewage through a force main, to a discharge manhole located just east of I-17. The Lift Station also includes odor control equipment and a diesel-driven backup generator. Although the current design calls for a round wet well for the lift station, final design may call for a rectangular wet well. Pumps are sized to handle the peak sewage flows. The lift station is designed to provide a total pumping capability equal to the maximum anticipated flow with at least one of the largest pumps out of service. The sewage lift station wet well is designed to hold the anticipated volume of sewage during peak flows, plus a safety factor. The lift station pumps require 3-phase, 460 Volt electrical service to operate, which is available to the site.

### I.A.4. Need for the Project

Since receiving the Qualified Opportunity Zone (QOZ) designation in April 2018, the QOZ has attracted investments that have generated jobs and built affordable housing – but only within the area served by the current wastewater system. Since the 2008 Recession, good paying jobs and affordable housing have seen limited growth. The shortage of affordable housing poses a detrimental effect on the ability to attract companies or expand existing ones. According to the Sedona Verde Valley Realtors' Multiple Listing Service, the average home prices has risen significantly over the last 12 months with a current average price of \$286,000 for Cottonwood/Cornville, \$319,213 for Camp Verde, and \$320,025 for Clarkdale.

The approximate 1500 acres of undeveloped land within the four-mile long corridor of the Qualified Opportunity Zone that the project will serve currently has water, electrical, natural gas and fiber optic service. It lacks only a wastewater collection system from having a full suite of utilities. Once installed, the wastewater collection system is expected to provide a significant boost to the Region's economy.

The SR 260 Sewer Extension Project supports the region's economic development goals stated in the NACOG Comprehensive Economic Development Strategy (2020). As stated on page 54, the proposed project aligns with the goal to "partner in the development of the physical infrastructure needed to support economic development". The CEDS also expresses the importance of pursuing infrastructure improvements as it "assists business development and expansion". The construction of a sewage collection system particularly addresses the following objectives taken directly from the CEDS report:

1. Align regional planning and strategic development, and strengthen partnerships with the EDD for community and economic development.
2. Support the community organizations in their efforts to complete economic and infrastructure improvements, especially water and sewer systems focused on the reduction in non-revenue water and the recharge of A+ quality effluent as a means to support the region's water supply.
3. Partner in the development of the physical infrastructure needed to support economic development.
4. Promote resiliency from drought through reuse of wastewater that supplants potable water use.

Also mentioned in the CEDS, housing issues as it relates to "foreclosures, lack of project funding, [and] affordability" continues to be a regional weakness. The SR 260 Sewer Extension Project proposes a solution for maximizing the benefits of a QOZ designation.

**I.A.5. Basis of economic distress for eligibility**

The Verde Valley Region, which the project would serve, includes the municipalities of Camp Verde, Cottonwood, Clarkdale and Jerome, along with the following unincorporated Census Designated Places: Cornville, Lake Montezuma and Verde Village. The project is located in a federally designated Qualified Opportunity Zone, Census Tract 04025001601, which has a Per Capita Income of \$15,754 (50.53% of National Average PCI of \$31,177). The Census Tract is located in the Town of Camp Verde, a municipality that has a Per Capita Income of \$20,447 (65.58% Nat. Avg. PCI). The Region is located within the Northern Arizona Council of Governments Economic Development District, which meets the EDA’s Economic Distressed Criteria, having a per capita Income of \$23,269 (74.64% Nat. Avg. PCI) and an unemployment rate of 5.84% (2.01% above Nat. Avg.). All statistics cited are from EDA’s Stats America and U.S. Census Bureau American Community Survey.

**I.A.6. Description of documentable impact**

The long-term economic impact of the project equate to affordable housing and better paying jobs for the Verde Valley Region. Since the Census Tract 04025001601 received designation as the region’s only QOZ in 2018, four major investments are under construction and three others are in various stages of pre-development. The project’s service will include approximately 1500 acres of undeveloped property of which 180 acres is zoned as Planned Area Development (multi-Use), 760 acres is zoned commercial or industrial and 660 acres is residential. According to the Town’s General Plan, the entire corridor is eligible for rezoning as both residential and commercial.

The four major investment projects, all of which are either constructed or under construction, include two commercial/industrial projects, an 85-acre commercial/industrial park and a six-acre industrial park with fiber optic connectivity, and two residential projects, a 175-acre manufactured home community and a 60-acre RV park. The current investment in the two industrial commercial projects is approximately \$8 million with a buildout estimate of \$120 million. The two residential projects have seen approximately \$25 million in investment to date, with an estimated total of \$87 million at buildout. The estimated total new job creation for the four projects is 280.

The three projects in the planning stages include a 17-acre, 200-unit high-density housing project, a six-acre, 150-unit apartment project and a 200-acre multi-use project that includes affordable housing, industrial and commercial components. The 17-acre housing project and the six-acre apartment project are within the current service area of the sewer collection system. The 200-acre multi-use project, is located within SR260 Sewer Extension Project service area and will require wastewater collection system to be developable.

Given the current zoning of the approximate 1500 acres of undeveloped property within the sewer line extension project’s service area, and basing assumptions on what is currently under construction within the QOZ, we estimate the potential direct economic impact range of the sewer line extension project, in terms of jobs and investment over the next ten years to be as follows:

- 600-1500 jobs
- \$90 to \$450 million in investment

**I.A.7. Funding and cost share matrix**

Cost (engineer’s 2018 estimates):

Administrative and Project Mgt.	\$457,250
Construction costs	\$5,145,000

Contingency	\$514,500
Land, structures and ROW	\$100,000
Architectural and engineering fees	<u>\$771,750</u>
Total project cost estimate	\$6,988,500

Private investment: 60% Taxing District	\$4,193,100
EDA Grant: 40%	\$2,795,400

**I.A.8. Description of any known environmental concerns or public controversy**

There are no known environmental concerns related to the proposed project or properties along the route of the sewer line and no known public controversies. Documentable public support for the project is proven in the 2016 Camp Verde General Plan.

**II.A.1. Briefly describe plans for the ownership, operation, maintenance and management of project facilities, including any land, improved land, structures, appurtenances thereto, other improvements or personal property.**

Once the project is completed, all improvements, structures, easements, property and appurtenances, relative to the project, will be owned, maintained and/or managed by the Town of Camp Verde.

**II.A.2. Will real property or project facilities to be acquired or improved with the EDA investment assistance be owned, operated, managed or maintained by an entity other than the proponent?**

No

**II.A.3. Is or was any real property connected to the proposed project subject to eminent domain proceedings?**

Yes.

**II.B.1. Briefly describe the project site's physical attributes, including a description of any known sensitive environmental areas.**

The project consists of buried pipelines along an approximate 4-mile long corridor with the only above ground structures being manholes and a lift station. The path of the pipeline does not pass through any know environmentally sensitive areas.

**II.B.2. Attach maps of the project site (such as Google maps or other readily available maps) with project components and beneficiaries clearly indicated.**

**II.B.3. Has an Environmental Impact Statement, Environmental Assessment, or other similar analysis been completed for this proposed project or for other activities in the region?**

Yes. When the Arizona Department of Transportation widened State Route 260, through the project area, an Environmental Assessment was completed.

**BUDGET INFORMATION - Construction Programs**

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$ 357,250	\$	\$ 357,250
2. Land, structures, rights-of-way, appraisals, etc.	\$ 100,000	\$	\$ 100,000
3. Relocation expenses and payments	\$	\$	\$
4. Architectural and engineering fees	\$ 771,750	\$	\$ 771,750
5. Other architectural and engineering fees	\$	\$	\$
6. Project inspection fees	\$	\$	\$
7. Site work	\$	\$	\$
8. Demolition and removal	\$	\$	\$
9. Construction	\$ 5,145,000	\$	\$ 5,145,000
10. Equipment	\$	\$	\$
11. Miscellaneous Project Manager	\$ 100,000	\$	\$ 100,000
12. SUBTOTAL (sum of lines 1-11)	\$ 6,474,000	\$	\$ 6,474,000
13. Contingencies	\$ 514,500	\$	\$ 514,500
14. SUBTOTAL	\$ 6,988,500	\$	\$ 6,988,500
15. Project (program) income	\$	\$	\$
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ 6,988,500	\$	\$ 6,988,500
FEDERAL FUNDING			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.	Enter eligible costs from line 16c Multiply X <input type="text" value="40"/> %		\$ 2,795,400

# Proposed Sewer Service Extension Town of Camp Verde

