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**AGENDA
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, DECEMBER 6, 2023 at 6:30 P.M.**

ZOOM MEETING LINK:

<https://us02web.zoom.us/j/84820696060?pwd=V3Y0bXhiRGY0dk9mQmtESmNiQmc2QT09>

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

Meeting ID: 848 2069 6060

Passcode: 597003

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

1. **Call to Order**
2. **Roll Call.** Council Members Jackie Baker, Wendy Escoffier, Cris McPhail, Jessie Murdock, Robin Godwin, Vice Mayor Marie Moore, 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) Regular Session – November 15, 2023 Page 7
 - 2) Special Session – November 1, 2023 Page 15
 - 3) Special Session – November 15, 2023 Page 17
 - 4) Special Session – November 17, 2023 Page 19
 - b) **Set Next Meeting, Date and Time:**
 - 1) Regular Session – Wednesday December 20, 2023 at 6:30 p.m.
 - c) **Approval of Resolution 2023-1128, A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona setting the 2024 meeting dates and times for meetings of the Council and all Commission/Committees, and superseding Resolution 2022-1102.** Staff Resource: Corey Rowley Page 21
 - d) **Approval of Resolution 2023-1129, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, establishing the hours of operations, superseding 2022-1096.** Staff Resource: Corey Rowley Page 27

- e) **Approval and Possible Adoption of 2024 policy statement that authorizes the Mayor, as the Town Chief Elected Official to support or oppose bills introduced during Legislative Sessions when they affect the Town's interest and require an immediate response. (Town Code Section 2-2-4F)**
Staff Resource: Corey Rowley Page 29
- f) **Approve the Finance Director to make the attached budget adjustment labeled BAFY24-01 for the FY 24 budget year moving \$78,150 of budgeted legal expenses from the various listed divisions into the General Fund Non-Departmental division.** Staff Resource Michael Showers Page 31
- g) **Approval of Separation and Release Agreement with Tedmond Soltis.** Staff Resource: Trish Stuhan Page 33
5. **Call to the Public or 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:**
- **Business Resource Innovation Center (Bric) Award** Page 39
 - **Introduction of New Economic Development Specialist Dave Meyers**
7. **Discussion, Consideration, and Possible Approval of Contract 2023-185 with Water Works Engineers for Professional Services for the Town of Camp Verde Wastewater Master Plan, GIS Update and WWTP Evaluations in an Amount not to exceed \$190,788.00.** Staff Resource Jeff Low Page 51
8. **Discussion and/or direction to staff regarding potential options for the Board of Adjustment.** Staff Resource: John Knight and Trish Stuhan. Page 81
9. **Discussion, Consideration and possible approval of Ordinance 2023-A488 an Ordinance of the Town of Camp Verde, Yavapai County, Arizona amending the Code of Camp Verde, Arizona, Chapter 5 Municipal Court, Article 5-2 Presiding Officer, by amending Section 5-2-4 Assistant Magistrate, related to the adoption of revisions to the Assistant Magistrate/Judge Pro Tempore provisions of Code to Comport with Town Practices; providing for repeal of conflicting Ordinances; and providing Severability.** Staff Resource: Heather Vinson and Trish Stuhan Page 87

10. **Discussion, consideration and possible approval of Professional Services Agreement for Judge Pro Tempore Services for Michael A. Shaw and Ron Ramsey for a two (2) year term each effective January 1, 2024 and setting an hourly pay rate of \$50.00 per hour on an as need basis with a three (3) hour minimum.** Staff Resource: Veronica Pineda Page 91
11. **Discussion, consideration and possible appointment of three (3) members to the Parks and Recreation Commission. Applicants are: Candra Faulkner, Mary Hughes and Wayne Smith. The Interview Committee interviewed 3 applicants on November 9, 2023 for the positions and recommended Council approve Candra Faulkner, Mary Hughes and Wayne Smith.** Staff Resource: Corey Rowley Page 99
12. **Discussion, consideration and possible appointment of three (3) members to serve on the Planning & Zoning Commission There are three (3) for a term expiring January 2027. The Interview Committee interviewed applicants on November 7th and made the following Recommendation: Appoint Claudia Hauser, Bill Tippett and Todd Scantlebury to serve on the Planning & Zoning Commission for all terms to expire January 2027.** Staff Resource: Corey Rowley Page 107
13. **Discussion, Consideration, and Possible adoption of Resolution 2023-1126, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Declaring Chapter 7-Building, Article 7-7 Enforcement Procedures for Violations of the Town Code, Dated December 6, 2023 to be a Public Record.** Staff Resource: Cliff Bryson and John Knight Page 123
14. **Discussion, Consideration, and Possible adoption of Ordinance 2023-A487 an Ordinance of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference Resolution 2023-1126, amending Chapter 7-Building, Article 7-7 Enforcement Procedures for violation of the Town Code, a Recodification of selected prior Ordinances of the Town and Prescribing Penalties for Violations.** Staff Resource: Cliff Bryson and John Knight. Page 149
15. **Discussion, Consideration, and Possible Adoption of Resolution 2023-1123 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, for Preliminary Plat 20230497, submitted by Rob Witt, for the purpose of developing a 12-lot Subdivision, known as "Feldmeier Estates" on approximately 15 acres. The proposed project is zoning R1L-35 and is located at 1902 and 2000 North Arena Del Loma Road on APN 403-21-009C, in Camp Verde, Yavapai County, Arizona.** Staff Resource: John Knight Page 157

- Staff Comments
- Public Hearing Open
- Public Hearing Closed
- Council Discussion

16. **Discussion and/or action regarding approval of legal services agreement with Baron & Budd, PC, Cossich, Sumich, Parsiola & Taylor LLC, and Law Office of Joseph C. Tann, PLLC for legal services related to the PFAS litigation regarding claims against manufacturers of firefighting foam products due to toxic chemicals. Council may also convene into executive session for this item pursuant to A.R.S. Section 38-431.03(A)(3) and (A)(4) for legal advice and discussion and consultation with the Town Attorney and possible instruction regarding pending or contemplated litigation in the PFAS litigation.** Staff Resource Jeff Low and Trish Stuhan Page 201
17. **Discussion and/or action re: Selection of an Acting Town Manager, which may include approval of an Agreement for Acting Town Manager Services with Gayle Mabery and/or continuation of service of Acting Town Manager, and possible contract negotiations for Acting Town Manager's services.** Staff Resource: Trish Stuhan
18. **Summary of Current Events.** The Town Council and the Town Manager may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will not propose, discuss, deliberate or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda. Summaries may include 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.
19. **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 purpose of discussion or consultation for legal advice with the Town Attorney as permitted by A.R.S. § 38-431.03(A)(3). Any other executive sessions will be separately included on the agenda above if an executive session will be held at the meeting.

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. Pursuant to Town Code, Section 2-3-7.1 the Mayor shall call for a vote of the Council to allow the meeting to continue past the deadline of 10:00 p.m. 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 11-30-2023 at 4:00 p.m. in accordance with the statement filed by the Camp Verde Town Council with the Town Clerk

Virginia Jones

Virginia Jones, Deputy Town Clerk

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**DRAFT MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 15, 2023 at 6:30 P.M.**

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

1. **Call to Order** Mayor Jenkins called the meeting to order at 6:30P.M.
2. **Roll Call.** Council Members: Jackie Baker, Wendy Escoffier, Robin Godwin, Cris McPhail, Jessie Murdock, Vice Mayor Marie Moore, and Mayor Dee Jenkins.

Also Present: Town Manager Ted Soltis, Assistant Clerk Jadie Edwards, Deputy Clerk Virginia Jones, Recording Secretary Mary Frewin.
3. **Pledge of Allegiance** Councilor Murdock led the 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) Regular Session – November 1, 2023
 - b) **Set Next Meeting, Date and Time:**
 - 1) Regular Session – Wednesday December 6, 2023 at 6:30 p.m.
 - 2) Regular Session – Wednesday December 20, 2023 at 6:30 p.m.
 - c) **Approval of Resolution 2023-1124; A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Approving and Authorizing the Mayor to execute an Intergovernmental Agreement (IGA) between the Town of Camp Verde and the State of Arizona Department of Revenue for the Administration, Collection, Audit, and Licensing of Transaction Privilege Taxes, Use Taxes, Severance Taxes, Jet Fuel Excise and Use Taxes and Rental Occupancy Taxes imposed by the State, Cities or Towns.** Staff Resource: Mike Showers

On a **motion** by Councilor Escoffier, seconded by Councilor McPhail, the Council **moved** to approve the Consent Agenda, with minor corrections to the minutes.

Roll Call Vote:

Councilor Baker: aye

Councilor Escoffier: aye

Councilor Murdock: aye
Mayor Jenkins: aye
Vice Mayor Moore: aye
Councilor McPhail: aye
Councilor Godwin: aye

Motion Carried 7-0.

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))

Patty Means spoke on the condition of the road she resides on- Zachary Lane Road in Verde Lakes. The condition of said road is very poor, and she would like to bring that to the attention of the town to get the problem resolved.

Melinda Jessop spoke regarding the home that she purchased last November on 3195 Dinky Creek Lane in Verde Lakes. When she purchased the home, she gave the previous owner 3 months to move his stuff out of the yard. She described the condition of the property with all his belongings there. Ms. Jessop claimed that these belongings, including an RV that the previous owner had been staying in, have caused several fires on the property, one of which caused fire damage to the siding and trusses of her home. Code Enforcement then came out and red tagged her home, deeming it unsafe to occupy. She asked for a second opinion, but they will only accept it from a licensed, structured engineer. She pointed out that not even the Town Building Official is a licensed, structured engineer. She would like this to be investigated.

6. **Special Announcements and Presentations:**

- **None**

7. **Discussion, Consideration, and Possible Renewal of Town Magistrate Gary Horton's agreement.** Staff Resource: Ted Soltis

Town Magistrate Gary Horton spoke to Council on the conditions of the renewal of his contract agreement. He would like to stay a contracted employee. His raise request came as a reflection of the rising inflation costs. He also would like to have a three-year contract and explained his reasonings why.

Mayor Jenkins and the Council found the terms of his contract to be very reasonable.

Vice Mayor Moore thanked Mr. Horton for his excellent work. She hoped they could figure out his security situation soon.

On a **motion** by Councilor McPhail, seconded by Vice Mayor Moore, the Council **moved** to approve the renewal of Town Magistrate Gary Horton's 3-year contract agreement commencing on January 1, 2024 and expiring on December 31, 2026.

Roll Call Vote:

Councilor Baker: aye

Councilor Escoffier: aye

Councilor Murdock: aye

Mayor Jenkins: aye

Vice Mayor Moore: aye

Councilor McPhail: aye

Councilor Godwin: aye

Motion Carried 7-0.

8. **Discussion, Consideration, and Possible Action to approve the Mayor to sign a letter supporting the University of Arizona's USDA Meat and Poultry Processing Program grant request for a meat processing facility in Camp Verde.** Staff Resource: Molly Spangler

Director of Economic Development Molly Spangler spoke to the Council on behalf of University of Arizona and their grant request. She said she it's important to have community buy-in, which is why this grant is a good idea. This will provide them with additional funding for the facility.

Vice Mayor Moore said that she's very much in support of this. However, at some point she would like to see more in-depth information come back to the Council regarding where they are in the process of getting this facility built in Camp Verde. She suggested even having the University come and present it to Council.

Ms. Spangler assured Vice Mayor Moore that many departments are working on this and the University is starting the process of developing the facility. She will come back to Council with information.

Councilor McPhail shared that on the tour that she and Councilor Escoffier went on of the facility in Tucson, she was incredibly impressed and is looking forward to having one of these facilities in Camp Verde.

Councilor Escoffier echoed what Councilor McPhail said. She feels it will be a quality facility, that will be a huge asset to the town.

Mayor Jenkins said that she's had an update meeting with U of A in the past, and

they were more than happy to meet with her. She thinks it will be beneficial to get a more current update.

Councilor Murdock said she looks forward to a new, state of the art facility in the town.

On a **motion** by Councilor Murdock, seconded by Councilor Baker, Council **moved** to approve the mayor to sign a letter supporting the University of Arizona's USDA Meat and Poultry Processing Program grant request for a meat processing facility in Camp Verde.

Roll Call Vote:

Councilor Baker: aye

Councilor Escoffier: aye

Councilor Murdock: aye

Mayor Jenkins: aye

Vice Mayor Moore: aye

Councilor McPhail: aye

Councilor Godwin: aye

Motion Carried 7-0.

9. Discussion, Consideration, and Possible Award of Bid #23-183, Grief Hill Trailhead Improvements Project to Ligon Excavation in the amount of \$120,225.54. Staff Resource: Martin Smith

CIP Project Manager Martin Smith presented to the Council on this item. He shared that they have entered into an agreement with the Prescott National Forest to make improvements to Grief Hill Trail Head. This bid is for all the concrete work on site. Ligon Excavation was the lowest bid.

Mayor Jenkins wondered where the money for this improvement would be coming from.

Finance Director Mike Showers stated the funding would be coming from ARPA funds, which he feels is a good way to fund the project.

On a **motion** from Councilor Baker, seconded by Vice Mayor Moore, the Council **moved** to Award Bid #23-183, Grief Hill Trailhead Improvements Project to Ligon Excavation in the amount of \$120,225.54.

Roll Call Vote:

Councilor Baker: aye

Councilor Escoffier: aye

Councilor Murdock: aye

Mayor Jenkins: aye

Vice Mayor Moore: aye

Councilor McPhail: aye

Councilor Godwin: aye

Motion Carried 7-0.

10. **Discussion, Consideration, and Possible Award of Bid #23-182, Sports Complex Water Main Installation Project to Ligon Excavation in the amount of \$174,905.78.** Staff Resource: Martin Smith

Mr. Smith presented this item as well. He shared with Council that the original intent was to install a potable well at the Sport's Complex to service the park. However, it is no longer a cost-effective solution. So, instead they plan to install an extended water line. Council recently approved the Utilities Department to purchase supplies for that, but this bid is just for the installation of those supplies.

Councilor Murdock clarified that they will be doing more work than just installing a water main line. Mr. Martin told her yes, while they have a trench dug, they will be doing other work.

On a **motion** by Councilor McPhail, seconded by Councilor Baker, the Council **moved** to award Bid #23-182, Sports Complex Water Main Installation Project to Ligon Excavation in the amount of \$174,905.78.

Roll Call Vote:

Councilor Baker: aye

Councilor Escoffier: aye

Councilor Murdock: aye

Mayor Jenkins: aye

Vice Mayor Moore: aye

Councilor McPhail: aye

Councilor Godwin: aye

Motion Carried 7-0.

Councilor Baker was happy to see local contractors winning some bids.

11. **Discussion, Consideration, and Possible Approval by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for a letter of endorsement to be signed by the Mayor supporting Conservation agreements for citizens of the Town of Camp Verde.** Staff Resource: John Knight

Community Development Director John Knight shared with Council as the Department Head point person. He said that Todd Scantlebury was here to speak to the Council on this endorsement.

Mr. Scantlebury spoke to Council, giving them specifics on this endorsement. He shared that this conservation agreement would be an attempt to preserve the meander land on private properties in Camp Verde.

There was some confusion amongst Council as to what this specific item meant, and why they were being asked to do this in a broad sense, rather than just specific properties.

Town Attorney Trish Stuhan said that she had reviewed this in the packet. She doesn't have a problem with it, though it's not the way she would go about it since it's very broad and could be perceived throughout the entire town. She recommended entering it, but maybe get a little more information to narrow it down.

After some discussion, Councilor Godwin clarified that there are no laws or rules behind the agreement, it's just a document that says Council supports homeowners who decide to participate in this conservation agreements.

On a **motion** by Mayor Jenkins, seconded by Councilor Godwin, the Council **moved** to approve an agreement stating- The town of Camp Verde General Plan, Planning and Zoning Ordinances and the Verde River Recreational Plan recognize and support the importance and protection of our Western Rural Heritage, agricultural lands, open space, and the river corridor. Therefore, the town of Camp Verde supports conservation agreements.

Roll Call Vote:

Councilor Baker: aye

Councilor Escoffier: aye

Councilor Murdock: aye

Mayor Jenkins: aye

Vice Mayor Moore: aye

Councilor McPhail: aye

Councilor Godwin: aye

Motion Carried 7-0.

12. **Discussion, Consideration, and Possible Adoption of Ordinance 2023-A486, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for a zoning map change from M1 to C3 for approximately 0.63 acres, specifically described in Exhibit A (currently parcel 403-23-104H), located at 284 North Homestead Parkway.** Staff Resource: Cory Mulcaire

Town Planner Cory Mulcaire presented to Council. She shared that they are requesting a zoning map change from M1 to C3 for Sinagua Malt. They want to bring a tasting room/chocolate and coffee bar to the front room of their building. To do this, they need the zoning change, as a restaurant is not allowed in M1. It's just the front portion of the building that will be changing. Nobody showed up to the neighborhood meeting and there were no letters sent in.

On a **motion** by Councilor Godwin, seconded by Council Baker, Council **moved** to approve the adoption of Ordinance 2023-A486.

Roll Call Vote:

Councilor Baker: aye

Councilor Escoffier: aye

Councilor Murdock: aye

Mayor Jenkins: aye

Vice Mayor Moore: aye

Councilor McPhail: aye
Councilor Godwin: aye

Motion Carried 7-0.

- 13. Summary of Current Events.** The Town Council and the Town Manager may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will not propose, discuss, deliberate or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda. Summaries may include 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.

Councilor Baker attended the APS ribbon cutting ceremony. She said the facility was beautiful.

Councilor Escoffier attended the Dia De Los Muertos event at the Philip England Center for Performing Arts. She thought it was a great event. She also attended the APS ribbon cutting ceremony. She shared that the Salvation Army is looking for bell ringers.

Councilor Murdock had nothing.

Vice Mayor Moore attended Trunk or Treat and felt it was a great event. Additionally, she attended the Turquoise Circuit block party and rodeo. Moore gave kudos to the Girls Varsity Volleyball team and Boys Varsity Football team for making it to the state playoffs.

Councilor McPhail attended the Yavapai Apache Nation Tribal Council Meeting. She commended The Old Guys for the projects they've done around Town and the bikes that they repair in the community around Christmastime.

Councilor Godwin attended the Dia De Los Muertos event. She thought it was a fantastic event. She also went to the Ribbon Cutting of Hole in the Wall Bookstore. She was so impressed with the number of books they had in their small bookstore.

Mayor Jenkins attended the Turquoise Circuit Rodeo and Block Party. She also attended the bi-weekly Verde Valley Mayor/Manager meeting as well as the Yavapai County Mayor/Manger meeting with other officials from the County. She stopped at the APS grand opening and commended the beautiful building they have. She attended the Verde Valley Transportation meeting via Zoom and spoke at the

Veteran's Day event for the American Legion at Clear Creek Cemetery. She wanted to make the community aware of a car show they recently had to honor veterans. She was invited to the Sedona Cultural Park Mixer. It was held at Cliff Castle Casino. For upcoming events, she shared that the Legislative Summit is coming up and the Intergovernmental Agreement Meeting will be held at Cliff Castle Casino on December 15th.

Mayor Jenkins stated James Gregory's Administrative Assistant puts out a newsletter and she was asked if there was anything in Camp Verde that they would like to put in the County newsletter. If anyone can think of anything, please send it to the Clerk's Office.

Town Manager Ted Soltis also attended the APS Ribbon Cutting ceremony and Turquoise Circuit. He also shared that candidate packets are available in the Clerk's Office for the 2024 municipal elections.

14. Adjournment Mayor Dee Jenkins adjourned the meeting at 7:36.

Mayor Dee Jenkins

Attest: Town Clerk Cindy Pemberton

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on November 15th, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2023.

Virginia Jones, Deputy Town Clerk

**MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY NOVEMBER 1, 2023 at 5:30 P.M.**

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

1. Call to Order

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

- 2. Roll Call.** Council Members Jackie Baker, Wendy Escoffier, Robin Godwin, Cris McPhail, Jessie Murdock, Vice Mayor Marie Moore and Mayor Dee Jenkins

Others Present: Town Attorney Trish Stuhan

3. Pledge of Allegiance

4. RECESS INTO AND HOLD EXECUTIVE SESSION ON AGENDA ITEM 5.

- 5. An Executive Session pursuant to A.R.S. § 38-431.03(A)(1), (A)(3), and (A)(4) for review of the Town Manager's performance and goal-setting including possible discussion of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer and possible legal advice and direction to the Town Attorney regarding the Town Manager's contract.**

On a motion by Mayor Jenkins, seconded by Vice Mayor Moore Council voted to go into Executive session at 5:32 p.m.

Council recessed Executive Session to go into Regular Session at 6:28 p.m.

Council reconvened Executive Session at 8:39 p.m.

6. RECONVENE OPEN SESSION

Council reconvened Open Session at 9:58 p.m.

- 7. Discussion and/or Action regarding the Town Manager's Performance Review, Goals for 2024, and/or Contract.**

No action was taken during Open Session

8. ADJOURNMENT

Without objection the meeting adjourned at 9:59 p.m.

Mayor Dee Jenkins

Attest: Deputy Clerk Virginia Jones

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on November 1, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2023.

Virginia Jones, Deputy Town Clerk

DRAFT

**MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 15, 2023 AT 4:30 P.M.**

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

1. Call to Order

Mayor Jenkins called the meeting to order at 4:30 p.m.

2. Roll Call. Council Members Jackie Baker, Wendy Escoffier, Cris McPhail, Jessie Murdock, Robin Godwin, Vice Mayor Marie Moore, and Mayor Dee Jenkins

3. Pledge of Allegiance Council Member McPhail led the Pledge of Allegiance

4. Executive Session. The Town Council may convene an executive session as part of its goal-setting process with the Town Manager. The executive session will be held pursuant to A.R.S. § 38-431.03(A)(1), (A)(3), and (A)(4) for discussion or consideration of the Town Manager's performance and legal advice and/or direction regarding the Town Manager's contract.

5. Council Goal Setting with the Town Manager. Topics of discussion may include the Town's finances, economic growth, organization, public services, infrastructure, capital improvements, water resources, Town codes, services, community quality of life, general Town administration, management, and leadership skills to assist in identifying both management goals and deliverables. Staff Resource: Ted Soltis

6. On a motion by Vice Mayor Moore seconded by Councilor Baker, Council voted to go into Executive Session

Roll Call Vote:

Councilor Baker – Aye

Councilor Murdock-Aye

Councilor Escoffier – Aye

Councilor Godwin – Aye

Councilor McPhail Aye

Vice Mayor Moore – Aye

Mayor Jenkins – Aye

Motion carried 7-0

Council Recessed Executive Session to go into Regular Session at 6:25 p.m.

Council Reconvened Executive Session at 7:45 p.m.

Council Adjourned Executive Session at 8:28 p.m.

Council announced the Town Attorney was directed to be in touch with the Town Manager.

7. Adjournment

Without objection, Council adjourned Special Session at 8:29 p.m.

Mayor Dee Jenkins

Attest: Deputy Clerk-Virginia Jones

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on November 15, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2023.

Virginia Jones – Deputy Clerk

**MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
FRIDAY NOVEMBER 17, 2023 AT 12:30 P.M.**

Note: Council may attend the meeting in person or by telephone or video conferencing.

1. Call to Order

Mayor Jenkins called the meeting to order at 12:30 p.m.

2. Roll Call. Council Members Jackie Baker, Wendy Escoffier, Cris McPhail, Jessie Murdock, Robin Godwin, Vice Mayor Marie Moore, and Mayor Dee Jenkins

3. Pledge of Allegiance

Councilor McPhail led the Pledge of Allegiance

4. Discussion and/or Action re: Regarding Resignation of the Town Manager

On a motion by Councilor Murdock, seconded by Councilor McPhail Council voted to go into Executive Session regarding resignation of the Town Manager.

Roll Call Vote:

Councilor Baker – Aye
Councilor Murdock-Aye
Councilor Escoffier – Aye
Councilor Godwin – Aye
Councilor McPhail Aye
Vice Mayor Moore – Aye
Mayor Jenkins – Aye

Motion carried 7-0

Council Adjourned into Executive Session at 12:31 p.m.

Council Reconvened Special Session at 1:00 p.m.

On a motion by Councilor Murdock, seconded by Councilor Escoffier to accept the resignation of Town Manager Tedmond Soltis.

Roll Call Vote:

Councilor Baker – Aye
Councilor Murdock-Aye
Councilor Escoffier – Aye
Councilor Godwin – Aye
Councilor McPhail Aye
Vice Mayor Moore – Aye
Mayor Jenkins – Aye

5. Discussion and/or Action re: Selection of an Interim Town Manager and the Recruitment Process for a new Town Manager.

On a motion by Councilor McPhail, seconded by Councilor Escoffier Council voted to

adjourn into Executive Session.

Roll Call Vote:

Councilor Baker – Aye
Councilor Murdock-Aye
Councilor Escoffier – Aye
Councilor Godwin – Aye
Councilor McPhail Aye
Vice Mayor Moore – Aye
Mayor Jenkins – Aye

Council Adjourned into Executive Session at 1:02 p.m.

Council Reconvened Special Session at 1:41p.m.

Mayor Jenkins announced Council will be moving forward with the process to select an interim Town Manager as well as the recruitment process for a permanent Town Manager. Cory Rowley, Town Marshal, will continue as acting Town Manager until the Interim Town Manager takes their seat.

6. Adjournment

Without objection, Mayor Jenkins adjourned the meeting at 1:43 p.m.

Mayor Dee Jenkins

Attest: Deputy Clerk Virginia Jones

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on November 17, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2023.

Virginia Jones, Deputy Town Clerk



Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation Work Session

Requesting Department: Clerk

Staff Resource/Contact Person: Corey Rowley

Agenda Title (be exact): Approval of Resolution 2023-1128, A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona setting the 2023 Meeting Dates and Times for meetings of the Council and all Commission/Committees, and superseding Resolution 2022-1102. Staff Resource: Corey Rowley

List Attached Documents: Resolution 2023-1128

Estimated Presentation Time:

Estimated Discussion Time:

Reviews and comments Completed by:

Town Manager: _____ Department Head: _____

Town Attorney Comments: _____

Risk Management: _____

Finance Department
Fiscal Impact:
Budget Code: _____ Amount Remaining: _____
Comments: _____

Background Information:

Recommended Action (Motion): Approval Resolution 2023-1128, A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona setting the 2023 Meeting Dates and Times for meetings of the Council and all Commission/Committees, and superseding Resolution 2022-1102. Staff Resource: Corey Rowley

Instructions to the Clerk: Process Resolution



RESOLUTION 2024-1128

A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona setting the 2024 Meeting Dates and Times for meetings of the Council and all Commission/Committees, and superseding Resolution 2022-1102

WHEREAS, it is in the best interest of the Town to inform citizens of all regular Council, Commission and Committee meetings, dates and times,

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde do hereby resolve to establish the following meeting dates and times for the Mayor and Common Council, Town Commissions, and Committees as follows:

Mayor and Council, Board, and Commission Meeting Schedule

Note: Meetings are held in Council Chambers located at 473 S. Main Street, Ste. 106, Camp Verde, Arizona unless otherwise noted on the notice that is posted no later than 24 hours prior to each meeting. Special meetings or work sessions may be scheduled by consent of the Town Manager and will be posted no later than 24 hours prior to such meeting.

Mayor and Common Council of the Town of Camp Verde 2024 Meeting Schedule		
Regular Session	January 3, 2024	6:30 p.m.
Regular Session	January 17, 2024	6:30 p.m.
Regular Session	February 7, 2024	6:30 p.m.
Regular Session	February 21, 2024	6:30 p.m.
Regular Session	March 6, 2024	6:30 p.m.
Regular Session	March 20, 2024	6:30 p.m.
Regular Session	April 3, 2024	6:30 p.m.
Regular Session	April 17, 2024	6:30 p.m.
Regular Session	May 1, 2024	6:30 p.m.
Regular Session	May 15, 2024	6:30 p.m.
Regular Session	June 5, 2024	6:30 p.m.
Regular Session	June 19, 2024	6:30 p.m.
Regular Session	July 3, 2024	6:30 p.m.
Regular Session	July 17, 2024	6:30 p.m.
Regular Session	August 7, 2024	6:30 p.m.
Regular Session	August 21, 2024	6:30 p.m.
Regular Session	September 4, 2024	6:30 p.m.
Regular Session	September 18, 2024	6:30 p.m.
Regular Session	October 2, 2024	6:30 p.m.
Regular Session	October 16, 2024	6:30 p.m.
Regular Session	November 6, 2024	6:30 p.m.
Regular Session	November 20, 2024	6:30 p.m.
Regular Session	December 4, 2024	6:30 p.m.
Regular Session	December 18, 2024	6:30 p.m.

Regular Meetings of the Planning & Zoning Commission

Notice is hereby given to the members of the Planning & Zoning Commission and to the general public that the Planning & Zoning Commission of the Town of Camp Verde will hold **Regular Meetings on the second and fourth Thursday of every month beginning in January 2024. Additionally, Special Session meetings may be scheduled and held as when needed. All regular meetings will start at 6pm.**

Planning & Zoning Commission of the Town of Camp Verde 2024 Meeting Schedule		
Regular Session	January 11, 2024	6:00 p.m.
Regular Session (as needed)	January 25, 2024	6:00 p.m.
Regular Session	February 8, 2024	6:00 p.m.
Regular Session (as needed)	February 22, 2024	6:00 p.m.
Regular Session	March 14, 2024	6:00 p.m.
Regular Session (as needed)	March 28, 2024	6:00 p.m.
First Quarterly Report for Period January 2024 through March 2024 will be heard at the first April 2024 Council Meeting.		
Regular Session	April 11, 2024	6:00 p.m.
Regular Session (as needed)	April 25, 2024	6:00 p.m.
Regular Session	May 9, 2024	6:00 p.m.
Regular Session (as needed)	May 23, 2024	6:00 p.m.
Regular Session	June 13, 2024	6:00 p.m.
Regular Session (as needed)	June 27, 2024	6:00 p.m.
Second Quarterly Report for Period April 2024 through June 2024 will be heard at the first July 2024 Council Meeting.		
Regular Session	July 11, 2024	6:00 p.m.
Regular Session (as needed)	July 25, 2024	6:00 p.m.
Regular Session	August 8, 2024	6:00 p.m.
Regular Session (as needed)	August 22, 2024	6:00 p.m.
Regular Session	September 12, 2024	6:00 p.m.
Regular Session (as needed)	September 26, 2024	6:00 p.m.
Third Quarterly Report for Period July 2024 through September 2024 will be heard at the first October 2024 Council Meeting.		
Regular Session	October 10, 2024	6:00 p.m.
Regular Session (as needed)	October 26, 2024	6:00 p.m.
Regular Session	November 14, 2024	6:00 p.m.
Regular Session (as needed)	November 28, 2024 Cancelled, Thanksgiving Holiday	6:00 p.m.
Regular Session	December 12, 2024	6:00 p.m.
Regular Session (as needed)	December 26, 2024	6:00 p.m.
Fourth Quarterly Report for Period October 2024 through December 2024 will be heard at the first January 2024 Council Meeting.		

Regular Meetings of the Board of Adjustments

Notice is hereby given to the members of the Board of Adjustments and to the general public that the Board of Adjustments of the Town of Camp Verde will hold **Regular Meetings on the second Tuesday of every month at 3:00 p.m. as needed.**

Board of Adjustments of the Town of Camp Verde 2024 Meeting Schedule		
1. Regular Session (as needed)	January 9, 2024	3:00 p.m.
2. Regular Session (as needed)	February 13, 2024	3:00 p.m.
3. Regular Session (as needed)	March 12, 2024	3:00 p.m.
First Quarterly Report for Period January 2024 through March 2024 Will be heard at the first April 2024 Council Meeting.		
4. Regular Session (as needed)	April 9, 2024	3:00 p.m.
5. Regular Session (as needed)	May 14, 2024	3:00 p.m.
6. Regular Session (as needed)	June 11, 2024	3:00 p.m.
Second Quarterly Report for Period April 2024 through June 2024 will be heard at the first July 2024 Council Meeting.		
7. Regular Session (as needed)	July 09, 2024	3:00 p.m.
8. Regular Session (as needed)	August 13, 2024	3:00 p.m.
9. Regular Session (as needed)	September 10, 2024	3:00 p.m.
Third Quarterly Report for Period July 2024 through September 2024 will be heard at the first October 2024 Council Meeting.		
10. Regular Session (as needed)	October 8, 2024	3:00 p.m.
11. Regular Session (as needed)	November 12, 2024	3:00 p.m.
12. Regular Session (as needed)	December 10, 2024	3:00 p.m.
Fourth Quarterly Report for Period October 2024 through December 2024 will be heard at the first January 2024 Council Meeting.		

Regular Meetings of the Parks & Recreation Commission

Notice is hereby given to the members of the Parks & Recreation Commission and to the general public that the Parks & Recreation Commission of the Town of Camp Verde will hold Regular Meetings on the first Monday of every month at 5:30 p.m.

Parks & Recreation Commission 2024 Schedule		
Regular Session	January 1, 2024 -Cancelled	5:30 p.m.
Regular Session	February 5, 2024	5:30 p.m.
Regular Session	March 4, 2024	5:30 p.m.
First Quarterly Report for Period January 2024 through March 2024 will be heard at the first April 2024 Council Meeting.		
Regular Session	April 1, 2024	5:30 p.m.
Regular Session	May 6, 2024	5:30 p.m.
Regular Session	June 3, 2024	5:30 p.m.
Second Quarterly Report for Period April 2024 through June 2024 will be heard at the first July 2024 Council Meeting.		
Regular Session	July 1, 2024	5:30 p.m.
Regular Session	August 5, 2024	5:30 p.m.
Regular Session	September 2, 2024	5:30 p.m.
Third Quarterly Report for Period July 2024 through September 2024 will be heard at the first October 2024 Council Meeting.		
Regular Session	October 7, 2024	5:30 p.m.
Regular Session	November 4, 2024	5:30 p.m.
Regular Session	December 2, 2024	5:30 p.m.

**Fourth Quarterly Report for Period October 2024 through December 2024
will be heard at the first January 2024 Council Meeting.**

Passed and approved by a majority vote of the Common Council at the Regular meeting of December 6, 2023.

Dee Jenkins – Mayor

Attest:

Approved as to form:

Virginia Jones, Deputy Town Clerk

Trish Stuhan, Town Attorney

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Agenda Item Submission Form – Section I

Meeting Date: December 6, 2021 Consent Agenda Decision Agenda Executive Session
Requested

Presentation Only Action/Presentation Pre-Session Agenda

Requesting Department: Town Clerk

Staff Resource/Contact Person:

Agenda Title: Possible approval of Resolution 2023-1129, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, establishing hours of operations, superseding 2022-1096

List Attached Documents: Resolution 2023-1129

Estimated Presentation Time:

Estimated Discussion Time:

Reviews Completed by:

Department Head: _____

Town Attorney Comments: N/A

Finance Department N/A

Fiscal Impact: None

Budget Code: N/A Amount Remaining: _____

Comments:

Background Information

Town Code, 2-3-1 States that at the first meeting in January, or as soon as practicable, Council shall set by Resolution, the hours of operation for all Town Offices.

Recommended Action (Motion):

Move to approve Resolution 2023-1129

Instructions to the Clerk: Process Resolution



RESOLUTION 2023-1129

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
ESTABLISHING HOURS OF OPERATIONS,
SUPERSEDING AND AMENDING 2022-1096**

WHEREAS, it is in the best interest of the Town to inform all citizens of the hours of operation of all public facilities;

WHEREAS, Town Code, 2-3-1 States that at the first meeting in January, or as soon as practicable, Council shall set by Resolution, the hours of operation for all Town Offices.

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde do hereby resolve to establish the following Hours of Operation and Holiday Schedule for all Town Offices and staff as follows:

Hours of Operation		
Administration Offices	Monday – Thursday	7:00 a.m.-5:00 p.m. Friday 7:00 a.m. to 11:00 a.m.
Municipal Court	Monday – Thursday	7:00 a.m.-5:00 p.m. Friday 7:00 a.m. to 11:00 a.m.
Community Development	Monday – Thursday	7:00 a.m.-5:00 p.m. Friday 7:00 a.m. to 11:00 a.m.
Parks & Recreation	Monday – Thursday	7:00 a.m.-5:00 p.m. Friday 7:00 a.m. to 11:00 a.m.
Swimming Pool	Monday – Saturday	Opening/Closing Dates to be Announced
Public Works	Monday – Thursday	7:00 a.m.-5:00 p.m. Friday 7:00 a.m. to 11:00 a.m.
Animal Control	Monday - Friday	8:00 a.m. – 5:00 p.m.
Marshal's Office Lobby	Monday –Friday	7:00 a.m. - 5: 00 p.m.
Marshal's Office – Deputies/Dispatch	24 Hours per Day	24 Hours per Day
Library	Monday – Thursday	8:00 a.m. – 7:00 p.m.
Library	Friday-Saturday	9:00 a.m. – 5:00 p.m.
Library	Sunday	Closed

Passed and approved by a majority vote of the Common Council at the Regular Session of December 6, 2023

Dee Jenkins, Mayor

Attest:

Approved as to form:

Cindy Pemberton, Town Clerk

Town Attorney



Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

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

Requesting Department: Town Council

Staff Resource/Contact Person:

Agenda Title (be exact): Approval and possible adoption of 2024 Policy Statement that authorized the Mayor, as the Town Chief Elected Official to support or oppose bills introduced during Legislative Sessions when they affect the Town’s interest and require an immediate response. (Town Code Section 2-2-4F)

List Attached Documents:

Estimated Presentation Time:

Estimated Discussion Time:

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:

Section 2-2-4F of the Town Code states that at the first meeting in January of each year, Council shall adopt a Policy Statement that authorizes the Mayor to support or oppose bills introduced during Legislative Sessions when they adversely affect the Town’s interest and require immediate response.

Recommended Action (Motion):

Move to adopt the 2024 policy statement that authorizes the Mayor, as the Town Chief Elected Official to support or oppose bills introduced during Legislative Sessions when they adversely affect the Town’s interest and require immediate response.

Instructions to the Clerk:

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Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: Finance

Staff Resource/Contact Person: Mike Showers

Agenda Title (be exact): Approve the Finance Director to make the attached budget adjustment labeled BAFY24-01 for the FY24 budget year moving \$78,150 of budgeted legal expenses from the various listed divisions into the General Fund Non-Departmental division.

List Attached Documents: 1) Budget entry sheet BAFY24-01

Estimated Presentation Time: N/A

Estimated Discussion Time: N/A

Reviews and comments Completed by:

Town Manager: Reviewed

Department Head:

Town Attorney Comments: N/A

Risk Management: N/A

Finance Department

Fiscal Impact:

Budget Code: See attached

Available Balance: N/A

Comments:

Background Information: During the FY24 budget process, the idea of consolidating all general legal costs into one division was considered but never acted upon. The Town Manager, Finance Director, and Risk Manager, believe it will increase transparency by accounting for legal costs in one location, and resolve timing issues with payments. Rather than each division accounting for potential legal costs, all legal costs will be kept within one division line item.

Recommended Action (Motion): Approve the Finance Director to make the attached budget adjustment labeled BAFY24-01 for the FY24 budget year moving \$78,150 of budgeted legal expenses from the various listed divisions into the General Fund Non-Departmental division.

Instructions to the Clerk: None.

**SEPARATION AGREEMENT
AND GENERAL RELEASE**

THIS SEPARATION AGREEMENT AND GENERAL RELEASE (hereinafter this “Agreement”) is entered into by and between Town Manager Tedmond J. Soltis (“EMPLOYEE”), on the one hand, and the Town of Camp Verde (the “TOWN”), on the other hand, for the purpose of severing the employment relationship between them.

RECITALS

A. EMPLOYEE has been employed as the Town Manager for the TOWN, and his employment is governed by an employment agreement entered into on July 12, 2023. Section 3-1-3 of the Town Code requires, in relevant part: That the Town Manager may be removed by the Council other than for cause, by offering severance pay of six (6) months’ salary, conditioned on the employee and Town signing a mutual release for any employment claims, and including other terms mutually agreeable, as may be authorized by A.R.S. § 9-239.C, as may be amended.

B. EMPLOYEE and the TOWN desire to amicably terminate the employment relationship.

C. EMPLOYEE and the TOWN further desire to resolve any and all outstanding matters between them including, but not limited to, those arising out of or relating to EMPLOYEE’s employment with the TOWN and the termination thereof under the terms of this Agreement.

AGREEMENT

1. **Resignation.** EMPLOYEE hereby voluntarily resigns his employment with the TOWN immediately, with the resignation to be effective November 20, 2023.

2. **Consideration.** In consideration for each of the terms of this Agreement, the TOWN will provide EMPLOYEE with the following: The TOWN will pay EMPLOYEE six months’ severance in a continuation of EMPLOYEE’s salary (\$175,000 annually) on the existing basis, less applicable state and federal withholding taxes as required by law. Such payments will be made via direct deposit at the same time other TOWN employees are paid after full execution of this Agreement and following the revocation period outlined in Paragraph 9. Additionally, the TOWN agrees to continue contributing to EMPLOYEE’s Arizona State Retirement Account on the value of this compensation and agrees to compensate EMPLOYEE for all vacation leave and paid holidays. Furthermore, the TOWN agrees to pay for six months after full execution of this Agreement the cost to continue the following benefits: COBRA health insurance, life insurance, and other benefits available.

3. **Release and Covenant Not to Sue.** EMPLOYEE, for himself, his marital community (if any), his agents, heirs, executors and assigns, agrees that he will not initiate or

cause to be initiated against the TOWN or any of its current, past, or future agents, attorneys, insurers, council members, elected officials, employees, subsidiaries, affiliated entities, or any person or entity acting by, through, under or in concert with it, in both their personal and official capacities, (collectively referred to as "Released Parties) any lawsuit, compliance review, action, grievance proceeding or appeal, investigation or proceeding of any kind (collectively referred to as "claims"), or participate in same, individually or as a representative or a member of a class, under any contract (express or implied), law or regulation (federal state or local), including but not limited to claims pertaining to or in any way related to his employment or the termination of his employment relationship with the TOWN.

EMPLOYEE further agrees that pursuant to this Agreement, he releases and forever discharges the TOWN and the other Released Parties from any and all claims, demands, damages, causes of action, and any liability whatsoever, including but not limited to claims on account of or in any manner arising out of his employment with the TOWN or the termination of the employment relationship. By way of example only, and without limiting this release, EMPLOYEE releases the TOWN and the other Released Parties from any cause of action, right, claim or liability under Title VII of the 1964 Civil Rights Act, as amended, 42 U.S.C. §§ 1981, 1983, 1985, the Family and Medical Leave Act, the United States Constitution or Arizona Constitution, the Arizona Wage Statute, the Arizona Civil Rights Act, the Arizona Employment Protection Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and any other equal employment opportunity law or statute, any due process or other constitutional theory, any Arizona statute, any federal statute, any common law claim including wrongful discharge, implied or express contract, the covenant of good faith and fair dealing, or any other claim in tort or contract arising under any theory of the law. EMPLOYEE also waives and releases any appeal or grievance rights pursuant to the TOWN's personnel policies, procedures, regulations, or ordinances.

EMPLOYEE understands and acknowledges that this release forever bars him from suing or otherwise asserting a claim against the TOWN or any other Released Party on the basis of any event occurring prior to his execution of this Agreement, whether the facts are now known or unknown, and whether the legal theory upon which such claim might be based is now known or unknown.

4. Confidentiality.

- a. EMPLOYEE agrees to keep confidential all proprietary information or knowledge pertaining to the TOWN obtained by EMPLOYEE during the course of his employment with the TOWN.
- b. EMPLOYEE agrees that the existence, terms and conditions of this Agreement, the consideration furnished under the Agreement and the negotiations that led to this Agreement are confidential to the extent allowable by law, and that he has not and will not, either directly or indirectly, or through any other person, agent or representative, disclose any

of the above information, except as required by order of a court of competent jurisdiction, or as may be necessary to protect or enforce rights under this Agreement, or as may be reasonably necessary for obtaining legal advice or for financial reporting or other purposes as required by law.

5. **Acknowledgement of Full Payment.** EMPLOYEE acknowledges and agrees that the consideration in this Agreement is full and final payment by TOWN for all wages, overtime, bonuses, or other forms of compensation to which he was entitled as a result of his employment.

6. **Provision for Unknown Claims.** EMPLOYEE warrants that he does not have any claim or charge pending against the TOWN or any of the other Released Party with any court, tribunal, administrative agency, governmental agency, or other such body.

7. **Waiver of Right to Recovery and No Inducement.** EMPLOYEE waives any right to monetary recovery should any administrative agency pursue any released claim on his behalf. To the extent permitted by law, and/or unless required by law, EMPLOYEE agrees that he will not induce, aid, or abet anyone in instituting or prosecuting any pending or future claim against the TOWN or any other Released Party in any court, arbitral tribunal, or administrative agency. However, nothing in this provision shall prohibit EMPLOYEE from communicating with any governmental agency regarding a matter within the agency's jurisdiction.

8. **Effective Date of Agreement.** This Agreement will be effective upon 7 business days after full execution of this agreement and following the revocation period outlined in Paragraph 9.

9. **Age Discrimination in Employment Act and Older Worker's Benefit Protection Act Release.** EMPLOYEE understands and agrees that included among the released Claims are all claims or rights he may have as of the date he signs this Agreement under the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621, et seq., and Employee further understands and agrees that:

- a. EMPLOYEE is entering into this Agreement is knowing and voluntary and in compliance with the Older Workers Benefit Protection Act of 1990, 29 U.S.C. § 626(f);
- b. EMPLOYEE understands the terms of this Agreement;
- c. The consideration paid in paragraph 2 is in exchange for signing this Agreement, and such consideration given for his waiver and release is in addition to anything of value to which he was already entitled;
- d. EMPLOYEE has been advised to consult with an attorney prior to signing this Agreement;

- e. EMPLOYEE has 21 days in which to consider this Agreement, however, he may waive his right to wait 21 days and sign this Agreement earlier in order to expedite the payment he will receive pursuant to paragraph 2 of this Agreement; and
- f. After EMPLOYEE signs this Agreement, he will have seven days to revoke it. If EMPLOYEE wishes to revoke this Agreement, he must do so in writing and deliver the writing via e-mail to the TOWN Human Resources Director, Julia Kaiser, 39 S. Main Street, Suite 310, Camp Verde, Arizona 86322, no later than 5:00 p.m. on the seventh day after he signs this Agreement. If Employee revokes this Agreement, the entire Agreement is of no force and effect; but if he does not revoke this Agreement, he will receive the consideration described in paragraph 2.

10. **Full Consideration.** EMPLOYEE agrees that the TOWN's compliance with the above-described terms constitutes full and sufficient legal consideration for the promises and covenants set forth in this Agreement.

11. **No Admission of Wrongdoing.** The parties each agree that nothing in this Agreement shall be construed as an admission by either of them of any wrongdoing or violation of any applicable law.

12. **Bar.** EMPLOYEE specifically agrees that this Agreement may be pled by the TOWN or any other Released Parties as an absolute bar to any released claim.

13. **Complete Agreement.** This Agreement sets forth all of the terms and conditions of the agreement between the parties and shall be considered and understood to be a contractual commitment and not a mere recital. This Agreement shall be binding upon the TOWN and its successors and assigns and upon EMPLOYEE and his marital community (if any), respective agents, heirs, executors, representatives, and assigns.

14. **Fees and Costs.** In an action to enforce any term or terms of this Agreement or to seek damages for breach of this Agreement, the prevailing party in that action shall be entitled to recover reasonable attorney's fees.

15. **Waiver and Amendment.** A waiver of any right under this Agreement must be in writing to be effective. This Agreement may be amended only by a writing signed by the parties. Any oral representation or modification concerning this Agreement shall be of no force or effect.

16. **Return of Property.** Within 5 business days of the effective date of this Agreement, EMPLOYEE shall return all property of the TOWN in his possession.

17. **Complete Agreement.** This Agreement sets forth the entire Agreement between the parties.

18. **Choice of Law.** This Agreement shall be construed, enforced, and governed by the laws of the State of Arizona.

19. **Severability.** Should any provision of this Agreement be declared or determined by any court to be illegal or invalid, the validity of the remaining parts, terms or provisions shall not be affected thereby and said illegal or invalid part, term or provision shall be deemed not to be a part of this Agreement.

20. **Acknowledgement.** EMPLOYEE acknowledges that in executing this Agreement, he does not rely on any inducements, promises or representations made by the TOWN other than those expressly stated herein. Further, EMPLOYEE declares that he has read this Agreement and fully understands its terms and contents, including their rights and obligations hereunder, and freely, voluntarily and without coercion enters into this Agreement. EMPLOYEE agrees and acknowledges that the waiver and release of all rights or claims he may have under any local state or federal law is knowing and voluntary.

21. **Cancellation.** This Agreement is cancellable pursuant to A.R.S. § 38-511.

TOWN OF CAMP VERDE

By _____
Its _____

Dated: _____

TEDMOND J. SOLTIS

Dated: 11/16/23

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Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

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

Requesting Department: Council-Vice Mayor Moore

Staff Resource/Contact Person:

Agenda Title (be exact): Recognition of Camp Verde’s Business Resource & Innovation Center (BRIC) Golden Prospector Award

List Attached Documents:

- Copy of Press Release
- Copy of Verde Independent News Article

Estimated Presentation Time: 5 Minutes

Estimated Discussion Time: 10 Minutes

Reviews and comments Completed by:

Town Manager: _____ Department Head: _____

Town Attorney Comments: _____

Risk Management: _____

Finance Department
Fiscal Impact:
Budget Code: _____ **Amount Remaining:** _____
Comments:

Background Information:

Recommended Action (Motion): none

Instructions to the Clerk: none



Town of Camp Verde

◆ 473 S. Main Street ◆ Camp Verde, AZ 86322 ◆

◆ www.campverde.az.gov ◆

For Immediate Release

Date: November 7, 2023

Contact: David Meyers, Economic Development Specialist, Town of Camp Verde

Phone: (928) 554-0008

Email: David.Meyers@campverde.az.gov

“Town of Camp Verde Receives Award for its Business Resource and Innovation Center”

Camp Verde, Ariz. – The Business Resource & Innovation Center (BRIC) was recognized with an Arizona Association for Economic Development (AAED) Golden Prospector Award for “Unlocking Prosperity and Innovation – The BRIC Success Story,” a program aimed at fostering entrepreneurial empowerment and economic growth. Crisi Clark, Economic Development Specialist, proudly accepted the award on October 26 at AAED’s Fall Forum.

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Classroom at the BRIC (Courtesy/Town of Camp Verde)



By Paige Daniels

Originally Published: November 14, 2023 3:48 p.m.

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The BRIC's conference room (Courtesy/Town of Camp Verde)

Around The Web





Town of Camp Verde

◆ 473 S. Main Street◆ Camp Verde, AZ 86322 ◆

◆ www.campverde.az.gov ◆

For Immediate Release

Date: November 7 ,2023

Contact: David Meyers, Economic Development Specialist, Town of Camp Verde

Phone: (928) 554-0008

Email: David.Meyers@campverde.az.gov

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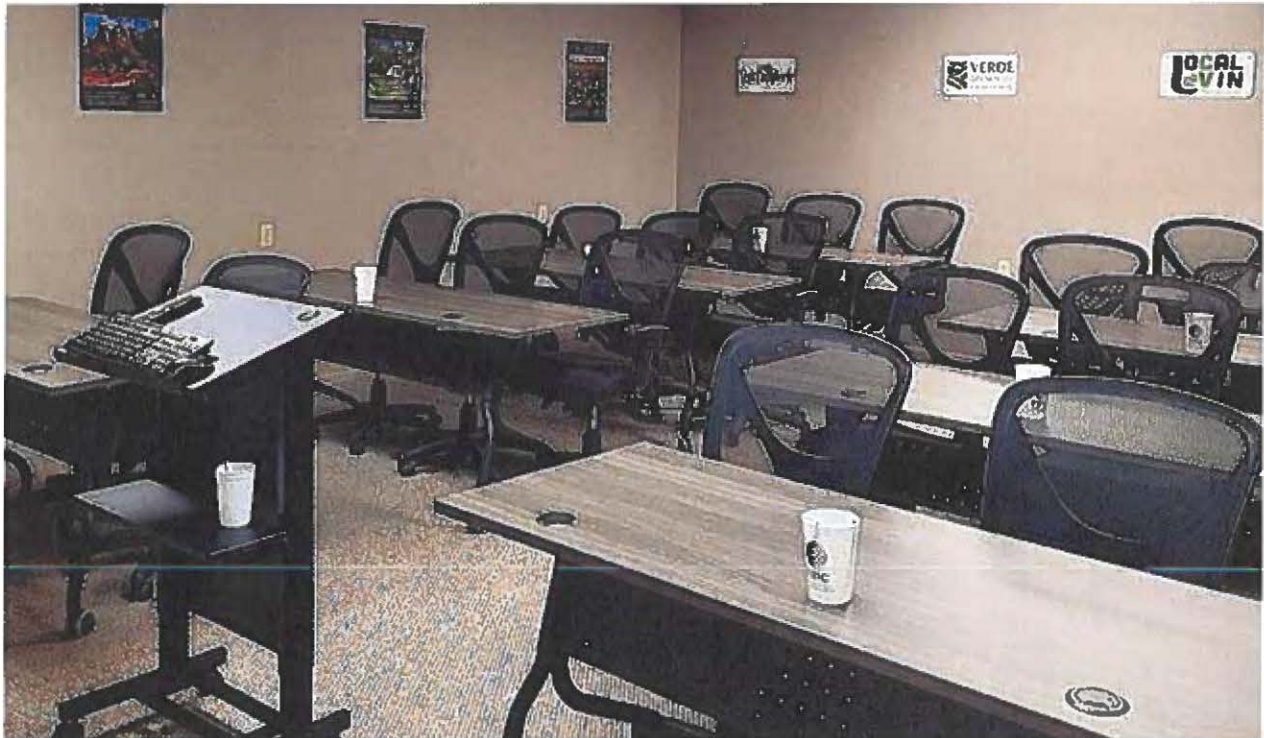
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Around The Web



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Town of Camp Verde

Agenda Item Submission Form – Section

Meeting Date: December 6, 2023

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

Requesting Department: Utilities Department

Staff Resource/Contact Person: Jeff Low

Agenda Title (be exact): Discussion, Consideration, and Possible Approval of Contract 2023-185 with Water Works Engineers for Professional Services for the Town of Camp Verde Wastewater Master Plan, GIS Update and WWTP Evaluations in an Amount not to exceed \$190,788.00.

List Attached Documents: Contract No. 2023-185 and Wastewater Area Exhibit

Estimated Presentation Time: 10 Minutes

Estimated Discussion Time: 15 Minutes

Reviews Completed by:

Department Head: Jeff Low Town Attorney Comments:

Review Completed

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund: Funded by Transferring ARPA from Septage Receiving Station Design Funds

Fiscal Impact: The Septage Receiving Station Design completion will be delayed until FY25

Budget Code: None

Amount Remaining:

Comments: \$190,788.00 of the ARPA funding for the Septage Receiving Station would be utilized for the Wastewater masterplan.

Background Information:

The Utilities Department has been working with Water Works Engineer on a Scope and Fee for the Wastewater Master Plan, GIS Update and WWTP Evaluations.

The Town requested a proposal from Water Works Engineers to develop a comprehensive wastewater master plan to inventory, document, analyze, and identify improvements to the existing wastewater collection system and treatment plant. The work will include wastewater capacity projections for Town buildout, recommendations for expansion areas for the collection system, develop a comprehensive Capital Improvements Program, and updating the GIS mapping and database developed by Waterworks Engineers for the Town’s water distribution system to add and include the sanitary sewer system. The services to be provided generally include data collection and review, creating a collections system model (importing data from a partial model developed for the north end sewer extension project), analyzing the existing sewer system using the model for dry weather and wet weather conditions, and documenting the findings and recommendations based on the system analysis.

The Master Plan will also evaluate the Wastewater Master Plant, lift stations, SCADA System, collection system and develop an organized Capital Improvements Program. Specific tasks associated with the Treatment Plant Evaluation include full design of the septage receiving station, determining effluent management, solids drying bed, blower building upgrade, plant power needs and overall Wastewater SCADA evaluation.

After completion of the Wastewater Capital Improvements Program, a separate contract will be awarded to develop Wastewater Impact Fees. The Town has currently awarded a contract to analyze the Water Impact fees, which should be concluded within 6 months.

The Professional Services contract is being awarded to Water Works Engineers based on their experience with the Towns GIS system and by utilizing both the City of Prescott and City of Flagstaff Cooperative Use on-call contracts for Professional Wastewater Services.

Recommended Action (Motion): Move to approve Contract Number 2023-185, with Water Works Engineers for Engineering Design Services for the Town of Camp Verde Wastewater Master Plan, GIS Update and WWTP Evaluations in an Amount not to exceed 190,788.00.

Instructions to the Clerk:



**Town of Camp Verde
Consultant Agreement**

For Professional Services
For

Contract Number 2023-185

**Engineering Services for the Town of Camp Verde Wastewater Master Plan, GIS
Updates and WWTP Evaluation Project**

Between the

Town of Camp Verde
Camp Verde, Arizona

And

Water Works Engineering

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES

THIS Agreement is between the Town of Camp Verde, Arizona, a municipal corporation, hereinafter referred to as the “Town” and Water Works Engineers, hereinafter referred to as the “Consultant.”

FOR THE PURPOSE of providing Engineering Design services for the Town of Camp Verde, the Town and Consultant do hereby mutually agree to the following:

1. SERVICES AND RESPONSIBILITIES

1.1 Retention of the Consultant. In consideration of the mutual promises contained in this Agreement, the Town engages the Consultant to render services set forth herein, in accordance with all the terms and conditions contained in this Agreement.

1.2 Scope of Services. The Consultant shall do, perform, and carry out in a satisfactory and proper manner, as determined by the Town, the services set forth in this Agreement, including all exhibits (“Services”). The specific scope of work is set forth in Exhibit A.

1.3 Responsibility of the Consultant.

1.3.1 Consultant hereby agrees that the documents and reports prepared by Consultant will fulfill the purposes of the Contract, shall meet all applicable code requirements, and shall comply with applicable laws and regulations. In addition, and not as a limitation on the foregoing, such documents and reports prepared by Consultant shall be prepared in accordance with professional standards, as applicable. Any review or approval of said documents and reports does not diminish these requirements.

1.3.2 Consultant shall notify Town of any constraints associated with the Services.

1.3.3 Consultant shall procure and maintain during the course of this Agreement insurance coverage required by Paragraph 4 of this Agreement.

1.3.4 Consultant shall designate Robert Bryant, PE as their Consultant Representative and all communications shall be directed to him. Key Consultant Personnel are set forth in Exhibit B. “Key Personnel” includes the Consultant’s employee who will place his license number and signature on key documents and those employees who have significant responsibilities regarding the Services and Project. Prior to changing such designation Consultant shall first obtain the approval of the Town.

1.3.5 Consultant's subcontracts are set forth in Exhibit B attached hereto and made a part hereof. Any modification to the list of Subcontractors on Exhibit B, either by adding, deleting, or changing Subcontractors shall require the written consent of the Town.

1.3.6 Consultant shall obtain its own legal, insurance and financial advice regarding Consultant's legal, insurance and financial obligations under this Agreement.

1.3.7 Consultant shall coordinate its activities with the Town’s Representative and submit its reports to the Town’s Representative.

1.3.8 Consultant shall provide, pay for, and insure under the requisite laws and regulations all labor, materials, equipment, and transportation, and other facilities and services necessary for the proper execution and completion of the Services. Consultant shall provide and pay for and insure for all equipment necessary for the Services.

1.3.9 Consultant shall obtain and pay for all business registrations, licenses, permits, governmental inspections and governmental fees necessary and customarily required for the proper execution and completion of Services. Consultant shall pay all applicable taxes. Consultant shall give all notices and comply with all laws, ordinances, rules, regulations, and lawful orders of any public authority bearing on the performance of the Services.

1.4 Responsibility of the Town.

1.4.1 The Town shall cooperate with the Consultant by placing at his/her/their disposal all available information concerning the Services. Town agrees to obtain its own legal, insurance and financial advice Town may require for the Project.

1.4.2 Town designates Jeff Low, Utilities Director as its Town Representative. All communications to Town shall be through its Town Representative.

1.5 Contract Term; Renewal.

1.5.1 Contract Term; Renewal. If funds for this Contract are not appropriated or budgeted by July 1, 2023, the Town may terminate this contract by giving written notice to Contractor. Otherwise, the Contract commences upon execution of the Contract and continues through December 30, 2024. The Contract may be renewed for up to one additional year upon mutual agreement of the parties. Any renewal shall be in writing and shall expressly state the prices for the services during the renewal term. Any renewal shall be contingent on funds being appropriated or budgeted for the renewal term.

1.5.2 Schedule of Services. The Schedule of Services is set forth in Exhibit C.

2. COMPENSATION AND METHOD OF PAYMENT

2.1 Compensation. All compensation for complete and satisfactory completion of services rendered by Consultant, including any Subcontractors, shall be set forth in Exhibit D and shall not exceed \$190,788.00.

2.2 Method of Payment. Method of payment shall be set forth in Exhibit D. If payment is to be made monthly, Consultant shall prepare monthly invoices and progress reports which clearly indicate the progress to date and the amount of compensation due by virtue of that progress. All invoices shall be for services completed.

3. CHANGES TO THE SCOPE OF SERVICES: The Town may, at any time, and by written change order, make changes in the services to be performed under this Agreement. A form of change order is attached hereto as Exhibit E. If such changes cause an increase or decrease in the Consultant's cost or time required for performance of any services under this Agreement, an equitable adjustment shall be made, and the Agreement shall be modified in writing accordingly. Any claim from the Consultant for adjustment under this clause must be submitted in writing within thirty (30) days from the date of receipt by the Consultant of the notification of change. It is distinctly understood and agreed by the parties that no claim for extra services provided, or materials furnished by Consultant will be allowed by Town except as provided herein nor shall Consultant provide any services or furnish any materials not covered by this Agreement unless Town first approves in writing.

4. INSURANCE REPRESENTATIONS AND REQUIREMENTS

4.1 General. Consultant agrees to comply with all Town ordinances and state and federal laws and regulations. Without limiting any obligations or liabilities of Consultant, Consultant shall purchase and maintain, at its own expense, hereinafter stipulated minimum insurance with insurance companies duly licensed by the State of Arizona (admitted insurer) with an AM Best, Inc. rating of A-7 or above or an equivalent qualified unlicensed insurer by the State of Arizona (non-admitted insurer) with policies and forms satisfactory to the Town. Failure to maintain insurance as specified may result in termination of this Agreement at Town's option.

4.2 No Representation of Coverage Adequacy. By requiring insurance herein, Town does not represent that coverage and limits will be adequate to protect Consultant. Town reserves the right to review any and all of the insurance policies and/or endorsements cited in this Agreement but has no obligation to do so. Failure to demand such evidence of full compliance with the insurance requirements set forth in this Agreement or failure to identify any insurance deficiency shall not relieve Consultant from, nor be construed or deemed a waiver of, its obligation to maintain the required insurance at all times during the performance of this Agreement.

4.3 Additional Insured. All insurance coverage and self-insured retention or deductible portions, except Workers Compensation insurance and Professional Liability insurance if applicable, shall name, to the fullest extent permitted by law for claims arising out of the performance of this Agreement, Town, its agents, representative, officers, directors, officials, and

employees as Additional Insured as specified under the respective coverage sections of this Agreement.

4.4 Coverage Term. All insurance required herein shall be maintained in full force and effect until all Services required to be performed under the terms of this Agreement is satisfactorily performed, completed, and formally accepted by the Town, unless specified otherwise in this Agreement.

4.5 Primary Insurance. Consultant's insurance shall be primary insurance as respects performance of subject contract and in the protection of the Town as an Additional Insured.

4.6 Claims Made. In the event any insurance policies required by this Agreement are written on a "claims made" basis, coverage shall extend, either by keeping coverage in force or purchasing an extended reporting option, for three (3) years past completion and acceptance of the Services evidenced by submission of annual Certificates of Insurance citing applicable coverage is in force and contains the provisions as required herein for the three-year period.

4.7 Waiver. All policies, including Workers' Compensation Insurance, shall contain a waiver of rights of recovery (subrogation) against Town, its agents, representative, officials, directors, officers, and employees for any claims arising out of the Services of Consultant. Consultant shall arrange to have such subrogation waivers incorporated into each policy via formal written endorsement thereto.

4.8 Policy Deductibles and/or Self-Insured Retentions. The policies set forth in these requirements may provide coverage, which contain deductibles or self-insured retention amounts. Such deductibles or self-insured retention shall not be applicable with respect to the policy limits provided to Town. Consultant shall be solely responsible for any such deductible or self-insured retention amount. Town, at its option, may require Consultant to secure payment of such deductible or self-insured retention by a surety bond or irrevocable and unconditional Letter of Credit.

4.9 Use of Subcontractors. If any Services under this Agreement are subcontracted in any way, Consultant shall execute written agreement with Subcontractor containing the same Indemnification Clause and Insurance Requirements set forth herein protecting Town and Consultant. Consultant shall be responsible for executing the agreement with Subcontractor and obtaining Certificates of Insurance verifying the insurance requirements.

4.10 Evidence of Insurance. Prior to commencing any Services under this Agreement, Consultant shall furnish Town with Certificate(s) of Insurance, or formal endorsements as required by this Agreement, issued by Consultant's Insurer(s) as evidence that policies are placed with acceptable insurers as specified herein and provide the required coverage's, conditions, and limits of coverage specified in this Agreement and that such coverage and provisions are in full force and effect. Acceptance and reliance by the Town on a Certificate of Insurance shall not waive or alter in any way the insurance requirements or obligations of this Agreement. Such Certificate(s) shall identify the Agreement and be sent to the Town Risk Manager. If any of the above cited policies expire during the life of this Agreement, it shall be Consultant's

responsibility to forward renewal Certificates within ten (10) days after the renewal date containing all the aforementioned insurance provisions. Certificates shall specifically cite the following provisions:

4.10.1 Town, its agents, representatives, officers, directors, officials, and employees is an Additional Insured as follows:

- a. Commercial General Liability-Under ISO Form CG 20 10 11 85 or equivalent.
- b. Auto Liability-Under ISO Form CA 20 48 or equivalent.
- c. Excess Liability-Follow Form to underlying insurance.

4.10.2 Consultant's insurance shall be primary insurance as respects performance of this Agreement.

4.10.3 Certificate shall cite a thirty (30) day advance notice cancellation provision. If ACORD Certificate of Insurance form is used, the phrases in the cancellation provision "endeavor to" and "but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives" shall be deleted. Certificate forms other than ACORD form shall have similar restrictive language deleted.

4.11 Required Coverage.

4.11.1 Commercial General Liability. Consultant shall maintain "occurrence" from Commercial Liability Insurance with a policy limit of not less than \$1,000,000 for each occurrence, \$2,000,000 Products and Completed Operations Annual Aggregate, and a \$2,000,000 General Aggregate Limit. The policy shall cover liability arising from premises, operations, independent Consultants, products-completed operations, personal injury, and advertising injury. Coverage under the policy will be at least as broad as Insurance Services Office, Inc. policy form CG 00 010 93 or equivalent thereof, including but not limited to, separation of insured clause. To the fullest extent allowed by law, for claims arising out of the performance of this Agreement, Town, its agents, representative, officers, directors, officials and employees shall be cited as an Additional Insured Endorsement form CG 20 10 11 85 or equivalent, which shall read "Who is an Insured (Section II) is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of "your work" for that insured by or for you". If any Excess insurance is utilized to fulfill the requirements of this paragraph, such Excess insurance shall be "follow form" equal or broader in coverage scope than underlying insurance.

4.11.2 Professional Liability. Consultant shall maintain Professional Liability insurance covering errors and omissions arising out of the Services performed by Consultant, or anyone employed by Consultant, or anyone for whose acts, mistakes, errors, and omissions Consultant is legally liable, with a liability insurance policy limit of \$1,000,000 each claim and \$2,000,000 all claims. Professional Liability coverage specifically shall contain contractual liability insurance

covering the contractual obligations of this Agreement. In the event the Professional Liability insurance policy is written on a “claims made” basis, coverage shall extend for three (3) years past completion and acceptance of the Services, and Consultant shall be required to submit Certificates of Insurance evidencing proper coverage is in effect as required above.

4.11.3 Vehicle Liability. Consultant shall maintain Business Automobile Liability Insurance with a limit of \$1,000,000 each occurrence on Consultant’s owned, hired, and non-owned vehicles assigned to or used in the performance of the Consultant’s Services under this Agreement. Coverage will be at least as broad as Insurance Services Office, Inc., coverage code “1” any auto policy form CA 00 01 12 93 or equivalent thereof. To the fullest extent allowed by law, for claims arising out of performance of this Agreement, the Town, its agents, representative, officers, directors, officials, and employees shall be cited as an Additional Insured under the Insurance Service Offices, Inc. Business Auto Policy Designated Insured Endorsement form CA 20 48 or equivalent. If any Excess insurance is utilized to fulfill the requirements of this paragraph, such Excess insurance shall be “follow form” equal or broader in coverage scope than underlying insurance.

4.11.4 Workers’ Compensation Insurance. Consultant shall maintain Workers’ Compensation insurance to cover obligations imposed by federal and state statutes having jurisdiction of Consultant’s employees engaged in the performance Services under this Agreement and shall also maintain Employer Liability Insurance of not less than \$500,000 for each accident, \$500,000 disease for each employee and \$1,000,000 disease policy limit.

5. INDEMNIFICATION

5.1 To the fullest extent permitted by law, the Consultant, its successors, assigns and guarantors, shall pay, defend, indemnify and hold harmless the town, its agents, officers, officials and employees from and against all demands, claims, proceedings, suits, damages, losses and expenses (including but not limited to attorney fees, court costs, and the cost of appellate proceedings), and all claim adjustment and handling expenses, relating to, arising out of, or alleged to have resulted from acts, errors, mistakes, omissions, Services caused by the Consultant, its agents, employees or any tier of Consultant’s Subcontractors related to the Services in the performance of this Agreement. Consultant’s duty to defend, hold harmless and indemnify the town, its agents, officers, officials and employees shall arise in connection with any claim, damage, loss or expense that is attributable to bodily injury, sickness, disease, death, or injury to, impairment, or destruction of property including loss of use of resulting therefrom, caused by Consultant’s acts, errors, mistakes, omissions, Services in the performance of this Agreement including any employee of the Consultant, any tier of Consultant’s Subcontractor or any other person for whose acts, errors, mistakes, omissions, Services the Consultant may be legally liable including the Town. Such indemnity does not extend to the Town’s negligence.

5.2 If any claim, action or proceeding is brought against the Town by reason of any event that is the subject of this Agreement and or described herein, upon demand made by Town, Consultant, at its sole costs and expense, shall pay, resist or defend such claim or action on behalf of the Town by attorney of Consultant, or if covered by insurance, Consultants’ insurer, all of which must be approved by the Town, which approval shall not be unreasonably withheld

or delayed. The Town shall cooperate with all reasonable efforts in the handling and defense of such claim. Included in the foregoing, the Town may engage its own attorney to defend or assist in its defense. Any settlement of claims shall fully release and discharge the indemnified parties from any further liability for those claims. The release and discharge shall be in writing and shall be subject to approval by the Town, which approval shall not be unreasonably withheld or delayed. If Consultant neglects or refuses to defend the Town as provided by this Agreement, any recovery or judgment against the Town for a claim covered under this Agreement shall conclusively establish Consultant's liability to the Town in connection with such recovery or judgment, and if the Town desires to settle such dispute, the Town shall be entitled to settle such dispute in good faith and Consultant shall be liable for the amount of such settlements and all expenses connected to the defense, including reasonable attorney fees, and other investigative and claims adjusting expenses.

5.3 Insurance provisions set forth in this Agreement are separate and independent from the indemnity provisions of this paragraph and shall not be construed in any way to limit the scope and magnitude of the indemnity provisions. The indemnity provisions of this paragraph shall not be construed in any way to limit the scope and magnitude and applicability of the insurance provisions.

6. TERMINATION OF THIS AGREEMENT

6.1 Termination. The Town may, by written notice to the Consultant, terminate this Agreement in whole or in part with seven (7) days' notice, either for the Town's convenience or because of the failure of the Consultant to fulfill his/her/their contract obligations. Upon receipt of such notice, the Consultant shall: (1) immediately discontinue all services affected (unless the notice directs otherwise), and (2) deliver to the Town copies of all data, drawings, reports, estimates, summaries, and such other information and materials as may have been accumulated by the Consultant in performing this Agreement, whether completed or in process. This Agreement may be terminated in whole or in part by the Consultant in the event of substantial failure by the Town to fulfill its obligations.

6.2 Payment to Consultant Upon Termination. If the Agreement is terminated, the Town shall pay the Consultant for the services rendered prior thereto in accordance with percent completion at the time work is suspended minus previous payments.

7. ASSURANCES

7.1 Solicitations for Subcontractors, Including Procurements of Materials and Equipment. In all solicitations either by competitive bidding or negotiation made by the Consultant for Services to be performed under a subcontract, including procurements of materials or leases of equipment, each potential Subcontractor or supplier shall be notified by the Consultant of the Consultant's obligations under this Agreement and any Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

7.2 Examination of Records. The Consultant agrees that duly authorized representatives of the Town shall, until the expiration of three (3) years after final payment under this Agreement,

have access to and the right to examine any directly pertinent books, documents, papers, and records of the Consultant involving transactions related to this Agreement.

7.3 Ownership of Documents and Other Data. Original documents and other data prepared or obtained under the terms of this Agreement, or any change order are and will remain the property of the Town unless otherwise agreed to by both parties. Town may use such documents for other purposes without further compensation to the Consultant; however, any reuse without written verification or adaptation by Consultant for the specific purpose intended will be at Town's sole risk and without liability or legal exposure to Consultant. Any verification or adaptation of the documents by Consultant for other purposes than contemplated herein will entitle Consultant to further compensation as agreed upon between the parties.

7.4 Litigation. Should litigation be necessary to enforce any term or provision of this Agreement, or to collect any damages claimed or portion of the amount payable under this Agreement, that all litigation and collection expenses, witness fees, court costs, and reasonable attorneys' fees incurred shall be paid to the prevailing party.

7.5 Independent Contractor. This Contract does not create an employee/employer relationship between the parties. It is the parties' intention that the Consultant will be an independent contractor and not Town's employee for all purposes, including, but not limited to, the application of the Fair Labor Standards Act, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the Internal Revenue Code, the Immigration and Naturalization Act, Arizona revenue and taxation laws, Arizona Workers' Compensation Law, and Arizona Unemployment Insurance Law. The Consultant agrees that it is a separate and independent enterprise from Town, that it has a full opportunity to find other business, that it has made its own investment in its business, and that it will utilize a high level of skill necessary to perform the work. This Contract shall not be construed as creating any joint employment relationship between the Consultant and Town, and Town will not be liable for any obligation incurred by the Consultant, including but not limited to unpaid minimum wages and/or overtime premiums. [FOR SOLE PROPRIETORS ONLY: The Consultant shall execute the Sole Proprietor's Waiver of Workers' Compensation Benefits attached hereto and incorporated by reference.]

7.6 Immigration Law Compliance Warranty: As required by A.R.S. § 41-4401, Consultant hereby warrants its compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A). Consultant further warrants that after hiring an employee, Consultant verifies the employment eligibility of the employee through the E-Verify program. If Consultant uses any Subcontractors in performance of the Work, Subcontractors shall warrant their compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A), and Subcontractors shall further warrant that after hiring an employee, such Subcontractor verifies the employment eligibility of the employee through the E-Verify program. Consultant shall not be deemed in material breach of this Contract if the Consultant and/or Subcontractors establish compliance with the employment verification provisions of Sections 274A and 274B of the federal Immigration and Nationality Act and the E-Verify requirements contained in A.R.S. § 23-214(A). Town retains the legal right to inspect the papers of any Consultant or Subcontractor employee who works on the Contract to ensure compliance

with the warranty. Any inspection will be conducted after reasonable notice and at reasonable times. If state law is amended, the parties may modify this paragraph consistent with state law.

7.7 Exclusive Use of Services. The services agreed to be provided by Consultant within this Agreement are for the exclusive use of the Town and Consultant shall not engage in conflict of interest nor appropriate Town work product or information for the benefit of any third parties without Town consent.

7.8 Sole Agreement. There are no understandings or agreements except as herein expressly stated.

7.9 Caption. Paragraph captions are for convenience only and are not to be construed as a part of this Agreement; and in no way do they define or limit the Agreement.

7.10 Time is of the Essence. The timely completion of the Project is of critical importance to the economic circumstances of the Town.

7.11 Notices. Any notice to be given under this Agreement shall be in writing, shall be deemed to have been given when personally served or when mailed by certified or registered mail, addressed as follows:

TOWN:

Jeff Low, Utilities Director
Town of Camp Verde
473 S Main Street
Camp Verde, Arizona 86322

CONSULTANT:

Rob Bryant, PE
Water Works Engineers
7500 N. Dobson Road, Suite 200
Scottsdale, Arizona 85256

The address may be changed from time to time by either party by serving notices as provided above.

7.12 Controlling Law. This Agreement is to be governed by the laws of the State of Arizona.

7.13 Israel. To the extent A.R.S. § 35-393 through § 35-393.03 is applicable, Consultant certifies that it is not currently engaged in, and agrees for the duration of Agreement that it will not engage in, a boycott of Israel, as that term is defined in A.R.S. § 35-393.

7.14 China. Pursuant to and in compliance with A.R.S. § 35-394, Consultant hereby agrees and certifies that it does not currently, and agrees for the duration of this Agreement that Consultant will not, use: (i) the forced labor of ethnic Uyghurs in the People’s Republic of China; (ii) any goods or services produced by the forced labor of ethnic Uyghurs in the People’s Republic of China; or (iii) any contractors, subcontractors or suppliers that use the forced labor or any goods or services produced by the forced labor of ethnic Uyghurs in the People’s Republic of China. Consultant also hereby agrees to indemnify and hold harmless the Town, its officials, employees, and agents from any claims or causes of action relating to the Town’s action based

upon reliance upon this representation, including the payment of all costs and attorney fees incurred by the Town in defending such as action.

8. SUSPENSION OF WORK

8.1 Order to Suspend. The Town may order the Consultant, in writing, to suspend all or any part of the Services for such period of time as he may determine to be appropriate for the convenience of the Town.

8.2 Adjustment to Contract Fee. If the performance of all or any part of the Services is, for any unreasonable period of time, suspended or delayed by an act of the Town in the administration of this Agreement, or by its failure to act within the time specified in this Agreement (or if no time is specified, within a reasonable time), an adjustment shall be made for any increase in cost of performance of this Agreement necessarily caused by such unreasonable suspension or modified in writing accordingly. However, no adjustment shall be made under this clause for any suspension or delay to the extent (1) that performance was suspended or delayed for any other cause, including the fault or negligence of the Consultant, or (2) for which an equitable adjustment is provided for or excluded under any other provision of this Agreement.

9. INTERESTS AND BENEFITS

9.1 Interest of Consultant. The Consultant shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement. The Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed.

9.2 Interest of Town Members and Others. No officer, member or employee of the Town and no member of its governing body, who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of the services to be performed under this Agreement, shall participate in any decision relating to this Agreement which affects his personal interest or have any personal or pecuniary interest, direct or indirect, in this Agreement or the process thereof.

9.3 Notice Regarding A.R.S. § 38-511. This Agreement is subject to cancellation under Section 38-511, Arizona Revised Statutes.

10. ASSIGNABILITY

The Consultant shall not assign any interest in this Agreement and shall not transfer any interest in the same without the prior written consent of the Town thereto; provided, however, that claims for money due or to become due to the Consultant from the Town under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to Camp Verde.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date and year last set forth below.

“Town”
TOWN OF CAMP VERDE, ARIZONA,
a municipal corporation

By: _____
Its: _____
Date: _____

ATTEST:

By: _____
Cindy Pemberton, Town Clerk

APPROVED AS TO FORM:

By: _____
Trish Stuhan, Town Attorney
Pierce Coleman PLLC

“Consultant”

By: _____
Its: _____
Date: _____

**EXHIBIT A
SCOPE OF WORK**

SCOPE OF SERVICES

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Overview

Engineering services for the Town of Camp Verde (TOCV) (Owner) Wastewater Master Plan and GIS Updates (Project) will be performed by Water Works Engineers (WWE) as Prime and Rick Engineering Company (RICK) as a subconsultant. This team will be referred to as the Engineer.

The scope of work associated with this project is based on a series of tasks as follows:

Basic Services

- Task Series 1000, Project Management
- Task Series 3000, Wastewater Master Plan Update

Tasks and requirements set forth in this Scope of Work have been defined by the following major elements:

Wastewater collection system modeling, GIS, and line extensions

- Utilize existing hydraulic model as applicable
- Field survey and digital photos of existing infrastructure
- Development of GIS database and mapping based on field survey
- Conduct sewer flow monitoring to calibrate existing model
- Develop ratio of sewer flows from water meter data based on land use
- Model dry and wet weather scenarios
- Determine existing facility capacity
- Develop growth scenarios, expand development growth improvements, and determine collection system expansion areas
- Develop growth improvements
- Develop Capital Improvement Plan for the wastewater system
 - This information will be transferred to those who are developing capacity fees
- Evaluate existing flows, loadings, compliance, and treatment plant capacity
- Evaluate lift station, wastewater treatment plan, and SCAD systems.

Basic Services

Task Series 1000 Project Management (WWE)

Task 1100 General

Under this task the Engineer shall perform general project management tasks. This category is limited to senior management oversight tasks.

Under this task, the Engineer will develop and monitor the project schedule.

Deliverable: Project schedule.

Task 1200 Meetings

The Engineer will prepare written minutes for all meetings and distribute them to attendees. Action items and decisions will be clearly identified in the minutes.

Subtask 1210 Project Workshops/Kick-off Meeting

The Engineer will conduct project workshops and a kick-off meeting with the TOCV throughout the project. The purpose of these meetings will be as follows:

- Introduce the Project Team
- Review the project Scope of Work
- Review the Project Schedule
- Establish communication protocol and project procedures
- Develop and maintain a project meeting schedule
- Collect and compile Town input and establish project objectives
- Present technical information
- Review project progress
- Open dialogue for general project coordination

Deliverable: Meeting Notes, Action Item List, and Decisions List

Subtask 1220 Project Coordination Meetings

The Engineer will conduct three (3) periodic meetings with Town staff to address technical, coordination, and administrative issues related to the project. These meetings will also be used to conduct technical workshops, design submittal meetings, design review meetings, and project management meetings. In addition, the engineer will conduct two briefing sessions with Town Council, one half way through the study to elicit Council input to the plan and one near the end to present the draft final plan.

Deliverables: Meeting Notes, Action Item List, and Decisions List

Task 1300 Management of Subconsultants

The Engineer shall manage the services of the firms providing services for the completion of this project. The Engineer shall review the progress of the services being performed, prepare subconsultant agreements, determine correctness of partial payment requests, and process payment requests.

Task Series 2000 Wastewater System (WWE)

Engineer will develop a Wastewater System Master Plan including the wastewater treatment plant, lift stations, SCADA system, and collection system using GIS and GPS mapping. GIS system will include linking to as-built plans as available.

Presentations to Town Council as provided for herein will be conducted for update, status, and ultimate approval of final Wastewater System Master Plan.

Task 2100 Data Collection and Review

Engineer will use available drawings and maps that the Town has already to create a GIS datasets for an update of the existing collection system model. Existing maps and associated information will be reviewed and evaluated to determine the accuracy and completeness of information that is available. Engineer will compile and review other information such as survey data, as-built drawings, equipment data sheets, land use data, zoning plans, and other planning documents. As-built plans, as available, will be linked to the GIS system for convenient retrieval. Engineer will interview Town Staff to collect and document institutional knowledge that will be helpful in the creation of the model.

The result of the data collection and review task will be a clear understanding of the information that is available for use in the model development, as well as identification of data gaps requiring further investigation.

Task 2200 Kick-off Workshop (WWE and RICK)

Engineer will facilitate a project kick-off workshop to define the project and refine the project approach. The use of a workshop setting will allow the engineering team to become familiar with the Town’s expectations through input from pertinent staff members. Project objectives, critical areas within the collection system, desired detail and extent of the modeling effort, and the continuing data collection process will be discussed during the workshop. The initial scheduling and phasing of the project will also be addressed and documented.

Deliverables: Meeting minutes, action items, decision log

Task 2300 Collection System Model – Physical Model (WWE)

Engineer will update the physical model of the collection system that includes all main trunk lines and laterals. Engineer will update the existing model using field survey and information from Town staff to refine the existing model. The collection system model will include and address lift stations.

Subtask 2310 Evaluate and Assist in Selection of Software Package (WWE)

Several hydraulic modeling software packages are available that would meet the Town’s master planning needs. Engineer will assist the Town in evaluating available software for suitability based on the specific needs of the Town. The selected package will integrate with GIS files developed as part of this project and allow for dynamic simulation of storm events. The Engineer can retain the license and maintain the model for the Town until such time as the Town has budgeted the funds to purchase the model and has staff trained to maintain the model (may be in a subsequent fiscal year. At that time, Town will purchase the selected modeling software for on-going use.

Subtask 2320 Create GIS Model (WWE)

Engineer will utilize field survey data provided by the Town, existing map files, and other documents for input into the GIS modeling software. The result will be a working GIS model that represents each element of the collection system as an entity with the ability to input feature attributes such as age, size, location, invert elevation, rim elevation, type, material, condition, and digital photo of each facility.

Subtask 2330 Input Existing Data (WWE)

Engineer will enter available attribute data for each feature within the collection system into the GIS database in association with that entity within the model. This task will define the collection system within the model to the

greatest extent possible given the available data. This task will also clearly define data gaps that must be filled to meet the project objectives outlined in previous tasks.

Task Detail 2331 Survey / GPS Mapping (WWE)

Engineer will utilize the existing aerial Lidar aerial data as much as possible for GIS confirmation and manhole rim elevations.

Task Detail 2332 Field Reconnaissance / Flow Monitoring (WWE and Flow Monitoring Sub)

Engineer will collect information concerning equipment, piping, manholes and other elements within the collection system that is not available within existing records through field inspections. Similar to other data collection tasks, priority will be given to data deemed critical to model development and/or for elements located within critical areas of the collection system.

Approximately four locations will be selected for a one week continuous flow monitoring period. This will allow for model calibration and also in determining the correlation between water data records and wastewater flows.

Task 2400 Collection System Model – Flow Model (WWE)

Following development of the physical model of the collection system within the GIS package, hydraulic modeling of the system can be conducted. Engineer will update hydraulic modeling by calibrating the existing model using dry weather flow data. Wet weather flows will then be used to further refine the model, define capacity limitations, and design flows.

Additional analysis will be performed to review the addition of current “dry sewerred” areas into the Town’s collection system. Sewer lines may currently exist within these subdivisions but are not connected to any of the existing collection system. Existing and proposed lift stations will be included in the model.

Subtask 2410 Dry Weather Model Development

Engineer will use local land use data and existing collection system flow data where available to develop the dry weather flows to be used in the model. Land use data collected during the data collection task will be compiled and evaluated using documented typical flow data to estimate the dry weather loading on the collection system. The hydraulic model will dynamically route the flows introduced into the collection system to simulate the diurnal flow regime and peak flows throughout the system. Dry weather flows will be determined for current conditions, for a 10-year projection, and at expected build-out for the collection system based on planning and zoning records and growth predictions developed as part of this task.

Subtask 2420 Wet Weather Model Refinement

Engineer will develop wet weather flows using rainfall data for the area, and recorded flows at the WWTP and at other areas within the collection system where available. Engineer will evaluate rainfall data and recorded flow data to estimate the quantity of inflow and infiltration (I/I) that is entering the system. The wet weather flow analysis will be used to understand the system responses to storm events with a variety of return frequencies to determine an appropriate design storm for the Town. Engineer will establish the design storm with Town input, based on the extent of surcharging and/or sanitary sewer overflows depicted in the model resulting from the different storm events.

Task 2500 Wastewater Treatment Plant (WWE)

Engineer will evaluate the wastewater treatment plant including the following subtasks.

Subtask 2510 Septage Receiving Station Evaluation and Final Design

Engineer will analyze options for a safer septage receiving station. This task will include analysis and staff input on the components and functionality. The intent is to develop a system that can safely capture needles/sharps that are in hauled waste. Additionally, the removal or collection of these materials shall be safe and minimize operator exposure. Interviews with other facilities and developing standard operating procedures (SOPs) will also be included. The design will be progressed to final design and may also consider a package station.

Subtask 2520 Effluent Utilization

Engineer will analyze alternatives for effluent reuse (Sports Complex, Main Street, and other areas) and recharge. This will include a high-level cost evaluation of selected alternatives.

Subtask 2530 Solids Drying Bed NOV (As needed, currently being designed in house)

Engineer will review current plans and Notice of Violation (NOV) to determine what corrective action is required to comply with ADEQ requirements. This will include review of existing plans, permit and other pertinent information and may require a meeting with ADEQ staff.

Subtask 2540 Blower Building Upgrade Review (As needed, currently being designed in house with pre-manufactured building)

Engineer will review current plans, plant operating conditions, airflow needs, electrical service and other requirements as required to evaluate the blower building upgrades.

Subtask 2550 Power Needs

Engineer will evaluate the WWTP power needs and if the existing generator is sufficient. This will include review of past one year of utility bills along with PQM data (if available) and WWTP asbuilts.

Subtask 2560 Wastewater SCADA Evaluation

Engineer will evaluate the condition of the SCADA system for the wastewater facilities. This will include review of current SCADA equipment, software licenses, yearly cost and age/condition of the system. A recommendation will be developed as required to update/modernize the system if needed.

Task 2600 Develop Master Plan (WWE and RICK)

Engineer will use the results of the collection system GIS hydraulic model to update the Collections System Master Plan. The wastewater system master plan will summarize growth projections within the Town’s service area and

the anticipated impact growth will have on the existing collection system. Recommended line replacement, extensions, and upgrades will be documented and mapped. Conceptual plans for other facilities (including new pipelines, upsized pipelines, new lift stations, SCADA, etc.) that are anticipated within the collection system will be created with trigger points for implementation based on growth and/or development within the sewer basin.

Engineer will review and address any future expansion or improvement needs at the wastewater treatment plant.

Engineer will develop conceptual level cost estimates for future projects for use in the development of impact fees and future planning. This will be summarized in a capital improvements plan (CIP) for years 2025, 2026, 2027, 2028, 2029, 2030, 2035, 2040, 2045 and 2050.

Deliverables: Draft plan, Town staff coordination meetings, presentations to Town Council, Final Plan

Scope Assumptions

1. Existing site background information including sewer hydraulic models, surveying, base CADD files, and other information will be provided by the Owner.
2. The Town will provide land use records, zoning maps, equipment data sheets, equipment maintenance records, as-built drawings, and other necessary records, where available, for use in developing the collection system and distribution system plans and GIS models.
3. Survey is based on collecting as much field data as possible as the crews are onsite.
4. Town Utilities crews will provide traffic control and confined space entry equipment for placement of sewer flow monitoring equipment.

EXHIBIT B
CONSULTANT'S KEY PERSONNEL AND SUBCONTRACTORS

WWE KEY PERSONNEL:

Rob Bryant, PE – Principal/Project Manager

Herb Durbin, PE – Master Plan

Michale Jermaine, PE – Sewer Modeling

Tim Garner – GIS

SUBCONTRACTORS:

Rick Engineering – Dale Miller, PE

Sewer Flow Monitoring – TBD

EXHIBIT C
SCHEDULE OF SERVICES

SCHEDULE

The proposed professional planning and engineering services for this project can commence upon receipt of the fully executed contract and Notice to Proceed. Completion of the project is anticipated to be finalized within a 9-month period.

Assuming a November 15, 2023 start date, the project would be completed by end of August 2024.

The project schedule can be adjusted as required and mutually agreed upon.

**EXHIBIT D
PAYMENT SCHEDULE**

A. Compensation

1. The consideration of payment to Consultant, as provided herein shall be in full compensation for all of Consultant's work incurred in the performance hereof, including offices, travel, per diem or any other direct or indirect expenses incident to providing the services.
2. Attached hereto as Exhibit D-1 are the Consultant's hours and fee estimate for the Project. Consultant's fee shall not exceed the amounts:

Description	Amount
Time and Materials	\$185,788

B. Method of Payment

Invoices shall be on a form and in the format provided by the Town and are to be submitted in triplicate to the Town via the Town's authorized representative.

C. Reimbursable Costs

Consultant will be reimbursed for expenses up to a maximum amount of \$ 5,000. The items allowable for reimbursement are as follows:

1. Cost of transportation. (Mileage associated with Project, but not to/from Project site at current Federal rate cents per mile. Any out of state travel must receive prior approval of Town.)
2. Costs of printing, as required by the contract.
3. Cost of long-distance telephone, postage, UPS, Federal Express, etc.
4. Costs of faxes at \$0 per page (no faxes anticipated).
5. Cost of other items as required, with prior approval from Town.

All reimbursable costs must be submitted with monthly bill.

FEE PROPOSAL

The proposed engineering services fee for development of the sewer master plan, GIS update and wastewater treatment plant evaluations for the Town of Camp Verde is \$190,788. A breakdown of the proposed fee is set forth in the table below. This proposal is for time and materials and not to exceed without prior written approval from the Town.

Town of Camp Verde - Sewer Master Plan and GIS Update (WWE)										
Task No	Task	PM	Senior Engineer	Engineer	Senior GIS	Drafter	Admin	Flow Monitoring	RICK	Fee
1.0	Project Management	8								\$2,000
2.0	Data Collection/Analysis		20	40				\$14,410	\$10,000	\$32,910
2.1	Data Collection and Review		40							\$8,200
2.2	Workshops	8	18				6			\$6,050
2.3a	Software Selection (NA)									\$0
2.3b	GIS Development & Field Data									\$0
2.4	Collection System Model	16	160		12		20	\$9,000		\$49,100
2.5	Wastewater Treatment Plant	8	40	80		60	10			\$36,528
2.6	Master Plan	16	80	100	48		20		\$10,000	\$51,000
	Subtotal Hours	56	358	220	60	60	56			
	Standard Hourly Rate (WWE)	250	205	110	175	125	60			
								Travel and Printing =		\$5,000
								T&M Not to Exceed =		\$190,788

**EXHIBIT E
CHANGE ORDER**

CHANGE ORDER NO. _____

Distribution: TOWN []
CONSULTANT []
OTHER []

PROJECT: _____ DATE: _____
OWNER: Town of Camp Verde, Arizona.
CONSULTANT: _____
AGREEMENT DATED: _____

CHANGES: The Agreement is changed as follows:

Not valid until signed by both Town and Consultant.
Signature of Consultant indicates acceptance. _____

The original compensation was _____

Net change by previously authorized Change Orders _____

The compensation prior to this Change Order was _____

The compensation will be increased by this Change Order in the amount of

The new compensation under the Agreement including this Change Order will be

The Contract Time will increase by _____

ACCEPTANCE STATUS:

Consultant

Town of Camp Verde

By: _____

By: _____

Date: _____

Date: _____



Legend

- Waste Water Treatment Plant
- WWTP
- Storage Tank

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Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

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

Requesting Department: Community Development

Staff Resource/Contact Person: John Knight, CDD/Trish Stuhan, Town Attorney

Agenda Title (be exact): Discussion and/or direction to staff regarding the Board of Adjustment

List Attached Documents: ARS 9-462.06

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 10 minutes

Reviews and comments Completed by:

Town Manager: Corey Rowley **Department Head:** John Knight, CDD

Town Attorney Comments: Trish Stuhan

Risk Management: _____

Finance Department
Fiscal Impact: _____
Budget Code: _____ **Amount Remaining:** _____
Comments: _____

Background Information: State Statute 9-462.06 requires every city and town in Arizona to have a Board of Adjustment (BOA). The BOA must consist of at least five but no more than seven members appointed by the legislative body (the Town Council). The statute goes on to state that the Council may, by ordinance, delegate a hearing officer to serve as the authority to hear and decide BOA matters.

Article 4 of the Town Code originally established our BOA as a seven-member body (consistent with the Planning Commission). This was changed in December 2019 by Ordinance 2019-A448 to the current five-member body. The reason for this change is not identified in the minutes. However, this change has made it easier to fill five seats instead of seven.

The BOA has two main responsibilities under state law. These include:

1. Hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the zoning administrator (which is the Community Development Director in Camp Verde) in the enforcement of a zoning ordinance.

2. Hear and decide appeals for variances from the terms of the zoning ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district.

The BOA serves as a “quasi-judicial” body. Its decisions are technical in nature and the process is similar to a court proceeding. Note that it does not have authority to draft ordinances, direct staff, or amend zoning or town code ordinances. Decisions by the Board of Adjustment are final and may be appealed only to the Superior Court.

As noted in the statute, the Council has the authority to appoint a Hearing Officer (HO) in place of a five- or seven-member board. Although this option is available, most jurisdictions still appoint a separate board instead of an HO. Locally, the City of Sedona is the only jurisdiction in the Verde Valley that chooses to use a HO instead of a Board of Adjustment. However, even with a HO, a Board of Adjustment is still required to hear appeals from a HO decision.

The Council has three separate options for consideration. There are advantages/disadvantages to each. These are briefly discussed below.

Option 1: Five-member BOA: This is the current approach that the Town has been operating under since 2019 (prior to 2019 it was a seven-member board).

Advantages:

- The Board is composed of a cross section of community members that have development and/or land use experience
- No financial compensation is required for BOA members

Disadvantages:

- It's difficult to keep the Board engaged and educated since they only meet a few times a year
- It's often difficult to find qualified candidates and positions sometimes remain vacant
- Appeals by the applicant (or Town) go directly to the Superior Court
- The Town may be required to engage the services of an independent attorney to advise the BOA in addition to the Town Attorney to represent the Town

Option 2: Council serves as BOA: Under this option, the Council abolishes the BOA and the council members serve as the BOA. They would be established as a separate board and BOA business would be done separately from Council meetings.

Advantages:

- The Council members are well versed in development and land use issues and can be easily educated to serve as the BOA members
- The Town Attorney can advise the BOA and a separate attorney is not required to advise the Town

Disadvantages:

- Additional time commitment is required by council members to also attend and prepare for BOA meetings
- Council is seen as a political body and having council members serve in a quasi-judicial capacity may create the appearance that they are the same body
- Appeals go directly to the Superior Court

Option 3: Council appoints a Hearing Officer: Under this scenario, the council would appoint one or more HOs in lieu of a BOA to make first level decisions on interpretations and variances. These appointees would be required to be versed in both land use and development issues. As a quasi-judicial appointee, an HO's role would be technical in nature. In other jurisdictions, appointees are very familiar with the roles and responsibilities of the BOA and are often former community development directors or land use attorneys. Appeals of the HO decisions would go to the BOA, whether as a separate body or with the Town Council sitting as the BOA. Appeals of these BOA decisions would then go to the Superior Court.

Advantages:

- The HO is knowledgeable in land use and legal issues and is selected for their technical expertise
- Appeals are forwarded to a BOA, which can be the Town Council, which offers another opportunity for relief if an appellant is unhappy with the HO decision
- A separate attorney to represent the HO would not be required

Disadvantages:

- HOs are paid, thus there would be additional expense to the Town in hiring/retaining an experienced HO (this could potentially be offset due to not hiring an addition attorney to represent the BOA)

Recommended Action (Motion): Discussion and possible direction to staff to return to council with more information on a preferred option.

Attachment

ARS 9-462.06

9-462.06. Board of adjustment

A. The legislative body, by ordinance, shall establish a board of adjustment, which shall consist of at least five but no more than seven members appointed by the legislative body in accordance with provisions of the ordinance, except that the ordinance may establish the legislative body as the board of adjustment. The legislative body may, by ordinance, delegate to a hearing officer the authority to hear and decide on matters within the jurisdiction of the board of adjustment as provided by this section, except that the right of appeal from the decision of a hearing officer to the board of adjustment shall be preserved.

B. The ordinance shall provide for public meetings of the board, for a chairperson with the power to administer oaths and take evidence, and that minutes of its proceedings showing the vote of each member and records of its examinations and other official actions be filed in the office of the board as a public record.

C. A board of adjustment shall hear and decide appeals from the decisions of the zoning administrator, shall exercise other powers as may be granted by the ordinance and adopt all rules and procedures necessary or convenient for the conduct of its business.

D. Appeals to the board of adjustment may be taken by persons aggrieved or by any officer, department, board or bureau of the municipality affected by a decision of the zoning administrator, within a reasonable time, by filing with the zoning administrator and with the board a notice of appeal specifying the grounds of the appeal. The zoning administrator shall immediately transmit all records pertaining to the action appealed from to the board.

E. An appeal to the board stays all proceedings in the matter appealed from, unless the zoning administrator certifies to the board that, in the zoning administrator's opinion by the facts stated in the certificate, a stay would cause imminent peril to life or property. On the certification proceedings shall not be stayed, except by restraining order granted by the board or by a court of record on application and notice to the zoning administrator. Proceedings shall not be stayed if the appeal requests relief that has previously been denied by the board except pursuant to a special action in superior court as provided in subsection K of this section.

F. The board shall fix a reasonable time for hearing the appeal, and shall give notice of hearing by both publication in a newspaper of general circulation in accordance with section 9-462.04 and posting the notice in conspicuous places close to the property affected.

G. A board of adjustment shall:

1. Hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the zoning administrator in the enforcement of a zoning ordinance adopted pursuant to this article.

2. Hear and decide appeals for variances from the terms of the zoning ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance granted is subject to conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located.

3. Reverse or affirm, in whole or in part, or modify the order, requirement or decision of the zoning administrator appealed from, and make the order, requirement, decision or determination as necessary.

H. A board of adjustment may not:

1. Make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the zoning ordinance provided the restriction in this paragraph shall not affect the authority to grant variances pursuant to this article.

2. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.

I. If the legislative body is established as the board of adjustment, it shall exercise all of the functions and duties of the board of adjustment in the same manner and to the same effect as provided in this section.

J. In a municipality with a population of more than one hundred thousand persons, the legislative body, by ordinance, may provide that a person aggrieved by a decision of the board or a taxpayer who owns or leases the adjacent property or a property within three hundred feet from the boundary of the immediately adjacent property, an officer or a department of the municipality affected by a decision of the board, at any time within fifteen days after the board has rendered its decision, may file an appeal with the clerk of the legislative body. The legislative body shall hear the appeal in accordance with procedures adopted by the legislative body and may affirm or reverse, in whole or in part, or modify the board's decision.

K. A person aggrieved by a decision of the legislative body or board or a taxpayer who owns or leases the adjacent property or a property within three hundred feet from the boundary of the immediately adjacent property, an officer or a department of the municipality affected by a decision of the legislative body or board, at any time within thirty days after the board, or the legislative body, if the board decision was appealed pursuant to subsection J of this section, has rendered its decision, may file a complaint for special action in the superior court to review the legislative body or board decision. Filing the complaint does not stay proceedings on the decision sought to be reviewed, but the court may, on application, grant a stay and on final hearing may affirm or reverse, in whole or in part, or modify the decision reviewed.



Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

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

Requesting Department:

Staff Resource/Contact Person: Heather Vinson and Trish Stuhan

Agenda Title (be exact): DISCUSSION, CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE 2023-A488, AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING THE CODE OF CAMP VERDE, ARIZONA, CHAPTER 5 MUNICIPAL COURT, ARTICLE 5-2 PRESIDING OFFICER, BY AMENDING SECTION 5-2-4 ASSISTANT MAGISTRATE, RELATED TO THE ADOPTION OF REVISIONS TO THE ASSISTANT MAGISTRATE/JUDGE PRO TEMPORE PROVISIONS OF CODE TO COMPORT WITH TOWN PRACTICES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

List Attached Documents: Ordinance 2023-A488

Estimated Presentation Time:

Estimated Discussion Time:

Reviews and comments Completed by:

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

Background Information:

Recommended Action (Motion):

Instructions to the Clerk:



ORDINANCE NO. 2023-A488

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING THE CODE OF CAMP VERDE, ARIZONA, CHAPTER 5 MUNICIPAL COURT, ARTICLE 5-2 PRESIDING OFFICER, BY AMENDING SECTION 5-2-4 ASSISTANT MAGISTRATE, RELATED TO THE ADOPTION OF REVISIONS TO THE ASSISTANT MAGISTRATE/JUDGE PRO TEMPORE PROVISIONS OF CODE TO COMPORT WITH TOWN PRACTICES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

Section 1. **General.** The Code of Camp Verde, Arizona, Chapter 5 Municipal Court, Article 5-2 Presiding Officer is amended by amending Section 5-2-4 Assistant Magistrate to read as follows (additions in ALLCAPS; deletions in ~~strikeout~~):

SECTION 5-2-4 ASSISTANT MAGISTRATE

The Town Magistrate may recommend to the Council the names of individuals qualified to serve as assistant magistrate, subject to the assignment and direction of the Town Magistrate, once appointed. All assistant magistrates shall serve for a specified term, subject to removal by the Council. ~~All duly appointed assistant magistrate shall be compensated per a fee established by the Council, and subject to the reimbursement of those travel expenses and other out-of-pocket allowances permitted for Town employees. All assistant magistrates are deemed to be part-time Town employees subject to contributing to the Arizona State Retirement under certain conditions and paying payroll taxes, but are not eligible for benefits such as health insurance and paid time off.~~

Section 2. **Providing for Repeal of Conflicting Ordinances.** All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 3. **Providing for Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Camp Verde, Arizona, as follows:

PASSED, ADOPTED AND APPROVED by a majority vote of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, this this 6 day of December, 2023.

Dee Jenkins, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Trish Stuhan, Town Attorney
Pierce Coleman, PLLC

I, _____, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE ON THE ____ DAY OF _____, 20__, WAS POSTED IN THREE PLACES ON THE ____ DAY OF _____, 20__.

Town Clerk

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Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation Pre-Session Agenda

Requesting Department: MUNICIPAL COURT

Staff Resource/Contact Person: Gary Horton/ Veronica Pineda

Agenda Title (be exact: **Discussion, consideration and possible approval of Professional Services Agreement for Judge Pro Tempore Services for Michael A. Shaw and Ron Ramsey for another two (2) year term each effective January 1, 2024 and setting an hourly pay rate of \$50.00 per hour on an as need basis with a three (3) hour minimum.**

List Attached Documents: Agreement for Michael A Shaw
Agreement for Ron Ramsey

Estimated Presentation Time:

Estimated Discussion Time:

Reviews Completed by:

Department Head: Gary H Horton 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:

Town of Camp Verde Municipal Court



PROFESSIONAL SERVICES AGREEMENT FOR JUDGE PRO TEMPORE SERVICES

This Professional Services Agreement for Judge Pro Tempore Services (“Agreement”) is made and entered into by and between **Michael A. Shaw**, hereinafter designated as “Contractor,” and the Town of Camp Verde, a municipal corporation organized and existing under and by virtue of the laws of the State of Arizona, hereinafter designated as “Camp Verde.”

RECITALS:

A. Camp Verde requires the services of a Judge Pro Tempore for the Camp Verde Municipal Court to provide magistrate services when the Presiding Judge of the Court is unavailable.

B. Camp Verde desires to appoint Contractor to a term of two (2) years as Judge Pro Tempore for Camp Verde upon the terms and provisions hereafter contained.

C. Contractor is qualified to provide the services set forth herein.

AGREEMENT:

1. Contractor is hereby appointed to serve as Judge Pro Tempore for a two (2) year term commencing upon approval of this Agreement by the Town Council.

2. Contractor avows that he/she is a member in good standing of the State Bar of Arizona and possesses the knowledge, skills, and experience to be a Judge Pro Tem and shall render to the best of his/her abilities, in accordance with applicable professional standards, the services described herein during the continuance of this Agreement.

3. Contractor agrees to faithfully represent the interests of the Camp Verde Municipal Court while serving as a Judge Pro Tempore.

4. Camp Verde will make available, at all times during the term of this Agreement, adequate and comfortable physical facilities in which to perform the Judge Pro Tem duties, including filing facilities, supplies, and equipment deemed necessary for the expedient and orderly operation of the Municipal Court.

5. Contractor agrees to provide Judge Pro Tem services on an as-needed basis, upon request from Camp Verde. Camp Verde agrees to pay Contractor the sum of **\$50.00** per hour for services provided during the term of this Agreement.

6. The parties understand and agree that this Agreement guarantees a minimum of three (3) hours per engagement or payment of compensation for time spent during the term of this Agreement. Contractor at all times shall serve as an independent contractor of Camp Verde and may accept other employment or carry out any other business in Contractor's discretion during the Term of this Agreement.

7. Both parties agree that Contractor shall have the right to terminate the Agreement upon 30-days written notice to the presiding Judge of the Camp Verde Municipal Court. Camp Verde may terminate this Agreement prior to the expiration only for cause. "Cause" includes but is not limited to: (1) failure to comply with the canons of judicial ethics, (2) failure to satisfactorily carry out the job duties or meet the performance standards set forth

herein, (3) extended periods in which Contractor is unable or unwilling to perform its duties, or (4) a violation of the terms of this Agreement.

8. This Agreement may not be assigned, in whole or in part.

9. This Agreement shall be governed by Arizona law.

10. This Agreement is subject to the cancellation provisions of A.R.S. § 38-511.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year first herein written.

TOWN OF CAMP VERDE

By _____
Dee Jenkins, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Trish Stuhan, Town Attorney
Pierce Coleman PLLC

JUDGE PRO TEMPORE

By _____
Michael A. Shaw

Town of Camp Verde Municipal Court



PROFESSIONAL SERVICES AGREEMENT FOR JUDGE PRO TEMPORE SERVICES

This Professional Services Agreement for Judge Pro Tempore Services (“Agreement”) is made and entered into by and between **Ron Ramsey**, hereinafter designated as “Contractor,” and the Town of Camp Verde, a municipal corporation organized and existing under and by virtue of the laws of the State of Arizona, hereinafter designated as “Camp Verde.”

RECITALS:

- A. Camp Verde requires the services of a Judge Pro Tempore for the Camp Verde Municipal Court to provide magistrate services when the Presiding Judge of the Court is unavailable.
- B. Camp Verde desires to appoint Contractor to a term of two (2) years as Judge Pro Tempore for Camp Verde upon the terms and provisions hereafter contained.
- C. Contractor is qualified to provide the services set forth herein.

AGREEMENT:

1. Contractor is hereby appointed to serve as Judge Pro Tempore for a two (2) year term commencing upon approval of this Agreement by the Town Council.
2. Contractor avows that he/she is a member in good standing of the State Bar of Arizona and possesses the knowledge, skills, and experience to be a Judge Pro Tem and shall render to the best of his/her abilities, in accordance with applicable professional standards, the services described herein during the continuance of this Agreement.
3. Contractor agrees to faithfully represent the interests of the Camp Verde Municipal Court while serving as a Judge Pro Tempore.
4. Camp Verde will make available, at all times during the term of this Agreement, adequate and comfortable physical facilities in which to perform the Judge Pro Tem duties, including filing facilities, supplies, and equipment deemed necessary for the expedient and orderly operation of the Municipal Court.
5. Contractor agrees to provide Judge Pro Tem services on an as-needed basis, upon request from Camp Verde. Camp Verde agrees to pay Contractor the sum of **\$50.00** per hour for services provided during the term of this Agreement.
6. The parties understand and agree that this Agreement guarantees a minimum of three (3) hours per engagement or payment of compensation for time spent during the term of this Agreement. Contractor at all times shall serve as an independent contractor of Camp Verde and may accept other employment or carry out any other business in Contractor's discretion during the Term of this Agreement.
7. Both parties agree that Contractor shall have the right to terminate the Agreement upon 30-days written notice to the presiding Judge of the Camp Verde Municipal Court. Camp Verde may terminate this Agreement prior to the expiration only for cause. "Cause" includes but is not limited to: (1) failure to comply with the canons of judicial ethics, (2) failure to satisfactorily carry out the job duties or meet the performance standards set forth herein, (3) extended periods in which Contractor is unable or unwilling to perform its duties, or (4) a violation of the terms of this Agreement.
8. This Agreement may not be assigned, in whole or in part.
9. This Agreement shall be governed by Arizona law.

10. This Agreement is subject to the cancellation provisions of A.R.S. § 38-511.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year first herein written.

TOWN OF CAMP VERDE

By _____
Dee Jenkins, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Trish Stuhan, Town Attorney
Pierce Coleman PLLC

JUDGE PRO TEMPORE

By _____
Ron Ramsey

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Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

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

Requesting Department: Clerk’s Office

Staff Resource/Contact Person: Cindy Pemberton

- **Agenda Title (be exact):** Discussion, consideration and possible appointment of 3) three members to the Parks and Recreation Commission. Applicants are: Candra Faulkner, Mary Hughes, Wayne Smith.

List Attached Documents: Letters of Interest from the following:

- Candra Faulkner
- Mary Hughes
- Wayne Smith

Estimated Presentation Time: N/A

Estimated Discussion Time: 5 Minutes

Reviews Completed by:

- Department Head: Cindy Pemberton Town Attorney Comments: N/A
- Finance Department N/A

Fiscal Impact:

Budget Code: _____ **Amount Remaining:** _____

Comments:

Background Information: The Clerk’s Office ran a display ad for four weeks in the Verde Independent, placed on the website. Letters of Interest were accepted by the Clerk’s Office until October 26, 2023. The Interview Committee interviewed the 3 applicants on November 9, 2023 for the positions.

There are 3 Seats Available for terms expiring January 2027.

Recommended Action (Motion): Move to appoint Candra Faulkner, Mary Hughes and Wayne Smith to the Parks & Recreation Commission.

Instructions to the Clerk: N/A – Oath of Office.



Camp Verde, Arizona

Name: Candra Faulkner		Date: 10/25/2023	
Home Address: ██████████ Camp Verde, AZ 86322			
Mailing Address, if different: ██████████ Camp Verde, AZ 86322			
Email Address: ██████████			
Home Telephone: ██████████		Work Telephone: 928-567-4333	
Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Do you own commercial property in the Town of Camp Verde <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Length of residency in the Town of Camp Verde: 29 years		Do you operate a business in Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name and address of business (if applicable): A1 Business Services PO Box ██████████, Camp Verde, AZ 86322			
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:			
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list names of board/commission and dates served:			
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:			
1. Parks and Recreation Commission		3.	
2.		4.	
Education and Community Service			
Schools Attended:		Degree:	Year:
Yavapai College		AA Business Mgmt	1997
Civic Activities-Service Organizations		Office Held:	Year Begun: Year Ended:
Please state why you would like to be appointed to a Town Board, Commission, or Committee: I feel like our Commission has finally started making progress and I would like to see it through another term			
What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?			
(a) Being a liason between the public and the Town Council in regards to Parks and Recreation			
(b) Attending events, gathering input, and reporting back with suggestions on how it can be improved			
(c) Making recommendations on improving local parks and programming			

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: Having assumed the role of Vice Chair of this Commission since January of the

current year, I'm encouraged by the progress we've begun to achieve in fulfilling our

responsibilities. I'm eager to carry on as a member of this Commission, driven by the

aspiration to contribute to the betterment of our community and continue the positive

impace we've initiated.

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

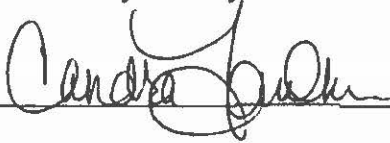
Please notify the Clerk's Office at (928) 567-6631, extension 100 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature:



Date: 10/26/23

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual	
Date Appointed by Council	
Board or Commission appointed to:	



Camp Verde, Arizona

OCT 16 2023

LETTER OF INTEREST

Name: <u>Mary Hughes</u>		Date: <u>10/15/23</u>	
Home Address: <u>[Redacted] Camp Verde 86322</u>			
Mailing Address, if different: <u>[Redacted] Camp Verde</u>			
Email Address: <u>[Redacted]</u>			
Home Telephone: <u>[Redacted]</u>		Work Telephone: <u>—</u>	
Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Do you own commercial property in the Town of Camp Verde <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Length of residency in the Town of Camp Verde: <u>3 yrs.</u>		Do you operate a business in Camp Verde? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Name and address of business (if applicable):			
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession: <u>Retired RN</u>			
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list names of board/commission and dates served: <u>Parks + Recreation Commission</u>			
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:			
1. <u>Parks + Rec Commission</u>		3.	
2.		4.	
Education and Community Service			
Schools Attended:		Degree:	Year:
<u>Olympic College</u>		<u>ASN - RN</u>	<u>2005</u>
<u>University of Minnesota - Duluth</u>		<u>BA - Psych</u>	<u>1979</u>
Civic Activities-Service Organizations		Office Held:	Year Begun: Year Ended:
<u>Parks + Rec Commission</u>		<u>Member</u>	<u>2023</u>
<u>YCJRA / Bread of Life 2022</u>		<u>Sponsor/Volunteer</u>	<u>2023</u>
Please state why you would like to be appointed to a Town Board, Commission, or Committee: <u>To continue the work started by the commission in our first year</u>			
Have you ever been charged and convicted of a crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes please explain.			
What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?			
(a) <u>The citizens of camp verde</u>			
(b) <u>commission members</u>			
(c) <u>Town council</u>			

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee:

I became involved with the Parks + Rec commission to learn about Camp Verde's options for involvement with forms of recreation for all ages, how to influence future options, and improve what we already have. Now that we, as a commission, understand our role, I would like to continue with this journey of improvement and working together with the Town Council toward future parks and recreation amenities and programs as suggested by citizens of Camp Verde.

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0021 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: Mary Hughes Date: 10/15/23

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual	
Date Appointed by Council	
Board or Commission appointed to:	



Camp Verde, Arizona

RECEIVED BY

OCT 26 2023

Name: <i>Wayne Smith</i>		Date: <i>10-26-23</i>	
Home Address: [REDACTED]		<i>C.V. 86322</i>	
Mailing Address, if different:			
Email Address: [REDACTED]			
Home Telephone: [REDACTED]		Work Telephone:	
Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Do you own commercial property in the Town of Camp Verde <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Length of residency in the Town of Camp Verde: <i>5 years</i>		Do you operate a business in Camp Verde? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Name and address of business (if applicable): [REDACTED]			
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession: <i>Retired Civil Eng Tech ADOT - 35 years</i>			
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please list names of board/commission and dates served:			
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:			
1. <i>Parks & Recreation</i>		3.	
2.		4.	
Education and Community Service			
Schools Attended:		Degree:	Year:
<i>Adams State College - Colo</i>		<i>BA</i>	<i>1972</i>
<i>Mesa Community Coll - Colo</i>		<i>AA</i>	<i>1970</i>
Civic Activities-Service Organizations		Office Held:	Year Begun: Year Ended:
Please state why you would like to be appointed to a Town Board, Commission, or Committee: _____			
What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?			
(a) <i>Fiscal Responsibility</i>			
(b) <i>Address local concerns for the general population</i>			
(c) <i>Coordinate with other boards & commission</i>			

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: _____

I have lived for 5 years and intend to remain, its time to get involved in my community. I am a user of the facilities, supporter of the events, and would like to have a voice.

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 567-6631, extension 100 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: *UC [Signature]* Date: 10-26-23

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual	
Date Appointed by Council	
Board or Commission appointed to:	

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Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

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

Requesting Department: Clerk’s Office

Staff Resource/Contact Person: Cindy Pemberton

Agenda Title (be exact): Discussion, consideration and possible appointment of three (3) members to serve on the Planning & Zoning Commission There are three (3) for a term expiring January 2027. The Interview Committee interviewed applicants on November 7th and made the following Recommendation: Appoint Claudia Hauser, Bill Tippett and Todd Scantlebury to serve on the Planning & Zoning Commission for all terms to expire January 2027.

List Attached Documents: Letters of Interest from the following:

- Tanner Bryson
- Claudia Hauser
- Bill Tippett
- Todd Scantlebury
- Maya Robledo
- Amanda Barger
- Stephen Magoon

Estimated Presentation Time: N/A

Estimated Discussion Time: 5 Minutes

Reviews Completed by:

- Department Head: Corey Rowley Town Attorney Comments: N/A
- Finance Department N/A

Fiscal Impact:
Budget Code: _____ **Amount Remaining:** _____
Comments:

Background Information: The Clerk’s Office ran a display ad for four weeks in the Verde Independent, placed on the website, and posted at Town Hall. Letters of Interest were accepted by the Clerk’s Office until October 26, 2023. The Interview Committee interviewed 3 applicants on November 9, 2023 for the positions.

The Interview Committee interviewed applicants on November 7th and made the following Recommendation: Appoint Claudia Hauser, Bill Tippett and Todd Scantlebury to serve on the Planning & Zoning Commission for all terms to expire January 2027.

Recommended Action (Motion): Move to appoint (insert the names you would like appointed) to the Planning & Zoning Commission for terms that will Expire January 2027.

Instructions to the Clerk: N/A – Oath of Office.



Camp Verde, Arizona

RECEIVED
MAY 09 2023

LETTER OF INTEREST

Name: <u>TANNER Bryson</u>		Date: <u>MAY 4 2023</u>		
Home Address: <u>[REDACTED] Camp Verde Az 86322</u>				
Mailing Address, if different: <u>[REDACTED] Camp Verde Az 86322</u>				
Email Address: <u>[REDACTED]</u>				
Home Telephone: <u>[REDACTED]</u>		Work Telephone: <u>SAME</u>		
Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Do you own commercial property in the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Length of residency in the Town of Camp Verde: <u>13 yrs</u>		Do you operate a business in Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Name and address of business (if applicable): <u>ARONA Del Loma 1738 Arona Del Loma Rd CV 86322</u>				
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:				
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please list names of board/commission and dates served:				
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:				
1. <u>Planning + zoning Commission</u>		3.		
2.		4.		
Education and Community Service				
Schools Attended:		Degree:	Year:	
<u>Maryes Union HS</u>		<u>HS Diploma</u>	<u>1988</u>	
<u>U of A Tucson</u>		<u>Bachelor of Arts</u>	<u>1993</u>	
Civic Activities-Service Organizations		Office Held:	Year Begun: Year Ended:	
<u>Verde Vagabond</u>		<u>member</u>	<u>2000</u>	<u>Current</u>
<u>Rancher Visitadores</u>			<u>2010</u>	<u>Current</u>
Please state why you would like to be appointed to a Town Board, Commission, or Committee: <u>Help shape our Community as it grows</u>				
Have you ever been charged and convicted of a crime? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If yes please explain. <u>Misdemeanor - scuffle between man</u>				
What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?				
(a) <u>To Communicate and assist the public and businesses</u>				
(b) <u>Make Decisions for the Greater Good of the Town.</u>				
(c) <u>Help guide the Public as it grows to Conform to Standards.</u>				

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: I feel am qualified for a few reasons.

1. I'm a Father of Five, Married and have lived in the Community for 13yrs. I also was born and raised in the Verde Valley. I'm a business owner and have seen the Valley develop over 50yrs. I feel qualified from a historical knowledge standpoint.

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0021 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: _____



Date: May 4, 2023

Date:
Date Contacted & Invited to Appear before Council:
Staff Contacting Individual
Date Appointed by Council
Board or Commission appointed to:

P+2
Per B.J.
Confirmed w/
Claudia
10-11-2023



Camp Verde, Arizona

RECEIVED

JUL 14 2023

LETTER OF INTEREST

Name: <u>CLAUDIA HAUSER</u>		Date: <u>13 JUNE 2023</u>	
Home Address: <u>[REDACTED], Camp Verde</u>			
Mailing Address, if different: <u>[REDACTED], Camp Verde</u>			
Email Address: <u>[REDACTED]</u>			
Home Telephone: <u>[REDACTED]</u>		Work Telephone:	
Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Do you own commercial property in the Town of Camp Verde <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Length of residency in the Town of Camp Verde: <u>50 years</u>		Do you operate a business in Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name and address of business (if applicable): <u>HAUSER & HAUSER FARMS, INC.</u>			
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:			
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list names of board/commission and dates served: <u>PARKS & REC</u>			
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:			
1. <u>Planning & Zoning</u>		3.	
2. <u>Board of Adjustment & Appeals</u>		4.	

Education and Community Service			
Schools Attended:	Degree:	Year:	
<u>CV Public School</u>			
<u>Yavapai College</u>			
Civic Activities-Service Organizations	Office Held:	Year Begun:	Year Ended:
<u>CV Youth Football - T Ball Coach -</u>			
<u>Ditch Board member - water Boards</u>			

Please state why you would like to be appointed to a Town Board, Commission, or Committee: I feel I need to be involved more with our Town. My kids are grown and have kids of their own and I'd like to make our community continue to be a safe & happy environment for all.

Have you ever been charged and convicted of a crime? Yes No

If yes please explain.

What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?

(a) Being respectful while listening with an open

(b) mind on all issues brought forth

(c) "Same for all"

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: *Having lived here for many years, I've seen a lot of changes. Having an Agricultural background, I feel I would be a benefit for protecting open space and water security. I do not have a building background but I am willing to listen and help educate myself on any issue. Thank you.*

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0021 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: *[Handwritten Signature]* Date: *13 June 2023*

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual	
Date Appointed by Council	
Board or Commission appointed to:	



Camp Verde, Arizona

OCT 16 2023

LETTER OF INTEREST

Name: William "Bill" Tippet		Date: 10-15-23	
Home Address: [REDACTED] Camp Verde, AZ 86322			
Mailing Address, if different:			
Email Address: [REDACTED]			
Home Telephone: [REDACTED]		Work Telephone: [REDACTED]	
Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Do you own commercial property in the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Length of residency in the Town of Camp Verde: 8 yrs		Do you operate a business in Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name and address of business (if applicable): Network Cabling Systems, Inc. (dba NCS, Inc.), 724 N Industrial Dr. 8D			
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:			
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list names of board/commission and dates served: P&Z 2020-2023			
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:			
1. P&Z		3.	
2.		4.	

Education and Community Service

Schools Attended:	Degree:	Year:	
U of A	BA	1988	
U of A	MBA	2008	
Civic Activities-Service Organizations	Office Held:	Year Begun:	Year Ended:
AZ - National Utilities Contractors Assoc.	President	2016	2018

Please state why you would like to be appointed to a Town Board, Commission, or Committee: Continue on P&Z commission now that I have more experience and better understand the role of different boards and commissions in town governance.

Have you ever been charged and convicted of a crime? Yes No
If yes please explain.

What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?

(a) Vet proposed zoning and ordinance changes to provide informed recommendation to council. Provide opinions and reasonable alternatives to assist them in making a more informed decisions.

(b) Listen to and objectively evaluate citizen input. Consider all competing interests against what is best for the town, its growth, and the greater good.

(c) Being prepared and knowladgable about our role, ordinances/codes, and general plan.

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: Even though I've only lived here for 8 years I consider myself an active member of the community

since 1990 when I first rented a house in Verde Lakes. I've worked here and employed members of the

community in my business since then and made my permanent home here after moving from Flagstaff in 2016.

As a recent member of the Town P&Z commission I feel I've just learned the ropes and can more effectively perform

as a commissioner going forward. I've found working for and speaking on the behalf our town's constituency to be one of the more

challenging and serious roles in my professional career and do not take its obligation lightly.

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 567-6631, extension 100 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: William Tippett Date: 10-15-23

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual	
Date Appointed by Council	
Board or Commission appointed to:	

Letter of Interest to Town of Camp Verde

*** Date and Time**

10/17/2023

*** Full Name:**

Todd V Scantlebury

*** Home Address:**

[REDACTED]
Camp Verde Arizona 86322

Mailing Address, if different:

SKIPPED

Email Address:

[REDACTED]

*** Home Phone or Cellphone:**

[REDACTED]

Work Phone:

SKIPPED

*** Are you a resident of the Town of Camp Verde?**

YES

Length of residency in the Town of Camp Verde (if applicable):

23-years

*** Do you own commercial property in the Town of Camp Verde?**

NO

Name and address of business (if applicable):

SKIPPED

If you are not in business in the Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:

Writer

*** Are you serving, or have you ever served, on a Town of Camp Verde board or commission?**

YES

If yes, please list names of board/commission and dates served:

P n' Z for the last 3-years

*** Board & Commission preference: Select the Board or Commission you are interested in:**

Planning & Zoning Commission

Education and Community Service:

List schools attended (include degree and year):

Dartmouth College 1975-1979, BA

List Civic Activities or Service Organizations (include office held, year began and year ended):

The McGuire Institute (non-profit), Director and now Board Member

*** Please state why you would like to be appointed to a Town Board, Commission, or Committee:**

First, to serve the Town, because it's a place I love and because it supported Middle Verde during discussions regarding Verde disConnect. Second, because we (the Town, Council and PnZ) have been building toward key efforts to help guide development over the coming years. With much growth (50% since 2000) occurring and expected, I would like to help continue the efforts now underway, e.g., improving current Codes, updating General Plan, resolving accessory uses, etc.

*** Have you ever been charged and convicted of a crime:**

NO

If yes, please explain.

****SKIPPED****

*** What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde, (c) other Board, Commission or Committee members?**

Listen to the Town and honor its wishes. Follow and support the elected Council's directions. Respect fellow Commissioners, no matter their opinions. Help see and shape the Town's future.

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee:

It took almost 3-years to understand how the Town works (and I am still learning). I have lived in places I had to leave because they grew in ways that saddened me and fellow residents. We can do better. I am an engineer by training, have participated in, consulted for and led complex business organizations and feel I have the interpersonal skills and tools to work with others to positive ends.

Terms and Conditions

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0024, if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Attachment

[Todd CV.pdf](#)

* I understand that selecting this box constitutes a legal signature confirming I acknowledge and agree that all statements in this form are true and correct.
I agree

*** Electronic Signature**

Todd V Scantlebury

*** Application Date:**

10/17/2023



Camp Verde, Arizona

LETTER OF INTEREST

MAY 01 2023

Name: <u>Maya Robledo</u>	Date: <u>4.26.23</u>
Home Address: <u>[REDACTED] Camp Verde AZ 86322</u>	
Mailing Address, if different: <u>[REDACTED] Camp Verde AZ 86322</u>	
Email Address: <u>[REDACTED]</u>	
Home Telephone: <u>[REDACTED]</u>	Work Telephone: <u>[REDACTED]</u>
Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Do you own commercial property in the Town of Camp Verde <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Length of residency in the Town of Camp Verde: <u>3 years</u>	Do you operate a business in Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Name and address of business (if applicable): <u>Hair By Maya.com 365 S. Main Street, Suite 6 C.V. AZ 86322</u>	
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:	
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list names of board/commission and dates served: <u>2023</u> <u>Sign Ordinance Committee, Main Street Business Alliance</u>	
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:	
1. <u>Planning + Zoning commission</u>	4.

Education and Community Service			
Schools Attended: <u>Santa Barbara High</u>	Degree:	Year <u>1989</u>	
<u>Santa Monica City College, CA</u>	<u>Cosmetology</u>	<u>1991</u>	
<u>RARE NYC, Yavapai City College</u>	<u>Culinary/Bus</u>	<u>2001, 2021</u>	
Civic Activities - Service Organizations	Office Held:	Year Begun:	Year Ended:
<u>Chequers salon - Artistic Director</u>	<u>hair</u>	<u>1991</u>	<u>1994</u>
<u>Hair by Maya - owner</u>	<u>stylist</u>	<u>1994-2023</u>	<u>open for 30 years</u>
Please state why you would like to be appointed to a Town Board, Commission, or Committee: <u>I want to see positive changes in Camp Verde while respecting its heritage.</u>			
Have you ever been charged and convicted of a crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes please explain.			
What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?			
(a) <u>Dedication to Service</u>			
(b) <u>Fair + Neutral listening</u>			
(c) <u>Helping CAMP VERDE to Thrive.</u>			

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee:

I am proud to call Camp Verde my home.
I am determined + outgoing + my profession allows me to converse with the community, I listen from a neutral position.
I bring a fresh + positive perspective to new ideas.
I strive for excellence, + enjoy creating community.
I have a lot to offer, + a lot to learn.

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0021 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature:  Date: 4.26.23

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual	
Date Appointed by Council	
Board or Commission appointed to:	



Camp Verde, Arizona



LETTER OF INTEREST

Name: AMANDA BARGER Date: OCTOBER 20, 2021

Home Address: [REDACTED] CAMP VERDE, AZ 86322

Mailing Address, if different:

Email Address: [REDACTED]

Home Telephone: [REDACTED]

Work Telephone:

Are you a resident of the Town of Camp Verde? Yes No

Do you own commercial property in the Town of Camp Verde? Yes No

Length of residency in the Town of Camp Verde: 2 1/2 yrs

Do you operate a business in Camp Verde? Yes No

so RN WMC

Name and address of business (if applicable): Real Estate agent FOR BETTER HOMES & Gardens Real Estate BloomTree Realty

If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:

Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? Yes No If yes, please list names of board/commission and dates served:

Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:

1. Planning & Zoning
2. Board of adjustments & Appeals
3. Education and Community Service

Schools Attended:	Degree:	Year:	
ARIZONA STATE UNIV.	Nursing BSN	2014	
YAVAPAI College	Nursing ADN	2011	
Civic Activities-Service Organizations	Office Held:	Year Begun:	Year Ended:

Please state why you would like to be appointed to a Town Board, Commission, or Committee: I am dedicated to investing myself in my Chosen Community.

Have you ever been charged and convicted of a crime? Yes No
If yes please explain.

What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?

- (a) To account and be responsible for the wants and needs of the community
- (b) To become an anchor to work collaboratively with the community working for improvement
- (c) To balance the community voice and governing oversight.

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: I have served in the USAF in communications
I worked for 13 years in the cable industry.
AND I have 15 years experience in real estate
I have been a registered nurse for 10 years -
I have experience adhering to regulations,
supervision of people and working with
people and local, state and Federal agencies
to benefit both.

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0021 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: Amanda Barger Date: 11/1/21

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual:	
Date Appointed by Council:	
Board or Commission appointed to:	

RECEIVED

MAY 24 2023

Letter of Interest to Town of Camp Verde

* **Date and Time**
05/23/2023

* **Full Name:**
Stephen Thomas Magoon

* **Home Address:**
[REDACTED]
Camp Verde Arizona 86322

Mailing Address, if different:
SKIPPED

Email Address:
[REDACTED]

* **Home Phone or Cellphone:**
[REDACTED]

Work Phone:
SKIPPED

* **Are you a resident of the Town of Camp Verde?**
YES

Length of residency in the Town of Camp Verde (if applicable):
3 years

* **Do you own commercial property in the Town of Camp Verde?**
NO

Name and address of business (if applicable):
SKIPPED

If you are not in business in the Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:
Director of Information Systems

* **Are you serving, or have you ever served, on a Town of Camp Verde board or commission?**
NO

If yes, please list names of board/commission and dates served:
SKIPPED

* **Board & Commission preference: Select the Board or Commission you are interested in:**
Planning & Zoning Commission

Education and Community Service:

List schools attended (include degree and year):
Arizona State University - Mathematics / Computer Science - 1977-1981

List Civic Activities or Service Organizations (include office held, year began and year ended):
SKIPPED

* **Please state why you would like to be appointed to a Town Board, Commission, or Committee:**
I believe the Town of Camp Verde has tremendous potential and is experiencing exceptional growth. I would like to help guide that growth, ensure that our growth is well planned all well keeping our small town feel and rural character.

* **Have you ever been charged and convicted of a crime:**
NO

If yes, please explain.
SKIPPED
Council Regular Session

RECEIVED

MAY 24 2023

Letter of Interest to Town of Camp Verde

*** Date and Time**

05/23/2023

*** Full Name:**

Stephen Thomas Magoon

*** Home Address:**

3510 S Sierra Lane
Camp Verde Arizona 86322

Mailing Address, if different:

SKIPPED

Email Address:

Stephen.Magoon@mac.com

*** Home Phone or Cellphone:**

(602) 757-4345

Work Phone:

SKIPPED

*** Are you a resident of the Town of Camp Verde?**

YES

Length of residency in the Town of Camp Verde (if applicable):

3 years

*** Do you own commercial property in the Town of Camp Verde?**

NO

Name and address of business (if applicable):

SKIPPED

If you are not in business in the Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:

Director of Information Systems

*** Are you serving, or have you ever served, on a Town of Camp Verde board or commission?**

NO

If yes, please list names of board/commission and dates served:

SKIPPED

*** Board & Commission preference. Select the Board or Commission you are interested in:**

Planning & Zoning Commission

Education and Community Service:

List schools attended (include degree and year):

Arizona State University - Mathematics / Computer Science - 1977-1981

List Civic Activities or Service Organizations (include office held, year began and year ended):

SKIPPED

*** Please state why you would like to be appointed to a Town Board, Commission, or Committee:**

I believe the Town of Camp Verde has tremendous potential and is experiencing exceptional growth. I would like to help guide that growth, ensure that our growth is well planned all well keeping our small town feel and rural character.

*** Have you ever been charged and convicted of a crime:**

NO

If yes, please explain

Council Regular Session

SKIPPED

* What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde, (c) other Board, Commission or Committee members?

I believe it is a duty of a commissioner to as fairly as possible represent all of the citizens of the Town of Camp Verde. To ensure that as we grow that we use our general plan and zoning ordinances to guide that growth. To assist where possible to develop and or modify the general plan and to make recommendations to the Town Council regarding zoning, permitting, ordinance changes etc. and to do so in as fair and equitable manner as possible.

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee:

I work at the executive level of a Fortune 200 company with over 15,000 employees world wide. I have served on a number of committees, boards and advisory groups tasked with strategic planning and corporate governance. Over the course of my 40 plus year career in such environments I have always been a problem solver who tries to build consensus through collaboration and listening to all of the stake holders. I think I can bring that set of skills to bear in this effort.

Terms and Conditions

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0024, if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Attachment

SKIPPED

* I understand that selecting this box constitutes a legal signature confirming I acknowledge and agree that all statements in this form are true and correct. I agree

* **Electronic Signature**

Stephen Magoon

* **Application Date:**

05/23/2023



Agenda Item Submission Form – Section I

Meeting Date: Wednesday, December 06, 2023

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation Work Session

Requesting Department: Community Development Department

Staff Resource/Contact Person: Cliff Bryson, Code Enforcement Officer and John Knight, Community Development Director

Agenda Title (be exact): Discussion, consideration, and possible adoption of Resolution 2023-1126, A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Declaring Chapter 7-Building, Article 7-7 Enforcement Procedures for Violations of the Town Code, dated December 06, 2023 to be a public record.

List Attached Documents:

- Attachment A: Resolution 2023-1126
- Attachment B: Proposed amendments to Chapter 7-7 – New, expanded and reorganized Enforcement Procedures for Violations of the Town Code
- Attachment C: Town Code Article 7-7; Enforcement Procedures for Violations of Town Code (current version)
- Attachment D: Flow Chart for new Code Enforcement Process
- Attachment E: Minutes August 09, 2023, excerpted

Estimated Presentation Time: 15 Minutes

Estimated Discussion Time: 25 minutes

Reviews and comments Completed by:

Town Manager: Corey Rowley **Department Head:** John Knight, CDD

Town Attorney Comments: _____

Risk Management: _____

Finance Department
Fiscal Impact:
Budget Code: _____ **Amount Remaining:** _____
Comments:

Executive Summary

Staff recommend adopting the proposed updates and modifications to Chapter 7-Building, Article 7-7 Enforcement Procedures for Violation of the Town Code. See Attachment B, discussed further below, for the complete, red-lined document with the proposed changes. Please note, this is not a mere update, but a complete re-write of this section.

The current enforcement process has several inefficiencies which can take 6-12 months, sometimes longer, to bring a case to final resolution. The proposed updates will allow the Town to re-institute the Civil Hearing Officer as an interim step within the enforcement-violation adjudication process. This proposed Civil Hearing Officer process has been proven by numerous Arizona jurisdictions to be both more efficient and a more effective process to bring a streamlined and positive closure to violations of the Town's Code and Ordinances.

Background Information:

- The Civil Hearing Officer is currently an authorized option available for the Mayor and Council to adopt through Town Code.
- The Town utilized this process off and on during the years of 2000-2007. However, it was abandoned in 2007 for reasons which are no longer clear.
- Over the past 6-months staff have been actively seeking methods to streamline and be more effective in early closure of code cases which has led to proposing the reinstatement of the Civil Hearing Officer process.
- On August 9, 2023, staff presented to Council information and statistical data regarding the current code cases within the Town and how a case works through the violation-adjudication process. Highlighted within the presentation were the common violations seen within the Town as well challenges of the current system to effectively and efficiently bring cases to a positive final resolution. During this presentation, staff proposed re-adopting the Civil Hearing Officer which would help streamline and effectively address the backlog of code cases.
- Following the presentation, staff was directed by the Mayor and Council to conduct additional research and return with a full proposal for Council to consider and possibly adopt.
- Resolution 2023-1126 are the proposed amendments to the Town Code which will provide the authority to implement the Civil Hearing Officer for the Town. See Attachment D for the flow chart of how violations will be processed and brought through this new system.
- These proposed amendments were derived from staff research of several other Arizona jurisdictions that are successfully utilizing the Civil Hearing Officer. A short list of municipalities contacted and who all unanimously recommend this process are: Cottonwood, Sedona, Chino, Prescott, Prescott Valley, Yavapai County, Gila County, Payson, Wickenburg, Avondale and Scottsdale.

Overview of Proposed Update-Amendment of Chapter 7, Article 7-7 – Enforcement Procedures for Violations of the Town Code:

The proposed amendments to this section are comprehensive and include a complete reorganization and expansion of this Article. The sections are expanded from the current five (5) to fourteen (14) sections.

The current code sections break down as follows. See Attachment C for the full text of this section as it is currently within the Town Code.

- 7-7-1: General Provisions
- 7-7-2: Criminal Citation
- 7-7-3: Civil Offense
- 7-7-4: Notice and Citation Procedures
- 7-7-5: Inspection Warrant

This proposed comprehensive update is reorganized and extensively expanded for greater clarity. The clarity is for the benefit of both the Town staff and citizenry as it now provides specified steps of the enforcement process as well as a clear process for property owners and tenants receiving a notice of violation.

<u>Proposed Amendment</u>	<u>Comments - Explanation</u>
7-7-1: Definitions	New Section added for clarity
7-7-2: General Provisions	Updated and expanded
7-7-3: Owners Responsibility for Violations by Tenants and/or Occupants	New Section added for clarity
7-7-4: Civil Hearing Officer, Scope	New Section added for clarity, overview of Civil Hearing Officer authority
7-7-5: Civil Hearing Procedures Commencement of Action	New Section which provides detailed procedures of action for Hearing Officer
7-7-6: Civil Hearing Procedures, Appearance and Entry of Plea	New Section
7-7-7: Civil Hearing Procedures, Amending the Complaint or Notice of Hearing	New Section
7-7-8: Civil Hearing Procedures, Voluntary Dismissal, Default, Setting Aside Default, Default by the Town	New Section
7-7-9: Civil Hearing Procedures – Notice of Counsel, Town Representation, Trial, Continuance	New Section
7-7-10: Civil Hearing Procedures – Discovery, Rules of Evidence, Subpoenas, Questioning of Witness	New Section
7-7-11: Civil Hearing Procedures – Order of Procedures, Record, Ruling of the Hearing Officer	New Section
7-7-12: Civil Hearing Procedures – Appeal Procedure	New Section
7-7-13: Notice and Citation Procedure	Formally 7-7-4, Updated and expanded
7-7-14: Inspection Warrant	Formally 7-7-5, No updates to text

Conclusion: These proposed procedures and changes will help staff conduct the code enforcement process in a more streamlined manner. The specific improvements this new system will provide are:

- Creating a more citizen friendly process as the Hearing Officer will have greater latitude to craft creative, effective and applicable resolutions for each case, on a case-by-case basis.
- Providing greater latitude of options for 1st time offenders, while providing increased penalty options for serial offenders.
- Providing greater resolution options for staff rather than the current single option of charging all offenders with a Class 1 or 2 Misdemeanor.
- Reducing resolution and closure timelines from current 180+ days to ninety (90) days or less.

Recommended Action: Adopt Resolution 2023-1126, A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Declaring Chapter 7-Building, Article 7-7 Enforcement Procedures for Violations of the Town Code, dated December 06, 2023 to be a public record.

Instructions to the Clerk: None

Attachment A

Resolution 2023-1126



RESOLUTION NO. 2023-1126

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, DECLARING CHAPTER 7-BUILDING, ARTICLE 7-7 ENFORCEMENT PROCEDURES FOR VIOLATIONS OF THE TOWN CODE, DATED DECEMBER 06, 2023 TO BE A PUBLIC RECORD.

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

Whereas, the document entitled Town Code, Chapter 7-Building, Article 7-7 Enforcement Procedures for Violations of the Town Code, dated December 06, 2023 is a lengthy re-codification of prior ordinances and resolutions enacted by the Town, together with additions and amendments, to be adopted by Ordinance 2023-A487, and which would qualify for enactment by reference by law.

NOW THEREFORE THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE CHAPTER 7-BUILDING, ARTICLE 7-7 ENFORCEMENT PROCEDURES FOR VIOLATIONS OF THE TOWN CODE OF THE TOWN OF CAMP VERDE TOWN CODE, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE A PUBLIC RECORD PURSUANT TO A.R.S. SECTION 9-802, TO BE ENACTED BY ORDINANCE 2023-A487, AND ORDER THAT THREE (3) COPIES, OR ONE (1) PAPER COPY AND ONE (1) ELECTRONIC COPY, OF THE PUBLIC RECORD, BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION.

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 6th day of December 2023.

PASSED AND ADOPTED:

Dee Jenkins, Mayor Date:

Attest:

Approved As To Form:

Virginia Jones, Deputy Town Clerk Date:

Town Attorney

Attachment B

Proposed Amendments to Chapter 7 (Redline)

New, Expanded and Reorganized Enforcement Procedures for Violations of the Town Code

ARTICLE 7-7

ENFORCEMENT PROCEDURES FOR VIOLATIONS OF THE TOWN CODE

(2006-A332)(2006-A336)

Section 7-7-1 DEFINITIONS

- A. As used herein, capitalized terms shall have the following meaning:
1. ABATEMENT means any action the Town may take on public or private property and any adjacent property as may be necessary to remove or alleviate a nuisance, including but not limited to demolition, removal, repair, boarding and securing or replacement of property.
 2. ALLEGED VIOLATOR means any person or individual, whether as principal, owner, occupant, agent, tenant, employee or otherwise, or an enterprise, whether a sole proprietorship, partnership, corporation or other legal entity that is alleged to have violated any provision of the Code and/or Planning & Zoning Ordinance as amended that is subject to enforcement pursuant to this Ordinance.
 3. ADMINISTRATIVE HEARING OFFICER means the same as "Hearing Officer."
 4. ATTORNEY means an attorney (lawyer) licensed to practice law in the state of Arizona.
 5. AUTHORIZED OFFICIAL means the following Town employees authorized to enforce the Town Code and Planning & Zoning Ordinance, and file complaints to the Administrative Hearing Officer.
 - a. Town Manger or designee
 - b. Town Attorney or designee
 - c. Town Marshal or designee
 - d. Town Clerk or designee
 - e. Director of Community Development or designee
 - f. Director of Public Works/Engineer or designee
 - g. Building Official or designee
 - h. Building Inspector(s)
 - i. Code Enforcement Officer
 6. CIVIL CITATION means any citation issued pursuant to this chapter stating there has been a violation of the Code or Planning & Zoning Ordinance and charged as a civil violation.
 7. CIVIL PENALTIES mean any order to remediate a violation, a fine imposed by the Hearing Officer or an Order to Abate.
 8. CLERK means the person who acts as the clerk for the hearing officer.
 9. COMPLAINT means a formal notification of a civil violation of any Town Code or Planning & Zoning Ordinance filed with the Hearing Officer.
 10. COMPLIANCE DATE means the date by which a property must meet the requirements of the Town Code and/or Planning & Zoning Ordinance as set forth by the Hearing Officer, Code Enforcement Officer or Authorized Official.
 11. COMPLY OR COMPLIANCE means meeting the requirements of the Town Code and/or Planning & Zoning Ordinance.
 12. COMPLIANCE ORDER means an order that directs the defendant to comply with provisions of the Town Code or Planning & Zoning Ordinance which includes corrective action.
 13. COUNSEL means the same as Attorney.
 14. CODE ENFORCEMENT OFFICER means a Town employee authorized pursuant to the Town Code, the Community Development Director, Zoning Administrator, or Town Manager to file a Complaint and enforce the Town Code unless otherwise specified in the Town Code or Planning & Zoning Ordinance.

15. DEFENDANT means the same as alleged violator.
16. DESIGNATED REPRESENTATIVE means a person over eighteen (18) years of age, other than an attorney, authorized in writing by the defendant to represent the defendant in proceedings before the hearing officer. The written authorization shall state the name of the person authorized to act on the defendant's behalf; that the defendant understands and agrees to be bound by the actions taken by the designated representative in the proceedings before the hearing officer; and shall be signed by the defendant before a notary public.
17. DEFAULT means not showing up for a hearing or failing to either admit or deny responsibility for a violation in a timely manner as may be determined by the Hearing Officer.
18. HEARING means the meeting with the Hearing Officer at which time the Defendant and the Town present their cases regarding the Notice of Hearing.
19. HEARING OFFICER means an individual appointed by the Town Council to hear and adjudicate alleged violations of any Town Code and/or Planning & Zoning Ordinance provision through the Administrative Hearing Procedures.
20. INSPECTOR means the Town of Camp Verde employee or other person authorized to inspect property or to deliver Notices of violations or other notices.
21. INSPECTION WARRANT means an order, in writing, in the name of the person, signed by a judge or magistrate of a court of competent jurisdiction, directed to a state, county or local official, commanding him to conduct any inspection required or authorized by state, county or local law or regulation relating to building, fire, safety, plumbing, electrical, health or Planning and Zoning Ordinances regulations or rules.
22. LETTER OF NOTIFICATION means the same as Notice of Violation or Notice.
23. NOTICE OF VIOLATION means a notice delivered to a property owner, tenant-occupant and/or the person in control of the property regarding an alleged violation of the Town Code and/or Planning & Zoning Ordinance AS AMENDED.
24. NOTICE OF HEARING means the notice provided to the alleged violator setting the date for the hearing in front of the Administrative Hearing Office. This is as the same meaning as Complaint.
25. OWNER means any person(s) including a legal entity having the right of legal title, or the beneficial interest, in a property or any portion thereof, as that interest is recorded by any governmental entity.
26. PARTY OR PARTIES means the Defendant and/or the Town.
27. PRE-HEARING DISCOVERY means documents, witnesses or other evidence related to a case, and which shall be exchanged between the parties prior to the Hearing.
28. JUDGMENT means the decision of the Hearing Officer in cases related to violations of the Town of Camp Verde Town Code and/or Planning & Zoning Ordinance as Amended.
29. RULES OF PROCEDURE mean those procedures as outline under this code to adjudicate violations of the Town Code or Planning & Zoning Ordinance.
30. SUMMONS is a legal notice requiring an individual to appear at a designated place, time and date.
31. SUBPOENA means a legal document that commands a person or entity to testify as a witness at a specified time and place.

Section 7-7-2 GENERAL
PROVISIONS.

- A. Election of Remedies. Violations of this Code and/or Planning and Zoning Ordinances of the Town may be filed under the criminal or civil enforcement procedures below or by any means stated including Section 1.8 of this Code. A person shall not be charged with both a civil and criminal offense for the same violation on the same date.
- B. Powers of Code Enforcement Officer. For the purpose of enforcement of this Code unless otherwise stated, there is hereby created the position of Code Enforcement Officer. The Community Development Director, or designee, acting as the Zoning Administrator (ARS 9-462.05C, as may be amended) shall administer and enforce this Ordinance and issue citations for violations except that criminal violations

shall be issued by law enforcement officers or the Town prosecutor.

- C. Use of Administrative Hearing Officer. Authorized Officials under subsection 7-7-1A.5 of this Code shall follow the Rule of Procedures as outlined under this Code when submitting a Complaint or Notice of Hearing for alleged violation(s) to the Administrative Hearing Officer.

Section 7-7-3 OWNER'S RESPONSIBILITY FOR VIOLATIONS
BY TENANTS AND/OR OCCUPANTS, HABITUAL OFFENDER
PROPERTY

- A. Owner Responsibility. It is the owner's responsibility to provide sufficient control, oversight, monitoring, and management of their property to prevent violations of Code and/or the Planning & Zoning Ordinance and to take all measures necessary to abate or eliminate public nuisances.
- B. Violations by Tenants. No owner of property shall permit any tenant(s) or occupant(s) of said property to commit a violation of the Code and/or Planning & Zoning Ordinance.
- C. Pre-Enforcement Notice. An owner shall be deemed to have permitted the tenant(s) and/or occupant(s) to commit a violation if the owner, or their representative, fails to take action to prevent the tenant(s) and/or occupant(s) from committing violations of this chapter after notice has been provided. Such notice shall be in writing and contain the following:
 - 1. The name of the tenant, if available, the property address and/or location and a description of the violation or violations;
 - 2. A statement that outlines the owner's responsibility and requirement to take all legal remedies available to cause the tenant(s) or occupant(s) to abate the violation and prevent any further occupant violations of the Town Code and/or Planning & Zoning Ordinance.
- D. Habitual Offender Property. Any property which receives three (3) notices of violation and/or orders of compliance for the same or different violations within a Twenty-Four (24) month period shall be designated as a habitual offender property. The owners of habitual offender properties may be charged with a class 1 misdemeanor for violations of this chapter. For purposes of calculating the Twenty-Four (24) month period under this subsection, the dates of the commission of the offenses shall be used. Any person found guilty of a class 1 misdemeanor under this subsection shall be punished by a fine of not less than five hundred dollars (\$500.00) nor more than two thousand five hundred dollars (\$2,500.00), exclusive of penalty assessments prescribed by law or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment, as provided by law.
- E. Termination of Habitual Offender Property Designation. The habitual offender property classification may be removed from the property by the Town upon a determination of all of the following:
 - 1. Verification by Town Officials that all deficiencies have been corrected.
 - 2. Payment of all penalties and costs arising from enforcement.
 - 3. Satisfaction of any abatement/remediation agreement terms, as may be applicable.
 - 4. The passage of Twenty-four (24) months without further violation when combined with a change of circumstances to warrant reconsideration including a change of ownership, property management, a specific plan of action to prevent future violations at the property, and/or evidence of appropriate steps through the judicial system to terminate the tenancy of any tenant who engaged in repeated violations of the Town Code and/or the Planning and Zoning Ordinance.

Section 7-7-4 ADMINISTRATIVE HEARING OFFICER, SCOPE.

- A. Qualifications. The Hearing Officer shall be qualified by experience and training in zoning and building issues, and familiar with the Town ordinances on zoning procedures, civil enforcement procedures and ordinances, order of abatements, court proceedings and documentation, and any staff policies adopted for zoning enforcement.
- B. Appointment. The Hearing Officer shall be appointed by Town Council with recommendations provided from the Town Manager and after such successful advertisement has been completed. A secondary Hearing

Officer may also be appointed in the event the primary Hearing Officer cannot serve or is unavailable to conduct hearings on a designated hearing date. The Council may also select additional Hearing Officers on an as needed basis.

- C. Classification. The Hearing Officer(s) shall be independent contractors and shall not be employees of the Town or a member of any Town Board or Commission.
- D. Term. The term of the Hearing Officer shall be for two (2) years, renewable at the option of the Council. The Town Manager or designee may provide recommended feedback to Council for consideration to assist Council during the review process no later than 90 days from the next renewal date.
- E. Annual Review. The Council may conduct an annual review of the Hearing Officer(s).
- F. Removal. The Council, with factual recommendations from the Town Manager or designee, has the authority to remove a Hearing Officer, by majority vote for neglect of duty, inefficiency, or misconduct in office.
- G. Scope of Authority. The Hearing Officer(s) shall have all of the powers and authorities of law pursuant to A.R.S. § 9-500.21, to hear, decide and resolve complaints from Authorized Officials alleging violations of the following provisions:
 - 1. Town Code, Chapter 7; Building Code excluding Article 7-10 (Municipal Development Fees)
 - 2. Town Code, Chapter 9; Business Regulations
 - 3. Town Code, Chapter 10; Health and Sanitation Regulations
 - 4. Town Code, Chapter 11; Offenses; Subsection 11-1-1; Dangerous Constructions, Subsection 11-1-2; Excavations to be Covered, Subsection 11-1-7; Signs and Banners, Subsection 11-1-8; Unsafe Buildings or Structures, Article 11-2; Fireworks
 - 5. Town Code, Subsection 13-3-6; Planting, Pruning or Removing Trees on Public Property Prohibited, Subsection 13-3-7; Posting on Town Trees Prohibited.
 - 6. Planning & Zoning Ordinance provisions as adopted by Council, as amended.
- H. Conduct of Hearings. The Rules of Procedures shall apply in all cases involving the adjudication of civil violations which may be brought before the Hearing Officer and are adopted pursuant to the authority granted to the Town of Camp Verde pursuant to the Town Code and Planning & Zoning Ordinance.
- I. Civil Designation. Violations of the Planning and Zoning Ordinance and/or Town Code may be filed under the civil enforcement procedures/rules of procedures of this chapter and are declared to be civil offenses.
- J. Option of Remedies. An action before the Hearing Officer does not preclude the Town Council, Town Manager, Town Attorney, Prosecuting Attorney, Director of Community Development, Code Enforcement Officer, Other Authorized Officials, other person(s), a private individual or other entity that is specially damaged by a civil violation from pursuing other remedies provided by law, including but not limited to injunction, mandamus, abatement or any other appropriate action or proceeding to prevent or abate the violation.
- K. Orders and Imposition of Penalties. The Hearing Officer is authorized to impose civil penalties for violations up to the maximum amount specified in A.R.S. § 9-240 for ordinance violations for each day a violation exists; order abatement of the violation pursuant to A.R.S. § 9-499; order compliance notices; modify judgments; authorize liens to be recorded; and take such other actions necessary to hear and determine violations classified as civil offenses.

Section 7-7-5 CIVIL HEARING PROCEDURES,
COMMENCEMENT OF ACTION

- A. Commencing Action. Authorized Officials, as defined under subsection 7-7-1A.5 are hereby authorized to file Complaints, Notice of Violations or Notice of Hearings to the Administrative Hearing Officer.
- B. Filing Complaint. Every action or proceeding brought before the Hearing Officer for a civil violation of any Town Code and/or Planning & Zoning Ordinance provision shall be commenced by filing a Civil Complaint using either the uniform Arizona Traffic Ticket and Complaint form, or one substantially similar or a Notice of Hearing with the Code Enforcement Officer or Community Development Department.
- C. Factual Basis. Complaints or Notice of Hearings shall contain:
 - 1. The name and address of the defendant(s),
 - 2. A legal description and/or the address of the site that is in violation,

3. A statement of fact or facts constituting the specific violation which shall cite to this ordinance as well as the particular subsection of the Town Code or Planning & Zoning Ordinance provision applicable to the alleged violation.
- D. Designation of Offense. Each subsection of the ordinance cited in the complaint or notice of hearing shall be deemed a separate offense.
- E. Notice to Alleged Violator. The Complaint or Notice of Hearing shall set forth the following:
 1. Date and time of appearance,
 2. Location of hearing,
 3. Date and time of alleged violation(s),
 4. Direct the defendant to appear in front of the hearing officer,
 5. State that if the defendant fails to appear, the Hearing Officer will enter a default judgment against the defendant in favor of the State, and impose sanctions not to exceed \$250 for each alleged violation,
 6. Defendant rights and appeals.
- F. Service. The Complaint or Notice of Hearing shall be served by the Code Enforcement Officer or Authorized Official on the defendant at least thirty (30) days prior to the appearance date. The Code Enforcement Officer or Authorized Official shall first attempt personal service of the Complaint or Notice of Hearing through hand-delivery, with the notice signed by the owner, defendant, tenant-occupant, person in control of the property or their authorized representative with their promise to appear within thirty (30) days of the issuance of the Complaint or Notice of Hearing. If the owner of record, defendant, tenant-occupant, person in control of the property or their authorized representative refuses to sign, this should be noted on the Complaint or Notice of Hearing and the Service shall be deemed completed.
- G. Personal Service Not Required. If the Code Enforcement Officer or Authorized Official is unable to personally serve the notice, then pursuant to A.R.S. § 9-500.21 service can be completed:
 1. In the same manner prescribed for alternative methods of service by the Arizona Rules of Civil Procedure, or
 2. By certified or registered mail, return receipt requested. Service is complete on filing the receipt with the Administrative Hearing Officer.
- H. Filing with Hearing Officer. The Complaint or Notice of Hearing shall be filed with the Hearing Officer within ten (10) days of the time issued.
- I. Evidence. Authorized Officials shall provide all relevant evidence and case files to the Administrative Hearing Officer at least twenty-one (21) days prior to the scheduled hearing date.
- J. Inspection. Authorized Officials shall conduct an inspection at least one (1) day prior to the hearing date to determine if compliance has been obtained before the hearing. Any interference with the inspection or refusal for admission onto the property shall not preclude the Authorized Official from proceeding with enforcement and hearing on the citation.

Section 7-7-6 CIVIL HEARING PROCEDURES, APPEARANCE
AND ENTRY OF PLEA

The defendant may admit or deny responsibility by appearing in person at the time and date set to appear and entering a plea, or by mailing to the Code Enforcement Officer or Authorized Official a short statement signed by the defendant or their Counsel admitting or denying the allegations of the Complaint or Notice of Hearing, which must be received in the office of the Community Development Department by 5:00 PM on the business day prior to the date set for appearance and plea.

1. Upon admission of responsibility, and if there is no agreement in writing between the parties to waive the hearing for determination of penalty and date of remediation of the violation, the hearing shall be held at the same time and place set for appearance in the Complaint or Notice of Hearing. At this hearing, the Defendant and the Code Enforcement Officer or Authorized Official shall be given an opportunity to state their position on the amount of the penalty and date of remediation to be imposed by the Hearing Officer.
2. The hearing determination of penalty and remediation date may be waived if agreed to by the parties

- involved. Upon agreement to waive said hearing, the Hearing Officer shall impose action to correct the violation. The Defendant shall be notified by first class mail of the penalty and remediation date.
3. If the Defendant does not enter a plea, Defendant shall appear at the place, date and time set in the Complaint or Notice of Hearing. Failure of the Defendant to appear shall be considered a Default Judgement as set forth herein.

Section 7-7-7 CIVIL HEARING PROCEDURES, AMENDING THE
COMPLAINT OR NOTICE OF HEARING

- A. Amendment Prior to Final Decision. The Hearing Officer may permit a Complaint or Notice of Hearing to be amended at any time before the final decision if no additional or different violation is charged and if substantial rights of the Defendant are not thereby prejudiced.
- B. Amendment to Conform to Evidence. The Complaint or Notice of Hearing may be amended to conform to the evidence alleged at the hearing if no additional or different violation is/are charged and if substantial rights of the Defendant are not thereby prejudiced.
- C. If/When Amended, Original Notice or Hearing Date to be Used. All amendments to a Complaint or Notice of Hearing shall date back to the date the Complaint or Notice of Hearing was first issued.

Section 7-7-8 CIVIL HEARING PROCEDURES, VOLUNTARY
DISMISSAL, DEFAULT, SETTING ASIDE DEFAULT, DEFAULT
BY THE TOWN.

- A. Voluntary Dismissal. The Code Enforcement Officer or Authorized Official may request in writing that the Hearing Officer dismiss a Complaint or Notice of Hearing based on successful resolution of the violations. All such requests shall be filed prior to the hearing for testimony and presentation of evidence.
- B. Notice of Dismissal. If a Complaint or Notice of Hearing is dismissed, the hearing will not be held. The Hearing Officer will notify the defendant and the Town that the Complaint or Notice of Hearing has been dismissed and that the hearing has been cancelled.
- C. Re-Filing of Charges. A Complaint or Notice of Hearing that has been dismissed by the Hearing Officer without prejudice may be re-filed with the Hearing Officer at a later date as a new violation.

Section 7-7-9 CIVIL HEARING PROCEDURES, NOTICE OF
COUNSEL, TOWN REPRESENTATION, TRIAL, CONTINUANCE

- A. Defendant Right to Counsel. The Complaint or Notice of Hearing shall contain written notice that the Defendant has the right to be represented by Counsel or by another Designated Representative. The Defendant must notify the Code Enforcement Officer or Authorized Official in writing at least fifteen (15) days prior to the hearing date for testimony and presentation of evidence of the defendant's election to be represented by Counsel or by another Designated Representative. Otherwise, the Hearing Officer shall cause a postponement of these proceedings upon the request of Code Enforcement Officer or Authorized Official in order for the Town to obtain/arrange Counsel.
- B. Town Right to Counsel. If the Defendant is represented by Counsel, then the Town may be represented by Counsel.
- C. Evidence. The defendant may present evidence directly or through counsel.
- D. No Right to Jury Trial. The defendant will not have a right to a jury trial.
- E. Continuances. The Hearing Officer may, upon motion of any Party or on their own motion, continue the hearing to the next hearing date or another specified hearing date if it appears the interests of justice require continuation. If the Defendant and the Code Enforcement Officer or Authorized Official agree in writing to continue a hearing, that hearing shall be continued to the next hearing date.

Section 7-7-10 CIVIL HEARING PROCEDURES, DISCOVERY,
RULES OF EVIDENCE, SUBPOENAS, QUESTIONING OF
WITNESSES.

- A. Discovery. No pre-hearing discovery shall be permitted absent extraordinary circumstances.
- B. Disclosure. Immediately prior to the hearing, both parties shall present to the Hearing Officer a list of witnesses, prepared exhibits and written or recorded statements, and any other evidence Parties intend to use during the hearing. The Hearing Officer will allow the opposing parties to review all evidence. Failure to comply with this rule may result, at the Hearing Officer's discretion, in granting of a recess to permit the parties to review all evidence.
- C. No Formal Rules of Evidence. All civil hearings under this Chapter shall be informal, except that testimony shall be given under oath or affirmation. The Arizona Rules of Evidence shall not apply except for any rules or statutes relating to privileged communications. At the hearing, the Hearing Officer may prohibit the introduction of any evidence deemed irrelevant, incomplete, repetitive or otherwise inappropriate, or other make orders as necessary or appropriate to fairly and efficiently decide the case at hand.
- D. Record. Documentary evidence may be received in the form of copies or by incorporation by reference.
- E. Judicial Notice. The Hearing Officer may take note of judicially cognizable facts and may take note of general, technical or scientific facts.
- F. Subpoenas. Either Party may request the Hearing Officer to issue subpoenas for the attendance of witness and/or production of documents pursuant to A.R.S. § 12-2212. The subpoena shall state the title of the action and command each person to whom it is directed to give testimony at the place and time listed on the subpoena.
- G. Service of Subpoenas. A subpoena may be served by a Law Enforcement Officer or by any other person who is not a Party and is not less than eighteen (18) years of age. At the time of service, witness fees for one day plus mileage shall be paid to the witness pursuant to A.R.S. § 12-303 which shall be paid by the requesting Party.
- H. Examination of Witnesses. The Hearing Officer may on their own motion, call and examine witnesses, including the Code Enforcement Officer or Authorized Officials, other Town witnesses, the Defendant, Defendant's Counsel or Designated Representative.

Section 7-7-11 CIVIL HEARING PROCEDURES - ORDER OF
PROCEDURES, RECORD, RULING OF THE HEARING
OFFICER.

- A. Order of Proceedings. The order of proceedings shall be as follows:
 - 1. Testimony of the Code Enforcement Officer, Authorized Official, and any other Town witnesses.
 - 2. Testimony of the Defendant, Defendant's Counsel, Designated Representative and any other witness of the Defendant.
 - 3. Testimony of the Town's rebuttal witnesses, if any.
 - 4. Testimony of the Defendant's rebuttal witnesses, if any.
 - 5. Any argument of the Code Enforcement Officer, Authorized Officials under subsection 7-7-1A.5, the Defendant, Defendant's Counsel, or Designated Representative, as permitted by the Hearing Officer.
 - 6. Ruling by the Hearing Officer.
- B. Witnesses. All witnesses called to testify on behalf of the Town shall be required to testify prior to the Defendant, Defendant's Counsel or Designated Representative being required to testify, unless the parties otherwise consent.
- C. Rebuttal. A witness that has already testified may be called in rebuttal to testify to an issue raised by the defense.
- D. Recordings. The Town will record the proceedings digitally or by audio tape, although no technical malfunction or other error in recording shall be grounds to invalidate the decision. A recording of the

hearing will be made and maintained by the Hearing Officer pursuant to State record retention requirements.

- E. Copies. Copies of recordings may be available for the cost of reproduction. Typed transcript of the hearing may be made if requested. Any party requesting copies of typed transcripts will be required to pay costs as per standard rates established by the Town.
- F. Entry of Decision and Order. If the Defendant, after the hearing, is found responsible for the civil violation, the Hearing Officer shall enter a decision for the Town, any remediation of any violations, compliance order dates and impose civil penalties adopted by Council through resolution.
- G. Notice of Decision. The Hearing Officer, Code Enforcement Officer or Authorized Official shall deliver or mail, to all parties, a copy of the decision together with written notice of right to appeal within ten (10) calendar days from the date the decision is signed by the Hearing Officer.
- H. Fines. Any fines noted in the Hearing Officer's Final Order shall be due within ten (10) calendar days following the date of service of the decision. If a decision to appeal is received from the Defendant, the payment of fines is suspended pending the outcome of the appeal. If the Hearing Officer's final decision regarding the fine is upheld or if the fine is reduced but not eliminated, the balance of the fine is due within ten (10) calendar days upon the date the appeal is final.
- I. Collection. Any unpaid fines may be collected by a collection agency with the Defendant being responsible for any fees charged by the collection agency as compensation for its services.
- J. Recording. The final decision of the Hearing Officer ("Final Decision") may be filed with the Yavapai County Recorder's Office upon the expiration of the time for filing an appeal and upon determination that the Defendant did not file an appeal. If the Defendant appeals the Final Decision and the Final Decision is upheld in whole or in part by the appellate process, the Final Decision as modified by the appellate process shall be filed with the Yavapai County Recorder's Office upon the exhaustion of all appellate remedies.
- K. Judicial Review. Following the decision and imposition of civil penalties and after the hearing, the Hearing Officer shall advise the Defendant of the Defendant's right to a review of the Hearing Officer's Final Decision pursuant to A.R.S. § 12-124.

Section 7-7-12 NOTICE AND CITATION PROCEDURE

Unless otherwise stated in this Code the following shall apply:

1. In order to assure compliance with the standards and other provisions of this Code, the Director of Community Development or their designee shall establish an enforcement policy that reasonably guides and directs enforcement and inspection activities in conformance with the Town Code and Planning & Zoning Ordinance.
2. The Enforcement policy shall be designed to achieve compliance in the most efficient and effective manner by addressing violations through personal contact, verbal and written notices, corrective action to achieve voluntary compliance, compliance dates, and addressing habitual offender properties.
3. For the purpose of enforcement of the Town Code, violations of any adopted building code in conjunction with a code violation will be considered violations of the Town Code as well, and appropriate, simultaneous enforcement action shall be taken by the Building Official or designee.

Section 7-7-13 INSPECTION WARRANT. (2006-A336)

- A. Application for Warrant. An inspection warrant shall be issued only upon cause, supported by affidavit, particularly describing the place, dwelling, structure, premises or vehicle to be searched and the purpose for which the search is made. In addition, the affidavit shall contain either a statement that consent to inspect has been sought and refused or facts or circumstances reasonably justifying the failure to seek such consent.

- B. Showing of Cause. Cause shall be deemed to exist if either reasonable legislative or administrative standards for conducting a routine or area inspection are satisfied with respect to the particular place, dwelling, structure, premises or vehicle, or there is reason to believe that a condition of nonconformity exists with respect to the particular place, dwelling, structure, premises or vehicle.
- C. Judicial Examination. Before issuing an inspection warrant, the judge may examine on oath the applicant and any other witnesses, and shall satisfy himself of the existence of grounds for granting such application.
- D. Issuance. If the judge is satisfied that cause for the inspection exists, they shall issue the warrant particularly describing each place, dwelling, structure, premises or vehicle to be inspected and designating on the warrant the purpose and limitations of the inspection, including the limitations required by this section.
- E. Effectiveness. An inspection warrant shall be effective for the time specified therein, but not for a period of more than fourteen (14) days, unless extended or renewed by the judge who signed and issued the original warrant upon satisfying himself that such extension or renewal is in the public interest. Such inspection warrant must be executed and returned to the judge by whom it was issued within the time specified in the warrant or within the extended or renewed time. After the expiration of such time the warrant, unless executed, is void.
- F. Limitations. An inspection pursuant to this warrant may not be made between 6:00 p.m. of any day and 8:00 a.m. of the succeeding day, nor in the absence of an owner or occupant of the particular place, dwelling, structure, premises or vehicle unless specifically authorized by the judge upon a showing that such authority is reasonably necessary to effectuate the purpose of the regulation being enforced. An inspection pursuant to a warrant shall not be made by means of forcible entry; except that the judge may expressly authorize a forcible entry where facts are shown sufficient to create a reasonable suspicion of violation of a state, county or local law or regulation relating to buildings, fire, safety, plumbing, electrical, health or zoning, which, if such violation existed, would be an immediate threat to health or safety, or where facts are shown establishing that reasonable attempts to serve a previous warrant have been unsuccessful. Where prior consent has been sought and refused, notice to the owner or occupant that a warrant has been issued must be given at least twenty-four (24) hours before the warrant is executed, unless the judge finds that immediate execution is reasonably necessary in the circumstances shown.
- G. Violation. Any person who willfully refuses to permit an inspection lawfully authorized by warrant issued pursuant to this Article is guilty of a class 2 misdemeanor punishable as set forth in Article 1-8 of this code.

Attachment C

Current Version of Town Code, Article 7-7 Enforcement Procedures for Violation of Town Code

Whenever a building permit is issued and a building inspection performed, such building must conform to the provisions of the zoning ordinance of Camp Verde in addition to the provisions of this chapter.

ARTICLE 7-4

BUILDING OFFICIAL

The building official and administrative authority, as such may be referenced in any section of this chapter for all matters pertaining to any building, plumbing, electrical, or any other inspections, shall be vested in the office of the Town Manager or his designee, provided that the manager or the Council may authorize such deputies as needed to perform any inspection work or other functions that may be required by this chapter.

ARTICLE 7-5

ROAD SPECIFICATIONS AND DETAILS

That certain document entitled "Uniform Standard Specifications" and that certain document entitled "Uniform Standard Details" as published by the Maricopa Association of Governments, are hereby adopted as the Town road standards and made a part of this chapter as though said documents were specifically set forth in full herein.

ARTICLE 7-6

STREET NAMING AND ADDRESSING (A2006-A332)

- A.** In accordance with Ordinance 2001 A193, street names should be appropriate and easy to read so that children in particular can pronounce the name in an emergency situation. Street names are subject to review and prior approval of the reviewing officer pursuant to the procedures provided in the Street Naming and Addressing Guidelines. New Streets must be named from a pool of historical locations, pioneer family names, local brands and native vegetation that is approved and updated by the Town Council and is available at the Community Development Department. A list of historical street names shall be submitted by staff to the Council for review and approval as required, but not less frequently than every six (6) months. The applicant also has the option of submitting a list of alternate street names along with the Preliminary Plat for possible approval by the Council.
- B.** This program is hereby declared the only legal addressing system for the incorporated areas within the Town.
- C.** Any person who fails to comply with the addressing requirements of this Article within thirty days of initial notification by the addressing official shall be subject to a petty offense for the first offense, and a Class 3 Misdemeanor for a second or subsequent offense as to the same property. Each day the property is not in compliance may constitute a separate offense. "Person" includes the property owner, occupant, or any persons having control over the use of the property.

ARTICLE 7-7

ENFORCEMENT PROCEDURES FOR VIOLATIONS OF THE TOWN CODE

(2006-A332)(2006-A336)

Section 7-7-1 GENERAL PROVISIONS.

- A. Violations of this Code and Zoning Ordinances of the Town may be filed under the criminal or civil enforcement procedures below or by any means stated including Section 1.8 of this Code. A person shall not be charged with both a civil and criminal offense for the same violation on the same date, but a subsequent violation against the same property or person may be charged as civil rather than criminal.
- B. For the purpose of enforcement of this Code unless otherwise stated, there is hereby created the position of Code Enforcement Officer. The Community Development Director, or designee, acting as the Zoning Administrator (ARS 9-462.05C, as may be amended) shall administer and enforce this Ordinance, up to and including the issuance by the Marshall's Department of criminal charges against violators.

Section 7-7-2 CRIMINAL CITATION

A criminal citation is used when: the offense is serious and requires immediate action, the alleged violator has ignored previous warnings or notice, has refused to work with the Town toward compliance, or the violation is a repeat of a previous offense.

Section 7-7-3 CIVIL OFFENSE

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

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

3. Hearing Procedures. Unless otherwise modified therein, civil enforcement procedures herein shall follow the Arizona Rules of Court for Civil Traffic Violations. The Town Attorney or designee will present evidence of the charges in the complaint. The defendant may present evidence pro per or through counsel. The defendant will not have a right to a jury trial. If the Hearing Officer finds that the charges are proven by a preponderance of the evidence, judgment shall be entered against the defendant for the State, and sanctions imposed up to \$250 per offense. If the Hearing Officer finds the charges not proven, the case shall be dismissed. Any sanction shall be imposed immediately, without setting a sentencing date or probationary period, except that the Hearing Officer may allow the defendant a time to pay the sanction not more than 30 days from the hearing date.
4. Appeals. The defendant may appeal the decision of the Hearing Officer to the Town Magistrate, pursuant to ARS 22-402.B, as may be amended, who shall conduct a review of the matter limited to whether the ordinance or code has been correctly interpreted or applied by the component. It shall not be a trial de novo unless the Court determines that the records are insufficient, or there is no record preserved. A record for purposes of this section consists of audio tape recordings, any written rulings of the Hearing Officer, and exhibits admitted at the hearing. Further appeal to the Superior Court, either pursuant to the civil traffic rules or through ARS 12-124.A, as may be amended, is hereby granted, but may be discretionary with the Court.

Section 7-7-4 NOTICE AND CITATION PROCEDURE

Unless otherwise stated in this Code the following notice procedure shall be used:

- a. Verbal/Courtesy Warning: A verbal or written warning may be provided by the Code Enforcement Officer to the alleged party in violation, as a courtesy, when the violation is not considered immediately serious to the health, safety, or property of others, permitting a minimum of 10 days to correct, or make timely arrangements to correct, the violation.
- b. Written Notice of Violation: A written notice of violation is provided when: personal contact cannot be made, because access to the property is prevented, the occupant is not on the premises or has ignored an earlier courtesy warning. The time frame for compliance, not to exceed 60 days from the first courtesy warning, is at the discretion of the Code Enforcement Official.
- c. Criminal Citation: A criminal citation is used when: the offense is serious and requires immediate action, the alleged violator has ignored previous warnings, has refused to work with the Town toward compliance, or the violation is a repeat of a previous offense.

For the purpose of enforcement of the Town Code, violations of any adopted building code in conjunction with a code violation will be considered violations of the Town Code as well, and appropriate, simultaneous enforcement action shall be taken by the Building Official.

Section 7-7-5 INSPECTION WARRANT. (2006-A336)

- A. An "inspection warrant" is an order, in writing, in the name of the people, signed by a judge or magistrate of a court of competent jurisdiction, directed to a state, county or local official, commanding him to conduct any inspection required or authorized by state, county or local law or regulation relating to building, fire, safety, plumbing, electrical, health or zoning.
- B. An inspection warrant shall be issued only upon cause, supported by affidavit, particularly describing the place, dwelling, structure, premises or vehicle to be searched and the purpose for which the search is made. In addition, the affidavit shall contain either a statement that consent to inspect has been sought and refused or facts or circumstances reasonably justifying the failure to seek such consent.

- C. Cause shall be deemed to exist if either reasonable legislative or administrative standards for conducting a routine or area inspection are satisfied with respect to the particular place, dwelling, structure, premises or vehicle, or there is reason to believe that a condition of nonconformity exists with respect to the particular place, dwelling, structure, premises or vehicle.
- D. Before issuing an inspection warrant, the judge may examine on oath the applicant and any other witnesses, and shall satisfy himself of the existence of grounds for granting such application.
- E. If the judge is satisfied that cause for the inspection exists, he shall issue the warrant particularly describing each place, dwelling, structure, premises or vehicle to be inspected and designating on the warrant the purpose and limitations of the inspection, including the limitations required by this section.
- F. An inspection warrant shall be effective for the time specified therein, but not for a period of more than fourteen (14) days, unless extended or renewed by the judge who signed and issued the original warrant upon satisfying himself that such extension or renewal is in the public interest. Such inspection warrant must be executed and returned to the judge by whom it was issued within the time specified in the warrant or within the extended or renewed time. After the expiration of such time the warrant, unless executed, is void.
- G. An inspection pursuant to this warrant may not be made between 6:00 p.m. of any day and 8:00 a.m. of the succeeding day, nor in the absence of an owner or occupant of the particular place, dwelling, structure, premises or vehicle unless specifically authorized by the judge upon a showing that such authority is reasonably necessary to effectuate the purpose of the regulation being enforced. An inspection pursuant to a warrant shall not be made by means of forcible entry; except that the judge may expressly authorize a forcible entry where facts are shown sufficient to create a reasonable suspicion of violation of a state, county or local law or regulation relating to buildings, fire, safety, plumbing, electrical, health or zoning, which, if such violation existed, would be an immediate threat to health or safety, or where facts are shown establishing that reasonable attempts to serve a previous warrant have been unsuccessful. Where prior consent has been sought and refused, notice to the owner or occupant that a warrant has been issued must be given at least twenty-four (24) hours before the warrant is executed, unless the judge finds that immediate execution is reasonably necessary in the circumstances shown.
- H. Any person who willfully refuses to permit an inspection lawfully authorized by warrant issued pursuant to this Article is guilty of a misdemeanor punishable as set forth in Article 1-8 of this code.

ARTICLE 7-8

PLACEMENT OF UTILITIES UNDERGROUND AND ESTABLISHING A PERMIT

A. Definitions:

Developer shall be deemed to be any individual, firm, corporation, partnership, association, syndication, trust, governmental agency, or other legal entity that is responsible for the development or redevelopment of land that created any demand for any utility service or causes alteration of existing utility services, other than the serving utility.

Existing utility system means such poles, structures, wires, cables transformers, and other related facilities that are in place and in operation within 90 days of the effective date of this ordinance, or improvements or changes hereinafter made to maintain service capabilities or existing facilities and utility drops, but it does not include extensions made to existing distribution lines.

New utility system means such poles and structures, wires, cables, transformers, and all other related facilities used in or as a part of the distribution or transmission of electricity, telephone, telegraph, radio, internet, or television communications that are not in place as of the effective date of this ordinance, or new extensions made from existing poles and wires.

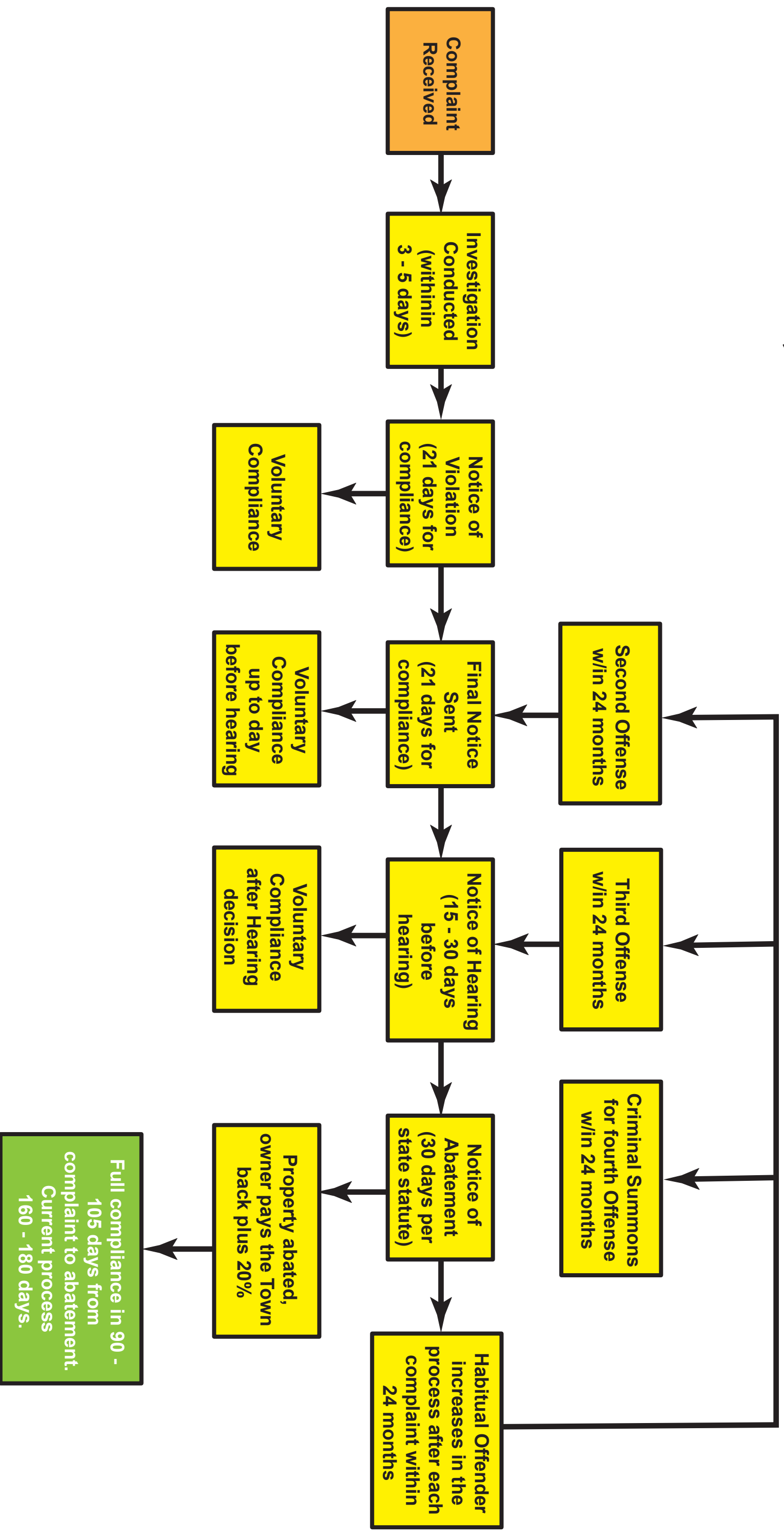
Service drop refers to that line which extends from the service utility's existing utility system and connects to the individual customer who is the ultimate user of that service.

Attachment D

Flow Chart for new Code Enforcement Process

Proposed Code Enforcement Process

December 6, 2023



Attachment E
Minutes August 09, 2023
Excerpted

- Boarding of horses

Direction to staff – The Town is going to work on establishing a Town Manager Working Group. This group is going to be comprised of broad citizens; potentially up to 7 (manager’s discretion). Any Community Member who wants to be in this group should email Mr. Soltis. The group will continue to work through survey questions, compare what other communities do and working to bring back more of a developed public participation plan at a future meeting.

Mayor Jenkins would like to take a ten-minute break.

Meeting break: 6:30 p.m.

Meeting resume: 6:40 p.m.

6. Presentation, Discussion and Possible Direction to staff regarding the current code enforcement practices and possible changes to the procedures. Staff Resource: John Knight and Cliff Bryson

Code Enforcement Officer Cliff Bryson was introduced, and he gave a background of his experiences being a Code Enforcement Officer. He led the Council through his presentation where he explained the current processes and the challenges with code enforcement. Mr. Bryson went over the purposes and objectives of Code Enforcement Officers, and common violations. He discussed reinstating a Hearing Officer to hear code cases. This position has been vacant for many years.

Council members discussed the Hearing Officer position. Could this person be shared with the Marshal’s Office? Would this person be contracted or a Town employee? Who would appoint a Hearing Officer?

Mayor Jenkins would not go with an employee; it would be a conflict of interest for fairness of issues. This person should be independent of the Town. Mr. Knight will reach out to surrounding Towns to see what they do.

Town Attorney Trish Stuhan suggested looking at the scope of work for a Hearing Officer, what are their qualifications, and look at what other Cities and Towns are doing.

Mayor Jenkins would support getting an idea of the pros and cons, review the consolidation of code enforcement functions. She would like to get feedback from staff as to why it would work or why it wouldn’t work. She would like to hear Marshal Rowley’s feedback on this.

Councilor Godwin would rather get another Code Enforcement Officer instead of combining the two.

Mr. Bryson will bring back comparisons and staffing levels of other jurisdictions. His goal is to educate the community on the code and do community outreach. He gave some examples of proactive enforcement verses reactive enforcement.

7. Adjournment

Mayor Jenkins adjourned the meeting at 7:33 p.m.



Mayor Dee Jenkins



Attest: Town Clerk Cindy Pemberton



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: Wednesday, December 06, 2023

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

Requesting Department: Community Development Department

Staff Resource/Contact Person: Cliff Bryson, Code Enforcement Officer and John Knight, Community Development Director

Agenda Title (be exact): Discussion, consideration, and possible adoption of Ordinance 2023-A487 an Ordinance of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference Resolution 2023-1126, amending Chapter 7-Building, Article 7-7 Enforcement Procedures for Violations of the Town Code. A recodification of selected prior ordinances of the Town and prescribing penalties for violations.

List Attached Documents:

- A. Ordinance 2023-A487

Estimated Presentation Time: 5 Minutes

Estimated Discussion Time: 5 minutes

Reviews and comments Completed by:

Town Manager: Corey Rowley **Department Head:** John Knight, CDD

Town Attorney Comments: Trish Stuhan

Risk Management: _____

Finance Department
Fiscal Impact:
Budget Code: _____ **Amount Remaining:** _____
Comments:

Recommended Action: Approve Ordinance 2023-A487 an ordinance of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference Resolution 2023-1126, amending Chapter 7-Building, Article 7-7 Enforcement Procedures for Violations of the Town Code. A recodification of selected prior ordinances of the Town and prescribing penalties for violations.

Instructions to the Clerk: None

Attachment A

Ordinance 2023-A487



ORDINANCE NO. 2023-A487

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING BY REFERENCE RESOLUTION 2023-1126, AMENDING CHAPTER 7-BUILDING, ARTICLE 7-7 ENFORCEMENT PROCEDURES FOR VIOLATIONS OF THE TOWN CODE. A RECODIFICATION OF SELECTED PRIOR ORDINANCES OF THE TOWN AND PRESCRIBING PENALTIES FOR VIOLATIONS.

Section 1. **Reference.** Pursuant to A.R.S. Section 9-802 (as amended) the Town hereby adopts for application and enforcement an amendment to the Town of Camp Verde Town Code, dated December 06 2023, which consists of a compilation of selected previously adopted and modified ordinances that are declared a public record pursuant to Resolution 2023-1126 and attached thereto.

Section 2. **Effective Date:** This Ordinance is effective upon the expiration of a thirty (30) day period following the adoption hereof and completion of publication and any posting as required by law.

Section 3. **Repeal:** All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 4. **Severability:** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. **Copies of the Town Code:** At least three (3) copies, or one paper copy and one electronic copy, of the Town of Camp Verde Town Code, Chapter 7-Building, Article 7-7 Enforcement Procedures for Violations of the Town Code recodified dated December 06, 2023, shall be kept on file in the office of the Town Clerk for public access. Additional copies may be purchased by the public at nominal cost for materials and reproduction. Copies placed for public access shall be readily available for public inspection during normal working hours.

Section 6. **Penalty:** Pursuant to A.R.S. Section 9-240. B.29 and A.R.S. Section 13-602, it is hereby declared that any violation of the Town of Camp Verde Town Code, Chapter 7-Building, Article 7-7 dated December 06, 2023, and revisions adopted thereto is a Class 2 misdemeanor, with punishment as provided by law, unless otherwise specified within a particular section of the Code. Each day that a violation continues shall be a separate offense punishable as herein described. For purposes of A.R.S. Section 9-803, the provisions of the Town of Camp Verde Town Code concerning penalty clauses are set forth on Exhibit A to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Camp Verde, Arizona, as follows:

PASSED, ADOPTED AND APPROVED by a majority vote of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, this 06th day of December 2023.

Dee Jenkins, Mayor Date:

Attest:

Approved As To Form:

Virginia Jones, Deputy Town Clerk Date:

Town Attorney

Exhibits on file at _____.

Exhibit A

Town Code

Chapter 1, Article 1-8, Penalty

And

Chapter 7, Article 7-7

Section 7-7-3 Owner's Responsibility For
Violations By Tenants And/Or
Occupants, Habitual Offender Property

ARTICLE 1-8

PENALTY

- A.** Any person found guilty of violating any provisions of this code, except as otherwise provided, shall be guilty of a Class 2 misdemeanor, and upon conviction thereof shall be punished as provided by law.
- B.** Each day that a violation continues shall be a separate offense punishable as herein described.

Section 7-7-3 OWNER'S RESPONSIBILITY FOR VIOLATIONS
BY TENANTS AND/OR OCCUPANTS, HABITUAL OFFENDER
PROPERTY

- A. Owner Responsibility. It is the owner's responsibility to provide sufficient control, oversight, monitoring, and management of their property to prevent violations of Code and/or the Planning & Zoning Ordinance and to take all measures necessary to abate or eliminate public nuisances.
- B. Violations by Tenants. No owner of property shall permit any tenant(s) or occupant(s) of said property to commit a violation of the Code and/or Planning & Zoning Ordinance.
- C. Pre-Enforcement Notice. An owner shall be deemed to have permitted the tenant(s) and/or occupant(s) to commit a violation if the owner, or their representative, fails to take action to prevent the tenant(s) and/or occupant(s) from committing violations of this chapter after notice has been provided. Such notice shall be in writing and contain the following:
 - 1. The name of the tenant, if available, the property address and/or location and a description of the violation or violations;
 - 2. A statement that outlines the owner's responsibility and requirement to take all legal remedies available to cause the tenant(s) or occupant(s) to abate the violation and prevent any further occupant violations of the Town Code and/or Planning & Zoning Ordinance.
- D. Habitual Offender Property. Any property which receives three (3) notices of violation and/or orders of compliance for the same or different violations within a Twenty-Four (24) month period shall be designated as a habitual offender property. The owners of habitual offender properties may be charged with a class 1 misdemeanor for violations of this chapter. For purposes of calculating the Twenty-Four (24) month period under this subsection, the dates of the commission of the offenses shall be used. Any person found guilty of a class 1 misdemeanor under this subsection shall be punished by a fine of not less than five hundred dollars (\$500.00) nor more than two thousand five hundred dollars (\$2,500.00), exclusive of penalty assessments prescribed by law or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment, as provided by law.
- E. Termination of Habitual Offender Property Designation. The habitual offender property classification may be removed from the property by the Town upon a determination of all of the following:
 - 1. Verification by Town Officials that all deficiencies have been corrected.
 - 2. Payment of all penalties and costs arising from enforcement.
 - 3. Satisfaction of any abatement/remediation agreement terms, as may be applicable.
 - 4. The passage of Twenty-four (24) months without further violation when combined with a change of circumstances to warrant reconsideration including a change of ownership, property management, a specific plan of action to prevent future violations at the property, and/or evidence of appropriate steps through the judicial system to terminate the tenancy of any tenant who engaged in repeated violations of the Town Code and/or the Planning and Zoning Ordinance.



Agenda Item Submission Form – Section I

Meeting Date: Town Council, Wednesday December 6, 2023 at 6:30 PM

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

Requesting Department: Community Development

Staff Resource/Contact Person: BJ Ratlief, Planner

Agenda Title (be exact): **Public Hearing:** Discussion, Consideration, and Possible Adoption of Resolution 2023-1123 of the Mayor and Common Council of Camp Verde, Yavapai County, Arizona, for Preliminary Plat 20230497, submitted by Rob Witt, for the purpose of developing a 12-lot Subdivision, known as “Feldmeier Estates” on approximately 15 acres. The proposed project is zoned R1L-35 and is located at 1902 and 2000 North Arena Del Loma Road on APN 403-21-009C, in Camp Verde, Yavapai County, Arizona.

List Attached Documents:

- A. Resolution 2023-1123 with Exhibit A, Preliminary Plat Drawings
- B. Letter of Intent
- C. Excerpt of Minutes from Planning and Zoning Commission on 10/26/2023
- D. Relevant Zoning Ordinance Section 505
- E. Pecan Lane Character Area from the 2016 General Plan

Estimated Presentation Time: 10 minutes

Estimated Discussion Time: 10 minutes

Reviews and comments Completed by:

Town Manager: Corey Rowley, Interim **Department Head:** John Knight

Town Attorney Comments: _____

Risk Management: _____

Finance Department
Fiscal Impact:
Budget Code: _____ **Amount Remaining:** _____
Comments:

Property Information:

File No.	20230497
Location	Arena Del Loma
Parcel	403-21-009C
Owner	Opportunity Zone Development Company, LLC
Applicant	Rob Witt
Site Size	15.96 acres
Zoning Designation	R1L-35 (Residential: Limited, 35,000 SF minimum lot size)
Current Land Use	Vacant
Surrounding Properties	North: Town of Camp Verde ROW South: R1L-70; Arena Del Loma Estates Subdivision East: Town of Camp Verde ROW West: ADOT, I-17

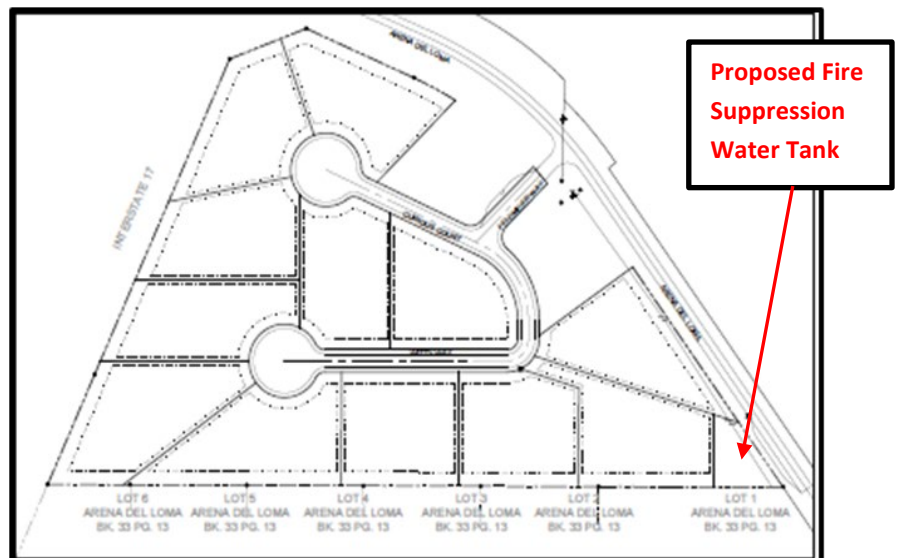
Background Information:

In September of 2023, an application for a Preliminary Plat was submitted by Rob Witt, on behalf of property owner, Opportunity Zone Development Company, LLC. This application proposes a 12-lot subdivision known as “Feldmeier Estates” on parcel 403-21-009C. The parcel is zoned R1L-35 (Residential-Single Family Limited, 35,000 square-foot minimum lot size).

The application proposes to subdivide a 15-acre parcel into 12-lots, ranging in size from 1.01 to 1.21 acres which includes a 40-foot-wide road with cul-de-sacs.

Town water and sewer are not available in this area, however, each lot within the subdivision is large enough for both a well site and septic system.

Additionally, the applicant has proposed a small lot that would contain a water tank and well for fire suppression.



This proposed well and water tank would be designed to satisfy state requirements for fire suppression.

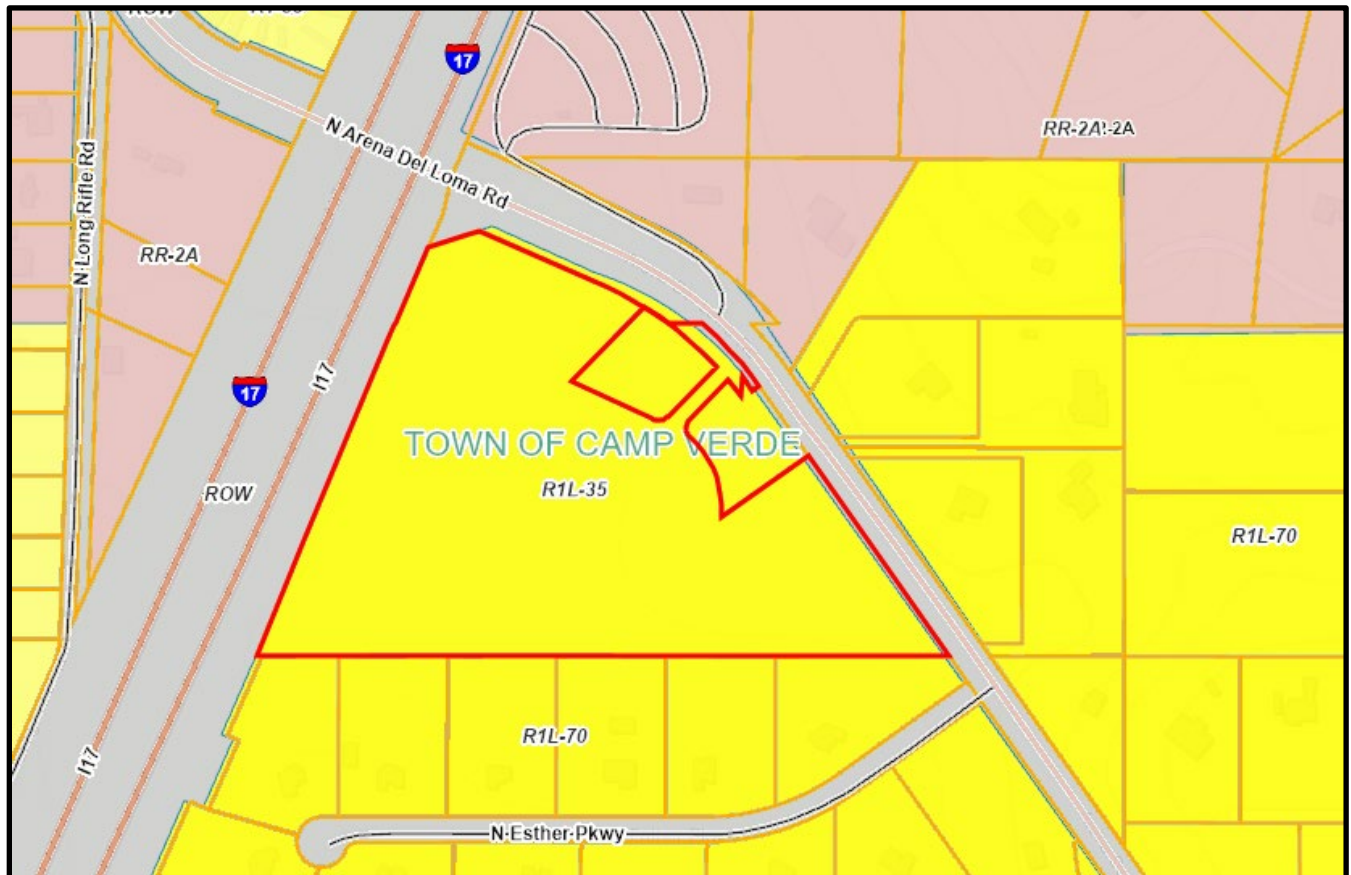
However, in discussion with the Copper Canyon Fire and Medical District as well as the Town of Camp Verde, neither entity is interested in accepting ownership or maintenance of this well and tank. Therefore, if the developer moves forward with this provision as a means to meet state fire suppression requirements, then the developer would have to provide a private solution to maintain the well and tank. Mr. Witt is still exploring final options regarding the possible provision of a well and water tank.

Other options to meet state fire suppression requirements may be individual water tanks as part of each homes well/water system or installing sprinkler systems in each of the homes.

Access into the subdivision will be a single entrance directly off of Arena Del Loma Road. Public works has reviewed and approved this access.

Zoning:

This parcel is zoned R1L-35 (Residential Limited – Single Family, 35,000 Square Foot Minimum Lot Size), which the proposed Preliminary Plat meets. This parcel borders Interstate 17 to the West and is otherwise surrounded by R1L or RR-2A zones.



Interdepartmental and agency review:

On September 12, 2023, the plat, application, and letter of intent was transmitted to all required agencies for review, specifically:

- Town of Camp Verde Public Works
- Town of Camp Verde Building Official
- Town of Camp Verde Utilities Department; Water and Sewer Departments
- Yavapai County Environmental Services
- Copper Canyon Fire District

No substantive comments which would impede approval of this Preliminary Plat have been received. A meeting was held on October 24, 2023 to review what comments were received with the applicant.

Planning and Zoning Commission Recommendation (Attachment C):

The Planning and Zoning Commission held a public hearing on October 26, 2023, for Subdivision Preliminary Plat 20230497.

Several neighbors attended the meeting and two spoke regarding concerns about the drainage from the property to their homes on Esther Parkway, as well as the proposed location of the fire suppression tank. As noted previously, a private funding/maintenance mechanism would be required to maintain this well and tank.

The Planning and Zoning Commission voted unanimously to recommend approval of Preliminary Plat 20230497.

Zoning Ordinance: (Attachment D): Section 505 Preliminary Subdivision

Staff responses will be written in maroon below.

A. Purpose and Initial Review

The purpose of the Preliminary Subdivision Plat is to provide more detail for determining specific capacities and preliminary design for the proposed subdivision. The Preliminary Plat process is a major step, as its Public Hearing by the Planning Commission and the Town Council may give authorization to proceed in preparation with the Final Subdivision Plat, to be accompanied by engineering construction plans and specifications for public improvements. Approval of the Preliminary Plat does not guarantee approval and acceptance of the Final Plat.

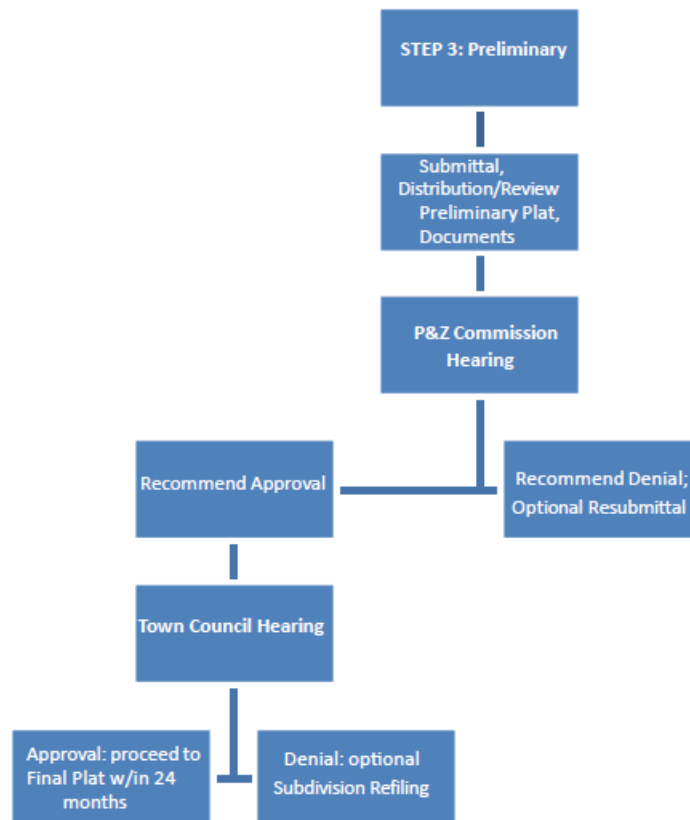
1. After the pre-application meeting the Conceptual and Master Development Plan, if required, the subdivider shall submit an appropriate number of copies as determined by the Community Development Department, including one digital for of the Preliminary Subdivision Plat, an application with fees as specified in the Planning and Zoning Fee Schedule and the Engineers Fees Schedule, and other exhibits herein specified; and shall submit a minimum of two (2)

copies each of the required supplementary material as outlined in Section 505.C and as determined by the Community Development Director.

Staff response: A pre-application was held, a complete application and fees have been received.

2. Within five working days from submittal of the Preliminary Plat Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be incomplete it shall be returned to the subdivider. If the application appears to be complete, the Plat shall be distributed to reviewing departments and agencies. Processing will not commence until all required documents are received.

PRELIMINARY SUBDIVISION PLATTING PROCESS AT-a-GLANCE



Staff response: Preliminary Plat was distributed for agency review on September 12, 2023. All required documents have been received.

3. The Preliminary Plat will be promptly circulated to review to determine if the Preliminary Plat conforms to these regulations, and to the Conceptual Plan phase of the subdivision application.
 - a. Copies of the Preliminary Subdivision Plat and accompanying material will be transmitted to the following agencies: Town Engineer, County Health Department and Environmental Services; Arizona Department of Transportation (If it contains or abuts a state or federal highway); utility companies; Town Road Superintendent; Soil Conservation District; State or Federal land management agency (if adjacent to public lands); State Fire Marshal or Camp Verde Fire District; State Department of Water Resources, and other interested or affected agencies as deemed appropriate by the Director.

Staff response: Agencies for review were sent documents and comments have been received. This is an administrative function of the application.

- b. In accordance with A.R.S. Sections 9-474, as may be amended, if the plat is within three miles of the corporate limits of another municipality having subdivision regulations, the Community Development Director will submit a copy of the Preliminary Plat to said municipality for its review.

Staff response: This does not apply to this subdivision application as it is not within three (3) miles of a municipality.

- c. Interested agencies will have approximately 30 working days, from the date of complete application received by the Community Development Department, to review and send comment to the Community Development Director. The Community Development Director will schedule a meeting with agencies during 30 working days.

Staff response: Comments were received, and a meeting was held with applicant and interested agencies.

- d. No reply by an agency within the time limit specified shall be construed by the Community Development Director as having no objection from that department or agency to approval of the Preliminary Plat.

4. The Community Development staff shall prepare a correlated report, including replies or comments from all departments and other agencies for a coordinated meeting between the subdivider and/or his agent and various responding agencies for the purpose of clarifying outstanding issues arising from subdivision plat review and to promote compliance with the content of these regulations.

Staff response: This meeting was held and the information has been relayed to the applicant for inclusion in the in the Final Plat submittal.

B. Preliminary Subdivision Plat Requirements

1. Information required: the Preliminary Subdivision Plat shall be prepared to contain the information required in Section 504.B. Conceptual Plan Submittal Requirements and the

additional Preliminary Plat and supplementary requirements that follow this Section. Engineering plans submitted in support of the Preliminary Plat shall be prepared under the direction of a Professional Engineer.

Staff response: This has been completed.

2. Title: The title shall include "Preliminary Plat" and the proposed name of the subdivision.

Staff response: This information was included in the submitted plans.

3. Topography: A depiction of contours relating to USGS survey datum, or other datum approved in writing by the Town Engineer, shall be shown on the same map as the proposed subdivision layout.

Staff response: This was met.

4. Existing Drainage and Natural Features: Flood hazard and 100-year Floodplain areas, if any, shall be delineated on the Preliminary Plat, and building pads shall be identified within flood hazard areas;

Staff response: No portion of this subdivision is within the floodplain.

5. Existing Streets, Easements, and Improvements: Locations, widths, ownership status and names of all existing streets and improvements therein.

Staff response: This portion of the Preliminary Plat has been satisfied.

6. Proposed Streets and Easements: Location, width and names of proposed streets, alleys, drainage ways, cross-walks, utility and access easements including all connections to adjoining platted or unplatted tracts. A typical cross-section shall be depicted on the plat where applicable describing the aforementioned improvements.

Staff response: The preliminary plat satisfies the requirement.

7. Adjacent Lands: Name, book, and page numbers of any recorded subdivisions within or having common boundary with the tract, or notation "unsubdivided" where appropriate.

Staff response: Applicant has satisfied this requirement.

8. Lot Layout: Including minimum building setback lines related to all streets; typical lot dimensions (scaled); dimensions of all corner lots and lots on curvilinear sections of street, each lot numbered individual and total number of lots shown.

Staff response: This requirement has been satisfied.

9. Public Land Use: Designation of all land to be dedicated or reserved for public or semi-public use, with use indicated.

Staff response: Per the Letter of Intent (Attachment B), the applicant proposes to dedicate the streets to the Town. If the street is designed and built to Town standards, the Town may accept the streets.

10. Zoning: The plat shall designate existing zoning classifications and land uses, present district boundary lines and status of any pending zoning change.

Staff response: This requirement has been satisfied.

11. Utility Resources: Reference by note all sources of proposed electricity, gas, telephone service, solid waste disposal, police, and emergency services.

Staff response: This requirement has been satisfied.

12. Sewage disposal: A statement as to the type of facilities proposed shall appear on the Preliminary Plat.

Staff response: This requirement has been met and each lot will have a septic system.

13. Water supply: A statement as to the type of facilities proposed shall appear on the Preliminary Plat.

Staff response: This requirement has been satisfied, each lot will have a well, or there will be shared wells.

C. Additional Preliminary Plat Submittal Requirements

1. The following material shall accompany the submission of all preliminary plats. If this data is not included on the preliminary plat, then a minimum of two (2) copies of each are required.
 - a. Supplemental submittals at this stage, such as grading, drainage, or road plans, should be preliminary plans, not construction plans. They are the type of plans needed to evaluate the viability of the preliminary plat and allow the reviewing agencies to make reasonable decisions. The plans may be generally be prepared using scaled distances and elevations taken from the topographic map used for the Preliminary Plat. When possible, they should be at the same scale as the preliminary plat.
 - b. All supplemental submittals must be consistent with each other and the Preliminary Plat.
2. Preliminary Title Report: A policy of title insurance issued by a title insurance company within the preceding thirty (30) days to the owner of the land, covering the land within the proposed subdivision and showing all record owners, liens, and encumbrances shall be submitted. The preliminary title report shall contain Schedule "B" indicating the status of legal access to the proposed subdivision.

3. Preliminary Draft Deed Restrictions or Protective Covenants: Restrictions or covenants shall be incorporated in the final plat submittal, including provisions for use and maintenance of commonly-owned facilities, if any.
4. Utility Service Letters: A statement regarding availability of utilities and the direction and distance there to and preliminary letter of serviceability shall be submitted in conjunction with the application.
5. Street Names: A list of proposed street names.
6. Preliminary Grading Plan: A preliminary grading plan shall be required when cuts or fills will exceed 5' in height or will extend outside the normal street right-of-way. The preliminary grading plan shall be in sufficient detail to convey the extent of grading activities such that their impact can be evaluated by the reviewing agencies.
 - a. The Preliminary Grading Plan shall include existing and finish grade contours and limits of cut and fill rates.
 - b. Driveway and building shall be shown when topographic or other constraints will require specific locations or site grading.
 - c. A geotechnical report shall accompany the grading plan to support the slope stability assumptions of the grading plan.
 - d. The Preliminary Grading Plan may be shown on the Preliminary Road Plans if all of the grading will be related directly to the roads and in compliance with the following requirements for Preliminary Road Plans.
7. Preliminary Road Plans: Grades shall be given to the nearest whole percent grade. A profile sheet coinciding with the roads as shown on the Preliminary Plat or separate plan and profile sheets shall be prepared at a scale sufficient to allow evaluation of the proposed roads. Proposed drainage structures within the right-of-way shall be shown on the preliminary road plans.
 - a. Height, stability, and slope of cut fills,
 - b. Affected drainage patterns,
 - c. Potential roadway geometric problems,
 - d. Impacts of the roads on adjacent lots, property and access,
 - e. Relationship of drainage to roadways; and,
 - f. Other items that may be specific to the roads in the specific subdivision.

8. Preliminary Utility Plans: A Preliminary Utility Plan shall be prepared to illustrate the proposed location of utilities and verify the necessary easements and right-of-way are proposed on the Preliminary Plat. It is recognized that final utility locations are decided by the individual utilities, but the objective of the Preliminary Utility Plan shall be to encourage cooperation in planning by the various utilities.
9. Preliminary Drainage Plans: The Preliminary Drainage Plan shall be part of a Drainage Report in accordance with the requirements of the Yavapai County Flood Control District and Yavapai County Drainage Criteria Manual (refer to Camp Verde Engineering Design & Construction Standards).
10. Traffic Impact Analysis: A traffic impact study shall be performed in accordance with the latest edition of the Town Engineering Design & Construction Standards or as required by the Town Engineer. In cases where the proposed subdivision streets intersect a State or County highway, the traffic impact analysis shall be performed in accordance with the agency's requirements.
 - a. Generally the following criteria are considered when determining if a traffic impact study is warranted:
 - i. Significant changes in lands uses are proposed or higher density zoning is sought.
 - ii. Town arterial highway access is requested or the existing location of access to the property is changed.
 - iii. The proposed increased activity or intensity of development will significantly impact vehicular or pedestrian traffic on County roads.
 - iv. A total of 100 or more vehicular trips during A.M. or P.M.
 - b. The traffic study shall be funded by the subdivider or property owner and upon submittal to the Planning and Zoning Department will be transmitted to and reviewed by the Town Engineer's office. Copies will be made available to the other governmental agencies which may be affected by increased traffic.
 - c. The subdivider shall be required to provide financial assurances or complete the installation of any improvements determined necessary to maintain or improve traffic operations and traffic safety functions in direct proportion to the impact cause by the proposed development/
11. Development Schedule": The subdivider may submit a proposed development schedule for progressive phases of the subdivision's development to be approved with the Preliminary Plat.
12. Application or Exception or Waiver: any requested exception, waiver or variation from these regulations or approved construction standards such as roads, flood control, etc. shall be in the form of an Application for Exception specifying each requested waiver or variation and associated justification.

- a. The Application shall be a request for exception to a circumstance actually delineated on the preliminary plat, subsequent final plat or other plans as submitted. Requests shall not be in the abstract but shall include the specific reason for each and every exception requested.
- b. The Community Development Department Staff shall accept the application for each and any exception, as herein described, and initiate or continue the processing of a subdivision plan as long as the plan complies with all other requirements.

Staff response: All these requirements have been administratively satisfied.

General Plan:

The proposed “Feldmeier Estates” is located within the Pecan Lane Character Area of the Town’s General Plan. The existing zoning and proposed development of single-family residences is consistent with the Town’s stated character and properties of this area. See attachment E for excerpt of Pecan Lane Character Area.

The following have been completed by staff or the applicant.

- The Town mailed a letter providing notice of this public hearing and proposed Preliminary Plat to all parcels within 300’ of this parcel on November 13, 2023.
- A public hearing notice was posted at the property on November 2, 2023.
- A meeting agenda was posted at the Town Hall and Bashas’.
- The Planning and Zoning Commission recommended approval of the Preliminary Plat on October 26, 2023.

Recommended Action (Motion): Motion to adopt Resolution 2023-1123 of the Mayor and Common Council of Camp Verde, Yavapai County, Arizona, for Preliminary Plat 20230497, submitted by Rob Witt, for the purpose of developing a 12-lot Subdivision, known as “Feldmeier Estates” on approximately 15 acres. The proposed project is zoned R1L-35 and is located at 1902 and 2000 North Arena Del Loma Road on APN 403-21-009C, in Camp Verde, Yavapai County, Arizona.

Attachment A

Resolution 2023-1123
with Exhibit A,
Preliminary Plat Drawings



RESOLUTION 2023-1123

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR PRELIMINARY PLAT 20230497, SUBMITTED BY ROB WITT, FOR THE PURPOSE OF DEVELOPING A 12-LOT SUBDIVISION, KNOWN AS “FELDMEIER ESTATES” ON APPROXIMATELY 15 ACRES. THE PROPOSED PROJECT IS ZONED R1L-35 AND IS LOCATED AT 1902 AND 2000 NORTH ARENA DEL LOMA ROAD ON APN 403-21-009C, IN CAMP VERDE, YAVAPAI COUNTY, ARIZONA.

WHEREAS, the Planning and Zoning Ordinance and Subdivision Regulations, provide the processes under Section 505, Preliminary Subdivision Plat, to determine details relating to specific capacities and preliminary design of the subdivision; and,

WHEREAS, a request for approval of Preliminary Plat 20230497 was filed by Rob Witt, on behalf of the property owners, Opportunity Zone Development Company, LLC, who is the owner of Parcel 403-21-009C, on September 6, 2023; and,

WHEREAS, the purpose of the Preliminary Plat is to develop the Bill Feldmeier Estates with twelve (12) residential lots, located on Parcel 403-21-009C; and,

WHEREAS, the request was reviewed by the Planning and Zoning Commission on October 26, 2023, in a public hearing that was advertised and posted according to state law; and,

WHEREAS, the request was reviewed by the Town Council in a Regular Session on December 6, 2023, in a public hearing that was advertised and posted according to state law; and,

WHEREAS, the proposed Preliminary Plat is in compliance with the currently adopted General Plan and was given a recommendation for conditional approval to proceed with assurance of compliance with the Planning and Zoning Ordinance under the Final Plat processing guidelines; and,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:

The Town Council hereby finds as follows:

1. The Mayor and Common Council of the Town of Camp Verde hereby approve Preliminary Plat 20230497, Exhibit A, for the purpose of developing the Feldmeier Estates Subdivision with twelve (12) residential lots, located on Parcel 403-21-009C, with the following conditions:

- a. The proposed street name to the property be vetted and acceptable, prior to approval by Town Council of the Final Plat survey.
- b. All documentation required for review and processing of the final plat be received with its submittal to facilitate its processing. Any documentation and information required as a result of the final plat review process to be submitted when requested, to facilitate the final process for Council approval and plat recordation.
- c. The Mayor and Common Council have determined that the applicant must meet all currently adopted development standards. Upon achieving compliance with the Planning & Zoning Ordinance and Subdivision regulations, the proposed use will not constitute a threat to the health, safety, welfare, or convenience of the general public.

PASSED AND APPROVED by a majority vote of the Common Council at the regular meeting of December 6, 2023.

Dee Jenkins, Mayor

Attest:

Approved as to form:

Cindy Pemberton, Town Clerk

Trish Stuhan-Town Attorney

SHEET INDEX

C-1 PRELIMINARY PLAT COVER SHEET

C-2 PRELIMINARY PLAT

C-3 PRELIMINARY PLAT HORIZONTAL CONTROL SHEET A PARCEL, AS RECORDED IN YAVAPAI COUNTY RECORDERS OFFICE LOCATED WITHIN THE SE 1/4 OF SECTION 13 & A PORTION OF NE 1/4 OF SECTION 24 & A PORTION OF THE NW 1/4 OF THE SECTION 19, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF SAID 'FELDMEIER ESTATES' (THE PLAT). 'TRUSTEE' HEREBY DECLARES THAT 'THE PLAT' SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, STREETS, AND EASEMENTS, AND THAT EACH SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN HEREON.

DECLARATION AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT VERDE INCOME PARTNERS, LLC, A LIMITED LIABILITY CORPORATION ('TRUSTEE'), HAS SUBDIVIDED UNDER THE NAME OF 'FELDMEIER ESTATES' LOCATED WITHIN THE SOUTHEAST 1/4 OF SECTION 13 & A PORTION OF NORTHWEST 1/4 OF SECTION 24 & A PORTION OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF SAID 'FELDMEIER ESTATES' (THE PLAT). 'TRUSTEE' HEREBY DECLARES THAT 'THE PLAT' SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, STREETS, AND EASEMENTS, AND THAT EACH SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN HEREON.

'TRUSTEE' HEREBY DECLARES THAT THE EASEMENTS SHOWN UPON THIS PLAT SHALL BE ESTABLISHED AND RESERVED IN ACCORDANCE WITH THE NOTATION ON SAID PLAT AND SHALL PROVIDE TO THE PUBLIC THE USE THEREOF FOREVER FOR INGRESS, EGRESS PURPOSES AND FOR INSTALLATION, OPERATION, AND MAINTENANCE OF PUBLIC UTILITY LINES AND FACILITIES, INCLUDING, WITHOUT LIMITATION, WATER, SANITARY SEWER, ELECTRIC, NATURAL GAS, TELEPHONE, CABLE SERVICES, WATERCOURSES AND/OR DRAINAGE FACILITIES. THE 'TRUSTEE' ALSO DECLARES THAT THE STREETS CONSTRUCTED AND LOCATED WITHIN THE SUBJECT EASEMENTS PROVIDING ACCESS TO, FROM AND THROUGHOUT THE SUBDIVISION SHALL REMAIN PUBLIC. THE MAINTENANCE OF THE SAID STREET WILL BE THE RESPONSIBILITY OF THE TOWN OF CAMP VERDE.

FURTHER, THE 'TRUSTEE' HEREBY GRANTS TO THE TOWN OF CAMP VERDE, A MUNICIPAL CORPORATION, LICENSE TO ACCESS, MAINTAIN, REPAIR AND STREETS PROVIDED AND STREETS PROVIDED DESCRIBED HEREON FOR THE PURPOSE OF PERIODIC INSPECTION AND MAINTENANCE OF THE WATERCOURSES AND/OR DRAINAGE FACILITIES. THE MAINTENANCE OF THE DRAINAGE EASEMENTS AND FACILITIES SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNERS WITHIN THE SUBDIVISION.

IN WITNESS WHEREOF:

'TRUSTEE' HAS CAUSED THIS PLAT TO BE DULY EXECUTED AS OF THIS _____ DAY OF _____, 2023.

BY: _____

STATE OF ARIZONA)
COUNTY OF YAVAPAI) SS

SUBSCRIBED AND SWORN BEFORE ME ON THIS _____ DAY OF _____, 2023
BY: _____, MY COMMISSION EXPIRES _____

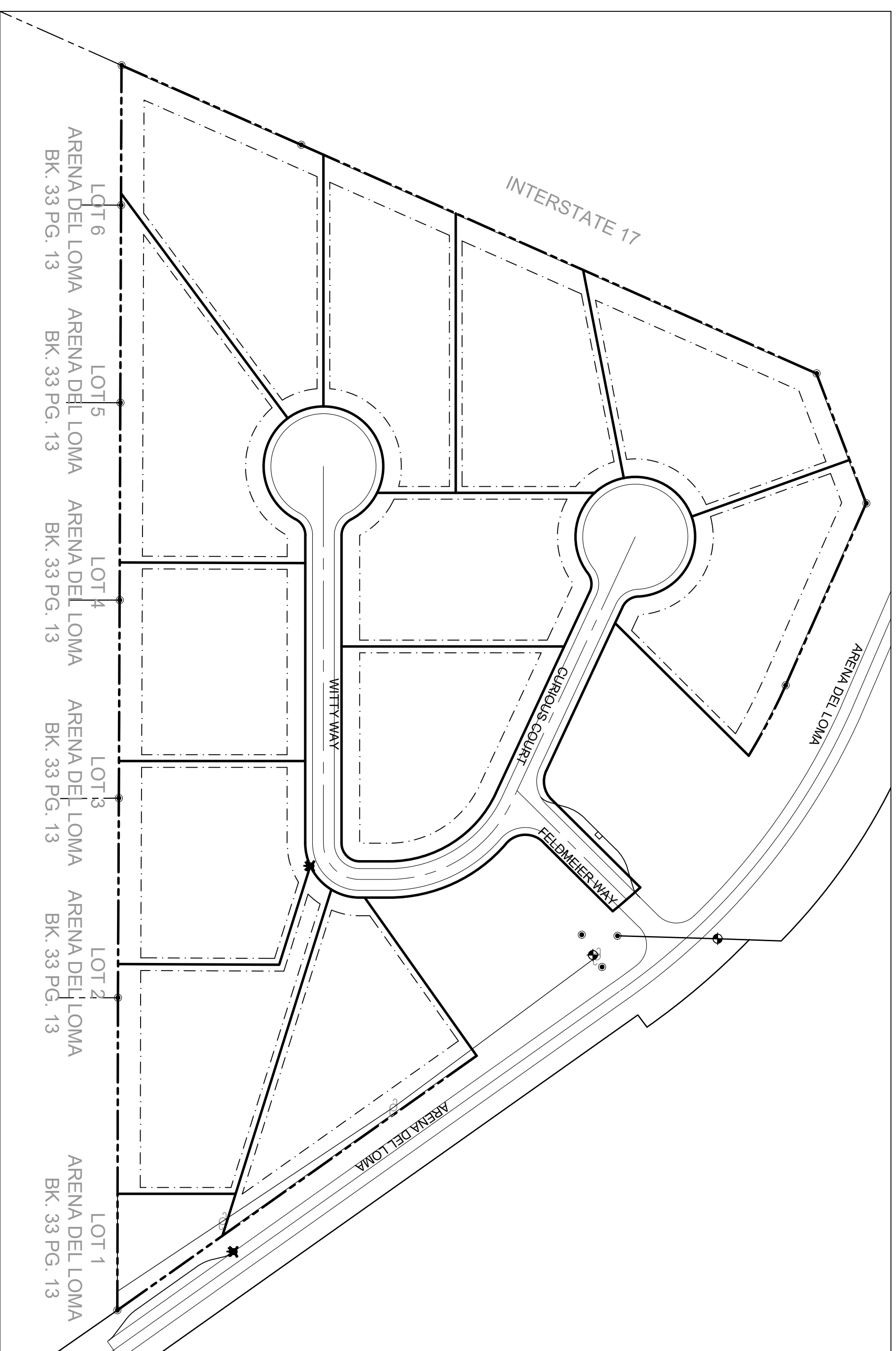
NOTARY PUBLIC

FELDMEIER ESTATES PRELIMINARY PLAT

WITHIN THE TOWN OF CAMP VERDE IN YAVAPAI COUNTY, ARIZONA
ORIGINAL ASSESSORS PARCEL NUMBER 403-21-009
CONTAINING ±15.07 ACRES
RESIDENTIAL SINGLE FAMILY LIMITED (R1L-35)

AND SALT RIVER BASE AND MERIDIAN,

RESIDENTIAL SINGLE FAMILY LIMITED (R1L-35)



CERTIFICATE OF APPROVALS

TOWN OF CAMP VERDE COMMUNITY DEVELOPMENT DEPARTMENT

DIRECTOR _____ DATE _____

TOWN OF CAMP VERDE FIRE DISTRICT

FIRE MARSHAL _____ DATE _____

TOWN OF CAMP VERDE PUBLIC WORKS DEPARTMENT

CITY ENGINEER _____ DATE _____

TOWN OF CAMP VERDE CITY COUNCIL

MAYOR OF TOWN OF CAMP VERDE _____ DATE _____

TOWN OF CAMP VERDE CLERK _____ DATE _____

PLAT NOTES

- 1. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN OR OVER ANY UTILITY EASEMENT EXCEPT WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING, OR SUITABLE LANDSCAPING THAT DOES NOT INTERFERE WITH THE INTENDED PURPOSE OF THE EASEMENT.
2. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN OR OVER THE DRAINAGE EASEMENT EXCEPT STONE, GRAVEL, OR OTHER DRAINAGE CHANNEL MATERIALS OR SUITABLE LANDSCAPING THAT DOES NOT INTERFERE WITH THE INTENDED PURPOSE OF THE EASEMENT.
3. ALL STREETS PLATTED HEREON ARE PUBLIC AND SHALL BE MAINTAINED BY THE TOWN OF CAMP VERDE.
4. VISIBILITY EASEMENTS SHOWN ON THE SUBDIVISION LAND DEVELOPMENT PLANS SHALL BE MAINTAINED BY THE ADJACENT PROPERTY OWNERS ON BOTH SIDES OF ENTRANCE ROAD. VESSEL ALIQUOT WITHIN WITHIN THE TRIANGLES SHALL ALSO BE PAVED.
5. FRONT PROPERTY LINES FOR ALL LOTS ARE THE EDGE LINE OF THE INGRESS/EGRESS EASEMENT.
6. ALL FRONT BUILDING SETBACKS SHALL BE MEASURED FROM THE EDGE OF THE INGRESS/EGRESS EASEMENT.
7. LOT CORNERS WITHIN THE SUBDIVISION SHALL BE SET WITHIN 90 DAYS OF THE APPROVAL AND RECORDING OF THIS PLAT. THE ADJACENT PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE BOUNDARY SURVEY MINIMUM STANDARDS BY THE REGISTERED LAND SURVEYOR OF RECORD. THE LOT CORNER OR MISSING CORNER, ADDITIONALLY, LOT CORNERS LOCATED IN THE ROADWAY ASPHALT SHALL BE SET WITH 3" ALUMINUM CAPS INSCRIBED WITH 'CITY OF SEDONA - LS 29293'.
8. THE FOUND MONUMENTS SHOWN HEREON ARE FROM THE NOTES OF THE ACTUAL FIELD SURVEY CONDUCTED BY TIMOTHY L. HAMMES RLS #29293 ON 08-24-2023.
9. ALL RECORDED EASEMENTS ARE SHOWN AS PART OF THESE DOCUMENTS.
10. THE WORD 'CERTIFICATION', AS SHOWN HEREON, MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS DEPICTED ON THIS PLAT AND DOES NOT CONSTITUTE A WARRANT OR GUARANTEE EITHER EXPRESSED OR IMPLIED.
11. THE LAND BEING SUBDIVIDED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA.
12. THE 12 UTILITY EASEMENT BETWEEN LOT 1 & 2 IS PROVIDED FOR THE INSTALLATION OF AN UNDERGROUND ELECTRIC LINE, COMMUNICATION LINE AND WATER LINE FOR THE SUBDIVISION.

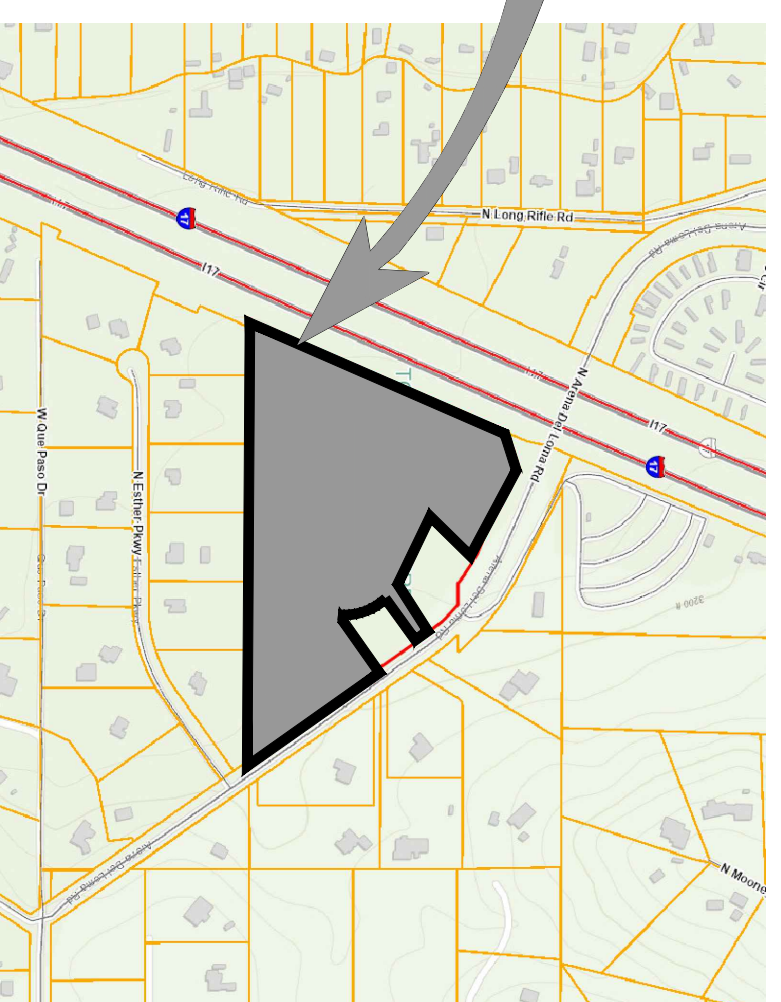
BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS DESCRIPTION IS SOUTH 01 DEGREE 41 MINUTES 13 SECONDS WEST A DISTANCE OF 110.52 FT. (RAM) ALONG THE EASTERLY LINE OF SAID SECTION 24 TO A POINT ON THE WESTERLY LINE OF ARENA DEL LOMA ROAD (FORMERLY THE SOUTH MIDDLE VERDE ROAD AS SHOWN ON THE PLAT RECORDED IN BOOK 18 OF MAPS, PAGE 8 OF THE YAVAPAI COUNTY RECORDS) BEING A FOUND 1/2 INCH REBAR WITH PLASTIC CAP STAMPED 'L.S. 292693'.

LAND SURVEYOR CERTIFICATION

THIS FINAL PLAT AND SURVEY ON WHICH IT IS BASED WHERE CONDUCTED UNDER MY DIRECT SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS MAP IS PUBLISHED SUBJECT TO ALL CONDITIONS, RESERVATIONS AND RESTRICTIONS OF THE PUBLIC RECORD ON THIS DATE.

TIMOTHY L. HAMMES RLS 29293



PROJECT LOCATION

PARCEL ZONING R1L-35

SINGLE FAMILY RESIDENCE
MIN LOT SIZE = 43,560 SQ. FT.

LOTS 1 - 12

SMALLEST LOT = 44,482.09 S.F. (1.02 AC)
LARGEST LOT = 56,400.06 S.F. (1.29 AC)
AVERAGE LOT SIZE = 46,609.20 S.F. (1.07 AC)

PRELIMINARY PLAT COVER SHEET

FELDMEIER ESTATES

1902 N ARENA DEL LOMA RD, CAMP VERDE, ARIZONA



PRELIMINARY

Table with project details: SHEET TITLE: PRELIMINARY PLAT COVER SHEET, PROJECT TITLE: FELDMEIER ESTATES, DRAWN BY: TJB, SCALE: AS SHOWN, DATE: 08-28-2023, PROJECT NO: 1903021, SHEET NO: C-1

PRELIMINARY



Sefton
Engineering
Consultants

Your Ideas to Completion
Surveying • Engineering • Land Planning

40 STUTZ BEARCAT DR. #8
SEDONA, ARIZONA 86336
PH: (928) 202-3999 LS@SEFENG.COM

PRELIMINARY PLAT

FELDMEIER ESTATES

1902 N ARENA DEL LOMA RD, CAMP VERDE, ARIZONA

SHEET TITLE:
PROJECT TITLE:

DRAWN BY: TJB

SCALE: AS SHOWN

DATE: 08-28-2023

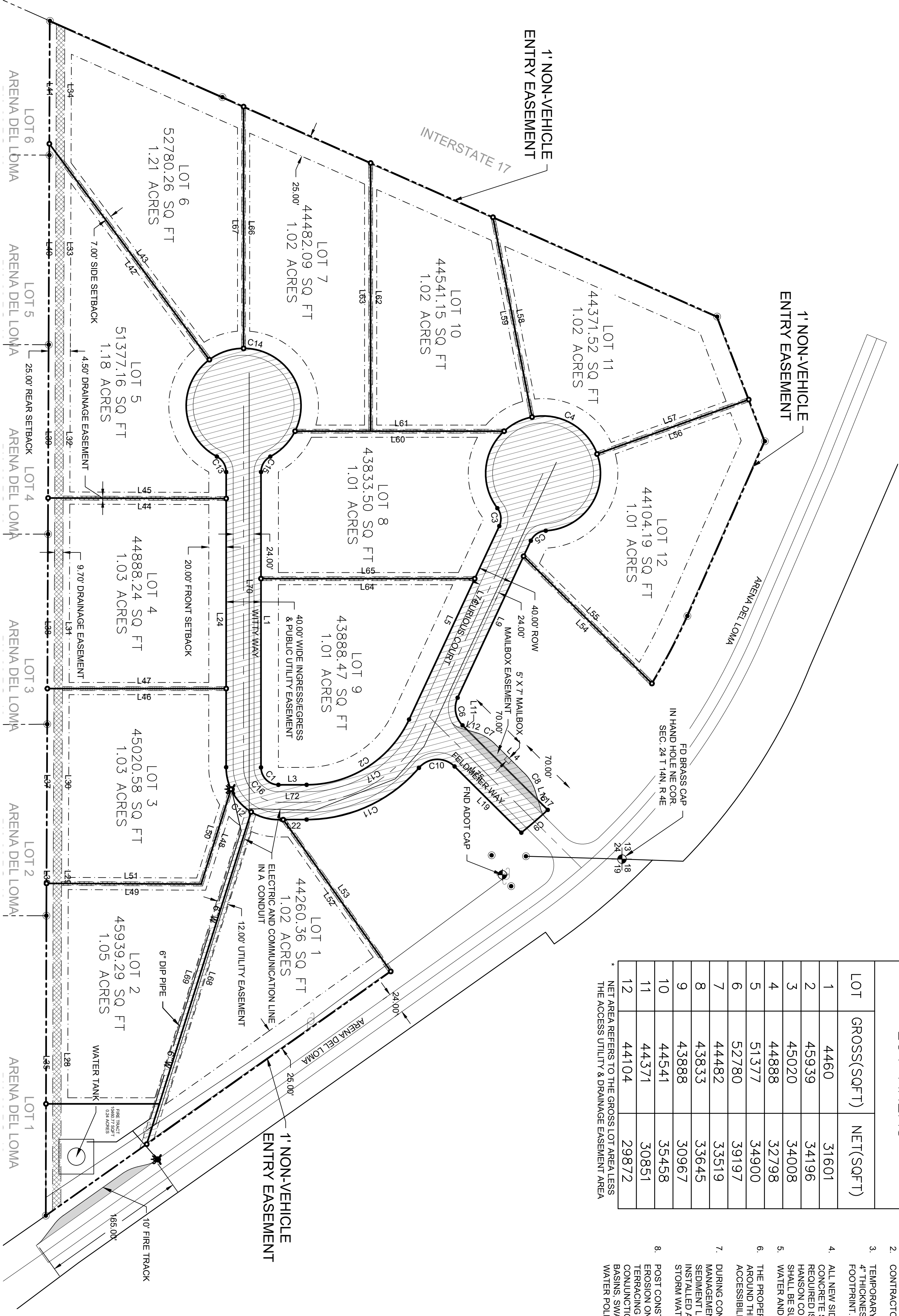
PROJECT NO: 1903021

SHEET NO. C-2

LOT AREAS		
LOT	GROSS(SQFT)	NET(SQFT)
1	4460	31601
2	45939	34196
3	45020	34008
4	44888	32798
5	51377	34900
6	52780	39197
7	44482	33519
8	43833	33645
9	43888	30967
10	44541	35458
11	44371	30851
12	44104	29872

NET AREA REFERS TO THE GROSS LOT AREA LESS THE ACCESS UTILITY & DRAINAGE EASEMENT AREA

- CONSTRUCTION NOTES:**
- SURVEY AND TOPOGRAPHY DATA PROVIDED BY HAMMES SURVEYING LLC AND WAS PERFORMED IN AUGUST OF 2023.
 - CONTRACTOR TO VERIFY ALL EXISTING UTILITY CONNECTION POINTS PRIOR TO INSTALLATION OF NEW SERVICE LINES.
 - TEMPORARY TRAFFIC SURFACING SHALL BE APPLIED PRIOR TO CONSTRUCTION AND SHALL CONSIST OF NO LESS THAN A FOOTPRINT.
 - ALL NEW SIDEWALKS, DRIVEWAYS, EXPOSED SURFACES OF CONCRETE STRUCTURES, AND OTHER EXPOSED CONCRETE SURFACES SHALL BE INSTALLED WITH A 3/4" THICKNESS OF CONCRETE COLOR ADITIVE (CCO) AND FINISHED WITH A BRUSHED FINISH. THE CITY OF SEDONA, ARIZONA, VARIATIONS IN THE ADDITIVE TO ACCOMPLISH THE "SEDONA RED" WATER AND SEWER SERVICES SHALL BE INSTALLED PER INTERNATIONAL PLUMBING CODE REQUIREMENTS.
 - THE PROPERTY HAS AN EXISTING CLEANOUT PROVIDED ON THE SEWER LATERAL CONNECTION. PROPER COMPACTON AROUND THE CLEANOUT RING AND COVER MUST BE PROVIDED AFTER CONSTRUCTION. IN ADDITION, VISIBILITY AND ACCESSIBILITY MUST BE MAINTAINED.
 - DURING CONSTRUCTION PHASE, WHEN EXISTENT STRAW MATTERS, SILT FENCING OR OTHER APPROPRIATE BEST MANAGEMENT PRACTICES (BMPs) TO PREVENT STORM WATER POLLUTION AND PREVENT EROSION ONSITE AND SEDIMENT LEAVING THE PROPERTY AND ENTERING THE CITY OF SEDONA WASH. THESE BMPs ARE TO BE PROPERLY INSTALLED AND MAINTAINED. CONTRACTOR IS TO PROVIDE INFORMATION, LOCATION AND OTHER DETAILS REGARDING STORM WATER POLLUTION PREVENTION MEASURES TO BE IMPLEMENTED DURING CONSTRUCTION.
 - POST CONSTRUCTION PHASE: BMPs SHALL BE IMPLEMENTED TO PREVENT STORM WATER POLLUTION AND SITE EROSION ONCE ACTIVE CONSTRUCTION IS COMPLETED. THESE BMPs INCLUDE REVEGETATION, GENTLE SLOPING, TERRACING AND LANDSCAPING WITH ROCK OR OTHER SUITABLE MATERIAL AND FILTER FABRIC. THIS SHOULD BE IN CONJUNCTION WITH THE REQUIRED STORM WATER MEASURES ADDRESSING VOLUME. SUCH AS RETENTION/DETENTION BASINS, SWALES AND OTHER BMPs. ALSO PROVIDE INFORMATION, LOCATION AND OTHER DETAILS REGARDING STORM WATER POLLUTION PREVENTION MEASURES TO BE IMPLEMENTED AFTER CONSTRUCTION.



LINE #	LENGTH	DIRECTION
L1	339.61	N89° 00' 00"E
L3	32.43	N0° 00' 00"E
L5	245.40	N85° 00' 00"W
L9	193.14	S85° 00' 00"E
L11	7.82	N44° 46' 12"E
L12	10.40	N16° 18' 30"E
L14	48.64	N44° 46' 13"E
L16	10.40	N73° 13' 55"E
L17	15.79	N44° 46' 12"E
L19	108.13	S44° 46' 12"W
L22	28.12	S0° 00' 00"E
L24	339.42	N89° 59' 16"W
L28	333.97	N89° 53' 25"W
L29	84.92	N89° 45' 14"W
L30	218.23	N89° 43' 55"W
L31	218.24	N89° 46' 55"W
L32	217.80	N89° 48' 01"W
L33	217.94	N89° 47' 28"W

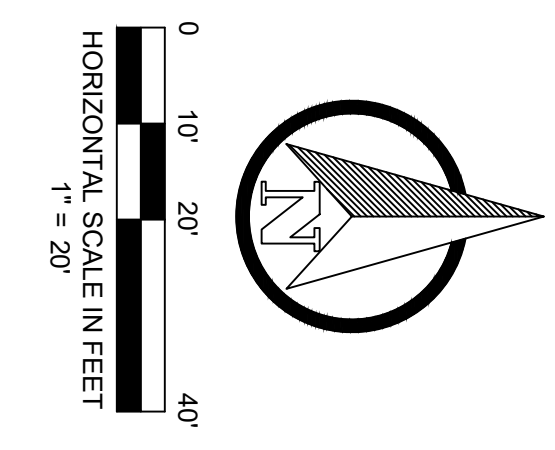
LINE #	LENGTH	DIRECTION
L34	145.43	N89° 48' 33"W
L35	340.87	N89° 53' 25"W
L36	84.93	N89° 46' 14"W
L37	135.24	N89° 43' 55"W
L38	218.23	N89° 46' 55"W
L39	217.80	N89° 48' 01"W
L40	217.94	N89° 47' 28"W
L41	149.68	N89° 48' 33"W
L42	276.96	N53° 26' 39"E
L43	283.01	N53° 26' 39"E
L44	187.44	S0° 10' 49"W
L45	187.42	S0° 10' 48"W
L46	188.21	S0° 00' 00"E
L47	188.20	S0° 00' 00"E
L48	113.59	S72° 32' 07"E
L49	162.09	S0° 14' 46"W
L50	115.97	S72° 32' 07"E
L51	158.78	S0° 14' 46"W

LINE #	LENGTH	DIRECTION
L52	214.43	N54° 42' 29"E
L53	212.27	N54° 42' 29"E
L54	207.49	N44° 46' 12"E
L55	208.04	N44° 46' 12"E
L56	185.35	S19° 44' 08"E
L57	185.26	S19° 44' 08"E
L58	232.51	N78° 56' 14"E
L59	235.66	N78° 56' 14"E
L60	239.18	S0° 00' 00"E
L61	241.85	S0° 00' 00"E
L62	307.34	N0° 00' 00"E
L63	309.33	N0° 00' 00"E
L64	244.73	S0° 00' 00"E
L65	246.82	S0° 00' 00"E
L66	278.83	N89° 59' 58"E
L67	278.83	N89° 59' 58"E
L68	391.35	S72° 32' 07"E
L69	410.15	S72° 32' 07"E

CURVE #	LENGTH	RADIUS	DELTA	CHD BEARING	CHD LEN
C1	31.42	20.00	90.00	N45° 00' 00"E	28.28
C2	147.48	130.00	65.00	N52° 30' 00"W	139.70
C3	21.74	20.00	62.28	S83° 51' 32"W	20.69
C4	350.83	66.00	304.56	N25° 00' 00"E	61.40
C5	21.74	20.00	62.28	S33° 51' 32"E	20.69
C6	34.32	28.00	70.23	N79° 53' 06"E	32.21
C7	24.84	50.00	28.46	N30° 32' 21"E	24.58
C8	24.68	50.00	28.28	N59° 05' 27"E	24.43
C9	40.13	672.89	3.42	S40° 45' 52"E	40.12
C10	46.03	28.00	94.20	S2° 19' 47"E	41.02
C11	146.66	170.00	49.43	S24° 42' 53"E	142.15
C12	97.80	60.28	92.97	S43° 31' 01"W	87.42
C13	21.74	20.00	62.29	S88° 52' 05"W	20.69
C14	350.83	66.00	304.56	N0° 00' 11"E	61.40
C15	21.74	20.00	62.28	S88° 51' 32"E	20.69

CURVE #	LENGTH	RADIUS	DELTA	CHD BEARING	CHD LEN
C16	62.83	40.00	90.00	N45° 00' 00"E	56.57
C17	170.17	150.00	65.00	N32° 30' 00"W	161.19

ALIGNMENT LINE TABLE		
L70	415.75	N90° 00' 00"E
L72	32.43	N0° 00' 00"E
L74	321.53	N65° 00' 00"W
L75	170.53	S44° 46' 12"W



- LINE TYPE LEGEND**
- EXISTING STORM SEWER LINE
 - EXISTING WATER SERVICE
 - EXISTING SANITARY SERVICE
 - EXISTING UNDERGROUND ELECTRIC LINE
 - EXISTING GAS LINE
 - EXISTING CONTOURS
 - PROPOSED STORM SEWER LINE
 - PROPOSED 6" WATER MAIN
 - PROPOSED 8" SANITARY MAIN
 - PROPOSED 6" SANITARY MAIN
 - PROPOSED 4" SANITARY SERVICE
 - PROPOSED UNDERGROUND ELECTRIC LINE
 - PROPOSED COMMUNICATION LINE
 - PROPOSED GAS LINE
 - PROPOSED ROAD CENTERLINE
 - PROPOSED LOT LINE
 - BUILDING SETBACK LINE
 - EXISTING EASEMENT LINE
 - PROPOSED EASEMENT LINE
 - PROPOSED SIGHT TRIANGLE
 - PROPOSED FLOW LINE
 - PROPOSED FENCE
 - PROPOSED CHAINLINK FENCE

Attachment B

Letter of Intent



Luke Sefton PE, CFM
Tim Huskett, PE, CFM
Robert Lane, Public Lands
Cheri Baker, Office Manager
Crockett Saline, E.I.T.
Christopher Henry, E.I.T.
David Nicolella, Planner
Leonard Filner, Planner

PRELIMINARY PLAT LETTER OF INTENT

Project Name: Feldmeier Estates

Request for a Subdivision Preliminary Plat Located on a portion of SE ¼ of Section 13 & a portion of NE ¼, of Section 24 & a portion of the NW ¼ of the Section 19, Township 14 North, Range 5 East of the Gila, and Salt River Base and Meridian in Yavapai County Arizona.

Applicant: Sefton Engineering Consultants: 928-202-3999 ext. 104

Owner: Robert Witt. Verde Income Partners LLC

District 2 (James Gregory)

August 29, 2023

John Knight,
Director of Community Development
473 South Main Street, Suite 108
Camp Verde, AZ 86322

Purpose: The purpose of this letter of intent is to describe the proposed Feldmeier Estates subdivision preliminary plat. This 12-lot preliminary plat will consist of one-acre residential lots that are in compliance with the Town of Camp Verde's General Plan designation, the existing R1L-35 zoning designation, and the *Town of Camp Verde Planning & Zoning and Subdivision Regulations*.

Location: The subject property is located in the Town of Camp Verde, at 1902 N Arena Del Loma Rd, and adjacent to Interstate 17 interchange and is also identified as Assessor's Parcel Number 403-21-009.

Size: 15.07-acres

Applicant: Sefton Engineering Consultants. Contact: David Nicolella, 928-202-3999 ext. 104

Luke A. Sefton (Sefton Engineering Consultants)

Authorized Agent for the Project: Mr. Sefton moved to Sedona in 1987, and for the past 25 years has been the Principal Engineer and President of Sefton Engineering Consultants, Inc., where he continues to be responsible for the day-to-day management of the team of engineers, surveyors, planners, and designers in a multitude of projects in the Verde Valley. Each one of these team members has many years of experience in Northern Arizona and have a vested interest in the future of Verde Valley, as residents, friends, and neighbors.



Summary: This 15.07-acres site is designated by the Town of Camp Verde's General Plan as the Pecan Lane Character Area, and the existing zoning is low-density residential R1L-35, Residential Zone. It is the intent of the developer to use the existing zoning to develop a twelve (12) 1-acre lot subdivision. Each lot in this development will have individual private wells and each lot will have its own septic system. Access will be achieved directly from Arena Del Loma.

40 Stutz Bearcat Dr., Sedona, Arizona 86336 ~Phone: (928) 202-3999

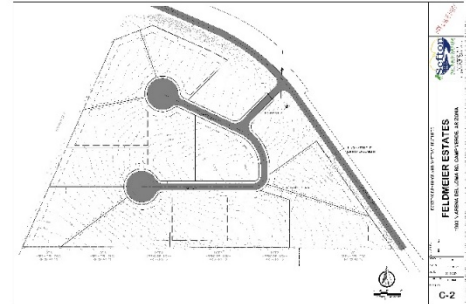
Email: info@sefengco.com ~ www.SeftonEngineeringCompany.com

Offices in Sedona, Camp Verde & Colorado



Luke Sefton PE, CFM
Tim Huskett, PE, CFM
Robert Lane, Public Lands
Cheri Baker, Office Manager
Crockett Saline, E.I.T.
Christopher Henry, E.I.T.
David Nicolella, Planner
Leonard Filner, Planner

The proposed lot sizes of 1-acre lots will naturally fit into the area in an orderly and balanced pattern promoting public health, safety and welfare. In addition, the development will be compliant in terms of lot size, standards, setbacks, heights, and impervious coverage. It is the developer's intent, among other elements, to protect the natural topography, watercourses, drainage ways, trees and to control erosion.



Character Area: It is the goal of the property owner to minimize the potential impacts by creating a subdivision that is harmonious with the rural character and the planning polices of the area. Careful consideration has been given to the layout of this development so that it will not affect neighborhoods negatively and will preserve the scenic, environmental, and other resource-related impacts.

Ingress/Egress: There will be one point of access from Arena Del Loma Drive, and it is the developers intent to dedicate the interior roads to the Town of Camp Verde.

Water: The domestic water will provide by individual private wells. In addition, an additional well will be designated to provide water to a water tank, located on the southeast corner of the subdivision. This water tank will provide water to a fire hydrants, located within the subdivision boundary's, and will provide a water connection for the Copper Canyon Fire & Medical District, to fill their fire trucks. The Fire District will be able to access this water connection from the Arena Del Loma right of way.

Septic: Each individual lot will have its own septic tank and leach field system.

Dark Skies: It is the objective of the developer to meet or exceed the Town of Camp Verde's lighting ordinance with the goal to limit light trespass, reduce glare, and allow enough light for safety. In addition, the only proposed lighting will be at the front door. The front door light will be under a patio roof, shielded, and will shine on the house number address.

Fire Protection: After several meetings with the Copper Canyon Fire & Medical District, it was determined that one (1) fire hydrant is adequate and shall be located approximately in the center of the development. In addition, a water storage tank will be provided at the south east end of the subdivision. The water storage tank will provide water for fire protection to the subdivision as well as the surrounding area.

Thank you for your consideration!

Sincerely,
David Nicolella

Sefton Engineering's Land Planner
Sefton Project No.: 190302J

40 Stutz Bearcat Dr., Sedona, Arizona 86336 ~Phone: (928) 202-3999
Email: info@sefengco.com ~ www.SeftonEngineeringCompany.com
Offices in Sedona, Camp Verde & Colorado

Attachment C

Planning and Zoning Minutes for October 26, 2023, Excerpted



Support your local merchants

**DRAFT MINUTES
TOWN OF CAMP VERDE – PLANNING & ZONING COMMISSION
REGULAR SESSION
473 S. MAIN STREET, SUITE 106
THURSDAY, OCTOBER 26, 2023 at 6:00 P.M.**

- 1. Public Hearing** - Discussion, Consideration, and Possible Recommendation to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, for Preliminary Plat 20230497, submitted by Rob Witt, for the purpose of developing a 12-lot Subdivision, known as “Feldmeier Estates” on approximately 15 acres. The proposed project is zoned R1L-35 (Residential: Single-Family Limited, 35,000 Square Foot Minimum Lot Size) and is located at 1902 and 2000 North Arena Del Loma Road on APN 403-21-009, in Camp Verde, Yavapai County, Arizona.

- **Staff Comments**

Town Planner Cory Mulcaire presented to the Commission on the prospective subdivision. This subdivision application was submitted by Rob Witt and would be located off Arena Del Lona- APN 403-21-009. This proposed subdivision is zoned R1L-35 and would be a 12-lot subdivision. Tonight, they will be looking at whether it meets the proper zoning and if most of the Preliminary Plat has been submitted accurately. Administration due diligence has been done, and no major concerns were found.

During Staff Comments, Ms. Mulcaire read a letter from a citizen, Theresa Weber, who had concerns about the height, diameter, and capacity of the water tank, as the Preliminary Plat shows that her home backs up to said water tank and to Feldmeier Estates Lot 2.

Ms. Mulcaire addressed the concerns in this letter and told the Commission that this is an administrative function, and these details will be worked out during the construction process. The proper information will be documented by the Fire Marshal and Building Official. They cannot give this individual any more information on the tank until the Fire

Department tells the applicant the size of the tank they'll need.

Community Development Director John Knight said that he welcomes neighbors to come meet with staff and they can connect them with the applicant and Fire Marshal. The process moving forward, if the Commission were to recommend or deny this to Council, would be to take it before Council, regardless of the recommendation, and Council will recommend or deny that the applicant goes on and does their final Plat. There will be a much more intense and detailed process that the applicant must go through before to do the final Plat.

Vice Chairman Scantlebury wondered about the drainage in this new subdivision, as the slope is down toward parcels. He wondered what the effects of the drainage would be, and if work had been done on that.

Ms. Mulcaire told him that there hasn't been any work done on drainage, however, you cannot improve your property to increase the flow of storm water from your land to some one else's. There will be natural runoff in this subdivision, but the applicant cannot increase the flow of drainage from his subdivision to other homes.

Vice Chairman Scantlebury continued to ask clarifying questions on the General Plan and Pecan Lane character area. He wondered about future code changes that would need to happen to have this subdivision meet the requirements of the General Plan in water conservation and landscaping.

Mr. Knight told him for now they cannot ask them to meet those requirements, as they are not consistent with current ordinances.

Commissioner Foreman said that until the Fire Marshal determines how much flow of water they'll need, they won't know how big the tank will need to be. There will be flexibility on the location of it, however. Additionally, he clarified that subdivisions don't require landscaping.

The three options for the Commission would be to recommend approval to Council, recommend denial to Council, or send the application back one time to have any concerns or issues fixed.

Commissioner Ossess wondered which parcel they were looking to approve because when she looked up the parcel online, the parcel and GIS had changed. She was concerned that citizens were not informed of this change.

Mr. Knight told her that they have met the minimum notice requirements. Yes, those have changed, but when they first sent out the notices, they had not changed. They cannot control that. He's confident that the attorney would support that they made adequate efforts to provide the best information.

Town Planner bj Ratlief said that the physical addresses did not change.

It was recommended by Mr. Knight that when someone goes to make a motion, they include the updated parcel numbers.

Chairman Faiella wondered if the Nation had been notified, however, Ms. Mulcaire told him that they were not within 300 ft.

Ms. Mulcaire continued to share that there will not be CCR's for the subdivision, nor will there be an HOA.

They will have wells and septic tanks; however, they are planning to dedicate the streets to the town, in which they'll have to build the streets to town standards. The town will not be taking care of their private septic tanks and wells, though. Lastly, Chairman Faiella wondered who would be taking care of the fire water tank?

Mr. Knight told him that the applicant would be presenting shortly and could answer additional questions.

Applicant Presentation:

David Nicolella, Land Planner with Sefton Engineering, came up to clarify and answer any questions that the Commission may have had. He did not have a presentation, as he felt the staff did an excellent job. He said that it is a goal of the developer to dedicate the Fire District to the water tank. As far as location, they were hoping to have it close to the road so that the Fire District would not have to enter the subdivision to fill up and can access it from the road. However, nothing is set in stone. The tank will have its own well.

Commissioner Foreman said that he would be surprised if the Fire District wanted to take over the tank. If they don't, an

alternative would need to take place.

Rob Witt, Applicant and Developer, shared that the well and tank will be put in according to the standards of the Fire District. He said the well and tank will be for the whole area, as there is not currently a water tank in that area. He said they do not want an HOA, nor do people who move to Camp Verde. He feels that the Fire District will have an incentive to maintain the well and tank, since it will be providing water to the whole area. Self-contained sprinkler systems would be effective for just the 14 houses, but the tank would benefit the whole area.

- **Open Public Hearing** Chairman Faiella opened the Public Hearing at 6:38 PM.

Gail Metz had many questions about the logistics of the subdivision. She is out of the zone of notification of the subdivision, but she does live across the street. She, too, wondered about the drainage issues that already exist in the area, as well as where the additional water would be going in this new subdivision. She asked about a water study being done.

Mr. Knight said that they will note the questions and concerns being brought up from the blue cards and will address them at the end and encourages community members to go into the office to talk to staff.

Cathy Morgan said that her biggest concern is the water runoff. She lives off Esther Parkway and has experienced first-hand how bad it gets. She has spent thousands of dollars trying to prevent any future damage from this run-off and would not like this subdivision to make this worse for her. She recommends that Mr. Witt sets forth CCR's. Additionally, she feels that modular homes will affect the value of the surrounding homes.

Chairman Faiella wanted Mr. Witt to address the water run-off.

Mr. Witt said he would be happy to talk to the neighbors. Additionally, he said that they are required to make sure that they're not running any more water off. It's not his job to fix the current water run-off issue, but he is required to make

sure that he doesn't make it worse.
He will also do all the studies that he needs to do to move forward, but feels it is not necessary or required to do an environmental study in AZ.

Commissioner Foreman took some time to address the questions, using his wealth of knowledge and years of experience.
He noted that whether people agree, modular homes are the same as stick-built homes.

Mr. Knight also took some time to answer some of the questions that came up during the public hearing. He assured citizens that a sign was posted at the site. He said it's very possible that not every lot will have a well.
Drainage is tricky in this town, but he assured people that this subdivision would not make the current situation worse.

Vice Chairman Scantlebury would like to see additional procedures for water usage impacts in Camp Verde. He wondered if Mr. Knight foresees this.

Mr. Knight said there are some changes moving forward that might address some of those concerns.

- **Close Public Hearing** Chairman Faiella closed the public hearing at 6:47 PM.
- **Commission Discussion**

On a **motion** by Commissioner Tippet, seconded by Chairman Faiella, the Commission **moved** to recommend to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, for Preliminary Plat 20230497, submitted by Rob Witt, for the purpose of developing a 12-lot Subdivision, known as "Feldmeier Estates" on approximately 15 acres. The proposed project is zoned R1L-35 (Residential: Single-Family Limited, 35,000 Square Foot Minimum Lot Size) and is located at 1902 and 2000 North Arena Del Loma Road on APN 403-21-009C, formally known as 403-21-0097, in Camp Verde, Yavapai County, Arizona.

Before the vote, Commissioner Foreman expressed concern in the fire flow with the storage tank and the well and the maintenance of it. He wonders who's going to take care of those. He assumes that no building permit will be issued until the Fire Marshall and Building Official are satisfied with these areas.

Mr. Knight assured him that adequate measures will be taken on all the

necessary procedures.

Roll Call Vote:

Commissioner Tippet: Aye

Commissioner Osses: Aye

Commissioner Blue: Aye

Chairman Faiella: Aye

Vice Chairman Scantlebury: Aye

Commissioner Lomeland: Aye

Commissioner Foreman: Aye

Motion Carries 7-0.

Mr. Knight reminded citizens that he's happy to meet with them and the Town Engineer to answer any additional questions and shared that this item is tentatively set to go before Council on December 6th.

DRAFT

Attachment D

Planning and Zoning Ordinance Section 505 -Preliminary Plat

SECTION 505 - PRELIMINARY SUBDIVISION PLAT

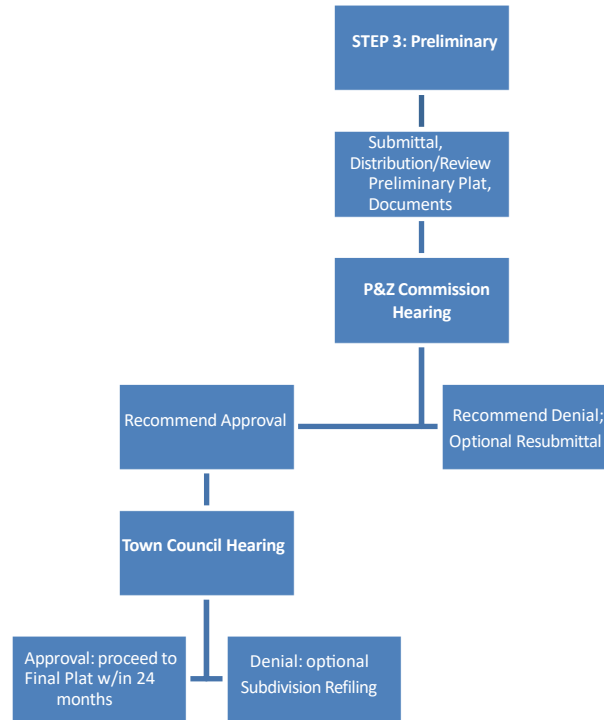
A. Purpose and Initial Review

The purpose of the Preliminary Subdivision Plat is to provide more detail for determining specific capacities and preliminary design for the proposed subdivision. The Preliminary Plat process is a major step, as its Public Hearing by the Planning Commission and the Town Council may give authorization to proceed in preparation with the Final Subdivision Plat, to be accompanied by engineering construction plans and specifications for public improvements. Approval of the Preliminary Plat does not guarantee approval or acceptance of the Final Plat.

1. After the Pre-Application meeting the Conceptual Plan and Master Development Plan, if required, the subdivider shall submit an appropriate number of copies as determined by the Community Development Department, including one in digital form of the Preliminary Subdivision Plat, an application with fees as specified in the Planning and Zoning Fee Schedule and the Engineering Fee Schedule, and other exhibits as hereinafter specified; and shall submit a minimum of two copies each of the required supplementary materials as outlined in Section 505.C and as determined by the Community Development Director.
2. Within five working days from submittal of the Preliminary Plat Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be

incomplete, it shall be returned to the subdivider. If the application appears to be complete, the Plat shall be distributed to reviewing departments and agencies. Processing will not commence until all required documents are received.

PRELIMINARY SUBDIVISION PLATTING PROCESS AT-a-GLANCE



3. The Preliminary Plat will be promptly circulated for review to determine if the Preliminary Plat conforms to these regulations, and to the Conceptual Plan phase of the subdivision application.
 - a. Copies of the Preliminary Subdivision Plat and accompanying material will be transmitted to the following agencies: Town Engineer; County Health Department or Environmental Services; Arizona Department of Transportation (if it contains or abuts a state or federal highway); utility companies; Town Road Superintendent; Soil Conservation District; State or Federal land management agency (if adjacent to public lands); State Fire Marshal or Camp Verde Fire District; State Department of Water Resources, and other interested or affected agencies as deemed appropriate by the Director.
 - b. In accordance with A.R.S. Sections 9-474, as may be amended, if the plat is within three miles of the corporate limits of another municipality having subdivision regulations, the Community Development Director will submit a copy of the Preliminary Plat to said municipality for its review.
 - c. Interested agencies will have approximately 30 working days, from the date of complete application received by the Community Development Department, to review and send comment to the Community Development Director. The Community Development Director will schedule a meeting with agencies during the 30 working days.
 - d. No reply by an agency within the time limit specified shall be construed by the Community Development Director as having no objections from that department or agency to approval of the Preliminary Plat.
4. The Community Development staff shall prepare a correlated report, including replies or comments from all departments and other agencies for a coordinated meeting between the subdivider and/or his agent

and the various responding agencies for the purpose of clarifying outstanding issues arising from subdivision plat review and to promote compliance with the content of these regulations;

- a. If recommended changes, additions, or minor revisions are necessary, three sets of revised prints shall be submitted and distributed for review as with the original submittal. All revised preliminary plans and/or revised accompanying material shall be received at least 15 working days prior to the Commission meeting date at which the developer desires to be heard;
- b. If the proposed Preliminary Plat is in conformance, the Director shall put it on the agenda for the next scheduled Planning Commission meeting and send notice with a copy of the staff report to the subdivider by mail at least ten working days prior to the Commission's public meeting of the time and place at which the matter is set for review.

All time frames listed herein are estimates.

B. Preliminary Subdivision Plat Submittal Requirements

1. **Information Required:** The Preliminary Subdivision Plat shall be prepared to contain the information required in Section 504 B. Conceptual Plan Submittal Requirements and the additional Preliminary Plat and supplementary requirements that follow in this Section. Engineering plans submitted in support of the Preliminary Plat shall be prepared under the direction of a Professional Engineer.
2. **Title:** The title shall include "Preliminary Plat" and the proposed name of subdivision.
3. **Topography:** A depiction of contours relating to USGS survey datum, or other datum approved in writing by the Town Engineer, shall be shown on the same map as the proposed subdivision layout. Location and elevation of the benchmark used should also be shown on the plat. Acceptable contour interval; grades up to 5%, two feet; 5% to 15% grades, five feet; grades over 15%, ten feet. Source and date of topography shall be noted on the Preliminary Plat. Datum basis shall be noted. Whenever practical, elevations should be based on N.G.S. datum. At least one permanent benchmark shall be included as part of the Preliminary Plat. Regular U.S.G.S. topographic maps, enlargements or similarities of same will not be acceptable as the source of topography.
4. **Existing Drainage and Natural Features:** Flood hazard and 100-year Floodplain areas, if any, shall be delineated on the Preliminary Plat, and building pads shall be identified within flood hazard areas; significant natural features such as washes, wetlands, major rock outcroppings and stands of trees, shall be identified.
5. **Existing Streets, Easements and Improvements:** Location, widths, ownership status and names of all existing streets and improvements therein; railroads; recorded utility or other easements or rights-of-way, including any existing facilities therein; public areas; all existing structures, with an indication of whether or not they are to remain; and Town corporation lines within or adjacent to the tract. Access road to the proposed subdivision shall be described to its intersection with a public road right-of-way.
6. **Proposed Streets and Easements:** Location, width and names of proposed streets, alleys, drainage ways, cross-walks, utility and access easements including all connections to adjoining platted or unplatted tracts. A typical cross-section shall be depicted on the plat where applicable describing the aforementioned improvements.
7. **Adjacent Lands:** Name, book and page numbers of any recorded subdivisions within or having a common boundary with the tract, or notation "unsubdivided" where appropriate.
8. **Lot Layout:** Including minimum building setback lines related to all streets; typical lot dimensions (scaled); dimensions of all corner lots and lots on curvilinear sections of street; each lot numbered individually and total number of lots shown.
9. **Public Land Use:** Designation of all land to be dedicated or reserved for public or semi-public use, with use indicated.

10. **Zoning:** The plat shall designate existing zoning classifications and land uses, present district boundary lines and status of any pending zoning change. If the plat includes land for which any multi-family, commercial or industrial use is proposed, such areas shall be clearly designated.
11. **Utility Resources:** Reference by note to all sources of proposed electricity, gas, telephone service, solid waste disposal, police and emergency service agencies.
12. **Sewage Disposal:** A statement as to the type of facilities proposed shall appear on the Preliminary Plat.
 - a. It shall be the responsibility of the subdivider to furnish the Yavapai County Environmental Services Department such evidence as that Department may require for its satisfaction as to the design and operation of sanitary sewage facilities proposed.
 - b. Where the proposed sewage disposal system will be by individual lot septic tanks, the result of the percolation tests and test boring logs as required by the County Environmental Services Department shall be submitted with the preliminary plat.
 - c. Where alternate systems are contemplated necessary supporting information to the County Environmental Services Departments' specifications shall be provided for review and approval in concert with Preliminary Plat evaluation.
13. **Water Supply:** A statement as to the type of facilities proposed shall appear on the Preliminary Plat. It shall be the responsibility of the subdivider to furnish the Yavapai County Environmental Services Department such evidence as that Department may require for its satisfaction as to the facilities for supplying domestic water.

C. Additional Preliminary Plat Submittal Requirements

1. The following material shall accompany the submission of all preliminary plats. If this data is not included on the preliminary plat, then a minimum of two (2) copies each are required.
 - a. Supplemental submittals at this stage, such as grading, drainage or road plans, should be preliminary plans, not construction plans. They are the type of plans needed to evaluate the viability of the preliminary plat and allow the reviewing agencies to make reasonable decisions. The plans may generally be prepared using scaled distances and elevations taken from the topographic map used for the Preliminary Plat. When possible, they should be at the same scale as the preliminary plat.
 - b. All supplemental submittals must be consistent with each other and the Preliminary Plat.
2. **Preliminary Title Report:** A policy of title insurance issued by a title insurance company within the preceding thirty (30) days to the owner of the land, covering the land within the proposed subdivision and showing all record owners, liens, and encumbrances shall be submitted. The preliminary title report shall contain Schedule "B" indicating the status of legal access to the proposed subdivision.
3. **Preliminary Draft Deed Restrictions or Protective Covenants:** Restrictions or covenants shall be incorporated in the final plat submittal, including provisions for use and maintenance of commonly-owned facilities, if any.
4. **Utility Service Letters:** A statement regarding availability of utilities and the direction and distance thereto and preliminary letters of serviceability shall be submitted in conjunction with the application.
5. **Street Names:** A list of the proposed street names.
6. **Preliminary Grading Plan:** A preliminary grading plan shall be required when cuts or fills will exceed 5' in height or will extend outside of the normal street right-of-way. The preliminary grading plan shall be in sufficient detail to convey the extent of grading activities such that their impact can be evaluated by the reviewing agencies.

- a. The Preliminary Grading Plan shall include existing and finish grade contours and limits of cut and fill areas.
 - b. Driveway and building locations shall be shown when topographic or other constraints will require specific locations or site grading.
 - c. A geotechnical report shall accompany the grading plan to support the slope stability assumptions of the grading plan.
 - d. The Preliminary Grading Plan may be shown on the Preliminary Road Plans if all of the grading will be related directly to the roads and in compliance with the following requirements for Preliminary Road Plans.
7. **Preliminary Road Plans:** Grades shall be given to the nearest whole percent grade. A profile sheet coinciding with the roads as shown on the Preliminary Plat or separate plan and profile sheets shall be prepared at a scale sufficient to allow evaluation of the proposed roads. Proposed drainage structures within the right-of-way shall be shown on the preliminary road plans. The reviewing agency's interests in these parts are:
- a. height, stability and slope of cut fills,
 - b. affected drainage patterns,
 - c. potential roadway geometric problems,
 - d. impacts of the roads on adjacent lots, property and access,
 - e. relationship of drainage to roadways; and,
 - f. other items that may be specific to the roads in the specific subdivision.
8. **Preliminary Utility Plans:** A Preliminary Utility Plan shall be prepared to illustrate the proposed location of utilities and verify that the necessary easements and right-of-way are proposed on the Preliminary Plat. It is recognized that final utility locations are decided by the individual utilities, but the objective of the Preliminary Utility Plan shall be to encourage cooperation in planning by the various utilities.
9. **Preliminary Drainage Plans:** The Preliminary Drainage Plan shall be part of a Drainage Report in accordance with the requirements of the Yavapai County Flood Control District and Yavapai County Drainage Criteria Manual (refer to Camp Verde Engineering Design & Construction Standards).
10. **Traffic Impact Analysis:** A traffic impact study shall be performed in accordance with the latest edition of the Town Engineering Design & Construction Standards or as required by the Town Engineer. In cases where the proposed subdivision streets intersect a State or County highway, the traffic impact analysis shall be performed in accordance with that agency's requirements.
- a. Generally the following criteria are considered when determining if a traffic impact study is warranted:
 - 1) Significant changes in land uses are proposed or higher density zoning is sought.
 - 2) Town arterial highway access is requested or the existing location of access to the property is changed.
 - 3) The proposed increased activity or intensity of development will significantly impact vehicular or pedestrian traffic on County roads.
 - 4) A total of 100 or more vehicular trips during an A.M. or P.M. peak hour will be generated by the proposed development.
 - b. The traffic study shall be funded by the subdivider or property owner and upon submittal to the Planning and Zoning Department will be transmitted to and reviewed by the Town Engineer's

office. Copies will be made available to other governmental agencies which may be affected by increased traffic.

- c. The subdivider shall be required to provide financial assurances or complete the installation of any improvements determined necessary to maintain or improve traffic operations and traffic safety functions in direct proportion to the impact caused by the proposed development.
11. **Development Schedule:** The subdivider may submit a proposed development schedule for progressive phases of the subdivision's development to be approved with the Preliminary Plat
12. **Application of Exception or Waiver:** Any requested exception, waiver or variation from these regulations or approved construction standards such as roads, flood control, etc. shall be in the form of an Application of Exception specifying each requested waiver or variation and associated justification.
 - a. The Application shall be a request for an exception to a circumstance actually delineated on the preliminary plat, subsequent final plat or other plans as submitted. Requests shall not be in the abstract but shall include the specific reason for each and every exception requested.
 - b. The Community Development Department Staff shall accept the application for each and any exception, as herein described, and initiate or continue the processing of a subdivision plan as long as the plan complies with all other requirements.

D. Preliminary Subdivision Plat Review and Actions by Planning Commission

1. The Commission shall review, hear or consider all evidence relating to said Preliminary Subdivision Plat.
2. The Commission may review an Application for Exception simultaneously with the Preliminary Plat consideration, or, the Commission may hear the Application for Exception separately at the subdivider's request or as recommended by the Community Development Director. The Commission may recommend that the Town Council authorize exceptions to any of the requirements in these regulations, if the Commission finds the following facts with respect thereto:
 - a. There are special circumstances or conditions affecting said property; and
 - b. That the granting of the exception will not be detrimental to the public safety, health and welfare or injurious to other property in the area in which said property is situated; and
 - c. That it will not have the effect of nullifying the intent and purpose of the Town's General Plan or these regulations.
3. If satisfied that all objectives of these regulations have been met, the Commission may recommend approval or conditional approval of a Preliminary Plat, with or without exceptions, to the Town Council.
4. The Commission may move to continue the plat pending its revision or resubmittal process if the Commission finds that the proposed plat lots are determined to be not suitable due to such features or conditions as flooding or poor drainage, steep slopes, rock problems, sanitary deficiencies, improper access to public roadway, or other conditions likely to affect public health, safety, convenience and general welfare.
 - a. Such continuance shall be set to a specific date coordinated by the subdivider and Commission for a future Commission hearing of the revised plat.
 - b. If the plat revision remains unsatisfactory to the Commission for a recommendation of approval, the Commission may recommend denial and forward their recommendation to Council.
 - c. A Preliminary Plat may not be continued for more than sixty (60) days after the Commission's first hearing on the Plat.
5. The Commission may recommend denial if it finds that the plat does not comply with these regulations, the intent and purpose of the General Plan, zoning or other applicable codes.

6. Recommendations for approval or denial by the Commission shall be forwarded to the Town Council for action at the next available regular meeting. A copy of the project report and draft or approved minutes setting out action of the Commission shall be filed with the Town Clerk and be transmitted to the Council, to the subdivider and/or owner and to departments or agencies as necessary.

E. Preliminary Subdivision Plat Review and Actions by the Town Council

1. Upon receipt of the report and recommendation by the Commission, the Council at its next succeeding Council Hears Planning & Zoning Matters meeting or special meeting shall approve, conditionally approve, with or without exceptions, or reject the Preliminary Subdivision Plat application.
2. If the Council determines that said Preliminary Plat is not in conformity with these regulations or associated design criteria or if other requirements are not approved by the Council, it shall disapprove said plat specifying its reason or reasons therefore; and the Community Development Director shall advise the subdivider in writing of such disapproval and of the reasons for such disapproval. If an application is rejected by the Town Council, the new filing of a subdivision application for the same parcel(s) or any part thereof shall follow the aforementioned procedures and shall be subject to the required fees.
3. Preliminary Plat approval is based upon the following terms:
 - a. The basic conditions under which the Preliminary Plat is granted will not be changed prior to expiration date of the approval.
 - b. Approval is valid for a period of twenty-four (24) months from date of Council action, unless an extended period is requested and approved by Council.
 - c. Prior to the expiration of the approval period the subdivider may request, by written application, Commission and Council approval of a one year time extension; such approvals may be granted, if after hearing a recommendation by the Commission the opinion of the Council is there is not a change in conditions within, or adjoining, the Preliminary Plat that would warrant a revision to its original design.
4. The Council approval of the Preliminary Plat shall specify that minimum Town standards for required improvements shall be designed prior to approval of the Final Plat; and if any other improvements are required at this time by the Council, they shall be so specified at the time of approval of the Preliminary Plat.

Attachment E

2016 General Plan

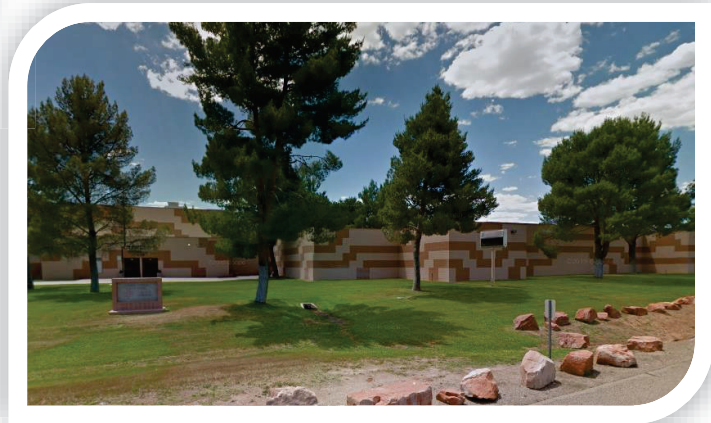
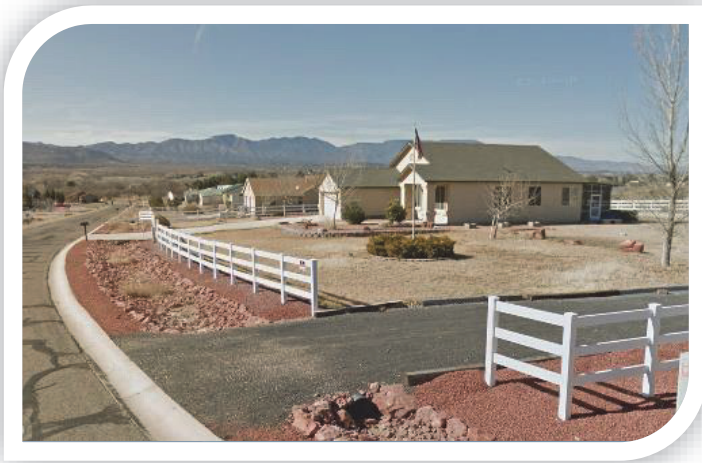
Pecan Lane

Character Area



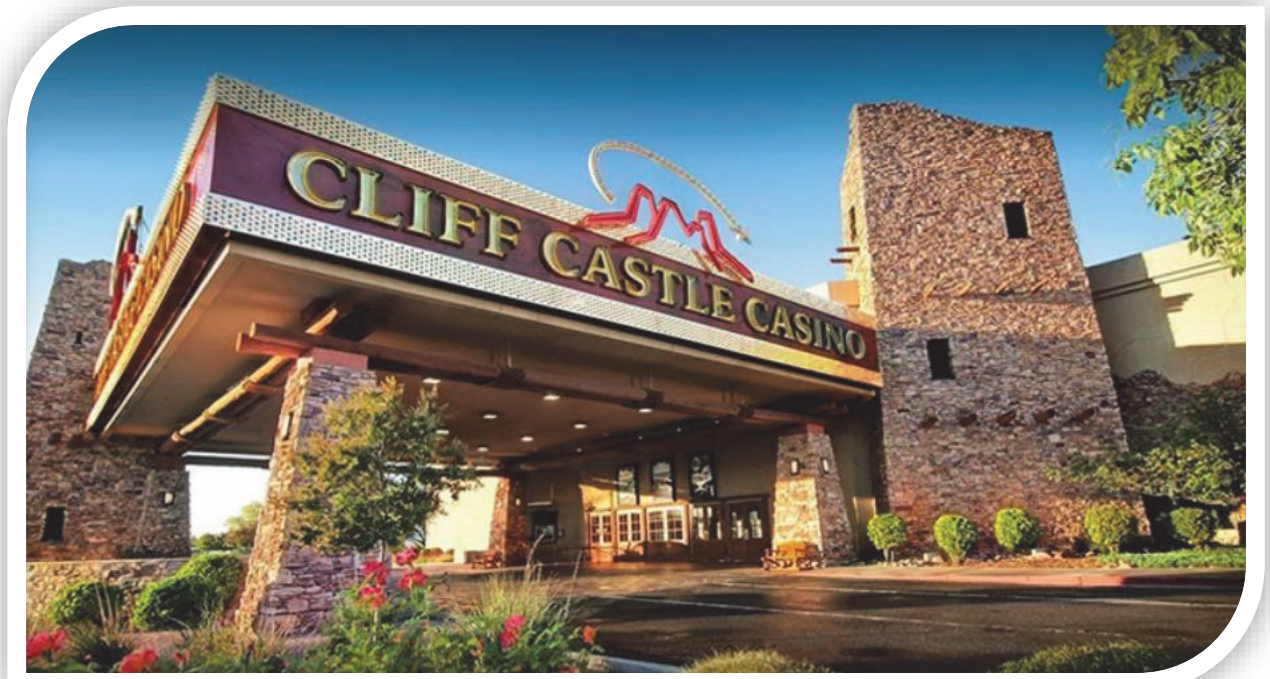
Pecan Lane Character Area





From Top To Bottom: Residential Neighborhood Off Esther Parkway; Pecan Lane/Montezuma Castle Highway; Camp Verde Unified School District; Agricultural Land Off Montezuma Castle Highway; Yavapai-Apache Nation Cliff Castle Casino

Photos Courtesy Of Google Street Map Imagery



Introduction for Pecan Lane Character Area:

The Pecan Lane character area is defined by a towering row of stately pecan trees planted in 1927-1928. So spectacular, it was added to the National Registry of Historic Places in 2002 as a Rural Historic Landscape. The nearly century-old trees provide a canopy of shade all summer and a scenic drive during autumn when the leaves turn gold.

The Eureka Ditch, built immediately after the government opened the area to settlers in 1895, serves the southern half of this character area. A large family farm draws hundreds of locals and visitors to its popular summer vegetable and fruit stand. In 2014, a conservation easement was acquired to keep this place, Hauser and Hauser's Farm, for agriculture in perpetuity, and continue the Town's rural history as well as open space.

Montezuma Castle Highway connects central Camp Verde with the Yavapai-Apache Nation's cultural center, casino, and hotel complex and other businesses in the area. This center of commerce is in a position to grow providing more amenities.

The Camp Verde Unified School District complex is in the Pecan Lane character area. Neighborhoods include low density housing near downtown in former agricultural lands, which allow residents to have livestock and gardens. In the northern part of this character area, housing is denser while retaining a rural character. Roadside farmer's markets occur throughout Pecan Lane in summer and fall. Appropriate commercial growth is planned along Montezuma Castle Highway.


The Verde River flows along the southern boundary and meets Beaver Creek just above Black Bridge. Montezuma Castle Highway offers a remarkable view up Beaver Creek and drainage of Jackson Flats, Montezuma Castle National Monument, White Hills, and beyond to the Mogollon Rim. The Town of Camp Verde is working with the U.S. Forest Service and National Park Service on a trail system to connect the Pecan Lane character area with these sites.

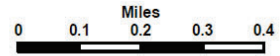


*Aerial Imagery Of A Portion Of The Pecan Lane Character Area
Photo Courtesy Of Yavapai County GIS*

Pecan Lane Character Area

Legend

-  City Boundaries
-  Parcels
-  Tribal Trust Land
-  Other Character Areas
-  Pecan Lane Character Area
-  Hydrology
-  Interstate Highways
-  State Highways
-  Road Centerlines



1 inch = 0.31 miles

Date: 7/31/2014



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Yavapai County assumes no responsibility for any errors, omissions, and/or inaccuracies in this mapping product.

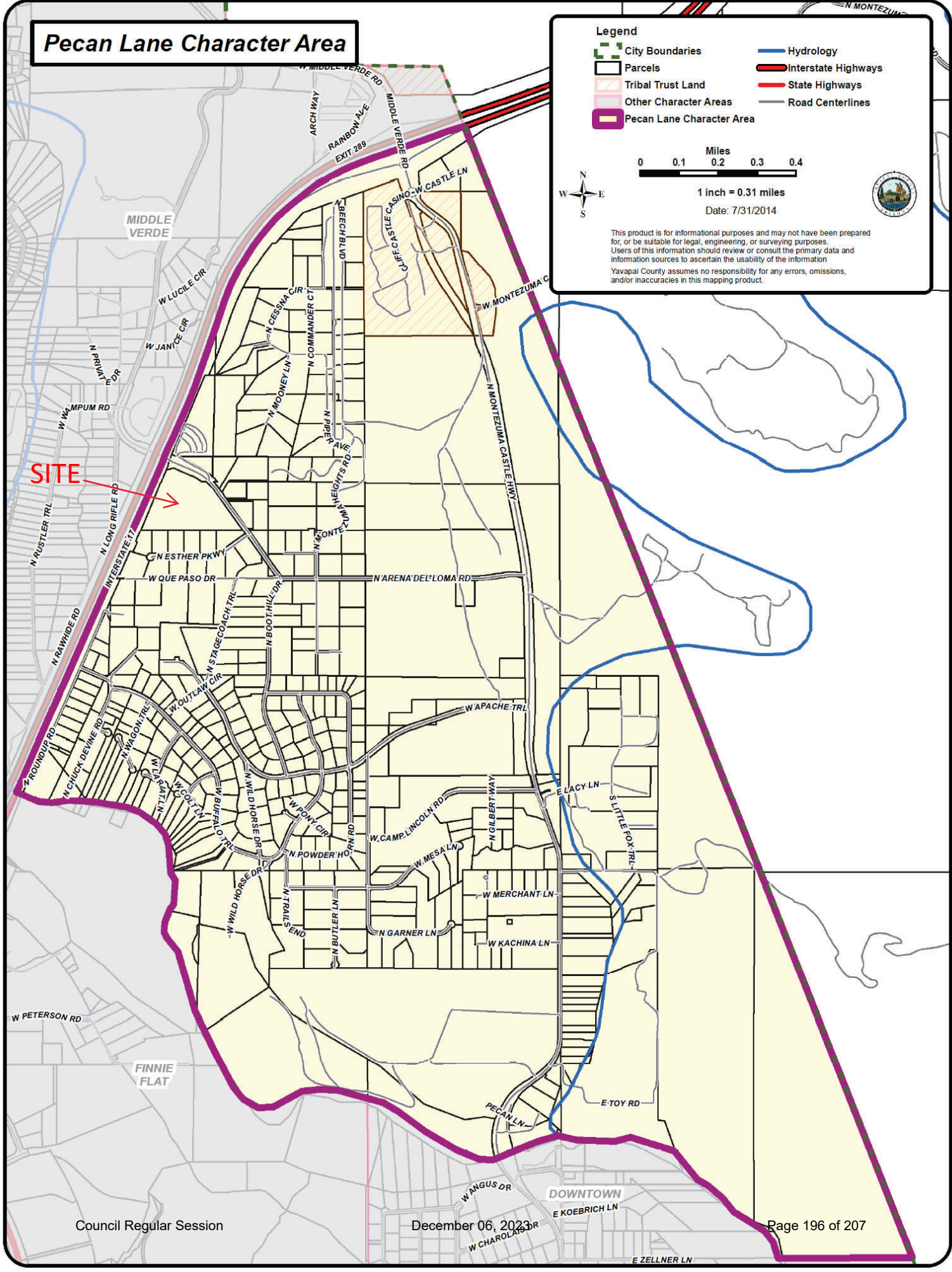


TABLE 3.10 - Land Use; Pecan Lane Character Area Reference Chart

PHYSICAL DESCRIPTION	BUILT ENVIRONMENT	CIRCULATION	POINTS OF INTEREST	DENSITY AND NON-RESIDENTIAL DISTRICTS
<p>The Pecan Lane character area is approximately 3.38 square miles in size, and boasts a beautiful scenic view shed of U.S Forest Service lands and Montezuma Castle National Monument along the East side of Montezuma Castle Highway.</p> <p>The North and West borders of the Pecan Lane character area are defined by Interstate 17. While the East border is defined by Town boundaries. The Verde River borders the Pecan Lane character area along the South.</p> <p>A significant portion 28.40 % of the East side of this character area is comprised of U.S Forest Service Land. Approximately 2.66 % is Yavapai-Apache Trust land and 0.59 % is the Yavapai-Apache Tribal Community.</p> <p>The Verde River flows throughout the entire Pecan Lane character area, for approximately 2.74 miles and is an integral component to land uses within this character area. In addition, Dry Beaver Creek also flows throughout this character area, for approximately 2.09 miles.</p> <p>In addition to the scenic view shed of Montezuma Castle National Monument, the Pecan Lane character area also includes the Pecan Lane Rural Historic Landscape that was added to the National Register of Historic Places in May of 2000.</p> <p>A majority of this character area consists of low density or rural residential properties that are agricultural in nature and two acre minimum in size.</p>	<p>Neighborhoods:</p> <ul style="list-style-type: none"> • Arena Del Loma Estates • Butler Subdivision • Mesa Verde Estates Amended • Montezuma Heights Air Park Amended • Verde River Meadows • Verde River Meadows 2 <p><i>* Metes and Bounds Property not located in platted subdivisions.</i></p> <p>Businesses:</p> <ul style="list-style-type: none"> • Agricultural • Event Venues • Farms • Home Occupations • Restaurants • RV Parks • Service Stations 	<p>Major Roads:</p> <ul style="list-style-type: none"> • Montezuma Castle Highway/Pecan Lane <ul style="list-style-type: none"> - Apache Trail - Arena Del Loma - Camp Lincoln <p>Major Interchanges:</p> <ul style="list-style-type: none"> • Interstate 17 and Montezuma Castle Highway <p>Major Intersections:</p> <ul style="list-style-type: none"> • Montezuma Castle Highway and Apache Trail <p>Major Trails:</p> <ul style="list-style-type: none"> • Heritage Loop Trail • Hidden Canyon Trail • Jackson Flat Trailhead • Woodcutters Trail <p>Gateway Entrances:</p> <ul style="list-style-type: none"> • Intersection of I-17 and east side of Middle Verde Rd. • Intersection of Montezuma Castle Highway and W. Montezuma Castle Rd. 	<p>Community Services:</p> <ul style="list-style-type: none"> • Camp Verde Unified School District <ul style="list-style-type: none"> - Camp Verde Elementary School - Camp Verde Middle School - Camp Verde High School <p>Historic Sites:</p> <ul style="list-style-type: none"> • Camp Lincoln • Hauser Farm • Pecan Lane Rural Historic Landscape <p>Parks and Recreation:</p> <ul style="list-style-type: none"> • Butler Park • Heritage Pool • Heritage Skate Park • Jackson Flats • Montezuma Castle National Monument <p>Water Resources:</p> <ul style="list-style-type: none"> • Dry Beaver Creek • Verde River <p>Irrigation Ditches:</p> <ul style="list-style-type: none"> • Eureka Ditch <p>Yavapai Apache Nation: Middle Verde Tribal Community</p> <p>Event Venues:</p> <ul style="list-style-type: none"> • Cliff Castle Casino • Conference Center • Cultural Center 	<p>Existing Density:</p> <ul style="list-style-type: none"> • Consists of varying densities ranging from 0 to 1 dwelling per acre. <p>Existing non-residential zoning districts:</p> <ul style="list-style-type: none"> • C2 located on the North end of Montezuma Castle Highway and Interstate 17. • Open Space • Public Facilities <p>Preferred non-residential zoning districts:</p> <ul style="list-style-type: none"> • Agricultural Use & AG • RS/C1/C2 located on the North end of Montezuma Castle Highway and Interstate 17 and abutting the West side of Montezuma Castle Highway from Apache Trail to the Yavapai Apache Nation Trust Land. • Open Space • Planned Unit Development (PUD) • Public Facilities

Goals & Implementation Strategies:

In addition to the existing overall land use goals outlined in the land use element of the General Plan, the following goals have also been identified specifically for the Pecan Lane Character Area:

- A. Goal: Preserve the valuable natural resources of the hillsides, and protect their aesthetic and habitat amenities to enhance the rural character of the area.**

Implementation Strategy:

- A. 1. Encourage the preservation of dedicated open space areas in their natural state.
- A. 2. Preserve scenic view sheds.
- A. 3. In the event of development, maintain setbacks and height guidelines.
- A. 4. Preserve the natural character of the hillsides and minimize the removal of significant vegetation.
- A. 5. Consistently communicate with the U.S. Forest Service and other stakeholders about the community's desire to maintain scenic view sheds and open space.

- B. Goal: Maintain the rural, residential and agricultural character of the area.**

Implementation Strategy:

- B. 1. Encourage farmer's markets, community gardens, agricultural area and roadside stands for the sale of locally grown produce and agricultural products.
- B. 2. Maintain low density rural development where it exists.
- B. 3. Encourage the protection of agricultural lands and rural landscapes to maintain the character of Camp Verde.
- B. 4. For new construction encourage site built housing.
- B. 5. Enhance multi-modal connectivity through bike lanes, trails and pedestrian pathways.
- B. 6. Encourage the preservation of agricultural soils, primarily through active farming.
- B. 7. Protect the rural character and cultural resources, preserve open space, enhance agricultural opportunities and reduce the loss of prime agricultural lands and important open space areas.

- C. Goal: Encourage the preservation of existing densities and enhance existing neighborhoods by encouraging appropriate and compatible services and public facilities.**

Implementation Strategy:

- C. 1. Support neighborhood level businesses that provide goods and services.
- C. 2. Promote areas for community service needs, including but not limited to sites for schools, utilities and parks, trails, open spaces and flood control within all new developments.

D. Goal: Encourage the implementation of a Verde River Recreation Management Plan as defined by the citizens.⁵

Implementation Strategy:

- D. 1 Identify and define access points as major, intermediate and neighborhood access points so they are compatible with the adjacent land use.
- D. 2 Encourage plan features, such as parks and a trail system that allow people to recreate at the river and connect with other points of interest.
- D. 3 Encourage recreation which is compatible with the natural and cultural environment.

E. Goal: Promote communication with the Yavapai-Apache Nation.

Implementation Strategy:

- E. 1. Consistently communicate with the Yavapai-Apache Nation about areas of common interests and benefits to meet the stated goals.
- E. 2. Encourage multi-modal connectivity with the Yavapai-Apache Nation.

F. Goal: Create inviting gateway entrances.

Implementation Strategy:

- F. 1. Utilize sources and signage to welcome, direct, inform and promote Camp Verde's unique character and its environments.
- F. 2. Promote improvements for safe and efficient traffic flow.
- F. 3. Communicate with landowners, businesses and government entities on developing gateway entrances.

Gateway Entrances:

- Intersection of Interstate 17 and Middle Verde Road.
- Intersection of Montezuma Castle Highway and West Montezuma Castle Road.
(The entrance road to Montezuma Castle National Monument).

⁵ The Verde River Recreation Management Plan was adopted by Town Council on February 3rd, 2016. For additional information please visit <http://www.cvaz.org>.

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Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: December 6, 2023

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

Requesting Department: Utilities Department

Staff Resource/Contact Person: Jeff Low and Trish Stuhan

Agenda Title (be exact): Discussion and/or action regarding approval of legal services agreement with Baron & Budd, PC, Cossich, Sumich, Parsiola & Taylor LLC, and Law Office of Joseph C. Tann, PLLC for legal services related to the PFAS litigation regarding claims against manufacturers of firefighting foam products due to toxic chemicals. Council may also convene into executive session for this item pursuant to A.R.S. Section 38-431.03(A)(3) and (A)(4) for legal advice and discussion and consultation with the Town Attorney and possible instruction regarding pending or contemplated litigation in the PFAS litigation.

List Attached Documents: EPA Fact Sheet – Proposal to Limit PFAS in Drinking Water

Estimated Presentation Time: 10 Minutes

Estimated Discussion Time: 15 Minutes

Reviews Completed by:

- Department Head: Jeff Low
 Town Attorney Comments: Trish Stuhan
 Review Completed

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: None

Budget Code: None

Amount Remaining:

Comments:

Background Information:

Pre- and Polyfluorinated Substances (PFAS) are known as ‘forever chemicals’ as they are extremely persistent in our environment and bodies and break down very slowly over time. PFAS in the drinking water can lead to health problems such as liver damage, thyroid disease, obesity, fertility issues and cancer. The Town has received several notifications regarding a class action lawsuit against the manufacturers of PFAS. Currently, EPA is recommending a lower limit for PFAS samples at 14 nanograms per liter or parts per trillion.

Town staff have completed one sample for PFAS at the Verde River Estates well and PFAS was not detected. EPA has required the Town to sample for PFAS at the Mongini wells and has mailed out several sample kits. To-date samples have not been successfully completed due to lab delivery timeframes and/or the temperature of the received sample. A more recent sample from Mongini was sent to the EPA laboratory on November 29th. The Town will need to continue to monitor for the presence of PFAS in its system.

The Town Attorney recommended the Town contact the Law Office of Joseph C. Tann, PLLC to discuss the Town best interest in joining the class action lawsuit. Staff have conferred with Mr. Tann and recommend the retention of legal counsel. A representative from the legal team will be available to meet with Council to address questions related to the PFAS multi-district litigation.

Recommended Action (Motion): Move for recommended action regarding approval of legal services agreement with Baron & Budd, PC, Cossich, Sumich, Parsiola & Taylor LLC, and Law Office of Joseph C. Tann, PLLC for legal services related to the PFAS litigation regarding claims against manufacturers of firefighting foam products due to toxic chemicals.

Instructions to the Clerk:

EPA's Proposal to Limit PFAS in Drinking Water

March 2023

We rely on water from the moment we wake up and make a cup of coffee to when we brush our teeth at night. Every person should have access to clean and safe drinking water. That's why the U.S. Environmental Protection Agency (EPA) is taking a key step to protect public health by proposing to establish legally enforceable levels for six PFAS known to occur in drinking water, fulfilling a foundational commitment in the Agency's PFAS Strategic Roadmap. Through this proposed rule, EPA is leveraging the most recent science and building on existing state efforts to limit PFAS and provide a nationwide, health-protective standard for these specific PFAS in drinking water.

What are PFAS chemicals and why are they in our drinking water?

PFAS are a category of manufactured chemicals that have been used in industry and consumer products since the 1940s. PFAS have characteristics that make them useful in a variety of products, including nonstick cookware, waterproof clothing, and firefighting foam, as well as in certain manufacturing processes.

People can be exposed to PFAS in several ways. When their drinking water is contaminated with PFAS, it can be a significant portion of a person's total PFAS exposure. Exposure to PFAS over a long time, and during certain critical life stages, like during pregnancy and in developing babies, may lead to negative health effects.

PFAS can enter the environment from multiple sources, and because they tend to break down very slowly in the environment, PFAS can end up in the water sources that many communities rely on for drinking water. Reducing PFAS in drinking water helps reduce PFAS health risks.

What is EPA doing to make our drinking water safe?

EPA is taking a key step to protect public health by proposing a National Primary Drinking Water Regulation (NPDWR) to establish legally enforceable levels, called Maximum Contaminant Levels (MCLs), for six PFAS known to occur in drinking water. The six PFAS are **PFOA, PFOS, PFNA, PFHxS, PFBS, and GenX Chemicals**.

An MCL protects public health by setting a maximum level of a contaminant allowed in drinking water which can be delivered to users of a public water system. Additionally, EPA is proposing health-based, non-enforceable Maximum Contaminant Level Goals (MCLGs) for these six PFAS. An MCLG is the maximum level of a contaminant in drinking water where there is no known or anticipated negative effect on an individual's health, allowing for a margin of safety.

What levels EPA is proposing and what do water systems have to do?

Specifically, EPA is proposing:

- **An enforceable MCL for PFOA and PFOS.** EPA is proposing to regulate PFOA and PFOS at a level they can be reliably measured, which is 4 parts per trillion (4.0 nanograms/Liter).
- **An enforceable limit on a combination of PFNA, PFHxS, PFBS, and GenX Chemicals.** The proposed rule also would place limits on any mixture containing one or more of PFNA, PFHxS, PFBS, and/or GenX Chemicals. For these PFAS, water systems would use an approach called a hazard index, defined in the proposed rule and described later in this document, to determine if the combined levels of these PFAS

pose a potential risk. This approach protects communities from the additive effects of multiple PFAS when they occur together.

- **Monitoring.** EPA is proposing requirements for monitoring for the six PFAS that build upon EPA’s long established monitoring frameworks where monitoring frequency depends on previous results. The proposal also includes flexibilities allowing systems to use some previously collected data to satisfy initial monitoring requirements.
- **Public notification.** Public water systems would be required to notify the public if monitoring detects these PFAS at levels that exceed the proposed regulatory standards.
- **Treatment.** Public water systems would be required take actions to reduce the levels of these PFAS in drinking water if they exceed the proposed regulatory standards. This could include removing these chemicals through various types of treatment or switching to an alternative water supply that meets the standard.

Are testing and treatment technologies available to remove these six PFAS?

Available technologies exist to monitor for and treat these six PFAS. Technologies capable of reducing PFAS in drinking water include granular activated carbon (GAC), anion exchange resins (AIX), reverse osmosis (RO), and nanofiltration (NF).

What does this proposal mean?

If finalized, the proposed regulation will require public water systems to monitor for these chemicals. It will also require systems to notify the public and reduce the levels of these PFAS if levels exceed the proposed regulatory standards. EPA anticipates that over time, if fully implemented, the rule will reduce tens of thousands of PFAS-attributable illnesses or deaths.

This proposal does not require any actions for drinking water systems until the rule is finalized, and water systems will be required to meet the MCLs after a specified implementation time period. EPA anticipates finalizing the rule by the end of 2023.

Public input on the proposal

EPA welcomes public input as part of the regulatory development process. The public is invited to review the proposal and supporting information. Comments can be provided in the public docket associated with this rulemaking at [regulations.gov](https://www.regulations.gov), identified by Docket ID Number: EPA-HQ-OW-2022-0114. Comments must be submitted to the public docket during the 60-day public comment period.

EPA will consider all public comments in informing the development of the final regulation. For more information and instructions on how to submit input to the public docket, visit: www.epa.gov/dockets/commenting-epa-dockets. EPA will also hold a virtual public hearing on May 4, 2023 where the public is invited to provide EPA with verbal comments. For more information on the public hearing and how to provide EPA with verbal and written comments, please visit: www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas.

Is funding available?

Reducing PFAS in drinking water will likely require investments in water infrastructure. Thanks to President Biden’s leadership and bipartisan action in Congress, the Bipartisan Infrastructure Law provides an unprecedented \$9 billion to invest in drinking water systems impacted by PFAS and other emerging contaminants. EPA will ensure that states, Tribes, and communities get their fair share of this federal water infrastructure investment—especially in disadvantaged communities. These funds include:

- **\$4 billion** in investment through the **Drinking Water State Revolving Funds**, including a requirement that states dedicate 25% of these resources to disadvantaged communities or public water systems serving fewer than 25,000 people.
- **\$5 billion** to communities as grants through EPA’s new **Emerging Contaminants in Small or Disadvantaged Communities (EC-SDC) Grant Program**. This program will promote access to safe and clean water in small, rural, and disadvantaged communities while supporting local economies. In February 2023, EPA announced the availability of the first \$2 billion of this funding.

For more information on Bipartisan Infrastructure Law funding, visit: www.epa.gov/infrastructure.

What if I am concerned about PFAS in my drinking water?

If you get your water from a drinking water system, reach out to your local water utility to learn about how they may be addressing PFAS as well as ask them to test the water for PFAS or to share information with you if they have already tested the water. Some public drinking water systems may not have this information. If you choose to test your water yourself, it is important to use a state-certified laboratory using EPA-developed testing methods. Check with your state’s drinking water program to see if they have issued guidance or standards for PFAS in your state and what actions they recommend or require when there is PFAS contamination. If your state does not have standards or guidance for PFAS see EPA’s Health Advisory levels for [certain PFAS](#) for EPA’s advice regarding these PFAS in drinking water. You may also consider installing in-home water treatment (e.g., filters) that are certified to lower the levels of PFAS in your water. [Learn about certified in-home water treatment filters.](#)

To learn more about PFAS and steps that can be taken to reduce risks: www.epa.gov/pfas/meaningful-and-achievable-steps-you-can-take-reduce-your-risk

What does this proposed regulation mean for households on private wells?

While the Safe Drinking Water Act does not regulate private wells and this proposed rule does not set any requirements or standards for private well owners, EPA understands that people who consume water from private wells may be concerned about contamination of their drinking water by PFAS or other contaminants. EPA has resources to help people who rely on private wells for their drinking water.

First, EPA has information on protecting private wells to prevent contamination, testing private wells and protecting your health at <https://www.epa.gov/privatewells>. (The Centers for Disease Control and Prevention also provides similar information about private water systems at <https://www.cdc.gov/healthywater/drinking/private/index.html>)

Second, if test results from an approved laboratory show levels of PFOA, PFOS, Gen X or PFBS, see EPA’s PFAS health advisories [Questions and Answers](#) to learn about actions that you might consider based on your test results.

Third, State Drinking Water State Revolving Loan Fund programs may provide funding to drinking water systems to connect to households served by private wells to their drinking water system, or to form a new drinking water system that would be subject to Safe Drinking Water Act requirements. SRF funds can be used by states to provide household water quality testing for these PFAS where there is an intent to connect with a public water system, or to form a new one, and to provide temporary household or point-of-use filters while a connection to a public water system is established. For more information on these funding programs, please visit www.epa.gov/infrastructure.

My state drinking water standard for PFAS is higher than this proposal, is my water

safe?

This proposal is based on the latest science and if finalized, states will need to establish standards that are as strict as the federal rule. In the interim, EPA currently has Health Advisories in place to act as a guide for states and water systems. EPA's 2022 lifetime health advisory levels represent the concentration of individual PFAS (PFOA, PFOS, GenX Chemicals, and PFBS) in drinking water at below which adverse health effects are not anticipated to occur over a lifetime. It's important to note that many states and utilities are already taking action to reduce PFAS in water, and less PFAS is better over a lifetime of exposure.

If you get your water from a drinking water system, reach out to your local water utility to learn about how they may be addressing PFAS as well as ask them to test the water for PFAS or to share information with you if they have already tested the water. NOTE: Some public drinking water systems may not have this information. If you choose to test your water yourself, it is important to use a state-certified laboratory using EPA-developed testing methods. Check with your state's drinking water program to see if they have issued guidance or standards for PFAS in your state and what actions they recommend or require when there is PFAS contamination. If your state does not have standards or guidance for PFAS see EPA's Health Advisory levels for [certain PFAS](#) for EPA's advice regarding these PFAS in drinking water. You may also consider installing in-home water treatment (e.g., filters) that are certified to lower the levels of PFAS in your water. [Learn about certified in-home water treatment filters.](#)

To learn more about PFAS and steps that can be taken to reduce risks: www.epa.gov/pfas/meaningful-and-achievable-steps-you-can-take-reduce-your-risk

This is a proposed rule for public comment. It does not require any actions for drinking water systems until EPA has a chance to consider public input and the rule is finalized. Once the rule is finalized, water systems will not be required to meet the MCLs until after a specified implementation time period. EPA anticipates finalizing the rule by the end of 2023.

Additional Background

What are MCLGs and MCLs?

MCLGs are non-enforceable public health goals. MCLGs consider only public health, not the limits of detection and treatment technology effectiveness. Therefore, they are sometimes set at levels which water systems cannot meet because of technological limitations. For example, if a contaminant is a known or likely carcinogen, EPA sets the MCLG at 0. MCLGs also consider adverse health risks to sensitive groups, including infants, children, the elderly, and immuno-compromised individuals. Once the MCLG is established, EPA determines the MCL. MCLs are enforceable standards. An MCL is the maximum level of a contaminant allowed in drinking water which can be delivered to users of a public water system. For this rule proposal, EPA evaluated available methods and treatment technologies, that are shown to measure and remove these six PFAS and set the proposed MCLs as close as possible to the MCLGs. EPA also evaluated costs and benefits in determining the proposed MCLs.

What is a Hazard Index?

The Hazard Index is a tool used to evaluate health risks of simultaneous exposure to mixtures of related chemicals. To prevent health risks from mixtures of certain PFAS in drinking water, EPA is proposing that water systems use this Hazard Index approach to regulate PFHxS, GenX Chemicals, PFNA, and PFBS. To determine the Hazard Index for these four PFAS, water systems would monitor and compare the amount of each PFAS in drinking water to its associated Health- Based Water Concentration (HBWC), which is the level at which no health effects are expected for that PFAS.

Water systems would add the comparison values for each PFAS contained within the mixture. If the value is greater

than 1.0, it would be an exceedance of the proposed Hazard Index MCL for these four PFAS. For ease of use, EPA intends to provide water systems with a web-based form that will automatically calculate the Hazard Index. More information on the Hazard Index, including an example of how to calculate it, can be found in the rule proposal at: www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas.

What are PFAS and What are their Health Effects?

There are thousands of different PFAS, and they can be found in many different consumer, commercial, and industrial products. PFAS can enter the environment from multiple sources and because they break down very slowly, concentrations of PFAS can accumulate in people, animals, and the environment over time and can end up in the water sources that many communities rely on for drinking water.

We now know that some PFAS can cause serious health problems if you are exposed to them – even at low levels – over a long period of time. Drinking water is one of several ways people may be exposed to PFAS and reducing PFAS in drinking water helps reduce PFAS health risks. Exposure to the PFAS EPA is proposing to regulate can increase the risks of a range of health effects, including:

- Reproductive effects such as increased high blood pressure in pregnant people
- Developmental effects or delays in children, including low birth weight, bone variations, or behavioral changes
- Increased risk of some cancers, including kidney and testicular cancers
- Reduced ability of the body’s immune system to fight infections, including reduced vaccine effectiveness
- Interference with the body’s natural hormones, including thyroid hormones
- Increased cholesterol levels
- Liver damage

What Else is EPA Doing to Stop PFAS Pollution and Protect Communities?

EPA released its PFAS Strategic Roadmap in October 2021 and has taken actions to reduce PFAS from entering the water we drink, fish, and swim; hold polluters accountable; and accelerate research that will help EPA and other agencies take future actions. EPA is committed to taking broader actions to help reduce Americans’ exposure to PFAS, including:

- Monitoring thousands of drinking water systems across the country for dozens of PFAS;
- Taking final action on a proposal to designate two PFAS as “hazardous substances” to help hold polluters accountable;
- Restricting PFAS discharges to our waterways by strengthening Clean Water Act standards; and
- Finalizing chemical data and safety rules that will increase our knowledge about PFAS, allow us to act faster and more strategically, and restrict legacy PFAS from reentering production.

To learn more about the proposed rule visit:
www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas