



Support your local merchants

**AGENDA
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, MARCH 4, 2020 at 6:30 P.M.**

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

1. **Call to Order**
2. **Roll Call.** Council Members Buck Buchanan, Joe Butner, Bill LeBeau, Jessie Murdock, Robin Whatley; Vice Mayor Dee Jenkins; and Mayor Charles German.
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Work Session– February 12, 2020 Page 5
 - 2) Regular Session – February 19, 2020 Page 7
 - 3) Executive Sessions – February 19, 2020 (recorded - on file)
 - 4) Work Session – February 21, 2020 Page 19
 - b) **Set Next Meeting, Date and Time:**
 - 1) Wednesday, March 18, 2019 at 6:30 p.m. – Regular Session
 - 2) Wednesday, March 25, 2020 at 5:30 p.m. – Work Session
 - 3) Wednesday, April 1, 2020 at 6:30 p.m. – Regular Session
 - c) **Possible approval of 15 Special Event Liquor License applications for the 2020 Spring Heritage Pecan and Wine Festival to be held March 21,22, 2020. Applicants include: Alcantara, Arizona Stronghold Vineyards LLC, Burning Tree Cellars, Caduceus Cellars/Merkin Vineyard, Carlson Creek Vineyard, Heart Wood Cellars LLC, Page Springs Vineyard & Cellars, Salt Mine Vineyard, Pillsbury Wine Company, Southwest Wine Center, The Oddity Wine Collective LLC, Pierce Wines Arizona LLC, Gallifant Cellars LLC. [Staff Resource: Cindy Pemberton) Page 23**
5. **Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)** Residents are encouraged to comment

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

6. **Special Announcements and Presentations**
 - **Presentation and Discussion on the Camp Verde Arena Association and an Update on the Progress made** (Staff Resource: Russ Martin) Page 77
7. **Discussion and Possible Approval of Citizen Complaint C-20-16 Regarding Steve Geotting's Allegations Against Town Manager Russ Martin** (Staff Resource Mayor Charles German) Page 79
8. **Discussion and Possible Approval to Suspend the Town of Camp Verde Citizen Complaint Form** (Staff Resource: Mayor Charles German) Page 97
9. **Discussion, Consideration and Possible Approval of an Amendment, Amending the Sewer Line Buy-In Agreement Recorded January 6, 2016, Between Verde Valley Medical Center, Simonton Ranch 18 and the Camp Verde Sanitary District, which is currently being operated by the Town of Camp Verde, Specifying the Amount of the Sewer Line Costs with a Breakdown of such Sewer Line Costs and a Calculation of the Sewer Line Reimbursable Amount.** (Staff Resource: Steve Ayers) Page 101
10. **Consideration and Possible Approval to Forgive the CDBG-RLF Conditional Deferred Loan to Lawrence V. Wilson Carnahan for \$31,075.99 Made Through the Town's Home Grant Program** (Staff Resource: Mike Showers) Page 139
11. **Discussion, Consideration and Possible Approval of Resolution 2020-1039, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the financial operations guide and superseding all Resolutions or part of Resolutions in conflict with the provisions of this Resolution, including Resolution 2011-844 and 2013-890.** (Staff Resource: Russ Martin) Page 149
12. **Discussion, Consideration and Possible Direction on items Identified for Improvement at Previous Meetings** (Staff Resource: Russ Martin) Page 157
13. **Discussion, Consideration and Possible Approval of Manager's Annual Goals.** Page 19¹
14. **2020 Legislative Update – Staff Resource Russ Martin** Page 193
15. **Call to the Public for items not on the Agenda. (Please complete Request to**

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

16. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are: Copper Canyon Fire & Medical District, Yavapai College Governing Board, Yavapai Apache Nation, Intergovernmental Association, NACOG Regional Council, Verde Valley Regional Economic Organization (VVREO), League Resolutions Committee, Arizona Municipal Risk Retention Pool, Verde Valley Transportation Org, Verde Valley Transit Committee, Verde Valley Water Users, Verde Valley Homeless Coalition, Verde Front, Verde Valley Steering Committee of MAT Force, Public Safety Personnel Retirement Board, Phillip England Center for the Performing Arts Foundation. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

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

18. Adjournment

<p>CERTIFICATION OF POSTING OF NOTICE</p> <p>The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the Town of Camp Verde and Bashas on <u>02-27-2020</u> at <u>3:30 p.m.</u></p> <p><u>Cindy Pemberton</u></p> <p>Cindy Pemberton, Town Clerk</p>
--

Note: Pursuant to A.R.S. §38-431.03. (A)(1); (A)(2) and (A)(3), the Council may hold an Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

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

[Page intentionally left blank]

DRAFT MINUTES
TOWN OF CAMP VERDE
WORK SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, FEBRUARY 12, 2020 at 5:30 P.M.

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

1. Call to Order

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

2. Roll Call

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

Also Present

Town Manager Russ Martin, Public Works Director Ron Long, Parks and Rec Director Mike Marshall, Town Clerk Cindy Pemberton and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Mayor German led the Pledge.

4. Discussion regarding future construction and phases of Camp Verde Sports Complex to include but not limited to current funds available and priorities of construction. (Staff Resource Ron Long)

Public Works Director Ron Long distributed a copy of the bid options to each Council Member. (See attached) Additional copies were handed out to the public in attendance. Mr. Long reviewed the handout. Mr. Long stated the current available funding for Phase 1B is approximately \$3.1 million which is only enough funding for the base bid. Council will need to decide if they would like to provide additional funding or “Value Engineer” the base bid and alternates by reducing the scope of work. The handout describes what is included in the base bid, the alternatives and the necessary components for the operation and maintenance of the sports complex with a cost for each. The costs are all approximate costs.

Vice Mayor Dee Jenkins stated whatever option we choose; we cannot do any change orders. We will have to be very careful and stick to the budget. She also asked about grants. Parks and Recreation Manager Mike Marshal stated they have applied for grants but ran into either timing issues, lots of stipulations, or the Town not qualifying. They are looking at MLB grants but cannot apply for this grant unless they know what’s approved for the project. MLB builds their type of baseball field but they may do parts or renovations and they are looking into applying for that. Once the project has been approved they will start applying for more specific grant opportunities.

Manager Russ Martin reviewed the option of borrowing money to complete the project. This is feasible. There are some payments over the next few years that will be paid in full and will free up money to go towards a loan payment. They have a couple months to mull over the details before there will be a formal commitment to borrow. Things will have to line up with the bid. Council can look at other budget priorities. Mr. Martin stated HERF payment ability will bring

interest rates down and a "Roads Project" could be a Buddy Project and could be leverage for grant opportunities.

Councilor Whatley stated she knows Mr. Martin would not bring option 2/loan option forward unless there would be a way to move forward. Ms. Whatley feels the Town needs to borrow the money to get things done and build it the way we want it or we don't build it.

Councilor Murdock asked about sponsors, how would someone contribute while the project is under contract. Mr. Martin said the hope is to receive credits for donated items to go towards something else like small projects moving forward. Vegetation would be an example of a small project.

Councilor Buchannan suggested to hire a professional grant writer and don't take people away from the Town to focus on writing grants.

Councilors are in agreement that there should be two baseball fields and two soccer fields.

Mayor German would like to get feedback from the public. He encouraged the audience to speak with Mr. Martin, Mr. Marshall or a Council Member and give some feedback as to what they would want and to prioritize each item.

Mayor German thanked the public for attending.

5. Adjournment

Mayor German adjourned the meeting at 6:57 p.m.

Mayor Charles German

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 Work Session of the Town Council of Camp Verde, Arizona, held on February 12, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2020.

Cindy Pemberton, Town Clerk

DRAFT MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, FEBRUARY 19, 2020 at 6:30 P.M.

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

1. Call to Order

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

2. Roll Call

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

Also Present

Town Manager Russ Martin, Parks and Rec Manager Mike Marshall, Public Works Director Ron Long, Finance Director Mike Showers, Community Development Director Melinda Lee, Deputy Town Clerk Virginia Jones, Town Clerk Cindy Pemberton and Recording Secretary Jennifer Reed.

Mayor German would like to move Item 12 to after Item 6 Special Announcements and Presentations.

3. Pledge of Allegiance

Mayor German led the Pledge.

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

a) Approval of the Minutes:

1. Regular Session– February 5, 2020
2. Special Session – February 7, 2020
3. Executive Sessions – February 7 2020 (recorded - on file)

b) Set Next Meeting, Date and Time:

- 1) Friday, February 21, 2020 at 9:00 a.m. – Work Session
- 2) Wednesday, March 04, 2020 at 6:30 p.m. – Regular Session
- 3) Wednesday, March 18, 2020 at 6:30 p.m. – Regular Session

c) Possible approval for Barbara A. Predmore, Alcantara LLC for Fair/Festival License Application located at 6101 E Coury Drive, Camp

Verde for Saturdays and Sundays beginning 02-22-2020 and ending 04-19-2020. Staff Resource: Cindy Pemberton)

- d) **Authorization for the Camp Verde Marshal's Office to apply for grant funding for Community Oriented Policing Services (COPS) under the U.S. Department of Justice to fund a School Resource Office (SRO) for 3 years, and the Governor's Office of Highway Safety (GOHS) for DUI and Speed/Traffic control Services.**

Motion made by Councilor LeBeau to approve the consent agenda as presented. Second was made by Councilor Butner. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving.

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))**

Jackie Baker (recent criticism of Council)- Ms. Baker is in complete disbelief at the comments and actions recently stated and done relating to current Commission Member comments regarding Council Members Planning & Zoning Commission Appointments. She had a strong belief that Commissioners have no right to criticize Council's decisions or actions. She read Section 15, Code of Conduct for Elected and Appointed Officials: #15.4 A.1. page 27. She asks, how long is Council going let Appointed Officials ignore the Code of Conduct, how long is Council going to let this to continue.

Misty Carpenter (Trail Access)- Ms. Carpenter stated she represents the homeowners on Montezuma Castle Highway along Beaver Creek. The land is being changed without any input from property owners. Questions that they have, have been largely unanswered. Their biggest concern is the trail access point. She stated the Town is taking advantage of access that was originally created for private use. How do you prevent people from parking on Montezuma Castle Highway and Pecan Lane? The homeowners are also concerned with large groups of people and trash. How are homeowners compensated for their loss of privacy, for the Town's profit? Mayor German requested the Manager set up a future work session with homeowners.

6. **Special Announcements and Presentations**

• Yavapai Apache Nation presentation of a check to the Town of Camp Verde from gaming funds pursuant to Section 12 (d) of the Nation's Gaming Compact to the Town of Camp Verde.

Chairwomen Darlene Rubio and Council Members Nancy Guzman, Apphia Shirley, and Ricardo Pacheco presented a check to the Town of Camp Verde in the amount of \$18,370. Ms. Rubio stated the Yavapai Apache Nation distributes money to Camp Verde and surrounding communities thanks to Prop 202, a gaming proposition from 2002. She thanked the public for voting on Prop 202.

At the request of Mayor German this item was moved up on the agenda.

12. Discussion, Consideration and/or possible approval of award for Project #19-139 Camp Verde Sports Complex Phase IB-REBID. This will include the Base Bid \$2,988,950.00 and selected Alternates. Alternative 1=\$723,725.00 for a total of \$3,712,675.00 to Tierra Verde Builders, LLC contingent that prior to the issuance of the Notice to Proceed, the Town and Tierra Verde Builders, LLC will negotiate the original contract amount by Value Engineering.

Public Works Director Ron Long recommends awarding Project # 19-139 Camp Verde Sports Complex Phase IBREBID to the lowest bidder Tierra Verde Builders, LLC contingent that prior to the issuance of the Notice to Proceed, the Town and Tierra Verde Builders, LLC will negotiate the original contract amount by Value Engineering. The award would be for the Base Bid in the amount of \$2,988.950.00 plus Alternate 1 in the amount of \$723,725.00 (4 Fields, lighting, and drainage) for a total of \$3,712,675.00. The Town could consider obtaining additional funds of 1.7-2million dollar range to add a restroom facility and other important additions.

Town Manager Russ Martin suggested adding to the motion, in any form of what you decide to do, add the procurement of funding to cover the cost associated with this award and additional costs to complete Phase B1, to cover the costs associated with the bid.

Vice Mayor Dee Jenkins asked if we receive grants, money in kind or decide to value engineer, how would it affect this bid. Mr. Long stated it will depend on the type of grant, most grants come with specific language that say what you can and can't do with the funding.

Vice Mayor Dee Jenkins asked for an updated on the Diamondbacks Grant. Parks and Recreation Manager Mike Marshall stated there is no update but they are still pursuing the grant.

Councilor Butner asked if we decide to approve this bid and then value engineer it as suggested, are we committed to get that 1.5-million-dollar loan by approving this? Mr. Martin said that is why he suggested to add to motion that council will seek additional funding. It just gives you the commitment that you are going to fund this award and that you are intending on funding additional items as necessary to get the park done.

Councilor Butner requested changing our procurement rules to include any change orders over \$50,000 would come to Council for approval, and questioned where that rule is. Mr. Martin stated that language is in the Financial Operations Guide which will come before Council at the next meeting, March 4th. Councilor Butner clarified that if the Council makes any approval of that provision that will be applicable to this project going forward in its entirety.

Councilor LeBeau stated he hasn't seen a change order and doesn't know what one looks like. Mr. Martin will get him a sample version so he would recognize one if it came up.

Public Comments:

Ana Zagoya, Tonya Munday, Jon Froust, Jammi McKinley, and Ryan Turnbull are all in favor of the Sports Complex. They spoke about the need for more space because of the growing number of kids participating in youth sports, the need for lights on each field, and the economic impact a sports complex would have on the Town of Camp Verde.

Tonya Munday, President of Camp Verde Little League invited Council Members to participate in Opening Ceremony's scheduled for March 28th. The day will start with a Pancake Breakfast at 9am and then members can throw out the first pitches.

Motion made by Councilor Murdock to award Project #19-139 Camp Verde Sports Complex Phase IB. This will include the Base Bid and Alternate 1, for the total cost of \$3,712,675.00 to Tierra Verde Builders, LLC contingent that prior to the issuance of the Notice to Proceed, the Town and Tierra Verde Builders, LLC will negotiate the original contract amount by Value Engineering and that the Town Council will secure additional funding necessary to complete this award and additional items in Phase 1B. Second was made by Councilor Whatley. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving.

Recess: 7:12 p.m.

Resume: 7:17 p.m.

7. Presentation and possible acceptance of the Town of Camp Verde FY19 Audit. Staff Resource Mike Showers

Finance Director Mike Showers gave the floor to Scott Graff from Colby & Powell, the Town's auditing firm, to present the audit to Council. Mr. Graff gave a slide show presentation and stated this audit is based on June 30, 2019 year end. The Town received an award for Achievement for Excellence in Financial Reporting. The annual financial review meets all required components for the Town's annual filing requirements. There are no significant findings in the audit and the Town has again received an unmodified/clean opinion. A Single Audit was done for 2019, which looked at federal programs and made sure requirements were met. There were no findings in the Single Audit.

Vice Mayor Jenkins asked about internal control & compliance. Mr. Graff stated they looked for both to make sure they are implemented and working properly.

Mayor German thanked Mike Showers and his staff for the work that was done.

- 8. Possible approval of Resolution 2020-1035 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving a final site plan submitted by Verde Ranch MH LLC, for Verde Ranch Estates Phase 1B, Zoned R1-PAD. The proposed project is generally located north of Finnie Flat Road, East of State Route 260, off Monarch Lane. It consists of approximately 36 acres, on APN 403-23-432J, in Camp Verde, Yavapai County, Arizona. Staff Resource Melinda Lee**

Town Planner Melinda Lee stated this item is a follow up action for an approved R1-PAD, which is required prior to development. The current zoning of R1-PAD, completed in January 2018, requires each phase of the development receive an approved Final Site Plan. The project, Verde Ranch Estates, is a manufactured home community with amenities. The development of Phase 1A has already commenced, with 89 Lots proposed. Infrastructure includes utility extensions, street construction, and the first clubhouse and amenities. The developer has established a model home sales site in Verde Commercial, at 300 N. Goswick Way. They are in the process of establishing residential sites within the project in preparation of the installation of new homes. This application reflects the second phase of the project, referred to as "Phase 1B". It will continue the project to the east of the first phase and proposes to have 164 Lots. The street design will reflect the same as the first phase, with no on-street parking and multi-use paths for pedestrian access. Ms. Lee stated that staff supports this project and they have gone through all the necessary approvals.

Motion made by Councilor Murdock to approve Resolution 2020-1035 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving a final site plan submitted by Verde Ranch MH LLC, for Verde Ranch Estates Phase 1B, Zoned R1-PAD. The proposed project is generally located north of Finnie Flat Road, East of State Route 260, off Monarch Lane. It consists of approximately 36 acres, on APN 403-23-432J, in Camp Verde, Yavapai County, Arizona. Second was made by Councilor LeBeau **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving.

- 9. Possible approval of Resolution 2020-1036 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, for a Final Site Plan submitted by Jessie Macias, M3 Design, agent for Auto Zone Corporation, for a commercial parcel zoned C2-PAD. The proposed project is located on the northwest corner of Finnie Flat Road and Monarch Lane, on approximately .96 acres, APN 403-23-103X, in Camp Verde, Yavapai County, Arizona. Staff Resource Melinda Lee**

Town Planner Melinda Lee stated this item is a follow up action for an approved C2-PAD, which is required prior to development. The current zoning of C2-PAD,

completed in January 2018, requires an approved Final Site Plan before development. This parcel was originally part of the planned project known as Verde Ranch Estates, however, this commercial parcel was not purchased by Verde Ranch MH, LLC. Through new ownership, its status as a C2-PAD still needs to be satisfied. AutoZone has chosen to potentially purchase this property, contingent upon receiving the proper entitlements. As part of this application, the Development Standards Review process was completed, which is required for new commercial projects. The applicant is now pursuing the approval of their Final Site Plan. Ms. Lee stated that staff supports this project and they have gone through all the necessary approvals.

Motion made by Councilor LeBeau to approve Resolution No. 2020-1036 for an application for a final site plan submitted by Jesse Macias, M3 Design, Agent for Auto Zone Corporation, for a Commercial Parcel Zoned C2-PAD. The proposed project is located on the northwest corner of Finnie Flat Road and Monarch Lane on approximately .96 acres, APN 403-23-103X, in Camp Verde, Yavapai County, Arizona. Second was made by Councilor Butner. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving.

10. Possible approval of Resolution 2020-1037 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for a Final Site Plan submitted by Larson Associates Architects, Inc., agent for Red Moon Development, for a 16-acres portion of the Verde Commercial Development, zoned C2-PAD, to develop an RV Storage facility. The proposed project is generally located west of State Route 260, at the end of Goswick Way extension, APN 403-22-035H, in Camp Verde, Yavapai County Arizona. Staff Resource Melinda Lee

Town Planner Melinda Lee stated this item is a follow up action for an approved C2-PAD, which is required prior to development. The rezoning for the property, Verde Commercial Development to C2-PAD was approved on September 5, 2018, with Ordinance No. 2018-A437; effective on October 5, 2018. This action provided for a mixed-use project, potentially incorporating both commercial and residential uses. The C2-PAD zoning requires the approval of a final site plan for each phase of development. As part of this application, the Development Standards Review process was completed, which is required for all new commercial projects, and the applicant is now pursuing approval of their Final Site Plan. Ms. Lee showed the area on screen. The road will be extended to the back to the RV Storage Facility. Ms. Lee stated that staff supports this project and they have gone through all the necessary approvals.

Motion made by Councilor Buchanan to approve Resolution No. 2020-1037, for an application for a final site plan submitted by Vanessa Sakai, Larson Associates Architects, Agent for Red Moon Development, for a 16-acre portion of the Verde Commercial Development, Zoned C2-PAD, to develop an RV Storage Facility. The property is located west of State Route 260, at the end of Goswick Way Extension, APN 403-22-035H, in Camp Verde, Yavapai County, Arizona. Second was made

by Vice Mayor Dee Jenkins. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving.

11. **Possible approval of Resolution 2019-1031 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona; on the street name change of ‘Wilshire Boulevard’ to ‘Dreamcatcher Drive’ and ‘Moonrise Drive’, for the segments from the existing State Route 260 Roundabout to existing Dreamcatcher Drive and to existing Moonrise Drive; and providing that this Resolution shall be effective 60 days after its passage, or upon appropriate street sign changes.** Staff Resource Melinda Lee

Town Planner Melinda Lee stated the street name of “Wilshire Boulevard” has been shown on maps for undeveloped streets and its remnant now only exists along two access points off of the new State Route 260 roundabout. The street signs show “Wilshire Boulevard”, causing location problems for properties on both sides of the roundabout. The managers of the Verde Ranch RV Resort have applied to request the street name change on the Dreamcatcher Drive side of the roundabout; Staff is requesting the correction from dual street name use on the Moonrise Drive side. This request was tabled at the December 4, 2019, Town Council meeting due to a question from the public regarding notification of this action on the Moonrise Drive portion. Further evaluation and concurrence from the Town Attorney indicated that the administrative nature of this portion does not require such notification; however, his recommendation was to notice the one remaining property owner that may not be aware of it. Ms. Lee showed a map on the screen of the area this will affect. Addressing Official has to make changes to roads sometimes. Ms. Lee stated that staff supports this project.

Councilor LeBeau asked if we make street signs in house? Mr. Martin said that ADOT makes them. Councilor LeBeau asked if there were any significant costs? Mr. Martin stated the two larger signs will be approximately \$1,000 per sign and some smaller signs that will be significantly less. The money will come out of the Streets Account.

Motion made by Councilor LeBeau to approve Resolution No. 2019-1031; on the street name change of “Wilshire Boulevard” to “Dreamcatcher Drive” and “Moonrise Drive”, for the segments from the existing State Route 260 roundabout to existing Dreamcatcher Drive and to existing Moonrise Drive; and providing that this resolution shall be effective 60 days after its passage, or upon appropriate street sign changes. Second was made by Vice Mayor Dee Jenkins. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving.

Mr. Martin introduced the new Community Development Director, Melinda Lee and thanked Robert Foreman who stood in during the time when Carmen Howard left.

Recess: 7:57 p.m.

Resume: 8:02 p.m.

13. **Council Consideration and Possible Action regarding Town of Camp Verde violations of Code of Conduct and/or Policies and Procedures by Members of Council (There will be no public input/comment on this agenda item).**

Town Manager Russ Martin stated that staff would like to go into Executive Session to get legal advice from the Town's Attorney under A-3 legal advice.

Councilor LeBeau would like to have any hearing done in Public Open Session and not done in Executive Session. Mr. Martin explained the goal of the Executive Session is to hear Town's Attorney advice on procedural issues related to the item tonight so that you would understand where you are at and where you need to go in open session.

Motion made by Vice Mayor Jenkins to go into Executive Session to receive legal advice from the Town's attorney. Second was made by Councilor Murdock. **Motion** carried unanimously with Mayor German, Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving.

Recess: 8:03 p.m.

Resume: 8:42 p.m.

Mayor German said there was some confusion as to who brought this forward. Mayor stated that he went to Mr. George on his own to see if there was any way possible to avoid expenditure for an outside attorney/agency to investigate the complaint. Mr. George graciously withdrew his complaint thereby saving the town money. The attorney let us know the complaint had to be taken care of first before the council could discuss if there were any violation to our code. There is no procedure as to what the Mayor has to do because the policy drops it into his lap as the Mayor to try to come up with a solution. What he found was this, when he began to work on some policy from what he heard from the community and other council members that because of the Open Meeting Law, he was unable to talk to even the Vice Mayor as to how he was to proceed because other councilors wanted to discuss the issue with him. Mr. Butner asked him if this could be worked out. He had to text him back because he would have been the 4th person that wanted to discuss this and would be in violation of the Open Meeting Law. Mayor German put forward two letters in the agenda packet, one for each person, as a starting point. These can be modified and/or changed, but this was a starting point. Mayor German stated Bill LeBeau/Joe Butner had every right as a private citizen to go to any agency with document request and receive it. The issue was that those documents were sat on for twenty (20) days. There was an item on the agenda and if you have information pertinent to a council agenda item it needs to be brought forward as soon as possible. The Council needs to work on the code. He is willing to pull this item from the agenda. Councilor LeBeau would like this item not to be pulled.

Councilor Whatley would like to vote on the letters.

Councilor LeBeau stated the letter of reprimand was written to him, says that he failed to notify the other Councilors as to the information held in his possession for

twenty (20) days. There is nothing in the Code of Conduct that says he cannot hold the information for twenty (20) years. There is no basis of the accusation. It also says that passing the information on to Councilor Joe Butner indicates the willful intent to circumvent notification of the rest of the Council. There is nothing in the Code of Conduct that requires them to do any of those things.

Councilor Butner stated his main defense is that the policies, rules and procedures are vague and unintelligible and make no requirements what so ever that if you're are a council member, you have to provide (in advance of a council meeting) some kind of documentation that comes into your possession that pertains to item on agenda. It does require that you give the document to the other members of Town Council. It speaks of preparation of an agenda, Rule 4.4: all documentation concerning an agenda item, if the person is the one putting it on the agenda, it is required that you give that documentation one week before. Councilor Butner also stated that Rule 4.2 Agenda Item Submittal; nor 4.3 Council Packets; none of those rules say there is a requirement that other Council Members must submit documentation at that time or in advance of the meeting. He read those rules prior to the 1-8-2020 meeting. In fact, in the complaint meeting, Mr. Sims stated that he did nothing wrong in the 1-15-2020 by not providing the information in his possession because there is nothing in the code that requires it. Mr. Butner stated these letters of reprimand are a punishment for not providing the information to Council in advance of the meeting. There was no warning or advisory to him, that he would do something wrong, if he were to bring the report to the Council Meeting and pass it out to members, which is what he tried to do during that meeting. There was no prior warning that what he is doing was wrong, both the US Constitution and the Arizona Constitution prohibits that. Mr. Butner apologized to fellow Town Council Members that he didn't get the information to them in advance of the meeting. He didn't violate any codes or provisions. We are not following the complaint process in the Procedures, Rules and Policies, Provision 15.10 Enforcement of the Ethics Policy. Mr. George withdrew his complaint so these letters are the new complaint against Mr. LeBeau and himself. The process isn't being followed properly, that is a denial of due process of the law. Violates us and Arizona Constitution. Councilor Butner would simply ask this letter of reprimand be dismissed against him, it being unfounded, he didn't violate rules or procedures. He simply asked the applicant questions.

Councilor Whatley wants to make a point of order. She thinks the discussion should be confined within the actions of receiving the report. We are not debating, discussing or arguing about the events of the January 8th meeting.

Mayor German sustained the point of order. Should keep it to two letters.

Councilor Butner stated that he is again requesting that the complaint be dismissed against him as being unfounded and the violation of due process and fundamentally unfair at this point.

Vice Mayor Jenkins stated that during her 4 years on Council, as she looks back, what is troubling to her is the event is not the first time where documents show up the day of the council meeting. That happens a lot. She is trying to understand how

you determine when it happens when it is something you have to sanction. Why it up now but not at other instances. Why not treat everything the same way.

Councilor Whatley stated this was a public humiliation of a citizen who tried to volunteer to the town.

Vice Mayor Jenkins stated the code doesn't say that. It doesn't say that if you don't bring a document that is going to offend someone you get sanctioned. That's where the Policies, Procedures and Codes are not clear, they are up for interpretation. She agrees these must be worked on, it needs to be clear and they need to be educated. Council needs to have training. We have to mend the bridges, get training and get the codes updated so they are interpreted the same way.

Councilor Whatley expected a higher standard from our Council, she expected Council to be held to a higher standard. Treat each other decently. She suggests this be a warning at the minimum.

Vice Mayor Jenkins read the sanctions, one of them is to withhold financial report to the league. She never agreed to that. The League gives opportunity to learn, education, network to make better Council Members. She asked why discourage them from going to the League.

Mayor German stated the letters were not to be of malicious intent. He felt that was the direction he was getting from the community and other Council Members. He is looking for a change of behavior. Mayor German would like a commitment from Council to rewrite policies and procedures.

Motion made by Mayor German to dismiss the letter for Councilor Butner. Second was made by Vice Mayor Jenkins. **Motion** passes 5-1-1 Councilor Butner recused himself. **Vote results by roll Call:**

- Mayor German aye
- Vice Mayor Jenkins aye
- Councilor Whatley nay
- Councilor Murdock aye
- Councilor LeBeau aye
- Councilor Butner recused himself
- Councilor Buchanan aye

Motion made by Mayor German to dismiss the letter for Councilor LeBeau. Second was made by Councilor Murdock. **Motion** passes 5-1-1 Councilor LeBeau abstained.

Vote results by roll Call:

- Mayor German aye
- Vice Mayor Jenkins aye
- Councilor Whatley nay
- Councilor Murdock aye

- Councilor LeBeau abstaining
- Councilor Butner aye
- Councilor Buchanan aye

14. 2020 Legislative Update – Staff Resource Russ Martin

Town Manager Russ Martin reviewed the legislative updates. If council members would like to discuss these updates individually, please let him know.

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

Nancy Floyd submitted a letter from Patricia George to Town Council and the Town Manager that she would like to be included in the public record. Ms. Floyd gave a follow up statement concerning Commissioners expressing their opinions. She thinks you need to update the codes for volunteers serving on the commissions and specifically state in the code that they will lose their 1st amendment right for freedom of expression. They can never express an opinion as a private citizen, regardless that they are expression their opinion that have nothing to do with the commission they are serving on. Apparently volunteer commissioners give up their right to ever express their personal opinion in public.

16. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

Mayor German attended a Friends of the Verde River Meeting. The Verde River was given a C+. More information will be discussed at the next meeting.

Councilor Murdock attended a meeting with the Yavapai Apache Nation Tribal Council Members.

Councilor Whatley also attended the meeting with the Yavapai Apache Nation Tribal Council Members, the Buffalo Soldier event at Fort Verde and an event at the Philip England Center for the Arts. She would like to add an agenda item for the next meeting to formally warn Mr. Joe Butner and Mr. Bill LeBeau.

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

individual Council member may request that the item be placed on a future agenda.

Town Manager Russ Martin:

- Stated he is leaving at 5 p.m. on Thursday for the Intergovernmental Meeting in Jerome if Councilors would like to ride with him.
- Candidate packets are available you have until April 6th to get signatures.

18. Adjournment

Mayor German adjourned the meeting at 9:20 p.m.

Mayor Charles German

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 February 19, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2020.

Cindy Pemberton, Town Clerk

DRAFT MINUTES
TOWN OF CAMP VERDE
WORK SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
FRIDAY, FEBRUARY 21, 2020 at 9:00 A.M.

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

1. Call to Order

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

2. Roll Call

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

Also Present

Town Manager Russ Martin, Financial Director Mike Showers, Cris McPhail, Town Clerk Cindy Pemberton and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Mayor German led the Pledge.

4. Discussion regarding Strategic Plan Development. (Staff Resource Mike Showers)

Financial Director Mike Showers explained the goal of this work session is to get everyone's mind on numbers before the start of the budget process. This process is to help decide where do we really want to be and what do we want the town to look like. This process has changed slightly. He explained that members were given homework to list top priorities and then bring them to discuss during the work session. Each member can share what strengths they have listed, discuss the top 5 items, and then put into an action statement. Mr. Showers reviewed the strategic plan summary from last year.

SWOT Analysis (Strengths, Weaknesses, Opportunities & Threats)

Members wrote down their ideas for (4) categories on big papers around the room for discussion.

1. What strengths should be further enhanced
2. What weaknesses should be given better support
3. What opportunities should be taken advantage of
4. What threats should be mitigated or removed

The top (5) will be posted together to eliminate duplicate ideas. Council members will then use a weighted voting system to determine the overall top five areas of focus.

Strengths to be further enhanced:

- Location/River/Natural Resources 7pts
- Infrastructure-waste water 1pt
- Open spaces/Natural Resources
- Parks and Rec activities & events 3pts
- Climate 3

Weaknesses that need better support:

- Communications-4pts
- Lack of affordable housing
- Support of local/small businesses
- Retail development
- Business diversification
- Lack of infrastructure where it is needed
- Lack of park spaces
- Lack of available funding

Opportunities to take advantage of:

- Purchase Water Company
- Opportunity zone
- Complete Existing Planned Parks/Trails- Rodeo and Sports Complex-18pts

Threats that should be mitigated or removed:

- Not finishing what has been started – 5 points
- Recession and downturns
- Retaining & Training a work force – 3 points
- Management of Natural Resources – 4 points

Recess for break: 10:54 a.m.

Resume: 11:06 a.m.

Result of Voting:

Strengths to be further enhanced:

- Location/River/Natural Resources – 7 points
- Parks and Rec activities & events – 3 points
- Climate – 3 points
- Infrastructure expansion-waste water – 1 point

Weaknesses that need better support:

- Communications – 4 points

Opportunities to take advantage of:

Complete Existing Planned Parks/Trails- Rodeo and Sports Complex – 18 points

Threats that should be mitigated or removed:

- Not finishing what has been started – 5 points
- Management of Natural Resources – 4 points
- Retaining & Training a work force – 3 points

The group thinks Infrastructure expansion-waste water should be higher on the list.

Top 5 concerns:

1. Complete Existing Planned Parks/Trails- Rodeo and Sports Complex - 18 points
2. Location/Open spaces/Natural Resources – 7 points
3. Not finishing what has been started – 5 points
4. Communications – 4 points
5. Management of Natural Resources – 4 points
6. Purchase Water Company – should be listed consensus it should be added to the list.

Council Members were asked how you can impact these items:

#1. Finish Park/Trails

- Put in the budget- debt?
- Public outreach what is going and what is being done. Council out front.
- Community/Non Profit support (committees)

(Councilor Whatley left the meeting at 11:26am)

#2. Natural Resources:

- Friends of the Verde River
- Verde Front
- Deal with legislature
- Management Plan Developed (Promote planned use)
- Membership Fees

#3. Communications

- Policies
- Codes
- To citizens
- Amongst ourselves
- Proper Manpower-other agencies
- Accurate information

#4. Retaining/Training Workforce

- Work with youth, college and CTE
- County Land Use
- Impact HS Students

- Utilize Economic Development Programs

#5. Water Company Purchase

- Buy it
- Debt?
- Infrastructure Status
- Yavapai Apache Nation cooperation

No decisions this is a collection of thoughts:

Action Statements

1. The town will prioritize and execute the completion of parks and trails.
2. Continue to work with all entities that maximize the expenditures and political powers to protect, promote and utilize natural resources.
3. Implement policies and procedures & tools to effectively communicate amongst ourselves, staff, and community in order to effectuate transparency.
4. Direct staff to work with county, college and high school towards establishing retaining and training work force.
5. Facilitate the purchase of local water company through the collection of relevant information and directing potential mechanism for purchase.

5. Adjournment

Mayor German adjourned the meeting at 12:04 p.m.

Mayor Charles German

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 Work Session of the Town Council of Camp Verde, Arizona, held on February 21, 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2020.

Cindy Pemberton, Town Clerk



Agenda Item Submission Form – Section I

Meeting Date: March 4, 2020

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: Possible approval of 13 Special Event Liquor License applications for the 2020 Spring Heritage Pecan and Wine Festival to be held March 21,22, 2020. Applicants include: Alcantara, Arizona Stronghold Vineyards LLC, Burning Tree Cellars, Caduceus Cellars /Merkin Vineyards, Carlson Creek Vineyard, Heart Wood Cellars LLC, Page Springs Vineyards & Cellars, Salt Mine Vineyard, Pillsbury Wine Company, Southwest Wine Center, The Oddity Wine Collective LLC, Pierce Wines Arizona LLC, Gallifant Cellars LLC. [Staff Resource: Cindy Pemberton)

List Attached Documents: – Applications for Special Event License

Estimated Presentation Time: 0

Estimated Discussion Time: 0

Reviews Completed by:

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

Finance Department N/A

Fiscal Impact: None

Budget Code: N/A **Amount Remaining:** _____

Comments:

Background Information:

Recommended Action (Motion): Approve Special Event Liquor License application for

the 2020 Spring Heritage Pecan and Wine Festival to be held March 21 & 22, 2020. Applicants include: Alcantara, Arizona Stronghold Vineyards LLC, Burning Tree Cellars, Caduceus Cellars /Merkin Vineyards, Carlson Creek Vineyard, Heart Wood Cellars LLC, Page Springs Vineyards & Cellars, Salt Mine Vineyard, Pillsbury Wine Company, Southwest Wine Center, The Oddity Wine Collective LLC, Pierce Wines Arizona LLC, Gallifant Cellars LLC.

Instructions to the Clerk: Section II not required. Process applications.



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLLC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair

Craft Distillery/Wine Festival

- Individual/Agent's Name: Barbara Predmore Liquor License #: 13133010
- Business name: Alcantara LLC Contact Phone #: 9286498463
- Mailing address: PO Box 64 Cottonwood AZ 86326
Street Address City State Zip Code
- Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
- Email Address: Kerry@AlcantaraVineyard.com
- Will this event be held on a currently licensed premise and within the already approved premises? Yes No

If yes, please provide the license # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928- 554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov

SECTION 4 To complete this application, all questions must be answered:

- Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
- Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
- List the number of days you have held a licensed Fair/Festival in the current calendar year 0 Applied for 22
- What security and control measures will you take to prevent violations of state liquor laws at this event?
Number of Police Officers on Site: _____ Fencing Yes No
Number of Security Personnel on Site: _____ Barriers Yes No
- I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.



I, (Print Full Name) [Signature] hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.
Applicant Signature: [Signature]

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____ (Government Official)	_____ (Title)	recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
on behalf of _____ (City, Town, County, State)	_____ Signature	_____ Date	_____ Phone #	

DLIC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

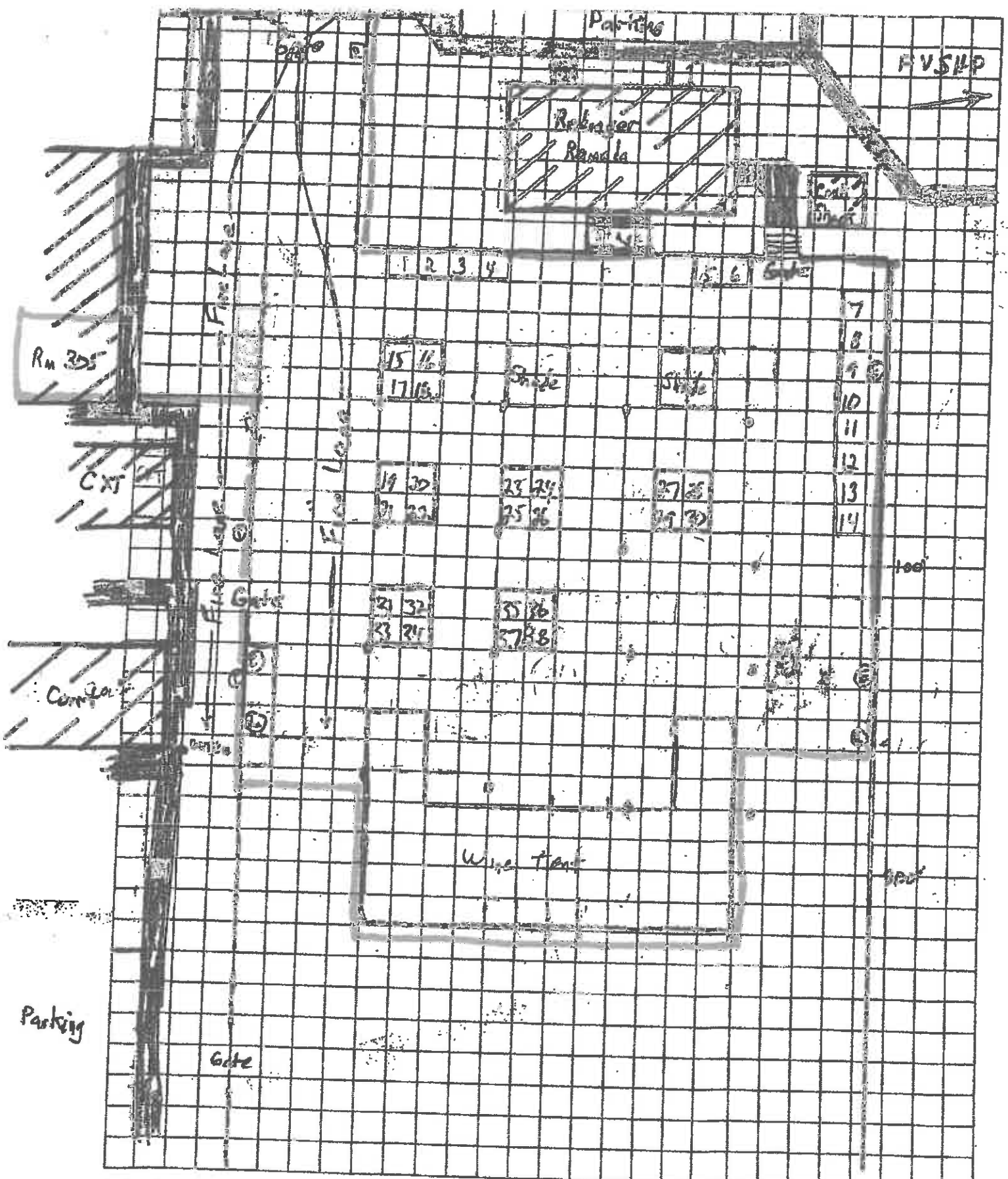
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx. 10'





Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azllquor.gov
 (602) 542-5141

FOR DLLC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair

Craft Distillery/Wine Festival

- Individual/Agent's Name: Kevin Grubb Liquor License #: 13133019
- Business name: Arizona Stronghold Vineyards, LLC Contact Phone #: 928-639-2789
Farm Winery or Craft Distillery
- Mailing address: 4700 Old Hwy 279 Camp Verde, AZ 86322
Street Address City State Zip Code
- Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
- Email Address: julie@azstronghold.com
- Will this event be held on a currently licensed premise and within the already approved premises? Yes No
 If yes, please provide the License # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928- 554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov

SECTION 4 To complete this application, all questions must be answered:

1. Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
2. Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
3. List the number of days you have held a licensed Fair/Festival in the current calendar year 3
4. What security and control measures will you take to prevent violations of state liquor laws at this event?
Number of Police Officers on Site: _____ Fencing Yes No
Number of Security Personnel on Site: _____ Barriers Yes No
5. I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.

ATTACH DIAGRAM

I, (Print Full Name) Kevin Grubb hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: _____

1/22/2019

page 2 of 3

Individuals requiring ADA accommodations please call (602)542-9027

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____	_____	recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
(Government Official)	(Title)			
on behalf of _____	_____	_____	_____	_____
(City, Town, County, State)	Signature	Date	Phone #	

DLLC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLIC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair

Craft Distillery/Wine Festival

- Individual/Agent's Name: Mitchell David Levy Liquor License #: 13133032
- Business name: Burning Tree Cellars L.L.C. Contact Phone #: 928-649-8733
- Mailing address: 1040 North Main Street Cottonwood Arizona 86326
Street Address City State Zip Code
- Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
- Email Address: mitch@burningtreecellars.com
- Will this event be held on a currently licensed premise and within the already approved premises? Yes No
 If yes, please provide the license # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	<u>March 21, 2020</u>	<u>Saturday</u>	<u>11AM</u>	<u>7PM</u>
2.	<u>March 22, 2020</u>	<u>Sunday</u>	<u>11Am</u>	<u>4PM</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

1/22/2019

page 1 of 3

Individuals requiring ADA accommodations please call (602)542-9027

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marchall Daytime Contact Phone #: 928-554-0828
First Last

2. Mailing address: 395 S Main St Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov


SECTION 4 To complete this application, all questions must be answered:

1. Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
2. Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
3. List the number of days you have held a licensed Fair/Festival in the current calendar year 2
4. What security and control measures will you take to prevent violations of state liquor laws at this event?
 Number of Police Officers on Site: 4 Fencing Yes No
 Number of Security Personnel on Site: 0 Barriers Yes No
5. I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.

ATTACH DIAGRAM

I, (Print Full Name) Mitchell David Levy hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: 

1/22/2019

page 2 of 3

Individuals requiring ADA accommodations please call (602)542-9027

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____ <small>(Government Official)</small>	_____ recommend <input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL <small>(Title)</small>		
on behalf of _____ <small>(City, Town, County, State)</small>	_____ <small>Signature</small>	_____ <small>Date</small>	_____ <small>Phone #</small>

DLLC USE ONLY

<input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
--	-----------	-------------

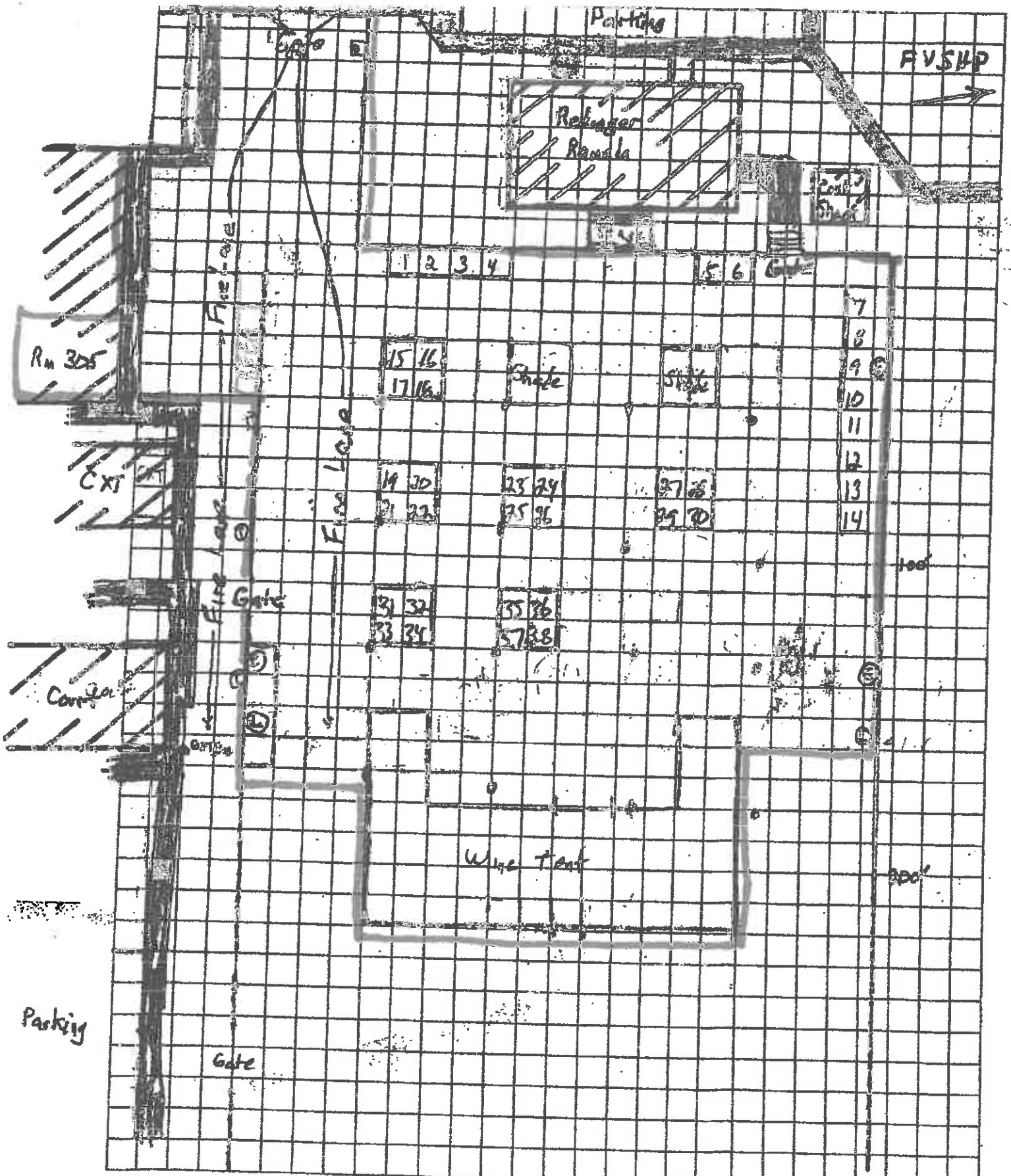
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx. 10'





Arizona Department of Liquor Licenses and Control
 800 W. Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLLC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair

Craft Distillery/Wine Festival

1. Individual/Agent's Name: MJ Keenan Liquor License #: 13133014

2. Business name: Caduceus Cellars / Merkin Vineyards Contact Phone #: 928-567-7293

3. Mailing address: PO Box 905 Jerome AZ 86331
Street Address City State Zip Code

4. Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code

5. Email Address: calvin@caduceuscellars.com

6. Will this event be held on a currently licensed premise and within the already approved premises? Yes No

If yes, please provide the license # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	<u>March 21, 2020</u>	<u>Saturday</u>	<u>11:00 AM</u>	<u>7:00 PM</u>
2.	<u>March 22, 2020</u>	<u>Sunday</u>	<u>11:00 AM</u>	<u>4:00</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928- 554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov

SECTION 4 To complete this application, all questions must be answered:

1. Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
2. Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
3. List the number of days you have held a licensed Fair/Festival in the current calendar year 6
4. What security and control measures will you take to prevent violations of state liquor laws at this event?
Number of Police Officers on Site: _____ Fencing Yes No
Number of Security Personnel on Site: _____ Barriers Yes No
5. I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.

ATTACH DIAGRAM

I, (Print Full Name) Maynard James Keenan, hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: _____

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____	_____	recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
(Government Official)	(Title)			
on behalf of _____	_____	_____	_____	_____
(City, Town, County, State)	Signature	Date	Phone #	

DLLC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

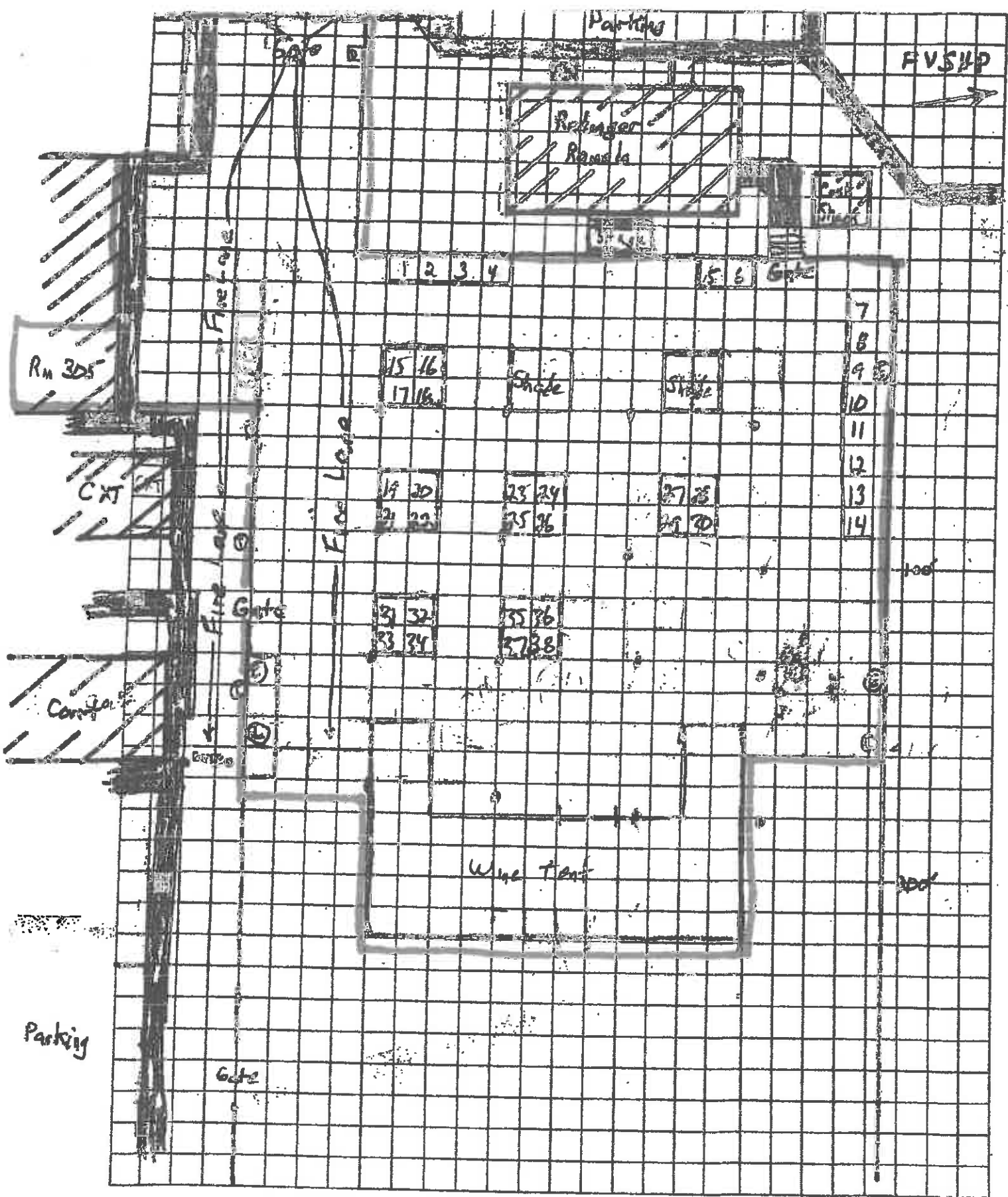
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx 10'





Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLIC USE ONLY	
Received Date:	
Job #:	
CSR:	
License #:	

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair Craft Distillery/Wine Festival

- Individual/Agent's Name: ROBERT CARLSON III Liquor License #: 019130003270
- Business name: CARLSON CREEK VINEYARD Contact Phone #: 520-766-3000
Farm Winery or Craft Distillery
- Mailing address: 115 RAILVIEW AVE WILLOX AZ 85643
Street Address City State Zip Code
- Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
- Email Address: MICHELLE.CARROLL@CARLSONCREEK.COM
- Will this event be held on a currently licensed premise and within the already approved premises? Yes No
 If yes, please provide the License # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____		recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
(Government Official)	(Title)			
on behalf of _____	_____	_____	_____	_____
(City, Town, County, State)	Signature	Date	Phone #	

DLLC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

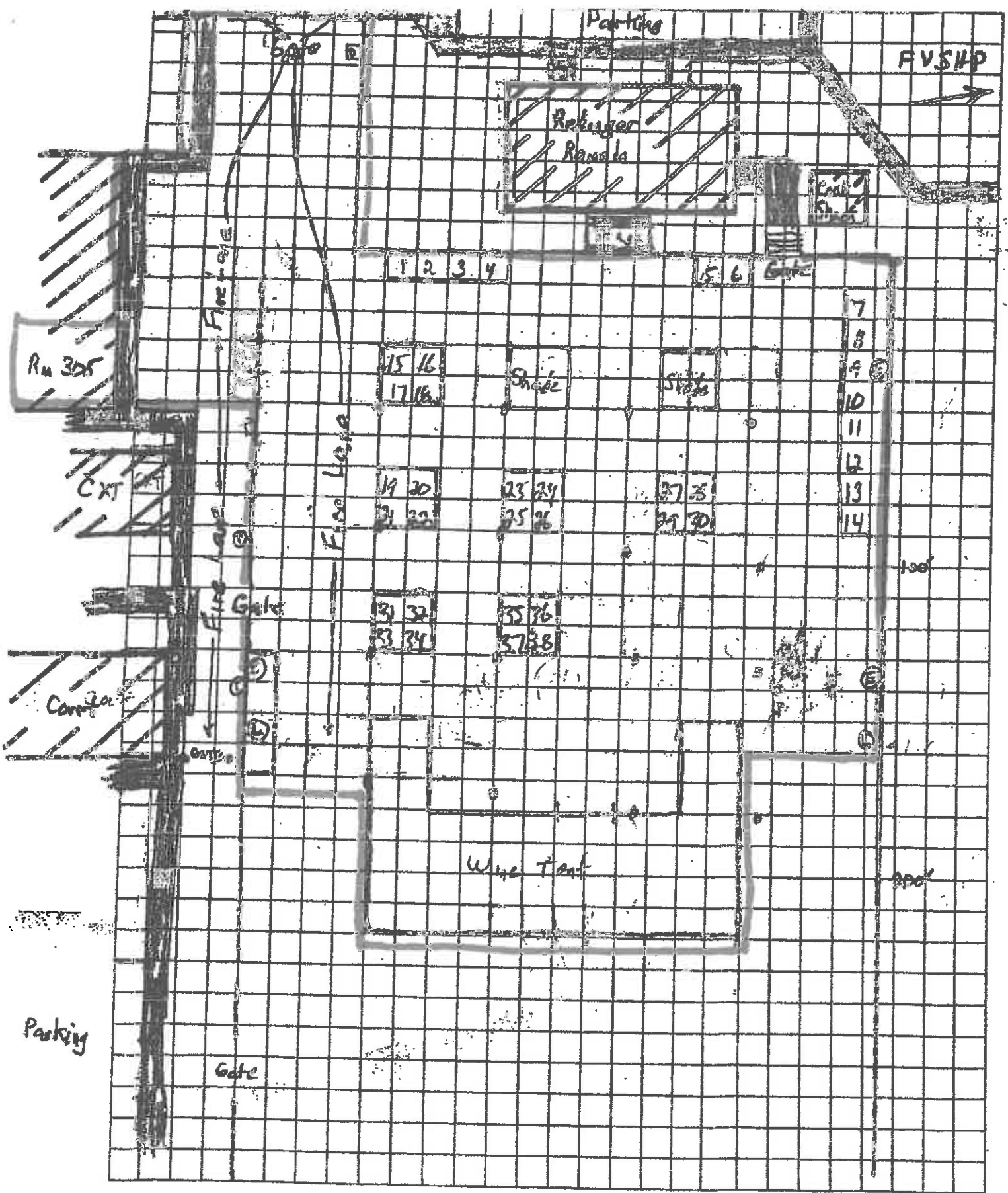
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx. 10'





Arizona Department of Liquor Licenses and Control
 800 W. Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLLC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

- Craft Distillery/Wine Fair Craft Distillery/Wine Festival

1. Individual/Agent's Name: VALERIE LYNN WOOD Liquor License #: 13133051
2. Business name: HEART WOOD CELLARS LLC Contact Phone #: 928.274.8126
Farm Winery or Craft Distillery
3. Mailing address: 7580 E. RANCH VIEW RD CORNVILLE AZ 86325
4. Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street Address City State Zip Code
5. Email Address: heartwoodcellars@gmail.com
Street address City County Zip Code
6. Will this event be held on a currently licensed premise and within the already approved premises? Yes No
- If yes, please provide the license # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928- 554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov

SECTION 4 To complete this application, all questions must be answered:

1. Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
2. Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
3. List the number of days you have held a licensed Fair/Festival in the current calendar year 3
4. What security and control measures will you take to prevent violations of state liquor laws at this event?
Number of Police Officers on Site: _____ Fencing Yes No
Number of Security Personnel on Site: _____ Barriers Yes No
5. I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.

ATTACH DIAGRAM

I, (Print Full Name) VALERIE LYNN WOOD hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: Valerie Lynn Wood

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____	_____	recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
(Government Official)	(Title)			
on behalf of _____	_____	_____	_____	_____
(City, Town, County, State)	Signature	Date	Phone #	

DLLC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

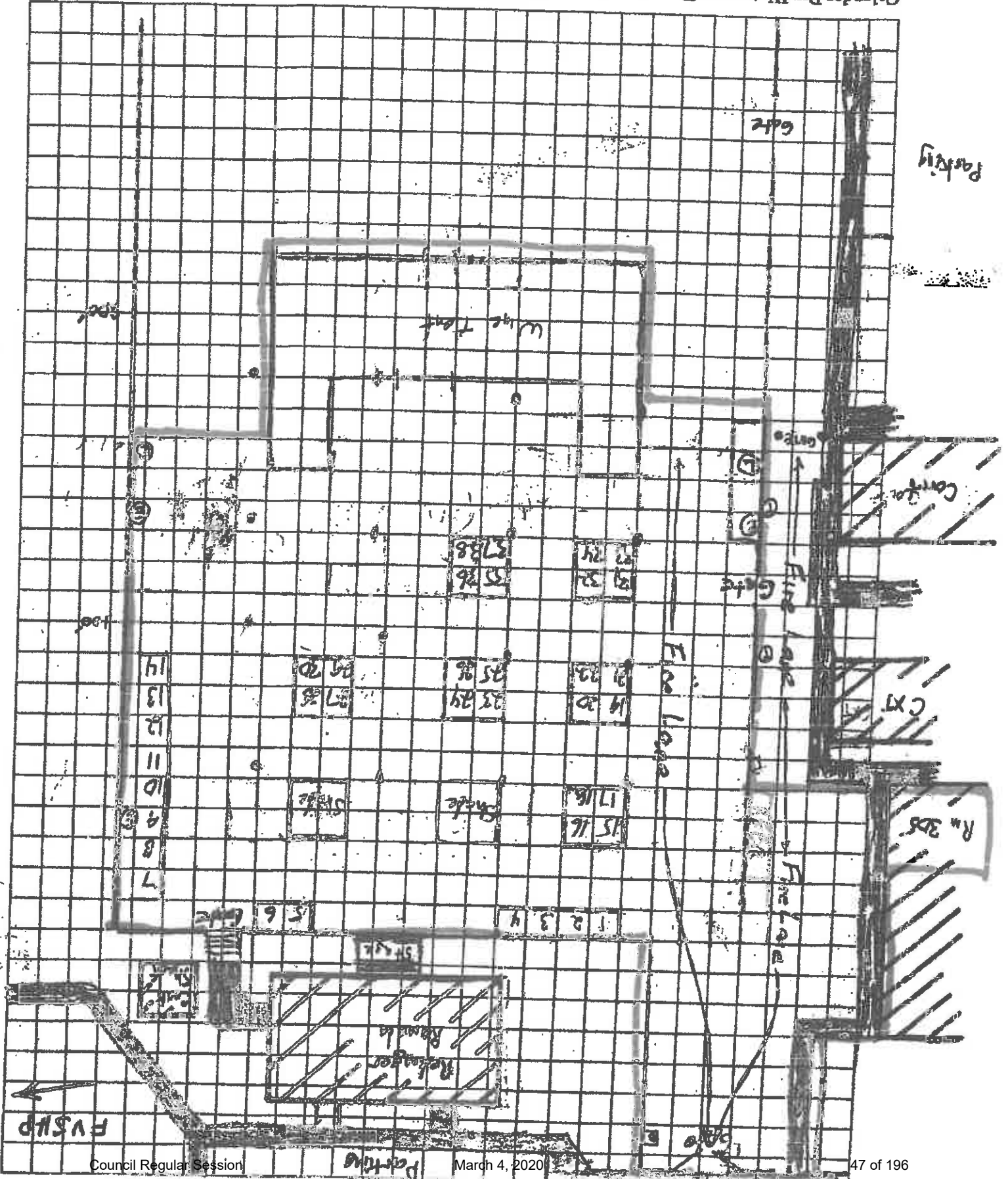
E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



1 Square = Approx. 10'

Calendar By: WaterproofPaper.com
More Free Printables: Calendars Maps Graph Paper Targets





Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLIC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair

Craft Distillery/Wine Festival

- Individual/Agent's Name: ERIC GLOMSKI Liquor License #: 13133004
- Business name: PAGE SPRINGS VINEYARDS & CELLARS Contact Phone #: (928) 639-3004
Farm Winery or Craft Distillery
- Mailing address: 1500 N. PAGE SPRINGS RD CORNVILLE AZ 86325
Street Address City State Zip Code
- Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
- Email Address: INFO@PAGESPRINGSCELLARS.COM
- Will this event be held on a currently licensed premise and within the already approved premises? Yes No
 If yes, please provide the License # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928- 554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov

SECTION 4 To complete this application, all questions must be answered:

1. Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
2. Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
3. List the number of days you have held a licensed Fair/Festival in the current calendar year 1
4. What security and control measures will you take to prevent violations of state liquor laws at this event?
Number of Police Officers on Site: _____ Fencing Yes No
Number of Security Personnel on Site: _____ Barriers Yes No
5. I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.

ATTACH DIAGRAM

I, (Print Full Name) ERIC GUNSKA hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: Eric Gunski

1/22/2019

page 2 of 3

Individuals requiring ADA accommodations please call (602)542-9027

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____	_____	recommend <input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL	
(Government Official)	(Title)		
on behalf of _____			
(City, Town, County, State)	Signature	Date	Phone #

DLLC USE ONLY

<input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
--	-----------	-------------

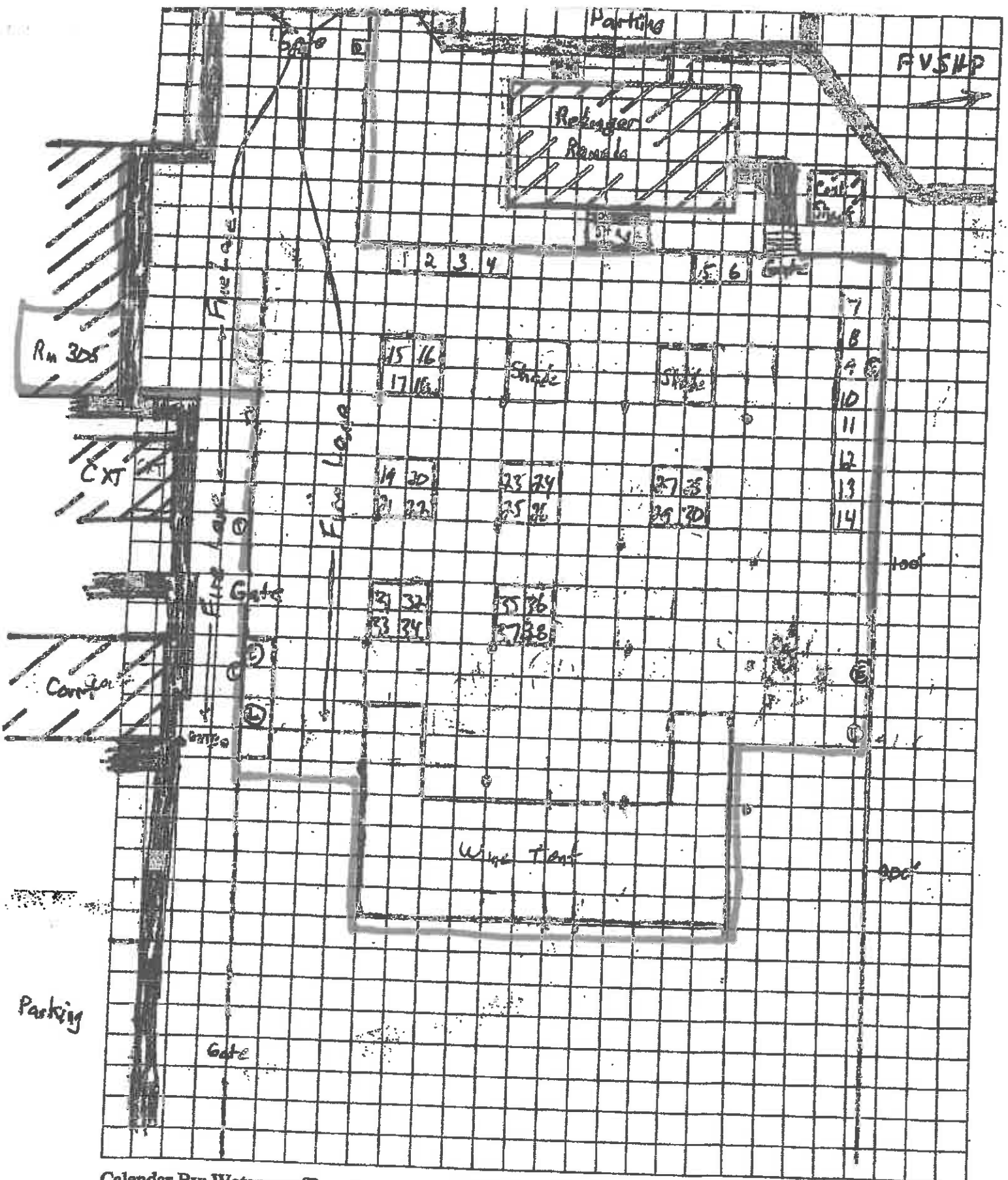
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx 10'





Arizona Department of Liquor Licenses and Control
 800 W. Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLLC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair Craft Distillery/Wine Festival

1. Individual/Agent's Name: KEVIN NORTON Liquor License #: 13133044

2. Business name: SALT MINE VINEYARDS Contact Phone #: 602 568 7555

3. Mailing address: PO Box 2840 Camp Verde, AZ 86322
Street Address City State Zip Code

4. Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code

5. Email Address: KEVIN.NORTON@SALTMINEWINE.COM

6. Will this event be held on a currently licensed premise and within the already approved premises? Yes No

yes, please provide the License # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928- 554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov

SECTION 4 To complete this application, all questions must be answered:

1. Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
2. Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
3. List the number of days you have held a licensed Fair/Festival in the current calendar year 0
4. What security and control measures will you take to prevent violations of state liquor laws at this event?
 Number of Police Officers on Site: _____ Fencing Yes No
 Number of Security Personnel on Site: _____ Barriers Yes No
5. I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.



I, (Print Full Name) KEVIN NORTON hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.
Applicant Signature: [Handwritten Signature]

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____	_____	recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
(Government Official)	(Title)			
on behalf of _____	_____	_____	_____	_____
(City, Town, County, State)	Signature	Date	Phone #	

DLLC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

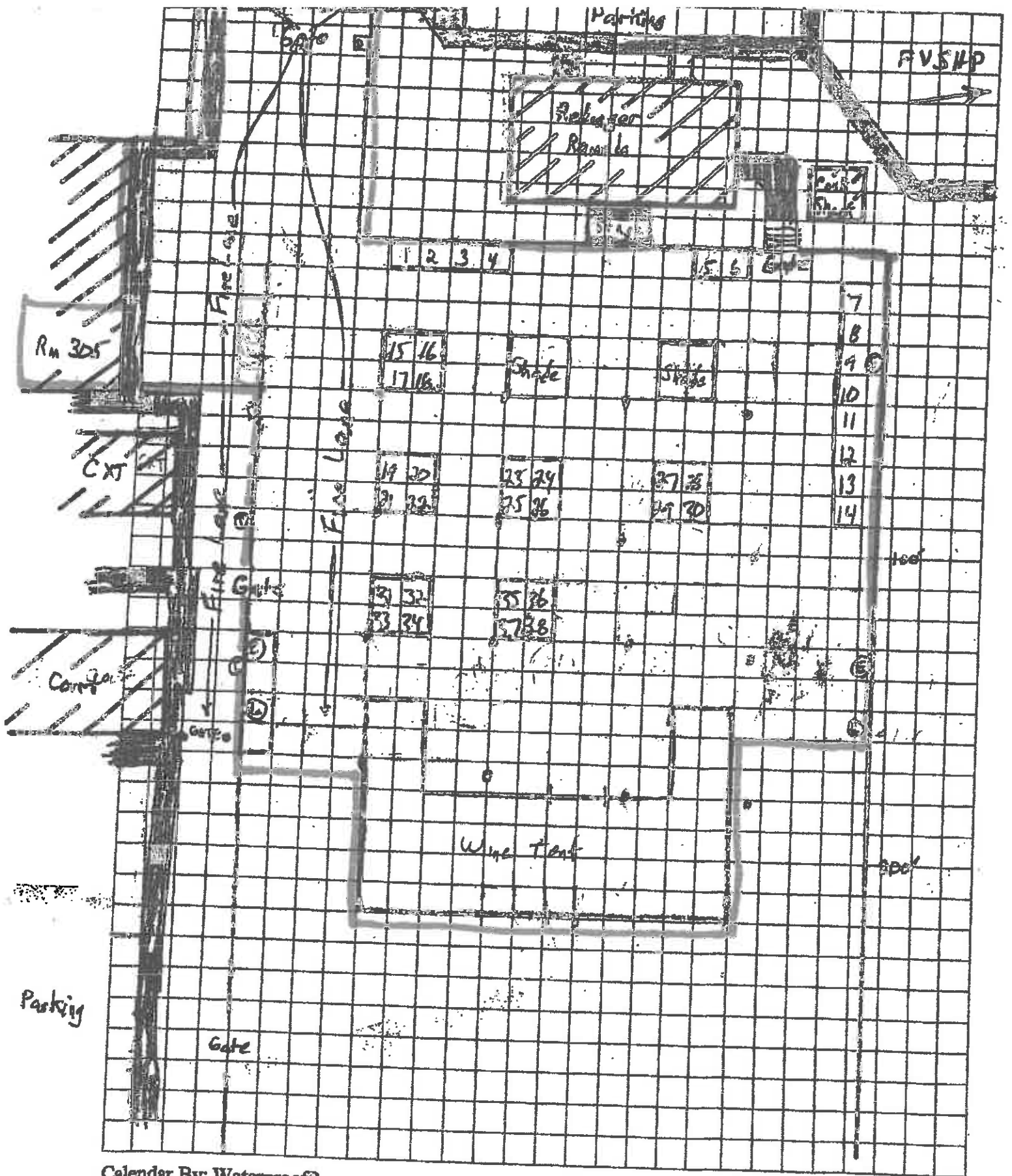
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx 10'





Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLIC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair

Craft Distillery/Wine Festival

- Individual/Agent's Name: Sam Pillsbury Liquor License #: 13073010
 - Business name: Pillsbury Wine Co. Contact Phone #: 949-440-1054
Farm Winery or Craft Distillery
 - Mailing address: 1012 N. Main St. Cottonwood AZ 86320
Street Address City State Zip Code
 - Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
 - Email Address: Valerie@PillsburyWine.com
 - Will this event be held on a currently licensed premise and within the already approved premises? Yes No
- If yes, please provide the License # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928-554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86032
Street address City State Zip Code

3. Email Address: Michael.Marshall@campverdez.gov

SECTION 4 To complete this application, all questions must be answered:

- Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
- Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
- List the number of days you have held a licensed Fair/Festival in the current calendar year _____
- What security and control measures will you take to prevent violations of state liquor laws at this event?
Number of Police Officers on Site: _____ Fencing Yes No
Number of Security Personnel on Site: _____ Barriers Yes No
- I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302). Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.



I, (Print Full Name) Sam Pillsbury hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: [Signature]

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____	_____	recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
(Government Official)	(Title)			
on behalf of _____	_____	_____	_____	_____
(City, Town, County, State)	Signature	Date	Phone #	

DLIC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

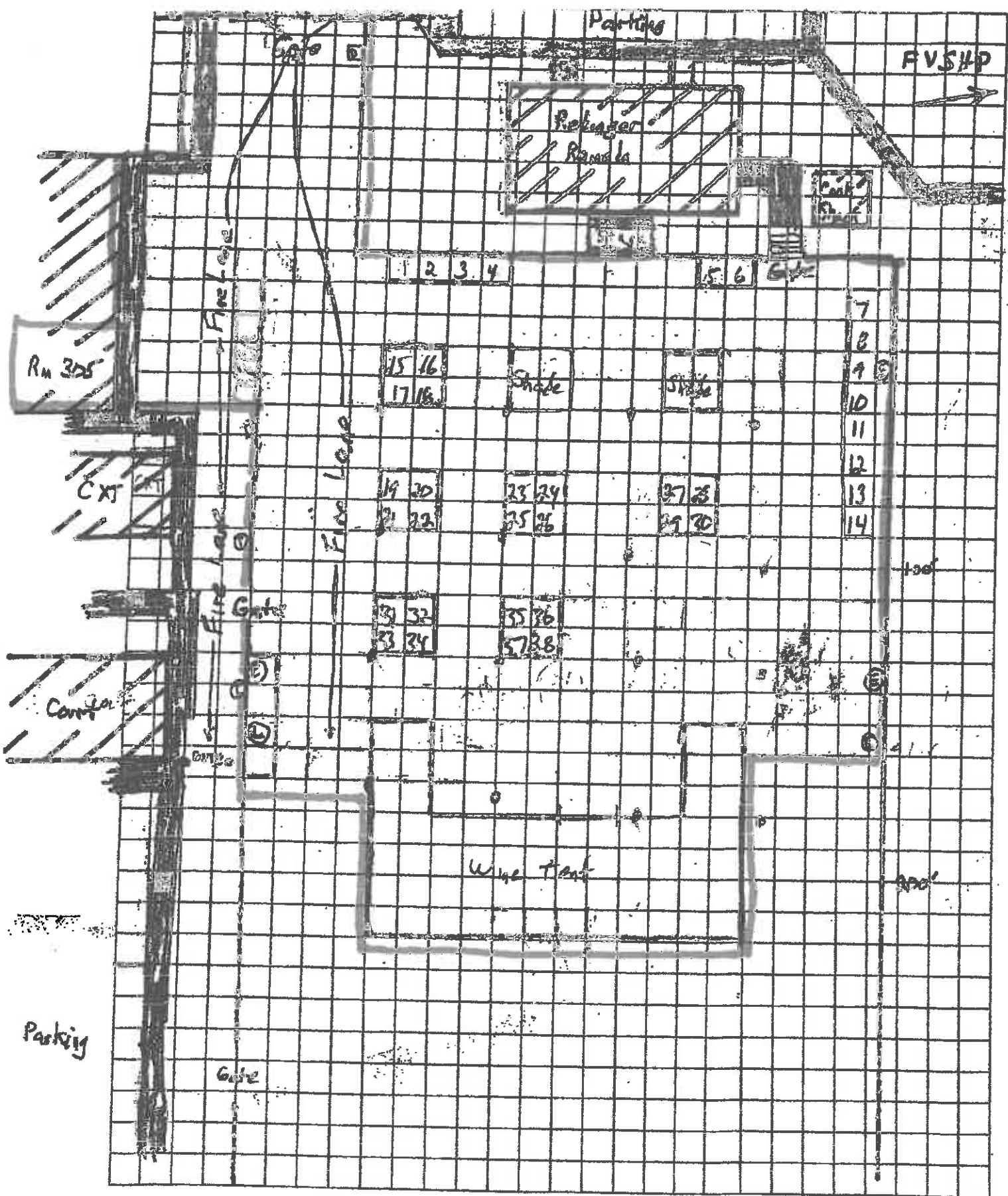
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.





Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLIC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair

Craft Distillery/Wine Festival

- Individual/Agent's Name: Paula Teer Woolsey Liquor License #: 13133045
- Business name: Southwest Wine Center Contact Phone #: 928-593-9694
Farm Winery or Craft Distillery
- Mailing address: PO Box 2564 Cottonwood AZ 86326
Street Address City State Zip Code
- Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
- Email Address: pwoolsey@instructor.yc.edu
- Will this event be held on a currently licensed premise and within the already approved premises? Yes No
 If yes, please provide the License # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.				
4.				
5.				
6.				
7.				

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928- 554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov

SECTION 4 To complete this application, all questions must be answered:

1. Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
2. Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
3. List the number of days you have held a licensed Fair/Festival in the current calendar year 3
4. What security and control measures will you take to prevent violations of state liquor laws at this event?
Number of Police Officers on Site: _____ Fencing Yes No
Number of Security Personnel on Site: _____ Barriers Yes No
5. I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.



I, (Print Full Name) Paula Teer Woolsey hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: Paula Teer Woolsey

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____	_____	recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
(Government Official)	(Title)			
on behalf of _____	_____	_____	_____	_____
(City, Town, County, State)	Signature	Date	Phone #	

DLLC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

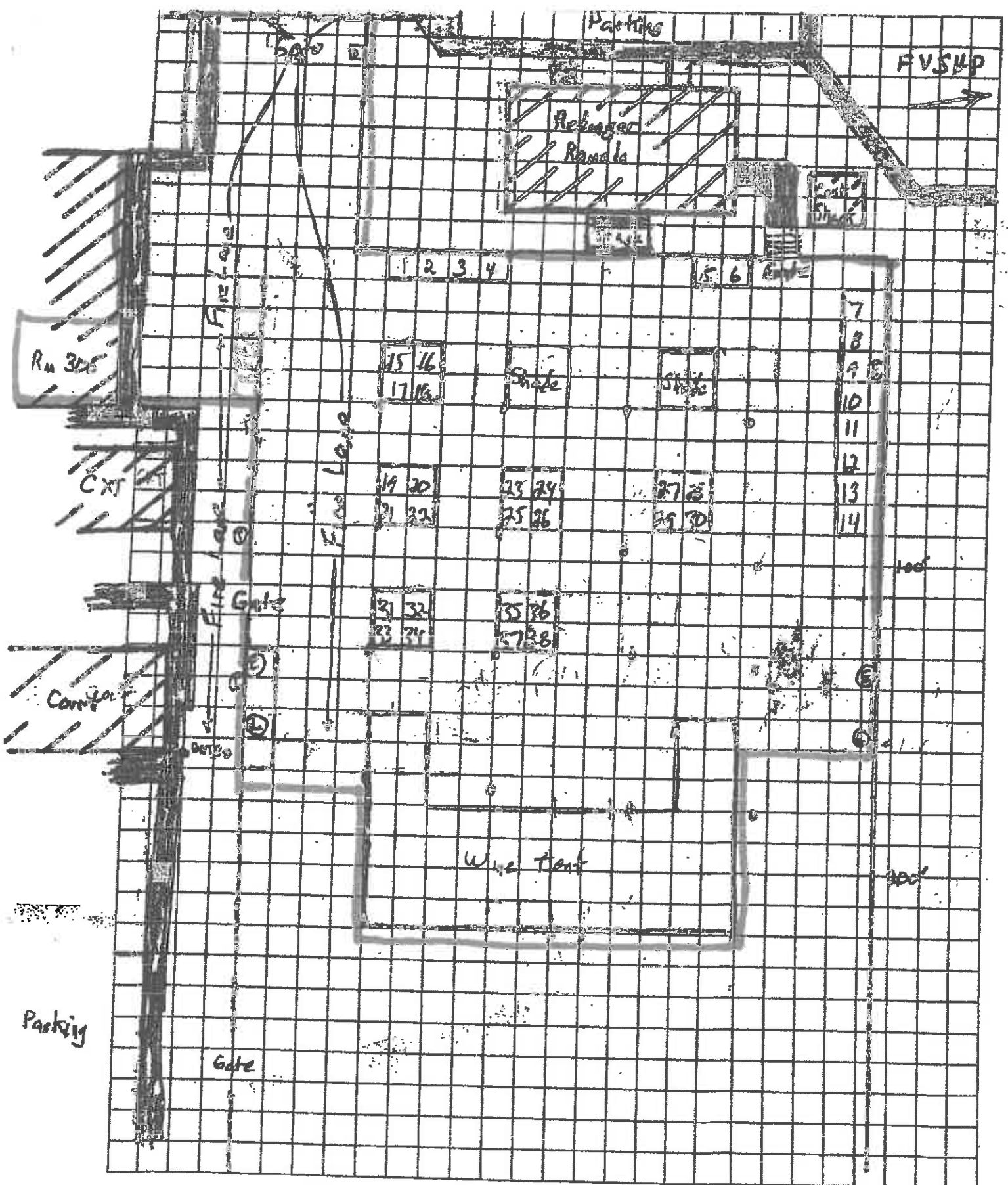
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx 10'





Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLIC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery Fee: \$15.00 per Day

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair

Craft Distillery/Wine Festival

- Individual/Agent's Name: David Ray Baird Liquor License #: 13133056
- Business name: The Oddity Wine Collective, LLC Contact Phone #: 928-592-2804
Farm Winery or Craft Distillery
- Mailing address: Po Box 643 Chandler AZ 86329
Street Address City State Zip Code
- Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
- Email Address: David@theodditywinecollective.com
- Will this event be held on a currently licensed premise and within the already approved premises? Yes No
 If yes, please provide the License # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.				
4.				
5.				
6.				
7.				

Please attach an additional sheet if necessary

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____	_____	recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
(Government Official)	(Title)			
on behalf of _____	_____	_____	_____	_____
(City, Town, County, State)	Signature	Date	Phone #	

DLLC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

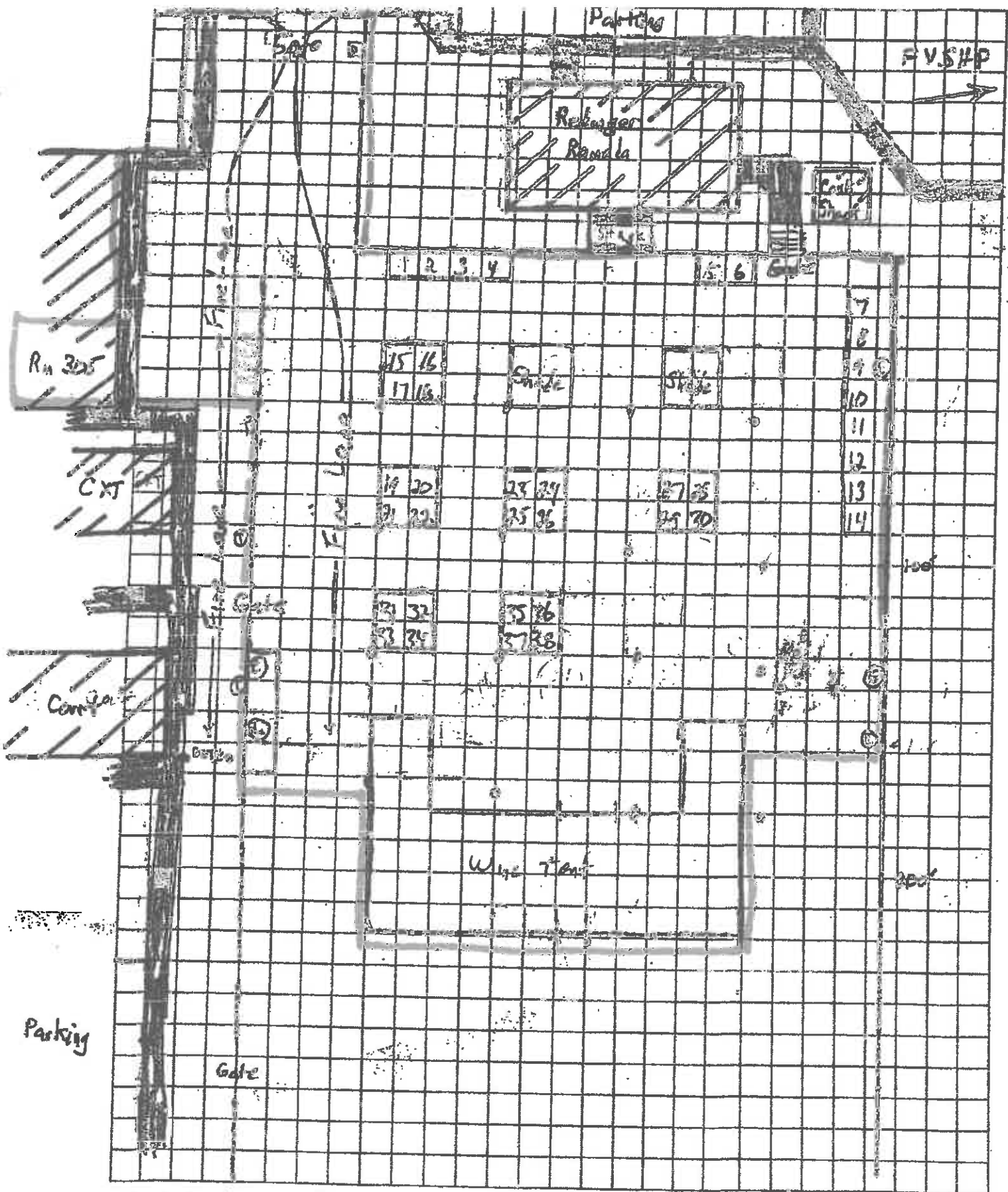
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx 10'





Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLIC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair

Craft Distillery/Wine Festival

- Individual/Agent's Name: Dan C Pierce Liquor License #: 013130002102
- Business name: Pierce Wines Arizona LLC Contact Phone #: 602-320-1722
Farm Winery or Craft Distillery
- Mailing address: 5133 E Kathleen Rd Scottsdale AZ 85254
Street Address City State Zip Code
- Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
- Email Address: dan@bodegapierce.com
- Will this event be held on a currently licensed premise and within the already approved premises? Yes No
 If yes, please provide the License # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	<u>March 21, 2020</u>	<u>Saturday</u>	<u>11:00 AM</u>	<u>7:00 PM</u>
2.	<u>March 22, 2020</u>	<u>Sunday</u>	<u>11:00 AM</u>	<u>4:00</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928- 554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov

SECTION 4 To complete this application, all questions must be answered:

1. Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
2. Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
3. List the number of days you have held a licensed Fair/Festival in the current calendar year 3
4. What security and control measures will you take to prevent violations of state liquor laws at this event?
Number of Police Officers on Site: _____ Fencing Yes No
Number of Security Personnel on Site: _____ Barriers Yes No
5. I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.

ATTACH DIAGRAM

I, (Print Full Name) Dan C Pierce hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: 

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____	_____	recommend	<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL
(Government Official)	(Title)			
on behalf of _____	_____	_____	_____	_____
(City, Town, County, State)	Signature	Date	Phone #	

DLLC USE ONLY

<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
-----------------------------------	--------------------------------------	-----------	-------------

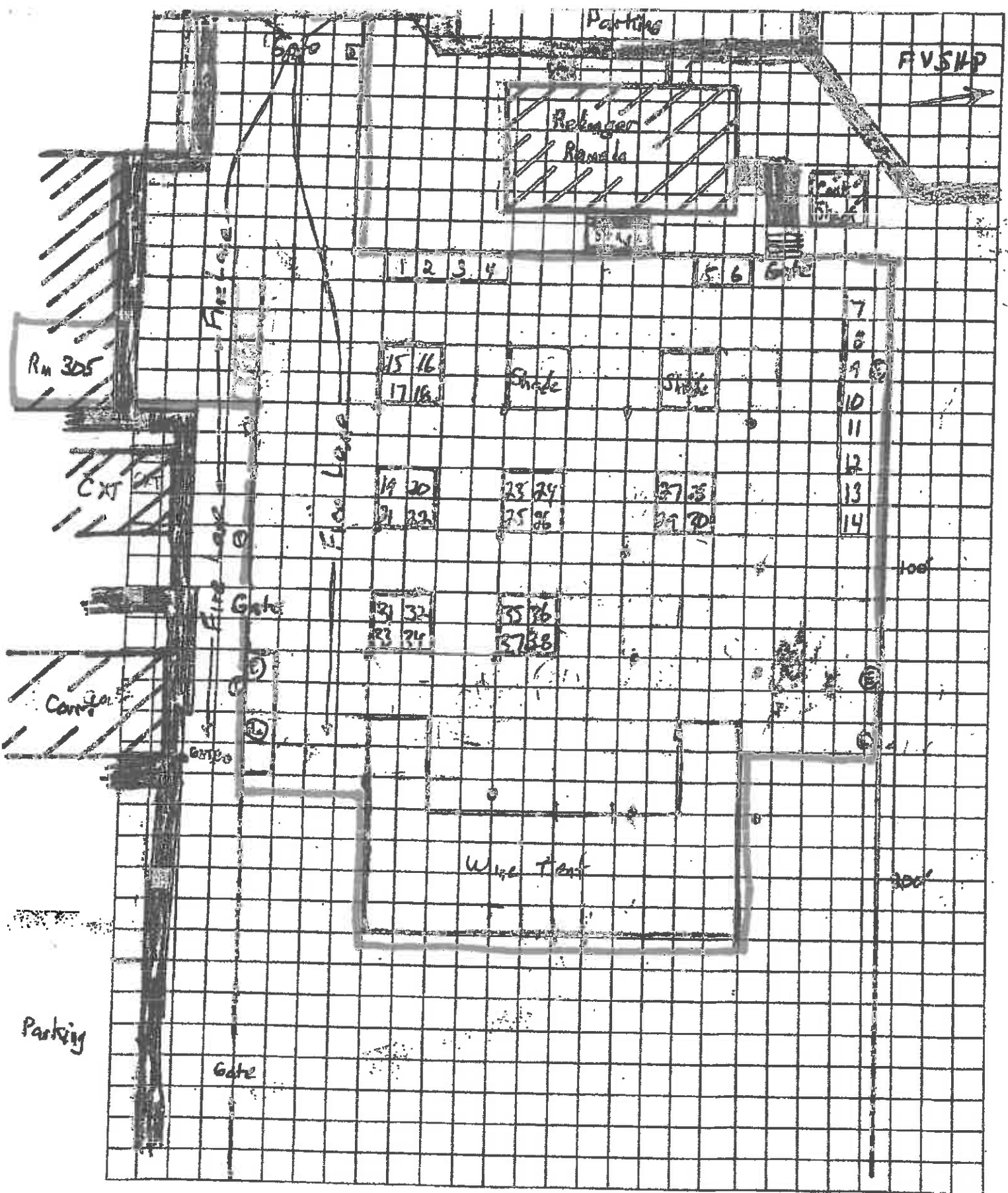
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx 10'





Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

FOR DLLC USE ONLY

Received Date:
Job #:
CSR:
License #:

FAIR/FESTIVAL LICENSE APPLICATION
 A.R.S. § 4-205.11 Craft Distillery A.R.S. § 4-203.02 at Special Event
 A.R.S. § 4-203.03 Farm Winery **Fee: \$15.00 per Day**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. 44-6852).

If the fair/festival event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see page 3). When the days of the fair/festival are not consecutive, a separate license for each uninterrupted period is needed.

SECTION 1 Application type:

Craft Distillery/Wine Fair Craft Distillery/Wine Festival

- Individual/Agent's Name: Gravin Richard Gallifant Liquor License #: 13073018
- Business name: Gallifant Cellars LLC Contact Phone #: 623-242-0340
Farm Winery or Craft Distillery
- Mailing address: 9299 w. Olive Ave Peoria AZ 85345
Street Address City State Zip Code
- Location of fair/festival: 75 E Hollamon St Camp Verde Yavapai 86322
Street address City County Zip Code
- Email Address: info@winery101.com
- Will this event be held on a currently licensed premise and within the already approved premises? Yes No
If yes, please provide the license # _____

SECTION 2 Date & Hours:

Fair/Festival Days permitted: A total of 150 days per Craft Distillery/Farm Winery per calendar year.

	Date	Day of Week	Start Time AM/PM	End Time AM/PM
1.	March 21, 2020	Saturday	11:00 AM	7:00 PM
2.	March 22, 2020	Sunday	11:00 AM	4:00
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____

Please attach an additional sheet if necessary

SECTION 3 Controlling Person of Location:
(Person authorizing use of location)

1. Name: Michael Marshall Daytime Contact Phone #: 928- 554-0828
First Last

2. Mailing address: 395 S. Main St. Camp Verde AZ 86322
Street address City State Zip Code

3. Email Address: michael.marshall@campverdeaz.gov

SECTION 4 To complete this application, all questions must be answered:

- Have you received permission for use of the site for the sale/consumption of liquor from the owner named in Section 3?
 Yes (Please submit letter from Agent/Owner of Site) No
- Will the liquor you sell/serve be manufactured/produced products of your licensed premises named in Section One?
 Yes No
- List the number of days you have held a licensed Fair/Festival in the current calendar year 4
- What security and control measures will you take to prevent violations of state liquor laws at this event?
Number of Police Officers on Site: _____ Fencing Yes No
Number of Security Personnel on Site: _____ Barriers Yes No
- I have taken responsible steps to ensure individuals operating the fair/festival licensed premises and employees who serve, sell, or furnish liquor at this fair/festival have knowledge of Arizona liquor laws (R19-1-302) Yes No

SECTION 5 Licensed premises diagram. The licensed premises for your fair/festival is the area you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license identified in Section 1, line #2 of this application. Please attach a diagram of your special event licensed premise. Please include dimensions of the premises, serving areas, fencing, barricades, or other control measures and security positions.

ATTACH DIAGRAM

I, (Print Full Name) Gavin Gallifant hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: [Signature]

The local governing body (city, town or municipality where the fair/festival will take place) may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted.

GOVERNING BOARD

I, _____ <small>(Government Official)</small>	_____ recommend <input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL <small>(Title)</small>		
on behalf of _____ <small>(City, Town, County, State)</small>	_____	_____	_____
	<small>Signature</small>	<small>Date</small>	<small>Phone #</small>

DLIC USE ONLY

<input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL	BY: _____	DATE: _____
--	-----------	-------------

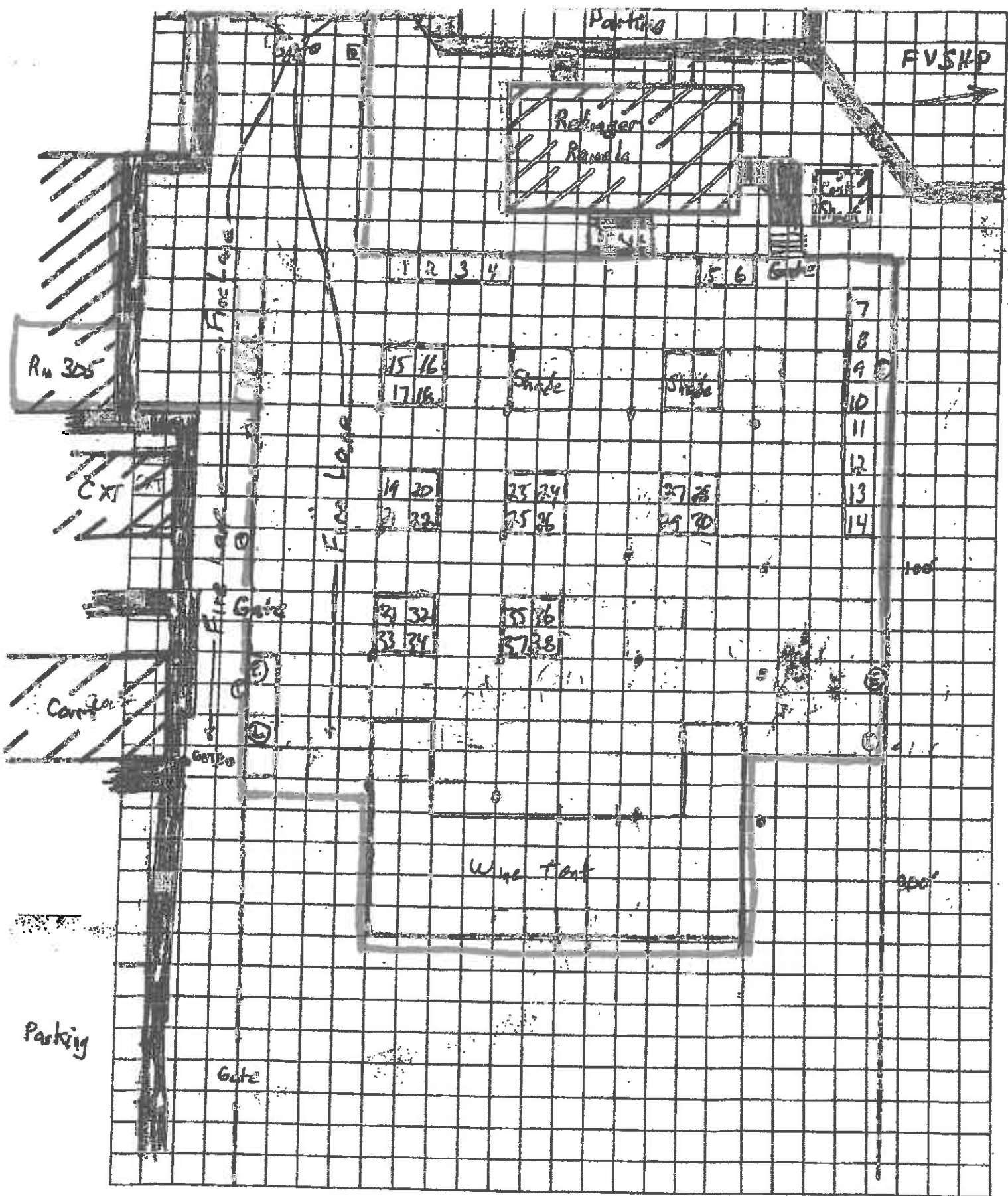
A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



Calendar By: WaterproofPaper.com

More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)

1 Square = Approx 10'



[Page intentionally left blank]

Agenda Item 6



Town of Camp Verde

Meeting Date: March 4, 2020

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

Requesting Department: Administration

Staff Resource/Contact Person: Russ Martin

Agenda Title (be exact): Presentation and discussion on the Camp Verde Arena Association and an update on the progress made.

List Attached Documents:

Estimated Presentation Time: 15 minutes

Estimated Discussion Time: 10 minutes

Reviews Completed by:

- Department Head:** Russ Martin
 Town Attorney Comments: N/A
 Finance Department: N/A

Background Information: The Arena Association will be at the meeting to present what progress they have made since the last time they provided an update. The current remaining balance of the \$380,000.

Recommended Action (Motion):

No action necessary.

Arena Expense Tracking (Town)

Date	Item	Cost
1/10/2019	Arena Panels Intial Payment	\$8,165.36
2/19/2019	Arena Panels Final Payment	\$35,111.44
3/4/2019	Arena NOI	\$350.00
3/5/2019	CVAA Initial Year Insurance	\$928.80
3/18/2019	Geotech Services	\$1,500.00
5/14/2019	Economic Impact Study	\$5,500.00
6/19/2019	Lights Initial Payment	\$40,000.00
6/24/2019	Well Permit	\$150.00
7/31/2019	Silt Fence for Construction	\$541.71
9/24/2019	Lights Final Payment	\$33,152.00
10/1/2019	Arena Engineering	\$11,145.00
10/22/2019	Culverts	\$19,225.30
11/25/2019	Legal Description	<u>\$500.00</u>
		\$156,269.61
	Intitial Council Amount	\$80,000.00
	End of 2018/19 Budget Approval	\$50,000.00
	2019/20 Budget Approval	<u>\$250,000.00</u> (up to)
		\$380,000.00
	Remaining on 1/1/2020	\$223,730.39
	Invoices for Dirt Work	
	McDonald Bros. 10/25/2019	\$125,193.15
	<u>McDonald Bros. 11/12/2019</u>	<u>\$67,100.57</u>
	Total Dirt Work Invoices	\$192,293.72
	Remaining Balance after 10/11 Invoices	\$31,436.67



Agenda Item Submission Form – Section I

Meeting Date: March 4, 2020

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

Requesting Department: Mayor Charles German of the Town Council

Staff Resource/Contact Person: Mayor Charles German

Agenda Title (be exact): Possible Approval of Citizen Complaint C-20-16 regarding Steve Goetting’s Allegations against Town Manager Russ Martin

List Attached Documents: Investigation Results, Attachment 1 and Attachment 2

Estimated Presentation Time: Consent

Estimated Discussion Time: Consent

Reviews Completed by:

- Department Head:** **Town Attorney Comments:** I acknowledge and agree that the Mayor, acting as the Department Head, has investigated and produced a report that I concur with.

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: None

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

Comments:

Background Information: Steve Goetting believed Russ Martin, Town Manager violated open meeting law by discussing details publicly of the contract bids for the construction of the new park on February 6th 2020 and February 10, 2020. It was further alleged that the bid documents were not included in the agenda packet for the meeting on Wednesday February 12, 2020.

Recommended Action (Motion): Move to approve the investigation results as written.

Instructions to the Clerk: N/A



**TOWN OF CAMP VERDE
CITIZEN COMPLAINT FORM**
473 S. Main Street, Suite 102 – Camp Verde, AZ
928-554-0023

FOR OFFICE USE ONLY	
Complaint #	<u>C-26-16</u>
Received By	<u>D. Jones</u>
Date	<u>2-18-2020</u>
Forwarded To	<u>council</u>
Notified Council	<u>02-19-2020</u>
Review Deadline	<u>3-10-2020</u> (10 working days)

The Town of Camp Verde has initiated a policy for receiving citizen complaints to ensure a fair review of concerns of the public regarding policy, procedures, ordinances, codes, personnel, and/or similar issues.

- The following two types of complaints are addressed below:
1. Issues related to specific department(s) or employee(s):
 2. Complaints against Elected Officials

SECTION ONE: COMPLAINTS RELATED TO SPECIFIC DEPARTMENT(S) OR EMPLOYEE(S):

STEP #1: When to File a Formal Complaint: Prior to filing a Complaint in writing, please notify the Department Head of the issue. The Department Head shall supply a response to your Complaint. If you are not satisfied with the response, you may proceed to the next step by filing a Formal Written Complaint. Additionally, please check the appropriate box below affirming or denying if you have attempted to resolve the Complaint with the appropriate department.

Have you attempted to resolve your Complaint with the appropriate Department Head? Yes No

STEP #2: How to File a Formal Complaint:

Complete the written Complaint form following the instructions listed below. Complaint Forms are on file in the Clerk's Office at 473 S. Main, Ste. 102 or you can download a blank copy online at <http://www.campverde.az.gov/government/town-clerk/forms/>.

The Complaint must state specific dates, facts, and other pertinent information. Attach any relevant documents supporting the claim. Witness statements attached to the Complaint must be signed and dated by the witness. Electronic signatures are not accepted. The Complaint cannot be amended and the Clerk's Office cannot accept additional information related to the Complaint once it has been submitted.

Sign and date the written Complaint form and mail or hand-deliver to the Clerk's Office. **Electronic signatures, phone calls, emails, faxes or other forms of telecommunication cannot be accepted.**

TYPE OF COMPLAINT

Personnel: Complaints against town employees/volunteers are limited to their job performance or qualifications and shall be directed to the human resources (hr) department for evaluation.

NOTE: Town elected officials are not considered 'town personnel' and complaints concerning town elected officials are governed by Section Two below.

<input checked="" type="checkbox"/>	Personnel	Name of Employee: <u>Ross Martin</u>
<input type="checkbox"/>	Non-Personnel	Department: <u>Town Manager</u>
<input type="checkbox"/>	Zoning	Location: _____ Parcel#: _____
<input type="checkbox"/>	Other	Be Specific: <u>Town Hall</u>

What to expect:

1. **RECEIVING COMPLAINT:** Upon receipt of a written Complaint, the Town Clerk shall:

to an independent reviewing authority such as a city or town attorney from another jurisdiction or an attorney from the office of the County Attorney.

3. **COMPLAINT BRIEFING:** The Town Manager shall orally brief all Council members concerning the general nature of the Complaint and the anticipated procedure for handling the Complaint within 10 days from the filing date.
4. **FINAL RESPONSE:** The persons conducting the investigation into the Complaint must file the Response to the Complaint no later than 30 days from the date of filing. In the event additional time to file the Response is required, the Complainant and Town Council shall be provided with monthly updates informing the Complainant and Town Council of the reason(s) for the delayed Response. Upon filing the final Response or resolution of the Complaint, the Town Council shall be notified by e-mail. In the event a final resolution is not reached, the Town Council shall also be notified by e-mail.

Name: Stephen Goettig Mailing Address: 724 N. Industrial Dr
Unit 7A Camp Verde
 Physical Address: 250 S. Anapaya
Camp Verde Telephone #: 520-500-7269

State the details of your Complaint or information. Use the reverse side if necessary. If you have any relevant documents, please attach photo copies only. **DO NOT ATTACH ORIGINAL DOCUMENTS.**

SEE ATTACHED

The information presented in this complaint form is true, correct and complete to the best of my knowledge. Furthermore, I acknowledge that I have read and understand the procedures. A complaint is a public record and by law we must provide the name of the complainant.

X [Signature]
Signature

X 2/12/2020
Date

For Office Use Only			
<input type="checkbox"/>	Copy to Manager _____	Date _____	Council Notified _____
<input type="checkbox"/>	Sent to Department head for review _____	Date _____	Review Deadline _____
<input type="checkbox"/>	Action Taken _____	Date _____	Date (10 working days)
<input type="checkbox"/>	Manager Review (if applicable) _____	Date (if applicable) _____	Review Deadline _____
Date (if applicable) _____			
RELEVANT DEPARTMENT			
<input type="checkbox"/>	Administration	<input type="checkbox"/>	Building
<input type="checkbox"/>	Parks & Recreation	<input type="checkbox"/>	Maintenance
<input type="checkbox"/>	Community Development	<input type="checkbox"/>	Marshal's Office
<input type="checkbox"/>	Commission: _____	<input type="checkbox"/>	Clerk's Office
		<input type="checkbox"/>	Library
		<input type="checkbox"/>	Magistrate Court
		<input type="checkbox"/>	Public Works

Complaint- Town Manager- 2/12/20

I believe Mr. Martin, Town Manager, Town of Camp Verde has violated open meeting laws by discussing publicly the details of the contract bids for the construction of the new park.

Mr. Martin is quoted in the JournalAZ.com article dated February 6, 2020 and the Verdenews.com article dated February 10, 2020 provided details has to bidders and amounts of the bids. He is quoted as saying they are "favorable" and revealing the name of the supposed low bidder.

The bid documents have not been included in the agenda packet for the meeting on Wednesday February 12, 2020.

Stephen Goetting

520-500-7269



(/)

Around \$7 million in bonds were approved for the Camp Verde Sports Complex in November 2016.

At the time, the Camp Verde Town Manager Russ Martin said that he hoped that construction would be completed enough to open the park for spring or summer 2019.

In the time since, the park project has faced repeated delays, including a lawsuit from neighbors in spring of 2018.

Construction was then expected to begin in spring 2019, with the park planned to be opened in the coming fall, but when the town opened up the bidding process for park construction, no contractor offered a price low enough for the town's budget. The Camp Verde Town Council voted to reject all bids and open up the bidding process again this winter, with the hope of the park opening in fall 2020.

This round of bidding had its deadline on Jan. 15, and according to Martin, the town this time got what it wanted, receiving seven bids more within the price range for construction that the town had hoped for.

"The lowest bid was about \$3 million, and that's about what we have left," Martin said. "We're looking to lower that one, so that we have more money to take on more issues."

Martin plans to have the Town Council discuss the bids at a work session on Feb. 12, in order to decide how to move forward. According to Martin, though the initial bid falls within the budget expected by the town, he expects there will be discussions on what specific features to prioritize — such as landscaping, water drainage or parking — which may mean paying less to the contractor for the main park project but paying separate vendors for the other features.

"[We will] put all those on top of the bid, even revised downward on some of the scope, so that we can sit down and go, 'Okay, maybe it's \$2.5 million that we award on that particular bid,'" Martin said. "What do we have left? Do we need to put more money into it? If so, where does that come from? What's council's opinion on priorities? That kind of thing. So that will all happen at the Feb. 12 work session."

Though the decisions on these specifics will be left up to council to finalize at the work session, Martin said that town staff would recommend to the council that they accept some form of one of the bids submitted by the contractors in order to allow construction to begin soon.

"I'm confident that we'll be constructing the project within a month or so," Martin said. "I just don't see why we wouldn't, unless there's some other delay for other reasons that council sees as necessary."

The bids being discussed refer only to the first phase of the park, allowing it to be usable with many of its basic features and fields, with additional park features expected to come at a later date with another round of funding.

Comments Community Login

Recommend Tweet Share Sort by Best

Start the discussion...

LOG IN WITH OR SIGN UP WITH DISQUS

Name

Be the first to comment.

Subscribe Add Disqus to your site

[back to top](#)

NEXT ARTICLE

[Camp Verde mulls special tax district for sewer improvements \(/news/camp-verde/56058-camp-verde-mulls-special-tax-district-for-sewer-improvements.html\)](/news/camp-verde/56058-camp-verde-mulls-special-tax-district-for-sewer-improvements.html)

CLASSIFIEDS (/COTTONWOOD-VERDE-CLASSIFIEDS-JOBS-FOR-SALE-HOMES-SERVICES.HTML)

Camp verde gets favorable bids for Sports Complex

JON HECHT / 06 FEBRUARY 2020



(/news/camp-verde/56142-camp-verde-gets-favorable-bids-for-sports-complex.html)

NEXT ARTICLE

Camp Verde mulls special tax district for sewer improvements (/news/camp-verde/56058-camp-verde-mulls-special-tax-district-for-sewer-improvements.html)



By Bill Helm | [Twitter](#) BillHelm42

Originally Published: February 10, 2020 1:55 p.m.

Share

Twitter



CAMP VERDE – At \$2,988,950, Tierra Verde Builders came in as the low bid on Phase 1B of the Camp Verde Sports Complex, Town Manager Russ Martin said Monday.

At its Wednesday, Feb. 19 regular meeting, council is expected to award the base bid for Phase 1B of its 100-plus acre sports complex, Martin said.

But council will consider the complex's future construction and phases Wednesday in a work session, as well as results of the most recent bid, as well as "additional necessary work that has to be completed in order to operate and maintain the park," Public Works Director Ron Long said.

Council will meet at 5:30 p.m. Wednesday, Feb. 12 in council chambers, 473 S. Main St., Suite 106.

"I suspect that most of the discussion will be on finding a way to fund the park," Long said. "Do we seek additional funding? Or do we sit down with the contractor and find a way, by reducing the scope of work, to save enough money on the base bid to add an alternate?"

According to Long, the town's current budget for the park's Phase 1B is approximately \$3.1 million.

Bids were due for Phase 1B on Jan. 15. At that time, six bids came in to the Town of Camp Verde. The base bid includes two football/soccer fields and one baseball/softball field. But the base bid, Long said, also has alternatives.

One alternative would add another baseball/softball field, which would cost \$723,725. The second alternate would be the construction of a multi-purpose field, which Long said would cost \$317,997.

"There are other needs at the park besides the items that were bid, such as the need for a maintenance facility and restrooms which may be discussed," Long said.

Martin also said that a water line, parking lots, lights, landscaping and kids areas could be discussed Wednesday.

Phase 1A was completed in 2018 and included a rough grade of the site, as well as drainage and storm water needs, installation of sewer, water and irrigation lines, roads, gates and parking.

Camp Verde Sports Complex is located east of the Verde Ranger Station on SR 260.

Council's agenda is available at cvaz.org. For more information, contact the Town of Camp Verde at 928-554-0023.

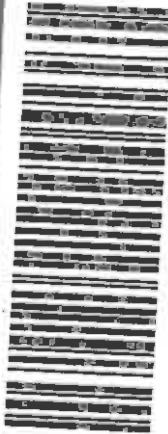
-- Follow Bill Helm on Twitter @AZShutterbug42

Sign up for our e-News Alerts

Steve Coathin
724 N. Industrial Dr
Vest 7A
Camp Verde, AZ 86322

[Handwritten signature]

CERTIFIED MAIL



7019 0140 0001 0113 8071

NEOPOST
02/12/2020
FIRST-CLASS MAIL
US POSTAGE \$004.25
ZIP 85719
041M11293935

Town of Camp Verde
Citizen Complaint
473 S. Main St.
Suite 102
Camp Verde, AZ 86322

February 26, 2020

Attn: Steve Goetting
724 N. Industrial Drive Unit 7A
Camp Verde, AZ 86322

This letter summarizes the results of the Citizen Complaint form C-20-16 and investigation into your allegations that Manager, Mr. Russ Martin violated Open Meeting Law by publicly discussing details of the contract bids for the construction of the new park and made comments on bidders and the amount of bids to the media on February 6, 2020 and February 10, 2020. In addition, by claiming the bid documents were not included in the agenda packet for the meeting on Wednesday February 12, 2020.

After investigating, it has been determined that no violation has occurred. The Town of Camp Verde Sports Complex Phase IB-REBID Project #19-139 was announced on January 15, 2020 at 3:00 p.m. The bidding firms and total bid amounts were identified in a public setting. The Town Clerk's office posted the bids on January 24, 2020 at 9:00 a.m. Therefore, any subsequent discussion related to the amounts or who placed a lower bid was public knowledge on the dates that Mr. Martin mentioned it to the media. (See Attachment one (1)).

With regard to allegations that the bid documents were not included in the February 12, 2020 Town Council Work session packet. Please be advised, documents were included at the Work Session (See Attachment two (2)), and were provided to all attendees including the public, the news media and remained compliant with Open Meeting Law requirements.

Thank you,

Charles German
Mayor of Town of Camp Verde

cc: Attorney Bill Sims
cc: Town Council Members



Town of Camp Verde

Gateway to the Verde Valley

Public Works Department

◆ 395 S. Main Street ◆ Camp Verde, Arizona 86322 ◆

◆ Telephone: 928.554.0820 ◆ Fax: 928.567.1540 ◆

◆ www.campverde.az.gov ◆

Town of Camp Verde Sports Complex Phase IB-REBID PROJECT # 19-139

Bid: January 15, 2020 3:00 P.M

<u>Bidding Firm</u>	<u>Total Bid</u>
Redden Construction	4,532,663 ⁸⁵
Tierra Verde Builders	2,988,950 ⁰⁰
Doege Development	3,271,939 ⁰⁰
Kinny Construction	3,568,328 ⁰⁰
Bayley Construction	3,225,528 ³⁷
Edge Construction	4,030,187 ³⁴

POSTED BY *V Jones*

DATE/TIME: 01-24-2020 9:00 a.m



Handicap Relay: 711 or Voice: 1-800-842-4681 TTD: 1-800-367-8939



TOWN OF CAMP VERDE

Public Works Department



January 15, 2020 Bid Results; Phase 1B Bid # 2,

Bidder	Base Bid	Alternate 1	Alternate 2	Total Bid
Tierra Verde Construction	\$2,988,950	\$723,725	\$317,997.90	\$4,030,672.90
Bayley Construction	\$3,225,528.37	\$779,237.40	\$409,415.09	\$4,414,180.86
Doege Development	\$3,271,939	\$517,766	\$379,710.97	\$4,169,415.97
Kinney Construction	\$3,568,328	\$796,938	\$405,568	\$4,770,834
Edge Construction, LLC	4,030,187.34	\$980,542.24	\$401,288.14	\$5,412,017.72
Redden Construction	\$4,532,663.85	\$1,117,331.61	\$484,084.05	\$6,134,079.51

Base Bid + Alternate 1

Bidder	Base Bid	Alternate 1	Total
Tierra Verde Construction	\$2,988,950	\$723,725	\$3,712,675
Bayley Construction	\$3,225,528.37	\$779,237.40	\$4,004,765.77
Doege Development	\$3,271,939	\$517,766	\$3,789,705
Kinney Construction	\$3,568,328	\$796,938	\$4,365,266
Edge Construction, LLC	4,030,187.34	\$980,542.24	\$5,010,729.58
Redden Construction	\$4,532,663.85	\$1,117,331.61	\$5,649,995.46

The current available funding for Phase 1B is approximately \$3.1 million which is only enough funding for the Base bid. Therefore we either provide additional funding or we need to "Value Engineer" (VE) the base bid and alternates by reducing the scope of work.

The following is a brief description of what is included in the base bid, the alternatives, and the necessary components for the operation and maintenance of the Sports Complex with a cost for each. The costs given, with the exception of the bid items, are estimated costs in today's market for what it would cost to hire contractors to complete the work without value engineering.

Base Bid and Alternates for the Sports Complex

Base Bid; 2-Football/Soccer Fields & 1-Baseball Softball Field (\$2,988,950)

Provides 3 sports fields; 2-Football/Soccer Fields with under drainage, Irrigation & controls, installation of the lighting system, goal posts, & score boards; and 1-Baseball/Softball Field with under drainage, Irrigation, Fencing, back stop, dugouts, installation of the lighting system, & score board.

Alternate 1; 1- Baseball/Softball Field (\$723,725)

Adds an additional sports field; 1-Baseball/Softball Field with under drainage, Irrigation, Fencing, back stop, dugouts, installation of the lighting system, & score board.

Alternate 2; Multi-Use Field (\$317,997.90)

Adds an approximate 4.5 acre multi-use grass field with irrigation & electrical outlets for events.

Total Cost of the Base bid plus Alternates; \$4,030,672.90

Components Necessary for the Operation and Maintenance of the Sports Complex

- 1. Underground APS Secondary Electrical Service & Fiber Optic Lines (\$175,000)**
Install 3,680 feet of APS Service and Fiber Optic lines.
- 2. Field Lighting (\$787,500)**
Musco Brand field lighting and controls; can be purchased utilizing Musco financing or purchased out right to forgo the financing costs.
- 3. Irrigation Water Supply (\$961,482)**
Connects the Park to the Waste Water treatment Plant (WWTP). Includes 10-million gallon reservoir, 2-pump stations, sewer main from the park to the WWTP, irrigation water main from the reservoir to the Park, water supply main from the WWTP to the reservoir that includes a fire hydrant for the WWTP, and an over flow line from the reservoir to the Duck Ponds.

4. Maintenance Facility (\$435,000)

Includes a 5,000 square foot maintenance facility with; offices, wood shop, maintenance garage, breakroom, restrooms, and storage. Also included is; the utilities, a millings surface parking lot & equipment yard, lighting, and a perimeter security fence.

5. Waste Water Lift Station (\$120,000)

10,000 gallon septic tank, grinder pump, controls, & connection.

6. Potable Water Well (\$25,000)

Potable water well, well house, pressure tank, controls, supply lines, & connections

7. Field Maintenance Equipment (\$125,000)

Mowers, weed eaters, crew RTV, ditch witch, ladders, power washer, miscellaneous field maintenance tools, shop equipment, & office furniture.

8. Temporary Portable Restroom Facility (\$65,000)

Portable restroom trailer that provides 2 handicap accessible restrooms with flushing toilets and wash sinks. Designed to be temporarily hooked up to utilities or be self-contained. Note; this facility could be used for events in the future once a restroom facility was constructed at the complex.

9. Millings Surfaced Parking Lot (\$15,000)

Install 400' X 200' Asphalt Millings surface parking lot.

Estimated Total Cost of the Necessary Components; \$2,708,982

The total cost of the base bid plus the Alternates is (\$4,030,672.90) plus the estimated cost of the necessary components (\$2,708,982) is \$6,739,654.90 which is \$3,639,654.90 over our current available funding.

In order to get the costs down to an amount that is as low as possible and that would also permit the basic operation and maintenance of the fields constructed within the Base Bid we will need to consider Value Engineering options.

Option 1; Value Engineer Base Bid & Necessary Components to Stay Within Current Budget

Reduce the Scope of the Base Bid

1. Remove the Sand and Underdrains from the fields. Replace those items with a sand/topsoil mix graded to surface drain with perimeter storm drains. (Approximate Savings; **\$150,000**)
2. Remove the Water Fountain. (Approximate Savings; **\$5,000**)
3. Remove the Score Boards. (Approximate Savings; **\$45,000**)
4. Remove the DG Pathway. (Approximate Savings; **\$70,000**)
5. Remove Concrete Curb under fences. (Approximate Savings; **\$10,000**)
6. Re-engineer backstop foundation. (Approximate Savings; **\$10,000**)
7. Redesign Dugouts. (Approximate Savings; **\$20,000**)

Total Base Bid Approximate Savings; \$310,000

To stay within budget we would need to perform as much work as possible with Town forces and volunteers, delay the construction of the maintenance building, finance the lighting and/or hold on lighting all of the fields, on purchase the critical maintenance equipment, and rent "porta-johns".

Construct the APS Service and Fiber Optic Service Lines with Town forces.

- Constructing the APS & Fiber Optic service lines with Town forces would cut the cost nearly in half. (Approximate Reduced Cost **\$85,500**)

Purchase the Musco Field Lighting for the Baseball/Softball Fields Only

- Purchase the lighting with the Musco financing option. Payment would depend on which payment option is taken and how many fields are lighted. See attached Musco Lease Purchase Option. (Approximate Reduced Cost this year; **\$112,500**)

Construct the Reclaim Water Supply with Town forces.

- Constructing the Reclaimed Water Supply with Town forces would cut the cost nearly in half. (Approximate Reduced Cost **\$456,670.50**)
- Or; construct a temporary Reclaimed Water Supply line over to the Complex. (Approximate Reduced Cost **\$75,500**)

Delay building the Maintenance Facility until a future Fiscal Year.

- Disassemble and ship the Building to the Complex and store for future FY funding. (Approximate Reduced Cost **\$45,500**)

Delay building the Waste Water Lift Station and Potable Water Well until a future Fiscal Year.

- Without the building there would be no immediate need for water and wastewater infrastructure. (Approximate Reduced Cost \$0)

Purchase only the Equipment that is required to maintain the Fields until the Maintenance Building is built.

- Hold off on buying all of the maintenance equipment until the maintenance building is built. Grounds has some of the equipment that can be shared with the complex temporarily. (Approximate Reduced Cost \$25,000)

Construct the Millings Surface Parking Lot with Town forces.

- Utilize Town Forces to construct the millings surface parking lot. (Approximate Reduced Cost \$8,000)

Rent 4 – “Porta-Johns” until a Restroom Facility can be built

- Rent 1- Handicap accessible & 3 – Standard “Porta Johns” (Approximate Reduced Cost \$5,000)

Total Approximate Reduced Cost of Necessary Components; \$352,000

Option 2; Provide \$1,500,000 in Additional Funding to Award Base Bid & Alternate 1 with some Value Engineering, a Restroom Facility, & Value Engineered Necessary Components

Base Bid; 2-Football/Soccer Fields & 1-Baseball Softball Field

Provides 3 sports fields; 2-Football/Soccer Fields with under drainage, Irrigation & controls, installation of the lighting system, & goal posts; and 1-Baseball/Softball Field with under drainage, Irrigation, Fencing, back stop, dugouts, & installation of the lighting system (VE Score Boards \$45,000, water fountain \$5,000). (**\$2,938,950**)

Alternate 1; 1- Baseball/Softball Field

Adds an additional sports field; 1-Baseball/Softball Field with under drainage, Irrigation, Fencing, back stop, dugouts, installation of the lighting system, & score board. (VE Score Board \$18,000) (**\$705,725**)

Restroom/Concession Stand Facility

- Design & Construct an 800 – 1000 SF Masonry Restroom/Concession Facility (**\$350,000**)

Construct the APS Service and Fiber Optic Service Lines with Town forces.

- Constructing the APS & Fiber Optic service lines with Town forces would cut the cost nearly in half. (Approximate Cost **\$85,500**)

Purchase the Field Lighting with Musco Financing

- Purchase the Musco lighting for the Baseball Fields only
See attached Musco Lease Purchase Option. (Approximate Cost; **\$446,000**)

Construct the Reclaim Water Supply with Town forces.

- Construct a temporary Reclaimed Water Supply line over to the Complex.
(Approximate Cost **\$75,500**)

Delay building the Maintenance Facility until a future Fiscal Year.

- Disassemble and ship the Building to the Complex and store for future FY funding.
(Approximate Cost **\$45,500**)

Waste Water Lift Station

- Install 10,000 gallon septic tank, grinder pump, controls, & connection.
(Approximate Cost **\$120,000**)

Potable Water Well

- Install Potable water well, well house, pressure tank, controls, supply lines, & connections.
(Approximate Cost (**\$25,000**))

Purchase only the Equipment that is required to maintain the Fields until the Maintenance Building is built.

- Hold off on buying all of the maintenance equipment until the maintenance building is built. Grounds has some of the equipment that can be shared with the complex temporarily. (Approximate Cost **\$25,000**)

Construct the Millings Surface Parking Lot with Town forces.

- Utilize Town Forces to construct the millings surface parking lot.
(Approximate Cost **\$8,000**)

Estimated Total Cost; \$4,825,175



Agenda Item Submission Form – Section I

Meeting Date: March 4, 2020

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

Requesting Department: Mayor Charles German of the Town Council

Staff Resource/Contact Person: Mayor Charles German

Agenda Title (be exact): Discussion and Possible Approval to Suspend the Town of Camp Verde Citizen Complaint form.

List Attached Documents: Citizen Complaint Form

Estimated Presentation Time: 5 Minutes

Estimated Discussion Time: 5 Minutes

Reviews Completed by:

- Department Head: **Town Attorney Comments:** Due to the conflicts between the Form and the Ethics policy: staff would recommend suspending the use of the form immediately

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: None

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

Comments:

Background Information: It was identified that the Citizen's Complaint Form does not have criterion in place to address Commissioners. It has been further identified that the Town Code and Policies, Rules and Procedures supersede any conditions identified or set within the form.

Recommended Action (Motion): Move to suspend the Citizen Complaint Form effective immediately.

Instructions to the Clerk: N/A



**TOWN OF CAMP VERDE
CITIZEN COMPLAINT FORM**
473 S. Main Street, Suite 102 – Camp Verde, AZ
928-554-0023

FOR OFFICE USE ONLY	
Complaint #	_____
Received By	_____
Date	_____
Forwarded To	_____
Notified Council	_____
Review Deadline	_____
	(10 working days)

The Town of Camp Verde has initiated a policy for receiving citizen complaints to ensure a fair review of concerns of the public regarding policy, procedures, ordinances, codes, personnel, and/or similar issues.

The following two types of complaints are addressed below:

1. Issues related to specific department(s) or employee(s):
2. Complaints against Elected Officials

SECTION ONE: COMPLAINTS RELATED TO SPECIFIC DEPARTMENT(S) OR EMPLOYEE(S):

STEP #1: When to File a Formal Complaint: Prior to filing a Complaint in writing, please notify the Department Head of the issue. The Department Head shall supply a response to your Complaint. If you are not satisfied with the response, you may proceed to the next step by filing a Formal Written Complaint. Additionally, please check the appropriate box below affirming or denying if you have attempted to resolve the Complaint with the appropriate department.

Have you attempted to resolve your Complaint with the appropriate Department Head? Yes No

STEP #2: How to File a Formal Complaint:

Complete the written Complaint form following the instructions listed below. Complaint Forms are on file in the Clerk's Office at 473 S. Main, Ste. 102 or you can download a blank copy online at <http://www.campverde.az.gov/government/town-clerk/forms/>.

The Complaint must state specific dates, facts, and other pertinent information. Attach any relevant documents supporting the claim. Witness statements attached to the Complaint must be signed and dated by the witness. Electronic signatures are not accepted. The Complaint cannot be amended and the Clerk's Office cannot accept additional information related to the Complaint once it has been submitted.

Sign and date the written Complaint form and mail or hand-deliver to the Clerk's Office. **Electronic signatures, phone calls, emails, faxes or other forms of telecommunication cannot be accepted.**

TYPE OF COMPLAINT

Personnel: Complaints against town employees/volunteers are limited to their job performance or qualifications and shall be directed to the human resources (hr) department for evaluation.

NOTE: Town elected officials are not considered 'town personnel' and complaints concerning town elected officials are governed by Section Two below.

- Personnel** **Name of Employee:** _____
- Non-Personnel** **Department:** _____
- Zoning** **Location:** _____ **Parcel#:** _____
- Other** **Be Specific:** _____

What to expect:

1. **RECEIVING COMPLAINT:** Upon receipt of a written Complaint, the Town Clerk shall:

- a. Date stamp the Complaint, assign a Complaint Number (e.g. C-09-01) and forward the Complaint by e-mail to the appropriate Department Head and to the Town Manager. The Complainant shall receive a receipt noting the Complaint number, date received, and Department Head designated to file a Response to the Complaint.
 - b. Town Council shall be notified of the Complaint via e-mail with the Complaint #, general description of the Complaint, name of the Complainant and responsible Department Head within 24 hours of the time of filing.
2. **TOWN RESPONSE:** The Department Head shall file a written Response within ten (10) working days after the Complaint has been filed. Failure of the Department Head to provide a written Response within the ten (10) days, or request in writing up to a maximum of 30 days within which to respond, shall be deemed an admission of the allegations in the Complaint. The written Response shall be e-mailed and mailed by the Clerk to the Complainant and a copy shall be filed in the Clerk's Office. A copy of the Response shall be immediately forwarded by the Clerk to the Town Manager. All original Complaints and Responses shall remain on file in the Clerk's Office. Upon final resolution, the Town Council shall be notified by e-mail that the Complaint is closed.
3. **CITIZEN REPLY:** In the event the Response is not satisfactory to the Complainant, the Complainant may file a written Reply with the Clerk referencing the Complaint number within ten (10) working days from the date of the Response. A copy of the Reply shall be immediately forwarded by the Clerk to the Town Manager. Upon receipt of the aforementioned Complaint, Response, and Reply, the Town Manager shall file a written Manager's Response with the Clerk within ten (10) days delivering a copy by email and mail to the Complainant and e-mail to the Department Head. In the event the Town Manager requires an additional 30 days within which to file the Manager's Response, a written request shall be made to the Town Council setting forth the reasons for the delay with a copy provided to the Complainant. In the event the Town Manager's Response does not resolve the Complaint, the matter may be referred to the Town Council, the Town Attorney or an independent reviewing authority such as a city or town attorney from another jurisdiction or an attorney from the office of the County Attorney. All original Complaints, Responses and Replies shall remain on file in the Clerk's Office. Upon final resolution, the Town Council shall be notified by e-mail that the Complaint is closed.

SECTION TWO: COMPLAINTS AGAINST A TOWN ELECTED OFFICIAL(S):

Complete the written complaint form following the instructions listed below. Complaint Forms are on file in the Clerk's Office at 473 S. Main, Ste. 102 or you can download a blank copy online at <http://www.campverde.az.gov/government/town-clerk/forms/>.

The Complaint must state specific dates, facts, and other pertinent information. Attach any relevant documents supporting the claim. Witness statements attached to the Complaint must be signed and dated by the witness. Electronic signatures are not accepted. The Complaint cannot be amended and the Clerk's Office cannot accept additional information related to the Complaint once it has been submitted.

Sign and date the written Complaint form and mail or hand-deliver to the Clerk's Office. **Electronic signatures, phone calls, emails, faxes or other forms of telecommunication cannot be accepted.**

What to expect:

1. **RECEIVING COMPLAINT:** Upon receipt of a written Complaint, the Town Clerk shall:
 - a. Date stamp the Complaint, assign a Complaint Number (e.g. C-09-01) and forward the Complaint by e-mail to the Town Manager. The Complainant shall receive a receipt noting the Complaint number, date received, and the person(s) who will receive the written Complaint pursuant to Section 2 below.
 - b. Town Council shall be notified of the Complaint via e-mail with the Complaint #, general description of the Complaint, name of the Complainant and the Elected Official against whom the Complaint was filed within 24 hours of the time of filing.
2. **REVIEW OF COMPLAINT:** In the event the Complaint is not against both the Mayor and Vice-Mayor, a copy of the Complaint shall be forwarded to the Town Manager, Town Attorney and either the Mayor or Vice-Mayor, whichever elected official is not the subject of the Complaint. If the Complaint involves both the Mayor and the Vice-Mayor, the Complaint will only be forwarded to the Town Manager and the Town Attorney. The persons receiving a copy of the Complaint will forward a copy of the Complaint to the Elected Official who is the subject of the Complaint and will meet to decide: (i) to act directly on the Complaint pursuant to Section 15.10.B of the Town of Camp Verde Council Code of Conduct or (ii) to refer the Complaint

to an independent reviewing authority such as a city or town attorney from another jurisdiction or an attorney from the office of the County Attorney.

3. **COMPLAINT BRIEFING:** The Town Manager shall orally brief all Council members concerning the general nature of the Complaint and the anticipated procedure for handling the Complaint within 10 days from the filing date.
4. **FINAL RESPONSE:** The persons conducting the investigation into the Complaint must file the Response to the Complaint no later than 30 days from the date of filing. In the event additional time to file the Response is required, the Complainant and Town Council shall be provided with monthly updates informing the Complainant and Town Council of the reason(s) for the delayed Response. Upon filing the final Response or resolution of the Complaint, the Town Council shall be notified by e-mail. In the event a final resolution is not reached, the Town Council shall also be notified by e-mail.

Name: _____

Mailing Address: _____

Physical Address: _____

Telephone #: _____

State the details of your Complaint or information. Use the reverse side if necessary. If you have any relevant documents, please attach photo copies only. **DO NOT ATTACH ORIGINAL DOCUMENTS.**

The information presented in this complaint form is true, correct and complete to the best of my knowledge. Furthermore, I acknowledge that I have read and understand the procedures. **A complaint is a public record and by law we must provide the name of the complainant.**

X _____
Signature

X _____
Date

For Office Use Only			
<input type="checkbox"/>	Copy to Manager _____	Date _____	Council Notified _____
<input type="checkbox"/>	Sent to Department head for review _____	Date _____	Review Deadline _____
<input type="checkbox"/>	Action Taken _____	Date _____	Date (if working days) _____
<input type="checkbox"/>	Manager Review (if applicable) _____	Date (if applicable) _____	Review Deadline _____
			Date (if applicable) _____
RELEVANT DEPARTMENT			
<input type="checkbox"/>	Administration	<input type="checkbox"/>	Building
<input type="checkbox"/>	Parks & Recreation	<input type="checkbox"/>	Maintenance
<input type="checkbox"/>	Community Development	<input type="checkbox"/>	Marshal's Office
<input type="checkbox"/>	Commission: _____	<input type="checkbox"/>	Clerk's Office
		<input type="checkbox"/>	Library
		<input type="checkbox"/>	Magistrate Court
		<input type="checkbox"/>	Public Works



Agenda Report Form – Section I

Meeting Date: March 4, 2020

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

Requesting Department: Economic Development Department

Staff Resource/Contact Person: Steve Ayers

Agenda Title (be exact): Discussion, consideration and possible approval of an amendment, amending the Sewer Line Buy-In Agreement, recorded January 6, 2016, between Verde Valley Medical Center, Simonton Ranch 18 and the Camp Verde Sanitary District, which is currently being operated by the Town of Camp Verde, specifying the amount of the final Sewer Line Costs with a breakdown of such Sewer Line Costs and a calculation of the Sewer Line Reimbursable Amount.

List Attached Documents: 1) Sewer Line Buy-In Agreement, 2) Sewer Line Buy-In Agreement Amendment

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 5 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: When Verde Valley Medical Center built their Camp Verde Campus they also constructed a sewer line, larger in capacity than what was needed to service their property, so the line could accommodate flows from adjoining properties that might hook up to the sewer line. As part of their agreement to build the over-sized line, VVMC signed an agreement with the Town calling for the Town of Camp Verde to collect a “buy-in” fee from any adjoining properties that utilized any portion of the sewer line VVMC constructed. That agreement also called for the parties to agree to the final cost of the sewer line as well as the maximum amount of that line that VVMC could be reimbursed for. Attached is the amendment the parties have agreed to.

Recommended Action (Motion): Move to approve the Sewer Line Buy-In Agreement Amendment, amending the Sewer Line Buy-In Agreement recorded January 6, 2016, between Verde Valley Medical Center, Simonton Ranch 18 and the Camp Verde Sanitary District, which is currently being operated by the Town of Camp Verde, specifying the amount of the final Sewer Line Costs with a breakdown of such Sewer Line Costs and a calculation of the Sewer Line Reimbursable Amount.

Instructions to the Clerk:

After recording, return to:
Rick Peterson, Vice President
Verde Valley Medical Center
1200 North Beaver Street
Flagstaff, Arizona 86001

**COURTESY RECORDING
NO TITLE LIABILITY**

SEWER LINE BUY-IN AGREEMENT

THIS SEWER LINE BUY-IN AGREEMENT, ("Agreement") is entered into by and between Verde Valley Medical Center, an Arizona non-profit corporation ("VVMC"), Camp Verde Sanitary District ("CVSD") which is currently being operated by the Town of Camp Verde, an Arizona municipal corporation ("Town") and Simonton Ranch 18, an Arizona limited liability company ("SR-18") (VVMC, CVSD, Town and SR-18 are referred to individually as a "Party" or, collectively, as the "Parties").

RECITALS

VVMC Property

- A. VVMC owns the property described in "Exhibit A".
- B. VVMC is developing a medical center on a portion of the VVMC property (the "Medical Center") and may sell the balance of the VVMC property to a third party in the future for other types of development.
- C. To facilitate the development of the Medical Center and the future development of the balance of the VVMC property, VVMC requested IMH Special Asset NT 228, LLC, an Arizona limited liability company ("IMH"), and Verde River Properties, LLC, an Arizona limited liability company ("VRP") to grant VVMC certain easements (the "Easements") to install an underground sewer line (the "Sewer Line") and other underground utilities in the proposed alignment for Simonton Ranch Road (the "Easement Property").
- D. IMH and VRP agreed and executed an Easement Agreement (Sewer Line and Utilities) that, among other things, granted the Easements, which has was recorded in the Records of Yavapai County Recorder on 08/14/2015 as Document No. 2015-0038705E (the "Sewer Line Easement Agreement"). In connection with the recording of the Sewer Line Easement Agreement, VRP and Camp Verde Homestead, LLC, an Arizona limited liability, executed a Ratification, Joinder and Non-Exclusive Assignment of Rights, dated August 13, 2015, which was attached to and recorded with the Sewer Line Easement Agreement
- E. VVMC intends to construct and install the Sewer Line, at its expense, and thereafter, transfer ownership of the Sewer Line to CVSD, which along with the Town will incorporate the Sewer Line into, operate and maintain the Sewer Line as a part of CVSD's waste water collection system (the "CVSD System").

SR-18 Property

- F. SR-18 owns the property described in "Exhibit B" (the "SR-18 Property").
- G. SR 18 wants the right to obtain sewer service for the SR-18 Property through the Sewer Line located on the Easement Property.

Sewer Line Buy-In

- H. Because VVMC has designed, constructed and installed or paid for the design, construction and installation of an oversized sewer line which will accommodate properties other than VVMC's property, CVSD and the Town have agreed to collect a "buy-in" or "recapture" fee from the owners or developers of other benefited properties ("Benefited Properties") and remit such fees to VVMC in order to reimburse VVMC for those costs.
- I. As the owner of the SR-18 Property, SR-18 is a "Benefited" party and is willing to pay a designated share of the expense for VVMC's design, construction and installation of the Sewer Line as provided in this Agreement. The legal description of the Easement Area and a depiction of the Sewer Line are set forth in "Exhibit C".
- J. Other third parties may also benefit from the design, construction and installation of the Sewer Line and those third parties should also pay their respective pro-rata share or shares of the Sewer Line design, construction and installation costs.

Camp Verde Sanitary District

- K. CVSD is a Sanitary District which is currently being governed by the Town and operated by the Town under contract with the District.
- L. The Sewer Line will connect to and run from the CVSD trunk line (which is located along the south side of the Verde Ditch) south within the Easement Property to a point adjacent to the SR-18 Property where the planned access road to the proposed future subdivision known as the "Elk Creek Ranch at Simonton Ranch" will connect to the future Simonton Ranch Road.
- M. To accommodate the anticipated use of the Sewer Line to service the VVMC's property and other Benefited Properties, the Sewer Line shall be a main sewer line with a minimum pipe diameter of eight inches. The specifications for the Sewer Line are set forth in "Exhibit D".

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, and the mutual promises set forth in this Agreement, VVMC, CVSD, the Town and SR-18 agree as follows:

- 1. Sewer Line. VVMC has financed, designed, engineered, permitted, and is in the process of constructing and installing the Sewer Line. The Town, on behalf of the CVSD, acknowledges and agrees that the Sewer Line has been sized to receive total estimated flow from

the VVMC Property, the SR-18 Property and other Benefited Properties in an amount of 165,000 gallons per day (the "Total Planned Sewer Line Flow").

1.1 Sewer Line Costs. The Town Acknowledges that VVMC has or will incur the hard and soft costs in connection with the design, construction and installation of the Sewer Line including, but not limited to, costs of labor, materials and suppliers, architectural, engineering, design and consultant fees and costs, blue printing services, construction staking, demolition, soil amendments or compaction, any processing, plan check or permit fees, legal and engineering services required to obtain a permit for and complete the Sewer Line, costs of insurance, any corrections, changes or additions to work required by the Town or necessitated by site conditions, state and county sales taxes imposed in connection with construction of the Sewer Line and any construction management fees (the "Sewer Line Costs"). Anything in this Agreement to the contrary notwithstanding, the Sewer Line Costs shall only include costs paid to third parties and shall not include any overhead or internal costs of VVMC. The Town acknowledges and agrees that the Sewer Line Costs are costs that should be borne not only by VVMC, but also by SR-18 and each of the Benefited Properties as provided in this Agreement or as otherwise agreed by VVMC. The benefit received by each Benefited Property will be based upon each project's projected percentage of use of the Total Planned Sewer Line Flow as determined below or as otherwise agreed to by VVMC.

1.2 Reimbursement of Sewer Line Costs. The Sewer Line is oversized as described above and beyond the needs of VVMC. VVMC shall be reimbursed the Sewer Line Costs, minus the portion of the Sewer Line Costs allocable to VVMC ("Sewer Line Reimbursable Amount"), without interest, as provided in this Agreement. For the purpose of determining the Sewer Line Reimbursable Amount, the portion of the Sewer Line Costs allocable to VVMC shall be the amount obtained by multiplying the Sewer Line Costs by the projected percentage of use of the Total Planned Sewer Line Flow by: (a) the Medical Center; and (b) the future development of the balance of the VVMC Property.

1.2.1 Method of Reimbursement. The Sewer Line Reimbursable Amount shall be reimbursed using the fees assessed against SR-18 and the other Benefited Properties (the "Sewer Line Buy-In Fees") in the manner and to the extent provided in this Section 1.2.

1.2.2 Sewer Line Buy-In Fees. The Town shall collect the Sewer Line Buy-In Fee when and as provided below from each owner of a Benefited Property or portion thereof that is developed and receives sewer service for such development using the Sewer Line (each a "Development Property"). The Town shall collect the Sewer Line Buy-In Fee for each Development Property: (A) as a condition to recording, the final subdivision plat for such Development Property; or (B) if a final plat will not be recorded in connection with the development of such Development Property, at the time the first building permit is issued for construction on such Development Property. The Town shall only collect one Sewer Line Buy-In Fee for each Development Property upon the first to occur of (A) or (B) above for each Development Property. If the Sewer Line Buy-In Fee has been paid for a Development Property, no additional Sewer Buy-In Fee will be payable and no refund of any previously paid Sewer Buy-In Fee will be due upon any additional development or redevelopment of a Development Property Fee regardless of whether such additional development or redevelopment changes the Buy-In Percentage (as defined below) for such Development Parcel.

1.2.3 Payments to VVMC. The Town shall account for the Sewer Line Buy-In Fees separately and make payments to VVMC on a semi-annual basis (i.e., May 31 and November 30) within thirty (30) days after the end of each six (6) month period, or within thirty (30) days after

the accumulation of Fifty Thousand and No/100 Dollars (\$50,000.00), whichever occurs first. The Town shall collect the Sewer Line Buy-In Fees but no payments shall be made to VVMC until such time as Sewer Line Reimbursable Amount has been approved, as evidenced by an amendment hereto pursuant to the procedure set forth in Paragraph 1.2.5 below.

1.2.4 Determination of Sewer Line Buy-In Fee. The following formula shall be used to determine the Sewer Line Buy-In Fee for a particular Development Property.

- a.) Identify the final approved Sewer Line Costs.
- b.) Calculate the estimated sewage flow for the proposed development of the Development Property (the "Projected Sewage Flow") using CVSD's then-current standards for calculating estimated sewer flows (the "CVSD Flow Estimate Standards"). The owner of the Development Property, at its expense, shall cause its engineer to prepare and deliver to the Town and CVSD a written itemized calculation of the Projected Sewage Flow, which shall include the engineer's signed certification to the Town and CVSD that the engineer's calculation is correct and is based on and accurately reflects the proposed development of the Development Property as described in the applications and submissions delivered to the Town and CVSD with respect to such development. The parties acknowledge the current CVSD Flow Estimate Standards are set forth in Section 4 of the Policies, Procedures, Rules and Regulations of the Camp Verde Sanitary District Adopted May 5, 2010.
- c.) Calculate the Development Property's percentage use of the Total Planned Sewer Line Flow by dividing the Projected Sewage Flow for the Development Property (as determined above) by the Total Planned Sewer Line Flow (the "Buy-In Percentage").
- d.) Calculate the Development Property's Sewer Line Buy-In Fee by multiplying the final approved Sewer Line Costs by the Development Property's Buy-In Percentage.

Notwithstanding this process, the Buy-In Percentage for the SR-18 Property, in its entirety, shall not exceed 12%. VVMC acknowledges that as a result of the foregoing limitation and the uncertainty of the future development of the Benefited Properties, VVMC may not be reimbursed the entire Sewer Line Reimbursable Amount prior to the termination of this Agreement under Section 5.18 below. In no event shall VVMC be entitled to accumulated total reimbursements in excess of the Sewer Line Reimbursable Amount.

1.2.5 Accounting Procedures. Once actual expenditures have been made by VVMC for all of the Sewer Line Costs, the Parties will execute and record an amendment to this Agreement that specifies the amount of the final approved Sewer Line Costs with a breakdown of such Sewer Line Costs and a calculation of the Sewer Line Reimbursable Amount. The Parties will have reasonable discretion to approve the Sewer Line Costs and the Sewer Line Reimbursable Amount consistent with the terms of this Agreement.

1.2.6 Dollar General Store. The Parties acknowledge that a Dollar General store has been developed on a portion of the Benefited Properties (the "Dollar General Property") and uses a septic system for its sewer service. If an owner, tenant, occupant or developer of the Dollar General Property desires to obtain sewer service from CVSD by using the Sewer Line, then as a condition to connecting and using such sewer service, the Town or CVSD, as applicable, shall collect a Sewer Line Buy-In Fee from such owner, tenant, occupant or developer before any sewage is allowed to flow from the Dollar General Property to the Sewer Line. Such Sewer Line Buy-In

Fee shall be calculated and determined in the same manner as the Sewer Line Buy-In Fee is calculated and determined for a Development Property under this Section 1.2 and shall be used to reimburse VVMC as provided in this Section 1.2.

2. Construction and Dedication of the Sewer Line.

2.1 Design and Construction. The design, construction and installation of the Sewer Line shall be pursuant to the Town's review and approval process and shall be in accordance with the rules, regulations, ordinance, policies and procedures of the Town. The Town shall review and approve all plans and specifications prior to the work being put to bid and, if there are any revisions to those plans and specifications after the work is put to bid, the Town shall review and approve changes to the revised plans and specifications prior to the award of the contract, and any significant change orders thereafter. In addition, the Town shall the right and authority to inspect the ongoing construction and installation of the Sewer Line in order to ensure that such is being performed in accordance with the final approved plans, specifications and applicable Town standards; however, VVMC is ultimately responsible for ensuring that the Sewer Line is constructed in accordance with the final approved plans. VVMC shall provide the Town with a videotape of the completed Sewer Line.

2.2 Conveyance of Sewer Line. After the Town has inspected and approved the Sewer Line, VVMC shall convey to the Town (A) the personal property included in the Sewer Line, by bill of sale free and clear of all liens and encumbrances that could affect marketability of title and (B) any real property acquired or owned by VVMC for the construction and installation of the Sewer Line, and the Town shall conditionally accept the Sewer Line (subject only to the warranty period) and shall thereafter own, operate and maintain the Sewer Line at its sole cost and expense (subject only to VVMC's warranty obligations). VVMC shall warrant the Sewer Line against defects in materials or workmanship for two (2) years after conditional acceptance thereof by the Town.

2.3 Construction Access. VVMC and its employees, agents and contractors shall have the right to enter, remain upon and cross over any Town easement or right-of-way to the extent reasonably necessary to design, construct or install the Sewer Line, provided that (A) VVMC's use does not materially impede or adversely affect the use and enjoyment of the subject property, (B) VVMC shall obtain any required permit and pay any required fee for the use of such easement or right-of-way and (C) VVMC shall restore such easement or right-of-way to substantially the same condition as existed prior to VVMC's entry.

3. Miscellaneous Provisions.

3.1 Amendments. In order for an amendment to become effective, the Party seeking the amendment shall submit its proposed amendment in writing to all of the other Parties for review. All amendments sought by VVMC shall be reviewed by the Water Services Director and subject to approval by the VVMC and the Town Council prior to becoming effective. Amendments shall be signed by the Parties and recorded in the official records of Yavapai County, Arizona, as an amendment to this Agreement.

3.2 Fees. VVMC shall pay all Town fees related to the Sewer Line that are in effect at the time construction is occurring, or permit application is submitted. The fees contemplated by this Section 3.2 shall be considered as part of the Sewer Line Costs.

4. Cooperation and Development Regulation.

4.1 Representatives. The Parties agree to designate and appoint a representative to act as a liaison between the Town and its various departments and VVMC. The initial representative for VVMC shall be Rick Peterson. The initial representative for the Town and CVSD shall be Russ Martin. The initial representative for SR-18 shall be Scott Simonton. Any Party may change its representative upon prior written notice to the other Party. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties relative to the terms of this Agreement.

4.2 Review Process. The implementation of this Agreement shall be in accordance with the Town's development review process. To the extent available and qualified, independent consultants and advisors may be retained by the Town at VVMC's request in order to expedite the review process to the extent reasonably possible; provided, however, that the retention of such consultants shall not guarantee that the development review process will be significantly expedited. In addition to the Town's standard fee, VVMC shall pay all costs incurred by the Town for any private, independent consultants and advisors retained by the Town, at VVMC's request, for assistance in the review process, and such consultants and advisors shall take instruction from, be controlled by and be responsible to the Town, not VVMC.

5. General Provisions.

5.1 Notices. Any notice or other communication required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if (A) delivered to the party at the address set forth below, (B) deposited in the U.S. Mail, registered or certified, return receipt requested, to the address set forth below, (C) given to a recognized and reputable overnight delivery service, to the address set forth below or (D) delivered by facsimile transmission to the number set forth below:

If to VVMC: Verde Valley Medical Center
ATTN: Rick Peterson, Vice President
Professional and Support Services
1200 North Beaver Street
Flagstaff, AZ 86001
Facsimile: 928.639.6052

With copies to: Frederick M. "Fritz" Aspey, Esq.
Aspey, Watkins & Diesel, P.L.L.C.
123 North San Francisco Street, Suite 300
Flagstaff, AZ 86001
Facsimile: 928.774.8404

If to the Town
and/or CVSD: Town of Camp Verde and/or CVSD
ATTN: Russ Martin, Town Manager
473 South Main Street, Suite 102
Camp Verde, AZ 86322
Facsimile: 928.567.9061

With copies to: William J. Sims, III, Esq.
Simms Murray, LTD
2020 North Central Avenue, Suite 670
Phoenix, AZ 85004
Facsimile: 602.952.2600

If to SR-18: Simonton Ranch 18, LLC
ATTN: Scott Simonton
310 N. Portland Avenue
Gilbert, AZ 85234
Facsimile: None

With copies to: Paul Ellsworth, Esq.
4041 E. Grove Circle
Mesa, AZ 85206
Facsimile: 480.396.3200

or at such other address, and to the attention of such other person or officer, as any party may designate in writing by notice duly given pursuant to this Paragraph 5.1. Notices shall be deemed received (A) when delivered to the party, (B) three business days after being placed in the U.S. Mail, properly addressed, with sufficient postage, (C) the following business day after being given to a recognized overnight delivery service, with the person giving the notice paying all required charges and instructing the delivery service to deliver on the following business day, or (D) when received by facsimile transmission during the normal business hours of the recipient. If a copy of a notice is also given to a Party's counsel or other recipient, the provisions above governing the date on which a notice is deemed to have been received by a party shall mean and refer to the date on which the party, and not its counsel or other recipient to which a copy of the notice may be sent, is deemed to have received the notice.

5.2 Default. Failure or unreasonable delay by any Party to perform or otherwise act in accordance with any term or provision hereof shall constitute a breach of this Agreement by such Party. Any failure to pay money not cured within ten (10) days after written notice is received for another Party shall constitute a default under this Agreement by the non-paying Party. Any other breach not cured within thirty (30) days after written notice is received from another Party, shall constitute a default by the breaching Party under this Agreement; provided, however, that if the failure is such that more than thirty (30) days would reasonably be required to perform such action or comply with any term or provision hereof, then the breaching Party shall have such additional time as may be necessary to perform or comply so long as the breaching Party commences performance or compliance within said thirty (30) day period and diligently proceeds with and completes such performance or fulfills such obligation within ninety (90) days after written notice is received from another Party. Any notice of a breach shall specify the nature of the alleged breach and the manner in which said breach may be satisfactorily cured, if possible. The thirty (30) day cure period shall not apply where requirement requires the Town to perform or otherwise act in a period in excess of thirty (30) days.

5.3 Dispute Resolution. In the event that there is a dispute hereunder which the Parties cannot resolve between themselves, the Parties agree that there shall be a forty-five (45) day moratorium on litigation during which time the Parties agree to attempt to settle the dispute by non-binding mediation before commencement of litigation. The mediation shall be held under the

commercial mediation rules of the American Arbitration Association, but not under the jurisdiction of the American Arbitration Association. The matter in dispute shall be submitted to a mediator mutually selected by the Parties. In the event that the Parties cannot agree upon the selection of a mediator within seven (7) days, then within three (3) days thereafter, the VVMC, Town and SR-18 shall request the presiding judge of the Superior Court in and for the County of Yavapai, State of Arizona, to appoint an independent mediator. The mediator selected shall have at least five (5) years' experience in mediating or arbitrating disputes relating to real estate development. The cost of any such mediation shall be divided equally between the VVMC, Town and SR-18, with each Party paying its own attorney's fees. The results of the mediation shall not be binding on the Parties, and any Party shall be free to initiate litigation subsequent to the moratorium set forth in this Paragraph 5.3. The foregoing to the contrary notwithstanding, if such dispute does not directly involve SR-18, SR-18 may elect not to participate in any such dispute, in which case SR-18 shall not be responsible for the costs of fees of mediating or otherwise resolving such dispute.

5.4 Choice of Law, Venue and Attorney's Fees. Any dispute, controversy, claim or cause of action arising out of or related to this Agreement (a "Dispute") shall be governed by Arizona law. The venue for any such Dispute shall be Yavapai County, Arizona, and each party waives the right to object to venue in Yavapai County for any reason. The prevailing party in any such dispute shall be entitled to recover reasonable attorneys' fees and costs incurred in connection with the resolution of such dispute from the losing party, as determined by mediator, arbitrator or court sitting without a jury, including, without limitation, appellate fees and costs.

5.5 Good Standing and Authority. VVMC represents and warrants that it is a non-profit corporation duly formed and validly existing under the laws of the State of Arizona. The Town represents and warrants that it is duly formed and validly existing municipal corporation within the State of Arizona. The Town further warrants that it is governing the CVSD for its benefit. CVSD represents that it is a Sanitary District duly formed and existing under the laws of the State of Arizona and that the Town is governing the CVSD for its benefit. SR-18 represents and warrants that it is an Arizona limited liability company and validly existing under the laws of Arizona. Each Party represents and warrants that the individuals executing this Agreement on behalf of its respective Party are authorized and empowered to bind the Party on whose behalf each such individual is signing.

5.6 Assignment. The provisions of this Agreement are binding upon and shall inure to the benefit of the Parties, and all of their successors in interest and assigns.

5.7 Covenants Run with Land. This Agreement, rights and obligations in this Agreement and all provisions of this Agreement shall: (A) run with the land; (b) be binding on and inure to the benefit of all subsequent owners of the VVMC Property, the SR-18 Property or any portion thereof; provided that upon the completion of the Sewer Line, the reimbursement rights of VVMC under this Agreement shall become personal to the owner of the VVMC Property that completed the Sewer Line and shall no longer run with the VVMC Property.

5.8 Not Joint Venture; No Third Parties. It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other agreement between the Parties. No term or provision of this Agreement is intended to, or shall be for the benefit of any person or entity not a Party hereto, and no such other person or entity shall have any right or cause of action hereunder.

5.9 Waiver. No delay in exercising any right or remedy shall constitute a waiver thereof, and no waiver of any breach shall be construed as a waiver of any preceding or succeeding breach of the same of any other covenant, or condition of this Agreement. No waiver shall be effective unless it is in writing and is signed by the Party asserted to have granted such waiver.

5.10 Further Documentation. The Parties agree in good faith to execute such further or additional instruments and documents and to take such further acts as may be necessary or appropriate to fully carry out the intent and purpose of this Agreement.

5.11 Fair Interpretation. The Parties have been represented by counsel in the negotiation and drafting of this Agreement and this Agreement shall be construed according to the fair meaning of its language. The rule of construction that ambiguities shall be resolved against the Party who drafted a provision shall not be employed in interpreting this Agreement.

5.12 Headings. The headings of this Agreement are for purposes of reference only and shall not limit or define the meaning of any provision of this Agreement.

5.13 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original but all of which shall constitute one and the same instrument.

5.14 Computation of Time. In computing any period of time under this Agreement, the date of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so completed shall be included unless it is Saturday, Sunday or legal holiday, in which event the period shall run until the end of the next day that is not a Saturday, Sunday or legal holiday. The time for performance of any obligation or taking any action under this Agreement shall be deemed to expire at 5:00 p.m. (Phoenix time) on the last day of the applicable time period provided herein.

5.15 Conflict of Interest. This Agreement is subject to the terms of A.R.S. §38-511.

5.16 Entire Agreement. This Agreement, together with the following Exhibits attached hereto (which are incorporated herein by this reference) constitutes the entire agreement among the Parties.

- A. Exhibit A: Legal description of VVMC Property.
- B. Exhibit B: Legal description of SR-18 Property.
- C. Exhibit C: Legal description of Easement Area and depiction of Sewer Line.
- D. Exhibit D: Sewer Line specifications.

All prior and contemporaneous agreements, representations and understandings of the Parties, oral or written, are superseded by and merged into this Agreement.

5.17 Time. Time is of the essence of this Agreement and with respect to the performance required by each Party.

5.18 Term. This Agreement shall become effective on the date the last Party executes this Agreement and shall automatically terminate on the twentieth (20th) anniversary of such date; provided, however, that the Town's obligation to continue providing municipal services to the portions of the Benefited Properties shall survive the termination of this Agreement.

[Signatures on following pages.]

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date(s) written below.

Verde Valley Medical Center,
an Arizona non-profit corporation

By: [Signature]
Rick Peterson, Vice President

Dated: 12-17-15

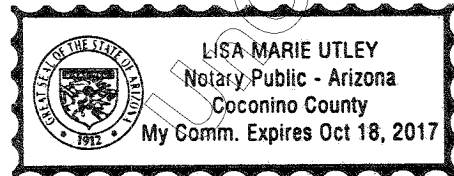
State of Arizona)
County of Yavapai) ss.

The foregoing Agreement acknowledged before me this 17 day of December, 2015 by Rick Peterson, Vice President of Verde Valley Medical Center, an Arizona non-profit corporation, on behalf of such corporation.

[Signature]
Notary Public

My Commission Expires:

10/18/17

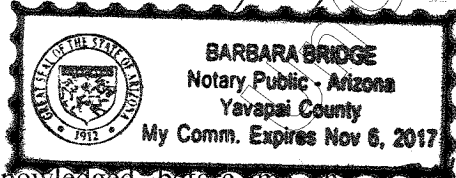


Camp Verde Sanitary District,
an Arizona municipal corporation

By: [Signature]
Russ Martin, Town Manager

Dated: 11/23/15

State of Arizona
County of Yavapai) ss.



The foregoing Agreement acknowledged before me this 24th day of November, 2015 by Russ Martin, Town Manager of Camp Verde, an Arizona municipal corporation, on behalf of such corporation.

[Signature]
Notary Public

My Commission Expires:
11-06-2017

Town of Camp Verde,
an Arizona municipal corporation

By: [Signature]
Russ Martin, Town Manager

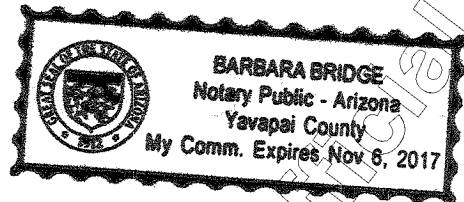
Dated: 11/23/15

State of Arizona
County of Yavapai) ss.

The foregoing Agreement acknowledged before me this 24th day of November, 2015 by Russ Martin, Town Manager of Camp Verde, an Arizona municipal corporation, on behalf of such corporation.

[Signature]
Notary Public

My Commission Expires:
11-06-2017



Simonton Ranch 18, LLC,
an Arizona limited liability company

By: [Signature]
G. Scott Simonton
Authorized Representative

Dated: 12-3-2015

State of Arizona)
County of Yavapai) ss.

The foregoing Agreement acknowledged before me this 3rd day of December, 2015 by G. Scott Simonton, Authorized Representative of Simonton Ranch 18, LLC, an Arizona limited liability company, on behalf of such company.

[Signature]
Notary Public

My Commission Expires:

07.27.17

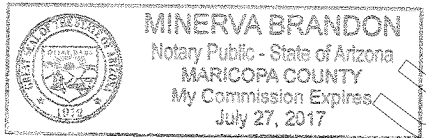


EXHIBIT A
(5 pages)

Legal Description of VVMC Property

[Attached]



Hoskin-Ryan Consultants, Inc.

creative engineering solutions

May 3, 2005

Legal Description Homestead Camp Verde Parcel 7

That part of the Southeast Quarter of Section 25, and Part of the Northeast Quarter of Section 36, Township 14 North, Range 4 East, of the Gila and Salt River Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at the East Quarter Corner of said Section 36 from which the Center of said Section 36 bears North 89 degrees 58 minutes 04 seconds West, a distance of 2645.84 feet;

Thence North 01 degrees 48 minutes 50 seconds East, along the East Line of said Section 36, a distance of 1341.86 feet;

Thence South 89 degrees 11 minutes 05 seconds West, a distance of 1038.36 feet;
Thence North 00 degrees 48 minutes 55 seconds West, a distance of 270.89 feet;
Thence North 89 degrees 59 minutes 02 seconds West, a distance of 65.66 feet;

Thence North 08 degrees 24 minutes 55 seconds West, a distance of 991.72 feet to the POINT OF BEGINNING.

Thence South 69 degrees 46 minutes 31 seconds West, a distance of 16.13 feet;
Thence South 40 degrees 13 minutes 18 seconds West, a distance of 252.17 feet;
Thence South 80 degrees 15 minutes 23 seconds West, a distance of 221.04 feet;
Thence South 72 degrees 51 minutes 42 seconds West, a distance of 261.37 feet;
Thence South 51 degrees 50 minutes 34 seconds West, a distance of 117.54 feet;
Thence South 81 degrees 32 minutes 06 seconds West, a distance of 113.18 feet;

Thence North 08 degrees 27 minutes 54 seconds West, a distance of 257.01 feet to the beginning of a non-tangent curve whose radius point bears South 81 degrees 31 minutes 13 seconds West, a distance of 2964.79 feet;

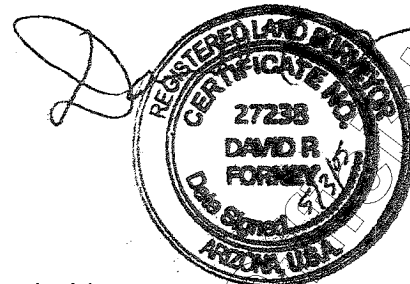
Thence Northerly along the arc of said curve through a central angle of 04 degrees 05 minutes 56 seconds, an arc length of 212.09 feet to a point of non-tangency;

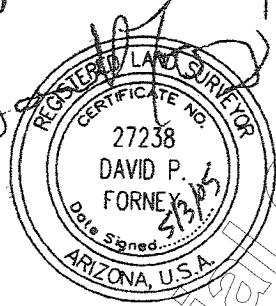
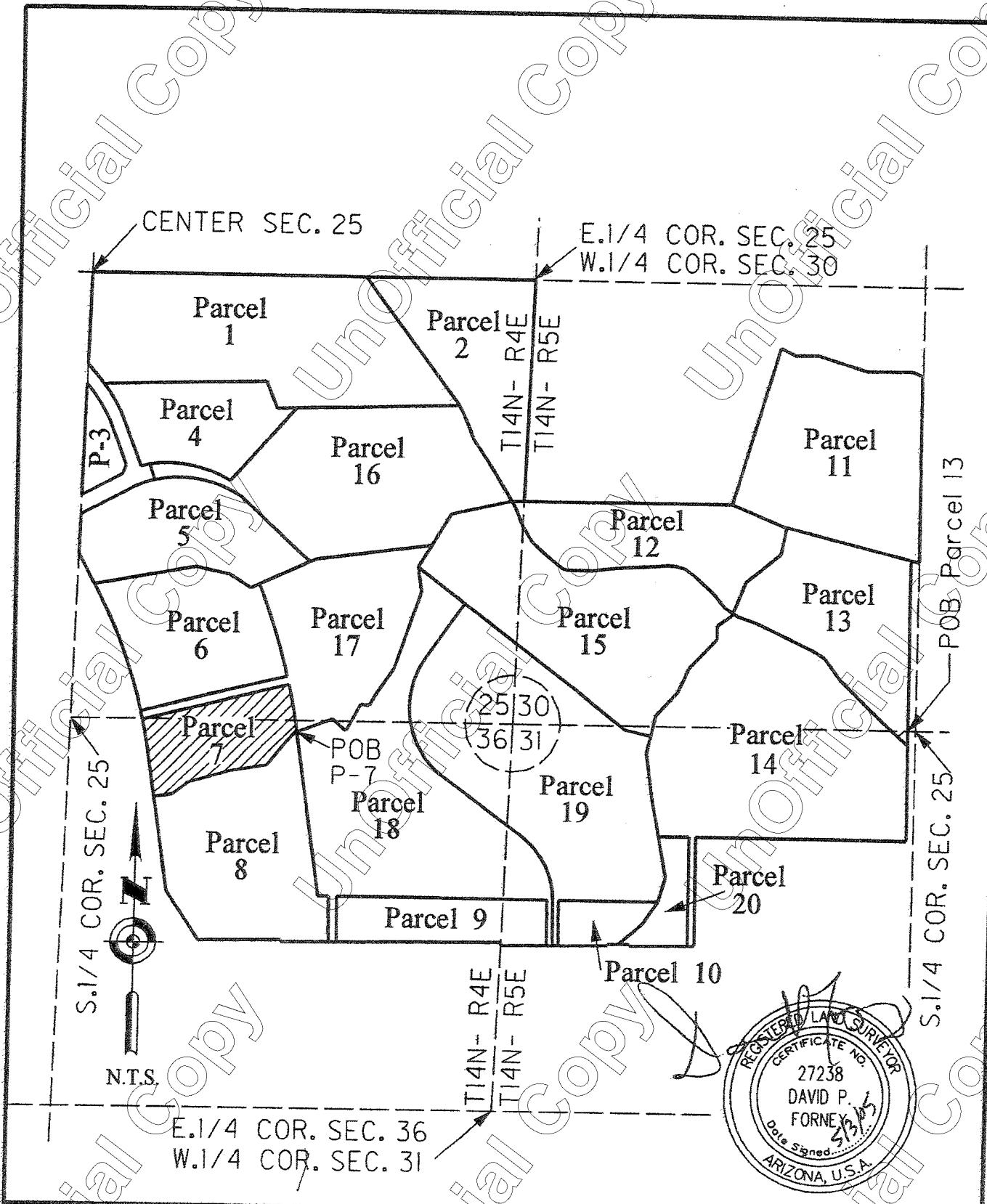
Thence North 76 degrees 28 minutes 08 seconds East, a distance of 900.10 feet to the beginning of a non-tangent curve whose radius point bears South 77 degrees 13 minutes 31 seconds West, a distance of 3864.79 feet;

Thence Southerly along the arc of said curve through a central angle of 03 degrees 49 minutes 57 seconds, an arc length of 258.51 feet to a point of non-tangency;

Thence South 08 degrees 24 minutes 55 seconds East, a distance of 17.84 feet to the POINT OF BEGINNING.

The above described parcel contains 8.569 acres, more or less.





Hoskin-Ryan Consultants Inc.
creative engineering solutions
3003 N. Central Avenue, Suite 1500, Phoenix, Arizona 85012-2902
Office: (602) 252-8384 Fax: (602) 252-8385 www.hoskinryan.com

**HOMESTEAD PARCEL 7
EXHIBIT TO ACCOMPANY
LEGAL DESCRIPTION**



Hoskin-Ryan Consultants, Inc.

creative engineering solutions

May 3, 2005

Legal Description Homestead Camp Verde Parcel 8

That part of the Northeast Quarter of Section 36, Township 14 North, Range 4 East, of the Gila and Salt River Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at the East Quarter Corner of said Section 36 from which the Center of said Section 36 bears North 89 degrees 58 minutes 04 seconds West, a distance of 2645.84 feet;

Thence North 01 degrees 48 minutes 50 seconds East, along the East Line of said Section 36, a distance of 1341.86 feet;

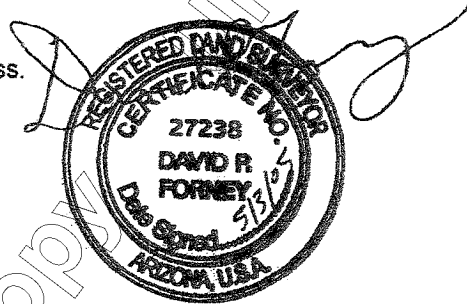
Thence South 89 degrees 11 minutes 05 seconds West, a distance of 1038.36 feet to the POINT OF BEGINNING;

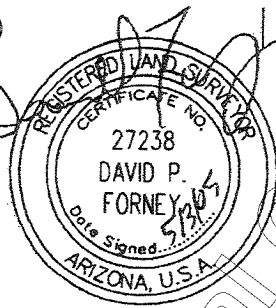
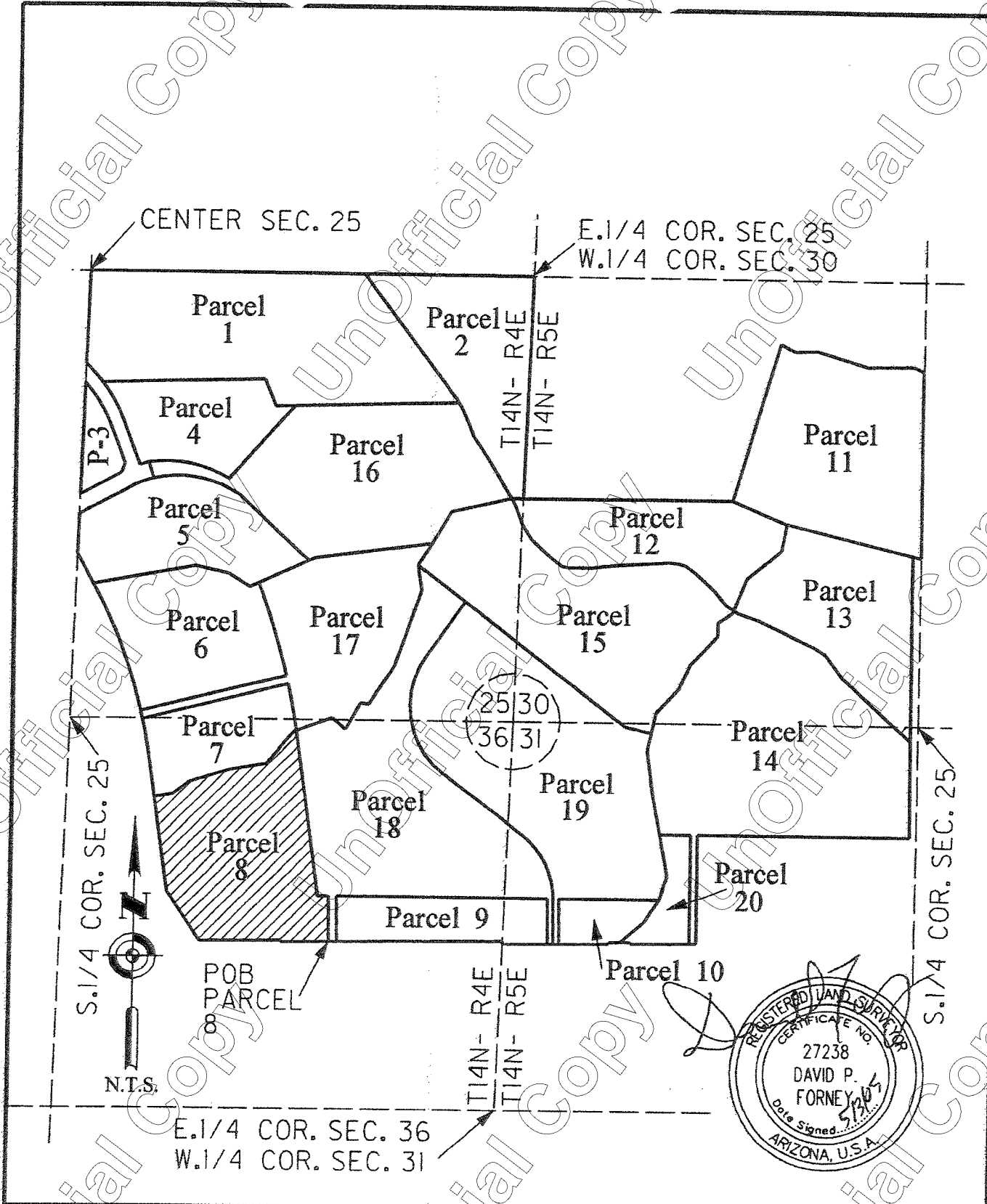
Thence continuing South 89 degrees 11 minutes 05 seconds West, a distance of 285.85 feet;

Thence North 01 degrees 47 minutes 27 seconds East, a distance of 10.01 feet;
Thence South 89 degrees 14 minutes 38 seconds West, a distance of 495.20 feet;
Thence North 34 degrees 42 minutes 48 seconds West, a distance of 351.89 feet;
Thence North 08 degrees 27 minutes 54 seconds West, a distance of 567.62 feet;
Thence North 81 degrees 32 minutes 06 seconds East, a distance of 113.18 feet;
Thence North 51 degrees 50 minutes 34 seconds East, a distance of 117.54 feet;
Thence North 72 degrees 51 minutes 42 seconds East, a distance of 261.37 feet;
Thence North 80 degrees 15 minutes 23 seconds East, a distance of 221.04 feet;
Thence North 40 degrees 13 minutes 18 seconds East, a distance of 252.17 feet;
Thence North 69 degrees 46 minutes 31 seconds East, a distance of 16.13 feet;
Thence South 08 degrees 24 minutes 55 seconds East, a distance of 991.72 feet;
Thence South 89 degrees 59 minutes 02 seconds East, a distance of 65.66 feet;

Thence South 00 degrees 48 minutes 55 seconds East, a distance of 270.89 feet to the POINT OF BEGINNING.

The above described parcel contains 20.825 acres, more or less.





Hoskin • Ryan Consultants Inc.
creative engineering solutions
3003 N. Central Avenue, Suite 1500, Phoenix, Arizona 85012-2902
Office: (602) 252-8384 Fax: (602) 252-8385 www.hoskinryan.com

**HOMESTEAD PARCEL 8
EXHIBIT TO ACCOMPANY
LEGAL DESCRIPTION**

EXHIBIT B
(4 pages)

Legal Description of SR-18 Property

[Attached]



Hoskin-Ryan Consultants, Inc.
creative engineering solutions

March 16, 2007

**Legal Description
Homestead Camp Verde
Parcel 18**

That part of the Southeast Quarter of Section 25 and the Northeast Quarter of Section 36 Township 14 North, Range 4 East of the Gila and Salt River Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing at the East Quarter Corner of said Section 36 from which the Northeast Quarter Corner of said Section 36 bears North 01 degrees 48 minutes 50 seconds East, a distance of 2645.28 feet;

Thence North 01 degrees 48 minutes 50 seconds East, along the East line of said Section 36, a distance of 1,341.78 feet to a point on the Northerly right of way of Finney Flat Road;

Thence South 89 degrees 11 minutes 05 seconds West, along said right of way, a distance of 953.36 feet to the POINT OF BEGINNING;

Thence continuing South 89°11'05" West, along said right of way, a distance of 105.00 feet;

Thence North 44°11'05" East, a distance of 28.28 feet;

Thence North 00°48'55" West, a distance of 250.89 feet;

Thence North 89°59'02" West, a distance of 65.66 feet;

Thence North 08°24'55" West, a distance of 991.72 feet;

Thence North 69°46'31" East, a distance of 228.93 feet to the most Westerly North Boundary Corner of "Silverado at Simonton Ranch", recorded in Book 57 of Maps and Plats, Page 67, Yavapai County Records;

Thence, along the Westerly Boundary of said "Silverado at Simonton Ranch", the following courses:

Thence South 00°00'58" West, a distance of 200.21 feet to the Southwest Corner of Tract "R", shown on said Final Plat;

Thence South 89°59'02" East, a distance of 380.47 feet;

Thence North 63°00'08" East, a distance of 99.53 feet to a point on a 534.00-foot radius non-tangent curve, whose center bears North 63°00'08" East;

March 16, 2007
Legal Description
Homestead Camp Verde - Parcel 18

Thence Southeasterly along said curve, through a central angle of 21°07'38", a distance of 196.91 feet to a the beginning of a tangent reverse curve of 25.00-foot radius, concave Westerly;

Thence Southerly, along said curve, through a central angle of 82°01'19", a distance of 35.79 feet;

Thence South 47°15'39" East, a distance of 50.68 feet a point on a 25.00-foot radius non-tangent curve, whose center bears South 57°17'37" East;

Thence Easterly, along said curve, through a central angle of 94°05'46", a distance of 41.06 feet;

Thence South 53°11'51" East, a distance of 577.08 feet the beginning of a 446.00-foot radius tangent curve, concave Southwesterly;

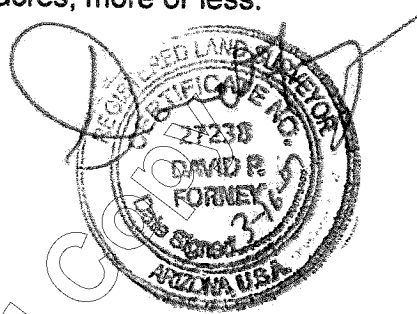
Thence Southeasterly, along said curve, through a central angle of 51°31'23", a distance of 401.06 feet;

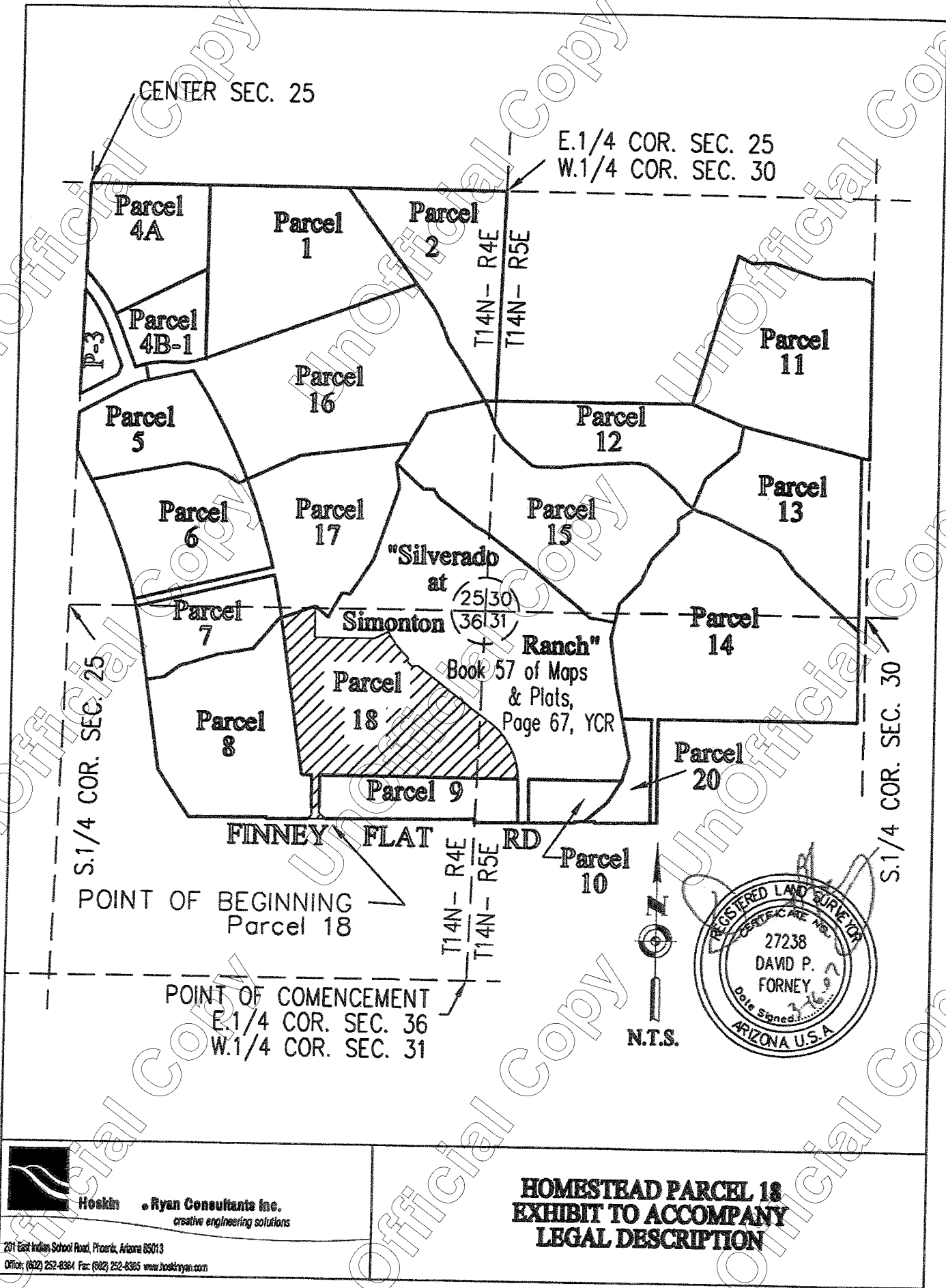
Thence, departing said Boundary, North 89°59'02" West, a distance of 1,260.48 feet;

Thence South 00°48'55" East, a distance of 235.16 feet;

Thence South 45°48'55" East, a distance of 49.50 feet to the POINT OF BEGINNING.

The above described parcel contains 22.97 acres, more or less.





 **Hoskin • Ryan Consultants Inc.**
creative engineering solutions
201 East Indian School Road, Phoenix, Arizona 85013
Office: (602) 252-8384 Fax: (602) 252-8385 www.hoskinryan.com

**HOMESTEAD PARCEL 18
EXHIBIT TO ACCOMPANY
LEGAL DESCRIPTION**

EXHIBIT C
(6 pages)

Legal Description Easement Area and Depiction of Sewer Line

*[Attached]**

**The attached diagram depicting the Sewer Line shows the approximate location of the Sewer Line in the Easement Area and also shows sewer lines located outside of the Easement Area that are not part of the "Sewer Line" under this Agreement.*

LEGAL DESCRIPTION

Silverado at Simonton Ranch
Project No. 12298
08/08/2014

The following is legal description of a tract of land lying within the Southeast Quarter of Section 25 and the Northeast Quarter of Section 36, Township 14 North, Range 4 East and the Southwest Quarter of Section 30 and the Northwest Quarter of Section 31, Township 14 North, range 5 East of the Gila and Salt River Meridian, Yavapai County, Arizona more particularly described as follows;

Commencing for reference at the west Quarter Corner of said section 31 from which the corner common to said Sections 25, 36, 30 and 31 bears North 01°48'50" East, a distance of 2645.28 feet (Record per legal description recorded in Book 4317 of Official Records, Page 810 (pg. 23-25 of 25) in the Office of the Yavapai County Recorder, herein referred to as R1 and Basis of Bearings for this description);

Thence North 01°48'50" East, along the east line of said Section 36, a distance of 1322.72 (R1 and record per legal description of APN # 403-23-103X as recorded in Book 4715 of Official Records, Page 805 in the Office of the Yavapai County Recorder and herein referred to as R2) to a point on the south line of APN# 403-23-104D as recorded in Book 4564 of Official Records, Page 630 in the Office of the Yavapai County Recorder;

Thence leaving the east line of said Section 36, North 89°11'28" East, along said south line, a distance of 117.90 feet (N89°11'26" East, 117.89 feet R2) to the southwest corner of said APN # 403-23-103X;

Thence continuing North 89°11'28" East, along the south line of said APN 403-23-103X, a distance of 135.01 feet to the most southeasterly corner of said APN 403-23-103X and the TRUE POINT OF BEGINNING;

Thence North 44°11'26" East, along the easterly line of said APN # 403-23-103X, a distance of 28.28 feet;

Thence North 00°48'34" West, a distance of 244.29 feet to the beginning of a curve tangent to said line;

Thence northerly a distance of 6.73 feet along the curve concave to the southwest, having a radius of 446.00 feet and a central angle of 00°51'54" (R1 and R2) to the northeast corner of said APN # 403-23-103X;

Thence leaving the east line of said APN 403-23-103X northwesterly a distance of 401.06 feet along the westerly line of R1, on said curve concave to the southwest, having a radius of 446.00 feet and a central angle of 51°31'23";

Thence North 53°11'51" West tangent to said curve, a distance of 577.09 feet to the beginning of a curve tangent to said line;

Thence northwesterly, westerly and southwesterly a distance of 41.06 feet along the curve concave to the south, having a radius of 25.00 feet and a central angle of $94^{\circ}05'46''$ to a point of cusp;

Thence North $47^{\circ}15'39''$ West, a distance of 50.68 feet to the beginning of a curve concave to the west having a radius of 25.00 feet and a central angle of $82^{\circ}01'47''$, also being subtended by a chord which bears North $07^{\circ}07'04''$ West, 32.81 feet;

Thence northeasterly, northerly and northwesterly along said curve, a distance of 35.79 feet to a point of cusp on a curve, from which the radius point bears North $41^{\circ}52'30''$ East;

Thence northwesterly, northerly and northeasterly a distance of 744.84 feet along the arc of said curve concave to the east having a radius of 534.00 feet and a central angle of $79^{\circ}55'04''$;

Thence North $33^{\circ}27'08''$ East, a distance of 310.77 feet to the beginning of a curve concave to the west having a radius of 75.00 feet and a central angle of $32^{\circ}21'15''$, also being subtended by a chord which bears North $15^{\circ}36'56''$ East, 41.79 feet;

Thence northeasterly and northerly along said curve, a distance of 42.35 feet;

Thence North $00^{\circ}33'41''$ West tangent to said curve, a distance of 104.40 feet to the beginning of a curve tangent to said line;

Thence northerly and northeasterly a distance of 130.42 feet along the curve concave to the east, having a radius of 200.00 feet and a central angle of $37^{\circ}21'50''$;

Thence North $36^{\circ}48'09''$ East tangent to said curve, a distance of 134.83 feet to the beginning of a curve tangent to said line;

Thence northeasterly a distance of 100.57 feet along the curve concave to the southeast, having a radius of 200.00 feet and a central angle of $28^{\circ}48'39''$;

Thence North $65^{\circ}36'48''$ East tangent to said curve, a distance of 262.78 feet to a point on the westerly line of APN # 403-23-104L;

Thence South $21^{\circ}32'18''$ East, along said westerly line, a distance of 21.63 feet;

Thence South $31^{\circ}39'02''$ East, a distance of 28.63 feet;

Thence leaving said westerly line South $65^{\circ}36'48''$ West, a distance of 265.32 feet to the beginning of a curve tangent to said line;

Thence southwesterly a distance of 75.43 feet along the curve concave to the southeast, having a radius of 150.00 feet and a central angle of $28^{\circ}48'39''$;

Thence South $36^{\circ}48'09''$ West tangent to said curve, a distance of 134.83 feet to the beginning of a curve tangent to said line;

Thence southwesterly and southerly a distance of 97.82 feet along the curve concave to the east, having

a radius of 150.00 feet and a central angle of 37°21'50";

Thence South 00°33'41" East tangent to said curve, a distance of 104.40 feet to the beginning of a curve tangent to said line;

Thence southerly and southwesterly a distance of 70.59 feet along the curve concave to the west, having a radius of 125.00 feet and a central angle of 32°21'15";

Thence South 30°08'00" West, a distance of 310.77 feet to the beginning of a curve concave to the east having a radius of 466.00 feet and a central angle of 84°59'24" and being subtended by a chord which bears South 10°42'08" East 529.59 feet;

Thence southwesterly, southerly and southeasterly along said curve, a distance of 691.24 feet;

Thence South 53°11'51" East tangent to said curve, a distance of 627.98 feet to the beginning of a curve tangent to said line;

Thence southeasterly and southerly a distance of 464.21 feet along the curve concave to the southwest, having a radius of 541.00 feet and a central angle of 51°44'45" to the northwest corner of APN # 403-23-102Y as recorded in Book 4984 of Official Records, Page 38 in the Office of the Yavapai County Recorder;

Thence along the west line of said APN # 403-23-102Y, on the curve concave to the southwest a distance of 5.75 feet, having a radius of 514.00 feet and a central angle of 00°38'29";

Thence South 00°48'30" East, a distance of 244.28 feet;

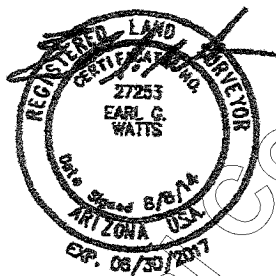
Thence South 45°48'33" East, a distance of 28.28 feet;

Thence leaving the west line of APN # 403-23-102Y, South 89°11'20" West, a distance of 107.99 feet to the TRUE POINT OF BEGINNING.

Containing 4.57 Acres, more or less.

The southern end lines of this description are to be lengthened or shortened to intersect the north Right of Way line of Finnie Flat Road.

Subject to any easements and/or Rights of Way that may exist on the above described tract of land.



3 of 4

EXHIBIT DRAWING

APN # 403-23-104L

APN # 403-23-430B

T14N - R4E
T14N - R5E

SUBJECT PARCEL
4.57 ACRES +/-

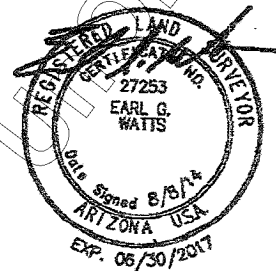
-25- -30-
-36- -31-

APN # 403-23-429

APN # 403-23-432B

SCALE 1"=300'

APN # 403-23-103P



APN # 403-23-103X

APN # 403-23-104D

APN # 403-23-102Y

FINNIE FLAT ROAD

TRUE POINT OF BEGINNING



Shepherd Wesnitzer, Inc.

75 Kallof Place
Sedona, AZ 86336
928-282-1061
928-282-2058 fax

www.swiaz.com

JOB NO: 1220B
DATE: 08/08/14
SCALE: 1"=300'
DRAWN: EGV
DESIGN: N/A
CHECKED: AR

SMYTON
EASEMENT

YAVAPAI COUNTY
ARIZONA

SHEET

EXHIBIT DRAWING
TO ACCOMPANY
LEGAL DESCRIPTION

4
5
4

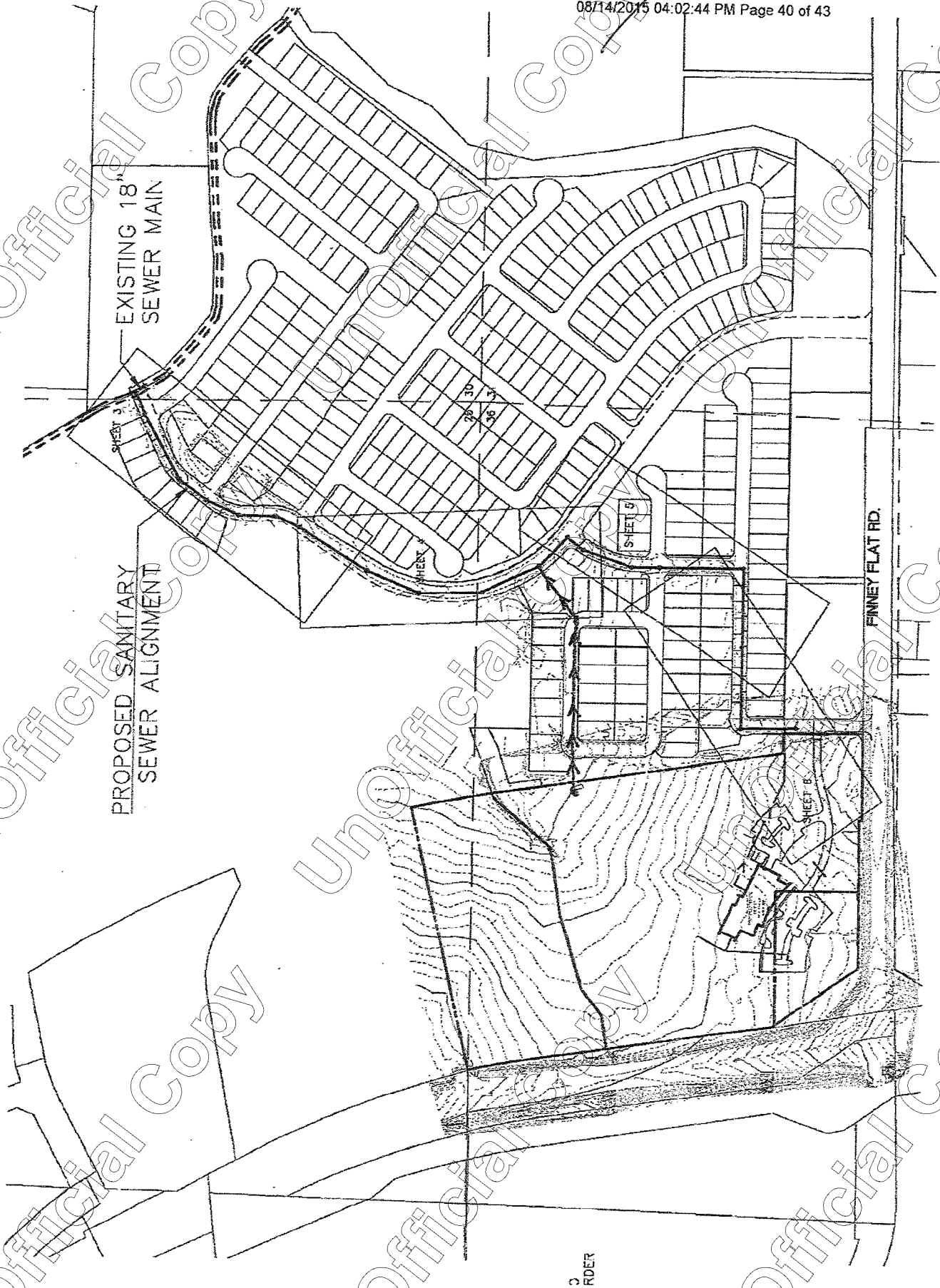


EXHIBIT D
(8 pages)

Sewer Line Specifications

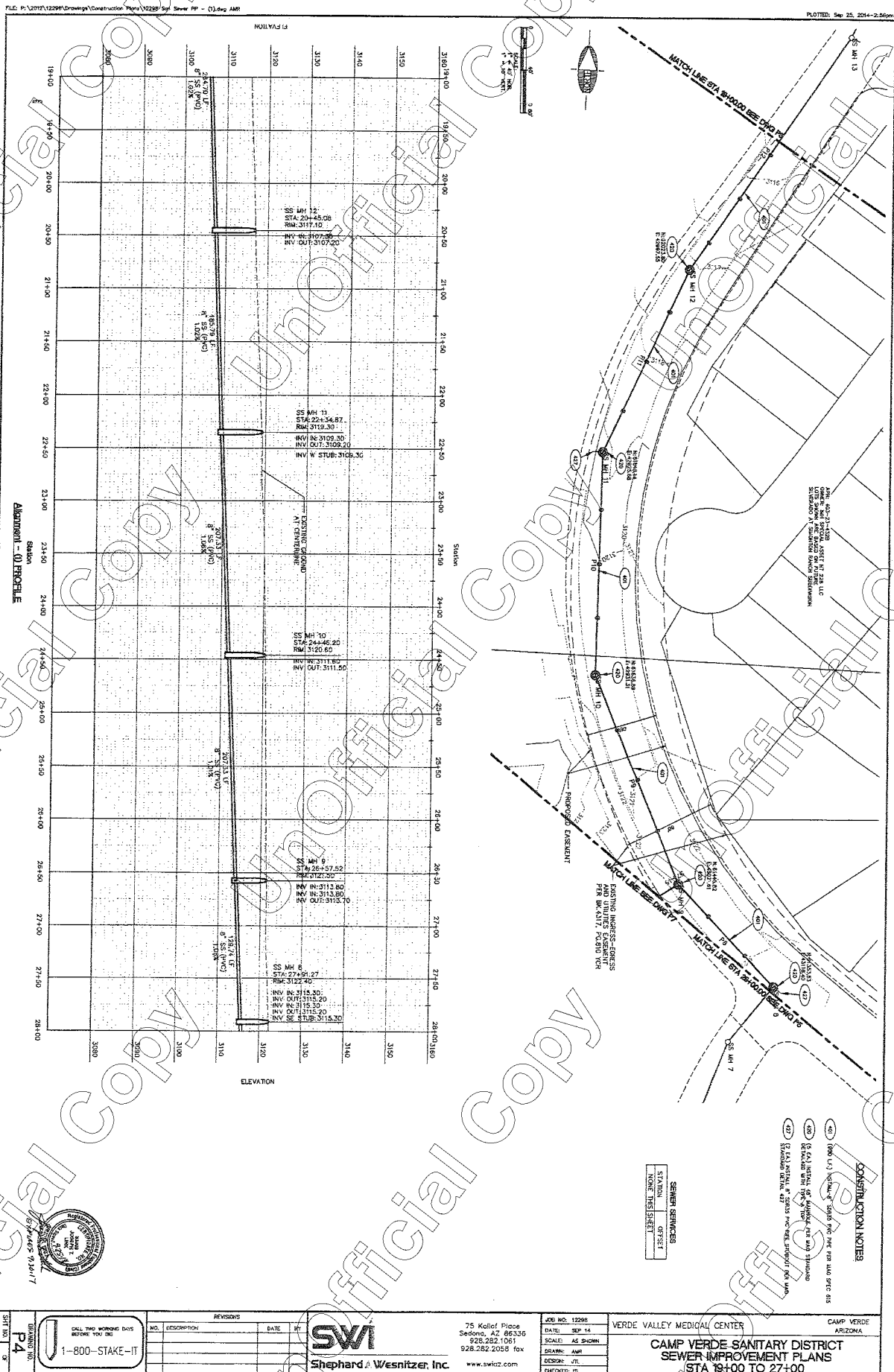
*[Attached]**

**The attached sheets contain preliminary specifications that are subject to CVSD's final review and approval; however, in no event shall the Sewer Line have a diameter of less than 8 inches. The attached sheets also include specifications for sewer lines located outside of the Easement Area that are not part of the "Sewer Line" under this Agreement.*

FILE: P:\2017\12288\Drawings\Construction\Plan\12288.dwg User: SWI - (1)dwg AMR

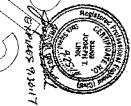
PLOTTED: Sep 25, 2014 - 5:56pm





FILE: P:\2017\12286\Drawings\Construction\Plan\12286.dwg Date: 09-22-2017 11:22:58 AM
 PLOTTED: Sep 22, 2017 - 2:55pm

Abutment - (U) HERCULE



CALL TWO WORKING DOTS BEFORE YOU DIG
 1-800-STAKE-IT

NO.	DESCRIPTION	DATE	BY



75 Kalliof Place
 Sedona, AZ 86336
 928.282.1051
 928.282.2058 fax
 www.swic2.com

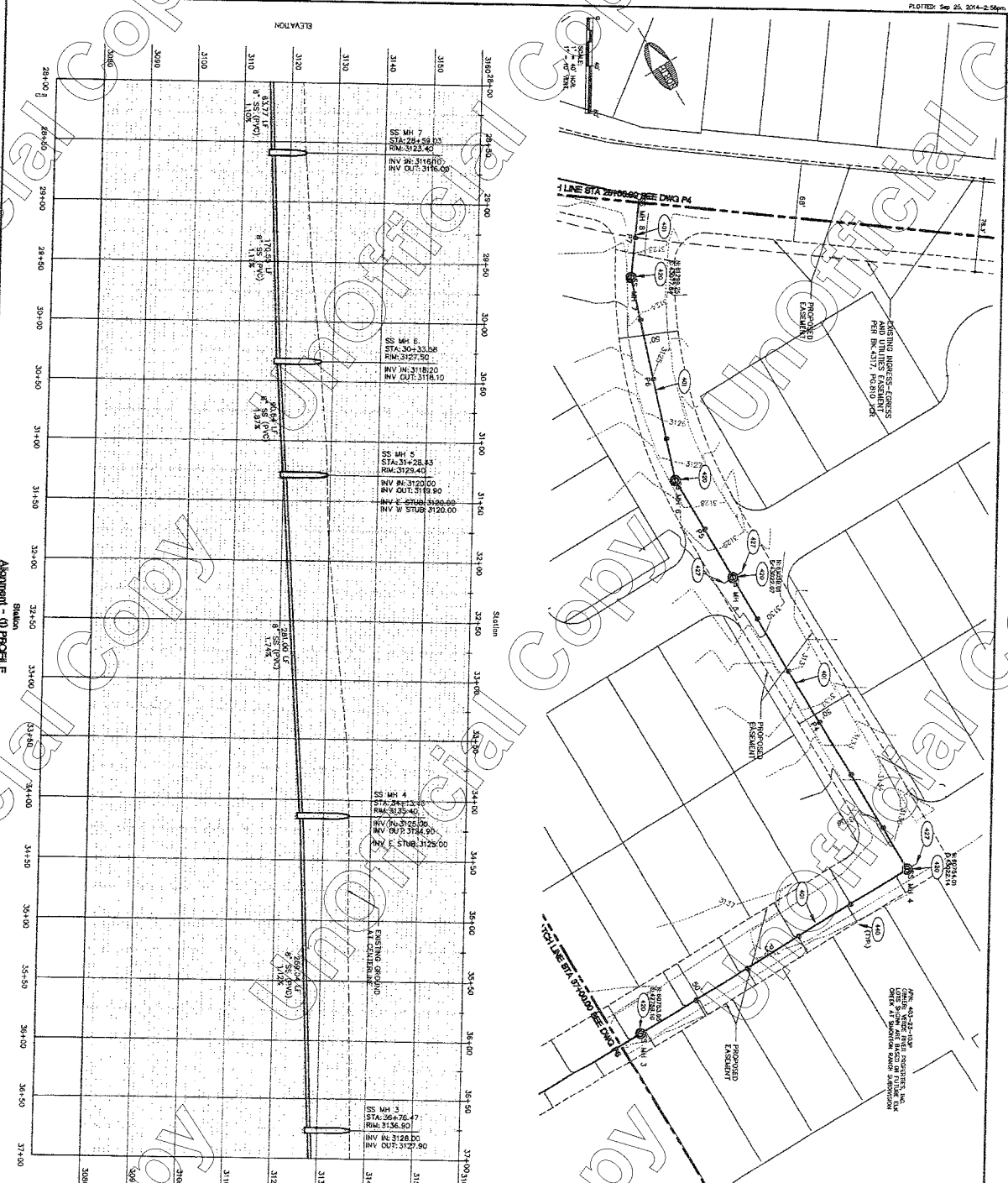
JOB NO. 12286
 DATE: SEP. 14
 SCALE: AS SHOWN
 DRAWN: AMR
 DESIGN: JTL
 CHECKED: JTL

VERDE VALLEY MEDICAL CENTER
 CAMP VERDE, ARIZONA
**CAMP VERDE SANITARY DISTRICT
 SEWER IMPROVEMENT PLANS
 STA 19+00 TO 27+00**

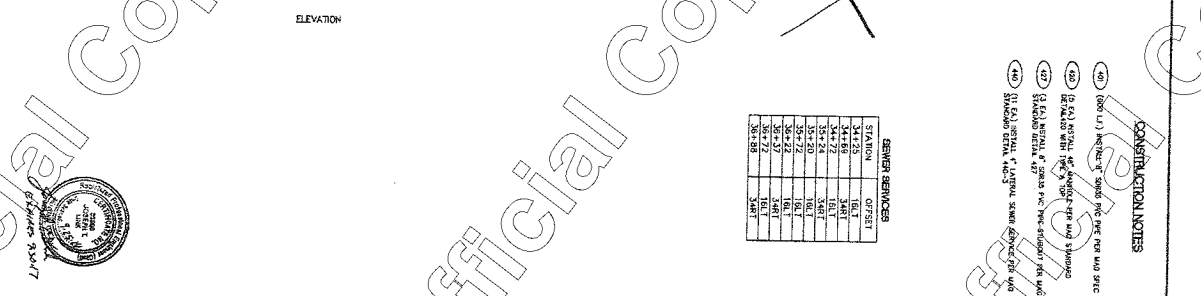
- CONSTRUCTION NOTES**
- (420) (SEE U) 18" DIA. 4' DEPTH 30" PVC RIB RISE AND O.R.C. 415
 - (420) 18" DIA. UNITS OF 4' DEPTH PER WA STANDARD
 - (420) 18" DIA. UNITS OF 4' DEPTH PER WA STANDARD
 - (420) 18" DIA. UNITS OF 4' DEPTH PER WA STANDARD

PLT: P:\2017\12298\Drawings\Construction\Plan\12298 SS Sewer PP - (1).dwg A&E

PLOTTED: Sep 25, 2014 - 2:56pm



Alignment - (0) PROFILE



CALL THE WORKING DATE
REVISE THE DATE
1-800-STAKE-IT

NO.	DESCRIPTION	DATE	BY

SWI
Shephard & Wesnitzer, Inc.
www.swiaz.com

75 Kell of Place
Sedona, AZ 86336
928.282.1061
928.282.2058 fax

JOB NO: 12298
DATE: SEP 14
SCALE: AS SHOWN
DRAWING: AMR
DESIGN: JTL
CHECKED: ZTL

VERDE VALLEY MEDICAL CENTER
CAMP VERDE
ARIZONA

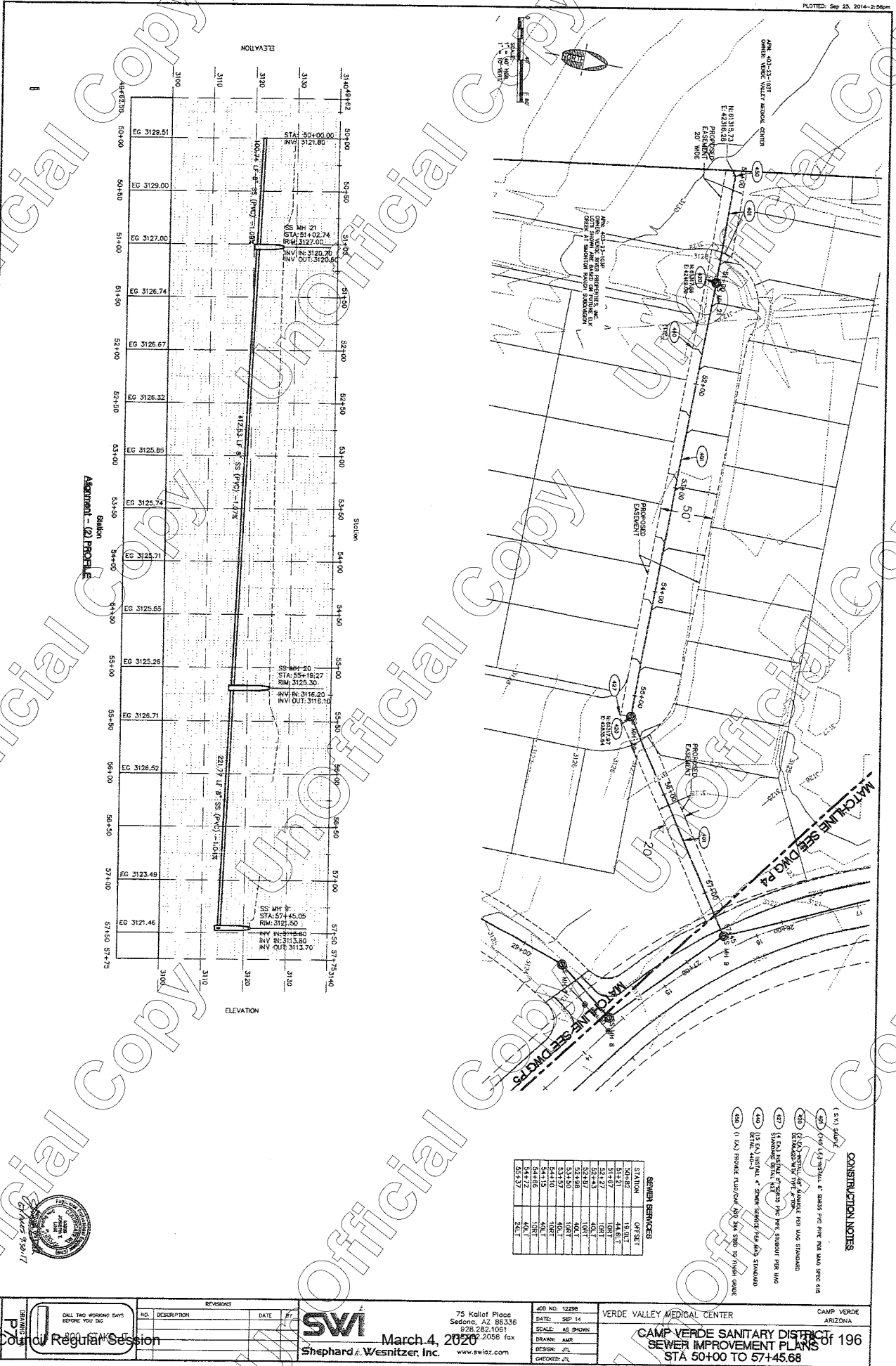
**CAMP VERDE SANITARY DISTRICT
SEWER IMPROVEMENT PLANS
STA 27+00 TO STA 38+00**

STATION	OFFSET
31+25	10.0'
31+75	10.0'
32+25	10.0'
32+75	10.0'
33+25	10.0'
33+75	10.0'
34+25	10.0'
34+75	10.0'
35+25	10.0'
35+75	10.0'
36+25	10.0'
36+75	10.0'
37+25	10.0'
37+75	10.0'

- CONSTRUCTION NOTES**
- (40) (SEE PLAN) INSTALL 18" CONCRETE PIPE PER PER STA 31C 015
 - (41) (SEE PLAN) INSTALL 18" CONCRETE PIPE PER PER STA 31C 015
 - (42) (SEE PLAN) INSTALL 18" CONCRETE PIPE PER PER STA 31C 015
 - (43) (SEE PLAN) INSTALL 18" CONCRETE PIPE PER PER STA 31C 015
 - (44) (SEE PLAN) INSTALL 18" CONCRETE PIPE PER PER STA 31C 015
 - (45) (SEE PLAN) INSTALL 18" CONCRETE PIPE PER PER STA 31C 015

PLT: P:\2012\12298\Drawings\Construction Plans\12298_Sewer_Plan - SHEET.dwg AMR

PLOTTED: Sep 23, 2014 - 2:56pm



Alignment - (2) PROFILE



STATION	OFF-SET
50+00	18.00'
51+00	18.00'
52+00	18.00'
53+00	18.00'
54+00	18.00'
55+00	18.00'
56+00	18.00'
57+00	18.00'
57+45.68	18.00'

- CONSTRUCTION NOTES**
- (1) 15" dia. pipe
 - (2) 18" dia. pipe
 - (3) 24" dia. pipe
 - (4) 30" dia. pipe
 - (5) 36" dia. pipe
 - (6) 42" dia. pipe
 - (7) 48" dia. pipe
 - (8) 54" dia. pipe
 - (9) 60" dia. pipe
 - (10) 66" dia. pipe
 - (11) 72" dia. pipe
 - (12) 78" dia. pipe
 - (13) 84" dia. pipe
 - (14) 90" dia. pipe
 - (15) 96" dia. pipe
 - (16) 102" dia. pipe
 - (17) 108" dia. pipe
 - (18) 114" dia. pipe
 - (19) 120" dia. pipe
 - (20) 126" dia. pipe
 - (21) 132" dia. pipe
 - (22) 138" dia. pipe
 - (23) 144" dia. pipe
 - (24) 150" dia. pipe
 - (25) 156" dia. pipe
 - (26) 162" dia. pipe
 - (27) 168" dia. pipe
 - (28) 174" dia. pipe
 - (29) 180" dia. pipe
 - (30) 186" dia. pipe
 - (31) 192" dia. pipe
 - (32) 198" dia. pipe
 - (33) 204" dia. pipe
 - (34) 210" dia. pipe
 - (35) 216" dia. pipe
 - (36) 222" dia. pipe
 - (37) 228" dia. pipe
 - (38) 234" dia. pipe
 - (39) 240" dia. pipe
 - (40) 246" dia. pipe
 - (41) 252" dia. pipe
 - (42) 258" dia. pipe
 - (43) 264" dia. pipe
 - (44) 270" dia. pipe
 - (45) 276" dia. pipe
 - (46) 282" dia. pipe
 - (47) 288" dia. pipe
 - (48) 294" dia. pipe
 - (49) 300" dia. pipe
 - (50) 306" dia. pipe
 - (51) 312" dia. pipe
 - (52) 318" dia. pipe
 - (53) 324" dia. pipe
 - (54) 330" dia. pipe
 - (55) 336" dia. pipe
 - (56) 342" dia. pipe
 - (57) 348" dia. pipe
 - (58) 354" dia. pipe
 - (59) 360" dia. pipe
 - (60) 366" dia. pipe
 - (61) 372" dia. pipe
 - (62) 378" dia. pipe
 - (63) 384" dia. pipe
 - (64) 390" dia. pipe
 - (65) 396" dia. pipe
 - (66) 402" dia. pipe
 - (67) 408" dia. pipe
 - (68) 414" dia. pipe
 - (69) 420" dia. pipe
 - (70) 426" dia. pipe
 - (71) 432" dia. pipe
 - (72) 438" dia. pipe
 - (73) 444" dia. pipe
 - (74) 450" dia. pipe
 - (75) 456" dia. pipe
 - (76) 462" dia. pipe
 - (77) 468" dia. pipe
 - (78) 474" dia. pipe
 - (79) 480" dia. pipe
 - (80) 486" dia. pipe
 - (81) 492" dia. pipe
 - (82) 498" dia. pipe
 - (83) 504" dia. pipe
 - (84) 510" dia. pipe
 - (85) 516" dia. pipe
 - (86) 522" dia. pipe
 - (87) 528" dia. pipe
 - (88) 534" dia. pipe
 - (89) 540" dia. pipe
 - (90) 546" dia. pipe
 - (91) 552" dia. pipe
 - (92) 558" dia. pipe
 - (93) 564" dia. pipe
 - (94) 570" dia. pipe
 - (95) 576" dia. pipe
 - (96) 582" dia. pipe
 - (97) 588" dia. pipe
 - (98) 594" dia. pipe
 - (99) 600" dia. pipe
 - (100) 606" dia. pipe
 - (101) 612" dia. pipe
 - (102) 618" dia. pipe
 - (103) 624" dia. pipe
 - (104) 630" dia. pipe
 - (105) 636" dia. pipe
 - (106) 642" dia. pipe
 - (107) 648" dia. pipe
 - (108) 654" dia. pipe
 - (109) 660" dia. pipe
 - (110) 666" dia. pipe
 - (111) 672" dia. pipe
 - (112) 678" dia. pipe
 - (113) 684" dia. pipe
 - (114) 690" dia. pipe
 - (115) 696" dia. pipe
 - (116) 702" dia. pipe
 - (117) 708" dia. pipe
 - (118) 714" dia. pipe
 - (119) 720" dia. pipe
 - (120) 726" dia. pipe
 - (121) 732" dia. pipe
 - (122) 738" dia. pipe
 - (123) 744" dia. pipe
 - (124) 750" dia. pipe
 - (125) 756" dia. pipe
 - (126) 762" dia. pipe
 - (127) 768" dia. pipe
 - (128) 774" dia. pipe
 - (129) 780" dia. pipe
 - (130) 786" dia. pipe
 - (131) 792" dia. pipe
 - (132) 798" dia. pipe
 - (133) 804" dia. pipe
 - (134) 810" dia. pipe
 - (135) 816" dia. pipe
 - (136) 822" dia. pipe
 - (137) 828" dia. pipe
 - (138) 834" dia. pipe
 - (139) 840" dia. pipe
 - (140) 846" dia. pipe
 - (141) 852" dia. pipe
 - (142) 858" dia. pipe
 - (143) 864" dia. pipe
 - (144) 870" dia. pipe
 - (145) 876" dia. pipe
 - (146) 882" dia. pipe
 - (147) 888" dia. pipe
 - (148) 894" dia. pipe
 - (149) 900" dia. pipe
 - (150) 906" dia. pipe
 - (151) 912" dia. pipe
 - (152) 918" dia. pipe
 - (153) 924" dia. pipe
 - (154) 930" dia. pipe
 - (155) 936" dia. pipe
 - (156) 942" dia. pipe
 - (157) 948" dia. pipe
 - (158) 954" dia. pipe
 - (159) 960" dia. pipe
 - (160) 966" dia. pipe
 - (161) 972" dia. pipe
 - (162) 978" dia. pipe
 - (163) 984" dia. pipe
 - (164) 990" dia. pipe
 - (165) 996" dia. pipe
 - (166) 1002" dia. pipe
 - (167) 1008" dia. pipe
 - (168) 1014" dia. pipe
 - (169) 1020" dia. pipe
 - (170) 1026" dia. pipe
 - (171) 1032" dia. pipe
 - (172) 1038" dia. pipe
 - (173) 1044" dia. pipe
 - (174) 1050" dia. pipe
 - (175) 1056" dia. pipe
 - (176) 1062" dia. pipe
 - (177) 1068" dia. pipe
 - (178) 1074" dia. pipe
 - (179) 1080" dia. pipe
 - (180) 1086" dia. pipe
 - (181) 1092" dia. pipe
 - (182) 1098" dia. pipe
 - (183) 1104" dia. pipe
 - (184) 1110" dia. pipe
 - (185) 1116" dia. pipe
 - (186) 1122" dia. pipe
 - (187) 1128" dia. pipe
 - (188) 1134" dia. pipe
 - (189) 1140" dia. pipe
 - (190) 1146" dia. pipe
 - (191) 1152" dia. pipe
 - (192) 1158" dia. pipe
 - (193) 1164" dia. pipe
 - (194) 1170" dia. pipe
 - (195) 1176" dia. pipe
 - (196) 1182" dia. pipe
 - (197) 1188" dia. pipe
 - (198) 1194" dia. pipe
 - (199) 1200" dia. pipe
 - (200) 1206" dia. pipe
 - (201) 1212" dia. pipe
 - (202) 1218" dia. pipe
 - (203) 1224" dia. pipe
 - (204) 1230" dia. pipe
 - (205) 1236" dia. pipe
 - (206) 1242" dia. pipe
 - (207) 1248" dia. pipe
 - (208) 1254" dia. pipe
 - (209) 1260" dia. pipe
 - (210) 1266" dia. pipe
 - (211) 1272" dia. pipe
 - (212) 1278" dia. pipe
 - (213) 1284" dia. pipe
 - (214) 1290" dia. pipe
 - (215) 1296" dia. pipe
 - (216) 1302" dia. pipe
 - (217) 1308" dia. pipe
 - (218) 1314" dia. pipe
 - (219) 1320" dia. pipe
 - (220) 1326" dia. pipe
 - (221) 1332" dia. pipe
 - (222) 1338" dia. pipe
 - (223) 1344" dia. pipe
 - (224) 1350" dia. pipe
 - (225) 1356" dia. pipe
 - (226) 1362" dia. pipe
 - (227) 1368" dia. pipe
 - (228) 1374" dia. pipe
 - (229) 1380" dia. pipe
 - (230) 1386" dia. pipe
 - (231) 1392" dia. pipe
 - (232) 1398" dia. pipe
 - (233) 1404" dia. pipe
 - (234) 1410" dia. pipe
 - (235) 1416" dia. pipe
 - (236) 1422" dia. pipe
 - (237) 1428" dia. pipe
 - (238) 1434" dia. pipe
 - (239) 1440" dia. pipe
 - (240) 1446" dia. pipe
 - (241) 1452" dia. pipe
 - (242) 1458" dia. pipe
 - (243) 1464" dia. pipe
 - (244) 1470" dia. pipe
 - (245) 1476" dia. pipe
 - (246) 1482" dia. pipe
 - (247) 1488" dia. pipe
 - (248) 1494" dia. pipe
 - (249) 1500" dia. pipe
 - (250) 1506" dia. pipe
 - (251) 1512" dia. pipe
 - (252) 1518" dia. pipe
 - (253) 1524" dia. pipe
 - (254) 1530" dia. pipe
 - (255) 1536" dia. pipe
 - (256) 1542" dia. pipe
 - (257) 1548" dia. pipe
 - (258) 1554" dia. pipe
 - (259) 1560" dia. pipe
 - (260) 1566" dia. pipe
 - (261) 1572" dia. pipe
 - (262) 1578" dia. pipe
 - (263) 1584" dia. pipe
 - (264) 1590" dia. pipe
 - (265) 1596" dia. pipe
 - (266) 1602" dia. pipe
 - (267) 1608" dia. pipe
 - (268) 1614" dia. pipe
 - (269) 1620" dia. pipe
 - (270) 1626" dia. pipe
 - (271) 1632" dia. pipe
 - (272) 1638" dia. pipe
 - (273) 1644" dia. pipe
 - (274) 1650" dia. pipe
 - (275) 1656" dia. pipe
 - (276) 1662" dia. pipe
 - (277) 1668" dia. pipe
 - (278) 1674" dia. pipe
 - (279) 1680" dia. pipe
 - (280) 1686" dia. pipe
 - (281) 1692" dia. pipe
 - (282) 1698" dia. pipe
 - (283) 1704" dia. pipe
 - (284) 1710" dia. pipe
 - (285) 1716" dia. pipe
 - (286) 1722" dia. pipe
 - (287) 1728" dia. pipe
 - (288) 1734" dia. pipe
 - (289) 1740" dia. pipe
 - (290) 1746" dia. pipe
 - (291) 1752" dia. pipe
 - (292) 1758" dia. pipe
 - (293) 1764" dia. pipe
 - (294) 1770" dia. pipe
 - (295) 1776" dia. pipe
 - (296) 1782" dia. pipe
 - (297) 1788" dia. pipe
 - (298) 1794" dia. pipe
 - (299) 1800" dia. pipe
 - (300) 1806" dia. pipe
 - (301) 1812" dia. pipe
 - (302) 1818" dia. pipe
 - (303) 1824" dia. pipe
 - (304) 1830" dia. pipe
 - (305) 1836" dia. pipe
 - (306) 1842" dia. pipe
 - (307) 1848" dia. pipe
 - (308) 1854" dia. pipe
 - (309) 1860" dia. pipe
 - (310) 1866" dia. pipe
 - (311) 1872" dia. pipe
 - (312) 1878" dia. pipe
 - (313) 1884" dia. pipe
 - (314) 1890" dia. pipe
 - (315) 1896" dia. pipe
 - (316) 1902" dia. pipe
 - (317) 1908" dia. pipe
 - (318) 1914" dia. pipe
 - (319) 1920" dia. pipe
 - (320) 1926" dia. pipe
 - (321) 1932" dia. pipe
 - (322) 1938" dia. pipe
 - (323) 1944" dia. pipe
 - (324) 1950" dia. pipe
 - (325) 1956" dia. pipe
 - (326) 1962" dia. pipe
 - (327) 1968" dia. pipe
 - (328) 1974" dia. pipe
 - (329) 1980" dia. pipe
 - (330) 1986" dia. pipe
 - (331) 1992" dia. pipe
 - (332) 1998" dia. pipe
 - (333) 2004" dia. pipe
 - (334) 2010" dia. pipe
 - (335) 2016" dia. pipe
 - (336) 2022" dia. pipe
 - (337) 2028" dia. pipe
 - (338) 2034" dia. pipe
 - (339) 2040" dia. pipe
 - (340) 2046" dia. pipe
 - (341) 2052" dia. pipe
 - (342) 2058" dia. pipe
 - (343) 2064" dia. pipe
 - (344) 2070" dia. pipe
 - (345) 2076" dia. pipe
 - (346) 2082" dia. pipe
 - (347) 2088" dia. pipe
 - (348) 2094" dia. pipe
 - (349) 2100" dia. pipe
 - (350) 2106" dia. pipe
 - (351) 2112" dia. pipe
 - (352) 2118" dia. pipe
 - (353) 2124" dia. pipe
 - (354) 2130" dia. pipe
 - (355) 2136" dia. pipe
 - (356) 2142" dia. pipe
 - (357) 2148" dia. pipe
 - (358) 2154" dia. pipe
 - (359) 2160" dia. pipe
 - (360) 2166" dia. pipe
 - (361) 2172" dia. pipe
 - (362) 2178" dia. pipe
 - (363) 2184" dia. pipe
 - (364) 2190" dia. pipe
 - (365) 2196" dia. pipe
 - (366) 2202" dia. pipe
 - (367) 2208" dia. pipe
 - (368) 2214" dia. pipe
 - (369) 2220" dia. pipe
 - (370) 2226" dia. pipe
 - (371) 2232" dia. pipe
 - (372) 2238" dia. pipe
 - (373) 2244" dia. pipe
 - (374) 2250" dia. pipe
 - (375) 2256" dia. pipe
 - (376) 2262" dia. pipe
 - (377) 2268" dia. pipe
 - (378) 2274" dia. pipe
 - (379) 2280" dia. pipe
 - (380) 2286" dia. pipe
 - (381) 2292" dia. pipe
 - (382) 2298" dia. pipe
 - (383) 2304" dia. pipe
 - (384) 2310" dia. pipe
 - (385) 2316" dia. pipe
 - (386) 2322" dia. pipe
 - (387) 2328" dia. pipe
 - (388) 2334" dia. pipe
 - (389) 2340" dia. pipe
 - (390) 2346" dia. pipe
 - (391) 2352" dia. pipe
 - (392) 2358" dia. pipe
 - (393) 2364" dia. pipe
 - (394) 2370" dia. pipe
 - (395) 2376" dia. pipe
 - (396) 2382" dia. pipe
 - (397) 2388" dia. pipe
 - (398) 2394" dia. pipe
 - (399) 2400" dia. pipe
 - (400) 2406" dia. pipe
 - (401) 2412" dia. pipe
 - (402) 2418" dia. pipe
 - (403) 2424" dia. pipe
 - (404) 2430" dia. pipe
 - (405) 2436" dia. pipe
 - (406) 2442" dia. pipe
 - (407) 2448" dia. pipe
 - (408) 2454" dia. pipe
 - (409) 2460" dia. pipe
 - (410) 2466" dia. pipe
 - (411) 2472" dia. pipe
 - (412) 2478" dia. pipe
 - (413) 2484" dia. pipe
 - (414) 2490" dia. pipe
 - (415) 2496" dia. pipe
 - (416) 2502" dia. pipe
 - (417) 2508" dia. pipe
 - (418) 2514" dia. pipe
 - (419) 2520" dia. pipe
 - (420) 2526" dia. pipe
 - (421) 2532" dia. pipe
 - (422) 2538" dia. pipe
 - (423) 2544" dia. pipe
 - (424) 2550" dia. pipe
 - (425) 2556" dia. pipe
 - (426) 2562" dia. pipe
 - (427) 2568" dia. pipe
 - (428) 2574" dia. pipe
 - (429) 2580" dia. pipe
 - (430) 2586" dia. pipe
 - (431) 2592" dia. pipe
 - (432) 2598" dia. pipe
 - (433) 2604" dia. pipe
 - (434) 2610" dia. pipe
 - (435) 2616" dia. pipe
 - (436) 2622" dia. pipe
 - (437) 2628" dia. pipe
 - (438) 2634" dia. pipe
 - (439) 2640" dia. pipe
 - (440) 2646" dia. pipe
 - (441) 2652" dia. pipe
 - (442) 2658" dia. pipe
 - (443) 2664" dia. pipe
 - (444) 2670" dia. pipe
 - (445) 2676" dia. pipe
 - (446) 2682" dia. pipe
 - (447) 2688" dia. pipe
 - (448) 2694" dia. pipe
 - (449) 2700" dia. pipe
 - (450) 2706" dia. pipe
 - (451) 2712" dia. pipe
 - (452) 2718" dia. pipe
 - (453) 2724" dia. pipe
 - (454) 2730" dia. pipe
 - (455) 2736" dia. pipe
 - (456) 2742" dia. pipe
 - (457) 2748" dia. pipe
 - (458) 2754" dia. pipe
 - (459) 2760" dia. pipe
 - (460) 2766" dia. pipe
 - (461) 2772" dia. pipe
 - (462) 2778" dia. pipe
 - (463) 2784" dia. pipe
 - (464) 2790" dia. pipe
 - (465) 2796" dia. pipe
 - (466) 2802" dia. pipe
 - (467) 2808" dia. pipe
 - (468) 2814" dia. pipe
 - (469) 2820" dia. pipe
 - (470) 2826" dia. pipe
 - (471) 2832" dia. pipe
 - (472) 2838" dia. pipe
 - (473) 2844" dia. pipe
 - (474) 2850" dia. pipe
 - (475) 2856" dia. pipe
 - (476) 2862" dia. pipe
 - (477) 2868" dia. pipe
 - (478) 2874" dia. pipe
 - (479) 2880" dia. pipe
 - (480) 2886" dia. pipe
 - (481) 2892" dia. pipe
 - (482) 2898" dia. pipe
 - (483) 2904" dia. pipe
 - (484) 2910" dia. pipe
 - (485) 2916" dia. pipe
 - (486) 2922" dia. pipe
 - (487) 2928" dia. pipe
 - (488) 2934" dia. pipe
 - (489) 2940" dia. pipe
 - (490) 2946" dia. pipe
 - (491) 2952" dia. pipe
 - (492) 2958" dia. pipe
 - (493) 2964" dia. pipe
 - (494) 2970" dia. pipe
 - (495) 2976" dia. pipe
 - (496) 2982" dia. pipe
 - (497) 2988" dia. pipe
 - (498) 2994" dia. pipe
 - (499) 3000" dia. pipe
 - (500) 3006" dia. pipe
 - (501) 3012" dia. pipe
 - (502) 3018" dia. pipe
 - (503) 3024" dia. pipe
 - (504) 3030" dia. pipe
 - (505) 3036" dia. pipe
 - (506) 3042" dia. pipe
 - (507) 3048" dia. pipe
 - (508) 3054" dia. pipe
 - (509) 3060" dia. pipe
 - (510) 3066" dia. pipe
 - (511) 3072" dia. pipe
 - (512) 3078" dia. pipe
 - (513) 3084" dia. pipe
 - (514) 3090" dia. pipe
 - (515) 3096" dia. pipe
 - (516) 3102" dia. pipe
 - (517) 3108" dia. pipe
 - (518) 3114" dia. pipe
 - (519) 3120" dia. pipe

	CALL TWO WORKING DAYS BEFORE YOU DIG	REVISIONS NO. DESCRIPTION DATE BY	75 Kallot Place Sedona, AZ 86336 928.282.1001 928.2058 fax	JOB NO: 12298 DATE: SEP 14 SCALE: AS SHOWN DRAWN: AMR DESIGN: JTL CHECKED: JTL	VERDE VALLEY MEDICAL CENTER CAMP VERDE ARIZONA
	Council Regular Session	March 4, 2016	Shephard & Wenzlitz, Inc. www.swiaz.com	CAMP VERDE SANITARY DISTRICT OF 196 SEWER IMPROVEMENT PLANS STA 50+00 TO 57+45.68	

Agenda Item 10



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: March 04, 2020

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

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

Agenda Title (be exact): Consideration & possible approval to forgive the CDBG-RLF Conditional Deferred Loan to Lawrence V. Wilson and Shana Carnahan for \$31,075.99 made through the Town’s home grant program.

List Attached Documents: 1) Promissory Note, 2) Email from AzHousing,
3) Statement from Lawrence & Shana Wilson

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 5 minutes

Reviews Completed by:

- Department Head: Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: N/A

Comments: None

Background Information: Lawrence & Shana Wilson are in both Home Grant loan programs, one requiring a monthly payment and the other not requiring any payment. The non-payment loan states that the owner is required to live in the house for 15 years and 4 months. This month, they will have been in the house under this grant for 11 years and 1 month. They have actually lived on the same property for 17 years now.

If we require them to repay the \$31,075.99 from this grant, we will simply have to return the money to the Department of Housing. You can see from the attached email, they do not require the loan to be repaid any longer. Therefore it is only our own documentation that requires the payment at this point. It is the Town Finance Director’s opinion that this loan should be forgiven as the program has done what is set out to do. It has helped a local family in need, does not impact any local tax revenue monies from local residents and it has no expense nor benefit to the Town directly.

Recommended Action (Motion): Approve to forgive the CDBG-RLF Conditional Deferred Loan to Lawrence V. Wilson and Shana Carnahan for \$31,075.99 made through the Town’s home grant program.

Instructions to the Clerk: N/A

ORIGINAL

PROMISSORY NOTE
(CDBG-RLF Conditional Deferred Payment Loan)

Loan Amount: \$31,075.99
Date: February 3, 2009

Application No.
Camp Verde, Arizona

FOR VALUE RECEIVED, the undersigned (Borrower) jointly and severally promise(s) to pay to the order of the Town of Camp Verde, a municipal corporation of the State of Arizona (Lender), or its successors, the sum of THIRTY ONE THOUSAND SEVENTY FIVE DOLLARS AND 99/100 (\$31,075.99). This Note is made on a 15-year Deferred Payment, no interest bearing basis, beginning February 13, 2009 (Date) and continuing through March 13, 2024 (Date, 15 years and one month).

This note is secured by a Deed of Trust on real property.

This Note shall become due and payable upon any actual or attempted transfer, voluntary or involuntary, including by operation of law or upon the death of Owner (where ownership is joint, upon death of the sole survivor having an interest at the date of this Note, unless the property is inherited and occupied by a qualifying immediate family member who has inherited the property) of certain real property identified and described in the Deed of Trust as set forth above. Said payment shall be made in lawful money of the United States of America at the office of the Town Hall of the Town of Camp Verde, Arizona, or at such other places as shall be designated by the Town.

Should default occur in the performance of or compliance with any of the covenants or conditions of said Deed of Trust, or accompanying Rider to Security Instrument, then in any such event the holder may, in addition to such other remedies or combination of remedies holder may have under law and equity, declare the whole sum of principal and interest immediately due and payable.

If payment is not yet due hereunder, this Note shall be deemed satisfied at the end of the recapture period which shall expire fifteen (15) years and one (1) month after the date of the execution of this note and Borrower shall be entitled to a release of the Subordinate Security Instrument upon payment of a reasonable fee, as determined by the Note holder, for preparation and recordation of the release.

Notwithstanding any amount that may be due hereunder, if before the end of the recapture period stated above, Borrower makes a Voluntary Sale of the Property, the amount to be recaptured by the Note Holder shall be calculated in the following manner. First, the Note Holder shall determine the net Resale Proceeds for the Property. Then, the Note Holder shall determine the amount of Principal plus the amount of interest due under this note. Then, the Note Holder shall add up Borrower's Down Payment, Principal Payments, and the Value of

Improvements as evidenced by receipts provided by Borrower, and this shall be called Borrower's Equity. Then the Net Resale proceeds shall be distributed as follows:

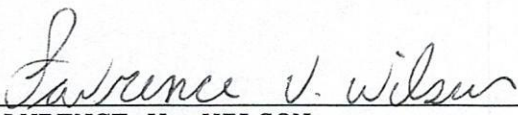
- a. If the Net Resale Proceeds are sufficient to cover the amount of this note and the Borrower's Equity, the Note Holder shall be entitled to the Principal and interest payable hereunder and the Borrower shall be entitled to receive Borrower's Equity and any amount remaining from Net Resale Proceeds after payment of the amounts due hereunder and Borrower's Equity.
- b. If the Net Resale Proceeds are not sufficient to repay the amounts due hereunder and the Borrower's Equity, the Borrower shall be entitled to receive the Borrower's Equity, and any amount remaining from Net Resale Proceeds after payment of the Borrower's Equity shall be repaid to the note holder. The Borrower 1-shall have no claim against the Note Holder, the Lender, or the State of Arizona; and 2-shall not be entitled to collect any amount exceeding Borrower's Equity.

If suit or action is instituted by Town to recover on this Note, I, we, or either of us agree to pay a reasonable attorney's fee and costs in addition to the amount due on this Note.

Diligence, demand, protest and notice of demand and protest are hereby waived and the undersigned hereby waives, to the extent authorized by law, any and all homestead and other exemption rights which otherwise would apply to the debt evidenced by this Note. Consent is hereby given to the extension of time of payment of this Note, without notice.

The undersigned reserves the right to repay at any time all of the principal amount of this Note in a single payment without the payment of penalties, discount or premiums.

IN WITNESS WHEREOF, this Note and Deed of Trust securing the Note have been duly executed by the undersigned, as of the date above written.



LAWRENCE V. WILSON



SHANA CARNAHAN



This Rider is a part of the Security Instrument Mortgage, Deed of Trust, etc. to which it is attached. In this Rider, the term 'Property' refers to the Property legally described in the Security Instrument. The term 'Buyer' refers collectively (unless the context otherwise requires) to all persons signing the Security and the Note secured thereby.

GOVERNING LAW

This Rider and the Security Instrument implement 24 CFR Part 92, and shall be construed in accordance therewith. To the extent not inconsistent therewith, the law of the State of Arizona and the local jurisdiction in which the property is located shall govern these documents.

TRANSFER OF THE PROPERTY

If all or any part of the Property located at 2946 MAPLE DR, Camp Verde, Yavapai County, Arizona or any interest in it (including a beneficial interest) is sold or transferred with out notice to the Town of Camp Verde (Town), the Town will require immediate payment in full of all sums secured by the Security Instrument.

DEFAULT

Events of Default. Any of the following events are prohibited by 24 CFR Part 92 and/or the Town of Camp Verde Housing Program, and shall constitute a default under this Security Instrument:

1. **Rental.** If the Borrower rents or leases the Property to any person or entity, the Borrower is in Default under this Security Instrument, except the Borrower may rent limited space, such as a room or basement to the extent permitted by the law of the jurisdiction, if the Borrower continues to occupy the home as his or her *Principal Residence*.
2. **Failure to Occupy Property as a Principal Residence.** If Borrower is continuously absent from the Property for a period of more than sixty (60) days, or moves substantially all of their personal possessions from the Property, the Borrower shall be deemed not occupying the Property as their Principal Residence and shall be in Default under this Security Instrument.
3. **Borrower's Fraud or Misrepresentation.** Any willful misstatement of, or failure to disclose, a material fact by a Borrower relating to his or her eligibility for assistance with respect to the Property under the Town's Homeownership Program under 24 CFR Part 92 is a Default under this paragraph. Recovery against the Borrower responsible for the fraud or misrepresentation is not limited to the proceeds of the sale of the Property but may include personal judgment and execution thereon to the full extent authorized by law.
4. **Second Mortgage/Encumbrance.** If the Borrower attempts to attain or allows additional encumbrances on the Property during the term of this Security Instrument, the Borrower is in Default under this Security Instrument.
5. **Delinquent Payments.** If the Borrower fails to make payment within fifteen (15) days of the due date, the payment is late. A late charge of four percent (4%) is assessed. If the Borrower fails to make payment within thirty (30) days of the due date, they are

considered delinquent. If Borrower fails to make payment within sixty (60) days of the due date, they are considered in default of this security instrument.

- 6. **Code Compliance.** If the Borrower fails to stay in compliance with all Town ordinances by maintaining the exterior of the property in good condition and free of any environmental hazards (trash, junk cars, etc.) for each year of owner occupancy until such time as the full amount of principal has been credited, they are considered in default of this security instrument.

Notice of Default and Amount Due. The Town may send Borrower a written notice stating the reason(s) for Default and demanding immediate payment of the full amount of principal and interest due on this note. Failure to pay the Demand Note may result in foreclosure proceedings.

Payment of the Town's Costs and Expenses. If the Town has notified Borrower to pay immediately in full, the Town has the right to be repaid from the proceeds of foreclosure for all of its costs and expenses in enforcing this Note to the extent not prohibited by applicable law.

PROHIBITION ASSUMPTIONS

Except where otherwise required or permitted by the Town in connection with a transfer on death, divorce, legal separation, or legal incapacity of a Borrower, the Note and Security Instrument may not be assumed.

WITNESS THE HAND(S) AND SEALS(S) OF THE UNDERSIGNED:

Borrower: Lawrence V. Wilson
LAWRENCE V. WILSON

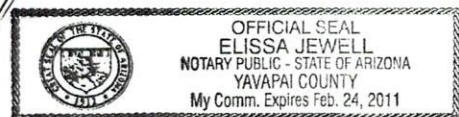
Shana Carnahan
SHANA CARNAHAN

Date this 3rd day of February, 2009.

STATE OF ARIZONA)
) §
COUNTY OF YAVAPAI)

This instrument was acknowledged before me this 3 day of February, 2009.
BY LAWRENCE V. WILSON AND SHANA CARNAHAN.

Elissa Jewell
Notary Public



SEAL

Michael Showers

From: Katherine Blodgett <kathy.blodgett@azhousing.gov>
Sent: Monday, February 24, 2020 9:41 AM
To: Michael Showers
Subject: Re: Home Grant Proposal

Michael,

I see from the Note that this housing rehabilitation was funded with CDBG. There is technically no requirement by HUD to place a lien on properties that have been assisted through housing rehabilitation. ADOH requires liens be placed for HOME funded housing rehabilitation to secure the period of affordability.

For CDBG funded housing rehabilitation, there is only the requirement that there be a minimum of 5 year benefit to a low-to-moderate income household. This particular lien is now 11 years and therefore has met the 5 year benefit requirement for CDBG.

Camp Verde is free to chose to release this lien without repayment and there would be no repayment requirement from HUD.

Please let me know if you have any questions,

Katherine E. Blodgett, PCED

CD&R Programs Administrator



Arizona
Department
of Housing

1110 W. Washington St., Suite 280

Phoenix, Arizona 85007

Direct 602.771-1021:l: Main 602.771-1000:l: Facsimile 602.771-1002

www.azhousing.gov

On Thu, Feb 20, 2020 at 4:27 PM Michael Showers <Michael.Showers@campverde.az.gov> wrote:

Kathy,

Lawrence & Shaina Wilson live at 2946 S. Maple Dr. in Camp Verde, Az. They are currently in both of our housing grant programs, payment and non-payment. They wish to sell their residence and use the equity to buy a new home. They would pay-off all outstanding balances to the Town for the payment loan which we

could keep in our Housing grant program. They are requesting that the non-payment loan, \$31,075.99 (see the attached promissory note), be forgiven. I will be taking their request to our Town Council on Monday, March 4th. We have spoken about how HUD and ADOH would have no problem with the Town forgiving this portion and not holding the Town responsible for payment. I would like to obtain a statement to that fact to present our Council and attorney.

Mike Showers
Finance Director
Town of Camp Verde


(928) 554-0811

Michael.Showers@campverde.az.gov

Hours of operations for all Town offices are Monday - Thursday 7 am to 5 pm and Friday 7 am to 11 am.


All messages created in this system belong to the Town of Camp Verde and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. § 39-121 et seq.) Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology. The content of this message may contain the private views and opinions of the sender and does not constitute a formal view and/or opinion of the Town unless specifically stated. The contents of this email and any attachments may contain confidential and/or proprietary information, and is intended only for the person/entity to whom it was originally addressed. Any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error please notify the sender immediately by return e-mail and delete this message and any attachments from your system.

Furthermore, to ensure compliance with the Open Meeting Law, Council or Board/ Commission / Committee members who are recipients of this message should not forward it to other members of the Council or Board / Commission / Committee of the Town of Camp Verde. Council Members or Board / Commission / Committee members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board / Commission / Committee members.

Please consider our environment before printing this email. 

All messages created in this system belong to the Town of Camp Verde and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. § 39-121 et seq.) Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology. The content of this message may contain the private views and opinions of the sender and does not constitute a formal view and/or opinion of the Town unless specifically stated. The contents of this email and any attachments may contain confidential and/or proprietary information, and is intended only for the person/entity to whom it was originally addressed. Any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error please notify the sender immediately by return e-mail and delete this message and any attachments from your system.

Furthermore, to ensure compliance with the Open Meeting Law, Council or Board/ Commission / Committee members who are recipients of this message should not forward it to other members of the Council or Board / Commission / Committee of the Town of Camp Verde. Council Members or Board / Commission / Committee members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board / Commission / Committee members.

Please consider our environment before printing this email. 

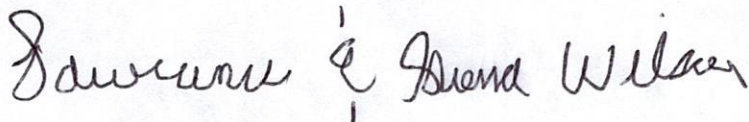
To The Camp Verde Town Council:

I would like to take the time to thank you the Town Council for your time today. My name is Shana Wilson. I have lived in Camp Verde, Arizona since 1991 and I am native to Arizona as well. My husband and I were purchasing an older 1966 mobile in 2003, in the Verde Lakes area. We have lived on this property for 17 years total.

Upon hearing about the Home Revitalization Program offered through the Town of Camp Verde, we applied, and were approved by the Camp Verde Town Council. In March of 2009 we moved into our new home, and have been raising two children in this home. It has completely changed our lives and revitalized our lives as well. We have lived in our new home for 11 years, and if we sell and are forgiven the grant, our family would then be able to purchase a home and land that would be sustainable for our family's future.

Again, I would like take a moment of time to thank the Camp Verde Council members for the time taken to discuss this matter. On a personal note; we consider it to be an honor and a blessing to have lived and raised a beautiful family in such a wonderful town and community.

Thank you,

A handwritten signature in cursive script that reads "Lawrence & Shana Wilson". The ampersand is stylized, and the names are written in a fluid, connected style.

Lawrence and Shana Wilson

[Page intentionally left blank]

Agenda Item 11



Town of Camp Verde

Meeting Date: March 4, 2020

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

Requesting Department: Administration

Staff Resource/Contact Person: Russ Martin

Agenda Title (be exact): Discussion, consideration and possible approval of Resolution 2020-1039 A resolution of the Mayor and Common Council adopting th Financial Operations Guide and superseding all Resolutions or parts of resolutions in conflict with the provisions of the resolution, including Resolution 2011-844 and 2013-890.

List Attached Documents:

1. **Resolution 2020-1039 with** Proposed changes to the Financial Operations Guide (suggested edits highlighted)

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 5 minutes

Reviews Completed by:

- Department Head:** Russ Martin
- Town Attorney Comments:** N/A
- Finance Department:** Items in this agenda are related only to the Procurement/Contract area, more will be necessary later on this year.

Background Information: Following the procurement of services for any contract above \$50,000 Council action is necessary, following is a series of events through completion that will be changing to allow for more check points to the process as the contract and projects move forward.

Council will:

Be Informed of Bids going out that expect to be above the \$50,000 threshold
Have approval authority of change orders in excess of \$50,000 or 10% of the original contract award whichever is less

Informed immediately and then staff will seek approval at the next available Council meeting for immediate items over these amounts that would otherwise cause the cost to rise in delay of action on the change order.

Recommended Action (Motion):

Move to approve Resolution 2020-1039 A resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the h Financial Operations Guide and superseding all Resolutions or parts of resolutions in conflict with the provisions of the resolution, including Resolution 2011-844 and 2013-890



RESOLUTION 2020-1039

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
AMENDING THE FINANCIAL OPERATIONS GUIDE AND SUPERSEDING ALL
RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT WITH THE
PROVISIONS OF THIS RESOLUTION, INCLUDING RESOLUTION 2011-844 AND
2013-890.**

WHEREAS, the Mayor and Common Council has approved and adopted the Town of Camp Verde Procedures and Operations Guide (POG) on April 20, 2011 which includes the Town of Camp Verde Financial Operations Guide that was amending by 2013-890 and amended on February 18, 2015 by motion.

WHEREAS, it is necessary to amend and/or change the POG from time to time in order to retain consistency with current policies, and statues:

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde hereby resolve to approve and adopt the following attached changes to the Financial Operations Guide (FOG)

ADOPTED AND APPROVED by a majority vote of the Mayor and Common Council at the Regular Council Meeting on March 4, 2020.

PASSED AND ADOPTED:

Charles German, Mayor

Attest:

Approved as to form:

Cindy Pemberton, Town Clerk

William Sims

2020-1039
AMENDING FINANCIAL OPERATIONS
GUIDE

PURCHASING POLICIES
SECTION

PROCUREMENT

PURPOSE: To establish standard policies and procedures for the procurement of goods and services for the Town of Camp Verde to ensure that all goods and services received are properly authorized.

POLICIES/PROCEDURES:

I. APPROVAL LEVELS

A. Specified Budgeted Purchases

1. Department Head approval required for all purchases.
2. Finance Director approval required for purchases over \$20,000.
3. Town Manager and Finance Director approval required for purchases over \$30,000.
4. Council approval required with Town Manager or Finance Director recommendation for purchases over \$50,000.

B. Non-Budgeted Purchases or Specified Budget Line Changes

1. Town Manager approval for non-budgeted purchases or specified budget line changes under \$5,000.
2. Council approval with Town Manager recommendation for non-budgeted purchases or specified budget line changes over \$5,000.

C. Contingency Budget Use

1. Town Manager approval for use of Contingency line items up to \$15,000.
2. Council approval with Town Manager recommendation for use of Contingency line items over \$15,000 with the exception of normal employee termination payouts.

D. Contracts & Agreements

1. Contracts and agreements entered into by the Town must be reviewed by the Risk Management Department and must be approved and signed by the Town Manager.
2. Contracts or Agreements over \$3050,000 need Council approval and the Mayor's signature.
3. Amendments within the line item budget but over the original contracted amount must get Council approval and the Mayor's signature when the amendment is more that 10% over a contracted amount over \$500,000 and 15% over a contracted amount under \$500,000.
4. Council shall be notified of any contract overages within 3 working days.
5. Any change orders increasing the costs more than \$50,000 shall be approved by Council at the next meeting, if the cost of the change order will increase based on time delay of a Council meeting then the Town Manager is authorized to approve. This item will then be placed on the next Council meeting for review.

II. APPROVAL PROCESS

A. Support Requirements

1. Department Director sign-off for all purchases.
2. 3 comparative quotes (see item B. Quotes below) required for construction/materials related purchases over \$10,000 up to \$50,000 and for all non-Bid purchases over \$50,000.
3. Bid Process (see item C Bids below) required for construction/materials related purchases over \$50,000.
4. Bids and comparative quotes are not required when purchasing from a vendor on the State Procurement List.

5. Purchase Orders/Requisitions (see item D. Purchase Orders / Requisitions below) must be completed for purchases/contracts over \$20,000.

B. Quotes

1. Quotes or current pricing information from reasonable competitors. Information must be printed and attached to the purchase request. Pricing comparisons should be based on best available price information with only reasonable competitor prices used.
2. Where 3 quotes cannot be obtained, a vendor's refusal to quote or simply the lack of vendors must be documented.
3. The Town reserves the right to select a higher quote if circumstances can be documented that the more expensive choice is in the Town's best interest.

C. Bids

1. Obtain a project/bid number from the Town Clerk's Office.
2. Publication of a notice of solicitation. Per A.R.S. § 41-2533, an invitation for bids shall be issued and shall include a purchase description and all contractual terms and conditions applicable to the procurement. The notice may include publication one or more times in a newspaper of general circulation within a reasonable time before bid opening. The publication shall be not less than two weeks before bid opening and shall be circulated within the affected governmental jurisdiction. Notice shall also be sent to the League of Arizona Cities and Towns, plan rooms and all vendors who have requested to be placed on the bid list.
- 2.3. Notice of same must be given to Town Council.
- 3.4. A notice of solicitation for bids shall state the date, time and place of opening, and the place and time period within which bids shall be submitted. The time of bid opening should be not more than 15 minutes after the deadline to submit bids.
- 4.5. The notice shall state with particularity the goods or services required and shall state the place where specifications may be examined.
- 5.6. Bids shall be submitted in a sealed envelope clearly identified as a bid on the front of the envelope. Any bid not received within the time period allowed shall be rejected.
- 6.7. All bids shall be date and time stamped upon receipt.
- 7.8. All bids shall be opened in public at the time and place specified, and a tabulation of all bids shall be posted at Town Hall for public inspection.
- 8.9. All bidders shall be notified in writing of the award or rejection of any and all bids.
- 9.10. Proposals shall be requested and evaluated pursuant to procedures consistent with the State Procurement Code (A.R.S. § 41-2534, as may be amended).
- 10.11. Original bid documents are maintained on file in the Town Clerk's Office in accordance with the Town of Camp Verde Records Management Manual.
- 11.12. Unless the bids are rejected, the following shall be considered in determining the lowest responsible bidder:
 - a. The ability, capacity and skill of the bidder to perform the contract or provide the service required.
 - b. Whether the bidder can perform the contract or provide the services promptly or within the specified period of time without delay or interference.
 - c. The quality of performance of previous contracts.
 - d. The previous and existing compliance by the bidder with the laws and ordinances of the Town.
 - e. The financial resources and ability of the bidder to perform the contract.
 - f. The quality, availability, and adaptability of the supplies or service.
 - g. The reasons for selecting other than the lowest bidder shall be documented and filed with the bid documents.

D. Purchase Orders / Requisitions

1. The computerized requisition process must be used for any purchases or projects that in total accumulate to more than \$20,000 for each individual vendor or contract (excluding normal recurring operating expenditures such as utility expenses, rental payments, payroll taxes, etc.).

2. Requisitions will be completed by each department for projects, contracts or purchases as soon as agreements or contracts are accepted or the intent to move forward with the project/purchase has been initiated.
3. Purchase Orders will be initiated at the department level and are used to draw down monies on each individual requisition.

E. Other Items

1. Performance and Payment Bonds. The Finance Director shall have the authority to require a performance bond, in such amount as the Finance Director may deem sufficient for contracts other than contracts for construction, and the Finance Director shall require performance and payment bonds for contracts for construction as required by law (in excess of \$20,000). In all cases of construction to which state law applies, any requirement for a bond shall be incorporated into the contract.
2. Exclusive Service. In the event that there is only one person or entity capable of providing a particular commodity or service, the requirement of the Town Code concerning bidding procedures shall not be applicable. However, for auditing purposes, sole-source proof shall be maintained.
3. Professional and Technical Services
 - a. The provisions of the Town Code shall not apply to professional or technical services.
 - b. No person or firm practicing in a professional or technical field for which a license is required by state law shall be engaged by the Town unless possessing a current license in good standing.
 - c. Upon engagement, the Town shall enter into a written agreement or memorandum of understanding for the performance of the services for which engaged, setting forth the scope of services and the unit or total price therefore.
4. Job Order Contract. Under ARS 6-34-601, the Finance Director may authorize the solicitation for Request of Qualifications (RFQ) and/or Request for Proposals (RFP), for the selection of a qualified firm/individual with whom the Town may enter into a Job Order Contract (JOC). The method of solicitation and selection may include the consideration of contractors approved under the Mohave Contract. Multiple contracts for Job-Order-Contracting construction services may be awarded to separate persons or firms on a final list with whom the Town may negotiate fair and reasonable contract terms. Multiple year contracts will be executed for three years, performance reviews and fixed or unit prices may be updated annually.
5. Cooperative Purchasing. The Town Code shall not apply to purchases made by, through or with the State of Arizona or its political subdivisions. The Town may make purchases or award contracts for **services** without a formal bidding or proposal process whenever other governmental units have done so for the same item or service, if, in the opinion of the Finance Director, a separate bidding process is not likely to result in a significantly lower price for such items or **services**.
6. Grants. The provisions set forth in the Town Code or the Town of Camp Verde Financial Operations Guide may be superseded by bidding, proposal, or qualification requirements in federal and state grants.
7. Purchases from Mayor or Council Members. Pursuant to ARS § 38-503(C), as may be amended, the Town, through its common Council, may purchase supplies, materials, and equipment not to exceed three hundred dollars in cost in any single transaction or a total of one thousand dollars annually, or as may be adjusted by law from the Mayor or any member of the common Council without using competitive public bidding procedures according to an annually adopted Town policy.

[Page intentionally left blank]



Town of Camp Verde

Meeting Date: March 4, 2020

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

Requesting Department: Administration

Staff Resource/Contact Person: Russ Martin

Agenda Title (be exact): Discussion, consideration and possible direction on items identified for improvement at previous meetings.

List Attached Documents:

Estimated Presentation Time: 10 minutes

Estimated Discussion Time: 25 minutes

Reviews Completed by:

- Department Head: Russ Martin, Comments contained herein.
- Town Attorney Comments: Bill Sims, Comments Contained herein.
- Finance Department: N/A

Background Information: The Council generally agreed that the following were the minimum steps to be taken, staff has attempted to work on and present these for Council consideration and acceptance and ultimately look for approval of a new resolution adopting some of the items below:

1. The Town should review public records policies and undertake training to make certain staff/Council are aware of the need for redacting the names of individuals from police reports when the report is preliminary and not yet conclusive.

RESPONSE: Staff has met with both attorneys and have formulated a policy/process that makes a couple of changes. Staff has changed the stamp previously "dissemination restricted" to "ready for public release", this is to address that all reports even in process of investigation are generally available at all stages of the investigation regardless of whether the items/persons may be embarrassed or the investigation is incomplete. Redaction is going to continue to be per statute as records are released from CVMO record staff.

2. Council training including but not limited to the allowance for Town Council members the opportunity to review Town documents without having to file a public records request and the procedures for Council and public dissemination of the same.

RESPONSE: Staff has met again on this item with both attorneys and have formulated a policy/process that suggests that Town Council make all Town Council requests for CVMO records through the Town Clerk/Town

Manager so that any item may be disseminated to all once the request is complete. All other record requests made directly at CVMO will be assumed to be for purposes other than circulation to Council Members and will follow normal procedures at CVMO records.

3. The Town Code should be modified to clarify that any Council member, not just the proponent of an agenda item, should deliver materials that the Council member desires to circulate at a Council meeting to the Clerk a minimum amount of time prior to the Council meeting so that staff and all Council members are aware of the documents.

RESPONSE: Proposed edit of sections within the current policies in an attempt to clarify.

- i. Overhauling all the Policies
- ii. Amending the entire Ethics Code (all of Section 15)
- iii. Amending only Sections 15.10 and 15.11

4. Investigations by the Marshal's office should be completed as timely as possible.

RESPONSE: Marshal Rowley met with supervisors and has addressed this with the hopes to ensure that items are continued to be followed up even if staff ends shift/vacation, etc. so that items will remain open and clearly as such on initial reports until a final/closed report is issued on formal complaints as well as criminal complaints. Unfortunately, no timetable is truly guaranteed but every effort will be made to complete as soon as all parties/issues have been contacted/addressed.

5. The Town should adopt procedures for inquiring about the qualifications and background of persons applying to sit on Town boards and commission.

RESPONSE: Staff goes through criminal records process for incoming staff and volunteers for positions such as Coach or Library. At the current time only HR staff is allowed/trained and is sole determinate as to whether the results warrant continued service. However, a more extensive process is conducted at CVMO for staff/volunteers outside of CVMO where a more extensive background is conducted and decisions within a couple of staff members there. Not sure what processes Council would like to conduct and how the information would be distributed. All staff getting the information above are required initial and ongoing training and documentation and dissemination is legally limited and ultimately destroyed per record policy.

Recommended Action (Motion):

Move to accept changes as submitted and request attorney bring back an entirely new Code of Conduct (Section 15).



Why do we have Public Records?

- The purpose of our Public Records Act is “to allow citizens to be informed about what their government is up to.”

Scottsdale Unified School District v. KPNX

TOP 5 REASONS FOR DENYING PUBLIC RECORDS REQUESTS

1. It's embarrassing
2. They don't need to know it
3. I don't want them to know
4. It's none of their **business**
5. Why do we have to waste our time getting it for them

These are not lawful reasons to deny public records requests.

TOP REASONS FOR DENYING PUBLIC RECORDS REQUESTS

Nor is "it could hurt the investigation"

Unless we can explain, in court,
specifically how it could harm the
investigation

LUNNEY v. AZ – the new case

Following the death of their son in December 2012,
the Lunnays made numerous requests under
Arizona's Public Records Law to DPS and ADOT. In
2015 they sued over the responses.

The Court held the attorney general's office's
involvement in responding to the Lunnays' public
records requests did not violate Arizona's Public
Records Law because it did not unnecessarily delay
the process of promptly providing the requested
information.

LUNNEY v. AZ – the new case

The Court also held : (1) when responding to public records
requests, state agencies are required to query and search their
electronic databases and produce responsive public records;
The Lunnays requested "ALL: first and last names, badge
numbers, call-signs and vehicle numbers, for those officers
associated with East, West, Central and McDowell commands
that were ON DUTY from December 7, 2012 between the
hours of 7:00 PM and 8:00 AM of December 8, 2012."

The State responded saying, "DPS does not have any
responsive documents [to this request] . . . This information
may be available within various databases maintained within
separate departments of DPS. If you . . . require this
information, please serve a formal interrogatory on our office
and we will research and provide an appropriate response."

LUNNEY v. AZ – the new case

Arizona's Public Records Law requires a state agency to "query and search its database to identify, retrieve, and produce responsive records for inspection" if the agency maintains public records in an electronic database. Agencies are not required to "tally and compile previously untallied and un-compiled information" in an electronic database.

In *ACLU v. AZ DCS*, we held a state agency did not have to respond to requests seeking "information about information." To respond, the agency "would have had to write a computer program to extract the raw data" from a database, "determine or calculate" what information fell within the categories requested, and analyze the information it found.

Federal courts interpreting FOIA have also recognized "access to existing records but does not establish a research service; FOIA entitles citizens to the disclosure of documents, but it does not oblige the government to answer their questions."

LUNNEY v. AZ – the new case

The Court held *ACLU* is different in that the agency was asked to "tally or compile numerical or statistical information and percentages" and "create a new record that compiles analytical information about information."

Here, the Lunnays did not request information about information, they simply wanted the names and related information about the officers on duty during a specified time.

DPS's records manager Fuentes testified, "if structured in a proper request for the same information, that is a public records' request, but as a request for that information relative to [officers]," DPS could "possibly" go to various sources and find the information.

The State is not required to create a single comprehensive document responding to the Lunnays' request. But to the extent the information requested is a public record, the State is required to "query and search" its electronic databases and produce any responsive documents that result from those searches. This is true even if the search would require the agency to search various databases.

LUNNEY v. AZ – the new case

The Court also held (2) a public employee's private cell phone records pertaining to the conduct of public business may become public records subject to disclosure if a public records requestor establishes the employee used the cell phone for a public purpose.

The public is not entitled to a public employee's purely personal records.

However, the line between public and private records is not always clear, and when a "substantial question" exists as to whether information is subject to disclosure, courts must first determine if the information qualifies as a public record.

LUNNEY v. AZ – the new case

In the case of a public employee’s personal cell phone records, a requestor can raise a “substantial question” by showing the employee used his or her personal cell phone for a public purpose.

However, mere use of a private cell phone during working hours is insufficient to meet the threshold showing; rather, the requestor must present evidence the information on, or use of, a private cell phone created a public record.

If the threshold showing is met, the burden then shifts to the party claiming the record is private to so establish.

LUNNEY v. AZ – the new case

Here, ...the court ordered the parties to determine if the records existed, and if so to produce them for inspection.

Fuentes testified DPS does not collect personal cell phone records for officers, and after the superior court’s order, DPS contacted the officers and were told the records did not exist. The superior court then found in favor of the State on this issue. Because there is no evidence presented that the records are available, we need not decide if the threshold showing was made in this case that the officers’ cell phone records were public, and we affirm the superior court’s ruling that DPS did not violate Arizona’s Public Records Law by failing to produce the officers’ private cell phone records.

Side Note...

Personal Electronic Devices

Phones

BWC

When do they become “public”

NM Case

LUNNEY v. AZ – the new case

The Court also held (3) without justification for the delay, a 135-day response time to a request is not prompt;

While denial is not wrongful if a custodian made "reasonable efforts" and "acted in good faith," there is no evidence here that the State made reasonable efforts to promptly respond to this request.

Because the State did not provide a legally sufficient reason for the delay, we hold the State's response to this request was not prompt.

A.R.S. §39-121. Inspection of public records

Public records and other matters in the custody of any officer shall be open to inspection by any person at all times during office hours.

What is a Public Record? *Judicial definition:*

- (1) a record made by a public officer in pursuance of a duty, the immediate purpose of which is to disseminate information to the public, or to serve as a memorial of official transactions for public reference.
- (2) a record required to be kept, or necessary to be kept in the discharge of a duty imposed by law or directed by law to serve as a memorial and evidence of something written, said or done .
- (3) a written record of transactions of a public officer in his office, which is a convenient and appropriate method of discharging duties, and is kept as such, whether required by law or not .

Mathews v. Pyle, Ariz. S.Ct. (1952).

What is a Public Record? *Judicial definition:*

- Section 39-121 also requires public officers to disclose "other matters." Other matters subject to the public's right of access include documents which are not required by law to be filed as public records. ..." Salt River Pima-Maricopa Indian Community v. Rogers , 168 Ariz. 531, 539, (1991).
- "Other matters" include documents held by the public officer in his or her official capacity and in which the public's interest in disclosure outweighs the governmental interest in confidentiality.

What is a Public Record?

- The Court of Appeals has therefore endorsed the Attorney General's opinion that:
- the proper way to view all requests for information is not to determine whether or not a record is technically a public record or other matter, but instead to determine if release of the information would have an important and harmful effect upon the official duties of the official or agency.

What is a Public Record?

A.R.S. § 39-121.01(B)- All officers and public bodies shall maintain all records, including records as defined in section 41-151.18, reasonably necessary or appropriate to maintain an accurate knowledge of their official activities and of any of their activities which are supported by monies from this state or any political subdivision of this state.

In light of our statutory policy favoring disclosure, we think that the best procedure is that all records required to be kept under 39-121.01.B, are presumed open to the public for inspection as public records. Carlson v. Pima County, 687 P.2d 1242

What is a Public Record? Statutory definition:

A.R.S. §41-151.18 (AZ State Library & Archives)

All books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics ... made or received by any governmental agency in pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation by the agency ... as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein.

What is a Public Record?

39-128. Disciplinary records of public officers and employees; disclosure; exceptions

A. A public body shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving public officers or employees of the public body. **The records shall be open to inspection and copying pursuant to this article, unless inspection or disclosure of the records or information in the records is contrary to law. (see 39-123)**

B. This section does not:

1. Require disclosure of the home address, home telephone number or photograph of any person who is protected pursuant to sections 39-123 and 39-124.
2. Limit the duty of a public body or officer to make public records open to inspection and copying pursuant to this article.

Examples of Public Records:

- | | |
|-------------------------------------|-------------------------------------|
| ✓ Police reports | ✓ 911 calls |
| ✓ Internal Affairs reports | ✓ Equipment purchase |
| ✓ Policy and Procedure manuals | ✓ Travel and meal expenses |
| ✓ Staff memorandums | ✓ Banquet Expenses |
| ✓ Car-to-car email (MDT/C messages) | ✓ Vehicle Expenses |
| ✓ Duty rosters | ✓ Evidence- incl. Photos and Videos |
| ✓ Training outlines | |

What about...



And the new hot topic...

- Body Worn Cameras



Statutory limitations

- According to the Arizona Attorney General's Office, there are over 300 Arizona statutes that addressed the confidentiality of records, and that "may require that all or a portion of governmental records be protected from public disclosure."
- In addition, there are state administrative rules that limit access to records.
- Finally, there are also federal laws that limit access to certain personal information (for example, the release of social security numbers is prohibited, except in certain limited situations).

39-123. Information identifying eligible persons; confidentiality; definitions

A. Nothing in this chapter requires disclosure from a personnel file by a law enforcement agency or employing state or local governmental entity of the home address or home telephone number of eligible persons.

F.4. "Eligible person" means a former public official, peace officer, spouse of a peace officer, spouse or minor child of a deceased peace officer, ..., law enforcement support staff member, ..., national guard member who is acting in support of a law enforcement agency, person who is protected under an order of protection or injunction against harassment, firefighter who is assigned to the Arizona counterterrorism center in the department of public safety or victim of domestic violence or stalking who is protected under an order of protection or injunction against harassment.

Statutory limitations

39-123. Information identifying eligible persons; confidentiality; definitions

B. The agency or governmental entity may release the information in subsection A of this section only if either:

1. The person consents in writing to the release.
2. The custodian of records of the agency or governmental entity determines that release of the information does not create a reasonable risk of physical injury to the person or the person's immediate family or damage to the property of the person or the person's immediate family.

39-123. Information identifying eligible persons; confidentiality;

C. A L.E. agency may release a photo of a peace officer if either:

1. The peace officer has been arrested or has been formally charged by complaint, information or indictment for a misdemeanor or a felony offense.
2. The photograph is requested by a representative of a newspaper for a specific newsworthy event unless:
 - (a) The peace officer is serving in an **undercover** capacity or is scheduled to be serving in an undercover capacity within sixty days.
 - (b) The release of the photograph is **not in the best interest of this state** after taking into consideration the privacy, confidentiality and safety of the peace officer.
 - (c) **An order pursuant to section 28-454 is in effect.**

39-123. Information identifying eligible persons; confidentiality; definitions

D. This section does not prohibit the use of a peace officer's photograph that is either:

- 1. Used by a law enforcement agency to assist a person who has a complaint against an officer to identify the officer.
- 2. Obtained from a source other than the law enforcement agency.

E. This section **does not apply to a certified peace officer or code enforcement officer who is no longer employed** as a peace officer or code enforcement officer by a state or local government entity.

NOTE: OFFICER WORKING FOR ANOTHER AGENCY

13-4434. Victim's Right to Privacy; Exception

B. A victim's **identifying and locating information** that is obtained, compiled or reported by a law enforcement agency or prosecution agency **shall be redacted by the originating agency and prosecution agencies** from records pertaining to the criminal case involving the victim, including discovery disclosed to the defendant.

D. For the purposes of this section:

- 1. "**Identifying information**" includes a victim's date of birth, social security number and official state or government issued driver license or identification number.
- 2. "**Locating information**" includes the victim's address, telephone number, e-mail address and place of employment.

13-4434. Victim's Right to Privacy; Exception

B. A victim's identifying and locating information that is obtained, compiled or reported by a law enforcement agency or prosecution agency shall be redacted by the originating agency and prosecution agencies from records pertaining to the criminal case involving the victim, including discovery disclosed to the defendant.

C. Subsection B does not apply to:

- 1. **The victim's name.**
- 2. Any records that are transmitted between law enforcement and prosecution agencies or a court.
- 3. Any records if the victim has consented to the release of the information.
- 4. **The address or location at which the reported crime occurred.**

Statutory limitations – Admin investigations

38-1109. Confidentiality of records; exception

A. An employer shall not include in that portion of the personnel file of a law enforcement officer that is available for public inspection and copying any information about an investigation until the investigation is complete or the employer has discontinued the investigation.

B. If the law enforcement officer has timely appealed a disciplinary action, the investigation is not complete until the conclusion of the appeal process. This subsection does not apply to a law enforcement officer who is employed by an agency of this state as an at will employee.

Statutory limitations- Polygraphs

38-1108. Polygraph examinations; exception

B. Notwithstanding section 39-123, all data and reports from a polygraph examination of a law enforcement officer are confidential and may be used only for employment, certification or reactivation of certification purposes or for the administrative matter for which a polygraph was administered, including other ancillary matters. All other uses are prohibited.

Statutory limitations- Polygraphs

38-1108. Polygraph examinations; exception

C. Except for a preemployment polygraph after which an applicant was not hired or in the case of an active investigation or an appeal, the data and reports from a polygraph examination of a law enforcement officer shall be destroyed as soon as practicable three years after the date of appointment or employment but not more than ninety calendar days after that date.

D. This section does not apply to ...an at will employee.

JUDICIAL LIMITATIONS

Emails on a government computer?

E-mails generated or maintained on a government owned computer system are not automatically public records under public records law;

some e-mails will relate solely to personal matters and will not, therefore, reflect the requisite substantial nexus with government activities.

- *Griffis v. Pinal County, Ariz. S.Ct. (2007)*

PROCEDURAL ISSUES: the STATUTE

39-121.01. Definitions; maintenance of records; copies, printouts or photographs of public records; examination by mail; index

D. Subject to section 39-121.03:

1. Any person may request to examine or be furnished copies, printouts or photographs of any public record during regular office hours or may request that the custodian mail a copy of any public record not otherwise available on the public body's web site to the requesting person. The custodian may require any person requesting that the custodian mail a copy of any public record to pay in advance for any copying and postage charges. The custodian of such records shall promptly furnish such copies, printouts or photographs and may charge a fee if the facilities are available, except that public records for purposes listed in section 39-122 or 39-127 shall be furnished without charge.

PROCEDURAL ISSUES: the STATUTE

39-121.01. Definitions; maintenance of records; copies, printouts or photographs of public records; examination by mail; index

Allowable Charges

We may charge for the copies we provide the requestor, but not for the time spent locating the record.

We cannot charge a person to view a public record

Cannot charge a fee to view a record if we must create a copy for them to view (usually done to redact information)

Cannot charge a fee (or prohibit) a person from copying, photographing, or taking notes when viewing a public record.

Az Attorney General Opinion No. I13-012

PROCEDURAL ISSUES: the STATUTE

39-121.01. Definitions; maintenance of records; copies, printouts or photographs of public records; examination by mail; index
D. Subject to section 39-121.03:

2. If requested, the custodian of the records of an AGENCY shall also furnish an index of records or categories of records that have been withheld and the reasons the records or categories of records have been withheld from the requesting person. The custodian shall not include in the Index information that is expressly made privileged or confidential in statute or a court order. This paragraph shall not be construed by an administrative tribunal or a court of competent jurisdiction to prevent or require an order compelling a public body other than an agency to furnish an index. For the purposes of this paragraph, "agency" has the same meaning prescribed in section 41-1001, but does not include the department of public safety, the department of transportation motor vehicle division, the department of juvenile corrections and the state department of corrections.

PROCEDURAL ISSUES: the STATUTE

39-121.01. Definitions; maintenance of records; copies, printouts or photographs of public records; examination by mail; index

For the purposes of this paragraph, "agency" has the same meaning prescribed in section 41-1001, but does not include the department of public safety, the department of transportation motor vehicle division, the department of juvenile corrections and the state department of corrections.

41-1001. Definitions

1. "Agency" means any board, commission, department, officer or other administrative unit of this state... Agency does not include a political subdivision of this state or any of the administrative units of a political subdivision

THEREFORE, THE REQUIREMENT TO PROVIDE AN INDEX OF RECORDS REDACTED DOES NOT APPLY TO CITIES AND TOWNS!

PROCEDURAL ISSUES: the STATUTE

My question is whether a city or town has to "furnish an Index of records or categories of records that have been withheld and the reasons the records or categories of records have been withheld from the requesting person"?

Hi Eric,

A city is not required to provide an Index of withheld records.

Kathryn Marquitt
Assistant Ombudsman for Public Access
3737 North 7th Street Ste 209
Phoenix, AZ 85014
P: 602.285.9136
F: 602.277.7312

PROCEDURAL ISSUES: the STATUTE

39-121.01. Definitions; maintenance of records; copies, printouts or photographs of public records; examination by mail; index

3. If the custodian of a public record does not have facilities for making copies, printouts or photographs of a public record which a person has a right to inspect, such person shall be granted access to the public record for the purpose of making copies, printouts or photographs. The copies, printouts or photographs shall be made while the public record is in the possession, custody and control of the custodian of the public record and shall be subject to the supervision of such custodian.

E. Access to a public record is deemed denied if a custodian fails to promptly respond to a request for production of a public record or fails to provide to the requesting person an index of any record or categories of records that are withheld from production pursuant to subsection D, paragraph 2 of this section.

PROCEDURAL ISSUES: the STATUTE

39-121.02. Action on denial of access; costs and attorney fees; damages

A. Any person who has requested to examine or copy public records pursuant to this article, and who has been denied access to or the right to copy such records, **may appeal the denial through a special action in the superior court**, pursuant to the rules of procedure for special actions against the officer or public body.

B. **The court may award attorney fees and other legal costs** that are reasonably incurred in any action under this article if the person seeking public records has **substantially prevailed**. Nothing in this paragraph shall limit the rights of any party to recover attorney fees pursuant to section 12-341.01, subsection C, or attorney fees, expenses and double damages pursuant to section 12-349.

C. **Any person who is wrongfully denied access to public records pursuant to this article has a cause of action against the officer or public body for any damages resulting from the denial.**

WHO HAS THE BURDEN

Any decision about which claim is to prevail must ordinarily favor the public's right of access. The burden of showing the probability that specific, material harm will result from disclosure, thus justifying an exception to the usual rule of full disclosure, is on the party that seeks non-disclosure rather than on the party that seeks access.

Mitchell v Pima County, 690 P.2d 51

THE ISSUES THAT PLAGUE US

ONGOING criminal investigations
Cox v. Collins, Ariz. S. Ct. (1993)
All documents, including police reports in open criminal investigations, are subject to release. The custodian of the records may redact:
– Private information
– Confidential information
– Information not in the “best interests of the state” to release -standard is the likelihood of material harm to the investigation (this is the hardest of the 3 to win in court)
These are the 3 Court recognized Common Law Exceptions

Cox v. Collins, cont.
If a record contains information which is **private, confidential or against the best interests of the State**, the agency can remove (redact) that information, **but the rest of the record should be released.**
BEST ADVICE- EVEN IF NOT IN THE BEST INTEREST, RARELY IF EVER DENY A COMPLETE DOCUMENT, REDACT AND RELEASE THE PARTS THAT DO NOT MATTER OF GIVE CONTEXT.

Best interests of the state...

Is the most problematic of the exceptions, it is the one we usually hang our hat on, although it is the hardest to win in court.

- The burden of showing the probability that specific, material harm will result from disclosure, thus justifying an exception to the usual rule of full disclosure, is on the party that seeks non-disclosure rather than on the party that seeks access.
Mitchell v Pima County, 690 P.2d 51

Best interests of the state...

- Collins argued in global generalities of the possible harm that might result from the release of police records. However, because reports of ongoing police investigations are not generally exempt from our public records law, it was incumbent upon Collins to specifically demonstrate how production of the documents would violate rights of privacy or confidentiality, or would be "detrimental to the best interests of the state."

– Cox v. Collins 852 P.2d 1194

Best interests of the state...

KPNX-TV v. Yuma, Ariz App. (1995)

- On July 4, 1995, two members of the Southwest Border Alliance ("SBA") task force were murdered and a third was wounded at SBA headquarters in Yuma. Yuma County Deputy Sheriff Jack Hudson, Jr. ("Defendant") was quickly arrested and charged with the crimes. On August 1, Petitioners filed a written request with the Yuma Police Department for copies of materials in the investigation file. The department disclosed many records, but it withheld a urinalysis report, a crime scene videotape, and a surveillance videotape.

Best interests of the state...

KPNX-TV v. Yuma, Ariz App. (1995)

- The parties do not seriously dispute whether the two videotapes in question are public records,... we conclude that Arizona's definition of "public records" can include videotapes and does include the two videotapes at issue in this case.
- Public Record even though they are evidence.

Best interests of the state...

- The State argued that the crime scene videotape should not be released because it offered "a walking tour through the outside grounds and the inside of that facility" and exposed various security measures, including the floor plan and contents of the facility's offices and evidence room.
- Because the facility contains drugs, police equipment, investigative files, and confidential informant information, the State argued that the facility might be a burglary target, and that a burglar would receive valuable intelligence from the crime scene videotape.

Best interests of the state...

- The State conceded that the surveillance videotape did not show much of the facility. However, the State argued that the area shown on this tape the evidence locker is not open to the public and, further, that the tape shows the location of the surveillance camera and the faces of four undercover officers, including the surviving victim.
- Having viewed both tapes, we conclude that the State's arguments are sustainable regarding the surveillance camera videotape. However, we find no specific reason articulated by the State, found by the trial court, or apparent from the tape itself to warrant denial of public access to the crime scene videotape.

INTERESTS

- The twenty-minute crime scene videotape focuses on physical evidence in and around the building. The exterior footage shows details of a parking lot surrounded by a chain-link fence. Any vehicles and security devices depicted on the tape appear to be in plain view of anyone in the area, and the record contains no indication to the contrary. The interior footage shows ordinary-appearing government offices, cubicles, filing cabinets, desks, and other furnishings and accessories.
- The tape contains occasional non-confidential dialogue from officers describing the scene. Because the interior footage focuses on evidentiary details such as blood, bullet-holes, and destruction, a viewer who is unfamiliar with the building will not learn much about its layout. We perceive no risk to State security from public disclosure of this videotape.

Yesterday's Headline

- DPS refuses to release Body worn video of officer's death

Privacy

Scottsdale Unified v. KPNX, Ariz. S.Ct. (1998)

- KPNX Broadcasting Co. received a tip that a substitute school teacher in a Maricopa County school district was caught masturbating in a classroom full of children. Upon further investigation, defendants learned that this substitute teacher was a registered sex offender.
- KPNX then requested the twenty-five school districts involved in this case to provide them with the birth dates of all active and substitute public school teachers in the districts.

Privacy

- The districts declined to provide the birth dates and, instead, filed a declaratory judgment action in superior court. ...On appeal, the court of appeals held that the teachers had no privacy interests in their birth dates because the birth dates were available from other sources.
- The AZ Supreme Court said this did not answer the question whether there is a privacy interest, nor balancing the privacy interest versus the public interest.

Privacy

- With both a name and birth date, one can obtain information about an individual's criminal record, arrest record (which may not include disposition of the charges), driving record, state of origin, political party affiliation, social security number, current and past addresses, civil litigation record, liens, property owned, credit history, financial accounts, and, quite possibly, information concerning an individual's complete medical and military histories, and insurance and investment portfolio.
- Based on the foregoing, we conclude that a person, including a public school teacher, has a privacy interest in his or her birth date.

Privacy

- The question then becomes whether that interest is sufficient to outweigh disclosure.
- KPNX argues they may identify additional sex offenders, but have produced no evidence or even a tip about any specific individual. They are not required to prove that there are teachers that pose a threat to public school children.
- But when defendants are unable to provide any basis at all for believing that such a teacher might exist among the thousands of individuals whose legitimate expectations of privacy are sought to be invaded, the public interest in disclosure is at best speculative and does not outweigh the privacy interests of all teachers.

Privacy

- This includes information that a person has a significant privacy interest in protecting from public dissemination, including but not limited to information that by its very nature is so gross, demeaning, biased, or sensitive that it would do irreparable harm to innocent persons or their character if released.
- Department legal counsel should be contacted to determine the legality of such a release.

911 Tapes – family’s privacy interests

A.H. Belo Corp. v. Mesa PD, Ariz. App. (2001)

- On February 29, 2000, Nancy Walsh, a babysitter, called a 911 operator to report that Dominic D., then sixteen months old, had fallen from his crib. As Walsh awaited emergency personnel, she frantically described Dominic's condition, pleading for help and screaming that he might die; in the background, the child's cries and whimpers could be heard. Walsh was eventually indicted on four counts of child abuse and attempted child abuse.² KTVK-TV sent a public-records request to the Mesa Police Department, seeking both a transcript of the 911 call and a copy of the audiotape.

911 Tapes – family’s privacy interests

- Mesa provided the transcript, but refused to furnish the tape.
- The purpose of our Public Records Act is "to allow citizens to be informed about what their government is up to.
- In balancing considerations such as privacy against the general public interest in disclosure, it is relevant to examine whether the information in question is available through alternative means. As our supreme court has explained, just as "the public interest increases when there is no other available way to obtain the information," it "*correspondingly decreases when 'alternative means' of receiving the information exist.*"

911 Tapes – family’s privacy interests

- To test the adequacy of alternative means—in this case, the transcript instead of the tape—it is useful to inquire whether the purpose of the Public Records Act is satisfied by access to the alternative source of information or would be better served by access to the record that has been withheld.
- Tellingly, however, KTVK-TV does not contend that the tape would assist our citizens "to be informed about what their government is up to" in any manner that the transcript does not achieve. To the contrary, counsel for KTVK-TV, though asked the question repeatedly at oral argument, did not suggest that access to the tape would advance that purpose to the slightest degree.

911 Tapes – family’s privacy interests

- KTVK-TV, however, relying on the presumption in favor of disclosure, argues that it is not *obliged* to show that access to a given record would advance the purpose of the Public Records Act when—as here, in its contention—the government has not put forth a cognizable countervailing interest that would be served if disclosure were withheld. We agree in part.
- We agree that unless the government puts forward an interest that justifies withholding access to a public record, a person or entity seeking access to the record need not demonstrate what purpose such access would serve. We agree as well that, unless the government puts forward an interest that justifies withholding access to a public record, it does not matter that the information contained within the record is available by alternative means. We disagree, however, with KTVK-TV's contention that Mesa has failed to put forward a sufficient countervailing interest in this case.

911 Tapes – family’s privacy interests

- KTVK-TV denies that Dominic and his family have a cognizable privacy concern, but the evidence shows otherwise. The tape not only contains the babysitter's frantic pleas for help and descriptions of the child's symptoms; it also contains the cries and whimpers of the child. Dominic's mother testified at the hearing that broadcasting the tape would interfere with her family's healing processes and "remind [her] of that painful day." She said that it would be hard to hear her son's "helpless" cries on the tape. Mesa reinforced her testimony with a letter she had written expressing concern that, if played to the public, the 911 call could "torment" her son. In short, and understandably, Dominic's parents seek to stop their child's private suffering from being stuff for public broadcast and display.
- Although Mesa asserted a number of countervailing interests before the trial court, we consider the privacy of the injured child and his family dispositive.³

Tempe Example

- 911 from within the home
- DTS/DTO Individual
- Actually contacted reporting party

Confidentiality

Confidentiality usually applies to information that is confidential by law, including

- Officers home address and phone number numbers 39-123 (discussed below)
- Wiretaps, Pen Registers, Trap & Trace Orders 13-3011
- Sealed Search Warrants (13-3918.A)
- D.V victim address, if unknown to suspect (Title 12 – Courts)
- Social Security Numbers 42 USC 405

Confidentiality

- Victim information protected by law. The following information shall be removed from all publicly accessible records (other than from certain traffic accident reports as provided in A.R.S. §28-667) pertaining to a criminal case involving a victim unless the victim consents in writing to its release:
 - Victim’s address, unless it is the location at which the reported crime occurred
 - Victim’s telephone numbers
 - Victim’s place of employment or other locating information, except by consent of the victim or court order
 - Victim’s date of birth

Confidentiality

Trade Secrets given to the government are protected by the confidentiality

exception *Phoenix Newspapers v. Keegan* 201 Ariz. 344 (App. Div. 1 2001)



OTHER EXAMPLES:

- PRIVACY- DETAILS OF SEXUAL ASSAULTS
- B.I.- INFORMATION ONLY THE BAD GUY COULD KNOW- BEST INTEREST
- B.I.- INFORMATION FROM WITNESSES THAT, IF RELEASED, WE CAN SHOW WOULD IMPACT THE TESTIMONY OF WITNESSES WE HAVE NOT YET INTERVIEWED
- CONFIDENTIAL- INFORMATION ABOUT CONFIDENTIAL INFORMANTS

Other Public Record Exceptions

Exceptions to disclosure rule:

- Request is made for a commercial purpose; 39-121.03
- Governor may issue an executive order declaring that the public record is not subject to disclosure 39-121.03.B

"Future" items

West Valley View, Inc. v. Maricopa County Sheriff's Office, Ariz. App. (2007)

- ⊙ MCSO "punished" newspaper for not running positive stories by taking them off the list for press releases; the paper then made a request for copies of all future releases; MCSO ignored the request
- ⊙ Court held that MCSO was required to honor the request, even though it was for future documents
- ⊙ Future documents request ok if "within a clearly articulated and defined category of records that a public agency creates over time"
- ⊙ Court awarded attorneys fees & costs (trial & appeal).

Metadata

Lake v. City of Phoenix, Ariz. S.Ct. (2009)

Metadata includes "information describing the history, tracking, or management of an electronic document" that is imbedded in the electronic version of a document.

"...[W]hen a public entity maintains a public record in an electronic format, the electronic version of the record, including any embedded metadata, is subject to disclosure under our public records law."

Draft documents

Lake v. City of Phoenix, Ariz. App. (2009)

A draft of a public record (in this case, an unfinished shooting investigation) is subject to disclosure as a public record.

How quickly must the public record be provided?

39-121.01. requires that the record be made available for inspection or release "promptly." Failure to respond "promptly" to a request for records is deemed denial of the request.

We have previously defined "prompt" in this context as being "quick to act" or producing the requested records "without delay."

Arizona law places the burden on the governmental entity to establish that its responses were prompt given the circumstances surrounding each request. *Phoenix New Times v. Arpaio*, Ariz App. (2008)

Best practice is to advise the requester about the status of the request.

What is "prompt"?

- Days, weeks, months?
- Does it depend on the record?
- Does it depend on the format?
- Does it depend on the time to redact?
- Does it depend on the workload?

Penalties for Non-compliance – 39-121.02

- A person who is denied access to a public record may bring suit in Superior Court.
- If the person substantially prevails in the lawsuit, the person may be awarded costs and attorneys fees, as well as any damages for the wrongful withholding of the records.

THE PROCESS GENERALLY

- ❖ The request is received (we cannot require an explanation of why the request is made or that they fill out our request form)
- ❖ Ok to ask reason and explain, especially when balancing competing interests
- ❖ The record must be located (the law does not require us to create a record, only to release ones that exist)
- ❖ We must review the record to determine whether it needs to be redacted

THE PROCESS GENERALLY

- ❖ Redact the record and release. We may charge for the copies, but not for the time spent locating the record
- ❖ If the requesting party is not satisfied, they may then file a special action in Superior Court (or we can file)
- ❖ The court will decide whether (and what) to release
- ❖ If the requesting party “substantially prevails,” the court may award attorney’s fees and costs

Must I allow inspection?

“Any person may request to examine or be furnished copies, printouts or photographs of any public record during regular office hours. . .” 39-121.01.D

If for security or other reasons, you do not want to allow direct inspection of a record, you cannot charge for the expense of creating a copy of the record


Media America Corp v. Phoenix PD, 21 Media L. Rep. 2087

Redaction - Why Should we Bother?

- It's a real catch 22
- Potential civil liability for failure to redact private or confidential information
- Potential civil liability for redacting too much

Must I provide the copying equipment?

"If the custodian of a public record does not have facilities for making copies . . . such person shall be granted access ..." 39-121.01.D



If you have facilities, you must make the copies

If you don't have facilities, I suggest finding a facility that makes the copies for you and that will assure the integrity of the public record while in its custody (e.g., security videotapes)

What about taking notes or photos

Do not prevent someone who has asked to only inspect a record from taking notes, photos of page/s, or otherwise making their own copy.

6.5.3 Duty to Redact.

- When confidential and public information are commingled in a single document, a copy of the document may be made available for public inspection with the confidential material excised. *Carlson*, 141 Ariz. at 491, 687 P.2d at 1246; *see also KPNX-TV*, 183 Ariz. at 594, 905 P.2d at 603 (custodian must
- demonstrate specific reasons and a good faith basis for denying access to entire record rather than redacting confidential portions). If confidential material has been attached to an otherwise disclosable document, the material so attached may simply be removed.

Ariz. App. Civ. Div. 185-000, 185-007

Unduly burdensome

- The City is correct in asserting that the burden of producing public records can outweigh the public's interest in inspecting those records. As our supreme court has noted, "sometimes the benefits of public disclosure must yield to the burden imposed on ... the government itself by disclosure." *London*, 206 Ariz. at 493, ...
- As the party opposing inspection, however, the City bears the burden of specifically demonstrating that redaction would be so unduly burdensome for the City that inspection is not warranted. *KPNX-TV*, 183 Ariz. at 592, 905 P.2d at 601.

Purging and destroying public records

Records can be purged or destroyed only with the approval of and consistent with the schedules published by the State Archivist. A.R.S. §41-1330 through §41-1355. (Coordinate w/ City Clerk)

One who "steals, or knowingly and without lawful authority destroys, mutilates, defaces, alters, falsifies, removes or secretes" a public record without authority to do so is guilty of a class 4 felony. A.R.S. § 38-421

Arizona State Library and Archives

- Creates retention schedules for all public entities
- LE specific schedule
- Dozens of categories
- Dictates MINIMUM amount of time to keep records

Statutory limitations

- **38-1101. Law enforcement officers; probation officers; right to representation; right to evidence on appeal; change of hearing officer or administrative law judge; burden of proof; polygraph examinations; definitions**
- K. An employer shall not include in that portion of the personnel file of a law enforcement officer or probation officer that is available for public inspection and copying any information about an investigation until the investigation is complete or the employer has discontinued the investigation. If the law enforcement officer or probation officer has timely appealed a disciplinary action, the investigation is not complete until the conclusion of the appeal process.

How know criminal history vs. public record?

What system

1. acic/ncic- no
2. Our internal system PACE, Spillman, etc.-PR

13-4434. Victim's right to privacy; exception; definitions

B. A victim's identifying and locating information that is obtained, compiled or reported by a law enforcement agency or prosecution agency shall be redacted by the originating agency and prosecution agencies from records pertaining to the criminal case involving the victim, including discovery disclosed to the defendant.

1. "Identifying information" includes a victim's date of birth, social security number and official state or government issued driver license or identification number.
2. "Locating information" includes the victim's address, telephone number, e-mail address and place of employment.

39-123.01. Personal identifying information of crime witnesses; confidentiality; definition

A. The personal identifying information of a witness to a crime contained in a record that is created or received by a law enforcement or prosecution agency and that is related to a criminal investigation or prosecution may not be disclosed by a public body pursuant to this article unless any of the following applies:

1. The witness consents in writing to the disclosure.
2. A court of competent jurisdiction orders the disclosure.
3. The witness's address is the location where the crime occurred.

B. This section does not affect any records that are transmitted between law enforcement and prosecution agencies, a court or a clerk of the court or any provision of law that governs the discovery process or the conduct of trials.

C. For the purposes of this section, "personal identifying information" includes a witness's date of birth, social security number, personal telephone number, home address, personal e-mail address and official state or government-issued driver license or identification number.

39-121.04. Public access to law enforcement records depicting certain witnesses or crime victims; victim rights

A. In a special action brought pursuant to this article for the release of any record created or received by or in the possession of a law enforcement or prosecution agency that relates to a criminal investigation or prosecution and that **visually depicts the image of a witness under eighteen years of age or a victim** as defined in section 13-4401, the petitioner shall establish that the public's interest in disclosure outweighs the witness's or victim's right to privacy.

B. A victim whose image is depicted in a record described in subsection A of this section has the right to be present at and to be heard in any action brought pursuant to this article for the release of records described in subsection A of this section.

The Driver's Privacy Protection Act ("DPPA"), 18 U.S.C. § 2721 et seq., enacted by Congress in 1994, states that, subject to certain limited exceptions not relevant here,³ "[i]t shall be unlawful for any person knowingly to obtain or disclose personal information[] from a motor vehicle record." 18 U.S.C. § 2722(a). A separate provision of the Act specifically proscribes officers, employees, and contractors of state departments of motor vehicles from knowingly disclosing that same information.

The DPPA defines "personal information" as information that identifies an individual, including an individual's photograph, social security number, driver identification number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status.

Public Records vs Civil/Criminal Discovery
There is nothing in the Rules of Procedure that prevents a criminal defendant or civil plaintiff, from obtaining the information necessary for defense or suit from obtaining the records through a public records request.
That is because these are two separate issues. A criminal defendant is entitled to discovery because of the Rules of Criminal Procedure and jurisprudence but first he/she must be charged with a crime.
A citizen, including the media, is entitled to inspect public records irrespective of whether he/she is a criminal defendant or litigant.

Lessons "learned"

- Do not use personal devices for business
- Do not use business devices for personal
- Do not put anything in writing that you would not want to see on the front page of the AZ Republic
- Phone calls are OK, and sometimes preferred
- The deck is stacked
- Never "deny" a PRR
- OK to ask
- Learn the rules

Questions?

Bill Amato
480.292.1006
billamatolaw@gmail.com

Eric Edwards
602.321.3249
ericbedwards@gmail.com

Memo

To: Mayor and Council
From: Russ Martin, Town Manager
Date: February 27, 2020
Re: Manager's Goals revised

Following my annual review the presentation/discussion of the Manager's goals is presented for public awareness and understanding.

The following are to be the goals for the Town Manager in the next year:

- 1. Develop a system for staff feedback through survey or other instrument.***
- 2. Meet with Council quarterly to review progress made on budget priorities as set in strategic plan and adopted budgets.***
- 3. Monthly provide progress on project priorities identified above in #2 and follow up/supervisory activities accomplished.***
- 4. Modernize Town Services through development of online services, digitizing and backup projects that will increase transparency and citizen usability of services in person and digitally.***
- 5. Complete HR and other staffing locational changes by July 1, 2020.***

[Page intentionally left blank]

From: [Tom Savage](#)
To: [Tom Savage](#)
Subject: League of Arizona Cities and Towns: Legislative Bulletin Issue 6 - February 21, 2020
Date: Friday, February 21, 2020 5:05:43 PM



Issue 6 – February 21, 2020

Legislative Overview

Today is the 40th day of the legislative session. Committees will be completing their business today before the deadline to hear bills in the chamber of origin. Next week is crossover week, which means the next several days will be busy with floor debate, amendments and final votes on bills before bills proceed to the opposite chamber.

Vaping

SB1400 S/E: electronic smoking devices; retail licensing, sponsored by Senator Tyler Pace (R-Mesa), was heard in the Senate Commerce Committee with a strike-everything amendment sponsored by Senator Michelle Ugenti-Rita (R-Scottsdale). The amendment would, among other provisions, establish a statewide tobacco retail license requirement, amend the Smoke-Free Act to add electronic cigarettes to the clean indoor air laws, and increase the sale age of tobacco and vaping products to 21 to comply with federal law.

However, the strike-everything amendment would preempt cities and towns from imposing certain zoning encroachment requirements on tobacco retail shops and tobacco-related advertising. The amendment would allow advertising and tobacco shops to locate 300 feet away from a school, a reduction in the current requirement some cities and towns impose. The current policy requires tobacco shops to be at least 1,320 feet away from a school, day care, or playground – the amendment would preempt this requirement and allow tobacco shops to locate closer to schools. It would also preempt cities from imposing restrictions on hours and days for tobacco sales or any regulations in conflict with the law.

The League testified in opposition and the bill failed to pass with a vote of 4-4.

Zoning Preemption

On Tuesday the House Commerce Committee discussed HB2841 municipal zoning; housing overlay, sponsored by Anthony Kern (R-Glendale). The Home Builders Association of Central Arizona is proposing the bill as a solution to affordable housing in the state, but the bill would actually preempt local zoning, design and open space requirements for all but the most expensive residential developments – a major deregulation of single-family homebuilding in the state.

The bill would require cities and towns to set aside 30% of vacant land zoned for single-family residential to be included in the overlay zone, opening an almost unlimited amount of land for a qualifying development. A “qualifying development” that’s treated as “affordable housing” under the bill is defined as having a sales price “not more than the federal housing administration loan limits for the jurisdiction in which the development is located as published by the United States Department of Housing and Urban Development.” The loan limit in all counties, except for Coconino County, is **\$331,760** for a single-family residence. In other words, so long as the development is selling homes for a dollar less than this threshold, it will qualify as “affordable.”

The only local regulations that would apply to the “qualifying development” will be minimum building code requirements. A developer is also permitted to proceed with construction without a permit if the municipality misses the 120-day review deadline.

The bill passed House Commerce with a vote of 5-2-2 and will proceed to the Rules Committee.

Airport Fees

HB2817 airport fees prohibited; ride sharing sponsored by Representative Travis Grantham (R-Gilbert) made its way to the House Regulatory Affairs committee this Monday. The bill prohibits local governments or authorities from charging pick-up and drop off fees to transportation network companies (TNC).

The League testified in strong opposition to HB2817 indicating that local governments and authorities were well within their rights to charge fees for access to municipal property. Additionally, it was made clear to the committee that the 3 largest airports in the state run on enterprise funds – meaning no money can be transferred from the airports to the city general fund – and if adequate fees were not paid by TNCs, local governments would have two options: 1) increase taxes on the local residents to subsidize the cost of airport operations [something out-of-state visitors are paying a large share of the fees on today]; or 2) increase fees on all other commercial operations at their airports including restaurants, hotels, shops, airlines, etc.

The bill passed out of committee on a strict party-line vote 4-3; however, members on the prevailing side indicated they had significant concerns with how, if passed, the bill would impact other commercial entities at airports.

Gas Tax

At the February 7, 2020 League Executive Committee Meeting League

staff was given direction to support legislative efforts to address that lack of funding being provided to the Highway User Revenue Fund (HURF). The direction given by the Executive Committee was that staff should be supportive of efforts to increase that gas tax, a tax that was not indexed to inflation and has not been raised since 1991, so long as there were also measures to ensure that electric and alternative fuel vehicles were paying their fair share of contributions considering they are also highway users.

On Wednesday HB 2899 fuel; electric cars; hybrids; taxes sponsored by Representative Noel Campbell (R-Prescott) was heard in the House Transportation committee. The measure increases the gas tax by six cents per year for three years capping out at 36 cents. From that point forward that gas tax is indexed to inflation with a sunset provision requiring the voters to reapprove the measure in 20 years. Additionally, the bill ensures electric vehicles and alternative fuel vehicles are paying a user fee for Arizona roads, something that has not historically been paid.

Pursuant to the direction of the Executive Committee, the League testified in support of HB2899. The bill passed out of House Transportation on a 6-0-3 vote and will continue to move through the process. This measure will need to receive $\frac{2}{3}$ support from the legislature since it is a tax increase.

Short-Term Rentals

This Thursday both the House and Senate considered bills to address concerns on short-term rentals. In the Senate, the Commerce committee discussed SB1554 short-term rental enforcement; penalties Senator Kate Brophy McGee (R-Phoenix) which protects the "sharing economy" by allowing a person to operate their primary and one additional home as a short-term rental (STR) while limiting the proliferation of commercial STRs unless local governments decide to be more permissive. Additionally, the measure decouples STRs from long term rentals in statute and places additional responsibilities on the online lodging marketplaces.

SB1554 passed out of the Commerce committee 5-3, but testimony by legislators encouraged the League to work with STR platforms to find potential amendments to the bill.

In addition to Senate Commerce, the House Government committee considered HB2875 regulation; short-term rentals, sponsored by Representative John Kavanagh (R-Fountain Hills). The measure takes into consideration reasonable occupancy limits and best practices in the short-term rental industry that legislators and stakeholders discussed during the Short-Term Rental Ad Hoc Committee this winter. The League is supportive of the measure but would like to see the bill amended to decouple STRs and long-term rentals as well as return local control for investor owned STRs.

HB2875 passed committee 7-3-1 and is now pending approval from the House Rules committee.

Brady List

On Wednesday, the House Public Safety committee considered HB2114 law enforcement officers; database; rules. As introduced, the measure would have prohibited a law enforcement agency from using an officer's

placement on the Brady list as the sole reason for taking or denying employment actions against the officer. A committee amendment was adopted to allow the law enforcement agency to use the underlying facts that were the basis for placement of the officer's name in the Brady list for taking a disciplinary action against the officer.

The League was opposed to the measure as introduced and is awaiting further feedback from municipalities on the amendment that was adopted. The measure passed committee 6-1.

Unmarked Police Vehicles

HB2830 traffic stops; police cars; uniforms, sponsored by Representative Travis Grantham (R-Gilbert) would require law enforcement agencies to use appropriately marked vehicles to demonstrate that they are official law enforcement vehicles, by displaying the agency's logo on the vehicle's right-side door. The bill stipulates that no more than 10% of the total number of law enforcement vehicles may be used as specially marked vehicles. Additionally, the bill requires officers making traffic stops and enforcing traffic laws to be dressed in an official law enforcement uniform with visible insignia.

During committee, various law enforcement agencies spoke against the measure citing their use of unmarked vehicles for DUI enforcement. The League stands with law enforcement in opposing the measure. While the bill aims to address the serious issue of individuals impersonating police officers, a robust stakeholder process with local law enforcement's involvement is needed to reach consensus. The bill passed committee 4-3, on a party-line vote.

Legislative Bill Monitoring

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

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

All messages created in this system belong to the Town of Camp Verde and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. § 39-121 et seq.) Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology. The content of this message may contain the private views and opinions of the sender and does not constitute a formal view and/or opinion of the Town unless specifically stated. The contents of this email and any attachments may contain confidential and/or proprietary information, and is intended only for the person/entity to whom it was originally addressed. Any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error please notify the sender immediately by return e-mail and delete this message and any attachments from your system.

Furthermore, to ensure compliance with the Open Meeting Law, Council or Board / Commission / Committee members who are recipients of this message should not forward it to other members of the Council or Board / Commission / Committee of the Town of Camp Verde. Council Members or Board / Commission / Committee members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board / Commission / Committee members.

Please consider our environment before printing this email. 