



Support your local merchants

AGENDA

**TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, NOVEMBER 6, 2019 at 6:30 P.M.**

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

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

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Regular Session – October 16, 2019
 - b) **Set Next Meeting, Date and Time:**
 - 1) Wednesday, November 13, 2019 at 5:30 p.m. – Work Session
 - 2) Wednesday, November 20, 2019 at 6:30 p.m. – Regular Session
 - 3) Wednesday, November 27, 2019 at 6:30 p.m. – Council Hears P&Z Matters
 - 4) Wednesday, December 4, 2019 at 6:30 p.m. – Regular Session
 - c) **Possible approval of Inspection Services Agreement between Arizona Department of Housing-Office of Manufactures Housing and Town of Camp Verde to Enforce Installation Standards.** (Staff Resource & Presenter Robert Forman)
5. **Special Announcements and presentations:**
 - **Presentation by Camp Verde Library Endowment** (Mayor German)
 - **Recognition of the 2019 Morris K. Udall Award for Outstanding Conservation Achievement presented to the Town of Camp Verde from The Nature Conservancy in Arizona. Outstanding Conservation Achievement.**
6. **Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)** Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to ARS §38-431.01(H))

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7. **Discussion and possible direction to staff regarding littering, to include but not limited to flyers dropped or tossed in citizens driveways.** (Requested by Mayor German)
- Page 19 8. **Discussion and possible direction to staff regarding supporting the City of Flagstaff issues involving Amtrak and long-distance routes that could adversely affect Northern Arizona Residents.** (Requested by Mayor German)
- Page 29 9. **Update by Town Manager regarding recycling programs and information from the League of Cities and Towns Conference Session.** Staff Resource and Presenter Russ Martin.
10. **Report from Town Manager regarding his attendance at the ICMA Conference held in Nashville on October 19 to October 23, 2019.** Staff Resource and Presenter Russ Martin.
- Page 39 11. **Discussion and consideration of the Town Manager's quarterly performance review regarding set goals and objectives. The Council may, by majority vote, recess the regular meeting, hold an executive session and then reconvene the regular meeting for discussion and possible action on this item as covered under A.R.S. 38-431.03 (A)(1).**
- **Recess into and hold an executive session pursuant to A.R.S. § 38-431.03(A)(1). Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.**
 - **Reconvene Open Session**
12. **Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)**
13. **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.
14. **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.
15. **Adjournment**

Posted by: VJONES

Date/Time: 10-30-2019 3:30 P.M.

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

Agenda items may be taken out of order.

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

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

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

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DRAFT MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 16, 2019 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

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

2. Roll Call

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

Also Present

Town Manager Russ Martin, Finance Manager Mike Showers, Deputy Clerk Virginia Jones and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Vice Mayor Jenkins 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) Council Hears Planning & Zoning Matters – September 25, 2019
- 2) Regular Session – October 2, 2019
- 3) Special Session – October 8, 2019

b) Set Next Meeting, Date and Time:

- 1) Wednesday, October 23, 2019 at 6:30 p.m. – Council Hears P&Z Matters
- 2) Wednesday, November 6, 2019 at 6:30 p.m. – Regular Session
- 3) Wednesday, November 13, 2019 at 5:30 p.m. – Work Session
- 4) Wednesday, November 13, 2019 at 5:30 p.m. – Work Session

c) Request for authorization for the Marshal's Office to accept grant funding from the Governor's Office of Highway Safety (GOHS) and the Department of Homeland Security (DHS) to pay for equipment and personnel expenses to be incurred in FY2019-2020. [Staff Resource: Russ Martin/Corey Rowley]

Councilor Whatley asked if there is going to be a meeting October 23, 2019. Town Manager Russ Martin confirmed that meeting has been canceled. **Motion** made by Councilor Butner, seconded by Councilor LeBeau to approve the amended consent

agenda noting the October 23, 2019 meeting was cancelled. **Motion** carried unanimously with Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving

5. Special Announcements and presentations.

5.1. Extra Mile Day Proclamation.

Vice Mayor Jenkins read the proclamation and declared it so.

5.2. October is Fort Verde State Historic Park Month Proclamation.

Vice Mayor Jenkins stated Mayor German had previously signed the proclamation and declared October is Fort Verde State Historic Park Month.

5.3. Third Quarter 2019 Report (July – September) from the Planning and Zoning Commission. [Staff Resource: Carmen Howard]

Community Development Director Carmen Howard stated most meetings were canceled due to lack of business except two rezoning meetings.

5.4. Third Quarter 2019 Report (July – September) from Board of Adjustments and Appeals. [Staff Resource: Carmen Howard]

Community Development Director Carmen Howard stated there was no business for the Board of Adjustments and Appeals during the Third Quarter 2019.

5.5. Promotional ceremony and badge presentation for the promotion of Jeff Patton to the position of Sergeant with the Marshal's Office. [Staff Resource: Corey Rowley]

Marshall Rowley administered the oath of office and presented a badge to the newly promoted Sergeant, Jeff Patton. This promotion is to fill the sergeant position vacated after the promotion of a lieutenant. On October 9, 2019 the Marshal's Office conducted a testing process for the position of sergeant. Corporal Jeff Patten participated in the testing and performed very well passing all of the phases, and in addition has demonstrated good leadership skills during his time on the force.

5.6. Responder 1st program presentation. [Staff Resource: Corey Rowley]

Marshall Rowley stated Spectrum Health wishes to partner with local agencies to better the mental wellbeing of first responders and their families to help process the traumas and work stressors they face every day. The goal is to create a customer experience to allow first responders to remain anonymous so they are more likely to seek help.

Spectrum Group Representatives Sunshine Dean and Lena gave a presentation on the Responder's First Program. This program offers three main things; Yearly PTSD and Trauma Training for the Department and the family, a yearly Utilization Report and Therapy Services with discreet scheduling.

Councilor LeBeau asked if the cost for this service was in the budget. Town Manager Russ Martin stated no it is not a budgeted item but staff can be directed to

find the money to cover the costs. They would adjust other line items over the next few months. Marshall Rowley stated they are also going after funds that are available through the state. He would like to get this program going and has no problem adjusting his budget later.

Mr. Martin stated no approval is needed tonight but direction could be given to staff to look into it and bring back for approval.

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

Fred Howe- Thanked Russ Martin, Ron Long & his crew, and the Council for work done in Pioneer 1 & 2. Councilor Butner clarified work being done to help clear up flooding problem in Pioneer 1 & 2.

Jennifer Hacker- asked about victim services, stated she has not heard back yet. Council directed Manager Martin to follow up with her tomorrow. Hacker also inquired about the Special council and who is responsible to review the person. She asked them to check up to ask why this has not been appointed.

7. Business - Legal action can be taken

7.1. Possible approval for the Finance Director to make the FY19 budget adjustments as attached on the Budget Change/Re-Appropriation Form. [Staff Resource: Mike Showers]

Finance Director Mike Showers stated this is a standard process they do at the end of every year. The items on the list are not standard. With grants moving money between funds is required. When he actually has to transfer funds, the Council has to approve it. This is the list:

1. Budgeted \$225,000 lease debt for Enterprise vehicles and other equipment. He is requesting to move \$147,860 from the Debt fund to the CIP fund for this year only to offset vehicle purchase expenses.
2. The Economic Development department is using \$2,000 from their Projects line item to cover required expenses for the RDGB grant in Fund 08. This would move \$2,000 of expense budget to Fund 8 and allow for the transfer of GF monies (backing the original \$2,000 budget amount) to cover the excess expenses in Fund 8. Unplanned grant budget amounts for Revenues and Expenses are also being moved from Fund 06 to the RDBG Grant in Fund 08.
3. A FY18 100 Club grant of \$2,880 was fully expensed in the general fund in FY18 and was missed and carried forward to FY19. This would simply allow for the transfer of those funds to the General Fund and release the

restriction.

4. An Az. State Parks grant is paying for part of the Sports Complex expenses but was not budgeted for. Nearly \$53,000 has been received and needs to be transferred to the Parks Fund to cover these expenses. This adjustment would allow the transfer of these funds to the Parks Fund.
5. Though equipment leases of \$225,000 were budgeted for in FY19, the actual equipment price and debt revenue was not put in the CIP budget. Because of this the CIP expense budget will be over expended and by State law is not supposed to be. This adjustment would move an available expense budget in the Water fund into the CIP fund to cover the budget shortage. Keep in mind, these were not truly over budget expenses and do not require moving any actual monies or funding of any kind. It is simply a house-keeping entry.
6. The HURF fund over-spent their FY19 budget by just over \$107K. As mentioned in item 5, this is not allowed and must also be covered by utilizing another \$110,000 of the Water expense budget.

Showers explained regarding item #1, when you buy equipment with debt, the government considers it revenue. If you overspend in a fund, the state says you can't do that so you move money to cover it so you are not overspending. It's basically a paper notification. The places he wants to move money are for grants that have been satisfied so it's still budgeted money being spent where it is budgeted.

Vice Mayor Jenkins asked if this is a result of audit? Mr. Showers stated no it is prior to the audit.

Vice Mayor Jenkins asked about the budget that is in the water fund, is it being used as a contingency fund or to offset funds that were over budget? Mr. Showers stated no that is not why it's there. If the Town had purchased the water company this would not be an option. Ms. Jenkins asked if there was a reason he picked the water company. Mr. Showers stated technically yes because there was no use of it. It had no implication it just had excess budget funds that could be moved. Those are not cash items.

Councilor LeBeau requested clarification regarding the water fund, stating the Town budgeted a certain amount in the event that we were going to purchase the water company but it isn't real money? Is there real money in there now? Mr. Showers stated no, the water budget fund is set up simply for if we happened to take on a water company, then there is a budget for it. If it wasn't budgeted for, annual expenditure limitation could become a big deal.

Councilor LeBeau stated he would like to get a breakdown of what was acquired and whether it was purchased or leased for the last 12 months. Mr. Showers will send out the spreadsheet.

Mr. Showers stated it comes down to HURF overspent their budget. Mr. LeBeau does that mean streets? Mr. Showers stated yes. Mr. Martin stated an example of

streets expenses is the Salt Mine Road expenses after the flooding. He can give a breakdown of expenses with the 191 expenditures.

Motion made by Councilor LeBeau, seconded by Councilor Butner to authorize the Finance Director to make the FY19 budget adjustments as attached on the Budget Change/Re-Appropriation Form dated 10/16/19. **Motion** carried unanimously with Vice Mayor Jenkins, Councilors Whatley, Murdock, LeBeau, Butner and Buchanan approving.

7.2. Discussion, consideration and possible appointment of member to the Board of Adjustment and Appeals, with a term that expires January 2022.

[Staff Resource: Virginia Jones]

Community Development Director Carmen Howard stated she received a Letter of Interest from Michael Hough for the Board of Adjustment and Appeals.

Councilor Butner asked if Mr. Hough was on the Planning and Zoning Commission? Ms. Howard stated yes. Councilors discussed the risks and advantages of someone sitting on both Boards.

Ms. Howard explained that the Board of Adjustments review her decisions not Planning and Zoning decisions. Mr. Martin stated he felt like it actually helps with judgement calls for someone to sit on both.

Councilor Butner indicated strongly that he is not comfortable with same person sitting on both Boards.

Council discussed the urgency of getting someone on the Board of Adjustments and Appeals Board. Ms. Howard stated that a current Board member would like to be relieved of their duties and there is another one that may have to step down as well. It is at a critical level to get someone on the Board. Council discussed what would happen if there is no quorum.

Public Comment-

Tim Wiggle a retired Planning and Zoning Administrator said it is common in his experience, to have the same person sit on either board. They have insight that is valuable.

Councilor Murdock asked if any current members were sitting on both boards. Ms. Howard stated yes, Mr. George and Mr. Blue.

Ms. Howard stated they are actively recruiting but the applicant needs to have knowledge of buildings and read the duties of what would be required. In the past they had talked about potentially making it a 5-member board instead of 7.

Councilor Murdock questioned how to amend the Code to make it a five (5) member board? Deputy Town Clerk Virginia Jones stated it could be done with an ordinance.

Motion made by Councilor Whaley to appoint Michael Hough to the Board of Adjustment and Appeals for a term that expires January 2022. **Motion** failed with no second.

Ms. Howard stated they will work on an amendment and bring it back to Council.

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

No comments from the public.

9. **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.*

Councilor Butner attended a MATForce meeting, they had a seminar on the vaping problem.

Councilor Buchannan helped out with Fort Verde Days as a gate keeper.

Councilor Whatley helped out with Fort Verde Days as a gate keeper. She wanted to thank the Parks and Rec Department for a job well done.

Councilor LeBeau helped out with Fort Verde Days Parade, Festival and Bull Bash.

Vice Mayor Jenkins- helped out with Fort Verde Days as a gate keeper and the interviewing of the HR Director.

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

Town Manager Russ Martin:

- The new HR Director, Brandy Cabrera will start October 28th.
- Fort Verde Days- the sale of beer raised almost \$2,000. Staff did a great job.
- If you plan to help with Halloween, be here at 5pm.
- Quarterly update is scheduled for November 6th. Also, November 13th Susan Montgomery will be her to talk about Indian Water Settlements.
-

Vice Mayor Jenkins would like a work session to have an Economic Development update on opportunity zone and changes within the Department, get some feedback and direction from Council. Mr. Martin stated this will come sometime in November.

11. **Adjournment**

Mayor German adjourned the meeting at 7:48 p.m.

Vice Mayor Dee Jenkins
CERTIFICATION

Attest: Deputy Town Clerk Virginia Jones

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 October 16, 2019. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2019.

Virginia Jones, Deputy Town Clerk

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Agenda Item Submission Form – Section I

Meeting Date: November 6, 2019

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

Requesting Department: Community Development

Staff Resource/Contact Person: Robert Foreman

Agenda Title (be exact: Possible Approval of the Inspection Services Agreement between Arizona Department of Housing-Office of Manufactured Housing and the Town of Camp Verde to enforce installation standards.

List Attached Documents:

Estimated Presentation Time: N/A

Estimated Discussion Time: N/A

Reviews Completed by:

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

Background Information:

Recommended Action (Motion): Approval Inspection agreement between Arizona Department of Housing Office of Manufactured Housing and Town of Camp Verde to Enforce Installation Standards

Instructions to the Clerk: Process agreement

INSPECTION SERVICES AGREEMENT

BETWEEN

**ARIZONA DEPARTMENT OF HOUSING
OFFICE OF MANUFACTURED HOUSING**

AND

TOWN OF CAMP VERDE

TO ENFORCE INSTALLATION STANDARDS

This **AGREEMENT** (“Agreement”) is entered into this _____ day of _____, _____, by and between the **ARIZONA DEPARTMENT OF HOUSING, OFFICE OF MANUFACTURED HOUSING** (“OMH”) and **TOWN OF CAMP VERDE** (“Agency”).

WHEREAS, pursuant to Arizona Revised Statutes (A.R.S.) § 41-4002 the purpose of OMH is to maintain standards of quality and safety for manufactured homes, factory-built buildings, mobile homes, and the installation of the same.

WHEREAS, A.R.S. § 41-4004 (A)(5) directs OMH to enter into agreements with local enforcement agencies to enforce the installation standards in their respective jurisdictions consistent with the installation standards of OMH; and

WHEREAS, it is the desire of both parties to eliminate unnecessary duplication of inspections regarding installation standards within the Agency’s jurisdiction;

NOW, THEREFORE, in consideration of the premises and mutual promises and undertakings herein contained, and for other good and valuable consideration, the parties agree as follows:

1. **Monitoring and Enforcement.** For the duration of this Agreement, the Agency will monitor and enforce the installation standards set forth in A.R.S. § 41-4004 (A)(4) and Arizona Administrative Code (A.A.C.), including but not limited to, R4-34-102, R4-34-204, R4-34-606 and R4-34-801 as they apply to installation standards and accessory structures.
2. **Term.** The term of this Agreement shall be for five (5) years from the date of this Agreement.
3. **Standards of Performance.** In exercising the authority delegated hereunder the Agency shall perform to the same standards of performance that the law imposes upon OMH in exercising the authority described in section 1 hereof. In addition, the Agency shall not approve any installation unless the installer affixes a State Insignia of Approval as required by A.A.C. R4-34-802 (A) and pays to the Agency the fee established by OMH pursuant to the authority by A.A.C. R4-34-501.

4. Monthly Reporting. The Agency in this Agreement shall submit a Monthly Report to OMH. A copy of each closed mobile home/HUD manufactured home or FBB permit shall be submitted with the monthly report. The monthly report with copies of permits shall be submitted by mail, fax, or email, on or before the 15th of the following month. OMH will provide the monthly report format which will require the following be collected and documented:

- a. ARZ HUD label number(s) or FBB manufacturers insignia number
- b. Unit serial number
- c. Installation insignia or FBB plan approval number
- d. Address of installation
- e. Date of approved final installation inspection

5. Fees Charged by the Agency. Permit fees charged by the Agency shall be the same as the Fee Schedule created by OMH pursuant to its authority under A.R.S. § 41-4010 (A)(4), A.R.S. § 41-4010 (A)(5) and A.A.C. R4-34-501 and no more than permitted by R4-34-801(E). All fees collected by the Agency shall be kept by the Agency as compensation for the services performed by the Agency under this Agreement. The Agency shall not be entitled to any other compensation for services rendered by it under this Agreement.

6. Termination. Either party may terminate this Agreement at any time without cause by giving the other party thirty (30) days written notice prior to the date of termination. Additionally, OMH may terminate this Agreement immediately and without notice, if OMH determines that the installation standards required in the Agreement are not being maintained, or that local fees are not consistent with the inspection fees established by the Board of Manufactured Housing.

7. Qualifications of Personnel. The personnel that perform the functions delegated to the Agency in paragraph 1 hereof shall each have no less than one year of experience as a building code inspector or manufactured housing installation inspector.

8. Inspector Training. All Agency Inspectors performing under this Agreement shall participate in required initial and/or periodic training as set and coordinated by the State.

9. Duties of OMH. Should OMH require inspections of any portion of the installation of mobile, manufactured homes, accessory structures or factory built buildings not required by the Rules referred to herein and not covered under this Agreement, OMH shall be responsible for the inspections and enforcement thereof.

10. Notices. All notices shall be mailed or delivered to the party to receive such notice to the following address.

- a. If intended for OMH to:

Arizona Department of Housing
Office of Manufactured Housing
1110 West Washington, Suite #280
Phoenix, AZ 85007-2935

Attn: Tara Brunetti
Title: Deputy Director
Phone: (602) 771-1035

b. If intended for Agency, to:

Town of Camp Verde
473 South Main Street, Suite 108
Camp Verde Arizona 86322

Attn: Robert Foreman
Title: Building Official
Phone: (928) 554-0061

11. Interpretation and Amendments. This Agreement contains the entire agreement between the parties hereto. This Agreement shall not be amended or modified in any manner, except by an instrument in writing signed by the parties hereto.

12. Headings. Headings are for convenience only and are not to be construed as part of this Agreement.

13. Invalidity of a Term. The parties agree that in the event any term, covenant or conditions herein contained should be held to be invalid or void, the invalidity of any such term, covenant or condition shall in no way affect any other term, covenant or condition of this Agreement.

14. Dispute. In the event of any dispute between the parties under this Agreement, the parties agree that they shall submit the dispute to arbitration pursuant to A.R.S. §§ 12-133(D) and 12-1518.

15. Inspection and Audit. Pursuant to A.R.S. §§ 35-214 and 35-215, all books, accounts, reports, files and other records relating to this Agreement shall be subject at all reasonable times to inspection and audit by the State of Arizona for five (5) years after completion of this Agreement. Such records shall be produced at the Auditor General's Office or such other office as the parties hereto may mutually agree within a reasonable time after request.

16. Conflict of Interest. The parties acknowledge that this Agreement is subject to cancellation by the Governor of Arizona pursuant to A.R.S. § 38-511, the provisions of which are incorporated herein.

17. Prohibition Against Discrimination. In the event that it applies, the parties agree to comply with the Arizona Governor's Executive Order No. 2009-09.

18. Governing Law and Venue. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Arizona. The exclusive venue for any litigation, arbitration, administrative hearing or the like concerning this Agreement or any matter arising therefrom shall be in Maricopa County, State of Arizona.

19. Unavailability of Funding. Every payment or financial obligation of the parties under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by any party at the end of the period for which funds are available. No liability shall accrue to any party in the event this provision is exercised, and neither the OMH or Agency shall be obligated or liable for any future payments nor for any damages as a result of termination under this paragraph.

20. E-verify. To the extent applicable under A.R.S. § 41-4401, each party and its respective subcontractors warrant compliance with all federal immigration laws and regulations that relate to its employees and compliance with the E-verify requirements under A.R.S. § 23-214(A). Each party has the right to inspect the papers of the other party or its subcontractors participating in this Agreement and may result in the termination of the Agreement by a non-breaching party under terms of this Agreement.

21. Antitrust Violations. To the extent applicable, Agency assigns to the Department any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to the Agency toward fulfillment of this Agreement.

22. Boycott of Israel. To the extent applicable and permitted by law, Agency warrants it is not engaged in a boycott of Israel as defined by A.R.S. § 35-393.01, as may be amended from time to time.

IN WITNESS WHEREOF, the parties hereto agree to carry out the terms of this Agreement and have executed this Agreement the day, month and year first written above.

ARIZONA DEPARTMENT OF HOUSING:

TOWN OF CAMP VERDE:

Names: _____
Carol Ditmore, Director
Arizona Department of Housing

Name: _____
Charles German, Mayor

Tara Brunetti, Deputy Director
Arizona Department of Housing
Office of Manufactured Housing

ATTEST: _____
Virginia June, Assistant City Clerk

APPROVED this _____ day of _____, _____.

This Agreement has been reviewed by the undersigned attorney for the Agency who has approved the Agreement as to form.

BY: William J. Sims

WILLIAM J. SIMS City Attorney
TOWN ATTORNEY

This Agreement has been reviewed by the undersigned Arizona Assistant Attorney General, who has approved the Agreement as to form.

Dated this ___ day of _____, ____.

BY: _____
Valerie L. Marciano, Esq.
Assistant Attorney General



City of Flagstaff

September 27, 2019

Senator Martha McSally
404 Russell Senate Office Building
Washington, DC 20510

Dear Senator McSally:

On behalf of the Flagstaff City Council, I'm requesting your assistance on the transportation issue involving Amtrak and their long-distance routes.

As you know, the Senate just passed the \$86.6 billion Fiscal Year 2020 transportation funding bill for Amtrak. We are happy to see this as it will continue to support their job creation, economic development, and infrastructure improvements. The area that is suffering is Amtrak's long-distance routes where the plans are to replace their Southwest Chief trains with buses. We need further support from Congress to appropriate the funds necessary to keep the current equipment running and procure new equipment for the long-distance trains.

Amtrak's president, Richard Anderson, stated that he would concentrate on the Northeast Corridor (Boston-Washington) and state-supported corridors fewer than 750 miles which will be served with bare-bones diesel multiple-unit equipment, minus amenities. This is where communities that no longer are served by an Amtrak interstate train will now be subsidized by intercity bus service. For Flagstaff, this would be a loss of service for over 42,000 passengers annually that connect to us through Los Angeles and Chicago.

There is also discussion on breaking the Southwest Chief into two separate trains with bus substitution between Dodge City (KS) and Albuquerque (NM). Congress mandated that the route be kept whole and appropriated the necessary funds, but only until the end of this fiscal year. On October 1, 2019, the door reopens for segmenting the Southwest Chief. We are strongly opposed to this happening.

Our rail passengers enjoy the experience of riding the train to Flagstaff. Many have commented that they use the train in lieu of driving themselves. There is a fondness to this experience, and we also appreciate having this mode of transportation offered in our city, not to mention the workforce it employs and the increased business to our tourism industry.

We fully support Amtrak and the transportation mode it offers for our community. Amtrak has been instrumental with increasing visitation, offering alternate means of transportation to locals and visitors, and creating workforce opportunities.

We strongly urge you to give special attention to this issue for Flagstaff. Thank you.

Sincerely,

Coral Evans
Flagstaff Mayor



**FLAGSTAFF
METROPOLITAN
PLANNING
ORGANIZATION**

**CITY OF FLAGSTAFF
COCONINO COUNTY
ARIZONA DOT**

Office: 211 West Aspen Avenue
Flagstaff, Arizona 86001

www.flagstaffmpo.org

Phone: (928) 213-2651

EXECUTIVE BOARD

Art Babbott, Chair
Supervisor District 1
Coconino County

Coral Evans, Vice Chair
Mayor
City of Flagstaff

Jesse Thompson
Arizona State
Transportation Board
District 5

Matt Ryan
Supervisor District 3
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Jim McCarthy
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Councilmember
City of Flagstaff

STAFF

Jeff Meilbeck
Executive Director

David Wessel
FMPO Manager

Martin Ince
Multi-Modal Planner

Rosie Wear
FMPO Specialist

October 2, 2019

Representative Tom O'Halleran
324 Cannon House Office Building
Washington, DC 20515

Dear Representative O'Halleran:

On behalf of the Flagstaff Metropolitan Planning Organization, I'm requesting your assistance in maintaining funding for Amtrak's long-distance routes.

The Senate just passed the \$86.6 billion Fiscal Year 2020 transportation funding bill for Amtrak. We are happy to see this continue to support job creation, economic development, and infrastructure improvements. However, there are plans to replace Amtrak's long-distance routes like the Southwest Chief with buses. We need Congress to appropriate funds to maintain train service, keep the equipment running, and procure new equipment for the long-distance trains.

Amtrak's president, Richard Anderson, stated that he would concentrate on the Northeast Corridor (Boston-Washington) and state-supported corridors fewer than 750 miles. This leaves communities no longer served by an Amtrak interstate train to be served by intercity bus service. For Flagstaff, this would be a loss of over 42,000 passengers annually connecting through Los Angeles and Chicago.

The discussion focuses on breaking the Southwest Chief into two separate trains with bus substitution between Dodge City (KS) and Albuquerque (NM). Congress mandated that the route be kept whole and appropriated the necessary funds, but only until the end of this fiscal year. On October 1, 2019, the door reopens for segmenting the Southwest Chief. We are strongly opposed to this happening.

Our rail passengers enjoy the experience of riding the train to Flagstaff. Many have commented that they use the train in lieu of driving themselves. There is a fondness to this experience, accentuated by our historic depot. We also appreciate having this mode of transportation offered in our city, not to mention the workforce it employs and the increased business to our tourism industry.

We fully support Amtrak and the transportation mode it offers for our community. Amtrak has been instrumental with increasing visitation, offering alternate means of transportation to locals and visitors, and creating workforce opportunities.

We strongly urge your special attention to this issue for Flagstaff and other nearby communities. Thank you.

Sincerely,

Art Babbott, Executive Board Chair
Coconino County Supervisor, District 3

Cc:

Arizona Congressional Delegation;

The Honorable Peter DeFazio, Chairman, House Transportation & Infrastructure Committee;

The Honorable Roger Wicker, Chairman, Senate Commerce, Science and Transportation Committee

United States Senate

WASHINGTON, DC 20510

April 5, 2019

Mr. Richard Anderson
President
Amtrak
1 Massachusetts Avenue, NW
Washington, DC

Dear Mr. Anderson:

We are writing in strong support of Amtrak's national network, including the long-distance and state-supported routes. These routes serve small, midsize, and rural communities in our states and provide essential connections to jobs, tourism, and family that are critical to the people and places we represent. As you develop Amtrak's plan for the long-term viability of the company, we urge you to recognize the critical importance of the entire national network, which includes the long-distance and state-supported routes. Once again, we seek your firm commitment that Amtrak will abide by its statutory purpose – maintaining a truly national network for our rail system.

Amtrak's recent appropriation clearly demonstrates Congress' strong, bipartisan support for the network. In making this investment, Congress chose to ensure the continued viability of Amtrak's entire system, including the National Network's long-distance and state-supported routes. These funds should be used to operate the entire existing system and, where possible, expand the system to grow both revenue and ridership.

Congress purposely created a national network of long-distance and state-supported train service throughout the nation, in recognition of the importance of a transportation system that reaches every community – regardless of how rural it may be. Amtrak is more than a collection of individual train routes; it is a web of essential connections that bind our country together and link rural communities with major markets and economic opportunities. It provides residents of these communities with transportation options on which families, seniors, and businesses rely to access jobs, create economic opportunities, see our beautiful country, and visit family. The federal investment in Amtrak ensures the small, midsize, and rural communities served by Amtrak's long-distance and state-supported routes continue to receive this essential service.

The long-distance and state-supported routes of the national system are no less important than the Northeast Corridor (NEC), another critical aspect of Amtrak service.

The long distance and state supported trains generate more ridership than the NEC and similar levels of revenue. Many long-distance sleeper cars are regularly sold out. The entire national network helps cover Amtrak's fixed corporate costs such as police, facilities and capital expenditures, particularly when the route shares trackage with the NEC. Continuing and expanding the entire national system of long-distance and state-supported routes is both good for Amtrak's business, and our national economy.

We look forward to working with you and receiving assurances of your commitment to the national network. For these reasons, we request your response to the following questions by April 29, 2019.

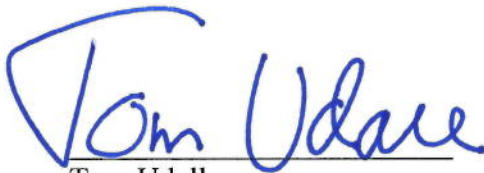
- Amtrak customers have already experienced a deterioration in service as Amtrak pursues efficiencies. A recent report in *Trains Magazine*¹ indicated that Amtrak utilizes accounting mechanisms to inflate costs associated with the national network, by charging long-distance and state-supported routes for costs which may be more appropriately charged to the Northeast Corridor. We are concerned that Amtrak's accounting is intentionally obscure and is causing a false inflation of costs of lines outside of the Northeast Corridor. Please provide the accounting methods used to determine the costs referenced.
- Does Amtrak plan to truncate or otherwise alter any of the long-distance train routes? If yes, then:
 - Which routes are under consideration for alteration?
 - Would any of these routes be altered in such a way that they would fall under the definition of State Supported routes, requiring states to find local operating funds for existing service? What discussions has Amtrak had with states, if any, that lead it to believe states would be willing to assume this financial obligation?
- Amtrak says it wants to introduce new short distance routes with daytime service and multiple frequencies. What specific routes is Amtrak considering? What discussions—if any—has Amtrak had with host railroads, stakeholders, or government officials regarding these additional frequencies?
- Amtrak claims that public demand for its long-distance interstate service is declining. Yet the number of passengers using the total long-distance network in FY 2017—the last year without major service interruptions—was 10.6% higher than it was eight years earlier in FY 2010. It was also higher than in all but three of the last eight years. This growth occurred in spite of worsening on time performance, capacity reductions and other changes to service levels. On what basis does Amtrak claim that demand is declining for long-distance trains?

¹ http://trn.trains.com/bonus/amtrak?utm_source=Yesmail&utm_medium=email&utm_campaign=News0_TRN_190115_00000

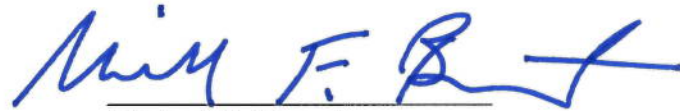
- Amtrak has made a number of changes impacting long-distance routes in 2018 that may reduce revenues and services, such as the removal of ticket agents at a number of stations across the country. Why did Amtrak calculate ridership totals based on weekly boardings on routes that do not run daily? When will Amtrak restore or otherwise alter assistance it provides passengers at stations based on Congressional directives in the Fiscal Year 2019 Appropriations Act?
- Amtrak has expressed concern at how the dispatching practices of some host railroads has led to deteriorating on-time performance (OTP). Does Amtrak have a strategy to improve OTP and better interface with the host railroads? Are there policies that would assist Amtrak in this endeavor?
- Sleeper cars provide approximately 40-50% of the revenue on many long-distance trains. Please provide us with an update on the 25 sleeper cars that were scheduled to be delivered in 2015 and 2016. Please provide a timeline for completing this order and putting the new cars into service?

Our constituents – in both large and small communities rely on Amtrak service. We look forward to continue to work with you to preserve and expand the long-distance and state-supported routes, and to reviewing your response to our questions.

Sincerely,



Tom Udall
United States Senator



Michael F. Bennet
United States Senator



Pat Roberts
United States Senator



Cory Gardner
United States Senator



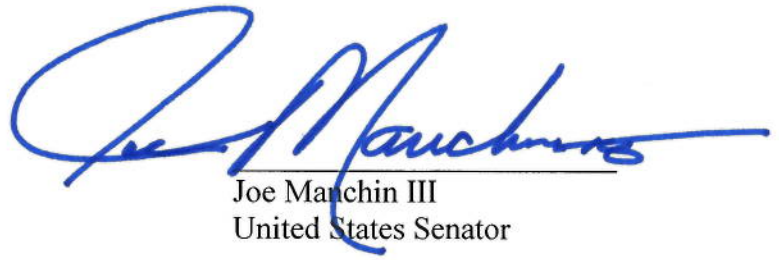
Jerry Moran
United States Senator



Catherine Cortez Masto
United States Senator



Martin Heinrich
United States Senator



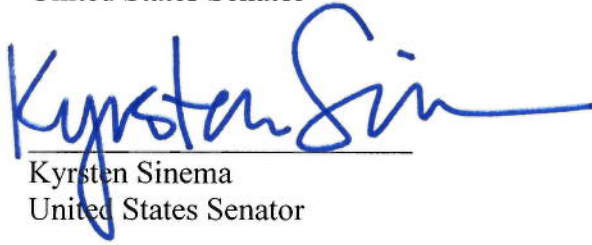
Joe Manchin III
United States Senator



Richard J. Durbin
United States Senator



Jon Tester
United States Senator



Kyrsten Sinema
United States Senator

RESOLUTION NO. 2017-35

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL URGING THE UNITED STATES CONGRESS TO SUPPORT LONG DISTANCE PASSENGER RAIL SERVICE

RECITALS:

WHEREAS the City of Flagstaff's mission is to protect and enhance the quality of life for all; and

WHEREAS the 2012 voter-approved Flagstaff Regional Plan asserts that environmental health is inherent to individual and community health; and

WHEREAS use of Amtrak lowers our carbon footprint because it is 30 percent more fuel efficient than traveling by car and 8 percent more efficient than domestic airline travel on a per-passenger-mile basis; and

WHEREAS the 2012 voter-approved Flagstaff Regional Plan calls for strengthening rail service opportunities for the region's businesses and travelers, and calls for promoting Amtrak service; and

WHEREAS Amtrak carried 4.6 million passengers in FY 2016; and

WHEREAS the number of Amtrak arrivals and boardings in Flagstaff are approximately one third the number at our airport; and

WHEREAS Congress created Amtrak in 1970 and ever since has supported multi-modal transportation including highways, airports, and rail; and

WHEREAS the City of Flagstaff supports all rail travel.

ENACTMENTS:

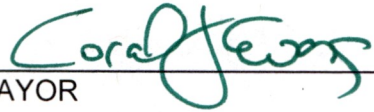
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FLAGSTAFF THAT:

The Flagstaff City Council strongly urges the U.S. Congress to enact legislation that:

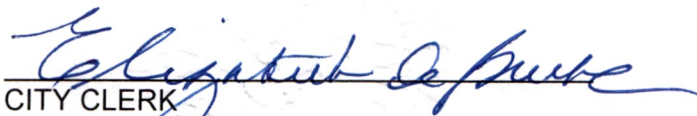
- A. Provides adequate funding for a robust passenger rail system;
- B. Continues Amtrak service to Flagstaff and other cities;
- C. Maintains the Chicago-to-Los Angeles route; and
- D. Improves connecting routes to other regional cities.

FURTHERMORE, the City Clerk is directed to forward a copy of this resolution to the delegation in the U.S. Congress that represents Flagstaff, within 30 days of enactment.

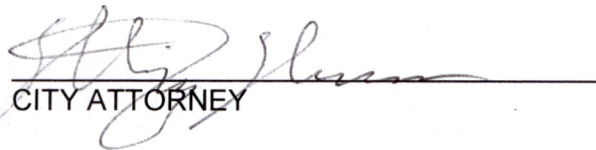
PASSED AND ADOPTED by the City Council of the City of Flagstaff this 3rd day of October, 2017.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY



Agenda Item Submission Form – Section I

Meeting Date: November 6, 2019

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

Requesting Department: *Town Manager-Council*

Staff Resource/Contact Person:

Agenda Title (be exact): Update regarding recycling and what was learned at the League of Cities and Towns Conference.

List Attached Documents: *Copy of PowerPoint presentation from the League of Cities and Towns*

Estimated Presentation Time: 0

Estimated Discussion Time: 0

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: *Council has been discussing recycling and different options for the Town. The League of Cities and Towns held a session regarding recycling and this is just an update regarding recycling today and in the future.*

Recommended Action (Motion): *No Action, information only*

Instructions to the Clerk:

PowerPoint from League of Cities and Towns Conference







Historical Perspective



- bales of imported recyclables (paper & plastics) can contain those recyclables and no other materials
- One year crackdown on illegal smuggling of "foreign waste" including industrial, electronic, household and plastic waste
- By the end of 2017, China forbid the import of 4 classes, 24 kinds of solid wastes, including:
 - plastic waste
 - unsorted waste paper
 - waste textile materials
- Established a 0.3% contamination limit

Final Restrictions

Requests for a less stringent contamination standard and a longer transition period were ignored

- Maintains prohibition on imports of mixed paper & post-consumer plastic (1/1/18)
- "Relaxed" contamination standard to 0.5% except for non-ferrous metals (1%) – effective 3/1/18

Additional Bans Are Coming



"... we found that large amounts of dirty wastes or even hazardous wastes are mixed in the solid waste that can be used as raw materials.
This polluted China's environment seriously.
To protect China's environmental interests and people's health."



PSG ENGINEERS

Recycling Contamination



PSG ENGINEERS

Chinese Sword



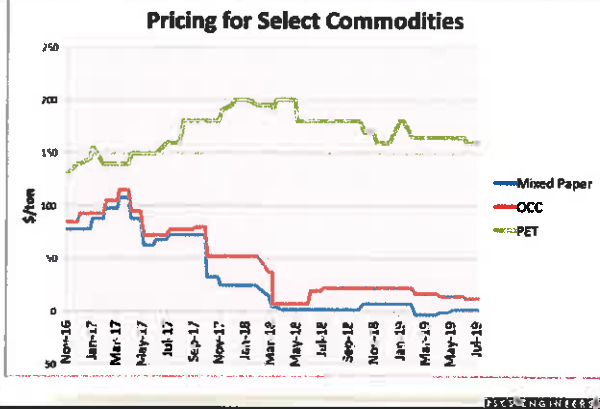
Uh... How long you think you'll keep that sage sharp?

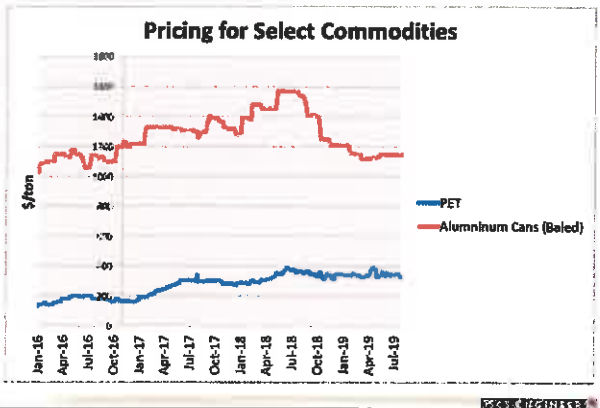
China NATIONAL SWORD 2017

PSG ENGINEERS

Chinese Sword Impacts

- Commodity values have plummeted.
- Mixed paper dropped from \$75 per ton in November 2016 to \$0 per ton in June 2018.
- Mixed Paper is the single largest commodity generated from single-stream material recovery facilities (MRF) today.





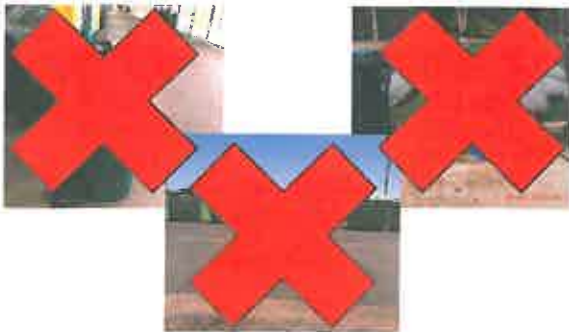
Chinese Sword Impacts

- MRFs have increased processing fees and reduced material types
- Recyclables are being stockpiled, sent to waste-to-energy plants or landfilled disposed
- Municipalities are reevaluating the viability of curbside recycling

How should we recycle?



Should we recycle?



If we do recycle, how can we control costs, maximize revenues, and maximize diversion.

Chinese Sword

Opportunities

Chinese Sword Opportunities

- Creating a National dialogue on recycling
- Understanding that recycling is not free
- Reducing contamination in recyclables
 - Collecting is not recycling



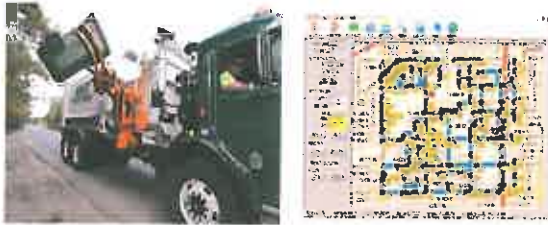
Chinese Sword Opportunities

- Encouraging domestic markets for recyclable
- Fostering Innovation
 - "Upcycling"
- Promoting public-private-partnerships



Chinese Sword Opportunities

Increasing Efficiency in Trash and Recycling Collection



Chinese Sword Opportunities

Increasing recycling and diversion through new technologies:

- Mixed waste processing
- Plastics conversion to fuel
- Anaerobic digestion
- Composting



New Mixed Waste Processing Facilities

- Facilities
 - Coastal Resources of Maine, Hampden, Maine
 - RePower South, Berkley County, South Carolina
 - RePower South, Montgomery, Alabama
- Key Factors for success
 - LF Disposal Costs > \$50-\$60/ton
 - Secure contracts for incoming materials and end products
 - Recyclables
 - Engineered fuel
 - Biogas
 - Alternative daily cover
 - Compost

City of Virginia Beach, VA

Routing Optimization

Issues

- Unbalanced routes
- Equipment issues
- Need to remain competitive
- Budget issues coming out of recession

What was accomplished?

- Three phase re-routing
- Fuller deployment of automation
- Reduced routes
- Saved \$1.5M/year in labor and equipment costs
- Reduced pressures relating to other increasing costs

The Point

- Municipal systems can be run efficiently
- Must show business savvy
- Think improvements
- Utilize technology



TOWN OF CAMP VERDE
 TOWN CLERK
 473 SOUTH MAIN STREET, SUITE 102
 CAMP VERDE, AZ 86322
 PHONE: 928-554-0023

Agenda Item 11

Date: 10-29-2019

Hand Delivered

Email: Russ.Martin@campverde.az.gov

RE: Notice of Executive Session

Dear:

Pursuant to ARS §38-431.03.A.1, a public body may vote to go into an executive session for discussions concerning the employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of a public officer, appointee, or employee of any public body, except that with the exception of salary discussions, an officer, appointee, or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee, or employee with written notice of the executive session as is appropriate, but not less than 24 hours for the officer, appointee, or employee to determine whether the discussion or consideration should occur at a public meeting. **After being given notice of the meeting, the employee may request that the discussion occur at a public (open) meeting rather than an executive session.**

Since legal action cannot be taken at an executive session, the Town will typically schedule a special session that addresses your employment as part of the agenda, allow for a vote to go into an executive session, and then re-convene to take any legal action. Other than the Council members, only those persons "whose presence is reasonably necessary in order for the public body to carry out its executive session responsibilities may attend the executive session" (ARS §38-431.2). This normally is limited to a recording secretary for the Council (although, the meeting is usually taped). The Council may permit you and your attorney to attend. **Pursuant to ARS §431.03.B, all discussions at an executive session are to be kept confidential, except from 1) members of the public body which met in executive session; 2) officers, appointees, or employees who were the subject of discussion or consideration pursuant to subsection A, paragraph 1 of this section; 3) the auditor general on a request made in connection with an audit authorized as provided by law; and 4) a county attorney or the attorney general when investigating alleged violations of this article.** Any discussion or actions taken at a regular or special session are open to the public.

A Special or Executive Session concerning your employment with the Town of Camp Verde is now set for **Wednesday November 6, 2019, 2007, at 6:30 p.m. at Town Hall Council Chambers, 473 S. Main Street St. 106.** Please sign and date this notice to acknowledge its receipt, and initial one of the lines below to indicate your preference.

- I request this matter be heard in a public meeting.
- I do not request this matter be held in a public meeting. (Council may or may not invite you in to the executive session.)

Signature 

Date 10/29/16

Sincerely,


 Virginia Jones, CMC, Deputy Town Clerk