

REVISED

Regular Session

Mayor and Council

COUNCIL CHAMBERS - 473 S Main St Room #106

Wednesday August 21 2013 6:30 p.m.

ITEM #10



Camp Verde ARIZONA

The Heart of the Verde Valley

Support your local merchants.

**AMENDED AGENDA
REGULAR SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, AUGUST 21, 2013 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**
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) August 7, 2013 – Regular Session
 - 2) August 7, 2013 – Special Session
 - b) **Set Next Meeting, Date and Time:**
 - 1) August 28, 2013 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
 - 2) September 4, 2013 at 6:30 p.m. – Regular Session – **CANCELLED**
 - 3) **September 6, 2013 at 9:00 a.m. – Work Session**
 - 4) September 11, 2013 at 6:30 p.m. – Work Session
 - 5) September 18, 2013 at 6:30 p.m. – Regular Session
 - 6) September 25, 2013 at 6:30 p.m. – Council Hears Planning & Zoning Matters
 - c) **Possible recommendation of approval of a Special Event Liquor License for the Verde Valley Rangers Mounted Sheriff's Posse for the Ft. Verde Days event to be held on October 11, 12, and 13, 2013.** Staff Resource: Debbie Barber
5. **Special Announcements & Presentations** – There are no special announcements or presentations.
6. **Call to the Public for items not on the agenda.**
7. **Public Hearing and discussion, consideration, and possible recommendation of approval of a Series 10 (beer and wine store) liquor license application for Yavapai-Apache Whitehills (Chevron) Store #11208, located at 320 W. Castle Lane.** Staff Resource: Debbie Barber

Mayor German requested items 8 & 9 & 10:

8. **Discussion, consideration, and possible addition of Camp Verde Fire District Liaison to the 2013/14 Council Committee Assignments.**
9. **Discussion, consideration, and possible appointment of a representative to serve as the Camp Verde Fire District Liaison.**

10. **DISCUSSION, CONSIDERATION, AND POSSIBLE AUTHORIZATION TO CO-SPONSOR, WITH THE COMMUNITIES OF CLARKDALE AND COTTONWOOD, "A RIVER RUNS THROUGH US" ART EXHIBIT AT THE STATE CAPITOL.**
11. Discussion, consideration, and possible instruction to the Mayor as to how to vote on the proposed League Resolutions at the League of Arizona Cities and Towns (LACT) League Resolution Committee meeting on Tuesday, August 27, 2013 at 1:30 p.m. located at the Hilton El Conquistador 10000 N. Oracle Road, Oro Valley, AZ. The following is a summary of the proposed resolutions (the resolution numbers are established by the LACT): 1) develop and pass legislation to make the requirements for annexation simpler and more flexible; 3) prohibit Fire Districts from annexing areas inside a municipal planning area without the consent of the municipality, unless the municipality does not operate a fire department; 4) establish a mechanism enabling local government to create renewable energy and conservation financing districts; 5) promote legislation that grants legislative authority to cities & towns to freeze property tax levels on commercial & industrial zoned parcels that support speculative development at pre-improvement levels until such time as the developed property is fully leased; 6) authorize street light improvement districts to levy and expend money to repair, maintain, and replace lighting facilities; 7) change ARS §34-603, which deals with alternative project delivery methods to allow the use of the final list in the procurement until a contract for construction is entered into; 8) place reasonable limits on the frequency of requests for public records and on requests that are overbroad or abusive; 9) amend ARS Title 13 (Criminal Code) to ensure that restitution for graffiti includes all costs of a victim associated with graffiti abatement; 10) support implementing a pilot program to restrict trucks to the two right most lanes when traveling on Arizona highways in urban areas with three or more lanes in each direction; 11) stop future sweeps of Highway User Funds (HURF) allocated to AZ cities & towns and restore HURF funding to FY 2008 levels; 12) develop and pass legislation to ensure the viability of AZ State Parks, including but not limited to allowing municipalities to enter into long-term leases of State Parks and the restoration of the AZ State Park Heritage Fund; 14) pass legislation that supports efforts to reduce the shortage of health care professionals in the State of AZ; 15) grant municipalities the option of providing workers compensation benefits to employees of another agency when working under the municipality's control or in its jurisdiction through and IGA or contract, especially as it relates to public safety personnel; 16) include one representative from a large city along with one representative from a small non-metropolitan city on the Public Safety Personnel Retirement System Board of Trustees; 17) request that the Public Safety Retirement System review their actuarial assumptions with regard to salary increases and base assumptions on current historical actual; 18) equalize the maximum tax credit and the timeframe allowed for collection of funds for qualified charitable organizations, private schools and public schools to qualify as a tax credit in any given year; 19) pass legislation or engage in other activities that support and advocate for resources to improve Arizona's ports of entry with Mexico and related infrastructure; 20) support the long-term retention of Arizona's military installations. League Staff Recommendations: 1) Preserve the tax-exempt status of municipal bonds and 2) pass the Marketplace Fairness Act.
12. **Call to the Public for Items not on the agenda.**
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:



Date/Time:

08-19-2013 9:45 a.m.

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

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14. **Adjournment**

Posted by:



Date/Time:

8-15-2013

2:30 p.m.

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

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4a

**DRAFT MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, AUGUST 7, 2013 at 6:30 P.M.**

Minutes are a summary of the discussion. They are not verbatim.
Public input is placed after Council discussion to facilitate future research.

1. **Call to Order**
Mayor German called the meeting to order at 6:30 p.m.
2. **Roll Call**
Mayor German, Vice Mayor Baker, and Councilors Carol German, Bruce George, Brad Gordon, Jessie Jones, and Robin Whatley were present.

Also Present
Town Manager Russ Martin, Finance Director Mike Showers, Bugle Reporter Bill Helm, Town Clerk Debbie Barber, and Recording Secretary Saepjol Warren.
3. **Pledge of Allegiance**
Vice Mayor Baker led the Pledge of Allegiance.
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) July 17, 2013 – Regular Session
 - 2) July 17, 2013 – Special Session
 - 3) July 17, 2013 – Work Session
 - 4) July 17, 2013 – Executive Session
 - b) **Set Next Meeting, Date and Time:**
 - 1) August 14, 2013 at 6:30 p.m. – Work Session
 - 2) August 21, 2013 at 6:30 p.m. – Regular Session
 - 3) August 28, 2013 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
 - 4) September 4, 2013 at 6:30 p.m. – Regular Session
 - 5) September 11, 2013 at 6:30 p.m. – Work Session
 - 6) September 18, 2013 at 6:30 p.m. – Regular Session
 - 7) September 25, 2013 at 6:30 p.m. – Council Hears Planning & Zoning Matters

On a motion by German, seconded by Baker, the Council voted unanimously to approve the Consent Agenda as presented.
5. **Special Announcements & Presentations** – There are no special announcements or presentations.
6. **Call to the Public for items not on the agenda.**
Adrienne Martin from the Yavapai AmeriCorps Project distributed brochures to the Mayor and Council, reporting statistics of volunteer services through June 2013. They leveraged 2,219 volunteers, for 9,668 hours of service that benefitted thousands. She explained that the AmeriCorps Serve Yavapai project begins September 1. They are expanding in the Verde Valley from four to eight members, including volunteers from Camp Verde School and the Yavapai Apache Nation. She thanked everyone for their support.
7. **Public Hearing and discussion, consideration, and possible recommendation of approval of a Series 10 (beer and wine store) liquor license application for Dollar General Store #11208, located at 1000 W. Finnie Flat Road. Staff Resource: Debbie Barber**

On a motion Baker, seconded by George, the Council voted unanimously to recommend approval of the a Series 10 (beer and wine store) liquor license application for Dollar General Store #11208, located at 1000 W. Finnie Flat Road.

Barber explained that this was a new liquor license for the Dollar General Store and that the application had been posted for the required 20 days. She advised that the Town did not receive any comments.

8. ~~Discussion, consideration, and possible approval of an agreement with the Chamber of Commerce for professional services and funding in the amount of \$12,000.~~ Staff Resource: Russ Martin/MAYOR
This item was deleted from the agenda prior to the meeting. Council took no action on this matter.

9. **Discussion, consideration, and possible approval of an Intergovernmental Agreement between the Town and the Camp Verde Sanitary District outlining the relationship as required by Arizona Revised Statutes with regard to operations and debt.** Staff Resource: Russ Martin
On a motion by Whatley, seconded by Baker, the Council voted unanimously to approve the Intergovernmental Agreement between the Town and the Camp Verde Sanitary District outlining the relationship as required by Arizona Revised Statutes with regard to operations and debt.

Martin explained that though the Town took over the Sanitary District, the District's debt remains with them until it is paid in full. The Council will act as Trustees for the District to ensure that the debt is paid. He explained that this Intergovernmental Agreement delineates the responsibilities of each party. He explained that the Town can sign for the plant since they will continue to pay for it by collecting debts. He assured that the Agreement has the potential to change as further clarification is needed.

When asked what would happen if the motion did not carry, the reply was that not much would change, but that the motion creates a historical record for clearly delineating the nature of the relationship. The Council expressed feeling reassured that the Town's Attorney had endorsed the Agreement and that the Sanitary District's debts will not count against the Town.

10. **Update by Mayor German and possible discussion relative to a request from Aunt Rita's Foundation Board Member Edwin Leslie inviting Camp Verde and other AZ cities and towns to participate in World AIDS Day by displaying an AIDS Awareness banner.**

Mayor German explained that he received a request to that required a response within a couple of days. He advised that if Council had any opposition to hanging the AIDS Awareness during the month of November, to let him know and it could be placed on a future agenda. Council members expressed appreciation for the Mayor's actions.

11. **Call to the Public for items not on the agenda.**
There was no public input.

12. **Council Informational Reports.**

Whatley enjoyed National Night Out, attended the opening of the Art Gallery and was impressed with the 3-D art requiring 3-D glasses. She participated in Trash Tracker event at Lake Powell, and attended the Corn Fest.

George attended an Educational Outreach meeting, National Night Out, and the Medical Center Open House.

Gordon attended the Verde Valley Land Preservation's "River Runs through Us" exhibit at the Manheim Gallery in Cottonwood, reporting that more than 25 pieces of art are up for auction online. Councilor German reported that the art exhibit would be coming to Camp Verde soon.

Mayor German reported about the Verde Front leaders plans for sustainable recreation in the area, emphasizing the importance of a management plan that mitigates recreational abuses. He expressed a desire to keep everyone in the loop on current events, noting that he was having the Clerk's Office staff forward information that he received to Council members. He apologized for any duplication of information that they might receive.

13. **Manager/Staff Report**

Martin reminded Council about the League of Cities and Towns Legislative meeting that Camp Verde has the privilege of hosting on Aug 15th at 10:00 am at the Marshal's Office. A handful of leaders from all over the Verde Valley will be in attendance. He encouraged Councilors to capitalize on this opportunity to dialogue with Legislative Director Rene Guillen.

On Thursday, Aug 22nd at 6:00 pm, there will be an Intergovernmental Meeting in Jerome. District engineer Alvin Stump will address roundabouts and the Hwy 260 project. Councilors should notify the Town Manager if they want to be invited to these types of meetings, which will also include property owners directly affected by the construction. An Intergovernmental Agreement is the goal by the end of the year, and this is the first step in process. He asked members to arrive at Town Hall by 5:30pm and to compliment ADOT whenever possible for their responsiveness, engagement, and work.

Martin reminded Council that there is a Work Session on August 14th to discuss the Employee Manual and the Chamber of Commerce issues.

14. **Adjournment**

On a motion by German, seconded by Baker, the meeting was adjourned at 7:10 p.m.

Charles German, Mayor

Saepyo Warren, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on August 7, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2013.

Deborah Barber, Town Clerk

4/22

**MINUTES
SPECIAL SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, AUGUST 7, 2013 at 6:00 P.M.**

1. **Call to Order**

Mayor German called the meeting to order at 6:00 p.m.

2. **Roll Call**

Mayor German, Vice Mayor Baker, and Councilors Carol German, Bruce George, Brad Gordon, Jessie Jones, and Robin Whatley were present.

Also present:

Town Manager Russ Martin, Finance Director Mike Showers, Town Clerk Debbie Barber, and Recording Secretary Saepyo Warren.

3. **Pledge of Allegiance**

Mayor German led the pledge.

4. **Public Hearing for comments on the proposed FY 2013/14 Budget**

Mayor German opened the public hearing for comments.

There was no public input.

Mayor German closed the public hearing.

5. **Discussion, consideration and possible approval of the FY 2013/14 Budget.** Staff Resource: Mike

On a motion by George, seconded by Gordon, the Council voted unanimously to approve the FY 2013/14 budget.

Mayor called for input and questions, then seeing none, asked called for a motion.

6. **Adjournment**

On a motion by Baker, seconded by Jones, the meeting was adjourned at 6:02 p.m.

Charles German, Mayor

Saepyo Warren, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on August 7, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2013.

Debbie Barber, Town Clerk



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: August 21st 2013

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: Clerk's Office

Staff Resource/Contact Person: Town Clerk Deborah Barber

Agenda Title (be exact): Possible recommendation of approval of special event liquor license application Verde Valley Rangers, Mounted Sheriff's Posse located at 75 E Hollamon St, Camp Verde, AZ.

List Attached Documents: Liquor License Applications

Estimated Presentation Time: 5 Minutes

Estimated Discussion Time: 5 Minutes

Reviews Completed by:

Department Head: Town Attorney Comments: N/A

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: None

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

Comments:

Background Information: Received Special Event Liquor License from Verde Valley Rangers, Mounted Sheriff's Posse for Fort Verde Days to be held October 11th, 12th and 13th 2013.

Recommended Action (Motion): Move to recommend approval of the special event liquor license application for Verde Valley Rangers, Mounted Sheriff's Posse.

Instructions to the Clerk: Section II not required

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

APPLICATION FOR SPECIAL EVENT LICENSE

Fee = \$25.00 per day for 1-10 day events only
 A service fee of \$25.00 will be charged for all dishonored checks (A.R.S. § 44-6852)

NOTE: THIS DOCUMENT MUST BE FULLY COMPLETED OR IT WILL BE RETURNED.
 PLEASE ALLOW 10 BUSINESS DAYS FOR APPROVAL

****Application must be approved by local government before submission to Department of Liquor Licenses and Control. (Section #20)**

DLLC USE ONLY LICENSE #

1. Name of Organization: VERDE VALLEY RANGERS, MOUNTED SHERIFF'S POSSE

2. Non-Profit/I.R.S. Tax Exempt Number: 86-0669881

3. The organization is a: (check one box only)

- Charitable
- Fraternal (must have regular membership and in existence for over 5 years)
- Civic
- Political Party, Ballot Measure, or Campaign Committee
- Religious

4. What is the purpose of this event? FUND RAISER

5. Location of the event: 75 E. HOLLAMON ST., CAMP VERDE, YAVAPAI, AZ
Address of physical location (Not P.O. Box) City County Zip 86322

Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Question #1. (Signature required in section #18)

6. Applicant: ROTH GARY L. 5-21-48
Last First Middle Date of Birth

7. Applicant's Mailing Address: 1110 E. MEGHAN'S RD., CAMP VERDE, AZ 86322
Street City State Zip

8. Phone Numbers: (928) 567-0535 (928) 202-2270 SAME
Site Owner # Applicant's Business # Applicant's Home #

9. Date(s) & Hours of Event: (Remember: you cannot sell alcohol before 10:00 a.m. on Sunday)

	Date	Day of Week	Hours from A.M./P.M.	To A.M./P.M.
Day 1:	<u>10-11-13</u>	<u>FRIDAY</u>	<u>4 P.M.</u>	<u>9 P.M.</u>
Day 2:	<u>10-12-13</u>	<u>SATURDAY</u>	<u>10 A.M.</u>	<u>9 P.M.</u>
Day 3:	<u>10-13-13</u>	<u>SUNDAY</u>	<u>10 A.M.</u>	<u>5 P.M.</u>
Day 4:	_____	_____	_____	_____
Day 5:	_____	_____	_____	_____
Day 6:	_____	_____	_____	_____
Day 7:	_____	_____	_____	_____
Day 8:	_____	_____	_____	_____
Day 9:	_____	_____	_____	_____
Day 10:	_____	_____	_____	_____

10. Has the applicant been convicted of a felony in the past five years, or had a liquor license revoked?
 YES NO (attach explanation if yes)

11. This organization has been issued a special event license for 5 days this year, including this event (not to exceed 10 days per year).

12. Is the organization using the services of a promoter or other person to manage the event? YES NO
If yes, attach a copy of the agreement.

13. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds.
THE ORGANIZATION APPLYING MUST RECEIVE 25% OF THE GROSS REVENUES OF THE SPECIAL EVENT LIQUOR SALES.

Name VERDE VALLEY RANGERS MOUNTED SHERIFF'S POSSE #001 Percentage _____
Address P.O. BOX 2866, CAMP VERDE, AZ 86322

Name _____ Percentage _____
Address _____
(Attach additional sheet if necessary)

14. Knowledge of Arizona State Liquor Laws Title 4 is important to prevent liquor law violations. If you have any questions regarding the law or this application, please contact the Arizona State Department of Liquor Licenses and Control for assistance.

NOTE: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.
"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT PREMISES."

15. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

1 # Police Fencing
3 # Security personnel Barriers

TOWN MARSHAL PERSONNEL PATROL AREA ALSO

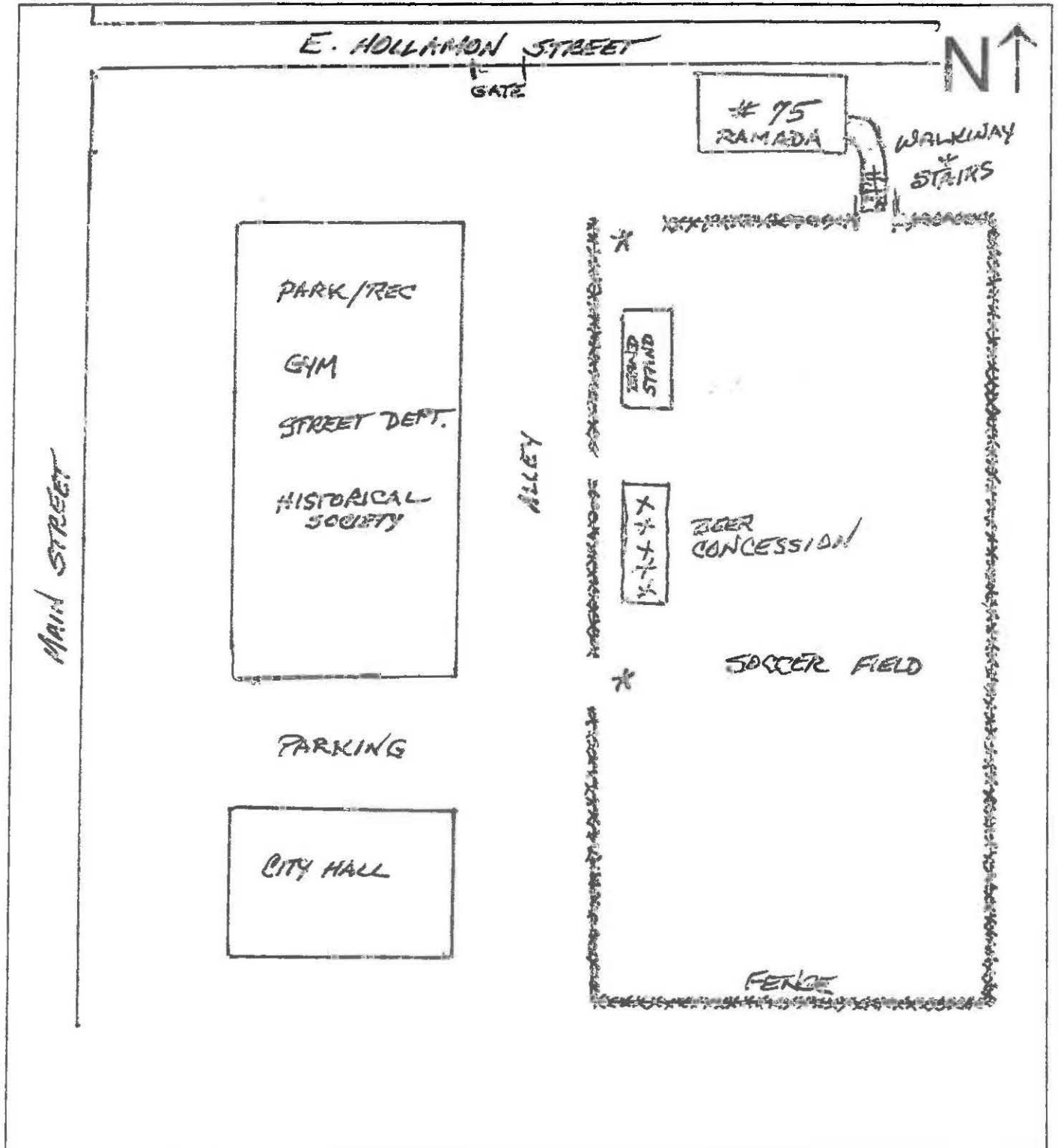
16. Is there an existing liquor license at the location where the special event is being held? YES NO
If yes, does the existing business agree to suspend their liquor license during the time period, and in the area in which the special event license will be in use? YES NO
(ATTACH COPY OF AGREEMENT)

Name of Business () Phone Number

17. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

SPECIAL EVENT LICENSED PREMISES DIAGRAM
(This diagram must be completed with this application)

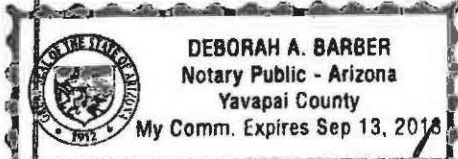
Special Event Diagram: (Show dimensions, serving areas, and label type of enclosure and security positions)
NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.



THIS SECTION TO BE COMPLETED ONLY BY AN OFFICER, DIRECTOR OR CHAIRPERSON OF THE ORGANIZATION NAMED IN QUESTION #1

18. I, GARY L. ROTH declare that I am an Officer/Director/Chairperson appointing the applicant listed in Question 6, to apply on behalf of the foregoing organization for a Special Event Liquor License.

X Gary Roth (Signature) CHAIR PERSON (Title/Position) 3-12-13 (Date) 928-202-2270 (Phone #)



State of Arizona County of Yavapai

The foregoing instrument was acknowledged before me this

12 Day August Month 2013 Year

My Commission expires on: Sept. 13, 2013 (Date)

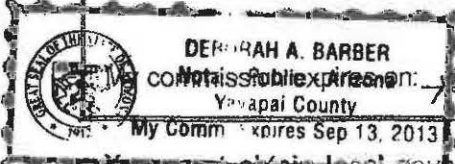
Deborah A. Barber (Signature of NOTARY PUBLIC)

THIS SECTION TO BE COMPLETED ONLY BY THE APPLICANT NAMED IN QUESTION #6

19. I, GARY L. ROTH declare that I am the APPLICANT filing this application as listed in Question 6. I have read the application and the contents and all statements are true, correct and complete.

X Gary Roth (Signature) State of Arizona County of Yavapai
The foregoing instrument was acknowledged before me this

12 Day August Month 2013 Year



Sept 13, 2013 (Date)

Deborah A. Barber (Signature of NOTARY PUBLIC)

You must obtain local government approval. City or County MUST recommend event and complete item #20. The local governing body may require additional applications to be completed and submitted 60 days in advance of the event. Additional licensing fees may also be required before approval may be granted.

LOCAL GOVERNING BODY APPROVAL SECTION

20. I, _____ hereby recommend this special event application on behalf of _____
(Government Official) (Title) (City, Town or County) (Signature of OFFICIAL) (Date)

FOR DLLC DEPARTMENT USE ONLY

Department Comment Section:

(Employee)

(Date)

APPROVED DISAPPROVED

BY: _____

(Title)

(Date)



Agenda Item Submission Form – Section I

Meeting Date: August 21st 2013

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

Requesting Department: Clerk's Office

Staff Resource/Contact Person: Town Clerk Deborah Barber

Agenda Title (be exact): Public Hearing, followed by discussion, consideration, and possible recommendation of approval of liquor license application Yavapai-Apache Whitehills located at 320 W Castle Lane (Chevron) Camp Verde, AZ.

List Attached Documents: Liquor License Applications

Estimated Presentation Time: 5 Minutes

Estimated Discussion Time: 5 Minutes

Reviews Completed by:

- Department Head: Town Attorney Comments: N/A

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: None

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

Comments:

Background Information: Yavapai-Apache Nation has submitted a Series 10 liquor license application (beer and wine store) that the Town received and posted on July 29th 2013 for 20 days as required by law. Staff has not received any comments regarding the Liquor License Application.

Recommended Action (Motion): Move to recommend approval of the liquor license application for Yavapai-Apache Whitehills located at 320 W Castle Lane (Chevron) Camp Verde, AZ.

Instructions to the Clerk: Section II not required

Arizona Department of Liquor Licenses and Control
 800 West Washington, 5th Floor
 Phoenix, Arizona 85007
 www.azliquor.gov
 602-542-5141

13 JUL 19 10:54 AM 112255

APPLICATION FOR LIQUOR LICENSE
 TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- MORE THAN ONE LICENSE
- INTERIM PERMIT *Complete Section 5*
- NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- PERSON TRANSFER (Bars & Liquor Stores ONLY)
Complete Sections 2, 3, 4, 11, 13, 15, 16
- LOCATION TRANSFER (Bars and Liquor Stores ONLY)
Complete Sections 2, 3, 4, 12, 13, 15, 16
- PROBATE/WILL ASSIGNMENT/DIVORCE DECREE
Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)
- GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

SECTION 2 Type of ownership:

- J.T.W.R.O.S. *Complete Section 6*
- INDIVIDUAL *Complete Section 6*
- PARTNERSHIP *Complete Section 6*
- CORPORATION *Complete Section 7*
- LIMITED LIABILITY CO. *Complete Section 7*
- CLUB *Complete Section 8*
- GOVERNMENT *Complete Section 10*
- TRUST *Complete Section 6*
- OTHER (Explain) Tribe

SECTION 3 Type of license and fees LICENSE #(s):

1. Type of License(s): Beer and Wine Store

#10133257

2. Total fees attached:

\$ 200.00 Department Use Only

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.
 The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

1. Owner/Agent's Name: Mr. Kwail David P1026548
(Insert one name ONLY to appear on license) Last First Middle
2. Corp./Partnership/L.L.C.: Yavapai-Apache Nation (A federally recognized Indian Tribe located in Arizona) B1018189
(Exactly as it appears on Articles of Inc. or Articles of Org.)
3. Business Name: Yavapai-Apache Whitehills
(Exactly as it appears on the exterior of premises)
4. Principal Street Location: 320 W. Castle Lane Camp Verde Yavapai 86322
(Do not use PO Box Number) City County Zip
5. Business Phone: 928-554-0731 Daytime Phone: 928-202-1423 Email: dkwail@yan-tribe.org
6. Is the business located within the incorporated limits of the above city or town? YES NO
7. Mailing Address: 2400 W. Datsi Camp Verde, Arizona 86322
City State Zip
8. Price paid for license only bar, beer and wine, or liquor store: Type 10 \$ Type \$

DEPARTMENT USE ONLY

Fees: \$ <u>100.00</u>	\$ <u>100.00</u>	—	—
Application	Interim Permit	Site Inspection	Finger Prints
			\$ <u>200.00</u>
TOTAL OF ALL FEES			

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? YES NO

Accepted by: DW Date: 7/19/13 Lic. # 10133257

STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE

License 10133134

Issue Date: 5/7/2004

Expiration Date: 8/31/2013

Issued To:
SOCORRO E MINNER, Agent
Y-A WHITEHILLS INC, Owner

Beer & Wine Store

Location:
WHITEHILLS MOBIL SONIC
320 W CASTLE LN
CAMP VERDE, AZ 86322

Mailing Address:
SOCORRO E MINNER
Y-A WHITEHILLS INC
WHITEHILLS MOBIL SONIC
320 W CASTLE LANE
CAMP VERDE, AZ 86322



POST THIS LICENSE IN A CONSPICUOUS PLACE

SECTION 7 Corporation/Limited Liability Co.:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

- CORPORATION *Complete questions 1, 2, 3, 5, 6, 7, and 8.*
- L.L.C. *Complete 1, 2, 4, 5, 6, 7, and 8.*

1. Name of Corporation/L.L.C.: Yavapai-Apache Nation (A federally recognized Indian Tribe located in Arizona)
(Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: _____ State where Incorporated/Organized: _____
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No.: _____ Date authorized to do business in AZ: _____
5. Is Corp./L.L.C. Non-profit? YES NO

6. List all directors, officers and members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City State Zip
Kwail	David	(none)	Director	2400 W. Datsi St. Camp Verde, AZ 86322	JUL 19 10:44 AM '05
Jackson	Robert	Freeman	Director	2400 W. Datsi St. Camp Verde, AZ 86322	
Lewis	David	Elliot	Director	2400 W. Datsi St. Camp Verde, AZ 86322	
Rubio	Rojelio	Rios	Director	2400 W. Datsi St. Camp Verde, AZ 86322	

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City State Zip
Yavapai-Apache Nation			100%	2400 W. Datsi St. Camp Verde, AZ 86322	

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

SECTION 8 Club Applicants:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____ Date Chartered: _____
(Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)

2. Is club non-profit? YES NO

3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:

- 1. Current Licensee's Name: _____
(Exactly as it appears on license) Last First Middle
- 2. Assignee's Name: _____
Last First Middle
- 3. License Type: _____ License Number: _____ Date of Last Renewal: _____
- 4. ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

SECTION 10 Government: (for cities, towns, or counties only)

- 1. Governmental Entity: _____
- 2. Person/designee: _____
Last First Middle Contact Phone Number

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Person to Person Transfer:

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

- 1. Current Licensee's Name: _____ Entity: _____
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
- 2. Corporation/L.L.C. Name: _____
(Exactly as it appears on license)
- 3. Current Business Name: _____
(Exactly as it appears on license)
- 4. Physical Street Location of Business: Street _____
City, State, Zip _____
- 5. License Type: _____ License Number: _____
- 6. If more than one license to be transferred: License Type: _____ License Number: _____
- 7. Current Mailing Address: Street _____
(Other than business) City, State, Zip _____
- 8. Have all creditors, lien holders, interest holders, etc. been notified of this transfer? YES NO
- 9. Does the applicant intend to operate the business while this application is pending? YES NO If yes, complete Section 5 of this application, attach fee, and current license to this application.

10. I, _____, hereby authorize the department to process this application to transfer the
(print full name)
privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, _____, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER
(print full name)
STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

(Signature of CURRENT LICENSEE)

State of _____ County of _____
The foregoing instrument was acknowledged before me this

Day Month Year

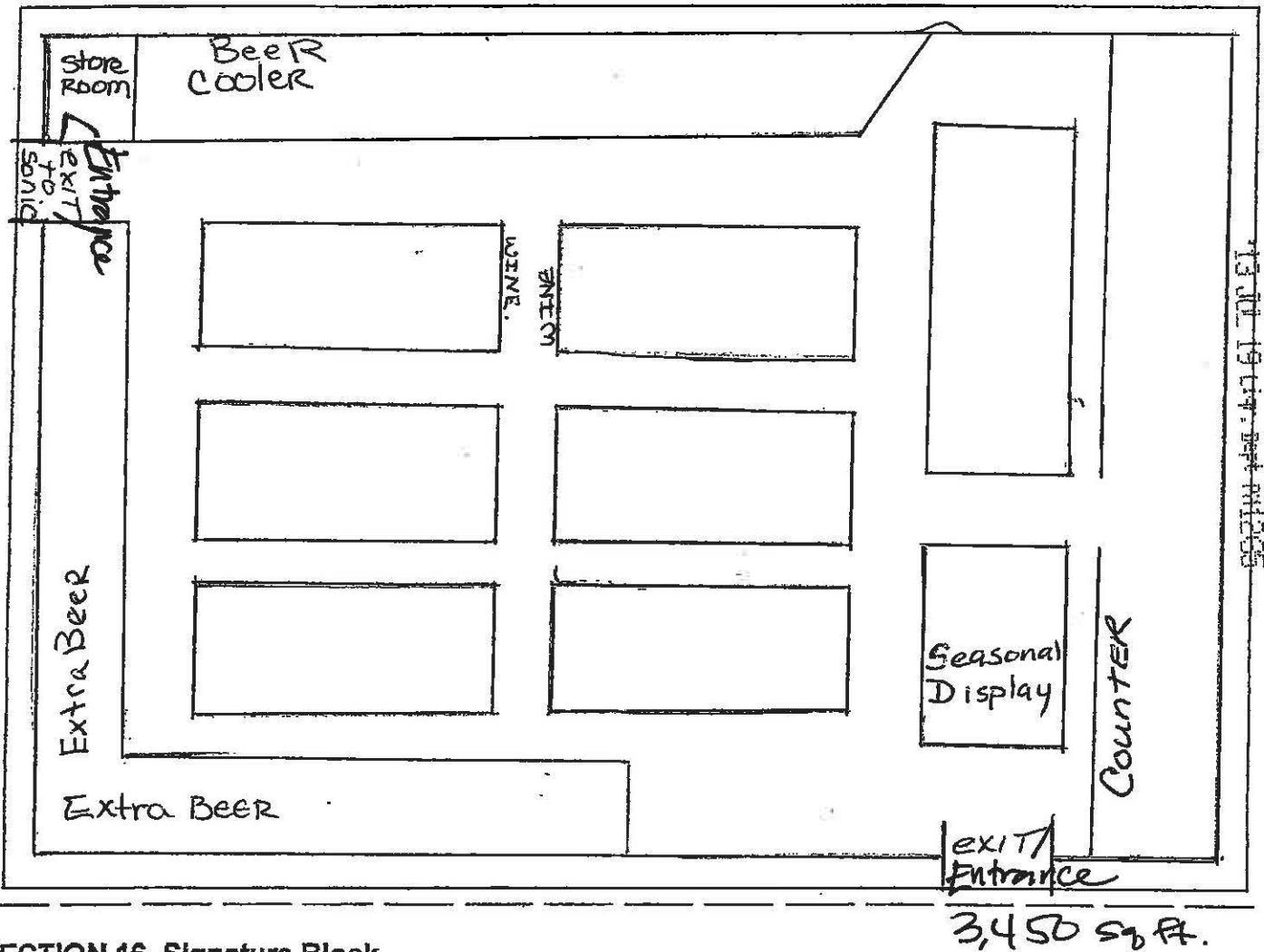
My commission expires on: _____

(Signature of NOTARY PUBLIC)

SECTION 15 Diagram of Premises

4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



SECTION 16 Signature Block

I, David Kwail, hereby declare that I am the OWNER/AGENT filing this application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

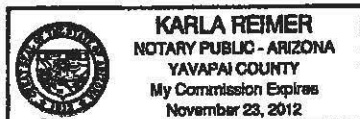
X [Signature]
(signature of applicant listed in Section 4, Question 1)

State of Arizona County of Yavapai

The foregoing instrument was acknowledged before me this

7th of September, 2012
Day Month Year

[Signature]
signature of NOTARY PUBLIC



My commission expires on: _____
Day Month Year

7-1-13

Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: August 21, 2013

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: Mayor & Council

Staff Resource/Contact Person: Mayor German

Agenda Title (be exact): (2 separate items) Discussion, consideration, and possible addition of Camp Verde Fire District Liaison to the 2013/14 Council Committee Assignments.

Discussion, consideration, and possible appointment of a representative to serve as the Camp Verde Fire District Liaison.

List Attached Documents: Council Committee Assignment Chart

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 5 minutes

Reviews Completed by:

Department Head: N/A

Town Attorney Comments: N/A

Finance Department N/A

Fiscal Impact: None

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

Comments:

Background Information: It is important for agencies to work together for the betterment of the community. In the past, the Fire District and the Town worked closely together and I would like to see us resurrect that relationship once again, especially in the current economic climate.

Recommended Action (Motion): Move to establish a Fire District Liaison and if approved, this should be followed by another motion to appoint a liaison.

Instructions to the Clerk: Update the Council Committee Assignment Chart if approved.

2013/2014 COUNCIL-COMMITTEE ASSIGNMENTS

APPOINTED 6-5-2013

COMMITTEES	2013/14	MEETING TIME	MEETING PLACE	CONTACT PERSON
CV SCHOOLS EDUCATION FOUNDATION	GEORGE/BAKER	QUARTERLY	CVUSD 410 Camp Lincoln Rd.	MARY HUDSON 567-8008
CHAMBER OF COMMERCE	JONES/GERMAN	LIASON TO ATTEND AT 8:30 A.M.	325 S. MAIN info@campverdechamber.com	
LIASON TO YAVAPAI-APACE NATION	BAKER/JONES	THURSDAY AT 9:00 A.M.	2400 W DATSI STREET	KARLA REIMER 567-1003 (Call Weekly to verify meeting)
INTERGOVERNMENTAL ASSOCIATIONS/MEETINGS	ALL MEMBERS		COMMUNITY ROTATION	
NACOG-REGIONAL COUNCIL	BAKER/MAYOR GERMAN	QUARTERLY-4 TH THURSDAY AT 9:00 A.M.	HIGH COUNTRY CONFERENCE CENTER	928-774-1895
VV REGIONAL ECONOMIC DEV COUNCIL	BAKER/WHATLEY	1 ST FRIDAY AT 9:00 A.M.	YC BOARD ROOM – 6 TH STREET-COTTONWOOD	ROBYN PRUD'HOMMEBAUER 634-8100
LEAGUE RESOLUTIONS COMMITTEE	MAYOR GERMAN/	ANNUALLY	LEAGUE OF CITIES AND TOWNS CONFERENCE	KEN STROBECK EXECUTIVE DIRECTOR
VERDE VALLEY LAND PRESERVATION	GORDON/GERMAN	MONTHLY	ALTERNATE LOCATIONS	BOB ROTHROCK 634-3633
ARIZONA MUNICIPAL RISK RETENTION POOL (elected position only)	BAKER	MONTHLY	PHOENIX	
VERDE VALLEY TRANSPORTATION ORG	RON LONG/GEORGE	EVERY OTHER MONTH	COTTONWOOD	
VERDE VALLEY MOBILITLY	GEORGE	MONTHLY		JASON KELLY
WATER RELATED COMMITTEES				
VV WATER USERS LIAISON	GORDON/CAROL GERMAN	AS NEEDED	AS NEEDED	AS NEEDED
YC LOCAL DROUGHT IMPACT GROUP	BAKER/MAYOR GERMAN	ANNUALLY	TO BE ANNOUNCED	YC EXTENSION AGENT
YC WATER ADVISORY COMMITTEE	BAKER/MAYOR GERMAN	3 RD WEDNESDAY AT 2:00 P.M.	YC BOARD ROOM - 6 TH STREET – COTTONWOOD 1015 FAIR STREET-PRESCOTT	3 RD WEDNESDAY 2:00
VERDE RIVER BASIN PARTNERSHIP	GEORGE/JONES	QUARTERLY		

Debbie Barber

From: Charles German
Sent: Friday, August 16, 2013 8:04 AM
To: Debbie Barber
Cc: Russ Martin; Steve Ayers
Subject: FW: "A River Runs Thru Us" Exhibit at AZ State Executive Towers
Attachments: State Property Application 2012 1.doc

Debbie this seems like a very worthy project, would it be too difficult to add to our upcoming agenda somewhere if Russ would agree. Thanks.
Charlie

From: Doug Von Gausig [mailto:dougvg@esedona.net]
Sent: Thursday, August 15, 2013 9:30 AM
To: Charles German; 'Diane Joens'
Subject: "A River Runs Thru Us" Exhibit at AZ State Executive Towers

Hi Charley and Diane,

The Verde Valley Land Preservation organization would like to display the artwork in their "A River Runs Through Us" exhibit at the State Capitol in the next few months. In order to do this, they need a sponsor, and a municipal sponsor is the best way to get the State to provide the space in the Executive Towers. I think it would be a wonderful display of regional support for the Verde River if all three of communities along the river co-sponsored this exhibit!

I've attached the application for display room, and you can see that municipal sponsors have very little obligation other than their endorsement of the activity.

What do you say, can we all get together to support this worthy exhibit? We'll need to commit sometime in the next 10 days if we're going to do this.

Thanks for your consideration, and please call me or Steve Estes if you have any questions at all.

Doug
Doug Von Gausig
Mayor
Town of Clarkdale
P.O. Box 308
Clarkdale, AZ 86324
(928) 639-2432

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In addition, to ensure compliance with the Open Meeting Law, Council or Board/Commission members who are recipients of this message should not forward it to other members of the Council or Board/Commission of the Town of Clarkdale. Council Members or Board/Commission Members may reply to a staff member regarding this message, but they should not send a copy or a reply to other Council or Board Members.

From: steve estes [mailto:stevenrestes@gmail.com]
Sent: Wednesday, August 14, 2013 2:57 PM
To: Doug Von Gausig
Subject: "A River Runs Thru Us" Exhibit at Executive Towers

Hi Doug --

Thank you for your willingness to co-sponsor VVLP's "A River Runs Thru Us" Exhibit in the lobby at the State of Arizona Executive Towers. Per our conversation, an exhibit such as ours requires either a state agency, an elected representative of the house, or a municipality to sponsor the exhibit and cite VVLP as vendor.

The really good news is we are in need of a quality venue in Phoenix for the month of January 2014 and the Towers has that month available. Jumping on this opportunity will help seal the deal.

As an FYI, here is the auction site link <http://auctions.verdeartistchallenge.org/>

The originals can be viewed at THE MANHEIM GALLERY at 4th St. and Main in Old Town Cottonwood through August 25th .

I am attaching the application form. I will be glad to assist in any way in its completion.

Thanks, Steve

--

Steve Estes
Community Outreach Director
Verde Valley Land Preservation
PO Box 3356
Cottonwood, AZ 86326
(928) 451-6993

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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. 

JANICE K. BREWER
GOVERNOR



BRIAN C. MCNEIL
DIRECTOR

ARIZONA DEPARTMENT OF ADMINISTRATION
OFFICE OF SPECIAL EVENTS
100 N. 15th Avenue, Suite #202
Phoenix, AZ 85007
Telephone (602) 542-0692
Fax (602) 542-1795

PERMIT APPLICATION FOR SPECIAL EVENTS ON STATE PROPERTY

ATTENTION:

***IF YOU DO NOT COMPLETE AND FOLLOW ALL
INSTRUCTIONS IN THIS PACKET THEN RESERVATION WILL
NOT BE ACCEPTED.***

***REMIT APPLICATION AND ALL CERTIFICATES OF
INSURANCE TO THE ABOVE ADDRESS.***

*This permit is in accordance with Title 2, Chapter 11, Article 4 of the Arizona Administrative Code
Revised 5/21/12*

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XI.	Signature Page	13

II. QUESTIONNAIRE FOR PERMITTEE / CO-PERMITTEE

<input type="radio"/> CHECK IF YOU ARE:

**What to do about
your Insurance
certification**

**What to do about
your vendors
insurance
certification**

A STATE OF ARIZONA AGENCY, BOARD, OR COMMISSION		PUBLIC ENTITY SUCH AS CITY, COUNTY, TOWN		PRIVATE ENTITY (PROFIT / NON-PROFIT)	
<input type="radio"/>		<input type="radio"/>		<input type="radio"/>	
No certificate Required		No certificate required		Provide a certificate of insurance for your organization (sample attached)	
<input type="radio"/>		<input type="radio"/>		<input type="radio"/>	
WITH VENDORS	WITHOUT VENDORS	WITH VENDORS	WITHOUT VENDORS	WITH VENDORS	WITHOUT VENDORS
Provide certificate of vendors coverage	No further activity	Provide certificate of vendors coverage	No further activity	Provide certificate of vendors coverage	No further activity
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**HOW DO YOU KNOW IF YOU HAVE VENDORS?
ASK YOURSELF IF:**

- ✓ Are the exhibitors paid/compensated?
- ✓ Are the exhibitors in the special event to advertise and/or further their own interests?
- ✓ And, they are not State employees; or
- ✓ they are unpaid volunteers who assist the Permittee directly (not the exhibitors).

HOW DO YOU GET A CERTIFICATE OF INSURANCE?

- ✓ Read the attached insurance requirement.
- ✓ They apply to you as a Permittee if you are a Private for profit or non profit entity. Contact your insurance company to obtain certification of your policies using the sample form attached.
- ✓ Insurance requirements also apply to your vendor(s). Ask the vendors to review the insurance requirements with their insurance company, and provide the same type of certification along with a signed indemnification agreement on Page #11 of this Permit.

II A. STATE OF ARIZONA

CERTIFICATE OF INSURANCE **SAMPLE ONLY**

STATE AGENCY/DEPT.:

SPECIAL EVENT NAME AND LOCATION:

PRODUCER	COMPANIES AFFORDING COVERAGE	CURRENT A.M. BEST RATING
	A	
INSURED	B	
	C	
	D	

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS (,000)
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY OCCURRENCE <input checked="" type="checkbox"/> OWNER'S & CONTRACTOR'S PROT. <input type="checkbox"/> PER PROJECT PRODUCT/COMPLETED OPERATIONS				GENERAL AGGREGATE PRODUCTS-COMP/OP AGG. 2,000 PERSONAL & ADV. INJURY EACH OCCURRENCE 1,000 Damage to rented premises 1,000 MED.EXPENSE(ANY ONE PERSON) 5
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> GARAGE LIABILITY <input type="checkbox"/>				COMBINED SINGLE LIMIT 1,000 BODILY INJURY (PER PERSON) BODILY INJURY (PER ACCIDENT) PROPERTY DAMAGE
	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE AGGREGATE
	WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY				STATUTORY LIMITS EACH ACCIDENT 500 DISEASE-POLICY LIMIT 500 DISEASE-EACH EMPLOYEE 1,000
	OTHER:				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / SPECIAL ITEMS:

SPECIAL EVENT NAME:

DESCRIPTION OF SPECIAL EVENT:

The State of Arizona its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Permittee, including automobiles owned, leased, hired or borrowed by the Permittee. It is agreed that coverages afforded under the policies certified in this certificate shall be primary and any insurance or self-insurance program carried by the State or any of its agencies, boards, department or commissions shall be excess and not contributory insurance to that provided by the named insured. Waiver of subrogation in favor of the additional insured.

<p style="text-align: center;">CERTIFICATE HOLDER / ADDITIONAL INSURED</p> <p>STATE OF ARIZONA, ARIZONA DEPARTMENT OF ADMINISTRATION, OFFICE OF SPECIAL EVENTS 100 N. 15th Avenue, Suite 301 PHOENIX, AZ 85007</p>	<p style="text-align: center;">AUTHORIZED REPRESENTATIVE OF THE INSURANCE COMPANY</p> <hr style="border: 0.5px solid black;"/> <p>SIGNATURE _____ DATE: _____</p>
---	--

RMD 001(9/1/93)

INSURANCE REQUIREMENTS:

Permittee and vendors shall procure and maintain, until all of their obligations, including any warranty periods under this Permit, are satisfied, insurance against claims for injury to persons or damage to

property which may arise from or in connection with the Special Event by the Permittee, his agents, representatives, employees or vendors.

The *insurance requirements* herein are minimum requirements for this Permit and in no way limit the indemnity covenants contained in this Permit. The State of Arizona in no way warrants that the minimum limits contained herein are sufficient to protect the Permittee from liabilities that might arise out of the Special Event under this Permit by the Permittee, its agents, representatives, employees or vendors, and Permittee is free to purchase additional insurance.

A. **MINIMUM SCOPE AND LIMITS OF INSURANCE:** Permittee shall provide coverage with minimum limits of liability not less than those stated below.

1. **Commercial General Liability – Occurrence Form**

Policy shall include bodily injury, property damage, personal injury and broad form contractual liability.

- General Aggregate \$2,000,000
- Products – Completed Operations Aggregate \$1,000,000
- Personal and Advertising Injury \$1,000,000
- Each Occurrence \$1,000,000
- Blanket Contractual Liability \$1,000,000
- Damage to Rented Premises \$ 50,000

- a. The policy shall be endorsed to include the following additional insured language: ***“The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insureds with respect to liability arising out of the activities performed by or on behalf of the Permittee.”*** Such additional insureds shall be covered to the full limits of liability purchased by the Permittee, even if those limits of liability are in excess of those required by this Permit.
- b. Policy shall contain a waiver of subrogation endorsement in favor of the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Permittee.

2. **Business Automobile Liability – If automobiles will be used to deliver or drive onto State property Permittee will be required to have Business Automobile coverage.**

Bodily Injury and Property Damage for any owned, hired, and/or non-owned vehicles used in the performance of this Permit.

Combined Single Limit (CSL) \$1,000,000

- a. The policy shall be endorsed to include the following additional insured language: ***“The State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insureds with respect to liability arising out of the activities performed by or on behalf of the Permittee, involving automobiles owned, leased, hired or borrowed by the Permittee.”*** Such additional insureds shall be covered to the full limits of liability purchased by the Permittee, even if those limits of liability are in excess of those required by this Permit.
- b. Policy shall contain a waiver of subrogation endorsement in favor of the State of Arizona, its departments, agencies, boards, commissions, universities and its

officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Permittee.

3. Workers' Compensation and Employers' Liability – Workers' Compensation coverage will be required if the Permittee has employee(s) working at the special event and/or vendors have employee(s) working at the special event.

Workers' Compensation	Statutory
Employers' Liability	
Each Accident	\$ 500,000
Disease – Each Employee	\$ 500,000
Disease – Policy Limit	\$1,000,000

- a. Policy shall contain a waiver of subrogation endorsement in favor of the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Permittee.
- b. This requirement shall not apply to: Separately, EACH Permittee or vendor exempt under Arizona Revised Statutes (“A.R.S.”) § 23-901, AND when such Permittee or vendor executes the appropriate waiver (Sole Proprietor/Independent Contractor) form.

B. ADDITIONAL INSURANCE REQUIREMENTS: The policies shall include, or be endorsed to include, the following provisions:

1. The Permittee's policies shall stipulate that the insurance afforded the Permittee shall be primary insurance and that any insurance carried by the Department, its agents, officials, employees or the State of Arizona shall be excess and not contributory insurance, as provided by A.R.S. § 41-621 (C).
2. Coverage provided by the Permittee shall not be limited to the liability assumed under the indemnification provisions of this Contract.

C. NOTICE OF CANCELLATION: With the exception of (10) day notice of cancellation for non-payment of premium, any changes material to compliance with this Permit in the insurance policies above shall require (30) days written notice to the State of Arizona. Such notice shall be hand delivered or sent by certified mail, return receipt requested to **Arizona Department of Administration, General Services Division, Attention Special Events.**

D. ACCEPTABILITY OF INSURERS: Permittee's insurance shall be placed with companies duly licensed in the State of Arizona or hold approved non-admitted status on the Arizona Department of Insurance List of Qualified Unauthorized Insurers. Insurers shall have an “A.M. Best” rating of not less than A- VII. The State of Arizona in no way warrants that the above-required minimum insurer rating is sufficient to protect the Permittee from potential insurer insolvency.

E. VERIFICATION OF COVERAGE: Permittee shall furnish the State of Arizona with certificates of insurance (ACORD form or equivalent approved by the State of Arizona) as required by this Permit. The certificates for each insurance policy are to be signed by a person authorized by that insurer on its behalf.

All certificates and endorsements are to be received and approved by the State of Arizona before work commences. Each insurance policy required by this Permit must be in effect at or prior to commencement of work under this Permit and remain in effect for the duration of the project. Failure

to maintain the insurance policies as required by this Permit, or to provide evidence of renewal, is a material breach of Permit.

All certificates required by this Permit shall be sent directly to **Arizona Department of Administration, General Services Division, Attention: Office of Special Events**. The State of Arizona Permit description shall be noted on the certificate of insurance. The State of Arizona reserves the right to require complete, certified copies of all insurance policies required by this Permit at any time.

- F. **VENDORS OF PERMITTEE:** Permittee's certificate(s) shall include all vendors as insureds under its policies or Permittee shall furnish to the State of Arizona separate certificates and endorsements for each vendor. All coverage's for vendors shall be subject to the minimum requirements identified above.
- G. **APPROVAL:** Any modification or variation from the *insurance requirements* in this Permit shall be made by the contracting agency in consultation with the Department of Administration, Risk Management Division. Such action will not require a formal Permit amendment, but may be made by administrative action.
- H. **EXCEPTIONS:** In the event the Permittee or vendor(s) is/are a public entity, then the Insurance Requirements shall not apply. Such public entity shall provide a Certificate of Self-Insurance. If the Permittee or vendor(s) is/are a State of Arizona agency, board, commission, or university, none of the above shall apply.

WHEN PERMITTEE IS SIGNING UP VENDORS FOR THIS EVENT, PERMITTEE IS REQUIRED TO HAVE THEIR VENDORS AGREE TO THE AFOREMENTIONED INSURANCE REQUIREMENTS. SUCH INSURANCE REQUIREMENTS SHALL APPLY TO VENDORS AND PERMITTEE ALIKE.

PERMITTEE INITIAL AND AGREES TO THE INSURANCE REQUIREMENTS DATE:

III. SPECIAL EVENTS AGREEMENT

NAME OF Permittee	
ADDRESS	
CONTACT PERSON / TITLE/ PHONE #	

Permittee Representative to ADOA Special Events/TITLE/PHONE #	
PREFERRED SITE OF SPECIAL EVENT	
DATE & TIME OF SPECIAL EVENT CHOOSE SEVERAL DATES AND CIRCLE PREFERRED DATE	FIRST CHOICE: SECOND CHOICE: THIRD CHOICE:
THEME OF SPECIAL EVENT	
DO YOU HAVE VENDORS (CIRCLE YES OR NO)	YES NO (IF YES THEN ATTACH CERTIFICATES OF INSURANCE) SEE ALSO "QUESTIONNAIRE FOR PERMITTEE"
IS MEDIA EXPECTED	
Please describe in detail the intended layout of the special event and what props will be utilized (i.e. tents, tables, stages, public address system, food booths, etc.).	
THE DEPARTMENT OF ADMINISTRATION DOES NOT GUARANTEE THE AVAILABILITY OF THESE DATES UNTIL THE SPECIAL EVENT IS APPROVED BY THE APPROPRIATE PARTIES.	
WE DO NOT SUPPLY TABLES, CHAIRS, P.A. ,	

IV. SERVICES PROVIDED BY PERMITEE

SERVICES	SUPPLIER	CONTACT PERSON	TELEPHONE #
First Aid			
Sanitary Facilities			

Clean Up			
Fire			
Security			
Waste Disposal			
Water			
Tent/Canopy			
Electric Generator			
Stage			
Technical Equipment (e.g., sound or lighting)			

COMMENTS

V. INDEMNIFICATION HOLD HARMLESS CLAUSE

IF YOU ARE:

PROFIT / NON-PROFIT

INDEMNIFICATION CLAUSE:

Permittee shall indemnify, defend, save and hold harmless the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees (hereinafter referred to as "Indemnatee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Permittee or any of its

owners, officers, directors, agents, employees or vendors. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of such Permittee to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by Permittee from and against any and all claims. It is agreed that Permittee will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. In consideration of the award of this contract, the Permittee agrees to waive all rights of subrogation against the State of Arizona, its officers, officials, agents and employees for losses arising from the work performed by the Permittee for the State of Arizona.

Permittee(s) . Vendor is a public/non-profit	Signature of Authorized Representative/Title/Date
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OR
PUBLIC ENTITY

Each party (as "indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "claims") arising out of bodily injury of any person (including death) or property damage but only to the extent that such claims which result in vicarious/derivative liability to the indemnitee, are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officer, officials, agents, employees, or volunteers."

Permittee / Vendor is a Public Entity	Signature of Authorized Representative/Title/Date
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OR
STATE OF ARIZONA

There are no indemnification/hold harmless requirements for the State of Arizona Department's, Agencies, Boards, Commissions, or Universities.

VI. TERMS AND CONDITIONS
STATE PROPERTY

The Permittee (aka Sponsor) by agreeing to stage a special event on State property (hereinafter known as "STATE PROPERTY" or "SP", hereby expressly agrees to the following terms and conditions:

1. Scheduling special events on SP is handled in such manner that the minimum amount of degradation of State Facilities and the minimum infringement by use to the general public and government operation is caused. The Arizona Department of Administration, Office of Special Events shall confirm special events only after approval. Initial
2. Any such authorization shall include provision to protect the State from costs due to special event operations, clean up, or damage repair. The Property will be inspected at the conclusion of each special event. Any damage incurred as a result of the special event will be documented by the Arizona Department of Administration, Office of Special Events or their designee. The Office of Special Events will then invoice the sponsoring group/organization for payment. Initial

3. The offices of Risk Management, DPS Capitol Police, and the Fire Authority Having Jurisdiction may impose fire and safety restrictions. Applicant will not be eligible for confirmation until the Office of Special Events receives approval by all three, if applicable. Initial _____
4. Alcoholic beverages are strictly prohibited on ADOA managed state property, pursuant to A.A.C. R2-11-102. Initial _____
5. Additional lighting for evening special events may be required. All costs will be the responsibility of the special event sponsor(s). Initial _____
6. Additional security personnel may be required. All costs will be the responsibility of the special event sponsor(s). Special event sponsor(s) must coordinate all security issues through DPS Capitol Police (602)542-0362. Initial _____
7. All Certificates of Insurance shall be in 15 days prior to the special event. Risk Management reserves the right to require additional insurance be secured in accordance with this provision based on the type of special event being held. Initial _____
8. The Permittee shall designate a representative to work with the Office of Special Events prior to and through the special event date. Initial _____
9. The State of Arizona, Department of Administration, reserves the right at all times to immediately remove or cause to be removed any and all items of display it or Capitol Police determines would damage State Property; cause the state discredit or harm; or inhibit egress or raise safety issues of the State Property; attendees or the public. Initial _____
10. The Permittee shall be responsible for furnishing all necessary labor, material and equipment. Initial _____
11. An special event is not considered scheduled or approved until the Permittee is notified in writing from the Office of Special Events of confirmation of reservation. Initial _____
12. Any applicant denied use of State Property for reasons other than conflicting dates of special events or incomplete application may appeal directly to the Director of the Department of Administration. Initial _____
13. Erection of tents and canopies shall conform to manufacturer's recommendations for anchoring and safety requirements. Additional permitting may be required from the fire authority having jurisdiction. Please refer to the International Fire Code (2003 Section 105 Permits). Initial _____

SIGNATURE: _____ DATE: _____

VII. CLEANUP AGREEMENT

The following is an agreement between the Permittee(s) and the Arizona Department of Administration for cleanup of the State Capitol Grounds and/or the Wesley Bolin Plaza during and following the Permittee's special event to be held on the selected date on the application.

The Permittee(s) agrees that the State Capitol Grounds and/or the Wesley Bolin Plaza Property, including all State buildings and parking lots shall be litter free and policed during the date of the special event. This shall be done according to the Arizona Department of Administration's specifications. The Permittee agrees to an inspection by state representatives of the Sections secured for the special event Permittee further agrees to accept liability for documented problems and will pay for any damages or costs associated with cleanup of the groups identified by state representatives, including ADOA or DPS Capitol Police, documented in writing and/or pictures during the post special event inspection.

VIII. GENERAL SAFETY RULES

The following are guidelines, in conjunction with rules in Title 2, Chapter 11, Article 4, for safety when utilizing State Property. It is required of the Permittee of the special event to follow these guidelines, however, they are not all inclusive and applicable standards should be consulted for further information.

1. All activities shall be performed in compliance with, federal, state, and local laws, ordinances, statutes, rules, and regulations, including OSHA.
2. Prior to the special event DPS Capitol Police, local emergency personnel (police, fire) shall be notified of the special event.
3. Permittee is responsible to ensure that emergency vehicles will have access at all times, including ten (10) foot wide lanes of ingress and egress.
4. Permittee shall provide first aid facilities at the special event.
5. Periodic safety checks may be made throughout the special event by Risk Management, DPS Capitol Police, or Special Events personnel.
6. Permittee shall coordinate traffic control and parking prior to the special event with DPS Capitol Police and the state's Office of Special Events.
7. All incidents involving injury or disturbance of the peace shall be reported to DPS Capitol Police and the Office of Special Events and investigated for cause and immediate elimination of unsafe conditions.
8. Permittee may be required to provide additional security as determined by DPS Capitol Police and Risk Management for the safety of the attending public.
9. ADOA Office of Special Events shall perform safety inspections on all concessions and exhibits prior to the special event.
10. Permittee shall ensure electrical service/lines are in accordance with the applicable state and city codes.
11. No flammable liquids, fireworks or compressed gases shall be used at the special event without prior approval by ADOA Office of Special Events.
 - a. Permittee shall ensure fire extinguishers are required at all special events where flammable liquids or fireworks are in use.
 - b. If approved for use, and otherwise allowed by law, flammable liquids, fireworks, and compressed gasses shall be controlled and stored in accordance with all applicable state and city standards.
12. Permittee shall ensure tripping hazards are eliminated.
13. Permittee shall ensure trash/waste disposal is provided throughout the special event.
14. Erection of tents and canopies shall conform to manufacturer's recommendations for anchoring and safety requirements. Additional permitting may be required from the Fire Authority Having Jurisdiction. Please refer to the International Fire Code (2003 Section 105 Permits).

I HAVE READ AND UNDERSTAND THE ABOVE RULES AND AGREEMENTS

SIGNATURE: _____ DATE: _____

XI. SIGNATURE PAGE

Permittee(s) has read, understand, and consent to each of the aforementioned: II B. Insurance; III. SPECIAL EVENT Application; IV. Services Provided for Special Event; V. Indemnification/Hold

Harmless Clause; VI. Terms and Condition; VII. Clean Up Agreement; and VIII. General Safety Rules, and has the authority to sign on behalf of their organization.

NAME OF PERMITTEE(S)	PRINTED NAME & TITLE OF AUTHORIZED REPRESENTATIVE
DATE	AUTHORIZED REPRESENTATIVE'S SIGNATURE

	APPROVED BY / DATE	DISAPPROVED BY / DATE*
CAPITOL POLICE: SAFETY SECURITY		
RISK MANAGEMENT: (L.P.) SPECIAL EVENT SAFETY		
CERTIFICATE OF INSURANCE		
SPECIAL EVENTS		

COMMENTS:

*For all Disapproved applications denial letter shall be sent to Permittee.

The Arizona Department of Administration complies with the Americans' With Disabilities Act of 1990. In contacting ADOA to request a state property permit application for special events in Wesley Bolin Plaza persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Arizona Office of Americans with Disabilities, Voice Telephone at (602)542-6276, or TDD Telephone Number (602)542-6686. Requests should be made as early as possible to allow time to arrange the accommodation.

Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: August 21, 2013

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: Clerk's Office

Staff Resource/Contact Person: Town Clerk Debbie Barber

Agenda Title (be exact): Discussion, consideration, and possible direction to the Mayor relative to support of resolutions for consideration by the League of Arizona Cities and Towns Resolution Committee for the League's 2014 Legislative Program.

List Attached Documents: Summary and 2014 Proposed Resolutions

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 15 minutes

Reviews Completed by:

Department Head: Debbie Barber

Town Attorney Comments: N/A

Finance Department N/A

Fiscal Impact: None

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

Comments:

Background Information: The League of Arizona Cities and Towns (League) was organized to represent the collective interests of Arizona's incorporated communities. Annually, communities submit resolutions of concern to their local community for consideration to the League Resolutions Committee. The League drafts a policy statement and outlines the legislative priorities for the upcoming year based upon the final determination of the Resolutions Committee, of which, the Mayor is a voting member.

The attached resolutions have been reviewed and recommended by the Resolutions Subcommittee. Council will direct the Mayor relative to which resolutions that the Council wishes to support.

Recommended Action (Motion): Determine which resolutions are supported by Council and direct the Mayor to vote accordingly.

Instructions to the Clerk: N/A

**League of Arizona Cities & Towns
2014 Resolution Submissions**

No.	Summary	Sponsor	Co-Sponsor	Subcommittee Recommendations
1	DEVELOP AND PASS LEGISLATION TO MAKE THE REQUIREMENTS FOR ANNEXATION A MORE SIMPLE AND FLEXIBLE PROCESS.	Oro Valley Yuma	Bullhead City, Marana, Wickenburg	RFA w/ Amend. (Merged with original number 2)
3	Prohibit fire districts from annexing areas inside a municipal planning area in counties of more than 500,000 persons without the consent of the municipality, unless the municipality does not operate a municipal fire department.	Peoria	Surprise	RFA w/Amend.
4	Establish a mechanism enabling local government to create renewable energy and conservation financing districts.	Flagstaff	Tucson, Payson	NRP
5	Promote state legislation that grants legislative authority to cities and towns to freeze property tax levels on commercial and industrial zoned parcels that support speculative development at pre-improvement levels until such time as the developed property is FULLY LEASED .	Bullhead City	Lake Havasu City, Kingman	RFA w/Amend.
6	Authorize street light improvement districts (SLIDs) to levy and expend money to repair, maintain and replace lighting facilities.	Scottsdale	Apache Junction, Casa Grande	RFA
7	Change A.R.S. 34-603, which deals with alternative project delivery methods (APDM), to allow the use of “the final list in the procurement” until a contract for construction is entered into.	Sedona	Cottonwood, Flagstaff, Kingman, Camp Verde, Jerome	SMI
8	Place reasonable limits on the frequency of requests for public records and on requests that are overbroad or abusive.	Yuma	Apache Junction	NRP
9	Amend A.R.S. Title 13 (Criminal Code) to include criminal damage by graffiti and ensure that restitution for graffiti includes all costs of a victim associated with graffiti abatement.	Yuma	Wickenburg, Apache Junction, Flagstaff	RFA w/ Amend.
10	Support implementing a pilot program to restrict trucks to the two right-most lanes when traveling on Arizona highways in urban areas with three or more lanes in each direction.	Apache Junction	Douglas, Bullhead City, Sedona, Sierra Vista	NRP
11	Stop future sweeps of Highway User Revenue Funds (HURF) allocated to Arizona cities and towns and restore HURF funding to FY2008 levels.	Yuma	Wickenburg, Sedona, Kingman, Lake Havasu City, Apache Junction, Fountain Hills,	RFA

**League of Arizona Cities & Towns
2014 Resolution Submissions**

			Flagstaff, Sierra Vista	
12	DEVELOP AND PASS LEGISLATION TO ENSURE THE VIABILITY OF ARIZONA STATE PARKS, INCLUDING BUT NOT LIMITED TO ALLOWING MUNICIPALITIES TO ENTER INTO LONG-TERM LEASES OF STATE PARKS AND THE RESTORATION OF THE ARIZONA STATE PARK HERITAGE FUND.	Yuma Sedona	Kingman, Lake Havasu City, Sierra Vista, Camp Verde, Jerome, Somerton, Oro Valley, Cottonwood, Flagstaff, Clarkdale	RFA w/ Amend. (Merged with original number 13)
14	Pass legislation that supports efforts to reduce the shortage of health care professionals in the state of Arizona.	Sierra Vista	Wickenburg, Bisbee, Yuma	SMI
15	Grant municipalities the option of providing workers' compensation benefits to employees of another agency when working under the municipality's control or in its jurisdiction through an intergovernmental agreement or contract, especially as it relates to public safety personnel.	Wickenburg	Sierra Vista, Paradise Valley	SMI
16	Include one representative from a large city along with one representative from a small non-metropolitan city on the Public Safety Personnel Retirement System Board of Trustees as well as the Arizona State Retirement Board.	Sierra Vista	Wickenburg, Bisbee	RFA w/Amend.
17	Request that the Public Safety Personnel Retirement System review their actuarial assumptions with regard to salary increases and base assumptions on current historical actual.	Sierra Vista	Wickenburg, Bisbee	SMI
18	Equalize the maximum tax credit and the timeframe allowed for collection of funds for qualified charitable organizations, private schools and public schools to qualify as a tax credit in any given year.	Eagar	Springerville	NRP
19	Pass legislation or engage in other activities that support and advocate for resources to improve Arizona's ports of entry with Mexico and related infrastructure.	Sierra Vista	Yuma, Bisbee	RFA
20	Support the long-term retention of Arizona's military installations.	Sierra Vista	Yuma, Bisbee	RFA

League of Arizona Cities & Towns
2014 Resolution Submissions

League Staff Recommendations

No.	Summary	Subcommittee Recommendations
1	Preserve the tax exempt status of municipal bonds.	RFA
2	Pass the Marketplace Fairness Act.	RFA

Key to Committee Recommendations

Recommend for Adoption (RFA) – Becomes a part of the Municipal Policy Statement and helps guide legislative activity in the coming session.

Recommend with Amendments (RFA w/Amend.) – Will become a part of the Municipal Policy Statement and help guide legislative activity in the coming session but needs amending for either content or technical reasons.

Significant Municipal Issue (SMI) – Although an important concept to cities and towns, does not quite rise to the level of legislative activity. League staff may address the issue with state agencies or other stakeholders.

Not Recommended for Passage (NRP) – The resolution may be too confined to one community, be on its face contrary to core principles, or be out of line with current agreements with other stakeholders.

Staff Recommendations – Resolutions submitted by League staff.



2014 *Proposed* Resolutions

**To be reviewed
by the Resolutions Committee
on August 27, 2013**

Resolution #1

(Merged with the original number 2)

DEVELOP AND PASS LEGISLATION TO MAKE THE REQUIREMENTS FOR ANNEXATION A MORE SIMPLE AND FLEXIBLE PROCESS.

Submitted by: Town of Oro Valley, City of Bullhead City, Town of Marana, City of Yuma, Town of Wickenburg

A. Purpose and Effect of Resolution

The annexation process is cumbersome and needs examination. This resolution proposes to advocate for reasonable solutions to the annexation dilemma.

Certain problems arise in the process of annexation. Excessive signature requirements are a deterrent. Cities and towns are required to obtain signatures from utility companies, and other entities, that do not own real property in the proposed annexation area. Cities and towns are also required to meet an assessed valuation threshold; but when they do not levy a property tax, the value of the property is irrelevant.

In addition, over time cities created county islands by annexing around the areas that did not meet the minimum signature requirements to become part of a city. The result is that there are pockets of non-incorporated areas dotted throughout cities. The unintended consequence of this action is that these county islands do not receive the same level of public services as property as close as next door. Property owners should receive services for taxes paid, and unincorporated area residents buy goods and services in cities and towns but do not receive police protection and other basic urban services. County services address the needs of largely rural areas and do not generally meet the needs of these urban areas.

The League, interested members and other stakeholders should convene to discuss these problematic areas and design legislation that will enhance the annexation process without undue burden to any one party.

B. Relevance to Municipal Policy

Statutes regarding municipal annexation have become more complicated over time. Simplifying the annexation process is good policy, allowing cities and towns to provide important urban services within their boundaries. Annexation also fosters civic engagement in the democratic process and a sense of shared responsibility for our communities. Residents living in unincorporated areas are affected by decisions made by cities and towns, yet they have no voice in the governing process.

C. Fiscal Impact to Cities and Towns

Reducing the unincorporated population is a key strategy for cities and counties to maintain fiscal stability. Annexation allows cities and towns a way to expand their retail sales tax base, providing greater fiscal stability. This increased governance capacity ensures that cities and towns are able to provide adequate services to all Arizona citizens.

If legislation moves forward that allows greater flexibility in annexing county islands, it would be up to cities and towns themselves to determine when and if they annex these areas. Those communities that choose to move forward will need to extend their services to newly annexed areas. Those costs would be different for each community. But nothing in the legislation should require a city or town to annex county islands if they feel they cannot provide services.

D. Fiscal Impact to the State

There is no fiscal impact to the state when it comes to which local government provides local services. Minor adjustments in state-shared revenues would be made based on population changes, but it would be a reshuffling of the total allocation, not an increase in state revenues to local government. Eliminating barriers to annexation would also encourage economic development, which would ultimately result in increased revenue to the state.

E. Contact Information

<u>Name: Kevin J. Burke</u>	<u>Title: Assistant to the Town Manager</u>
<u>Phone: 520-260-1346</u>	<u>Email: kburke@orovalleyaz.gov</u>

<u>Name: Connie S. Scoggins</u>	<u>Title: Assistant City Attorney</u>
<u>Phone: 928 373-5055</u>	<u>Email: Connie.Scoggins@Yumaaz.gov</u>

Resolution #4

Requests and encourages the Arizona State Legislature to establish a mechanism enabling local government to establish renewable energy and conservation financing districts. In addition, encourages the Arizona State Legislature to identify and define energy efficiency, renewable energy and water conservation as a public benefit that enhances the public good and promotes the health, safety, prosperity, security and general welfare of the community.

Submitted by: City of Flagstaff, City of Tucson, Town of Payson

A. Purpose and Effect of Resolution

Renewable energy and conservation financing district authority would enable local government to create a financing mechanism to provide upfront funds to commercial property owners for energy efficiency, renewable energy and water conservation improvements. Property owners can opt in to finance energy efficiency improvements, renewable energy installation and water conservation improvements on their property and repay financing through a property assessment. Energy efficiency, renewable energy and water conservation create an opportunity to utilize our nation's resources wisely and secure reliable, clean and safe energy. In the current economic climate, the upfront financial commitment necessary to implement energy efficiency, renewable energy and water conservation improvements is often a barrier for property owners. A voluntary renewable energy and conservation financing district can remove these barriers.

In Arizona, energy efficiency, water conservation and renewable energy financing programs have significant potential to stimulate the state's economy, create jobs and transition residents to sustainable energy use and production. Such programs can deliver benefits beyond energy independence, including new sources of workforce stabilization and development, increased value and comfort of buildings, protection from increasing energy costs, and enhanced community awareness.

Energy efficiency, water conservation and renewable energy financing programs have been developed in numerous communities across the nation. At least 30 states have passed enabling legislation that allows local government to establish property assessed energy efficiency, water conservation and renewable energy financing districts; defines energy efficiency, water conservation and renewable energy as a public benefit; and grants the authority to issue bonds. The federal government currently encourages the installation and use of renewable energy through a series of federal tax incentives and credits. Arizona also has several tax incentive-based programs to encourage the production of renewable energy. These incentives collectively make renewable energy projects more affordable after installation but do little to address the upfront financial commitment.

Improving the energy efficiency of existing structures and deploying renewable energy installations supports adopted Arizona House Bill 2638 (2007), which requires towns, cities and counties with a population greater than 150,000 to adopt an energy element in their planning

policies that will encourage and provide incentives for the efficient use of energy and requires that community general plans contain an assessment identifying policies and practices that will provide for greater use of renewable energy sources.

This resolution also supports the efforts of Arizona regulated utilities to meet the Arizona Corporation Commission's Renewable Energy Standard, which requires that 15 percent of their energy generation come from renewable resources by 2025.

B. Relevance to Municipal Policy

This resolution would support municipalities that choose to promote energy efficiency, renewable energy and water conservation practices within their communities. Many Arizona communities are working to improve the efficiency of existing building stock in the residential and commercial sectors to promote sustainability and help protect community members from rising energy costs.

C. Fiscal Impact to Cities and Towns

Renewable energy and conservation financing district authority would allow local governments to proactively provide a mechanism for property owners to decrease their fossil fuel use and increase energy cost savings. Energy efficiency, renewable energy and water conservation financing programs can remove upfront financial barriers for property owners who would like to develop energy efficiency, renewable energy and water conservation projects. With enabling legislation, local governments could voluntarily elect to establish an energy efficiency, renewable energy and water conservation financing program, and participation in the program would be completely voluntary for interested property owners. There would be no fiscal impact on the city or town.

D. Fiscal Impact to the State

There are no fiscal impacts to the state. Energy district authority would allow for opt-in energy efficiency and renewable energy financing programs at the fiscal responsibility of the property owner.

E. Contact Information

<u>Name: Nicole Woodman</u>	<u>Title: Sustainability Manager</u>
<u>Phone: 928-213-2149</u>	<u>Email: nwoodman@flagstaffaz.gov</u>

<u>Name: Jerene Watson</u>	<u>Title: Deputy City Manager</u>
<u>Phone: 928-213-2073</u>	<u>Email: jerenewatson@flagstaffaz.gov</u>

Resolution #5

Promotes state legislation that grants legislative authority to cities and towns to freeze property tax levels on commercial and industrial zoned parcels that support speculative development at pre-improvement levels until such time as the developed property is ~~in-use~~ FULLY LEASED.

Submitted by: City of Lake Havasu City, City of Bullhead City, City of Kingman

A. Purpose and Effect of Resolution

Many Arizona communities lack standing inventory of ready-to-occupy commercial buildings that businesses looking to relocate to the state are seeking. This legislation would incentivize speculative commercial building by removing the property-tax-related financial pressure of investing in a commercial parcel that may stand vacant for an unpredictable period of time.

B. Relevance to Municipal Policy

Having the ability to freeze all ad-valorem taxes on commercial and industrial properties that support speculative construction allows municipalities to increase the inventory of ready-to-occupy structures that many businesses looking to locate to Arizona are asking for. By relieving a portion of the tax-related financial stress associated with speculative building, communities will increase the offering of available structures for immediate commercial use, and the communities, builders and the state will enjoy the economic benefits of the added construction and related jobs, as well as the long-term economic benefits related to the business enterprises it will attract.

C. Fiscal Impact to Cities and Towns

There is no fiscal impact to cities and towns that do not choose to exercise this provision. Those that are successful in inducing speculative commercial construction by offering this provision will experience positive fiscal results from the construction. Those communities will also be better positioned to attract a business that is looking to relocate but not ready or willing to build. Freezing the ad-valorem property taxes on the developed property until such time as it goes into use does not reduce tax collections by cities, towns, schools and special taxing districts. The provision simply defers the higher taxes that would otherwise be based on the increased value of the property until such time as the property is placed into productive use.

D. Fiscal Impact to the State

The state will benefit from the construction-related tax revenues and the subsequent commercial or industrial enterprise that is later generated by the availability of real inventory. There are no fiscal impacts to the state related to the deferral of ad-valorem property taxes because such taxes are only assessed at the local level.

E. Contact Information

Name: Charlie Cassens

Title: City Manager, Lake Havasu City

Phone: 928-453-4141

Email: cassenc@lhcaz.gov

Resolution #6

Amends statute to authorize street light improvement districts (SLIDs) to levy and expend money to repair, maintain and replace lighting facilities. Changes in statute should also allow a municipality the option to accept the infrastructure and maintenance responsibilities of county-operated SLIDs that are located within the municipality's corporate boundaries and authorize the municipality to assume jurisdiction over fully annexed county street light improvement districts.

Submitted by: City of Scottsdale, City of Apache Junction, City of Casa Grande

A. Purpose and Effect of Resolution

A street light improvement district (SLID) is a special taxing district created by the legislature in 1971 as a mechanism for residents to integrate street lights and pay the energy costs of street lights in their neighborhoods (§48-960).

Operation and Maintenance – Under current state law, SLIDs are only authorized to levy for payment of street light energy costs — *operation and maintenance* costs are not included. As a result, SLID operation and maintenance costs are paid by all municipal taxpayers — rather than by those who directly benefit from the street light infrastructure in their districts. Legislation should seek changes to current law to allow operation and maintenance costs to be included in the levy in addition to energy costs. In addition, municipalities should be allowed to create master repair and replacement funds for SLIDs.

Consolidation – The current process for a municipality to absorb a non-municipal SLID is a piecemeal process that is costly and time consuming. Changes to statute will facilitate a simple one-time process that will allow a municipality to consolidate all of the SLIDs that exist within its corporate boundaries. These provisions would apply statewide — allowing other cities and towns to facilitate consolidation if they so choose.

B. Relevance to Municipal Policy

SLIDs are prevalent across the state. A uniform process that allows cities and towns to recoup maintenance costs for maintaining these districts and allow for the consolidation of the districts will provide long-term financial benefits and better cost forecasting to municipalities.

C. Fiscal Impact to Cities and Towns

Cities and towns that currently provide maintenance of SLID streetlight infrastructure (rather than the utility) would realize general fund savings as reimbursement of those maintenance costs become available.

D. Fiscal Impact to the State

There would be no fiscal impact to the state.

E. Contact Information

Name: Brad Lundahl

Title: Government Relations Director

Phone: 480-312-2683

Email: blundahl@scottsdaleaz.

Resolution #7

Requests that A.R.S. 34-603 which deals with alternative project delivery methods (APDM), allow the use of “the final list in the procurement” until a contract for construction is entered into. Requests that the agent be allowed to pursue negotiations for pre-construction services with other persons on the list, provided that the agent does not recommence negotiations or enter into a contract for the construction or professional services covered by the final list with any person or firm on the final list with whom the agent has terminated negotiations.

Submitted by: City of Sedona, City of Cottonwood, City of Flagstaff, City of Kingman, Town of Camp Verde, Town of Jerome

A. Purpose and Effect of Resolution

In 2010, section 34-603, subsection C, paragraph 1, subdivision (e), was added to A.R.S. regarding procurement of construction services using non-bid methods, or alternative project delivery methods (APDM). This addition required agents to either restart the alternative procurement process or bid construction projects in the event that a construction price could not be negotiated. This resolution’s proposed change would allow the agent to utilize another person or firm on the list in the event that a construction price could not be negotiated with the initially selected party. The resolution prohibits reopening negotiations with a party if they have been terminated. Only one party may be negotiated with at a time.

The current legislation prohibits an option that had been previously allowed due to silence of prior legislation. The restriction imposed by the current legislation places the agent at the mercy of a contractor late into the project development process when the construction price is being negotiated. The contractor may insist on an unreasonably high negotiated price. In this case the agent is forced to bid the project, restart the procurement process or accept the high price. Bidding the project may not be desirable when project familiarity is important to an agent in pursuing project construction (for instance business area improvement projects), and it may result in loss of the ability to contain construction claims. Restarting the procurement procedure may unreasonably delay the project. Accepting the high price is a disservice to the public.

In 2009, the city of Sedona was able to construct a project by using the second-ranked proposer when it could not obtain a satisfactory price from the first ranked proposer. This allowed the project to successfully continue to construction, using the benefits of the construction-manager-at-risk approach. The first-ranked proposer’s price was well above the engineer’s estimated price while the second was much more in line. The project was successfully completed with return of some unneeded funds.

B. Relevance to Municipal Policy

APDM has benefits beyond costs; however, when the process allows a contractor to set unreasonable prices that push an agent to reject the proposal, along with the benefits of alternative procurement, the public is placed at an unfair disadvantage. Modifying the process to give the agent the option to continue with the alternative project delivery method without excessive loss of time or other disadvantages seems to keep in line with the allowance of APDM in the first place. As a matter of public policy, it does not seem that qualification-based selection processes should reduce incentives for fair pricing. The concern regarding bid-shopping is dealt with by only allowing negotiations with one proposer at a time and by prohibiting reopening closed negotiations.

C. Fiscal Impact to Cities and Towns

Cities would be more assured of securing realistic pricing from the initially selected proposer while maintaining the benefits of using APDM on appropriate projects.

D. Fiscal Impact to the State

None is anticipated.

E. Contact Information

<u>Name: Nicholas Gioello</u>	<u>Title: Assistant to the City Manager</u>
<u>Phone: 928-203-5100</u>	<u>Email: ngioello@sedonaaz.gov</u>

Resolution #8

Urges the Arizona State Legislature to amend A.R.S. § 39-121.01 to place reasonable limits on the frequency of requests for public records and on requests that are overbroad or abusive. Such limitations mainly include limiting the numbers of requests from individuals or groups that tie up personnel and resources at a significant cost and which also result in citizens who need information having to wait extended periods of time behind these abusive requestors.

Submitted by: City of Yuma, City of Apache Junction

A. Purpose and Effect of Resolution

This resolution seeks amendments to public records access laws to discourage frequent or abusive requests while facilitating and maintaining timely and complete access to requests from media and non-abusive citizens.¹

Municipalities receive and process thousands of requests for public records each year. Most of these requests are reasonable, coming from the media and persons who may or may not make other requests but who seek specific and limited information. These requests in many cases are taking a back burner to other “machine gun” requests that stack up, needlessly tying up staff and resources and causing a delay in responding to other public records requests from media and citizens. “Machine gun” requests and request “stacking” by individuals require significant and disproportionate amounts of staff time to locate, review, redact and prepare voluminous amounts of documents or materials from multiple departments for review and/or copying. In many cases the public records are not even reviewed or picked up or are barely given a look through. These requests basically create unnecessary work for local employees.

Some of these requests are overbroad, such as requests for “all documents, email, memoranda, etc., pertaining to the city action ...” These documents can cover many years, require production of hundreds or thousands of documents, and involve research and review by several city departments. Again, some of these are never looked at. As an example, Yuma has received 46 requests in 44 business days from a single individual, including 9 filed in one day, while 25 previously filled requests waited to be reviewed from the same individual.

Municipalities also receive and process numerous requests for public records from only a few individuals. For example, in Yuma, one individual is responsible for the following statistics:

<u>Year</u>	<u>Number of requests</u>
2008	114
2009	120
2010	85
2011	155
2012	81
2013 (through May 20)	56 ²

¹ Nothing in this resolution is intended to limit media access to public records.

We are requesting amendment of Title 39 to give municipalities authorization, in certain instances, to place reasonable restrictions to the number or frequency of requests made by a single individual and to limit certain requests such as those with a broad scope or that cover an extensive time period to allow cities to both comply with the spirit and intent of public records laws while discouraging “machine gun,” overbroad or abusive requests. This will maintain access for all and maintain a proper access for those non-abusive requests. We believe a reasonable restriction would be 5 requests per month and 20 per year. “Machine gun” requests would be handled one or two at a time with a municipality not being required to fill additional public records request from the same person until all previous requests from that individual have been viewed or pick up. Additional requests beyond these numbers would still be filled; however, the taxpayer would not have to continue bear costs of over-burdensome requests. If requests from an individual exceed 5 per month or 20 per year, a municipality would be allowed to recover full manpower time, costs and materials from the individual requestor.

B. Relevance to Municipal Policy

Transparency is an essential component of a responsive representative government. Cities and towns endeavor at all times to be open, accessible and responsive to their citizens. Making records available for inspection by the public and the media is important to maintaining transparency and trust in government. Most citizens and the media are conscientious and purposeful in their requests. However, requests by a few individuals which are overbroad or abusive and require disproportionate amounts of city-wide staff time do not further the goal of transparency and will hurt citizen access to and availability of public records.

C. Fiscal Impact to Cities and Towns

Cities will still respond to public records requests in the spirit of transparency and openness in government. Allowing cities some relief from abusive public records requests or to identify potentially abusive practices will free staff to perform other governmental functions.

D. Fiscal Impact to the State

There will be no fiscal impact to the state. However, an amendment could include public records requests of the state, which will result in savings.

E. Contact Information

<u>Name: Connie Scoggins</u>	<u>Title: Assistant City Attorney</u>
<u>Phone: (928) 373-5055</u>	<u>Email: Connie.Scoggins@YumaAz.gov</u>

² This number represents total requests received year to date, 46 percent of the way through the current year.

Resolution #9

Amends A.R.S. Title 13 (Criminal Code) to ~~include criminal damage by graffiti~~ and ensure that restitution for graffiti includes all costs of a victim associated with graffiti abatement.

Submitted by: City of Yuma, Town of Wickenburg, City of Apache Junction, City of Flagstaff

A. Purpose and Effect of Resolution

Graffiti is a continuing and fast-growing problem for cities and towns. The level of punishment for individuals committing illegal acts of graffiti is a difficult and complex issue. Abatement of graffiti and apprehension and prosecution of the perpetrator is costly to cities and towns, and these costs are seldom, if ever, recovered. Arizona statutes allow prosecution of graffiti under the criminal code as criminal damage. Because graffiti is such an immediate and growing problem on both public and private property, it needs to be addressed in statutes setting forth stricter penalties for graffiti.

Restitution ordered by the court for graffiti offenses should include the full amount of damages to the victim. This means a victim, as a matter of law, would be entitled to the full, reasonable reimbursement for the amount paid to a third-party contractor to abate graffiti damage to his or her property, or, alternatively, if the victim abates the graffiti damage without retaining a third-party contractor, the victim should be entitled to full, reasonable compensation for his or her time spent abating the graffiti, for reimbursement of the costs of all materials used to abate the graffiti and for vehicle mileage or vehicle rental fee for vehicles the victim used to abate the graffiti.

As it stands now, some courts have been reluctant to award the full amount of damages as restitution when the victim is a private company, a municipality or other government agency that uses its own employees and equipment to abate graffiti damage. Additionally, a community service component could be added to the penalty, as done in New Mexico and California, which would provide even greater disincentives, especially if the community service involved cleaning up graffiti.

B. Relevance to Municipal Policy

The physical appearance of communities is a source of pride for Arizona cities and towns. It is one of the factors that attract people to visit or relocate to an area. While graffiti was once limited to older and deteriorating communities or facilities, it has become prevalent in all areas of cities, regardless of age, appearance, use or value. Despite the penalties for selling instruments of graffiti to minors enacted in the last few years, the number of incidents and the extent of damages have continued to increase. Stiffer penalties are needed to deter the rising tide of this vandalism.

C. Fiscal Impact to Cities and Towns

Graffiti abatement in fiscal year 2012-2013 has so far cost the city of Yuma \$117,645, despite a policy to aggressively pursue restitution from the courts. The costs to Yuma are high. Therefore, it would follow that statewide costs may be in the millions of dollars. Increasing the penalties for criminal damage may deter graffiti vandals and reduce the number of incidents and the extent of damages, thereby reducing costs of abatement. Any additional revenue generated from the stronger penalties could be directed to reduce the costs to cities and towns for abatement. Also, if violators are required to perform community service, they would be able to witness the consequences their actions have on the community.

D. Fiscal Impact to the State

Because graffiti may also occur on state-owned properties, abatement costs to the state could be reduced.

E. Contact Information

<u>Name: Connie Scoggins</u>	<u>Title: Assistant City Attorney</u>
<u>Phone: (928) 373-5055</u>	<u>Email: Connie.Scoggins@YumaAz.gov</u>

Resolution #10

Urges the Arizona State Legislature to support implementing a pilot program to restrict trucks to the two right-most lanes when traveling on Arizona highways in urban areas with three or more lanes in each direction.

Submitted by: City of Apache Junction, City of Douglas, City of Bullhead City, City of Sedona, City of Sierra Vista

A. Purpose and Effect of Resolution

The purpose of this resolution is to improve traffic mobility, improve safety and facilitate the flow of goods on freeways in Arizona's busy urban areas. An initial step is to implement a pilot program to determine and compare the feasibility, impacts and effectiveness of restricting trucks to operating only in certain lanes on highways in urban areas that have three or more lanes in each direction, that have a moderate or high level of truck traffic, and that do not have left-hand exits. The lane restrictions would apply to "trucks" as defined by Arizona state law. Trucks would be restricted to the two right-most lanes, leaving one lane for truck-free operation; however, the resolution would assure that trucks will always have access to at least two lanes.

Demand for trucking services continues to increase. According to statistics available from the Bureau of Transportation Statistics (BTS), trucking accounts for an estimated 70 percent of the total value, 60 percent of the weight, and 34 percent of the ton-miles of freight moved in the U.S (BTS, 2006). In addition, between 1980 and 2020, truck travel is predicted to increase by over 90 percent while lane-miles of public roads will increase by only 5 percent (FHWA, 2006). This increase will have significant negative influences on traffic congestion and safety. A truck lane restriction strategy is used in many states nationwide as a way to address some of these impacts.

With regard to improving safety and mobility, here are several safety benefits of truck lane restriction:

- Positions largest vehicles out of the highest speed lanes.
- Reduces the frequency of passenger vehicles being "boxed-in" by large trucks.
- Reduces evasive truck maneuvers to the right, or into the trucker's "blind" side.
- Provides additional spacing from life-saving median barrier systems.
- Provides additional truck clearance from opposing direction traffic.
- Improves visibility and clearance for disabled vehicles in or along median shoulders.

By improving traffic mobility, this change would also improve the flow of transporting goods through the state and positively impact economic development. The freight industry has welcomed lane restrictions in other states because passenger vehicles are able to stay in the fast lanes, which gives more mobility for the trucks in the slower lanes. Trucks then reach their destinations in a timelier manner.

B. Relevance to Municipal Policy

Arizona residents directly benefit from improved traffic operations and improved safety on freeways in Arizona's busy urban areas. In addition, by improving the flow of transporting goods and services in Arizona, economic development of the state, cities and towns could also increase.

C. Fiscal Impact to Cities and Towns

As the state of Arizona is able to reap the positive economic effects of improved traffic flow, which in turn improves the efficient movement of goods through the state, cities and towns will be positively impacted as well.

D. Fiscal Impact to the State

Positive fiscal impact to the state: Whereas large metropolitan areas that are in direct competition with the Sun Corridor (e.g., North Texas) have successfully implemented "goods movement" oriented traffic restrictions to facilitate enhanced traffic flow have experienced positive economic development effects, the city of Apache Junction and the city of Douglas urge implementation within Arizona so that we also experience positive economic effects.

Negative fiscal impact to the state include: Costs associated with developing and implementing a pilot program, which would include conducting a study before and after restrictions are implemented. If the new restrictions were put in place permanently, there are costs associated with selecting, designing, implementing, advertising, enforcing and monitoring the truck lane restrictions.

E. Contact Information

Name: George Hoffman

Title: City Manager

Phone: 480-474-5066

Email: ghoffman@ajcity.net

Resolution #11

Urges the Arizona State Legislature to stop future sweeps of Highway User Revenue Funds (HURF) allocated to Arizona cities and towns and to restore HURF funding to FY2008 levels.

Submitted by: City of Yuma, Town of Wickenburg, City of Sedona, City of Kingman, City of Lake Havasu City, City of Apache Junction, Town of Fountain Hills, City of Flagstaff, City of Sierra Vista

A. Purpose and Effect of Resolution

HURF funds come from a number of sources, including use fuel taxes, motor carrier fees, vehicle license taxes and motor vehicle registration fees. Statutes provide a method of distributing these funds among the state, counties and municipalities for the purpose of construction, improvements and maintenance of streets and roadways within their jurisdictions. The state has swept portions of these revenues each year since FY2008, mainly to support the Arizona Department of Public Safety (DPS). These sweeps affect every municipality and county in the state. As a result of these sweeps, more than 38 percent of Yuma's major roadways are in poor or below average condition. Delayed maintenance on streets has caused many streets to now need total replacement, at a much greater cost. The poor condition of transportation infrastructure is a detriment to attracting new commerce and industry.

In addition to the direct impact on cities and towns' streets and roadways, this slowdown and halt of street construction and maintenance has cost jobs. The Arizona chapter of the Associated General Contractors estimated in 2011 that an estimated 42,000 jobs have been lost due to the lack of highway construction. This loss has had a negative impact on the economic viability of the state.

B. Relevance to Municipal Policy

The longer the attention to street maintenance is neglected, the more costly it becomes to bring streets up to even average condition. Many Arizona counties, cities and towns experience a significant rise in population during the winter months. The declining street infrastructure negatively affects the state's tourism industry and makes other warm states more attractive to these visitors.

C. Fiscal Impact to Cities and Towns

The sweeps have touched every county, city and town in Arizona. There are no replacement revenues for cities to tap. As maintenance is delayed, the cost rises. Restoring full HURF funding to local jurisdictions will allow much needed street replacement, repair and maintenance.

D. Fiscal Impact to the State

Reinstating the statutory distribution of HURF monies, including the funds to be allocated to DPS pursuant to statute, may require the state find other sources of revenue for DPS.

E. Contact Information

<u>Name: Connie S. Scoggins</u>	<u>Title: Assistant City Attorney</u>
<u>Phone: (928) 373-5055</u>	<u>Email: Connie.Scoggins@yumaaz.go</u>

Resolution #12

(Merged with the original number 13)

DEVELOP AND PASS LEGISLATION TO ENSURE THE VIABILITY OF ARIZONA STATE PARKS, INCLUDING BUT NOT LIMITED TO ALLOWING MUNICIPALITIES TO ENTER INTO LONG-TERM LEASES OF STATE PARKS AND THE RESTORATION OF THE ARIZONA STATE PARK HERITAGE FUND.

Submitted by: City of Yuma, City of Kingman, City of Lake Havasu City, City of Sierra Vista, City of Sedona, Town of Camp Verde, Town of Jerome, City of Somerton, Town of Oro Valley, City of Cottonwood, City of Flagstaff, Town of Clarkdale

A. Purpose and Effect of Resolution

When the state became unable to fully support of its parks, local governments and non-profit groups in Arizona stepped up to the plate and entered into short-term agreements to operate and maintain the parks in or near their jurisdictions so Arizona residents and visitors could continue to enjoy the rich recreational experiences that state parks provide. These agreements have proven to be successful. Part of this resolution asks the state to continue and expand this partnership with local jurisdictions on a long-term basis and to provide a dedicated funding mechanism to support the parks.

Making the current partnerships sustainable in the long-term and increasing the number of partnerships will make the entire park system more viable over time. Further utilization of partnerships (non-profit, public and private) will necessitate assured financial support from the state, local governments and non-profits.

Another essential component of this resolution is the restoration of The Arizona State Parks (ASP) Board Heritage Fund, established in November 1990 by voter initiative. This fund provided up to \$10 million annually to Arizona State Parks from Arizona Lottery proceeds (A.R.S. § 41-503).

Since 2009, sweeps of the Heritage Fund resulted in the discontinuation of the Heritage Fund Grant Programs due to lack of funding. The Heritage Fund Grant Programs were an important source of funding to cities and towns for their ability to enhance and expand local park sites.

Not only were the remaining Heritage Funds eliminated — funds that were used for capital improvements to Arizona State Parks — but the legislature fully repealed the funding mechanism for Heritage Funds through the repeal of authorizing statutes A.R.S. § 41-501, 503 and 504 effective on July 1, 2011. The FY12 state budget swept the remaining \$2,090,000 of the Enhancement Fund, which eliminated the amount available for capital programs and left ASP with no capital funds available to repair structural emergencies. Without reauthorization of the related statutes, there is no vehicle to appropriate funds, and the future of not only local funding but the entirety of Arizona State Parks hangs in the balance. The inability

to fund needed capital improvements, or even emergency repairs, puts ASP in a dangerous financial position.

This resolution will assure that state parks remain open to the public as a recreational, environmental and cultural benefit that supports and generates tourism and provides important revenue not only to local but also to regional and statewide economies. In addition, the availability of the state parks system will continue to provide a high quality of life for Arizona residents and serve as an attraction to new residents.

B. Relevance to Municipal Policy

State parks are essential to the rural economies and people of Arizona, and the continued threat to their operation leaves a continued threat to the still weak local economies in rural Arizona. In addition, Arizona's natural environment, including access to the environment through state parks across the state, draws millions of tourists to Arizona, benefiting every entity that relies on tourism as part of its economy.

Approval of this resolution and resulting policy changes would provide vehicles for funding to continue the ability of municipalities and the state to provide and enhance the conservation of our state's natural, cultural and historic resources.

C. Fiscal Impact to Cities and Towns

Visitors' expenditures combined with their direct and induced impacts resulted in \$21,171,627 in federal government taxes and \$22,762,326 in state and local government taxes. The total tax impact of Arizona State Park visitors in 2007 was \$43,933,953.

Reenactment of Arizona Heritage Fund appropriations would have a significant positive impact on recreational opportunities, environmental education for the K-12 curriculum and enrichment for educators, grants and research, and response to and help with ameliorating human-wildlife conflicts in urban areas. It also positively impacts the viability of state parks as the sweep of funds has left ASP without funds for capital improvements or for any structural emergency. The loss of Heritage Funds has a direct impact on cities and towns due to the economic impact of state parks.

D. Fiscal Impact to the State

The economic benefit of the state park system is statewide. Calculated at the state level for FY07, the total economic impact of Arizona State Parks (direct, indirect and induced) on the state was \$266,436,582. This total state income resulted in 2,397 direct jobs and 950 indirect jobs for a total of 3,347 jobs statewide. The jobs provided were generated directly, through state park employment, but also indirectly, through the tourism industry that is supported and enhanced by the existence of state parks.

(Economic figures cited are from “The Economic Impact of Arizona State Parks 2007” study prepared by The Arizona Hospitality Research & Resource Center, Center for Business Outreach and The W. A. Franke College of Business, Northern Arizona University, in February 2009.)

Reenactment of Arizona Heritage Fund appropriations would have a fiscal impact to the state of up to \$10 million annually.

E. Contact Information

<u>Name: Connie Scoggins</u>	<u>Title: Assistant City Attorney</u>
<u>Phone: 928-373-5055</u>	<u>Email: Connie.scoggins@yumaaz.gov</u>

<u>Name: Nicholas Gioello</u>	<u>Title: Assistant to the City Manager</u>
<u>Phone: 928-203-5100</u>	<u>Email: ngioello@sedonaaz.gov</u>

Resolution #14

Urges the Governor and the Arizona State Legislature to develop and pass legislation that supports efforts to reduce the shortage of health care professionals in the state of Arizona. The League encourages the legislature to consider the following: expanding the level of Graduate Medical Education (GME) funding; expanding medical school capacity within the state universities; addressing issues affecting the attraction and retention of physicians and other health care professionals from out of state; reducing obstacles to medical practice in Arizona; and addressing any other major issues that affect a physician's, and other health care professionals', decision to locate or remain in Arizona to practice.

Submitted by: City of Sierra Vista, Town of Wickenburg, City of Bisbee, City of Yuma

A. Purpose and Effect of Resolution

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

Since approximately 60 percent of physicians who complete their training in Arizona teaching hospitals remain to practice within the state, enhancing the Graduate Medical Education (GME) program is a critical component to addressing this shortfall and has been identified by previous gubernatorial task forces. Also recommended were efforts to reduce obstacles to medical practice in Arizona. Recruitment and retention of physicians is hampered throughout the state by higher professional liability premiums as compared to other states, and this is certainly an obstacle needing attention. Recent actions to reduce funding to the state's Medicaid program will only exacerbate the issue statewide. Now, more than ever, action is needed to retain existing physicians and to ensure that Arizona is a desirable place to practice for others.

B. Relevance to Municipal Policy

Health care is a key component of the overall quality of life for any community. It is an attraction and retention component for both business and military activities, both of which are the backbone of the state's economy. An adequate supply of physicians is the foundation of quality healthcare, and although most barriers to physician recruitment and retention are beyond the direct control of local government, the health of our citizens should be a strong consideration

for local legislative input and advocacy. The National League of Cities has incorporated citizen health in its overall federal legislative platform by developing and advocating for health programs for children and youth.

C. Fiscal Impact to Cities and Towns

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

D. Fiscal Impact to the State

There are some solutions, such as investing in the graduate medical program, that will require additional investment by the state in medical education. However, some recommendations can be implemented with little to no effect on state finances. But just as it does for the cities and towns, improvement in access to health care results in an improvement in the ability of the state to attract corporations who value health care access as a major factor in relocation to Arizona. In addition, more physicians in the rural areas of the state will reduce the number of trips on already overcrowded roadways that residents from those areas make to the Phoenix or Tucson metropolitan areas to seek treatment.

E. Contact Information

<u>Name: Mary Jacobs</u>	<u>Title: Assistant City Manager</u>
<u>Phone: 520-458-3315</u>	<u>Email: Mary.Jacobs@SierraVistaAZ.gov</u>

Resolution #15

Urges the Arizona State Legislature to amend A.R.S. § 23-1022, subsection D, to provide municipalities the option of providing workers' compensation benefits to employees of another agency when working under the municipality's control or in its jurisdiction through an intergovernmental agreement or contract, especially as it relates to public safety personnel.

Submitted by: Town of Wickenburg, City of Sierra Vista, Town of Paradise Valley

A. Purpose and Effect of Resolution

Many small municipalities throughout Arizona recognize the challenge of providing excellent public safety services at all times, especially in the area of recruiting and retaining police officers. Occasionally, staffing levels for AZPOST-certified personnel can dip dangerously low, putting the public's safety in jeopardy. In these situations, it can be useful to partner with other nearby agencies, allowing officers to obtain extra hours at the requesting agency's expense. Municipalities also form similar partnerships for special events, "loaning" and "borrowing" officers under terms of an intergovernmental agreement to assist with a temporary need to increase police protection.

Unfortunately, A.R.S. § 23-1022, subsection D, contains a disincentive for municipalities to enter into these types of partnerships because the statute's workers' compensation provisions are not in alignment with its other sections. The statute dictates that when engaging in these "shared services" partnerships, both participating agencies are deemed to be the "employer" of the shared employee(s). However, workers' compensation benefits remain the sole responsibility of the "home" agency, rather than the requesting agency directing that employee's work.

For example, if a police officer from City A is staffing a special event for City B under terms of a contract and is injured while performing a task directed by a supervisor from City B, workers' compensation benefits remain the responsibility of City A. Effectively, the workers' compensation benefits follow the badge.

This obscure statute provides an unintentional disincentive for municipalities to openly share resources in time of need and an "opt out" clause should be added. The resolution would have the effect of urging legislators to amend the statute to give the requesting municipality the option of covering workers' compensation benefits through an intergovernmental agreement or contract, thus freeing the employee's primary employer from any risk.

B. Relevance to Municipal Policy

This resolution positively impacts both rural and urban municipalities throughout Arizona. It serves to clarify an unclear and inconsistent aspect of state law and eliminates a disincentive for public safety agencies to cooperate for fear of workers' compensation claims outside of their control.

C. Fiscal Impact to Cities and Towns

This resolution has the effect not of increasing or decreasing the overall fiscal burden for workers' compensation claims across Arizona's municipalities, but rather of distributing it more appropriately. Instead of assigning a claim to an agency that had no knowledge of or control over an employee's actions at the time of the injury, the fiscal responsibility could lie with the agency actually directing the employee's work, so long as both agencies agree to structure their agreement in this way.

D. Fiscal Impact to the State

This resolution has no anticipated fiscal impact on the state of Arizona.

E. Contact Information

<u>Name: Josh Wright</u>	<u>Title: Town Manager</u>
<u>Phone: (928) 668-0524</u>	<u>Email: jwright@wickenburgaz.org</u>

Resolution #16

Requests that A.R.S § 38-848.3 and A.R.S § 38-713, subsection A, paragraph 1, subdivision (b) be amended so that the Public Safety Personnel Retirement System Board of Trustees as well as the Arizona State Retirement Board include one representative from a large city along with one representative from a small non-metropolitan city.

Submitted by: City of Sierra Vista, Town of Wickenburg, City of Bisbee

A. Purpose and Effect of Resolution

This resolution seeks to ensure that both large and small cities have a representative on the Public Safety Personnel Retirement System (PSPRS) Board of Trustees as well as the Arizona State Retirement System (ASRS) Board. Small municipalities in the state are being impacted by the decisions being made to reform PSRS and ASRS. Including members from a large and a small city on the boards will allow a boarder perspective on discussions as they relate to proposed changes to the systems.

B. Relevance to Municipal Policy

This resolution's impact to cities and towns is that it would improve the discussion and ensure representation on the PSPRS Board of Trustees as well as the ASRS Board.

C. Fiscal Impact to Cities and Towns

This resolution has no fiscal impact to cities and towns.

D. Fiscal Impact to the State

This resolution has no fiscal impact to the state.

E. Contact Information

<u>Name: Mark C. Welch</u>	<u>Title: Assistant to the City Manager</u>
<u>Phone: 520-439-2154</u>	<u>Email: Mark.Welch@SierraVistaAZ.gov</u>

Resolution #17

Requests that the Public Safety Personnel Retirement System review their actuarial assumptions with regard to salary increases and base assumptions on current historical actual.

Submitted by: City of Sierra Vista, Town of Wickenburg, City of Bisbee

A. Purpose and Effect of Resolution

The contributions a city or town and an employee make to Public Safety Personnel Retirement System (PSPRS) during time of employment should cover the payments the employee expects to receive during retirement. Part of the process of determining the annual contribution required by the city or town is what is called an “actuarial valuation” of the plan. This valuation estimates the value of the future benefit payments that will be paid to the city or town’s members (both current employees and retirees) and compares that to the value of the assets the city or town already has in the system.

The liability is not a firm, definite liability, like a note or bond payable. Rather it is an estimate of the expected future retirement payments to current and future city or town retirees. The reason it is not a firm liability is that the factors in the calculation are different for each participant and are not definitely known until the participant passes away. Here are four major factors in the calculation of the liability:

1. Number of current employees that will retire from the city or town. As not all current employees will retire from the municipality, an estimate of the number of current employees that will retire must be made. If a person does not retire, no retirement liability exists.
2. How many years of service each retiree will have. Employees may retire any time after earning 20 years of service but may continue working as long as they want. The retirement pay can be from 50 to 80 percent of the retiree’s salary and is based on the retiree’s years of service. The actuarial must estimate how many years of service each current employee will have when he or she retires in order to estimate the percentage of salary each employee will receive as retirement pay.
3. The employee’s salary at retirement. Given it can be many years until an employee retires, the actuarial must estimate the raises and salary adjustments each employee will receive between now and when he or she retires.
4. How long the retiree will live. The retiree will receive retirement checks for as long as he or she is alive. Therefore, the actuarial must estimate how long the retiree will draw retirement checks.

The actuarial study uses statistical modeling for each of these factors to determine the estimated liability. While it calculates each entity’s liability separately, it does use the same factor estimates for all entities; i.e., the same life expectancy, salary growth rate, etc.

One factor in the estimated liability is the annual salary increases the actuarial study uses in its calculations. It uses an eight percent annual increase each year for the first five years of a participant's employment. This annual growth rate decreases each year for the next 35 years until it reaches a five percent annual increase. These raise estimates are based on a nationwide study the actuarial did five years ago. The city of Sierra Vista has not given an eight percent raise in over 25 years. If the actuarial would base the salary increase on the actual (lower) historical salary increases, PSPRS liability, and therefore the unfunded liability, would be lower, thus reducing the contribution rates.

B. Relevance to Municipal Policy

This resolution would require a new actuarial study to be conducted on actual data and thus could reduce the contribution rates of all cities across the state.

C. Fiscal Impact to Cities and Towns

If the new actuarial study showed a decreased un-funded liability, cities across the state would benefit from lower contribution rates for PSPRS employees. The actual fiscal impact is unknown since it would take an actuarial study to gather that information.

D. Fiscal Impact to the State

If the new actuarial study showed a decreased un-funded liability, the state would benefit from lower contribution rates for PSPRS employees. The actual fiscal impact is unknown since it would take an actuarial study to gather that information.

E. Contact Information

<u>Name: Mark C. Welch</u>	<u>Title: Assistant to the City Manger</u>
<u>Phone: 520-439-2154</u>	<u>Email: Mark.Welch@SierraVistaAZ.gov</u>

Resolution #18

Urges the Governor and the State Legislature to develop and pass legislation that (1) equalizes the maximum tax credit allowed per person and per married couple for donations to qualified charitable organizations, private schools and public schools, and (2) equalizes the timeframe allowed for collection of funds for qualified charitable organizations, private schools and public schools to qualify as a tax credit in any given year.

Submitted by: Town of Eagar, Town of Springerville

A. Purpose and Effect of Resolution

Currently the maximum donation allowed as a tax credit for public schools and qualified charitable organizations is \$200 per person or \$400 per married couple filing a joint return; meanwhile, a private school donation is capped at \$500 per person or \$1,000 per married couple filing a joint return.

Currently public schools and qualified charitable organizations must collect funds for a tax credit by the end of the calendar year for a credit in that calendar year while private schools can collect funds up to April 15 of the following year for a credit in either the current or the previous year.

These provisions are codified in A.R.S. § 43-1088, § 43-1089 and § 43-1089 (1)-(3).

The primary rationale behind these proposed changes is that they would be “fair,” equalizing the amount and timing of donations to public education and charitable programs serving the working poor. While private schools are certainly a worthy cause, it would seem appropriate that our public schools and charitable organizations receive at least equal treatment.

B. Relevance to Municipal Policy

Cities and towns are finding themselves in ever more challenging financial circumstances. As a result, available tax dollars for municipal contributions toward these important educational and social services are shrinking, forcing them to rely more heavily on charitable donations. The proposed legislation would place these education and public service programs on an equal footing with private schools in soliciting these contributions.

C. Fiscal Impact to Cities and Towns

There are no known fiscal impacts.

D. Fiscal Impact to the State

The fiscal impact to the state is unknown.

E. Contact Information

Name: Bryce Hamblin

Title: Mayor

Phone: 928-333-3333

Email: brycehamblin@hotmail.com

Resolution #19

Urges the Governor and the Arizona State Legislature to develop and pass legislation or engage in other activities that support and advocate for resources to improve Arizona's ports of entry with Mexico and related infrastructure in order to enhance international trade and improve the global competitiveness for Arizona with Mexico.

Submitted by: City of Sierra Vista, City of Yuma, City of Bisbee

A. Purpose and Effect of Resolution

Mexico is Arizona's top trading partner. Our shared border is the gateway for \$26 billion worth of imports and exports and 44 million people (crossings) each year. Mexican visitors spend approximately \$7.3 million each day in Arizona, providing an annual impact of \$2.3 billion. Trade with Mexico supports six million jobs in the U.S. and tens of thousands jobs in Arizona. In addition, Mexico is now the third-ranked commercial partner of the U.S. and the second largest market for U.S. exports.

Despite this wealth of opportunity, recent studies show that competing border states such as Texas are far outpacing Arizona when it comes to developing trade relations with Mexico. While Arizona exports to Mexico totaled about \$5.7 billion in 2011, in Texas the total was \$87 billion. Mexico is the 13th largest economy in the world, and in 2010, Mexico invested an unprecedented five percent of its Gross Domestic Product (GDP) in infrastructure.

Arizona's ports of entry face significant challenges, including aging infrastructure and an often inadequate number of customs and border protection agents needed to staff them. A heavy focus on security has impacted the tourism industry by diverting investments from needed improvements and leaving a multibillion dollar deficit in border infrastructure. For example, while investments of \$200 million into the expansion to the Nogales port of entry are progressing, no funding is allocated at this time (pending completion of appropriate studies and reviews) toward improving Arizona State Route 189, which connects the Mariposa Land Port of Entry to I-19. The U.S. General Services Administration (GSA) describes the Mariposa Land Port of Entry as "... one of the United States' busiest land ports ... serving as the main entry point for fresh produce entering from Mexico ..."

With 23 million northbound visitor border crossings and 373,000 northbound truck crossings, long waits at the border and congestion north of our ports of entry suppress economic development. In addition, greater emphasis is needed to upgrading southbound passenger vehicle and pedestrian crossings. And with significant public safety concerns arising from the 602 train crossings annually, there is clearly a need to develop an alternative to Arizona's sole rail port of entry in Nogales in order to respond to increasing manufacturing and sea port expansions in Mexico. According to the Arizona State University North American Center for Transborder Studies, needed enhancements include staffing, technology, infrastructure and communications.

Through the League of Arizona Cities and Towns, Arizona's cities and towns should unite in support of legislation or other policies that will enhance international trade and improve the global competitiveness for Arizona with Mexico, which is the 13th largest economy in the world and the state's number one trading partner.

B. Relevance to Municipal Policy

The vast majority of the economic benefit generated by trade passing through Arizona's ports of entry is realized within the state's cities and towns. For example, nearly half (43%) of all of the winter produce consumed in the United States comes through the Nogales port of entry. Along with produce, which makes up 28 percent of Arizona imports from Mexico, other major commodities include electrical machinery and equipment (18%); machinery and mechanisms (12%); edible fruits and nuts (11%); vehicles (6%); and optical, photographic and cinemagraphic equipment (4%).

The logistics centers, warehousing and distribution facilities, and value-added manufacturing facilities for these commodities are located primarily within the state's cities and towns, along with the associated sustainable wage jobs that are created as a result of this economic activity. The economic multiplier effect that these jobs create adds to the prosperity in these communities and enhances tax revenue at a time when every dollar of local revenue is even more precious to cities and towns. Enhancing trade opportunities with Mexico will only further stimulate the economies in Arizona's cities and towns.

C. Fiscal Impact to Cities and Towns

As described above, enhancing international trade and improving the global competitiveness for Arizona with Mexico will have a positive fiscal impact to cities and towns.

D. Fiscal Impact to the State

Similarly, supporting the requested legislation and policies will have a positive fiscal impact to the state and will further diversify our economic base. Failure to do so will sustain the advantage that other border states currently enjoy over Arizona.

E. Contact Information

<u>Name: Mary Jacobs</u>	<u>Title: Assistant City Manager</u>
<u>Phone: 520-458-3315</u>	<u>Email: Mary.Jacobs@SierraVistaAZ.gov</u>

Resolution #20

Urges the Governor and the Arizona State Legislature to develop and pass legislation that supports the long-term retention of Arizona's military installations and provides opportunities to use the synergies connected to the military operations in the attraction of new or expanded governmental and non-governmental missions or businesses.

Submitted by: City of Sierra Vista, City of Yuma, City of Bisbee

A. Purpose and Effect of Resolution

Arizona's military sector is an essential component of the state economy and most local economies within the state. There are five major military installations in Arizona, plus four principal National Guard operations. According to a 2008 report by the Maguire Group, commissioned by the Arizona Department of Commerce at the time, it is conservatively estimated that this sector produces over 96,000 direct, indirect and induced jobs in the state, with over \$9.1 billion in economic impact.

The Maguire report further quantified the amount of revenue Arizona's military installations contribute directly to state and local governments at just over \$400 million annually, split nearly evenly between the two. In general, jobs connected to the military are especially valuable to the Arizona economy because they are largely unaffected by routine economic cycles, which means revenues associated with their presence are more stable.

The Maguire report noted "Arizona would do well to guard this economic asset and preserve its viability." It further stated, "Maintaining these operations and the jobs and economic output they support should be a priority of state and local government."

Support from Arizona's local governments, through the League of Arizona Cities and Towns, for legislation that could enhance military effectiveness or protect against efforts to erode military missions is critical in the state's long term success retaining Luke AFB, Davis-Monthan AFB, Fort Huachuca, Marine Corp Air Station Yuma and the Yuma Army Proving Ground.

Arizona's cities and towns must be unified in their support for the military, working together to identify opportunities to demonstrate that support through such things as encouraging officials from state and local government to elevate needs identified by military installations for legislative action; supporting the continued activity and existence of the Governor's Military Affairs Commission; supporting funding for economic development efforts at the state level to attract new/expanded military and military-connected missions and businesses; encouraging the use and continued funding of the Military Installation Funds (MIF) to help mitigate encroachment; and supporting legislative proposals regarding state land transfers to reduce potential encroachment around military installations.

B. Relevance to Municipal Policy

At a time in which every dollar of local revenue is even more precious to cities and towns, municipalities must guard against inadvertent or blatant measures that could jeopardize existing military installations and the over \$200 million it directly contributes to local government. Encroachment is a major issue across the state, and is not only associated with new subdivisions. Water use, electromagnetic interference, lighting, airspace and other issues can ultimately affect military missions, or could result in the state's five major bases not being considered for realigned missions in the future.

The Maguire study excluded military-related businesses such as Raytheon, Boeing and those associated with the redeveloped Williams Center in Gilbert, which take advantage of synergies with the state's military community but separately add hundreds of millions more in economic impact to the state and local economies. But if the military missions are not retained, then opportunities to grow or expand these types of businesses, and the resulting impact on the state and local economy, could be missed.

C. Fiscal Impact to Cities and Towns

Failure to protect such a valuable asset to the state will have a direct and potentially devastating effect on local government. The military industry directly contributes approximately \$200 million in tax revenues annually to local government alone.

D. Fiscal Impact to the State

Similarly, Arizona's military installations contribute about \$200 million in revenue annually to the state government. Any loss of missions could erode that revenue, as well as impact future expansion opportunities for both military and non-military missions.

E. Contact Information

Name: Mary Jacobs

Title: Assistant City Manager

Phone: 520-458-3315

Email: Mary.Jacobs@SierraVistaAZ.gov

League Staff Resolution #1

Urges the United States Congress to reject any proposal limiting the value of the tax-exemption for municipal bonds.

Submitted by: League Staff

A. Purpose and Effect of Resolution

This resolution seeks to preserve the tax exemption for municipal bonds. Since these bonds are the primary source of infrastructure development funding in cities and towns, the elimination of the tax exemption would imperil the development of crucial projects within Arizona's municipalities.

B. Relevance to Municipal Policy

Municipal bonds finance infrastructure projects that directly impact the citizens and businesses of our communities – roads, water and wastewater systems, fire and police stations, etc. Fewer infrastructure projects would diminish a city's ability to serve its citizens and to attract new businesses or retain current ones.

C. Fiscal Impact to Cities and Towns

Exempting municipal bond interest from federal taxation reduces the cost of infrastructure financing by local governments. An average of 25 to 30 percent is saved on interest costs with tax-exempt municipal bonds as compared to taxable bonds. These savings arise because investors are willing to accept lower interest on tax-exempt bonds in conjunction with the tax benefit.

D. Fiscal Impact to the State

If the federal income tax exemption is eliminated or limited, states and localities will pay more to finance projects, leading to less infrastructure investment, fewer jobs and greater burdens on citizens who will have to pay higher taxes and fees.

E. Contact Information

<u>Name: René Guillen</u>	<u>Title: Legislative Director</u>
<u>Phone: 602-258-5786</u>	<u>Email: rguillen@azleague.org</u>

League Staff Resolution #2

Urges the United States Congress to pass the Marketplace Fairness Act.

Submitted by: League Staff

A. Purpose and Effect of Resolution

The Marketplace Fairness Act (MFA) is designed to collect sales tax regardless of the location of the seller. The League supports the MFA as a mechanism to appropriately increase revenue to support critical municipal services such as police, fire and infrastructure development. Collecting sales tax from remote sellers and online sales would level the playing field for brick and mortar local stores and would significantly increase revenues for municipalities throughout the state.

B. Relevance to Municipal Policy

By collecting taxes from sources outside the state, municipal government would be able to enhance their constituent services without burdening local businesses. This new source of revenue may also alleviate any strains on other sources of taxation.

C. Fiscal Impact to Cities and Towns

There can be a significant positive impact to cities and towns, although the precise amount will be difficult to ascertain. Estimates have been in the hundreds of millions of dollars statewide.

D. Fiscal Impact to the State

The state should also see a gain in sales tax revenue from the passage of the MFA.

E. Contact Information

<u>Name: René Guillen</u>	<u>Title: Legislative Director</u>
<u>Phone: (602) 258-5786</u>	<u>Email: rguillen@azleague.org</u>