

RESOLUTION 90-121

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA APPROVING THE APPLICATION TO THE ARIZONA STATE PARKS BOARD FOR A STATE LAKE IMPROVEMENT FUND GRANT.

BEASLEY FLAT RIVER ACCESS - SUPPLEMENTAL FUNDS
For a Potable Water System and
Environmental Interpretation.

WHEREAS, the Arizona State Legislature under ARS 5-382 has authorized the establishment of a State Lake Improvement Fund (SLIF) providing financial assistance to the State of Arizona and its political subdivisions for the development of facilities for public boating purposes; and

WHEREAS, the Arizona State Parks Board (ASPB) has statutory responsibility for the administration of the Fund on behalf of the State including the establishment of necessary guidelines and procedures governing applications for funding assistance under the SLIF program; and

WHEREAS, the application procedures established by ASPB require the participant's governing body to approve by resolution the submission of applications for SLIF assistance.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona hereby:

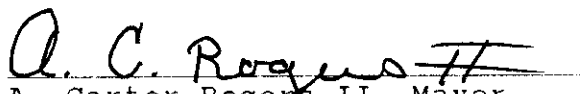
- 1) Approves the filing of an application for State Lake Improvement Fund assistance; and
- 2) Certifies that the project application is consistent and compatible with all adopted plans and programs for boating facility and safety developments; and
- 3) Agrees to comply with all appropriate procedures, guidelines, and requirements established by ASPB as part of the application process; and
- 4) Understands that the project scope and funding amount are subject to approval by the Arizona Outdoor Recreation Coordinating Commission and the State Legislature.
- 5) Understands and stipulates that it shall have the right to withdraw said application at any point on or before October 1, 1990, in the event that the ancillary agreements are not settled as of that date.

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- 6) Authorizes the Mayor to act on behalf of the Town of Camp Verde Common Council in conducting all negotiations, executing and submitting all documents, including, but not necessarily limited to, applications, agreements, amendments, and other documents which may be necessary for the completion of the SLIF project.


PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona this 30th day of July, 1990.


A. Carter Rogers II, Mayor

ATTEST:


Jay Trewern, Town Clerk

APPROVED AS TO FORM:


Ronald C. Ramsey

STATE OF ARIZONA
County of Yavapai
Town of Camp Verde

I, the undersigned, Jay Trewern, being the duly appointed and qualified Town Clerk of the Town of Camp Verde certify that the foregoing Resolution 90-121 is a true, correct and accurate copy of Resolution 90-121 passed and adopted at a meeting of the Mayor and Common Council of the Town of Camp Verde, held on the July 30, 1990 at which a quorum was present and voted in favor of said Resolution.

Given under my hand and seal this July 30, 1990.

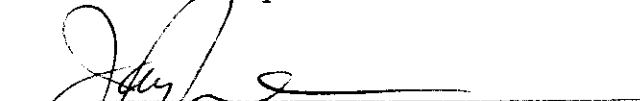

Jay Trewern, Town Clerk

EXHIBIT H

COLLECTION (COOPERATIVE) AGREEMENT BETWEEN THE TOWN OF CAMP VERDE AND USDA FOREST SERVICE, PRESCOTT NATIONAL FOREST, FOR BEASLEY FLAT RIVER ACCESS - SUPPLEMENTAL FUNDS FOR A POTABLE WATER SYSTEM AND ENVIRONMENTAL INTERPRETATION.

THIS COLLECTIONS AGREEMENT is made and entered into by and between the TOWN OF CAMP VERDE and the FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, hereinafter referred to as the Forest Service, under the Act of June 30, 1984 (16 USC 498). The Town of Camp Verde has authority to enter into this agreement under A.R.S. 11-952 and 9-494 (Parks), as amended.

WITNESSETH

WHEREAS, The National Forest Service lands adjacent to and within the Town of Camp Verde are administered by the Forest Service as part of the Prescott National Forest; and

WHEREAS, those National Forest Service lands comprise a large portion of the land base of the Town of Camp Verde, especially of those lands available for recreational activities; and

WHEREAS, both the Town of Camp Verde and the Forest Service have a common interest in providing adequate and safe recreational opportunities through the construction, improvement, operation, and maintenance of recreational facilities; and

WHEREAS, the Verde River passes through the Town of Camp Verde and is part of the boundary of the Prescott National Forest and is one of the few perennial streams in Arizona; and

WHEREAS, boating facilities and recreational opportunities are very inadequate on the entire river; and

WHEREAS, the Town of Camp Verde qualifies as a sponsor for the purpose of obtaining a grant of State Lake Improvement Funds under Title 5, Article 8, Section 5-382, Arizona Revised Statutes, which funds may be expended for the purpose of providing a public boat launch facility, including related improvements such as parking and sanitary facilities; and

WHEREAS, it is mutually advantageous for reasons of public health, safety and convenience to the public for the parties hereto to cooperate in providing these facilities;

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree as follows:

A. THE TOWN OF CAMP VERDE SHALL:

1. Act as a sponsor of this project by taking all necessary steps to make application, prepare justification statements, and provide any other information or data required to perfect a grant application to the Arizona Outdoor Recreation Coordinating Commission (AORCC).
2. Obtain a State Lake Improvement Fund grant through AORCC for the purpose of funding the planning, engineering, and construction of picnic sites, sanitation facilities, signing, parking, improved road access, and foot paths to the rivers edge.

3. Upon request by the Forest Service, transfer the S.L.I.F. grant funds to the Forest Service for deposit in the Forest Service Cooperative Work Fund for the Beasley Flat River access Supplemental fund to install a potable water system and Environmental Interpretation, such grant funds to be expended by the Forest Service to pay the cost of said construction.
4. Provide to the Forest Service a copy of the resolution by the Common Council of the Town of Camp Verde, Arizona by which the Mayor was authorized to execute this agreement.
5. Provide for operation and maintenance of the facility pursuant to Par. 11.01 of the S.L.I.F. Contract Agreement in the event that the Forest Service is unable to continue to perform such services.

B. THE FOREST SERVICE SHALL:

1. Provide National Forest land at Beasley Flat on which to construct the facility.
2. Expend the funds deposited for the purposes shown in the State Lake Improvement Fund Contract Agreement entered into for this project between the Town of Camp Verde and the State of Arizona through the Arizona Outdoor Recreation Coordinating Commission.
3. Provide the Town of Camp Verde and AORCC with quarterly construction progress reports and statement of expenses incurred

under this agreement and, on completion of the project, refund and unexpended balance of funds to the Town of Camp Verde.

4. Make available to the Town of Camp Verde or AORCC, for purposes of periodic and final audit or review, those records pertaining to this project which are needed for audit.
5. Obtain or provide all clearances needed, including the Archeological Clearance by the State Historic Preservation officer and the Environmental Assessment.
6. Operate the facilities constructed under this agreement as free public recreation facilities, except as may be directed otherwise future action of the Congress.
7. If no longer able to operate and maintain the facility, enter into an agreement, subject to review ;by AORCC, whereby the Town of Camp Verde may assume operational and maintenance responsibilities.
8. The Forest Service may at some future date add to or modify these facilities as may be needed to meet current laws, regulations, or public need. Such changes may be made with or without the Town of Camp Verde participation.

C. IT IS MUTUALLY AGREED AND UNDERSTOOD BY AND BETWEEN THE SAID PARTIES THAT:

1. The Forest Service shall be responsible for the preparation and execution of plans necessary to carry out this project. It is

understood that all construction will be carried out to the general Forest Service standards and specifications after the Town of Camp Verde and AORCC have reviewed and approved the plans.

2. The Forest Service will perform the necessary work to construct the Potable Water and Environmental Interpretative facilities to the extent that cooperative funds are available.
3. The funds originally approved for this project are calculated at 1990 prices. Although it is understood that the Forest Service will carry out the project with all reasonable speed, it is recognized that there are variables such as high inflation, acts of nature, etc., that may have an effect on completion dates and costs. In the event that the funds initially allotted prove inadequate, all parties hereto agree to meet and review the need for additional funds, and if after audit such need is found justified, the Town of Camp Verde may apply to AORCC for such additional funding as may be needed to complete the project. This agreement may be supplemented or amended at any time by mutual agreement, provided such supplements and amendments have been reviewed by the AORCC.
4. No contribution to the cooperative fund herein provided for shall entitle the Town of Camp Verde to any share or interest in the facilities and improvements constructed under this agreement,

other than the right to use the same under regulations of the Forest Service. All improvements shall be the property of the United States.

5. Nothing in this agreement shall be construed as obligating the Forest Service or the Town of Camp Verde to expend, or as involving the United States or the State of Arizona in any contract or other obligation for the future payment of money in excess of appropriation authorized by law. This agreement may be supplemented or amended at any time by mutual agreement, provided such supplements and amendments have been reviewed by the AORCC.
6. No member of or delegate to Congress shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom, unless it is made with a corporation for its general benefit.
7. This agreement shall become effective upon execution and shall continue in force until terminated by mutual agreement after thirty (30) days written notice by either party, in accordance with the provisions A.R.S. Section 11-952.
8. The Forest Service shall indemnify and hold harmless the Town of Camp Verde from any claims arising out of the construction, use of premises and/or operation of Beasley Flat River Access - Supplemental Funds.

IN WITNESS THEREOF, the parties have executed this agreement on the dates shown below.

COMMON COUNCIL OF THE TOWN OF CAMP VERDE

By: *A.C. Rogness*
Mayor of the Town of Camp Verde

ATTEST:

[Signature] 7/30/90
Town Clerk Date

U.S.D.A. - FOREST SERVICE

By: *[Signature]*
Forest Supervisor

WITNESS:

Wesley R. Girard
Date

APPROVED AS TO FORM:

[Signature] 7/30/90
Attorney Date