

AMENDED
AGENDA

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD,
ARIZONA, TO BE HELD OCTOBER 1, 2013, AT 6:00 PM., AT THE COUNCIL
CHAMBERS BUILDING, 824 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE
- IV. BRIEF SUMMARY OF CURRENT EVENTS BY MAYOR, CITY COUNCIL AND/OR CITY MANAGER -- THE PUBLIC BODY DOES NOT PROPOSE, DISCUSS, DELIBERATE OR TAKE LEGAL ACTION ON ANY MATTER BROUGHT UP DURING THIS SUMMARY UNLESS THE SPECIFIC MATTER IS PROPERLY NOTICED FOR LEGAL ACTION.
- V. PROCLAMATIONS
MENTAL ILLNESS AWARENESS WEEK--OCTOBER 6-13, 2013.
- VI. PRESENTATIONS
INTRODUCTION OF THE STUDENT COUNCILS FROM MOUNTAIN VIEW PREPATORY, OAK CREEK ELEMENTARY SCHOOL, AND COTTONWOOD MIDDLE SCHOOL.
PARTNERSHIP TRIBUTE PLAQUE FROM THE UNITED STATES HOLOCAUST MEMORIAL MUSEUM.
- VII. CALL TO THE PUBLIC--This portion of the agenda is set aside for the public to address the Council regarding an item that is not listed on the agenda for discussion. However, the Council cannot engage in discussion regarding any item that is not officially listed on the agenda for discussion and/or action (A.R.S. §38-431.02(H).) Comments are limited to a 5 minute time period.
- VIII. APPROVAL OF MINUTES
Special Meeting of September 3, 2013 and Regular Meeting of September 17, 2013
Comments regarding items listed on the agenda are limited to a 5 minute time period per speaker.
- IX. NEW BUSINESS—The following items are for Council discussion, consideration, and possible legal action.
 1. ORDINANCE NUMBER 601--AMENDING THE CITY'S ZONING ORDINANCE BY AMENDING SECTIONS 405, B., DEFINITIONS,

AND 405, E., 2., FLASHING SIGNS, AND ADDING A NEW SECTION 405., E. 16., ELECTRONIC MESSAGE DISPLAY SIGNS; FIRST READING.

2. PURCHASE OF TWO NEW ELDORADO AEROELITE BUSES FOR USE ON THE VERDE LYNX BUS LINE.
3. **REVIEW OF THUNDER VALLEY RALLY EVENT.**

X. CLAIMS AND ADJUSTMENTS

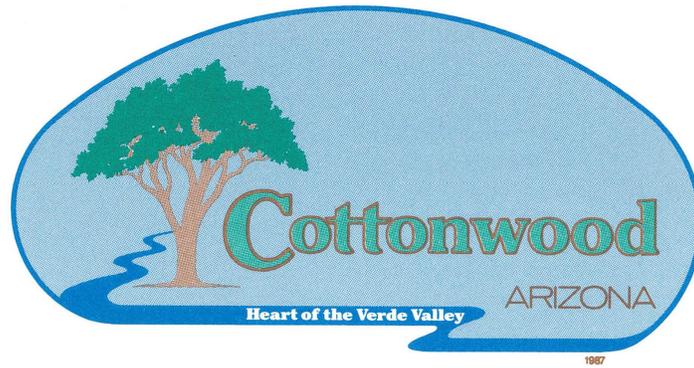
XI. ADJOURNMENT

Pursuant to A.R.S. 38-431.03.(A) the Council may vote to go into executive session on any agenda item pursuant to A.R.S. 38-431.03.(A)(3) Discussion or consultation for legal advice with the attorney or attorneys of the public body.

The Cottonwood Council Chambers is accessible to the disabled in accordance with Federal "504" and "ADA" laws. Those with needs for special typeface print or hearing devices may request these from the City Clerk (TDD 634-5526.) All requests must be made 24 hours prior to the meeting.

Members of the City Council will attend either in person or by telephone conference call.

Notice is hereby given that pursuant to A.R.S. 1-602.A.9 , subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. 1-602.A.9 have been waived.



PROCLAMATION

Mental Illness Awareness Week

WHEREAS, serious mental illness such as major depression, bipolar disorder, schizophrenia, obsessive-compulsive disorder, severe anxiety disorders, borderline personality disorder, and post-traumatic stress disorders affect one in every four people annually; and

WHEREAS, serious mental illness is a highly treatable medical illness of the brain posing the same concern as cancer, heart disease, diabetes and other illnesses; and

WHEREAS, scientific research is constantly working toward breakthroughs in the understanding of mental illness, resulting in more effective treatments to allow people to reclaim full and productive lives; and

WHEREAS, misunderstandings exist about mental illness and social culture often wrongly imposes a stigma on mental illness; and

WHEREAS, every citizen and community can make a difference in helping to improve the lives of individuals and families affected by mental illness.

NOW, THEREFORE, I Diane Joens, Mayor of Cottonwood, Arizona, do hereby proclaim October 6 through October 13, 2013, as Mental Illness Awareness Week in Cottonwood to increase public awareness of mental illness and to promote treatment and recovery.

Dated this 1st day of October 2013.

Diane Joens, Mayor

**City of Cottonwood, Arizona
City Council Agenda Communication**



 Print

Meeting Date:	October 1, 2013
Subject:	Plaque from the United States Holocaust Memorial Museum
Department:	City Clerk
From:	

REQUESTED ACTION

N/A

SUGGESTED MOTION

If the Council desires to approve this item the suggested motion is:

BACKGROUND

At a recognition dinner held in Prescott on September 24, 2013, representatives from the United States Holocaust Memorial Museum in Washington, DC, presented the Mayor and Council with a partnership tribute plaque in appreciation for its vision, commitment, and support during the development and implementation of the law enforcement educational program.

JUSTIFICATION/BENEFITS/ISSUES

COST/FUNDING SOURCE

ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

**City of Cottonwood, Arizona
City Council Agenda Communication**



 Print

Meeting Date:	October 1, 2013
Subject:	Electronic Message Display Signs
Department:	Development Services
From:	Charlie Scully, Planner

REQUESTED ACTION

Consider a FIRST READING of Ordinance Number 601, amending the Cottonwood Zoning Ordinance by adding a new SECTION 405. E. 16. “ELECTRONIC MESSAGE DISPLAY SIGNS.”; and adding new Definitions pertaining to Electronic Signs; and amending existing Section 405. E. 2. FLASHING SIGNS., with regards to electronic signs.

SUGGESTED MOTION

If the Council desires to approve this item the suggested motion is:
N/A first reading

BACKGROUND

The Planning and Zoning Commission discussed electronic message display signs at their August 15, 2011 and October 17, 2011 meetings. The Commission expressed concerns regarding night time lighting levels for these types of signs and the general effect on the character of Cottonwood. Additional research was conducted to review other city and national standards regarding light output and related standards. See attachment.

The City Council considered Electronic Message Display Signs at their March 2012 Joint Session with the P& Z Commission. Staff was directed to prepare a draft ordinance which was approved by the Planning and Zoning Commission on June 18, 2012. Staff is now presenting the amendment for Council consideration.

SUMMARY OF PROPOSED AMENDMENT:

Electronic Message Display signs are also called “Electronic Message Boards” and “Electronic Message Centers.” Typically these signs are controlled by remote wireless technology from inside a building. They typically use LED lights for illumination. Some types only display messages with digital letters or numbers in a static or basic scrolling mode. A new generation of electronic signs can be programmed to produce a variety of graphic images with various types of movement. There are several key parts of ordinances for electronic message signs,

including the following:

Definitions: Add new definitions for “NITS,” “Sign, Electronic Message Display,” “Sign, Flashing,” and “Sign, Time and Temperature Sign.”

Amend Existing Section:

2. Flashing Signs: Signs shall not be animated or have intermittent illumination or flashing lights, except ~~that "time and temperature" signs such as used by banking institutions may be allowed by Conditional Use Permit.~~ **where permitted for emergency signs.**

Display Time: Some jurisdictions permit screens to change in as little as 8 seconds. The length of time an image is displayed before changing is based on aesthetics and context. Some limit the change to once per hour. Once per 60 seconds is shown as the minimum display time for Cottonwood.

Display Transitions: There are several key types of movement found with electronic signs (e.g., scrolling, fade, dissolve, etc.) These are described so as to provide a regulatory standard, which prohibits these modes. Some transitional techniques have the effect of drawing more attention to the movement rather than the message. The proposed standards provide opportunity for signs to change while minimizing unnecessary movement that alters the local context.

Brightness: LED screens generally need to be bright enough in the daytime so as to be visible in contrast to the sunlight. As the night sky becomes darker after sunset, the automatic controls step the brightness level down to an adequate level to achieve a readable contrast. It does not need to be as bright at night to achieve a readable contrast.

Light Level Settings: Measurement of light output is in NITS, an industry standard for electronic LED lights. Documentation of both the daytime and nighttime light settings would be required. Light levels for signs are usually either a single-level on/off type setting or a multi-level scalable setting.

Sign Standards: A number of basic development standards are covered, such as height, size, and number. Height to top of electronic panel is based on the adjacent roadway classification.

Prohibitions: Such signs are recommended to be prohibited in the historic Old Town Area. In addition, electronic signs should be setback a distance from residential uses due to the light levels. Off-premise sign restrictions would still apply.

JUSTIFICATION/BENEFITS/ISSUES

Existing electronic message display signs in Cottonwood include: Mingus High School on Fir Street, Verde Baptist Church on Willard Street, and gas station price signs such as Giant on Main Street.

Interest in LED and electronic signs is likely to continue to increase. Advances in the technology have resulted in more affordable electronic signs with more options. Nationally, these types of signs are being used for retail stores, theaters, entertainment centers, car dealers, hotels, churches, schools, government facilities and others.

New technologies have made it more cost-effective to use electronic LED-type signs capable of producing a range of computer controlled images and messages. Wireless controls allow the operator to change messages from inside the building.

Cottonwood does not currently have a specific policy regarding the use and application of these signs. There are general regulations regarding internal illumination and lighting levels for signs but there are no specific regulations regarding electronic message display signs. The Lighting Regulations provides standards for “Outdoor Internally Illuminated Advertising Signs.” The current standards require opaque background with illuminated letters. Signs must be turned off by 10 PM or when business closes. Such signs are currently exempt from total lumen output calculations for a site. Illuminated signs are currently allowed as long as there is not flashing or intermittent movement.

This amendment does NOT include electronic billboards, off-premise signs, large highway-oriented signs, video display signs, flashing or animated signs, or similar signs.

The size of the electronic message would be limited to a percentage of a freestanding or wall mounted sign with a maximum overall size indicated. This would result in a reasonable yet effective size sign that is integrated into a larger freestanding or wall mounted sign without overwhelming the street environment.

Such signs are recommended to be prohibited in the Old Town area due to incompatibility with the historic character.

The question of light output, especially at night is one of the biggest concerns. Daytime levels are less of a concern as the maximum brightness tends to be self-regulating due to glare and cost. Night time light levels are intended to ensure adequate effective readability of the signs without nuisance spill over to the street or other uses or properties.

COST/FUNDING SOURCE

N/A

ATTACHMENTS:

Name:	Description:	Type:
<input type="checkbox"/> Electronic Sign Ordinance.doc	Electronic Sign Amendments	Cover Memo
<input type="checkbox"/> Review of Electronic Signs in Other Cities.docx	Review Electronic Signs Other Cities	Cover Memo
<input type="checkbox"/> ord601.doc	Ordinance Number 601	Cover Memo

ADD New Definitions to Section 405 (Signs) B. Definitions:

NITS - Nits are the standard unit of brightness for electronic and digital signage. It is a measure of the light being emitted by the sign in contrast to footcandles which measure the brightness of the surface area or object that is being lighted.

SIGN, ELECTRONIC MESSAGE DISPLAY - An electrically activated changeable sign capable of displaying words, symbols, figures or graphic images and whose variable message and/or graphic presentation capability can be electronically programmed and changed by remote or automatic means Also known as an Electronic Message Center, typically uses light emitting diodes (LEDs) as a lighting source.

SIGN, FLASHING - Signs that have flashing lights or intermittent illumination shall be limited to emergency or warning signs installed for traffic control, including signs that draw attention to speed limits, stop signs, fire stations, school zones and similar governmental or public uses.

SIGN, TIME AND TEMPERATURE: Electronic sign that provides intermittent data regarding the current time and temperature by means of illuminated numbers.

AMEND existing Section 405. E. 2. Flashing Signs.

2. Flashing Signs: Signs shall not be animated or have intermittent illumination or flashing lights, except that ~~“time and temperature” signs such as used by banking institutions may be allowed by Conditional Use Permit.~~ **where permitted for emergency signs.**

ADD NEW SECTION 405. (SIGNS) E. (REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS): 16. Electronic Message Display Signs

16. Electronic Message Display Signs:

- a. Purpose: These regulations provide standards and procedures for the safe and appropriate use of electronic message display signs. The regulations are intended to ensure the use of such signs will not have a detrimental effect on the surrounding area or the public welfare, and will be consistent with the purpose and intent of this Ordinance.
- b. Procedures: Electronic message display signs shall be subject to Design Review approval.
- c. Modes: The following modes of operation are described for electronic message signs:
 - (1) Static. Signs which include no animation or effects simulating animation.
 - (2) Fade. Signs where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases in intensity to the point of legibility.

- (3) Dissolve. Signs where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.
 - (4) Traveling. Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
 - (5) Scrolling. Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.
- d. Standards: The following describes standards for the installation and use of electronic message display signs:
- (1) Zoning Districts: Electronic message display signs shall be permitted in the C-1, C-2, I-1, I-2 and PAD Zoning Districts subject to meeting the standards and criteria described herein. Exceptions may be granted for churches, schools, government agencies and institutional uses located in any zoning district.
 - (2) Transitions: Electronic message display signs shall be operated in static display mode only except for transitions between messages which shall be instantaneous. There shall be no video, animation, fades, dissolves, travelling or scrolling between messages.
 - (3) Display Time: Electronic message display signs shall be permitted to change their message no more than once every sixty (60) seconds.
 - (4) Size: The area of the electronic display panel shall not be more than eighteen (18) square feet in size or fifty (50) percent of the total area of the sign, whichever is more restrictive.
 - (5) Height: The maximum height, as measured from the prevailing grade to the top of the electronic message display panel on a ground mounted or freestanding sign, shall vary according to the location, as follows:
 - a) Twelve (12) feet maximum height where located adjacent to arterial streets and highways, as described on the City of Cottonwood Street Classification Map.
 - b) Ten (10) feet maximum height where located adjacent to collector streets, as described on the Cottonwood Street Classification Map.
 - c) Eight (8) feet maximum height where located within 300 feet of any residential use or facility, or any hotel or lodging use, and where such sign is visible from such property as determined through the Design Review process.

- d) The maximum height of such signs in any other location otherwise permitted by this Section shall be no greater than 10 feet in height to the top part of the electronic sign panel.
- (6) Hours of Operation: As per Section 408. Outdoor Lighting Code, all outdoor illuminated signs shall be turned off by 10:00 p.m. or when the business closes, whichever is later.
- (7) Sign Type: Electronic message display signs may be incorporated into freestanding signs or wall mounted signs;
- (8) Number: Only one (1) electronic message display sign shall be allowed as part of a shopping center sign and only one (1) such sign shall be permitted per street frontage for a shopping center. For individual uses, only one (1) electronic message display sign shall be permitted on the premises per use.
- (9) Distance from Residential Use: Electronic message displays signs shall not be located within 100 feet of any residence or residential zoning district as measured from the sign to the property line of the residential use.
- (10) Distance from Other Signs: Electronic message display signs must be spaced a minimum of 150 feet from other electronic message display signs.
- e. Lighting Intensity and Color: Daytime lighting intensity must automatically re-set to a lower level for night time hours. To ensure compliance with this Section, the sign must have an automatic brightness control linked to ambient light levels.
 - (1) Brightness. Electronic message display shall come equipped with dimming technology that automatically adjusts the display's brightness based on ambient light conditions and comply with maximum night time brightness level.
 - (2) Electronic message display signs shall be not exceed a maximum illumination of 300 NITS during nighttime hours (between dusk and dawn) and a maximum illumination of 5,000 NITS during daylight hours.
 - (3) Color: Electronic message display signs may be illuminated with Amber or Red color LED lighting sources only.
- f. Exemptions: The following shall not require a sign permit:
 - (1) Temporary governmental signs, including emergency warning signs, traffic control signs, special event signs, temporary information signs or similar applications using electronic message displays.
 - (2) Electronic "Open" or "Closed" type signs displayed in windows of businesses provided they are no more than two (2) square feet in size.

g. Exceptions: The following types of electronic signs shall be permitted for approved uses subject to obtaining a sign permit:

- (1) Gasoline price signs with electronic price numbers shall be permitted for service stations and fueling centers where incorporated into permitted on-premise signs.
- (2) Time and temperature signs that provide illuminated numbers only may be located in commercial districts. Display may change between time and temperature every eight (8) seconds. Such signs may be integrated with signs that identify the primary property use or be installed as independent signs provided the electronic display panel does not exceed eight (8) square feet in area and is in conformance with height standards described in this Section.

h. Prohibited Electronic Message Signs:

- (1) Electronic message display signs shall be prohibited within the Cottonwood Commercial Historic District, or any other districts or properties listed on the National Register of Historic Places or any locally designated historic landmark, unless determined as a contributing element to the historic district or landmark.
- (2) Off-premise signs, billboards, portable signs and temporary signs, except where permitted by this Ordinance.

REVIEW OF ELECTRONIC SIGN REGULATIONS IN OTHER CITIES:

Phoenix - Phoenix allows only **300 Nits** for night lighting of LED signs.
300 NITS night, 8 second minimum, 150 feet from residential.

Gilbert - Leaves it up to Design Review Board to determine based on the “nature and character of the uses surrounding the sign location, and traffic volume and speed in the area where the sign will be visible.”

Mesa - Mesa allows up to **2,500 Nits** for full color night lighting of electronic message signs.
Full color: **Night 2,500 Nits**; Day 7,000
Red: Night 1,125; Day 3,159
Changes less than one hour require Special Use Permit.

Maricopa County – Electronic Message Display Sign.

300 Nits max dusk to dawn.

Rural and Residential zones prohibited 10 PM to 6 AM

Four Levels of EMD Signs depending on location:

Level 1. Static message changes no more than once per 8 seconds.

Level 2. Allows “fade” and “dissolve” transitions.

Level 3. Allows “travel” and “scrolling” and graphic images to move but not video.

Level 4. Allows full video. transitions

Avondale – Variable Message Sign

0.3 foot candles greater than ambient brightness

Requires measurement by foot candle meter

8 second max change. Static image only

Prescott Valley - Electronic Information Center Sign.

2 square feet of sign per 1 linear foot of building frontage up to 200 sq.ft. max size.

Use Permit required

Commercial and Industrial Zones (C-1, C-2, C-3, M-1, M-2, PM)

Brightness not addressed.

Tucson – Electronic Message Center Sign.

“Multi-purpose facility” allows wall mounted LED with full movement or video type sign.

Definition refers to signs with movement and changes more than once per hour:

ELECTRONIC MESSAGE CENTER: An electronic or electronically controlled message board, where scrolling or moving copy changes are shown on the same message board or any sign which changes the text of its copy electronically or by electronic control more than once per hour.

Tucson Lighting Code

501.5 LED, LCD, Plasma Screen and Similar Signs: Outdoor LED, LCD, Plasma and Similar signs shall comply with Sections 501.3.1 and 501.3.3. Further, they shall be limited to a maximum luminous intensity of **200 Nits** (candela per square meter), full white mode, from sunset to sunrise.

Oro Valley – Leases City owned portable electronic message sign for special events.
Low-intensity LED lighting may be a component of a sign as specified in the sign code.

Show Low – Electronic Message Display

C-2, I-1, I-2 Zones

Static Message only. Change once per 60 Minutes (1 hour). Use Permit for exceptions.

(b) The intensity of the LED display shall not exceed 4,690 nits (luminance equal to one candle per square meter) during daylight and **1,675 nits during the night.**

(c) The color of the display shall be amber only.

(d) Prior to the issuance of a Sign Permit, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in the chart above, and equipped with an automatic dimmer for night time use, and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Planning and Zoning Director.

Sedona – Prohibited, except time & temperature signs.

Flagstaff - Prohibited: Electronic Message Center Signs.

Seattle WA - NITS: **500 night**, 5000 day

United States Sign Council – recommended sample ordinance:

The US Sign Council, an industry group, recommends 750 Nits in their model ordinance.

750 NITS one hour before sunset

8 second minimum commercial; 12 seconds residential zones

Prohibit scrolling, fading, dissolving and other moving effects

ORDINANCE NUMBER 601

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE CITY'S ZONING ORDINANCE BY AMENDING SECTIONS 405, B., DEFINITIONS, AND 405, E., 2., FLASHING SIGNS, AND ADDING A NEW SECTION 405., E. 16., ELECTRONIC MESSAGE DISPLAY SIGNS.

WHEREAS, the City of Cottonwood Planning and Zoning Commission has recommended that the City's Zoning Ordinance be amended to address electronic message display signs; and

WHEREAS, the City Council finds that the amendments as recommended by the Planning and Zoning Commission are appropriate and in the City's best interests;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. That new definitions be added to Section 405 (Signs) B. Definitions of the Cottonwood Zoning Ordinance as follows:

NITS - Nits are the standard unit of brightness for electronic and digital signage. It is a measure of the light being emitted by the sign in contrast to footcandles which measure the brightness of the surface area or object that is being lighted.

SIGN, ELECTRONIC MESSAGE DISPLAY - An electrically activated changeable sign capable of displaying words, symbols, figures or graphic images and whose variable message and/or graphic presentation capability can be electronically programmed and changed by remote or automatic means Also known as an Electronic Message Center, typically uses light emitting diodes (LEDs) as a lighting source.

SIGN, FLASHING - Signs that have flashing lights or intermittent illumination shall be limited to emergency or warning signs installed for traffic control, including signs that draw attention to speed limits, stop signs, fire stations, school zones and similar governmental or public uses.

SIGN, TIME AND TEMPERATURE: Electronic sign that provides intermittent data regarding the current time and temperature by means of illuminated numbers.

Section 2. That existing Section 405.E.2. Flashing Signs, of the Cottonwood Zoning Ordinance be amended to read as follows:

2. Flashing Signs: Signs shall not be animated or have intermittent illumination or flashing lights, except where permitted for emergency signs.

Section 3. That a new Section 405. (SIGNS) E. (REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS) 16. Electronic Message Display Signs, be added to the Cottonwood Zoning Ordinance as follows:

16. Electronic Message Display Signs:

- a. Purpose: These regulations provide standards and procedures for the safe and appropriate use of electronic message display signs. The regulations are intended to ensure the use of such signs will not have a detrimental effect on the surrounding area or the public welfare, and will be consistent with the purpose and intent of this Ordinance.
- b. Procedures: Electronic message display signs shall be subject to Design Review approval.
- c. Modes: The following modes of operation are described for electronic message signs:
 - (1) Static. Signs which include no animation or effects simulating animation.
 - (2) Fade. Signs where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases in intensity to the point of legibility.
 - (3) Dissolve. Signs where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.
 - (4) Traveling. Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
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- d. Standards: The following describes standards for the installation and use of electronic message display signs:
 - (1) Zoning Districts: Electronic message display signs shall be permitted in the C-1, C-2, I-1, I-2 and PAD Zoning Districts subject to meeting the standards and criteria described herein. Exceptions may be granted for churches,

ORDINANCE NUMBER 601

Page 3

schools, government agencies and institutional uses located in any zoning district.

- (2) Transitions: Electronic message display signs shall be operated in static display mode only except for transitions between messages which shall be instantaneous. There shall be no video, animation, fades, dissolves, travelling or scrolling between messages.
- (3) Display Time: Electronic message display signs shall be permitted to change their message no more than once every sixty (60) seconds.
- (4) Size: The area of the electronic display panel shall not be more than eighteen (18) square feet in size or fifty (50) percent of the total area of the sign, whichever is more restrictive.
- (5) Height: The maximum height, as measured from the prevailing grade to the top of the electronic message display panel on a ground mounted or freestanding sign, shall vary according to the location, as follows:
 - a) Twelve (12) feet maximum height where located adjacent to arterial streets and highways, as described on the City of Cottonwood Street Classification Map.
 - b) Ten (10) feet maximum height where located adjacent to collector streets, as described on the Cottonwood Street Classification Map.
 - c) Eight (8) feet maximum height where located within 300 feet of any residential use or facility, or any hotel or lodging use, and where such sign is visible from such property as determined through the Design Review process.
 - d) The maximum height of such signs in any other location otherwise permitted by this Section shall be no greater than 10 feet in height to the top part of the electronic sign panel.
- (6) Hours of Operation: As per Section 408. Outdoor Lighting Code, all outdoor illuminated signs shall be turned off by 10:00 p.m. or when the business closes, whichever is later.
- (7) Sign Type: Electronic message display signs may be incorporated into freestanding signs or wall mounted signs;
- (8) Number: Only one (1) electronic message display sign shall be allowed as part of a shopping center sign and only one (1) such sign shall be permitted per street frontage for a shopping center. For individual uses, only one (1) electronic message display sign shall be permitted on the premises per use.

ORDINANCE NUMBER 601

Page 4

- (9) Distance from Residential Use: Electronic message displays signs shall not be located within 100 feet of any residence or residential zoning district as measured from the sign to the property line of the residential use.
 - (10) Distance from Other Signs: Electronic message display signs must be spaced a minimum of 150 feet from other electronic message display signs.
- e. Lighting Intensity and Color: Daytime lighting intensity must automatically re-set to a lower level for night time hours. To ensure compliance with this Section, the sign must have an automatic brightness control linked to ambient light levels.
- (1) Brightness. Electronic message display shall come equipped with dimming technology that automatically adjusts the display's brightness based on ambient light conditions and comply with maximum night time brightness level.
 - (2) Electronic message display signs shall be not exceed a maximum illumination of 300 NITS during nighttime hours (between dusk and dawn) and a maximum illumination of 5,000 NITS during daylight hours.
 - (3) Color: Electronic message display signs may be illuminated with Amber or Red color LED lighting sources only.
- f. Exemptions: The following shall not require a sign permit:
- (1) Temporary governmental signs, including emergency warning signs, traffic control signs, special event signs, temporary information signs or similar applications using electronic message displays.
 - (2) Electronic "Open" or "Closed" type signs displayed in windows of businesses provided they are no more than two (2) square feet in size.
- g. Exceptions: The following types of electronic signs shall be permitted for approved uses subject to obtaining a sign permit:
- (1) Gasoline price signs with electronic price numbers shall be permitted for service stations and fueling centers where incorporated into permitted on-premise signs.
 - (2) Time and temperature signs that provide illuminated numbers only may be located in commercial districts. Display may change between time and temperature every eight (8) seconds. Such signs may be integrated with signs that identify the primary property use or be installed as independent signs provided the electronic display panel does not exceed eight (8) square feet in area and is in conformance with height standards described in this Section.
- h. Prohibited Electronic Message Signs:

ORDINANCE NUMBER 601

Page 5

- (1) Electronic message display signs shall be prohibited within the Cottonwood Commercial Historic District, or any other districts or properties listed on the National Register of Historic Places or any locally designated historic landmark, unless determined as a contributing element to the historic district or landmark.
- (2) Off-premise signs, billboards, portable signs and temporary signs, except where permitted by this Ordinance.

Section 4. That if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be unlawful, invalid or unenforceable by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 15TH DAY OF OCTOBER 2013.

Diane Joens, Mayor

APPROVED AS TO FORM:

ATTEST:

Steven B. Horton, Esq.
City Attorney

Marianne Jiménez, City Clerk

City of Cottonwood, Arizona City Council Agenda Communication



 Print

Meeting Date:	October 1, 2013
Subject:	Approval to Purchase Two (2) New Buses for Lynx Service
Department:	Community Services
From:	Bruce Morrow, Transportation Manager

REQUESTED ACTION

Council consideration of the purchase of two new 30 passenger buses for the Lynx service. Authorization of this request would provide for much needed relief to the riders of the Lynx Service from the crowded conditions on a number of the trips to and from Sedona. Our current buses can seat only 21 and if there is a wheelchair on board, 19. A number of runs in the morning and afternoon are over the seating capacity and people are standing as a result. With our current buses, build on extended 1-ton truck frames (Chevy 4500 Series), there is not enough rigidity in the frame and suspension to hand the excess passengers with any degree of comfort and safety. In order to alleviate this situation, we have been running a second bus, called a "shadow" bus, to pick up any of the people that can not get on the primary Lynx bus. This creates a bit of confusion for the riders as we have to use a CAT bus to deal with this situation. Our grant process requires us to plan for capital expenditures, such as buses, on a 5 year plan. We had originally planned to buy these buses during the last fiscal cycle, but with change from NAIPTA to Cottonwood as the transit manager, this was not accomplished. The 5311 Grant process allows the City to purchase buses, with ADOT picking up 90% of the cost and the remainder to come from local match sources. The attached document from Arizona Bus Sales is the description of the bus units we need to purchase for the Lynx service. It shows a cost of \$290,883.37 total. This would leave Cottonwood and Sedona to pay the local match amount of \$29,084.00 (rounded). According to the IGA between Cottonwood and Sedona, Sedona's share would be \$18,177.50 and the Cottonwood share would be \$10,906.50. The current Lynx buses have nearly 270,000 miles on them. ADOT considers these units to be past their mileage for buses of this type. The general rule is 5 years or 150,000 miles. The new buses are charted for 7 years or 450,000 miles.

Staff is requesting Council to consider approval to purchase two (2) new buses for the Lynx Service to improve the seating capacity and provide greater comfort and safety to the Lynx riders.

SUGGESTED MOTION

If the Council desires to approve this item the suggested motion is:

"I move to authorize the expenditure of an amount not to exceed \$30,000.00 for the purchase of two (2) new Eldorado AeroElite 30' buses from Arizona Bus Sales, subject to formal confirmation/commitment from the Arizona Department of Transportation that the City is entitled to and shall receive grant funds equal to 90 percent of the purchase price, and further subject to confirmation/commitment by the City of Sedona to contribute its previously agreed-upon share of the 10 percent local match."

BACKGROUND

Cottonwood has regained control of the Cottonwood Area transit service from NAIPTA in July, 2012 and along with that, by agreement with the City of Sedona all Lynx Service operations including bus commuter services providing transport between the cities of Cottonwood and Sedona. During the past year the city of Cottonwood has seen the number of riders rise to over 5900 per month at the peak of service. The current bus units are Chevy ARBOC buses, capable of seating 23 passengers, with no wheelchair availability. These bus units currently run an average of 370 miles per day, 362 days a year, for a yearly total of 133,940 mile per year. The two buses in the fleet for Lynx, run approximately 66,970 miles per year each. As of the last reading on the odometers of these buses, one had 232,484 miles and the other had 231,403 miles. Both are past the recommended replacement mileage of 150,000 miles. ADOT has requested that we move forward with acquiring replacement bus units at the earliest possible time in order to forestall any future service problems that might arise from these buses. For example, to replace an engine, it is estimated to cost between \$12,000 and \$15,000. The down time is estimated at 3 weeks, during which time the second Lynx bus would be running every day.

JUSTIFICATION/BENEFITS/ISSUES

By acquiring these bus units now, we can avoid costly engine repairs or replacement in the current buses. We can provide more comfortable and safer transportation to the commuting public and we can see benefits in more riders being able to board the buses, along with better estimated fuel mileage. Stronger chassis means extended life of the buses and a smoother ride for the passengers.

COST/FUNDING SOURCE

ADOT 5311 Capital Costs - 90% or approximately \$261,795.60
Local Match Costs - 10% or approximately \$ 29,088.40
City of Sedona Local Cost Sharing - 62.5% of Local Match \$ 18,180.25 approximately
City of Cottonwood Local Cost Share - 37.5% of Local match \$10,908.15 approximately

ATTACHMENTS:

Name:	Description:	Type:
9-6-13 PRO CUS Cottonwood RPTA.pdf	Arizona Bus Sales Quote	Backup Material
Assignment Letter to Cottonwood - 2 Eldorado buses.pdf	Assignment Letter Authorizing us to use RPTA RFP to "Piggyback" this purchase to their Contract	Backup Material



RPTA CONTRACT

Eldorado National

RFP # 1350001-E

Preparer: Marcus Hoffman

BASE MODEL

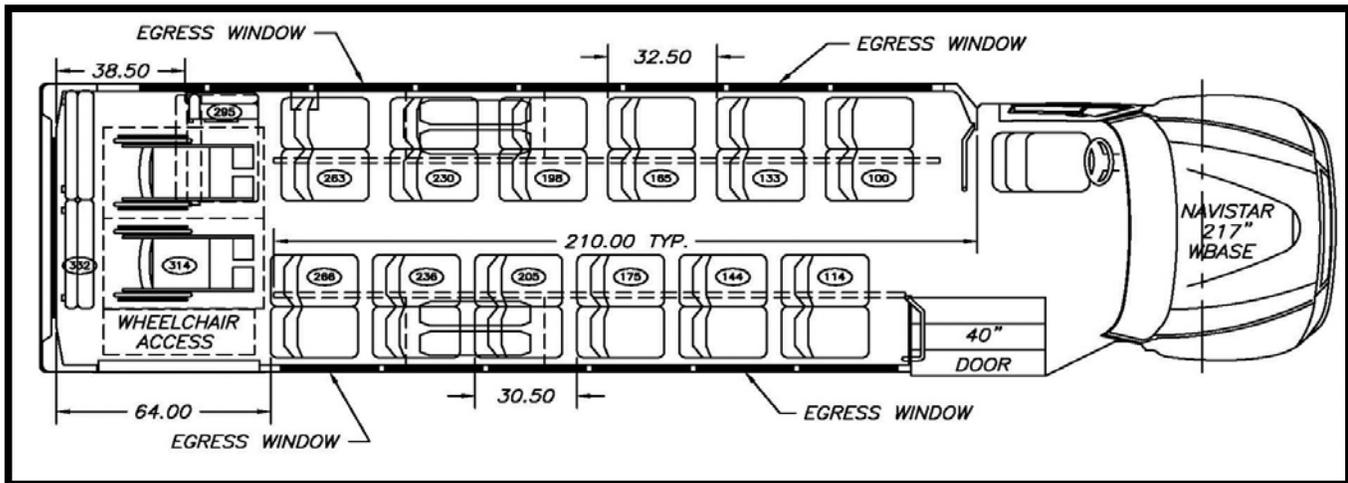
Unit Price

Eldorado AeroElite 30' RL Ford F-550 6.7L V-8 Diesel	\$82,417.69
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Vehicle Length	Lift Position	Wheelchair positions	Number of Passenger Seating
30'	Rear	2	24

Proposal For:	The City of Cottonwood		
Contact:	Bruce Marrow		
Delivery Address:	340 Happy Jack Way	Cottowood, AZ	86326
Office:	928-634-2287	Mobile:	928-340-2755
Email:	bmorrow@cottonwoodaz.gov		

Floorplan



Conversion Options

Adjusted Cost



AeroElite 320					\$2,700.00
	Width	Length	Height	Wheelbase	
	96"	32'4"	121"	234"	

Chassis Options

Adjusted Cost

International TC 217" EB 6.4L V-8					\$31,738.00
	Suspension	Fuel Type	Transmission	GVWR	
	Rear Air	Diesel	2100 Allison	23,500	

CNG Conversions

Adjusted Cost

Null					\$0.00
	Capacity	Engine System	Cylinders	Quantity	Sherex 1000
	\$0.00	\$0.00	\$0.00	0	0

Optional CNG Equipment

Adjusted Cost

Quantity	Description	
	Sherex 5000 Fill Receptacle (Replaces Sherex 1000)	\$0.00
	Sherex 5000 Fill Receptacle in addition to the Sherex 1000	\$0.00
	Defueling Port	\$0.00
	Sherex 1000 Kill Switch (Located on the Fill Receptacle)	\$0.00
	Bobtail Vehicle Surcharge	\$0.00
	Relocate drive side condenser (4 cylinder applications only)	\$0.00
	Skirt modification on the Aerotech body	\$0.00
	158" Wheelbase Skirt modification	\$0.00
	Relocate/Modify battery box (F-550 applications)	\$0.00
sub total		\$0.00

Included in Base Model

NOTE: DELETED ITEMS FROM BASE ORDER IN RED
SPECIAL BUILD ORDER
"NO FIREARMS OR WEAPONS ALLOWED ON THE BUS" LABEL
"NO FOOD OR DRINKS ALLOWED ON THE BUS" LABEL
"SHIRTS AND SHOES MUST BE WORN" LABEL
"DRIVER DOES NOT MAKE CHANGE" LABEL
SIDEWALL / REARWALL / CEILING
Sidewall: Grey FRP
Rearwall: Grey FRP
Ceiling: Grey FRP
Driver Area: Grey Padded Vinyl
FLOORING - WHITE NOSING IS STANDARD
FLOOR, 3/4" MARINE PLYWOOD
FLOOR RUBBER, RCA 320 GRAY
STEP NOSING, YELLOW RCA
CHASSIS
2013 FORD F-550 XL 201-6.8-50STATE-19,500GVWR
FRONT END TIRE ALIGNMENT
FAST IDLE, W/INTRLCK - F550 AEF IM V2 2011-

Thank you for your business!

BUMPER, REAR HELP AEF
4-STEP ENTRY RAISED FLOOR - WHITE
 FLOOR STEEL, RAISED AEF 270/290
 ALT, MITS 225 AEF F550 GAS 2011
 HOUR METER, LIGHTED 5-DIGIT ANALOG
BATTERY TRAY, KWIK ENC STAINLESS WITH 862
 BATTERY DISCONNECT, INPOWER BATTERY TRAY SW
BATTERY, AUXILIARY GAS UNITS
 REVERSE ALARM
 MIRROR, ROSCO HEAT-REM AEF 11-
 SPARE TIRE, LOOSE AEF STEEL
 RUSTPROOFING (ZINC CHROMATE)

A/C & HEATERS

A/C, TK S-40M 40KBTU GAS
A/C, ROOF TOP CONDENSER TK S40
HEATER, 35K BTU PROAIR UNDER PERIMETER SEAT
 HEATER SHUT-OFF VALVE-ADDITION

EXTERIOR

STAINLESS STEEL SCREWS, EXTERIOR
 Wiring Schematic ***AS BUILT*** ON ELECTRICAL PANEL DOOR

EXTERIOR LIGHTS

LIGHTS, LED EXTERIOR PKG - GROTE
 LIGHTS, LED SIDE TURN ALL UNITS - GROTE
 LIGHTS, LED COURTESY DOME (6)
 LIGHTS, INDEPENDENT BRAKE LED CIR
 LIGHT, EXTERIOR ENTRY DOOR

INTERIOR

MIRROR, 6X9 INTERIOR STANCHION MNT AEF
 HEADLINER, FEDERAL FOAM - AT/AE (STANDARD)
 ADVERTISING RAIL, INT W/O BACKLIGHT

INTERIOR ELECTRICAL

A/C ADA DISCONNECT, INPOWER DASH SW
 FAREBOX PRE-WIRE
 STEP LIGHT, LED DIALIGHT
 STEP LIGHT, LED DIALIGHT ADDITIONAL

DOORS / HATCH / WINDOWS

DOOR, ENTRY A&M 36 ELEC
 DOOR, OPTION, KEY LOCK
 WINDOW PACKAGE, 39 X 29 KINRO TOP-T

HATCH, TRANSPEC LP ECONOMY

PARATRANSIT OPTIONS

WC DOOR, MOR/RYPDE
 DUAL INTERMOTIVE DOOR SWITCHES
 DOOR HOLDBACK, T-MOUNT (EA)
 LIGHT, SKIRT MOUNT OVAL ADA - LED

BRAUN LIFTS

LIFT, BRAUN CENTURY 2 - NCL919F1BHBY-2 FRT
 LIGHT OVR LIFT INT FLOOD BRAUN

Q Straint W.C. Securement Kits, Accessories

TIEDOWN BELT STORAGE BOX

RESTRAINT, Q-8100-A1-L

SAFETY OPTIONS

FIRST AID KIT, 16 UNIT

DELUXE BLOODBORNE PATHOGEN KIT

FIRE EXT & REFLECTOR KIT, 5#

GRAB RAIL / STANCHION / PANELS

STANCHION, VERTICAL

STANCHION, VERT. W/MOD.PANEL

HANDRAIL, RH ENTRY ASSIST (YLW)

HANDRAIL, LH ENT ASST AT/AE (YLW)

HANDRAIL, OVERHEAD

AUDIO/ VISUAL/ GPS

ACCESS PLATE, ANTENNA

CUSTOMER REQUEST 3 LOCATIONS (FRONT, MID, REAR)**GROUND PLANE, W/O ANTENNA W/COAX PREWIRE**

TWO-WAY RADIO PREP - WIRE ONLY EP3

SEATING - DRIVER

DRIVER SEAT, USSC G2E LP - F550 AEF ONLY

SEATING - PASSENGER

SEAT, MID-BACK DOUBLE FREEDMAN

SEAT, MID-BACK 5-PASS FM W/ QD

FLIPSEAT, FREEDMAN FOLD-A-WAY

PASSENGER SEAT FABRICS

SEAT COVER, LEVEL 4 - ALL KINGS PLUSH

SEAT OPTIONS

SEAT ARMREST, U.S.ARM

SEAT GRAB HANDLE, CORNER

SEAT, AV GRAB HANDLE- PADDED

SEAT BELTS

SEATBELT, 74" STD

Available Published Options

Adjusted Cost

Available Published Options		Adjusted Cost
1	Passenger Seating	
-1	Freedman Foldaway Seat (3pt Dbl)	-\$900.00
2	34"-36" Freedman Flip Seat	\$1,650.00
24	Level 1 vinyl or fabric credit per seat	-\$1,320.00
2	Freedman Mid High Double Seat	\$648.00
1	Chassis	
1	Sportworks Apex bike rack (black 3 bike)	\$2,500.00
1	Manuals- USB Format Parts/Electrical/Video	\$42.00
1	Eco Vision Rear Back Up Audible System	\$480.00

Thank you for your business!

1 A/C & Heating		
1	ThermoKing SLR-75 air conditioning system with T-21 compressor and ClimaAir controller in lieu of TransAir system described in 6.5.1	\$5,400.00
1	65,000 BTU Under Seat Mount Heater (exchange 35K)	\$72.00
-1	Roof Vents	-\$350.00
1 Interior Electrical		
1	Passenger Stop Request System w/ stop request sign	\$975.00
2	Supply and install Palm Buttons in wheelchair securement areas to activate stop request (Per Button)	\$216.00
1 Exterior Electrical		
1	Armored Marker lights and side turn signal	\$180.00
1 Flooring		
1	Altro Transflor Meta flooring in lieu of ribbed flooring in 6.2.4	\$564.00
1 Exterior		
1	Supply and install the following decals: exterior agency/city service logo; 4" high fleet numbers shall be applied on all four sides of the vehicle exterior and one location interior using colors to contrast the background color; 24" high fleet numbers shall be applied on the exterior rooftop of the vehicle using colors which contrast the background color.	\$1,200.00
1 Farebox		
1	Main Treasury (1 Vault)	\$1,434.00
1 Destination Signage		
2	Hanover Destination and Digital Sign Front and/or Side	\$4,080.00
1 Audio/Visual/GPS		
1	High Quality AM/FM CD Radio, 4-speaker inst. w/ PA System	\$522.00
1	sub total	\$17,393.00
Adds & Deletes		Adjusted Cost

<i>Quantity</i>	<i>Description</i>	<i>Cost</i>
1	Special Order Chassis: IH TC w/ 260HP MaxxFlex DT Engine Allison PTS3000 Transmission Ratio 3.90 Non Air-Brake	\$8,293.00
1	Passenger Door Entry: 40"	\$31.25
1	Thermo King SLR 75 Digital Temperature Controls	\$250.00
1	Rear View Camera In Visor	\$525.00

Thank you for your business!



1	Stainless Steel Whel Covers	\$406.25
1	Cove Molding- Altro Flooring- Floor to Seat Rail	\$375.00
1	Overhead Petoria Luggage Racks on Both Sides	\$1,250.00
2	Upgrade Q'Straints to QRT-8100-SlideNClick	\$62.50
1	sub total	\$11,193.00

Contract Order Total

Base Model	\$82,417.69
Conversion Options	\$2,700.00
Chassis Options	\$31,738.00
CNG Conversion	\$0.00
CNG Optional Equipment	\$0.00
Available Pubished Options	\$17,393.00
Adds & Deletes	\$11,193.00

Grand Total	\$145,441.69	QTY	2	\$290,883.37
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Thank you for your business!

**Assignment of Contract 1350001-E
From Valley Metro RPTA to the City of Cottonwood
For Two (2) Wide Body Cutaway Buses**

In accordance with Sections IP 1 and SP 2 of Solicitation RFP 130001-E, (Estimated Quantities and Contract Assignability), Valley Metro RPTA does hereby and irrevocably assign and transfer to the City of Cottonwood and their successors, the right to purchase Two (2) Wide Body Cutaway Buses from the option buses or predetermined base quantity. Such option commenced, per terms of Contract, on January 1, 2013, and may be exercised at any time on or before December 31, 2018.

Furthermore, it is agreed that the right of the assignee in and to any monies due or to become due Creative Bus Sales dba Arizona Bus Sales, shall be subject to prior claims of all persons, firms and corporations for services rendered or materials supplied for the performance of the work called for in the referenced contract.

The above-referenced procurement for the buses was competitively procured and awarded based upon the evaluation criteria set forth, in accordance with all applicable Federal Transit Administration (FTA) rules and regulations. The successful offeror was, and the contract was awarded to, Arizona Bus Sales.

Valley Metro RPTA warrants that the contract is in good force and effect in the form and terms annexed and that the contract is fully assignable. Valley Metro RPTA also warrants that the rights and benefits assigned hereunder are free and clear of any liens, adverse claims, or interest. The assignment shall be binding upon the parties identified below.

With respect to the Option or Base Buses assigned hereunder and this Assignment, Assignee agrees to perform all covenants, conditions and obligations required of Assignor under said Contract and agrees to defend, indemnify and hold Assignor harmless from any liability or obligation under said Contract. Assignee further agrees to hold Assignor harmless from any deficiency or defect in the legality or enforcement of the terms of said Contract or option to purchase hereunder. Assignee agrees and understands that Assignor is not acting as a broker or agent in this transaction and is not representing Seller or Assignee, but rather is acting as a principal in assigning its interest in the above-referenced option to purchase the Base or Option Buses under the Contract to Assignee.

Assignee hereby unconditionally releases and covenants not to sue Assignor upon any claims, liabilities, damages, obligations or judgments whatsoever, in law or in equity, whether known or unknown, or claimed, which they have or claim to have or which they may have or claim to have in the future against Assignor, with respect to the Option Buses or any rights whatsoever assigned hereunder.

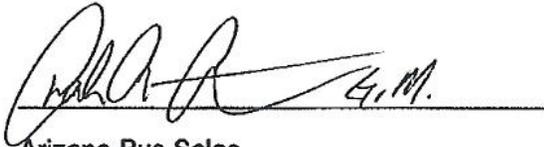
Executed this 13 day of August 2013.

Richard Faust, Community Services G.M.

Name

Title

City of Cottonwood



Arizona Bus Sales
Dale Couturier
General Manager



Valley Metro RPTA
Joe Ramirez, Contracts & Procurement
Manager

9/6/13

CLAIMS REPORT OF OCTOBER 1, 2013

FUND TOTAL	VENDOR NAME	DESCRIPTION	TOTAL
			\$ -
CLAIMS EXCEPTIONS REPORT OF OCTOBER 1, 2013			
FUND	VENDOR NAME	DESCRIPTION	TOTAL
All	City of Cottonwood	Payroll 9/27/13	\$ 484,874.90
Water	Dell Webb Coventry Homes	AIAC Refund for FY 2012-2013	\$ 45,171.94
Water	GRL, Inc	AIAC Refund for FY 2012-2013	\$ 7,227.55
Water	CW Cottonwood Properties LLC	AIAC Refund for FY 2012-2013	\$ 5,611.39
Water	CW Elm Street Properties	AIAC Refund for FY 2012-2013	\$ 5,618.95
All	AZ Municipal Risk Retention Pool	Liability Insurance	\$ 110,870.25
Water	Brown & Brown Law Offices	Professional Services	\$ 9,242.50
Gen Fund	BYO Recreation Inc	& Installation	\$ 23,889.56
Utilities & Streets	Centerline Supply West	Barricades & Cones	\$ 8,346.69
Water	D & O Enterprises Inc	Backhoe Remanufactured Differential	\$ 15,776.57
Gen Fund	League of Arizona Cities & Towns	FY 2013-2014 Membership Dues	\$ 9,157.00
Gen Fund	National Playground Construction Inc	Riverfront Park Playground Installation	\$ 8,595.00
Gen Fund	PES Security Services	2013 TVR Security Services	\$ 6,664.50
Gen Fund	Sedona Fire District	Dispatching Annual One-Time Fee	\$ 5,500.00
Water	Larry Green Chevrolet	2012 Dodge Ram 1500 Quad Cab	\$ 30,000.00
Water	APS	Electricity	\$ 13,001.60
Water	AZ Waterworks Supply Inc	Misc Parts & Supplies	\$ 5,602.62
Gen Fund	Cottonwood Chamber of Commerce	Aug 2013 Bed Tax	\$ 9,654.56
All	Cottonwood Municipal Water & Utility	Water	\$ 5,786.59
Utilities	Hill Brothers Chemical Co	Chlorine & Treatment Chemicals	\$ 7,668.32
Capital & Water	Kinney Construction Services	Old Town Parking Lot #3 Final Payment AND Well Site #1 Final Payment	\$ 44,341.10
Gen Fund	Larry Green Chevrolet	Aug 2013 Sales Tax Reimbursement	\$ 27,863.77
Gen Fund	Mobile Concepts Technology	2 GETAC for MCU #90	\$ 6,292.23
All	SC Fuels	Gasoline	\$ 13,805.84
Capital	Sedona Fire District	Tower Equipment	\$ 5,500.00
Sewer	Legend Technical Services	Lab Testing	\$ 5,608.56
TOTAL			\$ 921,671.99