

A G E N D A

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, TO BE HELD JUNE 4, 2013, AT 6:00 P.M., AT THE CITY COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE
- IV. REVIEW OF COUNCIL MEETING PROTOCOL BY MAYOR JOENS
- V. 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.
- VI. PROCLAMATION—NATIONAL CANCER SURVIVORS DAY
- VII. PRESENTATION OF A PLAQUE OF APPRECIATION TO UNISOURCE FOR ASSISTANCE WITH THE CITY'S ELECTRONIC CLEANUP HELD IN FEBRUARY.
- VIII. 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.
- IX. APPROVAL OF MINUTES—SPECIAL MEETING OF MAY 29, 2013.

Comments regarding items listed on the agenda are limited to a 5 minute time period per speaker.
- X. OLD BUSINESS—NONE.
- XI. CONSENT AGENDA—The following items are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.
 1. NEW LIQUOR LICENSE APPLICATION AND SAMPLING PRIVILEGES FOR ROBERT LARSON, APPLICANT FOR THE PLAID LIZARD LOCATED AT 1028 NORTH MAIN STREET.
 2. NEW LIQUOR LICENSE APPLICATION FOR ANTONIA DELGADO, APPLICANT FOR EVNOS LA MEXICANITA LOCATED AT 454 SOUTH MAIN STREET.

XII. NEW BUSINESS—The following items are for Council discussion, consideration, and possible legal action.

1. ACCEPTANCE OF LIBRARY SERVICES AND TECHNOLOGY ACT GRANTS FOR THE COTTONWOOD PUBLIC LIBRARY.
2. CONSENT OF ASSIGNMENT OF TENANT RIGHTS FOR LOT 103 OF COTTONWOOD AIRPARK FROM SHIRLEY A SEITZ TO SEICORP INVESTMENTS, L.L.C.
3. REQUEST FROM MINGUS UNION HIGH SCHOOL FOR REDUCED FEES FOR USE OF THE COTTONWOOD OUTDOOR POOL FACILITY.
4. RESOLUTION NUMBER 2700—DECLARING THAT CERTAIN DOCUMENT ENTITLED “SECTION 310., HISTORIC PRESERVATION ORDINANCE” TO BE A PUBLIC RECORD.
5. ORDINANCE NUMBER 596—AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SECTION 310., HISTORIC PRESERVATION ORDINANCE; FIRST READING.
6. ORDINANCE NUMBER 597—AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SECTION 427., “HP” ZONE, HISTORIC PRESERVATION OVERLAY ZONE; FIRST READING.
7. FUTURE OF TRANSPORTATION SERVICES PROVIDED TO COUNTY RESIDENTS BY THE COTTONWOOD AREA TRANSIT SYSTEM.
8. REQUEST FROM THE CITY OF SEDONA TO CO-SPONSOR RESOLUTIONS TO BE SUBMITTED TO THE LEAGUE OF ARIZONA CITIES AND TOWNS RESOLUTION COMMITTEE.
9. ANNUAL CONSIDERATION OF THE APPOINTMENT OF A VICE MAYOR.
10. COUNCIL REPRESENTATIVE APPOINTMENTS TO VARIOUS COMMITTEES RELATED TO INTERGOVERNMENTAL MATTERS.

XIII. CLAIMS & ADJUSTMENTS

XIV. 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.

Americans with Disabilities Act Notice: The Cottonwood Council Chambers is wheelchair accessible. Those with needs for special typeface print, hearing devices or other special accommodations may request these through the Cottonwood City Clerk at 928-340-2727 (TDD 928-634-5526). Requests should be made as early as possible to allow the City sufficient time to arrange for the necessary accommodations.

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

WHEREAS, a "cancer survivor" is defined as anyone living with a history of cancer - from the moment of diagnosis through the remainder of life, and there are more than 12 million cancer survivors in America; and

WHEREAS, over 1.5 million new cancer cases will be diagnosed in the United States this year, increased access to quality cancer care, screening, and prevention - especially among minorities and the medically underserved - must be a top priority in our community; and

WHEREAS, the great City of Cottonwood has an active, productive cancer survivor population; and

WHEREAS, hundreds of communities worldwide will also be celebrating life on National Cancer Survivors Day in June 2013; and

WHEREAS, on behalf of the people of the City of Cottonwood, I salute all cancer survivors and those that support them.

NOW, THEREFORE, I, Diane Joens, Mayor of the City of Cottonwood, do hereby proclaim observance of Sunday, June 9, 2013, as observance of

NATIONAL CANCER SURVIVORS DAY®

in Cottonwood, Arizona, and urge all citizens to join in this joyous celebration of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the City of Cottonwood, Arizona, this 4th day of June 2013.

Diane Joens, Mayor

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



 Print

Meeting Date:	June 4, 2013
Subject:	Liquor License Application and Sampling Privileges for Robert Larson, applicant for Plaid Lizard located at 1028 North Main Street, Suite B.
Department:	City Clerk
From:	Marianne Jiménez, City Clerk

REQUESTED ACTION

Council consideration of recommending approval or denial of a new Liquor License Application and Sampling Privileges for Robert Larson, applicant for Plaid Lizard located at 1028 North Main Street, Suite B.

SUGGESTED MOTION

I move to recommend approval of the new Liquor License Application and Sampling Privileges for Robert Larson, applicant for the Plaid Lizard located at 1028 North Main Street, Suite B.

BACKGROUND

A new Liquor License Application and Sampling Privileges form was received from the Arizona Department of Liquor Licenses & Control for Robert Larson, applicant for the Plaid Lizard located at 1028 North Main Street, Suite B. No comments for or against the application have been received.

JUSTIFICATION/BENEFITS/ISSUES

All Liquor License applications that are submitted to the Arizona Department of Liquor Licenses & Control (ADLLC) for establishments located within the City of Cottonwood are presented to the Council for its recommendation of approval or denial of the application. The Council's recommendation is taken into consideration by the ADLLC prior to their final approval of the application.

COST/FUNDING SOURCE

N/A

ATTACHMENTS:

Name:	Description:	Type:
 Plaid Lizard 6-4-13.pdf	Plaid Lizard Application	Backup Material
 Plaid Lizard Sampling 6-4-13.pdf	Plaid Lizard Sampling Privileges	Backup Material

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

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) _____

SECTION 3 Type of license and fees LICENSE #(s): 10133250

1. Type of License(s): 10s
 Finger. Print...\$66.00 App...\$100 Sampling...\$100 2. Total fees attached: \$ _____
 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. Larson Robert Larry
(Insert one name ONLY to appear on license) Last First Middle

2. Corp./Partnership/L.L.C.: Trader Cho's, L.L.C.
(Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: Plaid Lizard
(Exactly as it appears on the exterior of premises)

4. Principal Street Location 1028 N. Main St. Ste. B, Cottonwood Yavapai 86326
(Do not use PO Box Number) City County Zip

5. Business Phone: 928-202-3593 Daytime Phone: 928-274-4353 Email: llw.llc@q.com

6. Is the business located within the incorporated limits of the above city or town? YES NO

7. Mailing Address: P.O. Box 1141 Cottonwood AZ 86326
City State Zip

8. Price paid for license only bar, beer and wine, or liquor store: Type _____ \$ _____ Type _____ \$ _____

DEPARTMENT USE ONLY

Fees: 100.00 Application 66.00 Interim Permit 66.00 Site Inspection 66.00 Finger Prints \$ 116.00
TOTAL OF ALL FEES

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

Accepted by: [Signature] Date: 4/24/2013 Lic. # 10133250

SECTION 5 Interim Permit:

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location. _____
4. Is the license currently in use? YES NO If no, how long has it been out of use? _____

ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.

I, _____, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER,
(Print full name)
 MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

X _____
(Signature)

My commission expires on: _____

State of _____ County of _____
 The foregoing instrument was acknowledged before me this
 _____ day of _____, _____
Day Month Year

(Signature of NOTARY PUBLIC)

Notary Public, Lic. # 116416

SECTION 6 Individual or Partnership Owners:

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

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City	State	Zip

Partnership Name: (Only the first partner listed will appear on license) _____

General-Limited	Last	First	Middle	% Owned	Mailing Address	City	State	Zip
<input type="checkbox"/> <input type="checkbox"/>								
<input type="checkbox"/> <input type="checkbox"/>								
<input type="checkbox"/> <input type="checkbox"/>								
<input type="checkbox"/> <input type="checkbox"/>								

) Y R A S S E C E N F I

2. Is any person, other than the above, going to share in the profits/losses of the business? YES NO
 If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#

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.: Trader Cho's, LLC.
(Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: March 18, 2013 State where Incorporated/Organized: Arizona
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No: L-1833030-0 Date authorized to do business in AZ: 03/22/2013
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
Larson, Robert	Larry		Member	P.O. Box 1141, Cottonwood, AZ 86326			
Larson, Susan	Charlene		Member	P.O. Box 1141, Cottonwood, AZ 86326			
Loudon, Andrew	Stuart		Member	P.O. Box 3203, Cottonwood, AZ 86326			

(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
Larson, Robert	Larry		45%	P.O. Box 1141, Cottonwood, AZ 86326			
Larson, Susan	Charlene		45%	P.O. Box 1141, Cottonwood, AZ 86326			
Loudon, Andrew	Stuart		10%	P.O. Box 3203, Cottonwood, AZ 86326			

(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 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

- Current Business: Name _____
(Exactly as it appears on license) Address _____
- New Business: Name _____
(Physical Street Location) Address _____
- License Type: _____ License Number: _____
- If more than one license to be transferred: License Type: _____ License Number: _____
- What date do you plan to move? _____ What date do you plan to open? _____

SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school, building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 3168 ft. Name of school Cottonwood Elementary School
Address 301 N. Willard St., Cottonwood, AZ 86326
City, State, Zip _____

2. Distance to nearest church: 1056 ft. Name of church Cottonwood Baptist Church
Address 102 E. Pima St., Cottonwood, AZ 86326
City, State, Zip _____

3. I am the: Lessee Sublessee Owner Purchaser (of premises)

4. If the premises is leased give lessors: Name _____
Address _____
City, State, Zip _____

4a. Monthly rental/lease rate \$ N/A What is the remaining length of the lease ___ yrs. ___ mos.

4b. What is the penalty if the lease is not fulfilled? \$ _____ or other _____
(give details - attach additional sheet if necessary)

5. What is the total **business** indebtedness for this license/location excluding the lease? \$ 00.00
Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? Wine & beer store,

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SECTION 13 - continued

- 7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year?
 YES NO If yes, attach explanation.
- 8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? YES NO
- 9. Is the premises currently licensed with a liquor license? YES NO If yes, give license number and licensee's name:
 License # _____ (exactly as it appears on license) Name _____

SECTION 14 Restaurant or hotel/motel license applicants:

- 1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? YES NO
 If yes, give the name of licensee, Agent or a company name:
 _____ and license #: _____
Last First Middle
- 2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
- 3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.
- 4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this hotel/motel restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

applicant's signature

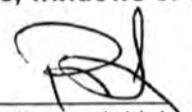
As stated in A.R.S § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary and the new inspection date you are requesting. To schedule your site inspection visit www.azliquor.gov and click on the "Information" tab.

applicants initials

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

- 1. Check ALL boxes that apply to your business:
 Entrances/Exits Liquor storage areas Patio: Contiguous
 Service windows Drive-in windows Non Contiguous
- 2. Is your licensed premises currently closed due to construction, renovation, or redesign? YES NO
 If yes, what is your estimated opening date? 05/15/2013
month/day/year
- 3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.
- 4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).
- 5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

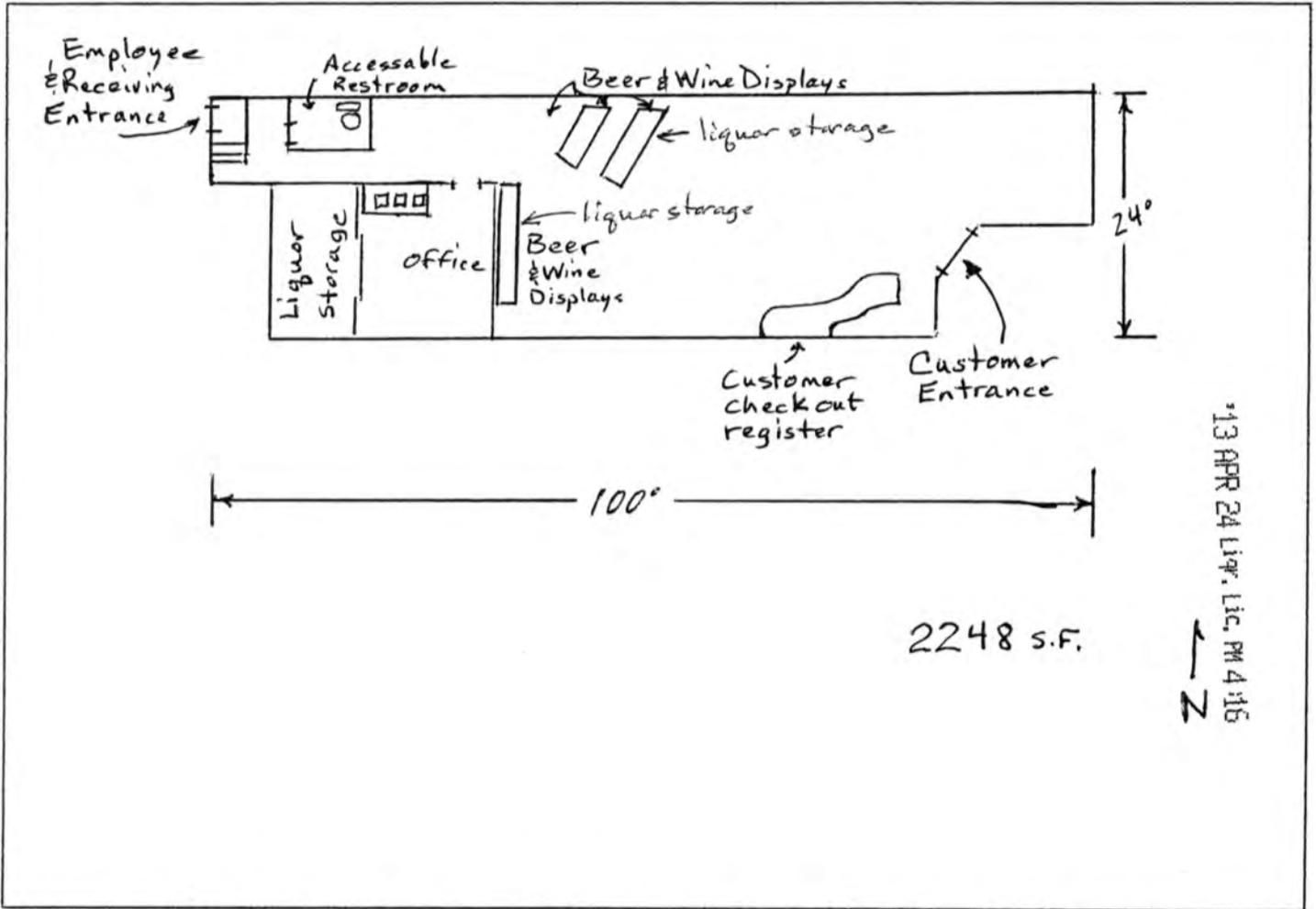
As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this initial drawing.



 applicants initials

4. In this diagram please show only the area where spirituous liquor is to be sold, 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.

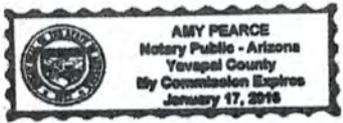


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SECTION 16 Signature Block

I, Robert Larry Larson, 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 23 of April, 2013
 Day Month Year

[Signature]
 signature of NOTARY PUBLIC

My commission expires on : 17 January 2016
 Day Month Year

State of Arizona
Department of Liquor Licenses and Control

800 W. Washington 5th Floor
Phoenix, Arizona 85007
(602) 542-5141

- Liquor Store (series 9)
 Beer and Wine Store (series 10)

Sampling Privileges Form

Applicant's Name: Larson, Robert Larry Larson (check one) Owner Agent

Mailing Address: P.O. Box 1141 Cottonwood AZ Yavapai 86326 1141
Street Address or P.O. Box City State County Zip Code

Business Phone Number: (928) 202-3593 Email: llw.llc@q.com

Business Name: Plaid Lizard Current License #: 10133250

Physical Location of Business:
1028 N. Main St. Ste. B Cottonwood AZ Yavapai 86326
Street Address City State County Zip Code

I, Larson, Robert Larry Larson, understand that, upon approval, sampling privileges for the liquor license identified above will require compliance with the following:

Initial Here

1. the premises shall contain at least five thousand square feet to be eligible for sampling privileges for Beer and Wine Store (series 10) applicants only (A.R.S. §4-206.01(J)).
2. Any open product shall be kept locked by the licensee when the sampling area is not staffed.
3. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.
4. The licensed retailer shall make sales of sampled products from the licensed retail premises.
5. The licensee shall not charge any customer for the sampling of any products.
6. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.
7. Accurate records of sampling products dispensed shall be retained by the licensee.
8. Sampling shall be limited to three ounces of beer or cooler-type products, one ounce of wine and one ounce of distilled spirits per person, per brand, per day.
9. The sampling shall be conducted only on the licensed premises.
10. Upon approval of this form, a license for a liquor store with sampling privileges (series 9S) or a beer and wine store with sampling privileges (series 10S) will be issued and mailed to the licensee's address of record. The license must be displayed in a conspicuous public area of the licensed premises that is readily accessible for inspection by any peace officer, distributor, wholesaler or member of the public. (A.R.S. §4-261.01)

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RL

- 11. Liquor store license sampling privileges are not transferable.
- 12. I have read, understand, and assume responsibility for compliance with A.R.S. §4-206.01.

A.R.S. §4-206.01. Bar, beer and wine bar or liquor store licenses; number permitted; fee; sampling privileges

- 1. Any open product shall be kept locked by the licensee when the sampling area is not staffed.
- 2. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.
- 3. The licensed retailer shall make sales of sampled products from the licensed retail premises.
- 4. The licensee shall not charge any customer for the sampling of any products.
- 5. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.
- 6. Accurate records of sampling products dispensed shall be retained by the licensee.
- 7. Sampling shall be limited to three ounces of beer or cooler-type products, one ounce of wine and one ounce of distilled spirits per person, per brand, per day.
- 8. The sampling shall be conducted only on the licensed premises.

I, Larson, Robert Larry Larson, attest that I am the OWNER/AGENT filing this form, that I have read, and assume responsibility for compliance with, A.R.S. §4-206.01 at the licensed establishment named on page 1, and verify all statements I have made on this document to be true, correct and complete. I understand that I am responsible for the \$100 issuance fee and the annual \$ 60 renewal fee for these sampling privileges. Sampling privilege renewal fees are due at the same time as the renewal for the "current license #" identified on page 1 of this application.

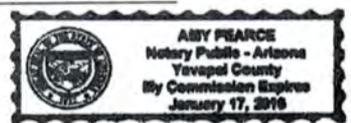
Signature, *[Handwritten Signature]*, Title Member, Date 4/23/13

Notarized Signature

The forgoing instrument was acknowledged before me this 23 of April, 2013.
day month year

Notary Public: *Amy Pearce*
Signature

My commission expires: 17, January, 2016
day month year



For DLLC Use Only

S License #: _____ Date of issuance: ____/____/____

Issuance fee applicable? Yes No \$100 issuance fee collected

Initials: _____

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



 Print

Meeting Date:	June 4, 2013
Subject:	Liquor License Application for Antonia Delgado, applicant for the Evnos La Mexicanita store located at 454 South Main Street.
Department:	City Clerk
From:	Marianne Jiménez, City Clerk

REQUESTED ACTION

Council consideration of recommending approval or denial of a new Liquor License Application for Antonia Delgado, applicant for Evnos La Mexicanita located at 454 South Main Street.

SUGGESTED MOTION

I move to recommend approval of the new Liquor License Application for Antonia Delgado, applicant for the Evnos La Mexicanita store located at 454 South Main Street

BACKGROUND

A new Liquor License Application was received from the Arizona Department of Liquor Licenses & Control for Antonia Delgado, applicant for the Evnos La Mexicanita store located at 454 South Main Street. No comments for or against the application have been received.

JUSTIFICATION/BENEFITS/ISSUES

All Liquor License applications that are submitted to the Arizona Department of Liquor Licenses & Control (ADLLC) for establishments located within the City of Cottonwood are presented to the Council for its recommendation of approval or denial of the application. The Council's recommendation is taken into consideration by the ADLLC prior to their final approval of the application.

COST/FUNDING SOURCE

N/A

ATTACHMENTS:

Name:

Description:

Type:

 [Evnos_La_Mexicana.pdf](#) Evnos La Mexicanita

Backup Material

13 APR 23 11:11 AM

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) _____

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

10 10133249

1. Type of License(s): BEER & WINE #10
RETAIL STORE

Department Use Only
 \$ _____

2. Total fees attached: \$ _____

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. DELGADO ANTONIA L
 Ms. Last First Middle
 (Insert one name ONLY to appear on license)

2. Corp./Partnership/L.L.C.: _____
 (Exactly as it appears on Articles of Inc. or Articles of Org.)

3. Business Name: EUNOS LA MEXICANITA
 (Exactly as it appears on the exterior of premises)

4. Principal Street Location: 454 S MAIN ST COTTONWOOD VALPAI 86326
 (Do not use PO Box Number) City State Zip

5. Business Phone: 928 2023506 Daytime Phone: 928 2023506 Email: garcia554@hotmail.com

6. Is the business located within the incorporated limits of the above city or town? YES NO

7. Mailing Address: 454 S. MAIN ST COTTONWOOD AZ 86326
 City State Zip

8. Price paid for license only bar, beer and wine, or liquor store: Type \$ _____ Type \$ _____

DEPARTMENT USE ONLY

Fees: 100.00 Application 22.00 Interim Permit 0.00 Site Inspection 0.00 Finger Prints \$ 122.00
TOTAL OF ALL FEES

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

Accepted by: [Signature] Date: 4/23/2013 Lic. # 10133249

SECTION 5 Interim Permit:

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location. _____
4. Is the license currently in use? YES NO If no, how long has it been out of use? _____

ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.

I, _____, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER,
(Print full name)
 MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

State of _____ County of _____

X _____
(Signature)

The foregoing instrument was acknowledged before me this

____ day of _____, _____
 Day Month Year

My commission expires on: _____

(Signature of NOTARY PUBLIC)

13 APR 2019 Lic. # 15

SECTION 6 Individual or Partnership Owners:

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

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City State Zip
DELGADO	ANTONIA	T	100%	454 S MAIN ST C	Honwood AZ 86036

Partnership Name: (Only the first partner listed will appear on license) _____

General-Limited	Last	First	Middle	% Owned	Mailing Address	City State Zip
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						

) Y R A S S E C E N F I T

2. Is any person, other than the above, going to share in the profits/losses of the business? YES NO
 If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#

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.: _____
(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

*13 APR 2019 Lic. PM 1:15

(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

(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 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.

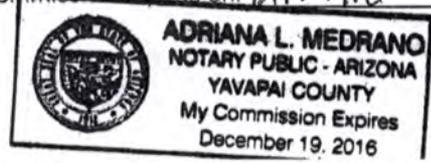
10. I, Antonio Delgado hereby authorize the department to process this application to transfer the privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property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

I, Antonio Delgado, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

Antonio Delgado
(Signature of CURRENT LICENSEE)

State of Arizona County of Yavapai
The foregoing instrument was acknowledged before me this 26 Day March Month 2013 Year
Adriana L. Medrano
(Signature of NOTARY PUBLIC)

My commission expires on: 12/19/16



SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

- Current Business: Name _____
(Exactly as it appears on license) Address _____
- New Business: Name _____
(Physical Street Location) Address _____
- License Type: _____ License Number: _____
- If more than one license to be transferred: License Type: _____ License Number: _____
- What date do you plan to move? _____ What date do you plan to open? _____

SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

APR 23 10:11 AM

- Distance to nearest school: 0.2 mi ft. Name of school ACCELERATED LEARNING CHARTER SCHOOL
Address 320 S MAIN ST COTTONWOOD AZ 86326
City, State, Zip
- Distance to nearest church: 0.8 mi ft. Name of church EVANGEL WORSHIP CENTER FOUR SQUARE CHURCH
Address 1329 C APACHE ST Cottonwood AZ 86326
City, State, Zip
- I am the: Lessee Sublessee Owner Purchaser (of premises)
- If the premises is leased give lessors: Name HEROLD ALLREED
Address P.O BOX 2408 Cottonwood AZ 86326
City, State, Zip
- 4a. Monthly rental/lease rate \$ 2500⁰⁰ What is the remaining length of the lease 5 yrs. 0 mos.
- 4b. What is the penalty if the lease is not fulfilled? \$ NONE or other _____
(give details - attach additional sheet if necessary)
5. What is the total **business** indebtedness for this license/location excluding the lease? \$ 0/
Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

- What type of business will this license be used for (be specific)? RETAIL STORE

SECTION 13 - continued

- 7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year?
 YES NO If yes, attach explanation.
- 8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? YES NO
- 9. Is the premises currently licensed with a liquor license? YES NO If yes, give license number and licensee's name:
 License # _____ (exactly as it appears on license) Name _____

SECTION 14 Restaurant or hotel/motel license applicants:

- 1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? YES NO
 If yes, give the name of licensee, Agent or a company name:
 _____ and license #: _____
Last First Middle
- 2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
- 3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.
- 4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this hotel/motel restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

applicant's signature

As stated in A.R.S § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary, and the new inspection date you are requesting. To schedule your site inspection visit www.azliquor.gov and click on the "Information" tab.

applicants initials

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

- 1. Check ALL boxes that apply to your business:
 Entrances/Exits Liquor storage areas Patio: Contiguous
 Service windows Drive-in windows Non Contiguous
- 2. Is your licensed premises currently closed due to construction, renovation, or redesign? YES NO
 If yes, what is your estimated opening date? _____
month/day/year
- 3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.
- 4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).
- 5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

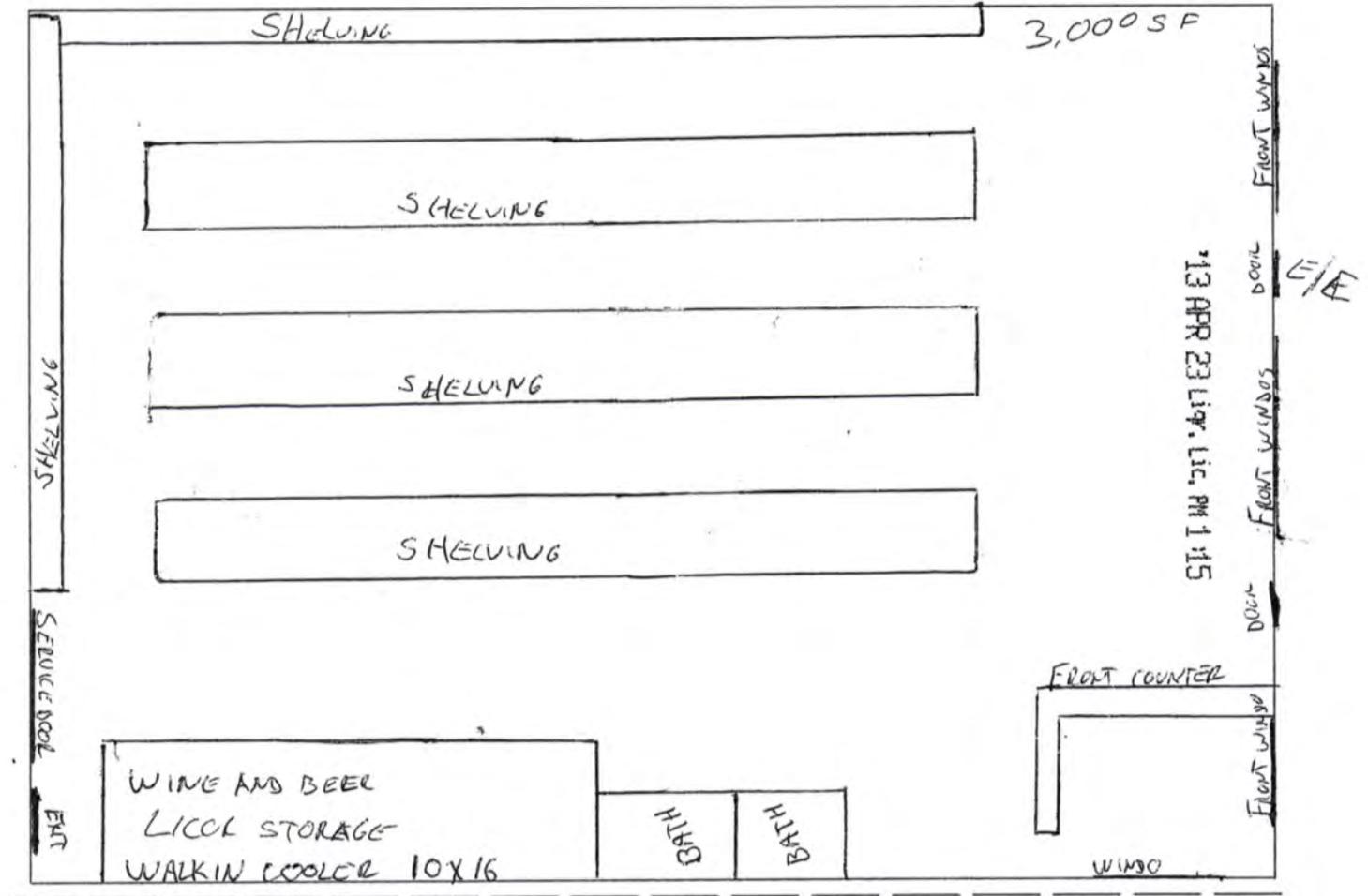
As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this initial drawing.

A.D.
applicants initials

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 ↑.

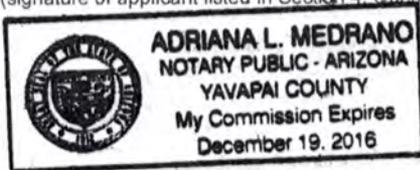
If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



SECTION 16 Signature Block

I, Antonio Delgado, 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 Antonio Delgado
(signature of applicant listed in Section 4, Question 1)



State of Arizona County of Yavapai

The foregoing instrument was acknowledged before me this

26 of March, 2013
Day Month Year

Adriana L. Medrano
signature of NOTARY PUBLIC

My commission expires on: 19/12/16
Day Month Year

City of Cottonwood, Arizona City Council Agenda Communication



 Print

Meeting Date:	June 4, 2013
Subject:	Acceptance of two LSTA (Library Services and Technology Act) grants
Department:	Community Services
From:	Vanessa Ward, Library Manager

REQUESTED ACTION

Staff requests that the Council accept grant awards to the Cottonwood Library. The council approved a letter of support to apply at the November 9, 2012 council meeting and approved the application submittal at the December 4, 2012 council meeting.

SUGGESTED MOTION

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

“I move to authorize the acceptance of two LSTA (Library Services and Technology Act) grants to fund equipment for a small computer lab and to form partnerships with citizens of the community.”

BACKGROUND

These projects were supported with funds granted by the Arizona State Library, Archives and Public Records Agency, a division of the Arizona Secretary of State, under the Library Services and Technology Act, which is administered by the Institute of Museum and Library Services. The “Digital Literacy Initiative for Cottonwood Youth,” grant is for the purchase of Lego Mindstorms Education software, Toon Boom software, furniture and equipment needed for the newly named upstairs area, “The Hideaway”. Courses scheduled will be held to design and teach video game development, digital photography and short filmmaking which includes elements of graphic design. A partnership has been formed with Yavapai College and the grant includes a stipend for the facilitators. Staff will also have a Lego Robotics workshop. The “Community Education Opportunities” grant is for the purchase of laptops, desks, chairs and equipment needed to create a small computer lab. A partnership has been formed with OLLI (Osher Lifelong Learning Institute) to provide facilitators for three classes. There will be a GIMP (digital imagery) class, Learn Spanish classes for adults and children and “How to plan your own trip” class. We also have facilitators for A “Facebook for businesses and ESL class scheduled.

JUSTIFICATION/BENEFITS/ISSUES

To provide citizens of all ages with opportunities to enhance their education, job skills and technical resources. Partnerships can/will be formed with groups within the community to further enhance intellectual growth.

COST/FUNDING SOURCE

Funds are provided by the LSTA grant awards.

ATTACHMENTS:

Name:	Description:	Type:
 LSTA Library Grant Documents.pdf	Library Grant	Backup Material

Grant Application Cover Sheet

Current Status: Funded

Date Certification Received:

None

General Project Information

Cottonwood Public Library
100 South 6th Street

Cottonwood, AZ 86326-4238

DUNS Number:

Password: smoo88

Does the applicant meet all the eligibility criteria for a library?

Yes No

If no, what criteria is the applicant missing?

Project Contact Information

Contact Name Elizabeth Guerra

E-mail Address eguerra@cottonwoodaz.gov

Use Library Address as Contact Address

Mailing Address

1

Mailing Address

2

City

State

Zip Code

Phone

Fax

Legal Administrator Information

The Project Contact is the Legal Administrator

Title

First Name

Last Name

E-mail Address

Mailing Address 1

Mailing Address 2

City

State

Zip Code

Phone

928-340-2788

Fax

928-634-0253

If this grant is awarded, what entity should the award check be made out to?

City of Cottonwood- Cottonwood Public Library

LSTA Application Worksheet

Project Name

Digital Literacy Initiative for Cottonwood Youth

Project Summary

The goal of this project is to create a program that increases digital literacy skills for the youth in the Cottonwood community. Funds will be used to create a new teen-friendly space that includes access to a computer lab, and to create workshops for teens that

Amount of grant funds you are requesting

\$31,808.81

How many people will be directly served by this project in the first year?

2500

How did you calculate this number?

This number is calculated by adding the projected number of workshop participants and the number of projected users, based on current library statistics.

For your library, is this project:

New Continuing

Please select one of the guideline categories for which you are applying.

2013 Learning

Identify the user groups to be directly served by your project. (Check all that apply)

Public library trustees

Young adults and teens

Adults

Pre_School Children

Rural Populations

People with special needs

Library staff and Volunteers

Statewide public

Senior Citizens

Non/limited English-speaking persons

Institutionalized persons

Urban populations

Children

List partners for this project

Bruce Kirkpatrick (Workshop Developer/Teacher), Jessy Jenkins (Workshop Developer/Teacher)

Application Narrative

1. Project Summary

The goal of this project is to create a program that increases digital literacy skills for the youth in the Cottonwood community. Funds will be used to create a new teen-friendly space that includes access to a computer lab, and to create workshops for teens that will increase their digital literacy skills. Community members will benefit because there will be a new, welcoming space for youths to spend time that also offers the opportunity to explore digital literacy tools, as well as programming that will teach new digital literacy skills.

2. Project Description

a. We will begin utilizing space we already have to create a new teen space; this space will be furnished to provide a comfortable place for teens to study and explore digital literacy tools. We will also implement workshops that will be taught by a mix of trained library staff, education professionals, and qualified graduate students. The teen space will:

- Offer access to a computer lab with eight internet computers equipped with software that allows teens to explore and learn digital literacy tools.
- Offer access to a "tablet library" within the computer lab, where users can explore different user interfaces and operating systems.
- Be equipped with two charging stations for personal electronic devices.
- Offer three on-going workshops including instruction in video game development, digital animation/animated storytelling, and digital photography and filmmaking. Special programs once a month will include Community Snapshot Day and Lego Robotics, and an additional class in video game development.
- Allow workshop participants to keep the content that they create, and return to workshops throughout the year to build upon skills already learned.

b. Our partners include all of the schools in the area that serve teens, the Verde Valley Youth Commission, and the Cottonwood Recreation Center. Each institution has expressed the desire to directly participate in the workshops by attending with teens or helping to publicize the programs and the new teen space.

c. Teens will be able to utilize the space throughout the day because it will be staffed and open to the public. They will be able to attend the workshops and will have access to the educational software for self-learning at other times. The workshops will be open to tweens/teens from ages 11-17. Assuming full attendance to each workshop, we would reach approximately 640 teen patrons; this number does not include the potential for increased usage of internet computers equipped with educational software. We will publicize the new space and new programs using newspaper articles, newspaper advertisements, brochures, and promotional signage inside and outside of the library. Our partners have also agreed to promote our programs to their students.

3. Justification

a. The project addresses the need for teens to have a welcoming space that they can take ownership of and a program that allows teens to learn new skills and explore the benefits of

digital literacy tools. Our partners have voiced their strong support for this program. Recent AIMS test scores for Cottonwood middle school students indicate that less than half of those tested are passing math and writing. High school AIMS testing indicates that less than half of those tested are passing tenth grade science. Concurrently, the Verde Valley Youth Commission conducted a survey of local teen lifestyles. Almost half of teens surveyed plan to go to a four-year college, and when asked what their main interests are, the top three responses were sports, music, and technology. This shows that the teens in our community would benefit from education that contains elements of math and science, as well as learning new technologies. The workshops that we are proposing would allow the participants to learn and develop these skills, while also allowing them to be creative and express their individual interests.

This project is the best approach because it will allow educators and teens to connect in a fun and engaging way, while imparting valuable skills and educational experiences that will help the participants in future endeavors. This project will also increase library usage by teens and allow us to better develop our resources to address the needs of this age group.

b. We are targeting the age group between 11-17 years for this project because there is a lack of quality educational resources that impart digital literacy skills outside of the major area schools. We chose this population because they are underserved in our community and we would like to develop and implement programs that meet their needs.

c. This project is in line with the library's mission to provide quality information resources to all ages and to identify specific community needs and implement programming that meets these needs. This project is a part of the library's plan to increase access to technology and develop programming that increases the community's knowledge and experience of digital literacy skills and tools.

Steps taken to prepare for this project include moving all Young Adult materials to the new teen space, weeding outdated reference materials, and preparing a space for a computer lab in the teen area. We have contacted professional educators to develop some of the proposed programs. We will continue to offer programming that is successful, and we will be adding additional workshops that the community has shown interest in, including classes in online safety, how to avoid cyber-bullying, and how to discern credible research resources on the web. We will sustain the program by utilizing the partnerships made during this time, and offering a rotating schedule of digital literacy workshops for teens throughout the next three years.

4. Outcomes/Activities/Evaluation

a. Outcome: Increase awareness of library resources for teens by promotion and participation.

- This outcome is selected because the teens in our community currently do not utilize the library's resources in large numbers, and would benefit from a new awareness of the many information resources that the library offers.
- The teen space will offer an environment that contains the resources in one place and allows teens to feel comfortable while exploring digital literacy tools.

- The products included that will facilitate this outcome are new furnishings, storage lockers, and charging stations placed next to furniture; additional products that support this need are the access to computers for using the internet, access to educational software including ToonBoom Animation and Adobe Creative Suite, and access to a variety of tablets that will allow users to explore various interfaces and operating systems.
 - Evaluation for this outcome will include surveys administered before and after implementation that ask questions about information resource awareness and usage patterns.
- b. Outcome: Measurable increase in digital literacy skills of community teens.
- This outcome is selected because of the expressed need for these skills for our teens.
 - Activities that will facilitate this outcome include workshops in video game development, digital animation, Lego robotics, and digital photography and filmmaking.
 - Evaluation will include a pre-test before each class that measures the knowledge and skills of participants, and post-tests to measure what skills were increased.

5. Project Personnel

a. List:

- Library Staff:
 - Jeff Clark/Tristen Stanley, Cottonwood Public Library, Library Clerk- Lego Robotics workshop facilitator
 - Liz Guerra/Shirley Scott, Cottonwood Public Library, Library Clerk- ToonBoom Animation workshop facilitator
- Trainers/Educators:
 - Bruce Kirkpatrick, Yavapai College, Professor- design and teach course in Video Game Development. Resume attached. Experienced in teaching subject to students of all ages.
 - Jessy Jenkins, Yavapai College, Student Intern- design and teach course in digital photography and short filmmaking which includes elements of graphic design. Run Community Snapshot program once a month. Resume attached. Experienced in relevant software and techniques.
 - Project Director: Elizabeth Guerra, Cottonwood Public Library, Youth Services Library Clerk. Staff member responsible for working with teens.

6. Timeline/Schedule of Activities

- a. To reach the outcomes above we will take these steps:
- Complete the transition of all Young Adult services to the new teens space area and prepare collection for increased use. Present-August 1, 2013
 - Design workshops, including creating evaluation materials, and purchase all equipment necessary to begin programs. May 1-August 1, 2013

- Implement programs. August 1, 2013-June 1, 2014
 - Evaluate program. June 1, 2014-August 1, 2014
- b. Specific dates and times for programs:
- Use of teens space and computer lab: ongoing during library's open hours.
 - Weekly workshops:
 - Video Game Development: Every other Wednesday, beginning Wednesday August 7 at 3:00-5:00 p.m. Participants will learn how to create a short video game and will keep the content that they create.
 - Workshops with repeated attendance will introduce more advanced skills throughout the year.
 - Digital photography/filmmaking: Every other Wednesday, beginning Wednesday August 14 at 3:00-5:00 p.m. Participants will learn the basics of digital photography, take pictures or video using library provided cameras, and create content utilizing basic principles of graphic design.
 - Animation: Every other Friday, beginning Friday August 2 at 4:00-5:30 p.m. Participants will learn how to use animation software to create short, digitally animated stories.
 - Once-a-month workshops:
 - Community Snapshot Day: One Saturday per month, beginning Saturday August 10 at 11:00-1:00 p.m. Teens, led by staff, will take photos and then create a collage to be showcased on the library website.
 - Lego Robotics workshop: One Saturday per month, beginning Saturday August 24 at 11:00-1:00 p.m. Participants will build Lego robots and learn how to program them.
 - Special Video Game Development program: One Saturday per month, beginning Saturday August 31 at 11:00-1:00 p.m. Complete workshop where participants can learn to make a basic game in one day, and take home their content.

All programs will take place at the Cottonwood Public Library in Youth Services.

7. Justification of Expenditures

LSTA funds will be used to purchase furniture as outlined in the budget. Comfortable furnishings including couches, chairs, and side tables will allow users to utilize the space for recreation and work. Storage lockers are included in the costs for furnishing the teen space; lockers will provide users with a safe place to store belongings and will free up space, as well as allowing users to focus on exploring and utilizing digital literacy tools without the need to worry about personal items. Cost for all furnishings are calculated using prices from Demco, Brodart, Gaylord, and The Library Store's current catalogs and items are chosen based on lowest possible price after comparison. A whiteboard table is included for use by instructors during workshops and for patron use when workshops are not in session.

The program will be promoted with brochures, newspaper advertisements, and banners. The cost for this was quoted by the vendors and will be a total of \$7570.00. Costs for supplies

include surge protectors, paper, and a printer with scanning capability. Costs are best possible prices, and some can be purchased locally.

Software costs are calculated from quotes. ToonBoom Animation Software was quoted at \$1760.00, including one year of support. Adobe Creative Cloud access was quoted at \$49.00/month, which was multiplied by nine, the number of computers that are being asked for in a separate grant and which will be used for programs in both adult and youth services, equaling \$5,292.00 for one year of access beginning August 1, 2013. Lego Education software and Lego Mindstorms kit were quoted by the vendor at a total of \$661.90.

Equipment costs include a variety of tablets at the lowest possible price, two charging stations with floor stands for personal electronic devices, and cameras for the workshops. Tablets include: iPad 2, Google Nexus 7, and the Samsung Galaxy Tab 2. The tablet library will enable teens to interact with different user interfaces and operating systems, and will supplement the computers available in the computer lab. Tablet locks will ensure that the tablets are secured. Four new laptops will be donated by a workshop facilitator, and the cost of these is listed as local funds.

The cost for tablets and tablet locks was calculated by comparison, and lowest possible prices were chosen. The charging stations accommodate up to four devices at a time, and the quoted price is \$149.00 per stand. The stations will be placed on either side of the teen space next to seating.

The cameras were chosen because they have the ability to do both stills and capture video, and they are an inexpensive but quality brand and model. A compatible, inexpensive microphone is included as a separate cost. A separate camera and camcorder are included for the instructor's use, as well as potential use by other patrons who might wish to utilize the equipment for projects outside the planned programs. This equipment will be available for patron use. A green screen is included to provide patrons the ability to create unique presentations and for the graphic design workshop participants to use as background.

The workshop facilitators will be contracted at \$30.00 per hour, with the total cost calculated by projected hours spent teaching workshops in the library. Two staff members will teach also, the costs for this are listed as local funds. The city of Cottonwood requires fingerprint and background clearance for workshop facilitators at \$60.00 per person.

Application Fiscal Report

Type	Vendor	Grant Funds	Local Funds	Cash	Total	
Salaries & Benefits				<input type="checkbox"/>		Add
Salaries & Benefits		\$0.00	\$765.00	<input type="checkbox"/>	\$765.00	Edit Delete
Salaries & Benefits	Cottonwood Public Library	\$0.00	\$765.00	<input type="checkbox"/>	\$765.00	Edit Delete
		\$0.00	\$1,530.00		\$1,530.00	
Contractual Services		\$0.00	\$0.00	<input type="checkbox"/>	\$0.00	Edit Delete
Contractual Services	Fingerprint Clearance	\$120.00	\$0.00	<input type="checkbox"/>	\$120.00	Edit Delete
Contractual Services	Trainer	\$1,800.00	\$0.00	<input type="checkbox"/>	\$1,800.00	Edit Delete
Contractual Services	Trainer	\$1,200.00	\$0.00	<input type="checkbox"/>	\$1,200.00	Edit Delete
Contractual Services	Utilities	\$0.00	\$2,000.00	<input type="checkbox"/>	\$2,000.00	Edit Delete
		\$3,120.00	\$2,000.00		\$5,120.00	
Travel		\$0.00	\$0.00	<input type="checkbox"/>	\$0.00	Edit Delete
Travel	Grant Recipient Workshop	\$83.00	\$0.00	<input type="checkbox"/>	\$83.00	Edit Delete
		\$83.00	\$0.00		\$83.00	
Equipment		\$0.00	\$0.00	<input type="checkbox"/>	\$0.00	Edit Delete
		\$0.00	\$0.00		\$0.00	
Software		\$0.00	\$0.00	<input type="checkbox"/>	\$0.00	Edit Delete
Software	Adobe	\$5,292.00	\$0.00	<input type="checkbox"/>	\$5,292.00	Edit Delete
Software	Lego Mindstorms Education NXT Software 2.1	\$79.95	\$0.00	<input type="checkbox"/>	\$79.95	Edit Delete
Software	ToonBoom	\$1,549.96	\$0.00	<input type="checkbox"/>	\$1,549.96	Edit Delete
		\$6,921.91	\$0.00		\$6,921.91	
Library Collection		\$0.00	\$0.00	<input type="checkbox"/>	\$0.00	Edit

Materials					<u>Delete</u>
		\$0.00	\$0.00	\$0.00	

Supplies		\$0.00	\$0.00	\$0.00	<u>Edit</u> <u>Delete</u>
Supplies	Amazon	\$750.00	\$0.00	\$750.00	<u>Edit</u> <u>Delete</u>
Supplies	Brodart	\$418.00	\$0.00	\$418.00	<u>Edit</u> <u>Delete</u>
Supplies	Compulocks	\$169.85	\$0.00	\$169.85	<u>Edit</u> <u>Delete</u>
Supplies	Dell	\$0.00	\$3,596.00	\$3,596.00	<u>Edit</u> <u>Delete</u>
Supplies	DEMCO	\$747.96	\$0.00	\$747.96	<u>Edit</u> <u>Delete</u>
Supplies	Gaylord	\$1,205.00	\$0.00	\$1,205.00	<u>Edit</u> <u>Delete</u>
Supplies	KwikBoost	\$298.00	\$0.00	\$298.00	<u>Edit</u> <u>Delete</u>
Supplies	Lego Education	\$581.95	\$0.00	\$581.95	<u>Edit</u> <u>Delete</u>
Supplies	Quill	\$73.99	\$0.00	\$73.99	<u>Edit</u> <u>Delete</u>
Supplies	The Library Store	\$3,865.80	\$0.00	\$3,865.80	<u>Edit</u> <u>Delete</u>
Supplies	WalMart	\$1,764.54	\$0.00	\$1,764.54	<u>Edit</u> <u>Delete</u>
		\$9,875.09	\$3,596.00	\$13,471.09	
Other		\$0.00	\$0.00	\$0.00	<u>Edit</u> <u>Delete</u>
Other	Kudos Newspaper	\$0.00	\$0.00	\$0.00	<u>Edit</u> <u>Delete</u>
Other	Starlight Printing	\$0.00	\$0.00	\$0.00	<u>Edit</u> <u>Delete</u>
Other	ToonBoom Support	\$0.00	\$0.00	\$0.00	<u>Edit</u> <u>Delete</u>
Other	Verde Independent Newspaper	\$0.00	\$0.00	\$0.00	<u>Edit</u> <u>Delete</u>
		\$0.00	\$0.00	\$0.00	

\$9,875.09 \$3,596.00 \$13,471.09

Certification of Application

I certify this application to be true and accurate to the best of my knowledge. On behalf of all organizations participating in this application, I hereby assure and certify that I will comply with all regulations, policies, guidelines and requirements pertinent to the application and to the use of award funds. Funds will not be used for indirect or administrative costs. The applicant agrees to submit a final report, which will include a narrative, budget and certification by the final report deadline. If this application is approved, I certify that the project will begin promptly, and will be completed as described.

Library Name: Cottonwood Public Library

Project Name: Digital Literacy Initiative for Cottonwood Youth

Authorizing Official's Name: Vanessa Ward

Authorizing Official's Title: Library Manager

Mailing address:

Cottonwood Public Library
100 South 6th Street

Cottonwood, AZ 86326-4238

Authorizing Official Signature for Cottonwood Public Library

Date

[View Grant Application Report](#)

IMPORTANT

This form **MUST** be postmarked by the due date in order to be eligible for consideration. Please type or print clearly.

MAIL COMPLETED APPLICATION TO:

Grants Administrator
Library Development Division
1700 West Washington Street, Suite 200
Phoenix, AZ 85007-2935

Arizona State Library, Archives and Public Records

Date



Cottonwood Middle School
"Community of Learners Motivated to Succeed"
1 North Willard Street ~ Cottonwood, AZ 86326
(928) 634-2231
"Home of the Lobos"
Denise Kennedy, Principal ~ Bill Sanderlin, Assistant Principal



February 26, 2013

Ms. Elizabeth Guerra
Cottonwood Public Library, Youth Services
100 S. 6th Street
Cottonwood, AZ 86326

Dear Ms. Guerra:

It is with pleasure I write a letter to support the grant application for a Teen/Tween space in the Youth Services Department at the Cottonwood City Library. As a small community, the city library is a resource for all age groups, but no more so than for the youth of our community. The location of the library makes it a primary place for middle school students to "hang out" after school. It is a place for them to meet with friends and extend their learning day.

Approximately 75% of middle school students come from homes where both parents work. Needless to say, families in the community would benefit from a youth program that would keep their child engaged in productive and meaningful activities after school day has ended. Offering workshops and classes in digital media/animation – story telling, photography, Lego Robotics, video game development and 3-D printing would be of high interest for youth in our community would be of high interest to this targeted age group.

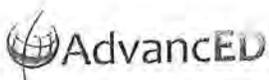
Such a program would benefit the community in several ways. For one, it keeps tween/teens engaged in positive and productive activities so they are not "hanging out" in the community without structured activity. Secondly, the programs you are looking to develop are of high interest and would support their academic programs at their schools. Lastly, youth of today, need to view their community library as a place for meaningful, 21st century learning and information. The library should be a place of choice where they can utilize the multiple opportunities available to them.

As the principal of Cottonwood Middle School, I fully support your efforts to develop a menu of classes and workshops that will provide our youth meaningful after school programs of high interest, and allow them to view the community library as a valued resource in our city.

Respectfully Submitted,

Denise Kennedy

Denise Kennedy, Principal





New Visions Academy

Phone: 928-634-7320 ♦ Fax: 928-634-7494

P.O. Box 1539 ♦ 125 S. 6th St.
Cottonwood, AZ 86326

February 22, 2013

Elizabeth Guerra
Cottonwood Public Library- Youth Services
100 S. 6th St.
Cottonwood, AZ 86326

Dear Liz,

The programs that you are planning for teens would be of great benefit to our students. We are trying to increase the technology literacy of our students by incorporating computer skills orientations and computer applications into our curriculum; however, there are limits to the number and types of programs that the school possesses and that we have the opportunity to integrate into the existing curriculum. It would be wonderful to be able to work with trained staff to teach new skills to our students that we are not presently prepared to teach ourselves.

This need for increased facility with technology becomes even greater as the schools move through the transition to the Common Core Standards and the PARCC Assessments that will be coming on-line in 2015.

The programs that you propose are of high interest to our students and I would expect a positive response from them in terms of sustained participation. In addition, the skills they would learn have a high probability of translating into some aspect of the careers they develop as adults.

We at New Visions would like to assist with your goals to create successful programs in any way we can. You definitely have our support.

Sincerely,

Ann Shaw
Ann Shaw, Director

February 21, 2013

Dear Elizabeth Guerra:

On behalf of Mingus Union High School and our students, I strongly support the Cottonwood Public Library's plan to create programs, classes, and workshops that will provide our youth with increased digital literacy skills. Our students can benefit from gaining skills in digital technologies, and exploring creative interests.

The library's idea to create a teen-friendly space where teens will be welcome to spend time exploring both new and traditional information literacy resources will be highly beneficial to our students. The workshops and classes that will allow the students to engage with new technologies and create individualized content will generate increased interest in applying digital and information literacy skills in their future endeavors.

This program will give our students a place to spend time engaging in activities that are both interesting and educational. We look forward to working with the Cottonwood Public Library and support their efforts to help our students.

Sincerely,

LETTER PRINTED ON MUHS LETTERHEAD, SIGNED BY
TAMARA ADDIS, PRINCIPAL.

**CERTIFICATIONS REGARDING DEBARMENT AND SUSPENSION;
DRUG-FREE WORKPLACE REQUIREMENTS; LOBBYING;
FEDERAL DEBT STATUS; AND NONDISCRIMINATION**

Signature of this form provides for compliance with the statutes and regulations cited below. The certifications shall be treated as material representations of fact upon which reliance will be placed when the Institute of Museum and Library Services determines to award Federal funds to State Library Administrative Agencies.

1. DEBARMENT AND SUSPENSION

The applicant shall comply with 2 CFR Part 3185. The undersigned, on behalf of the applicant, certifies to the best of his or her knowledge and belief that neither the applicant nor any of its principals:

- (a) Are presently excluded or disqualified;
- (b) Have been convicted within the preceding three years of any of the offenses listed in 2 CFR section 180.800(a) or had a civil judgment rendered against you for one of those offenses within that time period;
- (c) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in 2 CFR section 180.800(a); or
- (d) Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

The applicant, as a primary tier participant, is required to comply with 2 CFR Part 180 Subpart C (Responsibilities of Participants Regarding Transactions Doing Business With Other Persons) as a condition of participation in the award. The applicant is also required to communicate the requirement to comply with 2 CFR Part 180 Subpart C (Responsibilities of Participants Regarding Transactions Doing Business With Other Persons) to persons at the next lower tier with whom the applicant enters into covered transactions.

2. DRUG-FREE WORKPLACE REQUIREMENTS

As required by the Drug-Free Workplace Act of 1988 and implemented at 45 C.F.R. Part 1185, the undersigned, on behalf of the applicant, certifies that the applicant will or will continue to provide a drug-free workplace by:

- (a) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the action that will be taken against employees for violation of such prohibition;
- (b) establishing an ongoing drug-free awareness program to inform employees about:
 - (1) the dangers of drug abuse in the workplace;
 - (2) the grantee's policy of maintaining a drug-free workplace;
 - (3) any available drug counseling, rehabilitation, and employee assistance programs; and

- (4) the penalties that may be imposed on employees for drug abuse violations occurring in the workplace;
- (c) making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - (1) abide by the terms of the statement; and
 - (2) notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace not later than five calendar days after such conviction;
- (e) notifying the agency in writing within ten (10) calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notices shall include the identification number(s) of each affected grant;
- (f) taking one of the following actions within thirty (30) days of receiving notice under subparagraph (d)(2) with respect to any employee who is so convicted:
 - (1) taking appropriate personnel action against such an employee, up to and including termination consistent with the requirements of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 701 *et seq.*); or
 - (2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health law or other appropriate agency;
- (g) making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

The applicant either shall identify the site(s) for the performance of work done in connection with the project in the application material or shall keep this information on file in its office so that it is available for Federal inspection. The street address, city, county, state, and zip code should be provided whenever possible.

3. LOBBYING

As required by Section 1352, Title 31 of the United States Code, and implemented for persons entering into a grant or cooperative agreement over \$100,000, the applicant certifies to the best of his or her knowledge and belief that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of a Federal contract, the making of a Federal grant, the making of a Federal loan, the entering into of a cooperative agreement, or the extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than appropriated Federal funds have been paid or will be paid to any person (other than a regularly employed officer or employee of the applicant) for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall request, complete, and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. FEDERAL DEBT STATUS

The undersigned, on behalf of the applicant, certifies to the best of his or her knowledge and belief that the applicant is not delinquent in the repayment of any Federal debt.

5. NONDISCRIMINATION

As required by the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Education Amendments of 1972, and the Age Discrimination in Employment Act of 1975, as implemented at 45 C.F.R. Part 1180.44, the undersigned, on behalf of the applicant, certifies that the applicant will comply with the following nondiscrimination statutes and their implementing regulations:

- (a) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000 *et seq.*), which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity receiving Federal financial assistance;
- (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 701 *et seq.*), which prohibits discrimination on the basis of disability in Federally-assisted programs;
- (c) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-83, 1685- 86), which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance;
- (d) The Age Discrimination in Employment Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age in Federally-assisted programs;

The undersigned further provides assurance that it will include the language of these certifications in all subawards and that all subrecipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Signature of Authorized Certifying Official

Library Name

Print Name and Title of Authorized Certifying Official

Date

INTERNET SAFETY CERTIFICATION FOR APPLICANT
PUBLIC LIBRARIES
PUBLIC ELEMENTARY AND SECONDARY SCHOOL LIBRARIES, and
CONSORTIA WITH PUBLIC AND/OR PUBLIC SCHOL LIBRARIES

As the duly authorized representative of the applicant public library, I hereby certify that the library is (*check only **one** of the following boxes*)

- A. CIPA Compliant
(The applicant public library has complied with the requirements of Section 9134(f)(1) of the Library Services and Technology Act.)

OR

- B. The CIPA requirements do not apply because no funds made available under the LSTA program are being used to purchase computers to access the Internet, or to pay for direct costs associated with accessing the Internet.

Signature of Authorized Representative

Printed Name of Authorized Representative

Title of Authorized Representative

Date

Name of Applicant Library/Program

Grant Application Cover Sheet

Current Status: Funded

Date Certification Received:

None

General Project Information

Cottonwood Public Library

100 South 6th Street

Cottonwood, AZ 86326-4238

DUNS Number:

Password: 7c5p519

Does the applicant meet all the eligibility criteria for a library? Yes No

If no, what criteria is the applicant missing?

Project Contact Information

Contact Name Vanessa Ward

E-mail Address vward@cottonwoodaz.gov

Use Library Address as Contact Address

Mailing Address 1 100 South 6th Street

Mailing Address 2

City Cottonwood

State AZ
Zip Code 86326-4238
Phone 928-634-7559
Fax 928-634-0253

Legal Administrator Information

The Project Contact is the Legal Administrator

Title Library Manager

First Name Vanessa

Last Name Ward

E-mail Address ward@cottonwoodaz.gov

Mailing Address 1 100 South 6th Street

Mailing Address 2

City Cottonwood

State AZ

Zip Code 86326-4238

Phone 928-634-7559

Fax 928-634-0253

If this grant is awarded, what entity should the award check be made out to?
City of Cottonwood-Cottonwood Public Library

Community Education Opportunities

Project Description

We will incorporate a computer lab with laptops to provide services to our community. We will provide classes for adults to pursue interests and enhance lifelong learning. These interests were identified through a survey we provided to our patrons. The most requests were made for a digital imagery class, Spanish language and how to plan a trip. We will have a six (6) week learning program for adults and a six (6) week program for youth. These classes will be offered through our partnership with Osher Lifelong Learning Institute (OLLI) through Yavapai College. We are also partnered with Cyndy Ricca, to provide a 4 session "Social Media (Facebook) for Business" class for adults. For the Pre-K-6th grade youth, the *SchoolZone* educational software will benefit Homeschoolers, low income families, special needs and reluctant readers. The software and Smart Board Interactive table will boost math, reading, spelling and alphabet skills and improve hand-eye coordination. It will provide children an avenue to learn social and communication skills by working and learning together in a fun environment. It will also allow parents an opportunity to work along-side their children for a learning experience. The laptops will have the software loaded on them. The *SchoolZone* software and the SmartBoard Interactive table will be facilitated by our staff and will also be open to the public during all open hours. ESL classes will provide confidence and fluency for non-English speaking people in their workplace and environment.

Publicity— We will use our quarterly newsletter, City Facebook page, newspaper and radio spots and marketing throughout our library to advertise these exciting services and opportunities.

Justification

Through various surveys and general consensus of the community, the LSTA grant will provide free library programs for the Pre-K-6th grade youth and adults of the Verde Valley. The aims of these programs are to enhance knowledge for all ages in an environment outside of a "school" setting. We will provide free literacy programming for the youth. Last year (Jan. 2012) Arizona schools finished 44th in the annual report that measures state education policies and programs. The LSTA grant will provide youth the opportunity to enhance their collaboration skills that are needed to succeed in today's society. Low income adults will have a new focus on learning something that they are interested in but cannot otherwise explore. Small and upstart businesses will learn how to use a media avenue to promote their business and increase financial security. Our schools and parents need help in educating our children. Basic computer classes and eBook classes are provided now but limited to three (3) people at a time. Scheduling for these classes are months out. The LSTA grant will allow eight (8) people at a time

and the ability to reach more people in a shorter amount of time. Classes will be held every Friday. The ESL class will provide basic English language skills to our non-English speaking population.

Outcomes/activities/evaluations

Change:

- Communications skills will increase between the non-speaking Spanish people and the community
- Adults will learn a new skill in how to maintain memories through digital imagery for free
- Small business owners and prospective owners will learn a valuable marketing tool for success in their endeavors
- Parents, caregivers, homeschoolers and Headstart children will have a free and safe environment to begin and enhance lifelong learning skills
- Cottonwood Parks & Recreation Center's After-school program and the Boys & Girls Club will have a venue to bring children to learn and participate in what the library has to offer
- Homeless families will have a place to teach their children about the value and insights that can be found in a library
- Create a lifelong love of libraries
- Our non-English population will learn English which will help them get a job and further their education with the ESL.

Evaluation

- Provided by questionnaires at the end of each workshop
- Word of mouth comments
- Statistical reports
- Community support

Personnel

- OLLI facilitators- Bios attached.
 - Spanish workshops – Sandra
 - Digital Imagery (GIMP) – Isabel Lacey
 - How To Plan a Trip- Velda
- Social Media (Facebook) for Businesses—Cyndy –Bio attached
- SchoolZone software and SmartBoard Interactive table-Staff member- Shirley Scott

- ESL – Gail Basham- Bio attached

Timeline schedule for activities

All classes will be for 1 ½ hours

OLLI- Fall session - 1 ½ hours - \$300.00

GIMP (Digital Imagery)--- AUGUST

3 weeks for 3 days in a row

Winter session – 1 ½ hours - \$1,200.00

Spanish---- 6 weeks NOVEMBER

Spanish—Youth – 6 weeks---JANUARY

Spring session - 1 1/2 hours - \$300.00

How To Plan your own Trip (Vacation planning) — 3 weeks --MAY

Each week (18) @ \$100.00 = \$1,800.00

Social Media Cyndy Ricca 928-274-0755

Facebook for businesses

4 classes @ \$150.00/class- have class around 4 pm -One classes per quarter

ESL – Winter session – Gail Basham

8 weeks -1 ½ hours - \$500.00

WHO

Audience: Adults, parents, caregivers, grandparents and Homeschoolers

- The library is within walking distance to several low income housing complexes and elementary schools.
- The Boys and Girls Club and the Cottonwood Recreation Center are nearby and use the library
- Expand core curriculum education by increasing math, English and science skills
- We are also located near the city's Senior Center and several Senior Citizen homes

WHY

- Parents, caregivers, and homeschoolers will have a place to help their children learn while they play

- By sharing the Smartboard table, children will be engaged. They will be active while gaining collaboration skills needed to succeed today
- We will be providing a service that low income families would not have otherwise
- Patrons have expressed an interest in learning basic computer skills, eBook training, Skype, Microsoft Office components and Spanish. This information was found in a survey we had.

LEARN

- The Smartboard interactive table will instill social skills while being in a learning environment
- Begin and help build foundational skills before children begin school and be a help center while they are in school
- Ability to enjoy our eBook database and their eBook reader with ease without intimidation and expand their educational endeavors
- English and non-English speaking people will have an opportunity to learn a new language

DO

- Feel secure in their school environment and build their confidence in learning.
- Reluctant learners and readers will have the advantage of having help before and during school
- Gain the ability to feel comfortable with computer usage. Feel comfortable with their communication skills

HELP

- We will schedule and have joint workshops for the School Zone software led by a qualified educator and also provide one on one help
- Provide proper training

SUCCESS

- Progress will be achieved by an instructor progress report and Parent, grandparent, and caregiver report.
- Will also track circulation statistics to see if our materials are being checked out
- Recognition by the community

SUMMARY

- The goal of the project is to provide additional resources to the community in a safe environment for adults and children.
- Funds will be used to purchase the laptops, SchoolZone software and the Smart Board Interactive table. This includes tables, chairs, books and adequate instructor fees. Community members will benefit because children will have an opportunity to jumpstart and continue their education. Low income families will have help needed to further their children's education.

Adults will be able to learn basic computer skills, have eBook training and additional skill achieving workshops.

PROGRESS: Will be achieved by an instructor progress report and parent, caregiver, grandparent report

- Track circulation statistics to see if our circulation goes up

DEFINE YOUR AUDIENCE: Pre-K-6th children and the adult community of the Verde Valley

DEFINE THE AUDIENCE NEEDS: Preschool- elementary ages will have access to learning phonics, sounds, alphabet, colors, shapes and increased reading skills.

Middle-Schoolers, Teens and adults will be able to collaborate on animated stories or movies with basic, intermediate and advanced progression. They would also be able to possibly collaborate on local history photo projects or genealogy projects.

DEFINE WHAT CHANGE YOU HOPE TO ACHIEVE IN THE AUDIENCE:

We hope to give families and adults a gathering place to learn something fun and exciting together. Preschoolers will be better prepared for school with the use of the learning software from School Zone, in a small group setting in a learn at your own pace atmosphere. With the help of a SmartBoard Interactive table, parents will be able to work one on one with their child or in a group. This would also be an opportunity for low income families to have free help in preparing their children for school and also to help those struggling in school. Adults will have the opportunity to learn basic computer skills, get help with their eBook readers, find a new adventure in digital imagery, new marketing tools for small businesses and learn Spanish and ESL. Potential friendships and networking avenues would all be made available.

Our Mission statement is "to serve as a cultural, recreational, educational and research center." With the LSTA grants our aim is to keep our library relevant to our community for the changing technology.

JUSTIFICATION OF EXPENDITURES

The equipment costs were determined by using the Dell government discount for the laptops and searching various Interactive table and software sites online for the best pricing. The pricing for DeepFreeze and Envisionware reflects current pricing we already receive from them. Research was done with Brodart, Demco, The Library Store and online sites for furniture and supplies. Contract service charges were negotiated with the facilitators.

Application Fiscal Report

Type	Vendor	Grant Funds	Local Funds	Cash	Total	
Salaries & Benefits				<input type="checkbox"/>		Add
Salaries & Benefits	Library Staff	\$0.00	\$6,410.00		\$6,410.00	Edit Delete
		\$0.00	\$6,410.00		\$6,410.00	
Contractual Services	Cyndy Ricca	\$600.00	\$0.00		\$600.00	Edit Delete
Contractual Services	FICA/MED FICA/licenses	\$889.00	\$0.00		\$889.00	Edit Delete
Contractual Services	Gail Basham	\$500.00	\$0.00		\$500.00	Edit Delete
Contractual Services	OLLI facilitators	\$2,400.00	\$0.00		\$2,400.00	Edit Delete
		\$4,389.00	\$0.00		\$4,389.00	
Travel	lunch and mileage to Phoenix	\$104.00	\$0.00		\$104.00	Edit Delete
		\$104.00	\$0.00		\$104.00	
Equipment	Dell laptops	\$8,092.00	\$0.00		\$8,092.00	Edit Delete
Equipment	Fan w/installation	\$0.00	\$0.00		\$0.00	Edit Delete
Equipment	SmartBoard Interactive table	\$0.00	\$0.00		\$0.00	Edit Delete
		\$8,092.00	\$0.00		\$8,092.00	
Software	SchoolZone	\$0.00	\$0.00		\$0.00	Edit Delete
		\$0.00	\$0.00		\$0.00	
Library Collection Materials	Print and media	\$298.00	\$0.00		\$298.00	Edit Delete
		\$298.00	\$0.00		\$298.00	
Supplies	tables, chairs misc.	\$2,368.00	\$0.00		\$2,368.00	Edit Delete
		\$2,368.00	\$0.00		\$2,368.00	
Other	marketing, utilities, supplies, shipping chrgs.	\$2,749.00	\$6,950.00		\$9,699.00	Edit Delete
		\$2,749.00	\$6,950.00		\$9,699.00	

Certification of Application

I certify this application to be true and accurate to the best of my knowledge. On behalf of all organizations participating in this application, I hereby assure and certify that I will comply with all regulations, policies, guidelines and requirements pertinent to the application and to the use of award funds. Funds will not be used for indirect or administrative costs. The applicant agrees to submit a final report, which will include a narrative, budget and certification by the final report deadline. If this application is approved, I certify that the project will begin promptly, and will be completed as described.

Library Name: Cottonwood Public Library

Project Name: Community Education Opportunities

Authorizing Official's Name: Vanessa Ward

Authorizing Official's Title: Library Manager

Mailing address:

Cottonwood Public Library
100 South 6th Street

Cottonwood, AZ 86326-4238

Authorizing Official Signature for Cottonwood Public Library

Date

[View Grant Application Report](#)

IMPORTANT

This form **MUST** be postmarked by the due date in order to be eligible for consideration. Please type or print clearly.

MAIL COMPLETED APPLICATION TO:

Grants Administrator

Library Development Division

1700 West Washington Street, Suite 200

Phoenix, AZ 85007-2935

Arizona State Library, Archives and Public Records

Date

Application Fiscal Report

Type	Vendor	Grant Funds	Local Funds	Cash	Total	
Salaries & Benefits				<input type="checkbox"/>		Add
Salaries & Benefits	Library Staff	\$0.00	\$6,410.00	<input type="checkbox"/>	\$6,410.00	Edit Delete
		\$0.00	\$6,410.00		\$6,410.00	
Contractual Services	Cyndy Ricca	\$600.00	\$0.00	<input type="checkbox"/>	\$600.00	Edit Delete
Contractual Services	FICA/MED FICA/licenses	\$889.00	\$0.00	<input type="checkbox"/>	\$889.00	Edit Delete
Contractual Services	Gail Basham	\$500.00	\$0.00	<input type="checkbox"/>	\$500.00	Edit Delete
Contractual Services	OLLI facilitators	\$2,400.00	\$0.00	<input type="checkbox"/>	\$2,400.00	Edit Delete
		\$4,389.00	\$0.00		\$4,389.00	
Travel	lunch and mileage to Phoenix	\$104.00	\$0.00	<input type="checkbox"/>	\$104.00	Edit Delete
		\$104.00	\$0.00		\$104.00	
Equipment	Dell laptops	\$8,092.00	\$0.00	<input type="checkbox"/>	\$8,092.00	Edit Delete
Equipment	Fan w/installation	\$0.00	\$0.00	<input type="checkbox"/>	\$0.00	Edit Delete
Equipment	SmartBoard Interactive table	\$0.00	\$0.00	<input type="checkbox"/>	\$0.00	Edit Delete
		\$8,092.00	\$0.00		\$8,092.00	
Software	SchoolZone	\$0.00	\$0.00	<input type="checkbox"/>	\$0.00	Edit Delete
		\$0.00	\$0.00		\$0.00	
Library Collection Materials	Print and media	\$298.00	\$0.00	<input type="checkbox"/>	\$298.00	Edit Delete
		\$298.00	\$0.00		\$298.00	
Supplies	tables, chairs misc.	\$2,368.00	\$0.00	<input type="checkbox"/>	\$2,368.00	Edit Delete
		\$2,368.00	\$0.00		\$2,368.00	
Other	marketing, utilities, supplies, shipping chrgs.	\$2,749.00	\$6,950.00	<input type="checkbox"/>	\$9,699.00	Edit Delete
		\$2,749.00	\$6,950.00		\$9,699.00	
		\$18,000.00	\$13,360.00		\$31,360.00	

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED



State: ARIZONA

**CERTIFICATIONS REGARDING DEBARMENT AND SUSPENSION;
DRUG-FREE WORKPLACE REQUIREMENTS; LOBBYING;
FEDERAL DEBT STATUS; AND NONDISCRIMINATION**

Signature of this form provides for compliance with the statutes and regulations cited below. The certifications shall be treated as material representations of fact upon which reliance will be placed when the Institute of Museum and Library Services determines to award Federal funds to State Library Administrative Agencies.

1. DEBARMENT AND SUSPENSION

The applicant shall comply with 2 CFR Part 3185. The undersigned, on behalf of the applicant, certifies to the best of his or her knowledge and belief that neither the applicant nor any of its principals:

- (a) Are presently excluded or disqualified;
- (b) Have been convicted within the preceding three years of any of the offenses listed in 2 CFR section 180.800(a) or had a civil judgment rendered against you for one of those offenses within that time period;
- (c) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in 2 CFR section 180.800(a); or
- (d) Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

The applicant, as a primary tier participant, is required to comply with 2 CFR Part 180 Subpart C (Responsibilities of Participants Regarding Transactions Doing Business With Other Persons) as a condition of participation in the award. The applicant is also required to communicate the requirement to comply with 2 CFR Part 180 Subpart C (Responsibilities of Participants Regarding Transactions Doing Business With Other Persons) to persons at the next lower tier with whom the applicant enters into covered transactions.

2. DRUG-FREE WORKPLACE REQUIREMENTS

As required by the Drug-Free Workplace Act of 1988 and implemented at 45 C.F.R. Part 1185, the undersigned, on behalf of the applicant, certifies that the applicant will or will continue to provide a drug-free workplace by:

- (a) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the action that will be taken against employees for violation of such prohibition;
- (b) establishing an ongoing drug-free awareness program to inform employees about:
 - (1) the dangers of drug abuse in the workplace;
 - (2) the grantee's policy of maintaining a drug-free workplace;
 - (3) any available drug counseling, rehabilitation, and employee assistance programs; and

- (4) the penalties that may be imposed on employees for drug abuse violations occurring in the workplace;
- (c) making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - (1) abide by the terms of the statement; and
 - (2) notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace not later than five calendar days after such conviction;
- (e) notifying the agency in writing within ten (10) calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notices shall include the identification number(s) of each affected grant;
- (f) taking one of the following actions within thirty (30) days of receiving notice under subparagraph (d)(2) with respect to any employee who is so convicted:
 - (1) taking appropriate personnel action against such an employee, up to and including termination consistent with the requirements of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 701 *et seq.*); or
 - (2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health law or other appropriate agency;
- (g) making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

The applicant either shall identify the site(s) for the performance of work done in connection with the project in the application material or shall keep this information on file in its office so that it is available for Federal inspection. The street address, city, county, state, and zip code should be provided whenever possible.

3. LOBBYING

As required by Section 1352, Title 31 of the United States Code, and implemented for persons entering into a grant or cooperative agreement over \$100,000, the applicant certifies to the best of his or her knowledge and belief that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of a Federal contract, the making of a Federal grant, the making of a Federal loan, the entering into of a cooperative agreement, or the extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than appropriated Federal funds have been paid or will be paid to any person (other than a regularly employed officer or employee of the applicant) for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall request, complete, and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

4. FEDERAL DEBT STATUS

The undersigned, on behalf of the applicant, certifies to the best of his or her knowledge and belief that the applicant is not delinquent in the repayment of any Federal debt.

5. NONDISCRIMINATION

As required by the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Education Amendments of 1972, and the Age Discrimination in Employment Act of 1975, as implemented at 45 C.F.R. Part 1180.44, the undersigned, on behalf of the applicant, certifies that the applicant will comply with the following nondiscrimination statutes and their implementing regulations:

- (a) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000 *et seq.*), which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity receiving Federal financial assistance;
- (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 701 *et seq.*), which prohibits discrimination on the basis of disability in Federally-assisted programs;
- (c) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-83, 1685- 86), which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance;
- (d) The Age Discrimination in Employment Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age in Federally-assisted programs;

The undersigned further provides assurance that it will include the language of these certifications in all subawards and that all subrecipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Signature of Authorized Certifying Official

Library Name

Print Name and Title of Authorized Certifying Official

Date

INTERNET SAFETY CERTIFICATION FOR APPLICANT
PUBLIC LIBRARIES
PUBLIC ELEMENTARY AND SECONDARY SCHOOL LIBRARIES, and
CONSORTIA WITH PUBLIC AND/OR PUBLIC SCHOL LIBRARIES

As the duly authorized representative of the applicant public library, I hereby certify that the library is (*check only **one** of the following boxes*)

- A. CIPA Compliant
(The applicant public library has complied with the requirements of Section 9134(f)(1) of the Library Services and Technology Act.)

OR

- B. The CIPA requirements do not apply because no funds made available under the LSTA program are being used to purchase computers to access the Internet, or to pay for direct costs associated with accessing the Internet.

Signature of Authorized Representative

Printed Name of Authorized Representative

Title of Authorized Representative

Date

Name of Applicant Library/Program

City of Cottonwood, Arizona City Council Agenda Communication



Print

Meeting Date: June 4, 2013
Subject: Consent of Assignment of Tenant Rights for Lot 103 of Cottonwood Airpark.
Department: City Clerk
From: Marianne Jiménez, City Clerk

REQUESTED ACTION

Request from Shirley A. Seitz for Consent of Assignment of Tenant Rights for Lot 103 of Cottonwood Airpark from Shirley A. Seitz to Seicorp Investments, L.L.C.

SUGGESTED MOTION

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

I move to approve the Consent of Assignment of Tenant Rights for Lot 103 of Cottonwood Airpark from Shirely A. Seitz to Seicorp Investments, L.L.C.

BACKGROUND

A letter was received requesting the consent of assignment of tenant rights of lot 103 of Cottonwood Airpark from Shirley A. Seitz to Seicorp Investments, L.L.C., owned by Jeffrey S. and Jill D. Seitz.

JUSTIFICATION/BENEFITS/ISSUES

The original airport Ground Lease provides for the assignment of the lease to another party subject to City Council approval, not unreasonably withheld.

COST/FUNDING SOURCE

N/A

ATTACHMENTS:

Name:	Description:	Type:
6-4-13 Airpark Lot 103 Transfer Request.pdf	Letter of Request for Consent of Assignment of Lot 103	Cover Memo
6-4-13 Airpark Lot 103 Transfer.pdf	Consent of Assignment	Cover Memo

SEICORP INVESTMENTS, L.L.C.

An Arizona Limited Liability Corporation

P.O. Box 976

Clarkdale, Arizona 86324

928-301-2889

April 5, 2013

To: Marianne Jimenez

City Clerk, City of Cottonwood, Arizona

Re: Request for Ground Lease Assignment/Transfer

Lot 103, Cottonwood Airpark

Dear Ms. Jimenez,

I would like to formally request to be placed on the agenda of the regular City Council meeting scheduled June 4th, 2013 for the purpose of the City Councils consent to the transfer of Tenant Rights for Lot 103, Cottonwood Airpark from Shirley Annette Seitz to Seicorp Investments, L.L.C., owned by Jeffrey S. Seitz and Jill D. Seitz.

It appears that the best interests of the City will be served by permitting the Assignment of Tenant Rights to Seicorp Investments, L.L.C. in order to further economic development and continue and/or increase the tax base for the City of Cottonwood.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jeffrey S. Seitz', with a stylized flourish at the end.

Jeffrey S. Seitz

cc Shirley A. Seitz

When recorded, mail to:

Jeffrey Seitz
SEICORP INVESTMENTS, LLC.
P.O. Box 976
Clarkdale, AZ 86324

ASSIGNMENT OF TENANT RIGHTS IN LOT 103, COTTONWOOD AIRPARK

BACKGROUND

The Ground Lease

A. The City of Cottonwood, formerly known as the Town of Cottonwood, an Arizona municipality, is the "Landlord" under a Ground Lease Agreement dated May 5, 1983 to encourage economic development of the Cottonwood Airport Industrial property and to further economic development within the City of Cottonwood.

B. Cottonwood Airpark, L.C. (CALC") is the successor-in-interest to Cottonwood Airpark I, L.C. as successor-in-interest to Cottonwood Airpark, Inc., which was originally named as "Tenant" under Ground Lease Agreement.

C. The Ground Lease Agreement, as amended by the First Amendment dated November 30, 1983, the Second Amendment dated March 12, 1985, the Third Amendment dated August 21, 1985, the Fourth Amendment dated February 7, 1989, and the proposed Fifth Amendment dated January 1, 1993, which was never signed, the Sixth Amendment dated July 5, 1994, and the Seventh Amendment dated September 16, 1997, the Eighth Amendment, which was recorded December 22, 1998, the Ninth Amendment, recorded October 1, 2001, and the Tenth Amendment, recorded March 3, 2003. The Ground Lease Agreement and all Amendments are collectively referred to as the "Ground Lease".

D. A memorandum of the Ground Lease dated May 23, 1983 was recorded January 4, 1984 in Book 1597, pages 576-581 and thereafter corrected by an instrument recorded July 1, 1985 in Book 1734, pages 11-15 of the records of the Yavapai County Recorder (the "Memorandum of Ground Lease").

E. On July 1, 1998, CALC made an Assignment to S & S Verde Properties, L.L.P., an Arizona limited liability partnership, owned by Carl F. and Shirley A. Seitz, husband and wife, of some of the rights possessed by CALC under its Ground Lease with the City of Cottonwood, i.e., to the two lots, 101 and 102 (except the south 31.98 feet of Lot 102). Recorded

September 16, 1998 in Book 3601, page 974, of official records of Yavapai County.

F. On August 1, 2001, CALC made an Assignment to S & S Verde Properties, L.L.P., and Arizona limited liability partnership, some of the rights possessed by CALC under its Ground Lease with the City of Cottonwood, i.e., to Lot 103 and the south 23.98 feet of Lot 102, as recorded October 1, 2001 in Book 3867, page 214, official records of Yavapai County.

G. Lot 101 and Lot 102, except the south 31.98 feet thereof, and Lot 103 and the south 23.98 feet of Lot 102, Cottonwood Airpark are collectively referred to as the "Lots".

H. As a result of the death of Carl Frederick Seitz, Jr., aka Jack Seitz, on January 30, 2007, and the probate of his Estate in Yavapai County Superior Court, Probate No. PB82007 0032, including the Instrument of Distribution recorded in Book 4530, page 438, records of the Yavapai County Recorder on August 10, 2007, Shirley Annette Seitz now holds all of the partners' interest in S & S Verde Properties, L.L.P. Under the provisions of A.R.S. § 29-1022, when a person holds all of the interests of the partnership, all of the partnership property vests in that person, however the transfer needs to be recognized by the City of Cottonwood and the private lender.

I. On August 10, 2007, Shirley Annette Seitz formally made an Assignment to herself all of the rights possessed by S & S Verde Properties, L.L.P., an Arizona limited liability partnership under its Ground Lease with the City of Cottonwood, i.e., to Lots 101 and 102, except the south 31.98 feet of Lot 102 and Lot 103 and the south 23.98 feet of Lot 102 of Cottonwood Airpark, arising under the Ground Lease and the improvements located thereon, if any as recorded September 28, 2007 in Book 4543, page 547-548, official records of Yavapai County.

J. Shirley Annette Seitz, Tenant, Lot 103, as amended by the Seventeenth Amendment recorded March 15, 2013, Book 4944, page 176, official records of Yavapai County, now wishes to make an Assignment of all rights of the Ground Lease to Seicorp Investments, L.L.C., an Arizona Limited Liability Corporation, owned by Jeffrey S. Seitz and Jill D. Seitz.

K. The Ground Lease requires written transfer and consent of the City of Cottonwood to the assignment and transfer of all rights as Tenant to Lot 103 of the Ground Lease to Seicorp Investments, L.L.C. (ASSIGNEE).

FORMAL ASSIGNMENT AND CONSENT THERETO

Now, therefor, for valuable consideration received, the parties agree that:

1. **Incorporation by Reference.** The facts, circumstances, descriptions and definitions contained in the Background section of this Assignment are hereby incorporated by reference as an integral part of the Assignment.
2. **Assignment.** As of the Effective Date as determined by Close of Escrow No. 60667219 Yavapai Title Company, Cottonwood, Arizona, Shirley Annette Seitz hereby formally sets over, assigns and transfers to Seicorp Investments, LLC. all rights as Tenant to Lot 103 of Cottonwood Airpark, arising under the Ground Lease and the improvements located thereon, if any.
3. **Acceptance of Assignment and Indemnity.** By signing below, Seicorp Investments, LLC., hereby accepts the assignment of all Tenant's rights, duties, obligations and undertakings under the Ground Lease as to the Lot defined above and agrees to fully and faithfully perform all duties, obligations and responsibilities arising thereunder.
4. **Ratification of Ground Lease with Respect to Lot 103.** The terms and conditions contained in the Ground Lease with respect to Lot 103 are hereby ratified, confirmed and continue in full force and effect. The Term Commencement date of December 1983 began a 50-year term as to Lot 103. The Ground Lease also granted options for renewal. The parties intend to ratify and affirm the length of the term, including all options, and of all other rights and obligations under the Ground Lease with respect to the Lot. The parties represent to the best of their knowledge and belief, there are no other amendments, modifications, supplements or other agreements or understandings with respect to the subject matter of this Consent (i.e., the Lot) except for those identified herein. The City as Landlord further acknowledges (i) that Shirley Annette Seitz as Tenant has paid all rent due with respect to the Lot, and (ii) that, to the City's knowledge, Shirley Annette Seitz has fully performed all of her obligations and is in good standing under the Ground Lease with respect to the Lot.

This Consent is legally binding as of the Effective Date regardless of the actual date of signing, provided that it shall not take effect until it is fully executed by both the City and the ASSIGNEE.

The undersigned Representatives of the City of Cottonwood hereby personally affirm and certify that there has been full compliance with all requirements for approval of the Assignment by the City and do further affirm and certify that this Consent is hereby approved, ratified and accepted by the City of Cottonwood.

ASSIGNOR

ASSIGNEE

Shirley Annette Seitz,

Jeffrey S. Seitz
Seicorp Investments, LLC.

Jill D. Seitz
Seicorp Investments, LLC.

STATE OF ARIZONA)
) ss.
County of Yavapai)

Before me, the undersigned Notary Public, on this _____ day of _____, 2013, personally appeared Shirley Annette Seitz as Assignor and Jeffrey S. Seitz and Jill D. Seitz as Assignee(s), who is personally known to me (or satisfactorily proved themselves) to be the person(s) who executed the foregoing, acknowledging that they executed the same for the purposes therein contained, being authorized so to do.

Notary Public

My Commission Expires:

SEAL

CONSENT TO TRANSFER AND ASSIGNMENT:

CITY OF COTTONWOOD

By: _____
Diane Joens, Mayor
City of Cottonwood

ATTEST:

Marianne Jimenez, City Clerk

APPROVED AS TO FORM:

Steven B. Horton, Esq., City Attorney

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



 Print

Meeting Date:	June 4, 2013
Subject:	<u>Request by Mingus Union High School for Reduction of Pool Fees</u>
Department:	Community Services
From:	Richard Faust, Community Services General Manager

REQUESTED ACTION

Council consideration of request from Mingus Union High School to reduce facility use operational fees for the 2013 season.

SUGGESTED MOTION

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

"I move to reduce the fees charged to Mingus Union High School for use of the outdoor pool in the 2013 season from \$9,350.00 to \$5,000.00."

BACKGROUND

Current fees for Mingus Union High School are \$9,350.00 annually. The Mingus Swim Team season is from mid-August of each year through the first week of November. Scheduled use of the pool facilities by the High School is Monday through Friday from 5:30 p.m. to 8:30 p.m. and Saturday from 7:00 a.m. through 10:00 a.m. The School's normal schedule ends the first or second week of November dependent upon Regionals or State programs. Approximate total use is 1,155 hours which comes to around \$8.10 per hour usage cost. The City's costs to operate the facility were \$156,490.00 in 2012. Costs to run the pool facility from August through November are forecast to run between \$22,000.00 to \$23,000.00. Typically, where outside organizations utilize public pool facilities they are required to reimburse the public entity for 100 percent of the operating costs, including utilities (natural gas, electrical, water) and all chemical costs for pool sanitation.

JUSTIFICATION/BENEFITS/ISSUES

At the Council's regular meeting on June 19, 2012, Council authorized the IGA between the City and Mingus Union High School (Cottonwood Outdoor Aquatics Center). The agreement sets forth the requirements for the IGA involving terms and use along with School District payment. The School District paid \$8,500 in accordance with the terms of the agreement in 2012. The IGA provides that the District will reimburse the City for 50 percent of the costs of operating the pool for the period in which the District uses the facility, provided that the District's costs will not increase by more than 10 percent in any given year. Thus, the proposed

cost of \$9,350.00 is well below the 50% mark for cost recovery, given the projected total operational cost of \$22,000.00 to \$23,000.00

COST/FUNDING SOURCE

With the request by the Mingus Union High School District to lower costs to \$5,000.00 for use of the outdoor pool facility, the City will be required to fund \$18,000.00, which represents an additional subsidy of \$4,350.00. These costs represent the cost of operating the pool exclusively for the use of Mingus High School. These additional costs would be absorbed by the General fund if the requested reductions in fees are approved by the Council.

ATTACHMENTS:

Name:	Description:	Type:
2012 - Council Communications Document - IGA with Mingus Union High School for Exclusive Use of the Cottonwood Aquatics Center - 6-19-12.doc	Council Communication Document - June 19, 2012	Cover Memo
IGA for MUHS Use of Outdoor Pool (2011) - Revised 6-2-11.docx	IGA between the City of Cottonwood and Mingus Union High School	Cover Memo

City of Cottonwood, Arizona
City Council Agenda Communication



Meeting Date: June 19, 2012

Subject: Resolution No. 2646 - Approving an Intergovernmental Agreement with Mingus Union High School for Management and Operation at the Cottonwood Aquatics Center

Department: Community Services (Parks & Recreation)

From: Richard Faust, Community Services General Manager

REQUESTED ACTION

Approval of an Intergovernmental Agreement with the Mingus Union High School - School District for full use of the Cottonwood Aquatics Center facility from August to November each year.

SUGGESTED MOTION:

"I move to approve Resolution Number 2646, approving an Intergovernmental Agreement with Mingus Union High School - School District for use of the Cottonwood Aquatics Center from August to November of each year."

BACKGROUND

Over the past twenty-five years, the City has provided Mingus Union High School use of facilities at the Cottonwood Aquatics Center without cost. Costs have continued to escalate over the past ten (10) years with high chemical costs, utilities (electricity, natural gas and water) along with increases of transportation costs of chemicals. Currently costs are fluctuating between \$17,000 and \$22,000 from the months of mid-August through the first part of November when the High School utilizes the facilities almost exclusively for their High School Swim Team activities. The City has been trying to work with the School District for the past 18 months in entering into some type of

governmental agreement; however it has continued to be challenging. The agreement provides a direction for this process each year whereby previous year's costs are assessed and divided between both agencies. The School paid \$8,500 to the City last year (2011) for the use of City facilities, however has not approved the agreement document. Our hopes are that as we see costs increase in the future, there will be a unified approach by both agencies towards consensus in paying 50% of these costs. According to the 1993 Parks & Recreation Code, costs for youth programs and services are to be recovered at 50% of the total costs. It was felt that this would in turn promote positive relations between the City and the High School in the future.

JUSTIFICATION/BENEFIT/ISSUES

Cottonwood has contributed approximately \$100,000 to \$120,000 to the Mingus Union High School swim team activities over the past ten (10) years involving total operational costs of the Aquatics Center facility from August to November of each year. The City is desirous of cost sharing pertaining to such activities whereby the High School has a need to utilize City facilities such as the Cottonwood Aquatics Center. With the incredibly high cost of operation to run a 300,000 gallon commercial pool facility, staff has felt that a 50% cost recovery obligation should be borne by both parties with this type of youth programming. In review of other City/Town entities throughout the State of Arizona, it was found that some City's charge for the operational services from the School Districts on a majority cost basis. In other words, the School Districts are required to pay for the major costs of operation of the pool facilities during these times of semi-exclusive use. It was also noted that several City entities charge only for chemicals and/or utilities during times of School use. Others still charge a per lap lane charge of up to \$12 to \$15 per hour use. It was therefore felt that an equitable solution was a 50% cost share basis with the High School which would be more beneficial to both parties.

Over the past two years, the City has not had need to utilize any High School facility for events or programming, especially since the construction of the Cottonwood Recreation Center in 2010. Prior to that time, the City utilized the High School Gym for several hours a week for the Adult Volleyball program during a three month period of time along with Police Department programming and utilization of School facilities. Even during these time frames, there was a disproportionate cost out for facility costs involving the massive pool facilities on the City side of the equation.

COST/FUNDING SOURCE

Under the agreement, costs for use of the Cottonwood Aquatics Center facility would be unilaterally shared by both agencies towards promoting youth programming into the future. All costs pertaining to pool chemicals, electricity, gas, water, sewer, maintenance operations, and custodial operations costs will be shared equally between the two agencies. Also in accordance with the agreement, in subsequent years, the City shall notify the District of its proportional share of the cost of operating the pool in that

year (based on the best available information which shall be provided to the District on request) by or before July 1 of that year, and the District shall pay that sum to the City in accordance with the agreement (not to exceed 10% from the previous year's sum total).

REVIEWED BY

City Manager: _____

City Attorney: _____

ATTACHMENTS

Resolution #2646
City IGA with Mingus Union High School

INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF COTTONWOOD AND
MINGUS UNION HIGH SCHOOL
(Cottonwood Outdoor Aquatics Center)

This Intergovernmental Agreement (“Agreement”) is made and entered into this ____ day of _____, 2011, between CITY OF COTTONWOOD, an Arizona municipal corporation (“City”), and MINGUS UNION HIGH SCHOOL DISTRICT of YAVAPAI COUNTY, ARIZONA, a political subdivision of the State of Arizona (“School District”), hereinafter collectively referred to as the “parties”.

RECITALS:

- A. Pursuant to A.R.S. § 11-951 *et seq.*, City and School District may contract for services or jointly exercise any powers common to the contracting parties and may enter into intergovernmental agreements with one another for joint or cooperative action.
- B. City is authorized by A.R.S. §§ 9-240 and 9-276, to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of City.
- C. School District is authorized by A.R.S. § 15-364 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of School District.
- D. City upgraded and expanded its outdoor aquatics facility (“Aquatics Facility”) in July, 2010, and desires to make that facility available to School District for its use from a varying, agreed-upon date in August of each year this Agreement is in effect through a varying, agreed-upon date in November of each such year, under the terms and conditions set forth herein, which terms and conditions shall include the School District’s payment of a proportional share of the costs of utilities (APS, UNS Gas, Water and Sewer Utilities), chemicals, and labor (*i.e.*, lifeguards, pool maintenance, and custodial service) required and used to operate the facility during the months of use for each year that this Agreement is in effect.

NOW, THEREFORE, in consideration of the above recitals and mutual promises set forth below, City and School District agree as follows:

- 1. City Grant of License to Use Aquatics Facility. City hereby grants to School District a limited license subject to School District control pursuant to this Agreement to use the Aquatics Facility to provide physical education classes, lap swim programs, and extracurricular athletic activities at the Aquatics Facility for the benefit of students at Mingus Union High School, and to use the parking area of the Aquatics Facility for benefit of students and members of the public attending Mingus Union High School athletic events.
 - 1.1. The license granted to School District is subject to the terms and conditions stated in this Agreement.
 - 1.2. The license granted shall commence upon an agreed-upon date in August and last through November 15 of each year.

2. Scheduling and Use of Aquatics Facility by School District. On or before August 1 of each year that this Agreement is in effect, the parties shall develop a schedule for the School District's use of the Aquatics Facility for the upcoming season, including classes and other educational programs; practices; meets/tournaments; and other events and activities for which the School District anticipates a need to use the Aquatics Facility, including any use of the Aquatics Facility by third-parties associated with School District. All proposed uses shall be subject to City review and approval.
3. Aquatics Facility Operations & Maintenance. City shall provide all management of facilities for use of the Aquatics Facility involving pool mechanical operations, cleaning and overall maintenance and upkeep to keep facilities attractive and safe for all School District users. This will include all pool vacuuming, chemical feeding, monitoring of chemical feed systems, and management of pool pumps, motors and apparatus. City will make available all bath-house changing rooms/restroom/shower facilities for use and year-round deck space for a 12' x 16' storage shed area.
4. School District Operation/Ownership of Scoreboard and Electronic Touchpad Systems. City will authorize the School District's construction and installation of scoreboard/timing and underground electronic control systems at the Aquatics Facility. City will not be responsible for loss, damage or vandalism of the systems nor will City be responsible for the upgrades, maintenance, or repairs to such systems on City property at any time, unless damage is incurred by the negligence of City staff, or damages occur during the course of normal operating hours during a City program/event. (See Section 10).
5. School District Payment. Within 30 days of the date this Agreement is approved by both parties, the District shall pay the City the sum of eight thousand, five hundred dollars (\$8,500.00) as the District's proportional (50% cost recovery) share of the cost of operating the pool in 2011. In subsequent years, the City shall notify the District of its proportional share of the cost of operating the pool in that year (based on the best available information, which shall be provided to the District on request) by or before July 1 of that year, and the District shall pay that sum to the City within 30 days of commencing to use the pool in that year, provided, however, that the District's payment obligation for any year of this Agreement shall not be increased by more than 10 percent over its payment obligation in the preceding year.
6. Scope of School District Use:
 - 6.1. School District shall have use of the Aquatics Facility for all athletic competitions, practice and educational activities benefiting students at Mingus Union High School from 3:00 p.m. to 6:00 p.m. Monday through Friday, 7:00 a.m. to 10:00 a.m. on Saturdays, or as dictated by events or scheduling activities identified to City Recreation Center staff.
 - 6.2. School District shall be able to use the Aquatics Facility for school-related activities or other activities as authorized by City, whereby School District shall supervise all activities as scheduled.
 - 6.3. School District shall have the right to use any available parking spaces in the parking area for the benefit of students and members of the public attending any event, activity or program as scheduled.
7. City Responsibilities.

7.1. City shall have general responsibility for operation and maintenance of the Aquatics Facility. Without limiting the generality of the foregoing, City shall:

- a. Provide for American Red Cross certified lifeguards necessary for supervising safe use of the pool and the facility where necessary when School District does not have personnel available with these credentials. City shall charge School District for such staff and labor at normal City pay rates for personnel, not to exceed \$15.00 per hour per guard or supervisor.
- b. Reserve use of facilities, as necessary, for use by School District.
- c. Provide all necessary equipment for the operation of the Aquatics Facility safely and efficiently and ensure that City staff operate said the mechanical systems and pumps for proper facility operations.
- d. Provide proper supervision to ensure that the Aquatics Facility, including without limitation, diving structures, lane lines, and pool equipment, are properly used and that pool users follow established rules and regulations of the City's Aquatics Facility Manual in regards to safe use of the pool and outlying facilities.
- e. Provide all custodial maintenance operations for bathhouse and restroom facilities at City cost during the School District's use of the Aquatics Facility from the agreed-upon date in August through November 15 of each year. Custodial services will be provided three times a week with a local company in order to keep the facilities clean and sanitized for School District use.
- f. Have the right to operate or contract to have operated a concession stand at the Aquatics Facility, and any profits, fees or charges in connection therewith being retained by City.
- g. Charge School District all costs associated with energy needs at the Aquatics Facility from the agreed-upon date in August through November 15 pertaining to Arizona Public Service electrical use, UNS Gas use, City water use, all chemical charges to run mechanical chemical feed systems for the sanitation of water at the facility per State requirements and specifications, and any other costs associated with the School District's use of the Aquatics Facility. City shall invoice School District monthly and will provide copies of all billing information for School District review and records.
- h. Not charge admission fees or charges to the public, however it will allow School District to do so, should School District authorize such fees for program activities.
- i. Contact School District Athletic Director (or designee) in the event of any power outage or other condition which would prompt the shut-down of the Aquatics Facility pending power restoration or repairs.

7.2. Except as stated in Section 8.1(a) below, City shall have responsibility for general maintenance and upkeep of the Facility, including without limitation, maintenance of the pool equipment, heaters, diving structure, supplies, water chemistry, vacuuming and cleaning.

7.3. A cleaning and vacuuming schedule shall be coordinated with School District pursuant to which City shall be allowed three (3) days each week, for a minimum of four (4) hours per

day, to maintain proper cleaning and maintenance of the Aquatics Facility.

7.4. At all times, City shall oversee routine maintenance, including but not limited to, backwashing, daily equipment checks and/or adjustments, equipment repairs and/or replacement.

7.5. At all times, City shall have responsibility for the condition of the equipment and water chemistry of the Aquatics Facility. Periodically, City shall evaluate pool conditions for safe swimming, and shall have the authority to close the pool at any time when it determines that pool conditions are unsafe, subject to any ruling or determination made by the Yavapai County Health Department and regulations as specified.

8. School District Responsibilities.

8.1. While the School District is exercising its license to use the Aquatics Facility, School District shall:

- a. Be responsible for safe pool use and for hosing off the pool deck, trash pick-up and supervision of students, swim teams, or other persons using the Aquatics Facility for education, athletic or competition purposes. School District shall also be responsible for maintaining its storage area in a clean and orderly manner.
- b. Provide supervision to ensure that the pool facility, including without limitation, diving structures, lane lines, and pool equipment, are properly used and that pool users follow established rules and regulations of the City's Aquatics Facility Manual in regard to safe use of pool facilities. School District personnel **MUST KEEP POOL GATES AND DOORS LOCKED AT ALL TIMES**. School District personnel should also take proper action with students who abuse pool rules, equipment and diving structures in order to ensure a safe aquatic environment. School District personnel should provide adequate training on use of equipment and use of facilities.
- c. Provide American Red Cross certified lifeguards necessary for supervising safe use of the pool and Aquatics Facility. School District personnel supervising any activity must hold current American Red Cross life-saving certification to avoid the assignment of City staff to supervise the activity. If assistance of City staff is needed for any School District sponsored activity or function, School District shall reimburse City for the time and labor of City staff needed for the activity.
- d. Be responsible for training system, kick boards and other equipment associated with, and used by, swim teams.
- e. Pay in a timely manner the invoices submitted to it by the City on a monthly basis, as more fully described in Section 7.1(g).

9. Coordination of Use.

9.1. School District shall cooperate with City to coordinate use and scheduling of the Aquatics Facility through Cottonwood Community Services Department, Aquatics Division, whose mailing address and phone number are, respectively: 827 North Main Street, Cottonwood, Arizona 86326; (928) 639-3200.

9.2. Pool heaters on site at the Aquatics Facility shall be used as necessary for the School District. School District may require the use of such heaters during its use of the pool facility. In such event, City shall start, monitor, operate and turn off the pool heaters, as required. The heaters shall be operated at a “set” temperature mutually agreed upon by the parties. School District personnel shall not operate pool heaters.

9.3. City shall notify School District when maintenance or repairs will require the water to be shut off in and around the pool areas during any time period that the School District has a right to or is otherwise scheduled to use the Aquatics Facility.

9.4. City and School District shall mutually establish rules, regulations and policies, where necessary, including so called “pool rules,” pertaining to the safe use of the pool and the Aquatics Facility in a cooperative manner. All formal pool rules shall be in accordance with the City’s Aquatics Facility Manual, whereby it shall be in the best interest of both parties to cooperate with each other in effectively operating and maintaining the Facility.

10. Reimbursements and Capital Repairs.

10.1. City shall reimburse School District for any repair or replacement of School District property, or the School District storage area or equipment damaged by City or damaged during the use of the Aquatics Facility by City or during City sponsored or approved activities. School District shall reimburse City for any repair or replacement of City property, equipment or fixtures damaged by School District or damaged during the School District’s use of the Aquatics Facility or during use of the Aquatics Facility for any School District sponsored activity at the Aquatics Facility.

10.2. In the event that damage to the Aquatics Facility requiring repair or replacement does not arise from the negligence or willful misconduct of either party, and is of a type that under generally accepted accounting principles is to be capitalized or depreciated, the parties shall equally share the cost of such repair or replacement. The parties shall mutually determine when the cost of such repair or replacement will be incurred.

11. Insurance.

11.1. Each of the parties shall secure and maintain during the life of this agreement: statutory worker’s compensation insurance with employer’s liability policy limits in the amount of \$1,000,000 for each incident for bodily injury, \$1,000,000 for bodily injury by disease, and \$1,000,000 for each employee for bodily injury by disease; commercial general liability, including contractual liability for assumption of the tort liability under this agreement, and personal injury liability, with limits of not less than \$10,000,000 per occurrence; and commercial automobile liability insurance for any owned, hired or non-owned autos, with a limit of not less than \$1,000,000 each accident. Each party shall retain the option of discharging this obligation by means of funded self-insurance, or by membership and participation in a statutorily authorized public-entity insurance pool. Should coverage be provided on a claims-made basis, the reporting period for claims shall be written so that it can be extended for not less than two (2) years.

11.2. City shall secure and maintain property insurance coverage protecting the Aquatics Facility, including the structural portion of the School District’s storage area, and any City personal property at the Aquatics Facility against all risk of physical damage and loss for its full replacement cost. School District shall obtain similar coverage for the personal property

it maintains in the Aquatics Facility. School District and City hereby mutually waive their respective rights of recovery against each other for any loss insured by property insurance coverage existing for the benefit of the respective parties with the exception that City shall be entitled to any insurance proceeds received for damage loss to the swimming pool structure if the funds are not used to repair or rebuild the structure. City and School District shall provide at least thirty (30) days notice of cancellation of material change in coverage. Each party shall list the other party as an additional insured on all applicable insurance policies. The parties agree to review annually the limits and types of insurance required herein and may, by mutual agreement, amend the requirements of Section 11, as they deem necessary.

11.3. City's responsibility, whether by insurance or self-insurance, shall be primary or designated as primary in respect to the acts and omissions of its employees and its operation of the Aquatics Facility. School District's responsibility, whether by insurance or self-insurance, shall be primary or designated as primary in respect to the acts and omissions of its employees and its operation or use of the Aquatics Facility.

12. Hold Harmless and Indemnification.

12.1. To extent permitted by law, City shall defend, indemnify and hold harmless School District, its officers, employees and agents, from and against any and all claims, demands, suits, actions or proceedings of any kind or nature, for damages to property or injuries to or death of any person or persons, including employees or agents of School District, and including, but not by way of limitation, worker's compensation claims, resulting from or arising out of the negligent or wrongful acts, errors or omissions of City, its officers, employees, agents, consultants, contractors or subcontractors. This paragraph 12.1 shall survive the termination of the Agreement.

12.2. To extent permitted by law, School District shall defend, indemnify and hold harmless City, its officers, employees and agents, from and against any and all claims, demands, suits, actions or proceedings of any kind or nature, for damages to property or injuries to or death of any person or persons, including employees or agents of City, and including, but not by way of limitation, worker's compensation claims, resulting from or arising out of the negligent or wrongful acts, errors or omissions of School District, its officers, employees, agents, students, guests, consultants, contractors or subcontractors. This paragraph 12.2 shall survive the termination of the Agreement.

12.3. In the event of any third party legal action against both School District and City, the parties agree to discuss and analyze the benefits of a common, mutual defense.

13. Expiration or Termination.

13.1. Unless renewed by mutual agreement of the parties, this Agreement and the license granted hereunder to School District to use the Aquatics Facility shall automatically terminate without further action required by either party on the yearly anniversary of the Commencement Date. However, if requested by City, School District shall execute and record an instrument evidencing the termination of the license granted under this Agreement.

13.2. In the event that the City fails to observe or perform any of the covenants, conditions and terms of this Agreement which are required to be observed or performed by City, where such failure shall continue for a period of thirty (30) days after written notice thereof from School District, then School District may terminate this Agreement within a 30-day period by

any lawful means or proceed with whatever steps School District may deem necessary in order to enforce the rights and remedies available to School District under this Agreement, at law or equity, including, without limitation, the right of specific performance of this Agreement or the right to recover its damages from City.

13.3. In the event that School District fails to observe or perform any of the covenants, conditions and terms of this Agreement which are required to be observed or performed by School District, where such failure shall continue for a period of thirty (30) days after written notice thereof from City, then City may terminate this Agreement within a 30 day period by any lawful means or proceed with whatever steps City may deem necessary in order to enforce the rights and remedies available to City under this Agreement, at law or equity, including, without limitation, the right of specific performance of this Agreement of the right to recover its damages from School District.

14. Assignment. This Agreement and the rights accorded to and the obligations required of the parties hereunder shall not be assigned, delegated, granted, conveyed or otherwise transferred to any third party without the express, written consent of the other party, and such assignment, delegation, grant, conveyance, or other transfer made by a party without the consent of the other party shall be deemed void and shall constitute good cause for the termination of this Agreement and the rights granted hereunder.
15. Nature of License to Use. The revocable license granted herein to School District is expressly intended *not* to run with the land or be appurtenant to the land upon which the Aquatics Facility is situated or Mingus Union High School is located, but is expressly intended to be personal for the benefit of the School District for the limited purposes stated herein.
16. No Third-party Beneficiaries. Failure to comply with the terms of this Agreement shall not provide the basis of any third party action against either of the parties, and there are no third party beneficiaries of this Agreement.
17. Lack of School District Funding. If funding is not available to School District pursuant to A.R.S. § 15-910 to discharge its financial obligations pursuant to this Agreement, the parties shall attempt to renegotiate the terms of this Agreement related to payment of utilities so as to establish or identify a source of funding for the obligations under Sections 6, 7.1(g), and 8.1(e). In the event the School District cannot or does not meet its financial obligations to the City under this Agreement for the reasons stated herein, City shall have the right to immediately discontinue heating of the swimming pool and all other operations on the School District's behalf at the Aquatics Facility, and/or to terminate this Agreement and School District's license hereunder.
18. Execution and Recordation. This Agreement shall become effective as of August 1, 2011. The terms and conditions of this Agreement shall remain in full force and effect unless modified in writing by the parties.
19. Notice. Whenever a notice or other communication is required or permitted to be given, it shall be given in writing and delivered personally, or delivered by the postal service, certified mail, return receipt requested, to the other party at the address indicated below, or at such other address as may be designated by either party:

If to City:	City of Cottonwood 827 North Main Street Cottonwood, Arizona 86326
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With a Copy to: City of Cottonwood – City Attorney’s Office
827 North Main Street
Cottonwood, Arizona 86326

If to School District: Mingus Union High School
Superintendent
1801 East Fir Street
Cottonwood, Arizona 86326

20. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original.

21. Conflict of Interest. This Agreement is subject to termination pursuant to A.R.S. § 38-511.

IN WITNESS WHEREOF, the parties have executed this Agreement by signing their names on the day and date first written above.

CITY OF COTTONWOOD

MINGUS UNION HIGH SCHOOL DISTRICT

By: _____
Mayor

By: _____
Board President

APPROVAL OF SCHOOL DISTRICT AND ATTORNEYS

The Undersigned hereby state that each has reviewed the proposed Intergovernmental Agreement between the City of Cottonwood and the Mingus Union High School District, and do declare the Agreement to be in proper form and within the powers and authority granted to their respective governing bodies under the law of the State of Arizona.

By: _____
Cottonwood City Attorney

By: _____
Attorney for Mingus Union High School District

Date

Date

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



 Print

Meeting Date:	June 4, 2013
Subject:	Resolution Number 2700--Declaring the "Historic Preservation Ordinance" a Public Record.
Department:	City Clerk
From:	Marianne Jiménez, City Clerk

REQUESTED ACTION

Approval of Resolution Number 2700, which declares the "Historic Preservation Ordinance" a public record.

SUGGESTED MOTION

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

I move to approve Resolution Number 2700, declaring the "Historic Preservation Ordinance" a public record.

BACKGROUND

Resolution Number 2700 declares the "Historic Preservation Ordinance" a public record. This resolution is followed by the first reading of Ordinance Number 596, which, after adoption, will approve the "Historic Preservation Ordinance" being added to the city's Zoning Ordinance.

JUSTIFICATION/BENEFITS/ISSUES

COST/FUNDING SOURCE

N/A

ATTACHMENTS:

Name:	Description:	Type:
 res2700.doc	Resolution Number 2700	Cover Memo

RESOLUTION NUMBER 2700

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, DECLARING THAT CERTAIN DOCUMENT ENTITLED "SECTION 310., HISTORIC PRESERVATION ORDINANCE" TO BE A PUBLIC RECORD.

WHEREAS, the Mayor and City Council of the City of Cottonwood, Yavapai County, Arizona, have determined that it is in the public interest to consider amending the Cottonwood Zoning Ordinance, by adding a new "Section 310., Historic Preservation Ordinance."

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, THAT:

Section 1: Declaration of Public Record. That certain document known as "Section 310., Historic Preservation Ordinance" is hereby declared to be a public record and attached as Exhibit A.

Section 2: Copies with City Clerk. Three copies of the aforementioned Section are ordered to remain on file with the City Clerk.

Section 3. Effective Date. This Resolution shall be effective upon adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA THIS 4TH DAY OF JUNE 2013.

Diane Joens, Mayor

APPROVED AS TO FORM:

ATTEST:

Steve Horton, Esq.
City Attorney

Marianne Jiménez, City Clerk

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SECTION 310. HISTORIC PRESERVATION ORDINANCE

A. PURPOSE

The purpose of this Section is to further the preservation, protection, enhancement, rehabilitation and perpetuation of historic properties, structures, sites, landmarks, and historic districts, as necessary to promote the economic, cultural, educational, and aesthetic values of the community and the health, safety and general welfare of the public. In addition, the Historic Preservation Ordinance shall have the following purposes:

1. Protect and enhance the landmarks and historic districts which represent distinctive elements of Cottonwood's historic, architectural, economic, social and cultural heritage.
2. Protect and enhance Cottonwood's attractiveness to visitors, tourists, and residents and serve as an important support and stimulus to business and industry.
3. Stabilize and/or improve property values, and protect existing investment involving the restoration and preservation of historic resources.
4. Encourage maintenance and preservation of structures so as to protect the health, safety and lives of people in Cottonwood.
5. Promote the use of historic design review districts and landmarks for the education, pleasure, and welfare of the residents of Cottonwood.
6. Further the Goals and Policies of the City's General Plan.

B. DEFINITIONS

Unless specifically defined below or elsewhere in the Zoning Ordinance, words or phrases in this Section shall be interpreted so as to give them the same meaning they have in common usage and so as to give this ordinance its most reasonable application.

ALTERATION - Any act or process that changes one or more of the existing features of a structure, including, but not limited to exterior changes or modifications of a structure or any of its architectural details or visual characteristics, including paint color and surface texture, facade materials, surface paving, landscape features, and placement or removal of signs, plaques, light fixtures, walls, fences, and street furniture.

CERTIFICATE OF APPROPRIATENESS - A certificate issued by the Historic Preservation Commission indicating its approval of plans for alteration, restoration, reconstruction, demolition or removal, of a historic landmark; or for alteration, new construction, removal, or demolition of non-historic structures within a historic district.

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COMMISSION - Refers to City of Cottonwood Historic Preservation Commission.

CONSTRUCTION - The act of building an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

CONTRIBUTING PROPERTY - A classification applied to a building site, structure or object within a historic district or landmark property signifying that it contributes to the defining characteristics of the historic district or landmark.

DEMOLITION - Any act or process that destroys and removes a structure in part or in whole.

HISTORIC DISTRICT - A designated area that contains at least one or more landmarks within definable geographic boundaries, where a majority of structures are indicated as significant, and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance or age to be designated as landmarks, nevertheless contribute to the overall quality and character of the district. The historic district shall be officially recognized as such by state and federal agencies.

HISTORIC PRESERVATION DISTRICT – A special overlay zoning district designated by ordinance of the City Council that includes regulations pertaining to historic preservation which modify the regulations of the underlying zoning district. May be applied to an individual property or a group of properties where a majority of properties are indicated as historically significant.

HISTORIC SITE, HISTORIC STRUCTURE, OR HISTORIC PROPERTY - A site, structure or property which has historic and/or architectural significance, and is at least fifty (50) years old from the date of construction; and which contributes to the historic, architectural, cultural, archaeological or other significant value as part of the heritage or history of the City, the State of Arizona, or the nation.

INTEGRITY - A measure of the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period in comparison with its unaltered state.

LANDMARK - A designation, as a result of processes provided in this Section, applied by the Commission to an individual property, structure, site or object, or group of properties, which has a historic value or expresses a distinctive character worthy of preservation.

MANAGER - Refers to the City of Cottonwood Community Development Manager.

MINOR ACTIVITY – Any change, modification, restoration, rehabilitation, or renovation of the features of a historic resource that does not materially change the historic characteristics of the property and is consistent with the criteria for the historic preservation district or landmark.

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NATIONAL REGISTER OF HISTORIC PLACES - A listing of buildings, sites, and objects designated for historical, architectural or other special significance, as determined by established criteria, and which listing is maintained by the National Park Service under the National Historic Preservation Act of 1966, as amended. The program is administered by the State Historic Preservation Office at the state level.

NON-CONTRIBUTING PROPERTY - A classification applied to a property, site, structure or object within a historic district or as associated with a historic landmark property signifying that it does not contribute to the defining characteristics of the historic district or landmark property.

OBJECT – A material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment. This term may include landscape features.

PRESERVATION - The act or process of applying measures to sustain the existing form, integrity, and material of a building or structure, and the existing form and vegetative cover of a site. It may include stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

RECONSTRUCTION - The act or process of reproducing by new construction the exact form and detail of a vanished building, structure, or object, or a part thereof, as it appeared at a specific period of time.

REMOVAL - Any relocation of a structure or portion of a structure on its site or to another site.

REPAIR - Any restoration of a structure by replacing or fixing broken or deteriorated elements, which is not considered to be construction, removal or alteration.

REHABILITATION - The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural values.

RESTORATION - The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

SITE - The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archeological value regardless of the value of any existing structure. A site may encompass more than one lot or parcel.

STABILIZATION - The act or process of applying measures designed to re-establish a weather resistant enclosure and the structural stability of unsafe or deteriorated property while maintaining the essential form as it exists at present.

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STRUCTURE - Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but not limited to, buildings, fences, walls, signs, bridges, utility facilities, communication towers, and recreational facilities.

C. HISTORIC PRESERVATION WAIVER.

For properties proposed for inclusion within a Historic Preservation Overlay Zoning District or designated as a Historic Landmark by the City of Cottonwood, the following procedures shall be available for affected property owners. Such procedures shall be available for affected property owners for up to three (3) years from the date of adoption of an ordinance for Historic Preservation Overlay Zoning or designation of Historic Landmarks.

1. Council Authority to Remove Property from a Proposed Designation. The City Council shall not include any property within a proposed Historic Preservation Overlay Zoning District or a proposed Historic Landmark when the owner has objected in writing or at a public hearing to such a designation, and may remove any property from a proposed designation if the owner of record has not responded to a request for comments on the proposed rezoning and designation as a Historic District or Historic Landmark. The City intends that these designations be voluntary and acceptable to affected property owners.
2. Procedure to Remove Property from District or Landmark Designation. An application for removal from a Historic Preservation Overlay District or Historic Landmark designation shall be submitted by the owner or agent of the subject property and involves the following steps:
 - a. Preliminary consultation. Prior to the submittal of an application for a landmark designation, the applicant should consult with the Manager or designee to discuss the application submittal requirements and process.
 - b. Application submittal requirements. An application for a landmark designation shall contain at a minimum the following:
 - 1) Completed and signed application forms that include the property owner's signature.
 - 2) Address, parcels number and other location information as needed to describe the property.
 - c. Upon receipt of an application for removal from the Historic Preservation Overlay District or Historic Landmark designation, the HPC Commission will make the initial decision about removal in consultation with the Manager and City Attorney, subject to appeal to the City Council.

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D. INCENTIVES.

It is the intent of the city to make ownership of a landmark or contributing property within a historic district as beneficial as possible. In addition to the intangible benefits of owning a property recognized as an important community resource, the Commission may, when applicable and possible, provide such owners with one or more of the following:

1. Recommendation to the Community Development Department, Planning Commission and/or City Council that a new use other than the historic use be considered for a historic property where the applicants are able to demonstrate that the proposed use will assist in furthering the goals of historic preservation for that property and the surrounding district.
2. Provide information regarding potential sources of financial assistance and tax credits.
3. Provide support and endorsement for grant applications that further the goals of historic preservation.
4. Provide or direct applicants to available resources and technical information regarding construction, rehabilitation and repair of historic resources.
5. Provide information to community organizations, property owners, residents, businesses and others regarding proposed activities within historic districts; and
6. Provide information regarding any other benefits that may become available.

E. COTTONWOOD HISTORIC PROPERTY REGISTER.

A Cottonwood Historic Property Register is hereby established for the purpose of listing and defining historic districts and landmarks to be designated under the provisions of this Section. This Register may be periodically amended by the Commission and shall be held available for public reference and historical study.

F. HISTORIC LANDMARK DESIGNATION PROCESS.

1. The Commission may designate as a landmark an entire property, an identified portion of a property, or one or more individual structures on a property.
2. Application Submittal and Review. An application for a landmark designation shall be submitted by the owner or agent of the subject property and involves the following steps:

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- a. Preliminary consultation. Prior to the submittal of an application for a landmark designation, the applicant should consult with the Manager or designee to discuss the application submittal requirements and process.
 - b. Application submittal requirements. An application for a landmark designation shall contain at a minimum the following:
 - 1) Completed and signed application forms that include the property owner's signature.
 - 2) Address, parcels number and other location information as needed to describe the property.
 - 3) The applicant shall provide a written description of the proposed landmark property describing the buildings, structures or objects and the known or estimated age of all such features. If available, include information on any special aesthetic, cultural, architectural, archaeological or engineering issues of a historic nature, including information about the architecture, notable construction features and other information indicating the historical significance of the property.
 - 4) The application may include any photographs, sketches, drawings, or other similar descriptive materials, including those showing historic or current conditions.
 - 5) A written statement of the condition of the property and/or structures with attention to any known concerns or threats to the maintenance or historic integrity of the property.
 - 6) Filing fee as set by City Council.
 - 7) Other information as may be requested by the City to accomplish these goals.
 - c. Incomplete applications. Incomplete applications may be returned to the applicant and/or not be processed until all materials have been submitted. Following acceptance of a complete application, the staff shall review the application and prepare a report which shall be submitted to the Commission and made available to the applicant and public in advance of the Commission's public hearing on the landmark application.
 - d. Application acceptance. Upon acceptance of a complete application, no building or demolition activity shall occur and no permits affecting the proposed landmark shall be issued by the city until the process as described herein has been completed and the Commission has made its decision.
3. Notice of Commission Hearing.

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- a. Within 60 days of receipt of a complete application for a landmark designation, the application shall be placed on the HPC agenda for a public hearing. Public notice of this hearing shall be given as prescribed by this Ordinance. The city shall give notice of the date, time, and place of a public hearing for consideration of a proposed landmark, including general explanation of the matter to be considered and a general description of the area affected at least 15 days before the hearing in the following manner:
 - 1) Publication at least once in a newspaper of general circulation in the city.
 - 2) In addition to notice by the means set forth above, the city may give notice of the hearing in a specific case in such other manner as it deems necessary or appropriate.
 - 3) As provided in A.R.S. § 9-462.04.A (7), or any successor statute, the failure of any person or entity to receive notice shall be as set forth in the statute or in A.R.S. § 9-400.05 15-10.
4. Landmark Designation Criteria. The Commission shall evaluate each structure, site, building or property within an area that is included in an application and may designate it as a landmark if it is determined to possess integrity of historic appearance, location, design, setting, materials, workmanship, feeling and association; and, being at least 50 years old or having achieved significance within the past 50 years if the property is of exceptional importance; and exhibits one or more of the following characteristics:
 - a. Association with events or activities that made significant contributions to the broad patterns of local, regional or national history;
 - b. Association with the lives of persons significant in the past;
 - c. Embodiment of distinctive characteristics of a type, period or method of construction, or representing significant architectural history, landscape history, or engineering achievements, or high artistic values or representing a significant and distinguishable entity whose components may lack individual distinctiveness; or
 - d. Information important in the understanding of the pre-history or history of our community; potential to yield information through archeological investigation about our past.
5. Commission Public Hearing and Designation.
 - a. The Historic Preservation Commission shall hold at least one (1) public hearing on each landmark application. At the public hearing, the Commission shall review the proposal with consideration given to the review criteria. Approval, conditional

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approval or denial of a landmark application shall be based on the findings of the Commission as they relate to the criteria as described in this Section.

- b. The Commission's decision shall be final unless appealed to the City Council as provided for in this Ordinance. A recommendation for approval may be subject to conditions as the Commission deems applicable.
6. Six month bar on refilling. If the Commission denies an application, the Commission may refuse to accept another application for the same or substantially the same landmark on the same property or any part of it within six (6) months from the date the original application was filed on the same property or a portion of it.
 7. Effect of Landmark Designation.
 - a. Upon approval of a landmark designation, the affected property shall be included in the Historic Property Register for the City of Cottonwood and on any other applicable documents as appropriate for its preservation.
 - b. No person shall carry out any exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, on any landmark, without first obtaining a Certificate of Appropriateness from the Commission.
 - c. No person shall make any material change in the exterior appearance of any landmark, its color, materials, light fixtures, signs, fences, steps or other elements which affect the appearance of the property without first obtaining a Certificate of Appropriateness.
 - d. Each property designated as a landmark shall be maintained in good condition and faithful to its historic character.
 - e. Nothing in this article shall be construed to prevent normal maintenance and repair, which does not involve change in the exterior design, material, color or appearance.

G. HISTORIC PRESERVATION DISTRICT DESIGNATION PROCESS.

1. General Regulations.
 - a. A rezoning approval is required in order to receive a Historic Preservation (HP) Overlay District designation. The process for such is set forth in Article III, Section 301 of this Ordinance.
 - b. The HP Overlay District is an overlay zoning designation as described in the Cottonwood Zoning Ordinance in which all uses of the underlying zoning district

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are maintained but which includes specific criteria and standards for development and rehabilitation that relate to historic preservation. The underlying zoning which describes the allowable land uses continues in effect.

- c. The overlay zoning designation may be applied to any zoning district where determined as appropriate by the City Council.
 - d. The boundary of a proposed HP zoning designation can only be applied to a single property or a collection of properties where such property or properties have been designated as a historic landmark according to the procedures in this Ordinance.
 - e. The Historic Preservation Commission shall administer the regulations as they relate to the historic preservation overlay district designation. In cases where the historic preservation regulations are in conflict with other zoning regulations, the Historic Preservation Ordinance shall take precedence in terms of design review criteria and approval process.
 - f. The Historic Preservation Commission, the Planning and Zoning Commission, City Council, the Community Development Manager, or a property owner or their agent within the subject area may initiate a request to rezone with a Historic Preservation Overlay District. All other procedures for a change of zoning apply.
2. Application Submittal Requirements.
- a. Schedule of Public Hearings. Public hearings on the request for the overlay zoning designation shall be held by the Historic Preservation Commission, Planning and Zoning Commission and City Council. A tentative schedule of all meetings shall be included with initial public notification.
 - b. Preliminary Staff Meeting. At the request of a property owner or their representatives a preliminary informal consultation with the Community Development Manager or designee may be scheduled to review the rezoning process and application submittal requirements.
 - c. Code Review: All applications for the Historic Preservation Overlay District designation shall be reviewed by the Code Review Board.
 - d. Application submittal requirements: In addition to the submittal requirements set forth in Section 301., “Amendments or Zone Changes,” all Historic Preservation Overlay District rezoning applications shall include the following:
 - 1) A vicinity ownership map showing all parcels adjacent to and surrounding the proposed designated property or district within a radius of at least 300 feet from the boundaries of the proposed district;

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- 2) A list of all properties within the proposed district and with 300 feet identified by parcel number and address along to include property owners with current mailing addresses;
 - 3) Written description of the proposed Historic Preservation Overlay District. The description of the district shall include the boundaries of the proposed district, the known or approximate construction dates of buildings and structures in the area, special aesthetic features, cultural, architectural, archaeological or engineering interest or value of a historic nature, including information about the architecture, notable construction features, and other information indicating the historical significance;
 - 4) Describe prospective contributing properties and how they each meet one or more of the criteria for Historic Districts as described by the National Park Service for listing on the National Register of Historic Places; or locations, dates of construction, and a statement of the general condition of each structure;
 - 5) Current photographs of each building or structure and any significant defining elements. Provide photographs in electronic format as per national standards for documentation; and
 - 6) Explanation of any known threats or concerns to the historic integrity of any property or structures included.
3. Notice of Public Hearing. Notice of public hearings shall be the same as set forth in Section 301 as relates to the change of zoning request. In addition, the public notification requirements shall include the following:
- a. Notice of the public hearing and information on the proposed historic district and rezoning sent by first class mail to all property owners with the proposed district;
 - b. Notice posted in at least three conspicuous places within or near the proposed historic district boundaries;
 - c. Notice published in the local newspaper of record as required and at least 2 times prior to the meeting; and
 - d. Notification shall be provided to businesses, commercial lessees and residents within the proposed historic district to the extent possible through known sources, including mailings, postings or direct delivery.
4. Historic Preservation Overlay District Criteria. Each structure, site, building or property within an area that is included in a Historic Preservation District rezoning application will be evaluated using the following criteria to determine if it has historical or other cultural significance or integrity, and is suitable for preservation:

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- a. The Overlay District consists of one or more properties which individually or as a group include a substantial concentration of properties, buildings or structures which individually meet the criteria of this section and which contribute generally to the distinctive character of the area, and are united historically or visually in a coherent manner.
 - b. Being at least 50 years old, or having achieved significance within the past 50 years if the property is of exceptional importance.
 - c. Possessing integrity of location, design, setting, materials, workmanship, feeling or association.
 - d. Association with events that have made significant contributions to the broad patterns of our history.
 - e. Association with the lives of persons significant in our past.
 - f. Embodiment of distinctive characteristics of a type, period or method of construction, or representing the work of a master, or high artistic values or representing a significant and distinguishable entity whose components may lack individual distinctions.
 - g. Yielding information important in the understanding of the pre-history or history of the community.
 - h. The District boundaries coincide with documented historic boundaries, such as property lines, roads or subdivision plats; and other logical recognized neighborhood or area boundaries.
 - i. Any non-contributing properties or vacant parcels are included only where necessary to create appropriate boundaries.
5. Adoption of Historic Preservation Overlay Zoning District.
- a. Action by the Historic Preservation Commission: Upon completing its public hearing on the Historic Preservation Overlay District zoning application, the Historic Preservation Commission shall transmit its recommendation to the Planning and Zoning Commission. The recommendation from the Historic Preservation Commission shall include the following:
 - 1) A map showing the proposed boundaries of the Historic Preservation Overlay District and identifying all structures within the boundaries, including classification as contributing or noncontributing;
 - 2) An explanation of the significance of the proposed overlay district and description of the cultural resources within the proposed boundaries;

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- 3) Proposed design guidelines or a preliminary summary of design review issues specific to the area that apply to the criteria for review for a Certificate of Appropriateness, include a review of architectural styles, a description of the major periods of influence on development within the district, and discussion regarding the effect of context in the decision making process;
 - 4) The recommendations of the Historic Preservation Commission may include additional conditions and/or modifications to the proposed district property boundaries as deemed necessary to promote the purpose of the District; and
 - 5) Findings of fact shall be included for all such recommendations of the Historic Preservation Commission.
- b. Action by the Planning and Zoning Commission. The Planning and Zoning Commission shall hold a public hearing to consider the proposed overlay zoning subject to all standard requirements for a change of zoning with consideration of the Historic Preservation Commission's recommendations. Following the conclusion of its public hearing, the Planning and Zoning Commission shall transmit its recommendation to City Council.
 - c. Action by the City Council. The City Council shall hold a public hearing on the proposed overlay zoning. The Council may approve the Historic Preservation Overlay District as recommended or in a modified form, stipulating those conditions it deems necessary to carry out the purpose of this district and this ordinance.
 - d. Approval. The ordinance approving a Historic Preservation Overlay District may include specific and unique standards for that district, including reference to design guidelines or other documents developed to meet the needs of that overlay district.
6. Revisions. Based on any conditions recommended by the Historic Preservation Commission or Planning and Zoning Commission, the applicant may provide minor revisions to their application submittal prior to the City Council hearing. All such revisions shall be documented in written format with a description of such changes. Major revisions to the plans shall be required to be resubmitted to the Historic Preservation Commission for review.
 7. Effect of Historic Preservation Overlay District Designation.
 - a. Upon approval of a Historic Preservation Overlay District designation by the City Council, the affected properties shall be included in the Cottonwood Historic Property Register and on any other applicable City documents as appropriate for its preservation. The city's zoning map shall be updated to reflect the new overlay zoning district boundaries. The city's parcel information database shall be updated to include those properties identified within the overlay district.

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- b. No person shall carry out any exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, without first obtaining a Certificate of Appropriateness from the Commission.
- c. No person shall make any material change in the exterior appearance of a designated property, its color, materials, light fixtures, signs, sidewalks, fences, steps, paving or other elements which affect the appearance of the property without first obtaining a Certificate of Appropriateness.
- d. Criteria may be established to determine work that may be approved administratively.
- e. Each property designated as a contributing property shall be maintained in good condition and faithful to its historic character.
- f. Nothing in this article shall be construed to prevent normal maintenance and repair which does not involve change in exterior design, material, color or appearance.
- g. In addition to any other required review and/or approval, any proposed construction within a historic preservation overlay district shall also be subject to Commission review according to any design guidelines which may have been applied to that district or any other applicable criteria adopted for such purposes.

H. DEVELOPMENT PROCEDURES FOR LANDMARKS AND HISTORIC DISTRICTS.

- 1. **Applicability.** The provisions of this Section shall apply to Historic Landmarks and to properties within a Historic Preservation Overlay District.
- 2. **Alteration of Historic Resources:**
 - a. No building, permanent sign, or other structure in a Historic Preservation District or part of a designated Historic Landmark shall be erected, demolished, moved, restored, rehabilitated, reconstructed, altered, or changed in exterior appearance, nor shall any historic resource be altered, moved, remodeled, demolished, enlarged or extended contrary to the district or landmark until plans for such activities have been submitted to and approved by the Historic Preservation Commission or as permitted administratively, and the City has issued a Certificate of Appropriateness, for such work on the subject property. This requirement is in addition to any other permit or approval required by law.
 - b. Failure to comply with a stipulation, standard, or plan made a part of any of these approvals shall constitute a violation of the Zoning Ordinance of the City of Cottonwood. An approved plan shall apply to and run with the property and the rights and responsibilities shall be transferable to future successors and assignees

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of such property. No permit shall be issued for any building or structure not in compliance with the plan, except that temporary facilities shall be permitted in conjunction with construction. No structure or other element shall be eliminated, or altered or provided in another manner, unless an amendment is approved in conjunction with the procedures for original approval.

- c. Maintenance of the historic resource is required. Ordinary maintenance or repair of any structure that does not alter or modify the historic character of the structure will not require a Certificate of Appropriateness.

I. CERTIFICATE OF APPROPRIATENESS.

1. **Applicability:** A Certificate of Appropriateness is required before commencing any exterior improvements or development, including alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, of any property located within a Historic Preservation Overlay District or to a Historic Landmark, whether or not the work will require a building permit. Building permits for exterior work on properties within historic overlay districts or landmarks cannot be issued without first obtaining a Certificate of Appropriateness.
2. **Exceptions for Minor Work:** A Certificate of Appropriateness may be approved administratively by the Community Development Manager or designee, where it is determined that the proposed activity constitutes a minor change and does not alter the essential appearance and character of the property. Activities that may be approved administratively include, but are not limited to the following: repair or replacement of architectural features with essentially the same materials and design; repair or replacement of signs within existing sign panels or frames; repainting with essentially the same design scheme and colors; or other minor changes or additions that are in conformance with approved Design Guidelines and are considered minor. In addition to the criteria described in this Section or in any Design Guidelines approved for historic preservation, the Commission may authorize staff to approve certain activities administratively. For projects that qualify for administrative approval, all other application requirements and review criteria shall remain in effect.
3. **Application Submittal and Review Procedure.** An application for Certificate of Appropriateness shall be submitted by the owner or agent of the subject property and involves the following steps:
 - a. **Preliminary meeting.** Prior to the submittal of an application for a Certificate of Appropriateness, the applicant shall meet with the Manager or designee to review the application submittal requirements.
 - b. **Application Submittal requirements.** An application for a Certificate of Appropriateness shall contain at a minimum the following:
 - 1) Completed application forms.

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- 2) Location and description of property with photographs of the subject property and surrounding area affected by proposed project.
 - 3) Filing fees as adopted by resolution of the City Council.
 - 4) A Project Narrative describing the overall project and specifically addressing the relationship of any proposed activity to the architectural style of the structure, its compatibility with the context of the surrounding structures and area, and a description of proposed building materials, colors, exterior lighting fixtures and types, signage and landscaping or other such development activity if applicable.
 - 5) Site plan identifying all existing and proposed structures and other defining aspects of the property, including, landscaping, sidewalks, parking, drainage and similar site features in relation to surrounding streets and other properties.
 - 6) Proposed building elevations drawn to scale describing any proposed new materials and colors, and any new features in relation to existing.
 - 7) Manufacturers' color and material samples of all proposed exterior paints and colors and samples of roof and other exterior materials to be used, with an explanation on how they relate to existing colors and materials.
 - 8) Proposed signs drawn to scale showing dimensions, lettering, colors, materials and any illumination. Indicate locations of signs on elevation drawing.
 - 9) Any additional information which the Commission may require to properly evaluate the proposed work.
4. Notice of Public Hearing.
- a. The Certificate of Appropriateness shall be placed on the agenda for a public hearing within 60 days of receipt of a complete application. Public notice of this hearing shall be given as prescribed by Arizona law. The city shall give notice of the date, time and place of a public hearing for consideration of a Certificate of Appropriateness, including a general explanation of the matter to be considered and a general description of the area affected at least 15 days before the hearing in the following manner:
 - 1) Notice of the general nature of the proposed activity which is the subject of the Certificate of Appropriateness and the date and location of the meeting shall be posted on or in proximity to the property;
 - 2) Posting of agendas and notice of hearing in the manner typically required for all such meetings; and

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- 3) In addition to notice by the means set forth above, the city may give notice of the hearing in a specific case in such other manner as it deems necessary or appropriate.

5. Conduct of Public Hearing.

- a. Following acceptance of a complete application, staff shall review such application and prepare a report, which shall be submitted to the Commission along with other exhibits and materials necessary to describe the request.
- b. The hearing shall be conducted according to the rules and procedures proscribed for such by law. Staff, applicants and concerned persons may present testimony and/or documentary evidence which will become part of the record of the hearing and the deliberations of the Commission.

J. CRITERIA FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS

1. It is the intent of this Section to ensure, to the greatest extent possible, that activities requiring a Certificate of Appropriateness shall be compatible with the architectural and historical character of the property or district.
2. Review Context. Review of applications for Certificate of Appropriateness shall be considered in terms of the specific nature and condition of the property, as well as the context in which the property is located, including the historic characteristics and other influences of surrounding properties. Context shall be considered based on the following circumstances:
 - a. Overlay Zoning District: All properties within a Historic Preservation Overlay Zoning District shall be subject to the requirements for review and approval of a Certificate of Appropriateness for applicable activities, except where considered as exempt.
 - b. Landmark Property. Historic landmarks shall be subject to the requirements for obtaining a Certificate of Appropriateness. Alterations or additions to landmarks shall properly preserve the historic and architectural characteristics which make it unique, and any changes or additions shall conform to the intrinsic and unique character of the building or structure.
 - c. Contributing Property. Alterations or additions to a Contributing Property within a Historic Preservation Overlay District shall reflect the architectural style and characteristics of the existing structure and its context with surrounding properties.
 - d. New Construction or Noncontributing Property. New construction or alterations or additions to a noncontributing property within a historic district shall reflect the

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architectural style of, and be compatible with, the contributing properties located in proximity to the subject property.

3. Review Criteria: The review of the application for a Certificate of Appropriateness shall be considered based on the criteria described in this Section, including any general or specific guidelines that may be approved. The Commission shall use the following documents and criteria as guidelines when considering an application for a Certificate of Appropriateness:
 - a. Any criteria for approval of a Certificate of Appropriateness that may be included in this Section;
 - b. The Secretary of the Interior's Standards for Rehabilitation available from the National Park Service;
 - c. Any design guidelines that may be applicable to a Historic Preservation Overlay District or landmarks within the City of Cottonwood;
 - d. The Secretary of the Interior's Preservation Briefs and other information developed by the National Park Service, Arizona Historic Preservation Office (SHPO), National Trust for Historic Preservation, National Alliance of Preservation Commissions, Association of Preservation Technology, and other professionally prepared reference documents; and
 - e. Any other guidelines as adopted by the City Council.
4. Decision: The decision shall be to approve, conditionally approve or deny a Certificate of Appropriateness based on the following:
 - a. The proposed work does not detrimentally alter, destroy or adversely affect any architectural or landscape feature;
 - b. The proposed work will be compatible with the relevant historic, cultural, educational or architectural qualities characteristic of the structure, or district and shall include but not be limited to elements of size, scale, massing, proportions, orientation, surface textures and patterns, details and embellishments and the relationship of these elements to one another;
 - c. The proposed work conforms with any design review guidelines and/or other applicable criteria as established; and
 - d. The exterior of any new improvement, building or structure in a designated historic preservation overlay district or upon a landmarked site will not adversely affect and will be compatible with the external appearance of existing designated buildings and structures on the site or within such district.

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5. Effect of Approval:

- a. Expiration: A Certificate of Appropriateness expires one (1) year from the date of issuance unless work is started within that time. Evidence of work shall include maintaining an active building permit from the City for the applicable work or similar evidence of intent to proceed through filing of applications for related permits and approvals from the City.
- b. Revisions After Approval: No change shall be made in the approved plans of a project after issuance of a Certificate of Appropriateness without re-submittal to the Commission and approval of the change in the same manner as provided.
- c. Non-Approved Work: If work exceeds that specified in the Certificate of Appropriateness, the Certificate of Appropriateness may be suspended or revoked by order of the Community Development Director. If so ordered, all work shall cease to allow review of the scope of approval. If necessary, the applicant may be required to resubmit the changes to the Commission for approval. Work in violation of the Certificate of Appropriateness may be subject to enforcement action as per applicable City codes and ordinances.
- d. The Certificate of Appropriateness required by this Section shall be in addition to any other permits, approvals or review required for the proposed project.

K. FINDING OF HARDSHIP FOR CERTIFICATE OF APPROPRIATENESS

1. An applicant shall submit an application for Finding of Hardship within ten (10) working days after receiving notification from the Commission of the denial of a Certificate of Appropriateness or of specific conditions to be considered. Application shall be in writing to the Director or designee and shall state the reasons for consideration of the hardship. In addition, the applicant shall provide detailed documentation of why the request shall be considered a hardship, including cost estimates, comparative studies, expert documentation or other such information as necessary to adequately present such new information.
 - a. Is infeasible from a technical, mechanical, or structural standpoint.
 - b. Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking in to account such factors as current market value, permitted uses of the property, and the cost of compliance with applicable local, state and federal requirements.
 - c. Costs necessitated by the neglect or failure of the current owner/s to maintain the property shall not be considered in making this finding.

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- d. The Commission finds that the alterations of a contributing property would not have a substantial adverse impact on the historic significance or integrity of a Historic Preservation Overlay District.
2. The Commission shall hold a public hearing on the hardship application at their next regularly scheduled meeting. Decisions at that time shall be final.

M. DEMOLITION OF HISTORIC LANDMARK OR CONTRIBUTING PROPERTY WITHIN A HISTORIC DISTRICT.

It is the intent of this Section to encourage preservation and protection of historic structures and significant resources within designated Historic Districts and other designated Historic Landmarks. However, it is recognized that there can be circumstances beyond the control of a property owner which may result in the necessary demolition of a Landmark or structure within a designated District. These circumstances include a building which constitutes a non-repairable public nuisance, which involves a resource whose loss does not adversely affect or may even benefit the integrity of the District, or which imposes an economic hardship on the owner. This Section is intended to apply to demolition of buildings or structures and shall not include demolition permits issued for the purpose of interior remodeling or other purposes not applicable to the Historic Preservation Ordinance.

1. Non-Historic Demolition: Demolition of non-historic structures within a Historic District shall not be exempt from the requirements of the Historic Preservation Ordinance and will require first applying for a Certificate of Appropriateness. The area of a site left vacant by a demolition shall be maintained in a manner not detrimental to the surrounding vicinity in accordance with applicable City codes and ordinances, including dust-free surface treatment and abatement of weeds, trash, debris, outdoor storage or other public nuisances.
2. Landmark Demolition: Partial or complete demolition of designated historic properties and landmarks shall not be permitted without first applying for a Certificate of Appropriateness. Application for such a demolition shall be made to the Historic Preservation Commission, which shall hold a public hearing to determine if the applicant has shown that the preservation of the structure is physically and/or economically infeasible.
3. Consideration of Alternatives to Demolition: Before granting a request for demolition, the Commission shall review the historic or cultural value of the property and shall consider options including incentives to the owner for restoration or recommendation to Council that the city consider purchasing the property or seek other methods to ensure the preservation of the building or structure. The Commission shall review the request for demolition based on the following:

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- a. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return.
- b. Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
- c. If preservation is found to be physically and/or economically infeasible, the Commission shall approve the Certificate of Appropriateness, thereby allowing issuance of the Demolition Permit by the Community Development Department.
- d. A landmark or contributing property may be demolished if the chief building official has determined that an imminent safety hazard exists and that demolition of the structure is the only feasible means to secure the public safety.
- e. If preservation is considered feasible, the Commission shall delay issuance of the Certificate of Appropriateness for a period up to ninety (90) days in length so as to consider alternatives to demolition.
- f. The applicant, at their cost, may submit an independent third-party review of the structural integrity of the building or structure in relation to necessary improvements so as to determine the feasibility of alternatives to demolition. Such independent review shall be conducted by a registered professional in the State of Arizona, including an architect, structural engineer or other professional engineer, or other with demonstrated expertise in historic preservation and rehabilitation.
- g. During the delay period, the applicant shall consult in good faith with the Commission, City staff, the State Historic Preservation Office, local and state preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation or sale of the property so as to promote preservation. The applicant shall have ninety (90) days in which to advertise to have the property purchased at a fair market value or to receive appraisals, cost estimates, and proposals on the restoration of such properties.
- h. If no purchaser has been found within the initial ninety (90) day period and no other plan is shown to demonstrate a reasonable alternative, then the Certificate of Appropriateness for the proposed demolition shall be issued.
- i. The applicant shall bear the burden of proof for all findings required for approval of a Certificate of Appropriateness.
- j. If a preservation plan is presented to the Commission within the delay period specified above by any interested party who may be any member of the public, indicating a feasible and reasonable approach to saving a threatened historic resource, the Commission will consider the merits and feasibility of the preservation plan. The Commission may decide to provide copies of such

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preservation plan to the property owner so as to consider alternatives to demolition.

- k. In making its decision, the Commission shall consider testimony and the effects on the surrounding neighborhood, and advise the property owner on preservation alternatives.
- l. The property owner shall have twenty-one (21) days from the date of approval to sign the Certificate of Appropriateness or to appeal any conditions contained therein.

N. FINDING OF HARDSHIP FOR DEMOLITION.

1. Economic Hardship Criteria for Demolition of Historic Structures. Separate standards and application requirements may be established by the city for granting economic hardship relief for income-producing properties and for non-income producing properties. The Commission shall issue the Certificate of Appropriateness if the Commission finds, after review, that maintenance, use and/or alteration of the designated property in accordance with the requirements of this article would cause immediate and substantial hardship on the property owner/s based on one or more of the following issues:
 - a. That a temporary delay period of up to ninety (90) days has elapsed and no reasonable alternative has been demonstrated by the applicant, the City, or any other interested parties.
 - b. Is infeasible from a technical, mechanical, or structural standpoint;
 - c. Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking in to account such factors as current market value, permitted uses of the property, and the cost of compliance with applicable local, state and federal requirements;
 - d. Costs necessitated by the neglect or failure of the current owner/s to maintain the property need not be considered in making this finding; and/or
 - e. The Commission finds that the demolition of a contributing property would not have a substantial adverse impact on the historic significance or integrity of a Historic Preservation Overlay District.
2. Limitations on Economic Hardship Criteria: Demonstration of an economic hardship shall not be based on or include any of the following circumstances:
 - a. Willful or negligent acts by the owner.

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- b. Purchase of the property for substantially more than market value.
- c. Failure to perform normal maintenance and repairs.
- d. Failure to diligently solicit and retain tenants.
- e. Failure to provide normal improvements.

O. MAINTENANCE AND REPAIR.

Each property designated as a landmark, and properties designated as contributing properties within a Historic Preservation Overlay District shall be maintained in good condition and faithful to its historic character. Nothing in this Section shall be construed to prevent normal maintenance and repair of any exterior feature of any structure designated as a landmark or contributing property within a HP District, which does not involve change in design, material, color or outward appearance. The Commission shall not consider the interior arrangements or alterations to the interior of a building, unless designation specifically includes the interior or a portion thereof.

P. APPEALS.

Any person or persons aggrieved by a decision of the Commission may appeal to the City Council within fifteen (15) working days of the Commission's action, by filing with the City Clerk written notice of appeal and any applicable fee as may be adopted. The Council shall render a decision to sustain, conditionally overrule or overrule the Commission decision. The Council may choose to hold a public hearing if deemed appropriate.

Q. VIOLATIONS AND ENFORCEMENT.

All work performed pursuant to this Section shall conform to requirements thereof. Compliance shall be confirmed by inspections made by the City of Cottonwood officials, including the Building Official, Manager or designee. The appropriate City officials shall ensure that all matters are undertaken according to conditions of the approved plans. Noncompliance with the approved plans shall be grounds for stopping work on the project or for denial of a Certificate of Occupancy. Any person who causes unauthorized demolition, alteration, construction, or permits degradation or disrepair of a designated property as defined in this Section may be required to restore the property and site to its condition prior to the violation.

R. SEVERABILITY.

This article and its sections are hereby declared to be severable. If any section, subsection, clause, word or phrase of this article is held to be void, unlawful or unconstitutional, such holdings shall not affect the validity of the remainder of this article or of the Zoning Ordinance.

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



 Print

Meeting Date:	June 4, 2013
Subject:	Zoning Ordinance amendment adding new Section 310, "Historic Preservation Ordinance."
Department:	Development Services
From:	Charlie Scully, Planner

REQUESTED ACTION

Consider the first reading of the Historic Preservation Ordinance--Ordinance Number 596.

SUGGESTED MOTION

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

BACKGROUND

The Historic Preservation Commission considered the proposed ordinance amendment at their April 10, 2013 meeting and recommended approval.

The Planning and Zoning Commission considered the proposed ordinance amendment at their April 15, 2013 meeting and recommended approval.

The Historic Preservation Commission (HPC) was established by the City Council in October 2010 and began meeting in January 2011. Their purpose is to make recommendations to the City Council and to implement recommendations adopted by the City Council for the "identification, evaluation, protection, preservation and enhancement of historic properties that have significance for the City of Cottonwood."

A primary goal for the HPC is to meet the requirements for the Certified Local Government (CLG) Program for Historic Preservation as administered by the State Historic Preservation Office (SHPO) and the National Park Service (NPS.) Adoption of a Historic Preservation Ordinance is a requirement for qualifying for the CLG program. Becoming part of the CLG program will offer additional resources from SHPO for further developing the program, such as updating the historic resources inventory and developing more detailed guidelines to assist with review of proposed rehabilitation and development projects. The program provides a framework for identifying and protecting historic resources in Cottonwood through a variety of educational, regulatory and incentive-based programs.

CLG Requirements: A community must address the following minimum goals to demonstrate to the State and NPS that they are committed to historic preservation:

- Establish a qualified historic preservation commission.
- Enforce appropriate state or local legislation for the designation and protection of historic properties. In most cases this is done in the form of a local ordinance.
- Maintain a system for the survey and inventory of local historic resources.
- Provide for public participation in the local historic preservation program, including participation in the National Register process.
- Follow any addition requirements as outline in the State's Procedures for Certification.

Landmark Designation: The ordinance establishes criteria and procedures for designating properties with local “landmark” status. Property owners must support designating their properties as Landmarks.

Historic Property Inventory: A city-wide historic inventory was commissioned in 1986. The properties in the Historic District were surveyed and inventoried in 1999. One of the program goals for the HPC is to update the city-wide inventory and to identify other properties older than 50 years (pre-1963).

Certificate of Appropriateness: The HP Ordinance would authorize the Historic Preservation Commission to review and issue a Certificate of Appropriateness for exterior work done on properties designated as local landmarks and shown within a historic overlay zone. The procedures and review standards are based on national standards established by the National Park Service for review of work done on historic properties.

Approval and Appeal Process: As with the existing Design Review process, the Historic Preservation Commission would provide the same type of review and approval process. In this case they would be following a national outline used to review historic properties.

Administrative Approval: The ordinance provides exceptions to allow the Community Development Director /Staff to administratively approve Certificates of Appropriateness for certain minor activities, as described.

Hardship Exceptions. The ordinance allows exceptions where hardships are documented for both the rehabilitation process and proposed demolition. The criteria for these sections is based on similar language used nationally and in other Arizona cities.

Historic Preservation Design Guidelines: The ordinance allows more detailed historic design guidelines to be developed at a later time with additional public input. Design guidelines can be developed to address different styles of historic buildings, various architectural styles and periods of influence specific to Cottonwood.

JUSTIFICATION/BENEFITS/ISSUES

Preservation of historic resources provides a range of intangible values that are widely recognized by most people. Historic buildings, neighborhoods and districts provide a quality environment that serve as a source of community pride. Preservation for its own sake should be considered as the primary reason for program development; however, there are also attractive incentives available to property owners through the Certified Local Government (CLG) Program, including increased funding opportunities, tax incentives and increased technical assistance opportunities.

COST/FUNDING SOURCE

N/A

ATTACHMENTS:

Name:	Description:	Type:
 Cottonwood_HP_Ordinance.doc	Proposed Section 310 Historic Preservation Ordinance	Cover Memo
 ord596.doc	Ordinance Number 596	Cover Memo

SECTION 310. HISTORIC PRESERVATION ORDINANCE

A. PURPOSE

The purpose of this Section is to further the preservation, protection, enhancement, rehabilitation and perpetuation of historic properties, structures, sites, landmarks, and historic districts, as necessary to promote the economic, cultural, educational, and aesthetic values of the community and the health, safety and general welfare of the public. In addition, the Historic Preservation Ordinance shall have the following purposes:

1. Protect and enhance the landmarks and historic districts which represent distinctive elements of Cottonwood's historic, architectural, economic, social and cultural heritage.
2. Protect and enhance Cottonwood's attractiveness to visitors, tourists, and residents and serve as an important support and stimulus to business and industry.
3. Stabilize and/or improve property values, and protect existing investment involving the restoration and preservation of historic resources.
4. Encourage maintenance and preservation of structures so as to protect the health, safety and lives of people in Cottonwood.
5. Promote the use of historic design review districts and landmarks for the education, pleasure, and welfare of the residents of Cottonwood.
6. Further the Goals and Policies of the City's General Plan.

B. DEFINITIONS

Unless specifically defined below or elsewhere in the Zoning Ordinance, words or phrases in this Section shall be interpreted so as to give them the same meaning they have in common usage and so as to give this ordinance its most reasonable application.

ALTERATION - Any act or process that changes one or more of the existing features of a structure, including, but not limited to exterior changes or modifications of a structure or any of its architectural details or visual characteristics, including paint color and surface texture, facade materials, surface paving, landscape features, and placement or removal of signs, plaques, light fixtures, walls, fences, and street furniture.

CERTIFICATE OF APPROPRIATENESS - A certificate issued by the Historic Preservation Commission indicating its approval of plans for alteration, restoration, reconstruction, demolition or removal, of a historic landmark; or for alteration, new construction, removal, or demolition of non-historic structures within a historic district.

COMMISSION - Refers to City of Cottonwood Historic Preservation Commission.

CONSTRUCTION - The act of building an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

CONTRIBUTING PROPERTY - A classification applied to a building site, structure or object within a historic district or landmark property signifying that it contributes to the defining characteristics of the historic district or landmark.

DEMOLITION - Any act or process that destroys and removes a structure in part or in whole.

HISTORIC DISTRICT - A designated area that contains at least one or more landmarks within definable geographic boundaries, where a majority of structures are indicated as significant, and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance or age to be designated as landmarks, nevertheless contribute to the overall quality and character of the district. The historic district shall be officially recognized as such by state and federal agencies.

HISTORIC PRESERVATION DISTRICT – A special overlay zoning district designated by ordinance of the City Council that includes regulations pertaining to historic preservation which modify the regulations of the underlying zoning district. May be applied to an individual property or a group of properties where a majority of properties are indicated as historically significant.

HISTORIC SITE, HISTORIC STRUCTURE, OR HISTORIC PROPERTY - A site, structure or property which has historic and/or architectural significance, and is at least fifty (50) years old from the date of construction; and which contributes to the historic, architectural, cultural, archaeological or other significant value as part of the heritage or history of the City, the State of Arizona, or the nation.

INTEGRITY - A measure of the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period in comparison with its unaltered state.

LANDMARK - A designation, as a result of processes provided in this Section, applied by the Commission to an individual property, structure, site or object, or group of properties, which has a historic value or expresses a distinctive character worthy of preservation.

MANAGER - Refers to the City of Cottonwood Community Development Manager.

MINOR ACTIVITY – Any change, modification, restoration, rehabilitation, or renovation of the features of a historic resource that does not materially change the historic characteristics of the property and is consistent with the criteria for the historic preservation district or landmark.

NATIONAL REGISTER OF HISTORIC PLACES - A listing of buildings, sites, and objects designated for historical, architectural or other special significance, as determined by established criteria, and which listing is maintained by the National Park Service under the National Historic Preservation Act of 1966, as amended. The program is administered by the State Historic Preservation Office at the state level.

NON-CONTRIBUTING PROPERTY - A classification applied to a property, site, structure or object within a historic district or as associated with a historic landmark property signifying that it does not contribute to the defining characteristics of the historic district or landmark property.

OBJECT – A material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment. This term may include landscape features.

PRESERVATION - The act or process of applying measures to sustain the existing form, integrity, and material of a building or structure, and the existing form and vegetative cover of a site. It may include stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

RECONSTRUCTION - The act or process of reproducing by new construction the exact form and detail of a vanished building, structure, or object, or a part thereof, as it appeared at a specific period of time.

REMOVAL - Any relocation of a structure or portion of a structure on its site or to another site.

REPAIR - Any restoration of a structure by replacing or fixing broken or deteriorated elements, which is not considered to be construction, removal or alteration.

REHABILITATION - The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural values.

RESTORATION - The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

SITE - The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archeological value regardless of the value of any existing structure. A site may encompass more than one lot or parcel.

STABILIZATION - The act or process of applying measures designed to re-establish a weather resistant enclosure and the structural stability of unsafe or deteriorated property while maintaining the essential form as it exists at present.

STRUCTURE - Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but not limited to, buildings, fences, walls, signs, bridges, utility facilities, communication towers, and recreational facilities.

C. HISTORIC PRESERVATION WAIVER.

For properties proposed for inclusion within a Historic Preservation Overlay Zoning District or designated as a Historic Landmark by the City of Cottonwood, the following procedures shall be available for affected property owners. Such procedures shall be available for affected property owners for up to three (3) years from the date of adoption of an ordinance for Historic Preservation Overlay Zoning or designation of Historic Landmarks.

1. Council Authority to Remove Property from a Proposed Designation. The City Council shall not include any property within a proposed Historic Preservation Overlay Zoning District or a proposed Historic Landmark when the owner has objected in writing or at a public hearing to such a designation, and may remove any property from a proposed designation if the owner of record has not responded to a request for comments on the proposed rezoning and designation as a Historic District or Historic Landmark. The City intends that these designations be voluntary and acceptable to affected property owners.
2. Procedure to Remove Property from District or Landmark Designation. An application for removal from a Historic Preservation Overlay District or Historic Landmark designation shall be submitted by the owner or agent of the subject property and involves the following steps:
 - a. Preliminary consultation. Prior to the submittal of an application for a landmark designation, the applicant should consult with the Manager or designee to discuss the application submittal requirements and process.
 - b. Application submittal requirements. An application for a landmark designation shall contain at a minimum the following:
 - 1) Completed and signed application forms that include the property owner's signature.
 - 2) Address, parcels number and other location information as needed to describe the property.
 - c. Upon receipt of an application for removal from the Historic Preservation Overlay District or Historic Landmark designation, the HPC Commission will make the initial decision about removal in consultation with the Manager and City Attorney, subject to appeal to the City Council.

D. INCENTIVES.

It is the intent of the city to make ownership of a landmark or contributing property within a historic district as beneficial as possible. In addition to the intangible benefits of owning a property recognized as an important community resource, the Commission may, when applicable and possible, provide such owners with one or more of the following:

1. Recommendation to the Community Development Department, Planning Commission and/or City Council that a new use other than the historic use be considered for a historic property where the applicants are able to demonstrate that the proposed use will assist in furthering the goals of historic preservation for that property and the surrounding district.
2. Provide information regarding potential sources of financial assistance and tax credits.
3. Provide support and endorsement for grant applications that further the goals of historic preservation.
4. Provide or direct applicants to available resources and technical information regarding construction, rehabilitation and repair of historic resources.
5. Provide information to community organizations, property owners, residents, businesses and others regarding proposed activities within historic districts; and
6. Provide information regarding any other benefits that may become available.

E. COTTONWOOD HISTORIC PROPERTY REGISTER.

A Cottonwood Historic Property Register is hereby established for the purpose of listing and defining historic districts and landmarks to be designated under the provisions of this Section. This Register may be periodically amended by the Commission and shall be held available for public reference and historical study.

F. HISTORIC LANDMARK DESIGNATION PROCESS.

1. The Commission may designate as a landmark an entire property, an identified portion of a property, or one or more individual structures on a property.
2. Application Submittal and Review. An application for a landmark designation shall be submitted by the owner or agent of the subject property and involves the following steps:
 - a. Preliminary consultation. Prior to the submittal of an application for a landmark designation, the applicant should consult with the Manager or designee to discuss the application submittal requirements and process.
 - b. Application submittal requirements. An application for a landmark designation shall contain at a minimum the following:
 - 1) Completed and signed application forms that include the property owner's signature.
 - 2) Address, parcels number and other location information as needed to describe the property.

- 3) The applicant shall provide a written description of the proposed landmark property describing the buildings, structures or objects and the known or estimated age of all such features. If available, include information on any special aesthetic, cultural, architectural, archaeological or engineering issues of a historic nature, including information about the architecture, notable construction features and other information indicating the historical significance of the property.
 - 4) The application may include any photographs, sketches, drawings, or other similar descriptive materials, including those showing historic or current conditions.
 - 5) A written statement of the condition of the property and/or structures with attention to any known concerns or threats to the maintenance or historic integrity of the property.
 - 6) Filing fee as set by City Council.
 - 7) Other information as may be requested by the City to accomplish these goals.
- c. Incomplete applications. Incomplete applications may be returned to the applicant and/or not be processed until all materials have been submitted. Following acceptance of a complete application, the staff shall review the application and prepare a report which shall be submitted to the Commission and made available to the applicant and public in advance of the Commission's public hearing on the landmark application.
 - d. Application acceptance. Upon acceptance of a complete application, no building or demolition activity shall occur and no permits affecting the proposed landmark shall be issued by the city until the process as described herein has been completed and the Commission has made its decision.
3. Notice of Commission Hearing.
 - a. Within 60 days of receipt of a complete application for a landmark designation, the application shall be placed on the HPC agenda for a public hearing. Public notice of this hearing shall be given as prescribed by this Ordinance. The city shall give notice of the date, time, and place of a public hearing for consideration of a proposed landmark, including general explanation of the matter to be considered and a general description of the area affected at least 15 days before the hearing in the following manner:
 - 1) Publication at least once in a newspaper of general circulation in the city.
 - 2) In addition to notice by the means set forth above, the city may give notice of the hearing in a specific case in such other manner as it deems necessary or appropriate.

- 3) As provided in A.R.S. § 9-462.04.A (7), or any successor statute, the failure of any person or entity to receive notice shall be as set forth in the statute or in A.R.S. § 9-400.05 15-10.
4. Landmark Designation Criteria. The Commission shall evaluate each structure, site, building or property within an area that is included in an application and may designate it as a landmark if it is determined to possess integrity of historic appearance, location, design, setting, materials, workmanship, feeling and association; and, being at least 50 years old or having achieved significance within the past 50 years if the property is of exceptional importance; and exhibits one or more of the following characteristics:
 - a. Association with events or activities that made significant contributions to the broad patterns of local, regional or national history;
 - b. Association with the lives of persons significant in the past;
 - c. Embodiment of distinctive characteristics of a type, period or method of construction, or representing significant architectural history, landscape history, or engineering achievements, or high artistic values or representing a significant and distinguishable entity whose components may lack individual distinctiveness; or
 - d. Information important in the understanding of the pre-history or history of our community; potential to yield information through archeological investigation about our past.
5. Commission Public Hearing and Designation.
 - a. The Historic Preservation Commission shall hold at least one (1) public hearing on each landmark application. At the public hearing, the Commission shall review the proposal with consideration given to the review criteria. Approval, conditional approval or denial of a landmark application shall be based on the findings of the Commission as they relate to the criteria as described in this Section.
 - b. The Commission's decision shall be final unless appealed to the City Council as provided for in this Ordinance. A recommendation for approval may be subject to conditions as the Commission deems applicable.
6. Six month bar on refilling. If the Commission denies an application, the Commission may refuse to accept another application for the same or substantially the same landmark on the same property or any part of it within six (6) months from the date the original application was filed on the same property or a portion of it.
7. Effect of Landmark Designation.
 - a. Upon approval of a landmark designation, the affected property shall be included in the Historic Property Register for the City of Cottonwood and on any other applicable documents as appropriate for its preservation.

- b. No person shall carry out any exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, on any landmark, without first obtaining a Certificate of Appropriateness from the Commission.
- c. No person shall make any material change in the exterior appearance of any landmark, its color, materials, light fixtures, signs, fences, steps or other elements which affect the appearance of the property without first obtaining a Certificate of Appropriateness.
- d. Each property designated as a landmark shall be maintained in good condition and faithful to its historic character.
- e. Nothing in this article shall be construed to prevent normal maintenance and repair, which does not involve change in the exterior design, material, color or appearance.

G. HISTORIC PRESERVATION DISTRICT DESIGNATION PROCESS.

1. General Regulations.

- a. A rezoning approval is required in order to receive a Historic Preservation (HP) Overlay District designation. The process for such is set forth in Article III. Section 301 of this Ordinance.
- b. The HP Overlay District is an overlay zoning designation as described in the Cottonwood Zoning Ordinance in which all uses of the underlying zoning district are maintained but which includes specific criteria and standards for development and rehabilitation that relate to historic preservation. The underlying zoning which describes the allowable land uses continues in effect.
- c. The overlay zoning designation may be applied to any zoning district where determined as appropriate by the City Council.
- d. The boundary of a proposed HP zoning designation can only be applied to a single property or a collection of properties where such property or properties have been designated as a historic landmark according to the procedures in this Ordinance.
- e. The Historic Preservation Commission shall administer the regulations as they relate to the historic preservation overlay district designation. In cases where the historic preservation regulations are in conflict with other zoning regulations, the Historic Preservation Ordinance shall take precedence in terms of design review criteria and approval process.
- f. The Historic Preservation Commission, the Planning and Zoning Commission, City Council, the Community Development Manager, or a property owner or their agent within the subject area may initiate a request to rezone with a Historic Preservation Overlay District. All other procedures for a change of zoning apply.

2. Application Submittal Requirements.

- a. Schedule of Public Hearings. Public hearings on the request for the overlay zoning designation shall be held by the Historic Preservation Commission, Planning and Zoning Commission and City Council. A tentative schedule of all meetings shall be included with initial public notification.
- b. Preliminary Staff Meeting. At the request of a property owner or their representatives a preliminary informal consultation with the Community Development Manager or designee may be scheduled to review the rezoning process and application submittal requirements.
- c. Code Review: All applications for the Historic Preservation Overlay District designation shall be reviewed by the Code Review Board.
- d. Application submittal requirements: In addition to the submittal requirements set forth in Section 301., “Amendments or Zone Changes,” all Historic Preservation Overlay District rezoning applications shall include the following:
 - 1) A vicinity ownership map showing all parcels adjacent to and surrounding the proposed designated property or district within a radius of at least 300 feet from the boundaries of the proposed district;
 - 2) A list of all properties within the proposed district and with 300 feet identified by parcel number and address along to include property owners with current mailing addresses;
 - 3) Written description of the proposed Historic Preservation Overlay District. The description of the district shall include the boundaries of the proposed district, the known or approximate construction dates of buildings and structures in the area, special aesthetic features, cultural, architectural, archaeological or engineering interest or value of a historic nature, including information about the architecture, notable construction features, and other information indicating the historical significance;
 - 4) Describe prospective contributing properties and how they each meet one or more of the criteria for Historic Districts as described by the National Park Service for listing on the National Register of Historic Places; or locations, dates of construction, and a statement of the general condition of each structure;
 - 5) Current photographs of each building or structure and any significant defining elements. Provide photographs in electronic format as per national standards for documentation; and
 - 6) Explanation of any known threats or concerns to the historic integrity of any property or structures included.

3. Notice of Public Hearing. Notice of public hearings shall be the same as set forth in Section 301 as relates to the change of zoning request. In addition, the public notification requirements shall include the following:
 - a. Notice of the public hearing and information on the proposed historic district and rezoning sent by first class mail to all property owners with the proposed district;
 - b. Notice posted in at least three conspicuous places within or near the proposed historic district boundaries;
 - c. Notice published in the local newspaper of record as required and at least 2 times prior to the meeting; and
 - d. Notification shall be provided to businesses, commercial lessees and residents within the proposed historic district to the extent possible through known sources, including mailings, postings or direct delivery.

4. Historic Preservation Overlay District Criteria. Each structure, site, building or property within an area that is included in a Historic Preservation District rezoning application will be evaluated using the following criteria to determine if it has historical or other cultural significance or integrity, and is suitable for preservation:
 - a. The Overlay District consists of one or more properties which individually or as a group include a substantial concentration of properties, buildings or structures which individually meet the criteria of this section and which contribute generally to the distinctive character of the area, and are united historically or visually in a coherent manner.
 - b. Being at least 50 years old, or having achieved significance within the past 50 years if the property is of exceptional importance.
 - c. Possessing integrity of location, design, setting, materials, workmanship, feeling or association.
 - d. Association with events that have made significant contributions to the broad patterns of our history.
 - e. Association with the lives of persons significant in our past.
 - f. Embodiment of distinctive characteristics of a type, period or method of construction, or representing the work of a master, or high artistic values or representing a significant and distinguishable entity whose components may lack individual distinctions.
 - g. Yielding information important in the understanding of the pre-history or history of the community.

- d. Approval. The ordinance approving a Historic Preservation Overlay District may include specific and unique standards for that district, including reference to design guidelines or other documents developed to meet the needs of that overlay district.
6. Revisions. Based on any conditions recommended by the Historic Preservation Commission or Planning and Zoning Commission, the applicant may provide minor revisions to their application submittal prior to the City Council hearing. All such revisions shall be documented in written format with a description of such changes. Major revisions to the plans shall be required to be resubmitted to the Historic Preservation Commission for review.
 7. Effect of Historic Preservation Overlay District Designation.
 - a. Upon approval of a Historic Preservation Overlay District designation by the City Council, the affected properties shall be included in the Cottonwood Historic Property Register and on any other applicable City documents as appropriate for its preservation. The city's zoning map shall be updated to reflect the new overlay zoning district boundaries. The city's parcel information database shall be updated to include those properties identified within the overlay district.
 - b. No person shall carry out any exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, without first obtaining a Certificate of Appropriateness from the Commission.
 - c. No person shall make any material change in the exterior appearance of a designated property, its color, materials, light fixtures, signs, sidewalks, fences, steps, paving or other elements which affect the appearance of the property without first obtaining a Certificate of Appropriateness.
 - d. Criteria may be established to determine work that may be approved administratively.
 - e. Each property designated as a contributing property shall be maintained in good condition and faithful to its historic character.
 - f. Nothing in this article shall be construed to prevent normal maintenance and repair which does not involve change in exterior design, material, color or appearance.
 - g. In addition to any other required review and/or approval, any proposed construction within a historic preservation overlay district shall also be subject to Commission review according to any design guidelines which may have been applied to that district or any other applicable criteria adopted for such purposes.

H. DEVELOPMENT PROCEDURES FOR LANDMARKS AND HISTORIC DISTRICTS.

1. Applicability. The provisions of this Section shall apply to Historic Landmarks and to properties within a Historic Preservation Overlay District.

2. Alteration of Historic Resources:

- a. No building, permanent sign, or other structure in a Historic Preservation District or part of a designated Historic Landmark shall be erected, demolished, moved, restored, rehabilitated, reconstructed, altered, or changed in exterior appearance, nor shall any historic resource be altered, moved, remodeled, demolished, enlarged or extended contrary to the district or landmark until plans for such activities have been submitted to and approved by the Historic Preservation Commission or as permitted administratively, and the City has issued a Certificate of Appropriateness, for such work on the subject property. This requirement is in addition to any other permit or approval required by law.
- b. Failure to comply with a stipulation, standard, or plan made a part of any of these approvals shall constitute a violation of the Zoning Ordinance of the City of Cottonwood. An approved plan shall apply to and run with the property and the rights and responsibilities shall be transferable to future successors and assignees of such property. No permit shall be issued for any building or structure not in compliance with the plan, except that temporary facilities shall be permitted in conjunction with construction. No structure or other element shall be eliminated, or altered or provided in another manner, unless an amendment is approved in conjunction with the procedures for original approval.
- c. Maintenance of the historic resource is required. Ordinary maintenance or repair of any structure that does not alter or modify the historic character of the structure will not require a Certificate of Appropriateness.

I. CERTIFICATE OF APPROPRIATENESS.

1. **Applicability:** A Certificate of Appropriateness is required before commencing any exterior improvements or development, including alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, of any property located within a Historic Preservation Overlay District or to a Historic Landmark, whether or not the work will require a building permit. Building permits for exterior work on properties within historic overlay districts or landmarks cannot be issued without first obtaining a Certificate of Appropriateness.
2. **Exceptions for Minor Work:** A Certificate of Appropriateness may be approved administratively by the Community Development Manager or designee, where it is determined that the proposed activity constitutes a minor change and does not alter the essential appearance and character of the property. Activities that may be approved administratively include, but are not limited to the following: repair or replacement of architectural features with essentially the same materials and design; repair or replacement of signs within existing sign panels or frames; repainting with essentially the same design scheme and colors; or other minor changes or additions that are in conformance with approved Design Guidelines and are considered minor. In addition to the criteria described in this Section or in any Design Guidelines approved for historic preservation, the Commission may authorize staff to approve certain activities administratively. For projects that qualify for administrative approval, all other application requirements and review criteria shall remain in effect.

3. Application Submittal and Review Procedure. An application for Certificate of Appropriateness shall be submitted by the owner or agent of the subject property and involves the following steps:
 - a. Preliminary meeting. Prior to the submittal of an application for a Certificate of Appropriateness, the applicant shall meet with the Manager or designee to review the application submittal requirements.
 - b. Application Submittal requirements. An application for a Certificate of Appropriateness shall contain at a minimum the following:
 - 1) Completed application forms.
 - 2) Location and description of property with photographs of the subject property and surrounding area affected by proposed project.
 - 3) Filing fees as adopted by resolution of the City Council.
 - 4) A Project Narrative describing the overall project and specifically addressing the relationship of any proposed activity to the architectural style of the structure, its compatibility with the context of the surrounding structures and area, and a description of proposed building materials, colors, exterior lighting fixtures and types, signage and landscaping or other such development activity if applicable.
 - 5) Site plan identifying all existing and proposed structures and other defining aspects of the property, including, landscaping, sidewalks, parking, drainage and similar site features in relation to surrounding streets and other properties.
 - 6) Proposed building elevations drawn to scale describing any proposed new materials and colors, and any new features in relation to existing.
 - 7) Manufacturers' color and material samples of all proposed exterior paints and colors and samples of roof and other exterior materials to be used, with an explanation on how they relate to existing colors and materials.
 - 8) Proposed signs drawn to scale showing dimensions, lettering, colors, materials and any illumination. Indicate locations of signs on elevation drawing.
 - 9) Any additional information which the Commission may require to properly evaluate the proposed work.
4. Notice of Public Hearing.
 - a. The Certificate of Appropriateness shall be placed on the agenda for a public hearing within 60 days of receipt of a complete application. Public notice of this hearing shall be given as prescribed by Arizona law. The city shall give notice of the date, time and place of a public hearing for consideration of a Certificate of Appropriateness, including a general explanation of the matter to be considered and

a general description of the area affected at least 15 days before the hearing in the following manner:

- 1) Notice of the general nature of the proposed activity which is the subject of the Certificate of Appropriateness and the date and location of the meeting shall be posted on or in proximity to the property;
- 2) Posting of agendas and notice of hearing in the manner typically required for all such meetings; and
- 3) In addition to notice by the means set forth above, the city may give notice of the hearing in a specific case in such other manner as it deems necessary or appropriate.

5. Conduct of Public Hearing.

- a. Following acceptance of a complete application, staff shall review such application and prepare a report, which shall be submitted to the Commission along with other exhibits and materials necessary to describe the request.
- b. The hearing shall be conducted according to the rules and procedures proscribed for such by law. Staff, applicants and concerned persons may present testimony and/or documentary evidence which will become part of the record of the hearing and the deliberations of the Commission.

J. CRITERIA FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS

1. It is the intent of this Section to ensure, to the greatest extent possible, that activities requiring a Certificate of Appropriateness shall be compatible with the architectural and historical character of the property or district.
2. Review Context. Review of applications for Certificate of Appropriateness shall be considered in terms of the specific nature and condition of the property, as well as the context in which the property is located, including the historic characteristics and other influences of surrounding properties. Context shall be considered based on the following circumstances:
 - a. Overlay Zoning District: All properties within a Historic Preservation Overlay Zoning District shall be subject to the requirements for review and approval of a Certificate of Appropriateness for applicable activities, except where considered as exempt.
 - b. Landmark Property. Historic landmarks shall be subject to the requirements for obtaining a Certificate of Appropriateness. Alterations or additions to landmarks shall properly preserve the historic and architectural characteristics which make it unique, and any changes or additions shall conform to the intrinsic and unique character of the building or structure.

- c. **Contributing Property.** Alterations or additions to a Contributing Property within a Historic Preservation Overlay District shall reflect the architectural style and characteristics of the existing structure and its context with surrounding properties.
 - d. **New Construction or Noncontributing Property.** New construction or alterations or additions to a noncontributing property within a historic district shall reflect the architectural style of, and be compatible with, the contributing properties located in proximity to the subject property.
 3. **Review Criteria:** The review of the application for a Certificate of Appropriateness shall be considered based on the criteria described in this Section, including any general or specific guidelines that may be approved. The Commission shall use the following documents and criteria as guidelines when considering an application for a Certificate of Appropriateness:
 - a. Any criteria for approval of a Certificate of Appropriateness that may be included in this Section;
 - b. The Secretary of the Interior's Standards for Rehabilitation available from the National Park Service;
 - c. Any design guidelines that may be applicable to a Historic Preservation Overlay District or landmarks within the City of Cottonwood;
 - d. The Secretary of the Interior's Preservation Briefs and other information developed by the National Park Service, Arizona Historic Preservation Office (SHPO), National Trust for Historic Preservation, National Alliance of Preservation Commissions, Association of Preservation Technology, and other professionally prepared reference documents; and
 - e. Any other guidelines as adopted by the City Council.
 4. **Decision:** The decision shall be to approve, conditionally approve or deny a Certificate of Appropriateness based on the following:
 - a. The proposed work does not detrimentally alter, destroy or adversely affect any architectural or landscape feature;
 - b. The proposed work will be compatible with the relevant historic, cultural, educational or architectural qualities characteristic of the structure, or district and shall include but not be limited to elements of size, scale, massing, proportions, orientation, surface textures and patterns, details and embellishments and the relationship of these elements to one another;
 - c. The proposed work conforms with any design review guidelines and/or other applicable criteria as established; and
 - d. The exterior of any new improvement, building or structure in a designated historic preservation overlay district or upon a landmarked site will not adversely affect and

will be compatible with the external appearance of existing designated buildings and structures on the site or within such district.

5. Effect of Approval:

- a. Expiration: A Certificate of Appropriateness expires one (1) year from the date of issuance unless work is started within that time. Evidence of work shall include maintaining an active building permit from the City for the applicable work or similar evidence of intent to proceed through filing of applications for related permits and approvals from the City.
- b. Revisions After Approval: No change shall be made in the approved plans of a project after issuance of a Certificate of Appropriateness without re-submittal to the Commission and approval of the change in the same manner as provided.
- c. Non-Approved Work: If work exceeds that specified in the Certificate of Appropriateness, the Certificate of Appropriateness may be suspended or revoked by order of the Community Development Director. If so ordered, all work shall cease to allow review of the scope of approval. If necessary, the applicant may be required to resubmit the changes to the Commission for approval. Work in violation of the Certificate of Appropriateness may be subject to enforcement action as per applicable City codes and ordinances.
- d. The Certificate of Appropriateness required by this Section shall be in addition to any other permits, approvals or review required for the proposed project.

K. FINDING OF HARDSHIP FOR CERTIFICATE OF APPROPRIATENESS

1. An applicant shall submit an application for Finding of Hardship within ten (10) working days after receiving notification from the Commission of the denial of a Certificate of Appropriateness or of specific conditions to be considered. Application shall be in writing to the Director or designee and shall state the reasons for consideration of the hardship. In addition, the applicant shall provide detailed documentation of why the request shall be considered a hardship, including cost estimates, comparative studies, expert documentation or other such information as necessary to adequately present such new information.
 - a. Is infeasible from a technical, mechanical, or structural standpoint.
 - b. Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking in to account such factors as current market value, permitted uses of the property, and the cost of compliance with applicable local, state and federal requirements.
 - c. Costs necessitated by the neglect or failure of the current owner/s to maintain the property shall not be considered in making this finding.

- d. The Commission finds that the alterations of a contributing property would not have a substantial adverse impact on the historic significance or integrity of a Historic Preservation Overlay District.
2. The Commission shall hold a public hearing on the hardship application at their next regularly scheduled meeting. Decisions at that time shall be final.

M. DEMOLITION OF HISTORIC LANDMARK OR CONTRIBUTING PROPERTY WITHIN A HISTORIC DISTRICT.

It is the intent of this Section to encourage preservation and protection of historic structures and significant resources within designated Historic Districts and other designated Historic Landmarks. However, it is recognized that there can be circumstances beyond the control of a property owner which may result in the necessary demolition of a Landmark or structure within a designated District. These circumstances include a building which constitutes a non-repairable public nuisance, which involves a resource whose loss does not adversely affect or may even benefit the integrity of the District, or which imposes an economic hardship on the owner. This Section is intended to apply to demolition of buildings or structures and shall not include demolition permits issued for the purpose of interior remodeling or other purposes not applicable to the Historic Preservation Ordinance.

1. Non-Historic Demolition: Demolition of non-historic structures within a Historic District shall not be exempt from the requirements of the Historic Preservation Ordinance and will require first applying for a Certificate of Appropriateness. The area of a site left vacant by a demolition shall be maintained in a manner not detrimental to the surrounding vicinity in accordance with applicable City codes and ordinances, including dust-free surface treatment and abatement of weeds, trash, debris, outdoor storage or other public nuisances.
2. Landmark Demolition: Partial or complete demolition of designated historic properties and landmarks shall not be permitted without first applying for a Certificate of Appropriateness. Application for such a demolition shall be made to the Historic Preservation Commission, which shall hold a public hearing to determine if the applicant has shown that the preservation of the structure is physically and/or economically infeasible.
3. Consideration of Alternatives to Demolition: Before granting a request for demolition, the Commission shall review the historic or cultural value of the property and shall consider options including incentives to the owner for restoration or recommendation to Council that the city consider purchasing the property or seek other methods to ensure the preservation of the building or structure. The Commission shall review the request for demolition based on the following:
 - a. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return.

- b. Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
- c. If preservation is found to be physically and/or economically infeasible, the Commission shall approve the Certificate of Appropriateness, thereby allowing issuance of the Demolition Permit by the Community Development Department.
- d. A landmark or contributing property may be demolished if the chief building official has determined that an imminent safety hazard exists and that demolition of the structure is the only feasible means to secure the public safety.
- e. If preservation is considered feasible, the Commission shall delay issuance of the Certificate of Appropriateness for a period up to ninety (90) days in length so as to consider alternatives to demolition.
- f. The applicant, at their cost, may submit an independent third-party review of the structural integrity of the building or structure in relation to necessary improvements so as to determine the feasibility of alternatives to demolition. Such independent review shall be conducted by a registered professional in the State of Arizona, including an architect, structural engineer or other professional engineer, or other with demonstrated expertise in historic preservation and rehabilitation.
- g. During the delay period, the applicant shall consult in good faith with the Commission, City staff, the State Historic Preservation Office, local and state preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation or sale of the property so as to promote preservation. The applicant shall have ninety (90) days in which to advertise to have the property purchased at a fair market value or to receive appraisals, cost estimates, and proposals on the restoration of such properties.
- h. If no purchaser has been found within the initial ninety (90) day period and no other plan is shown to demonstrate a reasonable alternative, then the Certificate of Appropriateness for the proposed demolition shall be issued.
- i. The applicant shall bear the burden of proof for all findings required for approval of a Certificate of Appropriateness.
- j. If a preservation plan is presented to the Commission within the delay period specified above by any interested party who may be any member of the public, indicating a feasible and reasonable approach to saving a threatened historic resource, the Commission will consider the merits and feasibility of the preservation plan. The Commission may decide to provide copies of such preservation plan to the property owner so as to consider alternatives to demolition.
- k. In making its decision, the Commission shall consider testimony and the effects on the surrounding neighborhood, and advise the property owner on preservation alternatives.

1. The property owner shall have twenty-one (21) days from the date of approval to sign the Certificate of Appropriateness or to appeal any conditions contained therein.

N. FINDING OF HARDSHIP FOR DEMOLITION.

1. Economic Hardship Criteria for Demolition of Historic Structures. Separate standards and application requirements may be established by the city for granting economic hardship relief for income-producing properties and for non-income producing properties. The Commission shall issue the Certificate of Appropriateness if the Commission finds, after review, that maintenance, use and/or alteration of the designated property in accordance with the requirements of this article would cause immediate and substantial hardship on the property owner/s based on one or more of the following issues:
 - a. That a temporary delay period of up to ninety (90) days has elapsed and no reasonable alternative has been demonstrated by the applicant, the City, or any other interested parties.
 - b. Is infeasible from a technical, mechanical, or structural standpoint;
 - c. Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking in to account such factors as current market value, permitted uses of the property, and the cost of compliance with applicable local, state and federal requirements;
 - d. Costs necessitated by the neglect or failure of the current owner/s to maintain the property need not be considered in making this finding; and/or
 - e. The Commission finds that the demolition of a contributing property would not have a substantial adverse impact on the historic significance or integrity of a Historic Preservation Overlay District.
2. Limitations on Economic Hardship Criteria: Demonstration of an economic hardship shall not be based on or include any of the following circumstances:
 - a. Willful or negligent acts by the owner.
 - b. Purchase of the property for substantially more than market value.
 - c. Failure to perform normal maintenance and repairs.
 - d. Failure to diligently solicit and retain tenants.
 - e. Failure to provide normal improvements.

O. MAINTENANCE AND REPAIR.

Each property designated as a landmark, and properties designated as contributing properties within a Historic Preservation Overlay District shall be maintained in good condition and faithful to its historic character. Nothing in this Section shall be construed to prevent normal maintenance and repair of any exterior feature of any structure designated as a landmark or contributing property within a HP District, which does not involve change in design, material, color or outward appearance. The Commission shall not consider the interior arrangements or alterations to the interior of a building, unless designation specifically includes the interior or a portion thereof.

P. APPEALS.

Any person or persons aggrieved by a decision of the Commission may appeal to the City Council within fifteen (15) working days of the Commission's action, by filing with the City Clerk written notice of appeal and any applicable fee as may be adopted. The Council shall render a decision to sustain, conditionally overrule or overrule the Commission decision. The Council may choose to hold a public hearing if deemed appropriate.

Q. VIOLATIONS AND ENFORCEMENT.

All work performed pursuant to this Section shall conform to requirements thereof. Compliance shall be confirmed by inspections made by the City of Cottonwood officials, including the Building Official, Manager or designee. The appropriate City officials shall ensure that all matters are undertaken according to conditions of the approved plans. Noncompliance with the approved plans shall be grounds for stopping work on the project or for denial of a Certificate of Occupancy. Any person who causes unauthorized demolition, alteration, construction, or permits degradation or disrepair of a designated property as defined in this Section may be required to restore the property and site to its condition prior to the violation.

R. SEVERABILITY.

This article and its sections are hereby declared to be severable. If any section, subsection, clause, word or phrase of this article is held to be void, unlawful or unconstitutional, such holdings shall not affect the validity of the remainder of this article or of the Zoning Ordinance.

ORDINANCE NUMBER 596

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SECTION 310., HISTORIC PRESERVATION ORDINANCE.

WHEREAS, the Historic Preservation Commission considered the Historic Preservation Ordinance at its April 10, 2013 meeting and recommended approval; and

WHEREAS, The Planning and Zoning Commission considered the Historic Preservation Ordinance amendment at their April 15, 2013 meeting and recommended approval; and

WHEREAS, the City Council has determined that the following changes to the City's Zoning Ordinance are appropriate and desirable.

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

Section 1. That the Zoning Ordinance is hereby amended by adding a new SECTION 310., HISTORIC PRESERVATION ORDINANCE, which was made a public record by Resolution Number 2700.

Section 2. 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 18TH DAY OF JUNE 2013.

Diane Joens, Mayor

ORDINANCE NUMBER 596

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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:	June 4, 2013
Subject:	Ordinance Number 597--Proposed Zoning Ordinance Amendment adding a new Section 427. "HP" Zone, Historic Preservation Overlay Zone.
Department:	Development Services
From:	Charlie Scully, Planner

REQUESTED ACTION

First reading of Ordinance Number 597, pertaining to the "HP" Zone, Historic Preservation Overlay Zone.

SUGGESTED MOTION

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

BACKGROUND

The Historic Preservation Commission considered the draft HP Overlay Zoning District at their meetings of July 13, 2011 and April 10, 2013 and recommended approval.

The Planning and Zoning Commission considered the proposed ordinance amendment at their April 15, 2013 meeting and recommended approval.

Overlay Zoning:

Arizona Revised Statutes § 9-462.01. Zoning regulations; public hearing; definitions provides the framework for the establishment of “**overlay zoning districts.**” This type of zoning district has not been used previously in Cottonwood but is an option permitted by state law to provide an “overlay” of specific zoning standards, while maintaining the existing uses of the underlying zone. Overlay zoning can be used for a variety of different types of applications because it offers flexibility on a particular issue while maintaining the stability of the existing zoning. "Overlay zoning district" means a special zoning district that includes regulations which modify regulations in another zoning district with which the overlay zoning district is combined.

Historic Preservation Overlay Zoning

In order to apply the historic preservation standards to properties as described in the proposed

Historic Preservation (HP) Ordinance, it is typical to either create a separate zoning district classification or establish an “overlay” zone. The existing zoning classification for the Cottonwood Commercial Historic District, for example, is C-1 (Light Commercial) Zone. The overlay classification would not change the existing underlying uses but would add new procedures and standards specific to the goal of preserving the historic character of the district.

The HP Overlay Zone is different than the Historic District designation that is approved by the National Park Service for listing on the National Register of Historic Places. Designation of a Historic District through the national program provide recognition but does not place any specific regulations on any property. The HP Overlay Zoning District, on the other hand, has the potential to address specific standards and procedures for historic properties.

Process for Designating Properties with HP Overlay Zoning.

Application of the HP Overlay Zoning to properties would require the exact same steps and procedures as rezoning. Procedures to apply HP Overlay Zoning to an individual “Landmark” property or to a Historic District include notifying property owners, public notification and public hearings with both the Planning and Zoning Commission and the City Council.

Applicability: As per the Historic Preservation Ordinance, the only properties that can qualify for potential HP Overlay Zoning would be properties designated by the City of Cottonwood as Landmark properties. As per the proposed HP Ordinance, “Landmark” properties in Cottonwood will include properties designated as National Historic Districts. The Cottonwood Commercial Historic District, as designated, or other properties yet to be designated as Landmark or Historic Districts are the only ones that would qualify for the HP Overlay Zoning designation.

Opt-Out: So as to comply with State Statutes, individual property owners will have the opportunity to opt-out of the historic preservation program at any time for three years from the date of adoption of any HP overlay zoning. Of course they will also be opting out of various specific and general benefits of the program. Also, such properties would still be subject to the applicable Design Review standards.

-

JUSTIFICATION/BENEFITS/ISSUES

The proposed amendment creates a new “overlay” zoning classification for historic preservation. Creation of the Zoning District classification does not affect any specific properties at this time. Application of the HP Overlay Zone to any specific properties would occur at a later time through a separate process similar to rezoning.

COST/FUNDING SOURCE

N/A

ATTACHMENTS:

Name:	Description:	Type:
 6-4-13 Historic Preservation Overlay Zone.doc	Section 427. Historic Preservation Overlay Zone	Cover Memo
 ord597.doc	Ordinance Number 597	Cover Memo

SECTION 427. "HP" ZONE, HISTORIC PRESERVATION OVERLAY ZONE.

A. PURPOSE.

The Historic Preservation Overlay (HP) Zoning District is intended to provide an effective, fair and appropriate set of standards to preserve and protect the historic character and integrity of properties.

B. APPLICABILITY.

1. This Section applies to properties, individually or groups of properties within an area, which have been designated as historic landmarks and are considered as worthy of special consideration for preservation through the overlay zoning designation.
2. The HP zoning classification is an overlay zone that is attached to a standard zoning district. Any zoning district may be considered as the base zone. Properties zoned with the Historic Preservation Overlay Zoning District designation shall retain the uses of and are subject to the regulations of the underlying zoning. The underlying zoning, which relates to land use and density, continues to remain in effect.
3. In cases where the historic preservation regulations are in conflict with other zoning regulations, the Historic Preservation Ordinance shall take precedence in terms of design review criteria and approval process for related matters.
4. To identify a Historic Preservation District on the City's Zoning Map, "HP" shall be added to the underlying zoning designation as a hyphenated suffix.

C. USE REGULATIONS.

The Historic Preservation (HP) Overlay Zoning District is to be used in conjunction with the underlying zoning districts, thereby permitting the same uses as the underlying base zoning district with the exception that requirements related to historic preservation shall apply, including for exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part of buildings and structures. Permitted, Conditional and Temporary Uses shall be allowed as per the regulations applicable to the underlying zoning.

D. HISTORIC PRESERVATION WAIVER.

Properties may be removed from the requirements associated with Historic Preservation Overlay Zoning or Historic Landmark designation, at the request of property owners, as per the procedures described in Section 310. C. Historic Preservation Waiver.

E. HISTORIC PRESERVATION OVERLAY DISTRICT CRITERIA.

1. All properties with the HP Overlay Zone designation are subject to the requirements as described in the Cottonwood Zoning Ordinance, Section 310, Historic Preservation Ordinance, except as described in this Section for exempt uses.

2. Historic Preservation Design Guidelines: Where provided, any alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, must conform to any City of Cottonwood design guidelines that are approved for historic preservation. In addition, the City Council may approve unique Design Guidelines for a specific HP Overlay Zone.
3. Exempt Uses:
 - a. Existing Uses. Any structure or use lawfully existing at the effective date of this ordinance may continue as permitted.
 - b. Interior Remodeling. Any renovation or remodeling to the interior that does not include any exterior changes or alterations to the building shall be exempt from this Section.
4. Certificate of Appropriateness. All such work that is subject to the Historic Preservation Ordinance, including applicable properties with the HP Overlay zoning designation, shall require granting of a Certificate of Appropriateness prior to commencement of any work.

E. AMENDMENTS TO THE OVERLAY ZONE BOUNDARIES.

An expansion or decrease in the boundaries of the HP Zone may be requested. Amendments shall be subject to the same procedures for a zone change as described in Section 301 of this Ordinance.

ORDINANCE NUMBER 597

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SECTION 427., "HP" ZONE, HISTORIC PRESERVATION OVERLAY ZONE.

WHEREAS, the Historic Preservation Commission considered the draft HP Overlay Zoning District at its meetings of July 13, 2011, and April 10, 2013, and recommend approval; and

WHEREAS, The Planning and Zoning Commission considered the draft HP Overlay Zoning District at its April 15, 2013, meeting and recommended approval; and

WHEREAS, the City Council has determined that the following changes to the City's Zoning Ordinance are appropriate and desirable.

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

Section 1. That the Zoning Ordinance is hereby amended by adding a new SECTION 427., "HP" ZONE, HISTORIC PRESERVATION OVERLAY ZONE as follows:

SECTION 427. "HP" ZONE, HISTORIC PRESERVATION OVERLAY ZONE.

A. PURPOSE.

The Historic Preservation Overlay (HP) Zoning District is intended to provide an effective, fair and appropriate set of standards to preserve and protect the historic character and integrity of properties.

B. APPLICABILITY.

1. This Section applies to properties, individually or groups of properties within an area, which have been designated as historic landmarks and are considered as worthy of special consideration for preservation through the overlay zoning designation.
2. The HP zoning classification is an overlay zone that is attached to a standard zoning district. Any zoning district may be considered as the base zone. Properties zoned with the Historic Preservation Overlay Zoning District designation shall retain the

uses of and are subject to the regulations of the underlying zoning. The underlying zoning, which relates to land use and density, continues to remain in effect.

3. In cases where the historic preservation regulations are in conflict with other zoning regulations, the Historic Preservation Ordinance shall take precedence in terms of design review criteria and approval process for related matters.
4. To identify a Historic Preservation District on the City's Zoning Map, "HP" shall be added to the underlying zoning designation as a hyphenated suffix.

C. USE REGULATIONS.

The Historic Preservation (HP) Overlay Zoning District is to be used in conjunction with the underlying zoning districts, thereby permitting the same uses as the underlying base zoning district with the exception that requirements related to historic preservation shall apply, including for exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part of buildings and structures. Permitted, Conditional and Temporary Uses shall be allowed as per the regulations applicable to the underlying zoning.

D. HISTORIC PRESERVATION WAIVER.

Properties may be removed from the requirements associated with Historic Preservation Overlay Zoning or Historic Landmark designation, at the request of property owners, as per the procedures described in Section 310. C. Historic Preservation Waiver.

E. HISTORIC PRESERVATION OVERLAY DISTRICT CRITERIA.

1. All properties with the HP Overlay Zone designation are subject to the requirements as described in the Cottonwood Zoning Ordinance, Section 310, Historic Preservation Ordinance, except as described in this Section for exempt uses.
2. Historic Preservation Design Guidelines: Where provided, any alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, must conform to any City of Cottonwood design guidelines that are approved for historic preservation. In addition, the City Council may approve unique Design Guidelines for a specific HP Overlay Zone.
3. Exempt Uses:
 - a. Existing Uses. Any structure or use lawfully existing at the effective date of this ordinance may continue as permitted.

- b. Interior Remodeling. Any renovation or remodeling to the interior that does not include any exterior changes or alterations to the building shall be exempt from this Section.

- 4. Certificate of Appropriateness. All such work that is subject to the Historic Preservation Ordinance, including applicable properties with the HP Overlay zoning designation, shall require granting of a Certificate of Appropriateness prior to commencement of any work.

E. AMENDMENTS TO THE OVERLAY ZONE BOUNDARIES.

An expansion or decrease in the boundaries of the HP Zone may be requested. Amendments shall be subject to the same procedures for a zone change as described in Section 301 of this Ordinance.

Section 2. 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 18TH DAY OF JUNE 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:	June 4, 2013
Subject:	Discussion, Review of Options, and Direction to Staff Regarding Provision of Transportation Services Outside the City
Department:	Community Services
From:	Richard Faust, Community Services General Manager

REQUESTED ACTION

Staff seeks Council direction regarding the continued provision of public transportation services to unincorporated areas of Yavapai County in light of the County's position on contributing toward the cost of those services.

SUGGESTED MOTION

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

N/A

BACKGROUND

As the Council knows, the City provides both fixed-route and on-demand para-transit transportation services both within the City, and in certain unincorporated areas of Yavapai County, with FTA (Section 5311 Rural Transportation Grant) funding received from ADOT and in partnership with Yavapai County. However, since re-assuming responsibility for the CAT system from NAIPTA in July of 2012, the County has yet to provide any financial contribution toward these services.

Staff met with County officials in January 2013 to discuss a draft Transportation Services IGA, at which time the County requested both a more simplified form of agreement and a simpler funding formula. Staff accommodated both requests, and calculated the County's proportional share of the costs of providing public transportation services in the 27-month period from July of 2012 through September of 2014 to be approximately \$85,000.00, using a more favorable formula based on service miles, rather than a more complicated, hybrid formula employed by NAIPTA. In response, the County has indicated that it is willing/able to pay a total of \$45,000.00 for these services. Moreover, the County has declined to commit to contributing toward future capital requirements of the system, which are anticipated to be considerable.

It bears mentioning that the City has subsidized transportation services to the County every

year since 2009, as the County expressed that it was unable to contribute its full share of those costs. Those subsidies have ranged from \$5,000.00 to \$35,000.00.

Thus, at this point, staff seeks direction from the Council regarding whether the City should continue to provide - and heavily subsidize - transportation services to areas outside the City limits.

JUSTIFICATION/BENEFITS/ISSUES

Issues: The following are current/ongoing concerns involving partnership operations with the County:

1. County continues to dictate what they are willing to pay year to year as they feel fit. This places the cost burden on the back of Cottonwood citizens and not where it should be placed, with the County.
2. County identifies their reluctance/refusal to maintain any shelters and signs. Again, should any shelters in the future be constructed or pullouts/sidewalks, bench seating, and signage, the burden is placed upon Cottonwood to come up with funding and maintenance.
3. County identifies their reluctance/refusal to contribute their fair share to capital equipment replacement, which will be substantial in the next couple of years. Bus replacement will be implemented in the next year or two whereby the IGA is essential from year to year to identify the County's need to absorb costs on a percentage basis.
4. County citizens utilize the most miles on Para-Transit bus units within the system. Wear and tear upon bus units involving suspensions, tires, preventative maintenance becomes an issue when bus units are driven over long periods over many miles.

Issues: Should the partnership be dissolved:

1. System restructuring with ADOT Transportation involving IGA language and funding levels for 2013/14 budget year
2. Need for remapping the Route Brochures (Cost for new map brochures)
3. Fallout from decisions to cut ties involving the partnership (potential for heavy complaint issues by County citizens to City staff.) Burdensome and overtaxing phone systems handling complaints.
4. ADA Para-transit users in the County would be left without public transportation (shifts in operations would have to take place with Verde Valley Care Givers Association taking on more of the ridership burden with the newly implemented Taxi Voucher system and services).

COST/FUNDING SOURCE

The city would be absorbing \$40,000 into our General Funds to subsidize transit services for county residents. Additional impacts could be felt to the General Fund based on future years of service and the cost of equipment replacement.

ATTACHMENTS:

Name:	Description:	Type:
2013 Transportation IGA Letter - Chip Davis - Yavapai County.docx	Letter to County Supervisor Chip Davis - April 18, 2013	Cover Memo
Copy of Yavapai County Numbers 2012-2013.xlsx	Service Mile Calculations	Cover Memo
Yavapai County Transportation Legal Documents Attachments Sent on 4-19-13.pdf	Service IGA CAT and County	Cover Memo
Yav. County Comments Revisions - Transportation Agreement-2013-CAT-Yavapai County-04-19-13.doc	Yavapai County Revisions to IGA	Cover Memo
Yav. County Public Transportation Funding Formula.pdf	Yavapai County Funding Formula	Cover Memo
Yav. County Letter - Transportation Transit Agreement.pdf	Yavapai County Letter	Cover Memo
CAT Map pdf.bmp	CAT Service Map	Cover Memo
CAT Map - Blue Route.pdf	CAT Blue Route	Cover Memo



Chip Davis
District 3 Supervisor
Yavapai County - Cottonwood Annex
10 South 6th Street
Cottonwood, AZ 86326

April 18, 2013

Dear Chip:

Please find the attached Transportation/Transit IGA between the City of Cottonwood and Yavapai County submitted for your review and subsequent action. Please note that this Agreement document is from July 1, 2012 through September 30, 2014 as the City of Cottonwood took over the transportation/transit operations for the Verde Valley as recommended by all service recipients. Therefore, this first invoice will be for a total of 15 months of service for transportation operations to County residents. As directed in our last meeting several months ago, the Cottonwood Transportation staff has completed total costs based upon a formula using "Service Miles" as their identified standard for base analysis. Service miles provide us with the most accurate and sustainable ability to identify properly, total miles for services rendered. This will also provide the Transportation System with set parameters for all service recipients with a proper formulation methodology that is reliable in order to obtain workable cost analyses across the board.

Also, please note on page two (2) of the IGA document under Section 7. Term and Termination; the IGA shall be deemed to have commenced on July 1, 2012 and shall run through September 30, 2014 (the "Initial Term"), unless extended or sooner terminated as provided herein; and maybe renewed for two (2) additional periods of two (2) years each (each a Renewal Term), at a rate of compensation to be agreed upon by the parties and paid by the County prior to the beginning of each Renewal Term.

I apologize that the document has taken so long in getting your direction for finalization, however settling on one formula for transportation costs was integral in submitting this final document for your review.

Should you have any questions or concerns, please do not hesitate to contact my office at (928) 639-3200 ext. 3209.

Sincerely:

Richard Faust
Community Services General Manager

City of Cottonwood

July 1, 2012 through September 30, 2012

Formula: Costs per mile at \$1.57 per service mile.

Total Service Miles for three (3) months = 6,996 (Includes Para Transit mileage)

Total Cost = \$10,983.72

October 1, 2012 through September 30, 2013

Formula: Costs per mile at \$1.57 per service mile.

Total Service Miles = 27,927 (Includes Para Transit mileage)

Total Cost = \$43,845.46

Total cost for 15 months of service (July 1, 2012 through September 30, 2013) = \$54,829.18

October 1, 2013 through September 30, 2014

(Submission of the 5311 ADOT Rural Transportation Grant Document for 2013/14 was turned in on December 21, 2012. Currently, ADOT Transportation Director is reviewing grant information and funding availabilities at this time period for the Federal Budget Cycle of Oct. 1, 2013 through Sept. 30, 2014).

Formula: Costs per mile at \$1.06 per service mile.

Total Service Miles (forecasted from previous year end figures) = 28,380.37 (Includes Para Transit mileage).

Total Cost = \$30,083.19*

***Difference between 2012/13 mileage and costs and those identified for 2013/14 are due to more efficient operations.**

Service Miles Calculations for CAT/Lynx

	Lynx	CAT	Para	Totals	1st Qtr Tot	Yavapai	YC Cost
July	10,842	8,755	4,778	24,375			
August	10,930	8,985	4,863	24,778			
September	10,439	8,267	4,038	22,744	71,897	6,995.58	7,415.31
October	9,780	9,497	5,370	24,647			
November	12,118	9,224	4,445	25,787			
December	10,543	7,834	4,143	22,520	72,954	7,098.42	7,524.33
January	10,453	8,876	5,338	24,667			
February	9,841	7,819	4,248	21,908			
March	10,618	8,657	4,653	23,928	70,503	6,859.94	7,271.54
April	10,618	8,657	4,653	23,928			
May	10,618	8,657	4,653	23,928			
June	10,618	8,657	4,653	23,928	71,784	6,984.58	7,403.66
Totals	127,418	103,885	55,835	287,138	287,138	27,938.53	29,614.84
Averages	10,618	8,657	4,653				

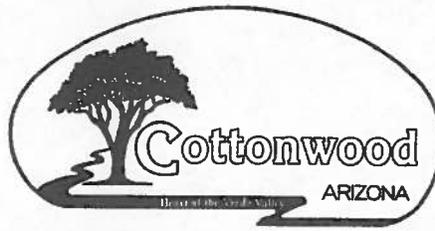
Actuals through February, averaged numbers from March - June Based on 2013-2014 5311 Grant .

Actuals from 7/1/2012 through 2/28/2013

From 2012 5311 Budget Numbers - Administrative	9,431.00
From 2012 5311 Budget Numbers - Operations	24,293.00
Total	33,724.00

From 2012 5311 Budget Numbers 1.57 per service mile 27,938.53 43,863.49

Application.



Chip Davis
District 3 Supervisor
Yavapai County - Cottonwood Annex
10 South 6th Street
Cottonwood, AZ 86326

April 18, 2013

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Should you have any questions or concerns, please do not hesitate to contact my office at (928) 639-3200 ext. 3209.

Sincerely:

A handwritten signature in black ink, appearing to read "Richard Faust", is written over a large, stylized oval graphic that resembles a signature or a seal.

Richard Faust
Community Services General Manager

City of Cottonwood

July 1, 2012 through September 30, 2012

Formula: Costs per mile at \$1.57 per service mile.

Total Service Miles for three (3) months = 6,996 (Includes Para Transit mileage)

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June	10,618	8,657	4,653	23,928	71,784	6,984.58	7,403.66
Totals	127,418	103,885	55,835	287,138	287,138	27,938.53	29,614.84
Averages	10,618	8,657	4,653				

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Total	33,724.00

From 2012 5311 Budget Numbers 1.57 per service mile 27,938.53 43,863.49

**YAVAPAI COUNTY
COTTONWOOD AREA TRANSIT - REGIONAL TRANSPORTATION
SERVICE IGA**

This Intergovernmental Agreement ("IGA") is entered into on the _____ day of _____, 2013 (the "Effective Date"), by and between the City of Cottonwood, an Arizona municipal corporation ("Cottonwood"), and Yavapai County, an Arizona political subdivision ("County"). Cottonwood and the County may be referred to in this IGA collectively as the Parties, and each individually as a Party.

RECITALS

- A. Cottonwood is authorized to provide public transportation services, and operates a public transportation system known as the Cottonwood Area Transit ("CAT") System.
- B. The CAT System is capable of providing, and currently provides fixed-route and ADA para-transit services between and within Cottonwood and certain unincorporated areas of the County.
- C. The County desires to continue receiving the services described above, and Cottonwood desires to provide such services, under the terms and conditions set forth below.
- D. The Parties are authorized to enter into this IGA pursuant to A.R.S. 11-952.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

- 1. Scope of Services. Cottonwood will provide fixed route and ADA para-transit services to and within certain unincorporated areas of the County, as more particularly described in Exhibit A to this Agreement. Services will comply with all applicable federal, state and local laws, regulations, ordinances, policies and program requirements.
- 2. Application for Grant Funding. During the term of this IGA, Cottonwood shall be authorized to and shall apply for grant funding on the County's behalf to support the services to be provided hereunder. Any funds received by Cottonwood on behalf of the County will be credited to the County in the annual budgeting process.
- 3. Bus Shelters. Each party will be responsible for installing and maintaining any bus shelters located within₁ its jurisdictional boundaries.

Maintenance shall include all necessary repairs; litter and trash removal; signage installation; snow removal; and graffiti removal.

4. Compensation. In consideration for the services rendered under this Agreement, and as its "local share" of the associated federal funding for these services, the County shall pay Cottonwood the following amounts at the following times:
 - a. The sum of **\$54,829.18**, by or before May 30, 2013. This amount represents the County's proportional share of the operational and administrative costs of the system for the period July 1, 2012 through September 30, 2013.
 - b. The sum of **\$30,083.19**, by or before October 30, 2013. This amount represents the County's proportional share of the operational and administrative costs of the system for the period October 1, 2013 through September 30, 2014.
 - c. In addition to the above amounts, the County shall pay its agreed-upon proportional share of any approved capital costs incurred in connection with the CAT system and services provided under this Agreement; and acknowledges that Cottonwood may and does charge fares for use of the system by passengers that may be adjusted from time to time.
5. Reporting. Cottonwood will prepare and submit joint monthly ridership reports to the County that include, but will not necessarily be limited to passenger counts, ridership, and related budget information for the CAT system. Cottonwood will also provide the County with quarterly budget reports assessing the financial performance and condition of the CAT system, and will comply with any and all reporting requirements of any state or federal granting agency in respect of the CAT system.
6. Transportation Advisory Committee. In accordance with ADOT and FTA requirements, Cottonwood will coordinate meetings of the Verde Valley Transportation Planning Organization (VVTPO), which includes representatives from all public agencies participating the CAT system (as well as other stakeholders). The VVTPO will meet no less frequently than once per quarter to develop and review performance measures, and to recommend and plan for future transportation services in the Verde Valley.
7. Term and Termination. This IGA shall be deemed to have commenced on July 1, 2012, and shall run through September 30, 2014 (the "Initial Term"), unless extended or sooner terminated as provided for herein; and may be renewed for two (2) additional periods of two (2) years each (each a "Renewal Term"), at a rate of compensation to be agreed-upon by the parties and paid by the County prior to the beginning of each Renewal Term. Either party may terminate this Agreement by giving the other Party one hundred and eighty (180) days written notice of termination. Cottonwood will not

incur any further obligation on behalf of the County after receipt of written notice of termination.

8. Records and Audit Rights. Each Party's work and accounting records (hard copy, as well as computer readable data), and any other supporting evidence deemed necessary by the other Party to substantiate charges and claims related to this IGA shall be open to inspection and subject to audit and/or reproduction by authorized representatives of the other Party, to adequately permit evaluation and verification of the performance and cost of the work, and to conduct and prepare all audits and reports required by law. Representatives of each Party shall be afforded access, at reasonable times and places, to all of the other Party's records and personnel, pursuant to the provisions of this Section, throughout the term of this IGA (including Renewal Terms), and for a period of five (5) years after last or final payment.
9. Incorporation of Recitals and Exhibits. The Recitals are acknowledged by the Parties to be substantially true and correct, and hereby incorporated as agreements of the Parties. All exhibits referenced herein and attached hereto, are hereby incorporated into this IGA.
10. Entire Agreement. This IGA constitutes the entire understanding of the Parties and supersedes all previous representations, written or oral, with respect to the services specified herein. This IGA may not be modified or amended, except by a written document, signed by authorized representatives of each Party.
11. Arizona Law. This IGA shall be governed and interpreted according to the laws of the State of Arizona.
12. Modifications. Except as otherwise specifically provided in this IGA, any amendment, modification or variation from the terms of this IGA shall be in writing and shall be effective only after written approval of all Parties.
13. Attorney's Fees. In the event either Party brings any action for any relief, declaratory or otherwise, arising out of this IGA, or on account of any breach or default of this IGA, the prevailing Party shall be entitled to received from the other Party reasonable attorneys' fees and reasonable costs and expenses, as determined by the arbitrator or court sitting without a jury, which shall be deemed to have accrued on the commencement of such action and shall be enforceable, whether or not such action is prosecuted to judgment.
14. Notices. All notices or demands required to be given, pursuant to the terms of this IGA, shall be given to the other Party in writing, delivered in person, sent by facsimile transmission, deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested or deposited with any commercial air courier or express service at the addresses set forth below, or to such other address as the Parties may substitute by written

notice, given in the manner prescribed in this paragraph.

If to the County:

If to City of Cottonwood:

City Manager
City of Cottonwood
827 North Main Street
Cottonwood, Arizona 86326
Tel: (928) 634-5526
Fax: (928) 634-5520

A notice shall be deemed received on the date delivered, if delivered by hand, on the day it is sent by facsimile transmission, on the second day after its deposit with any commercial air courier or express services or, if mailed, ten (10) days after the notice is deposited in the United States mail as above provided, and on the delivery date indicated on receipt, if delivered by certified or registered mail. Any time period stated in a notice shall be computed from the time the notice is deemed received. Notices sent by facsimile transmission shall also be sent by regular mail to the recipient at the above address. This requirement for duplicate notice is not intended to change the effective date of the notice sent by facsimile transmission.

15. Force Majeure. Neither Party shall be responsible for delays or failures in performance resulting from acts beyond its control. Such acts shall include, but not be limited to, acts of God, riots, acts of war, epidemics, governmental regulations imposed after the fact, fire, communication line failures or power failures.

16. Counterparts. This IGA may be executed in one or more counterparts, and each originally executed duplicate counterpart of this IGA shall be deemed to possess the full force and effect of the original.

17. Caption. The captions used in this IGA are solely for the convenience of the Parties, do not constitute a part of this IGA and are not to be used to construe or interpret this IGA.

18. Severability. If any term or provision of this IGA shall be found to be illegal or unenforceable, then notwithstanding such illegality or unenforceability, this IGA shall remain in full force and effect, and such term or provision shall be deemed to be deleted.

19. Authority. Each Party hereby warrants and represents that it has full power and authority to enter into and perform this IGA, and that the person signing on behalf of each has been properly authorized and empowered to do so. Each Party further acknowledges that ⁴ it has read this IGA, understands

it, and agrees to be bound by it.

20. Compliance with Immigration Laws and Regulations. Pursuant to the provisions of A.R.S. §41-4401, each Party warrants to the other Party that the warranting Party and all its subconsultants are in compliance with all Federal Immigration laws and regulations that relate to their employees and with the E-Verify Program under A.R.S. §23-214(A). Each Party acknowledges that a breach of this warranty by the warranting Party or any of its subconsultants is a material breach of this IGA subject to penalties up to and including termination of this IGA or any subcontract. Each Party retains the legal right to inspect the papers of any employee of the other Party or any subconsultant who works on this IGA to ensure compliance with this warranty.

A Party may conduct random verification of the employment records of the other Party and any of its subconsultants to ensure compliance with this warranty. A Party will not consider the other Party or any of its subconsultants in material breach of the foregoing warranty if the warranting Party and its subconsultants establish that they have complied with the employment verification provisions prescribed by 8 USCA § 1324(a) and (b) of the Federal Immigration and Nationality Act and the e-verify requirements prescribed by Arizona Revised Statutes § 23-214(A). The provisions of this Section must be included in any contract a Party enters into with any and all of its subconsultants who provide services under this IGA or any subcontract. As used in this Section, "services" are defined as furnishing labor, time or effort in the State of Arizona by a contractor or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

28. Prohibition of Doing Business with Sudan and Iran. Pursuant to A.R.S. §§35-391.06 and 35-393-06, each Party hereby certifies to the other Party that the certifying Party does not have "scrutinized" business operations, as defined in A.R.S. §§35-391 and 35-393, in either Sudan or Iran. The certifying Party acknowledges that, in the event either of the certifications contained in this paragraph is determined by the other Party to be false, that Party may terminate this IGA and exercise other remedies as provided by law, in accordance with A.R.S. §§35-391.06 and 35-393-06.

29. Cancellation for Conflict of Interest. This Agreement is subject to cancellation pursuant to the provisions of A.R.S. §38-511, which are hereby incorporated into this Agreement as if fully set forth herein.

CITY OF COTTONWOOD, ARIZONA,

A municipal corporation of the State of Arizona

By: _____
Diane Joens, Mayor

Date: _____

ATTEST:

Marianne Jimenez, City Clerk

YAVAPAI COUNTY, ARIZONA

By: _____

Date: _____

ATTEST:

Pursuant to A.R.S. 11-952.D, the foregoing Agreement has been submitted and reviewed to the attorney for each party, who has determined that the Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona to such party.

Dated this ___ day of _____, 2013

Dated this ___ day of _____, 2013

By: _____
City of Cottonwood Attorney

By: _____
Yavapai County Attorney

Exhibit A – Cottonwood Area Transit (CAT) Map/Legend & Schedule

Blue Route 1 [Service Area Map and Riders Guide](#)

BLUE ROUTE Monday - Friday 7:00 a.m. - 5:50 p.m.

Bus Stop Bus	First Service	Hourly Bus Service	Last Bus
1 Depart Cottonwood Library	7:00	:00	5:00
2 N. Main St. & 5th St.	7:03	:03	5:03
3 S. Main St. (Food City/Safeway)	7:09	:09	5:09
4 Hwy. 260 at Fir St. (Frys)	7:11	:11	5:11
5 Del Rio Dr. at Warriors Run	7:17	:17	5:17
6 Western Dr. at Village Dr.	7:22	:22	5:22
7 Del Rio Dr. at Puma Circle	7:27	:27	5:27
8 Verde Valley Manor	7:30	:30	5:30
9 Wal Mart at Rodeo Dr.	7:34	:34	5:34
10 Cottonwood St. (Safeway)	7:38	:38	5:38
11 Cottonwood St. at 6th St.	7:42	:42	5:42
12 Cottonwood St. (Guidance Clinic)	7:44	:44	5:44
13 Verde Valley Medical Center (Main Entrance)	7:46	:46	5:46
1 Arrive at Cottonwood Library	7:50	:50	5:50

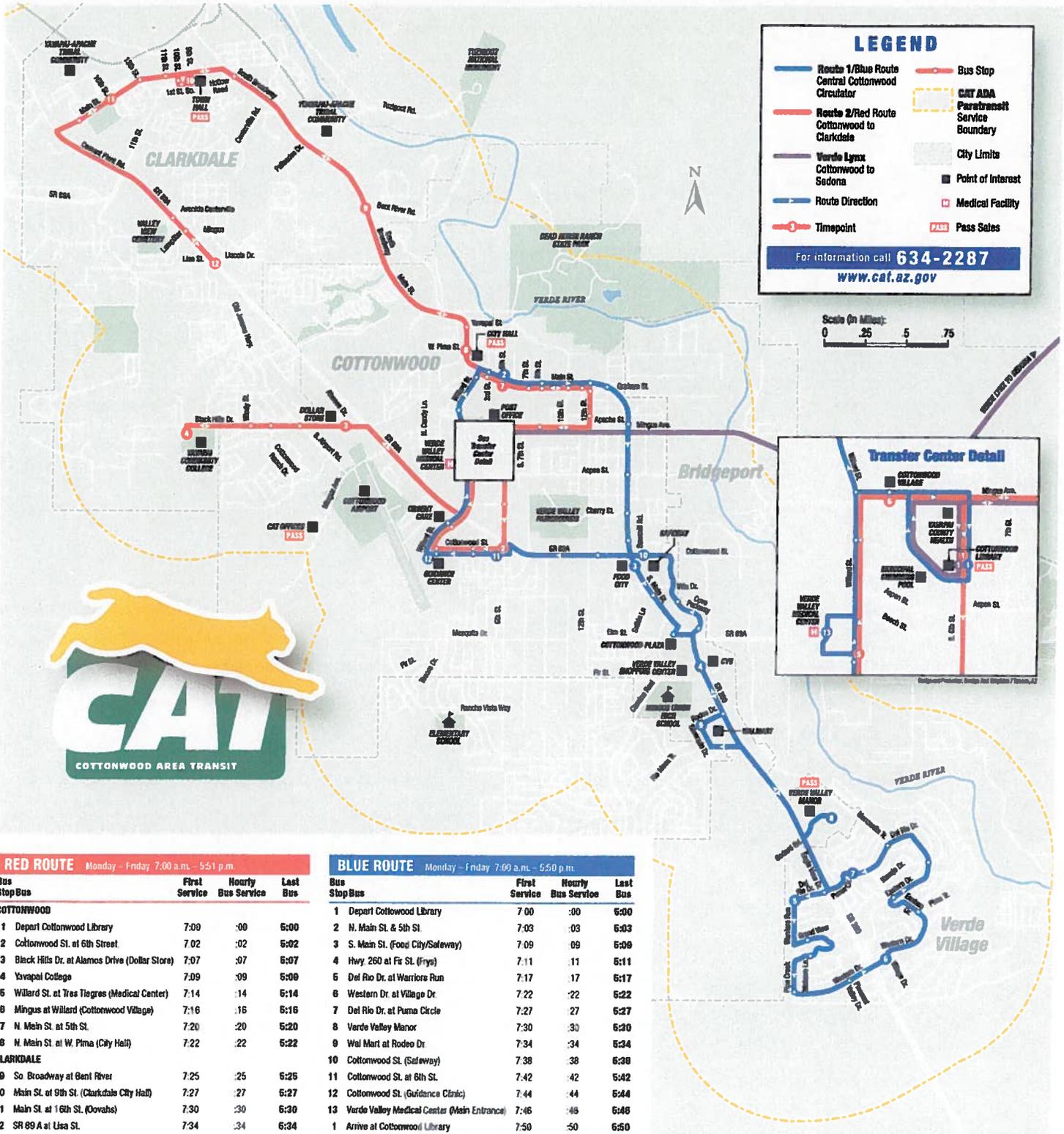
Where to Catch the Bus

CAT bus stops are located all along the route and are shown on the map included in our guide. For your safety, buses only stop at designated bus stops which have this sign.



Home | [About Cottonwood](#) | [Webmaster](#) | [Site Map](#)
 City of Cottonwood, 827 N. Main St, Cottonwood, Arizona 86328 | 928-634-5526
 ©2005-2008 City of Cottonwood. All Rights Reserved. [Privacy Policy](#)

This website is best viewed in 1024 X 768 resolution or higher.



RED ROUTE Monday - Friday 7:00 a.m. - 5:51 p.m.

Bus Stop	First Service	Hourly Bus Service	Last Bus
COTTONWOOD			
1 Depart Cottonwood Library	7:00	:00	6:00
2 Cottonwood St. at 6th Street	7:02	:02	6:02
3 Black Hills Dr. at Alamos Drive (Dollar Store)	7:07	:07	6:07
4 Yvapai College	7:09	:09	6:09
5 Willard St. at Tres Tierras (Medical Center)	7:14	:14	6:14
6 Mingus at Willard (Cottonwood Village)	7:16	:16	6:16
7 N. Main St. at 5th St.	7:20	:20	6:20
8 N. Main St. at W. Pima (City Hall)	7:22	:22	6:22
CLARKDALE			
9 So. Broadway at Bent River	7:25	:25	6:25
10 Main St. at 9th St. (Clarkdale City Hall)	7:27	:27	6:27
11 Main St. at 16th St. (Oovahs)	7:30	:30	6:30
12 SR 89A at Lisa St.	7:34	:34	6:34
10 9th St. (Clarkdale Post Office)	7:41	:41	6:41
9 So. Broadway at Bent River	7:43	:43	6:43
COTTONWOOD			
7 N. Main St. at 5th St. (Catholic Services)	7:46	:46	6:46
1 Arrive at Cottonwood Library	7:51	:51	6:51

BLUE ROUTE Monday - Friday 7:00 a.m. - 5:50 p.m.

Bus Stop	First Service	Hourly Bus Service	Last Bus
1 Depart Cottonwood Library	7:00	:00	6:00
2 N. Main St. & 5th St.	7:03	:03	6:03
3 S. Main St. (Food City/Safeway)	7:09	:09	6:09
4 Hwy 260 at Fir St. (Frys)	7:11	:11	6:11
6 Del Rio Dr. at Warriors Run	7:17	:17	6:17
6 Western Dr. at Village Dr.	7:22	:22	6:22
7 Del Rio Dr. at Puma Circle	7:27	:27	6:27
8 Verde Valley Manor	7:30	:30	6:30
9 Wal Mart at Rodeo Dr.	7:34	:34	6:34
10 Cottonwood St. (Safeway)	7:38	:38	6:38
11 Cottonwood St. at 6th St.	7:42	:42	6:42
12 Cottonwood St. (Guidance Clinic)	7:44	:44	6:44
13 Verde Valley Medical Center (Main Entrance)	7:46	:46	6:46
1 Arrive at Cottonwood Library	7:50	:50	6:50

FARES / TARIFAS

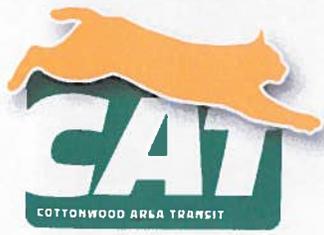
CAT Fixed Route Buses	
Cash Fare	\$1.25
All Day Pass	\$3.00
20-Trip Pass	\$25.00
Verde Lynx	
Per Ride	\$2.00
Monthly Pass	\$40.00
20-Ride Pass	\$40.00

PASS SALES OUTLETS

Cottonwood	
CAT Office	340 Happy Jack Way
Public Library	100 S. 6th St.
City Finance Dept.	816 N. Main Street
Verde Valley Manor	3400 Godard Rd.
Clarkdale	
City of Clarkdale	39 North Ninth Street

The schedules show only major stops. The buses serve all bus stops shown on the route map.
 AM times are shown in regular type. PM times are shown in boldface type. Times are approximate and may vary due to weather and traffic conditions.
 Verde Lynx schedule is on reverse side of guide.
 Fixed route trip planning (Powered by Google Transit) is available on www.cat.az.gov





Two Bus Routes – Monday thru Friday 7:00 a.m. to 6:00 p.m.

CAT operates two bus routes that serve the communities of Cottonwood, Clarkdale and Verde Valley. The two routes connect on the hour at Garrison Park and you can transfer from one bus route to the other with no waiting. So you can now use CAT to travel throughout the greater Cottonwood area.

- **Route 1/Blue Route** – Central Cottonwood Circulator – Every 60 Minutes
- **Route 2/Red Route** – Cottonwood to Clarkdale – Every 60 Minutes

Where to Catch the Bus

CAT bus stops are located all along the route and are shown on the map included in this guide. For your safety, buses only stop at designated bus stops which have his sign.



When to Catch the Bus

Buses run from 7:00 a.m. to 6:00 p.m. Check the schedule or your route and direction of travel to see what time the bus serves your stop. The bus schedule lists the pickup time minutes past the hour for major bus stops. If you are boarding at a stop not shown on the schedule, simply use the time for the closest stop before yours.

CAT PARATRANSIT

CAT PARATRANSIT provides origin to destination transportation services for persons with disabilities who are unable to use CAT fixed route buses. Service is provided to locations that are within 3/4-mile of a fixed route bus stop. The services are shared-ride and require reservations be made by 5:00 p.m. the day before. Vans pick riders up at the curb

by their name, and drop them at the curb by their destination. For more information or a paratransit eligibility application, call CAT at (928) 634-2287 or visit www.cat.az.gov.

This is a shared-ride service. Due to variations in traffic and passenger loads, riders must be prepared for the van to arrive up to 15 minutes before or after the scheduled time.

CAT Fares

Fixed Route Buses

Cash Fare	.....	\$1.25
All Day Pass	.....	\$3.00
20-Trip Pass	.....	\$25.00
Paratransit Fare	.....	\$2.25

- Pay your fare to the driver when boarding the bus. Exact change is required.
- All Day Passes are available from the driver and let you ride throughout the day with no additional fare.
- 20-Trip Passes can be purchased at a variety of locations shown on the map side of this guide. They can also be purchased by phone by calling (928) 634-2287 or on line at www.cat.az.gov. We accept all major credit cards.

Verde Lynx Service Between Cottonwood and Sedona

Verde Lynx provides commuter service from Garrison Park to Sedona. The schedule is shown below. Once in Sedona, buses drop off at a variety of locations. For a complete schedule or more information about the Verde Lynx, call (928) 282-0938 or visit www.verdelynx.az.gov

Dos rutas de autobús – De lunes a viernes De 7 a.m. a 6 p.m.

El Transporte del área de Cottonwood (CAT) opera dos rutas de autobús que brindan servicio a las comunidades de Cottonwood, Clarkdale y Verde Valley. Las dos rutas se conectan cada hora en Garrison Park y es posible realizar trasbordo de una ruta de autobús a la otra sin necesidad de esperar. Así que ahora puede usar CAT para desplazarse en toda el área metropolitana de Cottonwood.

- **Ruta 1/Ruta azul** – Tronvía Central Cottonwood – Cada 60 minutos
- **Ruta 2/Ruta roja** – Cottonwood a Clarkdale – Cada 60 minutos

Dónde tomar el autobús

Las paradas de autobús de CAT están ubicadas a lo largo del recorrido y se muestran en el mapa incluido en esta guía. Para su seguridad, los autobuses sólo se detienen en las paradas designadas con este signo.



Cuándo tomar el autobús

Los autobuses circulan de 7:00 a.m. a 6:00 p.m. Busque el horario de su ruta y la dirección a la que va para ver la hora en que el autobús pasa por su parada. El horario del autobús incluye el horario de recogida (minutos pasada la hora) en las principales paradas de autobús. Si usted sube en una parada que no figura en el horario, simplemente use la hora de la parada más cercana anterior a la suya.

CAT PARATRANSIT

CAT PARATRANSIT ofrece el servicio de transporte desde el lugar de origen hasta el lugar de destino para personas con discapacidades que no pueden utilizar los autobuses CAT de ruta fija. Este servicio se proporciona en ubicaciones que se encuentren a ¼ de milla de una parada de autobús de ruta fija. El viaje se hace con otras personas y es necesario reservar antes de las 5 p.m. del día anterior. Las camionetas recogen a los pasajeros en el borde de la acera de su casa y los dejan en el borde de la acera del lugar de destino. Para obtener más información o una solicitud de elegibilidad para paratransito, llame a CAT al (928) 634-2287 o visite www.cat.az.gov.

Este es un servicio de viajes compartidos. Debido a las variaciones en el tráfico y en el número de pasajeros por viaje, los pasajeros deben estar preparados para que la camioneta llegue 15 minutos antes o después del horario programado.

Tarifas de CAT

Autobuses de ruta fija	
Boleto en efectivo	..... \$1.25
Pase diario	..... \$3.00
Pase de 20 viajes	..... \$25.00
Tarifas de paratransito	..... \$2.25

- Pague su boleto al conductor cuando suba al autobús. Pague con el monto exacto.
- Los pases diarios se pueden comprar al conductor y le permiten viajar durante todo el día sin abonar tarifa adicional.

- Puede comprar los pases de 20 viajes en diversos lugares que se indican en el mapa de esta guía. También los puede comprar por teléfono llamando al (928) 634-2287 o por Internet en www.cat.az.gov. Aceptamos las tarjetas de crédito más importantes.

Servicio Verde Lynx entre Cottonwood y Sedona

Verde Lynx ofrece servicio desde Garrison Park hasta Sedona. El horario se indica abajo. En Sedona los autobuses se detienen en diversas ubicaciones. Para obtener un horario completo o más información sobre Verde Lynx, llame al (928) 282-0938 o visite www.verdelynx.az.gov

CAT is operated by the City of Cottonwood. All vehicles are wheelchair accessible and operated in accordance with the Americans with Disabilities Act.



CAT complies with Title VI of the Civil Rights Act of 1964. Service will be provided without regard to race, color, national origin, age, sex or disability. To file a civil rights complaint, contact ADOT Civil Rights Office, 1135 N. 22nd Ave., Mail Drop 154A, Phoenix, AZ 85009, (602) 712-7761.

Information about the transit agency, including information in non-English alternative formats may be obtained through the Transportation Manager at (928) 634-2287.

CAT es operado por la Ciudad del Cottonwood. Todos los vehículos son accesibles para sillas de ruedas y cumplen con la Ley de Estadounidenses con Discapacidades (Americans with Disabilities Act).

CAT cumple con el Título VI de la Ley de Derechos Civiles (Civil Rights Act) de 1964. Se proporcionará el servicio sin distinción de raza, color, nacionalidad, edad, sexo o discapacidad. Para presentar un reclamo referente a derechos civiles, comuníquese con ADOT Civil Rights Office, 1135 N. 22nd Ave., Mail Drop 154A, Phoenix, AZ 85009, (602) 712-7761.

Puede solicitar información sobre la agencia de transporte público, incluyendo información en diferentes formatos y en otro idioma distinto al inglés, llamando al Encargado de Transportación por el teléfono (928) 634-2287.

VERDE LYNX ROUTE Monday – Saturday 6:00 a.m. – 7:10 p.m., Sunday 7:15 a.m. – 5:49 p.m.

Bus Stop	Monday thru Saturday Service								Sunday Service							
NORTHBOUND to Sedona																
1 Depart Cottonwood Library	6:00	7:15	8:30	9:45	1:00	2:30	4:00	6:00	7:15	8:30	9:45	1:00	2:30	4:00		
2 Circle K	6:02	7:17	8:32	9:47	1:02	2:32	4:02	6:02	7:17	8:32	9:47	1:02	2:32	4:02		
3 Upper Red Rock Loop Rd.	6:21	7:36	8:51	10:06	1:21	2:51	4:21	6:21	7:36	8:51	10:06	1:21	2:51	4:21		
4 Across from Sedona Medical Center / Hwy 89A	6:22	7:37	8:52	10:07	1:22	2:52	4:22	6:22	7:37	8:52	10:07	1:22	2:52	4:22		
5 Arroyo Pifion Dr.	6:23	7:39	8:54	10:09	1:24	2:54	4:24	6:24	7:39	8:54	10:09	1:24	2:54	4:24		
6 Super 8 Motel	6:24	7:40	8:55	10:10	1:25	2:55	4:25	6:25	7:40	8:55	10:10	1:25	2:55	4:25		
7 Wells Fargo Bank	6:25	7:41	8:56	10:11	1:26	2:56	4:26	6:26	7:41	8:56	10:11	1:26	2:56	4:26		
8 Walgreens	6:26	7:42	8:57	10:12	1:27	2:57	4:27	6:27	7:42	8:57	10:12	1:27	2:57	4:27		
9 Northview Rd.	6:27	7:43	8:58	10:13	1:28	2:58	4:28	6:28	7:43	8:58	10:13	1:28	2:58	4:28		
10 Soldiers Pass Rd. (Biddles)	6:28	7:44	8:59	10:14	1:29	2:59	4:29	6:29	7:44	8:59	10:14	1:29	2:59	4:29		
11 Tlaquepaque	6:30	7:47	9:02	10:18	1:33	3:03	—	6:33	7:47	9:02	10:18	1:33	3:03	—		
12 Poco Diablo Resort	6:34	7:51	9:06	10:22	1:37	3:07	—	—	7:51	9:06	10:22	1:37	3:07	—		
13 Hillside Shops & Galleries	6:36	7:53	9:08	10:24	1:39	3:09	—	6:34	7:53	9:08	10:24	1:39	3:09	—		
14 Sedona Municipal Parking Lot	6:40	7:57	9:12	10:28	1:43	3:13	4:33	6:38	7:57	9:12	10:28	1:43	3:13	4:33		
SOUTHBOUND to Cottonwood																
14 Sedona Municipal Parking Lot	6:45	8:00	9:15	10:30	1:45	3:15	6:00	6:38	8:00	9:15	10:30	1:45	3:15	6:00		
11 Tlaquepaque	—	—	—	—	—	—	5:03	—	—	—	—	—	—	5:03		
12 Poco Diablo Resort	—	—	—	—	—	—	5:09	—	—	—	—	—	—	5:09		
13 Hillside Shops & Galleries	—	—	—	—	—	—	6:11	—	—	—	—	—	—	6:11		
10 New Frontier	6:50	8:05	9:20	10:35	1:49	3:19	5:15	6:42	8:05	9:20	10:35	1:49	3:19	5:15		
9 Hampton Inn	6:51	8:06	9:21	10:36	1:50	3:20	5:18	6:43	8:06	9:21	10:36	1:50	3:20	5:18		
8 Arco / Bashas	6:51	8:06	9:21	10:36	1:51	3:21	5:17	6:44	8:06	9:21	10:36	1:51	3:21	5:17		
7 Safeway	6:52	8:07	9:22	10:37	1:53	3:23	5:19	6:46	8:07	9:22	10:37	1:53	3:23	5:19		
6 Sedona Car Wash	6:53	8:08	9:23	10:38	1:54	3:24	5:20	6:47	8:08	9:23	10:38	1:54	3:24	5:20		
5 Dry Creek Rd.	6:54	8:09	9:24	10:39	1:55	3:25	5:21	6:48	8:09	9:24	10:39	1:55	3:25	5:21		
4 Sedona Medical Center	6:55	8:10	9:25	10:40	1:57	3:27	5:23	6:50	8:10	9:25	10:40	1:57	3:27	5:23		
3 Cultural Park Pl.	6:56	8:11	9:26	10:41	1:58	3:28	5:24	6:51	8:11	9:26	10:41	1:58	3:28	5:24		
2 Circle K	7:13	8:28	9:43	10:58	2:21	3:51	5:47	7:08	8:28	9:43	10:58	2:21	3:51	5:47		
1 Arrive Cottonwood Library	7:15	8:30	9:45	11:00	2:23	3:53	5:49	7:10	8:30	9:45	11:00	2:23	3:53	5:49		

BUS RIDER'S GUIDE

ENGLISH & SPANISH

Public Transit In
Cottonwood – Clarkdale
Bridgeport – Verde Village

(928) 634-2287

EFFECTIVE JULY 1, 2012

Section 5311, Rural Public Transportation Program

The Section 5311 grant program's goals are to address the mobility needs of Arizona's rural population by: (1) enhancing access to health care, shopping, education, employment, public services, and recreation; (2) assisting local communities in building effective transit services in rural areas.

Annually, the [Federal Transit Administration](#) (FTA) allocates federal funds for the Section 5311 grant Program, these are apportioned to the State on a formula basis; providing funding to support the administrative, operating, and capital costs of operating public transit services in rural areas. The state has the primary responsibility to provide for the fair and equitable distribution of funds to qualified applicants. In Arizona, the Arizona Department of Transportation (ADOT), Multimodal Planning Division manages the Section 5311 Grant Program, funding is provided to counties, cities, towns, and Native American tribes to operate transit systems at the local level. Approximately 3.1 million miles of transportation service are provided annually to more than 968,000 passengers. Over 190,000 hours of service are provided by these systems.

Funds may be used for public transit services operating:

- within small urban and rural communities
- among small urban and rural communities
- between small urban and rural communities and Urbanized Areas (cities of 50,000 or more).

Funds are distributed annually through a competitive application process. The application process is kicked off with a series of workshops and webinars that provide guidance on the process in September/October, applications are submitted in December and awards are generally made in July of each year. The program renews every federal fiscal year, October 1 of each year.

In order to provide our 5311 recipients with the most responsive customer service as well as work towards the growth of the rural transit program across the state, ADOT is introducing a new, regionally focused approach to managing the 5311 program. This approach has resulted in three distinct regions in the state : [north](#), [central](#) and [south regions](#). Each region has a program manager and number of eligible recipients.

ADOT strongly encourages coordination of services to facilitate the most efficient use of Federal, State and local resources. Our goal is to support the development of a statewide multi-modal transportation system that is economically efficient and environmentally sound.

Participating 5311 Programs:

- [City of Douglas](#)
- [City of Benson](#)
- [City of Bisbee](#)
- [City of Bullhead City](#)
- [City of Coolidge](#)
- [Helping Hands Agency \(City of Page\)](#)
- [Hopi Tribe](#)
- [Navajo Nation](#)
- [Tucson RTA](#)
- [Regional Public Transportation Authority \(RPTA\)](#)

- City of Cottonwood
- City of Kingman
- City of Lake Havasu City
- City of Maricopa
- City of Show Low and Pinetop/Lakeside
- City of Sierra Vista
- Salt River Pima-Maricopa Indian Community
- San Carlos Apache Transit
- Town of Chino Valley
- Town of Miami
- Yuma County Intergovernmental Public Transportation Authority

Program Resources:

- 5311 FTA Circular
- 5311 Workshop Presentations
- Capital and Facility Procurement Handbook
- FY 2009 Section 5311 Annual Report
- FTA Funding Apportionments
- I speak cards
- Title VI Compliance Poster For Transit

For inquiries regarding the Section 5311 Program

Arizona Department of Transportation
Multimodal Planning Division

Northern AZ

Tracy Young
602.712.7106

Central AZ

Sara Allred
602.712.4498

Southern AZ

Nicole Patrick
602.712.8947

206 South 17th Avenue, Mail Drop 340 B Phoenix, Arizona 85007

Documents are posted as they become available in PDF format, which requires [Adobe Reader](#) to view.

Yavapai County suggested changes
YAVAPAI COUNTY
COTTONWOOD AREA TRANSIT - REGIONAL TRANSPORTATION
SERVICE IGA

This Intergovernmental Agreement (“IGA”) is entered into on the _____ day of _____, 2013 (the “Effective Date”), by and between the City of Cottonwood, an Arizona municipal corporation (“Cottonwood”), and Yavapai County, an Arizona political subdivision (“County”). Cottonwood and the County may be referred to in this IGA collectively as the Parties, and each individually as a Party.

RECITALS

- A. Cottonwood is authorized to provide public transportation services, and operates a public transportation system known as the Cottonwood Area Transit (“CAT”) System.
- B. The CAT System is capable of providing, and currently provides fixed-route and ADA para-transit services between and within Cottonwood and certain unincorporated areas of the County.
- C. The County desires to continue receiving the services described above, and Cottonwood desires to provide such services, under the terms and conditions set forth below.
- D. The Parties are authorized to enter into this IGA pursuant to A.R.S. 11-952.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Scope of Services. Cottonwood will provide fixed route and ADA para-transit services to and within certain unincorporated areas of the County, as more particularly described in Exhibit A to this Agreement. Services will comply with all applicable federal, state and local laws, regulations, ordinances, policies and program requirements.
2. Application for Grant Funding. During the term of this IGA, Cottonwood shall be authorized to and shall apply for grant funding on the County’s behalf to support the services to be provided hereunder. Any funds received by Cottonwood on behalf of the County will be credited to the County in the annual budgeting process.
3. Bus Shelters. Each party shall have the option of installing and maintaining any bus shelters located within₁ its jurisdictional boundaries.

Maintenance shall include all necessary repairs; litter and trash removal; signage installation; snow removal; and graffiti removal.

4. Compensation. In consideration for the services rendered under this Agreement, and as its “local share” of the associated federal funding for these services, the County shall pay Cottonwood the following amounts at the following times:
 - a. The sum of **\$20,000** by or before July 30, 2013. This amount represents the County’s contribution to the operational and administrative costs of the system for the period July 1, 2012 through June 30, 2013.
 - b. The sum of **\$25,000** by or before July 30, 2013. This amount represents the County’s contribution to the operational and administrative costs of the system for the period July 1, 2013 through September 30, 2014.
5. Reporting. Cottonwood will prepare and submit joint monthly ridership reports to the County that include, but will not necessarily be limited to passenger counts, ridership, and related budget information for the CAT system. Cottonwood will also provide the County with quarterly budget reports assessing the financial performance and condition of the CAT system, and will comply with any and all reporting requirements of any state or federal granting agency in respect of the CAT system.
6. Transportation Advisory Committee. In accordance with ADOT and FTA requirements, Cottonwood will coordinate meetings of the Cottonwood Area Transit Technical Advisory Committee with the Verde Valley Transportation Planning Organization (VVTPO), which includes representatives from all public agencies participating in the CAT system (as well as other stakeholders). The VVTPO will meet no less frequently than once per quarter to develop and review performance measures, and to recommend and plan for future transportation services in the Verde Valley.
7. Term and Termination. This IGA shall be deemed to have commenced on July 1, 2013, and shall run through September 30, 2014 (the “Initial Term”), unless extended or sooner terminated as provided for herein; and may be renewed for two (2) additional periods of two (2) years each (each a “Renewal Term”), at a rate of compensation to be agreed-upon by the parties and paid by the County prior to the beginning of each Renewal Term. Either party may terminate this Agreement by giving the other Party one hundred and eighty (180) days written notice of termination. Cottonwood will not incur any further obligation on behalf of the County after receipt of written notice of termination.
8. Records and Audit Rights. Each Party’s work and accounting records (hard copy, as well as computer readable data), and any other supporting evidence deemed necessary by the other Party to substantiate charges and claims related to this IGA shall be open to inspection and subject to audit and/or reproduction by authorized₂ representatives of the other Party,

to adequately permit evaluation and verification of the performance and cost of the work, and to conduct and prepare all audits and reports required by law. Representatives of each Party shall be afforded access, at reasonable times and places, to all of the other Party's records and personnel, pursuant to the provisions of this Section, throughout the term of this IGA (including Renewal Terms), and for a period of five (5) years after last or final payment.

9. Incorporation of Recitals and Exhibits. The Recitals are acknowledged by the Parties to be substantially true and correct, and hereby incorporated as agreements of the Parties. All exhibits referenced herein and attached hereto, are hereby incorporated into this IGA.

10. Entire Agreement. This IGA constitutes the entire understanding of the Parties and supersedes all previous representations, written or oral, with respect to the services specified herein. This IGA may not be modified or amended, except by a written document, signed by authorized representatives of each Party.

11. Arizona Law. This IGA shall be governed and interpreted according to the laws of the State of Arizona.

12. Modifications. Except as otherwise specifically provided in this IGA, any amendment, modification or variation from the terms of this IGA shall be in writing and shall be effective only after written approval of all Parties.

13. Attorney's Fees. In the event either Party brings any action for any relief, declaratory or otherwise, arising out of this IGA, or on account of any breach or default of this IGA, the prevailing Party shall be entitled to receive from the other Party reasonable attorneys' fees and reasonable costs and expenses, as determined by the arbitrator or court sitting without a jury, which shall be deemed to have accrued on the commencement of such action and shall be enforceable, whether or not such action is prosecuted to judgment.

14. Notices. All notices or demands required to be given, pursuant to the terms of this IGA, shall be given to the other Party in writing, delivered in person, sent by facsimile transmission, deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested or deposited with any commercial air courier or express service at the addresses set forth below, or to such other address as the Parties may substitute by written notice, given in the manner prescribed in this paragraph.

If to the County:

County Administrator
Yavapai County
1015 Fair Street
Prescott, AZ, 86305
Tel: 928-771-3200
Fax: 928-771-3257

If to City of Cottonwood:

City Manager
City of Cottonwood
827 North Main Street
Cottonwood, Arizona 86326
Tel: (928) 634-5526
Fax: (928) 634-5520

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be deemed received on the date delivered, if delivered by hand, on the day it is sent by facsimile transmission, on the second day after its deposit with any commercial air courier or express services or, if mailed, ten (10) days after the notice is deposited in the United States mail as above provided, and on the delivery date indicated on receipt, if delivered by certified or registered mail. Any time period stated in a notice shall be computed from the time the notice is deemed received. Notices sent by facsimile transmission shall also be sent by regular mail to the recipient at the above address. This requirement for duplicate notice is not intended to change the effective date of the notice sent by facsimile transmission.

15. Force Majeure. Neither Party shall be responsible for delays or failures in performance resulting from acts beyond its control. Such acts shall include, but not be limited to, acts of God, riots, acts of war, epidemics, governmental regulations imposed after the fact, fire, communication line failures or power failures.

16. Counterparts. This IGA may be executed in one or more counterparts, and each originally executed duplicate counterpart of this IGA shall be deemed to possess the full force and effect of the original.

17. Caption. The captions used in this IGA are solely for the convenience of the Parties, do not constitute a part of this IGA and are not to be used to construe or interpret this IGA.

18. Severability. If any term or provision of this IGA shall be found to be illegal or unenforceable, then notwithstanding such illegality or unenforceability, this IGA shall remain in full force and effect, and such term or provision shall be deemed to be deleted.

19. Authority. Each Party hereby₄ warrants and represents that it

has full power and authority to enter into and perform this IGA, and that the person signing on behalf of each has been properly authorized and empowered to do so. Each Party further acknowledges that it has read this IGA, understands it, and agrees to be bound by it.

20. Compliance with Immigration Laws and Regulations. Pursuant to the provisions of A.R.S. §41-4401, each Party warrants to the other Party that the warranting Party and all its subconsultants are in compliance with all Federal Immigration laws and regulations that relate to their employees and with the E-Verify Program under A.R.S. §23-214(A). Each Party acknowledges that a breach of this warranty by the warranting Party or any of its subconsultants is a material breach of this IGA subject to penalties up to and including termination of this IGA or any subcontract. Each Party retains the legal right to inspect the papers of any employee of the other Party or any subconsultant who works on this IGA to ensure compliance with this warranty.

A Party may conduct random verification of the employment records of the other Party and any of its subconsultants to ensure compliance with this warranty. A Party will not consider the other Party or any of its subconsultants in material breach of the foregoing warranty if the warranting Party and its subconsultants establish that they have complied with the employment verification provisions prescribed by 8 USCA § 1324(a) and (b) of the Federal Immigration and Nationality Act and the e-verify requirements prescribed by Arizona Revised Statutes § 23-214(A). The provisions of this Section must be included in any contract a Party enters into with any and all of its subconsultants who provide services under this IGA or any subcontract. As used in this Section, "services" are defined as furnishing labor, time or effort in the State of Arizona by a contractor or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

28. Prohibition of Doing Business with Sudan and Iran. Pursuant to A.R.S. §§35-391.06 and 35-393-06, each Party hereby certifies to the other Party that the certifying Party does not have "scrutinized" business operations, as defined in A.R.S. §§35-391 and 35-393, in either Sudan or Iran. The certifying Party acknowledges that, in the event either of the certifications contained in this paragraph is determined by the other Party to be false, that Party may terminate this IGA and exercise other remedies as provided by law, in accordance with A.R.S. §§35-391.06 and 35-393-06.

29. Cancellation for Conflict of Interest. This Agreement is subject to cancellation pursuant to the provisions of A.R.S. §38-511, which are hereby incorporated into this Agreement as if fully set forth herein.

CITY OF COTTONWOOD, ARIZONA,

A municipal corporation of the State of Arizona

By: _____
Diane Joens, Mayor

Date: _____

ATTEST:

Marianne Jimenez, City Clerk

YAVAPAI COUNTY, ARIZONA

By: _____
Date: _____ A. G. "Chip" Davis, Chairman, Board of
Supervisors

ATTEST:

Pursuant to A.R.S. 11-952.D, the foregoing Agreement has been submitted and reviewed to the attorney for each party, who has determined that the Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona to such party.

Dated this ___ day of _____, 2013

Dated this ___ day of _____, 2013

By: _____
City of Cottonwood Attorney

By: _____
Yavapai County Attorney

Exhibit A – Cottonwood Area Transit (CAT) Map/Legend & Schedule

The schedules show only major stops. The buses serve all bus stops shown on the route map.



Route 1/Blue Route
Central Cottonwood
Circulator



Route 2/Red Route
Cottonwood to
Clarkdale

**Mouse over to view &
click to hide
schedules...**



BLUE ROUTE Monday – Friday 7:00 a.m. – 5:50 p.m.				
Bus Stop	Bus	First Service	Hourly Bus Service	Last Bus
1	Depart Cottowood Library	7:00	:00	5:00
2	N. Main St. & 5th St.	7:03	:03	5:03
3	S. Main St. (Food City/Safeway)	7:09	:09	5:09
4	Hwy. 260 at Fir St. (Frys)	7:11	:11	5:11
5	Del Rio Dr. at Warriors Run	7:17	:17	5:17
6	Western Dr. at Village Dr.	7:22	:22	5:22
7	Del Rio Dr. at Puma Circle	7:27	:27	5:27
8	Verde Valley Manor	7:30	:30	5:30
9	Wal Mart at Rodeo Dr.	7:34	:34	5:34
10	Cottonwood St. (Safeway)	7:38	:38	5:38
11	Cottonwood St. at 6th St.	7:42	:42	5:42
12	Cottonwood St. (Guidance Clinic)	7:44	:44	5:44
13	Verde Valley Medical Center (Main Entrance)	7:46	:46	5:46
1	Arrive at Cottonwood Library	7:50	:50	5:50

The schedules show only major stops. The buses serve all bus stops shown on the route map.



Route 1/Blue Route
Central Cottonwood
Circulator



Route 2/Red Route
Cottonwood to
Clarkdale

Mouse over to view &
click to hide
schedules...



RED ROUTE Monday – Friday 7:00 a.m. – 5:51 p.m.

Bus Stop Bus	First Service	Hourly Bus Service	Last Bus
COTTONWOOD			
1 Depart Cottonwood Library	7:00	:00	5:00
2 Cottonwood St. at 6th Street.	7:02	:02	5:02
3 Black Hills Dr. at Alamos Drive (Dollar Store)	7:07	:07	5:07
4 Yavapai College	7:09	:09	5:09
5 Willard St. at Tres Tiegres (Medical Center)	7:14	:14	5:14
6 Mingus at Willard (Cottonwood Village)	7:16	:16	5:16
7 N. Main St. at 5th St.	7:20	:20	5:20
8 N. Main St. at W. Pima (City Hall)	7:22	:22	5:22
CLARKDALE			
9 So. Broadway at Bent River	7:25	:25	5:25
10 Main St. at 9th St. (Clarkdale City Hall)	7:27	:27	5:27
11 Main St. at 16th St. (Oovahs)	7:30	:30	5:30
12 SR 89 A at Lisa St.	7:34	:34	5:34
10 9th St. (Clarkdale Post Office)	7:41	:41	5:41
9 So. Broadway at Bent River	7:43	:43	5:43
COTTONWOOD			
7 N. Main St. at 5th St. (Catholic Services)	7:46	:46	5:46
1 Arrive at Cottonwood Library	7:51	:51	5:51

Exhibit A – Cottonwood Area Transit (CAT) Map/Legend & Schedule



Bus Stop Bus	First Service	Hourly Bus Service	Last Bus
COTTONWOOD			
1 Depart Cottonwood Library	7:00	:00	5:00
2 Cottonwood St. at 6th Street.	7:02	:02	5:02
3 Black Hills Dr. at Alamos Drive (Dollar Store)	7:07	:07	5:07
4 Yavapai College	7:09	:09	5:09
5 Willard St. at Tres Tiegres (Medical Center)	7:14	:14	5:14
		10	

6	Mingus at Willard (Cottonwood Village)	7:16	:16	5:16
7	N. Main St. at 5th St.	7:20	:20	5:20
8	N. Main St. at W. Pima (City Hall)	7:22	:22	5:22

CLARKDALE

9	So. Broadway at Bent River	7:25	:25	5:25
10	Main St. at 9th St. (Clarkdale City Hall)	7:27	:27	5:27
11	Main St. at 16th St. (Oovahs)	7:30	:30	5:30
12	SR 89 A at Lisa St.	7:34	:34	5:34
10	9th St. (Clarkdale Post Office)	7:41	:41	5:41
9	So. Broadway at Bent River	7:43	:43	5:43

COTTONWOOD

Bus Stop Bus	First Service	Hourly Bus Service	Last Bus	
1	Depart Cottonwood Library	7:00	:00	5:00
2	N. Main St. & 5th St.	7:03	:03	5:03
3	S. Main St. (Food City/Safeway)	7:09	:09	5:09
4	Hwy. 260 at Fir St. (Frys)	7:11	:11	5:11
5	Del Rio Dr. at Warriors Run	7:17	:17	5:17
6	Western Dr. at Village Dr.	7:22	:22	5:22
7	Del Rio Dr. at Puma Circle	7:27	:27	5:27
8	Verde Valley Manor	7:30	:30	5:30
9	Wal Mart at Rodeo Dr.	7:34	:34	5:34
10	Cottonwood St. (Safeway)	7:38	:38	5:38
11	Cottonwood St. at 6th St.	7:42	:42	5:42
12	Cottonwood St. (Guidance Clinic)	7:44	:44	5:44
13	Verde Valley Medical Center (Main Entrance)	7:46	:46	5:46
1	Arrive at Cottonwood Library	7:50	:50	5:50
7	N. Main St. at 5th St. (Catholic Services)	7:46	:46	5:46
1	Arrive at Cottonwood Library	7:51	:51	5:51

The schedules show only major stops. The buses serve all bus stops shown on the route map.

AM times are shown in regular type. PM times are shown in **boldface type**. Times are approximate and may vary due to weather and traffic conditions.

CAT Fixed Route Buses

Cash Fare	\$1.25
All Day Pass	\$3.00
20-Trip Pass	\$25.00
20-Ride Pass	\$40.00

Cottonwood

CAT Office 340 Happy Jack Way Public Library 100 S. 6th St. City Finance Dept. 816 N Main Street
 Verde Valley Manor 3400 Godard Rd.

Yavapai County Public Transportation Funding Formula

Annual subsidy amount per person and totals based on level of service

Unincorporated Population Served	Level 1	Total	Level 2	Total	Level 3	Total	Level 4	Total
0-1000	\$ 0.75	\$ 750	\$ 1.00	\$ 1,000	\$ 2.00	\$ 2,000	\$ 3.00	\$ 3,000
1000-2500	\$ 0.75	\$ 1,875	\$ 1.00	\$ 2,500	\$ 2.00	\$ 5,000	\$ 3.00	\$ 7,500
2500-5000	\$ 0.75	\$ 3,750	\$ 1.00	\$ 5,000	\$ 2.00	\$ 10,000	\$ 3.00	\$ 15,000
5000-7500	\$ 0.75	\$ 5,625	\$ 1.00	\$ 7,500	\$ 2.00	\$ 15,000	\$ 3.00	\$ 22,500
7500-10,000	\$ 0.75	\$ 7,500	\$ 1.00	\$ 10,000	\$ 2.00	\$ 20,000	\$ 3.00	\$ 30,000
10,000-15,000	\$ 0.75	\$ 11,250	\$ 1.00	\$ 15,000	\$ 2.00	\$ 30,000	\$ 3.00	\$ 45,000
20,000 or more	\$ 0.75	\$ 15,000	\$ 1.00	\$ 20,000	\$ 2.00	\$ 40,000	\$ 3.00	\$ 60,000

Service Level	Description of Service
Level 1	Limited van/bus service, primarily door to door (on demand) service, limited days
Level 2	Fixed route small vehicle/van service with some route deviation for door to door pickups, limited days
Level 3	Fixed route bus service at least 5 days/week with complimentary paratransit service
Level 4	Fixed route bus service 7 days/week, 18 hours/day with paratransit service

Approved by the Board of Supervisors May 6, 2013



Byron Jaspers
Director

OFFICE OF THE
PUBLIC WORKS DEPARTMENT

Road Division Engineering Division Solid Waste Division Emergency Management
1100 Commerce Drive
Prescott, Arizona 86305
Phone (928) 771-3183
FAX (928) 771-3167

May 21, 2013

Richard Faust
Community Services General Manager
City of Cottonwood

Dear Mr. Faust:

Please find the attached Transportation/Transit IGA between the City of Cottonwood and Yavapai County with comments from Yavapai County Public Works submitted for your review. These comments are marked with the "tracked changes" in Word turn on.

Please note that the agreement date has been changed to July 1, 2013 through September 30, 2014 as we would rather provide a contribution for past services for the period between July 1, 2012 when the City took over transit operations from NAIPTA and June 30, 2013. Our contribution for that period is \$20,000.

For the period beginning July 1, 2013 to the end of initial term of the agreement, September 30, 2014, we will provide a contribution of \$25,000, for a total of \$45,000 for the two periods. This contribution is consistent with the Public Transportation Funding Formula approved by the Board of Supervisors on May 6, 2013, a copy of which is attached.

As you know, we have all been challenged lately with the reduction of highway user revenue funds as well as the general downturn in the economy that has strained our resources. Our primary focus is to try and preserve our roadway pavements in an acceptable condition and still provide a contribution to the transit services you provide.

Should you have any questions or concerns please contact my office at (928) 777-7521.

Sincerely,

Mike Willett
Assistant Public Works Director
Yavapai County Public Works
1100 Commerce Drive
Prescott, Az. 86305
mike.willett@co.yavapai.az.us



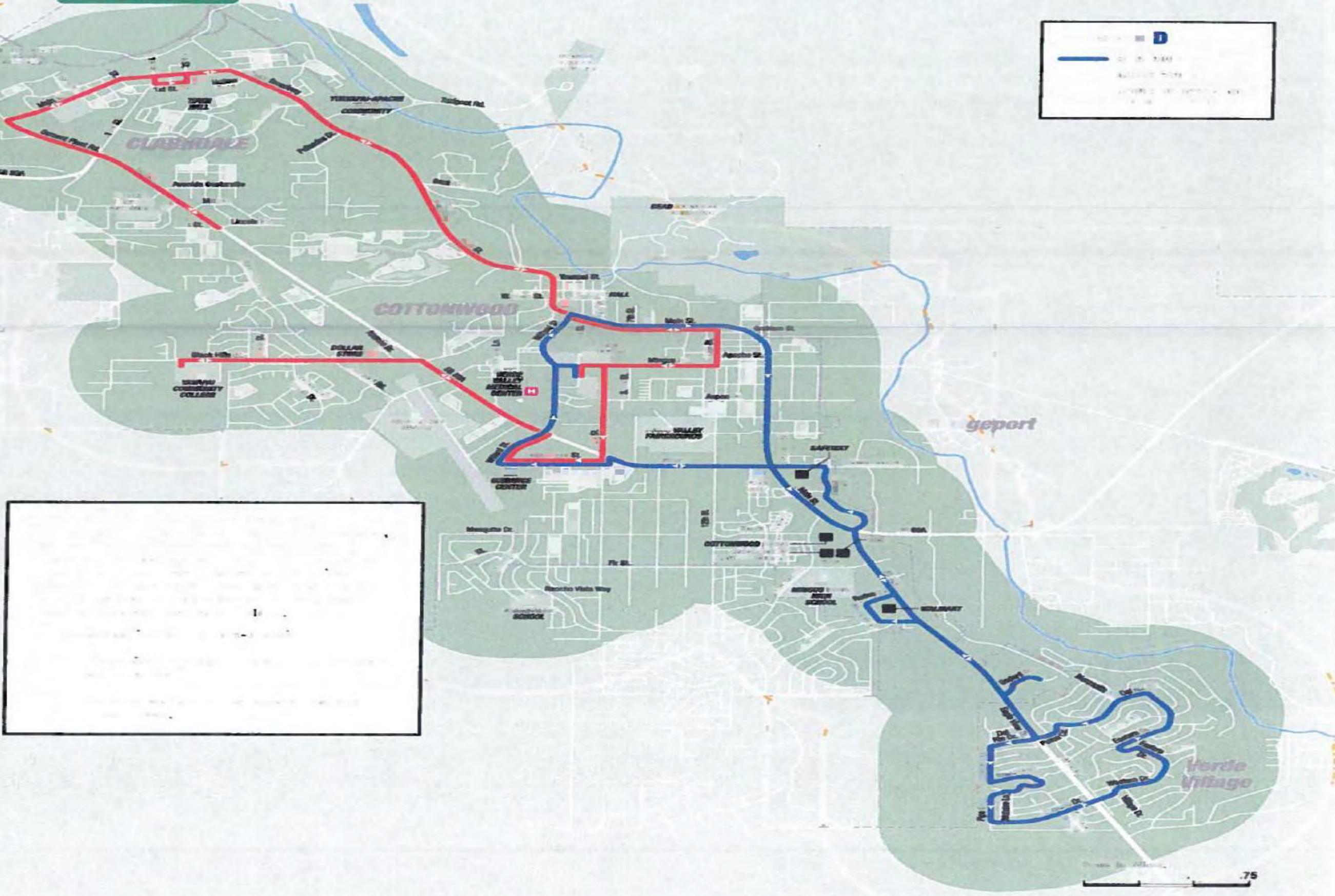
2015 CAT RACE TRACK

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2015 CAT RACE TRACK

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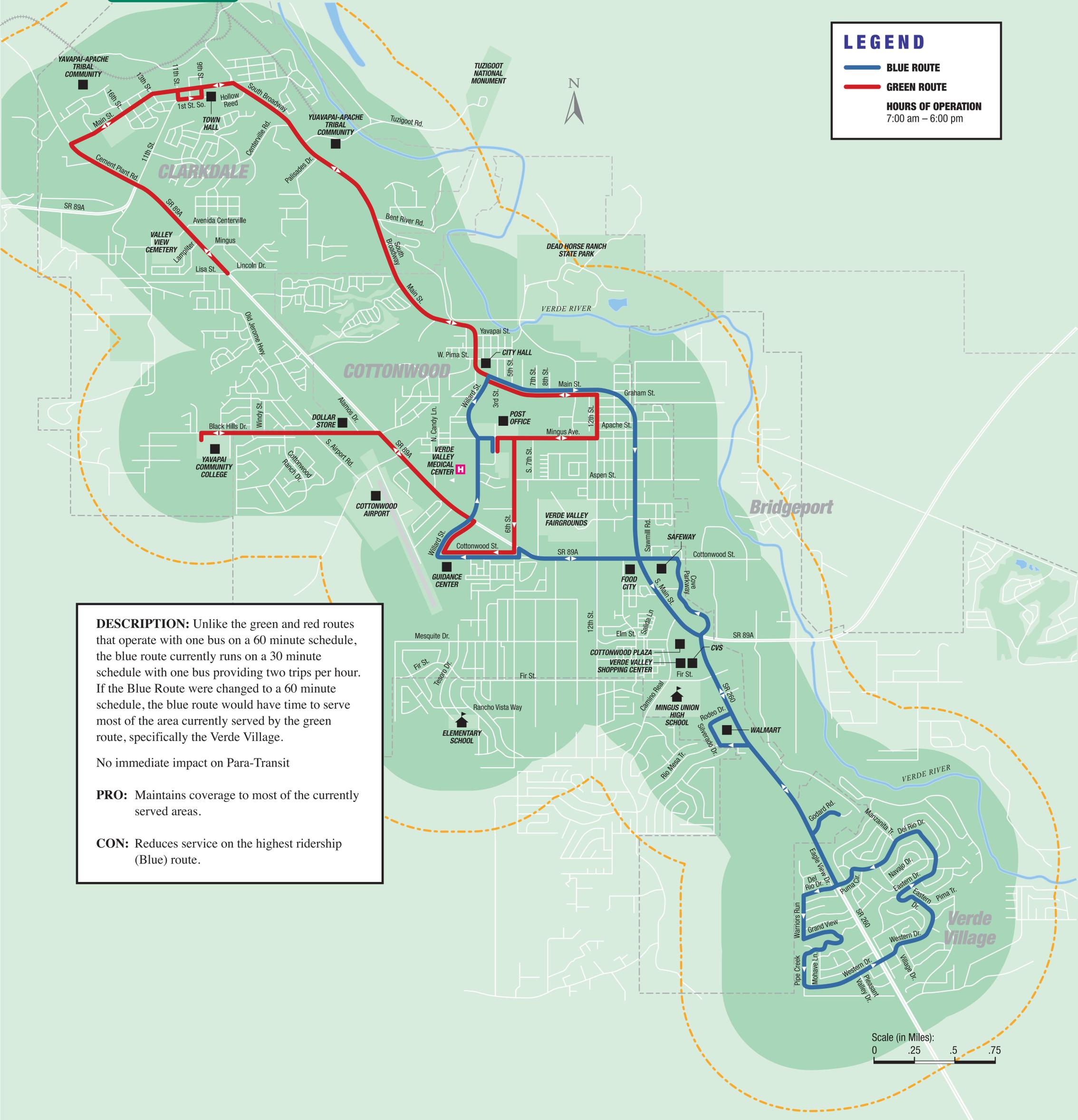


OPTION C: Realign Blue Route to serve Verde Village

LEGEND

- BLUE ROUTE
- GREEN ROUTE

HOURS OF OPERATION
7:00 am – 6:00 pm



DESCRIPTION: Unlike the green and red routes that operate with one bus on a 60 minute schedule, the blue route currently runs on a 30 minute schedule with one bus providing two trips per hour. If the Blue Route were changed to a 60 minute schedule, the blue route would have time to serve most of the area currently served by the green route, specifically the Verde Village.

No immediate impact on Para-Transit

PRO: Maintains coverage to most of the currently served areas.

CON: Reduces service on the highest ridership (Blue) route.



City of Cottonwood, Arizona City Council Agenda Communication



 Print

Meeting Date:	June 4, 2013
Subject:	Request from the City of Sedona to co-sponsor two (2) resolution submittals for the Arizona League of Cities and Towns.
Department:	City Manager
From:	Doug Bartosh, City Manager

REQUESTED ACTION

Consideration and approval of a request from the City of Sedona to approve, and be a co-sponsor, for these proposed resolution submittals to the League of Arizona Cities and Towns.

SUGGESTED MOTION

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

"I move to approve and co-sponsor the City of Sedona's proposed resolutions to the Arizona League of Cities and Towns."

BACKGROUND

At the Thursday, May 23, 2013 Verde Valley Intergovernmental Meeting, the City of Sedona presented three (3) resolutions with a request that another agency approve and co-sponsor these submittals which will be presented to the 2013 Arizona League of Cities and Towns annual event, to be included in their Annual Resolution Formulation Process.

Since that meeting one of the presented resolutions, a request to restore HURF funds, has already been submitted by the City of Yuma, and Sedona has agreed to co-sponsor that resolution. The remaining resolutions are as follows:

- 1) Urge the authorization of expenditures and full appropriations through the re-authorization of ARS 41-501, 503 and 504 to restore the Arizona State Park Heritage Funds.
- 2) Request ARS 34-603 C1d, concerning the use of the procurement or final list for qualification based selection processes; allow the use of such list until a contract for construction is entered into.

JUSTIFICATION/BENEFITS/ISSUES

- 1) Urges the restoration of Arizona State Park Heritage funds via full appropriations through

the re-authorization of ARS 41-501, 503 and 504, returning much needed funding to this valuable organization.

2) This resolution was presented at last years League Meeting and Cottonwood was the co-sponsor at that time; however, it was not chosen by the League in 2012. It has identical verbiage as last years resolution. This item allows the procurement of construction services using non-bid methods, known as "alternative procurement" and provides the ability for Cities to be more assured of being able to secure realistic pricing using Alternative Delivery methods, from the initially selected proposer, while maintaining the benefits on appropriate projects using these delivery methods. This essentially gives communities greater control during the procurement process.

COST/FUNDING SOURCE

Not Applicable.

ATTACHMENTS:

Name:	Description:	Type:
 Sedona Co Sponsor Request Documentation - Alternative Deliver Methods.pdf	Co Sponsor 1	Cover Memo
 6-4-13 League Reso- Heritage Fund Restoration.pdf	Proposed League Resolution--Heritage Funds	Cover Memo

**LEAGUE OF ARIZONA CITIES & TOWNS
RESOLUTION FORMAT**

Text of Resolution Request that A.R.S. 34-603 C1e, concerning the use of the procurement or final list for qualification based selection processes; allow the use of such final list until a contract for construction is entered into. The Agent may pursue negotiations for pre-construction services with other persons on the list provided that the agent shall not in that procurement 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: *(List the municipalities sponsoring this Resolution – there must be at least two.)*

City of Sedona _____

* * * * *

A. Purpose and Effect of Resolution *(Explain your proposal and provide any relevant background information.)*

In 2010 section 34-603 C1e was added to A.R.S regarding procurement of construction services using non-bid methods (alternative procurement). The impact of this addition was to require agents to restart the alternative procurement process or bid construction projects in the event that a construction price could not be negotiated. The impact of the proposed change is to 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 unreasonably high negotiated price. In this case the agent is forced to bid the project, or 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 construction of a project (for instance business area improvement projects), and 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.

City of Sedona was able in 2009 to construct a project by using the second low 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 *(Explain how the resolution impacts cities/towns throughout the state.)*

Alternative Delivery Methods have benefits beyond costs, however, when the process allows a contractor to attempt to push an agent to reject excessive costs, at the risk of losing these benefits for the project, the public is placed at an unfair disadvantage. Modifying the process to give the agent the option to continue with the Alternative Delivery Method without excessive loss of time due to starting the procurement over again, or other disadvantages seems to be in keeping with allowing the use of Alternative Delivery Methods in the first place. As a matter of public policy it does not seem that qualification based selection processes should reduce incentives for unfair pricing. The public policy concern regarding bid-shopping is dealt with by the allowing negotiations with only one proposer at a time, and prohibiting reopening closed negotiations.

C. Fiscal Impact to Cities and Towns *(Explain the potential fiscal impact, if any, to cities/towns. Include any cost estimates if possible.)*

Cities would be more assured of being able to secure realistic pricing using Alternative Delivery Methods, from the initially selected proposer, while maintaining the benefits on appropriate projects of using these delivery methods.

D. Fiscal Impact to the State

None anticipated

E. Contact Information

Name: Charles Mosley

Title: Public Works Director/City Engineer

Phone: 928-204-7132

Email: cmosley@sedonaaz.gov

**LEAGUE OF ARIZONA CITIES & TOWNS
RESOLUTION FORMAT**

Text of Resolution .

Urges the authorization of expenditure and full appropriations through the reenactment of repealed ARS 41-501, 503 and 504 to restore the Arizona State Park Heritage Funds.

Submitted by:

City of Sedona

* * * * *

A. Purpose and Effect of Resolution *(Explain your proposal and provide any relevant background information.)*

The Arizona State Parks (ASP) Board Heritage Fund was established in November 1990 by voter initiative, provides up to \$10 million annually to Arizona State Parks from Arizona Lottery proceeds (A.R.S. §41-503). There were three competitive grant programs offered annually from the Heritage Fund dollars to provide opportunities for the public to enjoy parks and outdoor recreation, and to help preserve natural and cultural resources. Seventeen percent of the State Parks Heritage Fund revenues were available annually (up to \$1.7 million) through the Historic Preservation (HP) Grant Program. Thirty-five percent of the revenues (up to \$3.5 million) were available through the Local, Regional and State Parks (LRSP) Grant Program, and five percent of the revenues (up to \$500,000) went to the Trails Heritage Fund, of which 95% was available through the competitive grant program.

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, through the LRSP in particular, to Cities and Towns for their ability to enhance and expand local park sites. The sweep of Heritage Funds directly impacts the ability of Cities and Towns to provide funds to conserve our state’s natural, cultural, and historic resources and shifts costs to Cities and Towns that are the burden of the State, and which benefit the state.

Not only were the remaining Heritage Funds eliminated – funds that were used for Capital Improvements to the 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, 41-503, and 41-504 effective on July 1, 2011. The FY 12 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, and even emergency repairs puts ASP at a dangerous financial precipice.

B. Relevance to Municipal Policy *(Explain how the resolution impacts cities/towns throughout the state.)*

Approval of this resolution and resulting policy changes would provide a vehicle for funding to continue municipalities and the states’ ability to provide and enhance the conservation of our state’s natural, cultural, and historic resources. It would shift the responsibility for these programs back to the State and reinforce the voter approved initiative that originally placed the burden on the State

C. Fiscal Impact to Cities and Towns *(Explain the potential fiscal impact, if any, to cities/towns. Include any cost estimates if possible.)*

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 as evidenced in the “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.

D. Fiscal Impact to the State

E. Contact Information

Name: Nicholas Gioello Title: Assistant to the City Manager

Phone: 928-203-5100 Email: ngioello@sedonaaz.gov

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



 Print

Meeting Date:	June 4, 2013
Subject:	Annual Consideration of Appointment of a Vice Mayor.
Department:	City Clerk
From:	Marianne Jiménez, City Clerk

REQUESTED ACTION

Council consideration of appointment of a Vice Mayor to serve at the pleasure of the City Council.

SUGGESTED MOTION

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

I move to appoint _____ to serve as the Vice Mayor of the City.

BACKGROUND

When Mayor Joens was elected Mayor she suggested the position of Vice Mayor be considered annually in order to give other Council Members a chance to serve as Vice Mayor.

The Municipal Code provides for the designation of the Vice Mayor by the City Council as follows:

Section 2.04.020 Vice mayor. The council shall designate one of its members as vice mayor, who shall serve at the pleasure of the council. The vice mayor shall assume the powers and duties of the mayor during the absence or disability of the mayor.

JUSTIFICATION/BENEFITS/ISSUES

Rotation of the Vice Mayor's seat allows other council members the opportunity to serve as the Vice Mayor.

COST/FUNDING SOURCE

N/A

ATTACHMENTS:

Name:

Description:

Type:

No Attachments Available

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



 Print

Meeting Date:	June 4, 2013
Subject:	Council Representative Appointments to Various Committees Related to Intergovernmental Matters.
Department:	City Clerk
From:	Marianne Jiménez, City Clerk

REQUESTED ACTION

Council consideration of appointing Council representatives for various committees related to intergovernmental/regional matters.

SUGGESTED MOTION

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

BACKGROUND

City Council members are requested to represent the City of Cottonwood on a number of committees that deal with regional matters that may affect the city. Several committees request formal appointment of the city's representatives.

The following is a list of the current appointed Council representatives to the committees and organizations requiring a city representative:

Northern Arizona Council of Governments (NACOG)--Mayor Joens with former Council Member Norman as alternate.

Northern Arizona Municipal Water Users' Association(NAMWUA)--Vice Mayor Pfeifer with Mayor Joens as alternate.

Yavapai County Water Advisory Committee (WAC)--Mayor Joens with Council Member Elinski as alternate.

Verde Valley Transportation Planning Organization (VVTPO)--former Council Member Norman with Council Member Dowling as alternate.

Verde River Basin Partnership--Mayor Joens with Council Member Pratt as alternate.

Cottonwood Personnel Board--Vice Mayor Pfeifer.

Verde Valley Land Preservation Institute (VVLPI)--Council Member Pratt with Council Member Dowling as alternate.

Verde Valley Regional Organization (VVREO)--former Council Member Norman with Vice Mayor Pfeifer as alternate.

JUSTIFICATION/BENEFITS/ISSUES

N/A

COST/FUNDING SOURCE

N/A

ATTACHMENTS:

Name:	Description:	Type:
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No Attachments Available

CLAIMS REPORT OF JUNE 4, 2013

FUND TOTAL	VENDOR NAME	DESCRIPTION	TOTAL \$0.00
CLAIMS EXCEPTIONS REPORT OF JUNE 4, 2013			
FUND	VENDOR NAME	DESCRIPTION	TOTAL
All	City of Cottonwood	Payroll 05/24/13	\$456,198.09
Capital	Woodruff Construction	PO 19299 Demo of City Council	\$16,352.21
All	United Fuel	Fuel	\$13,725.48
Gen	Southwest Access & Video	PO 19278, PO 19279 Booking Room Cameras	\$14,922.69
Library	Techlogic	PO 19297 Security Gate	\$12,925.00
Utilities	Pender Engineering	PO 19316 12th Street	\$5,505.00
Gen	Larry Green Chevrolet	Sales Tax	\$23,654.76
Utilities	Felix Construction	PO 19256 Riverfront Reclamation Facility	\$18,367.00
Gen	Cottonwood Chamber of Commerce	Bed Tax April 2013	\$10,840.00
Gen	Border to Border Sales, Inc	PO 19309 Knight Light	\$10,549.28
All	Az Public Employers Health Pool	May 2013 Insurance Premiums	\$145,950.10
Utilities	Alliance Svce & Control Specialists	PO 19243 Well Site Telemetry	\$12,135.27
Utilities	US Postmaster	Postage Replenish	\$5,350.00
All	Reese & Sons Tire	Vehicle Maintenance	\$6,183.35
Gen	Merit Technologies	Repairs due to Admin Svcs. Fire	\$8,614.78
Utilities	Envirogen Technologies	PO 19153 Arsenic Maintenance	\$34,760.95
All	AZ Weed King	PO 19306 Weed Eradication	\$16,991.30
Gen Hurf	Accurate Building Maintenance	PO 19227 Custodial Contract	\$19,586.00
Gen	AZ Municipal Risk Retention Pool	Claims	\$5,500.00
Utilities	APS	Utilities	\$15,548.96
TOTAL			\$853,660.22