



**NOTICE OF A REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF CLARKDALE
TUESDAY, MARCH 28, 2023 AT 3:00 PM**

In Person: Clark Memorial Clubhouse, 19 N. Ninth St., Clarkdale AZ

OR

Join Zoom Meeting

<https://us02web.zoom.us/j/2235608173>

Meeting ID: 223 560 8173

Town of Clarkdale Vision

The Town of Clarkdale connects our unique history, proximity to the Verde River, and small-town charm to a future with a vibrant economy.

We cultivate an environment where residents and businesses can thrive; providing services and jobs for our residents and capitalizing upon tourism.

We sustainably enhance our infrastructure, support the arts and education, and develop recreational opportunities to create a bright future for our entire community.

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN to the members of the Common Council of the Town of Clarkdale and to the general public that the Town of Clarkdale Town Council will hold a Regular Meeting open to the public on Tuesday, March 28, 2023, at 3:00 PM in a hybrid meeting via Zoom Video Conference or in person at 19 N. Ninth Street, Clarkdale, Arizona, Clark Memorial Clubhouse, Men's Lounge. Members of the Clarkdale Common Council will attend either in person or by telephone, video or internet conferencing. Pursuant to A.R.S. §38-431.03, the Council may vote to recess the meeting and move into Executive Session on any item, which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at www.clarkdale.az.gov and the Town Clerk's Office.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

The Town Council invites the public to provide comments at this time. Members of the Town Council may not discuss items that are not specifically identified on the agenda. Therefore,

pursuant to A.R.S. §38-431.01, action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Persons interested in making comments on a specific agenda item are asked to complete a brief form and submit it to the Clerk or liaison during the meeting. Each Speaker is asked to limit their comments to five minutes.

4. REPORTS

Departmental Reports (submitted with Council packet) –
Summary of written Reports from Town Departments and Other Agencies:

- Building Permit Report
- Magistrate Court Report
- Water and Wastewater Report
- Police Department Report
- Cottonwood Area Transit Report
- Verde Valley Humane Society

5. BOARD AND COMMISSION MINUTES

A. Board and Commission Minutes (submitted with Council packet)

Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.

- Historic Preservation Commission minutes from the meeting held on Jan. 3, 2023.
- Historic Preservation Commission minutes from the meeting held on Feb. 7, 2023.

6. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the Town Council at a work session or during New Business discussion. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

A. Approval of Minutes of the Common Council

Consider and act upon the draft minutes from the regular meeting held on March 14, 2023.

B. IGA with the City of Cottonwood for Regional Transportation Service

Consider and act upon an Intergovernmental Agreement (IGA) with the City of Cottonwood for Regional Transportation Service with a period ending June 30, 2024.

C. Town of Clarkdale Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy for Fiscal Year ending June 30, 2024.

Consider and act upon the annual Town of Clarkdale Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy for Fiscal Year ending June 30, 2024.

7. NEW BUSINESS

A. Request to ratify the Town of Clarkdale's applications to Senators Kelly and Sinema for Congressionally Directed Spending Funds.

Discuss, consider and act upon a request by staff to ratify the Town of Clarkdale's applications to Senators Kelly and Sinema for Congressionally Directed Spending Funds.

B. Resolution #1692 - IGA with Verde Valley Fire District for Fire Code Enforcement

Discuss, consider and act upon the approval of Resolution #1692 and adoption of an Intergovernmental Agreement (IGA) between the Town of Clarkdale and the Verde Valley Fire District for Fire Code Enforcement.

C. Ordinance #421 - Amendments to the 2018 International Building Code (IBC) and the International Fire Code (IFC).

Discuss, consider and act upon the adoption of Ordinance #421, making amendments to the Clarkdale Town Code, Chapter 7, Building Code, per the additional amendments to the International Building Code and the International Fire Code.

D. Resolution #1693 - Adopting a Fair Housing Policy

Discuss, consider and act upon the request to adopt Resolution #1693, adopting a Fair Housing Policy, and amending the previous Fair Housing Resolution #1624.

8. FUTURE AGENDA ITEMS

Town Council may propose items to be placed on a future agenda. This item is for discussion only.

9. ADJOURNMENT

Values

Values are the guiding principles that provide an organization with purpose and direction. The Town of Clarkdale's organizational values are:

COPPER

Customer focused

Open, transparent and equitable

Preserving our history, charm, and environment

Planning for a sustainable future

Economic and social resiliency

Resourceful and innovative

Mission

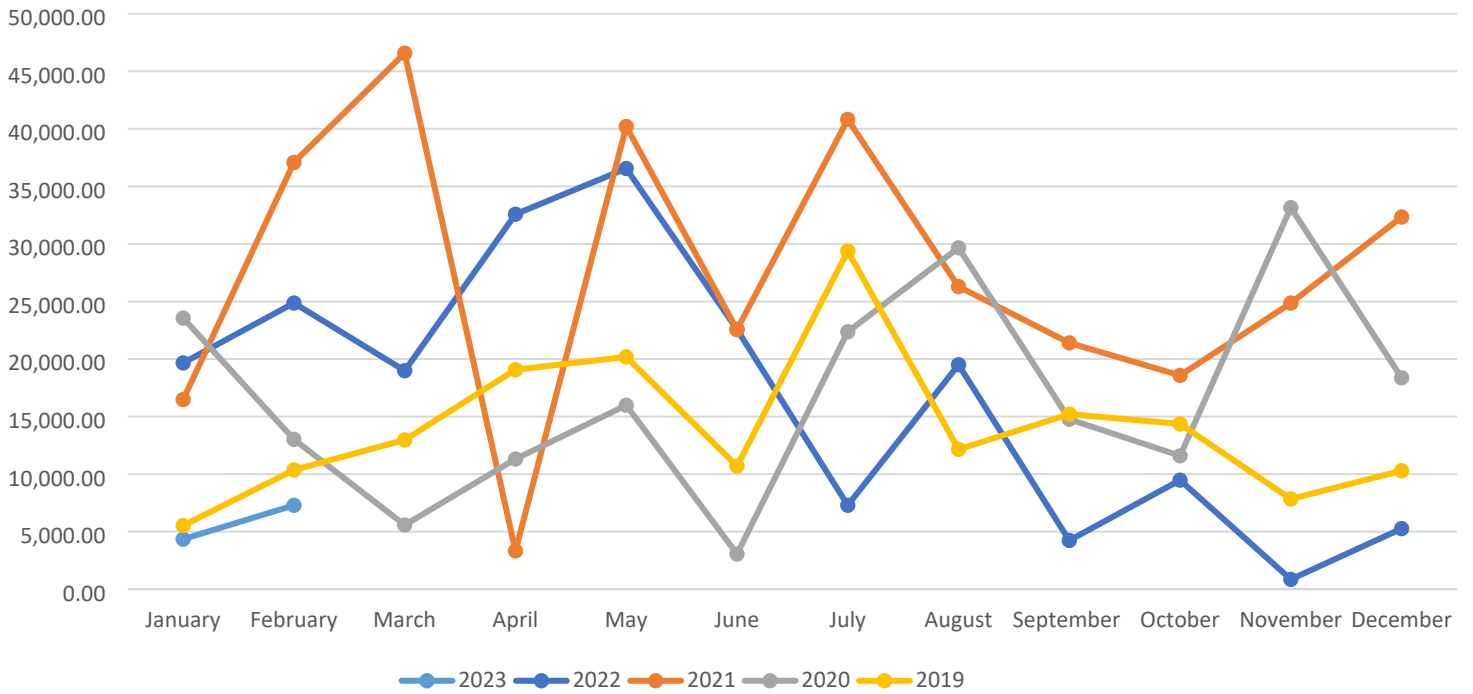
The Town of Clarkdale serves the community by providing amenities, infrastructure, services, and public safety to enhance quality of life. We are stewards of our history while we sustainably and resiliently plan for the future with an emphasis on community engagement and transparency.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at (928) 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.

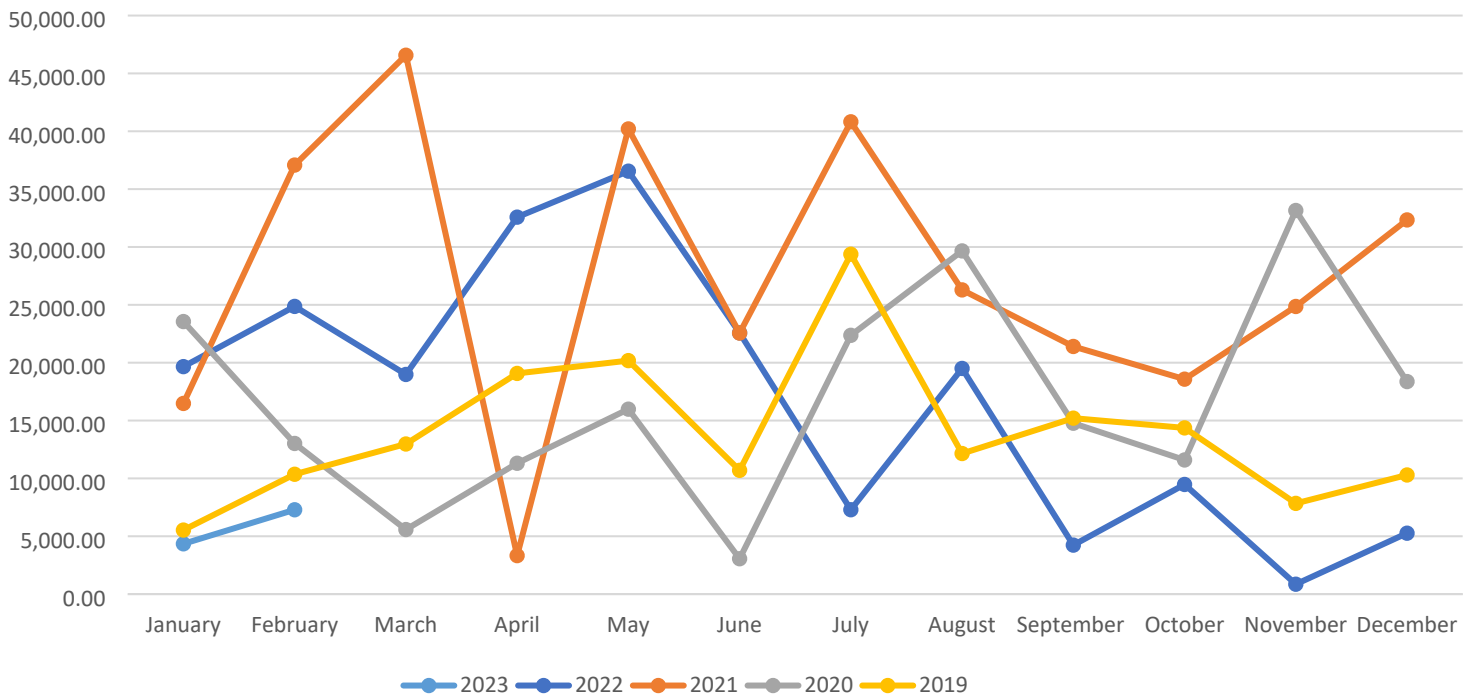
Building Permit Report

February 2023

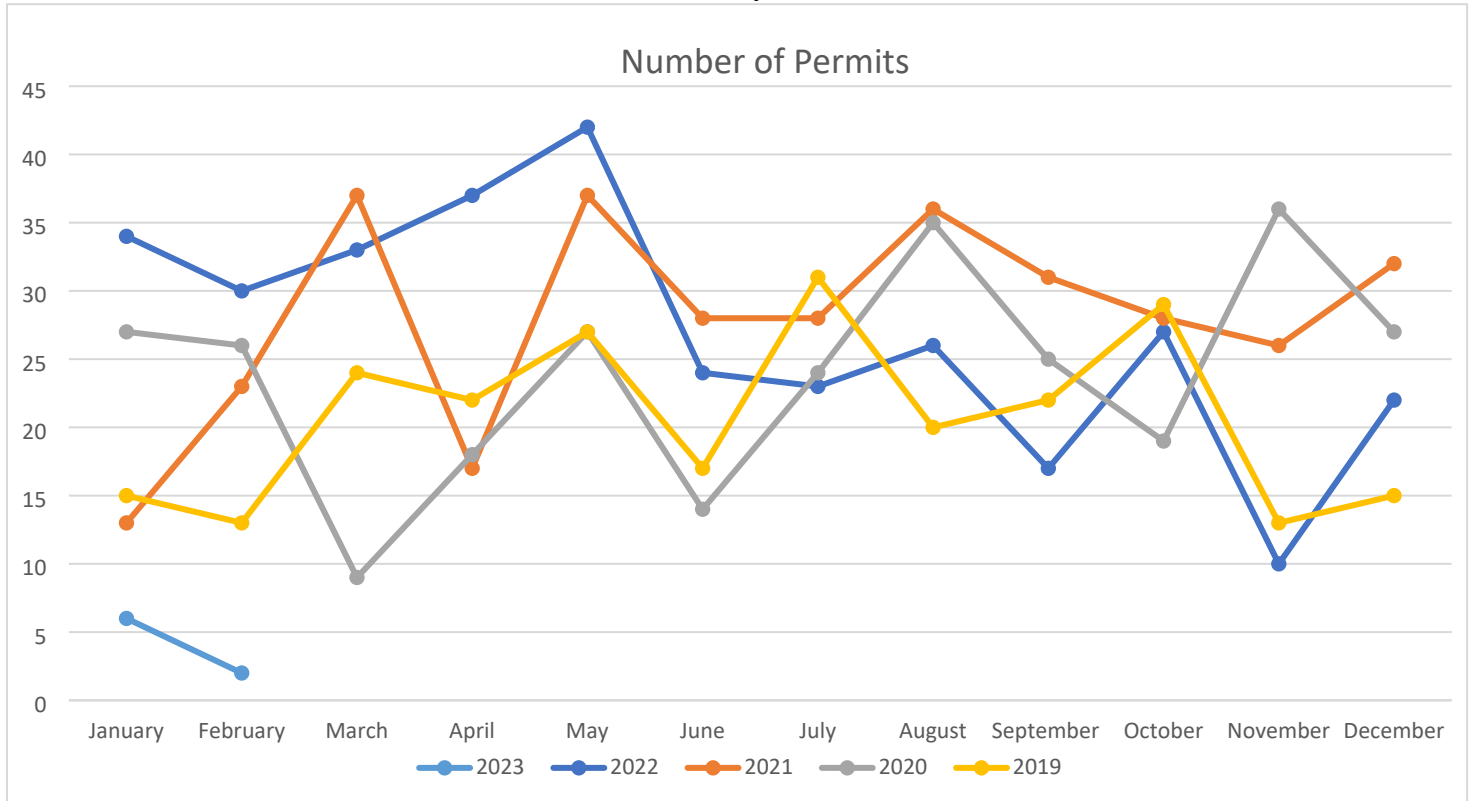
Monthly Permit Fees



Monthly Permit Fees

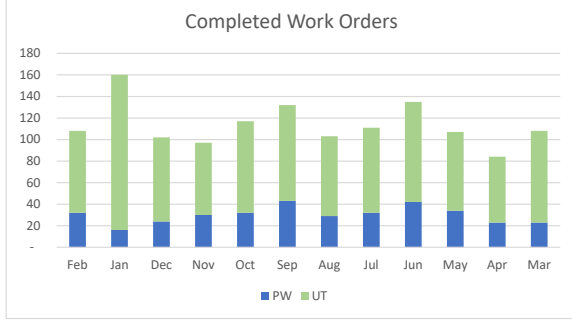
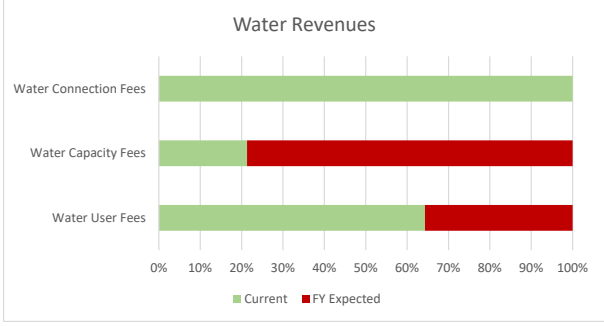
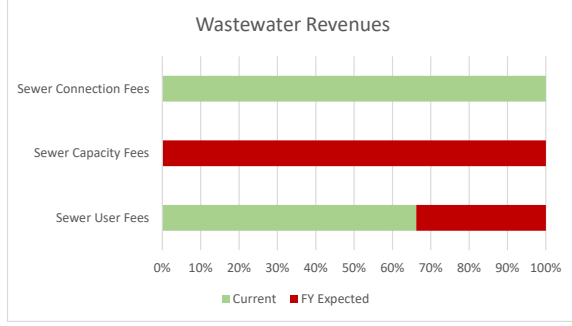
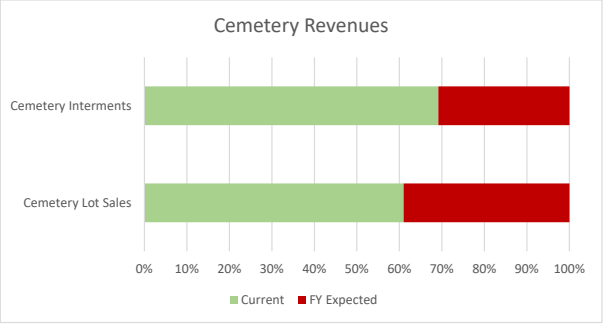
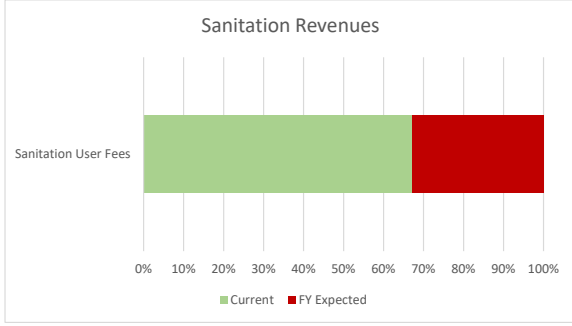
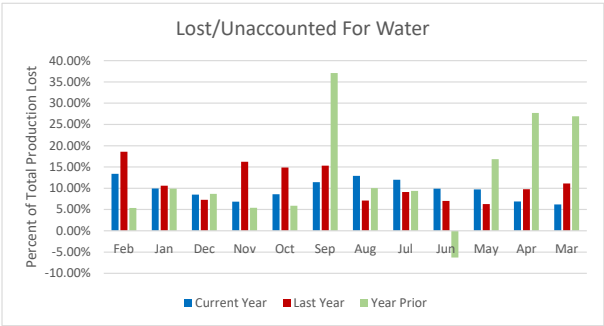
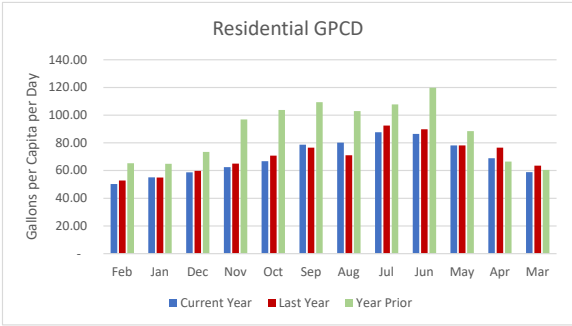
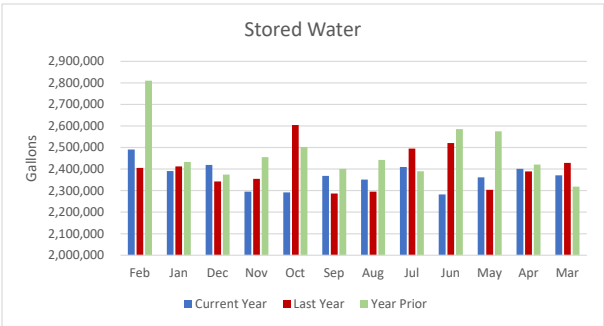
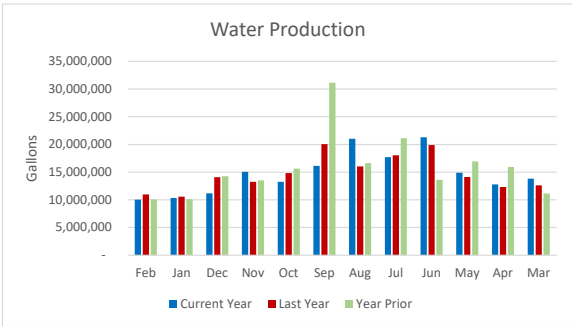


Building Permit Report February 2023



Clarkdale Magistrate Court
February 2022-2023 Comparative Stats

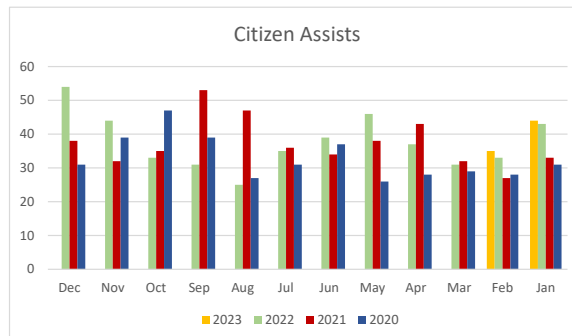
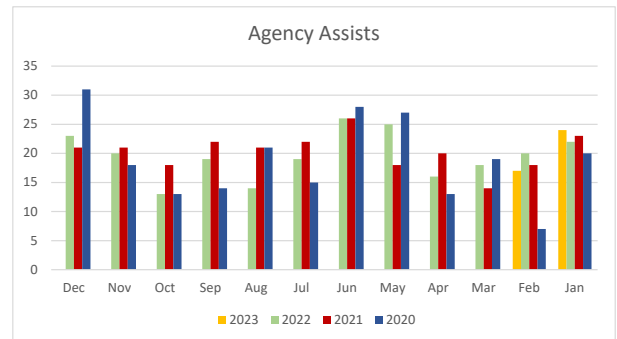
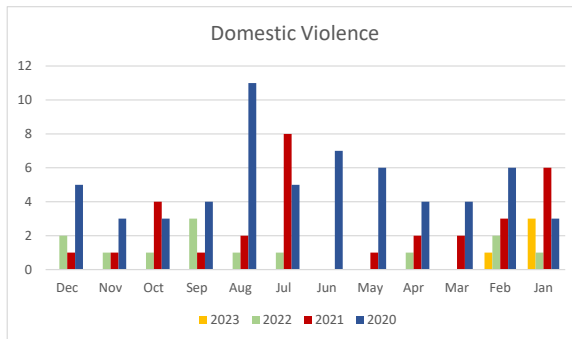
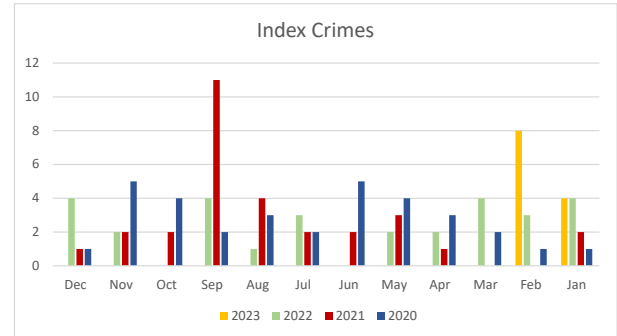
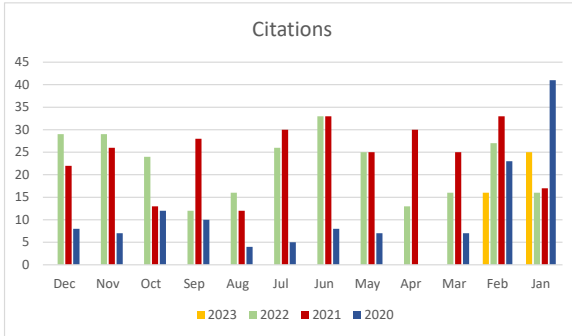
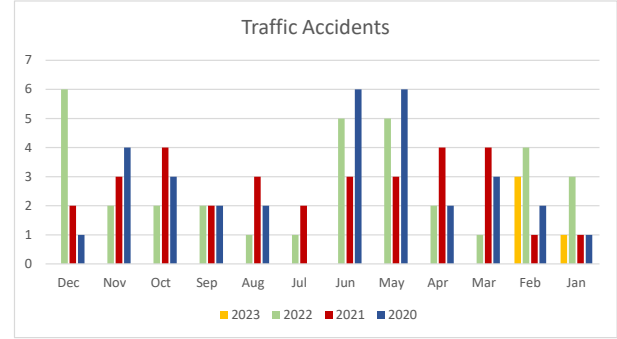
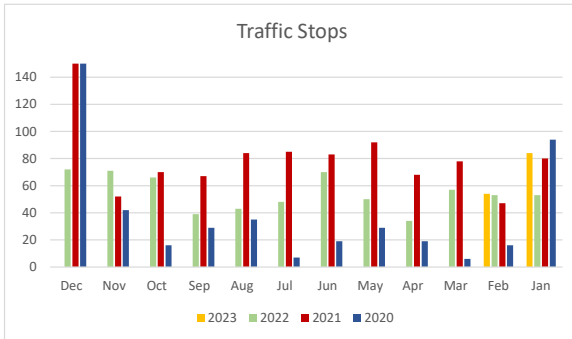
	Feb. 2022	Feb. 2023
Criminal Cases	11	1
Civil Traffic Cases	19	19
Total Cases	25	20
Revenue to city	\$5,365	\$4,510



66% of FY completed as of 2/28/2023

Water and Sewer Connection Expected Revenue met for FY 22/23.

UT Service Orders increase due to Meter Leak Detect program started.



Comments:

There were eight index crimes in February, the highest in 18 months. They include two assaults: the suspect was arrested in one case and the other case has been forwarded to the prosecutor for charging. One case resulted in two index crimes, burglary and auto theft (vehicle stolen in Sedona and recovered in Clarkdale; suspect arrested). There were three other thefts; after investigating, all leads are exhausted. There was an additional auto theft; a vehicle was taken without permission and recovered two days later.

Cottonwood Area Transit
Weekly Ridership Reports

		2/26/2023	2/27/2023	2/28/2023	3/1/2023	3/2/2023	3/3/2023	3/4/2023	Weekly
Service for week ending 2/26/2023	Daily Average 1	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
Weekdays									
ADA/Paratransit	41.2		35	52	41	37	41		206
Blue Line	18.6		17	26	14	13	23		93
Yellow Line	75		70	67	75	80	83		375
Red Line - Without Jerome	48.6		56	59	41	22	65		243
Red Line - Jerome	3.2		0	0	0	16	0		16
Green Line	85.6		67	88	74	95	104		428
CAT Connect	3.2	0	5	3	1	3	4	0	16
Shuttle 1	47.2	18	37	39	21	26	59	36	236
Shuttle 2	54.2	17	53	37	43	22	46	53	271
Shuttle 3	64.4	37	52	53	25	32	63	60	322
Shuttle 4	46.4	18	36	37	28	27	46	40	232
	Totals	90	428	461	363	373	534	189	2438

Cottonwood Area Transit
Weekly Ridership Reports

		3/6/2023	3/7/2023	3/8/2023	3/9/2023	3/10/2023	3/11/2023	3/12/2023	Weekly
Service for week ending 3/11/2023	Daily Average 1	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
Weekdays									
ADA/Paratransit	47.4		36	42	53	57	49		237
Blue Line	18.2		28	17	15	16	15		91
Yellow Line	75.8		81	80	70	63	85		379
Red Line - Without Jerome	43.8		41	47	49	32	50		219
Red Line - Jerome	1.6		0	0	0	8	0		8
Green Line	93.6		98	99	98	89	84		468
CAT Connect	4.4	0	5	5	5	5	2	0	22
Shuttle 1	58.6	36	49	48	43	51	28	38	293
Shuttle 2	72.2	42	48	36	61	55	58	61	361
Shuttle 3	74.4	45	48	66	52	46	55	60	372
Shuttle 4	61.8	30	43	49	56	43	41	47	309
Totals		153	477	489	502	465	467	206	2759

Cottonwood Area Transit
Weekly Ridership Reports

		3/12/2023	3/13/2023	3/14/2023	3/15/2023	3/16/2023	3/17/2023	3/18/2023	Weekly
Service for week ending 3/18/2023	Daily Average 1	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
Weekdays									
ADA/Paratransit	51.6		65	71	52	46	24		258
Blue Line	13.6		12	9	18	16	13		68
Yellow Line	65.8		96	61	54	23	95		329
Red Line - Without Jerome	46		44	37	46	42	61		230
Red Line - Jerome	1.6		0	0	0	8	0		8
Green Line	98.2		115	97	71	97	111		491
CAT Connect	4.2	0	7	2	4	4	4	0	21
Shuttle 1	45.4	35	53	38	36	46	52	58	318
Shuttle 2	59.28571429	61	65	61	44	54	72	58	415
Shuttle 3	55.57142857		54	60	57	57	83	78	389
Shuttle 4	55.6	38	47	28	31	59	72	34	309
Totals		134	558	464	413	452	587	228	2836

Verde Valley Humane Society						
1520 W. Mingus Avenue						
Cottonwood, AZ. 86326						
928-634-7387						
					3/4/2022	
Clarkdale Animal Intake Report for Septem		February 2023				
Date	Type	Species	ID #	Disposition Type	Date	
	Total Intake: 0					



**MINUTES OF A REGULAR MEETING OF THE HISTORIC PRESERVATION COMMISSION
OF THE TOWN OF CLARKDALE
TUESDAY, JANUARY 3, 2023 AT 6:30 PM**

Members Present: Chair Terry Gibson, Michael Lindner, Ed Loesche, Cindy Emmett and Matthew Guebard

Other Municipal Officials Present: Community Development Director Ruth Mayday, Senior Planner Tom Blanchard, Planning Technician Guss Espolt

Audience: Nine members of the public present.

- 1. CALL TO ORDER** - Chair Gibson called the meeting to order at 6:30 p.m.
- 2. ROLL CALL**- All members present.
- 3. PUBLIC COMMENT** – No public comment.
- 4. MINUTES**

A. Approval of Minutes

Considered and act upon the minutes from the regular meeting held on Nov. 1, 2022.

Motion by Lindner, second by Loesche to: *I make a motion to approve the minutes for the meeting held on Nov. 1, 2022.*

Approved: 5-0 Aye

Commissioner	Aye/Nay
Chair Gibson	Aye
Commissioner Emmett	Aye
Commissioner Lindner	Aye
Commissioner Loesche	Aye
Commissioner Guebard	Aye

5. STAFF REPORTS

A. BROADWAY ROAD IMPROVEMENT UPDATE

Community Development Director Ruth Mayday will provide updates on the Broadway Road project. *Phase 1 improvements are complete. Phase 2 includes a walking path and is currently in design and slightly delayed due to erosion and topography challenges.*

Michael Lindner stated that the Historic Preservation Commission has interest in being involved in the

planning and review process of future projects. He is concerned with the historic narrow roadway width.

Ruth Mayday stated that road widening is necessary to accommodate the sidewalk for pedestrian safety.

B. TAAWAKI INN UPDATE

Community Development Director Ruth Mayday will provide an update on the site plans and construction plan for the Taawaki Inn.

Site Plan is under review and should be complete next month, followed by civil construction and building plans. There is no estimated groundbreaking date at this time.

Cindy Emmett is concerned about impact to washes caused by the Taawaki project.

Ruth Mayday explains that the State requires engineering plans that control storm water runoff to not exceed predevelopment levels, so there should be no impact to surrounding washes.

C. NEWSTAND UPDATE

Community Development Director Ruth Mayday will provide an update on the construction drawings for the Newstand on Main Street.

Interior demolition is ongoing, and we expect to see construction plans in the near future.

D. PLATEAU UPDATE

Community Development Director Ruth Mayday will provide a progress update on the Plateau project.

The Final Plat will be approved at Town Council meeting on Jan. 24. The covenants, conditions, and restrictions (CCR's) include language we requested on short term rentals and homeowner associations maintenance of streets and common areas. Civil and building plans are under review. Groundbreaking possibly in April to move natural gas mainline, followed by civil construction, then building construction.

E. HPC JOINT MEETING WITH TOWN COUNCIL

Community Development Director Ruth Mayday will discuss the option of attending a joint meeting with the Town Council on Jan. 24, 2023.

The Commission prefers a Joint Meeting with Town Council on Feb. 14, 2023.

6. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

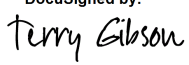
A. HISTORIC PRESERVATION ORDINANCE UPDATE

Community Development Director Ruth Mayday will introduce the Historic Preservation Ordinance consultant, John Froke, of Froke Urban Planning LLC, to present a brief overview of the statement of work and timeline of the project.

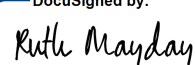
7. FUTURE AGENDA ITEMS

Historic Preservation Commission proposed election of officers as a future agenda item.

8. ADJOURNMENT – 7:05 p.m.

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Chairperson Terry Gibson
Historic Preservation Commission

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Community Development Director Ruth Mayday



**MINUTES OF A REGULAR MEETING OF THE HISTORIC PRESERVATION COMMISSION
OF THE TOWN OF CLARKDALE
TUESDAY, FEBRUARY 7, 2023 AT 6:30 PM**

In Person: Clark Memorial Clubhouse, 19 N. Ninth St., Clarkdale AZ

OR

Join Zoom Meeting

<https://zoom.us/j/9554994085>

Meeting ID: 955 499 4085

Members Present: Chair Terry Gibson, Michael Lindner, Ed Loesche, and Matthew Guebard

Members Absent: Cindy Emmett

Other Municipal Officials Present: Community Development Director Ruth Mayday,
Senior Planner Tom Blanchard, Planning Technician Guss Espolt

Audience: 11 members of the public present

1. CALL TO ORDER - Chair Gibson called the meeting to order at 6:30 p.m.

2. ROLL CALL- All members present.

3. PUBLIC COMMENT—

Town Council Member, O'Neil: Will the ordinance apply to interior renovations/repairs to the Main Street Café?

Community Development Director (CDD) Mayday: No, the proposed Historic Preservation Ordinance (HPO) would only apply to the exterior of buildings and our existing building code would apply to the building's interior renovations.

Mayor, Prud'homme-Bauer: The ordinance should be clear and understandable, prevent over-reach of government into private property and prevent overly costly expenses to the property owners. Build positive relationships that value our history and its place in our community and value our future. Balance cultural and historical understanding, economic development, and long-term sustainability of our community. Should be voluntary.

Planning Commission Member, Taylor: I live in a historical home on Main Street, and I am a retired developer, and a member of the Clarkdale Historical Society and Museum and love the town for its history. No HOA-style over-reach. Ability to opt-out. Our priorities should be the life-safety issues in Patio Park, Centerville and providing safer streets. Irrevocable exclusion of single-family housing from the HPO. Private developers may be deterred from investing in the historic downtown due to over-restrictive HPO requirements.

Historic Downtown Property Owner, Drake Meinke: *Clarkdale is one of the largest historic districts in the USA and is worth preserving. The HPO may impose economic hardship on some. Will funding for repairs may be available? Will penalties be imposed by the HPO? The goal to preserve and restore, what does that mean? Will the metal ornamental fencing throughout the town be included in the HPO? I think it should be. Preservation easements are available without an HPO, are optional and would help to preserve the historic facades with guidance from the historic preservation commission (HPC). Bitter Creek Bridge should be included in the ordinance, if not, we should put a 'sundowner clause' to retire the HPO.*

Town Council Member, Marney Babbitt-Pierce: *The HPO will give the guidance to the HPC and to the past and future of Clarkdale and honor the past to build a better future.*

Design Review Board Chair, Kerrie Snyder: *I am a historic downtown property owner and concerned about over-reach of government into private property. As we grow and develop, we need guidelines without being overbearing.*

Historic Downtown Property Owner, Steven Tavasci: *The Historical Society provided historical photos of the front doors and windows for renovation of the historical downtown Newstand building.*

4. MINUTES

A. Approval of Minutes

Consider and act upon the draft minutes from the regular meeting held on Jan. 3, 2022.

This item was not discussed and tabled to next meeting.

5. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

A. Historic Preservation Ordinance Update

Jon and Adam Froke, of Froke Urban Planning LLC, presented elements of the proposed HPO:

- 1. HPO will focus on the historic downtown (approx. 30 commercial sites).*
- 2. HPO boundary will create a new overlay district.*
- 3. Will include design and preservation criteria and process for approving projects.*

Next Steps: Prepare 'draft' HPO from input of property owners, business owners and stakeholders from the HPO open house and HPC meeting, both held on Feb. 7, 2023, and present 'draft' HPO at next HPC meeting.

6. FUTURE AGENDA ITEMS

- 1. Historic Preservation Ordinance update by Jon Froke.*
- 2. Approve Jan. 3, 2023, and Feb. 7, 2023, minutes.*

7. ADJOURNMENT – *Chair Gibson adjourned the meeting without objection at 7:20 p.m.*

DocuSigned by:

Terry Gibson

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Chairperson Terry Gibson

Historic Preservation Commission

DocuSigned by:

Ruth Mayday

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Community Development Director Ruth Mayday



Staff Report

Item Number: 6.A.

<u>Agenda Item:</u>	Approval of Minutes of the Common Council Consider and act upon the draft minutes from the regular meeting held on March 14, 2023.
<u>Staff Contact:</u>	Charity Brooks, Town Clerk
<u>Meeting Date:</u>	March 28, 2023
<u>Strategic Goal:</u>	Not applicable.
<u>Background:</u>	Review of the draft minutes from the regular meeting held on March 14, 2023.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommends approval of the draft minutes from the regular meeting held on March 14, 2023.



**NOTICE OF A REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF CLARKDALE
TUESDAY, MARCH 14, 2023 AT 6:00 PM**

Members Present: Mayor Prud'homme-Bauer, Vice Mayor Debbie Hunseder, and Council Members, Lisa O'Neill, and Laura Jones

Other Municipal Officials Present: Susan Guthrie, Town Manager; Charity Brooks, Town Clerk; Stephen Polk, Town Attorney; Randy Taylor, Police Chief; Joni Westcott, Parks and Recreation Manager; Chell Smart, Public Information Officer; Ruth Mayday, Community Development Director.

Zoom: Marney Babbitt-Pierce, Council Member.

Audience: Approximately eleven members of the public were present.

1. CALL TO ORDER – *Mayor Prud'homme-Bauer called the meeting to order at 6 p.m.*

2. ROLL CALL – *All members present.*

3. PUBLIC COMMENT

Patti Israel from Clarkdale commented on the safety hazard that old Cyprus trees pose where they live in Lamplighter Village. The trees have passed their life expectancy and are beginning to fall during heavy storms. The trees could cause significant property damage or personal damage. Residents of Lamplighter Village have tried to contact the property owner, but have not had any success.

Em Short from Clarkdale wanted to publicly thank Town Manager Susan Guthrie for taking immediate action and fixing the drainage issues at Lamplighter Village after they were brought to the attention of the Council at their meeting on Nov. 8, 2022.

Rick Hendrickson from Lamplighter Village in Clarkdale stated that a Cyprus tree recently fell between his and his neighbor's home. Luckily, there was no damage, but they are a safety hazard and need to be removed.

4. REPORTS

A. Current Events – *(submitted electronically)*

A brief summary of current events. The Council will not propose, discuss, deliberate, or take legal action on any matter in the summary. Reports submitted electronically:

- Mayor's Report

- Vice-Mayor's Report
- Councilmembers' Reports

B. Organizational Reports – (submitted electronically)

Reports regarding regional organizations submitted electronically:

- CAT – Cottonwood Area Transit - *No meeting.*
- VVTPPO – Verde Valley Transportation Planning Organization – *Meeting held. Minutes shared electronically.*
- NACOG - Northern Arizona Council of Governments – *Meeting held. Minutes shared electronically.*
- NAMWUA - Northern Arizona Municipal Water Users Association – *No meeting.*
- TPAC – Transportation Policy Advisory Council – *No meeting.*
- VFLC – Verde Front Leadership Council – *No meeting.*
- Greater AZ Mayor's Organizational Report – *No meeting.*
- Sustaining Flows Committee – *No meeting.*
- Verde Front – *Duplicate. To be removed from future templates.*
- Yavapai Committees for Young Children – *Meeting held. Will share minutes when available.*

C. Finance Report (submitted with Council packet)

List of specific expenditures made by the Town during the previous month and a monthly summary report.

D. Board and Commission Minutes (submitted with Council packet)

Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.

- Parks and Recreation Commission - Jan. 11, 2023.

5. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the Town Council at a work session or during New Business discussion. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

A. Approval of Minutes

Consider and act upon the draft minutes from the regular meeting held on Feb. 28, 2023.

B. Proclamation - Verde Valley Stand Down

Consider and act upon a Proclamation to recognize the Verde Valley Stand Down that will be held on Wednesday, March 22, at the Clark Memorial Clubhouse in cooperation with Verde Valley communities and Verde Valley Veteran Service Organizations.

Action: Approve consent agenda items A and B as written:

Motion: Vice Mayor Hunseder

Second: Council Member Jones

Vote: Approved 5-0

Voting Member	Aye/Nay
Mayor Robyn Prud'homme-Bauer	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Council Member Marney Babbitt-Pierce	Aye
Council Member Laura Jones	Aye

6. NEW BUSINESS

A. Resolution #1691 - Supporting Wild and Scenic Protection for the Upper Verde River and its Tributaries

Discuss, consider and act upon Resolution #1691, requesting the United States Congress pass legislation to designate the Upper Verde and its critical tributaries beginning at the Prescott National Forest boundary and continuing approximately three river miles upstream of the Lower TAPCO River Access Point in Clarkdale, as a 'Wild and Scenic River' to permanently protect this unique place for present and future generations.

Nancy Steele with Friends of the Verde River gave a presentation to Council highlighting the importance of passing the Resolution to designate the Upper Verde and its tributaries as a Wild and Scenic River.

Action: Approve Resolution #1691 – Supporting Wild and Scenic Protection for the Upper Verde and its tributaries:

Motion: Vice Mayor Hunseder

Second: Council Member O'Neill

Vote: Approved 5-0

Voting Member	Aye/Nay
Mayor Robyn Prud'homme-Bauer	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Council Member Marney Babbitt-Pierce	Aye
Council Member Laura Jones	Aye

B. Verde Valley Fire District Annual Update

Fire Chief Danny Johnson provided an annual update to the Council regarding the Verde Valley Fire District.

C. Caballero Park Bid Consideration

Discuss, consider and act upon a request by staff to reject all bids submitted for the Caballero Park Improvement Plan.

Parks and Recreation Manager Joni Westcott provided Council with an update on the bid packages received, explaining that one packet was incomplete and the remaining two packets were far above budget. Ms. Westcott also explained that some changes could be made to the packet to possibly bring in lower bids.

Action: Approve the request by staff to reject all bids submitted for the Caballero Park Bid consideration allowing the bid package to be reissued with possible revisions:

Motion: Vice Mayor Hunseder

Second: Council Member Babbitt-Pierce

Vote: Approved 5-0

Voting Member	Aye/Nay
Mayor Robyn Prud'homme-Bauer	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Council Member Marney Babbitt-Pierce	Aye
Council Member Laura Jones	Aye

- 7. POSSIBLE VOTE TO ENTER EXECUTIVE SESSION - The Council may vote to discuss the following matters in executive session 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 and/or A.R.S. §38-431.04 (A)(7) for discussion or consultation with designated representatives of the public body to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.**

A. Centerville Road Extension Property Acquisition

Action: Move to enter into Executive Session:

Motion: Council Member Jones

Second: Council Member O'Neill

Vote: Approved 5-0

Voting Member	Aye/Nay
Mayor Robyn Prud'homme-Bauer	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Council Member Marney Babbitt-Pierce	Aye
Council Member Laura Jones	Aye

8. RESUMPTION OF REGULAR MEETING - Immediately following the executive session, the Council will resume public session. *Meeting was called back to order at 7:31 p.m.*

A. Centerville Road Extension Property Acquisition

Discussion and possible action regarding the Centerville Road Extension Property Acquisition.

Action: Motion to direct the Town Manager and Town Attorney to move forward with the authorization to acquire the appraised portion of 781 Calle Medina and to extend an offer to the owner of 771 Calle Medina for the appraised value and authorize the Town Manager to execute all documents necessary to complete these transactions:

Motion: Council Member Jones

Second: Vice Mayor Hunseder

Vote: Approved 5-0

Voting Member	Aye/Nay
Mayor Robyn Prud'homme-Bauer	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Council Member Marney Babbitt-Pierce	Aye
Council Member Laura Jones	Aye

9. FUTURE AGENDA ITEMS

Town Council did not propose items to be placed on a future agenda.

10. ADJOURNMENT - Mayor Prud'homme-Bauer adjourned the meeting without objection at 7:35 p.m.

APPROVED:

ATTESTED/SUBMITTED:

Robyn Prud'homme-Bauer, Mayor

Charity Brooks, Town Clerk

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 14th day of March 2023. I further certify that meeting was duly called and held and that a quorum was present.

Date approved by Town Council: March 28, 2023

Charity Brooks, Town Clerk



Staff Report

Item Number: 6.B.

Agenda Item: **IGA with the City of Cottonwood for Regional Transportation Service**
Consider and act upon an Intergovernmental Agreement (IGA) with the City of Cottonwood for Regional Transportation Service with a period ending June 30, 2024.

Staff Contact: Susan Guthrie, Town Manager

Meeting Date: March 28, 2023

Strategic Goal: This agenda item supports the following strategic goal area:

- Goal Area 2 - Enhance the quality of life for residents, businesses, and visitors to Clarkdale.

Background: The Town of Clarkdale has previously entered into an IGA with the City of Cottonwood for regional transportation service within the Town of Clarkdale.

The Town of Clarkdale has been contracting with the City of Cottonwood for the transit operation within the town limits for the past 25 years. This agreement, if approved, would be in effect until June 30, 2024.

The purpose of this agreement is to contract with the City of Cottonwood on behalf of the Town of Clarkdale to provide regular scheduled fixed route transit and paratransit services ("Transportation Services") in compliance with all applicable state and federal statutes and regulations, and all applicable requirements of the Arizona Department of Transportation ("ADOT"), Federal Transit Administration ("FTA"), and any other granting authority.

The type, amount and frequency of transportation services are directly contingent on the appropriation of funds by ADOT, FTA, and/or other granting agencies on Clarkdale's behalf, as well as by Clarkdale directly, and can be impacted by funding received from or on behalf of other government participants in the Cottonwood Area Transit (CAT) system, which includes the City of Cottonwood, Yavapai County, and the City of Sedona.

The transportation services will include the operation, maintenance and periodic replacement of the vehicles that constitute the CAT system fleet; recruitment, employment, oversight and training of sufficient, qualified staff;

procurement; insurance and risk management; budgeting; marketing; fare-setting; and any and all additional management and administrative services routinely associated with the operation of a public transportation system in general, and/or reasonably required in connection with the operation of the CAT system in particular.

Budget Impact: Payment of \$57,000 listed in the IGA. \$57,000 budgeted for the Transit Agreement (01-5-3101-9012).

Recommendation: Staff recommends approval of the Intergovernmental Agreement (IGA) with the City of Cottonwood for Regional Transportation Service with a period ending June 30, 2024.

**TOWN OF CLARKDALE
COTTONWOOD AREA TRANSIT - REGIONAL TRANSPORTATION
SERVICE IGA**

This Intergovernmental Agreement ("IGA") is entered into on this 1st day of July 2022, by and between the City of Cottonwood, an Arizona municipal corporation ("Cottonwood"), and the Town of Clarkdale, an Arizona municipal corporation ("Clarkdale"). Cottonwood and Clarkdale 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. Clarkdale has contributed to the operation of the CAT System for approximately 25 years; and
- C. The Cottonwood Area Transit (CAT) System includes an intra-city transportation system between Cottonwood and Clarkdale along with ADA Para-Transit Operations serving the citizens of Clarkdale and the Verde Campus of Yavapai College.
- D. The Parties are authorized to enter into this IGA pursuant to A.R.S. 11-952.
- E. The Parties have successfully conferred for the purpose of providing for Cottonwood's management and administration of the CAT Systems within the Town Limits of Clarkdale.

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. Operation of CAT; Financial Support. Commencing on July 1, 2022 (Retroactively) Cottonwood will operate and manage the CAT system operations, and will provide regular scheduled fixed route transit and paratransit services ("Transportation Services") in compliance with all applicable state and federal statutes and regulations, and all applicable requirements of the Arizona Department of Transportation ("ADOT"), Federal Transit Administration ("FTA"), and any other granting authority. The Parties specifically acknowledge and agree the provision, type, amount and frequency of Transportation Services are directly contingent on the appropriation of funds by ADOT, FTA, and/or other granting agencies on Clarkdale's behalf, as well as by Clarkdale directly, and can be impacted by funding received from or on behalf of other government participants in the CAT system, which include, at present, the City of Cottonwood; Yavapai County; and City of Sedona.

2. Scope of Services. Transportation Services shall include, but not be limited to the operation, maintenance and periodic replacement of the vehicles that constitute the CAT system fleet; recruitment, employment, oversight and training of sufficient, qualified staff; procurement; insurance and risk management; budgeting; marketing; fare-setting; and any and all additional management and administrative services routinely associated with the operation of a public transportation system general, and/or reasonably required in connection with the operation of the CAT system in particular.
3. Application for Grant Funding. During the term of this IGA, Cottonwood shall be authorized to and shall apply for grant funding on Clarkdale's behalf to support the services to be provided hereunder. Any funds received by Cottonwood on behalf of Clarkdale will be credited to Clarkdale in the annual budgeting process.
4. Bus Shelters. Each party shall have the option of installing and maintaining any bus shelters located within its jurisdictional boundaries. Maintenance shall include all necessary repairs; litter and trash removal; signage installation; snow removal; and graffiti removal.
5. Payment of Local Share by Town of Clarkdale. On or before June 30, of each respective fiscal year, Clarkdale shall remit to Cottonwood Fifty-Seven Thousand dollars (\$57,000.00), the amount determined to be its local share.
6. (Reserved)
7. Capital Planning. In conjunction with the annual budgeting process, the Parties will also jointly develop and update as appropriate an agreed-upon capital plan for the CAT system, including the amounts and expected timing of any required capital contributions by Clarkdale.
8. Reporting. Cottonwood will prepare and submit monthly ridership reports to Clarkdale that include, but will not necessarily be limited to passenger counts, ridership per hour, and related budget information for the CAT system. Cottonwood will also provide Clarkdale with quarterly budget reports assessing the financial performance and condition of the CAT system and will comply with and all reporting requirements of any state or federal granting agency in respect of the CAT system.
9. Transportation Advisory Committee. In accordance with ADOT and FTA requirements, Cottonwood will establish and coordinate a local Transportation Advisory Committee that includes representatives from all public agencies participating in the CAT system, including without limitation the Verde Lynx system (as well as other stakeholders), and that 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.

10. Term and Termination. This IGA shall be effective from July 1, 2022 through June 30, 2024 (unless extended or sooner terminated as provided for herein), Cottonwood will not incur any further obligation on behalf of Clarkdale after receipt of a written termination. Clarkdale will pay Cottonwood for services rendered and capital assets acquired prior to the date of termination.
11. 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 all 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.
12. General Provisions.

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

122 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 written documents, signed by authorized representatives of each Party.

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

124 Indemnification. To the fullest extent permitted by law, each party to this agreement shall defend, indemnify, and hold harmless the other, its agents, officers, officials, employees and volunteers from and against all claims, damages, losses, and expenses (including but not limited to attorney fees and court costs) arising from the acts, errors, mistakes, omissions, work or service of the indemnifying party, its agents, employees, or any tier of the indemnifying party's subcontractors in the performance of this Agreement. Any insurance requirements shall not be construed as limiting the scope of this indemnification.

125 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.

126 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 attorney's 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 judgement.

127 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 Town of Clarkdale:

Town Manager
PO Box 308
39 North Ninth
Clarkdale, AZ 86324

If to City of Cottonwood:

City Manager
City of Cottonwood
827 North Main Street
Cottonwood, AZ 86326

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.

128 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.

- 12.9 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.
- 12.10 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.
- 12.11 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.
- 12.12 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 it has read this IGA, understands it, and agrees to be bound by it.
- 12.13 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 sub consultants 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 sub consultants 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 sub consultant 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 sub consultants to ensure compliance with this warranty. A Party will not consider the other Party or any of its sub consultants in material breach of the foregoing warranty if the warranting Party and its sub consultants 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 sub consultants 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.

12.14 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.

12.15 Forced Labor of Ethnic Uyghurs. A.R.S. § 35-394. Contracting; procurement; prohibition; written certification; remedy; termination; exception; definitions

A. A public entity may not enter into or renew a contract with a company to acquire or dispose of services, supplies, information technology, goods or construction unless the contract includes a written certification that the company does not currently, and agrees for the duration of the contract that it will not, use:

1. The forced labor of ethnic Uyghurs in the People's Republic of China.

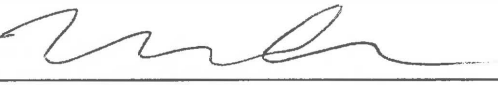
2. Any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China.

3. Any contractors, subcontractors or suppliers that use the forced labor or any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China.

[signatures on following page]

CITY OF COTTONWOOD, ARIZONA,

A municipal corporation of the State of Arizona

By: 
Tim Elinski, Mayor

Date: 3-7-23

ATTEST:


Marianne Jimenez, City Clerk

TOWN OF CLARKDALE, ARIZONA

By: _____
Robyn Prud'-homme-Bauer, Mayor

Date: _____

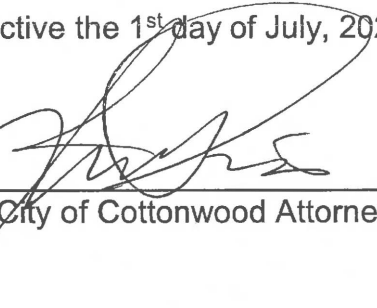
ATTEST:

Charity Brooks, Town Clerk

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.

Effective the 1st day of July, 2022

Effective the 1st day of July, 2022

By: 
City of Cottonwood Attorney

By: 
Town of Clarkdale Attorney



Staff Report

Item Number: 6.C.

Agenda Item:

Town of Clarkdale Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy for Fiscal Year ending June 30, 2024.

Consider and act upon the annual Town of Clarkdale Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy for Fiscal Year ending June 30, 2024.

Staff Contact:

Julie Goucher, Finance Director

Meeting Date:

March 28, 2023

Strategic Goal:

This agenda item supports the following strategic goal area:

- Goal Area 6: Strategically invest in organizational development to enhance efficiency and service delivery and to attract and retain an exemplary workforce.

Background:

Per Arizona Revised Statutes (ARS) §38.863.01, beginning on or before July 1, 2019, each governing body of an employer shall annually:

1. Adopt a Pension Funding Policy to include funding objectives that address at least the following:
 - a. How to maintain stability of the governing body's contributions to the system.
 - b. How and when the governing body's funding requirements of the system will be met.
 - c. Defining the governing body's funded ratio target under the system and the timeline for reaching the targeted funded ratio.
2. Formally accept the employer's share of the assets and liabilities under the system based on the system's Actuarial Valuation Report.
3. The governing body shall post the Pension Funding Policy on the governing body's public website.

The Town of Clarkdale's Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy for FY 2023-2024 accepts the figures as shown in the June 30, 2022, Actuarial Valuation Report. Additionally, the policy clearly communicates the Council's pension funding objectives, its commitment to

our employees and the sound financial management of the Town.

The table below shows the funding progress in the PSPRS plan since June 30, 2019:

Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability	Unfunded Actuarial Accrued Liability	Funded Ratio
06/30/22	2,982,297	4,173,858	1,191,561	71.50%
06/30/21	2,915,332	4,118,642	1,203,310	70.80%
06/30/20	2,631,236	3,981,964	1,350,728	66.10%
06/30/19	2,388,654	3,861,537	1,472,883	61.90%

Budget Impact: Continuation of Actuarially Determined Contribution funding at 100%, or \$102,272 the fiscal year ending June 30, 2024.

Recommendation: Staff recommends that the Council accept and approve the Town of Clarkdale Public Safety Personnel Retirement System Pension Funding Policy for fiscal year ending June 30, 2024.

Town of Clarkdale Public Safety Personnel Retirement System Pension Funding Policy 2023-2024

The intent of this policy is to clearly communicate the Council's pension funding objectives and its commitment to our employees and the sound financial management of the Town and to comply with statutory requirements of Laws 2018, Chapter 112.

Several terms are used throughout this policy:

Actuarially Determined Contribution (ADC) - This is the employer's periodic contributions to a defined benefit plan, in accordance with actuarial standards of practice. It is comprised of two primary components: normal pension cost – which is the estimated cost of pension benefits earned by employees in the current year; and amortization of UAAL – which is the cost needed to cover the unfunded portion of pensions earned by employees in previous years. The UAAL is collected over a period referred to as the amortization period. The ADC is a percentage of the current payroll.

Actuarial Value of Assets (AVA) - The value of cash, investments and other property belonging to the pension plan as used by the actuary for purpose of the actuarial valuation, typically adjusted to recognize investment gains or losses over a period of years to dampen the impact of market volatility on the actuarially determined contribution.

Funded Ratio - A measure of the ratio of the actuarial value of assets to liabilities of the system. Typically, the assets used in the measure are the actuarial value of assets as determined by the asset valuation method. The funded ratio depends not only on the financial strength of the plan but also on the asset valuation method used to determine the assets and on the funding method used to determine the liabilities.

Unfunded Actuarial Accrued Liability (UAAL) - The excess of the actuarial accrued liability over the valuation assets; sometimes referred to as "unfunded past service liability". UAAL increases each time an actuarial loss occurs and when new benefits are added without being fully funded initially and decreases when actuarial gains occur.

Public Safety Personnel Retirement System (PSPRS)

PSPRS is administered as an agent multiple-employer pension plan. An agent multiple-employer plan has two main functions: 1) to commingle assets of all plans under its administration, thus achieving economy of scale for more cost efficient investments, and invest those assets for the benefit of all members under its administration and 2) serve as the statewide uniform administrator for the distribution of benefits.

Under an agent multiple-employer plan each agency participating in the plan has an individual trust fund reflecting that agencies' assets and liabilities. Under this plan all contributions are deposited to and distributions are made from that fund's assets, each fund has its own funded ratio and contribution rate, and each fund has a unique annual actuarial valuation. The Town of Clarkdale has one trust fund for police employees.

Council formally accepts the assets, liabilities, and current funding ratio of the Town's PSPRS trust funds from the June 30, 2022 actuarial valuation, which are detailed below.

Trust Fund	Actuarial Value of Assets	Actuarial Accrued Liability	Unfunded Actuarial Accrued Liability	Funded Ratio
Clarkdale Police	2,982,297	4,173,858	1,191,561	71.5%

PSPRS Funding Goal

Pensions that are less than fully funded place the cost of service provided in earlier periods (amortization of UAAL) on the current taxpayers. Fully funded pension plans are the best way to achieve taxpayer and member intergenerational equity.

The Council's PSPRS funding ratio goal is 100% by June 30, 2046. Council established this goal for the following reasons:

- The PSPRS trust funds represent only the Town of Clarkdale's liability.
- The fluctuating cost of an UAAL causes strain on the Town's budget, affecting our ability to provide services.
- A fully funded pension is the best way to achieve taxpayer and member intergenerational equity.

Council has taken the following actions to achieve this goal:

- Maintaining the ADC payment from operating revenues – Council is committed to maintaining the full ADC payment (normal cost and UAAL amortization) from operating funds. The estimated combined ADC for fiscal year 2024 is \$102,272 and will be able to be paid from operating funds without diminishing Town services.
- Additional payments above the ARC – On an annual basis, the Council will evaluate the General Fund's fund balance to determine the availability of any unassigned balances to be applied to the UAAL.

Based on these actions the Council plans to achieve its goal of 100% funding by June 30, 2046, in accordance with the amortization timeline set forth by the PSPRS June 30, 2022, Actuarial Valuation.



Staff Report

Item Number: 7.A.

Agenda Item: **Request to ratify the Town of Clarkdale's applications to Senators Kelly and Sinema for Congressionally Directed Spending Funds.**
Discuss, consider and act upon a request by staff to ratify the Town of Clarkdale's applications to Senators Kelly and Sinema for Congressionally Directed Spending Funds.

Staff Contact: Susan Guthrie, Town Manager

Meeting Date: March 28, 2023

Strategic Goal: This agenda item supports the following strategic goal area:

- Goal Area 1: Preserve and celebrate Clarkdale's unique, complex history.
- Goal Area 2: Enhance the quality of life for residents, businesses, and visitors to Clarkdale.
- Goal Area 3: Plan for the maintenance and growth of quality infrastructure that is sustainable and resilient.

Background: On Feb. 24, the Town of Clarkdale received notice from Senator Kelly's staff of the opportunity to apply for fiscal year 2024 Congressionally Directed Spending. Applications were due on March 15.

The Town submitted an application to fund engineering design of the Mescal Well development, including a treatment plant and water storage, for \$1,172,400. Additionally, the Police Department submitted three applications:

1. Update the police vehicle fleet with three new Chevy Tahoes, outfitted for police service, at a total cost of \$186,710. These three vehicles will replace the three oldest vehicles in the aging fleet: two 2007 Crown Victoria sedans and a 2008 Chevy Silverado pickup.
2. Purchase two ballistic shields and 12 ballistic helmets at a total cost of \$8,500. The department lacks these protective items.
3. Replace the single-pane windows in the police building and remodel the men's restroom into a locker room at a total cost of \$84,000. Some of the windows in the 1924 building are single-pane with deteriorating frames. They leak during rain events and are expensive to repair due to their historic nature, unique size and the need to remain in compliance

with SHPO guidelines. This project is \$48,000. In addition, remodeling the existing men's room to create a locker room with shower, will give officers a place to store gear. This project is \$36,000 to move the existing sink, plumb for a shower, and purchase 14 lockers.

Budget Impact: The total grant request is for \$1,451,610 plus project management costs as an in-kind contribution as well as a \$117,240 match for the well design. Funding for the local match will come from the Water Fund Capital Projects.

Recommendation: Staff recommends that Council ratify the submission of the Congressionally Directed Spending Requests for the Town.



Staff Report

Item Number: 7.B.

<u>Agenda Item:</u>	Resolution #1692 - IGA with Verde Valley Fire District for Fire Code Enforcement Discuss, consider and act upon the approval of Resolution #1692 and adoption of an Intergovernmental Agreement (IGA) between the Town of Clarkdale and the Verde Valley Fire District for Fire Code Enforcement.
<u>Staff Contact:</u>	Ruth Mayday, Community Development Director
<u>Meeting Date:</u>	March 28, 2023
<u>Strategic Goal:</u>	This agenda item supports the following strategic goal area: • Goal Area 2 - Enhance the quality of life for residents, businesses, and visitors to Clarkdale.
<u>Background:</u>	The Town of Clarkdale wishes to enter into an Intergovernmental Agreement (IGA) with the Verde Valley Fire District to provide qualified plan review and approval of all building plans concerning fire protection requirements and compliance with all current adopted fire codes within the geographic boundaries of the Town's incorporated limits.
<u>Budget Impact:</u>	Only those costs that are associated with staff time to prepare the item for Town Council.
<u>Recommendation:</u>	Staff recommends approval of Resolution #1692 and adoption of the Intergovernmental Agreement with the Verde Valley Fire District for fire code enforcement.

RESOLUTION #1692

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, ACCEPTING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF CLARKDALE AND THE VERDE VALLEY FIRE DISTRICT FOR FIRE CODE ENFORCEMENT

WHEREAS, the Town and District are authorized, pursuant to A.R.S. §11-952 to enter into this Agreement for the purpose of carrying out their mutual responsibilities and powers; and,

WHEREAS, the desires to have the District provide a qualified person for the purpose of reviewing and approving all building plans concerning fire protection requirements, and compliance with all current adopted fire codes, within the geographic boundaries of the Town's incorporated limits; and

WHEREAS, the District desires to provide such a qualified person.

NOW THEREFORE BE IT ORDAINED, that certain Intergovernmental Agreement between the Town of Clarkdale and the Verde Valley Fire District attached hereto as Exhibit A is approved and adopted by the Town.

PASSED AND ADOPTED by the Mayor and Common Council on this 28th day of March, 2023.

Robyn Prud'homme-Bauer, Mayor

ATTEST:

APPROVED AS TO FORM:

Charity Brooks, Town Clerk

Stephen W. Polk, Town Attorney

INTERGOVERNMENTAL AGREEMENT
BETWEEN THE TOWN OF CLARKDALE AND THE VERDE VALLEY
FIRE DISTRICT FOR FIRE CODE ENFORCEMENT

THIS AGREEMENT is effective the March 28, 2023 ("Effective Date"), by and between the **Town of Clarkdale**, an Arizona municipality (hereinafter referred to as "Clarkdale" or "Town") and the **Verde Valley Fire District**, a political subdivision of the State of Arizona (hereinafter referred to as "District").

Recitals

WHEREAS, the Town and District are authorized, pursuant to A.R.S. §11-952 to enter into this Agreement for the purpose of carrying out their mutual responsibilities and powers; and,

WHEREAS, the Town desires to have the District provide a qualified person for the purpose of reviewing and approving all building plans concerning fire protection requirements, and compliance with all current adopted fire codes, within the geographic boundaries of the Town's incorporated limits; and

WHEREAS, the District desires to provide such a qualified person.

NOW THEREFORE, in consideration of mutual promises and covenants contained herein, the parties agree as follows:

Covenants

Section 1 Services.

The Town hereby contracts with the District, for the District to provide a qualified person to review and approve all plans in connections with the installation of fire protection equipment, the approval of building plans to determine compliance with the Code, to perform inspections to determine compliance with the Code, and to provide public educational assistance when appropriate to secure compliance with the Code.

Section 2. Term and Termination.

This Agreement's initial term shall begin on March 28, 2023, and terminate on as set forth in this section. In the event written notice is not given by either party this agreement to the

other at least sixty (60) days prior to the termination date as hereinabove provided, this agreement shall automatically be extended on the same terms and conditions herein provided, all for an additional period of one year. Said agreement shall continue thereafter for additional one-year periods unless either party hereto gives at least sixty (60) days written notice in advance of the then applicable expiration date, to the other party that the party does not wish to extend this agreement for an additional one-year term.

Either party hereto may terminate this Agreement pursuant to the provisions of A.R.S. §38-511, in the event of a conflict of interest as described therein.

Either party may terminate this IGA at any time upon sixty (60) days written notice to the other party.

All property purchased by a party pursuant to that party's respective duties pursuant to this IGA shall be returned to the purchasing party upon termination of this Agreement for any reason.

Section 3. Collection of Fees.

The District shall establish and collect all fees related to plan review, inspections, and enforcement of the code.

Section 4. Appeals.

An appeal of the District's Fire Code decisions may be taken by the person aggrieved, to the Town of Clarkdale Board of Adjustment, in writing, on forms to be provided by the Town. A decision of the Town's Board of Adjustment shall be final.

Section 5. Mediation.

If a dispute arises out of or relates to this Agreement, or breach thereof, and if the dispute cannot be settled through negotiation, the parties agree first to settle the dispute through mediation before resorting to arbitration, litigation, or some other dispute resolution procedure. In the event that the parties cannot agree upon the selection of a mediator within ten (10) days, either party may request the Presiding Judge of the Superior Court of Yavapai County to assign a mediator from a list of real estate experienced mediators maintained by the Arizona Municipal Risk Retention Pool.

Section 6. Indemnification.

Each party (as "indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "indemnitee"), its officials, officers, agents and employees, from and

against any and all claims, losses, liability, costs, or expenses (including reasonable attorneys' fees) (hereinafter collectively referred to as "claims") arising out of bodily injury of any person (including death) or property damage to the extent that such claims are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officials, officers, agents, employees, or volunteers. The agreement to indemnify, defend, and hold harmless shall survive the termination of this agreement.

Section 7. Entire Agreement.

This Agreement contains the entire agreement between the parties hereto, and no terms or provision hereof may be changed, waived, discharged or terminated unless the same be in writing executed by both parties hereto.

Section 8. Applicable Law.

The laws of the State of Arizona shall govern the construction, performance and enforcement of this Agreement. Venue for any action arising out of the provisions of this Agreement shall be Yavapai County, Arizona.

Section 9. Attorneys' Fees.

In the event suit is brought or an attorney is retained by either party to enforce the terms of this Agreement or to collect any monies due hereunder or to collect money damages for breach thereof, the prevailing party will be entitled to recover, in addition to any other remedy, reimbursement for reasonable attorneys' fees, court costs, costs of investigation, and other related expenses incurred in connection therewith.

Section 10. Headings.

The paragraph headings contained herein are inserted only for convenience of reference and are in no way to be construed as a part of this Agreement or as a limitation on the scope of the particular paragraphs to which they refer.

Section 11. Severability.

If any provision of this Agreement is held to be invalid, illegal, or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions will not, in any way, be affected or impaired thereby.

Section 12. Time is of the Essence.

Time is of the essence in this Agreement.

Section 13. Notices.

All notices, demands, or other writings to this Agreement to be sent to or provided to either party shall be deemed to have been properly served when made in writing and deposited in the U.S. mail, registered or certified, and postage prepaid, and

addressed as follows:

To the Town: Town of Clarkdale
Attention: Town Manager
P.O. Box 308
Clarkdale, AZ 86324

To the District: Verde Valley Fire District
Attention: Fire Chief
2700 E. Godard Road
Cottonwood, AZ 86326

The address to which any notice, demand, or any other writing may be given or sent to any party as above provided may be changed by written notice given to such party as above provided.

Section 14. Immigration Law Compliance.

Both parties hereby warrant that they will at all times during the term of this IGA comply with all federal immigration laws applicable to their employment of their employees, and with the requirements of A.R.S. §§ 23-214 and 41-4401 (together the "State and Federal Immigration Laws"). A breach of the foregoing warranty shall be deemed a material breach of the IGA, and the parties shall have the right to terminate this IGA for such a breach, in addition to any other applicable remedies. The parties retain the legal right to inspect the papers of each contractor, subcontractor or employee of either who performs work pursuant to this IGA to verify performance of the foregoing warranty of compliance with the State and Federal Immigration Laws.

IN WITNESS WHEREOF, the parties enter into this Agreement on the date set forth above.

Verde Valley Fire District

Town of Clarkdale

Robert Brummett, Chair

Robyn Prud’homme-Bauer, Mayor

Date

Date

ATTEST:

Coleen Gilroy, Board Clerk

Charity Brooks, Town Clerk

Undersigned counsel, who have determined that the Agreement is in proper form and within the powers and authority granted under the laws of this State, have reviewed the foregoing Agreement.

By:

Stephen Polk, Town Attorney

Date

By:

Nick Cornelius, Verde Valley Fire
District Attorney

Date



Staff Report

Item Number: 7.C.

Agenda Item: **Ordinance #421 - Amendments to the 2018 International Building Code (IBC) and the International Fire Code (IFC).**
Discuss, consider and act upon the adoption of Ordinance #421, making amendments to the Clarkdale Town Code, Chapter 7, Building Code, per the additional amendments to the International Building Code and the International Fire Code.

Staff Contact: Ruth Mayday, Community Development Director

Meeting Date: March 28, 2023

Strategic Goal: This agenda item supports the following strategic goal area:

- Goal Area 2 - Enhance in the quality of life for residents, businesses, and visitors to Clarkdale.

Background: The Town Code is currently operating under the 2012 Building and Fire Codes and needs updating to better meet fire safety codes of the 2018 International Building Code (IBC) and the 2018 International Fire Code (IFC). The Town wishes to update and amend the Clarkdale Town Code, Chapter 7, Building Code, per the Verde Valley Fire Districts recommendation to provide a universal set of rules and guidelines for use in managing residential and commercial construction (see attached proposed code updates.)

Budget Impact: No budget impact.

Recommendation: Staff recommends the Council approve Ordinance #421, making amendments to the Clarkdale Town Code, Chapter 7, Building Code, per the additional amendments to the International Building Code and the International Fire Code.

ORDINANCE #421

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA AMENDING CHAPTER 7, BUILDING, CLARKDALE TOWN CODE, BY ADOPTING ADDITIONAL AMENDMENTS TO THE 2018 INTERNATIONAL BUILDING CODE (IBC) AND THE 2018 INTERNATIONAL FIRE CODE (IFC).

WHEREAS, the Verde Valley Fire District serves as the Town Fire Marshall and provides fire protection services to the Town and surrounding communities; and

WHEREAS, the Verde Valley Fire District recommends the adoption of the amendments to the 2018 International Building Code and 2018 International Fire Code as provided herein; and

WHEREAS, the Town of Clarkdale wishes to amend the Clarkdale Town Code, Chapter 7, Building Code, to provide a universal set of rules and guidelines for use in managing residential and commercial construction; and

WHEREAS, it is necessary to update and amend said codes from time to time to better meet the specific needs of the Town of Clarkdale.

NOW, THEREFORE, BE IT ORDAINED, BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA AS FOLLOWS:

- Section 1: The recitals above are incorporated as if fully set forth herein.
- Section 2: The certain document entitled “Ordinance #421 **AMENDING CHAPTER 7, CLARKDALE TOWN CODE**”; dated this date, one paper copy and one electronic copy of which are on file in the office of the Town Clerk, is hereby declared to be a public record and said copies are hereby ordered to remain on file with the Town Clerk.
- Section 3: The document is attached and hereby adopted and incorporated into this ordinance by reference as amending the Clarkdale Town Code, Chapter 7, Building, and shall be effective from and after April 28, 2023.
- Section 4: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this document adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Clarkdale, Arizona
this 28 day of March, 2023.

Robyn Prudhomme-Bauer, Mayor

ATTEST:

APPROVED AS TO FORM:

Charity Brooks, Town Clerk

Stephen Polk, Town Attorney

Vote: Passed: Published: Effective:

Article 7-1

BUILDING CODE

Sections:

7-1-1 Adoption of International Building Code (IBC)

Section 7-1-1 Adoption of International Building Code (IBC)

A. *Section 3411, Accessibility for Existing Buildings.* Omit in its entirety.

B. Delete Section 903.2 in its entirety and replace with the following:

903.2 Where required. *Approved automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.14.

Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided that those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 of the International Building Code or not less than 2-hour horizontal assemblies constructed in accordance with Section 711 of the International Building Code, or both.

903.2.1 Group A. An *automatic sprinkler system* shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section.

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The *fire area*, including mezzanines and basements, exceeds 1,000 square feet (93m²).
2. Where there are multiple stories, including basements and stories above grade plane.
3. Where there is a mixed-use containing a residential use group.
4. The *fire area* contains a multiple-theater complex.
5. Any structure used for occasional or full-time residential use.

903.2.1.2 Group A-2. An *automatic sprinkler system* shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the Group A-2 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The *fire area*, including mezzanines and basements, exceeds 1,000 square feet (93 m²).
2. The fire area has an occupant load of 100 or more.
3. Where there are multiple stories, including basements and stories above grade plane.
4. Where there is a mixed-use containing a residential use group.
5. Any structure used for occasional or full-time residential use.

903.2.1.3 Group A-3. An *automatic sprinkler system* shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The *fire area*, including mezzanines and basements, exceeds 1,000 square feet (93m²).
2. Where there are multiple stories, including basements and stories above grade plane.
3. Where there is a mixed-use containing a residential use group.
4. Any structure used for occasional or full-time residential use.

903.2.1.4 Group A-4. An *automatic sprinkler system* shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The *fire area*, including mezzanines and basements, exceeds 1,000 square feet (93m²).
2. Where there are multiple stories, including basements and stories above grade plane.
3. Where there is a mixed-use containing a residential use group.
4. Any structure used for occasional or full-time residential use.

903.2.1.5 Group A-5. An *automatic sprinkler system* shall be provided for all enclosed Group A-5 accessory use areas in excess of 1,000 square feet (93 m²).

903.2.1.5.1 Spaces under grandstands or bleachers. Enclosed spaces under *grandstands* or *bleachers* shall be equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1 where either of the following exist:

1. The enclosed area is 1,000 square feet (93 m²) or less and is not constructed in accordance with Section 1029.1.1.1.
2. The enclosed area exceeds 1,000 square feet (93 m²).

903.2.1.6 Assembly occupancies on roofs. Where an occupied roof has an assembly occupancy with an *occupant load* exceeding 100 for Group A-2 and 300 for other Group A occupancies, all floors between the occupied roof and the *level of exit discharge* shall be equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2.

Exception:

Open parking garages of Type I or Type II construction.

903.2.1.7 Multiple fire areas. An *automatic sprinkler system* shall be provided where multiple fire areas of Group A-1, A-2, A-3 or A-4 occupancies share exit or *exit access* components and the combined *occupant load* of these fire areas is 300 or more.

903.2.2 Ambulatory care facilities. An *automatic sprinkler system* shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

In buildings where ambulatory care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care.

903.2.3 Group B An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. The *fire area*, including mezzanines and basements, exceeds 1,000 square feet (93 m²).
2. Where there are multiple stories, including basements and stories above grade plane.
3. Where there is a mixed-use containing a residential use group.
4. Any structure used for occasional or full time residential.

903.2.4 Group E. An *automatic sprinkler system* shall be provided for Group E occupancies as follows:

1. Throughout all Group E where the *fire area*, including mezzanines and basements, exceeds 1,000 square feet (93 m²) in area.
2. Where there are multiple stories, including basements and stories above grade plane.
3. Where there is a mixed-use containing a residential use group.
4. Any structure used for occasional or full time residential.

903.2.5 Group F. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

1. A Group F where the *fire area*, including mezzanines and basements, exceeds 1,000 square feet (93 m²).
2. Where there are multiple stories, including basements and stories above grade plane.
3. Where there is a mixed-use containing a residential use group.
4. Any structure used for occasional or full-time residential use.

903.2.6 Group H. *Automatic sprinkler systems* shall be provided in high-hazard occupancies as required in Sections 903.2.5.1 through 903.2.5.3.

903.2.6.1 General. An *automatic sprinkler system* shall be installed in Group H occupancies.

903.2.6.2 Group H-5 occupancies. An *automatic sprinkler system* shall be installed throughout buildings containing Group H-5 occupancies. The design of the sprinkler system shall be not less than that required under the *International Building Code* for the occupancy hazard classifications in accordance with Table 903.2.6.2.

Where the design area of the sprinkler system consists of a *corridor* protected by one row of sprinklers, the maximum number of sprinklers required to be calculated is 13.

Table 903.6.2

Group H-5 Sprinkler Design Criteria

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service corridors	Ordinary Hazard Group 2
Storage rooms without dispensing	Ordinary Hazard Group 2
Storage rooms with dispensing	Extra Hazard Group 2
Corridors	Ordinary Hazard Group 2

903.2.7 Group I. An *automatic sprinkler system* shall be provided throughout buildings with a Group I *fire area*.

Exceptions:

1. An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. In buildings where Group I-4 day care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the *level of exit discharge* and all floors below the *level of exit discharge* other than areas classified as an open parking garage.

903.2.8 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M where the fire area, including mezzanines and basements, exceeds 1,000 square feet (93 m²).
2. Where there are multiple stories, including basements and stories above grade plane.
3. Where there is a mixed-use containing a residential use group.
4. Any structure used for occasional or full-time residential use.

Exceptions:

1. Detached canopies, not exceeding 5000 square feet, constructed of approved materials, and used exclusively for automotive motor fuel-dispensing stations for private passenger vehicles.

903.2.8.1. High-piled storage. An *automatic sprinkler system* shall be provided as required in Chapter 32 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays. The automatic fire sprinkler system shall be designed by a fire protection engineer.

903.2.9 Group R. An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*.

903.2.9.1 Group R-4, Condition 1. An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be permitted in Group R-4, Condition 1 occupancies.

903.2.9.2 Group R-4, Condition 2. An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group R-4, Condition 2 occupancies.

903.2.9.3 Care facilities. An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be permitted in care facilities with five or fewer individuals in a single-family dwelling.

903.2.10 Group S. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S occupancy where one of the following conditions exists:

1. Where the *fire area*, including mezzanines and basements, exceeds 1,000 square feet (93 m²).
2. Where there are multiple stories, including basements and stories above grade plane.
3. Where there is a mixed-use containing a residential use group.
4. Any structure used for occasional or full-time residential use.

Exceptions:

1. Detached canopies, not exceeding 5000 square feet, constructed of approved materials, and used exclusively for automotive motor fuel-dispensing stations for private passenger vehicles.

903.2.11 Group S-2 enclosed parking garages. An *automatic sprinkler system* shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.6 of the *International Building Code* where either of the following conditions exists:

1. Where the *fire area* of the enclosed parking garage exceeds 1,000 square feet (93 m²).
2. Where there is a mixed-use containing a residential use group.
3. Any structure used for occasional or full-time residential use.
4. Where the enclosed parking garage is located beneath other groups.
5. Buildings with repair garages servicing vehicles parked in *basements*.

Exception:

Enclosed parking garages located beneath Group R-3 occupancies.

903.2.11.1 Commercial parking garages. An *automatic sprinkler system* shall be provided throughout buildings used for storage of commercial motor vehicles where the *fire area* exceeds 1,000 square feet (93 m²).

903.2.12 Group U. An automatic sprinkler system shall be provided throughout all buildings containing a Group U occupancy where one of the following conditions exists or as determined by the fire code official.

1. Where the *fire area*, including mezzanines and basements, exceeds 5,000 square feet (465m²).
2. Where there are multiple stories, including basements and stories above grade plane.
3. Where there is a mixed-use containing a residential use group.

4. Any structure used for occasional or full-time residential use.

903.2.13 Specific buildings areas and hazards. In all occupancies other than Group U, an *automatic sprinkler system* shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.6.

903.2.13.1 Stories without openings. An automatic sprinkler system shall be installed throughout all stories, including basements, of all buildings where the floor area exceeds 1,000 square feet (93m²) and where the story does not comply with the following criteria for exterior wall openings:

1. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1011 or an outside ramp complying with Section 1012. Openings shall be located in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on not fewer than one side. The required openings shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15 240 mm).
2. Openings entirely above the adjoining ground level totaling not less than 20 square feet (1.86m²) in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on not fewer than one side. The required openings shall be distributed such that the lineal distance between adjacent openings does not exceed 50 feet (15 240 mm). The height of the bottom of the clear opening shall not exceed 44 inches (1118 mm) measured from the floor.

903.2.13.1.1 Opening dimensions and access. Openings shall have a minimum dimension of not less than 30 inches (762 mm). *Access* to such openings shall be provided for the fire department from the exterior and shall not be obstructed in a manner such that firefighting or rescue cannot be accomplished from the exterior.

903.2.13.1.2 Openings on one side only. Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be equipped throughout with an *approved automatic sprinkler system*, or openings shall be provided on not fewer than two sides of the story.

903.2.13.1.3 Basements. Where any portion of a *basement* is located more than 75 feet (22 860 mm) from openings required by Section 903.2.11.1, or where walls, partitions or other obstructions are installed that restrict the application of water from hose streams, the *basement* shall be equipped throughout with an *approved automatic sprinkler system*.

903.2.13.2 Rubbish and linen chutes. An *automatic sprinkler system* shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes shall have additional sprinkler heads installed at alternate floors and at the lowest intake. Where a rubbish chute extends through a building more than one floor below the lowest intake, the extension shall have sprinklers installed that are recessed from the drop area of the chute and protected from freezing in accordance with Section 903.3.1.1. Such sprinklers shall be installed at alternate floors, beginning with the second level below the last intake and ending with the floor above the discharge. *Access* to sprinklers in chutes shall be provided for servicing.

903.2.13.3 Buildings 55 feet or more in height. An *automatic sprinkler system* shall be installed throughout buildings that have one or more stories with an *occupant load* of 30 or more located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

1. Open parking structures.
2. Occupancies in Group F-2.

903.2.13.4 Ducts conveying hazardous exhausts. Where required by the *International Mechanical Code*, automatic sprinklers shall be provided in ducts conveying hazardous exhaust or flammable or combustible materials.

Exception:

1. Ducts where the largest cross-sectional diameter of the duct is less than 10 inches (254 mm).

903.2.13.5 Commercial cooking operations. An *automatic sprinkler system* shall be installed in commercial kitchen exhaust hood and duct systems where an *automatic sprinkler system* is used to comply with Section 904.

903.2.13.6 Other required suppression systems. In addition to the requirements of Section 903.2, the provisions indicated in Table 903.2.13.6 require the installation of a fire suppression system for certain buildings and areas.

Table 903.2.13.6

Additional Required Fire Suppression Systems

Section	Subject
402.6, 402.6.2	Covered and open mall buildings
403.3	High-rise buildings
404.3	Atriums
405.3	Underground structures
407.6	Group I-2
410.7	Stages
411.4	Special amusement buildings
412.3.6	Airport traffic control towers
412.4.6, 412.4.5.1, 412.6.5	Aircraft hangers
415.11.11	Group H-5 HPM exhaust ducts
416.5	Flammable finishes
417.4	Drying rooms
419.5	<i>Live/work units</i>
424.3	Children's play structures
427	Buildings containing laboratory suites
507	Unlimited area building
509.4	Incidental uses
1029.6.2.3	Smoke-protected assembly seating
IFC	Sprinkler system requirements as set forth in Section 903.2.11.6 of the International Fire Code

903.2.14 During construction. *Automatic sprinkler systems* required during construction, *alteration* and demolition operations shall be provided in accordance with Chapter 33 of the *International Fire Code*.

[**Ordinance #421, 2023**; Resolution #1615, 2019; Ordinance #401, 2019; Resolution #1457, 2014; Ordinance #357, 2014; prior code § 7-1-1.]



Staff Report

Item Number: 7.D.

Agenda Item:

Resolution #1693 - Adopting a Fair Housing Policy

Discuss, consider and act upon the request to adopt Resolution #1693, adopting a Fair Housing Policy, and amending the previous Fair Housing Resolution #1624.

Staff Contact:

Ruth Mayday, Community Development Director

Meeting Date:

March 28, 2023

Strategic Goal:

This item supports the following strategic goal area:

- Goal Area 2 - Enhance the quality of life for residents, businesses, and visitors to Clarkdale.

Background:

The Town of Clarkdale wishes to continue participation in the State of Arizona Community Development Block Grant (CDBG) program by amending the previous Fair Housing Resolution #1624, which furthers the Town's commitment to fair housing and continued qualification for grant funding.

Budget Impact:

No budget impact.

Recommendation:

Staff recommends approval of Resolution #1693, adopting a Fair Housing Policy.

RESOLUTION #1693

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA ADOPTING A FAIR HOUSING POLICY, MAKING KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING AND DESCRIBING ACTIONS IT SHALL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING, AMENDING THE PREVIOUS FAIR HOUSING RESOLUTION, #1624.

WHEREAS, the Housing and Community Development Act of 1974 as amended requires that all applicants for Community Development Block Grant funds certify that they affirmatively further fair housing; and

WHEREAS, the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 declare a national policy to prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services, on the basis of race, color, religion, sex, disability, familial status or national origin; and

WHEREAS, discriminatory housing practices undermine the strength and vitality of America and its people;

NOW, THEREFORE, BE IT RESOLVED THAT, the Mayor and Common Council of the Town of Clarkdale, Arizona hereby wish all persons living, working, doing business in or traveling through this town to know that:

Discrimination in the sale, rental, leasing and financing of housing or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, family status or national origin is prohibited by Title VIII or the Fair Housing Act Amendments of 1988; and that it is the policy of the Town of Clarkdale to implement programs, within the constraints of its resources, to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin; and within available resources, the Town of Clarkdale will assist all persons who feel that they have been discriminated against in housing issues on the basis of race, color, religion, sex, handicap, familial status or national origin to seek equity under existing federal and state laws to file a complaint with the Arizona Attorney General's Office or the U.S. Department of Housing and Urban Development; and

The Town of Clarkdale supports fair housing opportunities for all, regardless of race, color, religion, sex, handicap, family status, or national origin, and endorses the provision of safe and affordable housing for all in all its forms; and

That the Town of Clarkdale shall publicize this Resolution and thereby encourage owners of rental properties, developers, builders and others involved with housing to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988

and any applicable state or local laws or ordinances; and that the Town of Clarkdale shall undertake the following actions to additionally “affirmatively further fair housing.”

- Post a copy of this resolution for 30 days at Town Hall
- Continue to post a fair housing poster at Town Hall

NOW THEREFORE BE IT ORDAINED,

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL of the Town of Clarkdale on this 28th day of March, 2023.

ATTEST:

Robyn Prud’homme-Bauer, Mayor

Charity Brooks, Town Clerk