

**NOTICE OF REGULAR MEETING
OF THE CAREFREE TOWN COUNCIL**

WHEN: TUESDAY, AUGUST 6, 2019

WHERE: CAREFREE TOWN COUNCIL CENTER
33 EASY STREET, CAREFREE, AZ 85377

TIME: 5:00 P.M.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Town Council of the Town of Carefree, Arizona and to the general public that the members of the Town Council will hold a meeting open to the public. For any item listed on the agenda, the Council may vote to go into Executive Session for advice of counsel and/or to discuss records and information exempt by law or rule from public inspection, pursuant to Arizona Revised Statutes §38-431.03.

The agenda for the meeting is as follows:

CALL TO ORDER

SILENT ROLL CALL

One or more members of the Council may be unable to attend the meeting in person and may participate by technological means or methods pursuant to A.R.S. §38-431(4).

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

All items listed hereunder are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member so requests, in which event the item will be removed from the consent agenda and will be discussed separately:

- ITEM #1** Approval of the June 4, 2019 Town Council Budget Hearing Meeting Minutes.
- ITEM #2** Approval of the June 4, 2019 Town Council Regular Meeting Minutes.
- ITEM #3** Approval of the July 2, 2019 Town Council Regular Meeting Minutes.
- ITEM #4** Acceptance into the public record of the July, 2019 paid bills.
- ITEM #5** Acceptance of the cash receipts and disbursements report for June, 2019.

REGULAR AGENDA:

ITEM #6 Call to the Public: Consideration of comments from the public. Pursuant to Section 2-4-7(G) of the Town Code and A.R.S. 38-431.01(H), those wishing to address the Council need not request permission in advance. The public may address the Council on matters not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter, direct staff to study the matter, reschedule the matter for further consideration and decision at a later date, or may ask that a matter be put on a future agenda. However, the Council may not discuss or take legal action at this time. Please limit your comments to not more than 3 minutes.

ITEM #7 Current Events.

ITEM #8 Presentation by David Court, Executive Director of the Desert Foothills Library, and Robert Hindle, President of the Library Board of Directors, providing an update regarding the Desert Foothills Library.

ITEM #9 Presentation by Vicki Bobo, Regent of the Black Mountain Foothills Chapter of the Daughters of the American Revolution regarding Constitution Week and a request to approve of a Proclamation designating September 17th through the 23rd as Constitution Week.

ITEM #10 Presentation and discussion regarding the amendment of the Town of Carefree, Arizona, Ordinance Number 2007-03, the Town's existing floodplain management regulations. This text amendment addresses minor updates in line with current regulations in a continued effort to reduce risk to life and property from future flooding hazards in the Town of Carefree. Public comments will be taken. (*First Reading*).

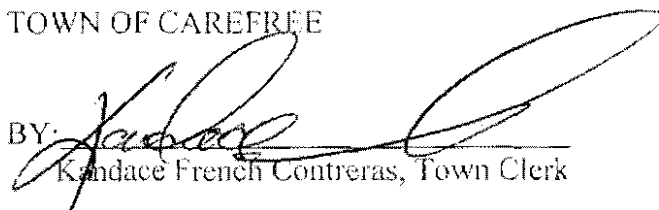
ITEM #11 Discussion and possible action to go into Executive Session in accordance with A.R.S. §§ 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the attorney of the public body and to discuss its position regarding contracts that are subject of negotiations, pending or contemplated litigation or in settlement discussions in order to avoid or resolve litigation.

ITEM #12 Adjournment.

DATED this 31st of July, 2019.

TOWN OF CAREFREE

BY:


Kandace French Contreras, Town Clerk

Items may be taken out of sequence



FOR SPECIAL ACCOMMODATIONS

Please contact the Town Clerk, 8 Sundial Circle (PO Box 740), Carefree, AZ 85377; (480) 488-3686, at least three working days prior to the meeting if you require special accommodations due to a disability.

**MINUTES OF THE BUDGET HEARING
OF THE CAREFREE TOWN COUNCIL**



WHEN: TUESDAY, JUNE 4, 2019

WHERE: CAREFREE TOWN COUNCIL CENTER - 33 EASY ST., CAREFREE, AZ.

TIME: 5:00 P.M.

Attending:

Mayor Les Peterson
Vice Mayor John Crane
Vince D'Aliesio
Stephen Hatcher
Michael Krahe
Cheryl Kroyer
Gene Orrico

Absent:

None

Also Attending:

Gary Neiss, Town Administrator; Jim Keen, Town Accountant/Assistant Town Clerk; Kandace French Contreras, Town Clerk/Treasurer.

Mayor Peterson opened the meeting at 5:00 p.m.

ITEM #1 **PUBLIC HEARING:** Discussion and possible action regarding approval of Resolution 2019-07: Determining and Adopting Estimates of Proposed Expenditures by the Town of Carefree for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020 and Declaring that Such Shall Constitute the Budget for the Town of Carefree for Such Fiscal Year.

Mayor announced the agenda item and introduced Town Administrator, Gary Neiss.

Mr. Neiss presented a Power Point and a history of the approximately three-month process of budget workshops and meetings of the Council beginning in April with three budget workshops and then additional meetings to further delineate the budget.

Mr. Neiss reminded the Council that this was a line item budget and the most delineated budget presented by a municipality. The tentative budget was adopted in May and, after publication of the tentative budget, this meeting sets the final budget.

Mr. Neiss went into further information regarding the increased revenues and growth of various industries, including home building, commercial businesses, restaurants and retail locations.

He highlighted the marketing program and discussed the various areas of the marketing plan that was developed by staff and council as well as changes to marketing and the ability to recapture costs incurred for marketing the Enchanted Pumpkin Festival.

He showed the reserves and noted that it is reaching the level of \$10 million which allowed for the investment in infrastructure as a result of wise financial management.

Mayor Peterson asked for comments.

Council Member Orrico spoke and stated that, at the last meeting, he was the only council member to vote against the proposed budget. He explained he did so because of the marketing budget. He said he was remiss in agreeing to the signing of the contract with Villafane Studios to get out of the event business and allowing the Town to wait until 2020 for Villafane Studios to take control of the entire Pumpkin Festival. What he wanted is for the Town to get out of the festival right now instead of hoping the Town receive the negative amount invested returned. He said there was no recourse. In looking back, as a business person, he believes the entire festival should have been given to Villafane Studios immediately. He feels that the Town has “hemorrhaged” money for the Pumpkin Festival but it doesn’t help enough merchants. He stated more thoughts on his feelings regarding helping the merchants and thoughts on the festival and generating income to the Town businesses.

Council Member Kroyer commented that Council Member Orrico did not understand the contract. She explained the steps in process and the ability of Ray Villafane to take over the event of this size. The contract permits the Town to receive all its money before Mr. Villafane receives a penny, whether it is in year one, two or three. She felt the Town has been very conservative in the figures for net income for the event. Safeguards have been put in place.

Council Member Kroyer also stated that, in regard to the merchants, the Town is drawing people to Carefree to support the merchants and see everyone be successful. A lot of ideas are provided to merchants to help them in their success.

Mayor Peterson further clarified and commented regarding the transfer of the Enchanted Pumpkin Festival to Villafane Studios.

There were additional comments by the remaining Council regarding the Enchanted Pumpkin Festival and the draw of visitors and businesses due to the activity of the festival and the regeneration as a destination location.

Council Member Kroyer made a **motion** to approve Agenda Items 1. There was a **second** by Council Member Krahe.

Mayor Peterson requested a roll call vote.

Gene Orrico – No

Vince D’Aliesio – Yes. He reiterated his prior comments supporting the budget process.

Vice Mayor Crane – Yes. He further commented to the support of the budget process and the statements made by other council members regarding the transfer of the festival to Villafane Studios. He sees a great financial recovery model in the contract.

Michael Krahe – Yes.

Cheryl Kroyer – Yes. She further commented regarding the helpful budget process. She feels it is the best and most thought out and scrutinized budget.

Stephen Hatcher – Yes. He commented that Mr. Neiss did a great job and a lot of time was spent on the budget process and reviewing and making changes, including every operational budget of each department. Given the results, something is being done right.

Mayor Peterson – Yes. He reiterated the reserves, infrastructure improvements and the budget process reflected the Town was going in the right direction and had excellent fiscal management. He thanked the staff and Mr. Neiss particular as well as Jim Keen for their hard work.

The motion **carried** by a vote of 6 to 1.

ITEM #3 Adjournment.

Vice Mayor Crane made a **motion** to adjourn. There was a **second** by Council Member Orrico.

Meeting ended at 5:21 p.m.

DATED this 7th day of June, 2019.

TOWN OF CAREFREE

BY: _____
Kandace French Contreras, Town Clerk

TOWN OF CAREFREE

Les Peterson, Mayor

Attest:

Kandace French Contreras, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the Budget Meeting of the Town of Carefree held June 4, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Kandace French Contreras, Town Clerk



**MINUTES OF THE REGULAR MEETING
OF THE CAREFREE TOWN COUNCIL**

WHEN: TUESDAY, JUNE 4, 2019

WHERE: CAREFREE TOWN COUNCIL CENTER - 33 EASY ST., CAREFREE, AZ.

TIME: 5:15 P.M.

Attending:

Mayor Les Peterson
Vice Mayor John Crane
Vince D'Aliesio
Stephen Hatcher
Michael Krahe
Cheryl Kroyer
Gene Orrico

Absent:

Also Attending:

Gary Neiss, Town Administrator; Jim Keen, Town Accountant/Assistant Town Clerk; Kandace French Contreras, Town Clerk/Treasurer.

Mayor Peterson opened the meeting at 5:25 p.m.

CONSENT AGENDA

ITEM #1 Approval of the May 7, 2019 Town Council Regular Meeting Minutes.

ITEM #2 Approval of the May 8, 2019 Town Council Special Meeting Minutes.

ITEM #3 Acceptance into the public record of the May, 2019 paid bills.

ITEM #4 Acceptance of the cash receipts and disbursements report for April, 2019.

Mayor Peterson announced the agenda items and asked if any of the Council Members had questions.

Consent Agenda Item #1 was deferred to the July regular meeting.

There being no questions,

Council Member Krahe made a **motion** to approve Agenda Items 2, 3 and 4. There was a **second** by Council Member Kroyer. The motion was **carried** unanimously.

REGULAR AGENDA:

ITEM #7 **Call to the Public.**

Mayor Peterson announced the agenda item.

Kevin Tully, Restin Road, appeared and spoke in regard to the restoration of the original Sunburst that hung from the Sundial. He spoke of his support and gratitude for the consideration and plans for its restoration. He thanked the Mayor and Council regarding their efforts. He presented Larry Stewart, an architect at S Array 36. Mr. Stewart is familiar with the original artist's work and will do the restoration on a pro bono basis. Mr. Stewart spoke of the ideas he has in the works to secure the sunburst and make it safe. He is looking forward to the collaborative process of restoring the sunburst.

Robert Jacobson, Carefree, appeared and spoke in regard to his continued concern for the trees in the medians of Cave Creek Road that are still growing. He reminded the Council the matter has been brought to their attention in the past. He requested a response but was reminded by the Mayor that he is unable to respond and directed Mr. Jacobson to contact staff directly and reminded him that his concern has been addressed in the past and no danger was found.

Lyn Hitchon, Little Hope Place, appeared and presented the Town of Carefree with a large, matted photograph taken by her husband, Dr. Herbert Hitchon. The photo showed fireworks exploding over the Town Hall during what was later decided to be the last fireworks display for the Town of Carefree due to the sale and development of the vacant lot used to stage the fireworks displays.

ITEM #8 **Current Events.**

Mayor Peterson introduced the agenda item and announced the passing of Richard Anderson, Director of the Spirit in the Desert Retreat Center. Details were provided regarding the upcoming service.

Council Member Vince D'Aliesio announced that there is a Maricopa County Public Health Services survey to determine the needs of the community. He would like cooperation in the survey in order to provide Carefree with additional allocated services.

Gary Neiss provided a status update of the street improvement project that began in April. He stated that inclement weather can impact the project and has created some delays. The crack seal has been completed and the micro surfacing is being performed. The last two roads to be completed are Stagecoach Pass and Mule Train. The contractor is coordinating with the CIVANA Resort. The contractor is putting out door hangers to keep residents updated to the status of the project in each area and has a public information officer assigned to address residents' questions.

Vice Mayor Crane announced the upcoming Restaurant Week May 5th through 11th in the Town of Carefree. Friday, May 10th is National Public Garden Day and the Carefree Desert Garden will host the annual photo contest at 12:30 p.m.

ITEM #7 Presentation by Karrie Porter Brace, Executive Director, Cave Creek Museum, Inc.

Mayor Peterson announced the agenda item and introduced the Executive Director of the Cave Creek Museum, Karrie Porter Brace.

Ms. Porter Brace spoke of the offerings and activities of the museum as well as the community impact. The mission statement has been revised to "Preserve and Interpret the Natural Resources and Cultural Heritage of the Northern Sonoran Desert." She stated it more accurately reflects their collections, presentations and displays. They will celebrate a 50 year anniversary in 2020. She also pointed out their functions, activities, events and sponsorships. She gave an outline of some of the displays including the stamp mill from Continental Mountain. The TB cabin is on the historic register. She gave information on the church building and the humble beginnings of the museum.

Ms. Porter Brace gave financial information. She provided information regarding her peer reviews of other museums and her background in the industry. She also gave background information regarding all the presentations previously provided and currently scheduled. She explained her plans for the future exhibits for the Town of Carefree. She gave information on the exhibit featuring Gerry Jones. Additionally, there will be changes to the auditorium to provide additional display room for Gerry Jones' work.

Council Member D'Aliesio announced that his home is part of the upcoming home tour as being the first home built in the Town of Carefree.

Ms. Porter Brace provided additional information regarding upcoming events before concluding her presentation. No action was taken on the agenda item.

ITEM #8 Review, discussion, and Public Hearing on the possible action to approve Ordinance 2019-01, a request to rezone approximately 7.93 acres of land located west of the Northwest corner of Stagecoach Pass and Pima Road from Rural-43 Single Family Residential zoning to R1-35 Single Family Residential zoning to allow for a 6-lot subdivision named The Estates Carefree.

Mayor Peterson announced the agenda item and introduced Planning Director, Stacey Bridge Denzak.

Ms. Bridge Denzak provided a Power Point presentation and explained the action being requested of the Council in order to approve the rezoning of the subject property. She explained the need for the rezoning is required in order to allow for R1-35 Single Family Residential (R1-35) to allow for a 6 lot custom home development. She provided a context map and explained drainage and current wash layout. She also provided information regarding current homes, zonings, and buildings in the area. She stated that all the areas are considered compatible with the requested rezoning. She provided architecture examples and guidelines for the planned custom homes as well as the conceptual landscape. She set out a comparison of the development standards between the current zoning and requested rezone. She provided a preliminary plat and explained the layout and conceptual landscaping and private roads and gating. She outlined the infrastructure, including water supply and fire service and gave details regarding the citizen participation meetings that took place as well as a citizen participation report, public notification

and the Planning and Zoning Commission hearing on May 13, 2019, in which the Commission approved by a vote of 6 to 0.

Mayor Peterson asked about the cost and availability of tying into the sewer infrastructure versus the planned septic systems.

Ms. Bridge Denzak explained the detrimental expense and requirements that would need to be met in order to tie into the sewer, which is cost prohibitive.

Vice Mayor Crane requested confirmation that the lot sizes were changing slightly but the number of homes allowed on the subject property remained the same.

Ms. Bridge Denzak confirmed his thoughts and explained the differences in lot size.

Council Member Krahe made a **motion** to approve Agenda Items 8 as set forth by Ms. Bridge Denzak. There was a **second** by Council Member Orrico. The motion was **carried** unanimously.

ITEM #9 **Review, discussion, and possible action to approve Resolution 2019-06, a request to subdivide approximately 2.74 acres of land located at the Southeast corner of Easy Street and Carefree Drive to allow for a 30-lot townhome development named The View Carefree.**

Mayor Peterson announced the agenda item and again introduced Stacey Bridge Denzak.

Ms. Bridge Denzak explained the location and type of development, including the inclusion of a previously missing piece of property in the rear that was not part of the Easy Street South development but has since been successfully purchased by the applicant for The View Carefree. Additionally, the Development Agreement already in place for the Easy Street South development was approved with a maximum height standard. The new proposal will not be any higher than already allowed in the commercial zoning district. Drainage and wash slope was described as well.

Ms. Bridge Denzak provided a project parcel map and proposed preliminary plat and grading plan. She outlined the proposed landscape plan and site details, including building materials and signage. The amenities and pool area were described as well as pergola, bocce ball court, barbecue and pool barrier.

Ms. Bridge Denzak provided an interactive projection of the proposed architecture and elevation for Building Type A and B and information regarding parking for residents and guests. She pointed out a grass dog park area near the front of the subject property on Carefree Drive. She described the sewer and water service. She also provided information regarding lighting which comply with building standards.

She explained the consideration of vacation rentals in a limited number.

Mayor Peterson asked for the difference between short term rentals and vacation rentals.

Ms. Bridge Denzak responded and explained.

After additional questions regarding short term rentals, the application, Jim Shelly, of Scottsdale, addressed the question regarding a vacation rental pool and the advantage to do so. He explained the minimum number of nights for the rentals as well as the difference in required rental time based on the seasonality.

The Council asked for additional information regarding the vacation rentals.

Mr. Shelly responded and also explained how the spec homes will be built and furnished with the building of additional units as they are sold.

Council Member Orrico asked Mr. Shelly when construction will begin.

Mr. Shelly responded that he would like to begin construction as soon as possible after the close of escrow on the land.

Council Member Orrico asked Mr. Shelly for sales costs numbers for the units.

Mr. Shelly said the retail price of the homes will range \$515k to \$560k to \$570k plus upgrades.

Council Member D'Aliesio asked for more information regarding managing short term rental tenants.

Mr. Shelly responded.

The Council asked additional questions regarding the vacation homes.

Mr. Shelly responded.

Vice Mayor Crane asked Stacey Bridge Denzak how the number was derived for guest parking.

Ms. Bridge Denzak explained 1 guest spot for 4 units.

There was additional discussion regarding parking and the perimeter wall for the project.

John Traynor, Cave Creek Road, appeared and spoke regarding his thoughts on short term rentals.

Robert Jacobson, Carefree, appeared and spoke regarding his thoughts on mortgaging problems and if it would apply to the planned condominiums. He suggested staff look into it.

Council Member Orrico made a **motion** to approve Agenda Items 9 as set forth by Ms. Bridge Denzak. There was a **second** by Council Member Krahe. The motion was **carried** unanimously.

ITEM #10 Review, discussion an possible action to approve a revised inter-governmental agreement between the Town of Carefree and the Arizona Department of Revenue (DOR) related to the administration of Transaction Privilege Tax, as required under A.R.S. § 42-6001.

Mayor Peterson announced the agenda item and introduced Town Administrator, Gary Neiss.

Mr. Neiss presented information on the agenda item and reminded the Council that statutory changes requires the Arizona Department of Revenue to collect the sales tax for municipalities, as well as perform tax audits for all 91 municipalities. Due to the extra work mandates by statutes, the DOR requested a contract to perform the work for a set cost. He reminded the Council that the Council is required to adopt the agreement in order to comply with state law.

Council Member Krahe made a **motion** to approve the Agenda Item as presented. There was a **second** by Council Member Orrico. The motion was **carried** unanimously.

(Taken out of order)

ITEM #12 Review, discussion and possible action to approve Resolution 2019-08 adopting the Uniform Video Service Agreement and Application as set forth by SB 1140 (2018) requiring cities and towns to adopt a standard agreement and application for cable providers by July 1, 2019.

Mayor Peterson announced the agenda item and introduced Gary Neiss.

Mr. Neiss addressed the Council and asked that Agenda Item #12 be addressed first since it was a part of the overall recent statutory change required of municipalities and could be addressed prior to the first reading of the Ordinance Change.

Mr. Neiss explained to the Council that cable TV industry was restricting businesses from entering into areas due to conflicting requirement. He stated that Cox went before the legislature and explained the need for uniformity in the requirements from municipalities in order to operate fairly. As a result, the law was changed and local authorities cannot regulate cable providers. This set out a uniform set of rules to apply to cable operators, including a Uniform License Agreement. The Arizona League of Cities and Towns worked with the parties to develop the agreement. This is a universal agreement that the State requires the municipality to adopt.

Council Member Krahe made a **motion** to approve the Agenda Item as presented. There was a **second** by Council Member Orrico. The motion was **carried** unanimously.

There were questions by the Council regarding licensing.

Mr. Neiss responded.

ITEM #11 Review and discussion regarding Ordinance 2019-02 repealing the Cable Television Code for the Town of Carefree and replacing the Code with Arizona Revised Statutes § 9-1401 through § 9-1452 and establishing a fee structure pursuant to Arizona Revised Statute § 9-1443. (*First Reading*).

Mr. Neiss then explained the codification of the fee structure established pursuant to new statute. The ordinance repeals the Town's prior ordinance and allows cable providers to enter into a license with the Town of Carefree with a new Ordinance. The new state law sets out uniform standards and instituting the new state requirements. The license fee also has to be identified. Mr. Neiss explained how that fee is determined which has historically been 5% of the gross revenues

The agenda item requires a second reading and no action is requested to be taken at this time.

ITEM #13 Discussion and possible action to go into Executive Session in accordance with A.R.S. §§ 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the attorney of the public body and to discuss its position regarding contracts that are subject of negotiations, pending or contemplated litigation or in settlement discussions in order to avoid or resolve litigation.

Council Member Kroyer made a **motion** to enter into executive session. There was a **second** by Vice Mayor Crane. The motion was **carried** unanimously.

Council entered Executive Session: 7:02 p.m.

Council exited Executive Session: 7:52 p.m.

ITEM #2 Adjournment.

Mayor Peterson announced the agenda item.

Council Member Orrico made a **motion** to adjourn. There was a **second** by Council Member Kroyer. The motion was **carried** unanimously.

Meeting ended at 7:56 p.m.

DATED this 11th day of June, 2019.

TOWN OF CAREFREE

BY: _____
Kandace French Contreras, Town Clerk

TOWN OF CAREFREE

Les Peterson, Mayor

Attest:

Kandace French Contreras, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the meeting of the Town of Carefree held June 4, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Kandace French Contreras, Town Clerk

MINUTES OF THE REGULAR MEETING
OF THE CAREFREE TOWN COUNCIL



WHEN: TUESDAY, JULY 2, 2019

WHERE: CAREFREE TOWN COUNCIL CENTER
33 EASY STREET, CAREFREE, AZ 85377

TIME: 5:00 P.M.

Town Council Attending:

Mayor Les Peterson
Vice Mayor John Crane
Vince D'Aliesio
Stephen Hatcher
Michael Krahe
Cheryl Kroyer
Gene Orrico

Town Council Absent:

None

Staff Present:

Gary Neiss, Town Administrator; Michael Wright, Town Attorney; Kandace French, Town Clerk/Treasurer and Samantha Gesell, Planning and Zoning Clerk.

Mayor Peterson called the meeting to order at 5:00 pm.

The Pledge of Allegiance was led by Ralph Ferro.

CONSENT AGENDA

- ITEM #1** Approval of the May 7, 2019 Town Council Regular Meeting Minutes.
- ITEM #2** Approval of the June 4, 2019 Town Council Regular Meeting Minutes.
- ITEM #3** Approval of the June 24, 2019 Town Council Special Meeting Minutes.
- ITEM #4** Acceptance into the public record of the May, 2019 paid bills.
- ITEM #5** Acceptance of the cash receipts and disbursements report for April, 2019.
- ITEM #6** Approval of street closures for Thunderbird Artists' 26th Annual Fall Carefree Fine Art & Wine Festival Friday, November 1 through Sunday, November 3, 2019 from 10:00 a.m. to 5:00 p.m. with set-up beginning October 31st at 5:00 p.m. and tear down on November 3rd at 5:15 p.m. Road closures include Hum and HoHum Road, Easy Street, Sundial Circle and part of Sunshine Way as shown in the attached map.

ITEM #7 Approval of street closures for Thunderbird Artists' 27th Annual Winter Carefree Fine Art & Wine Festival Friday, January 17 through Sunday, January 19, 2020 from 10:00 a.m. to 5:00 p.m. with set-up beginning January 16th at 5:00 p.m. and tear down on January 19th at 5:15 p.m. Road closures include Hum and HoHum Road, Easy Street, Sundial Circle and part of Sunshine Way as shown in the attached map.

ITEM #8 Approval of street closures for Thunderbird Artists' 25th Annual Spring Carefree Fine Art & Wine Festival Friday, February 28 through Sunday, March 1, 2020 from 10:00 a.m. to 5:00 p.m. with set-up beginning February 27th at 5:00 p.m. and tear down on March 1st at 5:15 p.m. Road closures include Hum and HoHum Road, Easy Street, Sundial Circle and part of Sunshine Way as shown in the attached map.

Mayor Peterson announced the consent agenda and asked if there were any questions.

Town Clerk, Kandace French, requested that Agenda Item #2 be deferred to the August meeting.

Council Member Orrico stated he had questions regarding items 4 and 5. He asked for clarifying information on the payment to Titan Commercial Cleaning and Sherman and Howard as well as the trial balance sheet. .

Mayor Peterson responded regarding the legal work involving Sherman and Howard.

Town Administrator Gary Neiss responded regarding Titan and the net percentage of Capital Expenses

There being no further questions, Mayor Peterson asked for a motion to approve items 1,3,4,5,6,7 and 8.

Council Member Krahe made a **motion** to approve the Consent Agenda as stated. There was a **second** by Council Member Kroyer. The motion was **carried** unanimously.

REGULAR AGENDA:

ITEM #9 Call to the Public: Consideration of comments from the public. Pursuant to Section 2-4-7(G) of the Town Code and A.R.S. 38-431.01(H), those wishing to address the Council need not request permission in advance. The public may address the Council on matters not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter, direct staff to study the matter, reschedule the matter for further consideration and decision at a later date, or may ask that a matter be put on a future agenda. However, the Council may not discuss or

take legal action at this time. Please limit your comments to not more than 3 minutes.

There was no public comment.

ITEM #10 CURRENT EVENTS:

Mayor Peterson announced the agenda item and announced the presentation of the Civana - Fire Fly Music, Drone Show and Community Block Party on Saturday, July 6th from 7:00 p.m. to 9:30 p.m. Additionally, happy hour specials are being provided by many of the Carefree restaurants during the summer.

and

The Foothills Caring Corp will present a CPR Training class on Thursday, July 18th –from 9:00 a.m. - 2:00 p.m. and Ray Villafane’s latest sand creation, “Sand Dragon” sculpture currently on display in the courtyard at Spanish Village.

Council Member D’Aliesio acknowledged his appreciation to Fire Chief John Kraetz for the Maricopa County Flood Control and fire prevention presentation.

Council Member Orrico stated he wanted to give accolades to Marketing Director Beth Renfo for her COINS announcement regarding the recent painting of the Post Office building located at 100 Easy Street and naming the businesses inside that location.

Mayor Peterson thanked Council Member Orrico for his efforts to get the Post Office building painted as well.

Town Clerk, Kandace French Contreras, introduced the new Planning Clerk, Samantha Gesell.

ITEM #11 Review consideration and possible action approving Resolution 2019-10 accepting the Final Plat and supplementary Subdivision Improvement Agreement for The View Carefree subdivision generally located at the southeast corner of Easy Street and Carefree Drive, and is commonly referred to as “Easy Street South”.

Mayor Peterson announced the agenda item and introduced Town Administrator, Gary Neiss.

Mr. Neiss presented a Power Point and provided background on the status of The View Carefree. He provided details regarding the “vacation pool” concept of managing the short term rentals within the community and other details of the Subdivision Improvement Agreement and performance bond. He expressed that he believed the concerns regarding short term rentals and the questions posed by the Council at the last meeting have been addressed. He stated the CCRs are addressed the subject. Additionally, the short term rentals are placed in a Vacation Pool and managed by a specialized third party management company. This company will oversee every step of the process including management, complaints and concierge services. It is handled more like a mini hotel management system. The infrastructure plans and engineering have been submitted to the Town for permits. Additional requirements such as a performance bond are also required.

Council Member Orrico expressed his approval of the fire sprinklers in the agreement. He stated the bond amount was excellent, the fire hydrants are well situated and the penalties set forth in the CC&R's are wonderful. He stated he knew of no drawback to the development or the agreement.

There were questions by Council Member D'Aliesio regarding the timeline for the sales of the units.

Applicant Jim Shelly responded and stated the infrastructure will begin during the fourth quarter of this year. Lot reservations are being opened this Fall.

Vice Mayor Crane asked for more information pertaining to the short term rental management company and why it is a unique approach.

Applicant Jim Shelly and listing broker, John Birsner with "Platinum Experience", a division of Ventana Fine Properties addressed Council, presented details of the project and responded to questions. They further explained the management of the vacation short term rentals and the Platinum Experience short term rental management company. He explained how any complaints regarding the short term rentals would be handled, the homeowner's association regulations, garbage collection and marketing strategies as well as anticipated timeline for construction.

Mr. Shelly described the software that monitors the noise level of the unit called "noiseware". It monitors the decibel level of inside and outside the unit. The contact is contacted first. The Platinum Experience is contacted if the sound is not reduced. Fines can be issued and immediate removal of the occupant, who is not covered by the Landlord/Tenant Act.

Vice Mayor Crane pointed out that the management company adds value and is unique because rather than having individual units running their own Air B&B which is beyond the Town's control, the management company hired to handle the units in this project bring a higher level of control and management.

Vice Mayor Crane pointed out the projects CC&Rs, also prevent owners from renting units for less than 30 days unless they are part of the Platinum Experience management.

Mr. Shelly affirmed that this is correct.

Council Member Kroyer stated she is impressed and pleased with the sound control system that has been put in place.

There was discussion regarding the marketing of the townhomes in the unit. Mr. Birsner responded.

There was no public comment.

Council Member Orrico made a –motion to approve Resolution 2019-10 accepting the Final Plat and supplementary Subdivision Improvement Agreement for The View Carefree subject to the conditions of approval attached to the staff report dated July 02, 2019. There was a second by Council Member D'Aliesio. The motion was carried unanimously.

ITEM #12 Review, discussion and possible action to approve Ordinance 2019-02 repealing the Cable Television Code for the Town of Carefree and replacing the Code with Arizona Revised Statutes § 9-1401 through § 9-1452 and establishing a fee structure pursuant to Arizona Revised Statute § 9-1443. *(Second Reading)*.

Mayor Peterson introduced the item.

Town Administrator Neiss provided a Power Point and presented history of item. He reminded the Council the accompanying Resolution was adopted at the June 4th Council Meeting. He reminded the Council that the matter was presented for a first reading in June and is required by all municipalities in the State of Arizona.

There were no questions or comments.

Council Member Krahe made a **motion** to approve Ordinance 2019-02 approving a Cable Television Code for the Town of Carefree, repealing the existing Cable Television Code for the Town of Carefree, and replacing it with ARS § 9-1452 through § 9-1452 and establishing a fee structure pursuant to ARS § 9-1443. There was a **second** by Council Member D'Aliesio. The motion was **carried** unanimously.

ITEM #13 Review, discussion, and possible action to authorize the purchase of a 2019 CASE 570NEP Tractor Loader under Arizona Department of Transportation Master Agreement Contract #CTR042603.
Mayor Peterson announced the agenda item.

Town Administrator Neiss presented a Power Point and provided details of the proposed purchase. Public Works Supervisor, Travis Johnson, was available to answer questions.

Mr. Neiss reminded the Council that the matter had been previously discussed at the April Budget Hearing.

The Council expressed their support of the purchase. There were no questions.

Council Member Orrico made a **motion** to approve the purchase of a Case Tractor from Titan Machinery as set forth in the contract. There was a **second** by Council Member Krahe. The motion was **carried** unanimously.

ITEM #14 Discussion and possible action to go into Executive Session in accordance with A.R.S. §§ 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the attorney of the public body and to discuss its position regarding contracts that are subject of negotiations, pending or contemplated litigation or in settlement discussions in order to avoid or resolve litigation.

Mayor Peterson announced the agenda item.

Council Member Krahe made a **motion** to go into Executive Session. There was a **second** by Vice Mayor Crane. The motion **carried** unanimously.

Entered Executive Session: 5:31 p.m.

Returned from Executive Session: 5:58 p.m.

ITEM #15 ADJOURNMENT.

Mayor Peterson announced the agenda item.

Council Member Hatcher **moved** to adjourn. There was a **second** by Council Member D'Aliesio. The motion **carried** unanimously.

Meeting ended at 6:00 p.m.

DATED this 3rd of July, 2019.

TOWN OF CAREFREE

BY: _____
Kandace French Contreras, Town Clerk

TOWN OF CAREFREE

Les Peterson, Mayor

Attest:

Kandace French Contreras, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the meeting of the Town of Carefree held July 2 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Kandace French Contreras, Town Clerk

Check Register Report

ALL CHECKS JULY 2019



Date: 07/26/2019

Time: 2:10 pm

Page: 1

Town Of Carefree

BANK: NATIONAL BANK OF ARIZONA

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
NATIONAL BANK OF ARIZONA Checks							
45453	07/02/2019	Printed		903	ARIZ MUNICIPAL CLERK'S ASSOC	AMCA Member Dues French, Keen	140.00
45454	07/02/2019	Printed		0389	CAREFREE WATER COMPANY, INC	July 19 Engineering Service	2,436.83
45455	07/02/2019	Printed		0389	CAREFREE WATER COMPANY, INC	July 19 Water All	2,793.54
45456	07/02/2019	Printed		3299	CIRCLE K UNIVERSAL	June 19 Gasoline All	789.83
45457	07/02/2019	Printed		1329	COLONIAL SUPPLEMENTAL INS	June 19 Supplemental Ins	720.36
45458	07/02/2019	Printed		1460	COX COMMUNICATIONS	July 19 Town Internet & Phones	549.14
45459	07/02/2019	Printed		3174	DESERT DIGITAL IMAGING, INC.	June 19 Business Cards S Gesel	60.40
45460	07/02/2019	Printed		3204	HAZAMA, ANNIE	July 19 Graphics for Events ICMA	2,998.36
45461	07/02/2019	Printed		1981	MEMBERSHIP PAYMENTS	FY2020 Dues	1,318.40
45462	07/02/2019	Printed		1320	KARSTEN'S ACE HARDWARE	June 19 Public WorksSupplies	69.33
45463	07/02/2019	Printed		0010	MARICOPA COUNTY	July 19 MCSO Sheriff's Patrol	35,574.42
45464	07/02/2019	Printed		0039	MARICOPA COUNTY	FY2020 IGA Emergency Mgmt	1,356.04
45465	07/02/2019	Printed		1075	SHERMAN & HOWARD LLC	General Legal thru 5/31/19	1,220.00
45466	07/02/2019	Printed		3489	SONORAN LANDESIGN LLC	Refund part Business License	4.00
45467	07/02/2019	Printed		3226	TECH 4 LIFE COMPUTERS	WEB Event Calendar Upgrade	325.00
45468	07/02/2019	Printed		3339	VEITCH GROUP USA INC.	Back Cover CF/CC Event Guide	900.00
45469	07/02/2019	Printed		2006	WEEKLEY & SONS PUMPING, LLC	PumpOut Grease Trap Maint Shop	825.00
45470	07/12/2019	Printed		1816	AMERICAN LEGAL PUBLISHING	Code of Ordinances Publish	45.10
45471	07/12/2019	Printed		0127	ARIZ DEPT OF REVENUE	FY2019-20 Tax Collect Assessm	10,136.84
45472	07/12/2019	Printed		0300	ARIZ PUBLIC SERVICE	July 19 Electric - All	2,618.64
45473	07/12/2019	Printed		915	ARIZ SECRETARY OF STATE	Norary Appl Smanatha Gesell	43.00
45474	07/12/2019	Printed		1326	ARIZONA REPUBLIC - SUBSCRIBE	July 19 Newspaper Subscrip	54.99
45475	07/12/2019	Printed		0414	AZ MUN. RISK RETENTION POOL	1st Qtr FY2019-20 Town Ins	33,303.00
45476	07/12/2019	Printed		673	BLACK MOUNTAIN SEWER	June 19 Sewer - All	948.20
45477	07/12/2019	Printed		1470	BROWN & ASSOCIATES	June 19 Bld Insp 40.25 hours	2,817.50
45478	07/12/2019	Printed		0045	CAVE CREEK BUILDING SUPPLY INC	Shop safety Glasses	21.81
45479	07/12/2019	Printed		1313	CAVE CREEK WELDING	Steel Tubing Shop	5.00
45480	07/12/2019	Printed		0205	CENTURYLINK	July 19 Shop Telephones	114.17
45481	07/12/2019	Printed		3072	CNA SURETY	Notary Bond S Gesell	50.00
45482	07/12/2019	Printed		1460	COX COMMUNICATIONS	July 19 33 Easy St Internet	129.00
45483	07/12/2019	Printed		1058	DAILY JOURNAL CORPORATION	Legal Ad Variance 18-12-V	2.21
45484	07/12/2019	Printed		3174	DESERT DIGITAL IMAGING, INC.	Town letterhead Envelopes	210.75
45485	07/12/2019	Printed		2059	DESERT FOOTHILLS LANDSCAPE	July 19 Gardens Maint	2,010.00
45486	07/12/2019	Printed		2059	DESERT FOOTHILLS LANDSCAPE	Jul 19 Median Maint.	4,965.00
45487	07/12/2019	Printed		3210	ECOBLU ENTERPRISES. INC.	July 19 Gardens Fountain Serv	600.00
45488	07/12/2019	Printed		1575	GRAINGER	Pub Works Shop Drain Guard	599.47
45489	07/12/2019	Printed		0155	IIMC	FY2020 Dues K French	280.00
45490	07/12/2019	Printed		2075	IMAGES AZ INC.	Aug 2019 Issue	500.00
45491	07/12/2019	Printed		3289	JASPERSON, VICTORIA	Petty Cash 12/2018 - 6/30/2019	348.15
45492	07/12/2019	Printed		1876	LOWE'S	Pub Works Supplies, Tools	515.64
45493	07/12/2019	Printed		3350	MAGLIONE, JOY	Region 5 basket	25.00
45494	07/12/2019	Printed		3427	MAGUIRE PEARCE & STOREY PLLC	Jun 19 Legal Condemnation	3,160.00
45495	07/12/2019	Printed		0010	MARICOPA COUNTY	June 19 MCSO Jail Services	1,200.48
45496	07/12/2019	Printed		0091	MARICOPA COUNTY TREASURER	June 19 Court Remittance	718.65
45497	07/12/2019	Printed		3221	NATIONAL BANK OF ARIZONA	Meetings Lunches Town	154.53
45498	07/12/2019	Printed		3221	NATIONAL BANK OF ARIZONA	Concierge Assn Due,Facebook Ad	391.86
45499	07/12/2019	Printed		3221	NATIONAL BANK OF ARIZONA	Road Rpr Cement,Dump Truck Rpr	11,175.58
45500	07/12/2019	Printed		3053	NEOPOST USA, INC	Postage Meter to 6/30/19	108.16
45501	07/12/2019	Printed		2081	O'REILLY AUTO PARTS, INC	June 19 Pub Wrks Veh Maint	22.93
45502	07/12/2019	Printed		3403	PROSKILL PLUMBING, HEATING	Repl Heat Pump GardnGreenRoom	6,233.00
45503	07/12/2019	Printed		3425	RAGHT	Jul 19 Health,DentalVisionAll	12,632.77

Check Register Report

ALL CHECKS JULY 2019

Date: 07/26/2019

Time: 2:10 pm

Town Of Carefree

BANK: NATIONAL BANK OF ARIZONA

Page: 2

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
NATIONAL BANK OF ARIZONA Checks							
45508	07/12/2019	Printed		3010	REPUBLIC SERVICES #753	Jul 19 Trash PU 8 Sundial Circ	344.67
45510	07/12/2019	Printed		3010	REPUBLIC SERVICES #753	June 19 40 Yard Roll Off Shop	571.01
45511	07/12/2019	Printed		0668	RURAL METRO FIRE DEPT.	July 19 Fire Contract	123,214.03
45512	07/12/2019	Printed		0668	RURAL METRO FIRE DEPT.	June 19 Fire Truck Maint	2,715.43
45513	07/12/2019	Printed		3419	SCAMMON, DENISE	Court Interpreting 7/3/2019	110.00
45514	07/12/2019	Printed		1691	SPARKLETTES	June 19 Bottled Water All	125.98
45515	07/12/2019	Printed		0021	STATE TREASURER	June 19 Court Remittance	6,530.25
45516	07/12/2019	Printed		3042	TECHNICALLY INTEGRATED, INC	Repair Gardens Radio timer	133.38
45517	07/12/2019	Printed		3461	TITAN COMMERCIAL CLEANING	Jun19 Clean Twn Gardn,33 Easy	6,335.00
45518	07/12/2019	Printed		2025	TOTALFUNDS BY HASLER	Postage Meter Postage July	401.45
45519	07/12/2019	Printed		3365	TRACE ANALYTICS LLC	Air Mask Oygen Testing	449.33
45520	07/12/2019	Printed		3352	UNUM LIFE INSURANCE COMPANY	Aug 19 Short Term Dis Ins	317.67
45521	07/12/2019	Printed		3132	URBAN LAND INSTITUTE	FY2020 ULI DUES	560.00
45522	07/12/2019	Printed		3451	VERIZON CONNECT NWF, INC.	Pub Wrks Veh Location	19.00
45523	07/12/2019	Printed		3216	VILLAFANE STUDIOS,LLC	2019 EPS 1st Install Agree	37,500.00
45524	07/12/2019	Printed		352	WESTERN STATES PETROLEUM INC.	June 19 Pub Wrks Diesel	322.83
45525	07/19/2019	Printed		3330	ADAM, JASON	6 CPR Classes for FY19 4hr eac	480.00
45526	07/19/2019	Printed		1738	AMERICAN PUBLIC GARDENS ASSN	FY2020 CF Desert Gardens Dues	150.00
45527	07/19/2019	Printed		3463	BUSTAMANTE & KUFFNER PC	June 2019 Town Prosecutor Serv	2,570.00
45528	07/19/2019	Printed		3293	CITI CARDS	6/19 Clerks Conf Meals-Costco	196.80
45529	07/19/2019	Printed		1058	DAILY JOURNAL CORPORATION	Legal Ad Ord 2019-02	4.02
45530	07/19/2019	Printed		0266	ICMA RETIREMENT CORP	Qtrly Plan Fee - Retirement	250.00
45531	07/19/2019	Printed		954	J.P. COOKE CO.	NamePlate D Scammon	28.36
45532	07/19/2019	Printed		0079	MARICOPA ASSN. OF GOVERNMENTS	Town of Carefree MAG Dues	1,276.00
45533	07/19/2019	Printed		2006	MINER SOUTHWEST	Fire Stn Garage Door Repair	1,868.78
45534	07/19/2019	Printed		3012	MORRIS MEDIA NETWORK	Phoenix Concierge Map	254.13
45535	07/19/2019	Printed		3015	NOTHING BUT NET	Meraki MX64W -Mnt Shop-3yr Lic	1,088.78
45536	07/19/2019	Printed		3189	OLOHAN, STEPHANIE	July 19 town Magistrate Serv	4,388.25
45537	07/19/2019	Printed		0668	RURAL METRO FIRE DEPT.	June 19 Fire Truck Diesel	365.12
45538	07/19/2019	Printed		0108	SAFEGUARD SECURITY SERVICES	Sec Sys Maint 8 Sundial Circle	500.76
45539	07/19/2019	Printed		1794	STAPLES ADVANTAGE	Town Office Supplies	315.74
45540	07/19/2019	Printed		3051	ZUMAR INDUSTRIES, INC. ARIZONA	12 Delineator Traffic Signs	938.46
45541	07/26/2019	Printed		1512	ARROW AWARDS	Name Badge - S Gesell	22.52
45542	07/26/2019	Printed		1753	BERTRAM SIGNS & GRAPHICS	Fix Archway Signs Wreck Damage	1,976.14
45543	07/26/2019	Printed		3347	CITY OF PHOENIX	Yearly Phoenix Bf Sys Use	275.00
45544	07/26/2019	Printed		1575	GRAINGER	Pub Works Shop Supplies	57.00
45545	07/26/2019	Printed		1458	HORIZON	8 Gallons Median Herbicide	839.33
45546	07/26/2019	Printed		1400	KEEN, JAMES L.	AMCA Election Train Miles 3day	127.89
45547	07/26/2019	Printed		1926	LET THERE BE LIGHT, LLC	Light Equipment Repl Gardens	115.00
45548	07/26/2019	Printed		0010	MARICOPA COUNTY	Aug 2019 MCSO Sheriff Patrol	35,574.42
45549	07/26/2019	Printed		2009	PINNACLE LOCK & SAFE	Fix Maintenance Shop Door Lock	648.09
45550	07/26/2019	Printed		3010	REPUBLIC SERVICES #753	July 19 40 Yd Rolloff Pub Wrks	399.82
45551	07/26/2019	Printed		1920	SOUTHWEST GAS	July 19 Gas All	102.16
45552	07/26/2019	Printed		1794	STAPLES ADVANTAGE	Office Supplies Court	8.20
45553	07/26/2019	Printed		3115	VERIZON WIRELESS	July 19 Mobile Phones All	368.68

Total Checks: 96

Checks Total (excluding void checks):

383,069.58

Total Payments: 96

Bank Total (excluding void checks):

383,069.58

Total Payments: 96

Grand Total (excluding void checks):

383,069.58



**Combined Trial Balance - All Funds
June 30, 2019**

Assets

Checking - National Bank of AZ	1,114,682
Local Gov't Investment Pool - AZ	8,955,341
Petty Cash	700
Cash-Bail Account	500
Receivables	61,512
Intergovernmental Receivables	260,814
Advances to the Water Company	4,892,947
Total Assets	<u>\$ 15,286,497</u>

Liabilities

Accounts Payable	74,176
Bonds	31,510
Deferred revenue	12,548
Long Term Deferred Revenue	4,892,947
Total Liabilities	<u>\$5,011,181</u>

Fund Balance

Fund Balance-Beginning of Year	8,991,676
Year-to-date change in Fund Balance	<u>1,283,640</u>
Total Fund Balance	<u>10,275,316</u>
Total Liabilities and Fund Balance	<u>\$ 15,286,497</u>

Unrestricted Funds

Contingency Reserve Fund	\$2,500,000
Capital Fund	\$7,656,234
Total	<u>\$10,156,234</u>

Town of Carefree Reconciled Cash Receipts and Cash Disbursements as of June 30, 2019

Revenues	FY2017	FY2018	FY2019	2018 vs 2019	Budget	Jun 19	% of Budget
	YTD June	YTD June	Y-T-D	% (+/-)			
Local Sales Taxes (1 month lag)	\$2,049,356	\$2,376,632	\$2,556,417	7.6%	2,110,000	309,681	121.2%
Local Sales Taxes from audits	3,890	0	0	0.0%	0	0	0.0%
State Sales Taxes (1 month lag)	331,317	358,203	381,302	6.4%	370,000	48,076	103.1%
Sign Permit Fees	0	0	0	0.0%	0	0	0.0%
Building Fees	344,731	460,201	357,379	-22.3%	375,000	23,540	95.3%
State Income Tax	441,658	461,253	458,121	-0.7%	460,000	38,177	99.6%
Fines	82,901	165,114	118,266	-28.4%	160,000	4,708	73.9%
Court Service Fees	154,759	155,132	159,697	2.9%	156,000	13,308	102.4%
Town Clerk-Misc. Sales	195	155	483	0.0%	100	69	482.6%
Town Clerk-Permits & Sol Fees	2,985	3,625	912	-74.9%	4,700	0	19.4%
Water Company Reimbursements	276,264	276,264	690,605	150.0%	690,605	57,550	100.0%
33 Easy St Rent	31,153	14,406	15,198	0.0%	15,200	1,300	100.0%
Miscellaneous Income & Donations	43,957	49,383	92,550	87.4%	43,000	0	215.2%
Interest Income	22,173	70,562	236,453	235.1%	39,144	42,563	604.1%
Utility Franchise Fees (1 month lag)	317,180	337,712	337,443	-0.1%	332,000	61,512	101.6%
County Lieu Tax (1 month lag)	141,743	154,674	163,809	5.9%	170,000	21,442	96.4%
General Fund & All Funds Reserve Contribution(Below)	0	0	0	0.0%	1,039,517	0	0.0%
Special Events	121,777	147,528	197,365	33.8%	175,000	(871)	112.8%
County & State Grants	29,329	10,157	20,420	0.0%	200,000	0	10.2%
Court Enhancement, GAP, MJCEF	13,245	18,655	17,014	-8.8%	17,305	1,883	98.3%
LTAf	0	0	0	0.0%	0	0	0.0%
HURF (1 month lag)	232,986	301,771	258,855	-14.2%	897,500	43,987	28.8%
Cemetery	150	400	100	0.0%	600	0	16.7%
CPR Ed Fund	175	1,267	610	0.0%	1,500	0	40.7%
Utility Capital Improvement Fund	29,280	30,568	33,169	8.5%	189,000	6,704	17.5%
Fire Reimb Income & Ins Reimb	0	52,536	84,234	0.0%	55,000	34,758	153.2%
Fire Fund-L Sales Tax (1 month lag)	1,024,678	1,188,316	1,278,208	7.6%	1,057,000	154,841	120.9%
Total Revenues	5,695,882	6,634,514	7,458,608	12.4%	8,558,171	863,229	87.2%
Expenses							
Mayor & Council	25,694	21,007	17,999	-14.3%	221,570	11,160	8.1%
Town Clerk	271,761	262,774	271,255	3.2%	289,371	18,506	93.7%
Court	303,503	249,424	241,294	-3.3%	275,951	16,680	87.4%
Administration	309,691	335,861	391,677	16.6%	358,859	32,910	109.1%
Claims & Losses	0	0	0	0.0%	5,000	0	0.0%
Legal	37,082	32,005	148,939	0.0%	110,000	59,536	135.4%
Risk Management	126,322	131,399	95,327	0.0%	137,969	0	69.1%
Planning & Development	178,810	200,791	169,338	-15.7%	206,191	10,000	82.1%
Building Safety	144,417	189,849	178,551	-6.0%	178,914	13,481	99.8%
Law Enforcement	555,539	425,176	438,412	3.1%	496,779	35,015	88.3%
Code Enforcement	49,218	47,466	50,251	5.9%	54,089	3,637	92.9%
Engineering	33,868	47,083	23,177	-50.8%	48,000	(55,646)	48.3%
Public Works - Streets & Gardens	619,778	558,276	626,946	12.3%	646,314	61,583	97.0%
Debt Service WIFA	244,929	244,799	244,663	-0.1%	244,663	0	100.0%
33 Easy St	32,282	37,783	19,685	0.0%	12,108	2,303	162.6%
Capital Improvement Program (See Below)	0	0	0	0.0%	0	0	0.0%
Public Safety Fire General Fund	405,079	343,784	388,656	0.0%	388,656	28,029	100.0%
Town Center-Marketing	543,001	516,937	514,387	-0.5%	558,912	10,226	92.0%
Contingencies	19,741	89,333	29,872	-66.6%	200,000	0	14.9%
Court Enhancement, GAP, MJCEF	40,000	20,000	17,684	0.0%	12,396	0	142.7%
LTAf (See Below)	0	0	0	0.0%	0	0	0.0%
HURF (See Below)	930	0	0	0.0%	0	0	0.0%
Cemetery	0	0	0	0.0%	600	0	0.0%
CPR - Education Fund	340	600	480	0.0%	1,520	480	31.6%
Utility Capital Improvement Fund (See Below)	0	0	2,791	0.0%	0	0	0.0%
Transfers Out	0	0	0	0.0%	0	0	0.0%
Fire Fund	1,002,910	1,098,459	1,114,214	1.4%	1,116,000	99,760	99.8%
Total Expenses without Capital Expense	4,944,895	4,852,806	4,985,599	2.7%	5,563,862	347,663	89.6%
Net without Capital Expense	\$ 750,987	\$ 1,781,708	\$2,473,009		\$ 2,994,309	\$ 515,567	82.6%
All Capital Projects	156,996	357,618	1,189,369	232.6%	2,989,994	99,599	39.8%
Total Expenses with Capital Expense	5,101,891	5,210,424	6,174,968	18.5%	\$8,553,856	\$447,262	72.2%
Net with Capital Expense	593,991	1,424,090	1,283,640	-9.9%	4,315	415,967	29748.3%



TOWN OF CAREFREE

INFORMATION SUMMARY

MEETING DATE: August 6, 2019

SUBJECT

Town of Carefree Floodplain Management Ordinance:

Discussion and solicitation of public comment regarding proposed amendments to the *Town of Carefree, Arizona Ordinance No. 2007-03*. This amendment to the floodplain management ordinance addresses coordination with current regulations, studies, and maps in order to remain in compliance with the National Flood Insurance Program (NFIP). This is the first of two required Ordinance readings.

ATTACHMENTS

- Exhibit "A": Ordinance #2019-03

SUMMARY

The National Flood Insurance Program (NFIP) was created by Congress in 1968 through the National Flood Insurance Act. The NFIP is administered by the Federal Emergency Management Agency (FEMA); the Arizona Department of Water Resources (ADWR) is the state of Arizona's coordinating agency. While on the national level participation in NFIP is voluntary, in 1977 Arizona by executive order required statewide NFIP participation as part of its floodplain management program. Local communities in Arizona today agree to adopt and enforce floodplain management ordinances in order to reduce future flood risks in Special Flood Hazard Areas (SFHA), or floodplains. The SFHAs and other risk premium zones applicable to each participating community are depicted on Flood Insurance Rate Maps (FIRMs).

As permitted under State statute, Carefree is a "District Dependent Community." What this means is Carefree decided to rely on its flood control district, the Flood Control District of Maricopa County (FCDMC), to regulate the delineated floodplains thereby keeping Carefree in good standing in the NFIP. The FCDMC is responsible for enforcing its floodplain usage rules, development restrictions, and permitting requirements necessary to protect the environmental and flood control qualities of floodplains in Carefree.

In 2005 Carefree adopted a floodplain management ordinance delegating FCDMC floodplain management authority and responsibility. This Ordinance followed a State model ordinance which included references to FEMA's Flood Insurance Study (FIR) and FIRM maps for Maricopa County. At times the FIR, FIRM maps, and FCDMCs regulations are updated to include new or revised floodplain information. In 2007, the

floodplain Ordinance was amended to include such revisions. Today's amendment updates the Town's ordinance again in a similar manner and clarifies the role of the Town's Floodplain Manager (Town Administrator). The core language remains the same. The intent is to keep the Ordinance current and compliant with ADWR.

The draft of the revised floodplain ordinance is attached to this report.

PUBLIC PARTICIPATION

This is a public hearing and the first reading of the proposed amendment as required by Town Code. Public comments will be taken.

No action shall be taken at this time.

EXHIBIT A

TOWN OF CAREFREE, ARIZONA
ORDINANCE NO. ~~2007-03~~ 2019-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, PERTAINING TO THE NATIONAL FLOOD INSURANCE PROGRAM, ADOPTING BY REFERENCE REVISED FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS, AND FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Town of Carefree, Arizona joined the National Flood Insurance Program (NFIP) as a separate community on July 2, 1979; and,

WHEREAS, the Town of Carefree, under the National Flood Insurance Program is the entity responsible for floodplain administration within the City/Town; and,

WHEREAS, the continued participation in the National Flood Insurance Program is in the best interest of the citizens of the Town of Carefree; and,

WHEREAS, the Federal Emergency Management Agency published a Flood Insurance Study and Flood Insurance Rate Map for Maricopa County and incorporated areas on September 30, 2005 (Revised Effective October 16, 2013); and,

WHEREAS, each community that participates in the National Flood Insurance Program is required to adopt floodplain management regulations consistent with Federal and State criteria; and,

WHEREAS, the Town of Carefree, has previously delegated the responsibility of floodplain management to the Flood Control District of Maricopa County as provided for in ARS 48-3610; and,

WHEREAS, the Flood Control District of Maricopa County has adopted Floodplain Regulations that meet the requirements of the National Flood Insurance Program; and

WHEREAS, those certain documents entitled “Flood Insurance Study for Maricopa County, Arizona and Incorporated Areas dated September 30, 2005” (Revised Effective October 16, 2013), and “Flood Insurance Rate Maps dated September 30, 2005” (Revised Effective October 16, 2013) and “Floodplain Management Regulations for Maricopa County (~~2006~~ 2018 Revision)” are hereby designated as public records.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Carefree, Arizona, as follows:

Section 1. The Town of Carefree elects NOT to assume the responsibility of floodplain management from the Flood Control District of Maricopa County as provided for in A.R.S. §§ 48-3609; 3610. The Town of Carefree Town Administrator is appointed/designated as the Floodplain Manager for the City/Town and will serve as the community point of contact on

National Flood Insurance Program issues for County, State and Federal officials. The Floodplain Manager shall be, at a minimum, responsible for the following:

1. Keep and maintain current Flood Insurance Studies and Flood Insurance Rate Map(s) applicable to their community;
2. Keep and maintain copies of the most current "Floodplain Management Regulations for Maricopa County" at the office of the Town Clerk;
3. Keep and maintain elevation certificates (or acceptable records of lowest floor elevations) for all structures within the Special Flood Hazard Areas; and
4. Repeal or modify all existing local ordinances that conflict with these Regulations.

Section 2. Those public records entitled "Flood Insurance Study for Maricopa County, Arizona, and Incorporated Areas dated September 30, 2005" (Revised Effective October 16, 2013) and "Flood Insurance Rate Maps dated September 30, 2005" (Revised Effective October 16, 2013) and all subsequent amendments and/or revisions, three copies of which shall be kept on file in the office of the City/Town Clerk, are hereby adopted by reference, as the basis for establishing the Special Flood Hazard Areas for floodplain management in the Town of Carefree. The Special Flood Hazard Areas documented in the Flood Insurance Study and Flood Insurance Rate Maps are the minimum area of applicability of the floodplain management regulations and may be supplemented by studies for other areas as allowed in the regulations.

Section 3. That public record in the Floodplain Management Regulations for Maricopa County (~~(2006~~ 2018 Revision), three copies of which shall be kept on file in the office of the City/Town Clerk, is hereby adopted as the legal basis for implementing floodplain management in this community.

Section 4. Repeal of conflicting ordinances. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. Severability. If any portion of this ordinance is determined by a court of competent jurisdiction to be invalid, all remaining portions of this ordinance shall remain in full force and effect.

Section 6. Providing for penalties as per Article 1.8 of the Carefree Town Code.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the Town of Carefree, Maricopa County, Arizona, this ~~4th~~ day of May, 2007 this _____ day of September, 2019.

AYES _____ NOES _____ ABSENT _____ ABSTAIN _____

ATTESTED: _____ APPROVED:

Town Clerk, Elizabeth Wise

Mayor, Edward C. Morgan

APPROVED AS TO FORM:

Town Attorney, Thomas Chenal

TOWN OF CAREFREE

Les Peterson, Mayor

Attest:

Kandace French Contreras, Town Clerk

Approved as to Form:

Mike Wright, Town Attorney