

**Minutes of a Special Meeting of The Common Council of The Town of Clarkdale  
Held on Tuesday, February 3, 2004, in the  
Men's Lounge of the Clarkdale Memorial Clubhouse, Clarkdale, Arizona.**

A Special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, February 3, 2004 at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse.

**Town Council:**

|               |                 |
|---------------|-----------------|
| Mayor         | Michael Bluff   |
| Vice Mayor    | Ellie Bauer     |
| Councilmember | David Leibforth |
|               | Rex Williams    |
|               | Tom Groom       |

**Staff:**

|                   |                  |
|-------------------|------------------|
| Town Attorney     | Robert Pecharich |
| Town Manager      | Gayle Mabery     |
| Town Clerk        | Joyce Driscoll   |
| Planning Director | Steven Brown     |
| Planner II        | Beth Escobar     |
| Police Chief      | Pat Haynie       |
| Admin. Assistant  | Charlotte Hawken |

**Others in attendance:** Scott Thomas, Doug Von Gausig, Lee and Gail Daniels, Robyn Prudhomme-Bauer, Howard Beck, Robin Bonfield, Pat Williams, Pat Conlin, Shelby Maynard, Jean and Hank Stevens, Phil Sarkisian, George Anne Ford, Mark Randall, hank and Peggy Chaikin, Mary Williams, Sandy and Chris Boothe and others who did not sign in.

**CALL TO ORDER** - Mayor Bluff called the meeting to order at 6:00 p.m. and noted that all members of the Council were present.

**PUBLIC COMMENT** - None.

**ORDINANCE #254-** An ordinance amending the Zoning Map of the Town of Clarkdale to rezone certain real property described from R1, Single Family Residential, and C, Commercial to PAD, Planned Area Development and restricting the use of the property to the development of no more than 610 residential lots on 186.7 acres and commercial on the remaining approximately 20 acres, which shall conform to the C zoning district within the Town of Clarkdale and imposing conditions. [This ordinance pertains to a proposed Planned Area Development (PAD) for Mountain Gate, proposed to be developed on property at the intersection of State Route 89A and 11<sup>th</sup> Street, Yavapai County Assessor's parcel number 400-06-053C.] Town Attorney Pecharich clarified the item, noting that this is the proposed ordinance to amend the zoning map of the Town of Clarkdale to provide for rezoning of this property as a Planned Area Development (PAD). This is limited to rezoning only and is not subdivision approval. If it is rezoned to a PAD and the owner desires to proceed, he must file a subdivision application with the Town. There will then be public hearings during the subdivision process. A condition of the rezoning is that it is effective for a 24 month period and, if the process is not completed within that 24 months, then without further action of the Council the zoning of the land reverts to its previous classification

Mayor Bluff moved to open public comment. Councilmember Groom seconded and the motion passed unanimously.

*Doug Von Gausig*, 630 E. Cliffside Drive, read the following letter to the Council:

An Open Letter to the Town Council, Planning Commission and Staff of the Town of Clarkdale  
February 2<sup>nd</sup>, 2004

Clarkdale Town Council  
Clarkdale Planning Commission  
Gayle Mabery, Town Manager  
Steven Brown, Planning Director  
Re: Mountain Gate PAD

Dear Council Members, Commissioners, Gayle and Steven,

As you know I recently submitted a list of suggestions designed to enhance the new Mountain Gate community. That list was the product of citizen meetings and input and was endorsed by more than 120 Clarkdale citizens. Since that time, and thanks to your diligence, the plans have been amended, generally for the better. The following items are a compilation of suggestions that the citizens' group feels would make this new development even better for Clarkdale and, ultimately, better for Empire Homes. These are in response to the new plans which were revealed at the Council's work session on January 27<sup>th</sup>.

The goal of these suggestions is to encourage, to the maximum possible extent, a development, which will enhance and integrate with the historical, cultural and artistic aspects of Clarkdale. Too often, new master-planned developments come to a community and, through their sheer size, dilute and overshadow the culture that is in place at the time. Clarkdale's citizens, especially those who live in and near the historic districts, value the dimension and perspective that the town's history gives them. They do not want their town "overrun" by a new subdivision that degrades the values they hold dear. The Town Council, Planning Commission and staff have an opportunity at this stage of development to direct new growth in a positive, constructive manner that will enhance the lives of both the current residents and the newcomers. We will all need to do whatever we can to help these new residents value what we value in our town.

Please distribute this letter to all councilpersons, commissioners, staff and any other interested parties. I will read these suggestions at the next council meeting.

Thank you very much for your help and attention to the needs of the citizens of Clarkdale.

### **Suggestions**

1. The elimination of the north access from 11th Street into the development has freed up space for 11 more lots. This gives us the opportunity to eliminate those lots that were going to be built with their back yards facing 11th, and still give the developer around 605 units. With those units eliminated the wall along 11<sup>th</sup>, which so many members of the public, the Town Council and the Planning Commission find objectionable, would be unnecessary. Perhaps a small landscaped area could then invite the public into the development, rather than a wall that excludes them.
2. The historical nature of the "Cottages" and "Homes" has been one of the main selling points used by Empire Homes to reassure the community that their development will interface with historical Clarkdale in as pleasing a manner as possible. Although, as the Empire representatives have often reminded us, there is no provision in our zoning code for residential design review, the re-zoning action to PAD could specify that elevations of the "Cottages" and "Homes" be submitted and approved prior to final plat approval. Empire has offered to allow the public to see and comment on these elevations, but this would have no enforceable oversight. Making approval of the elevations part of the development agreement would give the town an enforceable assurance that the promise to mirror historic Clarkdale would be kept. It would also ensure that Town and the developer have the same idea of what looks historical.

Unless the historical nature of the development's architecture is spelled out in the development agreement, any possible successor to Empire Homes who acquires the PAD area may not be obliged to fulfill that expectation.

The Clarkdale Heritage Conservancy Board might also be asked to review and comment on these drawings.

3. Empire Homes says that more "pocket parks" would necessarily deduct area from the main park area, so they are against adding any more. Realistically, though, there is no reason that pocket parks should deduct space from the rest of the open space. The addition of a few pocket parks need only eliminate three or four units overall, a small price to pay for the enhancement to the project and the future residents' quality of life.

4. The developers have recently eliminated the collector/connector from midway in the development through the Selna property to Highway 89A. In its stead they have terminated one of their collectors at the northwest corner of Centerville, at Calle Medina. If this connector is intended to satisfy the general plan goal of connecting Highway 89A to Broadway, a lot of work will need to be done. For that connection to work correctly it appears that the town or the developer will have to acquire property at the northwest terminus of Calle Medina, which is presently a 25-foot wide residential street with parking on one side. The street will probably have to be widened to allow the increased traffic that will be using it to access 89A from the development. If that plan is implemented it is essential that the developer, not the citizens of Clarkdale, pay for the acquisition of necessary properties and rights of way in Centerville for this new connection.

A better plan would be to keep the separate connection from mid development to 89A through the Selna commercial strip. This would alleviate the traffic that would have to drain and fill Mountain Gate via Avenida Centerville, with its 90° right turn to Calle Medina. The Calle Medina connection would be a good secondary street, but is not well suited as a major collector.

The Calle Medina connection would also allow continued access from Centerville to the old Centerville Road and on to Broadway. All possible consideration should be given to avoiding directing Mountain Gate traffic to 89A traffic through Centerville.

5. The developer should be encouraged to eliminate any wall between the custom home sites and Centerville. The interface between the developed land and Centerville should be as unencumbered as possible. Proper design of streets in the custom/Centerville interface area could encourage neighborliness, not discourage it through use of walls and barriers to interaction.

Concerted effort needs to be made to engage the residents of Centerville in discussions of how best to serve their needs and sensibilities where streets, street lighting, sight walls, etc. interface with that community. There has been only one community meeting for Centerville on this issue, and it was at the very beginning of the process. Many of the particulars have changed since that time.

6. In the initial public meetings, Empire Homes said that they would use native vegetation and water-efficient landscaping to the maximum possible extent. The use of such landscaping needs to become part of the development agreement. Proper use of xeriscaping by the developer encourages similar landscaping by the residents.

7. There is an opportunity at this point in the process to help this development become a model of water efficiency, in its landscaping as well as the design and outfitting of the residences. Imagine a sign at an entrance that declares "Mountain Gate, A Water-Wise Community". We encourage the Council, Commission and staff to work toward that goal.

Clarkdale's Zoning Code, Chapter 6, section 19 reads, in part:

***B. GENERAL PLAN CONFORMANCE***

*All amendments, which change the boundaries of any zoning district or change the text of the Zoning Ordinance must conform to the adopted General Plan of the Town of Clarkdale. Any re-zoning ordinance, if adopted, shall further the implementation of, and not be contrary to the goals, policies, and applicable elements of the General Plan.*

From the Clarkdale General Plan, Chapter 5, Water Resources Element:

**“Conservation Programs**

*Programs to encourage residents, businesses and other water users to reduce water use can result in substantial savings of water resources. This can pay off in the long term with reduced costs associated with developing new water sources and ensure adequate supplies during times of drought. Water restrictions, even during temporary seasonal fluctuations, result in serious disruptions to people’s lives, business operations and local economic considerations. Water rationing and shortages require costly organized efforts to provide alternative sources, such as hauling water in tanker trucks. In a desert setting an ethic of water conservation should be thought of as a standard component of the way of life. The following list summarizes a few conservation programs that are known to have a positive effect. Other ideas should be considered as part of a permanent coordinated program.”*

**“Drought-resistant landscaping**

*There is no excuse for having big green grass lawns in the desert southwest. A small patch of grass may be okay as part of an overall landscape plan but there is no need for an entire lawn of water-intensive turf. Even if a property owner has their own well, this is a major waste of a precious resource that is shared in common by everyone. Often people move to this region from areas of the country with rainy climates and they want to re-create familiar surroundings. The natural surroundings of our desert landscape provide more than enough inspiration for creating attractive and beautiful landscaping around homes and buildings. A wide range of drought tolerant native and adaptive plants are available from local nurseries and should be considered as the main option for landscaping around homes and businesses.”*

This is also the time to address the possibility of using Clarkdale effluent in this development for the centralized and communal landscaping and open areas. This has been offered by Empire Homes and should be included as a requirement of the development agreement. It would be prudent at this point to require the homes to be plumbed for gray water usage. This will likely be a requirement of new construction in the not-too-distant future, and it is easy to do before the slabs are poured, but much more difficult after that.

8. There is also an opportunity at this point to address the “heat island” effect that large developments can sometimes bring. This effect is caused by large areas of heat-absorbing and radiating materials, such as asphalt streets and parking areas, dark roofs, and other materials that store heat during the hot summer days and radiate it back into the air at night. We need to encourage the builder to use light-colored roofing, shaded streets and parking, and other heat-reflective building practices.

9. To echo Mayor Bluff and the Town attorney in the last council work session, we believe that the documentation and action changing this R-1 property to PAD should be as complete and specific as is practical. The expectations of the townspeople, the Planning Commission, Council and staff and the obligations of the developer should be spelled out as precisely and completely as it can be before this change. The change to PAD needs to be conditional upon all of those expectations and obligations being met. Both Empire Homes and the citizens of Clarkdale deserve no less.

**Questions that need answers before a PAD is approved**

- 6) Will the developer rely upon local real estate agents and brokers to sell their homes?
- 7) Will Empire Homes provide and financing or mortgage brokerage services for potential buyers?
- 8) How much and what type of construction materials will be purchased locally?
- 9) How much and what type of skilled and unskilled labor will be hired from the local market?
- 10) How will these 612 additional housing units affect the local market for new home and resold homes?  
How long will that effect last?

11) Why not gather these data and answer these (and many more) questions before approving this massive zoning change? There is no rush, Clarkdale's future is important enough for us all to take our time.

Signature page(s) attached as **Exhibit A**.

**Pat Williams**, 1130 Sunset Drive, stated she served on the advisory committee for the General Plan, which states the following on page 8.4 regarding The Growth Areas, The Eleventh Street Gateway:

*The area on both sides of Eleventh Street from Highway 89A to Upper Clarkdale and between Broadway and Centerville is identified as the Eleventh Street Gateway District. The Land Use Plan identifies this area as Mixed Use; the Circulation Plan identifies a major collector through a portion of the area to provide access through the area when it is developed. Development of this area would serve as a 'gateway' from highway 89A which is the main arterial access route serving Clarkdale to the historic townsite area. This area is highly visible from throughout the town and development here will have a profound and lasting impact on the character of Clarkdale. This area is surrounded by major roads, is close to the wastewater treatment plant and is bisected by a couple of major washes, which help define natural boundaries to the area. Because of the high visibility of this area, it should be identified as a major planning priority to ensure that any future development is done in a manner that is sensitive to the historic context. A Planned Area Development designation would allow a mix of uses, including residential, commercial, recreational and open space.*

**Mark Randall**, 102 S. 15<sup>th</sup> Street, stated that the appearance of the ordinance on the agenda indicates a vote will take place tonight. He stated the relationship between the zoning change and the ordinance is unclear, that he expected a longer procedure for a zoning change and that he would like the public to see the entire ordinance and maps. He stated this development is the largest significant change since the cement plant was built and that the Council has the responsibility to take care of the historical context of the town.

**Marsha Foutz**, 313 Main Street, displayed a list of issues of concern, as follows:

1. Building elevations
2. View of 11<sup>th</sup> Street
3. Drainage
4. Trails
5. Lighting
6. Alleys
7. Pocket parks
8. Connector roads
9. Centerville wall
10. Water efficiency
11. Children crossing
12. Costs of services

She stated she would like the public to see the building elevations and that a solid wall is rude, therefore the wall along 11<sup>th</sup> Street needs to be see through and accessible. She stated the density in upper Clarkdale is about 3.2 units per acre and she would like to see Mountain Gate have the same density. She stated she would like to see 500 houses in the development because it would be more comfortable and livable.

**Peggy Chaikin**, 215 Hollow Reed Lane, asked the public to take note of -space compared to upper Clarkdale. She noted that Phase 1 of the project is custom homes, condos, and only a few cottages. She stated that most of the cottages, which are in the section that will look like most upper Clarkdale, are in Phases 2 and 3 and she is concerned that they will not be built as planned. She stated she would like the council to ask for efficient landscaping and fixtures to reduce water use and runoff waste.

**Sandy Boothe**, 123 Sunset Drive, stated she is uncomfortable with having no public comment at the last council meeting. She emphasized the need to integrate Mountain Gate with upper Clarkdale visually. She suggested another meeting be held with Centerville residents, as some want separation and some don't. She stated the two main issues are visual impact and density.

**Mark Randall**, 102 S. 15<sup>th</sup> Street, stated his greatest concern is density and setbacks. He stated that developments like this look like houses are packed in. He stated there have been some concessions, but they are not sufficient and he'd like to see a possible R-1 plan. He stated he is concerned about the tax impact on the town because the new homes will not pay for the increased town expenses, although the adjacent commercial development, when it occurs, may cover those expenses.

Without objection, Mayor Bluff closed public comment.

Section 3 of the rezoning ordinance was read.

*Proposed Ordinance Conditions:*

*That the real property described herein is rezoned to Planned Area Development as described herein upon the following additional conditions:*

12. The applicants shall design their Preliminary Plat for the subdivision of the property to include pedestrian paths providing crossover access bisecting long streets in the development.
13. Prior to approval of any Final Plat for Mountain Gate the applicants will provide building elevations, and hold a public meeting to discuss these.
14. During the Technical Review Phase of the subdivision of this property, the applicants shall prepare and submit cross-sections that will provide an understanding of how the steep grade areas will be engineered.
15. The applicants shall design the Preliminary Plat for the subdivision of the property to show a street system that would include a permanent connection to Centerville as part of the provision of a Collector Street linking Highway 89A with Broadway, these plans shall also include the provision of an eight (8) foot landscaped buffer along their 11<sup>th</sup> Street and Avenida Macias frontage.
16. The applicants shall design the Preliminary Plat for the subdivision of the property to show a minimum 25 foot wide emergency access road to the eastern edge of the Centerville neighborhood, which shall be constructed to meet minimum fire accessibility standards as required by the 1997 Uniform Fire Code.
17. The applicants will, as part of the plans developed for Technical Review, provide either a view fence or a six-foot split face block wall atop the retaining wall along their property line in the area of Hollow Reed Road.

18. Prior to the approval of any Final Plat, the applicants will submit an approved NPDES permit from ADEQ for the project drainage discharge for the entire 187 acres of the site.
19. Prior to the approval of any Final Plat, The applicants shall revise their Preliminary Plat for the subdivision to provide section details for the natural trails to be provided through the wash areas on the site, and to provide a trail connection to terminate at the Public Works Yard property off of 9<sup>th</sup> Street, and to provide access from Mountain Gate and Centerville to the 11<sup>th</sup> Street Trail and thence the School's Nature Trail.
20. The residential lots developed as a part of the Planned Area Development shall be designed in accordance with the lot sizes, setbacks, and Right-of-Way widths indicated on the Final Development Plan.
21. The residential lots developed as a part of the Planned Area Development shall be restricted to no more than 67 percent maximum lot coverage for the Town Home lots and no more than 50% lot maximum lot coverage for all other lots.
22. The Commercial area, Town Home area, and Recreational facilities shall be subject to Site Plan Review and Design Review.
23. The applicant shall reimburse the Town of Clarkdale for all expenses incurred by the Town in effecting the change in zoning.

The following issues were discussed:

- A) The zoning change procedure was followed for this property, with neighborhood groups and a Planning Commission hearing. There was a notice to the public in the newspaper 15 days prior to the public hearing. Notice was sent to neighbors within 300 feet of the development.
- B) Review of the 12 recommendations from the Planning Department that were included in Section 3 of the rezoning ordinance..
- C) Changing the word will to shall in Items 2, 3, 6 and 7 of Section 3.
- D) Changing the wording of Item 3 of Section 3 from will provide an understanding of how the steep grade to shall provide a complete explanation of how the steep grade.
- E) The wording of Item 8 of Section 3 was changed to include Clarkdale-Jerome in front of the phrase School's Nature Trail.
- F) Changing the number of months in Section 2 from twelve (12) to twenty-four (24).
- G) It was noted, regarding Item 9 of Section 3, that the cottages might have a zero setback with adjacent garages.
- H) If the number of cottages was changed, the PAD would have to be amended and that would go through the Planning Department, with public hearings and approval by the council.
- I) The Planning Commission held a public hearing regarding the zoning change, closed the public hearing, discussed the item, then tabled the item as there was not a quorum.
- J) Weather water saving devices should be required for all new developments by the adoption of new building codes.

- K) Changing the wording of Item 7 of Section 3 from NPDES to AZPDES.
- L) Condition 13 be added to Section 3, as follows: The setbacks for the cottages shall include an option for up to 50% of the cottages to have a zero setback for the garages at the rear of the properties, conditioned upon appropriate firewall construction between the garages.
- M) The preliminary plat will be before the Planning Commission on February 9. The plat gets into more detail about the topography, lots, setbacks, road locations and beginning drainage management. Then the technical review engineers the roads, utilities and sewers. The final plat records everything agreed upon to that point.
- N) **Brian Rhoton**, representative from Empire Companies, the developer, responded that the wording seems to indicate the options on the Phasing Plan. He stated they are meeting with artists to design a more appealing wall, possibly with texture, stepping and colors.
- O) **Jim Binick**, the engineer representing Empire Companies, stated that the property slopes about 6% and that the wall height will apparently change as one drives along 11<sup>th</sup> Street because of the slope of the property and the street.
- P) Brian Rhoton stated the Empire Companies has its own sales agents on site, but any realtor can present buyers and receive a commission. He stated the Company offers a preferred lender, but buyers may get a mortgage from anyone they choose. He stated building materials are purchased by a bid process and that in Flagstaff about 90% of the projects are purchased locally. He stated that about 90% of the labor is local on Flagstaff projects. He did not know if Empires developments affected the local for existing homes.
- Q) Town Attorney Pecharich noted that the final development plan is an attachment to the ordinance and therefore must reflect 610 or less homes, as does the ordinance and the public notice.

The Council directed staff to provide an itemized statement of the application process costs to Empire Companies, to be paid prior to publishing the ordinance.

Vice Mayor Bauer moved to approve Ordinance #254, amending the zoning map of the Town of Clarkdale, Arizona to rezone certain real property described herein from R1, Single Family Residential, and C, Commercial, to Planned Area Development and restricting the use of the property to the development of no more than 610 residential lots on 186.7 acres and commercial on the remaining approximately 20 acres, which shall conform to the C zoning district within the Town of Clarkdale, and imposing conditions, and adding the following:

The word **will** be changed to **shall** in Items 2, 3, 6 and 7 of Section 3.

The wording of Item 3 of Section 3 be changed from **will provide an understanding of how the steep grade** to **shall provide a complete explanation of how the steep grade**.

The wording of Item 8 of Section 3 be changed to include **Clarkdale-Jerome** in front of the phrase **School's Nature Trail**.

The number of months in Section 2 be changed from **twelve (12)** to **twenty-four (24)**.

The wording of Item 7 of Section 3 be changed from **NPDES** to **AZPDES**.

And Item 13 to be added to Section 3, to read: The setbacks for the cottages shall include an option for up to 50% of the cottages to have a zero setback for the garages at the rear of the properties, conditioned upon appropriate firewall construction between the garages.

Councilmember Groom seconded.

Discussion continued, including the following items:

- R) Councilmember Leibforth stated he is concerned with the density of the project. He recommended a worksession with the public about their concerns before approving the rezoning, rather than depending on negotiations afterward. He stated he is troubled by the walls and is not comfortable with proceeding with the zoning change at this time.
- S) Existing Clarkdale neighborhoods do not look alike.
- T) Some concerns will be worked out with the development agreement.
- U) Clarkdale is not rural, although the areas around it are.
- V) PADs are useful because not everyone can afford \$300,000 homes.
- W) Drainage in lower Clarkdale is worse because of the alleys.
- X) The AZPDES permit process assures that PAD drainage will not adversely affect down stream property.
- Y) More development assures a better economic base and creates enough synergy for businesses to survive in Clarkdale.
- Z) Elevations are required later in the approval process.
- AA) Water reuse lines are possible for landscaping and would be planned later in the process.
- BB) The road to Centerville will be through the northwest corner of that development.

The motion passed four to one, with Councilmember Leibforth dissenting.

The Council recessed at 7:50 p.m. and reconvened at 7:55 p.m.

**RESOLUTION #1085- A resolution declaring as a public record documents entitled "The Legal Description of Clemenceau Water Company (Exhibit A)", "The Legal Description of Cordes Lakes Water Company (Exhibit A)", "The Legal Description of Verde Santa Fe Water Company, L.L.C. (Exhibit A)", and "The Legal Description of Cottonwood Water Works (Exhibit A)".** Town Attorney Pecharich stated that this item relates to the four subsequent agenda items regarding ordinances to authorize acquisition of private water companies by purchase or condemnation. The first step is to identify the legal descriptions for each of those water companies. This item is a resolution that makes a public record of the legal description of each of the four companies. The purpose of adopting those legal descriptions is that they are very lengthy. The Town adopts them as a public record first, then refers to the public record in the subsequent ordinances for purposes of publication to minimize taxpayer expense for publication.

Mayor Bluff moved to adopt Resolution #1085. Councilmember Williams seconded and the motion passed unanimously.

Without objection, the Council agreed to consider Items 5, 6, 7 and 8 together.

Town Attorney Pecharich noted that each of the four following ordinances is specific to one water company. He stated that the next step in acquiring a water company is to authorize staff and legal council to proceed with the process. The following ordinances give that authorization

**ORDINANCE #255-** An ordinance declaring a public need and necessity and a public use; authorizing and directing the Town Manager and Town Attorney to acquire under the power of eminent domain the real and personal property, system, plant, lines, wells, equipment, franchises, certificates of convenience and necessity, contracts, rights, and other property, if any, of Clemenceau Water Company, within a certain described portion of Yavapai County, Arizona, for the reason that said property must be acquired by the town in order for the town to adequately serve and supply water to its residents and as a matter of public need and necessity; and declaring an emergency.

Mayor Bluff moved to adopt Ordinance #255. Councilmember Groom seconded and the motion passed unanimously.

**ORDINANCE #256-** An ordinance declaring a public need and necessity and a public use; authorizing and directing the Town Manager and Town Attorney to acquire under the power of eminent domain the real and personal property, system, plant, lines, wells, equipment, franchises, certificates of convenience and necessity, contracts, rights, and other property, if any, of Cordes Lakes Water Company, within a certain described portion of Yavapai County, Arizona, for the reason that said property must be acquired by the town in order for the town to adequately serve and supply water to its residents and as a matter of public need and necessity; and declaring an emergency.

Mayor Bluff moved to adopt Ordinance #256 . Councilmember Williams seconded and the motion passed unanimously.

**ORDINANCE #257 -** An ordinance declaring a public need and necessity and a public use; authorizing and directing the town manager and town attorney to acquire under the power of eminent domain the real and personal property, system, plant, lines, wells, equipment, franchises, certificates of convenience and necessity, contracts, rights, and other property, if any, of Verde Santa Fe Water Company, L.L.C, within a certain described portion of Yavapai County, Arizona, for the reason that said property must be acquired by the town in order for the town to adequately serve and supply water to its residents and as a matter of public need and necessity; and declaring an emergency.

Mayor Bluff moved to adopt Ordinance #257. Councilmember Groom seconded and the motion passed unanimously.

**ORDINANCE #258-** An ordinance declaring a public need and necessity and a public use; authorizing and directing the town manager and town attorney to acquire under the power of eminent domain the real and personal property, system, plant, lines, wells, equipment, franchises, certificates of convenience and necessity, contracts, rights, and other property, if any, of Cottonwood Water Works within a certain described portion of Yavapai County, Arizona, for the reason that said property must be acquired by the town in order for the town to adequately

serve and supply water to its residents and as a matter of public need and necessity; and declaring an emergency.

Mayor Bluff moved to adopt Ordinance #258. Councilmember Groom seconded and the motion passed unanimously.

**ADJOURNMENT** - With no further business before the Council, and without objection, the meeting adjourned at 8:05p.m.

**APPROVED:**

\_\_\_\_\_  
Michael Bluff, Mayor

**SUBMITTED:**

\_\_\_\_\_  
Charlotte Hawken, Admin. Assistant

**ATTESTED:**

\_\_\_\_\_  
Joyce Driscoll, Town Clerk