

## Town Council Staff Report

**Subject: Financial review of Town expenditures on 10X**

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and the Town Manager**

**Date: Feb 12, 2020**

**Type of Item: Information and discussion**



### Summary Recommendation

The Town Council desires to see a summary and financial review of all Town expenses related to the 10X housing project.

### Executive Summary

- Expenses and payments by the Town for the costs related to the 10X housing project took place over several years, making it difficult to easily see or understand the entirety of the project and costs.
- Before 10X began, the Town paid the costs to start a Housing Authority and while those expenses are listed here, they are separate and distinct from the 10X project. The Housing Authority will be used for any Town-owned residential housing in the future.
- The costs for the major earthwork, materials and equipment to begin the 10X housing project are described in this report.
- The 10X housing project was halted as a result of an injunction from Coconino County Flood Control District on February 5, 2019. The costs for stopping and demobilizing the project, as well as costs for the County-required mitigation, are also listed here. While the expenses related to the Flood Study are not specific to 10X, they did occur as a result of the injunction that stopped 10X construction.
- The Town spent \$100,030.79 prior to 10X to enable future housing projects, including environmental reports, surveys, studies, and establishing the GC Housing Authority.
- The Town spent \$6,594,700.62 on planning, design, and construction of 10X, and still retains assets worth \$1,948,561.12 even though the project was stopped.
- The Town spent \$1,169,835.06 as a result of the County injunction ordering work to cease for demobilization and mitigation. This cost includes \$352,526.33 for the flood study and \$283,526.48 for mitigation-related activities.

## **Acronyms**

- CLOMR = Conditional Letter of Map Revision
- CMAR = Construction Management at Risk
- FCD = Flood Control District
- FEMA = Federal Emergency Management Agency
- LOMR= Letter of Map Revision
- RFP = Stormwater Pollution Prevention Plan

## **The Problem**

- Since incorporation in 2010, the Town has had a goal of providing housing other than the employer-owned housing for the residents of Tusayan. The majority of housing in Tusayan is owned by the operators of the hotels, restaurants, and other businesses, meaning it is not possible for anyone to live in Tusayan unless employed here, and once the job ends, the former employee must move out of the employer-owned housing.
- Over the past ten years, the Town has worked toward the goal of constructing housing that could be purchased by those living in Tusayan. This process started several years ago with acquisition of two 20-acre parcels of land, one at Kotzin and the other at 10X.
- Over the past three years the Town took additional steps toward making housing a reality by setting up a Housing Authority, seeking out a construction partner, and beginning construction at the 10X housing project.
- Expenses and payments by the Town for the costs related to the 10X project took place over several years, making it difficult to easily see or understand the entirety of the project and costs.
- This financial review provides an overview of the project and expenses.
- NOTE: there has been confusions about the use of the phrase “change order” used in the billing from Premier. In the construction business, the phrase “change order” usually means that there is the need to change the original contract terms and pay additional costs. This is often due to something unforeseen, such as challenging underground geology. The Premier software uses that phrase instead of the word “phase.” Premier billed the Town for 10 “phases,” not change orders. There was, however, one real “change order” as a result of the quality of the on-site dirt-for-fill. That is explained elsewhere in this report.

## **Background**

- The Town Council has had the goal of providing new housing options for residents of the Town since incorporation in 2010.

- In the spring of 2018, the Council directed staff to do a Request for Proposals (RFP) for Construction Management at Risk (CMAR) services to begin the process of building 10X, prior to design work being finished. The Town Council intended to start on a housing project on the 20 acres of Town-owned land located at 10X to build up to 54 housing units.
- In 2000, the state legislature added a new chapter to the Arizona Public Works statutes (Title 34) allowing Arizona municipalities to use construction-management-at-risk construction services. This alternative method of contracting is used to allow a municipality to select a Contractor and a Designer on separate paths under an RFQ process rather than a design-bid-build process, giving the municipality greater flexibility when selecting its construction and design professionals and greater opportunity to generate savings. This is done by based on criteria that combine qualifications, experience and the proposed project team.
- As a result of the RFP, the contract was awarded July 2, 2018 to Premier Builders LLC.
- The construction work started in July 2018 with mobilization of large earth-moving equipment to the 10X site. The contractor set up RV housing on site for workers who then undertook mass earth work which included rough grading and blasting.
- The Town paid for grading design, plans and designs for on-site hybrid energy campus and wastewater treatment. The plans called for the project to be entirely off-grid, which increased the costs for infrastructure.
- The original plans called for using fill dirt from the site for final grading. Because the fill on site did not meet compaction requirements, it could not be used for building pads or roadway base. The Town had to import engineered fill dirt at the cost of \$899,296.23.
- On July 20, 2018 the Town Council took actions for the Town to become its own flood plain administrator. Immediately after, a referendum was filed that put that Council action into abeyance and reinstated Coconino County Flood Control District as the flood plain administrator.
- Coconino County Flood Control District filed a Preliminary Injunction on December 14, 2018 and the Town stopped all construction work on 10X. Following the Preliminary Injunction, the Town and Coconino County negotiated a Stipulation for Entry of Injunctive Order, dated February 4, 2019, establishing a program for mitigating the changes that had been made to the floodplain and requiring the Town to acknowledge County floodplain management jurisdiction.
- At the time the Town stopped work at 10X, the mass earth work was about 90 percent complete, and design on the housing units was about 30 percent complete. The Town had just received final design for the energy campus and the wastewater treatment

plant. If the project had continued, within weeks the installation of underground utilities would have begun.

- The Town had purchased several items for the energy campus and the wastewater treatment plant. These were long-lead-time items and materials that had been paid for prior to the injunction. The large concrete culverts had been purchased but were never installed and are now stored on site on the Town-owned 10X property. Fill dirt and riprap are also stored on site, as are piping, manholes, and catch basins. An inventory of existing assets is attached at the end of this report.
- Rather than spending Town funds to complete the project, the Town was required to cease progress and instead begin paying to stop the project and undertake mitigation work. Demobilization and mitigation costs totaled \$1,169,835.06 to stop all work and satisfy the County injunction.

As a result of the County injunction, the Town was required to do the following:

- o Design mitigation measures that effectively restore the conveyance and water storage capacity of the Watercourses hydraulically connected to Coconino Wash and its tributary within the Subject Property, which will be sufficient to acceptably minimize flooding danger by reasonably approximating the hydraulic and hydrological pre-disturbance condition of 10X;
- o Once installed, such mitigation measures are to remain present, operative, and unchanged until such time as the Town obtains a Conditional Letter of Map Revision (“CLOMR”) from FEMA, and a floodplain use permit is issued by the FCD to the Town for any future work at the Subject Property;
- o Storm water storage (detention) shall be provided on-site at those locations on the Subject Property where stock tanks were situated prior to the Town’s alteration of 10X. The storage provided shall, at a minimum, be equal to the volume of storage that was historically available.
  - Impoundment and outlet structures shall ensure sufficient longevity and soundness to persist and properly function during the entire period of submission and review prior to the issuance of both a CLOMR by FEMA, as well as issuance of a floodplain use permit for Development Work to continue at the site by the District.
  - The Town shall pursue a CLOMR from FEMA.
  - The Town must conduct, create, and submit a full hydrologic and hydraulic study of the Coconino Wash and the relevant tributary; completion and submission of all application paperwork; submission of any and all further studies, calculations, data, analysis, and other materials requested.

- Complete a Stormwater Prevention Plan (SWPP) and do inspections weekly until the site stabilizes naturally.
- The Town has made substantial progress on meeting all the requirements of the FCD and the County is expected to lift the injunction within the next months. The Town continues to pay for work on the Flood Study and will have additional costs associated with the process to apply for a CLOMR.
- Mitigation work paid for by the Town to address everything listed above and also included the construction of four detention basins on the 10X site and earth moving to breach the temporary construction roadway. (The plans had been for large concrete culverts to be installed under the new entrance road in this area. Instead the County required that openings, or breaches, be made to ensure water could continue flowing unimpeded through the Coconino Wash.)
- The Town retains assets from the project, even though the project must stop until the time the Flood Study is complete. Any future project plans and designs will need to be approved by the County Flood Control District. These assets include the land, the fill dirt and riprap rock, the concrete culverts, and the equipment and materials for the future wastewater collection system and solar energy. The value of these assets, not including the land, is \$1,948,561.12.

**Summary and Analysis**

- The Town undertook construction at 10X using the CMAR process. Costs for that construction totaled \$6,594,700.62. This project was intended to be the first phase of development to begin building the first 50 homes that would be available for purchase in Tusayan.
- The injunction from Coconino County Flood Control District stopped the project and required the Town to pay costs to demobilize all equipment and people, as well as arrange for mitigation and the Flood Study. That cost a total of \$1,169,835.06. The Town will continue to have costs related to this, including continuing work on the Flood Study and costs to submit a CLOMR to FEMA.
- Assets retained by the Town, not including the value of the land, are valued at \$1,948,561.12
- A summary of the expenses:
 

\$ 100,030.79	Expenses prior to 10X
\$6,594,700.62	10X project work
\$1,169,835.06	Costs as result of injunction, for demobilization and mitigation

**Funding Source**

All funds for the project were budgeted for and paid from the Town’s general fund.

## Attachments

- A All payments made for Ten X affordable housing project Jan 2015- Dec 2019
- B Premier Construction Payments
- C Premier CMAR Payments
- D 10 X Materials / Assets
- E Copy of the February 2019 injunction by the Coconino County Flood Control District

**ALL PAYMENTS MADE FOR TEN X AFFORDABLE HOUSING PROJECT  
JANUARY, 2015 - DECEMBER, 2019**

Date	Check #	Invoice #	Name	Memo/Description	Amount
				<b>HOME STUDY &amp; ENVIRONMENTAL REPORT</b>	
11/13/2015	2850	10145	Woodson Engineering and Surveying, Inc.	10 X Project Consulting	1,079.00
02/13/2016	2951	2132016	Chuck Fenimore	Home Study Tusayan	2,008.58
06/21/2016	Credit Card	7092016	Enviro Assessment, P.C.	Enviro Assess: Phase One Environmental Report 20 Acre portion of Ten X Ranch, Forest Service Road 302	1,800.00
08/05/2016	3189	187601	EnviroSystems Management, Inc.	Cultural Resources Inventory & Reporting	3,700.00
04/21/2016	3062	16-021	Alpha-Omega Engineering & Survey, LLC	Boundary Survey Ten X Ranch Parcel	1,500.00
06/05/2016	3157	16-021B	Alpha-Omega Engineering & Survey, LLC	Town of Tusayan Parcel Ten X: Topographic Survey	3,000.00
06/09/2016	3157	16-021C	Alpha-Omega Engineering & Survey, LLC	Town of Tusayan Parcel Ten X: Preliminary plat for review	5,000.00
09/14/2016	3228	16-055	Alpha-Omega Engineering & Survey, LLC	Construction Planning Survey - Ten X Ranch Parcel	2,085.00
10/21/2016	3272	16-021D "	Alpha-Omega Engineering & Survey, LLC	Town of Tusayan Parcel: Preliminary plat for review	7,500.00
				<b>TOTAL</b>	<b>27,672.58</b>
				<b>CONSTRUCTION - MATERIALS - ENGINEERING</b>	
08/31/2017	3711	08312017-1	JMZ Excavating, LLC	Ten X housing project cleanup: remove old cabin, interior fancing & metal tanks from property - Half Down Paymnet	17,415.00
10/18/2017	3747	08312017-2	JMZ Excavating, LLC	Ten X housing project cleanup: remove old cabin, interior fancing & metal tanks from property - Final Paymnet	17,415.00
09/30/2017	3753	25870246	Western Technologies, Inc.	Cabin Demo & Debris Pile - Asbestos survey in accordance with proposal # 2587PE279	2,500.00
11/10/2017	Credit Card	11102017	HomCo Lumber & Hardware	HomCo Lumber & Hardware - Stuff for Conex Box in Ten X	75.12
11/15/2017	3806	459354	Grand Canyon Towing	Towing Services: 20' Connex Box from Tennis court area to Ten X	200.00
03/30/2018	4083	12266	CMT Engineering Laboratories	Soil Test - TEN X	13,700.00
03/27/2018	3976	3272018	JD Schulte	Ten X Fence Replacement - 50% Down Payment	2,000.00
04/03/2018	3977	4032018	JD Schulte	Ten X Fence Replacement - Final Payment	2,000.00
08/16/2018	4317	320424	Oxblue Corporation	TEN X Ranch - live camera	16,999.00
06/10/2018	Credit Card	6102018	FastSigns	FastSigns: Ten X Groundbreaking Banners	2,985.16
07/02/2018	4136	1-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Deposit per contract	20,000.00
08/01/2018	4218	2-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR:Project Management, Rendering Streetscape & Elevations for Single Family, Micro-Home & Townhome - July, 2018	37,424.54
08/31/2018	4275	3-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Project Management, Boundary Survey/Staking, SWPPP Install, Installation of deep water pond for onsite water storage, Tree removal in grading area - August, 2018	140,790.53
09/14/2018	4293	4-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Sales Tax for July & August, 2018	11,466.74
09/18/2018	4295	5-18105-1	Rod & Company LLC	Ten X Residential Housing Project CMAR:Establishment of Trailer Village Area	35,802.95
09/25/2018	4311	5-18105-2	Rod & Company LLC	Ten X Residential Housing Project CMAR:Establishment of Trailer Village Area Sales Tax	2,071.20
10/01/2018	4339	6-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Project Management, FS 302 Road Maintenance & Watering, Water Haul for Construction - September, 2018	108,236.11
10/31/2018	4385	7-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Project Management, FS 302 Road Maintenance & Watering, Water Haul for Construction, Office Trailer, Generator & Copier Monthly Rental, Reproductions, Reclaim Water, Architect Payment - October, 2018	186,073.94
11/30/2018	4447	8-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Project Management, FS 302 Road Maintenance & Watering, Water Haul for Construction, Office Trailer, Generator & Copier Monthly Rental, Reproductions, Reclaim Water - November, 2018	125,842.57
12/31/2018	4513	9-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Project Management, FS 302 Road Maintenance & Watering, Water Haul for Construction, Office Trailer, Generator & Copier Monthly Rental, Reproductions, Reclaim Water, Architect Payment, Retaining Wall Design - December, 2018	131,786.45
09/10/2018	4290	1-18113	Rod & Company LLC	Ten X Site Construction Prime Contract: Mobilization - September, 2018	103,404.84
10/01/2018	4340	2-18113	Rod & Company LLC	Ten X Site Construction Prime Contract: Traffic Control, Site Watering, SWPPP Maintenance, Clearing & Grubbing, Pre-Wet, Rough Grading - September, 2018	342,463.07
10/31/2018	4386	3-18113	Rod & Company LLC	Ten X Site Construction Prime Contract: Traffic Control, Site Watering, SWPPP Maintenance, Clearing & Grubbing, Preconditioning Soil, Pre-Wet, Rough Grading & Blasting, Part of Imported Backfill Material Procurement - October, 2018	1,507,477.04
12/13/2018	4468	4-18113	Rod & Company LLC	Ten X Site Construction Prime Contract: Traffic Control, Site Watering, SWPPP Maintenance, Rough Grading & Blasting, Part of Imported Backfill Material Procurement, WWTP Material Procurement, Metal Building Procurement, Sanitary Sewer Material Procurement, 7 Chamber Box Culvert Procurement, HES Engineering - November, 2018	2,338,690.42
12/31/2018	4499	5-18113	Rod & Company LLC	Ten X Site Construction Prime Contract: Traffic Control, Site Watering, SWPPP Maintenance, Rough Grading & Blasting, Finish Grading, WWTP Material Procurement - December, 2018	360,642.15
02/28/2019	4612	7-18113	Rod & Company LLC	Ten X Site Construction Prime Contract: WWTP Material Procurement, Metal Building Materials Procurement, RipRap Procurement, Sales Tax for Mitigation Grading (\$14,995.98) - February, 2019	223,342.00
10/31/2019	4972	10312019	Fann Contracting, Inc.	Rip Rap Material - Ten X Project	11,943.40
05/12/2017	3528	200701001	WestLand Resources, Inc.	10 X Residential Development - Topographic Survey, Floodplain Delineation & Conceptual Channelization: April, 2017	18,490.00
05/31/2017	3561	200701002	WestLand Resources, Inc.	10 X Residential Development - Topographic Survey, Eval of Onsite WWTs/Disposal System, Coceptual Layout: May, 2017	8,580.00
06/30/2017	3635	200701003	WestLand Resources, Inc.	10 X Residential Development - Evaluation of Planning & Water Infrastructure Needs, Conceptual Layout: June, 2017	2,095.00
08/09/2017	3682	200701004	WestLand Resources, Inc.	10 X Residential Development - Evaluation of Planning & Water Infrastructure Needs: July, 2017	4,440.00
08/31/2017	3709	200701005	WestLand Resources, Inc.	10 X Residential Development - Floodplain Delineation & Conceptual Channelization, Water Infrastructure Needs: August, 2017	16,385.00
09/30/2017	3742	200701006	WestLand Resources, Inc.	10 X Residential Development - Floodplain Delineation & Conceptual Channelization: September, 2017	3,800.00
11/09/2017	3782	200701007	WestLand Resources, Inc.	10 X Residential Development - Conceptual Layout : October, 2017	320.00
12/14/2017	3836	200701008	WestLand Resources, Inc.	10 X Residential Development - Electricity Generation, Storage & Backup Coordination, Disposal System: November, 2017	1,760.00
03/12/2018	3954	200702001	WestLand Resources, Inc.	10 X Water Campus CMAR - Preconstruction Phase & Prelim Design: February, 2018	2,385.00
03/12/2018	3954	200703001	WestLand Resources, Inc.	10 X Ranch - Improvements Plans & Septic Vault System: February, 2018	21,000.00
03/12/2018	3954	200701010	WestLand Resources, Inc.	10 X Residential Development - Floodplain Delineation & Conceptual Channelization: January & February, 2018	16,510.00
04/13/2018	4012	200701011	WestLand Resources, Inc.	10 X Residential Development - Floodplain Delineation & Electricity Generation: March, 2018	3,675.00
04/13/2018	4012	200703002	WestLand Resources, Inc.	10 X Ranch - Site Design, Final Plat, Storm Water Pollution Prevention Plan: March, 2018	28,342.86
04/13/2018	4012	200702002	WestLand Resources, Inc.	10 X Water Campus CMAR - Preconstruction Phase & Prelim Design: March, 2018	27,645.00
05/08/2018	4053	200703003	WestLand Resources, Inc.	10 X Ranch - Site Design, Water & Sewer Design Memorandums: April, 2018	2,702.98
05/08/2018	4053	200702003	WestLand Resources, Inc.	10 X Water Campus CMAR - Preconstruction Phase & Prelim Design, Potable & Reclaimed Design: April, 2018	12,520.00
05/08/2018	4053	200701012	WestLand Resources, Inc.	10 X Residential Development - Floodplain Delineation & Conceptual Channelization, Water Infrastructure Needs: April, 2018	7,285.00



06/12/2018	4118	200703004	WestLand Resources, Inc.	10 X Ranch - Site Design, Water & Sewer Design Memorandums: May, 2018	1,677.56
06/12/2018	4118	200702004	WestLand Resources, Inc.	10 X Water Campus CMAR - Potable & Reclaimed Design, WWTP & Sewer Lift Stn Design: May, 2018	20,150.00
06/12/2018	4118	200701013	WestLand Resources, Inc.	10 X Residential Development - Floodplain Delineation & Conceptual Channelization, Preliminary Solar Investigation: May, 2018	9,840.00
07/09/2018	4193	200703005	WestLand Resources, Inc.	10 X Ranch - Project revisions, Refinements, Coordination & Engineering: June, 2018	536.25
07/10/2018	4193	200702005	WestLand Resources, Inc.	10 X Water Campus CMAR - Potable & Reclaimed Detailed Design, WWTP & Sewer Lift Stn Design: June, 2018	7,825.00
08/13/2018	4234	200703006	WestLand Resources, Inc.	10 X Ranch - Improvement Plans, Approval to Construction Authorization, Septic Tank Design & Permitting: July, 2018	4,288.59
09/13/2018	4291	200701014	WestLand Resources, Inc.	10 X Residential Development - Floodplain Delineation & Conceptual Channelization: August, 2018	1,520.00
09/13/2018	4291	200702006	WestLand Resources, Inc.	10 X Water Campus CMAR - Potable & Reclaimed Detailed Design, WWTP & Sewer Lift Stn Design: August, 2018	9,975.00
09/14/2018	4359	200704001	WestLand Resources, Inc.	WW Permitting Assistance - General APP Permits, APP & AZPDES Permit Application: August, 2018	4,940.00
09/13/2018	4366	200703007	WestLand Resources, Inc.	10 X Ranch - Improvement Plans, Approval to Construction Authorization, Septic Tank Design & Permitting: August, 2018	7,489.06
10/16/2018	4359	200702007	WestLand Resources, Inc.	10 X Water Campus CMAR - Potable & Reclaimed Detailed Design, WWTP & Sewer Lift Stn Design: September, 2018	25,750.00
10/16/2018	4359	200704002	WestLand Resources, Inc.	WW Permitting Assistance - APP Permitting Application & Project Management: September, 2018	1,020.00
10/10/2018	4422	200703008	WestLand Resources, Inc.	10 X Ranch - Project Meeting Attendance, Improvement Plans, Water & Sewer Design Memorandums: September, 2018	8,223.46
11/15/2018	4412	200704003	WestLand Resources, Inc.	WW Permitting Assistance - General APP Permits, APP & AZPDES Permit Application: October, 2018	16,620.00
11/15/2018	4412	200703009	WestLand Resources, Inc.	10 X Ranch- Septic Tank Design, Septic Vault System Report, Septic Vault System ADEQ Permitting: October, 2018	4,390.00
11/15/2018	4412	200702008	WestLand Resources, Inc.	10 X Water Campus CMAR - Potable & Reclaimed Detailed Design, WWTP & Sewer Lift Stn Design: October, 2018	38,411.25
12/11/2018	4461	200703010	WestLand Resources, Inc.	10 X Ranch - Retaining Wall Structural Design: November, 2018	2,148.00
12/11/2018	4461	200704004	WestLand Resources, Inc.	WW Permitting Assistance - General APP Permits, APP & AZPDES Permit Application: November, 2018	9,300.00
12/13/2018	4461	200702009	WestLand Resources, Inc.	10 X Water Campus CMAR - Potable & Reclaimed Detailed Design, WWTP & Sewer Lift Stn Design: November, 2018	24,110.00
01/14/2019	4528	200702010	WestLand Resources, Inc.	10 X Water Campus CMAR - Potable & Reclaimed Detailed Design, WWTP & Sewer Lift Stn Design: December, 2018	23,580.00
01/14/2019	4528	200704005	WestLand Resources, Inc.	WW Permitting Assistance - General APP Permits, APP & AZPDES Permit Application: Decemeber, 2018	16,300.00
02/18/2019	4586	200704006	WestLand Resources, Inc.	WW Permitting Assistance - General APP Permits, APP & AZPDES Permit Application: January, 2019	20,000.00
02/18/2019	4586	200702011	WestLand Resources, Inc.	10 X Water Campus CMAR - WWTP & Sewer Lift Stn Design, Revisions, Refinements & Coordination: January, 2019	8,770.00
03/18/2019	4634	200704007	WestLand Resources, Inc.	WW Permitting Assistance - APP & AZPDES Permit Application, Project Management: February, 2019	20,900.00
03/18/2019	4634	200702012	WestLand Resources, Inc.	10 X Water Campus CMAR - WWTP & Sewer Lift Stn Design, Revisions, Refinements & Coordination: February, 2019	14,945.00
04/11/2019	4679	200704008	WestLand Resources, Inc.	WW Permitting Assistance - AZPDES Permit Application: March, 2019	1,500.00
04/11/2019	4679	200702013	WestLand Resources, Inc.	10 X Water Campus CMAR - Potable & Reclaimed Construction Services, WWTP & Sewer Lift Stn Design: March, 2019	2,910.00
05/14/2019	4743	200704009	WestLand Resources, Inc.	WW Permitting Assistance - APP & AZPDES Permit Application: April, 2019	15,300.00
05/14/2019	4743	200702014	WestLand Resources, Inc.	10 X Water Campus CMAR - Project Management, Revisions, Refinements & Coordination: April, 2019	9,161.20
06/28/2019	4898	200702015	WestLand Resources, Inc.	10 X Water Campus CMAR - WWTP & Sewer Lift Stn Design: June, 2019	12,816.20
06/28/2019	4898	200704010	WestLand Resources, Inc.	WW Permitting Assistance - APP & AZPDES Permit Application: June, 2019	5,000.00
03/30/2018	4015	104180047	Darryl Delbridge	Reimbursement for supplies for staking on 10 X Project	94.82
04/06/2018	4004	005-15812	Willdan Engineering	10 X Engineering: March, 2018	2,572.50
05/04/2018	4064	005-15812	Willdan Engineering	10 X Engineering: April, 2018	22,466.50
06/13/2018	4125	005-15963	Willdan Engineering	10 X Engineering: May, 2018	5,914.25
06/30/2018	4180	005-16030	Willdan Engineering	10 X Engineering: June, 2018	4,800.00
08/10/2018	4233	005-16077	Willdan Engineering	10 X Engineering: July, 2018	1,924.00
09/11/2018	4304	005-16153	Willdan Engineering	10 X Engineering: August, 2018	2,432.25
10/19/2018	4365	005-16211	Willdan Engineering	10 X Engineering: September, 2018	14,360.50
11/02/2018	4390	005-16261	Willdan Engineering	10 X Engineering: October, 2018	9,803.00
12/12/2018	4474	005-16328	Willdan Engineering	10 X Project Manager - November, 2018	9,878.50
01/18/2019	4531	005-16397	Willdan Engineering	10 X Project Manager - December, 2018	9,189.00
01/25/2019	4556	002-20412	Willdan Engineering	10 X Project Manager - December, 2018	225.00
06/17/2019	4783	005-16694	Willdan Engineering	10 X Project Manager: May, 2019	5,067.00
10/31/2018	4672	262581	Bowman Consulting Group Ltd	10 X Ranch - Improvements Plans October, 2018	1,708.50
11/30/2018	4472	263176	Bowman Consulting Group Ltd	10 X Ranch - Improvement Plans, Water & Sewer Design Memorandum, SWPPP: November, 2018	14,407.50
12/31/2018	4518	265777	Bowman Consulting Group Ltd	10 X Ranch - Project Revisions, Refinements, Coordination - December, 2018	550.00
02/28/2019	4614	268953	Bowman Consulting Group Ltd	10 X Ranch - Project Revisions, Refinements, Coordination - February, 2019	12,651.15
06/30/2019	4900	275388	Bowman Consulting Group Ltd	10 X Ranch - Project Revisions, Refinements, Coordination: June, 2019	1,205.00
08/10/2018	Ccard	8102018	AZ Department of Environmental Quality	ADEQ: NOI/SWPP 10 X Fee	350.00
09/21/2018	4300	09212018-1	AZ Department of Environmental Quality	Water Application	1,800.00
09/21/2018	4302	09212018-3	AZ Department of Environmental Quality	Gravity Sewer Application	4,000.00
09/21/2018	4301	09212018-2	AZ Department of Environmental Quality	Force Main Application	10,000.00
11/29/2018	4452	11292018	AZ Department of Environmental Quality	ADEQ Fees for Water Campus	3,450.00
08/01/2019	4902	8012019	AZ Department of Environmental Quality	Water Quality for Ten X Project: August, 2019	350.00
				<b>This amount includes the value of materials that Town bought \$1,948,561.12</b>	<b>TOTAL</b>
					<b>6,429,279.11</b>
				<b>STANDBY COST &amp; DEMOBILIZATION</b>	
12/31/2018	4513	9-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Standby Cost & Secure Site for Shutdown - December, 2018	223,683.27
01/31/2019	4575	10-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Standby Cost - January, 2019	556,624.23
02/28/2019	4613	11-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Standby Cost - February, 2019	56,952.14
03/31/2019	4663	12-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Standby Cost - March, 2019	66,940.14
04/30/2019	4704	13-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Standby Cost - April, 2019	33,692.42
05/01/2019	4781	14-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Standby Cost - May & June, 2019	69,674.44
07/31/2019	4893	15-18105	Rod & Company LLC	Ten X Residential Housing Project CMAR: Standby Cost - July, 2019	2,494.09
03/31/2019	4664	8-18113	Rod & Company LLC	Ten X Site Construction Prime Contract: Crane Mob/Demob, Rental, Operator, Material Storage - March, 2019	41,948.30
07/31/2019	4892	9-18113	Rod & Company LLC	Ten X Site Construction Prime Contract - Demobilization Services & Materials - July, 2019	79,651.87
06/30/2019	4833	005-16769	Willdan Engineering	10 X Project Manager: Demobilization - June, 2019	154.00
08/31/2019	4907	005-16861	Willdan Engineering	10 X Project Manager: Demobilization - August, 2019	308.00
07/31/2019	4901	277269	Bowman Consulting Group Ltd	10 X Ranch - Additional Revisions, Refinements, Coordination, FEMA LOMR: July, 2019	7,203.75
08/31/2019	4944	278642	Bowman Consulting Group Ltd	10 X Ranch - Additional Revisions, Refinements, Coordination: August, 2019	268.75



09/30/2019	4944	280654	Bowman Consulting Group Ltd	10 X Ranch Project Revisions, Refinements, Coordination: September, 2019	57.50
10/31/2019	4981	282406	Bowman Consulting Group Ltd	10 X Ranch Project Revisions, Refinements, Coordination: October, 2019	268.75
11/30/2019	4996	283653	Bowman Consulting Group Ltd	10 X Ranch Project Revisions, Refinements, Coordination: November, 2019	1,858.75
08/16/2019	4894	12273	Woodson Engineering and Surveying, Inc.	10 X Construction Review: Demobilization - August, 2019	1,358.45
09/20/2019	4928	12311	Woodson Engineering and Surveying, Inc.	10 X Construction Review: Demobilization - September, 2019	2,455.57
11/15/2019	4990	12430	Woodson Engineering and Surveying, Inc.	10 X Construction Review: Demobilization - November, 2019	240.64
09/12/2019	4950	9122019	Pedro Zabala	Haul 3400 ton Riprap from Valle to Ten X Project Site	24,000.00
				<b>TOTAL</b>	<b>1,169,835.06</b>
				<b>LEGAL SERVICES</b>	
01/28/2015	2492	3000706435	US Forest Service	Road Cons. New Roads & Improve Access: Forest Service Agreement #14-MJ-11030704-501	6,981.62
06/15/2015	2650	3001633687	US Forest Service	Road Cons. New Roads & Improve Access: Forest Service Agreement #14-MJ-11030704-501	6,981.62
12/16/2015	2878	3001861313	US Forest Service	Road Cons. New Roads & Improve Access: Forest Service Agreement #14-MJ-11030704-501	6,981.62
08/06/2018	Deposit	78592760	US Treasury	US Treasury: Reimbursed for USFS Application	-10,059.29
10/22/2015	2821	9742564	Squire Patton Boggs (US) LLP	Review, analysis correspondence with Town Manager regarding USFS cost recovery & NEPA issues	472.50
05/12/2017	3524	5122017	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: April, 2017	487.50
06/30/2017	3594	7112017	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: May & June, 2017	3,331.50
08/21/2017	3689	8212017	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: July, 2017	894.00
09/01/2017	3689	9012017	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: August, 2017	1,365.00
09/30/2017	3733	9302017	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: September, 2017	3,429.00
10/31/2017	3774	11022017	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: October, 2017	406.50
12/04/2017	3826	12042017	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: November, 2017	4,636.00
01/04/2018	3873	1042018	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: December, 2017	1,284.00
03/23/2018	4026	3232018	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: February, 2018	1,139.00
04/23/2018	4026	4232018	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: March, 2018	1,390.50
06/14/2018	4122	6142018	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: April & May, 2018	1,541.00
07/13/2018	4194	7132018	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: June, 2018	821.00
09/24/2018	4309	9242018	The Garden Law Firm P.C.	Forest Service denial of use authorization to acces inholding: July, 2018	804.00
08/08/2017	3694	688293	Brownstein Hyatt Farber Schreck, LLP	Professional Services - August, 2017 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
09/13/2017	3713	692489	Brownstein Hyatt Farber Schreck, LLP	Professional Services - September, 2017 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
11/07/2017	3790	699232	Brownstein Hyatt Farber Schreck, LLP	Professional Services - October, 2017 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	5,219.95
12/13/2017	3834	702960	Brownstein Hyatt Farber Schreck, LLP	Professional Services - November & December, 2017 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	9,386.28
01/11/2018	3885	706374	Brownstein Hyatt Farber Schreck, LLP	Professional Services - January, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,700.35
02/23/2018	3935	711116	Brownstein Hyatt Farber Schreck, LLP	Professional Services - February, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
03/19/2018	3978	714053	Brownstein Hyatt Farber Schreck, LLP	Professional Services - March, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
04/05/2018	4003	715509	Brownstein Hyatt Farber Schreck, LLP	Professional Services - April, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
05/08/2018	4054	719239	Brownstein Hyatt Farber Schreck, LLP	Professional Services - May, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
06/20/2018	4132	723970	Brownstein Hyatt Farber Schreck, LLP	Professional Services - June, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
07/16/2018	4195	727233	Brownstein Hyatt Farber Schreck, LLP	Professional Services - July, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
08/29/2018	4273	731503	Brownstein Hyatt Farber Schreck, LLP	Professional Services - August, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
09/14/2018	4306	733542	Brownstein Hyatt Farber Schreck, LLP	Professional Services - September & October, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	9,469.68
11/06/2018	4415	738937	Brownstein Hyatt Farber Schreck, LLP	Professional Services - November, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
12/21/2018	4493	744042	Brownstein Hyatt Farber Schreck, LLP	Professional Services - December, 2018 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
01/15/2019	4530	746608	Brownstein Hyatt Farber Schreck, LLP	Professional Services - January, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
02/20/2019	4589	750059	Brownstein Hyatt Farber Schreck, LLP	Professional Services - February, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,902.98
03/19/2019	4641	753165	Brownstein Hyatt Farber Schreck, LLP	Professional Services - March, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,613.45
04/10/2019	4678	755561	Brownstein Hyatt Farber Schreck, LLP	Professional Services - April, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
05/16/2019	4747	759697	Brownstein Hyatt Farber Schreck, LLP	Professional Services - May, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,711.45
06/01/2019	4792	762848	Brownstein Hyatt Farber Schreck, LLP	Professional Services - June, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,747.62
07/18/2019	4852	766796	Brownstein Hyatt Farber Schreck, LLP	Professional Services - July, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,832.68
08/14/2019	4877	770540	Brownstein Hyatt Farber Schreck, LLP	Professional Services - August, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
09/18/2019	4927	773466	Brownstein Hyatt Farber Schreck, LLP	Professional Services - September, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
10/10/2019	4945	776163	Brownstein Hyatt Farber Schreck, LLP	Professional Services - October, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	4,612.50
11/06/2019	4982	779333	Brownstein Hyatt Farber Schreck, LLP	Professional Services - November, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	3,075.00
12/16/2019	5006	783881	Brownstein Hyatt Farber Schreck, LLP	Professional Services - December, 2019 - Town of Tusayan AZ Right of Way - Road Easement Project Kotzin	3,075.00
				<b>TOTAL</b>	<b>165,421.51</b>

					<b>TOTAL</b>	<b>\$7,764,535.68</b>
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MITIGATION						
01/30/2019	4551	6-18113	Rod & Company LLC	Ten X Site Construction Prime Contract: Mitigation Grading - January, 2019		259,218.98
02/28/2019	4612	7-18113	Rod & Company LLC	Ten X Site Construction Prime Contract: Sales Tax for Mitigation Grading - February, 2019		14,995.98
05/17/2019	4751	005-16633	Willdan Engineering	10 X Project Manager: Mitigation - April, 2019		1,154.00
06/17/2019	4783	005-16694	Willdan Engineering	10 X Project Manager: Mitigation - May, 2019		1,625.50
06/30/2019	4833	005-16769	Willdan Engineering	10 X Project Manager: Mitigation - June, 2019		456.00
09/30/2019	4936	006-18102	Willdan Engineering	10 X Project Manager: Mitigation - September, 2019		636.00
10/31/2019	4974	006-18382	Willdan Engineering	10 X Project Manager: Mitigation - October, 2019		1,087.00
11/30/2019	5001	006-18444	Willdan Engineering	10 X Project Manager: Mitigation November, 2019		1,626.00
11/25/2019	4983	S000809	Valle Hardware Feed & Supply	SWPP maintenance materials for Ten X Project, required by AZ Law and Injunction (Wattle & Lathe Stake) - Mitigation		2,727.02
				<b>TOTAL</b>		<b>283,526.48</b>

HOUSING AUTHORITY - GRAND CANYON HOUSING FOUNDATION						
06/15/2015	2643	13037	Sims Mackin, LTD	Affordable Housing - Professional Services : May, 2015		4,569.00
06/30/2015	2692	13206	Sims Mackin, LTD	Affordable Housing - Professional Services: June, 2015		80.00
08/31/2015	2756	13511	Sims Mackin, LTD	Affordable Housing - Professional Services: August, 2015		2,003.00
09/30/2015	2794	13694	Sims Mackin, LTD	Affordable Housing - Professional Services: September, 2015		7,462.00
11/09/2015	2834	13794	Sims Mackin, LTD	Affordable Housing - Professional Services: October, 2015		2,702.00
12/07/2015	2855	13997	Sims Mackin, LTD	Affordable Housing - Professional Services: November, 2015		8,184.00
01/11/2016	2918	14184	Sims Mackin, LTD	Affordable Housing - Professional Services: December, 2015		10,317.66
01/31/2016	2939	14430	Sims Mackin, LTD	Affordable Housing - Professional Services: January, 2016		2,529.00
03/07/2016	2988	1468720	Sims Mackin, LTD	Affordable Housing - Professional Services: February, 2016		8,338.50
04/11/2016	3033	14875	Sims Mackin, LTD	Affordable Housing - Professional Services: March, 2016		2,076.80
04/30/2016	3046	15010	Sims Mackin, LTD	Affordable Housing - Professional Services: April, 2016		2,260.00
06/06/2016	3103	15297	Sims Mackin, LTD	Affordable Housing - Professional Services: May, 2016		800.00
06/30/2016	3152	15592	Sims Mackin, LTD	Affordable Housing - Professional Services: June, 2016		1,400.00
07/31/2016	3175	15803	Sims Mackin, LTD	Affordable Housing - Professional Services: July, 2016		1,000.00
08/17/2016	3175	15804	Sims Mackin, LTD	Affordable Housing - Professional Services: July, 2016		1,928.00
08/31/2016	3229	16039	Sims Mackin, LTD	Affordable Housing - Professional Services: August, 2016		3,704.39
08/31/2016	3229	16040	Sims Mackin, LTD	Affordable Housing - Professional Services: August, 2016		1,306.00
09/30/2016	3261	16327	Sims Mackin, LTD	Affordable Housing - Professional Services: September, 2016		2,112.86
11/07/2016	3309	16585	Sims Mackin, LTD	Affordable Housing - Professional Services: October, 2016		60.00
12/31/2016	3376	16820	Sims Mackin, LTD	Affordable Housing - Professional Services: December, 2016		442.00
01/31/2017	3412	17171	Sims Mackin, LTD	Affordable Housing - Professional Services: January, 2017		1,768.00
03/31/2017	3489	17792	Sims Mackin, LTD	Affordable Housing - Professional Services: March, 2017		51.00
10/31/2017	3788	19556	Sims Mackin, LTD	Affordable Housing - Professional Services: October, 2017		114.00
04/09/2018	4011	21001	Sims Mackin, LTD	Affordable Housing - Professional Services: March, 2018		152.00
05/07/2018	4052	21356	Sims Mackin, LTD	Affordable Housing - Professional Services: April, 2018		475.00
06/11/2018	4117	21667	Sims Mackin, LTD	Affordable Housing - Professional Services: May, 2018		532.00
06/30/2018	4176	21973	Sims Mackin, LTD	Affordable Housing - Professional Services: June, 2018		929.00
08/31/2018	4287	22504	Sims Mackin, LTD	Affordable Housing - Professional Services: August, 2018		260.00
10/31/2018	4409	23015	Sims Mackin, LTD	Affordable Housing - Professional Services: October, 2018		228.00
11/30/2018	4470	23364	Sims Mackin, LTD	Affordable Housing - Professional Services: November, 2018		19.00
01/31/2019	4581	23951	Sims Mackin, LTD	Affordable Housing - Professional Services: January, 2019		2,620.00
02/28/2019	4637	24255	Sims Mackin, LTD	Affordable Housing - Professional Services: February, 2019		1,060.00
11/30/2017	4177	6302018	HintonBurdick	GC Housing Foundation: Initial Non-Profit Tax Return		275.00
11/30/2018	4560	195154	HintonBurdick	GC Housing Foundation: Non-Profit Tax Return		285.00
12/31/2019	5042	216818	HintonBurdick	GC Housing Foundation: Non-Profit Tax Return		285.00
03/10/2017	Credit Card	3102017	AZ Corporation Commission	GC Housing Foundation:Annual Report		10.00
11/10/2018	Credit Card	11102018	AZ Corporation Commission	GC Housing Foundation:Annual Report		10.00
11/10/2019	Credit Card	11102019	AZ Corporation Commission	GC Housing Foundation:Annual Report		10.00
				<b>TOTAL</b>		<b>72,358.21</b>

					<b>FLOOD STUDY TOTAL</b>	<b>352,526.33</b>
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**PREMIER CONSTRUCTION PAYMENTS**

	SCHEDULED VALUE	September 1	September 2	October 3	November 4	December 5	January 6	February 7	March 8	August - Demo 9	TOTAL	% Completed
<b>Application #</b>												
1 Mobilization	\$97,750.00	\$97,750.00									\$97,750.00	100.00%
2 Traffic Control	\$5,500.00		\$1,375.00	\$1,375.00	\$1,375.00	\$1,375.00					\$5,500.00	100.00%
3 Site Watering for Dust Control	\$10,820.00		\$2,705.00	\$2,705.00	\$2,705.00	\$2,705.00					\$10,820.00	100.00%
4 SWPPP Maintenance	\$13,500.00		\$3,375.00	\$3,375.00	\$3,375.00	\$3,375.00					\$13,500.00	100.00%
5 Clearing & Grubbing	\$27,050.00		\$27,050.00								\$27,050.00	100.00%
6 Pre-Wet	\$32,460.00		\$16,230.00	\$16,230.00							\$32,460.00	100.00%
7 Rough Grading	\$1,820,000.00		\$273,000.00	\$855,400.00	\$509,600.00	\$182,000.00					\$1,820,000.00	100.00%
8 Finish Grading	\$41,600.00					\$33,280.00					\$33,280.00	80.00%
9 Sales Tax	\$118,516.14	\$5,654.84	\$18,728.07	\$50,855.07	\$29,911.63	\$12,885.22					\$118,034.83	99.59%
<b>TOTAL</b>	<b>\$2,167,196.14</b>	<b>\$103,404.84</b>	<b>\$342,463.07</b>	<b>\$929,940.07</b>	<b>\$546,966.63</b>	<b>\$235,620.22</b>					<b>\$2,158,394.83</b>	<b>99.59%</b>
<b>CHANGE ORDER # 001</b>												
10.1 Clearing & Grubbing	\$5,775.00			\$5,775.00							\$5,775.00	100.00%
10.2 Preconditioning Soil	\$3,025.00			\$3,025.00							\$3,025.00	100.00%
10.3 Rough Grading & Blasting	\$230,000.00			\$57,500.00	\$149,500.00	\$23,000.00					\$230,000.00	100.00%
10.4 Import & Place Approved Fill	\$174,460.00				\$87,230.00						\$87,230.00	50.00%
10.5 Finish Grading	\$14,000.00										\$0.00	0.00%
10.6 Sales Tax	\$24,716.99			\$3,835.46	\$13,694.83	\$1,330.55					\$18,860.84	76.31%
<b>TOTAL TEN X GRADING</b>	<b>\$451,976.99</b>			<b>\$70,135.46</b>	<b>\$250,424.83</b>	<b>\$24,330.55</b>					<b>\$344,890.84</b>	<b>76.31%</b>
<b>CHANGE ORDER # 002</b>												
11.1 Imported Backfill Material	\$850,116.96			\$479,653.55	\$370,463.41						\$850,116.96	100.00%
11.2 Sales Tax	\$49,179.27			\$27,747.96	\$21,431.31						\$49,179.27	100.00%
<b>TOTAL IMPORTED BACKFILL MATERIAL</b>	<b>\$899,296.23</b>			<b>\$507,401.51</b>	<b>\$391,894.72</b>						<b>\$899,296.23</b>	<b>100.00%</b>
<b>CHANGE ORDER # 004</b>												
12.1 Construction Consultant	\$214,576.23				\$214,576.23						\$214,576.23	100.00%
12.2 General Conditions & Incidentals	\$244,493.42										\$0.00	0.00%
12.3 WWTP	\$761,131.33										\$0.00	0.00%
12.4 WWTP Materials Procurement	\$1,766,457.50				\$218,456.50	\$95,184.93		\$79,822.64			\$393,464.07	22.27%
12.5 Metal Building	\$575,000.00										\$0.00	0.00%
12.6 Metal Building Materials Procurement	\$54,918.25				\$16,475.48			\$38,442.77			\$54,918.25	100.00%
12.7 Electric & Control	\$180,596.68										\$0.00	0.00%
12.8 Electric & Control Materials Procurement	\$163,634.15										\$0.00	0.00%
12.9 Masonry Walls	\$73,520.48										\$0.00	0.00%
12.10 Masonry Walls - Materials Procurement	\$109,250.00										\$0.00	0.00%
12.11 ADEQ Testing	\$69,251.60										\$0.00	0.00%
12.12 Final WWTP Grading	\$78,694.99										\$0.00	0.00%
12.13 Sales Tax	\$248,264.70				\$26,004.05	\$5,506.45		\$6,841.65			\$38,352.15	15.45%
<b>TOTAL WWTP CONSTRUCTION</b>	<b>\$4,539,789.33</b>				<b>\$475,512.26</b>	<b>\$100,691.38</b>		<b>\$125,107.06</b>			<b>\$701,310.70</b>	<b>15.45%</b>
<b>CHANGE ORDER # 005</b>												
13.1 Equipment & Workforce Mobilization	\$125,000.00				\$125,000.00						\$125,000.00	100.00%
13.2 Sanitary Sewer	\$557,548.00										\$0.00	0.00%
13.3 Sanitary Sewer-Material Procurement	\$235,277.00				\$117,638.50						\$117,638.50	50.00%
13.4 Water Utilities	\$814,987.50										\$0.00	0.00%
13.5 Water Utilities-Material Procurement	\$233,958.00										\$0.00	0.00%
13.6 Sales Tax	\$113,777.67				\$14,036.64						\$14,036.64	12.34%
<b>TOTAL WET UTILITIES</b>	<b>\$2,080,548.17</b>				<b>\$256,675.14</b>						<b>\$256,675.14</b>	<b>12.34%</b>
<b>CHANGE ORDER # 003</b>												
14.1 7 Chamber Box Culvert	\$318,780.00				\$318,780.00						\$318,780.00	100.00%
14.2 Install Labor	\$10,122.90										\$0.00	0.00%
14.3 Equipment for Excavating/Setback	\$17,100.00										\$0.00	0.00%
14.4 Sales Tax	\$20,016.27				\$18,441.42						\$18,441.42	92.13%
<b>TOTAL CULVERTS</b>	<b>\$366,019.17</b>				<b>\$337,221.42</b>						<b>\$337,221.42</b>	<b>92.13%</b>
<b>CHANGE ORDER # 006</b>												
15.1 Engineering/Management of Various Systems & Layouts	\$212,750.00				\$30,000.00						\$30,000.00	14.10%
15.2 Panels, Inverters, Gensets, ESS & Other Electrical Gear	\$2,915,250.00										\$0.00	0.00%
15.3 Sales Tax	\$180,954.80				\$49,995.42						\$49,995.42	27.63%
<b>TOTAL HES ENGINEERING &amp; MATERIALS</b>	<b>\$3,308,954.80</b>				<b>\$79,995.42</b>						<b>\$79,995.42</b>	<b>2.42%</b>
<b>CHANGE ORDER # 007</b>												
16.1 Riprap (6" & 12")	\$165,600.00							\$92,862.50			\$92,862.50	56.08%
16.2 Sales Tax	\$9,579.96							\$5,372.44			\$5,372.44	56.08%
<b>TOTAL RIPRAP MATERIAL</b>	<b>\$175,179.96</b>							<b>\$98,234.94</b>			<b>\$98,234.94</b>	<b>56.08%</b>
<b>CHANGE ORDER # 008</b>												
17.1 Mobilization	\$2,470.00						\$2,470.00				\$2,470.00	100.00%
17.2 Equipment Rental	\$69,881.30						\$69,881.30				\$69,881.30	100.00%
17.3 Equipment Rental	\$69,881.30						\$69,881.30				\$69,881.30	100.00%
17.4 Retentions	\$55,845.80						\$55,845.80				\$55,845.80	100.00%
17.5 Material Haul	\$20,481.00						\$20,481.00				\$20,481.00	100.00%
17.6 Place Loose Riprap	\$19,446.68						\$19,446.68				\$19,446.68	100.00%
17.7 Riprap ROCK & Fabric	\$15,462.90						\$15,462.90				\$15,462.90	100.00%
17.8 Survey/Staking/Testing	\$5,750.00						\$5,750.00				\$5,750.00	100.00%
17.9 Sales Tax	\$14,995.98							\$14,995.98			\$14,995.98	100.00%
<b>TOTAL MITIGATION GRADING</b>	<b>\$274,214.96</b>						<b>\$259,218.98</b>	<b>\$14,995.98</b>			<b>\$274,214.96</b>	<b>100.00%</b>
<b>CHANGE ORDER # 009</b>												
18.1 Crane Mob/Demob, Rental, Operation	\$19,699.20								\$19,699.20		\$19,699.20	100.00%
18.2 Dunnage & Storage Materials	\$4,800.00								\$4,800.00		\$4,800.00	100.00%
18.3 Labor for Rigging, Setting & Striking	\$9,982.80								\$9,982.80		\$9,982.80	100.00%
18.4 15% Markup	\$5,172.30								\$5,172.30		\$5,172.30	100.00%
18.5 Sales Tax	\$2,294.00								\$2,294.00		\$2,294.00	100.00%
<b>TOTAL EQUIPMENT TO OFFLOAD ITEMS</b>	<b>\$41,948.30</b>								<b>\$41,948.30</b>		<b>\$41,948.30</b>	<b>100.00%</b>
<b>CHANGE ORDER # 010</b>												
19.1 Breakdown	\$75,296.00									\$75,296.00	\$75,296.00	100.00%
19.2 Sales Tax	\$4,355.87									\$4,355.87	\$4,355.87	100.00%
<b>TOTAL DEMOBILIZATION</b>	<b>\$79,651.87</b>									<b>\$79,651.87</b>	<b>\$79,651.87</b>	<b>100.00%</b>
<b>GRAND TOTALS</b>	<b>\$14,384,775.92</b>	<b>\$103,404.84</b>	<b>\$342,463.07</b>	<b>\$1,507,477.04</b>	<b>\$2,338,690.42</b>	<b>\$360,642.15</b>	<b>\$259,218.98</b>	<b>\$238,337.98</b>	<b>\$41,948.30</b>	<b>\$79,651.87</b>	<b>\$5,271,834.65</b>	<b>36.65%</b>
CHECK#		#4290	#4340	#4386	#4468	#4499	#4551	#4612	#4664	#4892		

Note: highlighted items are payment for materials

Premier CMAR Payments

PROPOSAL #	DATE	DESCRIPTION OF WORK	July 1	July 2	August 3	July-August 4	September 5
		Deposit	\$20,000.00				
		01-0131 Project Management & Coordination		\$30,564.10	\$49,469.58		
18105-001		Rendering Streetscape & Elevations for Single Family, Micro-home & Townhome		\$6,860.44			
18105-002		Boundary Survey/Staking, Marking of trees to be cleared			\$517.50		
18105-003		SWPPP Install			\$35,453.64		
18105-004		Installation of deep water pond for onsite water storage			\$40,250.00		
18105-005		Tree removal in grading area			\$15,099.81		
18105-006		Establish of Trailer Village area to support housing for all future scopes & subcontractors					\$35,802.95
		FS-302 Road Maintenance & Watering					
		Water Haul for Construction					
		Office Trailer Monthly Rental					
		Office Trailer Generator Monthly Rental					
		Office Trailer Copier Monthly Rental					
		Reproductions					

Premier CMAR Payments

	Tus Sanitary Distr. Reclaim Water	Self-performed Service +Mark-up 15%							
	Architect Initial Payment	Self-performed Service +Mark-up 15%							
18105-11	Weather Delay (3,390/Day) Poor conditions of FS302 prohibit safe access to the site for work crews								
	Standby Cost per Transmittal 087								
	Secure Site for Shutdown								
	Retaining Wall Design	Self-performed Service +Mark-up 15%							
18105-011	Mitigation Grading: Retention Basin Grading, Breaching Roadway Embankment & RipRap	Self-performed Service +Mark-up 15%							
	Mitigation Grading Asbuilts	Self-performed Service +Mark-up 15%							
	Sales Tax							\$11,466.74	\$2,071.20
	<b>TOTAL</b>		\$20,000.00	\$37,424.54	\$140,790.53			\$11,466.74	\$37,874.15
	<b>CHECK #</b>		# 4136	# 4218	# 4275			# 4293	# 4295 (35,802.95)







10 X Materials/Assets

Imported Backfill Material		\$899,296.23
WWTP Materials Procurement	2 Fiberglass Tanks (51,752,.81) ; 1 Fiberglass Tank (32,687.57)	\$416,225.97
Metal Building Materials Procurement		\$58,095.27
Sanitary Sewer-Material Procurement		\$124,443.89
7 Chamber Box Culvert		\$337,221.42
Riprap		\$98,234.94
Riprap		\$11,943.40
20' Storage Container		\$3,100.00
		<b>\$1,948,561.12</b>

VALERIE WYANT, CLERK

2019 FEB -5 PM 3:21

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8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
9 **IN AND FOR THE COUNTY OF COCONINO**

10 **COCONINO COUNTY FLOOD**  
11 **CONTROL DISTRICT, a political**  
12 **subdivision of the State of Arizona,**

13 **Plaintiff,**

14 **v.**

15 **TOWN OF TUSAYAN, an Arizona**  
16 **municipal corporation,**

17 **Defendant.**

Case No. CV2018-00616

**PRELIMINARY INJUNCTION**  
**ORDER**

(Assigned to Hon. Cathleen Brown Nichols;  
Division 5)

18 **THIS MATTER, having come before the Court upon the Plaintiff's application, and**  
19 **after review of the pleadings and the Parties' Stipulation for Entry of Injunctive Orders, and**  
20 **being advised in the premises, now therefore, based upon the Parties' stipulation and**  
21 **agreement and for good cause:**

1 **THE COURT FINDS AND CONCLUDES AS FOLLOWS:**

- 2 1. The Court has subject matter jurisdiction over this matter by virtue of A.R.S. §§ 12-  
3 122, 12-123; 12-1801; 48-3613; and 48-3614. The Court has personal jurisdiction  
4 over the Defendant due to their presence in Coconino County at all times relevant to  
5 this matter, and also due to their appearance in this case.
- 6 2. The Defendant, Town of Tusayan (the "Town"), owns that certain parcel of real  
7 property (the "Subject Property"), known generally as Coconino County Assessor's  
8 Parcel No. 502-14-001B.
- 9 3. The Subject Property is situated approximately 2.5 miles southeast of the Town, and  
10 comprises approximately 20.07 acres of land originally associated with the "Ten X  
11 Ranch," and which Subject Property was annexed within the corporate boundary  
12 limits of the Town on or about October 18, 2012 by the Town's Ordinance No.  
13 2011-11-02-01.
- 14 4. The Plaintiff, Coconino County Flood Control District (the "District), is the entity  
15 with regulatory jurisdiction over those "Watercourses" and "Floodplains" located  
16 within the Subject Property, pursuant to A.R.S. § 48-3603.
- 17 5. The Town's Ordinance 2018-01 is the subject of an effective referendum petition,  
18 and the Town, therefore, has *not* validly assumed jurisdiction over floodplain  
19 administration, pursuant to A.R.S. § 48-3610.
- 20 6. The Subject Property, by virtue of its location and the topography of the  
21 surrounding area, is upstream from the Town.

- 1 7. Portions of the Subject Property contain, and are encumbered by, a Federal  
2 Emergency Management Agency ("FEMA") Zone A Special Flood Hazard Area,  
3 per Flood Insurance Rate Map 04005C3850G.
- 4 8. The boundaries of the Subject Property contain a portion of the so-called "Coconino  
5 Wash" and a portion of at least one tributary to the Coconino Wash, which  
6 Coconino Wash and its tributaries are "Watercourses," as that term is specifically  
7 defined by A.R.S. § 48-3601(12).
- 8 9. That those areas within the Subject Property that have been designated as Zone A  
9 Special Flood Hazard Area are within a "Floodplain," as that term is specifically  
10 defined by A.R.S. § 48-3601(6).
- 11 10. The District alleges violation of A.R.S. §§ 48-3613(A) and 48-3615(A), as well as  
12 provisions and requirements of the Coconino County Zoning Ordinance, Section  
13 2.15B: FPM—Floodplain Management Overlay Zone (the "County Floodplain  
14 Regulations"), ¶¶ 2 and 4.
- 15 11. The Town has engaged in development of the Subject Property as workforce  
16 housing that has resulted in modification, excavation, grading, fill, compaction,  
17 construction, and other alteration of the Watercourses and Floodplains situated  
18 within the boundaries of the Subject Property ("Development Work").
- 19 12. The Town did not, and has not, obtained a valid floodplain use permit or any other  
20 written authorization for any of this said Development Work at the Subject Property  
21 from the District.

1 13. The work already done by the Town at the Subject Property has diverted, retarded,  
2 and/or obstructed the flow of waters within the Watercourses and Floodplain  
3 located within the Subject Property.

4 14. Insufficient study and data were provided to the District, via the preliminary reports  
5 for the Town's project at the Subject Property, to properly evaluate the effect of the  
6 Town's work within the Floodplain, and/or to develop proper flood control  
7 measures and/or flood resistant structures.

8 15. The failure to provide sufficiently comprehensive and reliable data and analysis  
9 with regard to the Development Work being performed by the Town at the Subject  
10 Property poses a potential public safety risk.

11 16. The Town's development activities at the Subject Property are a violation of the  
12 above-referenced provisions of the Arizona Revised Statutes and the County  
13 Floodplain Regulations, and are a public nuisance *per se*.

14 17. The safety and welfare of the public require that the Court issue an injunction in this  
15 case under the terms agreed to by the parties.

16 18. There is no doubt that there is a likelihood of irreparable harm if Defendant is not  
17 enjoined from its present development activities and Plaintiff will likely succeed on  
18 the merits of its claims.

19 Upon due consideration, and based upon the stipulation and agreement of the Parties herein,  
20 and in satisfaction of the requirements and provisions of Rule 65(d)(1) of the Arizona Rules  
21 of Civil Procedure,



**IT IS HEREBY ORDERED:**

1. The Defendant Town of Tusayan shall cease any and all actions whereby the Town purports to act as floodplain administrator, until such time as the Town validly and finally assumes jurisdiction over the Floodplains within its corporate boundaries pursuant to A.R.S. § 48-3610.
2. The District shall have continuing jurisdiction to enforce the Arizona Revised Statutes and County Floodplain Regulations to correct the Town's current violations thereof at the Subject Property as described in this Injunctive Order and in the Complaint filed in this action, regardless of the outcome of any future resolution, action, or referendum by the Town to assume jurisdiction over the Floodplains within its corporate boundaries.
3. Within 10 days of the filing of this Order, the Town shall inform the Arizona Department of Real Estate and the Arizona Department of Water Resources, in writing, that it acknowledges and accepts that the District is, and shall remain, the effective Floodplain Administrator, with continuing jurisdiction over any development or modification of the Watercourses and Floodplain within the Subject Property to remedy the current violations.
4. The Town shall design and propose to the District mitigation measures that effectively restore the conveyance and water storage capacity of the Watercourses hydraulically connected to Coconino Wash and its tributary within the Subject Property, and which will, in the sole and exclusive opinion and discretion of the

1 District (which discretion shall be reasonably exercised), be sufficient to acceptably  
2 minimize flooding danger by reasonably approximating the hydraulic and  
3 hydrological pre-disturbance condition of the Subject Property. Once installed, such  
4 mitigation measures are to remain present, operative, and unchanged until such time  
5 as the Town obtains a Conditional Letter of Map Revision ("CLOMR") from FEMA,  
6 and a floodplain use permit is issued by the District to the Town for any future work  
7 at the Subject Property. Nothing herein shall be construed as prohibiting work  
8 limited to the purpose of repairing and/or maintaining mitigation structures (as those  
9 mitigation structures are described in this Paragraph 4 and its subparagraphs), which  
10 repairs and/or maintenance must first be authorized by the District. Authorization for  
11 repair and/or maintenance shall be in the sole and exclusive discretion of the District,  
12 which discretion shall be exercised reasonably. The proposal, installation, and  
13 documentation of these mitigation structures shall proceed as follows:

- 14 a. The proposal from the Town must include a map of the work areas within the  
15 site, channel and basin details, typical details, and hydrologic and hydraulic  
16 calculations.
- 17 b. The Town must provide to the District a schedule of construction activities,  
18 and must participate with the District in weekly construction meetings until  
19 the proposed mitigation measures are completed.



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c. Sufficient detail must be provided in the proposal plans to inform the District and construction contractor of the nature, quantity, and specifications of the work.

d. Storm water storage (detention) shall be provided on-site at those locations on the Subject Property where stock tanks were situated prior to the Town's alteration of the Subject Property. The storage provided shall, at a minimum, be equal to the volume of storage that was historically available prior to the Town's work at the Subject Property. Impoundment and outlet structures shall be constructed with the integrity needed to ensure sufficient longevity and soundness to persist and properly function during the entire period of submission and review prior to the issuance of both a CLOMR by FEMA, as well as issuance of a floodplain use permit for Development Work to continue at the site by the District.

e. Off-line (i.e., outside of the flow lines of Coconino Wash and the tributary) storm water storage shall be provided to a level which ensures that no additional runoff and sediment will leave the Subject Property in the current condition, as compared to the pre-developed condition.

f. The storm water impoundment created by the entrance road recently developed by the Town at the Subject Property shall be eliminated, and the capacity of the restored channel shall be sufficient to pass flows in a nature consistent with the pre-disturbance condition of the Subject Property.

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- g. The District will review and approve or deny these said mitigation proposals according to its sole and exclusive discretion, which discretion shall be exercised reasonably.
  - h. No preparations, installation, or other construction or work at the Subject Property will be done prior to the District’s approval of the designs of the Town’s proposal.
  - i. Once the District approves the Town’s proposed mitigation measures, the Town will within one business day commence installing these proposed mitigation measures at the Subject Property only according to the approved designs.
  - j. As-built plans must be created and certified by the Town’s design engineer and shall be provided to the District within 15 business days of completion of the immediate mitigation work.
  - k. The safety of the site and on-going maintenance of the Town’s “Stormwater Pollution Prevention Plan” shall remain the responsibility of the Town.
5. Following complete installation of the above-described mitigation measures, the Town will halt any and all further Development Work at the Subject Property, until specified otherwise herein or by further order of this Court. Nothing in this Paragraph 5 shall be construed as preventing the Town from performing work limited to the purpose of repairing and/or maintaining mitigation structures, which repairs and/or maintenance must first be authorized by the District. Authorization for repair

1 and/or maintenance shall be in the sole and exclusive discretion of the District, which  
2 discretion shall be exercised reasonably.

3 6. During the pendency of this action, the District is granted the right to enter the  
4 Subject Property at any time, to perform routine inspections as the mitigation work is  
5 being performed, in order to ensure that work is being accomplished according to  
6 approved plans and schedules, and also to ensure that no unauthorized Development  
7 Work is being performed.

8 7. The Town shall indemnify and defend the District from any and all damages deriving  
9 from, and/or related to, any of the Town's work at the Subject Property, except to the  
10 extent such damages result from the negligent or wrongful acts of the District. In any  
11 third party action against the District related to work on the Subject Property, the  
12 Town shall bear the cost of defense for the District.

13 8. With regard to its proposed development of the Subject Property, within one (1)  
14 business day following the issuance of this Preliminary Injunction Order, the Town  
15 shall concurrently pursue both a CLOMR from FEMA and a floodplain use permit  
16 from the District. The Town shall not resume or perform any Development Work at  
17 the Subject Property, unless and until the Town has received both of these  
18 authorizations.

19 a. The Town acknowledges, understands, and agrees that it must fully and  
20 completely comply with all requirements imposed by the District as part of its  
21 permit application process as a precondition to issuance of a floodplain use  
22

1 permit, including but not limited to: conducting, creation, and submission of a  
2 full hydrologic and hydraulic study of the Coconino Wash and the relevant  
3 tributary; completion and submission of all application paperwork; submission  
4 of any and all further studies, calculations, data, analysis, and other materials  
5 requested by District staff as necessary or useful to allow District staff to  
6 adequately assess and review the Town's request; and payment of all  
7 associated fees and costs, including without limitation, the application fee and  
8 all costs and/or fees associated with third-party review of the Town's  
9 applications and proposals referred to herein.

10 b. Nothing in this Paragraph 8 shall be construed as preventing the Town from  
11 performing work limited to the purpose of repairing and/or maintaining  
12 mitigation structures, which repairs and/or maintenance must first be  
13 authorized by the District. Authorization for repair and/or maintenance shall  
14 be in the sole and exclusive discretion of the District, which discretion shall be  
15 exercised reasonably.

16 9. The Court retains continuing jurisdiction over this matter to monitor compliance with  
17 its Orders and to grant other and further relief as necessary.


18 10. Pursuant to Rule 65(d)(2) of the Arizona Rules of Civil Procedure, the Defendant, its  
19 officers, agents, servants, employees, and attorneys, as well as any other person(s)  
20 who are in active concert or participation with any of these, and who receive actual  
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notice of this Preliminary Injunction Order are bound to observe and comply with the foregoing provisions and orders.

11. This Order shall be served upon the Defendant and any person(s) participating with or acting in concert with the Defendant by personal service, or by any other means reasonably calculated to provide such persons with actual notice hereof.

DATED this 5<sup>th</sup> day of February, 2019.

BY THE COURT  
  
\_\_\_\_\_  
Hon. Cathleen Brown Nichols  
Superior Court Judge, Div. V



COCONINO COUNTY SUPERIOR COURT

Date: 2/6/2019

Time: 8:31 AM

Pages: 1

EDMS Barcode Cover Page

Category

CV



Case Number

S0300CV201800616



Filing Date

2/5/2019



Event Code

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Sequence

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Party Type

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Party Number

P-1



Document Id

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**Town Council Regular Meeting**

**7. D.**

**Meeting Date:** 02/12/2020

**Submitted By:** Zijun Liang, Town Assistant

**Department:** Administration

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**SUBJECT:**

**Consideration, discussion and possible action to approve the draft Town fiscal policy.**

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**Attachments**

2-12-2020 StaffReport Fiscal Policy

Attachment A-Town of Tusayan Financial Policies and Accounting Procedures dated February 12 2020

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