



TOWN COUNCIL AGENDA PACKET

REGULAR MEETING

**Tuesday, January 11, 2011
6:00 p.m.**

**Council Chambers – South Campus
202 N. State Route 89**

NOTICE OF THE REGULAR AND POSSIBLE EXECUTIVE SESSION OF THE CHINO VALLEY TOWN COUNCIL

**JANUARY 11, 2011
6:00 P.M.**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Chino Valley Town Council and to the general public that the Chino Valley Town Council will hold a Regular Meeting open to the public on **Tuesday, January 11, 2011 at 6:00 p.m.** in the Chino Valley Council Chambers located at 202 N. State Route 89, Chino Valley, Arizona. Members of the Town Council will attend either in person or by telephone conference call. As indicated in the agenda, the Chino Valley Town Council may vote to go into Executive Session, which will not be open to the public, to discuss certain matters.

RULES FOR ADDRESSING THE COUNCIL – AMENDED MAY 13, 2010

It is the Council's desire to hear public comment on agenda items. Because it is important to maintain order during the meeting, please adhere to the following rules of order if you wish to speak:

- 1) Members of the public wishing to speak must be first recognized by the Chairman.
- 2) Please state your name and whether or not you are a Town resident in an audible tone for the record.
- 3) TIME LIMIT: 3 MINUTES PER PERSON.
- 4) Remarks shall be limited to the agenda item under consideration.
- 5) All remarks shall be directed to the Mayor and to any or all members of the Council.
- 6) A person wishing to make a presentation that exceeds the three-minute time limit should make such a request of the Town Clerk prior to the meeting.
- 7) Members of the public are expected to observe rules of propriety and decorum.
- 8) Speakers shall not discuss employee performance, employee evaluations, or employee health, family or personal matters.

The **Agenda** for the meeting is as follows:

- 1) **Call to Order, Invocation; Pledge of Allegiance; Roll Call.**
- 2) **Introductions, Presentations and Proclamations**
 - 2a) Announcement by Ab Jackson, CEO, Chino Valley Area Chamber of Commerce, regarding the **Citizens Academy**.

- 2b)** Presentation by Norm Freeman, Bob Posey, Jay Cook, and Anthony Chavez with the Arizona Game & Fish Commission to the Town of a \$50,000.00 grant for improvements to the Police Department's **shooting range**.

3) Call to the Public

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. At the conclusion of an open call to the public, individual members of the Council may respond to those who have addressed the Council, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take legal action on matters raised during an open Call to the Public unless the matters are properly noticed for discussion and legal action.

Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting.

4) Mayor/Council/Manager Report

This item is for information only. Presentation on information requested by the Mayor and Town Council will be made and questions answered. No action will be taken.

Consent Agenda

All those items listed below may be enacted by one motion and approved as consent agenda items. Any item may be removed from the consent agenda and considered separately if a member of the Council so requests.

- 5)** Approve August 31, 2010 Regular Meeting **minutes**.
- 6)** Approve September 9, 2010 Regular Meeting **minutes**.
- 7)** Approve September 23, 2010 Regular Meeting **minutes**.
- 8)** Authorize staff to dispose of various pieces of exercise equipment, free weights, tractor, and other miscellaneous items that are located on the **Cameron Property** at 24400 Troy Lane in Paulden through the Town of Chino Valley Surplus Auction website.
- 9)** *Continued from November 9, 2011:* Adopt **Resolution No. 10-942** declaring the "Unified Development Ordinance – Amendments Dated January 11, 2011" a public record, and adopt **Ordinance No. 10-738** relating to the following sections in the Chino Valley Unified Development Ordinance (**UDO**):

1. Add subparagraphs incorporating regulations for Greenhouses;
2. Amend Subsections 4.22.4: Parking Design Standards and 4.22.8: Determination of Required Spaces (Handicap Parking Spaces).

Staff recommended motion: Move to accept Consent Agenda items 5-9.

Action Items

- 10)** Presentation of Operational Review and Report on the **Water and Sewer Systems** by Ms. Gayle Whittle, CPA; and discussion and possible action relative to the report presented. [*Timed: 6:20–7:20 p.m.*]

Staff recommended motion: To be determined per Council discussion.

- 11)** Presentation by Ms. Amy Ostrander of Ostrander Consulting, Inc. followed by discussion and possible action relative to the Town of Chino Valley **Transit Program**. Funding for Consultant's time and travel to be paid in full by Arizona Department of Transportation. [*Timed: Start at 7:20 p.m.*]

Staff recommended motion: To be determined per Council discussion.

- 12)** *Continued from December 9, 2010:* Case No. GPMA 10-002: Adopt Resolution No. 10-948, repealing Resolution No. 09-899 related to a General Plan Minor Amendment for a 55+ Master Planned Community associated with Assessor's Parcel Number (APN) 306-05-030V, located at 1460 W. Road 4 North; and approving a Minor Amendment to the Town of Chino Valley 2003 General Plan Future Land Use Map, which will provide the necessary Commercial land use designation on an approximately 5 acre portion of APN 306-05-030V to allow for the continued operation of the Windmill House facility, one guest casita, and the Windmill Farms Nursery. (Owner: La Vacara Trust; Applicant: Joe Cordovana)

Staff recommended motion: Staff may be requesting a continuation of this item.

- 13)** *Continued from December 9, 2010:* Case No. CL- PAD 10-002: Adopt Ordinance No. 10-743, repealing Ordinance No. 09-719 related to the 55+ Master Planned Community associated with Assessor's Parcel Numbers (APN) 306-05-030R, 030U, and 030V, located at 1460 W. Road 4 North; approving a Commercial Light-Planned Area Development (CL-PAD) zoning designation on an approximately 28 acre portion of APN 306-05-030V, which totals approximately 73 acres. The 28 acre PAD shall have 23 acres designated as Open Space / Resource Conservation (OS) zoning and 5 acres designated as CL-Pad zoning, to allow continuance of the existing Windmill House facility, one guest casita, and the Windmill Farms Nursery; and providing that the zoning on the remaining 45 acres of APN 306-05-030V revert back to Agricultural/Residential 5 Acre Minimum (AR-5). (Owner: La Vacara Trust; Applicant: Joe Cordovana)

Staff recommended motion: Staff may be requesting a continuation of this item.

- 14) Approve the **Financial Report** for five months ending November 30, 2010 for fiscal year 2010/2011.

Staff recommended motion: Move to approve the Financial Report for five months ending November 30, 2010 for fiscal year 2010/2011.

- 15) Authorize the Mayor to sign the Intergovernmental Agreement between the Town of Chino Valley and the **Arizona Department of Transportation** for landscaping and transportation enhancements to State Route 89 between Center Street and Road 4 South. Funding for this project will be through Arizona Department of Transportation, Transportation Enhancement Grant and Sidewalk Construction funds.

Staff recommended motion: Move to authorize the Mayor to sign the Intergovernmental Agreement between the Town and the Arizona Department of Transportation for landscaping and transportation enhancements to State Route 89 between Center Street and Road 4 South.

- 16) Authorize purchase of one new 2011 Ford Expedition 4x4 XL **Police Unit** as a replacement to one existing unit that is to be retired for mileage in the amount of \$28,691.69. Funds to come from a \$45,000.00 Arizona Governor's Office of Economic Recovery grant secured by the Police Department in the Grants Fund.

Staff recommended motion: Move to approve the purchase of a 2011 Ford Expedition 4x4 XL Police Unit as a replacement to an existing unit in the amount of \$28,691.69.

- 17) Review draft 2011 Council **Meetings Schedule**, reschedule or cancel certain meetings, and adopt final 2011 schedule.

Staff recommended motion: Move to adopt 2011 Council Meetings Schedule with revisions as discussed.

- 18) Approve September 28, 2010 Study Session **minutes**. (Absent: Councilmembers Baker and Echols)

Staff recommended motion: Move to approve September 28, 2010 minutes.

- 19a) Council may vote to hold an **executive session** pursuant to A.R.S. § 38-431.03(A)(3) and (A)(7) to obtain legal advice from its attorneys and to consider its position and instruct its attorneys, or other designated representatives, regarding negotiations for the lease of Town property located at 1943 Voss Drive, Chino Valley, AZ, with the Chino Valley Food Bank, a non profit 501(c)(3) corporation.

- 19b)** Possible action regarding a Lease Agreement between the Town of Chino Valley and the Chino Valley **Food Bank**, located at 1943 Voss Drive in Chino Valley, for the period beginning January 1, 2011 and ending December 31, 2020.

Staff recommended motion: To be determined per Council discussion.

20) ADJOURNMENT.

Dated this 5th day of January, 2011.

By: _____
Jami C. Lewis, Town Clerk

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 636-1787 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting. Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/clerk/townagenda.shtml>, and in the Public Library and Town Clerk's Office.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 5

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6:00 p.m.

SUBMITTING DEPARTMENT: Town Clerk

CONTACT PERSON: Jami C. Lewis PHONE: 636-2646, ext. 119

☐ Presentation Only ☐ Report Only ☒ Consent Estimated Length of Staff Presentation: _____ min.
☐ Action-Presentation ☐ Action ☐ Executive 0 min.

ITEM LOCATION:

PROPOSED AGENDA ITEM:

Approve August 31, 2010 Regular Meeting minutes.

FISCAL IMPACT? No If Yes, Budget Code: _____ Available: \$ _____

FUNDING:

TYPE OF DOCUMENT(S) FOR CONSIDERATION:

Council meeting minutes



**TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT**

Item No. 5

SITUATION AND ANALYSIS:

RECOMMENDED MOTION:

Move to approve August 31, 2010 Regular Meeting minutes.

ATTACHMENTS:

August 31, 2010 Regular Meeting minutes

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

_____ Author	<u>Jami C. Lewis</u> Department Head	<u>Vera Smith</u> Finance
_____ Other:	_____ Other:	_____ Legal
_____ Other:	_____ Other:	<u>Michael K. Scannell</u> Town Manager/Designee

**MINUTES OF THE REGULAR COUNCIL MEETING (RESCHEDULED)
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY**

**TUESDAY, AUGUST 31, 2010
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona met for a Regular Meeting (rescheduled) in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, August 31, 2010.

Mayor Bunker called the meeting to order at 6:01 p.m.

Council Present: Mayor Jim Bunker, Vice-Mayor Ron Romley, and Councilmembers Joel Baker, Dean Echols, Linda Hatch, Gloria Moore, and Carl Tenney.

Staff Present: Town Manager Michael Scannell, Management Assistant Cecilia Watts, Town Attorney Tom Kack, Finance Director Vera Smith, Police Chief Pat Huntsman, Commander Mark Garcia, Sergeant Vince Schaan, Development Services Director Pat Clingman, Town Engineer/Public Works Director Ron Grittmann, Civil Engineer Robin Allen, Community Services Director Jason Kelly, and Town Clerk Jami Lewis (recorder).

Councilmember Baker gave the invocation and led the pledge of allegiance.

2) Introductions, Presentations and Proclamations

- 2a)** Proclamation declaring September 6-12, 2010 as “*National Patriotism Week*,” sponsored by the Benevolent and Protective Order of Elks.

Mayor Bunker read the proclamation and presented it to several Elks’ members.

3) Call to the Public

Ab Jackson, CEO, Chino Valley Area Chamber of Commerce, reported on Territorial Days activities from August 28 to September 5, including parade, pancake breakfast, park activities, dinner and movie in Memory Park, 10k and 2 mile run/walk, corn dinner, horse show, and agribusiness and alternative energy workshops.

Mr. Zimmerman with the Prescott Area Association of Realtors invited Council to attend the “United We Stand” event, to benefit the troops overseas, on September 18 at Sam’s Club.

4) Mayor/Council/Manager Report

Mayor Bunker spoke about the League of Arizona Cities and Towns conference that four members of the Council attended. He also reported that the September 7 Study Session pertaining to sewer policy matters was being postponed until October 5; and that the following meetings were scheduled in September: Economic Development Committee on the 7th, Open Night with the Mayor on the 14th, and Mayor’s Safe Yield Committee on the 21st.

Vice-Mayor Romley invited the public to the Chino Valley Model Aviators annual air show on September 11-12.

Councilmember Baker invited the public to the American Legion's annual September 11 observance.

Consent Agenda

- 5) Approve June 10, 2010 Regular Meeting **minutes**.

Vice-Mayor Romley MOVED, seconded by Councilmember Baker, to accept Consent Agenda item 5. The motion PASSED unanimously 7-0.

Action Items

- 6) Discussion and possible action relative to: not filling the Water Resources Director position for fiscal year 2010/2011; reallocating \$30,000.00 to Water Resources Maintenance expenditure line for maintenance of the Cameron Property; reallocating \$63,989.00 in 1% Town Sales Tax revenues to the General Fund; and approving proposed **budget transfers**. Funds to come from 1% Town Sales Tax Revenues for fiscal year 2010/2011.

Town Manager Michael Scannell and Finance Director Vera Smith reported that:

- The Town's Water Resources Director position, whose primary focus was water acquisition and rights, had been vacant since February 2010. As development was slow and the Town's Water Attorney could manage water development matters, staff was recommending not filling this position for fiscal year 2010/2011 and reallocating the approximately \$100,000.00 for that position to the uses below.
- Cameron Property. The Town was due to take title on the Cameron property in December 2010 and would have an obligation to maintain it at approximately \$30,000.00 per year.
- Staffing. As there was inadequate staffing in the General Fund, additional support from the 1% Town Sales Tax revenues were required to hire additional people.

Council asked about the status of the Cameron property water right, consequences of not filling the Water Resources Director position, applicability of the 1% tax fund transfer, and future funding of the proposed new positions. Mr. Scannell related that:

- Per the Town's Water Attorney, the Cameron water right had not yet been severed from the property, and when the Town elected to sell the property, which would require voter approval, it would then file the legal documents to sever and transfer the water right to the Town.
- Other than water-specific matters, the Water Resources Director had worked on an energy grant, a regional development services fee study, and other such projects. The Town's only current water-specific project was to develop a mechanism to transport the Town's water rights in Paulden into the Town, and that came under the Water Attorney's purview. Conversely, as water was a critical issue, the position would have to be added back in at a future date.

- The Resolution that restricted the 1% sales tax uses would permit a transfer to support General Fund activities.
- Transfers for the new positions in the General Fund would be scheduled for fiscal years 2010/2011 and 2011/2012 and Council could revisit the matter next year.

Council generally believed that staff's proposal was the best allocation of the Town's funds at this time. However, they wanted to make sure that the 1% tax would be used only for its designated expenditures, and they felt it was important to be able to add the Water Resources Director position when it became necessary.

Vice-Mayor Romley MOVED, seconded by Councilmember Hatch, to approve: not filling the Water Resources Director position for fiscal year 2010/2011; reallocating \$30,000.00 to Water Resources Maintenance expenditure line for maintenance of the Cameron Property; reallocating \$63,989.00 in 1% Town Sales Tax revenues to the General Fund; and approving proposed budget transfers. The motion PASSED unanimously 7-0.

- 7) Discussion and possible action relative to filling currently **vacant positions** in the General Fund in order to afford the Town an opportunity to address its burgeoning workload. Funding to come from 1% Sales Tax fund, with appropriations for these positions to be spread to the appropriate funds and budget units.

Town Manager Michael Scannell reported that:

- As the budget reduction strategies implemented over the last two years failed to assess the impact that staffing reductions might have had on Town departments' ability to meet their respective duties and responsibilities, the Town was now experiencing wholesale failure of its service delivery system.
- To improve service delivery and correct staffing deficiencies, the leadership team proposed to add the following positions: senior accountant, custodian, library cataloger, parks maintenance laborer, Town Clerk administrative clerk, and police dispatcher.
- The estimated amount to fund these positions for nine months of the current fiscal year was \$157,602.00, and the Town's current efforts to restructure its debt would help develop the capacity to retain these positions.

Council expressed general support of this proposal.

Councilmember Baker MOVED, seconded by Councilmember Hatch, to approve filling recommended staff positions as specified in the Additional Fiscal Year 2010/2011 Personnel Requests spreadsheet (attached). The motion PASSED unanimously 7-0.

- 8) Approve the recommendations of the West Chino Valley **Speed Study** developed by the Roads and Streets Advisory Board Speed Limit Subcommittee, which recommends modifications to speed limits, warning signs, and stop signs for selected arterial and collector streets in West Chino Valley.

Civil Engineer Robin Allen reported that:

- From August 2009 to May 2010, Engineering staff collected traffic related data on major arterial and collector streets throughout the Town, including Reed Road, Center Street,

- Staff then compiled the raw data—along with factors such as sight distance, intersection frequencies, and road geometry—and computed the 85th percentile speed, the most frequently used method to set speed limits within cities and towns.
- The Roads and Streets Advisory Board Speed Limit Subcommittee then examined the existing speeds, the 85th percentile results, and each of the subject streets for sight distance and drivability. After consideration and analysis, they determined that some of the Town's speed limits were too low, and as speed limits set too high or low tended to cause more accidents, they recommended more reasonable limits.
- Staff also examined the existing stop signs on the same collector and arterial streets and was recommending to reduce three 4-way stops to 2-way and increase two 2-way stops to 4-way. Engineering studies would be required before the two recommended increases could be implemented.
- Staff and the Subcommittee forwarded their recommendations to Engineering Services and the Police Chief for review, who agreed with raising some speed limits and changing the stop signs.
- The estimated cost of materials to change speed limit signs and add stop signs was approximately \$60.00 per sign, for a total estimated cost of approximately \$5,000.00, and staff recommended that the funds come from the Highway User Revenue Fund Road Signs line. Town personnel would install the signs.
- Engineering staff was also collecting data for the east side of Chino Valley, as well as developing recommendations for school zones, and would follow the same process to bring a recommendation to Council.

Council asked about discrepancies between the maps in their packet and those in tonight's presentation, a problem along Road 1 East where stormwater collected, and the cost of the study. Ms. Allen explained that there were some errors in the packet materials; the study was strictly a speed study and did not look at the water pooling matter, and it was done totally in-house.

Public comment was as follows:

Jerry Grunberg requested that staff also consider a 4-way stop at Road 1 West and Road 2 South, as the streets did not completely intersect, and the knoll on Road 1 West prohibited drivers from seeing traffic in either direction. He expressed concern about drivers already going too fast on Road 1 West and going even faster if the speed limit was raised. He also felt that the Town needed to be tough on speeders and school zone speed limits of 15 mph should not be altered. Staff and Council related that if speed limits were too low, most people would ignore them, and no matter the limit, a few would always go over; and school zones were regulated by state law.

Ray Denney spoke about traveling west on Road 2 South from the highway, instead of Road 1 South, since Road 2 South went straight through.

Council recommended that staff re-examine the Road 1 West and Road 2 South intersection.

Vice-Mayor Romley MOVED, seconded by Councilmember Echols, to approve the recommendations of the West Chino Valley Speed Study as developed by the Roads and Streets Advisory Board Speed Limit Subcommittee. The motion PASSED unanimously 7-0.

- 9) Authorize the Mayor to sign two Intergovernmental Agreements (IGA) between the Town of Chino Valley and the Chino Valley Unified School District for roadway improvements to **Center Street**: (1) to renew and extend the term of the IGA dated December 10, 2009; and (2) to approve a new IGA to fund additional improvements. Chino Valley Unified School District will contribute \$290,000.00 to the Town of Chino Valley through Adjacent Ways funding for public improvements to Center Street.

Acronym used in this item:

IGA (Intergovernmental Agreement)

Town Engineer Ron Grittmann reported that:

- On December 10, 2009, the Town and Chino Valley Unified School District (“District”) entered into an IGA for improvements to and around Center Street. Per the IGA, the District would reimburse \$117,000.00 to the Town for sewer installation, concrete sidewalks and a bus bay, while the Town would fund grading and paving.
- As the IGA had expired and the project was not yet complete, the IGA needed to be renewed and its term extended.
- In addition, the District had received \$173,000.00 in Adjacent Ways funds for the new fiscal year and they were asking the Town to enter into a new IGA to fund the design and construction of curb, gutter, and sidewalk, two bus bays, and a right turn lane onto SR 89 across the high school and District offices frontage, as well as relocate fences, reconstruct a parking lot and transitions, and install sewer service connections.

Richard Bond, public member, asked how the Town and District could spend this much money when both were broke. Mayor Bunker explained that this project was part of a joint venture between the Town and District to extend sewer line along Center Street and make improvements to the road and District property along the road. The District was using Adjacent Ways funds, which could only be used for roadway improvements around schools, and the Town was using Highway User Revenue Funds, which could only be used for roads and roadway improvements.

Vice-Mayor Romley MOVED, seconded by Councilmember Baker, to authorize the Mayor to sign the two Intergovernmental Agreements between the Town of Chino Valley and the Chino Valley Unified School District for Adjacent Ways improvements to Center Street across the frontage of the Chino Valley High School and District Offices. The motion PASSED unanimously 7-0.

- 10) Approve renewal of Intergovernmental Agreement with Yavapai County Flood Control District for Townwide Area **Drainage Masterplan** in the amount of \$185,018.00 for fiscal year 2010/2011. Funds to come from Yavapai County Flood Control District.

Town Engineer Ron Grittmann reported that on August 27, 2009, the Town and Yavapai County Flood Control District (“District”) entered into an IGA for the subject Drainage Master Plan. As

the IGA had expired and the project was not yet complete, the IGA needed to be renewed, its term extended, and the funding carried forward into the new fiscal year.

Council asked about the status of the drainage study and the Town requesting more funds. Mr. Grittmann stated that he anticipated the study would be done by the end of December and staff was already conferring with the District about additional funding to address trouble spots.

Richard Bond, public member, felt that the Town should use this money to fix drainage problems, not study them, since everyone knew where the water went. Mr. Grittmann clarified that the study was needed to quantify not only water drainage locations, but water volumes and heights, and it would enable the Town to seek additional funding to address those problems. Councilmember Hatch added that these funds came from property taxes paid by Town citizens to the County Flood Control District, not the Town's general fund.

Councilmember Moore recognized Councilmember Hatch for originally bringing these funds to Council's attention.

Vice-Mayor Romley MOVED, seconded by Councilmember Baker, to approve Intergovernmental Agreement with Yavapai County Flood Control District for Townwide Area Drainage Masterplan in the amount of \$185,018.00 for fiscal year 2010/2011. The motion PASSED unanimously 7-0.

- 11) Discussion and possible action relative to entering into an Agreement with TUV Rheinland PTL, LLC for the annual donation of **solar panels** for use in sustainability projects sponsored by the Town of Chino Valley.

Town Manager Michael Scannell and Town Engineer Ron Grittmann reported that:

- Through the assistance of Councilmember Hatch and Dr. Subach, a Town resident with a professional and academic interest in solar projects and Dr. Mani, Director of TUV Rheinland Photovoltaic Testing Laboratory ("TUV"), the Town had received two grants from Arizona Department of Commerce for energy retrofits, as well as a donation of solar panels from TUV.
- TUV was now expressing an interest in donating 5 kilowatt's worth of solar panels on an annual basis to be used for Town sustainability projects, the first of which was to reduce energy expenses at the wastewater treatment plant.
- The Town's expense in this program would be to purchase racks for the panels, set the panels in the racks, and hook them into the Town's system.

Council asked if the project would be fenced in. Mr. Grittmann stated that it would be.

Councilmember Hatch commended Dr. Mani and Dr. Subach for involving the Town in this project and Mr. Grittmann for proposing the annual donation.

Vice-Mayor Romley MOVED, seconded by Councilmember Baker, to authorize the Mayor to sign Agreement for Photovoltaic Panel Donation between TUV Rheinland PTL and the Town. The motion PASSED unanimously 7-0.

- 12) Approve a Change Order with **Asphalt, Paving & Supply** in the amount of \$189,350.86 for additional work related to the Center Street Paving Project. Funds to come from Highway Users Revenue Fund Carry Forward, and Chino Valley Unified School District Adjacent Ways Project Funds, with \$49,777.29 to be paid by the Town for construction within Town right-of-way, and \$139,573.57 to be reimbursed by the School District.

Acronyms used in this item:

IGA (Intergovernmental Agreement)
 HURF (Highway User Revenue Fund)
 GADA (Greater Arizona Development Authority)

Town Engineer Ron Grittmann reported that:

- On December 10, 2009, the Town and Chino Valley Unified School District (“District”) entered into an IGA for improvements to Center Street, including the subject paving project.
- On June 24, 2010, Council approved a contract for the Center Street paving project with Asphalt Paving & Supply, whose original bid was \$427,967.53. Because the bid came in much lower than expected, the Town now had the opportunity to upgrade the roadway construction.
- Originally, the Town encumbered GADA loan funds for this project; however, staff now recommended using 2008/2009 HURF carry forward dollars to fund the entire project.

Vice-Mayor Romley asked about using HURF funds for this project instead of using them for other roads. Ms. Allen and Mr. Grittmann explained that HURF funds, which could only be used for roadway projects, were available, and staff preferred to fund the project from the appropriate budget expenditure line and save the GADA funds for a GADA-specific project or to reduce next year’s debt service. Town Manager Michael Scannell added that overall, the Town had insufficient revenues to maintain its road system, which would necessitate a conversation with the community about their expectations.

Councilmember Moore left the meeting at 8:00 p.m. and returned at 8:04 p.m.

Richard Bond, public member, felt that all Council discussed was spending and it appeared that the Town was taking a line of credit without paying it back.

Council supported the recommendation, as it was important to charge expenditures to the right fund, and the Town did not need to use a line of credit just because it had it.

Vice-Mayor Romley MOVED, seconded by Councilmember Echols, to approve a Change Order with Asphalt Paving & Supply in the amount of \$189,350.86 for the Center Street Paving Project, with an amount of \$139,573.57 to be reimbursed by Chino Valley Unified School District. The motion PASSED unanimously 7-0.

- 13) Approve May 18, 2010 Study Session **minutes**. (Absent: Vice-Mayor Romley and Councilmember Baker)

Councilmember Tenney MOVED, seconded by Councilmember Moore, to approve May 18, 2010 Study Session minutes. The motion PASSED unanimously 5-0 with 2 abstentions by Vice-Mayor Romley and Councilmember Baker.

- 14) Approve May 27, 2010 Regular Meeting **minutes**. (Absent: Mayor Jim Bunker and Vice-Mayor Romley)

Councilmember Tenney MOVED, seconded by Councilmember Baker, to approve May 27, 2010 Regular Meeting minutes. The motion PASSED unanimously 5-0 with 2 abstentions by Mayor Bunker and Vice-Mayor Romley.

- 15) Council may vote to hold an **executive session** pursuant to A.R.S. §38-431.03(A)(3) to obtain legal advice from its attorneys, and to consider its position and instruct its attorneys and staff regarding further inquiry into time reporting and overtime matters.

Councilmember Baker MOVED, seconded by Vice-Mayor Romley, to go into executive session. The motion PASSED unanimously 7-0 at 8:16 p.m. Mayor Bunker reconvened the meeting into open session at 9:24 p.m.

- 16) Council may vote to hold an **executive session** pursuant to A.R.S. § 38-431.03(A)(3) to obtain legal advice from its attorneys, and to consider its position and instruct its attorneys and staff regarding the Town's position applicable to enforcement and collection of sales taxes.

- 17a) Council may vote to hold an **executive session** for legal advice pursuant to A.R.S. § 38-431.03(A)(3) and ARS §38-431.03(A)(4) to obtain legal advice from its attorneys, and to consider its position and instruct its attorneys and staff regarding the Town's claims against The City of Prescott for payment of "Water Transportation Taxes," a Tolling Agreement, and an audit of such taxes.

Vice-Mayor Romley MOVED, seconded by Councilmember Moore, to go into executive session for items 16 and 17a. The motion PASSED unanimously 7-0 at 9:25 p.m. Mayor Bunker reconvened the meeting into open session at 10:16 p.m.

- 17b) Possible action regarding the Town's claims against the City of Prescott for payment of Water Transportation Taxes including potential approval of a Tolling Agreement and potential hiring of a firm to audit such taxes.

Council took no action.

- 18) Adjournment.

Councilmember Baker MOVED, seconded by Vice-Mayor Romley, to adjourn the meeting. The motion PASSED unanimously 7-0 at 10:17 p.m.

Jim Bunker, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 31st day of August, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11th day of January, 2011.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 6

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6:00 p.m.

SUBMITTING DEPARTMENT: Town Clerk

CONTACT PERSON: Jami C. Lewis PHONE: 636-2646, ext. 119

☐ Presentation Only ☐ Report Only ☒ Consent Estimated Length of Staff Presentation: _____ min.
☐ Action-Presentation ☐ Action ☐ Executive 0 min.

ITEM LOCATION:

PROPOSED AGENDA ITEM:

Approve September 9, 2010 Regular Meeting minutes.

FISCAL IMPACT? No If Yes, Budget Code: _____ Available: \$

FUNDING:

TYPE OF DOCUMENT(S) FOR CONSIDERATION:

Council meeting minutes



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 6

SITUATION AND ANALYSIS:

RECOMMENDED MOTION:

Move to approve September 9, 2010 Regular Meeting minutes.

ATTACHMENTS:

September 9, 2010 Regular Meeting minutes

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

_____ Author	<u>Jami C. Lewis</u> Department Head	<u>Vera Smith</u> Finance
_____ Other:	_____ Other:	_____ Legal
_____ Other:	_____ Other:	<u>Michael K. Scannell</u> Town Manager/Designee

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY**

**THURSDAY, SEPTEMBER 9, 2010
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Thursday, September 9, 2010.

Mayor Bunker called the meeting to order at 6:02 p.m.

Council Present: Mayor Jim Bunker, Vice-Mayor Ron Romley, and Councilmembers Joel Baker, Dean Echols, Linda Hatch, Gloria Moore, and Carl Tenney.

Staff Present: Town Manager Michael Scannell, Management Assistant Cecilia Watts, Town Attorney Sharon Sargent-Flack, Finance Director Vera Smith, GIS/CAD Technician Jan Mazy, Police Chief Pat Huntsman, Commander Mark Garcia, Judge John Walker, Development Services Director Pat Clingman, Associate Planner David Nicolella, Town Engineer/Public Works Director Ron Gritman, Community Services Director Jason Kelly, and Town Clerk Jami Lewis (recorder).

Councilmember Tenney gave the invocation and Councilmember Baker led the pledge of allegiance.

2) Introductions, Presentations and Proclamations

- 2a)** Proclamation declaring September 17-23, 2010 as “**Constitution Week**,” sponsored by the Arizona Society Daughters of the American Revolution, Yavapai Chapter of Prescott Valley.

Mayor Bunker read the proclamation and presented it to Lee Nelson and Ruth Ann and David Clark, who spoke about honoring the country’s founding fathers and handed out copies of the U.S. Constitution.

- 2b)** Chino Valley **Historical Moment**, presented by Kay Jones, President, Chino Valley Historical Society.

The Historical Moment was not presented.

- 2c)** **Chamber Update** by Ab Jackson, Chief Executive Officer, Chino Valley Area Chamber of Commerce.

Ab Jackson, CEO, Chamber of Commerce, reported on a ribbon cutting at Tender Hearts Home Care, Territorial Days activities, the Chamber’s 25th Anniversary luncheon, and the Business of the Month, Walgreens.

3) Call to the Public

No one from the public spoke.

4) Mayor/Council/Manager Report

Mayor Bunker commended the First Territorial Capitol Days participants and reported that:

- The Economic Development Committee was discussing alternatives to the current process of collecting impact fees, but they had not discussed property taxes in lieu of impact fees as reported in the newspaper.
- The Town's Youth Librarian, Darlene Westcott, had been selected by the Arizona Library Association as Outstanding Youth Librarian of the Year.
- The following Town events were scheduled in September: Model Aviators fly-in at Old Home Manor, Open Night with the Mayor, and a Town Hall to be held by the Secretary of State's office to educate the public on November ballot initiatives.

Pat Clingman recognized GIS/CAD Technician Jan Mazy and Associate Planner David Nicolella for heading the Town's Census process and she presented the official notice to Council that the Town's census count was now complete.

Vice-Mayor Romley announced that the annual Prescott Area Kennel Club dog show was also being held in September.

Consent Agenda

Council set down item 6.

- 5) Recommendation regarding application from Noel Arturo Flores for a Liquor License Extension of Premises/Patio Permit for **Arturo's Mexican Restaurant**, located at 744 S. State Route 89, Suites A & B in Chino Valley.

Vice-Mayor Romley MOVED, seconded by Councilmember Echols, to accept Consent Agenda item 5. The motion PASSED unanimously 7-0.

- 6) Approve form of **Concessions Agreement** to allow the Community Services Department to contract with future concessionaires at the Community Center Sports Complex.

Community Services Director Jason Kelly reported that:

- Staff desired to streamline the approval process for concessions agreements, as the agreement form remained the same in all cases and only the user fee and term limit varied per the scope of service.
- In lieu of submitting every such agreement to Council, staff proposed that Council approve a boilerplate agreement that would provide uniform insurance requirements, operating policies, hold harmless clauses, compliance procedures, and general obligations of the parties.
- The Parks and Recreation Advisory Board voted unanimously on August 3, 2010 to forward the subject agreement form to Council for its approval.

Council preferred that staff attach a written cost to the boilerplate, and add a provision for Town Manager approval of minor changes to the fee schedule or term limit, and Council approval for unusual circumstances.

Vice-Mayor Romley MOVED, seconded by Councilmember Tenney, to continue item 6. The motion PASSED unanimously 7-0.

Action Items

- 7) CUP-10-002: Adopt **Ordinance No. 10-736** to approve the issuance of a **Conditional Use Permit** on Assessor's Parcel Number 306-23-003V, located at 815 E. Road 2 North, to allow a 19 space Recreational Vehicle (RV) Park on approximately 0.8 acres at the Country West Mobile Home Park (MHP). Owner/Applicant: John Meurs.

Acronyms used in this item:

CUP (Conditional Use Permit)

RV (Recreational Vehicle)

Development Services Director Pat Clingman reported that:

- The proposed 19-space RV Park was Phase V of Country West, a 55+ mobile home park. The Town's General Plan designated the subject property as "Commercial," and as the property was currently zoned Commercial Light (CL), a CUP would be required to allow the RV Park. The RV spaces were proposed to be rented for a maximum stay of 90 days and each space would connect to Town water and sewer.
- Applicant John Meurs was requesting that Council approve the Ordinance without a plot plan or engineering, as he wanted some assurance from Council that they would approve the project before he incurred those costs. If Council approved the Ordinance and the engineering demonstrated that his plan would work, he intended to reduce the Phase III retention/detention pond that was contiguous to the proposed Phase V lot lines. If the plan did not appear to work, he might abandon the project.
- Mr. Meurs was also requesting that Council waive the Unified Development Ordinance's requirements for restrooms, block wall, drought tolerant landscape, and vehicular drive paving.
- Seven public participation notices were sent to neighboring properties and the Town received three responses: one in support, one against, and one requesting a site plan. At the neighborhood meeting held on April 21, 2010 at which 20 people attended, some attendees felt that this project would be an improvement, as the vacant site was a source of blowing dust, while other expressed concern about the applicant's requested waivers, drainage, safety matters along the south property line, patron compliance with park regulations, access, increased traffic, and possible addition of another cluster mailbox unit.
- At the public hearing on July 15, 2010 before the Planning and Zoning Commission, the Commission voiced no objections to the CUP as long as all the stipulations were met prior to any construction, and they elected by a 6-0 vote to forward the application to Council with a recommendation for approval with the findings and stipulations indicated in the Ordinance.

- Staff did not agree with waiving any requirements and preferred that Mr. Meurs provide more information, as the plot plan staff had did not depict a property line on the south boundary, the north property line went through parking spaces, and lot lines went through the retention/detention pond.

Council asked about the Town allowing 90-day stays in the park, Council being able to revoke the CUP if they approved it and a stipulation was not met, and the difference between staff's and the Commission's recommendations. Ms. Clingman related that it would be up to the park owner to enforce the 90-day stay requirement, Council could revoke the CUP at a later time, and staff was willing to recommend that Council uphold the Commission's recommendation, provided that Mr. Meurs could not obtain a building permit until all the conditions were met and he came back to Council within one year for approval.

Council asked Mr. Meurs why he was requesting the waivers and why his proposal was different from the KOA (Kampgrounds of America) project proposed in July to which he had objected.

Mr. Meurs presented his proposed site plan to Council and related that:

- The only item needed to complete the plan was utilities and as he believed the retention/detention pond was over built, the plan should fit in the given area.
- He was asking Council to approve the CUP prior to completion of the drainage report and underground utilities, as he could not afford to risk doing them if Council denied the CUP later.
- He was requesting the waivers for: (i) restrooms, as he would only allow self-contained units with lavatories in the park and the clubhouse restrooms would be available if needed; (ii) drought tolerant plants, as all his proposed plants were already drought tolerant; and (iii) paving, as RV campers did not like being on asphalt, as it was too hot, and he preferred decorative gravel. He was also no longer requesting a waiver for the block wall.
- Regarding the KOA matter, he had stated that he was neutral on the project, and although he believed the developer would create a good project, RV and mobile home parks, including KOA's, often got sold and were followed by something less desirable. He was also opposed to high density such as apartments or other mobile home parks, as he had a hard time keeping his own spots full.

Council generally believed that the proposed project would be a good addition to Country West and that Mr. Meurs would achieve the same high quality that currently existed. However, they expressed concern about the Commission forwarding an incomplete plan and Council setting a precedent by approving it, no plans being provided for drainage and access, and there still being too many unanswered questions. They were also reluctant to waive any requirements and did not want to give Mr. Meurs false hope that they would approve the final plan. They also recommended that staff research the Arizona Code to make sure 90-day stays were permissible.

Vice-Mayor Romley MOVED, seconded by Councilmember Baker, to continue item 7 until such time that a full package with all the documents required by staff could be submitted back to Council.

Council asked where chip seal was needed and if Mr. Meurs would go forward if they insisted on the conditions being met. Mr. Grittmann stated that chip seal was needed along the drive aisles. Mr. Meurs related that chipseal presented difficulties for RVs and the current material was dust free, cooler, and looked better; his plan was not incomplete; and if Council did not approve the Ordinance, he might not pursue the project. Mayor Bunker suggested that Mr. Meurs give his site plan to staff so it could be brought back to Council.

Town Attorney Sharon Sargent-Flack advised that Council could approve the Ordinance tonight, subject to Mr. Meurs complying with the recommended zoning and engineering stipulations and coming back to Council within a year to vest the CUP.

Councilmember Tenney called the question. The motion PASSED unanimously 7-0.

- 8) Adopt **Ordinance No. 10-735** amending the Chino Valley Town Code, Section 51.250 “**Utility Service Deposits**,” to allow the Utility Division to clarify the conditions under which utility deposits may be waived and refunds may be made.

Management Assistant Cecilia Watts reported that currently, the Town required deposits for new sewer and water service; however, the Town Code did not have a mechanism for waiving the deposit fee or refunding it before service was discontinued. The Utilities Division believed it would be in the Town’s and utility customers’ best interest to require deposits only when there was no demonstrated good payment history with the Town or other utility company, and to refund deposits after one year with good payment record or upon discontinuing service.

Vice-Mayor Romley MOVED, seconded by Councilmember Echols, to adopt Ordinance No. 10-735 amending the Chino Valley Town Code, Section 51.250 “Utility Service Deposits.” The motion PASSED unanimously 7-0.

- 9) Approve purchase of the **e-Citation mobile** application system from Creative Communications in the amount of \$28,327.00 for use by the Chino Valley Municipal Court and Police Department. Funds to come from the Court improvements expenditure line item in the Special Revenue Fund – Court.

Judge John Walker reported that:

- The e-Citation system would benefit public safety personnel with significantly improved workflow efficiency, reduced paper flow from the ticketing process, reduced time spent by officers at citation stops, ticket information being automatically updated in the Municipal Court system, and minimal data entry errors.
- Benefits to the public included clarity as to the total amount owed, elimination of bond schedules, and automatic calculation of driving school deadlines.
- The software was unique in that the Police Department would be able to change and add to it as desired, I.T. support would be minimal, and the mobile devices would be covered by warranty for damage incurred while on duty. The Town also had the option to add GPS and internet connectivity later.
- Staff would purchase this item through state contract and was also requesting to increase the proposed expenditure to a not-to-exceed amount of \$30,000.00, as an additional \$800.00 to \$900.00 would extend support services from three to five years.

Patricia Lamb, public member, asked about a backup system for legal purposes and the chances of data being lost. Judge Walker explained that the data would be backed up in at least three places, but if a unit was destroyed, some data could still be lost.

Vice-Mayor Romley MOVED, seconded by Councilmember Moore, to approve purchase of the e-Citation mobile application system in the amount not-to-exceed \$30,000.00. The motion PASSED unanimously 7-0.

- 10)** Approve purchase of two new 2011 Ford **Crown Victoria** Police Units and appurtenances, in the amount of \$66,440.78, as a replacement to two units being retired. Funds to come from the capital asset replacements expenditure line item in the Capital Asset Replacement Fund.

Town Engineer Ron Grittmann reported that as the actual wear on a police vehicle exceeded the mileage due to frequently sitting at idle while incidents were handled, a police vehicle's typical lifespan was between 100,000 to 125,000 miles. Several Town police vehicles were nearing their mileage lifespan and the two units to be replaced had 137,067 and 129,637 miles. To keep the total cost of the units to a minimum, staff would outfit the vehicles in-house using existing mounts, light bars, and other items from salvaged and retired units.

Vice-Mayor Romley asked about a discrepancy between the cost of new radios and using existing ones. Mr. Grittmann clarified that the vehicles would need new radios, but the appurtenances would be done by staff.

Vice-Mayor Romley MOVED, seconded by Councilmember Baker, to approve the purchase of two new 2011 Ford Crown Victoria Police Units and appurtenances in the amount of \$66,440.78. The motion PASSED unanimously 7-0.

11) ADJOURNMENT.

Councilmember Baker MOVED, seconded by Vice-Mayor Romley, to adjourn the meeting. The motion PASSED unanimously 7-0 at 8:03 p.m.

Jim Bunker, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 9th day of September, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11th day of January, 2011.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 7

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6:00 p.m.

SUBMITTING DEPARTMENT: Town Clerk

CONTACT PERSON: Jami C. Lewis PHONE: 636-2646, ext. 119

☐ Presentation Only ☐ Report Only ☒ Consent Estimated Length of Staff Presentation: _____ min.
☐ Action-Presentation ☐ Action ☐ Executive

ITEM LOCATION:

PROPOSED AGENDA ITEM:

Approve September 23, 2010 Regular Meeting minutes.

FISCAL IMPACT? No If Yes, Budget Code: _____ Available: \$ _____

FUNDING:

TYPE OF DOCUMENT(S) FOR CONSIDERATION:

Council meeting minutes



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 7

SITUATION AND ANALYSIS:

RECOMMENDED MOTION:

Move to approve September 23, 2010 Regular Meeting minutes.

ATTACHMENTS:

September 23, 2010 Regular Meeting minutes

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

_____ Author	<u>Jami C. Lewis</u> Department Head	<u>Vera Smith</u> Finance
_____ Other:	_____ Other:	_____ Legal
_____ Other:	_____ Other:	<u>Michael K. Scannell</u> Town Manager/Designee

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY**

**THURSDAY, SEPTEMBER 23, 2010
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Thursday, September 23, 2010.

Mayor Bunker called the meeting to order at 6:01 p.m.

Council Present: Mayor Jim Bunker, Vice-Mayor Ron Romley, and Councilmembers Joel Baker, Dean Echols, Linda Hatch, Gloria Moore, and Carl Tenney.

Staff Present: Town Manager Michael Scannell, Management Assistant Cecilia Watts, Town Attorney Sharon Sargent-Flack, Finance Director Vera Smith, Police Commander Mark Garcia, Development Services Director Pat Clingman, Town Engineer/Public Works Director Ron Gritman, Community Services Director Jason Kelly, Senior Center Supervisor Cyndi Thomas, and Town Clerk Jami Lewis (recorder).

Mayor Bunker gave the invocation and Councilmember Baker led the pledge of allegiance.

2) Introductions, Presentations and Proclamations

- 2a)** Proclamation declaring October 16, 2010 as “American Diabetes Association’s Step Out: **Walk to Fight Diabetes Day**,” sponsored by the American Diabetes Association.

Mayor Bunker read the proclamation and presented it to Nancy Wahl with the American Diabetes Association, who spoke about the Step Out event and citizens forming a Town team.

- 2b)** Presentation by Bruce Eldredge regarding the **Rotary Club’s** one million word literacy challenge.

Bruce Eldredge with the Rotary Club spoke about the literacy challenge and encouraged Council to participate on the public side by pledging to read, issuing a formal challenge to students, and doing a proclamation.

- 2c)** **Annual Report** by Parks & Recreation Advisory Board regarding accomplishments for Fiscal Year 2009/2010 and goals and objectives for Fiscal Year 2010/2011.

As the presenter was unable to attend, the annual report was not given.

3) Call to the Public

Rick Nichols, Secretary/Treasurer, Chino Valley Model Aviators, thanked the Town for extending their lease at Old Home Manor so they could continue to improve the site and he reported on the group's recent annual air show and other activities over the past year.

4) Mayor/Council/Manager Report

Vice-Mayor Romley reported that at the last Central Yavapai Metropolitan Planning Organization meeting, board members were given a report regarding the Great Western extension from SR 89-A to Road 5 South, which was intended to alleviate the projected 135,000 trips on SR 89 by 2030, and the need for the Town to rewrite its General Plan to prepare for this growth. He also asked if the Town had budgeted for the additional costs of the pending referendum. Town Clerk Jami Lewis stated that the additional costs, which were not budgeted, were estimated at about \$3,000.00.

Councilmember Tenney announced that on September 25, Secretary of State Ken Bennett would be in Town to educate the public on the statewide November ballot measures.

Consent Agenda

- 5) Approve July 8, 2010 Regular Meeting **minutes**.
- 6) Accept resignation of Tom Conner and Myron Robison from the **Roads and Streets Advisory Board**, effective August 22, 2010 and August 19, 2010, respectively.

Vice-Mayor Romley MOVED, seconded by to Councilmember Moore, to accept Consent Agenda items 5 and 6. The motion PASSED unanimously 7-0.

Action Items

- 7) **PUBLIC HEARING** and possible recommendation for approval of application from Janice Martin to add sampling privileges to an existing Liquor Store Series 9 Liquor License for **Safeway Food & Drug**, located at 1031 N. State Route 89 in Chino Valley.

Town Clerk Jami Lewis reported that:

- During the last State legislative session, the legislature passed House Bill 2002 amending A.R.S. 4-206.01 to add a provision permitting bar, beer and wine bar, or liquor store licensees to apply for an addition of sampling privileges.
- Subsequently, Safeway Food & Drug applied with the Department of Liquor Licenses and Control to add the sampling privilege to their Liquor Store License.
- Application for the sampling privilege was to be conducted under the same procedures as for a new liquor license, with the Town having the same requirements for posting, public hearing, and Council recommendation. The Police and Planning Departments reviewed the application and recommended approval with no comments. Staff posted the establishment for the required 20 days and received no communication from the public either for or against the application.

Vice-Mayor Romley MOVED, seconded by Councilmember Hatch, to OPEN the Public Hearing. As no one from the public spoke, Vice-Mayor Romley MOVED, seconded by Councilmember Echols, to CLOSE the Public Hearing. The motion PASSED unanimously 7-0.

Vice-Mayor Romley MOVED, seconded by Councilmember Baker, to recommend approval of application to add sampling privileges to an existing Liquor Store Series 9 Liquor License for Safeway Food & Drug. The motion PASSED unanimously 7-0.

- 8) Authorize the Mayor to sign an Intergovernmental Agreement with Arizona Department of Transportation (ADOT) in the amount of \$113,568.00 for the Section 5311 **Rural Transportation Grant** Program. This grant requires a local match valued at \$28,682.00, which shall be met through volunteer service hours, existing personnel and operating allocations, Local Transportation Assistance Fund (LTAF) II grant funding, and Town's general fund.

Acronyms used in this item:

ADOT (Arizona Department of Transportation)
 CYMPO (Central Yavapai Metropolitan Planning Organization)
 LTAF (Local Transportation Assistance Fund)
 VTS (Voucher Transit System)

Community Services Director Jason Kelly reported that:

- In November 2009, Council authorized staff to contract with ADOT to perform a feasibility study to determine the Town's capability of improving its transportation services.
- The study's results suggested that the Town could enhance transportation by reallocating its current transportation funds to match a grant from ADOT's 5311 Public Transportation Grant Program and improve citizen mobility by providing public transit service twenty-four hours per week, with four days local service and two days regional service to Prescott.
- In February 2010, Council authorized staff to submit a grant application and accept funding from ADOT for delivery of a public transit system, effective November 1, 2010 through September 30, 2011, that would replace the current VTS.
- Funds for this program were to come from the Federal Transit Administration, ADOT, CYMPO, and the Town. Operating partners included the new Chino Valley Transit, Rotary Club, and Prescott Transit Authority.
- The total program cost was \$142,250.00, with the grant amount of \$113,568.00 and Town match of \$28,682.00, which would be met through in-kind service hours provided by volunteer staff, current Town salaries and operating allocations, LTAF II grant monies, and the Town's LTAF II general fund match, as well as a new source from CYMPO Section 5303 reimbursement dollars. Funds were also allocated for a driver and clerk, if needed.
- As the VTS was scheduled to end September 30 and those users would be without services from then until November 1, staff would need the Mayor to execute an agreement to cover those services through October 31, and then have Council ratify the action in October.

Mr. Kelly then described the new program's estimated routes and schedules and fare schedule. He also pointed out that although the local match amount in the intergovernmental agreement was incorrect, ADOT was requesting that Council approve it now and then approve an amendment later.

Vice-Mayor Romley added that as there were no more LTAF funds for vouchers, this program appeared to provide the best alternative at the lowest cost. He encouraged citizens to volunteer to drive or use the system, and he suggested that staff consider offering free transit for the first few weeks as a way to introduce the service to the citizens.

Council and the public asked about those who could not get to a bus stop, from where the Town was getting the buses, and who held the liability on them. Mr. Kelly stated that while this was a curb-to-curb service, a person who could not get to the bus stop could call in advance to be picked up, or staff would recommend another agency that offered that service. The Town would use its nine-passenger, ADA equipped vans, which were covered by the Town's insurance.

Council commended staff for finding a way to develop a fixed route system for the Town's citizens.

Vice-Mayor Romley MOVED, seconded by Councilmember Tenney, to authorize the Mayor to sign an Intergovernmental Agreement with ADOT in the amount of \$113,568.00 for the Section 5311 Rural Transportation Grant Program. The motion PASSED unanimously 7-0.

- 9) Authorize contract between Yavapai County **Long Term Care (YCLTC)** and Town of Chino Valley for the provision of Home Delivered Meal service from October 1, 2010 through September 30, 2012.

Community Services Director Jason Kelly reported that:

- Yavapai County Long Term Care ("YCLTC") Home Delivered Meal service offered nutritious meals to qualifying individuals residing in the service area of Chino Valley and Paulden. The Town had served as the primary service provider in the area since 1989 and as a sub-contractor to YCLTC since 2004.
- During fiscal years 2008/2009 and 2009/2010, the Town was reimbursed \$12,300.00 and \$16,600.00 for this service. Based on this historical data, at \$9.00 per meal, staff estimated YCLTC monies would amount to \$14,550.00 in fiscal year 2010/2011.
- On September 15, 2010, the Senior Center Advisory Board recommended that Council approve this contract in accordance with Resolution No. 555, which provided that the Town provide meals on wheels seven days a week for home-bound seniors.

Vice-Mayor Romley MOVED, seconded by Councilmember Echols, to authorize contract between YCLTC and Town for the provision of home delivered meal service for 2010 through 2012 term. The motion PASSED unanimously 7-0.

- 10)** Approve June 24, 2010 Regular Meeting **minutes**. (Absent: Councilmembers Baker, Echols, and Hatch)

Vice-Mayor Romley MOVED, seconded by Councilmember Tenney, to approve June 24, 2010 Regular Meeting minutes. The motion PASSED unanimously 4-0 with 3 abstentions by Councilmembers Baker, Echols, and Hatch.

11) ADJOURNMENT.

Councilmember Baker MOVED, seconded by Councilmember Hatch, to adjourn the meeting. The motion PASSED unanimously 7-0 at 7:05 p.m.

Jim Bunker, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 23rd day of September, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11th day of January, 2011.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 8

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6:00 P.M.

SUBMITTING DEPARTMENT: Public Works/Engineering

CONTACT PERSON: Ron Grittman, P.E. PHONE: (928) 636-7140

☐ Presentation Only ☐ Report Only ☒ Consent Estimated Length of Staff Presentation: _____ min.
☐ Action-Presentation ☐ Action ☐ Executive

ITEM LOCATION:

Cameron property, located at 24400 Troy Lane in Paulden, Arizona.

PROPOSED AGENDA ITEM:

Authorize staff to dispose of various pieces of exercise equipment, free weights, tractor, and other miscellaneous items that are located on the Cameron Property through the Town of Chino Valley Surplus Auction website.

FISCAL IMPACT? No If Yes, Budget Code: _____ Available: \$

FUNDING:

TYPE OF DOCUMENT(S) FOR CONSIDERATION:



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 8

SITUATION AND ANALYSIS:

The Town of Chino Valley has taken possession of the Cameron Property. The property was acquired for its historically irrigated acreage water rights; however, it also came with extensive exercise equipment, free weights, a tractor, and other miscellaneous items.

Town staff has assessed these items and has made the determination that a significant portion of the equipment is not of a standard that would serve the needs of the Town. The tractor is not capable of holding hydraulic fluid, and the pumps and power take do not function. The fleet department has determined that it would be more costly to repair the tractor than its value.

Likewise, many items of the exercise equipment are not in working condition. When staff members attempted to assess the viability of the equipment, smoke and sparks came from some of the equipment. While the free weights and other weight lifting equipment are useable, staff does not feel that the existing focus of services should be placed on maintaining equipment for a weight room.

RECOMMENDED MOTION:

Authorize Staff to dispose of various items located on the Cameron property through the Town of Chino Valley Surplus Auction website.

ATTACHMENTS:

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

Ron Grittman, P.E.

Author

Ron Grittman, P.E.

Department Head

Vera J. Smith

Finance

Other: _____

Other: _____

Legal

Other: _____

Other: _____

Michael K. Scannell

Town Manager/Designee



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 9

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6 p.m.

SUBMITTING DEPARTMENT: Development Services/ Planning Division

CONTACT PERSON: Pat Clingman PHONE: (928) 636-4427

☐ Presentation Only ☐ Report Only ☒ Consent Estimated Length of Staff Presentation: _____ min.
☐ Action-Presentation ☐ Action ☐ Executive

ITEM LOCATION:

Town wide

PROPOSED AGENDA ITEM:

Continued from November 9, 2011: Adopt Resolution No. 10-942 declaring the “Unified Development Ordinance –Amendments Dated January 11, 2011” a public record, and adopt Ordinance No. 10-738 relating to the following sections in the Chino Valley Unified Development Ordinance (UDO):

1. Add subparagraphs incorporating regulations for Greenhouses;
2. Amend Subsections 4.22.4: Parking Design Standards and 4.22.8: Determination of Required Spaces (Handicap Parking Spaces).

FISCAL IMPACT? No If Yes, Budget Code: _____ Available: \$

FUNDING:

TYPE OF DOCUMENT(S) FOR CONSIDERATION:

Ordinance; Resolution; Unified Development Ordinance amendment



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 9

SITUATION AND ANALYSIS:

The current amendments proposed in Ord. No. 10-738 were discussed on the following dates:

1. Adding various subparagraphs on Greenhouses: reviewed by the Mayor's Ad Hoc Economic Development Committee on April 6, May 4, and July 6, 2010, and by the Planning Commission on July 15 and September 16, 2010.
2. Subsections 4.22.4: Parking Design Standards and 4.22.8, J: Determination of Required Spaces (Handicap Parking Spaces): on July 15, and September 16, 2010, this item was reviewed by the Planning Commission.

Then, at the September 16, 2010 public hearing, the Planning Commission voted 7-0 to forward the proposed amendments to the Town Council with a recommendation for approval regarding the following amendments:

1. Adding several paragraphs on Greenhouses;
2. Subsection 4.22.4: Parking Design Standards and 4.22.8, J: Determination of Required Spaces (Handicap Parking Spaces).

In addition, on October 28, 2010, the Town Council discussed the above items and requested that the amendment to handicapped parking spaces provisions be calculated at one space for the 1st 20 parking spaces provided, and one (1) space every twenty five (25) thereafter.

Originally, this UDO amendment included revisions to Subsection 4.9, A and B-3 relating to Travel Trailers. As these provisions still required further review, staff was recommending that Council adopt the other two topic amendments, for which no one has expressed any concerns or reservations.

RECOMMENDED MOTION:

Move to adopt Resolution No. 10-942 declaring the "Unified Development Ordinance – Amendments Dated January 11, 2011" a public record and adopt Ordinance No. 10-738 amending the Unified Development Ordinance.

ATTACHMENTS:

- A – Ordinance No. 10-738
- B – Resolution No. 10-942 including amendments

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

Planning Commission and the Mayor's Ad Hoc Economic Advisory Committee minutes



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 9

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

David Nicolella
Author

Pat Clingman
Department Head

Vera J. Smith
Finance

Other:

Other:

Tom Kack
Legal

Other:

Other:

Michael K. Scannell
Town Manager/Designee

ATTACHMENT "A"

Ordinance No. 10-738

ORDINANCE NO. 10-738**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, ADOPTING "UNIFIED DEVELOPMENT ORDINANCE (UDO) – AMENDMENTS DATED JANUARY 11, 2011," RELATING TO THE CHINO VALLEY UNIFIED DEVELOPMENT ORDINANCE, AND ADDING SUBPARAGRAPHS RELATING TO GREENHOUSES, AND AMENDING SUBSECTIONS 4.22.4: PARKING DESIGN STANDARDS AND 4.22.8, J: DETERMINATION OF REQUIRED SPACES (HANDICAPPED PARKING SPACES)**

WHEREAS, on November 9, 2006, the Town Council of Chino Valley adopted Ordinance No. 06-678 adopting the Unified Development Ordinance; and

WHEREAS, currently there are only two references in the UDO relating to Greenhouses and these two references do not provide enough guidance to allow expansion of existing greenhouses nor construction of new greenhouses; and

WHEREAS, by adding additional subsections on greenhouses the Town of Chino Valley will be better able to assist with future greenhouse development as well as expansion of existing greenhouses; and

WHEREAS, the amendment to Subsection 4.22.8, J is needed to increase the overall number of Handicapped Parking Spaces (HC), link the number of HC spaces to the type of business and Establish "Universal Parking Space" dimensions; and

WHEREAS, on September 16, 2010, the Planning Commission ("Commission") conducted a Public Hearing to discuss the amendments in this Ordinance, during which testimony was presented by Town staff; and

WHEREAS, subsequent to the Public Hearing and discussion the Commission elected by a 7-0 vote to forward the amendments to the Town Council with a recommendation for approval; and

WHEREAS, at the October 28, 2010 Town Council meeting, the Council requested that provisions be added to provide a ratio for handicapped parking spaces under Subsection 4.22.8, K; and

WHEREAS, at their regular meeting of January 11, 2011, the Town Council confirmed the recommendation of the Commission by electing to adopt this Ordinance and thereby approve the Unified Development Ordinance Amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA:

Section 1. That certain document known as the “Unified Development Ordinance – Amendments Dated January 11, 2011” of the Town of Chino Valley, three (3) copies of which are on file in the office of the Town Clerk of the Town of Chino Valley, Arizona, which document was made a Public Record by Resolution No. 10-942 of the Town of Chino Valley, Arizona, is hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance.

Section 2. That this Ordinance repeals any prior enactment by the Town of Chino Valley that is inconsistent herewith.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 11th day of January, 2011.

Jim Bunker, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, P.C.
Town Attorney

ATTACHMENT "B"

Resolution No. 10-942 including amendments

RESOLUTION NO. 10-942

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, DECLARING AS A PUBLIC RECORD WITHIN THE MEANING OF A.R.S. §9-801 THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED “UNIFIED DEVELOPMENT ORDINANCE – AMENDMENTS DATED JANUARY 11, 2011”

BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, Arizona:

That certain document entitled “Unified Development Ordinance – Amendments Dated January 11, 2011,” which was adopted with Ordinance No. 10-738, is hereby declared to be a public record within the meaning of A.R.S. §9-801, three (3) copies of which are on file in the office of the Town Clerk and which are available for inspection by the public during normal business hours.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 11th day of January, 2011.

Jim Bunker, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, P.C.
Town Attorney

UNIFIED DEVELOPMENT ORDINANCE – AMENDMENTS DATED JANUARY 11, 2011

THE UNIFIED DEVELOPMENT ORDINANCE (UDO) OF THE TOWN SHALL BE AMENDED AS FOLLOWS:

PART ONE OF UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS.

ADDING SUBSECTIONS ON COMMERCIAL AND NON-COMMERCIAL GREENHOUSES INTO THE UDO: Currently there are only two references in the UDO relating to Greenhouses and these two references do not provide enough guidance to allow expansion of existing greenhouses nor construction of new greenhouses. By adding additional subsections on greenhouses the Town of Chino Valley will be better able to assist with future greenhouse development as well as expansion of existing greenhouses.

SUBSECTION 1.7 – SITE PLAN REVIEW COMMITTEE is hereby amended as follows:

SUBSECTION 1.7.3 POWERS, DUTIES, JURISDICTION – is hereby amended to add Commercial Greenhouses as part of projects subject to Site Plan review.

- C. Prior to development, construction, remodel, change or alteration of any project subject to Site Plan review, the property owner or designated agent shall secure written approval from the Development Services Director, or his/her designee. Site Plan review is required for Subdivisions, Planned Area Developments (PAD's), multiple-family residential developments, mobile/manufactured home parks, recreational vehicle parks, **COMMERCIAL GREENHOUSES**, commercial buildings, over 5,000 sq. ft. in size (either singularly or in combination), industrial buildings/uses, public facility, public and private utility and other uses as specifically identified in this Ordinance.

SECTION 2 - DEFINITIONS. The following definitions are hereby added:

GREENHOUSE. A GREENHOUSE STRUCTURE, IN WHICH TEMPERATURE AND HUMIDITY CAN BE CONTROLLED FOR THE CULTIVATION OR PROTECTION OF PLANTS.

GREENHOUSE, COMMERCIAL. A GREENHOUSE ENTERPRISE IS A COMMERCIAL ENTERPRISE THAT GROWS PLANTS OR PARTS OF PLANTS BY THE APPLICATION OF WATER TO PLANTS THAT RESIDE WITHIN MOVABLE CONTAINERS, RAISED OR LINED BEDS THAT ARE DISCONNECTED FROM THE LANDS BENEATH THEM AND ARE NOT DEFINED AS IRRIGATED LANDS AS DEFINED IN ARIZONA REVISED STATUTES. A COMMERCIAL GREENHOUSE IS CONSIDERED A WATER INTENSIVE ENTERPRISE AND REQUIRES A LEGALLY PERFECTED WATER RIGHT THAT IS SUPPORTED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES.

SUBSECTION 3.5 “AR-36” – Agricultural/Residential (36 Acre Minimum) is hereby amended as follows:

SUBSECTION 3.5.2 Permitted Uses – is hereby amended to add information on Non-Commercial and Commercial Greenhouses to the list of Permitted Uses:

E. Customary accessory structures such as barns, greenhouses, nurseries, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.

J. COMMERCIAL GREENHOUSES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.

SUBSECTION 3.6 “AR-5” – Agricultural/Residential (5 Acre Minimum) is hereby amended as follows:

SUBSECTION 3.6.2 Permitted Uses – is hereby amended to add information on Non-Commercial and Commercial Greenhouses to the list of Permitted Uses:

D. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.

I. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.

SUBSECTION 3.7 “AR-4” – Agricultural/Residential (4 Acre Minimum) is hereby amended as follows:

SUBSECTION 3.7.2 Permitted Uses – is hereby amended to add information on Non-Commercial and Commercial Greenhouses to the list of Permitted Uses:

D. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.

I. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.

SUBSECTION 3.8 “SR-2.5” – Single Family Residential (2.5 Acre Minimum) is hereby amended as follows:

SUBSECTION 3.8.2 Permitted Uses – is hereby amended to add information on Non-Commercial to the list of Permitted Uses:

- E. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.**

SUBSECTION 3.9 “SR-2” – Single Family Residential (2 Acre Minimum) is hereby amended as follows:

SUBSECTION 3.9.2 Permitted Uses – is hereby amended to add information on Non-Commercial to the list of Permitted Uses:

- E. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.**

SUBSECTION 3.10 “SR-1.6” – Single Family Residential (1.6 Acre Minimum) is hereby amended as follows:

SUBSECTION 3.10.2 Permitted Uses – is hereby amended to add information on Non-Commercial to the list of Permitted Uses:

- F. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.**

SUBSECTION 3.11 “SR-1” – Single Family Residential (1 Acre Minimum) is hereby amended as follows:

SUBSECTION 3.11.2 Permitted Uses – is hereby amended to add information on Non-Commercial to the list of Permitted Uses:

- F. Customary accessory structures such as barns, corrals, private arenas, training tracks, coops, NON- COMMERCIAL GREENHOUSES UP TO 600 SQ. FT., and storage sheds for the care and keeping of non-household**

animals, fowl, produce, farm machinery and equipment. Accessory structures shall not be permitted prior to the issuance of a building permit for the primary residence.

SUBSECTION 3.15 “CL” – Commercial Light is hereby amended as follows:

SUBSECTION 3.15.2 Permitted Uses – is hereby amended to add information on Commercial Greenhouses to the list of Permitted Uses:

AD. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.

SUBSECTION 3.16 “CH” – Commercial Heavy is hereby amended as follows:

SUBSECTION 3.16.2 Permitted Uses – is hereby amended to add information Commercial Greenhouses to the list of Permitted Uses:

N. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.

SUBSECTION 3.17 “I” – Industrial is hereby amended as follows:

SUBSECTION 3.17.2 Permitted Uses – is hereby amended to add information on Commercial Greenhouses to the list of Permitted Uses:

G. COMMERCIAL GREENHOUSES MAY BE PERMITTED WITH A MINIMUM OF 10 CONTIGUOUS ACRES. SEE SUBSECTION 4.30 COMMERCIAL GREENHOUSE DEVELOPMENT STANDARDS.

SECTION 4 GENERAL REGULATIONS is hereby amended as follows:

SUBSECTION 4.5 Yard, Lot Shape and Area Requirements - is hereby amended to remove the reference to solar greenhouses:

- A. Solar unit and dish antennas. Solar heating, solar cooling units, satellite dish antennas, ~~solar greenhouses~~ and associated apparatus notwithstanding any other provisions of this Ordinance shall not be located in any required front yard, but may be located in a required rear or side yard provided that such apparatus does not cover more than thirty (30) percent of that side yard and shall be no closer than ten (10) feet to any lot line.**

SUBSECTION 4.22.8 – DETERMINATION OF REQUIRED SPACES is hereby amended to add parking calculation for Commercial Greenhouse:

COMMERCIAL GREENHOUSES
USEABLE FLOOR AREA

1 SPACE PER 900 SQ.FT. NET

SUBSECTION 4.30 – COMMERCIAL GREENHOUSE STANDARDS is hereby added to the Unified Development Ordinance to provide guidance for future development that occurs within the Town of Chino Valley:

Commercial Greenhouse Development Standards:

Allowed in the following zoning districts. Greenhouse shall be setback a minimum of 500 feet from the State Route 89 right of way.	AR 10 acre minimum	CL 10 acre minimum	CH 10 acre minimum	I 10 acre minimum
Property Development Standards:				
Minimum Lot Area	10 acres			
Minimum Linear Street Frontage	300 feet			
Minimum Front Yard Setback (Except for properties adjacent to SR 89)	50 feet			
Minimum Side Yard Setback	50 feet			
Minimum Street Side Yard Setback	50 feet			
Maximum Building Height	35 feet			
Minimum Distance Between the Structures	20 feet			
Maximum Lot Coverage Standards	50%			
In Commercial or Industrial zoning, the maximum % of the building used for retail outlet/restaurant	10%			
In Commercial or Industrial zoning, the maximum % of the Lot Area Used For Entertainment (this area shall conform to building setback requirements)	20%			
Agricultural zoning, the maximum % of the building used for the sale of farm produce when primarily grown on site	10%			
Outdoor Storage Standards	Screening required			
Accessory Building Setbacks From the Side and Rear Property Lines	20 feet			
Accessory Building Setbacks From Street Side	See Section 4.28			
Off Street Parking and Loading Standards	See Section 4.22			
Shall Have Access on an Arterial or Collector Street				

PART TWO OF UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS.

These changes to the “Handicapped Parking Standards” were requested by the Town of Chino Valley’s Planning Commission to accomplish the following goals:

1. Increase the overall number of Handicapped Parking Spaces (HC)
2. Link the number of HC spaces to the type of business; and
3. Establish “Universal Parking Space” dimensions

SECTION 4 GENERAL REGULATIONS is hereby amended as follows:

SUBSECTION 4.22.4 PARKING DESIGN STANDARDS, B, 7 - is hereby amended to allow tandem handicapped parking spaces:

7. Tandem arrangement of required parking spaces is prohibited, except FOR HANDICAPPED PARKING SPACES, and as otherwise permitted by this Ordinance.

SUBSECTION 4.22.8 – DETERMINATION OF REQUIRED SPACES is hereby amended to increase the overall number of handicapped parking spaces (HC), to link the number of required HC spaces to the type of business and to establish “Universal Parking Space” dimensions by adding subsection K, L and M as follows:

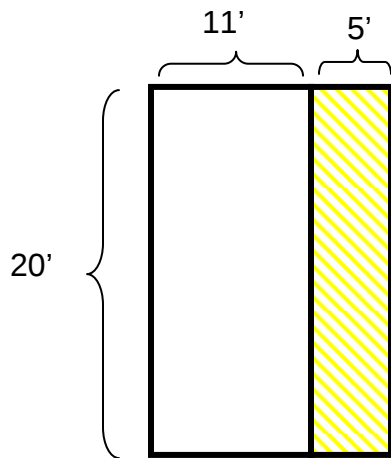
- J. All uses not specifically designated, or similar to a specified use, shall have parking space requirements determined by the Zoning Administrator. ~~In multiple-family, commercial, and industrial districts, handicapped parking spaces shall be provided at the ratio of three (3) spaces for the first fifty (50) parking spaces provided, and one (1) space for each fifty (50) spaces thereafter. Parking Space Allocation Requirements~~

- K. HANDICAPPED PARKING SPACES: In multiple-family, commercial (EXCLUDING HEALTH CARE USES), and industrial districts, handicapped parking spaces shall be provided at the ratio of ~~three (3) spaces for the first fifty (50) parking spaces provided, and one (1) space for each fifty (50) twenty five (25) spaces thereafter.~~ ONE SPACE FOR THE 1ST 20 PARKING SPACES PROVIDED, AND ONE (1) SPACE EVERY TWENTY FIVE (25) THEREAFTER.

- L. HANDICAPPED PARKING SPACES RATIO FOR HEALTH CARE USES SHALL BE AS FOLLOWING:

<u>1 - 10 SPACES</u>	<u>REQUIRE 1 HC SPACE</u>
<u>11 - 20 SPACES</u>	<u>REQUIRE 2 HC SPACES</u>
<u>21 - 30 SPACES</u>	<u>REQUIRE 3 HC SPACE</u>
<u>31- 50 SPACES</u>	<u>REQUIRE 4 HC SPACE</u>
<u>51 - 75 SPACES</u>	<u>REQUIRE 5 HC SPACE</u>
<u>1 HC SPACE</u>	<u>EACH 25 THEREAFTER</u>

M. HANDICAPPED PARKING SPACES SHALL USE THE “UNIVERSAL PARKING SPACE” DIMENSIONS FOR ALL NEW HANDICAPPED SPACES WITHIN THE TOWN.



DIMENSIONS: 11 x 20 WITH A 5 FOOT AISLE.
THIS SIZE WILL ACCOMMODATE BOTH CARS
AND VANS

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 10

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: 01/11/11 TIME: 6:00 p.m.

SUBMITTING DEPARTMENT: Finance

CONTACT PERSON: Vera Smith PHONE: Ext 173

☐ Presentation Only ☐ Report Only ☐ Consent Estimated Length of Staff Presentation: _____ min.
☒ Action-Presentation ☐ Action ☐ Executive 60 min.

ITEM LOCATION:

Town wide

PROPOSED AGENDA ITEM:

Presentation of Operational Review and Report on the Water and Sewer Systems by Ms. Gayle Whittle, CPA; and discussion and possible action relative to the report presented. [Timed: 6:20 to 7:20 p.m.]

FISCAL IMPACT? _____ If Yes, Budget Code: _____ Available: _____

FUNDING:

TYPE OF DOCUMENT(S) FOR CONSIDERATION:

Operational Review and Report on the Water and Sewer Systems



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 10

SITUATION AND ANALYSIS:

In September 2010, the Town of Chino Valley entered into a professional services agreement with Ms. Gayle Whittle, CPA, to conduct an operational review of its water and sewer systems.

Ms. Whittle has completed her review, and has prepared a report which she will present to Town Council on January 11, 2011.

RECOMMENDED MOTION:

To be determined per Council discussion.

ATTACHMENTS:

Operational Review and Report on the Water and Sewer Systems

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

_____ Author	_____ Department Head	<u>Vera J. Smith</u> Finance
_____ Other:	_____ Other:	_____ Legal
_____ Other:	_____ Other:	<u>Michael K. Scannell</u> Town Manager/Designee

Town of Chino Valley, Arizona

Operational Review and Report on the Water and Sewer Systems

December 2010

Mr. Michael Scannell
Town of Chino Valley

December 30, 2010
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December 30, 2010

Mr. Michael Scannell
Town Manager
Town of Chino Valley
PO Box 406
Chino Valley AZ 85323

Dear Mr. Scannell:

I am pleased to submit this *Operational Report of the Water and Sewer Systems* for the Town of Chino Valley, Arizona (the Town). This report is a result of reviews of the Town Code, adopted in 2006, and subsequent ordinances and resolutions, actual and budget financial data for two fiscal years, fee structures, accounts receivable characteristics and balances, and billing cycle operations along with recommendations and suggestions for financial improvement of operations. The report is organized with this summary, followed by an explanatory section to further elaborate each of the following conclusions and recommendations, along with the methodology used to arrive at the conclusions, and two appendices.

My major conclusions and recommendations are:

Problem: Accounts Receivable balances are increasing due to the increase in time it takes to collect balances owed. This has a detrimental effect on cash flow which jeopardizes the Town's ability to pay its obligations, meet financial debt service coverage and cash flow reserve ratios required by lenders, and provide funds for future capital improvements to the systems. Some of the increase in time to collect is due to the economy and the high number of foreclosures, and another reason is due to the expansion of the sewer system and the unfamiliarity of customers in paying a monthly sewer bill.

Solutions:

- a. Revise the Town Code to make sewer service the responsibility of the property owner where the property is receiving sewer service only so property can have liens filed against it for unpaid balances.
- b. Decrease the billing cycle to accelerate collections.
- c. Increase deposits required for sewer service
- d. Turn stale accounts over to a collection agency for processing.

Problem: Utility customers do not have an assurance that their identity will be protected.

Solutions:

- a. Adopt a "Red Flag" policy to identify and mitigate identity theft regarding utility customers in compliance with the Fair and Accurate Credit Transactions Act (FACTA) of 2003.
- b. Eliminate postcard billing

Mr. Michael Scannell
Town of Chino Valley

December 30, 2010
Page 2

- c. The Town Attorney should review previous public information disclosure policies to conform to this new "Red Flag" policy.

Problem: The last utility rates were not adopted by ordinance or resolution as required by ARS§9-511.01(B).

Solution: Adopt the existing rates by ordinance or resolution of the Town Council

Problem: Staff work flow processes are inadequate to provide proper internal controls over billing and collections.

Solution: Revise work flow procedures and processes to increase efficiency and provide adequate controls against fraud and errors.

While not a major problem, the Town Code sections relating to utilities appear to have several minor discrepancies and should be revised to enhance readability and ease of locating specific information. Staff has revised the Code in recent months to revise the conditions for utility service deposits and to allow filing liens on properties with delinquent accounts, which will help in alleviating the large receivable balances. The ideal situation would be to re-write and re-order the Code sections for ease of use for staff and the public. Suggestions for revisions to the Code to correct the minor discrepancies are contained in Attachment B of this report.

Overall, the financial condition of the utility systems appears to be good, except for the stress of slow collections and high operating costs. Improving collections should allow the Town to avoid transferring cash to the utilities from other funds, which will improve the financial condition overall. The Town should look at reducing costs in the sewer utility for the plant operation. The Town is currently paying a contractor \$21.00 per month per account for operations. While this may be an accurate reflection of actual costs since fixed costs for a wastewater treatment plant are high, especially for a small customer base, it would be prudent to study and compare operating costs of other plants of similar size to make sure the Town is receiving the best service for the costs expended, which is beyond the scope of this report. If costs can be reduced, the Town has the option of reducing the high monthly user fees or accumulating funds for additional capital improvements to lower the costs of borrowing funds, or a blend of both.

During the course of this project, the Town has provided me with a variety of data and information relating to the Utility Systems. I have relied on this data and information in the preparation of the accompanying analysis, but have not independently verified the data and information and, accordingly, take no responsibility for its accuracy.

I wish to extend my appreciation to the Town and its staff for their cooperation during the progress of this work. I am prepared to respond to any questions regarding the information contained in this report. Questions should be directed to me at (928) 208-0328.

Very truly yours,

Gayle Whittle

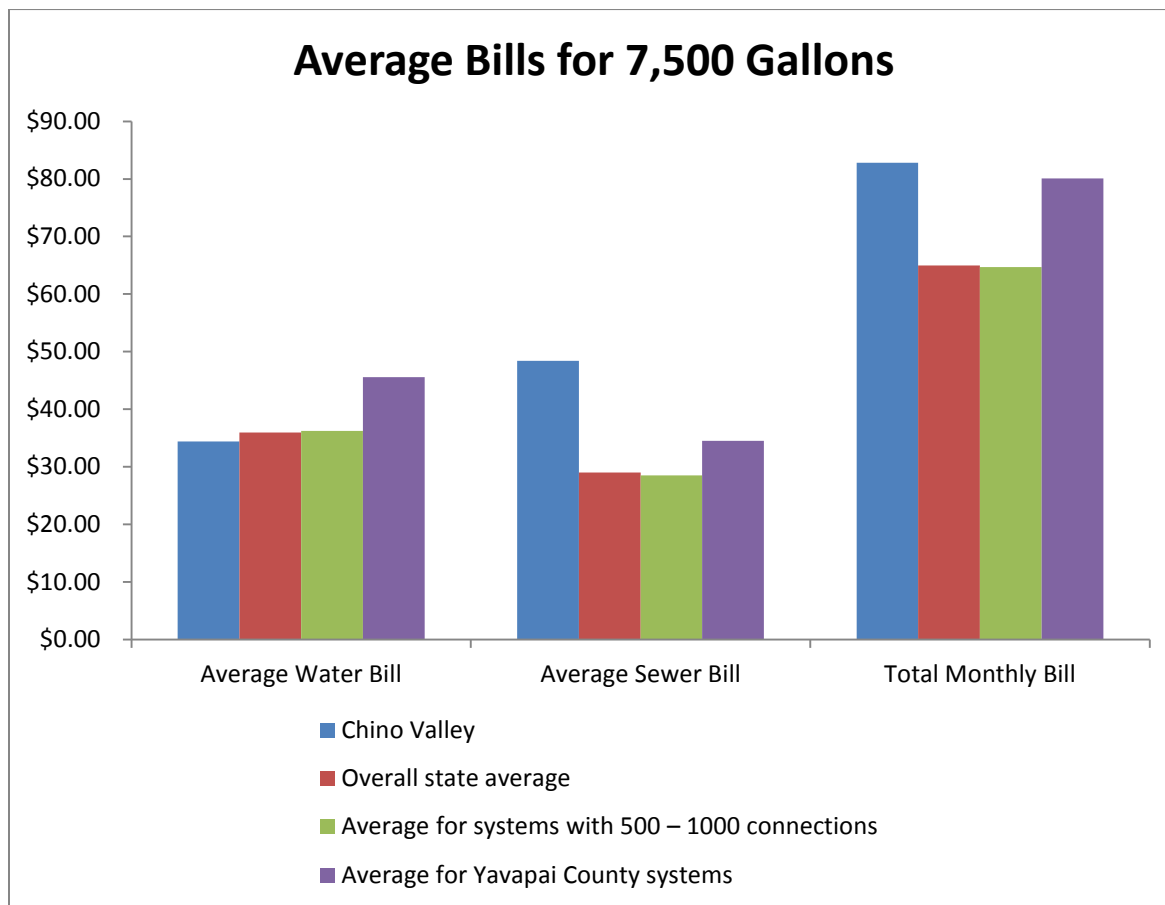
Mr. Michael Scannell
Town of Chino Valley

December 30, 2010
Page 3

For comparative purposes, the Water Infrastructure Financing Authority of Arizona's (WIFA's) 2009 Water and Wastewater Rate Survey was used to compare the Town's rates with others throughout the state. The results of how the Town's rates compare to others is shown in the chart below:

Per 7,500 gallons	Average Water Bill	Average Sewer Bill	Total Monthly Bill
Chino Valley	\$34.39	\$48.40	\$82.79
Overall state average	35.97	28.99	64.96
Average for systems with 500 – 1000 connections	36.20	28.50	64.70
Average for Yavapai County systems	45.58	34.49	80.07

This is represented graphically below:



Although water bills are below average for the comparative populations, the sewer bills are above average, making the total combined bill about 27% above the state average, although within 3% of the average for Yavapai County systems. Any changes the Town wishes to consider in expanding or modifying the utility systems will have to take into account additional costs incurred and the rate pressure to the system customers.

The following pages discuss individual problems and possible solutions to improve operations.

Problem: Accounts Receivable balances are increasing due to the increase in time it takes to collect balances owed. This has a detrimental effect on cash flow which jeopardizes the Town's ability to pay its obligations, meet financial debt service coverage and cash flow reserve ratios required by lenders, and provide funds for future capital improvements to the systems. Some of the increase in time to collect is due to the economy and the high number of foreclosures, and another reason is due to the expansion of the sewer system and the unfamiliarity of customers in paying a monthly sewer bill, however, there are steps the Town can take to reduce the uncollected balances and accelerate the cash flow.

An analysis of Accounts Receivable balances run on September 27, 2010, reveals the following information:

There are a total of 922 accounts with balances that total \$183,549.58, for an average of \$199.08 per customer. Ninety-two percent (92%) or \$169,611.18 of that amount consists of customers that owe more than \$100 on their account, and \$120,034.49, or 65% are due to balances over 90 days old. Four percent (4%) of customers owe more than \$1,000 on their account. Approximately 88% of the accounts receivable consist of sewer only accounts. A combined monthly water and sewer bill for a residential customer who uses 7500 gallons of water is \$82.79, so the average balance of \$199.08 represents 2.4 months of billing. However, since approximately 88% of the customers are sewer only accounts, the average balance of \$199.08 represents 4.1 months of billing for a residential customer.

Accounts Receivable balances for the sewer system increased 34% from FY 2009 to FY 2010, partly due to an increased customer base and partly due to the days outstanding increasing from 48.5 to 55.5. Days outstanding is a financial ratio that gauges how quickly cash is received on credit extended to customers. The increase in this ratio indicates it is taking a week longer to collect balances due to the Town than in the prior year. The industry averages for days outstanding for utilities ranges from 28 to 40 days. Since the Town average is above that, and appears to be increasing at a rapid pace, there are several measures that can be implemented to accelerate utility collections.

Solutions:

- a. Revise the Town Code to make sewer service the responsibility of the property owner when the property is receiving sewer service only. Since the Town has already passed an ordinance that allows for filing liens for unpaid sewer accounts, the Town Code should be revised to make the property owner responsible for the payment of sewer accounts. ARS§9-511.02 does not allow for the filing of liens if a lessee is responsible for payment on the account. Making it mandatory for the account holder to be the property owner will allow the Town to file liens for unpaid accounts, and secure its interest in the outstanding debt.
- b. Decrease the turn-off cycle to accelerate collections. Currently the Town bills once a month with the due date on the 15th, however no late fees are assessed until the 31st day after billing. Late notices are sent out the 36th day after billing, which is after a second month's bill has been sent out. Turn-off notices are prepared on the 45th day after billing, and services turned off 7 days after that. Using a 30 day month, that comes to a total of 82 days of service before an account is turned off for non-payment. I would recommend that late charges be assessed the 22nd day after billing and delinquent notices sent out, turn off notices prepared the 36th day after billing, and turn offs done no later than the 42nd day. Since it is human nature for many people not to pay a bill until the last possible day, switching to this schedule will accelerate payments by ten days, and bring the days outstanding closer to industry standards.

- c. Increase deposits required for sewer service. Deposits for sewer are \$31.50, which is less than one month's residential bill. Deposits for water are \$75.00, which is about twice the amount of a residential monthly bill plus 20% if the customer uses 7,500 gallons. I would recommend sewer deposits be increased to at least the same amount as the water deposit. Another alternative would be to decrease the water deposit to \$50.00 and increase the sewer deposit to \$50.00, for a total of \$100.00, which is about 20% higher than an average monthly bill.
- d. Turn stale accounts over to a collection agency for processing. Of the 922 accounts analyzed, 156 are closed accounts with balances owing of \$33,260.88. \$12,075.48 were accounts closed between July 1, 2008 and June 30, 2009, \$11,515.15 were closed last fiscal year, and \$9,670.25 has been closed this fiscal year. I recommend any accounts closed more than 60 days that are not in the name of the property owner be written off and turned over to a collection agency. It is unlikely that the Town will recover any of these amounts since they are unsecured.

Terminated accounts should be monitored more closely for collection, either with filing liens or writing off and turning over to a collection agency. The longer the account remains uncollected, the more remote it becomes to collect any amounts due.

Another method to reduce the balances in accounts receivable is to consider modifying the fee structure for vacant properties. Currently, properties are billed for sewer even though they are vacant. This creates a negative view of the Town by customers because they perceive they are not receiving any value for the fee they are charged. Since the Town incurs some fixed costs every month regardless if a property is vacant or not, there is an opportunity to revise the fee structure to charge a lesser fee to vacant properties to cover the costs of contracted plant operation and debt service. While this alternative will result in slightly lower overall revenues to the system, it is likely to reduce outstanding receivable balances as well.

Problem: Utility customers do not have an assurance that their identity will be protected.

Solutions:

- a. Adopt a "Red Flag" policy to identify and mitigate identity theft regarding utility customers in compliance with the Fair and Accurate Credit Transactions Act (FACTA) of 2003. FACTA was passed by Congress to address the growing concerns with identity theft and to protect personal information. After it was passed, the Federal Trade Commission (FTC) adopted rules to implement the Act, and those rules have been phased in and applied to various industries over the last several years, including banks and credit card companies. Now the rules apply to utility accounts, and any other accounts that the Town bills regularly. A draft policy is attached to this report as Appendix A. The Red Flag policy should be adopted by resolution by the Town Council.

The adoption of this policy will require changes in how Town staff communicates with its customers, and will require identification from customers before account information is released. This can be accomplished in several different ways including personal knowledge of the customer, PIN numbers or passwords for account access. This will be a significant culture change for staff, especially with the small customer base. This may include requiring authorization letters from account holders to allow access by others to their accounts.

- b. Eliminate postcard bills. With the adoption of the "Red Flag" policy, the Town has an obligation to protect identifying information of customers. This includes, name, address, account number, and any other information that can be used alone or in conjunction with other information to

Mr. Michael Scannell
Town of Chino Valley

December 30, 2010
Page 6

identify a specific person. The Town will need to switch to a different kind of bill, either one in an envelope or one in a mailer, so identifying information is not accessible to public view.

- c. Review public information disclosure policies. Along with the adoption of the “Red Flag” policy, the Town Attorney should review the Town practices on dissemination of utility information which previously could be disclosed as public information, to make sure they conform to the new policy.

Problem: The last sewer monthly service fee was not adopted by ordinance or resolution as required by ARS§9-511.01(B).

Solution: Adopt the existing rates by ordinance or resolution of the Town Council. At the meeting on January 10, 2008, a public hearing was held regarding the new sewer monthly service fee. After discussion, the fee was adopted by the Council to be effective March 1, 2008, January 1, 2009, and January 1, 2010, by motion. However, ARS§9-511.01(B) states that “After holding the public hearing, the governing body may adopt, by ordinance or resolution, the proposed rate or rate component, fee or service charge increase or any lesser increase.” The Town needs to prepare a Resolution for adoption by Town Council with the fee currently being charged.

Problem: Staff work flow processes are inadequate to provide proper internal controls over billing and collections.

Solution: Revise work flow procedures and processes to increase efficiency and provide adequate controls against fraud and errors. Since the number of accounts is relatively small, and there is not a large staff for the town, care needs to be taken to insure that one person is not completing entire workflow processes without review or oversight, or compensating measures need to be implemented to reduce the likelihood of errors. This is not a reflection on the honesty or integrity of any staff member, but oversight and review helps reduce errors and prevents the likelihood of fraud. In addition, the Town does not have a ‘typical’ utility. Most of the customers receive sewer service only, which is more labor intensive than customers with both water and sewer. If a customer has both, the Town has the leverage of turning off the water for non-payment. In the case of a sewer only account, the Town has to resort to the extreme measure of installing elder valves to block the sewer line, which is more labor intensive than turning off a water meter. Staff also has to spend more time in collection efforts. Because of the extra labor involved with the Town accounts, it is difficult to find comparative data to determine if there is an industry average for the number of staff per 1,000 accounts.

In discussions with staff and after review of the ‘steps checklist’, it appears that the utility clerk performs both entry and review functions for the same data. This is contrary to proper internal controls. The same person should not be entering data and also doing a final review for accuracy. The same person entering data should not be the same person that completes the billing functions. There is a risk of manipulation of data that could result in some customers not receiving bills that should be due.

With the implementation of the ability to file liens for delinquent accounts, the work load will be increasing significantly, which will require an additional staff person to process and track delinquencies in addition to the expanded collection activity.

In discussions with staff, there is not a set schedule for processing final bills. Staff should implement a regular schedule for processing final bills. This can be as simple as running them on the same day of the week, i.e., every Friday, or the same day of the month, i.e., the 8th, 15th, 22nd, etc. These bills can be processed in whatever frequency the Town finds acceptable, but I would recommend doing

them at least twice per month on a regular schedule.

While it is always a discussion of which department to place the responsibility for utility billing and collections, there is no 'right' way or department, and the decision should be based on availability of staff, both line and supervisory, and the amount and complexity of the workload. The utility function is usually a joint responsibility of the Public Works Department and the Finance Department in a smaller community. There is not the opportunity to provide a separate utilities department containing both service delivery, and the customer service functions of billing, collections, and financial oversight due to cost to the consumer. Based on review of the existing staff, the number of accounts, the workflow outlined in the steps checklist, and my experience with similar systems, I recommend the Town choose one of the following alternatives for addressing workload concerns and internal controls. Both alternatives require the addition of a staff member which will be necessary to process the increased paperwork for liens and more intensive collection efforts.

1. Leave the Utility Clerk in the Public Works Department, but move the responsibility for billing and collection of accounts to the Finance Department. Since billing and collections are financial functions as opposed to operational functions, the Finance Department is better equipped to provide oversight and review of the billing, and closer monitoring over accounts receivable. Because of the inherent nature of the financial activities they perform for the Town as a whole, they are also in a better position to monitor and collect delinquent accounts. The utility clerk would be responsible for day to day data entry and customer inquiries, including adjustments, collecting payments, setting up and terminating accounts, meter reading and upload to the system for billing, and creating the billing file, late notices and turn-off notices. The Finance Department would be responsible for review of the billing file, creating the bills, including final bills, and reconciling the month-end reports. They would also be responsible for monitoring the accounts receivable, and filing liens for delinquent accounts. This will require the addition of a staff member to the Finance Department to provide review functions and enhanced collection efforts.

2. Move the entire supervisory responsibility for the Utility Clerk to the Finance Department. Because of the inherent nature of the financial activities they perform for the Town as a whole, they are in a better position to provide segregation of duties and additional support for the utility billing, collection and monitoring functions, with the appropriate levels of review. An additional staff person will be required to monitor accounts receivable more closely, file liens for delinquent accounts, and provide review functions for the Utility Clerk. The Utility Clerk will have the opportunity to assist in collection of delinquent accounts along with the additional staff person. The Utility Clerk will still require significant daily interaction with the Public Works department to accomplish the daily activities.

APPENDIX A

SAMPLE RED FLAG POLICY

Town of Chino Valley

Identity Theft Prevention Program

Purpose

The purpose of the program is to establish an Identity Theft Prevention Program designed to detect, prevent and mitigate identity theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with Part 681 of Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

Definitions

Covered Account means: (1) any account a creditor (the Town) offers or maintains primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments or transactions, or (2) any account a creditor (the Town) offers or maintains for which there is a reasonably foreseeable risk to customers or the safety and soundness of the creditor from identity theft, including financial, operational, compliance, reputation, or litigation risks. The Town has identified utility service accounts, (water, sewer, et al), as "covered accounts".

Credit means the right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payment therefor.

Creditor means any person who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit.

Identifying information is any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including: name, address, telephone number, Social Security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer's Internet Protocol (IP) address, or routing code.

Identity theft means fraud committed or attempted using the identifying information of another person without authority.

Red flag means a pattern, practice or specific activity that indicates the possible existence of identity theft.

The Program

Chino Valley establishes an Identity Theft Prevention Program to detect, prevent and mitigate identity theft. The Program shall include reasonable policies and procedures to:

1. Identify relevant red flags for covered accounts it offers or maintains and incorporate those red flags into the program;
2. Detect red flags that have been incorporated into the Program;
3. Respond appropriately to any red flags that are detected to prevent and mitigate identity theft; and
4. Ensure the Program is updated periodically to reflect changes in risks to customers and to the safety and soundness of the creditor from identity theft.

The program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

Identification of Relevant Red Flags

In order to identify relevant Red Flags, the Town considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts and its previous experience with Identify Theft. The Town identifies the following red flags, in each of the listed categories:

- A. Notifications and Warnings From Credit Reporting Agencies
 - Report of fraud accompanying a credit report;
 - Notice or report from a credit agency of a credit freeze on a customer or applicant;
 - Notice or report from a credit agency of an active duty alert for an applicant; and
 - Indication from a credit report of activity that is inconsistent with a customer's usual pattern or activity.
- B. Suspicious Documents
 - Identification document or card that appears to be forged, altered or inauthentic;
 - Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
 - Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and
 - Application for service that appears to have been altered or forged.
- C. Suspicious Personal Identifying Information
 - Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
 - Identifying information presented that is inconsistent with other sources of information (for instance, an address not matching an address on the credit report);
 - Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
 - Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);

- Social Security number presented that is the same as one given by another customer;
- An address or phone number presented that is the same as that of another person;
- A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
- A person's identifying information is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account

- Change of address for an account followed by a request to change the account holder's name;
- Payments stop on an otherwise consistently up-to-date account;
- Account used in a way that is not consistent with prior use (example: very high activity);
- Mail sent to the account holder is repeatedly returned as undeliverable;
- Notice to the Town that a customer is not receiving mail sent by the Town;
- Notice to the Town that an account has unauthorized activity;
- Breach in the Town's computer system security; or
- Unauthorized access to or use of customer account information.

E. Alerts from Others

- Notice to the Town from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

Detection of Red Flags

A. New Accounts

In order to detect any of the Red Flags identified above associated with the opening of a new account, the Town's personnel will take the following steps to obtain and verify the identity of the person opening the account:

- Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
- Verify the customer's identity (for instance, review a driver's license or other identification card);
- Review documentation showing the existence of a business entity; and
- Independently contact the customer.

B. Existing Accounts

In order to detect any of the Red Flags identified above for an existing account, the Town's personnel will take the following steps to monitor transactions with an account:

- Verify the identification of customers if they request information, whether in person, via telephone, via facsimile or via e-mail;
- Verify the validity of requests to change billing addresses; and
- Verify changes in banking information given for billing and payment purposes.

Response to suspected identity theft

In the event Town's personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

- Continue to monitor an account for evidence of Identify Theft;
- Contact the customer;
- Change any passwords or other security devices that permit access to accounts;
- Not open a new account;
- Close an existing account;
- Reopen an account with a new number;
- Notify the Program Administrator for determination of the appropriate step(s) to take;
- Notify law enforcement; or
- Determine that no response is warranted under the particular circumstances.

In order to further prevent the likelihood of identity theft occurring with respect to utility accounts, the Town will take the following steps with respect to its internal operating procedures to protect customer identifying information:

- Ensure that its website is secure or provide clear notice that the website is not secure;
- Ensure complete and secure destruction of paper documents and computer files containing customer information;
- Ensure that the office computers are password protected and that computer screens lock after a set period of time;
- Keep offices clear of papers containing customer information;
- Request only the last 4 digits of social security numbers (if any);
- Ensure computer virus protection is up to date; and
- Require and keep only the kinds of customer information that are necessary for utility purposes.

Updating the Program

The Program shall be updated periodically to reflect changes in risks to customers or to the safety and soundness of the organization from identity theft based on factors such as:

- The experiences of the organization with identity theft;
- Changes in methods of identity theft;
- Changes in methods to detect, prevent and mitigate identity theft;
- Changes in the types of accounts that the organization offers or maintains;
- Changes in the business arrangements of the organization, including mergers, acquisitions, alliances, joint ventures and service provider arrangements.

Administration of Program

- The Finance Director shall be responsible for the development, implementation, oversight and continued administration of the Program.
- The Program shall train staff, as necessary, to effectively implement the Program; and
- The Program shall exercise appropriate and effective oversight of service provider arrangements.

Oversight of the Program

1. Oversight of the Program shall include:
 - a. Assignment of specific responsibility for implementation of the Program to the Town Manager;
 - b. Review of reports prepared by staff regarding compliance; and
 - c. Approval of material changes to the Program as necessary to address changing risks of identity theft.
2. Reports shall be prepared as follows:
 - a. Staff responsible for development, implementation and administration of the Program shall report to Finance Director at least annually on compliance by the organization with the Program.
 - b. The report shall address material matters related to the Program and evaluate issues such as:
 - The effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
 - Service provider agreements;
 - Significant incidents involving identity theft and management's response; and
 - Recommendations for material changes to the Program.

Oversight of Service Provider Arrangements

The Town shall take steps to ensure that the activity of a service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of identity theft whenever the organization engages a service provider to perform an activity in connection with one or more covered accounts.

Duties Regarding Address Discrepancies

The Town shall develop policies and procedures designed to enable the organization to form a reasonable belief that a credit report relates to the consumer for whom it was requested if the organization receives a notice of address discrepancy from a nationwide consumer reporting agency indicating the address given by the consumer differs from the address contained in the consumer report.

The Town may reasonably confirm that an address is accurate by any of the following means:

1. Verification of the address with the consumer;
2. Review of the utility's records;
3. Verification of the address through third-party sources; or
4. Other reasonable means.

If an accurate address is confirmed, the Town shall furnish the consumer's address to the nationwide consumer reporting agency from which it received the notice of address discrepancy if:

1. The organization establishes a continuing relationship with the consumer; and
2. The organization, regularly and in the ordinary course of business, furnishes information to the consumer reporting agency.

DRAFT

APPENDIX B

RECOMMENDED CODE REVISIONS

Appendix B – Recommended Code Revisions

For the most part, the Town Code is adequate to address the concerns of the Town, however, there are several sections that appear to be out of order, so finding the information can be difficult, and a few where the meaning is not clear. There appears to be a couple of sections in Chapter 50 that would be easier to find if they appeared in Chapter 51 with the other sewer and water regulations, and vice versa. Also, most of the definitions used in the two chapters appear in Chapter 50, which can be confusing, especially if readers are using the online version of the Code. It is cumbersome to switch back and forth in an online format which does not happen in a hard copy version. This can be confusing for the reader. There are several instances of minor grammatical errors, but nothing that prevents the reader from understanding the meaning intended. There is also confusion in terminology. Different terms are used for the same thing, which also can be confusing for the reader.

My suggestion would be to have all the general provisions and fees and charges in one chapter, water related operational regulations in another chapter, and sewer related operational regulation in a third chapter. Information organized in this manner would allow for easier access to information.

I will address each concern in numerical order of the section number.

§50.50 – This section is too detailed on the type of information requested. If forms are revised to change the type of information requested, then the Code needs to be revised. Suggest that wording simply state that all applicants shall make application on forms supplied by the Town. Also suggest all fees and charges that appear in Chapter 51 get moved close to this section for ease of readability. The following language should be added to this section for sewer only accounts: No sewer connection connecting the town sanitary sewer system to any consumer shall be made by any person or the town except upon:

1. Written application furnished to the town by the owner of the premises to which sanitary sewer service is to be furnished, and
2. The owner of the premises entering into a signed, written service agreement prepared by the town.

This language will require the property owners to sign up for service in the case of sewer only accounts, instead of tenants.

§§51.057 – This section defines the ownership of extensions and service connection, but it is unclear whether or not this equipment is in the right of way or on private property. Does the Town retain ownership even on private property?

§51.059(D) – This section is the same as above. Does the Town own the equipment even on private property, or is it always located in the right of way?

§51.061(A) – This section appears to use a different and more restrictive purchasing process than the Town's purchasing code, §32.05. Recommend this section refer to the Town's main purchasing code rather than detailing a separate process, or refer to ARS Title 34 in this section.

Appendix B – Recommended Code Revisions

§51.061(B) – This section seems to imply that a developer will be reimbursed the amount of the buy-in fees normally required. Isn't the cost for construction applied as a credit towards the buy-in fees that would be owed, and the excess construction cost over the amount of the buy-in fees refunded?

§51.075 – This section identifies when a property connects to a water main, but the only criteria is if the property is located on the street where a main is located. Do you want to specify distance criteria also?

§51.076(C), and §51.096 – The first section states the utility department will install a service pipe from the main to the back of the curb, the second that the meter will be installed on the sidewalk side of the curb line, or at the property line. Is the curb always in the right of way? Suggest that §51.076(C) adds language to address situations where there is not a curb.

§51.097 – The “1” in the first line should be changed to one, and suggest another word than “killed” to refer to inactivating a service. Should also change wording to apply a credit to the cost of the new service rather than refund.

§51.117(C) (4) – Refers to an out of date version of the USC-FCCCHR. Suggest language change to refer to the latest edition rather than a specific volume.

§51.118(B) – Since the manual version has been updated, is §7 still the correct reference? Suggest language change to refer to the relevant section of the manual rather than a specific reference.

§51.137 and §51.155 – There appears to be a conflict in terminology between these two sections, one says connection required when collection lines are within 400 feet of the property, and one says connection required when sewer mains are within 400 feet of property. Suggest standardizing language between the two sections.

§51.138 – Suggest this section which refers to CTR buy-in fee be moved close to the other sections regarding fees and charges.

§51.161 – Building connection is defined in the definitions section as the extension from a sewer tap to the property line, or easement line, however, this section requires the property owner to be responsible for the building connection piping which is defined as from their home or building to the public sewer line. Suggest the definitions be consistent.

§51.162 – This section refers to the sewer service line which is undefined. Suggest using an already defined term.

§51.163 – This section explains the extra charges that may be charged due to pump stations. Why aren't pump stations' costs considered as a system expense and recovered from the entire customer base instead of charging only a few? This would allow the cost to be spread over more customers which would lower the cost for each connection.

I do not have recommendations for sections 51.175 through 51.238 since they cover wastewater quality and discharge issues and those issues are out of my area of expertise.

Appendix B – Recommended Code Revisions

§51.251(4) – the words division in this paragraph should be section. The residential water service buy-in fees are not indexed for inflation, only the commercial/industrial ones are

§51.251 and §51.253 – These sections only allow for indexing commercial industrial buy-in fees. No provision is made for residential fees indexing. This creates an inequity between classes of customers. Suggest the town go through the documentation and public hearing process to have all buy-in fees indexed for inflation.

§51.254 – This section seems to be misplaced as it deals with wastewater quality and all other sections from §51.250 to §51.261 deal with fees and charges.

§51.257(B) (1) – Suggest removing reference to the Finance Department and just say Town.

§51.275 - §51.280 – This group of sections is titled ENFORCEMENT, and I suggest it be moved to Chapter 50 since they relate to more general provisions. In doing that, the sections will have to be integrated with §§50.30, 50.33, 50.34, and 50.54, because there are some duplications between the chapters.

§51.281 – This section titled “Effective Date” is obsolete since the adoption of Ord. No. 10-741 adding §51.290 relating to liens. The effective date is listed below each section of the code with the relevant ordinance number so there is no need to include a section with the effective date.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 11

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6:00 pm

SUBMITTING DEPARTMENT: Community Services

CONTACT PERSON: Jason Kelly PHONE: (928) 636-9780 x7051

☐ Presentation Only ☐ Report Only ☐ Consent Estimated Length of Staff Presentation: _____ min.
☒ Action-Presentation ☐ Action ☐ Executive 30 min.

ITEM LOCATION:

Town & Region

PROPOSED AGENDA ITEM:

Presentation by Ms. Amy Ostrander of Ostrander Consulting, Inc. followed by discussion and possible action relative to the Town of Chino Valley Transit program.
[Timed: Start at 7:20 p.m.]

FISCAL IMPACT? _____ If Yes, Budget Code: _____ Available: _____

FUNDING:

Funding for Consultant's time and travel to be paid in full by Arizona Department of Transportation.

TYPE OF DOCUMENT(S) FOR CONSIDERATION:



**TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT**

Item No. 11

SITUATION AND ANALYSIS:

Ms. Amy Ostrander of *Ostrander Consulting Inc.* will present to Mayor & Council a status report and recommendations including current and long term work plans for implementation, funding, marketing, operations, management and administration for the Town's newly established transit program.

RECOMMENDED MOTION:

To be determined per Council discussion.

ATTACHMENTS:

Chino Valley Transit Work Plan

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

- FY2010/2011 5311 Grant Application
- 2010 Feasibility & Implementation Study

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

Jason Kelly
Author

Jason Kelly
Department Head

Vera J. Smith
Finance

Other:

Other:

Legal

Other:

Other:

Michael K. Scannell
Town Manager/Designee



Chino Valley Transit Work Plan
Draft for Discussion at Town Council Meeting January 11, 2011

To facilitate the start-up and support the on-going effectiveness of Chino Valley Transit, ADOT Section 5311 Program Manager Sam Chavez has assigned Amy Ostrander, Ostrander Consulting Inc., to complete a Work Plan to cover the next six months. A preliminary plan has been developed for discussion:

Current Status/Planning Information

Review current operations and available planning information. Two routes are currently planned, local service to Town of Chino Valley on Monday – Wednesday, with Regional service on Tuesday – Thursday.

Planning documents developed to date include:

Transit Feasibility Study, Draft Final December 2009, Transit Plus
Operating Policies/Procedures, November 2010, Transit Plus
FTA Compliant Drug/Alcohol Policy, November 2010, Precision Compliance
Marketing Recommendations, September 2010, Transit Marketing
Complete by January 15, 2011

Six Month Work Plan: Review and address:

Service Issues:	Service times, stop locations, etc.
Operational Issues:	Polices including ADA standards, volunteer drivers, etc.
Management Issues:	Options for oversight beginning in February, etc.
Administrative Issues:	ADOT Section 5311 Program compliance, reimbursement, etc.
Other:	Clarify working relationship with CYMPO

Complete by February 15, 2011

Three Year Work Plan: Have available prior to ADOT Panel Review in March

Develop Three Year Implementation Plan addressing:

- Management
- Operations/Service
- Marketing
- Coordination
- Capital Plan
- Funding

Complete by March 2011

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Memo

To: Mayor and Council
From: Jami Lewis, Town Clerk
Date: January 5, 2011
Re: AGENDA ITEMS NO. 12 & 13 – GENERAL PLAN MINOR
AMENDMENT & CL-PAD ZONING (LA VACARA TRUST/
CORDOVANA)

As the Applicant and his legal counsel are still determining their options regarding this item and as they are expected to contact the Town Attorney by the end of this week, background material on this item will be forthcoming.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 14

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6:00 pm

SUBMITTING DEPARTMENT: FINANCE

CONTACT PERSON: VERA SMITH PHONE: 636-2646 x173

☐ Presentation Only ☐ Report Only ☐ Consent Estimated
☒ Action-Presentation ☐ Action ☐ Executive Length of Staff
Presentation: 20 min.

ITEM LOCATION:

N/A

PROPOSED AGENDA ITEM:

Approve the Financial Report for five months ending November 30, 2010 for fiscal year 2010/2011.

FISCAL IMPACT? NO If Yes, Budget Code: _____ Available: _____

FUNDING:

TYPE OF DOCUMENT(S) FOR CONSIDERATION:

Financial Report



**TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT**

Item No. 14

SITUATION AND ANALYSIS:

RECOMMENDED MOTION:

Move to approve the Financial Report for five months ending November 30, 2010 for fiscal year 2010/2011.

ATTACHMENTS:

Financial Report

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

_____ Author	_____ Department Head	<u>Vera J. Smith</u> Finance
_____ Other:	_____ Other:	_____ Legal
_____ Other:	_____ Other:	<u>Michael K. Scannell</u> Town Manager/Designee

Town of Chino Valley, Arizona

Financial Report

PRESENTED TO THE TOWN COUNCIL

January 11, 2011

COVERING THE FINANCIAL ACTIVITIES OF THE TOWN GOVERNMENT
FROM JULY 1, 2010 TO November 30, 2010 FISCAL YEAR 2010/2011

Prepared by the Town of Chino Valley Finance Department

This Financial Report presents the unaudited financial information for the five months ending November 30, 2010. During the month of November budget transfer entries were processed to reflect the one-time stipend distribution approved by council. While General Fund Revenues have exceeded Expenses for the five months ending November 2010 only 41.67% of the year has occurred. At November 30, 2010 State Shared Revenues are coming in at budget and Town Sales Tax Revenues are coming in slightly above budget. On the expenditure side the majority of departments are under budget with the exception being those departments where higher expenditures occur at the beginning of the fiscal year. Even though the budget is set conservatively we must continue to monitor revenues and expenditures.

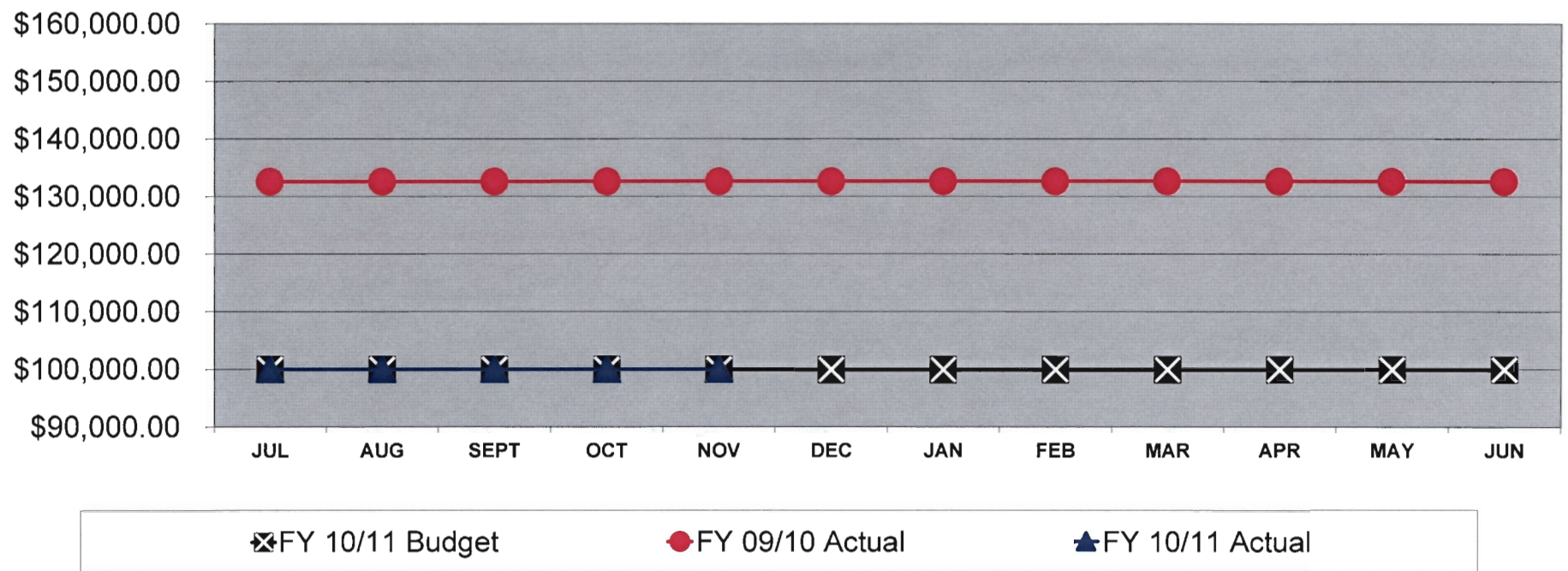
In the HURF Fund at November 30, 2010 Highway Users Revenues is coming in slightly above budget; however, we are continuing to see a decline in the monthly revenue receipts. We will need to continue to monitor this revenue.

The (\$153,004) net revenues over expenditures in the Sewer Enterprise Fund are anticipated. Each year in July the principal payments are due on the WIFA loans – in July 2010 this totaled \$278,747. The (\$10,578) net revenues over expenditures in the Grants Fund is a timing difference due to grants requiring expenditures before reimbursements can be requested. In the Debt Service Fund the Transfer from Impact Fees and SunTrust Leasing – Vehicles is at 100% because the lease matured on 10/31/10. The (\$949,826) net revenues over capital expenditures in the Highway Users Revenues Fund, (\$31,306) net revenues over capital expenditures in the Capital Improvement Fund, the (\$138) net revenues over expenditures in the Court Special Revenue Fund, the (\$19,111) net revenues over expenditures in the Capital Asset Replacement Fund (\$9,080) net revenues over expenditures in the Police Impact Fee Fund, (\$12,472) net revenues over expenditures in the General Government Impact Fee Fund, and the (\$54,850) net revenues over expenditures in the Roads Impact Fee Fund are expected. When carry forwards are included in the budget it means revenues received in past fiscal year(s) are being utilized which will result in a negative amount on the net revenues over expenditures line.

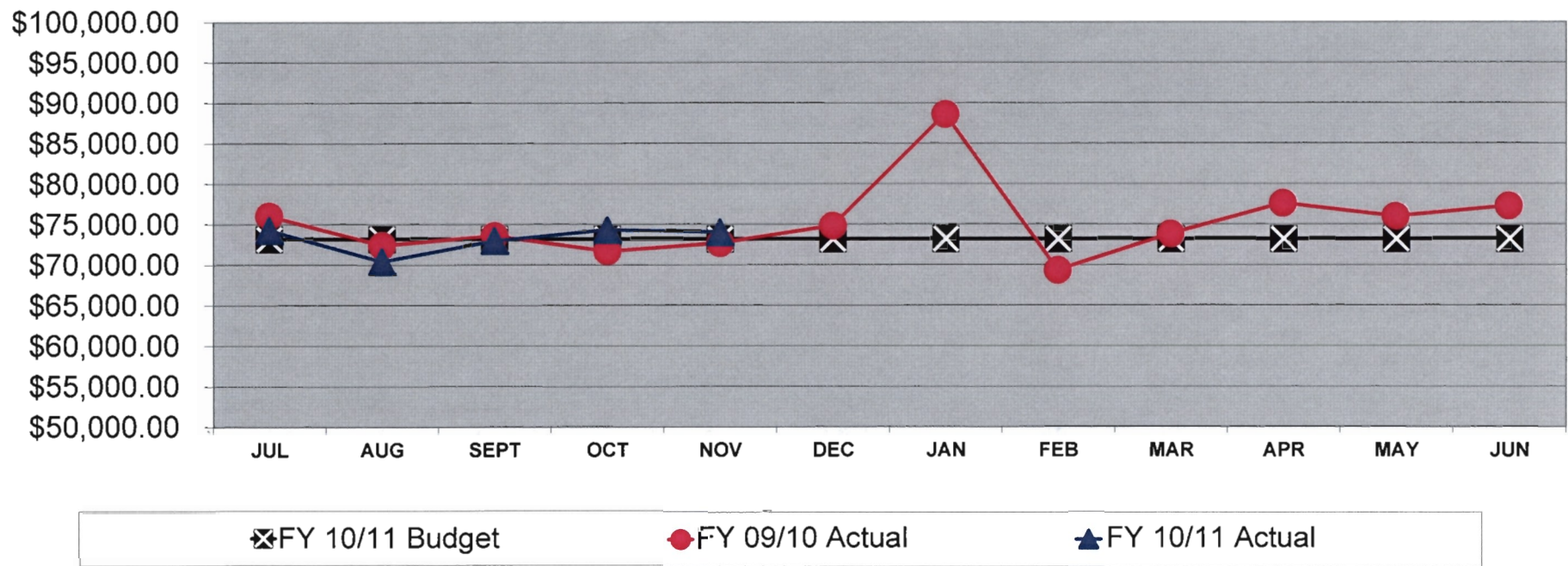
The following table provides comparative information on business licenses.

	Renewals		New		Closed	
	2009	2010	2009	2010	2009	2010
July	55	54	10	11	20	14
August	47	50	7	16	26	11
September	47	73	16	17	27	11
October	63	51	16	7	27	0
November	52	48	4	17	20	0
Totals	264	276	53	68	120	36

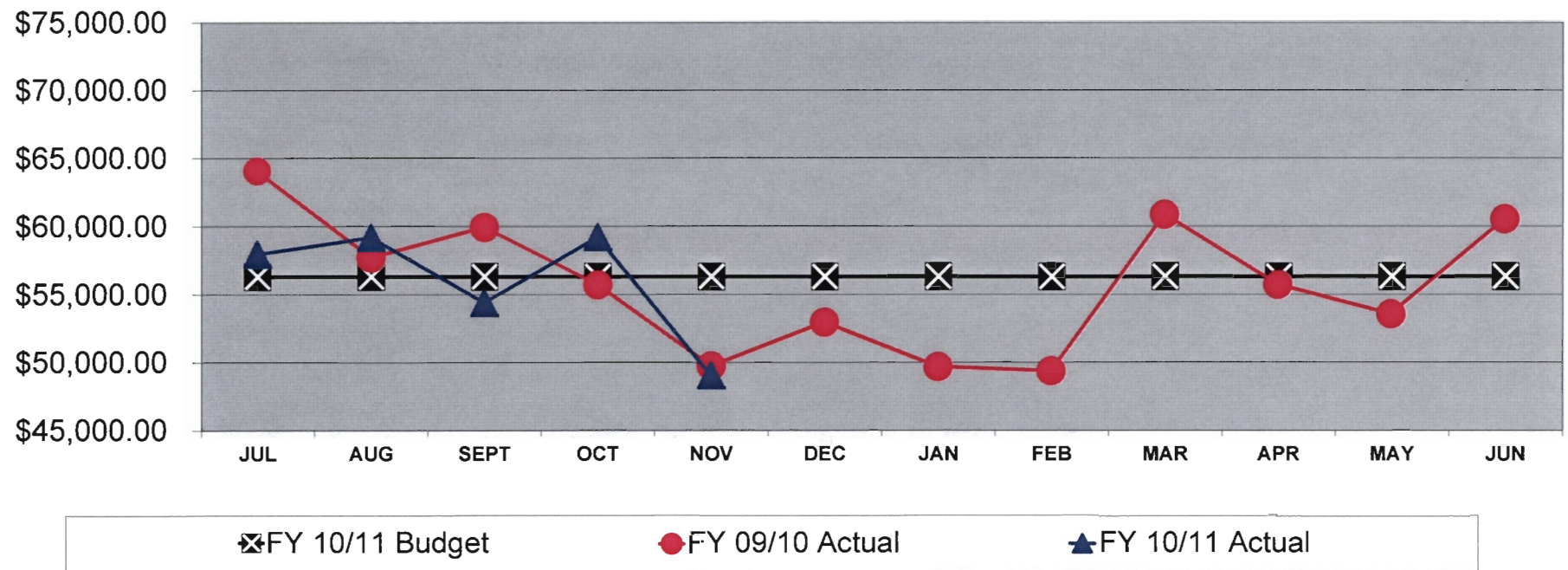
STATE SHARED INCOME TAX REVENUES COMPARISON



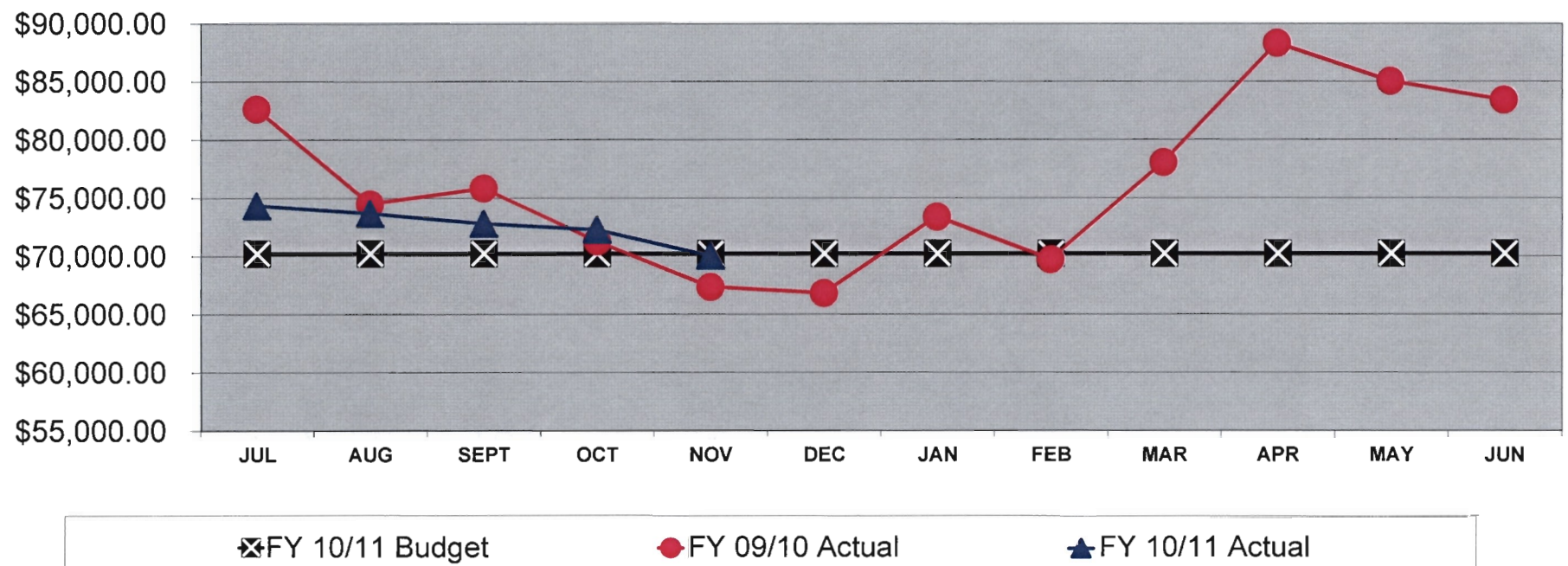
STATE SHARED SALES TAX REVENUES COMPARISON



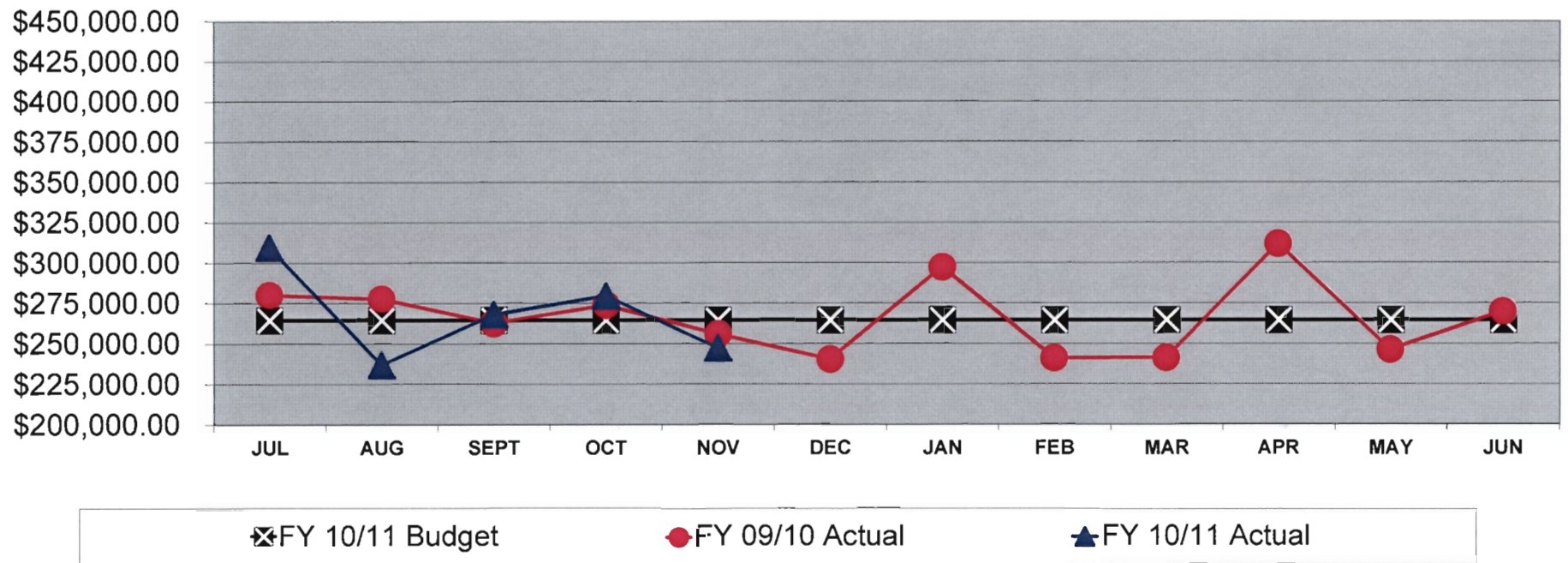
VEHICLE LICENSE TAX REVENUES COMPARISON



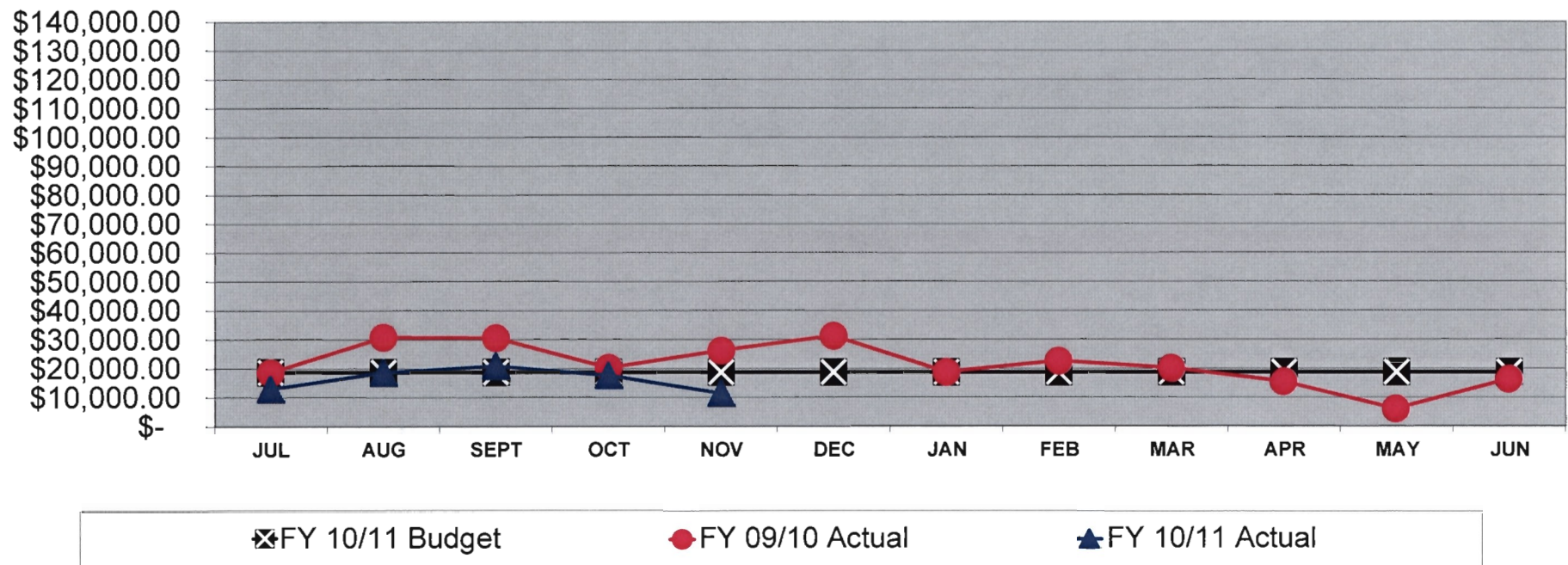
HIGHWAY USERS REVENUES COMPARISON



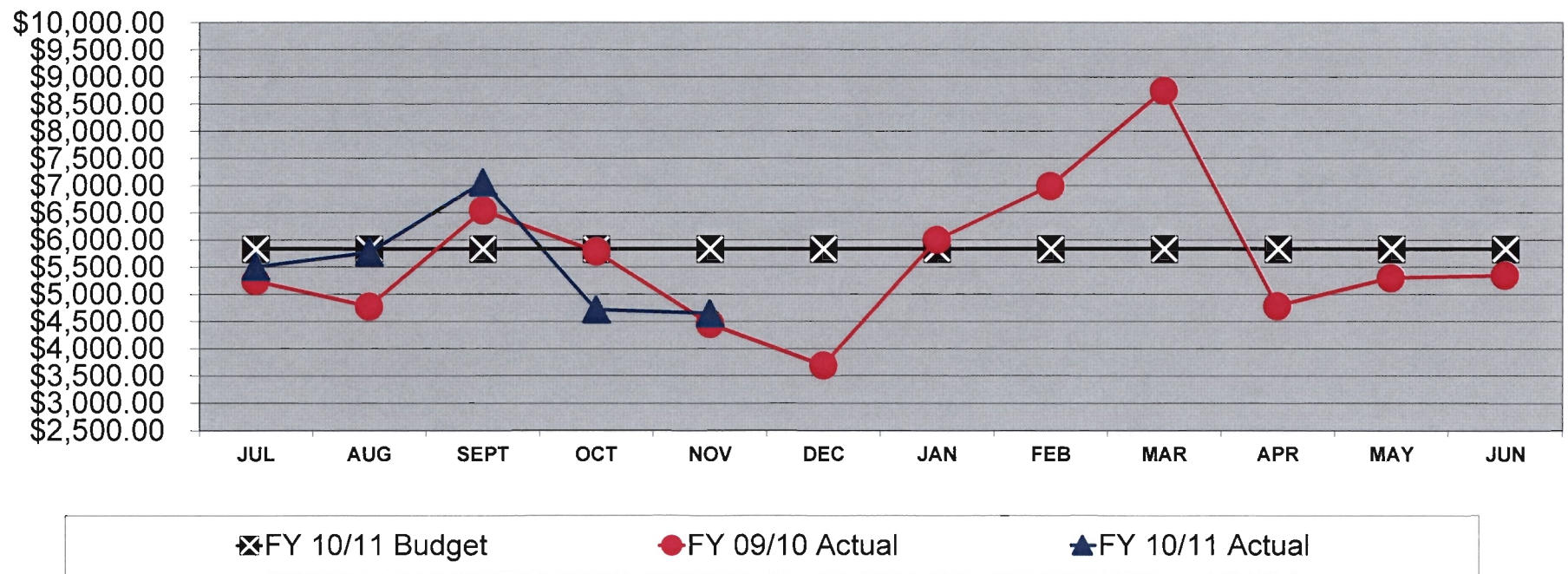
3% TOWN SALES TAX REVENUES COMPARISON



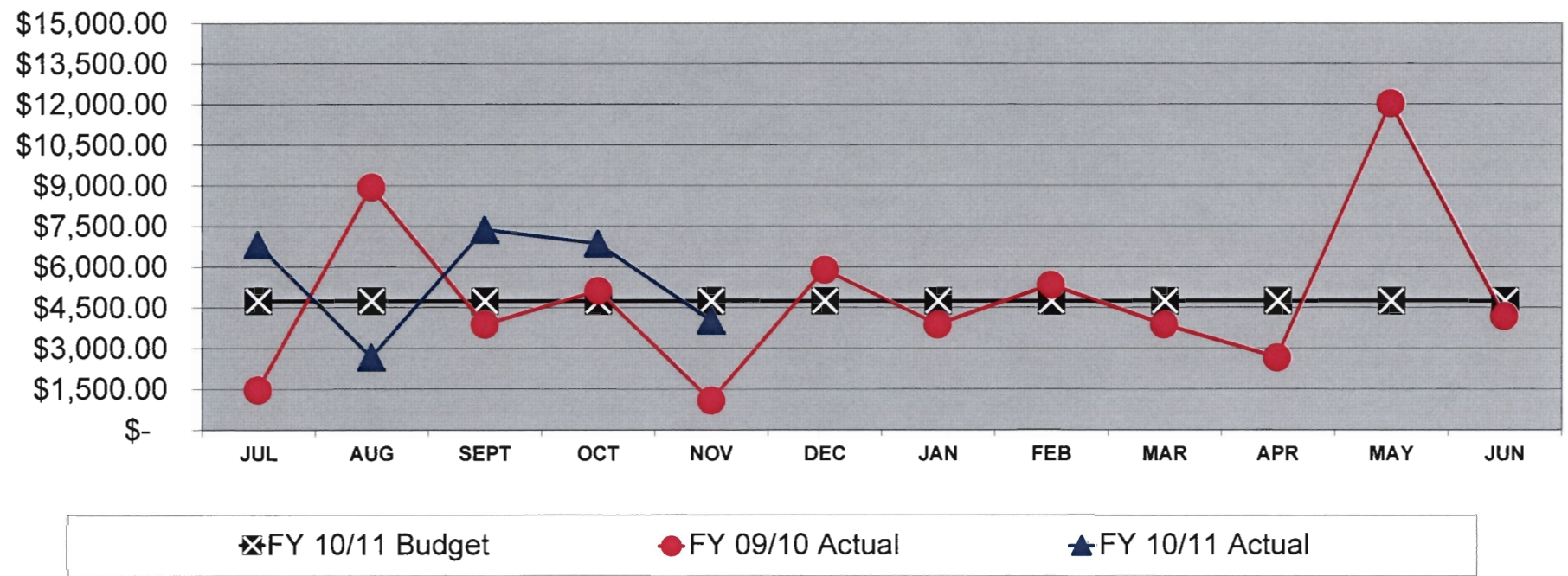
3% TOWN CONSTRUCTION SALES TAX REVENUES COMPARISON



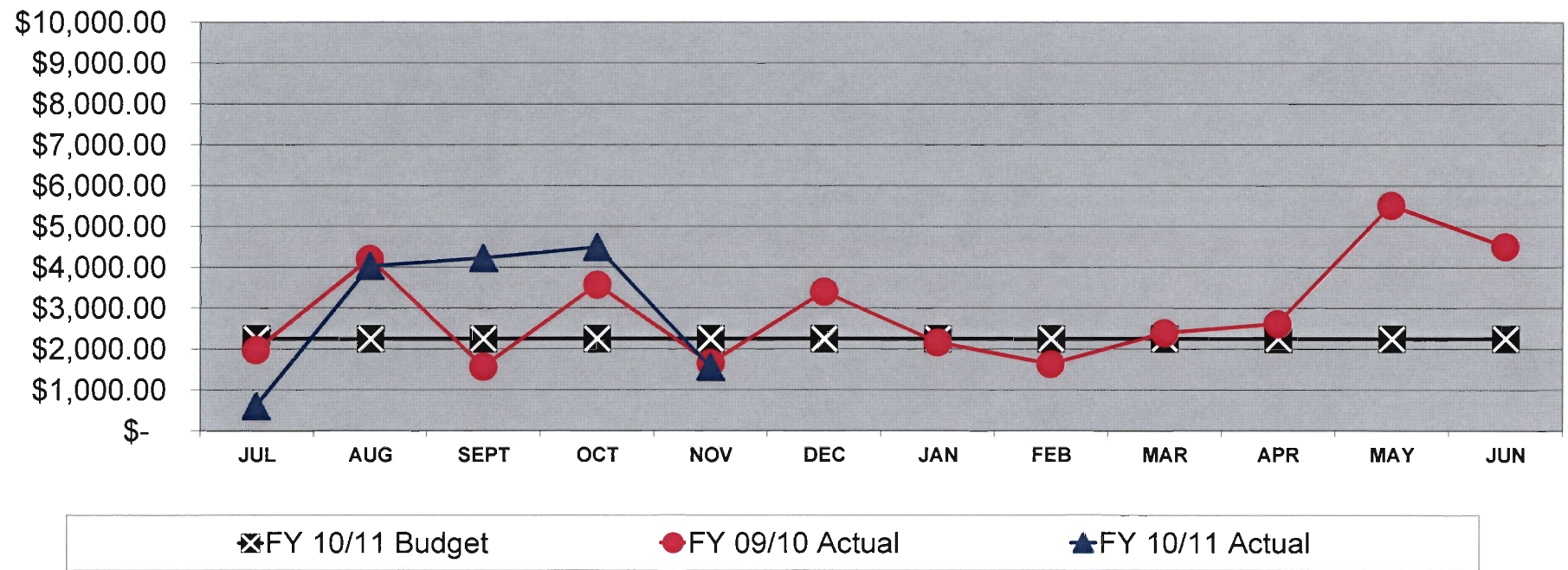
BUSINESS LICENSES REVENUES COMPARISON



BUILDING PERMITS REVENUES COMPARISON



PLAN CHECK FEES REVENUES COMPARISON



TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

GENERAL FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
FRANCHISE TAXES	149,000	19.20	28,611.10	29,908.41
TAX REVENUES	2,266,666	41.91	949,915.54	972,414.59
LICENSES & PERMITS REVENUES	161,000	46.30	74,536.52	62,920.86
INTERGOVERNMENTAL REVENUES	3,011,835	39.25	1,182,117.83	1,456,038.21
CHARGES FOR SERVICES	109,200	44.24	48,313.34	49,230.53
FINES AND FORFEITURES	171,850	38.32	65,853.41	57,281.86
OTHER REVENUES	10,000	48.28	4,827.79	7,118.51
CONTRIBUTIONS AND DONATIONS	59,500	9.29	5,525.01	7,042.35
INVESTMENT EARNINGS	35	714.63	250.12	15.55
OTHER SOURCES	1,042,735	28.76	299,895.04	115,726.68
TOTAL FUND REVENUES	6,981,821	38.10	2,659,845.70	2,757,697.55
<u>EXPENDITURES</u>				
LEGAL SERVICES	116,476	38.02	44,288.22	52,822.27
TOWN CLERK	180,389	33.13	59,765.97	50,738.63
TOWN MANAGER	253,957	40.44	102,712.00	102,831.28
HUMAN RESOURCES	113,792	42.33	48,168.37	29,391.98
MUNICIPAL COURT	271,731	39.32	106,832.13	93,281.30
FINANCE	224,357	33.24	74,565.20	97,176.23
MGMT INFORMATION SYSTEMS	105,029	33.72	35,411.55	32,603.25
GEOGRAPHICAL INFO SYSTEMS	67,318	39.65	26,692.27	25,392.11
MAYOR & COUNCIL	18,897	36.95	6,982.83	9,741.24
PLANNING	203,311	41.42	84,210.23	77,870.14
BUILDING INSPECTION	78,924	33.09	26,115.40	29,936.70
CODE ENFORCEMENT	52,800	42.02	22,186.72	20,668.59
DISPATCH	312,026	39.39	122,921.92	116,843.06
POLICE	2,165,322	41.29	893,962.38	854,218.19
ANIMAL CONTROL	65,560	41.02	26,891.01	21,340.53
RECREATION	130,280	42.02	54,748.91	69,077.95
LIBRARY	250,607	38.21	95,758.91	91,918.67
SENIOR CENTER	186,281	35.76	66,615.76	51,163.88
PARKS MAINTENANCE	454,682	47.28	214,987.49	182,376.45
AQUATICS CENTER	188,008	47.57	89,433.15	57,362.16
PUBLIC WORKS ADMINISTRATION	19,820	40.98	8,122.30	15,809.26
FACILITIES MAINTENANCE	239,950	35.90	86,138.14	89,574.90
FLEET MAINTENANCE	311,757	36.13	112,631.50	104,026.10
ENGINEERING	53,577	36.90	19,767.37	99,418.95
DEBT, CONTINGENCIES, TRANSFERS	916,970	24.43	224,028.16	222,861.11
TOTAL FUND EXPENDITURES	6,981,821	38.01	2,653,937.89	2,598,444.93
NET REVENUES OVER EXPENDITURES			5,907.81	159,252.62

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

HIGHWAY USER REVENUE FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
RIGHT OF WAY PERMITS	1,500	57.73	866.00	619.75
DRIVEWAY PERMITS	600	15.00	90.00	120.00
INTEREST INCOME	2,600	43.20	1,123.10	1,301.88
SALE OF FIXED ASSETS	25,000	.00	.00	75,000.00
WIFA GRANT	0	.00	20,000.00	.00
HIGHWAY USERS REVENUE	842,820	43.10	363,284.77	371,787.55
COURT FINES – HURF	2,700	2.24	60.56	1,550.19
LTAf REVENUES	0	.00	.00	20,335.17
STIMULUS PROJECTS REVENUE	3,292,056	.00	.00	.00
TOTAL REVENUES	<u>4,167,276</u>	<u>9.25</u>	<u>385,424.43</u>	<u>470,714.54</u>
<u>OTHER SOURCES</u>				
CARRYOVER	<u>1,195,819</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL OTHER SOURCES	<u>1,195,819</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL FUND REVENUES	<u>5,363,095</u>	<u>7.19</u>	<u>385,424.43</u>	<u>470,714.54</u>
<u>EXPENDITURES</u>				
PERSONNEL COSTS	483,791	36.94	178,732.12	116,938.04
OPERATING COSTS	295,624	50.49	149,258.57	57,137.95
CHIPSEALING/ARMORING	791,804	78.62	622,550.35	34,908.25
CENTER STREET PROJECT	400,000	92.86	371,441.70	.00
STIMULUS PROJECTS	3,292,056	.00	.00	.00
CONTINGENCIES	19,287	.00	.00	.00
RESERVE FUND	14,881	.00	.00	.00
ON-LINE AUCTION EXPENSES	2,000	.00	.00	5,250.00
TFR TO CAPITAL ASSET REPL	31,810	.00	.00	.00
TFRS TO DEBT SERVICE FUND	31,842	41.67	13,267.45	13,267.45
TOTAL FUND EXPENDITURES	<u>5,363,095</u>	<u>24.90</u>	<u>1,335,250.19</u>	<u>227,501.69</u>
NET REVENUES OVER EXPENDITURES			<u>(949,825.76)</u>	<u>243,212.85</u>

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

CDBG GRANTS

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
CDBG GRANTS	371,473	.00	.00	.00
TOTAL REVENUES	371,473	.00	.00	.00
TOTAL FUND REVENUES	371,473	.00	.00	.00
<u>EXPENDITURES</u>				
OPERATING COSTS	23,059	.00	.00	566.47
CONSTRUCTION COSTS	348,414	.00	.00	.00
TOTAL FUND EXPENDITURES	371,473	.00	.00	566.47
NET REVENUES OVER EXPENDITURES			.00	(566.47)

TOWN OF CHINO VALLEY FUND SUMMARY – WATER ENTERPRISE FUND
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
WATER SERVICE FEES	450,000	46.49	209,205.16	215,846.19
WATER SYSTEM BUY-IN FEES	20,000	8.54	1,708.00	.00
WTR SERVICE CONNECTION TAP FEE	800	.00	.00	.00
WATER METER FEES	2,700	25.81	696.88	.00
MISCELLANEOUS REVENUE	3,500	53.20	1,862.05	1,499.94
STIMULUS PROJECTS REVENUE	4,000,000	.00	.00	.00
TOTAL REVENUES	4,477,000	4.77	213,472.09	217,346.13
<u>OTHER SOURCES</u>				
TFRS FROM CAPITAL IMPROV. FUND	306,454	21.86	66,980.00	39,942.50
TFRS FROM SEWER FUND	50,000	.00	.00	.00
TFRS FROM CAPITAL REPLAC FUND	918	100.00	918.00	.00
TOTAL OTHER SOURCES	357,372	19.00	67,898.00	39,942.50
TOTAL FUND REVENUES	4,834,372	5.82	281,370.09	257,288.63
<u>EXPENDITURES</u>				
<u>WATER UTILITY OPERATIONS</u>				
PERSONNEL COSTS	194,326	42.50	82,598.07	31,487.25
OPERATING COSTS	155,750	35.97	56,028.74	58,407.24
TOTAL WATER UTILITY OPERATIONS	350,076	39.60	138,626.81	89,894.49
WELLS	0	.00	9,025.23	.00
LEASE PURCHASE-CWMHP LOT	4,278	99.98	4,277.14	4,277.14
WATER METERS	5,000	5.23	261.45	352.48
STIMULUS PROJECTS	4,000,000	.00	.00	.00
COUNTRY WEST WELL REHAB	50,000	.00	.00	.00
DEVELOPER LOAN PAYMENTS	16,628	8.54	1,420.00	.00
CONTINGENCIES	25,958	.00	.00	.00
RESERVE FUND	25,958	.00	.00	.00
<u>WATER RESOURCES DIVISION</u>				
PERSONNEL COSTS	6,686	41.99	2,807.45	48,273.36
OPERATING COSTS	135,641	35.02	47,503.20	12,117.44
TOTAL WATER RESOURCES DIVISION	142,327	35.35	50,310.65	60,390.80
CONTINGENCIES	17,607	.00	.00	.00
RESERVE FUND	17,607	.00	.00	.00
CAMERON PROPERTY OBLIGATIONS	27,390	119.51	32,733.26	22,834.90
DE LAGE LANDEN PUBLIC FINANCE	11,543	50.00	5,771.28	4,809.40
RESERVE	140,000	.00	.00	.00

TOWN OF CHINO VALLEY FUND SUMMARY -- WATER ENTERPRISE FUND
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
TOTAL FUND EXPENDITURES	<u>4,834,372</u>	<u>5.01</u>	<u>242,425.82</u>	<u>182,559.21</u>
NET REVENUES OVER EXPENDITURES			<u>38,944.27</u>	<u>74,729.42</u>

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

CAPITAL IMPROVEMENT FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
1% TPT REVENUES-RETAIL/OTHER	1,050,000	41.67	437,523.98	463,461.03
1% CONSTRUCTION TPT REVENUES	75,000	36.34	27,258.16	42,307.02
SALES TAX-ADOT HWY 89 WIDENING	0	.00	.00	104,963.70
1% BED TAX REVENUES	8,334	122.10	10,175.45	1,030.87
CTY DRAINAGE MASTER PLAN REV	100,325	54.32	54,495.00	.00
CVUSD ADJACENT WAYS PROJECT	273,000	83.27	227,319.24	.00
EECBG REVENUES (SOLAR PANELS)	256,807	.00	.00	.00
MISC CAPITAL PROJECTS REVENUES	18,821,283	.00	.00	.00
TOTAL REVENUES	20,584,749	3.68	756,771.83	611,762.62
<u>OTHER REVENUES</u>				
MISC PARK CONTRIBUTIONS	50	.00	.00	.00
MISCELLANEOUS CONTRIBUTIONS	50,000	.00	.00	.00
MISC POOL CONTRIBUTIONS	400	50.00	200.00	.00
INTEREST INCOME LGIP	1,250	23.83	297.83	540.01
INTEREST INCOME - GADA LGIP	5,000	18.54	927.03	2,617.95
TOTAL OTHER REVENUES	56,700	2.51	1,424.86	3,157.96
<u>OTHER SOURCES</u>				
CARRYOVER	1,065,000	.00	.00	.00
TOTAL OTHER SOURCES	1,065,000	.00	.00	.00
TOTAL FUND REVENUES	21,706,449	3.49	758,196.69	614,920.58
<u>EXPENDITURES</u>				
MISC CAPITAL PROJECTS	18,821,283	.00	.00	.00
CVUSD ADJACENT WAYS PROJECT	273,000	87.56	239,038.75	.00
EECBG EXPS (SOLAR PANELS PJT)	256,807	1.32	3,396.65	.00
CTY DRAINAGE MASTER PLAN	100,325	72.19	72,425.84	.00
P&R01 PHASE III-COMM CTR PARK	115,000	.00	.00	.00
GADA FINANCED IMPROVEMENTS	1,000,000	11.38	113,766.26	272,075.35
TFRS TO GENERAL FUND	668,629	43.95	293,895.04	98,396.52
TFRS TO WATER ENTERPRISE FUND	306,454	21.86	66,980.00	39,942.50
TFRS TO DEBT SERVICE FUND	164,951	.00	.00	.00
TOTAL FUND EXPENDITURES	21,706,449	3.64	789,502.54	410,414.37
NET REVENUES OVER EXPENDITURES			(31,305.85)	204,506.21

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

SEWER ENTERPRISE FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
SEWER SERVICE FEES	950,000	44.26	420,430.34	380,077.16
SEPTAGE RECOVERY FEES	60,000	46.47	27,882.72	22,654.71
SEWER SYSTEM BUY-IN FEES	250,000	8.98	22,452.54	45,812.11
CHINO MEADOWS SEWER HOOKUPS	0	.00	47,672.98	52,518.09
ANNUAL PERMIT FEE-SEPTAGE	400	105.00	420.00	420.00
MISCELLANEOUS REVENUE	30,000	58.39	17,517.33	8,302.37
STIMULUS PROJECTS REVENUE	11,994,605	.00	.00	.00
TOTAL REVENUES	13,285,005	4.04	536,375.91	509,784.44
<u>OTHER REVENUES</u>				
INVESTMENT EARNINGS	37,000	43.43	16,067.85	16,381.41
TOTAL OTHER REVENUES	37,000	43.43	16,067.85	16,381.41
<u>OTHER SOURCES</u>				
CARRYOVER	666,810	.00	.00	.00
TOTAL OTHER SOURCES	666,810	.00	.00	.00
TOTAL FUND REVENUES	13,988,815	3.95	552,443.76	526,165.85
<u>EXPENDITURES</u>				
PERSONNEL COSTS	190,942	42.51	81,167.62	31,512.20
OPERATING COSTS	635,400	35.55	225,862.93	204,718.50
STIMULUS PROJECTS	11,994,605	.00	.00	.00
SEWER SYSTEM LOAN PMTS	100,000	8.20	8,200.00	.00
WIFA CM LOAN PRINCIPAL	278,747	100.00	278,746.77	66,155.68
WIFA LOAN INTEREST/FEES	168,735	.00	.00	.00
USDA CM LOAN PRINCIPAL	88,549	41.17	36,452.72	12,965.31
USDA CM LOAN INTEREST/FEES	178,979	41.91	75,017.28	27,149.69
WIFA DEBT SVC RESERVE-LOAN 1	21,592	.00	.00	.00
WIFA DEBT SVC RESERVE-LOAN 2	69,466	.00	.00	.00
CONTINGENCIES	105,900	.00	.00	.00
RESERVE FUND	105,900	.00	.00	.00
TFRS TO WATER ENTERPRISE FUND	50,000	.00	.00	.00
TOTAL FUND EXPENDITURES	13,988,815	5.04	705,447.32	342,501.38
NET REVENUES OVER EXPENDITURES			(153,003.56)	183,664.47

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

GRANTS FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
MISC GRANTS- POLICE DEPARTMENT	2,200,000	.65	14,294.00	4,800.00
PD EMERG MGMT TRAILER RENOV	0	.00	.00	15,000.00
PARKS & REC GRANTS	300,000	.00	.00	.00
MISC GRANTS - LIBRARY	200,000	.00	.00	547.70
PLANNING GRANT REVENUE	100,000	.00	.00	.00
SEN CNTR SPECIAL GRANTS	147,889	4.13	6,115.00	18,136.46
EMERG FOOD & SHELTER PGM	0	.00	1,500.00	4,000.00
ADOT TRANSPORTATION GRANT REV	116,584	.00	.00	.00
MISC PUBLIC WORKS GRANTS	200,000	.00	.00	.00
MISC GRANT COURT	200,000	.18	350.00	.00
TOTAL REVENUES	<u>3,464,473</u>	<u>.64</u>	<u>22,259.00</u>	<u>42,484.16</u>
<u>OTHER REVENUES</u>				
INTEREST INCOME	30	118.10	35.43	18.72
TOTAL OTHER REVENUES	<u>30</u>	<u>118.10</u>	<u>35.43</u>	<u>18.72</u>
<u>OTHER SOURCES</u>				
CARRYOVER	31,093	.00	.00	.00
TFRS FROM GENERAL FUND	9,934	8.05	800.00	2,302.11
TOTAL OTHER SOURCES	<u>41,027</u>	<u>1.95</u>	<u>800.00</u>	<u>2,302.11</u>
TOTAL FUND REVENUES	<u>3,505,530</u>	<u>.66</u>	<u>23,094.43</u>	<u>44,804.99</u>
<u>EXPENDITURES</u>				
MUNICIPAL JUDGE	200,000	.18	350.00	.00
PLANNING	100,000	.00	.00	.00
POLICE	2,200,000	1.10	24,189.68	13,243.67
RECREATION	100,000	.00	.00	.00
LIBRARY	200,000	.00	.00	547.70
SENIOR CENTER	305,530	2.96	9,032.54	7,190.66
PARKS MAINTENANCE	200,000	.05	100.00	.00
PUBLIC WORKS ADMINISTRATION	200,000	.00	.00	.00
TOTAL FUND EXPENDITURES	<u>3,505,530</u>	<u>.96</u>	<u>33,672.22</u>	<u>20,982.03</u>
NET REVENUES OVER EXPENDITURES			<u>(10,577.79)</u>	<u>23,822.96</u>

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

DEBT SERVICE FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
TFRS FROM GENERAL FUND	67,942	49.08	33,344.70	35,635.50
TFRS FROM CAPITAL IMPROVEMENTS	164,951	.00	.00	.00
TFRS FROM IMPACT FEES	9,163	100.00	9,163.20	11,454.00
TFRS FROM HIGHWAY USER FUND	31,842	41.67	13,267.45	13,267.45
TOTAL REVENUES	<u>273,898</u>	<u>20.36</u>	<u>55,775.35</u>	<u>60,356.95</u>
 TOTAL FUND REVENUES	 <u>273,898</u>	 <u>20.36</u>	 <u>55,775.35</u>	 <u>60,356.95</u>
<u>EXPENDITURES</u>				
SUNTRUST LEASING-VEHICLES	18,327	100.00	18,326.40	22,908.00
BANC AMERICA PUBLIC CAPITAL	88,869	41.67	37,028.95	37,028.95
DEBT SVC 2004 BOND INTEREST	99,220	.00	.00	.00
GADA LOAN INTEREST	65,731	.00	.00	.00
FISCAL AGENT FEES	1,751	23.99	420.00	420.00
TOTAL FUND EXPENDITURES	<u>273,898</u>	<u>20.36</u>	<u>55,775.35</u>	<u>60,356.95</u>
 NET REVENUES OVER EXPENDITURES			<u>.00</u>	<u>.00</u>

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

SPECIAL REVENUE FUND-COURT

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>FEE REVENUES</u>				
COURT IMPROVEMENT FEES	15,000	43.96	6,593.28	5,938.40
COURT COLLECTION FEES	13,000	35.82	4,657.13	4,398.77
INTEREST INCOME	0	.00	82.07	61.19
TOTAL FEE REVENUES	28,000	40.47	11,332.48	10,398.36
<u>OTHER REVENUES</u>				
INTEREST INCOME-LGIP	110	.00	.00	.00
TOTAL OTHER REVENUES	110	.00	.00	.00
<u>FEE REVENUES</u>				
CARRYOVER	135,000	.00	.00	.00
TOTAL FEE REVENUES	135,000	.00	.00	.00
TOTAL FUND REVENUES	163,110	6.95	11,332.48	10,398.36
<u>EXPENDITURES</u>				
OPERATING COSTS	53,035	2.10	1,112.98	1,538.09
CAPITAL EXPENDITURES	110,075	9.41	10,357.03	10,496.06
TOTAL FUND EXPENDITURES	163,110	7.03	11,470.01	12,034.15
NET REVENUES OVER EXPENDITURES			(137.53)	(1,635.79)

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

CAPITAL ASSET REPLACEMENT FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>TAX REVENUES</u>				
SALES TAX AUDIT REVENUES	10,000	.00	.00	.00
TOTAL TAX REVENUES	10,000	.00	.00	.00
<u>OTHER REVENUES</u>				
AMRRP DIVIDEND	34,506	100.00	34,506.00	22,483.00
INTEREST INCOME-LGIP	250	51.46	128.65	154.54
TOTAL OTHER REVENUES	34,756	99.65	34,634.65	22,637.54
<u>TAX REVENUES</u>				
CARRYOVER	103,000	.00	.00	.00
TFRS FROM HIGHWAY USER FUND	31,810	.00	.00	.00
TOTAL TAX REVENUES	134,810	.00	.00	.00
TOTAL FUND REVENUES	179,566	19.29	34,634.65	22,637.54
<u>EXPENDITURES</u>				
OPERATING COSTS	5,000	60.73	3,036.63	.00
DEBT SERVICE/OTHER	174,566	29.05	50,709.50	26,389.70
TOTAL FUND EXPENDITURES	179,566	29.93	53,746.13	26,389.70
NET REVENUES OVER EXPENDITURES			(19,111.48)	(3,752.16)

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

POLICE IMPACT FEE FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
POLICE IMPACT FEES-COMMERCIAL	0	.00	.00	1,331.04
INTEREST INCOME POOL	125	66.21	82.76	75.38
TOTAL REVENUES	125	66.21	82.76	1,406.42
<u>OTHER SOURCES</u>				
CARRYOVER	147,000	.00	.00	.00
TOTAL OTHER SOURCES	147,000	.00	.00	.00
TOTAL FUND REVENUES	147,125	.06	82.76	1,406.42
<u>EXPENDITURES</u>				
CAPITAL EXPENDITURES	137,962	.00	.00	.00
DEBT SERVICE/OTHER	9,163	100.00	9,163.20	11,454.00
TOTAL FUND EXPENDITURES	147,125	6.23	9,163.20	11,454.00
NET REVENUES OVER EXPENDITURES			(9,080.44)	(10,047.58)

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

LIBRARY IMPACT FEE FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
INTEREST INCOME POOL	<u>80</u>	<u>90.85</u>	<u>72.68</u>	<u>55.53</u>
TOTAL REVENUES	<u>80</u>	<u>90.85</u>	<u>72.68</u>	<u>55.53</u>
 TOTAL FUND REVENUES	 <u>80</u>	 <u>90.85</u>	 <u>72.68</u>	 <u>55.53</u>
 <u>EXPENDITURES</u>				
CAPITAL EXPENDITURES	<u>80</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL FUND EXPENDITURES	<u>80</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
 NET REVENUES OVER EXPENDITURES			 <u><u>72.68</u></u>	 <u><u>55.53</u></u>

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

PARKS/REC IMPACT FEE FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
INTEREST INCOME POOL	<u>80</u>	<u>92.38</u>	<u>73.90</u>	<u>55.87</u>
TOTAL REVENUES	<u>80</u>	<u>92.38</u>	<u>73.90</u>	<u>55.87</u>
 <u>REVENUES</u>				
CARRYOVER	<u>126,000</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL REVENUES	<u>126,000</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
 TOTAL FUND REVENUES	<u>126,080</u>	<u>.06</u>	<u>73.90</u>	<u>55.87</u>
 <u>EXPENDITURES</u>				
CAPITAL EXPENDITURES	<u>126,080</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
TOTAL FUND EXPENDITURES	<u>126,080</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>
 NET REVENUES OVER EXPENDITURES			<u><u>73.90</u></u>	<u><u>55.87</u></u>

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

GENL GOVT IMPACT FEE FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
GENL GOV IMPACT FEES-COMML	0	.00	.00	582.33
INTEREST INCOME POOL	150	79.63	119.44	93.43
TOTAL REVENUES	150	79.63	119.44	675.76
<u>REVENUES</u>				
CARRYOVER	210,000	.00	.00	.00
TOTAL REVENUES	210,000	.00	.00	.00
TOTAL FUND REVENUES	210,150	.06	119.44	675.76
<u>EXPENDITURES</u>				
CAPITAL EXPENDITURES	210,150	5.99	12,591.87	.00
TOTAL FUND EXPENDITURES	210,150	5.99	12,591.87	.00
NET REVENUES OVER EXPENDITURES			(12,472.43)	675.76

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

ROADS IMPACT FEE FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>REVENUES</u>				
ROADS IMPACT FEES-COMMERCIAL	0	.00	.00	8,069.43
INTEREST INCOME POOL	1,200	99.48	1,193.80	748.67
TOTAL REVENUES	1,200	99.48	1,193.80	8,818.10
<u>REVENUES</u>				
CARRYOVER	498,800	.00	.00	.00
TOTAL REVENUES	498,800	.00	.00	.00
TOTAL FUND REVENUES	500,000	.24	1,193.80	8,818.10
<u>EXPENDITURES</u>				
CAPITAL EXPENDITURES	500,000	11.21	56,044.27	.00
TOTAL FUND EXPENDITURES	500,000	11.21	56,044.27	.00
NET REVENUES OVER EXPENDITURES			(54,850.47)	8,818.10

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

SPECIAL REVENUE FUND -- PD

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>OTHER REVENUES</u>				
INTEREST INCOME - LGIP	<u>5</u>	<u>23.40</u>	<u>1.17</u>	<u>4.39</u>
TOTAL OTHER REVENUES	<u>5</u>	<u>23.40</u>	<u>1.17</u>	<u>4.39</u>
<u>FEE REVENUES</u>				
VEHICLE IMPOUND FEE REVENUE	<u>11,995</u>	<u>55.02</u>	<u>6,600.00</u>	<u>5,700.00</u>
TOTAL FEE REVENUES	<u>11,995</u>	<u>55.02</u>	<u>6,600.00</u>	<u>5,700.00</u>
TOTAL FUND REVENUES	<u>12,000</u>	<u>55.01</u>	<u>6,601.17</u>	<u>5,704.39</u>
<u>EXPENDITURES</u>				
DEBT SERVICE/OTHER	<u>12,000</u>	<u>50.00</u>	<u>6,000.00</u>	<u>17,330.16</u>
TOTAL FUND EXPENDITURES	<u>12,000</u>	<u>50.00</u>	<u>6,000.00</u>	<u>17,330.16</u>
NET REVENUES OVER EXPENDITURES			<u>601.17</u>	<u>(11,625.77)</u>

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

DEFEASANCE FUND

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>OTHER REVENUES</u>				
INT INCOME -- DEFEASANCE ACCT	33,000	50.34	16,613.38	28,487.79
TOTAL OTHER REVENUES	33,000	50.34	16,613.38	28,487.79
<u>OTHER SOURCES</u>				
CARRYOVER	770,031	.00	.00	.00
TOTAL OTHER SOURCES	770,031	.00	.00	.00
TOTAL FUND REVENUES	803,031	2.07	16,613.38	28,487.79
<u>EXPENDITURES</u>				
DEBT SVC 2004 BOND PRINCIPAL	330,000	100.00	330,000.00	320,000.00
DEBT SVC 2004 BOND INTEREST	139,802	14.83	20,737.71	21,604.25
GADA LOAN PRINCIPAL	190,000	100.00	190,000.00	185,000.00
GADA LOAN INTEREST	143,229	25.05	35,882.29	37,115.63
TOTAL FUND EXPENDITURES	803,031	71.81	576,620.00	563,719.88
NET REVENUES OVER EXPENDITURES			(560,006.62)	(535,232.09)

TOWN OF CHINO VALLEY
FUND SUMMARY
FOR THE 5 MONTHS ENDING NOVEMBER 30, 2010

LIGHTING IMPROVEMENT DISTRICTS

	<u>FY 10/11 BUDGET</u>	<u>FY 10/11 %</u>	<u>FY 10/11 YTD ACTUAL</u>	<u>FY 09/10 YTD ACTUAL</u>
<u>SECONDARY PROPERTY TAX REVS</u>				
CVSLID #1 TAX REVENUES	1,896	46.69	885.21	752.05
CVSLID #2 TAX REVENUES	977	40.32	393.89	355.98
CVSLID #3A TAX REVENUES	884	.00	.00	.00
TOTAL SECONDARY PROPERTY TAX REVS	<u>3,757</u>	<u>34.05</u>	<u>1,279.10</u>	<u>1,108.03</u>
 TOTAL FUND REVENUES	 <u>3,757</u>	 <u>34.05</u>	 <u>1,279.10</u>	 <u>1,108.03</u>
<u>EXPENDITURES</u>				
CVSLID #1 UTILITIES-ELECTRIC	1,896	32.59	617.85	571.98
CVSLID #2 UTILITIES-ELECTRIC	977	32.53	317.82	292.75
CVSLID #3A UTILITIES-ELECTRIC	884	32.62	288.38	266.92
TOTAL FUND EXPENDITURES	<u>3,757</u>	<u>32.58</u>	<u>1,224.05</u>	<u>1,131.65</u>
 NET REVENUES OVER EXPENDITURES			<u><u>55.05</u></u>	<u><u>(23.62)</u></u>



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 15

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2010 TIME: 6:00 P.M.

SUBMITTING DEPARTMENT: Public Works/Engineering

CONTACT PERSON: Ron Grittman, P.E. PHONE: (928) 636-7140

☐ Presentation Only ☐ Report Only ☐ Consent Estimated
☒ Action-Presentation ☐ Action ☐ Executive Length of Staff
Presentation: 5 min.

ITEM LOCATION:

State Route 89 between Center Street and Road 4 South

PROPOSED AGENDA ITEM:

Authorize the Mayor to sign the Intergovernmental Agreement between the Town of Chino Valley and the Arizona Department of Transportation for landscaping and transportation enhancements to State Route 89 between Center Street and Road 4 South.

FISCAL IMPACT? No If Yes, Budget Code: _____ Available: _____

FUNDING:

Funding for this project will be through Arizona Department of Transportation, Transportation Enhancement Grant and Sidewalk Construction funds.

TYPE OF DOCUMENT(S) FOR CONSIDERATION:

Intergovernmental Agreement (IGA)



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 15

SITUATION AND ANALYSIS:

The Town of Chino Valley has been awarded a \$1.5M transportation enhancement grant for the Highway 89 project for roadway improvements. These improvements include \$1M for sidewalk and \$0.5M for landscaping the region between Center Street and Outer Loop Road. Arizona Department of Transportation (ADOT) has requested that the Town of Chino Valley contract with, and pay for, a consultant for the design of these improvements. Funds for this design have come from Highway User Revenue Funds carry forward dollars from previous years. The fact that two governmental agencies are jointly participating in a project requires that an Intergovernmental Agreement (IGA) be developed.

The attached IGA outlines agency responsibility. While the Town fully anticipates the maintenance of sidewalk and landscaping to be its responsibility, the IGA is silent to operation and maintenance pending further negotiations.

RECOMMENDED MOTION:

Move to authorize the Mayor to sign the Intergovernmental Agreement between the Town and the Arizona Department of Transportation for landscaping and transportation enhancements to State Route 89 between Center Street and Road 4 South.

ATTACHMENTS:

[Intergovernmental Agreement](#)

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

Ron Grittman, P.E.

Author

Ron Grittman, P.E.

Department Head

Vera J. Smith

Finance

Other:

Other:

Sharon Sargent-Flack

Legal

Other:

Other:

Michael K. Scannell

Town Manager/Designee

ADOT File No.: IGA/JPA **10-114I**
 AG Contract No.: P001 2010 00
 Project: Sidewalk, Irrigation &
 Landscaping Maint
 Section: SR 89 Chino Valley
TIP/STIP No.: 089-B(205)A
TRACS No.: H8101 01C
Budget Source Item No.: 13411

INTERGOVERNMENTAL AGREEMENT

BETWEEN
 THE STATE OF ARIZONA
 AND
 TOWN OF CHINO VALLEY

THIS AGREEMENT is entered into this date _____, 2011, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the TOWN OF CHINO VALLEY, acting by and through its MAYOR and TOWN COUNCIL (the "Town"). The State and the Town are collectively referred to as "Parties".

I. RECITALS

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The Town is empowered by Arizona Revised Statutes § 9-240 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement on behalf of the Town.

This agreement establishes the Town's maintenance responsibilities of the sidewalk, roundabout enhancements and landscaping from MP 325.1 to MP 326.9 on SR 89 in Chino Valley, hereinafter referred to as the 'Project.' The State will be responsible for the construction and construction costs of the sidewalk, roundabout enhancements and landscaping.

3. The Parties hereto agree to and acknowledge the following conditions: the Parties shall perform their responsibilities consistent with this Agreement, and any change or modification to the Project will only occur with the mutual written consent of both Parties.

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

II. SCOPE OF WORK

1. The State will:

a. Review design plans, specifications and other such documents and services required for construction of the Project.

b. Advertise for bids and award one or more construction contract(s) for the Project. Administer contract(s) for the Project and make all payments to the contractor(s). Be responsible for contractor claims for additional compensation caused by or attributable to the State.

c. Issue the Town a permit for the roundabout enhancements, upon approval of the design and the Town's permit application.

d. Upon completion of the Project, perform the final inspection and notify the Town in writing that the Project has been constructed in accordance with the Project documents and has been satisfactorily completed.

2. The Town will:

a. Prepare and provide design plans, specifications and other such documents and services required for construction of the Project.

b. Upon completion of the Project, assume responsibility for maintenance of all sidewalk components and landscaping of the Project.

c. Obtain, per established procedures of the State's Prescott District Permit Office, a valid Encroachment Permit for visual enhancements, either constructed with the Project or after completion of said Project.

d. Be responsible for relocating any visual enhancements limits when future widening occurs within the Project limits.

III. MISCELLANEOUS PROVISIONS

1. The terms, conditions and provisions of this Agreement shall remain in full force and effect until completion and reimbursements provided herein. However, any provisions for maintenance, provided by the respective party shall be perpetual. This Agreement may be cancelled at any time prior to award of a Project construction contract, upon thirty-days (30) written notice to either party. It is understood and agreed that, in the event the Town cancels this Agreement, the State shall in no way be obligated to maintain said Project.

2. Each party (as "indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "indemnitee") from and against any and all claims, losses, liability, costs or other expenses (including, but not limited to, reasonable attorneys' fees) (hereinafter collectively referred to as "claims") arising out of bodily injury of any person (including death), property damage and any other claims (including, but not limited to, claims of derivative or vicarious liability), which are caused by the act, omission, negligence, misconduct or other fault of the indemnitor, its officers, officials, agents, employees or volunteers.

3. The cost of the project under this Agreement includes applicable indirect costs approved by the Federal Highway Administration (FHWA).

4. This Agreement shall become effective upon signing and dating of the Determination Letter by the State's Attorney General.

5. This Agreement may be cancelled in accordance with Arizona Revised Statutes § 38-511.

6. The provisions of Arizona Revised Statutes § 35-214 are applicable to this Agreement.

7. In the event of any controversy which may arise out of this Agreement, the Parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes § 12-1518.

8. All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail, addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 S. 17th Avenue, Mail Drop 637E
Phoenix, Arizona 85007
(602) 712-7124
(602) 712-3132 Fax

Town of Chino Valley
Attn: Ron Grittmann
1020 W. Palomino Road
Chino Valley, Arizona 86323
(928) 636-7140
(928) 636-7141 Fax

9. This Agreement is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable Federal regulations under the Act, including 28 CFR Parts 35 and 36. The parties to this Agreement shall comply with Executive Order Number 09-09 issued by the Governor of the State of Arizona and incorporated herein by reference regarding "Non-Discrimination".

10. Compliance requirements for Arizona Revised Statutes § 41-4401—immigration laws and E-Verify requirement:

a. The Town warrants compliance with all Federal immigration laws and regulations relating to employees and warrants its compliance with Section A.R.S. 23-214, Subsection A.

b. A breach of a warranty regarding compliance with immigration laws and regulations shall be deemed a material breach of the contract, and the Town may be subject to penalties up to and including termination of the Agreement.

c. The State retains the legal right to inspect the papers of any employee who works on the Project to ensure that the Town or subcontractor is complying with the warranty under paragraph (a).

11. Non-Availability of Funds: Every payment obligation of the State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligations. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments as a result of termination under this paragraph.

12. Pursuant to Arizona Revised Statutes § 35-391.06 and § 35-393.06, each Party certifies that it does not have a scrutinized business operation in Sudan or Iran. For the purpose of this Section the term "scrutinized business operations" shall have the meanings set forth in Arizona Revised Statutes § 35-391 and/or § 35-393, as applicable. If any Party determines that another Party submitted a false certification, that Party may impose remedies as provided by law including terminating this Agreement.

13. In accordance with Arizona Revised Statutes § 11-952 (D) attached hereto and incorporated herein is the written determination of each party's legal counsel and that the Parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form.

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year first above written.

TOWN OF CHINO VALLEY

By _____
JIM BUNKER
Mayor

STATE OF ARIZONA

Department of Transportation

By _____
SAM MAROUFKHANI, P.E.
Deputy State Engineer, Development

ATTEST:

By _____
JAMI LEWIS
Clerk

JPA 10-114I**ATTORNEY APPROVAL FORM FOR THE TOWN OF CHINO VALLEY**

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the TOWN OF CHINO VALLEY, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this _____ day of _____, 2011.

Town Attorney

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 16

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6:00 P.M.

SUBMITTING DEPARTMENT: Public Works/Engineering

CONTACT PERSON: Ron Grittmann, P.E. PHONE: (928) 636-7140

☐ Presentation Only ☐ Report Only ☐ Consent Estimated
☒ Action-Presentation ☐ Action ☐ Executive Length of Staff
Presentation: 5 min.

ITEM LOCATION:

Police Department

PROPOSED AGENDA ITEM:

Authorize purchase of one new 2011 Ford Expedition 4x4 XL Police Unit as a replacement to one existing unit that is to be retired for mileage in the amount of \$28,691.69.

FISCAL IMPACT? Yes If Yes, Budget Code: 07-60-5443 Available: \$39,691.69

FUNDING:

Funds to come from a \$45,000.00 Arizona Governor's Office of Economic Recovery grant secured by the Police Department in the Grants Fund.

TYPE OF DOCUMENT(S) FOR CONSIDERATION:



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 17

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6:00 p.m.

SUBMITTING DEPARTMENT: Town Clerk

CONTACT PERSON: Jami C. Lewis PHONE: 636-2646, ext. 119

☐ Presentation Only ☐ Report Only ☐ Consent Estimated Length of Staff Presentation: _____ min.
☐ Action-Presentation ☒ Action ☐ Executive 5 min.

ITEM LOCATION:

PROPOSED AGENDA ITEM:

Review draft 2011 Council Meetings Schedule, reschedule or cancel certain meetings, and adopt final 2011 schedule.

FISCAL IMPACT? No If Yes, Budget Code: _____ Available: \$ _____

FUNDING:

TYPE OF DOCUMENT(S) FOR CONSIDERATION:

Meetings schedule

SITUATION AND ANALYSIS:

Staff annually prepares a schedule for Council's regular meetings, as well as study sessions and agenda packet distribution dates. Regular meetings for the Council are set by Town Code Section 30.065, and any regular meeting date may be canceled or rescheduled by a majority vote of the Council, except that at least one regular meeting a month must be held.

Item No. 16

Town Manager/Designee

Berge Ford
460 East Auto Center Drive
Mesa, AZ 85204

Richard Lewis
Government Fleet Sales Manager
480-497-7548
480-497-7594 FAX
rlcwis@bergeford.com

Asst. Government Fleet Sales
480-497-7549
cgergen@bergeford.com

Date: 12-09-2010

Customer: TOWN OF CHINO VALLEY

Vehicle Description: 2011 EXPEDITION 4X4 XL SSV

PIMA COUNTY CONTRACT #1100699 LINE 11

Base Bid Price \$25,875.00

UPGRADE OPTIONS:

1	TRAILER TOW PKG	336.00
2	DK TINT FRONT WINDOWS	95.00
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		

Bid Price (w/options) \$ 26,306.00

Tire Tax	\$ 5.00
Sales Tax (9.05%)	\$2,380.69

Ford Extended Service Plan
Transportation Fee

Total Delivered Price **\$28,691.69**
Notes: FOB MESA

Thank you, Richard & Candy

Item No. **17**

Staff annually prepares a schedule for Council's regular meetings, as well as study sessions and agenda packet distribution dates. Regular meetings for the Council are set by Town Code Section 30.065, and any regular meeting date may be canceled or rescheduled by a majority vote of the Council, except that at least *one* regular meeting a month must be held.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 17

On August 12, 2010, Council adopted Ordinance No. 10-737 to change its regular meetings from the 2nd and 4th Thursdays to 2nd and 4th Tuesdays of each month, effective January 2011. The draft 2011 Council Meeting Schedule has been revised to reflect this change in regular meeting days from Thursday to Tuesday and proposes to change study sessions from the 1st Tuesday of each month to the 1st Thursday, as the Planning and Zoning Commission will start meeting on 1st and 3rd Tuesdays in January 2011.

As some of these scheduled dates may conflict with Town holidays or other known activities, Council will need to determine if they desire to reschedule or cancel the following scheduled meetings:

- March 8 Regular Meeting – Town’s Primary Election Day—Council has indicated in the past that they do not desire to hold meetings on election days.
- September 1 Study Session – Conflicts with annual League Conference, which is being held August 30-September 2. As there will most likely be at least four Councilmembers attending, there will be no quorum for a meeting.
- November 8 Regular Meeting – This is a scheduled election day for the state.
- November 22 Regular Meeting – May conflict with Thanksgiving holidays (Nov. 24) as far as a quorum is concerned; Town Hall will be closed Nov. 23-25.
- December 27 Regular Meeting – May conflict with Christmas/New Year’s holidays as far as a quorum is concerned; Town Hall will be closed Dec. 23, 26 and 30.

RECOMMENDED MOTION:

Move to adopt 2011 Council Meetings Schedule with revisions as discussed.

ATTACHMENTS:

2011 Council Meetings Schedule

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

_____ Author	<u>Jami C. Lewis</u> _____ Department Head	<u>Vera Smith</u> _____ Finance
_____ Other:	_____ Other:	_____ Legal
_____ Other:	_____ Other:	<u>Michael K. Scannell</u> _____ Town Manager/Designee

2011 COUNCIL MEETINGS SCHEDULE

MONTH	Council Study Session Dates 1 st Thursday	Council Regular Mtg. Dates 2 nd Tuesday 4 th Tuesday	Packet Distribution Dates	(Town Holidays–Offices Closed) <i>*Meeting Day Conflicts</i>
January	Jan. 6		Dec. 30	(New Year's – Fri., Dec. 31, observed)
		Jan. 11	Jan. 5	
		Jan. 25	Jan. 19	(Civil Rights Day – Mon., Jan. 17)
February	Feb. 3		Jan. 27	
		Feb. 8	Feb. 2	
		Feb. 22	Feb. 16	(President's Day – Mon., Feb. 21)
March	Mar. 3		Feb. 24	
		Mar. 8*	TBD	<i>Election Day – Tues., Mar. 8</i>
		Mar. 22	Mar. 16	
April	Apr. 7		Mar. 31	
		Apr. 12	Apr. 6	
		Apr. 26	Apr. 20	
May	May 5		Apr. 28	
		May 10	May 4	
		May 24	May 18	(Memorial Day – Mon., May 30)
June	Jun. 2		May 26	
		Jun. 14	Jun. 8	
		Jun. 28	Jun. 22	
July	Jul. 7		Jun. 30	
		Jul. 12	Jul. 6	(Independence Day – Mon., July 4)
		Jul. 26	Jul. 20	
August	Aug. 4		Jul. 28	
		Aug. 9	Aug. 3	
		Aug. 23*	Aug. 17	
September	Sep. 1		TBD	<i>League Conference – Tue.-Fri., Aug. 30-Sep. 2</i>
		Sep. 13	Sep. 6	(Labor Day – Mon., Sept. 5)
		Sep. 27	Sep. 21	
October	Oct. 6		Sep. 29	
		Oct. 11	Oct. 5	
		Oct. 25	Oct. 19	
November	Nov. 3		Oct. 27	(Veteran's Day – Fri., Nov. 11)
		Nov. 8*	TBD	<i>Election Day – Tues., Nov. 8</i>
		Nov. 22*	TBD	<i>Thanksgiving – Thu.-Fri., Nov. 24-25</i>
December	Dec. 1		Nov. 28	
		Dec. 13	Dec. 7	
		Dec. 27*	TBD	<i>Christmas – Mon., Dec. 26 (observed)</i>

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 18

☒ Regular Meeting ☐ Special Meeting ☐ Other _____

MEETING DATE: January 11, 2011 TIME: 6:00 p.m.

SUBMITTING DEPARTMENT: Town Clerk

CONTACT PERSON: Jami C. Lewis PHONE: 636-2646, ext. 119

☐ Presentation Only ☐ Report Only ☐ Consent Estimated Length of Staff Presentation: _____ min.
☐ Action-Presentation ☒ Action ☐ Executive 0 min.

ITEM LOCATION:

PROPOSED AGENDA ITEM:

Approve September 28, 2010 Study Session minutes. (Absent: Councilmembers Baker and Echols)

FISCAL IMPACT? No If Yes, Budget Code: _____ Available: \$

FUNDING:

TYPE OF DOCUMENT(S) FOR CONSIDERATION:

Council meeting minutes



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Item No. 18

SITUATION AND ANALYSIS:

RECOMMENDED MOTION:

Move to approve September 28, 2010 Study Session minutes.

ATTACHMENTS:

September 28, 2010 Study Session minutes

PERTINENT DOCUMENTS AVAILABLE UPON REQUEST:

SIGNATURES OF SUBMITTING AND/OR AFFECTED OFFICERS:

_____ Author	<u>Jami C. Lewis</u> Department Head	<u>Vera Smith</u> Finance
_____ Other:	_____ Other:	_____ Legal
_____ Other:	_____ Other:	<u>Michael K. Scannell</u> Town Manager/Designee

**MINUTES OF THE STUDY SESSION
OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY**

**TUESDAY, SEPTEMBER 28, 2010
6:00 PM**

The Town Council of the Town of Chino Valley, Arizona met for a Study Session in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, September 28, 2010.

Mayor Bunker called the meeting to order at 6:05 p.m.

Council Present: Mayor Jim Bunker, Vice-Mayor Ron Romley, and Councilmembers Linda Hatch (by conference phone), Gloria Moore (arrived at 6:18 p.m.), and Carl Tenney.

Council Absent: Councilmembers Joel Baker and Dean Echols.

Staff Present: Town Manager Michael Scannell, Management Assistant Cecilia Watts (recorder), Finance Director Vera Smith, Town Engineer/Public Works Director Ron Gritman, and Community Services Director Jason Kelly.

- 2) Presentation by external consultants and staff and discussion regarding restructuring of the Town of Chino Valley's debt profile.

Acronyms used in this item:

FY (Fiscal Year)

GADA (Greater Arizona Development Authority)

MPC (Municipal Property Corporation)

Mark Reader, Managing Director, and Erika Miller, Analyst, with Stone & Youngberg; Mike Cafiso, Bond Attorney with Greenberg Traurig; Town Manager Michael Scannell, and Finance Director Vera Smith presented an overview of staff's proposal to restructure the Town's debt profile. Key points were:

- The purpose for restructuring the Town's debt was to reduce its annual debt service payments for outstanding excise tax secured revenue bonds, which equaled about \$980,000 per year, and finance approximately \$700,000 to acquire the Cameron property, which the Town was obligated to do before December 29, 2010.
- The restructuring would refinance all maturities from the Town's 2004 MPC bonds and 2007A GADA bonds (2012-2014 partial maturities plus all principal and interest in 2011/2012), and extend the bonds' average life of 8 years to 17 years, in order to provide cash flow relief and bring the Town's debt payments more in balance with present revenues. The restructuring would incur a nominal loss of approximately \$3.9 million and a net present value loss of approximately \$1.1 million.
- The Cameron property purchase would be financed over approximately 15 years. However, staff believed that the Town should sell the property, which would require voter approval. The bonds to finance the purchase would be sold separately, so that if the

voters approved the sale, the Town would have the flexibility to pay off the bonds upon the sale. The Town attorneys were researching if there was a “shelf life” of voter approval for selling the property, and if there was not, staff believed the matter should go to voters as soon as possible, in order to be prepared to sell when the market improved.

- Financial summaries from FY 2006/2007 through FY 2010/2011 (projected) relative to historical and projected excise taxes, Town sales tax collections, state shared revenues, and summarized financials demonstrated that the Town’s excise tax coverage was strong and the restructuring could meet its objectives.
- The restructuring proposed to issue \$7.2 million in new bonds, most of which would go into an escrow account to pay for the interest on the 2004 and 2007 bonds. The Town would also include a cash contribution from some leftover 2007 GADA loan proceeds and interest earnings in the amount of \$800,000 to reduce the amount needing to be financed. Although the 2004 and 2007 bonds call date would be in a few years, they would be considered as paid off for Town budgetary purposes.
- The main cash flow relief was planned for the next 4-5 years, with the hope that the recession will be ending by then and the Town would have the opportunity to position itself to meet the higher debt service in the 5th year and be able to maintain its service delivery system.
- The interest rate for the proposed bonds could go as high as 4.9%, but staff hoped to get them at 4.4% or 4.5% and would do what they could to get the best interest rate possible.
- Staff anticipated placing this proposal on the October 14 Council agenda, meeting with Standard & Poors for credit rating purposes on October 20, and closing on November 30, 2010.

3) Adjournment.

Vice-Mayor Romley MOVED, seconded by Councilmember Tenney, to adjourn the meeting. The motion PASSED unanimously at 6:52 p.m.

Jim Bunker, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the Town Council of the Town of Chino Valley, Arizona held on the 28th day of September, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11th day of January, 2011.

Jami C. Lewis, Town Clerk