



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, January 13, 2015
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

AGENDA

1) CALL TO ORDER, INVOCATION; PLEDGE OF ALLEGIANCE; ROLL CALL

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Presentation of Government Finance Officers Association (GFOA) Budget Award for FY 2014/2015. (Mayor Marley)

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. 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. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

4) RESPONSE TO THE PUBLIC

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

5) CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

- a) Status report by Town Manager Robert Smith regarding Town accomplishments, and current or upcoming projects.

6) CONSENT AGENDA

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

- a) Consideration and possible action to accept the December 9, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to accept the December 16, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to approve Financial Report for the month ended November 30, 2014. (Joe Duffy, Finance Director)

7) ACTION ITEMS

- a) Consideration and possible action to spend up to \$46,775 of Contingency Funds to fund a full-time Human Resources Director position for FY 2014/15. Position will be included in FY 2015/16 budget. (Cecilia Grittman, General Services Director)

Recommended Action: Approve up to \$46,775 of Contingency Funds to fund a full-time Human Resources Director position for FY 2014/15.

- b) Consideration and possible action to adopt Resolution No. 15-1053 in support of Arizona SONShine 2015, a free health services event in the Quad-cities area to be held June 17-18, 2015. (Cecilia Grittman, General Services Director)

Recommended Action: Adopt Resolution No. 15-1053 in support of Arizona SONShine 2015 event.

- c) Consideration and possible action to adopt Ordinance No. 15-792, amending the Town of Chino Valley, Arizona Town Code Title V Public Works, Chapter 51 Utility fees, by amending Sections 51.250 Utility Service Deposits and 51.261 Fees and Assessments Due clarifying termination of utility services. (Ron Grittman, Public Works Director/Town Engineer)

Recommended Action: Adopt Ordinance No. 15-792 amending Chapter 51 of the Town of Chino Valley Town Code.

- d) Review and discussion regarding the Council Appointments Subcommittee's recommendations pertaining to the Position Description and selection process for the position of Planning and Zoning Commissioner, as well as proposed amendments to the Unified Development Ordinance (UDO) Section 1.4 Planning and Zoning Commission; and possible action to direct staff to revise the procedural documents and draft an ordinance amending Unified Development Ordinance Section 1.4. (Appointments Subcommittee)

Recommended Action: Review Position Description, selection process, and proposed UDO amendments; and direct staff and/or Subcommittee.

8) EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

9) ACTION ITEMS RESUMED

After the Executive Session, Council will reconvene the Regular Meeting.

10) ADJOURNMENT

Dated this 8th day of January, 2015.

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 1-(800) 347-1695 (Arizona Relay Service) 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.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Chino Valley South Campus, Chino Valley Post Office, and Chino Valley North Campus in accordance with the statement filed by the Town Council with the Town Clerk.

Date: _____ Time: _____ By: _____
Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **2. a.**

Meeting Date: 01/13/2015
Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208
Department: Council
Estimated length of Staff Presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Presentation of Government Finance Officers Association (GFOA) Budget Award for FY 2014/2015.
(Mayor Marley)

SITUATION & ANALYSIS:

Mayor Marley will present the GFOA Budget Award to the Town's Finance Department.

Attachments

No file(s) attached.

THIS PAGE INTENTIONALLY LEFT BLANK



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **6. a.**

Meeting Date: 01/13/2015

Contact Person: Jami Lewis, Town Clerk

Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: N/A

AGENDA ITEM TITLE:

Consideration and possible action to accept the December 9, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the December 9, 2014 regular meeting minutes.

Attachments

December 9, 2014 minutes

DRAFT

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

**TUESDAY, DECEMBER 9, 2014
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 Tuesday, December 9, 2014.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Linda Hatch; Councilmember Pat McKee; Councilmember Lon Turner; Councilmember Don Wojcik

Staff Present: Town Manager Robert Smith; General Services Director Cecilia Grittmann; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Police Chief Chuck Wynn; Police Lieutenant Vince Schaan; Police Officer Mike Pereda; Police Officer Jody Villalobos; Town Engineer/Public Works Director Ron Grittmann; Development Services Director Ruth Mayday; Deputy Town Clerk Liz Hart; Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER, INVOCATION; PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Marley called the meeting to order at 6:03 p.m.

Vice-Mayor Croft gave the invocation; Mayor Marley led the Pledge of Allegiance.

(Councilmember Best attended the meeting via conference phone.)

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS – None.

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. 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. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

Bridgett Malford, Community Coordinator with the Council for Educational Travel, USA (CETUSA), spoke about the international high school foreign exchange program.

4) RESPONSE TO THE PUBLIC – None

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

5) CURRENT EVENT SUMMARIES AND REPORTS

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

Vice-Mayor Croft reported on a recent Appointments Subcommittee meeting.

Police Chief Chuck Wynn introduced new officers Dominic Gillo and Jonathan Ferris.

a) Status report regarding Town accomplishments, and current or upcoming projects. (Robert Smith, Town Manager)

Mr. Smith reported on:

- New FCC regulations that will require the Town to update its codes in 60 days.
- Previous actions taken by Council to hire the Town's financial advisor and bond counsel.

Finance Director Joe Duffy reported on the current status of the WIFA loan and the fees for the Town's financial advisor and bond counsel.

Councilmember Hatch requested that Council be provided with the documentation authorizing the Town to hire the and financial advisor and bond counsel, as well as a 2004 resolution that allocated a portion of the new one percent sales tax to finance the sewer.

b) Status report regarding the Community Development Block Grant (CDBG) drainage project. (Cecilia Grittman, General Services Director)

Ms. Grittman reported that:

- The special survey for the CDBG project was done and the neighborhood qualified for the grant.
- Due to the omission of the project description on the original public hearing notice, the Town was being required, as a formality, to hold another public hearing on December 30. No new resolution was being required.
- Staff anticipated final approval by early January 2015, bidding in April, and project completion in July.

c) Report on recently corrected scrivener's errors pursuant to Town Code § 10.20 Authority to Correct Scrivener's Errors. (Jami Lewis, Town Clerk)

Ms. Lewis reported on scrivener's corrections made to Resolution No. 576, July 23, 2013 minutes, and Ordinance No. 14-787.

6) **CONSENT AGENDA**

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to approve Consent Agenda items a and b.

Vote: 7 - 0 PASSED

- a) Consideration and possible action to accept the November 18, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to approve Financial Report for the month ended October 31, 2014. (Joe Duffy, Finance Director)

7) **ACTION ITEMS**

- a) Consideration and possible action to approve grant agreement with Arizona Commerce Authority for \$250,000 Rural Economic Development Grant, related to the Old Home Manor industrial park. Funds will be accounted for in the Pubic Works Grant Fund: match will be budgeted for in the Capital Improvement Fund. (Ruth Mayday, Development Services Director)

Recommended Action: Approve grant agreement with Arizona Commerce Authority for the Rural Economic Development Grant.

Ms. Mayday reported that:

- Per Council's 2014 Strategic Plan, staff applied for \$250,000 from the Arizona Commerce Authority's (ACA) Rural Economic Development Grant program (REDG), whose purpose was to facilitate economic development in non-metropolitan areas of Arizona.
- The REDG funds will be used to leverage additional grant funds from the Economic Development Administration (EDA) for proposed improvements at Old Home Manor (OHM).
- Like many rural communities, Chino Valley struggled to gain benefit from the slowly improving economy. Limited resources made it difficult to compete with its more economically advanced neighbors in encouraging and supporting economic development. Installing infrastructure improvements that will provide utility services to OHM will benefit the community as a whole by providing ready opportunities for development of heavier commercial and industrial uses that will provide employment opportunities for the under- and unemployed in the greater Chino Valley area.
- Staff was notified on October 23, 2014 that the Town had been awarded the full \$250,000 grant. Acceptance of the funding and contract approval were the final steps in this process.
- REDG funds will be used for "hard costs" for water and sewer lines, manholes, and manhole covers. The Town had 18 months to use the funds on a reimbursement basis, so any unused portions would be forfeited. If the Town forfeited such funds, the Town would have to make up the difference with EDA. The Town will not be able to use any REDG funds without EDA approval.
- Staff recently learned that the EDA will not fund gas line installation to OHM, so staff was researching different options for that. While being part of the project, but not part of the funding request, this resulted in lowering the grant match.

- Sources for the Town's match included: the REDG grant, Town cash, waived permit fees, in-house trenching, and grant administration. The Town will hear from EDA 30-60 days after providing evidence of the Town's match.

Mayor Marley related that, if EDA asked for a match that the Town could not meet, the Town would notify ACA that it could not make a deal with EDA.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Linda Hatch to approve grant agreement with Arizona Commerce Authority for the Rural Economic Development Grant.

Vote: 7 - 0 PASSED

- b) Consideration and possible action to approve the agreement for professional consulting services with Civil Tec Engineering for development of the 200 yard long range shooting facility in an amount not to exceed \$17,927.00. Funds to come from the Police Department Public Range Grant line item. (Ron Grittmann, Public Works Director/Town Engineer)

Recommended Action: Approve the agreement for professional consulting services with Civil Tec Engineering for development of the 200 yard long range shooting facility for an amount not to exceed \$17,927.00.

Mr. Grittmann reported that:

- Under the Town's existing contract with the Prescott Sportsmen's Club (PSC), the Town agreed to construct a long range shooting facility of a 200-yard minimum in length in the PSC use area. This was the Town's last remaining obligation with PSC.
- The subject design contract will provide the Public Works Department the necessary engineering to allow the project to be constructed using the "in-house" designation. Staff anticipated scheduling this project for construction in FY 2016/17.
- Civic Tec was chosen for this project, as PSC had already started its design work with Civil Tec, and dirt from this project was to be used as fill material for several new roadways for which Civil Tec was developing the 30% plans.

Mayor Marley asked Mr. Grittmann to confer with Police Lieutenant Schaan on any lead abatement issues.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to approve the agreement for professional consulting services with Civil Tec Engineering for development of the 200 yard long range shooting facility for an amount not to exceed \$17,927.00.

Vote: 7 - 0 PASSED

- c) Consideration and possible action to adopt Resolution No. 14-1053 in support of Arizona SONShine 2015, a free health services event in the Quad-cities area to be held June 17-18, 2015. (Cecilia Grittmann, General Services Director)

Recommended Action: Adopt Resolution No. 14-1053 in support of Arizona SONShine 2015 event.

Staff requested that Council postpone this item to January 13, 2015.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to postpone item 7c.

Vote: 7 - 0 PASSED

8) EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to go into executive session for items a, b and c at 6:44 p.m.

Vote: 7 - 0 PASSED

(Councilmember Best left the meeting after the executive session.)

- a) Pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position in pending or litigation or in settlement discussions conducted in order to resolve litigation in the matter of LaVacara Trust v. Town of Chino Valley. (Phyllis Smiley, Town Attorney)
- b) Pursuant to A.R.S. § 38-481.03(A)(1) for discussion or consideration of employment, assignments, appointment, promotion, dismissal, salary of Town Manager Robert Smith, and pursuant to A.R.S. § 38-481.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding the contract with Town Manager Robert Smith. (Mayor and Council)
- c) Pursuant to A.R.S. Section 38-431.03(A)(3) and (4) for discussion or consultation for legal advice with the Town Attorney and in order to consider its position and instruct the Town Attorney regarding the Town's position regarding the and the settlement of the matter of Cortez v. Town of Chino Valley. (Robert Smith, Town Manager)

9) ACTION ITEMS RESUMED

After the Executive Session, Council will reconvene the Regular Meeting.

Mayor Marley reconvened the regular meeting at 7:46 p.m.

- a) Consideration and possible action to approve an employment agreement with Town Manager Robert Smith or an amendment to his current agreement with the Town. (Mayor and Council)

Recommended Action: Approve an employment agreement with Town Manager Robert Smith or an amendment to his current agreement with the Town.

Mayor Marley reported that Council gave instruction to the Town Attorney and Vice-Mayor Croft during the executive session.

- b) Consideration and possible action to select an appraiser for property anticipated to be transferred to Cortez Enterprises, Inc. pursuant to the terms of the Provisional Settlement Agreement dated March 6, 2014. Funding will come from the General Fund Contingency Line item. (Phyllis Smiley, Town Attorney)

Recommended Action: Select _____ as an appraiser for property anticipated to be transferred to Cortez Enterprises, Inc. pursuant to the terms of the Provisional Settlement Agreement dated March 6, 2014.

Mayor Marley reported that Council gave instruction to staff during the executive session.

10) **ADJOURNMENT**

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to adjourn the meeting at 7:47 p.m.

Vote: 6 - 0 PASSED

Chris Marley, 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 December, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13th day of January, 2015.

Jami C. Lewis, Town Clerk

THIS PAGE INTENTIONALLY LEFT BLANK



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **6. b.**

Meeting Date: 01/13/2015

Contact Person: Jami Lewis, Town Clerk

Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: N/A

AGENDA ITEM TITLE:

Consideration and possible action to accept the December 16, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the December 16, 2014 regular meeting minutes.

Attachments

December 16, 2014 minutes

DRAFT

MINUTES OF THE SPECIAL MEETING OF THE TOWN COUNCIL OF THE TOWN OF CHINO VALLEY

**TUESDAY, DECEMBER 16, 2014
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Special Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, December 16, 2014.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Linda Hatch; Councilmember Pat McKee; Councilmember Lon Turner; Councilmember Don Wojcik

Staff: Town Manager Robert Smith; Town Attorney Phyllis Smiley; Finance Director Joe Duffy;
Present: Development Services Director Ruth Mayday; Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER; ROLL CALL

Mayor Marley called the meeting to order at 6:04 p.m.

(Councilmember Mike Best attended via conference phone at 6:09 p.m.)

2) Consideration and possible action to adopt Resolution No. 14-1054 approving the form and authorizing the execution and delivery of a loan agreement with the Water Infrastructure Finance Authority of Arizona (WIFA) from its Clean Water State Revolving Fund Program.

Recommended Action: Adopt Resolution No. 14-1054.

Mr. Duffy presented an overview of the loan:

- October 7, 2014 – Council approved an agreement with Fann Contracting to buy out the construction manager-at-risk (CM@R) contract for the wastewater treatment plant. The WIFA loan will allow the Town to essentially refinance the debt already approved with said agreement, but with better terms and a significantly lower interest rate.
- November 18, 2014 – Council adopted Resolution 14-1051 authorizing application for a clean water loan from WIFA for this purchase.
- Resolution 14-1054 will authorize the execution and delivery of the WIFA loan agreement.
- Loan amount – The original loan amount was \$3,442,500; less the WIFA grant of \$478,829, the intended repayment amount was \$2,963,671.
- Loan actions – Interest rate to be determined December 26, 2014; closure to be on December 30, 2014; annual payment to be determined at closing; first payment to be July 1, 2015; and term to be 20 years..
- Reserve fund – The Town will be required to fund a reserve fund over five years to fund

the annual debt service.

- Loan funds will be used for wastewater treatment plant purchase, new screen for plant, and financial advisor and bond counsel fees.
- Town funds of \$200,000 will be used toward purchase of the plant, financial advisor and bond counsel fees, and other possible expenses. The Town funds will come from an amount paid to Fann as of June 30, 2014, the amount due to Fann from July 1 to December 31, 2014, CM@R fees from April through June, 2014, and sewer contingencies.
- Although WIFA Loan Resolution 2015-001, Section 2.3 Project Description referenced sewer extensions along SR 89 between Road 2 North and Road 3 North, this was no longer valid, as that resolution was based on the general obligation bond loans. Since the Town reduced the scope of the project, WIFA did not require adoption of a new resolution.

Mike Cafiso, Bond Counsel with Greenburg Traurig, explained the pledge structure:

- In 2007-2008 the Town financed the Chino Meadows collection system through two WIFA loan agreements and three promissory notes with USDA Rural Utility Services (RUS).
- The complicated structure of the transaction pledge was two-tiered: (i) a set of tests related to debt as secured payable only from Town sales taxes; and (ii) the other was typically secured through sewer revenues; however, since the Town's utility system's cash flows were not sufficient, this tier was secured through 50% sewer revenues and 50% sales taxes.
- Due to the complexity of the structure, the Town needed to meet several tests before additional debt could be issued. The Town not only met, but exceeded, the required tests. Once the Town met a certain test for five years in a row, the excise tax will fall off and the debt will become a utility system pledge once more, which will free up even more bonding capacity.
- In the next three months, the Town's next transaction with WIFA for water acquisitions will incur the same limits and require an amendment of the total pledge for everything.

Mark Reader, Financial Advisor with Stifel Nicolaus, reported that:

- He will be back in early 2015 for the two water acquisitions from the City of Prescott and Wilhoit. Per projections, there will be some revenue bonding capacity for water, but sewer needed to be stronger.
- He was hoping to refinance certain of the Town's prior debt next year.
- While the WIFA loan projected an annual loan payment of \$215,000, today's interest rate at 1.9425% would yield an annual debt service payment of about \$184,000. In addition, the benefit from the grant would reduce that percentage to 1.34%.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to adopt Resolution No. 14-1054.

Vote: 7 - 0 PASSED

- 3) Pursuant to A.R.S. § 38-481.03(A)(1) for discussion or consideration of employment, assignments, appointment, promotion, dismissal, salary of Town Manager Robert Smith, and pursuant to A.R.S. § 38-481.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding the contract with Town Manager Robert Smith. (Mayor and Council)

Council took no action on this item.

- 4) Consideration and possible action to approve an employment agreement with Town Manager Robert Smith or an amendment to his current agreement with the Town. (Mayor and Council)

Recommended Action: Approve an employment agreement with Town Manager Robert Smith or an amendment to his current agreement with the Town.

Council asked about the current agreement's end date and how the additional retirement and health care benefit amounts in the new agreement will be paid out. Mr. Duffy related that when the new contract started on January 1, 2015, the previous one will stop; and the retirement and health care funds had been and will be paid out on a monthly basis, so no prorating between the two contracts were needed.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to approve employment agreement with Town Manager Robert Smith on amendment to his current agreement with the Town.

Vote: 7 - 0 PASSED

- 5) **ADJOURNMENT**

MOVED by Councilmember Mike Best, seconded by Councilmember Linda Hatch to adjourn the meeting at 6:43 p.m.

Vote: 7 - 0 PASSED

Chris Marley, 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 Special Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 16th day of December, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13th day of January_____, 2015.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **6. c.**

Meeting Date: 01/13/2015
Contact Person: Joe Duffy, Finance Director
 Phone: 928-636-2646 x-1211
Department: Finance
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Financial Report for the month ended November 30, 2014.

RECOMMENDED ACTION:

Approve Financial Report for the five months ending November 30, 2014.

SITUATION AND ANALYSIS:

The Finance Department per Town Code is preparing Monthly Financial Reports for the Mayor, Council, Staff and Community.

Upon Council approval, the reports will be posted on the Town's website.

The report includes the following sections:

Revenue and Expense Summary - This section details the Revenues and Expenditures of each fund. Comparing the year to date figures to the current year's annual budget and the prior year's month to date figures.

Major Revenue Summary - This section details the year to date figures for the Town's eight major revenue sources that account for 60% of the Town's Revenue.

Other Information - This section details other pertinent financial and statistical information including the Impact Fee Fund balance and the amount of General Fund Contingencies that have been allocated this fiscal year and a debt summary.

The Finance Director will supplement these reports with periodic presentations and other information throughout the fiscal year.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

November Report

Town of Chino Valley

Arizona

Financial Report



To The Town Council

For the Five Months Ending November 30, 42% of the Fiscal Year

Town of Chino Valley						
Revenue and Expense Summary						
For the Five Months Ending November 30, 42% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
GENERAL FUND						
General Fund Revenues by Category						
Franchise Taxes	\$ 41,988	\$ 31,493 *	\$ (10,495)		\$ 142,000	22%
Tax Revenues	\$ 1,549,957	\$ 1,596,100	\$ 46,143	3%	\$ 3,755,363	43%
Licenses & Permits	\$ 100,578	\$ 67,662	\$ (32,916)	-33%	\$ 217,000	31%
Intergovernmental	\$ 1,127,637	\$ 1,221,593	\$ 93,956	8%	\$ 3,063,000	40%
Charges for Services	\$ 27,066	\$ 24,737	\$ (2,329)	-9%	\$ 98,200	25%
Fines and Forfeitures	\$ 27,323	\$ 42,755	\$ 15,432	56%	\$ 118,000	36%
Other Revenues	\$ 1,337	\$ 3,053	\$ 1,716	128%	\$ 2,300	133%
Contributions and Donations	\$ 11,646	\$ 998	\$ (10,648)	-91%	\$ 7,800	13%
Investment Earnings	\$ 195	\$ 245	\$ 50	26%	\$ 550	45%
Transfers In	\$ 23,117	\$ 41,667	\$ 18,550	80%	\$ 560,087	7%
Total Revenues	\$ 2,910,844	\$ 3,030,303	\$ 119,459	4%	\$ 7,964,300	38%
* Estimated final quarter accruals.						
Total Revenues for the General Fund are up \$119,459 over the previous fiscal year. Licenses and Permits are down due to a reduction in Building Permits this fiscal year. Intergovernmental Revenues are up 8% primarily due to an increase in State Shared Income Tax and State Shared Sales Tax. Transfers In were increased in the current years budget over the prior year. The total General Fund Revenues are up 4% compared to the last fiscal year.						

Town of Chino Valley						
Revenue and Expense Summary						
For the Five Months Ending November 30, 42% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
General Fund Expenditures by Department						
Prosecutor	\$ 48,882	\$ 49,610	\$ 728	1%	\$ 122,800	40%
Town Clerk	\$ 68,472	\$ 89,372	\$ 20,900	31%	\$ 244,100	37%
Town Manager	\$ 146,245	\$ 159,949	\$ 13,704	9%	\$ 406,600	39%
Human Recourses	\$ 20,663	\$ 25,187	\$ 4,524	22%	\$ 69,850	36%
Municipal Court	\$ 109,904	\$ 121,802	\$ 11,898	11%	\$ 312,550	39%
Finance	\$ 129,231	\$ 138,346	\$ 9,115	7%	\$ 304,450	45%
Management Information System	\$ 77,867	\$ 77,318	\$ (549)	-1%	\$ 245,650	31%
Mayor and Council	\$ 11,961	\$ 9,933	\$ (2,028)	-17%	\$ 31,750	31%
Planning	\$ 80,391	\$ 68,441	\$ (11,950)	-15%	\$ 170,850	40%
Building Inspection	\$ 75,550	\$ 101,291	\$ 25,741	34%	\$ 273,500	37%
Police	\$ 1,079,742	\$ 1,086,514	\$ 6,772	1%	\$ 2,613,000	42%
Animal Control	\$ 37,364	\$ 47,858	\$ 10,494	28%	\$ 143,850	33%
Recreation	\$ 11,714	\$ 9,831	\$ (1,883)	-16%	\$ 69,400	14%
Library	\$ 110,358	\$ 113,792	\$ 3,434	3%	\$ 287,700	40%
Senior Center	\$ 77,653	\$ 87,768	\$ 10,115	13%	\$ 230,750	38%
Parks Maintenance	\$ 159,984	\$ 159,559	\$ (425)	0%	\$ 396,500	40%
Aquatic Center	\$ 89,376	\$ 76,454	\$ (12,922)	-14%	\$ 249,750	31%
Facilities Maintenance	\$ 138,719	\$ 129,729	\$ (8,990)	-6%	\$ 346,650	37%
Fleet Maintenance	\$ 122,562	\$ 133,581	\$ 11,019	9%	\$ 336,600	40%
Engineering	\$ 24,789	\$ 32,008	\$ 7,219	29%	\$ 74,750	43%
Non Departmental	\$ 366,968	\$ 245,726	\$ (121,242)	-33%	\$ 923,250	27%
Total Expenditures	\$ 2,988,395	\$ 2,964,069	\$ (24,326)	-1%	\$ 7,854,300	38%
Total Revenue Over (Under)						
Total Expenditures	\$ (77,551)	\$ 66,234	\$ 143,785		\$ 110,000	
GENERAL FUND (Continued)						
Total General Fund Expenditures are down \$24,326 or 1% compared to last fiscal year. Through November each department should be less than 42%. In total the General Fund Departments are at 38%.						

Town of Chino Valley						
Revenue and Expense Summary						
For the Five Months Ending November 30, 42% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
HIGHWAY USER REVENUE FUND						
Total Revenues	\$ 295,860	\$ 327,877	\$ 32,017	11%	\$ 1,235,350	27%
Expenditures						
Road Maintenance	\$ 387,574	\$ 323,930	\$ (63,644)	-16%	\$ 1,200,350	27%
Total Revenue Over (Under)						
Total Expenditures	\$ (91,714)	\$ 3,947	\$ 95,661		\$ 35,000	
Total Fund Revenues are up 11% over the prior fiscal year due to the budgeted increase in HURF fund distributions. Expenditures are down 16% this fiscal year.						
WATER ENTERPRISE FUND						
Water Revenues	\$ 233,266	\$ 174,633	\$ (58,633)		\$ 433,000	
Transfers In	\$ 91,667	\$ 116,958	\$ 25,291		\$ 280,700	
Total Revenues	\$ 324,933	\$ 291,591	\$ (33,342)	-10%	\$ 713,700	41%
Expenditures						
Water Utility Operations	\$ 231,344	\$ 205,000	\$ (26,344)		\$ 611,800	
Debt Service/Reserve	\$ -	\$ -	\$ -		\$ 101,900	
Total Expenditures	\$ 231,344	\$ 205,000	\$ (26,344)	-11%	\$ 713,700	29%
Total Revenue Over (Under)						
Total Expenditures	\$ 93,589	\$ 86,591	\$ (6,998)		\$ -	
Total Water Enterprise Fund Revenues are down due to reduced Water Buy In fees so far this fiscal year and a 9% reduction in Water Service Fees. Water Service Fees appear to be recovering slightly each month. Expenditures are down due to a large repair last fiscal year.						
SEWER ENTERPRISE FUND						
Total Revenue	\$ 609,456	\$ 617,086	\$ 7,630	1%	\$ 1,753,914	35%
Expenditures						
Sewer	\$ 326,493	\$ 362,863	\$ 36,370		\$ 982,100	
Debt Service/Reserve	\$ 70,224	\$ 68,492	\$ (1,732)		\$ 771,814	
Total Expenditures	\$ 396,717	\$ 431,355	\$ 34,638	9%	\$ 1,753,914	25%
Total Revenue Over (Under)						
Total Expenditures	\$ 212,739	\$ 185,731	\$ (27,008)		\$ -	
Total Sewer Enterprise Fund Revenues are only up 1% over last fiscal year due to reduced Sewer Buy In Fees this fiscal year. Sewer Service Fees are up 11% and department expenditures are up 9% primarily due to writing off uncollectable accounts.						

Town of Chino Valley						
Revenue and Expense Summary						
For the Five Months Ending November 30, 42% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
CAPITAL IMPROVEMENT FUND * (excludes bond projects)						
Total Revenues	\$ 516,655	\$ 523,033	\$ 6,378	1%	\$ 5,010,132	10%
Lease Purchase Proceeds		\$ 715,346				
Transfers In Road Impact Fees		\$ -	\$ -		\$ 886,000	
Capital Improvements	\$ 424,482	\$ 744,564	\$ 320,082		\$ 4,776,000	
Transfers	\$ 357,541	\$ 531,721	\$ 174,180		\$ 1,120,132	
Total Expenditures	\$ 782,023	\$ 1,276,285	\$ 494,262	63%	\$ 5,896,132	22%
Total Revenue Over (Under)						
Total Expenditures	\$ (265,368)	\$ (37,906)	\$ (487,884)		\$ -	
Capital Improvement Fund Revenues are up slightly by 1% over the prior fiscal year primarily due to an increase in Construction Sales Tax activity. Transfers are up due to the increased amount budgeted this fiscal year.						
Detailed Capital Improvement Fund Projects Funded by Road Impact Fees		Actual Year to Date FY 2014-15	Annual Budget FY 2014-15			
Center Street Box Culvert		\$ 51,044	\$ 500,000			
Road 1 East & Road 3 South		\$ 985	\$ 200,000			
Center Street Rd1 E and Rail		\$ -	\$ 150,000			
Design on Peavine Trail		\$ -	\$ 36,000			
		\$ 52,029	\$ 886,000			

Town of Chino Valley						
Revenue and Expense Summary						
For the Five Months Ending November 30, 42% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
OTHER MINOR FUNDS						
Other Minor Funds -Revenues						
CDBG Grant	\$ -	\$ -	\$ -		\$ 264,000	
Grants Fund	\$ 100,511	\$ 111,888	\$ 11,377		\$ 3,470,000	
Special Revenue Fund Court	\$ 2,699	\$ 3,282	\$ 583		\$ 15,600	
Capital Asset Replacement	\$ 72	\$ 40	\$ (32)		\$ 500	
Police Impact Fee Funds	\$ 7,709	\$ 398	\$ (7,311)		\$ 111	
Library Impact Fee Funds	\$ 1,825	\$ -	\$ (1,825)		\$ -	
Parks/Rec Impact Fee Funds	\$ 5,924	\$ 7	\$ (5,917)		\$ -	
Roads Impact Fee Funds	\$ 69,951	\$ 2,615	\$ (67,336)		\$ 1,000	
Special Revenue Fund PD	\$ 15,945	\$ 17,566	\$ 1,621		\$ 40,000	
CVSLID Districts	\$ (226)	\$ 2,762	\$ 2,988		\$ 4,000	
Total Revenues	\$ 204,410	\$ 138,558	\$ (65,852)	-32%	\$ 3,795,211	4%
CDBG Grant	\$ -	\$ -	\$ -		\$ 264,000	
Grants Funds	\$ 140,906	\$ 53,061	\$ (87,845)		\$ 3,470,000	
Special Revenue Fund - Court	\$ 2,785	\$ 3,090	\$ 305		\$ 35,000	
Capital Replacement Fund	\$ -	\$ -	\$ -		\$ 10,000	
Police Impact Fee Funds	\$ 559	\$ 444	\$ (115)		\$ 79,014	
Library Impact Fee Funds	\$ 116,241	\$ 16,562	\$ (99,679)		\$ 7,000	
Parks/Rec Impact Fee Funds	\$ (8,811)	\$ 18,474	\$ 27,285		\$ 24,564	
Roads Impact Fee Funds	\$ -	\$ -	\$ -		\$ 886,000	
Special Revenue Fund PD	\$ 6,156	\$ 9,665	\$ 3,509		\$ 40,000	
CVSLID Districts	\$ 1,583	\$ 1,629	\$ 46		\$ 4,000	
Total Expenditures	\$ 259,419	\$ 102,925	\$ (156,494)	-60%	\$ 4,819,578	2%
Total Revenue Over (Under)						
Total Expenditures	\$ (55,009)	\$ 35,633	\$ 90,642		\$ (1,024,367)	
TOTAL ALL FUNDS						
Total Revenue All Funds	\$ 4,862,158	\$ 4,928,448	\$ 66,290	1%	\$ 20,472,607	24%
Total Expenditures All Funds	\$ 5,045,472	\$ 5,303,564	\$ 258,092	5%	\$ 22,237,974	24%
Total Revenue Over (Under)						
Total Expenditures All Funds	\$ (183,314)	\$ (375,116)	\$ (191,802)		\$ (1,765,367)	
(1) Budget does not include Carryover Amounts from Prior Fiscal Years						
(2) Year to date amounts include actual expenditures paid to date.						

Town of Chino Valley
Major Revenue Summary
For the Five Months Ending November 30, 42% of the Fiscal Year

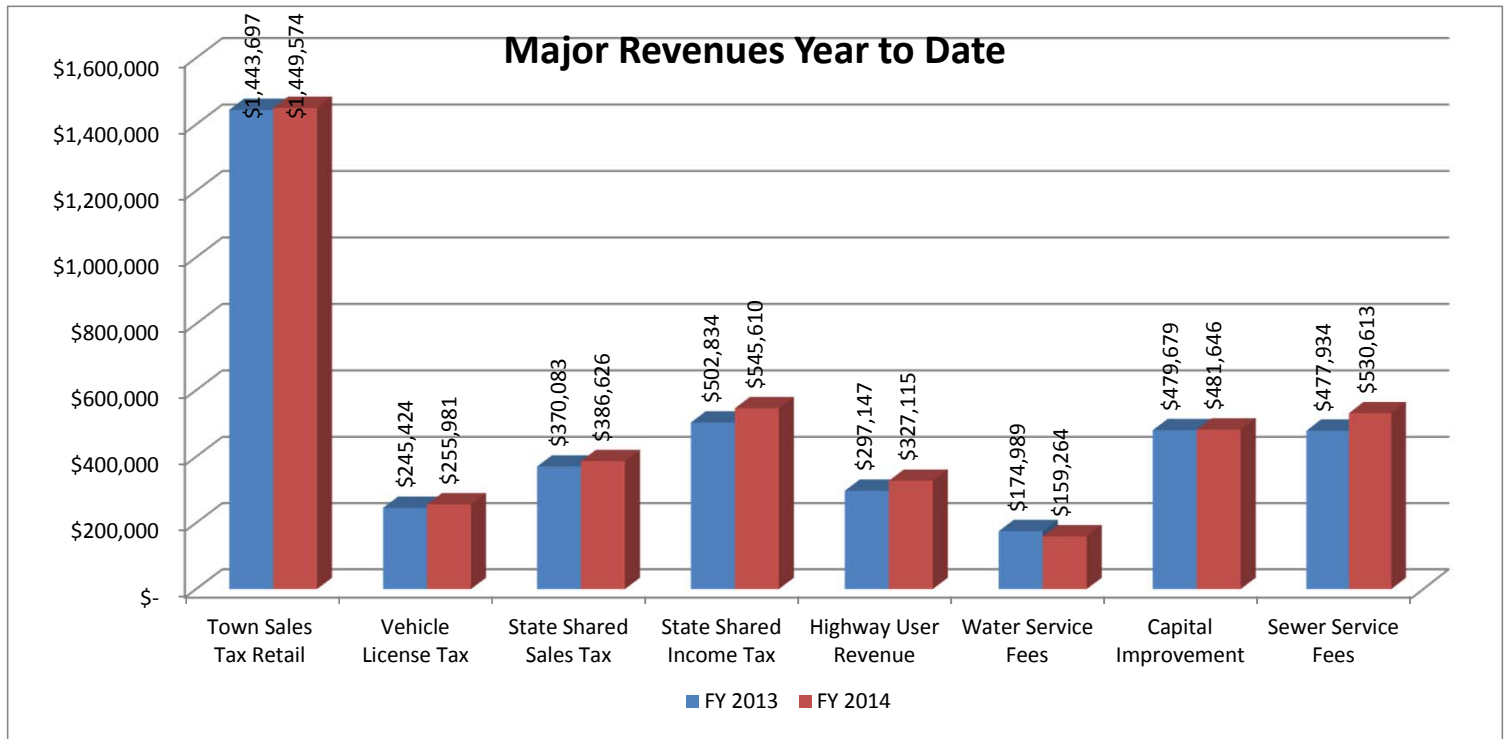
					Actual vs Prior Year	
	Actual Year to Date FY 2013-14	Annual Budget FY 2014-15	Actual Year to Date FY 2014-15*	% of Budget YTD	Amount	%
Town Sales Tax Retail	\$ 1,443,697	\$ 3,500,000	\$ 1,449,574	41%	\$ 5,877	0%
Vehicle License Tax	\$ 245,424	\$ 597,000	\$ 255,981	43%	\$ 10,557	4%
State Shared Sales Tax	\$ 370,083	\$ 977,000	\$ 386,626	40%	\$ 16,543	4%
State Shared Income Tax	\$ 502,834	\$ 1,309,000	\$ 545,610	42%	\$ 42,776	9%
Highway User Revenue	\$ 297,147	\$ 805,000	\$ 327,115	41%	\$ 29,968	10%
Water Service Fees	\$ 174,989	\$ 363,000	\$ 159,264	44%	\$ (15,725)	-9%
Capital Improvement	\$ 479,679	\$ 1,160,760	\$ 481,646	41%	\$ 1,967	0%
Sewer Service Fees	\$ 477,934	\$ 1,301,423	\$ 530,613	41%	\$ 52,679	11%
Major Revenues Y.T.D.	\$ 3,991,787	\$ 10,013,183	\$ 4,136,429	41%	\$ 144,642	4%
Total Revenue All Funds	\$ 4,862,158	\$ 20,472,607	\$ 4,928,448	24%	\$ 66,290	1%

82%

49%

84%

The Major Revenues are up \$144,642 or 4% over the prior fiscal year. Town Sales Tax Retail is only up slightly due to the Town no longer collecting for the Pipeline Transportation Tax as a sales tax, however construction sales tax is up 57% so far this fiscal year. Water Service Fees are down due to decreased usage but appear to be recovering slightly each month.



Impact Fee Fund Recaps					
For the Five Months Ending November 30, 42% of the Fiscal Year					
	Police Impact Fees	Library Impact Fees		Parks/Rec Impact Fees	Roads Impact Fees
Beginning Fund Balance @ 6/30/14	\$ 82,789	\$ -		\$ 40,614	\$ 1,352,095
Impact Fees Revenue to Date	\$ 394	\$ -		\$ 7	\$ 2,615
Impact Fees Expenditures to Date	\$ 444	\$ 16,562	A	\$ 18,474	\$ -
Ending Fund Balance to Date	\$ 82,739	\$ (16,562)		\$ 22,147	\$ 1,354,710
Budgeted Expenditures FY 14/15	\$ 790,014	\$ -		\$ 24,564	\$ 886,000
A - Friends of the Library will reimburse these expenses.					
Contingency Funds Budget					
For the Five Months Ending November 30, 42% of the Fiscal Year					
	Actual Year to Date FY 2014-15	Annual Budget FY 2014-15			
General Fund Budget		\$ 367,000			
General Fund Balance		\$ 367,000			
HURF Fund Budget		\$ 42,000			
Water Fund Budget		\$ 31,000			
Sewer Fund Budget		\$ 49,000			
Balance of Contingency Budget	\$ -	\$ 489,000			
Annual Debt Service Summary By Fund					
Fiscal Year Ended June 30, 2015					
Debt Issue	Date Issued	Original Amount		Outstanding Amount as of June 30, 2014	FY 2015 Principal FY 2015 Interest
General Government					
GADA Loan 2007A	7/1/2011	\$ 3,825,000		\$ 3,620,000	\$ 235,000 \$ 172,794
US Bank Series 2010	12/15/2010	\$ 7,280,000		\$ 7,280,000	\$ 331,638
		\$ 11,105,000		\$ 10,900,000	\$ 235,000 \$ 504,432
Water Enterprise Fund					
US Bank Series 2010	12/15/2010	\$ 745,000		\$ 610,000	\$ 45,000 \$ 25,882
Sewer Enterprise Fund					
WIFA	1/10/2007	\$ 1,580,000		\$ 1,090,290	\$ 77,886 \$ 30,070
WIFA	1/11/2008	\$ 4,853,000		\$ 3,738,165	\$ 242,138 \$ 105,192
USDA	2/16/2007	\$ 1,595,000		\$ 1,413,024	\$ 38,702 \$ 57,574
USDA	4/10/2008	\$ 1,505,000		\$ 1,372,832	\$ 34,877 \$ 55,975
USDA	4/16/2008	\$ 1,332,000		\$ 1,215,957	\$ 30,820 \$ 49,580
		\$ 10,865,000		\$ 8,830,268	\$ 424,423 \$ 298,391
Total Town of Chino Valley Debt		\$ 22,715,000		\$ 20,340,268	\$ 704,423 \$ 828,705



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. a.

Meeting Date: 01/13/2015
Contact Person: Cecilia Grittmann, General Services Director
 Phone: 928-636-2646 x-1202
Department: General Services
Item Type: Action-Presentation
Estimated length of staff presentation: 5 minutes
Physical location of item: N / A

AGENDA ITEM TITLE:

Consideration and possible action to spend up to \$46,775 of Contingency Funds to fund a position for a full-time Human Resources Director for FY 2014/15. Position will be included in budget in 2015/16.

RECOMMENDED ACTION:

Move to approve up to \$46,775 of Contingency Funds to fund a position for a full-time Human Resources Director, position likely to be staffed no later than 2/28/2015, for FY 2014/15.

SITUATION AND ANALYSIS:

Issue Statement

The Town has not had a Human Resources Director since March 2011, almost 4 years. A re-organization was adopted in May 2011 creating a Human Resources Analyst position who reported to the General Services Director. Part of this restructuring was due to the Human Resources Director position being vacated and the lack of financial resources within the Town to hire for this position. Although the Human Resources functions have been fulfilled over the last several years, a concentrated and progressive effort by a Human Resources professional, dedicating full-time energy, has been lacking and is important. The Town has approximately 89 full-time employees, and the need and desire for a professional in this role is necessary.

The Chino Valley Town Council has included the hiring of a Human Resources Director in the Town Manager's goals for fiscal year 2014/15. The position was posted late November 2014, and interviews were conducted 1/12/2015. Matt Weatherly, from Public Sector Personnel Consultants, has recommended a Salary Range of 35, \$ 79,220 - \$ 103,944. Benefits are calculated at 35% of the range, so annual salary with benefits would be \$ 106,947 - \$140,324. The cost for FY 2014/15, four months, would be in the range of \$ 35,649 - \$ 46,775, and the funds would come from the Town's contingency fund. This position will be included in the Town's budget for FY 2015 / 16.

Staff anticipates a start date no later than February 28, 2015.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code: 01-95-5600

Available: 367,000

Funding Source:

This position will be funded from the Contingency Line item through June 30, 2015. This is the first use of Contingency Funds this fiscal year.

Attachments

Job Description, HR Director, Oct 2014



HUMAN RESOURCES DIRECTOR

Department: **Human Resources**

Class Code:

Reports to: **Town Manager**

FLSA Status:

Exempt

GENERAL PURPOSE: Under general supervision of the Town Manager, this position directs, plans, organizes and coordinates all programs, functions, and activities of the Human Resources department, acts as technical specialist in the interpretation and administration of the Town's Personnel Manual, and the administration and application of the Town's Classification and Compensation system.

PRIMARY DUTIES AND RESPONSIBILITIES:

*The following duties **ARE NOT** intended to serve as a comprehensive list of all duties performed by all employees in this classification, only a representative summary of the primary duties and responsibilities. Incumbent(s) may not be required to perform all duties listed and may be required to perform additional, position-specific duties.*

- Plans, organizes, and coordinates programs, functions and activities of the Human Resources department;
- Directs professional staff throughout the organization in the management and administration of HR functional areas of employment rights, recruiting / selection, classification, benefits, training and development, performance management, employee relations, FMLA, E-verify, ADA, and other policy compliance as required by regulations;
- Develops and administers the Town's Classification and Compensation plan, prepares job descriptions, evaluations and position classifications. Assists in the administration of the Town's annual performance management and review process, and makes recommendations for merit increase programs;
- Establishes and updates policies and procedures related to the personnel program; interprets and applies the Town's Personnel Manual, makes recommendations and appropriate changes to the Town's personnel codes.
- Confers with the Manager and Department Directors to define Human Resource needs and relevant actions required. Develops methods, training opportunities, and procedures to improve the quality and efficiency of the personnel function.
- Acts as custodian of all human resource records of the Town and ensures that release of any personnel records or data are in conformance with applicable state and federal laws, rules, and regulations. Directs the creation and maintenance of comprehensive manual and computer-based records relevant to all HR-related activities.
- In conjunction with the Town Manager, assist in the development of a strategic and comprehensive Human Resources plan.
- Supervise, train, and evaluate assigned staff member(s).
- Responsible for the creation and administration of the department budget.
- At the direction of the Town Manager, assists various Town projects related to management.
- Supports the relationship between the Town staff and the constituent population by demonstrating courteous and cooperative behavior when interacting with residents, visitors, and business.
- Performs other related job duties as required or assigned.

MINIMUM QUALIFICATIONS:**Education and Experience:**

Minimum of a Bachelor's degree from an accredited college or university with a major in Human Resources, Business Administration or Management, Industrial or Organizational Management or Psychology, Public Administration or similar field required. Minimum of 5 years of progressive Human Resource experience at a management or division level, in an organization of 50 or more employees.

Required Licenses or Certifications:

PHR / SPHR preferred.

Valid Driver's license.

Required Knowledge of:

- Principles and practices of public and personnel administration, to include classification and compensation systems, employee grievance programs, employee development programs.
- Relevant state and federal laws, rules, and regulations, standards, policies and procedures for the administration of human resources management.
- Principles and practices for employee administration, per Personnel Policies and Procedures, and Town administrative policies.
- Current trends and developments in public-sector personnel / human resources management; application of computer-based resources to facilitate and optimize departmental activities.

Required Ability to:

- Communicate effectively both verbally and in writing.
- Read, interpret, communicate and apply policies, legislation, rules and procedures.
- Prioritize human resource needs throughout the organization and act as a resource to employees and management staff.
- Identify personnel/human resource needs and develop programs to maximize employee development.
- Ability to set goals and objectives and to create appropriate processes for their achievement, with a particular emphasis on the coordination of multiple and diverse activities that apply principles and practices of human resources management.
- Utilize problem solving skills and have a tolerance for ambiguity.
- Develop teams and focus on broader issues and implications.
- Evaluate facts and evidence, drawing logical conclusions, and making proper recommendations.
- Maintain composure and work effectively under stressful conditions.

Physical Demands / Work Environment:

Work is performed in a traditional office environment. May be required to perform a full range of motion with lifting and / or carrying supplies, materials, equipment and/or items weighing up to 20 pounds. Vision requirements include close vision, distance vision, peripheral vision, depth perception, and the ability to adjust focus.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **7. b.**

Meeting Date: 01/13/2015
Contact Person: Cecilia Grittman, General Services Director
 Phone: 928-636-2646 x-1202
Department: General Services
Item Type: Action Item
Estimated length of staff presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to adopt Resolution No. 15-1053 in support of Arizona SONShine 2015, a free health services event in the Quad-cities area to be held June 17-18, 2015.

RECOMMENDED ACTION:

Adopt Resolution No. 15-1053 in support of Arizona SONShine 2015 event.

SITUATION AND ANALYSIS:

The Town was approached to help support the Arizona SONShine event, a free health services event to benefit the citizens in the quad cities area. The event will be held at Tim's Toyota Center in Prescott Valley on June 17 & 18, 2015. The sponsoring organization is the Arizona Conference Corporation of Seventh-day Adventists, an Arizona non-profit corporation. The Arizona conference is a constituent conference of the General Conference of the Seventh-day Adventists, which holds the general 501 (c)3 exemption. The Town's role will not be significant. Areas where we might assist include: help to arrange transportation, we may provide a police officer for one or both days, we may assist in advertising for the event. The subcommittees have been formed for the event and they will be reaching out to all the communities once they have identified where they will need some assistance. The Council has asked for the Town to support this event, and Resolution 15-1053 formalizes this assistance.

Fiscal Impact

Fiscal Impact?: none
If Yes, Budget Code:
Available:
Funding Source:

Attachments

Resolution No. 15-1053

RESOLUTION NO. 15-1053

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, EXPRESSING AND PROVIDING SUPPORT FOR THE ARIZONA SONSHINE HEALTH SERVICES EVENT; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR SEVERABILITY

WHEREAS, there is a significant population of medically underserved citizens in Yavapai County in general, and within the boundaries of Chino Valley in particular; and

WHEREAS, Arizona SONShine-2015, and its lead sponsor, the Arizona Conference Corporation of Seventh-day Adventists, proposes to sponsor a free health services event in Yavapai County, at the Prescott Valley Event Center on June 17 and 18, 2015; and

WHEREAS, said event would be an excellent service to the citizens of Chino Valley;

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

1. The Town of Chino Valley expresses its support for the Arizona SONShine-2015 health services event and agrees to be listed as a supporting organization for the event.

2. Staff of the Town will be directed to provide in-kind assistance to Arizona SONShine 2015 in areas that are deemed appropriate by the Town Manager, i.e. publicity, transportation, security, to facilitate the success of and maximize the accessibility of this event to those citizens of Chino Valley who would be most benefitted by the services provided by the Arizona SONShine event.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase or portion of this Resolution 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 13th day of January 2015.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis Smiley

I hereby certify the above foregoing Resolution No. 15-1053 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on January 13, 2015, and that quorum was present thereat and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. c.

Meeting Date: 01/13/2015
Contact Person: Ron Grittmann, Town Engineer
 Phone: 928-636-2646 x-1223
Department: Public Works
Item Type: Action
Estimated length of staff presentation: 5 minutes
Physical location of item: Town Utilities System

AGENDA ITEM TITLE:

Consideration and possible action to adopt Ordinance No. 15-792, amending the Town of Chino Valley, Arizona Town Code Title V Public Works, Chapter 51 Utility fees, by amending Sections 51.250 Utility Service Deposits and 51.261 Fees and Assessments Due clarifying termination of utility services.

RECOMMENDED ACTION:

Adopt Ordinance No. 15-792 amending Chapter 51 of the Town of Chino Valley Town Code.

SITUATION AND ANALYSIS:

Issue Statement

Over the past several months it has become apparent that the Town Code is not clear as to the termination of water and sewer service. This ordinance is in response to a complaint and the finding of the hearing officer's determination that the Town Code does not authorize the Town to continue requiring payment of sewer fees after an account has been terminated. This Ordinance will clarify the Town's authority.

Applicable "Policy"

N/A

Satisfaction of "Policy"

N/A

Summary of Issues and Staff Rationale

Through a recent finding by the hearing officer the existing Town Code does not speak to the termination of sewer service. The Sewer is an un-metered service, and with current technology it is not practical to attempt to meter it. This ordinance amends the Town Code to clarify that the Town's sewer service is un-metered and that the base fee for service continues whether or not the property is currently

using the service. By adopting this ordinance, the Town will have an easier time enforcing this portion of the code.

Findings of Fact

This code revision is necessary in order to better provide clarification of the intent and enforcement of the existing Town code.

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Ordinance No. 15-792

ORDINANCE NO. 15-792

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE TOWN CODE OF THE TOWN OF CHINO VALLEY, ARIZONA, TITLE V: PUBLIC WORKS, CHAPTER 51: UTILITY FEES, BY AMENDING SECTIONS 51.250 UTILITY SERVICE DEPOSITS AND 51.261 FEES AND ASSESSMENTS DUE;, SUBSECTIONS (C), (D) AND (E), ALL RELATED TO CLARIFYING THE RESPONSIBILITY OF THE CUSTOMER TO CONTINUE TO PAY SEWER BILLS WHEN SERVICE IS DISCONNECTED; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES

WHEREAS, the Town provides wastewater collection services to the residents and businesses located within the Town of Chino Valley and has approved certain fees and charges for these services based upon a rate study, as required by and in full compliance with Arizona law; and

WHEREAS, the fees and charges approved by the Town Council are based upon, among other things, the continued payment of fees from a property once that property has been connected to the Town's sewer system; and

WHEREAS, continued collection of the approved fees and charges is crucial to the Town's ability to pay for the expenses of providing the services to the community and the debt service incurred in order to provide this service; and

WHEREAS, wastewater service is a non-metered service and the calculation of necessary fees and charges is based upon the number of users, not the amount of services each user requires and the effect of customers disconnecting from the service and failing to pay his portion is detrimental to the entire system and not in the best interests of the public health, safety and welfare of the community;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

The Town Code of Chino Valley, Arizona, Title V Public Works, Chapter 51 Utility Fees, Section 51.250 Utility Service Deposits, Subsections (C), (D) and (E) are hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

§ 51.250 UTILITY SERVICE DEPOSITS.

* * *

(C) The town will refund UTILITY SERVICE deposits OR PORTIONS THEREOF ~~upon 1 of the following conditions~~ IF ONE OF THE FOLLOWING OCCURS:

(1) ~~A person~~ THE TOWN UTILITY CUSTOMER WHO PAID A UTILITY DEPOSIT ~~who has been a town utility customer for at least ONE (1) year FOLLOWING PAYMENT OF THE DEPOSIT and has paid the appropriate deposit~~ and has a good payment record. If after 1 year the town utility customer has not ~~demonstrated~~ MAINTAINED a good payment record, the deposit will not be refunded until the TOWN UTILITY customer has achieved a good payment record FOR AT LEAST ONE (1) YEAR.

(2) ~~AT~~ the town utility customer, ~~upon notification~~ HAS PROVIDED WRITTEN NOTICE TO THE TOWN to discontinue service and ~~upon the town's receipt of~~ HAS RECEIVED payment in full for utilities rendered, any WATER meter damage, or other damage to the town system for which the UTILITY customer may be liable under this chapter. ~~When such notification has been given to the town,~~ The town, AT ITS OPTION may, ~~at that time,~~ apply the applicable deposit(s) to the UTILITY customer's final bill or send the customer a check for the difference.

(D) The TOWN UTILITY customer shall notify the town prior to or at the time the property to which service is provided becomes vacant. ~~Otherwise,~~ The TOWN UTILITY customer shall be responsible for all utility usage or damage to the town's property until the town receives a vacancy notice. THEREAFTER, THE TOWN UTILITY CUSTOMER SHALL NO LONGER BE RESPONSIBLE FOR PAYMENT OF METERED WATER SERVICES BUT, BECAUSE SEWER SERVICE IS A NON-METERED SERVICE, THE TOWN UTILITY CUSTOMER SHALL BE RESPONSIBLE FOR PAYMENT OF SEWER FEES AT THE APPLICABLE BASE RATE UNTIL SUCH TIME AS THE TOWN RECEIVES NOTICE THAT THE PROPERTY IS OCCUPIED BY A NEW TOWN UTILITY CUSTOMER, AT WHICH TIME THE NEW OCCUPANT SHALL BE RESPONSIBLE FOR PAYMENT OF THE UTILITY FEES AND CHARGES.

~~(E) The town will presume service is being rendered from the time utilities are turned on by application of the customer until the customer gives notice to discontinue service or at such time as it is apparent that the property has been vacated without notice.~~

The Town Code of Chino Valley, Arizona, Title V Public Works, Chapter 51 Utility Fees, Section 51.261 Utility Service Deposits, Subsections (C), (D) and (E) are hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

§ 51.261 FEES AND ASSESSMENTS DUE.

(A) All fees and assessments are due and payable on the date billed. Water service may be discontinued for the nonpayment of any of the fees, penalties or assessments set forth in this ~~section~~ CHAPTER. Late charges of 1.5% per month of the unpaid balance due will be imposed on bills not paid within ~~30~~ 22 days after the billing date.

(B) BECAUSE SEWER SERVICE IS AN UN-METERED SERVICE, ALL MONTHLY FEES SHALL APPLY AND ACCRUE WHETHER OR NOT SERVICE IS UTILIZED.

(C) THE PUBLIC WORKS DIRECTOR, WITH APPROVAL OF THE TOWN MANAGER, SHALL BE AUTHORIZED TO WAIVE ALL, OR ANY PORTION OF THE DEPOSIT FEES, WATER AND SEWER MONTHLY FEES, LATE FEES AND ANY OTHER MISCELLANEOUS FEES. THE WAIVER OF ANY FEES MUST BE CONSISTENT WITH FEDERAL AND STATE LAW. IN THE EVENT THAT AN OUTSTANDING BALANCE IS OWED FROM A PREVIOUS ACCOUNT HOLDER, THE WAIVER OF ANY FEES SHALL APPLY ONLY TO A NEW ACCOUNT HOLDER.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Providing for Severability.

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.

Section 4. Providing for Penalties.

Penalties for violations of the provisions of this Ordinance shall be as set forth in Sections 51.275 through 51.290 of the Town Code of the Town of Chino Valley, Arizona.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 13th day of January, 2015 by the following vote:

AYES:	_____	ABSENT:	_____
NAYS:	_____	ABSTAINED:	_____

APPROVED this 13th day of January, 2015.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis L.N. Smiley

I, JAMI LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 15-792 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 13TH DAY OF JANUARY, 2015, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2015.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. d.

Meeting Date: 01/13/2015
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Council
Item Type: Action Item - Presentation
Estimated length of staff presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Review and discussion regarding the Council Appointments Subcommittee's recommendations pertaining to the Position Description and selection process for the position of Planning and Zoning Commissioner, as well as proposed amendments to the Unified Development Ordinance (UDO) Section 1.4 Planning and Zoning Commission; and possible action to direct staff to revise the procedural documents and draft an ordinance amending Unified Development Ordinance Section 1.4.

RECOMMENDED ACTION:

Review Position Description, selection process, and proposed UDO amendments; and direct staff and/or Subcommittee.

SITUATION AND ANALYSIS:

Issue Statement

On November 18, 2014, Mayor Marley and Vice-Mayor Croft brought an item to Council to discuss developing a "job description" for prospective Planning and Zoning Commissioners and changing the procedure for appointing members to the Commission. The Council referred the matter to its Appointments Subcommittee for discussion and recommendation.

The Subcommittee met on December 4, 2014 and reviewed proposals for desired qualifications, desired training, selection process, and interview questions. Development Services Director Ruth Mayday also spoke to the Subcommittee about amending UDO Section 1.4 related to the Commission to provide guidelines to Council for appointment and removal of candidates. (Exhibit A: Subcommittee Minutes)

Applicable "Policy"

- Town Code Sec. 30.071 - Gives Council the authority generally to create public bodies in general, determine their consistency and duties, and exist at the Council's pleasure.
- UDO Sec. 1.4,1 - Establishes the Commission and addresses appointment and removal of members.

- A.R.S. Sec. 9-461.02 - Provides the the Commission's creation be enacted by local ordinance and shall have at least five members.

Satisfaction of “Policy”

The proposed amendments and written position description and procedures will provide more detailed guidelines for staff and Council in appointing and removing members from the Commission.

Summary of Issues and Staff Rationale

The Subcommittee discussed:

- Desired qualifications for Commission candidates (Exhibit B) related to residency, term of office, technical knowledge and/or experience, communication skills, meeting attendance, volunteer experience, consent to background check, and adherence to the Town's Code of Ethics.
- Required training for candidates (Exhibit B) related to participation in Citizens Academy, legal briefing by the town attorney, technical briefings by staff, and familiarity with Council's meeting procedure.
- Appointment process (Exhibit B).
- Amendments to UDO Section 1.4 Planning and Zoning Commission to provide clearer guidelines for appointing and removing commissioners (Exhibit C).

The Subcommittee directed its members and staff to review the proposed Position Description, selection process, interview questions, and provide further suggestions to Vice-Mayor Croft, who would finalize the documents and forward them to Council.

Findings of Fact

The Council desired more defined procedures for appointment to the Commission.

The Appointments Subcommittee and staff have developed guidelines, procedures, and UDO amendment to address this.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Exhibit A: December 4, 2014 minutes

Exhibit B: Position Description & Selection Process

Exhibit C: UDO Amendments

**TOWN OF CHINO VALLEY
COUNCIL APPOINTMENTS SUBCOMMITTEE
MINUTES**

**THURSDAY, DECEMBER 4, 2014
4:00 P.M.**

The Council Appointments Subcommittee of the Town of Chino Valley, Arizona, convened for a public meeting in the Council Chambers Conference Room, located at 202 N. State Route 89, Chino Valley, Arizona.

Vice-Mayor Croft called the meeting to order at 4:04 P.M.

Members Present: Vice-Mayor Darryl Croft (Chair); Councilmember Mike Best; Councilmember Lon Turner

Staff Present: Development Services Director Ruth Mayday; Town Clerk Jami Lewis (recorder)

3) APPROVAL OF MINUTES

3a) Approve May 19, 2014 minutes.

3b) Approve June 5, 2014 minutes.

Councilmember Best MOVED; Councilmember Turner seconded to approve items 3a and 3b. Motion PASSED 3-0.

4) OLD BUSINESS – None

5) NEW BUSINESS

5a) Consideration and possible action regarding the procedure for appointing members to the Planning and Zoning Commission.

On November 18, 2014, Mayor Marley and Vice-Mayor Croft brought an item to Council to discuss the procedure for appointing members to the Planning and Zoning Commission.

Council referred the matter to the Appointments Subcommittee to discuss and make a recommendation.

Vice-Mayor Croft handed out proposed desired qualifications and training for Commission candidates, and appointment process for review and comment.

Desired Qualifications for Commission Candidates

The group reviewed proposed qualifications related to residency, term lengths, knowledge and experience, communication skills, commitment, and agreement to a background check. They discussed:

- whether or not the Town could or should allow non-residents who were either business owners or property owners in Town to sit on the Commission; and
- adding adherence to the Town's Code of Ethics to the qualifications.

Desired Training for Candidates

The group reviewed proposed required training related to the Chamber's Citizens Academy, legal briefing, technical briefings, and Council meeting attendance. They discussed:

- adding a timeframe to the Council meeting attendance requirement.

Selection Process

The group reviewed the proposed selection process related to application, interview, recommendation to Council, training, and follow-up performance review. The group also reviewed UDO Sec. 1.4 Planning and Zoning Commission and proposed interview questions. The group then discussed:

- Commissioners being willing to learn, open minded, and able to take direction; and the selected interview questions addressing those things;
- rewriting UDO Sec. 1.4 to codify the selection process and provide guidelines for performance review and removal from the Commission;
- each member of the Subcommittee attending a Commission meeting on a rotational basis and reporting back to the Subcommittee if any commissioner appeared to be acting outside of approved regulations.

Subcommittee Instruction to Members/Staff

- Ms. Mayday to draft changes to the UDO and send them out to the Subcommittee for review and comment.
- Subcommittee and staff to send any further comments or recommendations regarding qualifications, training, selection process, or interview questions to Vice-Mayor Croft before the end of next week.
- Ms. Lewis to place this item on Council's January 13 meeting for their consent and giving the Subcommittee the authority to modify the non-codified procedures without Council approval, as needed.
- Vice-Mayor Croft to attend the Commission's January 2015 meeting.
- Ms. Lewis to schedule interviews in open, not closed, session.
- Subcommittee or staff to provide interview questions to applicants 30 minutes prior to interview.

Related Topics to Discuss at a Future Meeting

- Possibly extending some of these requirements to other public bodies that carried a larger risk.
- Directing the chair of each public body to inform a Subcommittee member of any attendance, or ethical issues with public body members.
- Requiring all public body members to attend a Citizens Academy.

6) ADJOURN

Vice-Mayor Croft adjourned the meeting at 4:55 p.m.

*Submitted By: Jami C. Lewis, Town Clerk
December 5, 2014*

Approved: _____

TOWN OF CHINO VALLEY, ARIZONA
DRAFT POSITION DESCRIPTION FOR PLANNING AND ZONING COMMISSIONER

The Planning and Zoning (P & Z) Commission is a key component of the Town of Chino Valley's on-going effort to effectively manage the use of property within the Town limits through planning and zoning activities. P & Z Commissioners, working closely with Town staff, ensure that state regulations and local ordinances are complied with as they review and recommend planning and zoning requests to the Town Council for final determination.

DESIRED QUALIFICATIONS

1. Reside within the town limits of the Town of Chino Valley, Arizona and be qualified to vote in Town elections.
2. Willing to serve on the P & Z Commission for a term of three (3) years.
3. Possess a working knowledge of, or be willing to study and learn about, municipal planning and zoning, real estate development, technical blueprints and drawings, and legal documents and procedures. Related experiences may be acceptable.
4. Able to read and write and orally communicate in the English language.
5. Able to attend commission meetings and informational investigations during and after normal working hours. The regular meeting of the Commission is at 6:00 pm on the first Tuesday of each month.
6. Past experience as a member of a volunteer committee or community-based organization.
7. Agree to an employee background check.
8. Agree to abide by the Town's Code of Ethics, Town Code Chapter 35, and all other rules and regulations of the Town.

REQUIRED TRAINING

1. Attend the Town of Chino Valley/Chino Valley Area Chamber of Commerce Citizen's Academy within twelve (12) months of appointment.
2. Attend a legal briefing conducted by the Town Attorney outlining the roles, responsibilities and authority of P & Z Commissioners, including open meeting laws and conflict of interest, prior to the first meeting after appointment.
3. Attend technical briefings by Town staff prior to the first meeting after appointment to include pertinent Town ordinances, current work plans and zoning requests, the UDO, the General Plan, and other relevant Town codes, documents, and policies and procedures.

TOWN OF CHINO VALLEY, ARIZONA
DRAFT POSITION DESCRIPTION FOR PLANNING AND ZONING COMMISSIONER

4. Attend a Town Council study session and Town Council regular meeting within sixty (60) days of appointment.

SELECTION PROCESS

1. Applicant submits a Town of Chino Valley Application for Public Body Appointment form, specifying appointment to the P & Z Commission.
2. The Town Clerk reviews the application for completeness and schedules a meeting of the Town Council Appointments Subcommittee.
3. The Appointments Subcommittee interviews the applicant and makes a recommendation to the Town Council.
4. At a regular meeting, the Town Council reviews the Appointments Committee's recommendation and approves or disapproves the appointment. Before making the appointment, the Town Council may elect to interview the candidate.
5. The Town Clerk administers the Oath of Office and schedules the training for the prospective appointee.
6. Follow-up performance review?

1. Administration and Procedures

1.1 Short Title

This Ordinance shall be known as “The Unified Development Ordinance of the Town OF CHINO VALLEY.”

1.2 Purpose

The purposes of this Ordinance are to secure safety from fire, panic, and other dangers; to provide adequate light and air; to lessen congestion in the streets; to prevent the over crowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewage disposal; schools, parks, and other public requirements; to provide for the social, physical, and economic advantages resulting from comprehensive and orderly planned use of land resources; to allow for the orderly implementation of the General Plan; and to otherwise promote the health, safety, convenience, and general welfare of the citizens of Chino Valley, Arizona.

1.3 Interpretations and Application

In its interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of General Plan as adopted by the Council and for the promotion of the public health, safety and general welfare. It is not intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or Ordinances, except those specifically repealed by this Ordinance, or with restrictions placed upon property by covenant, deed or other agreement between parties, provided that where this Ordinance imposes a greater restriction on land, buildings, or structures than is imposed or required by such existing provisions of law, Ordinance, contract, or deed, the provisions of this Ordinance shall control.

1.4 Planning and Zoning Commission

1.4.1 Establishment; Composition; Terms of Members; Vacancies; Compensation of Members

A) There is hereby established a Planning and Zoning Commission hereinafter called “Commission” of the Town to consist of seven (7) REGULAR members AND ONE (1) ALTERNATE MEMBER, APPOINTED BY THE TOWN COUNCIL. ~~each of whom MEMBERS OF THE COMMISSION shall be a resident QUALIFIED ELECTORS of the Town, to be appointed by Council.~~ The TERM OF EACH REGULAR members ~~of the Commission~~ shall BE ~~serve for~~ three (3) years, except as hereinafter provided. THE TERM OF THE ALTERNATE COMMISSIONER SHALL BE ONE (1) YEAR.

B) THE ALTERNATE MEMBER OF THE COMMISSION SHALL ACT AS A REGULAR MEMBER IN THE ABSENCE OF A REGULAR MEMBER AT ANY MEETING OR HEARING OF THE COMMISSION. THE ALTERNATE MEMBER SHALL NOT, HOWEVER, SUBSTITUTE FOR A REGULAR MEMBER WHO IS PRESENT AT A MEETING OR HEARING BUT HAS DECLARED A CONFLICT OF INTEREST.

BC) TERMINATION; VACANCY.

1. PLANNING AND ZONING COMMISSIONERS SERVE AT THE PLEASURE OF THE COUNCIL.

2. A COMMISSION SEAT SHALL BE DEEMED VACANT IF ANY OF THE FOLLOWING OCCURS:

a. ~~In the event of a death, resignation or removal OF A REGULAR MEMBER from the Commission; OR~~

b. A REGULAR MEMBER OF THE COMMISSION IS ABSENT AT THREE (3) CONSECUTIVE MEETINGS OR A TOTAL OF FOUR (4) MEETINGS WITHIN ANY ONE (1) YEAR PERIOD; OR

c. AT THE DISCRETION OF THE COUNCIL, A MEMBER ~~, the Council shall fill the vacancy for the unexpired term. Members of the Commission may be removed by the Council for inefficiency, neglect of duty, excessive absenteeism, MISCONDUCT or malfeasance in office. subsequent to an executive session.~~

3. IN THE EVENT OF A VACANCY, THE COUNCIL SHALL FILL THE VACANCY FOR THE REMAINDER OF THE UNEXPIRED TERM. ~~No executive session shall be held, if the Commissioner in question requests a public hearing. The Council shall file a written statement of the reasons for removal. Two (2) consecutive unexcused absences or a total of three (3) unexcused absences per calendar year from any regular or special meeting shall be grounds for termination at the will and pleasure of the Council. subsequent to an executive session or public hearing if requested, and such action shall be final.~~

~~1) An excused absence requires the Commissioner to notify the Chair or Vice Chair, directly or indirectly, the Town Hall or Police Department, of their absence from a meeting no later than twenty-four (24) hours prior to commencement of the regular or special Planning and Zoning meeting, unless an emergency occurs.~~

~~2) All other absences shall be deemed unexcused.~~

CD) All members shall serve without pay. However, members may be reimbursed for actual expenses incurred in connection with their duties ~~upon authorization and ratification by the Commission and approval of such expenditures by Council.~~

1.4.2 Powers and Duties

THE COMMISSION SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

1. RECOMMEND TO THE TOWN COUNCIL A GENERAL PLAN AND AMENDMENTS THERETO;
2. ANNUALLY REVIEW PROGRESS TOWARDS IMPLEMENTATION OF THE GENERAL PLAN AND RECOMMEND TO THE TOWN COUNCIL CHANGES DESIRED DUE TO NEW LEGISLATION, DEVELOPMENT TRENDS AND CHANGING ECONOMIC, SOCIAL AND ENVIRONMENTAL CONDITIONS;
3. REVIEW AND MAKE RECOMMENDATION TO THE TOWN COUNCIL ON PROPOSALS TO AMEND THE TOWN ZONING MAP OR THE PROVISIONS OF THE UNIFIED DEVELOPMENT ORDINANCE;
4. INITIATE CHANGES TO THE TOWN ZONING MAP OR THE PROVISIONS OF THE UNIFIED DEVELOPMENT ORDINANCE;
5. REVIEW AND RECOMMEND APPROVAL TO THE TOWN COUNCIL OF DESIGN GUIDELINES OR STANDARDS OF DEVELOPMENT.

~~It shall be the duty of the Commission to formulate and administer any lawful plan duly adopted by the Council for the present and future growth and development of the Town; to make or cause to be made a continuous study of the best present and future use to which land and buildings shall be put within the Town and to recommend to the Council revisions in such plans which, in the opinion of the Commission, are for the best interest of the citizens of the Town; to hold public hearings where necessary; to make recommendations to the Council on all matters concerning or relating to the creation of zoning districts, the boundaries thereof, the appropriate regulations to be enforced therein, and amendments of this Ordinance, and to undertake all activities usually associated therewith and commonly known as "Planning and Zoning." The Commission is also authorized to confer with and advise other City, County, Regional, or State Planning Agencies and Commissions. Minutes of the meetings shall be sent to the Council upon approval.~~

1.4.3 Selection of Officers

The Commission shall elect a Chairperson and Vice Chairperson from among its own members, who shall serve for one (1) year and until their successors are elected and qualified. The Chairperson shall preside at all meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. ~~The Chairperson shall have the power to take evidence.~~ The Vice Chairperson shall perform the duties of the Chairperson in the latter's absence or disability. ~~Vacancies created by any cause shall be filled for the unexpired term by a new election.~~ IN THE EVENT OF VACANCY IN THE CHAIRMANSHIP OF THE COMMISSION, THE VICE-CHAIRMAN SHALL

BECOME CHAIRMAN, AND AN ELECTION SHALL BE HELD AT THE NEXT MEETING TO FILL THE OFFICE OF VICE-CHAIRMAN.

1.4.4 Quorum; Voting

A) Four (4) members shall constitute a quorum. The affirmative vote a majority of members voting shall be required for ~~passage~~ APPROVAL OR RECOMMENDATION TO COUNCIL of any matter before the Commission.

B) A member who has OR APPEARS TO HAVE, or whose relative has OR APPEARS TO HAVE, a pecuniary or proprietary interest, either directly or indirectly, in any decision of the Commission, shall disclose such interest in the official records of the Commission, and shall ~~thereafter~~ refrain from participating in any DISCUSSION, VOTE OR ANY OTHER manner as a COMMISSION member in such ~~decision~~ MATTER.

1.4.5 Rules; Regulations; Records; Meetings

A. The Commission shall make and publish rules and regulations to govern its proceedings and to provide for its meetings.

B. ALL MEETINGS OF THE COMMISSION SHALL BE HELD AT THE CALL OF THE CHAIR AND AT SUCH OTHER TIMES AS THE COMMISSION MAY DETERMINE. EXCEPT FOR EXECUTIVE SESSIONS AUTHORIZED BY LAW, All meetings of the Commission shall be open to the public.

C. The minutes and records of all Commission proceedings shall be kept and filed as public record in the office of the Town Clerk. MINUTES OF EACH MEETING SHALL CONTAIN A RECORD OF THE NUMBER OF VOTES CAST FOR AND AGAINST EACH ITEM REQUIRING A VOTE. EACH MEMBER PRESENT SHALL NOT ABSTAIN FROM VOTING ON AN ITEM UNLESS HE OR SHE HAS DECLARED A CONFLICT OF INTEREST.

1.4.6 ETHICS

COMMISSIONERS AS APPOINTED OFFICERS OF THE TOWN ARE SUBJECT TO AND SHALL COMPLY WITH THE ETHICS PROVISIONS SET FORTH IN CHAPTER 35 OF THE CHINO VALLEY TOWN CODE.

1.5 Board of Adjustment

1.5.1 Establishment; Composition; Terms of Members; Vacancies; Compensation of Members

A) There is hereby established a Board of Adjustment of the Town to consist of five (5) REGULAR members AND ONE (1) ALTERNATE MEMBER, each of whom shall be appointed by the ~~Chino Valley~~ Town Council.

1. The terms of the members of the Board shall be ~~determined by Council at the time of their appointment. After the initial appointment, all terms shall be for three (3) years.~~

2. All members shall serve without pay. However, members of the Board may be reimbursed for actual expenses incurred in connection with their duties ~~upon authorization and ratification by the Board and approval of such expenditures by Council.~~

3. THE ALTERNATE MEMBER SHALL ACT AS A REGULAR MEMBER IN THE ABSENCE OF A REGULAR MEMBER AT ANY MEETING OR HEARING OF THE BOARD. THE ALTERNATE MEMBER SHALL NOT, HOWEVER, STEP IN FOR A REGULAR MEMBER WHO IS PRESENT AT A MEETING OR HEARING BUT HAS DECLARED A CONFLICT OF INTEREST.

B) MEMBERS OF THE BOARD OF ADJUSTMENT SERVE AT THE PLEASURE OF THE COUNCIL. IN THE EVENT OF A DEATH, RESIGNATION OR REMOVAL FROM THE BOARD, THE COUNCIL SHALL FILL THE VACANCY FOR THE UNEXPIRED TERM. MEMBERS OF THE BOARD ~~SHALL~~MAY BE REMOVED BY THE COUNCIL FOR INEFFICIENCY, NEGLECT OF DUTY, EXCESSIVE ABSENTEEISM, MISCONDUCT, OR MALFEASANCE IN OFFICE AT THE WILL AND PLEASURE OF COUNCIL. A BOARD SEAT SHALL BE DEEMED VACANT IF A MEMBER IS ABSENT AT THREE (3) CONSECUTIVE MEETINGS OR A TOTAL OF FOUR (4) MEETINGS IN ANY ONE (1) YEAR PERIOD.

C) All members shall serve without pay. However, members may be reimbursed for actual expenses incurred in connection with their duties upon authorization and ratification by the Commission and approval of such expenditures by Council.

1.5.2 Powers and Duties

A. It shall be the duty of the Board of Adjustment to:

1. Hear and decide appeals ~~in which it is alleged there is an error in an order, requirement, or~~FROM A decision, DETERMINATION OR INTERPRETATION made by the Zoning Administrator in the enforcement of aTHE Unified Development Ordinance; and to reverse or affirm, wholly or partly, or modify the order, requirement or decision of the Zoning Administrator appealed from, and make such order, requirement, decision or determination as necessary;
2. Hear and decide appealsAPPLICATIONS for a Variance from the terms of this Ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning districts ~~AND TO~~ . Any Variance granted is subject to such conditions as will

assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the same zoning district in which such property is located.

B. The Board of Adjustment shall not:

1. Make OR PERMIT any changes in uses permitted in any zoning classification or zoning district, or make any changes in the terms of this Ordinance, provided the restrictions in this paragraph shall not affect the authority of granting Variance pursuant to this article.
2. Grant a Variance if the special circumstances applicable to the property are self-imposed by the property owner.

1.5.3 Application

Applications for a Variance shall be filed on a form provided by the Development Services Department and shall be accompanied by the appropriate fee, together with a Site Plan of the premises and other data required by the Zoning Administrator or his/her designee.

1.5.4 Selection of Officers

The officers of the Board of Adjustment shall be a Chairperson and Vice-Chairperson who shall be selected by the Board each year at its first meeting following July 1st. IN THE EVENT OF VACANCY IN THE CHAIRMANSHIP OF THE BOARD, THE VICE-CHAIRMAN SHALL BECOME CHAIRMAN, AND AN ELECTION SHALL BE HELD AT THE NEXT MEETING TO FILL THE OFFICE OF VICE-CHAIRMAN.

1.5.5 Quorum; Voting

A) Three (3) members shall constitute a quorum. The affirmative vote of a majority of members voting shall be required for ~~passage~~ APPROVAL of any matter before the Board. In the event the matter before the Board is an appeal from a ruling by the Zoning Administrator, a tie vote shall result in upholding the original ruling of the Zoning Administrator.

B) A member who has OR APPEARS TO HAVE, or whose relative has OR APPEARS TO HAVE, a pecuniary or proprietary interest either directly or indirectly, in any decision of the Board, shall disclose such interest in the official records of the Board, and shall thereafter refrain from participating in any DISCUSSION, VOTE OR ANY OTHER manner as a member OF THE BOARD in such decision.

1.5.6 Rules; Regulations; Records; Meetings

A) The Board shall make and publish rules and regulations to govern its proceedings and to provide for its meetings.

B) All meetings of the Board shall AT THE CALL OF THE CHAIR AND AT SUCH OTHER TIMES AS THE BOARD MAY DETERMINE. EXCEPT FOR EXECUTIVE SESSIONS AUTHORIZED BY LAW, ALL MEETINGS SHALL be open to the public.

C. The minutes and records of all Board proceedings shall be kept and filed as public record in the office of the Town Clerk. MINUTES OF EACH MEETING SHALL CONTAIN A RECORD OF THE NUMBER OF VOTES CAST FOR AND AGAINST EACH ITEM REQUIRING A VOTE. EACH MEMBER PRESENT SHALL NOT ABSTAIN FROM VOTING ON AN ITEM UNLESS HE OR SHE HAS DECLARED A CONFLICT OF INTEREST.

1.5.7 EX PARTE COMMUNICATIONS

A) PROHIBITION OF EX PARTE COMMUNICATIONS. THE BOARD OF ADJUSTMENT ACTS AS A QUASI-JUDICIAL BODY. TO ENSURE THAT THE DECISION-MAKING PROCESS IS FAIR AND IMPARTIAL, MEMBERS OF THE BOARD SHALL NOT, DIRECTLY OR INDIRECTLY, PARTICIPATE IN ANY EX PARTE COMMUNICATION RELEVANT TO AN APPLICATION OR APPEAL PENDING BEFORE THAT BODY. EX PARTE COMMUNICATIONS ARE ORAL OR WRITTEN COMMUNICATIONS RELATED TO THE MATTER TO BE HEARD BY THE BOARD AND WHICH IS MADE TO OR BY A MEMBER OF THE BOARD, INCLUDING IN PERSON, TELEPHONIC OR ELECTRONIC COMMUNICATIONS THAT OCCUR OUTSIDE OF A PUBLIC MEETING THE BOARD.

1.5.8 ETHICS

A) BOARD MEMBERS AS APPOINTED OFFICERS OF THE TOWN ARE SUBJECT TO AND SHALL COMPLY WITH THE ETHICS PROVISIONS SET FORTH IN CHAPTER 35 OF THE CHINO VALLEY TOWN CODE.