



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, April 23, 2013
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)** Proclamation declaring May 2013 as "Mental Health Awareness Month," sponsored by the West Yavapai Guidance Clinic Foundation.

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 speaker remarks.

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)** Quarterly update on Municipal Court operations by Town Magistrate, John Walker.

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 approve the March 26, 2013 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to repeal Resolution No. 617, adopted October 30, 2001. (Mayor & Council)
- c) Consideration and possible action to approve Fee Agreement with Musgrove Drutz & Kack, P.C., to continue to represent the Town in the following litigation matters: (1) *Cortez Enterprises, Inc. v. Town of Chino Valley*; (2) *City of Prescott v. Town of Chino Valley* (Pipeline Transaction Privilege Tax Dispute); and (3) *Becker Holdings, LLC v. Hall, et al.* Funds to come from Legal Services line in the Non Departmental Department. (Musgrove Drutz & Kack, Town Attorney)
- d) Consideration and possible action to approve Monthly Financial Report for month ended March 31, 2013. (Joe Duffy, Finance Director)

7) **ACTION ITEMS**

- a) Consideration and possible action to award the construction contract for the Police Tactical Shooting Range to Watkins Mendoza Construction Company in the amount of \$103,376.48 plus the additive alternative in the amount of \$8,305.50 for a total project cost of \$111,681.98. Funds to come from donations and grants. (Ron Gritman, Town Engineer)

Recommended Action: Award the construction contract for the Police Tactical Shooting Range to Watkins Mendoza Construction Company in a total amount not to exceed \$111,681.98 pending the receipt of Yavapai County Sheriff's Office grant.

- b) Discussion and possible action to establish the SR 89 Utility Project Citizen Committee, approve its preliminary Charter, and appoint Committee members and alternates, as well as Council liaison. (Mayor & Council)

Recommended Action: Establish the SR 89 Utility Project Citizen Committee, approve the preliminary Charter, and appoint Committee members, alternates, and liaison per discussion.

8) **EXECUTIVE SESSION**

Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Town's attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03(A)(3).

9) **ADJOURNMENT**

Dated this 17th day of April, 2013.

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.

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: 04/23/2013
Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Presentation Only
**Estimated length
of Staff Presentation:** 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Proclamation declaring May 2013 as "Mental Health Awareness Month," sponsored by the West Yavapai Guidance Clinic Foundation.

Attachments

Proclamation, Mental Health Month
Mental Health Awareness Concert Flyer



PROCLAMATION

Mental Health Month – May 2013



Whereas, mental health is essential to everyone's overall health and well-being; and

Whereas, all Americans experience times of difficulty and stress in their lives; and

Whereas, promotion and prevention are effective ways to reduce the burden of mental health conditions; and

Whereas, there is a strong body of research that supports user-friendly tools that all Americans can access to better handle challenges, and protect their health and well-being; and

Whereas, mental health conditions are real and prevalent in our nation; and

Whereas, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

Whereas, each business, school, government agency, faith-based organization, health care provider, and citizen has a responsibility to promote mental wellness and support prevention efforts; and

Now, Therefore, I, Chris Marley, Mayor of the Town of Chino Valley, do hereby proclaim **May 2013** as **Mental Health Month** in Chino Valley, Arizona, and call upon the citizens, government agencies, public and private institutions, businesses, and schools in Chino Valley to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Town of Chino Valley to be affixed this 23rd day of April 2013.

Chris Marley, Mayor

ATTEST: _____
Jami C. Lewis, Town Clerk



WE ALL GET THE BLUES

Join us for a Benefit Concert for
Mental Health Awareness Month

Friday, May 10th

7:00 PM

with Prescott's own

Hometown Heroes

Sponsors:

Your Company

Rock



Blues



Standards



Country



Jazz

BE A HERO AND SAY "YES"
TO MENTAL HEALTH AWARENESS
AND PATHWAYS TO WELLNESS
FOR YOUR COMMUNITY!

Prescott Elks Theatre

\$15 Tier 1 Seating

\$12 Tier 2 Seating

\$8 Tier 3 Seating

Purchase tickets by phone at
(928) 777-1366 or online at
www.elksoperahouse.com

All Proceeds Support
West Yavapai Guidance
Clinic

www.wygc.org



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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **5. a.**

Meeting Date: 04/23/2013
Contact Person: Rhonda Apolinar, Court Coordinator
Phone: 928-636-2646 x-1289
Department: Municipal Court
Item Type: Report Only
**Estimated length
of Staff Presentation:** 10 minutes
Physical location of item: Chino Valley Municipal Court

AGENDA ITEM TITLE:

Quarterly update on Municipal Court operations by Town Magistrate, John Walker.

SITUATION & ANALYSIS:

Pursuant to the Town's Employment Agreement with the Town Magistrate, Section 4, Essential Duties, the Magistrate "Provides oral or written quarterly reports to the Town Council on the state of the judicial branch."

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **6. a.**

Meeting Date: 04/23/2013

Contact Person: Jami Lewis, Town Clerk

Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to approve the March 26, 2013 regular meeting minutes.
(Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Approve the March 26, 2013 regular meeting minutes.

Attachments

March 26, 2013 minutes

DRAFT

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

**TUESDAY, MARCH 26, 2013
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, March 26, 2013.

Present: Mayor Chris Marley; Vice-Mayor Carl Tenney; Councilmember Mike Best; Councilmember Darryl Croft; Councilmember Dean Echols; Councilmember Linda Hatch; Councilmember Lon Turner

Staff Present: Town Manager Robert Smith; General Services Director Cecilia Watts; Town Attorney Tom Kack; Town Attorney Sharon Sargent-Flack; Town Attorney Mark Drutz; Finance Director Joe Duffy; Police Chief Chuck Wynn; Magistrate John Walker; Town Engineer/Public Works Director Ron Gritman; Civil Engineer Richard Straub; Building Official Dan Trout; Town Clerk Assistant Liz Hart; Town Clerk Assistant Liz Hart (recorder); Town Clerk Jami Lewis (recorder)

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

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

Councilmember Best gave the invocation and Mayor Marley led the Pledge of Allegiance.

2) **INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**

a) **Introduction of new Planner, Dennis Price. (Robert Smith, Town Manager)**

Town Manager Robert Smith introduced Dennis Price, the Town's new Planner.

b) **Annual report by the Chino Valley Model Aviators.**

Rick Nichols, Secretary/Treasurer of the Chino Valley Model Aviators, presented the club's Annual Report and a video of their airfield facility:

- The club currently had 103 members and a facility with a 750 foot long paved runway, two dirt runways, and a cabana.
- They were improving one of the dirt runways and were raising funds to improve the main runway, at a cost of \$10,000-\$117,000.
- Last year's events and activities included air races, Annual Fun Fly, radio control airplane training, newsletter, and community projects.

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 speaker remarks.

Jim Klein, resident, spoke about not hearing from the Town on an item he asked about last October regarding Planned Area Developments certain Unified Development Ordinance regulations. Mayor Marley related that Town officials had not been forgotten his request, but they had been addressing more pressing matters.

Bob Luzius, member of the Verde River Basin Partnership, spoke about a presentation of the Northern Arizona Groundwater Flow Model on April 11.

Cory Mendoza, Council candidate, congratulated those who won in the Primary Election.

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.

Vice-Mayor Tenney reported on the March 12 Call to the Public comment:

- A citizen spoke on a matter pertaining to the 1999 Windy Valley Plaza area annexation and Council discussions on infrastructure in that area – Mayor Marley addressed that issue at the 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.

Councilmember Turner reported on a recent Water Advisory Committee retreat and United States Geological Survey report.

Councilmember Hatch reported on the Town's Transit Advisory Committee presenting at a Northern Arizona Council of Governments Economic Development Committee meeting.

Vice Mayor Tenney reported on Congressman Paul Gosar's Chino Valley office being open on March 28, and Congressman Gosar inviting the public to participate with him in the Adopt-A-Highway Program on April 6.

Mayor Marley reported on:

- the Town Clerk's office accepting applications for several public bodies;
- the Kiwanis Auction on Channel 13 being pre-empted by scheduled meetings;

- the Friends of Library raising over \$700 for the Library last week;
- an open house at the Shooting Range on April 6; and
- Community Center improvements along Perkinsville being under way.

The Mayor's Report pertained to responses he received from State Senator Steve Pierce and House Ways and Means Committee Chair Debbie Lesco relating to the Governor's TPT Task Force recommendations, and he asked staff to post these letters on the Town's website.

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 Carl Tenney, seconded by Councilmember Linda Hatch to approve Consent Agenda items 6a, b and c.

Vote: 7 - 0 PASSED - Unanimously

- a) Consideration and possible action to approve the February 26, 2013 Regular Meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to accept resignation of Billie Messaros, Dolores Morgan and Don Wojcik from the Senior Center Advisory Board, effective February 15, March 8, and March 21, 2013, respectively. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to amend Policy Number 605, "Overtime: Non-Exempt Employees," from the Town of Chino Valley Personnel Policy dated September 12, 2002 to include Amendment 2 of the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officer's Association, dated February 26, 2013. (Cecilia Watts, General Services Director)

7) **ACTION ITEMS**

- a) Consideration and possible action to adopt Resolution No. 13-1009, declaring the "Chino Valley Unified Development Ordinance Section 4.25: Wireless Communications Facilities" as a public record and adopt Ordinance No. 13-767 repealing the current Section 4.25, and adopting the new "Chino Valley Unified Development Ordinance Section 4.25: Wireless Communications Facilities" by reference. (Robert Smith, Town Manager)

(This item was heard after item 7e but is retained here for clarity.)

Acronym used in this item:

UDO (Unified Development Ordinance)

Town Manager Robert Smith reported that:

- Wireless services benefitted the entire community, as there was a strong correlation between robust wireless services and economic health, as evidenced by wireless service subscribers continuing to increase despite the economic downturn and the State of Arizona creating a broadband project to stimulate activity and connectivity in

outlying areas.

- The Town's Wireless Telecommunication Code in the UDO, which had not been updated in many years, created several unintended consequences that needed to be addressed for the Town to enjoy robust wireless communications services. It restricted the wrong kinds of things, did not address overall visual impacts of such facilities, lacked the flexibility to allow for practical solutions, and lacked incentives and an administrative process.
- The proposed UDO revisions in Ordinance 13-767 will enhance the Town's ability to manage the manner and placement of wireless communications facilities and encourage maximum data coverage and service with minimal visual impact, as well as provide some flexibility for creativity, an administrative permit process for fully compliant proposals in low risk situations; and a Conditional Use Permit process for any proposals that represent significant impacts or variance from code requirements.
- If approved, the new Section 4.25 will become effective 30 days from its passage, pursuant to Section 36.04 of the Town Code.
- The Planning and Zoning Commission recommended that the maximum height for administrative approvals in Section 4.25, subparagraph E(6)(a)(1) be amended from 100 feet to 80 feet.

Council asked about safety from earthquakes and lightning, the tower servicing other carriers, and how building permit costs were calculated. Mr. Smith and Scott September, Senior Site Acquisition Manager with AT&T, related that:

- Each tower was engineered for the local geography and grounded by a halo ground ring.
- AT&T's grounding standard was based on the National Electric Code and they exceeded the minimum standard.
- The current code, as well as the amended code, required colocation.
- Building permits were calculated by valuation.

There was no public comment.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Mike Best to adopt Resolution No. 13-1009, declaring the "Unified Development Ordinance Of The Town, Section 4.25, Wireless Communications Facilities" as a public record and adopt Ordinance No. 13-767 repealing the current Section 4.25, and adopting the new "Unified Development Ordinance Of The Town, Section 4.25, Wireless Communications Facilities" by reference, as amended.

Vote: 7 - 0 PASSED - Unanimously

- b) Consideration and possible action to adopt Ordinance No. 13-766 approving a Conditional Use Permit for a wireless communication tower, 99 feet in height, proposed for construction on the east side of State Route 89 at 2655 N. State Route 89, approximately 600 feet north of Road 3½ North, identified as Assessor's Parcel Number 306-14-021C. Applicant: Clear Blue Services/AT&T; Property Owner: Mannix Holdings LLC. (Dava Hoffman, Planning Consultant)

Acronyms used in this item:

- CUP (Conditional Use Permit)
- FCC (Federal Communications Commission)
- MHz (megahertz)
- UDO (Unified Development Ordinance)

Dava Hoffman, Planning Consultant, reported that:

- The requested wireless communications tower would be located on the southeast corner of a one-acre parcel, zoned CH (Commercial Heavy), that contained three commercial buildings. Commercial-zoned properties were adjacent on all sides and across State Route 89.
- The applicant requested a 99-foot height to best serve the area and to avoid a proliferation of multiple lower towers. The mono-pole tower, along with equipment shelters, will be contained within an eight-foot high concrete block wall with stucco finish and accessed by a paved driveway.
- Currently, with limited exceptions, a CUP was required for wireless towers and antennas and the maximum height of any tower was 65 feet. As the new code In Ordinance 13-767 extended the maximum height requirement to 199 feet, and as the applicant requested a 99-foot tower, said application had to be considered through the prism of the new UDO Section 4.25.
- As the subject Ordinance could not become effective until after Ordinance 13-767 became effective, a stipulation was incorporated into Ordinance No. 13-766 to that effect.
- At a public hearing held on February 19, the Planning and Zoning Commission recommended approval of this proposal, subject to approval of Ordinance 13-767, and the effective date being 30 days after adoption of the new code.

Scott September, Senior Site Acquisition Manager, AT&T Mobility, Desert Southwest reported that:

- In the last five years, AT&T had experienced a 20,000% increase in data usage while losing 70,000 land line subscribers per month.
- In most places, AT&T was allocated an 800 MHz frequency, while in Arizona it was allocated 1900 MHz, which did not travel well and required more towers than Verizon and the other major carriers.
- The FAA did not require any lighting on the proposed tower.

Adam Brixius with Clear Blue Services, reported that:

- AT&T currently had 43 sites in Yavapai County, with one at Chino Valley High School and one just north of the Town.
- As wireless carriers were mandated by the FCC to provide continuous coverage and locating services for emergency service personnel, this tower was needed for AT&T to comply with its FCC license.
- A 99-foot tower was needed to meet the engineering specifications, as well as to allow for colocation of one to three other carriers. The proposed tower will extend coverage beyond Road 6½ North, fill in the gaps to the east and west boundaries, and reach out to the Town's industrial overlay.
- The subject site was selected as a result of site engineering, finding a willing landlord, and geographic suitability, with the proposed site offering the least intrusive option.

Public comment:

Kate O'Connor-Masse, resident, asked if some creativity could be applied to the tower's appearance, as it would be in her property's line of sight and neighboring properties were homes and farms, not commercial. She also related that she did not receive notification of the neighborhood meeting pertaining to the proposal.

Council discussed: screening the nearby residences, lessening the tower's visual impact, and leaving these matters up to staff and AT&T to work out.

Mr. September stated that AT&T would entertain any reasonable suggestions from staff with regard to the pole and landscaping, such as painting the pole.

Town Manager Robert Smith noted that the new code did not permit lighting on towers, paint tended to be difficult to maintain, and there were better visual elements that could provide the least impact to the entire town.

Council recommended that Ms. O'Connor-Masse contact Mr. Smith to keep in touch on the issues important to her.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Lon Turner to adopt Ordinance Number 13-766 approving the Conditional Use Permit for a wireless communication tower, ninety-nine feet (99') in height, for Assessor's Parcel Number 306-14-021C, with the stipulation that the effective operation-date of this Ordinance Number 13-766 is conditioned upon the effective operation of Ordinance Number 13-767, regarding amendments to the Town Unified Development Ordinance, Section 4.25, pursuant to Town Code Section 36.04 and any other applicable law or ordinance.

Vote: 7 - 0 PASSED - Unanimously

- c) Consideration and possible action to adopt Resolution No. 13-1008, declaring and adopting the results of the primary election held on March 12, 2013. (Jami Lewis, Town Clerk)

Town Clerk Jami Lewis reported that the March 12 primary election had a 34.7% turnout. As all the candidates for mayor and council received more than one-half of the total number of valid ballots cast, Chris Marley was elected as Mayor, and the three Council candidates with the most votes—Linda Hatch, Pat McKee, and Don Wojcik—were elected for Council. Thus, a general election runoff was not necessary, and the new Mayor and Council will be seated on June 11, 2013.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Dean Echols to adopt Resolution No. 13-1008, declaring and adopting the results of the primary election held on March 12, 2013.

Vote: 7 - 0 PASSED - Unanimously

- d) Consideration and possible action to approve the Arizona Department of Administration General Accounting Office Interagency Service Agreement, for the Arizona Open Books Transparency Project. The Town did not budget for this expense in the current fiscal year; \$2,000 will be paid this fiscal year from the Professional Services line in the Finance Department and \$3,000 will be budgeted next fiscal year. (Joe Duffy, Financial Director)

Finance Director Joe Duffy reported that:

- The subject agreement pertained to the state's Transparency Project, outlined in A.R.S. 41-725, which required the state to establish and maintain a website containing a comprehensive database of receipts and expenditures of state monies. The law also required that municipalities provide financial information in the state's database.
- Staff had determined that the most cost effective way for the Town to comply was to go through the Arizona Department of Administration-General Accounting Office (ADOA) and upload the Town's data to the Arizona Open Books website. The Town's accounting software provider, had developed an application to export the Town's data to the website, and staff will start uploading its data on April 1.
- The ADOA will provide the local government data hosting, publication, and support services, and had established an initial setup fee of \$2,000, an initial annual fee for operation of \$3,000, with an ongoing annual operating fee of up to \$2,000.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Dean Echols to approve the Arizona Department of Administration General Accounting Office Interagency Service Agreement.

Vote: 7 - 0 PASSED - Unanimously

- e) Presentation, discussion and possible action regarding development of a Council Code of Ethics. (Robert Smith, Town Manager)

(This item was heard after the Consent Agenda but is retained here for clarity.)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to move up item 7e.

Vote: 7 - 0 PASSED - Unanimously

Mayor Marley explained that he was proposing changes to two Town Code sections relative to Ethics and Conduct, and Town Manager responsibilities. In light of a recent allegation by a citizen that a councilmember had questioned an employee's performance in an intimidating manner, as well as a statewide attention on ethics, he desired that town citizens and employees would know that: (i) elected officials will treat them with dignity and respect; (ii) employees and public officials were on the same team; and (iii) verbal, emotional or physical abuse of Town employees by elected officials will not be tolerated.

Council discussed possibly postponing the item to give the new Council the chance to draft its own ethics policy, and due to a possible lack of clarity in Section 31.02 with regard to communications between councilmembers and employees who were also Town residents. Conversely, reasons to take action now were that the proposed amendments improved the code, no matter who was seated on the Council and the new Council could change it if they wanted to; and the language in Section 31.02 only addressed the standard chain of command.

MOVED by Councilmember Linda Hatch, seconded by Vice-Mayor Carl Tenney, to postpone this item until the new Council was seated and had time to review other model codes.

Vote: 2 - 5 FAILED

AYE: Vice-Mayor Carl Tenney
Councilmember Linda Hatch

Mayor Marley reviewed the proposed amendments. Council discussed the proposed employee complaint process in Section 35.04(D):

- The proposed changes did not modify the Town's current complaint process, which provided that complaints from employees about councilmembers would go to the town manager, who was to bring them directly to the mayor and or vice-mayor, unless they were named in the complaint.
- As the town manager reported to Council, they generally believed that he should have no additional role in the current process.

MOVED by Vice-Mayor Tenney, seconded by Councilmember Croft, to remove the town manager from lines 2-3 of paragraph (D).

Council then questioned how they could address such complaints. Town Attorney Sharon Flack stated that if Council sought legal advice, they could address them in executive session, but some circumstances could dictate that discussions be held in open session.

MOVED by Vice-Mayor Tenney, seconded by Councilmember Croft, to amend the motion to add that such complaints be addressed by Council within 60 days after receipt of the complaint.

Vote: 7 - 0 PASSED

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to approve Town Code Sections 31.20 and 35.04 as proposed and amended.

Vote: 7 - 0 PASSED - Unanimously

8) EXECUTIVE SESSION

Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Town's attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03(A)(3).

- a) Council may vote to hold an executive session pursuant to A.R.S. §§ 38-431.03(A)(1) to discuss the employment, assignment, appointment, promotion, demotion, dismissal, and/or salaries of the office of town attorney. (Mayor & Council)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to go into executive session for item 8a at 8:43 p.m.

Vote: 7 - 0 PASSED - Unanimously

Mayor Marley reconvened the meeting into open session at 9:01 p.m.

- b) Consideration and possible action regarding the employment, assignment, appointment, promotion, demotion, dismissal, and/or salaries of the office of town attorney.

MOVED by Councilmember Darryl Croft, seconded by Councilmember Mike Best that the Town retain Curtis, Goodwin, Sullivan, Udall, and Schwab, PLC for legal services.

Vote: 7 - 0 PASSED - Unanimously

- c) Council may vote to hold an executive session pursuant to Arizona Revised Statutes § 38-431.01(A)(3), discussion or consultation for legal advice with the attorney or attorneys of the public body, and/or § 38-431.01(A)(4), discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding issues concerning water transportation/pipeline transaction privilege taxes due to the Town from the City of Prescott, including but not limited to *City of Prescott v. Town of Chino Valley*, Case No. CV 46161, Yavapai County Superior Court, Order Confirming Apportionment Formula and Apportionment Schedule filed June 21, 1996, and negotiations to settle disputes regarding the same. (Mayor Marley; Vice-Mayor Tenney)

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to go into executive session for items 8c, d, e and f at 9:02 p.m.

Vote: 7 - 0 PASSED - Unanimously

Mayor Marley reconvened the meeting into open session at 9:48 p.m.

- d) Consideration and possible action regarding issues concerning water transportation/pipeline transaction privilege taxes due to the Town from the City of Prescott, including but not limited to *City of Prescott v. Town of Chino Valley*, Case No. CV 46161, Yavapai County Superior Court, Order Confirming Apportionment Formula and Apportionment Schedule filed June 21, 1996, and negotiations to settle disputes regarding the same.

Council took no action on item 8d.

- e) Council may vote to hold an executive session pursuant to Arizona Revised Statutes § 38-431.03(A)(3), discussion or consultation for legal advice with the attorney or attorneys of the public body regarding pending litigation concerning Complaint for Foreclosure of Right to Redeem (Tax Sale), *Becker Holdings, LLC v. Hall; Denney; Fitzgerald All-State Bail Bonds, LLC; CitiFinancial, Inc.; Town of Chino Valley; Ross Jacobs; Yavapai County Treasurer*, Case No. CV 2013-00180, Yavapai County Superior Court, pertaining to real property located at 1831 Yvonne Way, Chino Valley, Arizona. (Sharon Sargent Flack, Town Attorney)

- f) Consideration and possible action regarding pending litigation, Case No. CV 2013-00180, Yavapai County Superior Court, pertaining to real property located at 1831 Yvonne Way, Chino Valley, Arizona.

Council took no action on item 8f.

9) **ADJOURNMENT**

to adjourn the meeting at 9:49 p.m.

Vote: 7 - 0 PASSED - Unanimously

ATTEST:

Chris Marley, Mayor

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 26th day of April, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 23rd day of April, 2013.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. b.

Meeting Date: 04/23/2013
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Council
Item Type: Action
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to repeal Resolution No. 617, adopted October 30, 2001.

RECOMMENDED ACTION:

Repeal Resolution No. 617, adopted October 30, 2001.

SITUATION AND ANALYSIS:

On March 26, 2013, the Town Council discussed draft amendments to certain Town Code provisions with regard to the office of Town Manager and Code of Conduct for public officials. On April 9, Council adopted Ordinance No. 13-768, to incorporate the discussed amendments. Prior to adopting the Ordinance, it was brought to Council's attention that Resolution 617, adopted in 2001, also addressed communications among Town employees, elected officials, and appointed officials. Council asked staff to obtain a legal opinion as to any conflicts between the two documents and if it would be necessary to repeal the Resolution.

The town attorney has reviewed the two documents and determined that in general, ordinances do supercede and nullify conflicting resolutions. Often, if there is a conflicting resolution, the ordinance would repeal it. Since Ordinance No. 13-768 did not include such a provision, the Town Attorney recommends approval of repealing Resolution 617. This action will clarify that the Resolution is no longer in effect and prevent any future conflicts.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Resolution 617

Ordinance 13-768

RESOLUTION NO. 617

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, YAVAPAI COUNTY, ARIZONA, ENCOURAGING OPEN AND COMPLETE COMMUNICATIONS AMONG EMPLOYEES, ELECTED OFFICIALS AND APPOINTED OFFICIALS.

WHEREAS, open and complete communication is vital to the operation of any organization, and the Town of Chino Valley desires to encourage such communication for the betterment of its employees, officials and citizens;

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

Section 1. To further the goal of open communications, it shall be the policy of the Town of Chino Valley to encourage open and complete communication between employees and/or elected and/or appointed officials, subject to state and federal personnel laws and regulations.

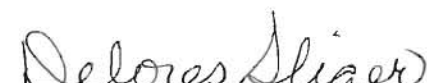
Section 2. Any specific tasking of Town employees requiring the expenditure of manpower and/or resources shall be coordinated through the Town Manager.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 30th day of October, 2001.



Dan Main, Mayor

ATTEST:



Delores Sliger, Town Clerk

APPROVED AS TO FORM:



Robert S. Pecharich, Esq.
Town Attorney

ORDINANCE NO. 13-768

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE TOWN OF CHINO VALLEY, ARIZONA, TOWN CODE, CHAPTER 31: OFFICERS, SECTION 31.20: TOWN MANAGER AND CHAPTER 35: CODE OF ETHICS, SECTION 35.04: CONDUCT IN PUBLIC OFFICE

WHEREAS, the International City Management Association ("ICMA") recognizes the month of March as 'Ethics Month' and aspires to enhance and promote ethical conduct among professional administrators and political leadership engaged in the conduct of the public's government; and

WHEREAS, ICMA, its Code of Ethics for Management Professionals, and related support materials have become a global resource for communities seeking to enhance the ethical conduct and operation of local governments; and

WHEREAS, on March 26, 2013, the Town Council discussed and deliberated on amendments to the Chino Valley Town Code ("Town Code") provisions with regard to the office of Town Manager and Code of Conduct for public officials; and

WHEREAS, the Council voted to approve the proposed amendments to the Town Code, with additional revisions to Section 35.04(D) thereof pertaining to the protocol for reporting complaints concerning public officials; and

WHEREAS, for purposes of memorialization and archiving amendments to the Town Code, it has been the practice of the Town Council to adopt changes to the Town Code through a written, numbered Ordinance;

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

Section 1. The text of Town Code, Chapter 31: OFFICERS, Section 31.20: TOWN MANAGER, paragraph (G)(4) is hereby amended as follows:

CHAPTER 31: OFFICERS

§ 31.20 TOWN MANAGER

(G) (4) Except for the purpose of inquiry, the Council and its members shall deal with the town's administrative functions solely through the Town Manager, ~~and neither.~~ Neither the

Council nor any member thereof shall give orders directly to, or discuss job performance directly with, any subordinates of the Town Manager either publicly or privately, but may discuss the same directly with the Town Manager. No individual member of the Council shall direct or request of the Town Manager the appointment of any person to office or the removal from office of any employee or any subordinates.

Section 2. The text of Town Code, Chapter 35: CODE OF ETHICS, Section 35.04: CONDUCT IN PUBLIC OFFICE, paragraphs (B), (C), and (D) are hereby amended as follows:

CHAPTER 35: CODE OF ETHICS

§ 35.04 CONDUCT IN PUBLIC OFFICE

(B) The public official shall respect the rights, privileges and opinions of his or her fellow officials-, staff and the public at large. Council members shall exhibit respect for the public, other governmental units and agencies, and the professional and ethical conduct of the town manager and staff. Propriety dictates that the public official be sensitive to the possible confidential or personal nature of directives addressed to other individuals.

In bringing honor to the title and in recognition of the weighty respect due the role of Public Official, those elected to public office shall:

- (1) Lead by example.
- (2) Demonstrate civil and courteous conduct at all times.
- (3) Seek and speak the truth.
- (4) Respect all people.
- (5) Accept respectful dissent as a civic right.

(C) In his or her dealings with town employees, the public official shall maintain professional conduct with respect to the employee's work assignments and obligations-, and shall refrain from directly influencing the professional management of the town's administration by any means other than direct communication with the Town Manager. The office of the public official shall in no situation be used to wrongfully obtain information or administrative outcomes either by intimidation or by deliberately violating the privacy of an employee's work station.

(D) All public officials are expected to honor the mandates set forth in this code of ethics. Complaints alleging violations to this chapter shall be received in writing by the Mayor and/or Vice Mayor, unless they are named in the complaint and in that circumstance, such written complaint shall be received by the Town Attorney. Complaints will be addressed by the Council within 60 days of receipt.

Section 3. All other Chapters and Sections of the Town Code, not herein amended or abrogated, shall remain in full force and effect.

Section 4. If any provision of this Ordinance is held invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 9th day of April, 2013.


Chris Marley, Mayor

ATTEST:


Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:


Musgrove Drutz & Kack, P.C.
Town Attorney



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. c.

Meeting Date: 04/23/2013
Contact Person: Sharon Flack, Town Attorney
Department: Town Attorney
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Fee Agreement with Musgrove Drutz & Kack, P.C., to continue to represent the Town in the following litigation matters: (1) *Cortez Enterprises, Inc. v. Town of Chino Valley*; (2) *City of Prescott v. Town of Chino Valley* (Pipeline Transaction Privilege Tax Dispute); and (3) *Becker Holdings, LLC v. Hall, et al.*

RECOMMENDED ACTION:

Approve Fee Agreement with Musgrove Drutz & Kack, P.C., to continue to represent the Town in the following litigation matters: (1) *Cortez Enterprises, Inc. v. Town of Chino Valley*; (2) *City of Prescott v. Town of Chino Valley* (Pipeline Transaction Privilege Tax Dispute); and (3) *Becker Holdings, LLC v. Hall, et al.*

SITUATION AND ANALYSIS:

Council approved entering into an agreement with the law firm of Curtis, Goodwin, Sullivan, Udall & Schwartz, PLC, to act as its Town Attorney. The Town's current Town Attorney, Musgrove, Drutz & Kack, P.C. (MDK), has expressed a willingness to continue to represent the Town on three (3) matters that are currently in litigation, at a reduced hourly rate. All of these cases are currently in various stages of litigation; MDK is a Prescott-based law firm with many decades of litigation experience. From a fiscal standpoint, MDK's continued representation at this time would have the least detrimental impact on Town resources.

Fiscal Impact

Fiscal Impact?: Yes
If Yes, Budget Code: 01-95-5212
Available:

Funding Source:

Amount to come from Legal Services in the Non Departmental Department.

Attachments

Fee Agreement

FEE AGREEMENT

The undersigned, Town of Chino Valley (the “Client”), hereby employs MUSGROVE, DRUTZ & KACK, P. C. (the “Law Firm”) to represent Client in connection with the following matters:

1. Cortez Enterprises, Inc. v. The Town of Chino Valley, Yavapai County Superior Court Case No. P1300CV2006-1407 - File No. 8749-34
2. City of Prescott v. Town of Chino Valley, Yavapai County Superior Court Case No. P1300CV46161 - File No. 8749-95
3. Becker Holdings, LLC v. Hall, Yavapai County Superior Court Case No. P1300CV2013-00180 - File No. 8749-165

Client (jointly and severally if more than one) agrees to pay for all services rendered on its behalf at the then prevailing hourly rates, which are presently set forth below and which may be revised after notice to Client:

Mark W. Drutz	\$ 200.00
Sharon M. Flack	\$ 190.00
CLA/Paralegal	\$ 85.00
Legal Assistant	\$ 65.00

In certain cases different rates may apply per separate agreement.

Client shall remain fully responsible for all costs and out-of-pocket expenses incurred on its behalf and will, from time to time, advance or reimburse the Law Firm for the same upon presentation of such bills for payment. Client shall pay to the Law Firm an advance deposit in the sum of \$ 0.00 (Advance) upon the execution of this Fee Agreement. Client understands that the fees and costs may exceed the Advance. Client agrees that the Law Firm may pay itself its fees and reimburse itself its advanced costs and expenses from the Advance. The Advance is not a guarantee or representation of the total fees and expenses for the case and all fees and costs which exceed the amount of the Advance shall be paid by the Client. If significant third party expenses are expected, such as for experts or depositions, Client will advance fees for the same. Client is to maintain \$ 0.00 in trust. Any unused Advance will be returned to Client within a reasonable time after representation concludes.

All Client bills are due and payable upon presentation. Any bills not paid when due shall bear interest from the date thereof at the rate of eighteen percent (18%) per annum. If suit is instituted to collect a bill, or, if efforts are made with third parties on behalf of the Law Firm, to collect any amount due, Client agrees to pay all costs of collection, including, but not limited to, court costs and reasonable attorneys’ fees.

Law Firm may withdraw from representation of Client if Client fails to pay amounts due or fails to reasonably cooperate or communicate with Law Firm, fails to follow Law Firm’s advice or if Client makes misrepresentations, misstatements or omissions regarding the matters on which Law Firm represents Client. Client also understands that Law Firm may withdraw at any time with Client’s consent or without Client’s consent for good cause. Good cause includes the reasons set forth in this paragraph, Client’s breach of this Agreement, a conflict of interest or any fact or circumstance that would render Law Firm’s continuing representation unlawful or unethical.

Client understands that a legal proceeding by its very nature is unpredictable and that Law Firm cannot and does not make any representation or warranty regarding the outcome of Client's case. Law Firm's comments about the outcome of Client's case are expressions of opinion only.

If the Law Firm agrees to represent in further matters, that representation will be subject to the terms set forth herein with an Advance as may be agreed. Law Firm shall not be responsible for renewing Judgments or Security Interests unless separately agreed to in writing. Client agrees that Client shall retain copies of documents and paperwork received from Attorney as Client's copy of the file for the documents received. Law Firm hereby offers that Client may pick up Client's original documents and copies of other documents/paperwork in Law Firm's possession following completion of representation if not received by Client previously. The file may be destroyed without further notice at any time after Client receives original documents and copies or after five (5) years after the work for Client hereunder is substantially completed whichever first occurs.

CLIENT: TOWN OF CHINO VALLEY

MUSGROVE, DRUTZ & KACK, P.C.

By: _____

Date

Print Name: _____

By _____

Date: _____

_____ Date

Print Name: _____

Client Phone Numbers:

Client Address:

Home: _____ N/A

Work: _____ 928-636-2646

Cell: _____ N/A

Fax: _____

Other: _____

Email Address

N/A

Client Social Security Number

Additional Clients and Contact Information:

Robert Smith, Town Manager, 636-2646 ext. 1201

Mailing:

TOWN OF CHINO VALLEY

Cindy Sandlin, Finance Dept.

202 N. State Route 89

Chino Valley, Arizona 86323

Street: _____



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **6. d.**

Meeting Date: 04/23/2013

Contact Person: Joe Duffy

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 Monthly Financial Report for month ended March 31, 2013.

RECOMMENDED ACTION:

Approve Monthly Financial Report for the month ended March 31, 2013.

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. Additional items will be added in the future.

The Finance Director will supplement these reports with periodic presentations and other

information throughout the fiscal year.

Due to the delay in receiving the state revenue figures, the report will not be available until after the packet is published, and will be emailed to Council and uploaded to the web upon completion.

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. a.

Meeting Date: 04/23/2013
Contact Person: Ron Gritman, Town Engineer
 Phone: 928-636-2646 x-1223
Department: Public Works
Item Type: Action-Presentation
Estimated length of staff presentation: 5 minutes
Physical location of item: Old Home Manor

AGENDA ITEM TITLE:

Consideration and possible action to award the construction contract for the Police Tactical Shooting Range to Watkins Mendoza Construction Company in the amount of \$103,376.48 plus the additive alternative in the amount of \$8,305.50 for a total project cost of \$111,681.98.

RECOMMENDED ACTION:

Award the construction contract for the Police Tactical Shooting Range to Watkins Mendoza Construction Company in a total amount not to exceed \$111,681.98 pending the receipt of Yavapai County Sheriff's Office grant.

SITUATION AND ANALYSIS:

Consideration and possible action to award the construction contract for the Police Shooting Range to Watkins Mendoza Construction Company in the about of \$103,376.48 plus the additive alternative in the amount of \$8,305.50 for a total project cost of \$111,681.98.

Because of the increased need in shooting actives, the existing shooting range has not proven to be sufficient for police. The location of fixed target holders creates an impediment to the needs of the department. Therefore, the Police Department sought grants and other law enforcement partners to participate in the construction of a Police Tactical Shooting Range (PTSR.)

Five bids were received for this project with the following results:

Contractor	Base Bid	Alternative	Total
T&H Construction	\$112,357.76	\$13,044.72	\$125,402.43
WMC	\$103,376.48	\$8,305.50	\$111,681.98
L Bar L Contracting	\$192,879.50	\$5,113.50	\$197,993.00
Fann Contracting	\$130,220.00	\$15,255.00	\$145,475.00
N.L. Booth & Son	\$111,474.00	\$17,289.00	\$128,763.00

The PTSR will allow law enforcement to perform their routine shooting qualifications plus create a flexible environment that will allow for the simulation of a multitude of options. The PTSR will allow for a full 360° environment that will afford maximum scenario creation for the regional law enforcement community. Participation in the funding of this facility comes from POST and the Yavapai County Sheriff's Office.

Other Pertinent Documents Available Upon Request:

Construction Contract

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code: 07-60-5448

Available: 111,681.98

Funding Source:

The Shooting Range Project has been funded through donations and grants per the attached schedule.

Attachments

Shooting Range Recap

Town of Chino Valley					
Shooting Range Grant Recap					
Projected as of June 30, 2013					
	FY 2011	FY 2012	FY 2013	FY 2014	Total
Revenues					
Arizona Game & Fish Grant	\$ 50,000	\$ 40,000	\$ 25,000	\$ 15,000	\$ 130,000
Private Donations			\$ 25,000		\$ 25,000
Law Enforcement			\$ 55,000		\$ 55,000
NRA			\$ 40,000		\$ 40,000
RICO Grant		\$ 25,369	\$ 22,000		\$ 47,369
Yavapai County Sheriff's Office			\$ 40,000		\$ 40,000
					\$ 337,369
Expenses					
Arizona Game & Fish Dept. Grant		\$ 87,185	\$ 15,000		\$ 102,185
Public Range			\$ 14,551		\$ 14,551
Law Enforcement Range*			\$ 120,104		\$ 120,104
					\$ 236,840
Balance of Funds					\$ 100,529
* Includes Contract with Watkins Mendoza Construction for \$ 111,681.98.					

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. b.

Meeting Date: 04/23/2013
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Council
Item Type: Action
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Discussion and possible action to establish the SR 89 Utility Project Citizen Committee, approve its preliminary Charter, and appoint Committee members and alternates, as well a Council liaison.

RECOMMENDED ACTION:

Establish the SR 89 Utility Project Citizen Committee, approve the preliminary Charter, and appoint Committee members, alternates, and liaison per discussion.

SITUATION AND ANALYSIS:

On April 9, 2013, Council was asked to consider establishing a citizen bond committee for the purpose of reviewing the SR 89 Utility Project, which pertained to proposed extensions of sewer and water to the highway for economic development and financial stability purposes, and bringing a recommendation to the Council regarding a potential bond election in November 2013.

Town Engineer Ron Gritman gave a presentation prepared by Financial Consultant Pat Walker regarding the Committee's selection process, responsibilities, and time commitment needed. Ms. Walker recommended that: (i) the committee consist of 5-9 members, composed of business persons and residents; (ii) it meet weekly from April 30 to May 23, with possible action by Council on June 11; and (iii) since the Council would change in June, Council should appoint a Council liaison to the Committee and ask one of the councilmembers-elect to serve on the committee as a citizen prior to June 11 and as the Council liaison after June 11.

At the Council Finance Committee's request, Mr. Gritman recommended Karrie Blum and Paul Eguina for the Committee. Council asked Don Wojcik to fill the citizen/liaison slot and

discussed each of them submitting two names to the town clerk for possible appointment on April 23.

Names submitted to the town clerk as of the date of publication are:

Appointee:	Recommended by:
Don Wojcik	Council (on 4/9/13)
Bud Hanen	Mayor Marley
John Adams	Mayor Marley
Karrie Blum	Councilmember Croft
Gary Warren	Councilmember Croft
Paul Eguina	Councilmember Hatch

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

SR 89 Utility Committee Charter

Town of Chino Valley
PUBLIC BODY CHARTER
SR 89 UTILITY PROJECT CITIZEN COMMITTEE

COMMITTEE'S PURPOSE:	Review the SR 89 Utility Project, determine the impact on citizens of various funding sources for the Project, and develop consensus for recommendation to Council
MEMBERSHIP:	____[5-9] citizens: <i>To be appointed by Council</i>
QUORUM:	____[3-5] members: <i>Pending number appointed</i>
OFFICERS:	Chair: <i>To be appointed by Committee</i>
MEETING FREQUENCY:	Weekly, April 29-May 23
MEETING DAY & TIME:	<i>To be determined by Committee</i>
MEETING LOCATION:	Council Chambers or Council Conference Room 202 N. State Route 89
STAFF LIAISON:	Ron Gritman, Public Works Director
LIAISON'S RESPONSIBILITIES:	• Meeting agenda topics • Meeting packet, if applicable • Council agenda staff reports
TOWN CLERK'S OFFICE RESPONSIBILITIES:	• Final meeting agenda • Meeting minutes* <i>*Minutes are not detailed. They will provide a general statement about the topic of discussion and any direction for action that the committee gives to its members, as well as specific actions to take back to Council. It might be helpful to assign a member to take notes of specific details, if desired. Audio recordings of meetings will be retained for 10 years.</i>
MEETING AGENDA HEADINGS:	1) CALL TO ORDER 2) ROLL CALL 3) APPROVAL OF MINUTES 4) OLD BUSINESS 5) NEW BUSINESS 6) ADJOURN