Town of Chino Valley

MEETING NOTICE
TOWN COUNCIL

REGULAR MEETING
TUESDAY, APRIL 24, 2018
6:00 P.M.

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

A majority of the Councilmembers may attend a private invocation in the Council Conference Room immediately prior to the Council meeting. No Town business will be discussed.

AGENDA

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE; ROLL CALL

2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a. Presentation of Outstanding Citizen Awards to Jayden Kennedy and Strad Beazen for going above and beyond normal civic responsibility by assisting the Chino Valley Police Department in apprehending a shoplifting suspect actively attempting to flee from pursuing officers. (Chuck Wynn, Police Chief)

b. Presentation of Commendation to Officer Fernando Silva and Officer Justin Angel for performance above and beyond the call of duty by saving the life of a community member on March 2, 2018. (Chuck Wynn, Police Chief)

3. CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council 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 reports by Mayor and Council regarding current events.

b. Status report by Town Manager Cecilia Grittman and/or Town staff members regarding Town accomplishments, and current or upcoming projects.

c. Recognition of Town Council, commission, board, and committee members, and other Town volunteers. (Mayor Darryl Croft)

d. Quarterly status report on residential and commercial building permits, code compliance matters, and UDO rewrite. (Jason Sanks, Development Services Director)

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 waive the bidding requirements and approve purchase of a New Holland TS6-110 Tractor with Mower Attachments from Bingham Equipment in an amount not to exceed $114,319.88, pursuant to a cooperative purchase bid by the State of Arizona Contract ADSP-016 035801. (Frank Marbury, Public Works Director/Town Engineer)

b. Consideration and possible action to approve an extension with Lexington Law firm for Prosecutorial Services through June 30, 2020 in the amount of $3,250.00 per month. (Cecilia Grittman, Town Manager)

c. Consideration and possible action to approve Addendum No. 1 to Contract for Legal Services effective July 1, 2018 between the Town of Chino Valley and Gust Rosenfeld, PLC. (Cecilia Grittman, Town Manager)

d. Consideration and possible action to accept the March 27, 2018 regular meeting minutes. (Jami Lewis, Town Clerk)

e. Consideration and possible action to accept the April 4, 2018 study session minutes. (Jami Lewis, Town Clerk)

7. ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

a. Consideration and possible action to:
(i) Hold a public hearing regarding the proposed changes to the Town's admission fees for the Chino Valley Aquatic Center.
(ii) Approve Resolution No. 18-1115 increasing the Town's admission fees, effective May 24, 2018. (Scott Bruner, Community Services Director)

Recommended Action:
(i) Hold a public hearing regarding the proposed changes to the Town's admission fees for the Chino Valley Aquatic Center.
(ii) Approve Resolution No. 18-1115 increasing the Town's admission fees, effective May 24, /2018.

b. Consideration and possible action to approve a Conditional Use Permit (CUP 18-002) for approximately 2.82 acres of real property generally located 274 feet north of the northwest corner of West Road 3 North and State Route 89 at 2062 North State Route 89 to allow the installation and replacement of an electronic sign in the CL (Commercial Light) zoning district. (Owner: St. Catherine Laboure Church) (Jason Sanks, Development Services Director)

Recommended Action: Approve Conditional Use Permit (CUP 18-002) for approximately 2.82 acres of real property located at 6062 North State Route 89 to permit the proposed electronic sign in the CL (Commercial Light) zoning district, subject to the conditions recommended by staff.

c. Consideration and possible action to approve Ordinance No. 18-844 rezoning approximately 44 acres of real property generally located on the northeast corner of North Road 1 East and East Perkinsville Road at 1204 East Perkinsville Road, from AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district to modify the SR-0.16 zoning district development standards. (Jason Sanks, Development Service Director)

Recommended Action: Approve Ordinance No. 18-844 rezoning approximately 44 acres of real property generally located on the northeast corner of North Road 1 East and East Perkinsville Road at 1204 East Perkinsville Road, from AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district subject to the conditions recommended by staff.

d. Consideration and possible action to approve Ordinance No. 18-845 rezoning approximately 2.5 acres of real property located east of the corner of Staley Lane and Durham Drive at 3845 Durham Drive, from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district. (Alex Lerma, Associate Planner)

Recommended Action: Approve Ordinance No. 18-845 rezoning approximately 2.5 acres of real property located at 3845 Durham Drive from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

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.

a. An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding the acquisition of a portion of the Prescott water system and pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider the Town's position and instruct the Town Attorney regarding the Town's position regarding a contract with the City of Prescott related to the Town purchasing a portion of its water distribution system that is the subject of negotiations. (Cecilia Grittman, Town Manager)

b. An executive session pursuant to A.R.S. & 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, or salary of Town Manager, Cecilia Grittman. (Mayor and Council)

9. ACTION ITEMS RESUMED

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

10. ADJOURNMENT

Dated this 19th day of April, 2018.

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 711 (Telecommunications 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/agendacenter 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

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TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **5.c.**

Meeting Date:	04/24/2018
Contact Person:	Cecilia Grittman, Town Manager
Department:	Council
Estimated length of Staff Presentation:	5 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

Recognition of Town Council, commission, board, and committee members, and other Town volunteers. (Mayor Darryl Croft)

SITUATION & ANALYSIS:

Mayor Croft will read a letter addressed to Town Councilmembers, Boards and Commissions members, and other Town volunteers, acknowledging their service to the community and announcing the May 10, 2018 volunteer reception to be held at the Senior Center.

Attachments

Letter to Volunteers

MAYOR DARRYL CROFT
202 N. State Route 89
Chino Valley, AZ 86323

(928) 379-3938
Fax: (928) 636-2144
dcroft@chinoaz.net

April 16, 2018

Dear Town Council Members, Town
Boards and Commissions members,
and Volunteers for the Town,

As we observe National Volunteer Week, April 15 through 21, 2018, on behalf of the Town of Chino Valley, I want to express great appreciation to each of you for your efforts for the Town throughout the year. To thank you adequately is just impossible.

To our Council members, Board and Commission members and volunteers, you each choose to spend hours of your own time in many capacities, serving at various levels for the Town, sacrificing your personal time for the greater good of our community. Each of you has selflessly chosen to donate your own time for the betterment of others, placing the needs of others above your own. An individual's time is a precious commodity and once it is gone, it cannot be replaced. The Town is grateful for your sacrifice and dedication. Given the many needs facing our communities – and the fiscal constraints facing government at all levels – volunteerism helps communities to meet their needs. I am proud to join in this nationwide salute that will highlight the importance of citizen engagement, recognize the dedication of community volunteers, and inspire more residents to get involved in their communities.

Please know that through your efforts, each of you have made the Town of Chino Valley a better place to live, raise our families, work, and retire. We look forward to honoring you at the upcoming Volunteer Appreciation reception which will be held Thursday, May 10, 2018, 3 to 4 p.m. at the Chino Valley Sr. Center.

Sincerely,

Darryl B Croft

Mayor Darryl Croft
Town of Chino Valley

DC/lb

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **6.a.**

Meeting Date:	04/24/2018
Contact Person:	Frank Marbury, Public Works Director/Town Engineer
	Phone: 928-636-7140 x-1226
Department:	Public Works
Item Type:	Consent
Estimated length of staff presentation:	None
Physical location of item:	N/A

AGENDA ITEM TITLE:

Consideration and possible action to waive the bidding requirements and purchase a New Holland TS6-110 Tractor with Mower Attachments.using cooperative purchase agreements with the Arizona State Bid List.

RECOMMENDED ACTION:

Staff recomends to waive the bidding requirements and approve the following cooperative purchases and agreements:

1. From Bingham Equipment, a New Holland TS6-110 Tractor with Mowers for a total amount not to exceed $114,319.88 pursuant to a cooperative purchase bid by State of Arizona Contract ADSP-016 035801.

SITUATION AND ANALYSIS:

Summary of Issues and Staff Rationale

Council approved the purchase of a John Deere Tractor with Mowers on Feb 13, 2018 for a total of $120,075.21. Subsequently, the dealer was unable to deliver the equipment before July 1, 2018. A similar tractor was located in stock at Bingham Equipment that met or exceeded the specifications of the State of Arizona purchase bid. It generally met similar specifications in order to use the same size mower decks. As this unit is in stock, delivery times are not a problem. The purchase of the John Deere Tractor will be cancelled in favor of the New Holland Tractor.

Other Pertinent Documents Available Upon Request:

View the full version of the cooperative purchasing agreement at www.chinoaz.net/AgendaCenter and open the April 24, 2018 agenda.

Fiscal Impact

Fiscal Impact?:	Yes
If Yes, Budget Code:	Various

Available: $114319.88

Funding Source:

Equipment will be purchased using the Lease Purchase Line of Credit approved this fiscal year.

Attachments

CPA Bingham 3236175

COOPERATIVE PURCHASING AGREEMENT
BETWEEN
THE TOWN OF CHINO VALLEY
AND
BINGHAM EQUIPMENT COMPANY

THIS COOPERATIVE PURCHASING AGREEMENT (this "Agreement") is entered into as of April 24, 2018, between the Town of Chino Valley, an Arizona municipal corporation (the "Town"), and Bingham Equipment Company, an Arizona corporation (the "Vendor").

RECITALS

A. After a competitive procurement process, the State of Arizona ("Arizona") entered into Contract No. ADSPO13-035801, dated November 8, 2012 (the "Arizona Contract"), as amended, with the Vendor for the purchase of landscape and utility vehicles, trailers and equipment. A copy of the Arizona Contract is attached hereto as Exhibit A and incorporated herein by reference, to the extent not inconsistent with this Agreement.

B. The Town is permitted to purchase such equipment under the Arizona Contract, at its discretion and with the agreement of the awarded Vendor, and so long as the Arizona Contract permits its cooperative use by other public entities, including the Town.

C. The Town and the Vendor desire to enter into this Agreement for the purpose of (i) acknowledging their cooperative contractual relationship under the Arizona Contract and this Agreement, (ii) establishing the terms and conditions by which the Vendor may provide the Town with equipment, as more particularly set forth in Section 2 below, and (iii) setting the maximum aggregate amount to be expended pursuant to this Agreement related to the equipment.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing introduction and recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and the Vendor hereby agree as follows:

1. Term of Agreement. This Agreement shall be effective as of the date first set forth above and shall remain in full force and effect until May 7, 2019 (the "Term"), unless terminated as otherwise provided in this Agreement or the Arizona Contract.

2. Scope of Work. Vendor shall provide to the Town the Holland tractor and related accessories (the "Equipment") under the terms and conditions of the Arizona Contract and in the configuration set forth in the Quotation attached hereto as Exhibit B and incorporated herein by reference.

3. Inspection; Acceptance. The Equipment is subject to final inspection and acceptance by the Town. Equipment failing to conform to the requirements of this Agreement

and/or the Arizona Contract will be held at the Vendor's risk and may be returned to the Vendor. If so returned, all costs are the responsibility of the Vendor. Upon discovery of non-conforming Equipment, the Town may elect to do either of the following by written notice to the Vendor: (i) waive the non-conformance or (ii) bring the Equipment into compliance and withhold the cost of same from any payments due to the Vendor.

4. Compensation. The Town shall pay Vendor an amount not to exceed $114,319.88 for the Equipment at the unit rates set forth in the Arizona Contract and as more particularly set forth in the Quotation.

5. Payments. The Town shall pay the Vendor upon delivery and acceptance of the Equipment and upon submission and approval of the invoice. The invoice shall (i) contain a reference to this Agreement and the Arizona Contract and (ii) document the Equipment delivered and accepted to date. Additionally, an invoice submitted without referencing this Agreement and the Arizona Contract will be subject to rejection and may be returned.

6. Records and Audit Rights. To ensure that the Vendor and its subcontractors are complying with the warranty under Section 7 below, Vendor's and its subcontractors' books, records, correspondence, accounting procedures and practices, and any other supporting evidence relating to this Agreement, including the papers of any Vendor and its subcontractors' employees who perform any work or services pursuant to this Agreement (all of the foregoing hereinafter referred to as "Records"), shall be open to inspection and subject to audit and/or reproduction during normal working hours by the Town, to the extent necessary to adequately permit evaluation of the Vendor's and its subcontractors' compliance with the Arizona employer sanctions laws referenced in Section 7 below. To the extent necessary for the Town to audit Records as set forth in this Section, Vendor and its subcontractors hereby waive any rights to keep such Records confidential. For the purpose of evaluating or verifying such actual or claimed costs or units expended, the Town shall have access to said Records, even if located at its subcontractors' facilities, from the effective date of this Agreement for the duration of the work and until three years after the date of final payment by the Town to Vendor pursuant to this Agreement. Vendor and its subcontractors shall provide the Town with adequate and appropriate workspace so that the Town can conduct audits in compliance with the provisions of this Section. The Town shall give Vendor or its subcontractors reasonable advance notice of intended audits. Vendor shall require its subcontractors to comply with the provisions of this Section by insertion of the requirements hereof in any subcontract pursuant to this Agreement.

7. E-verify Requirements. To the extent applicable under ARIZ. REV. STAT. § 41-4401, the Vendor and its subcontractors warrant compliance with all federal immigration laws and regulations that relate to their employees and their compliance with the E-verify requirements under ARIZ. REV. STAT. § 23-214(A). Vendor's or its subcontractors' failure to comply with such warranty shall be deemed a material breach of this Agreement and may result in the termination of this Agreement by the Town.

8. Israel. Vendor certifies that it is not currently engaged in, and agrees for the duration of this Agreement that it will not engage in a "boycott," as that term is defined in ARIZ. REV. STAT. § 35-393, of Israel.

9. Conflict of Interest. This Agreement may be canceled by the Town pursuant to ARIZ. REV. STAT. § 38-511.

10. Applicable Law; Venue. This Agreement shall be governed by the laws of the State of Arizona and a suit pertaining to this Agreement may be brought only in courts in Maricopa County, Arizona.

11. Agreement Subject to Appropriation. The Town is obligated only to pay its obligations set forth in this Agreement as may lawfully be made from funds appropriated and budgeted for that purpose during the Town's then-current fiscal year. The Town's obligations under this Agreement are current expenses subject to the "budget law" and the unfettered legislative discretion of the Town concerning budgeted purposes and appropriation of funds. Should the Town elect not to appropriate and budget funds to pay its Agreement obligations, this Agreement shall be deemed terminated at the end of the then-current fiscal year term for which such funds were appropriated and budgeted for such purpose and the Town shall be relieved of any subsequent obligation under this Agreement. The parties agree that the Town has no obligation or duty of good faith to budget or appropriate the payment of the Town's obligations set forth in this Agreement in any budget in any fiscal year other than the fiscal year in which this Agreement is executed and delivered. The Town shall be the sole judge and authority in determining the availability of funds for its obligations under this Agreement. The Town shall keep Vendor informed as to the availability of funds for this Agreement. The obligation of the Town to make any payment pursuant to this Agreement is not a general obligation or indebtedness of the Town. Vendor hereby waives any and all rights to bring any claim against the Town from or relating in any way to the Town's termination of this Agreement pursuant to this section.

12. Conflicting Terms. In the event of any inconsistency, conflict or ambiguity among the terms of this Agreement, the Arizona Contract and invoices, the documents shall govern in the order listed herein. Notwithstanding the foregoing, and in conformity with Section 2 above, unauthorized exceptions, conditions, limitations or provisions in conflict with the terms of this Agreement or the Arizona Contract (collectively, the "Unauthorized Conditions"), other than the Town's project-specific requirements, are expressly declared void and shall be of no force and effect. Acceptance by the Town of any invoice containing any such Unauthorized Conditions or failure to demand full compliance with the terms and conditions set forth in this Agreement or under the Arizona Contract shall not alter such terms and conditions or relieve Vendor from, nor be construed or deemed a waiver of, its requirements and obligations in the performance of this Agreement.

13. Rights and Privileges. To the extent provided under the Arizona Contract, the Town shall be afforded all of the rights and privileges afforded to Arizona and shall be the "State" (as defined in the Arizona Contract) for the purposes of the portions of the Arizona Contract that are incorporated herein by reference.

14. Indemnification; Insurance. In addition to and in no way limiting the provisions set forth in Section 13 above, the Town shall be afforded all of the insurance coverage and indemnifications afforded to Arizona to the extent provided under the Arizona Contract, and such insurance coverage and indemnifications shall inure and apply with equal effect to the

Town under this Agreement including, but not limited to, the Vendor's obligation to provide the indemnification and insurance. In any event, the Vendor shall indemnify, defend and hold harmless the Town and each council member, officer, employee or agent thereof (the Town and any such person being herein called an "Indemnified Party"), for, from and against any and all losses, claims, damages, liabilities, costs and expenses (including, but not limited to, reasonable attorneys' fees, court costs and the costs of appellate proceedings) to which any such Indemnified Party may become subject, under any theory of liability whatsoever ("Claims"), insofar as such Claims (or actions in respect thereof) relate to, arise out of, or are caused by or based upon the negligent acts, intentional misconduct, errors, mistakes or omissions, in connection with the work or services of the Vendor, its officers, employees, agents, or any tier of subcontractor in the performance of this Agreement.

15. Notices and Requests. Any notice or other communication required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if (A) delivered to the party at the address set forth below, (B) deposited in the U.S. Mail, registered or certified, return receipt requested, to the address set forth below or (C) given to a recognized and reputable overnight delivery service, to the address set forth below:

If to the Town:	Town of Chino Valley 202 North State Route 89 Chino Valley, Arizona 86323 Attn: Town Manager
With copy to:	GUST ROSENFELD P.L.C. One East Washington Street, Suite 1600 Phoenix, Arizona 85004-2553 Attn: Andrew J. McGuire
If to Vendor:	Bingham Equipment Company 10123 East State Route 69 Prescott Valley, Arizona 86314 Attn: General Manager

or at such other address, and to the attention of such other person or officer, as any party may designate in writing by notice duly given pursuant to this subsection. Notices shall be deemed received (A) when delivered to the party, (B) three business days after being placed in the U.S. Mail, properly addressed, with sufficient postage or (C) the following business day after being given to a recognized overnight delivery service, with the person giving the notice paying all required charges and instructing the delivery service to deliver on the following business day. If a copy of a notice is also given to a party's counsel or other recipient, the provisions above governing the date on which a notice is deemed to have been received by a party shall mean and refer to the date on which the party, and not its counsel or other recipient to which a copy of the notice may be sent, is deemed to have received the notice.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first set forth above.

"**Town**"

TOWN OF CHINO VALLEY,
an Arizona municipal corporation

_____
Darryl Croft, Mayor

ATTEST:

_____
Jami Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

"**Vendor**"

BINGHAM EQUIPMENT COMPANY,
an Arizona corporation

By:_____

Name:_____

Title:_____

EXHIBIT A
TO
COOPERATIVE PURCHASING AGREEMENT
BETWEEN
THE TOWN OF CHINO VALLEY
AND
BINGHAM EQUIPMENT COMPANY

[Arizona Contract]

See following pages.

EXHIBIT B
TO
COOPERATIVE PURCHASING AGREEMENT
BETWEEN
THE TOWN OF CHINO VALLEY
AND
BINGHAM EQUIPMENT COMPANY

[Quotation]

See following page.

Bingham Equipment Company

10123 E. State Route 69
Prescott Valley, AZ 86314
Phone (928) 350-4295
Fax (928) 350-4297
www.binghamequipment.com
Remit to: 1651 South Country Club Dr., Mesa, AZ 85210

Ship to:
SAME AS BELOW

Invoice to:
Town of Chino Valley
1982 Vosf Dr Box 201
Chino Valley AZ 86323

Branch		
12 - Prescott Valley		
Date	Time	Page
04/02/2018	14:34:17 (O)	1
Account No.	Phone No.	Quote No.
CHINO003	9286367140	01 000033
Ship Via	Purchase Order	
	999	
Stephen Eaton	Salesperson	4S3

Sales Quote

Description ** Q U O T E ** EXPIRY DATE: 07/01/2018 Amount

Stock #: ? Serial #: 67622.76
1 New Holland TS6.110 Cab Tractor
C/2 (90 PTO HP)
TS6.110
Rated PTO HP - 90 A
Rated Engine HP - 110
Rated Engine Speed - @ 2200 rpm
274 cu. in. (4.5L) Displacement
4 Cylinders, Turbocharged
Intercooled Diesel Engine
A-Pillar Exhaust with Integral Muffler
CAB MODEL
ROPS protected, FOPS Certified, flat
deck platform with heat and air
conditioning, tinted windshield, two
LIGHTING: doors with locks, two external mirrors
-
1 X0255XX Transmission 8F x 8R wPower Shuttle
1 330066 10:1 Creeper
1 390373 2WD Front HD Axle
1 390331 Heavy-Duty Flanged Rear Axle
1 8180522 10.00-16 In. 8PR R1 Front Tires For HD Axle
1 8365440 18.4-34 In. 8PR R1 Rear Tires
1 391267 2 Deluxe Rear Remotes w/ Couplers
1 330692 Reverse Alarm
77700-04755 Radio, AM/FM/WB/AUX/USB/IPOD/SATCD/Bluetooth
336923 Air suspension seat w/swivel
With 15 degree swivel
330642 Rear wiper/washer - CAB
392295 Radio 392295
330692 Reverse Alarm

Retail with Frt and Set up
$72532.00

THANK YOU

SIGNED X _____

SIGNED X _____

The buyer represents that he owns the above Trade-in equipment free and clear of any encumbrance except that indicated payable to:_____
_____,
in the amount of: _____

SIGNED X _____
If other than the purchaser, signer represents he is an agent of and authorized to sign for purchaser.

STATEMENT CONCERNING WARRANTIES
Except for expressed warranties made by the manufacturer of goods, THERE ARE NO WARRANTIES, EXPRESSED STATUTORY OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MECHANTABILITY, WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE THEREOF. No warranty whatsoever is made on any used, second-hand, altered or rebuilt goods. Such goods are sold "AS IS".

Customer
Equipment Delivery and Acceptance Check List

1) Limited Warranty: (if applicable) This product is the written guarantee by the manufacturer of the product, promising to repair or replace parts which have a defect in materials or workmanship. "Limited" means the warranty is for a specific period of time, and has certain other restrictions. I have received my equipment owner's manual, have had the safe operation of the equipment explained, and understand it is my responsibility to fully read the operators manual.

   Initial:_____

2) Extended Warranty: This product is the written guarantee by the manufacturer of the product, promising to repair or replace parts which have a defect in materials or workmanship, for a specific period of time beyond the time period of any basic warranty. This promise may also be that offered by other than the manufacturer of the product. I have had the applicable equipment warranty (if any) explained and understand its conditions and limitations.
   I have been offered an Extended Warranty coverage, a copy of which offer is attached and I;

   Accept;_____
   Decline:_____

3) Property Damage Insurance: This product is the agreement between the named insured and a company providing this insurance in return for the payment of premium for each Notice of Insurance issued under authority of said insurers Master policy to provide coverage for the named insured and the retail purchaser or one involved in extended credit secured by the property described in the security instrument, for property described in the Declarations, subject to the Conditions and Exclusions the Notice of Insurance.
   I have been offered Property Damage Insurance coverage, a copy of which offer is attached and I;

   Accept;_____
   Decline;_____

4) Preventive Service Maintenance Agreement: This product is the agreement of Bingham Equipment Company to perform specific maintenance service functions as prescribed by the manufacturer's periodic maintenance schedule on the property described in the attached agreement, in return for payment for the services. This agreement is "Limited" which means the agreement is for a specific period of time, and has certain other restrictions.
   I have been offered a Service Maintenance policy on the equipment, a copy of which offer is attached and I;

   Accept;_____
   Decline;_____

5) Revolving Credit Account: This product is the offer to establish a revolving account for the purpose of extending credit to me as the applicant, subject to the provisions of the revolving credit agreement of the lender.
   I have been offered either the CNH or Kubota Commercial Revolving account, and I;

   Accept:_____
   Decline:_____

6) Lo Jack: This product is a silent transmitter security devise which will be attached to a specific piece of equipment, which becomes activated by a routine stolen vehicle police report. Once the Lo Jack is activated the police can begin tracking and potentially recovering the stolen equipment. I have been offered this product, and I;

   Accept:_____
   Decline:_____

7) GPS: This product will enable online monitoring of equipment engine hours, equipment location and other reports for routine maintenance, usage and other security needs. The first 3 months of service are included with a website user name and password. At the end of the trial period the user will have the option to continue service at the agreed upon monthly rate or discontinue service.

   Accept:_____
   Decline:_____

Bingham Equipment Company

10123 E. State Route 69
Prescott Valley, AZ 86314
Phone (928) 350-4295
Fax (928) 350-4297
www.binghamequipment.com
Remit to: 1651 South Country Club Dr., Mesa, AZ 85210

Ship to:
SAME AS BELOW

Invoice to:
Town of Chino Valley
1982 Vosf Dr Box 201
Chino Valley AZ 86323

Branch		
12 - Prescott Valley		
Date	Time	Page
04/02/2018	14:34:17 (O)	2
Account No.	Phone No.	Quote No.
CHINO003	9286367140	01 000033
Ship Via	Purchase Order	
	999	
Stephen Eaton	Salesperson 4S3	

Sales Quote

Description ** Q U O T E ** EXPIRY DATE: 07/01/2018 Amount

Stock #: ? Serial #: 32148.80
31804950026
Rotary- Extreme Service Extension Arm- Cab
34802964878
60" Rotary with Pan, Front and Rear Chain Guards
30002997415
Kubota M5-091/M5-111 Cab/2&4wd Mount Kit
30002963045
Mounting Labor & Oil
***NOTE:
Upgrade to Breakaway Extension Arm: Add $3558.60

Stock #: ? Serial #: 4792.50
RCR2684 26 SERIES - 84" ROTARY CUTTER
-01 Front Chain Guards (312-869A)
-41 Rear Chain Guards (326-931A)
-11 3 Point with Single 15" Laminated Tire
84": Cat. 2 Std. (QH Adaptable) or Cat. 3 Adaptable
All Welded Deck
Deck Height:
84" is 91/8"
Deck Thickness: 10 Gauge
Side Panels: 1/4"
Gearbox Ratingˆ: 130 HP
Gearbox: 540 RPM, 13/8" - 6 Spline
Gearbox Output Shaft: 2"
Driveline: Cat. 4 with
4 Plate Slip-Clutch
Stump Jumper: 60" - 3/16" x 24" Round
72" - 3/16" x 301/2" Round
84" - 3/16" x 24" x 38" Oval
Blades: Free Swinging High Suction
84"- 1/2" x 4" x 31"
Blade Bolt: Keyed with Hardened

THANK YOU

SIGNED X _____

SIGNED X _____

The buyer represents that he owns the above Trade-in equipment free and clear of any encumbrance except that indicated payable to:_____, in the amount of: _____

SIGNED X _____
If other than the purchaser, signer represents he is an agent of and authorized to sign for purchaser.

STATEMENT CONCERNING WARRANTIES
Except for expressed warranties made by the manufacturer of goods, THERE ARE NO WARRANTIES, EXPRESSED STATUTORY OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MECHANTABILITY, WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE THEREOF. No warranty whatsoever is made on any used, second-hand, altered or rebuilt goods. Such goods are sold "AS IS".

Customer
Equipment Delivery and Acceptance Check List

1) Limited Warranty: (if applicable) This product is the written guarantee by the manufacturer of the product, promising to repair or replace parts which have a defect in materials or workmanship. "Limited" means the warranty is for a specific period of time, and has certain other restrictions. I have received my equipment owner's manual, have had the safe operation of the equipment explained, and understand it is my responsibility to fully read the operators manual.

   Initial:_____

2) Extended Warranty: This product is the written guarantee by the manufacturer of the product, promising to repair or replace parts which have a defect in materials or workmanship, for a specific period of time beyond the time period of any basic warranty. This promise may also be that offered by other than the manufacturer of the product. I have had the applicable equipment warranty (if any) explained and understand its conditions and limitations.
   I have been offered an Extended Warranty coverage, a copy of which offer is attached and I;

   Accept;_____
   Decline:_____

3) Property Damage Insurance: This product is the agreement between the named insured and a company providing this insurance in return for the payment of premium for each Notice of Insurance issued under authority of said insurers Master policy to provide coverage for the named insured and the retail purchaser or one involved in extended credit secured by the property described in the security instrument, for property described in the Declarations, subject to the Conditions and Exclusions the Notice of Insurance.
   I have been offered Property Damage Insurance coverage, a copy of which offer is attached and I;

   Accept;_____
   Decline;_____

4) Preventive Service Maintenance Agreement: This product is the agreement of Bingham Equipment Company to perform specific maintenance service functions as prescribed by the manufacturer's periodic maintenance schedule on the property described in the attached agreement, in return for payment for the services. This agreement is "Limited" which means the agreement is for a specific period of time, and has certain other restrictions.
   I have been offered a Service Maintenance policy on the equipment, a copy of which offer is attached and I;

   Accept;_____
   Decline;_____

5) Revolving Credit Account: This product is the offer to establish a revolving account for the purpose of extending credit to me as the applicant, subject to the provisions of the revolving credit agreement of the lender.
   I have been offered either the CNH or Kubota Commercial Revolving account, and I;

   Accept:_____
   Decline:_____

6) Lo Jack: This product is a silent transmitter security devise which will be attached to a specific piece of equipment, which becomes activated by a routine stolen vehicle police report. Once the Lo Jack is activated the police can begin tracking and potentially recovering the stolen equipment.
   I have been offered this product, and I;

   Accept:_____
   Decline:_____

7) GPS: This product will enable online monitoring of equipment engine hours, equipment location and other reports for routine maintenance, usage and other security needs. The first 3 months of service are included with a website user name and password. At the end of the trial period the user will have the option to continue service at the agreed upon monthly rate or discontinue service.

   Accept:_____
   Decline:_____

Bingham Equipment Company

10123 E. State Route 69
Prescott Valley, AZ 86314
Phone (928) 350-4295
Fax (928) 350-4297
www.binghamequipment.com
Remit to: 1651 South Country Club Dr., Mesa, AZ 85210

Ship to: SAME AS BELOW

Invoice to:
Town of Chino Valley
1982 Vosf Dr Box 201
Chino Valley AZ 86323

Branch: 12 - Prescott Valley		
Date: 04/02/2018	Time: 14:34:17 (O)	Page: 3
Account No.: CHINO003	Phone No.: 9286367140	Quote No.: 01 000033
Ship Via:	Purchase Order:	
	999	
Stephen Eaton	Salesperson: 4S3	

Sales Quote

Description ** Q U O T E ** EXPIRY DATE: 07/01/2018 Amount

Flat Washer & Lock Nut
Blade Tip Speed:
84" - 14,369 fpm
Tailwheel(s): 15" Laminated, with Cast Iron Hub, Tapered Roller Bearings
Cutting Height: 2" - 12"
Cutting Capacity: 3"
Skids: Replaceable

Sale Total:	104564.06
Subtotal:	104564.06
YAVAPAI COUNTY TAX/PRESCOTT VALLEY CITY:	9755.82
Quote Total:	114319.88

Authorization: _____

"Pricing in accordance with Arizona State Contract # ADSP-016 035801"

-

All prices include freight set up and no charge delivery to customer.

-

**Thank you for the opportunity to provide this CONFIDENTIAL quote.

Steve Eaton
*Bingham Equipment-Cottonwood/ Prescott Valley
*Kubota/ Bobcat / Land Pride
Customer Sales Representative
928-377-8038
Stephen.Eaton@binghamequipment.com

THANK YOU

SIGNED X _____

SIGNED X _____

The buyer represents that he owns the above Trade-in equipment free and clear of any encumbrance except that indicated payable to:_____, in the amount of: _____

SIGNED X _____
If other than the purchaser, signer represents he is an agent of and authorized to sign for purchaser.

STATEMENT CONCERNING WARRANTIES

Except for expressed warranties made by the manufacturer of goods, THERE ARE NO WARRANTIES, EXPRESSED STATUTORY OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MECHANTABILITY, WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE THEREOF. No warranty whatsoever is made on any used, second-hand, altered or rebuilt goods. Such goods are sold "AS IS".

Customer
Equipment Delivery and Acceptance Check List

1) Limited Warranty: (if applicable) This product is the written guarantee by the manufacturer of the product, promising to repair or replace parts which have a defect in materials or workmanship. "Limited" means the warranty is for a specific period of time, and has certain other restrictions. I have received my equipment owner's manual, have had the safe operation of the equipment explained, and understand it is my responsibility to fully read the operators manual.

   Initial:_____

2) Extended Warranty: This product is the written guarantee by the manufacturer of the product, promising to repair or replace parts which have a defect in materials or workmanship, for a specific period of time beyond the time period of any basic warranty. This promise may also be that offered by other than the manufacturer of the product. I have had the applicable equipment warranty (if any) explained and understand its conditions and limitations.
   I have been offered an Extended Warranty coverage, a copy of which offer is attached and I;

   Accept;_____
   Decline:_____

3) Property Damage Insurance: This product is the agreement between the named insured and a company providing this insurance in return for the payment of premium for each Notice of Insurance issued under authority of said insurers Master policy to provide coverage for the named insured and the retail purchaser or one involved in extended credit secured by the property described in the security instrument, for property described in the Declarations, subject to the Conditions and Exclusions the Notice of Insurance.
   I have been offered Property Damage Insurance coverage, a copy of which offer is attached and I;

   Accept;_____
   Decline;_____

4) Preventive Service Maintenance Agreement: This product is the agreement of Bingham Equipment Company to perform specific maintenance service functions as prescribed by the manufacturer's periodic maintenance schedule on the property described in the attached agreement, in return for payment for the services. This agreement is "Limited" which means the agreement is for a specific period of time, and has certain other restrictions.
   I have been offered a Service Maintenance policy on the equipment, a copy of which offer is attached and I;

   Accept;_____
   Decline;_____

5) Revolving Credit Account: This product is the offer to establish a revolving account for the purpose of extending credit to me as the applicant, subject to the provisions of the revolving credit agreement of the lender.
   I have been offered either the CNH or Kubota Commercial Revolving account, and I;

   Accept:_____
   Decline:_____

6) Lo Jack: This product is a silent transmitter security devise which will be attached to a specific piece of equipment, which becomes activated by a routine stolen vehicle police report. Once the Lo Jack is activated the police can begin tracking and potentially recovering the stolen equipment.
   I have been offered this product, and I;

   Accept:_____
   Decline:_____

7) GPS: This product will enable online monitoring of equipment engine hours, equipment location and other reports for routine maintenance, usage and other security needs. The first 3 months of service are included with a website user name and password. At the end of the trial period the user will have the option to continue service at the agreed upon monthly rate or discontinue service.

   Accept:_____
   Decline:_____

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **6.b.**

Meeting Date:	04/24/2018
Contact Person:	Cecilia Grittman, Town Manager
Department:	Town Manager
Item Type:	Consent
Estimated length of staff presentation:	None
Physical location of item:	N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve an extension with Lexington Law firm for Prosecutorial Services through 6/30/2020 for a monthly amount of $3,250.00/month.

RECOMMENDED ACTION:

Move to approve an extension with Lexington Law firm for Prosecutorial Services through 6/30/2020 for a monthly amount of $3,250.00/month.

SITUATION AND ANALYSIS:

The Town entered into a contract with Lexington Law Services in 2016 for a 2-year period for prosecutorial services. Their contract expires in July and they have agreed to another 2-year contract with no increase in their monthly fee. This contract will run for a 2 year period from 7/1/2018 through 6/30/2020. After receiving positive feedback from the four users of prosecution services: The paralegal who works with the Prosecutor, the Police Department, the Court staff, and the Code Compliance Officer, it was decided that the Town would like to continue its current relationship with this prosecutor.

Fiscal Impact

Fiscal Impact?:	Yes
If Yes, Budget Code:	01-45-5212
Available:	$39,000.00
Funding Source:	

Amount is included in the FY 2018/2019 budget.

Attachments

Prosecutor Contract-First Amendment

FIRST AMENDMENT
TO
TOWN PROSECUTOR CONTRACT
BETWEEN
THE TOWN OF CHINO VALLEY
AND
LEXINGTON LAW FIRM

THIS FIRST AMENDMENT TO TOWN PROSECUTOR CONTRACT (this "First Amendment") is entered into as of April 25, 2018, between the Town of Chino Valley, an Arizona municipal corporation (the "Town"), and Lexington Law Firm (the "Contractor").

RECITALS

A. The Town and the Contractor entered into a Town Prosecutor Contract, dated July 20, 2016, for Contractor to provide prosecution services for the Town (the "Contract"). All capitalized terms not otherwise defined in this First Amendment have the same meanings as contained in the Contract.

B. The initial term of the Contract was two years, with the opportunity for the Town to renew for up to five additional two-year periods. The Town desires to extend the Contract for the first two-year renewal period.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing introduction and recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and the Contractor hereby agree as follows:

1. Term of Contract. The term of the Contract is hereby extended and shall remain in full force and effect until June 30, 2020, unless terminated as otherwise provided pursuant to the terms and conditions of the Contract.

2. Effect of Amendment. The Contract is affirmed and ratified and, except as expressly modified herein, all terms and conditions of the Contract shall remain in full force and effect.

3. Non-Default. By executing this First Amendment, the Contractor affirmatively asserts that (i) the Town is not currently in default, nor has been in default at any time prior to this First Amendment, under any of the terms or conditions of the Contract and (ii) any and all claims, known and unknown, relating to the Contract and existing on or before the date of this First Amendment are forever waived.

4. Conflict of Interest. This First Amendment and the Contract may be canceled by the Town pursuant to ARIZ. REV. STAT. § 38-511.

IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the date and year first set forth above.

"**Town**"

TOWN OF CHINO VALLEY,
an Arizona municipal corporation

_____
Darryl Croft, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

"**Contractor**"

LEXINGTON LAW FIRM

By:_____

Name:_____

Title:_____

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **6.c.**

Meeting Date:	04/24/2018
Contact Person:	Cecilia Grittman, Town Manager
Department:	Town Manager
Item Type:	Consent
Estimated length of staff presentation:	None
Physical location of item:	N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Addendum No. 1 to Contract for Legal Services effective 7/1/2018 between the Town of Chino Valley and Gust Rosenfeld, PLC.

RECOMMENDED ACTION:

Move to approve Addendum No. 1 to Contract for Legal Services effective 7/1/2018 between the Town of Chino Valley and Gust Rosenfeld, PLC.

SITUATION AND ANALYSIS:

In March 2013 Council entered into an agreement with Curtis, Goodwin, Sullivan, Udall, and Schwab, PLC for legal services. In January 2016 the contract was assigned to Gust Rosenfeld. The Town has not experienced a fee increase since it's original agreement with the firm in 2013. Gust Rosenfeld is now requesting to increase fees an average of $25/hour per addendum.

Fiscal Impact

Fiscal Impact?:	Yes
If Yes, Budget Code:	01-95-5212
Available:	190,000
Funding Source:	

The Town is budgeting $190,000 for fiscal year 2018/2019.

Attachments

Legal Services Contract Addendum

GUST ROSENFELD
ATTORNEYS SINCE 1921 P.L.C.

ONE E. WASHINGTON, SUITE 1600 ■ PHOENIX, ARIZONA 85004-2553 ■ TELEPHONE 602-257-7422 ■ FACSIMILE 602-254-4878 ■

Susan D. Goodwin
602.257.7671
sgoodwin@gustlaw.com

March 14, 2018

Ms. Cecilia Grittman, Town Manager
Town of Chino Valley
202 N. State Route 89
Chino Valley, AZ 86323

Re: Legal Services Contract

Dear Cecilia:

The current general counsel rate for the Town of Chino Valley is $175.00 per hour. We have maintained those hourly rates since 2013. Our fees will increase to $200 per hour effective July 1, 2018. This represents less than a 2% per year increase over the course of the last five years. Please know that the rates for general and special counsel matters set forth below are equal to or significantly less than the firm's rates for its other municipal clients.

Effective July 1, 2018, we propose the following rates for legal services:

Legal Services	Current Fee	Proposed Fee
General Counsel	$175 per hour	$200 per hour
Civil Litigation	$185 per hour	$250 per hour
Water/Utility Matters	$185 per hour	$250 per hour
Telecommunications Law	$185 per hour	$220 per hour
Environmental Law	$185 per hour	$361 per hour
Paralegal services	$125 per hour	$125 per hour

We would appreciate it if you would present this proposed Addendum to the Town Council for its consideration as part of the budgeting process.

We hope that you and the Council will recognize the reasonableness of these hourly rates in light of the quality of the legal services being provided to you and the depth of knowledge our entire frim has in respect to municipal law and issues.

Very truly yours,

Susan D. Goodwin
For the Firm

SDG/jrj

Enclosure: Addendum

3195124.1

ADDENDUM NO. 1 TO CONTRACT FOR LEGAL SERVICES

This Addendum to Contract for Legal Services dated this ___ day of _____, 2018, between the Town of Chino Valley and Gust Rosenfeld, PLC, shall amend Paragraph 3 of the Contract for Legal Services between the Town of Chino Valley, Arizona and Gust Rosenfeld, PLC, dated March 26, 2013, which contract was assigned to Gust Rosenfeld, PLC on January 7, 2016.

3. Compensation: The Town shall pay to Firm for Services agreed to be rendered by the Firm and its employees under this Agreement as follows:

General Counsel Services

$200.00 per hour for attorneys
$125 per hour for paralegal

Civil litigation, except civil litigation relating to water law and public utility law:

$185.00 per hour for attorneys
$125.00 per hour for paralegals

Water, utility and natural resources law:

$185.00 per hour for attorneys
$125.00 per hour for paralegals

Telecommunications:

$220.00 per hour for attorneys
$125.00 per hour for paralegals

Environmental Law:

$361 per hour for attorneys
$125.00 per hour for paralegals

All other provisions of the Contract shall remain the same.

This addendum shall be effective July 1, 2018.

GUST ROSENFELD, PLC.

By _____
Susan D. Goodwin

TOWN OF CHINO VALLEY

By _____
Darryl L. Croft, Mayor

ATTEST:

_____
Jami Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **6.d.**

Meeting Date: 04/24/2018

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 accept the March 27, 2018 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the March 27, 2018 regular meeting minutes.

Attachments

March 27, 2018 minutes

D R A F T

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

TUESDAY, MARCH 27, 2018
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 27, 2018.

Present: Mayor Darryl Croft; Vice-Mayor Lon Turner; Councilmember Mike Best; Councilmember Cloyce Kelly; Councilmember Annie Lane; Councilmember Corey Mendoza; Councilmember Jack Miller

Staff Present: Town Manager Cecilia Grittman; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Human Resources Director Laura Kyriakakis; Public Works Director/Town Engineer Frank Marbury; Development Services Director Jason Sanks; Community Services Director Scott Bruner; Administrative Technician Kathy Frohock (videographer); Town Clerk Jami Lewis (recorder)

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

Mayor Croft called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a) PUBLIC NOTICE: The proposed amendment to the Hawksnest Planned Area Development, located behind Walgreens, to allow 48 single story senior housing units on five of the fifteen acres of multi-family zoning, will not be heard tonight, as the applicant withdrew the application as of March 14, 2018.

Mayor Croft read the public notice.

b) Proclamation acknowledging March 29, 2018 as "National Vietnam War Veterans Day."

Mayor Croft recognized several Vietnam veterans present at the meeting and read the proclamation.

c) Proclamation declaring April 3, 2018 as "National Service Recognition Day," sponsored by Arizona Serve of Prescott College.

Mayor Croft introduced Vista volunteers Maureen Owen, Sarah Haber, and Annie Reifsnyder, spoke about Arizona Serve and National Service, and read the proclamation. Sarah Haber spoke about AmeriCorps, Vista participants in Yavapai County and in Chino Valley, and the community volunteer program.

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council on any issue within the jurisdiction of the Council 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.

Haryashka Knauer, county resident, requested that Council set down item 6a from the consent agenda so he could make a public service announcement. Town Attorney Phyllis Smiley advised that Council could do that, but they could not discuss the matter during Call to the Public.

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.

a) Comments regarding possible construction being done at the Windmill House without a permit or site plan.

Mayor Croft reported that: (i) the comments also included lack of response to a records request and Development Services acknowledged that the speaker had asked for documents related to the Windmill House, but the Town Clerk reported that staff did not have a formal public record request; (ii) the only development activity on this project was a new rezone case recently presented at a Planning and Zoning Commission study session; (iii) no construction or utility line work was found to be occurring; and (iv) Tony Cordovana informed staff via voicemail that they were making some irrigation repairs at the Windmill House lake.

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 reports by Mayor and Council regarding current events.

Mayor Croft reported on this week's Citizen's Academy session on education.

Councilmember Best reported on the most recent Central Yavapai Metropolitan Planning Organization meeting and the first meeting of the Town's 50th anniversary committee on April 11.

b) Status report by Town Manager Cecilia Grittman and/or Town staff members regarding Town accomplishments, and current or upcoming projects.

Ms. Grittman reported on:

- The Council strategic planning session on April 4;
- Budget season activities; and
- Employee performance reviews.

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 Councilmember Corey Mendoza, seconded by Councilmember Jack Miller to pull item 6a separately.

Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Mike Best to approve consent agenda items, except item (a).

Vote: 7 - 0 PASSED - Unanimously

a) Consideration and possible action to waive the bidding requirements and approve a contract with Caterpillar, Inc. through Empire Machinery to purchase a Broce Broom with appurtenances using a cooperative purchase agreement with the City of Tucson, Arizona. (Frank Marbury, Public Works Director/Town Engineer)

Mr. Marbury reported that this bid was for a street sweeper that had been discussed at a previous meeting. He and Town Attorney Smiley explained that state statute provided for cooperative purchasing, which allowed public entities, such as the Town, to not have to go out to bid for items already publicly bid by other entities in the state, which saved money and time by not having to go through bid process. In this case, the City of Tucson went out to bid for several items, and Caterpillar came in as the lowest bidder on this item. It was unlikely that the Town would achieve any lower bid going out to bid itself.

Mayor Croft recessed the meeting at 6:26 p.m. and reconvened it at 6:31 p.m.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Mike Best to approve consent agenda (a).

Vote: 7 - 0 PASSED - Unanimously

b) Consideration and possible action to approve Agreement for Professional Consulting Services between the Town and Chino Valley and Mark Holmes, LLC for the purpose of providing professional water consultation. (Laura Kyriakakis, Human Resources Director)

c) Consideration and possible action to appoint Christeen Meadors to the position of Planning and Zoning Commissioner to fill a vacancy created by the resignation of Claude Baker for the three-year term ending January 31, 2019 and reappoint Welles Geary to the position of Planning and Zoning Commission Alternate for a one-year term ending January 31, 2019. (Council Appointments Subcommittee)

d) Consideration and possible action to accept the February 27, 2018 regular meeting minutes. (Jami Lewis, Town Clerk)

e) Consideration and possible action to accept the March 13, 2018 regular meeting minutes. (Jami Lewis, Town Clerk)

7) ACTION ITEMS

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

a) Consideration and possible action to:
(i) Hold a public hearing regarding the proposed changes to the Town's water and wastewater rates and waste and wastewater connection fees and service charges;
(ii) Approve Resolution No. 18-1116, increasing the Town's water rates and water and wastewater buy-in fees incrementally over the next five years, effective July 1, 2018, and July 1 of each year thereafter through July 1, 2022; and
(iii) Approve Resolution No. 18-1118, decreasing the Town's wastewater fees, effective July 1, 2018. (Joe Duffy, Finance Director)

Recommended Action:
(i) Hold a public hearing regarded the proposed changes to the Town's water rates and water and wastewater buy-in fees;
(ii) Approve Resolution No. 18-1116, increasing the Town's water rates and water and wastewater buy-in fees incrementally over the next five years, effective July 1, 2018 and July 1 of each year thereafter through July 1, 2022; and
(iii) Approve Resolution No. 18-1118, decreasing the Town's wastewater fees, effective July 1, 2018.

Mr. Duffy reported on:

- *Rate study:* Town officials did not take lightly the effect of utility rates on the citizens, yet the Town had a responsibility to run its utility system like a business and its costs had gone up.
- *Rate change history:* Council adopted utility rate increases in 2013, froze sewer rates in 2015, and modified the rate schedule with regard to multi-family developments in 2017. New rates adopted tonight would be effective on July 1.
- *Rate study review:* The rate study included statistics from the last five years regarding water and wastewater systems current financial condition and projections; water and wastewater buy in fees; number of connections, billing amounts, connections and bill increase percentage rates; net cash income or loss; operating income or loss; and water funds owing to the general fund (GF). It also included rate options for each utility and the outcomes of each option over the next five years; a comparison of rates in Yavapai County; buy in fees and their book values; and proposed buy in increases.
- *Options and recommendation:* Council needed to make sure it was not overpricing the market for building a home. Options for water fees included no increase, 3% increase, and 5% increase. Options for wastewater fees were no increase, 3% increase, and $2.00 or 3% rate decrease. Staff recommended a 3% increase in monthly rates for both utilities; however, Council may desire to decrease wastewater rates, as the Town's wastewater rates

were the highest in Yavapai County. Staff also recommended increasing buy in fees at 3%.

- *Comparisons:* While the Town's wastewater rates were the highest in the county, it's water rates were nearly the lowest, and combined, they were in the middle. The Town's buy in fees were a little bit on the low end.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Cloyce Kelly to open the public hearing.
Vote: 7 - 0 PASSED - Unanimously

Donna Armstrong, resident, spoke about the fees supposing to go down and asked when citizens would get a break.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Cloyce Kelly to close the public hearing.
Vote: 7 - 0 PASSED - Unanimously

Council and staff discussed the following in more detail:

- *Comparisons:* There was no advantage or disadvantage to the Town's rates being in the middle of its neighbors.
- *Rate effects:* 3% increases would allow the water fund to pay back the GF and start accumulating cash for capital expenses.
- *Future steps:* At the end of the five years, staff will do another study and review. Acquiring additional water systems would help keep rates steady and could allow for a reduction in water rates, but Council needed to consider encouraging conservation to reduce the environmental impacts.

Councilmember Lane suggested that Council consider the 5% increase in water rates to offset a possible decrease in the wastewater rate. Town Attorney Smiley advised that Council could not vote on anything higher than 3% without re-advertising the hearing.

Several councilmembers stated that they preferred the 3% increase in water rates and a reduction in wastewater rates.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Cloyce Kelly to approve Resolution No. 18-1116, increasing the Town's water rates and water and wastewater buy-in fees incrementally over the next five years, effective July 1, 2018 and July 1 of each year thereafter through July 1, 2022 at the 3% that is recommended.

Vote: 6 - 1 PASSED

NAY: Councilmember Annie Lane

Council asked if they could reduce wastewater rates now and re-evaluate it each year rather than voting on it for five years. Mr. Duffy stated that while a full rate study was not needed every year, staff should review the rate study each year and pass on whatever savings it can to the community.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller to approve Resolution No. 18-1118, decreasing the Town's wastewater fees, effective July 1, 2018 by 3%.

Vote: 7 - 0 PASSED - Unanimously

b) Consideration and possible action to approve Resolution No. 18-1119, authorizing the acquisition of real property by the Town for Road 1 East right-of-way from Road 3 South to Picacho Boulevard and authorizing and directing the Mayor, Town Manager, and Town Attorney to acquire title to such property on behalf of the Town by donation, eminent domain, or purchase. (Phyllis Smiley, Town Attorney)

Recommended Action: Approve Resolution No. 18-1119, authorizing the acquisition of real property by the Town for Road 1 East right-of-way from Road 3 South to Picacho Boulevard and authorizing and directing the Mayor, Town Manager, and Town Attorney to acquire title to such property on behalf of the Town by donation, eminent domain, or purchase.

Ms. Smiley reported that this item pertained to the ongoing project that was required to be completed per an intergovernmental agreement with ADOT for the roundabout at Kalinich Road. The Town had acquired most of the properties needed, but this one was found to not be owned by the Town as originally thought. As the owners of record were most likely no longer around, the Town was going through the statutory process to attempt the contact the owners for donation, purchase, or if all else failed, condemnation. Statute required the Town to offer to purchase the property at fair market value.

Town Manager Grittman added that the Town already owned the right-of-way to either side of this ¼ mile strip.

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Jack Miller to approve Resolution No. 18-1119, authorizing the acquisition of real property by the Town for Road 1 East right-of-way from Road 3 South to Picacho Boulevard and authorizing and directing the Mayor, Town Manager, and Town Attorney to acquire title to such property on behalf of the Town by donation, eminent domain, or purchase.

Vote: 7 - 0 PASSED - Unanimously

c) Presentation and discussion regarding the draft Zoning Administrator Interpretation related to UDO Section 4.22 Paving Requirements for vehicle parking, maneuvering, and storage areas. (Jason Sanks, Development Services Director)

Mr. Sanks reported that:

- Since he came on board in June, he had received many inquiries related to contractor storage yards, RV storage, commercial and industrial buildings that had commercial storage areas, and heavy equipment and truck storage.
- As the UDO sections conflicted with regard to required surfaces for such uses, he desired to provide consistent guidance for businesses. As these types of issues were usually handled by the Town Engineer, but the UDO placed it under his purview, he and Town Engineer Marbury drafted the subject interpretation, which provided that: (i) the driveway approach to such businesses, as well as customer and employee parking, and the drive aisles to those parking spaces, needed to be paved; and the storage areas would permit decomposed granite (DG), unless the area included a loading dock, or additional access to the building, as long as dust was controlled and trucks could get in and out without

tracking mud on public streets.
- This interpretation will act as a patch until the Council could adopt the new UDO next spring.

Council asked about asphalt base (AB) instead of DG. Mr. Marbury related that the code referred to DG rather than AB as a dust-free surface. If research showed that AB was as good as DG, that may be okay in the future, but for now the Town should stick with DG, or AB under DG. Councilmember Mendoza and Vice-Mayor Turner informed Mr. Marbury that locally, most of the mined DG was not decomposed. Mr. Marbury stated that staff could look at possible additives to see how that would apply to the code.

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 Lon Turner, seconded by Councilmember Jack Miller to go into executive session at 7:19 p.m.

Vote: 7 - 0 PASSED - Unanimously

a) An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding the acquisition of a portion of the Prescott water system and pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider the Town's position and instruct the Town Attorney regarding the Town's position regarding a contract with the City of Prescott related to the Town purchasing a portion of its water distribution system that is the subject of negotiations. (Cecilia Grittman, Town Manager)

9) ACTION ITEMS RESUMED

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

Mayor Croft reconvened the regular meeting at 7:55 p.m. and reported that Council spoke with its attorney, gave him direction, and took no further action.

10) ADJOURNMENT

MOVED by Councilmember Jack Miller, seconded by Councilmember Mike Best to adjourn the meeting at 7:55 p.m.

Vote: 7 - 0 PASSED - Unanimously

_____
Darryl L. Croft, 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 27th day of March, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10th day of April, 2018.

_____
Jami C. Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **6.e.**

Meeting Date: 04/24/2018

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 accept the April 4, 2018 study session minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the April 4, 2018 study session minutes.

Attachments

April 4, 2018 minutes

D R A F T

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

TUESDAY, APRIL 4, 2018
9:00 A.M.

The Town Council of the Town of Chino Valley, Arizona, met for a Study Session in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, April 4, 2018.

Present: Mayor Darryl Croft; Vice-Mayor Lon Turner; Councilmember Cloyce Kelly; Councilmember Annie Lane; Councilmember Corey Mendoza; Councilmember Jack Miller

Absent: Councilmember Mike Best

Staff Present: Town Manager Cecilia Grittman; Economic Development Project Manager John Coomer; Finance Director Joe Duffy; Human Resources Director Laura Kyriakakis; Police Chief Chuck Wynn; Police Lieutenant Vince Schaan; Court Administrator Ronda Apolinar; Public Works Director/Town Engineer Frank Marbury; Development Services Director Jason Sanks; Community Services Director Scott Bruner; Customer Service Manager JoAnn Brookins; Code Compliance Officer David Jaime; Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER; ROLL CALL

Mayor Croft called the meeting to order at 9:06 a.m.

2) Review of 2016 Strategic Plan.

Mayor Croft stated that Town staff and Council had changed drastically since 2016. The 2016 plan was fairly comprehensive, but not easily usable as a working document. He preferred that Council establish goals and tighten up the action steps within the budget to meet those goals. As things were changing too quickly, they could not look out five to ten years, but should shorten the timeframes and use the document as a guideline.

Ms. Grittman then led Council and staff in reviews and status of:

- 2016 Strategic Plan;
- July 1998 Chino Valley Focused Future Strategic Plan for Economic Development; and
- 2018/2019 major capital budget items per department.

2016 STRATEGIC PLAN
Staff summarized the three "key result areas" (KRAs), their associated goals and action steps, and the goals' current status.

Key Result Area 1 - Fiscal Health
Goal 1 – Municipal Utilities – Self Sustaining

Acquire strategic water companies: There was no change, but the Town's utilities were mostly in

- Acquire strategic water companies: There was no change, but the Town's utilities were mostly in the black.
- Strategic extension of sewer system: This goal was met with the Center Street to Mollie Rae sewer project.
- Septage acceptance at sewer plant: This was no longer an immediate goal and would best be considered when the plant was to be expanded.
- Complete Center Street sewer expansion: See point 2 above.
- Funding for acquisition, interconnection, and expansion: This was ongoing.

Goal 2 – Implement Asset and Liability Tracking Systems

- Analysis of real estate: Finance had prepared a detailed analysis of the Town's inventory of properties and water, which will be updated annually. Something to consider was separating the water rights from certain Town-owned properties in Paulden and selling the real estate.
- Analysis of rolling stock: The above point 1 analysis included rolling stock.
- Analysis of development agreements: Public Works and Development Services were currently reviewing the agreements for outstanding water and land dedication commitments, and will forward water issues to Mark Holmes for analysis.

Goal 3 – Resolve Outstanding Legal Issues

- Bright Star Development Agreement and Water Rights: There may be some outstanding issues related to water obligations with Bright Star and Del Rio.
- Re-negotiate Concessionaire Agreement with Prescott Sportsmen's Club: Staff was waiting for the outside firm to perform lead abatement, then the agreement could move forward. The Club may be interested in buying the 40-acre range. Staff was unsure about what funding the Club had, but will continue to discuss it with them. Any property sale over $500,000 will require voter approval, and if the Town pursued it, the Town should have a plan for what it would do with the proceeds. Finance will review this option.
- Town Code compliant with A.R.S.: As no one was certain what this meant, it will be removed.
- Resolve issues with UDO: A new subcommittee was established and recently started meeting to review draft amendments to the code. Staff intended to do the rewrite all at once, unless something needed to be done sooner or changes came from the legislature.

(Councilmember Kelly arrived at 9:18 a.m.)

<u>Key Result Area 2 – Sustainable Economic and Community Development</u>
Goal 1 – Complete the CV Industrial and Commercial Development Plan

- Extend sewer and water to OHM Industrial Park (OHMIP): This goal was met.
- Initiate business attraction and retention efforts for OHM: This had been a bit premature in 2016, but still needed to be on the radar.
- Develop and implement retail recruitment and expansion strategy: The new economic development person will focus on the OHMIP, grocery store, commercial nodes, and assisting businesses looking for properties. This was up for Council discussion and the Economic Development Subcommittee will meet in two weeks to discuss focus areas.

Goal 2 – Develop comprehensive road / circulation plan

- Develop prioritized road repair program: Staff will continue to use the road condition map and will implement it when the time came.
- Implement previously adopted road construction standards: Staff and the UDO Subcommittee will review this as part of the UDO update process. It was also a good time to talk with CYMPO

about updating the Town's small area transportation plan. As there were a dozen projects on major roadways, staff needed to know what dedications and improvements to require from developers.

- Consider alternative circulation for Road 2 North/Hwy 89 intersection: This was currently being reviewed by a consultant.
- Review and adopt off-site improvement policy for non-vehicular circulation: The Town owned the Peavine Trail from Road 4 North to Road 4 South and staff was coordinating with Prescott to connect the trail to Prescott's trail system this year. This will tie in with the future transportation study update and was important for new developments, which could create trail corridors to the Peavine. Community Services and Development Services will work together on this. Public Works had concept plans for the Peavine Loop Road and additional discussions were needed on that.

Key Result Area 3 –Community Engagement and Communication

Goal 1 – Improve availability of information from Town to citizens

- Continue to refine Communication Plan: Staff continued to follow the plan and was not sure it needed to be updated.
- Implement software as service (SAS) for planning and economic development: This was now included in the Town's Technology Plan. There were a handful of tools the Town could use and the economic development project manager will be exploring them.
- Departments to provide activity reports to Council on a quarterly basis: As Council now preferred brief reports on trends, this item could be deleted.

Goal 2 – Create unique relationships with external community partners

- Town staff and leadership will actively engage with staff and leadership in the Quad Cities area: Almost every department had external relationships. GPREP was being disbanded.
- Join statewide professional organizations relevant to the Town's mission: The Town belonged to various statewide organizations.
- Develop specific goals and a timeline for collective action in advancing the Town's Strategic Plan: This needed further discussion.
- Other: The town manager, mayor, and departments were doing more with community outreach. The best communication was just talking with people. Staff getting clear communication from Council also helped. All committees were being fairly active after a time of dormancy. The community had been very positive about the community Coffees; repeat issues brought up by citizens were roads, streets, and trash. The town manager also hosted a breakfast with a different group of employees each month, which was well attended, and the employees asked a lot of questions.

CHINO VALLEY FOCUSED FUTURE STRATEGIC PLAN FOR ECONOMIC DEVELOPMENT

Town Manager Grittman handed out a copy of the 1998 Chino Valley Focused Future Strategic Plan for Economic Development, and pointed out on several pages that many of the issues in this document were the same as today and some issues therein could serve as further food for thought. Comments regarding those items were:

- Councilmember Mendoza stated that he did not want to continue the trend of kicking the can down the road; he wanted to resolve things, such as reduce the number of Conditional Use Permits, which were being used because the UDO was out of date.
- Public Works Director Marbury stated that CYMPO had plans for regional connectors.

2018/2019 MAJOR CAPITAL BUDGET ITEMS PER DEPARTMENT
Finance Director Duffy reviewed the major purchase requests and initiatives from each department. Due to the impacts of construction sales taxes, the Town may end the fiscal year with an extra half million than what was budgeted. He did not project this surge to continue. Council will have to determine priorities for the disposition of these funds. The Capital Improvement Fund and reserves could be used to get the ballfield lights done.

3) Discussion and update of Strategic Plan.

Council and staff reviewed the strategic plan KRAs and goals and made suggestions for assigning goals for completion in either one year, two years, or two-plus years.

Key Result Area 1 - Fiscal Health
Goal 1 – Municipal Utilities – Self Sustaining

- Acquire strategic water companies: This was still a goal. The primary focus presently should be acquiring Prescott's system. Two other local private companies had recently approached the Town about selling their systems. If nothing moved forward with those, the Town should consider Willhoit to get water at that end of town. The Town had the capacity to borrow enough to purchase all of them. All would pay for themselves, except for Prescott, which would break even, but would be worth the investment. The Prescott system will also need an upgrade plan.
  - *Schedule item for FY 2018/19*
- Strategic extension of sewer system: Mollie Rae and Road 1 West were done, and Mountain View Mobile Home Park was nearly done. Areas of Town to consider were those with tighter densities, Roadrunner Trailer Park, and Wilhoit Water area. One option was to acquire Wilhoit Water using USDA funding, then later paving the area with CDBG grant funds. Utilities will drive economic development; for example, an emissions company recently inquired but walked away due to lack of utilities.
  - *Schedule for Economic Development Subcommittee to develop a list in FY 2018/19.*
  - *Schedule sewer plant expansion design for FY 2019/20.*
- Septage acceptance at sewer plant:
  - *Schedule item for FY 2019/20 under sewer plant expansion.*
- Complete Center Street sewer expansion:
  - *Delete item.*
- Funding for acquisition, interconnection, and expansion:
  - *Add as action step under point 1-acquisition.*

Goal 2 – Implement Asset and Liability Tracking Systems

- Analysis of real estate: This was done. Staff needed to further analyze the Paulden water rights as to what could be sold or not. The Town had two commercial wells at OHM that could be used, but would need an engineered system. There was a lot of development to go in the area between OHM and the Bright Star storage tank.
  - *Add analysis of Paulden water rights as action step.*
  - *Add review of more robust inventory system for water and sewer as action step.*
  - *Add review of possible sale of property in Highlands Ranch originally set aside for a well as action step.*
  - *Schedule activation of existing wells for FY 2018/19.*
  - *Schedule drilling a new well for FY 2019/20.*
  - *Add getting a recommendation for wells from the Water and Utilities Subcommittee as an action step.*

- Analysis of rolling stock: Staff will update this annually.
  - *Delete item.*
- Analysis of development agreements:
  - *Schedule for FY 2018/19.*

Goal 3 – Resolve Outstanding Legal Issues

- Bright Star Development Agreement and Water Rights: Language in the agreement pertaining to first right of refusal was ambiguous. The subdivision was going to need rezoning to make the remaining lots more marketable.
  - *Add as action step under Goal 2 to have Mark Holmes and attorney review the documents, then negotiate with the developer.*
- Re-negotiate Concessionaire Agreement with Prescott Sportsmen's Club:
  - *Schedule lead abatement for FY 2018/19.*
  - *Schedule review of possible sale of property for FY 2018/19.*
- Town Code compliant with A.R.S.:
  - *Schedule Town Code codification for FY 2019/20.*
- Resolve issues with UDO:
  - *Retain item.*

Key Result Area 2 – Sustainable Economic and Community Development

Goal 1 – Complete the CV Industrial and Commercial Development Plan

- Extend sewer and water to OHM Industrial Park (OHMIP):
  - *Delete item.*
- Initiate business attraction and retention efforts for OHM:
  - *Change item to develop OHM strategic business development plan.*
  - *Add discussion regarding leasing v. selling OHM land.*
- Develop and implement retail recruitment and expansion strategy:
  - *Change item to develop and implement business development strategic plan and economic development strategic plan.*

Goal 2 – Develop comprehensive road / circulation plan

- Develop prioritized road repair program:
- Implement previously adopted road construction standards:
- Consider alternative circulation for Road 2 North/Hwy 89 intersection:
- Review and adopt off-site improvement policy for non-vehicular circulation:
  - *Replace points 1-4 with developing a transportation strategic plan.*
  - *Add maintenance plan as an action step.*
  - *Add develop funding strategy as an action step.*

Key Result Area 3 –Community Engagement and Communication

Goal 1 – Improve availability of information from Town to citizens

- Continue to refine Communication Plan:
- Implement software as service (SAS) for planning and economic development:
- Departments to provide activity reports to Council on a quarterly basis:

Goal 2 – Create unique relationships with external community partners

- Town staff and leadership will actively engage with staff and leadership in the Quad Cities area: Almost every department had external relationships. GPREP was being disbanded.

- Join statewide professional organizations relevant to the Town's mission: The Town belonged to various statewide organizations.
- Develop specific goals and a timeline for collective action in advancing the Town's Strategic Plan: This needs further discussion.
- Other: The town manager, mayor, and departments were doing more with community outreach. The best communication was just talking with people. All committees were being fairly active after a time of dormancy. Getting clear communication from Council also helped. The community had been very positive about the community Coffees; common issues were roads, streets, and trash. The town manager also hosted a breakfast with a different group of employees each month, which was well attended, and the employees asked a lot of questions.
    - *Delete KRA 3 in its entirety.*

Other items to discuss and schedule for FY 2018/19:

- Economic Development Subcommittee to discuss what to do with blighted areas.
- Public Works complex plan.
- Municipal campus master plan.
- Town's 50th anniversary celebration planning.

Other items to discuss and schedule for FY 2019/20:

- After UDO update, as part of economic development plan, review design concepts beyond the General Plan.
- Community Services to review recreation uses at OHM.

Items to be scheduled after FY 2019/20:

- Wastewater treatment plant expansion.
- Water storage tank.
- OHMIP.
- Ballfield lighting.
- 40 acres of land north of Community Center.
- Court security.
- Police building space and moving operations to highway.
- Infrastructure master plan.

Council and staff discussed the following in more detail:

- *Ballfield lighting:* Cost estimates were close to $300,000 for one light. Upgrading the lights would allow for tournaments and overflow for the high school and college. Infrastructure should already be in place. LED lights and one light pole was already in the budget. APS might be able to help with setting poles.
- *40 acres north of the Community Center:* The property was being sold for $2 million, and had water rights and a big well. This was something to consider, as development of this property would result in the Town losing parking and the ability to expand the park. As of yesterday, the property owner was meeting with developers about a possible joint venture.
- *Court security:* The Court had three years to implement this. A bailiff position and security cameras were currently part of the budget.

Council asked staff to:

- Develop action plans for each goal and action step and bring back to Council.
- Present a report on status of development.
- Inform Ms. Grittman of any other items for the strategic plan.

Mayor Croft recessed the meeting at 11:21 a.m. reconvened it at 11:25 a.m.

4) Discussion regarding code compliance matters and possible additional funding.

Ms. Grittman reported that Councilmember Mendoza and Vice-Mayor Turner desired that the Council discuss and provide direction and focus for the code compliance division. Council and staff discussed concerns about:

Citizens' code violations:

- Property owners utilizing properties as storage without proper permitting.
- Using properties for wrong purpose, such as 30 vehicles parked on a parcel.
- People selling items on weekends without a permit.
- Property maintenance violations.
- Lack of proper access to properties.

Code deficiencies:

- Lack of standard for weed and tumbleweed abatement.
- Definition of nuisance.
- Needing legal and prosecutorial guidance with regard to vacant housing and violations, as well as code compliance in general.
- Conflicts between Town Code and UDO and abatement regulations coming from three sources.
- Issues with flag signs and needing legal interpretation regarding food trucks.

Process/policy deficiencies:

- Needing to decide where "rural" starts and ends.
- Lack of resources to be proactive.
- Departments directing all Town complaints to Code Compliance.
- People not participating in cleanup days.
- Lack of incentives for compliance.

Council and staff discussed concerns and offered suggestions.

Council priorities:
Council's main concerns were health and welfare, as well as the Town being attractive for businesses for economic development purposes. Raw garbage was a health hazard, whereas weed control could be a hazard or just ugly. They did not want to be like Prescott Valley, but also did not want the Town to look like a dump.

UDO amendments:

- *Concerns:* Staff has scheduled an item for Council action in May to move the property maintenance section of the UDO to the Town Code. If Council desired to edit the content, that will need citizen review and could be done subsequently. The current UDO rewrite could create

legal non-conforming issues and the Town may have to waive rights under the old code.

- *Suggestions:* Define and address the differences between "health hazard" and "unsightly" in the code rewrite.

Compliance issues:

- *Concerns:* Current complaints were 80% residential and 20% commercial. Staff sends citizens a violation letter, but if they ignore the letter, nothing happens. If they get a citation, they go to court. Staff would prefer that the Town not have to pay to clean up properties and needed stronger incentives for people to comply. Staff also needed guidance with regard tumbleweeds. Citizens did not participate in clean up days for various reasons: lack of caring and issues with health, money, and transportation.
- *Suggestions:* Mr. Sanks will provide compliance statistics to Council. Streamlining and accelerating the process, and increasing fines, could improve compliance. Ms. Grittman asked Customer Services to provide some recommendations for incentives from citizens. Regarding tumbleweeds, the Town cannot cause neighbors to fix the problem, and the department should be able to explain that this is just part of living in a rural area. Staff was considering other options to dump days, such as placing dumpsters on certain streets, a 50-50 program or vouchers.

Process issues:

- *Concerns:* Roles and responsibilities needed to be defined as the Town seemed to use Code Compliance for every complaint. Divisions should take care of their own items.
- *Suggestions:* Complaints could come through Customer Services, then be distributed to the appropriate department for response.

Resources/Funding:

- *Concerns:* Dump days were not fixing the problem throughout the year. The code compliance officer had little time to address commercial property violations, such as outside sales along SR 89. They also needed someone who could work Fridays and Saturdays. Grandfathered businesses could not be forced to change.
- *Suggestions:* Customer Service could use the business licensing process to assess problems and perform an inventory to reconcile business licenses with zoning. Staff should do the inventory, community outreach, then address the worst violations first. The division had $30,000 for cleanups; rather than do two cleanup days, do one and use vouchers or a 50-50 program for the rest of the year. As far as staffing, options were to hire a temporary employee for a year or temporary part-time help, but the Town will need to find a person with the required knowledge and skills.

Mr. Marbury asked about the Town establishing its own solid waste division. Ms. Grittman stated that was off the table.

Ms. Grittman instructed Customer Services staff to bring this item back for Council discussion along with some recommendations in May and staff will need legal advice. Mr. Sanks added that whatever changes the Town made, there needed to be a public campaign.

5) ADJOURNMENT

MOVED by Councilmember Jack Miller, seconded by Councilmember Annie Lane to adjourn the meeting at 12:15 p.m.

Vote: 6 - 0 PASSED - Unanimously

_____
Darryl L. Croft, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the Town Council of the Town of Chino Valley, Arizona held on the 4th day of April, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of April, 2018.

_____
Jami C. Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **7.a.**

Meeting Date:	04/24/2018
Contact Person:	Scott Bruner, Community Services Director
	Phone: 928-636-2687 x-1237
Department:	Community 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:
(i) Hold a public hearing regarding the proposed changes to the Town's admission fees for the Chino Valley Aquatic Center.
(ii) Approve Resolution No. 18-1115 increasing the Town's admission fees, effective 5/24/2018.

RECOMMENDED ACTION:

(i) Hold a public hearing regarding the proposed changes to the Town's admission fees for the Chino Valley Aquatic Center.
(ii) Approve Resolution No. 18-1115 increasing the Town's admission fees, effective 5/24/2018.

SITUATION AND ANALYSIS:

Issue Statement

If a municipality proposes to levy or assess or change a tax or fee the municipality shall comply with A.R.S. § 9-499.15. The attached Arizona Revised Statute, A.R.S. § 9-499.15 sets forth the procedure the Town must follow to establish or increase fees.

The Town has prepared a Notice of Intent and an Aquatic Center Rate Study to document the need for a rate increase. The study reviews the current user fees, the past financial performance of the Aquatic Center, and the projected financial performance with the proposed rate increase.

The notice of intent was adopted by Council on 2/13/2018, and the rate study was be posted on the Towns website for 60 days prior to the matter coming back to Council for approval, as required by A.R.S. Section 9-499.15. The fee increases if approved, will be in effect when the pool opens for the 2018 season.

Applicable "Policy"
Satisfaction of "Policy"

Summary of Issues and Staff Rationale

Historically, the Aquatic facility has been open from Memorial Day weekend until the first weekend after the start of the fall school year. The facility has always operated with multiple non-consecutive open swim sessions that were 3 to 5 hours in duration. During the past 5 years of operation an aquatic industry trend has been to group similar activities together to accomplish several goals: improve facility safety, increase operational efficiency, increase revenues and decrease expenditures. Responding to this trend, the Aquatic Facility Management reviewed and reconfigured the then existing operational schedule relative to the new operational methodology. This approach resulted in several improvements which include: Safety with regards to appropriate staffing levels in relation to attendance; as well as water quality.

Fiscal Impact

Fiscal Impact?: $22,934.81
If Yes, Budget Code: 01-69-5109
Available:
Funding Source:

Attachments

ARS 9-499.15
Notice of Intent
Rate Study 2018
Resolution No. 18-1115

9-499.15. Proposed new or increased municipal taxes and fees; notification; exceptions

A. A municipality may not levy or assess any new taxes or fees or increase existing taxes or fees pursuant to statute on a business without complying with this section.

B. A municipality that proposes to levy or assess a tax or fee shall:

1. Prepare a schedule of the proposed new or increased tax or fee that includes the amount of the tax or fee and a written report or data that supports the new or increased tax or fee. A copy of the report or data shall be filed in the office of the clerk of the municipality.

2. If the imposition of the proposed tax or fee is a new charge, provide written notice of the proposed charge, the schedule of the proposed new charge and the written report or data that supports the new charge on the home page of the municipality's website at least sixty days before the date the proposed new tax or fee is approved or disapproved by the governing body of the municipality.

3. If the municipality proposes to increase the rate of an existing tax or fee on a business, provide written notice of the proposed increase, the schedule of the proposed increased tax or fee and the written report or data that supports the proposed increased tax or fee on the home page of the municipality's website at least sixty days before the date the proposed new rate is approved or disapproved by the governing body of the municipality.

4. Prepare a notice of intent to establish or increase taxes, assessments or fees including assessments pursuant to section 48-572, subsection B, paragraph 1. The notice of intent shall include the date, time and place of the meeting of the governing body of the municipality in which the proposed new or increased tax or fee will be considered and a statement that a schedule of the proposed new or increased tax or fee that includes the amount of the tax or fee and a written report or data that supports the new or increased tax or fee is available on the municipality's website. The notice of intent shall be posted on the municipality's website at least fifteen days before the date the proposed new or increased tax or fee will be approved or disapproved by the governing body of the municipality. If the municipality uses social media or other electronic communication tools, the notice of intent shall be distributed through the municipality's social media accounts or other electronic communication tools.

C. All departments, boards or other subdivisions of a municipality that are authorized to establish or modify taxes or fees shall follow the notice requirements prescribed in subsection B of this section before the date of the entity's consideration of the new or increased tax or fee.

D. Technological issues that either prevent the posting of the notice on the municipality's website or distribution of the notice through social media or other electronic communication tools does not preclude the governing body of the municipality from approving or disapproving the new or increased tax or fee at the meeting provided on the notice of intent.

E. A municipality shall demonstrate that the taxes or fees are imposed pursuant to statute.

F. Subsections A and B of this section do not apply to:

1. Any fee adopted pursuant to section 9-463.05.

2. Water and wastewater rates or rate components.

3. Fees for registration-based classes, programs or activities provided by the municipality.

4. Court fees established pursuant to state law.

5. Fees or charges established pursuant to federal law for public housing or other federally funded programs.

6. Other fees whose amounts are set by state or federal law.

G. If information is made available relating to the fees provided in subsection F of this section, that information shall be posted on the municipality's website and, if the municipality uses social media or other electronic communication tools, distributed through social media or other electronic communication tools.

H. In addition to any other limitation that may be imposed by law, a municipality shall not levy or impose an assessment, fee or tax on hospital revenues, discharges, beds or services for the purpose of receiving services or payments pursuant to title 36, chapter 29.

TOWN OF CHINO VALLEY, ARIZONA
PUBLIC NOTICE

NOTICE OF INTENT TO INCREASE ADMISSION FEES FOR THE CHINO VALLEY AQUATIC CENTER PURSUANT TO A.R.S. § 9-499.15

The Town of Chino Valley intends to increase admission fees for the Chino Valley Aquatic Center and provides this written notice of the proposed new and increased fees pursuant to A.R.S. § 9-499.15.

The following rates are proposed:

Town of Chino Valley				
Aquatics Center Fee Schedule				
	Current Fees	Proposed 2018 Season	Proposed 2019 Season	Proposed 2020 Season
Daily Use				
Ages 0-2 Child		$0.00	$0.00	$0.00
Ages 3-17 Child		$3.00	$3.25	$3.50
Ages 0-5 Child	$1.00	n/a	n/a	n/a
Ages 6-17 Youth	$2.50	n/a	n/a	n/a
Ages 18-54 Adult	$3.50	$4.00	$4.25	$4.50
Ages 55 & Older	$3.00	$3.00	$3.25	$3.50
Family - 5 immediate Family Members	$12.50	$14.00	$15.00	$16.00
Season Passes				
Ages 0-2 Child		$0.00	$0.00	$0.00
Ages 3-17 Child		$85.00	$90.00	$100.00
Ages 0-5 Child	$45.00	n/a	n/a	n/a
Ages 6-17 Youth	$85.00	n/a	n/a	n/a
Ages 18-54 Adult	$130.00	$140.00	$150.00	$160.00
Ages 55 & Older	$95.00	$85.00	$90.00	$100.00
Family - 5 immediate Family Members	$200.00	$225.00	$225.00	$250.00
Family - Additional	$20.00	$25.00	$25.00	$30.00
Learn to Swim				
Youth 8 sessions, 30 minutes	$45.00	$45.00	$50.00	$55.00
Adult 4 sessions, 1 hour	$45.00	$45.00	$50.00	$55.00
Fitness Program Lessons - 9 sessions 1 hour	$45.00	$45.00	$50.00	$55.00
Private Lessons - 9 Session 1 hour	$20.00	$20.00	$25.00	$30.00
Aquatic Facility Rental				
Aquatic Facility, 2 hour minimum, 1 - 200 guests	$140.00	$150.00	$160.00	$170.00
Lifeguards, minimum 3, 2 hour minimum 1 - 200 guests	$72.00	$80.00	$90.00	$100.00
Aquatic Facility, 2 hour minimum, 201-400	$140.00	n/a*	n/a*	n/a*
Lifeguards, minimum 3, 2 hour minimum	$96.00	$130.00	$150.00	$170.00
Slide Rental	$30.00	$40.00	$50.00	$60.00
*Aquatic Facility Rental is 2 hour minimum regardless of number of guests				
** change to 5 guards 200-400 guests				

The written report and data supporting the increase in fees is posted concurrently with this Notice of the Town's home page.

The Chino Valley Town Council will consider approving these proposed rates at its regular council meeting to be held April 24, 2018 at 6:00 p.m. in the Council Chambers, 202 N. State Route 89, Chino Valley, Arizona 86323.

THE ABOVE AQUATIC CENTER ADMISSION FEES WILL BECOME EFFECTIVE THIRTY (30) DAYS AFTER APPROVAL BY THE TOWN COUNCIL.

Dated this _____ day of _____, 2018.

TOWN OF CHINO VALLEY

_____
Jami Lewis
Town Clerk

Town of Chino Valley

Aquatic Center Rate Study 2018

This report is prepared to meet the requirements of ARS 9-499.15

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Introduction

The Town of Chino Valley last reviewed and increased its Aquatic Center rates on October 23, 2012. Resolution 12-1001 adopted the current rates.

Since the Aquatic Center opened the Town's General Fund has subsidized the operation of the facility each year. The annual subsidy averages about $150,000 per year.

When the Aquatic Center last raised the pool rates in 2012, the minimum wage was $7.65 an hour. Last year, the minimum wage was raised to $10.00 an hour. This January, the minimum wage was raised to $10.50 an hour. Voter approved referendum will push the minimum wage to $12.00 an hour by 2020, further pushing the subsidy higher.

In order to keep the subsidy from increasing each year, staff is recommending a gradual rate increase over the next three years to coincide with the increases of minimum wage and generate additional fund to make capital repairs and replacements.

Over the last several years the Town has replaced the Aquatics Center roof, pool pump heater, chlorine unit, pool sweeper, and resurfaced the parking lot. In the next few years the slide needs resurfacing and painting the showers and offices also are in need of repainting.

Therefore, staff is recommending an increase in Aquatics Center user fees each year until 2020.

Current Aquatic Center User Fees

The chart below summarizes the current Aquatic Center User Fees and attendance.

Town of Chino Valley Aquatics Center Fee Schedule			
	2016 Season	**2017 Season**	**Current Fees**
Daily Use			
Ages 0-5 Child	1,690	1,814	$1.00
Ages 6-17 Youth	5,174	5,983	$2.50
Ages 18-54 Adult	2,672	2,974	$3.50
Ages 55 & Older	678	908	$3.00
Family - 5 immediate Family Members	254	438	$12.50
	10,468	12,117	
Season Passes			
Ages 0-5 Child	0	11	$45.00
Ages 6-17 Youth	1	0	$85.00
Ages 18-54 Adult	1	0	$130.00
Ages 55 & Older	1	2	$95.00
Family - 5 immediate Family Members	39	37	$200.00
Family - Additional	8	13	$20.00
	50	63	
Learn to Swim			
Youth 8 sessions, 30 minutes	163	191	$45.00
Adult 4 sessions, 1 hour			$45.00
Fitness Program Lessons - 9 sessions 1 hour	90	95	$45.00
Private Lessons - 9 Session 1 hour			$20.00
	253	286	
Aquatic Facility Rental			
Aquatic Facility, 2 hour minimum, 1 - 200 guests	11	21	$140.00
Lifeguards, minimum 3, 2 hour minimum	10	20	$72.00
Aquatic Facility, 2 hour minimum, 201-400			$140.00
Lifeguards, minimum 3, 2 hour minimum			$96.00
Slide Rental	8	16	$30.00
	29	57	

Aquatic Center Financial History

The table below summarizes the Aquatic Center operating results for the last three fiscal years.

Town of Chino Valley						
Operating Results by Fiscal Year						
Fiscal Years Ending 6/30/15 - 6/30/17						
	6/30/2015		6/30/2016		6/30/2017	
Revenue						
Entrance Fees	$44,205	62%	$34,082	60%	$48,525	64%
Concessions	$11,727	16%	$9,585	17%	$13,803	18%
Program Fees	$13,345	19%	$10,478	18%	$11,830	16%
Facilities Use Fees	$2,201	3%	$2,750	5%	$2,027	3%
Total Revenue	**$71,478**	**100%**	**$56,895**	**100%**	**$76,184**	**100%**
Revenue % Increase						
Expenditures						
Personnel	$99,861	48%	$108,035	51%	$94,139	37%
Benefits	$6,932	3%	$11,567	5%	$13,074	5%
Operating Expenses	$101,749	49%	$92,421	44%	$130,656	52%
Capital					$14,675	6%
Total Expenditures	**$208,542**	**100%**	**$212,022**	**100%**	**$252,544**	**100%**
Net Loss	**($137,063)**		**($155,127)**		**($176,360)**	

Proposed Aquatic Center User Fees

The table below summarizes the proposed rates for the next three seasons.

Town of Chino Valley Aquatics Center Fee Schedule				
	Current Fees	Proposed 2018 Season	Proposed 2019 Season	Proposed 2020 Season
Daily Use				
Ages 0-2 Child		$0.00	$0.00	$0.00
Ages 3-17 Child		$3.00	$3.25	$3.50
Ages 0-5 Child	$1.00	n/a	n/a	n/a
Ages 6-17 Youth	$2.50	n/a	n/a	n/a
Ages 18-54 Adult	$3.50	$4.00	$4.25	$4.50
Ages 55 & Older	$3.00	$3.00	$3.25	$3.50
Family - 5 immediate Family Members	$12.50	$14.00	$15.00	$16.00
Season Passes				
Ages 0-2 Child		$0.00	$0.00	$0.00
Ages 3-17 Child		$85.00	$90.00	$100.00
Ages 0-5 Child	$45.00	n/a	n/a	n/a
Ages 6-17 Youth	$85.00	n/a	n/a	n/a
Ages 18-54 Adult	$130.00	$140.00	$150.00	$160.00
Ages 55 & Older	$95.00	$85.00	$90.00	$100.00
Family - 5 immediate Family Members	$200.00	$225.00	$225.00	$250.00
Family - Additional	$20.00	$25.00	$25.00	$30.00
Learn to Swim				
Youth 8 sessions, 30 minutes	$45.00	$45.00	$50.00	$55.00
Adult 4 sessions, 1 hour	$45.00	$45.00	$50.00	$55.00
Fitness Program Lessons - 9 sessions 1 hour	$45.00	$45.00	$50.00	$55.00
Private Lessons - 9 Session 1 hour	$20.00	$20.00	$25.00	$30.00
Aquatic Facility Rental				
Aquatic Facility, 2 hour minimum, 1 - 200 guests	$140.00	$150.00	$160.00	$170.00
Lifeguards, minimum 3, 2 hour minimum 1 - 200 guests	$72.00	$80.00	$90.00	$100.00
Aquatic Facility, 2 hour minimum, 201-400	$140.00	n/a*	n/a*	n/a*
Lifeguards, minimum 3, 2 hour minimum	$96.00	$130.00	$150.00	$170.00
Slide Rental	$30.00	$40.00	$50.00	$60.00
*Acquatic Facility Rental is 2 hour minimum regardless of number of guests				
** change to 5 guards 200-400 guests				

Aquatic Center Pro Forma Projection

The table below summarizes the financial impact of the proposed fee increase. Note the Town will continue to subsidize the operation of the Aquatic Center.

Town of Chino Valley Operating Results Budget 6/30/18 and Projected 6/30/18 with Fee Increase				
	Budget 6/30/2018		Projected 6/30/18 With Fee Increase	
Revenue				
Entrance Fees	$49,000	64%	$55,000	67%
Concessions	$13,000	17%	$13,000	16%
Program Fees	$12,000	16%	$12,000	15%
Facilities Use Fees	$2,000	3%	$2,000	2%
Total Revenue	**$76,000**	**100%**	**$82,000**	**100%**
Revenue % Increase				
Expenditures				
Personnel	$81,197	38%	$81,197	38%
Benefits	$15,503	7%	$15,503	7%
Operating Expenses	$109,100	51%	$109,100	51%
Capital	$10,000	5%	$10,000	5%
Total Expenditures	**$215,800**	**100%**	**$215,800**	**100%**
Net Loss	**($139,800)**		**($133,800)**	

Rate Change Calendar

Town of Chino Valley		
Aquatic Center Rate Change Calendar 2018		
Date	**Item**	**Requirement**
2/13/2018	Department Presents written report to Council	
2/13/2018	Council Adopts Notice of Intention to increase rates and hold a public hearing	At least 60 days prior to public hearing
2/23/2018	File copy of report and Notice of Intention to increase rates with the Town Clerk and post on website	At least 60 days prior to public hearing
4/24/2018	Adopt Resolution	At least 60 days after notice of intent
5/24/2018	New Rate becomes effective	30 days after adoption

Other Community Comparison

Town of Chino Valley Aquatics Center Fee Schedule			
	Chino Valley Proposed 2018 Season	**Prescott Valley**	**Williams**
Daily Use			
Ages 0-2 Child	$0.00	$3.25	7 & under $1.00
Ages 3-17 Child	$3.00	$3.25	8-18 $3.00
Ages 0-5 Child	n/a	$3.25	9-54 $4.00
Ages 6-17 Youth	n/a	$3.25	55+ $3.00
Ages 18-54 Adult	$4.00	$4.25	
Ages 55 & Older	$3.00	$3.25	
Family - 5 immediate Family Members	$14.00	n/a	
Season Passes			
Ages 0-2 Child	$0.00		
Ages 3-17 Child	$85.00		
Ages 0-5 Child	n/a		
Ages 6-17 Youth	n/a		$120.00
Ages 18-54 Adult	$140.00		$140.00
Ages 55 & Older	$85.00		$120.00
Family - 5 immediate Family Members	$225.00	$320.00	$200.00
Family - Additional	$25.00		
Learn to Swim			
Youth 8 sessions, 30 minutes	$45.00	$40.00	$30.00
Adult 4 sessions, 1 hour	$45.00		
Fitness Program Lessons - 9 sessions 1 hour	$45.00	$45.00	
Private Lessons - 9 Session 1 hour	$20.00	$17.00	
Aquatic Facility Rental			
Aquatic Facility, 2 hour minimum, 1 - 200 guests	$150.00	$95/hr + 3 guards	
Lifeguards, minimum 3, 2 hour minimum 1 - 200 guests	$80.00	$12/hr/guard	
Aquatic Facility, 2 hour minimum, 201-400	n/a*		
Lifeguards, minimum 3, 2 hour minimum	$130.00		
Slide Rental	$40.00		
*Acquatic Facility Rental is 2 hour minimum regardless of number of guests			
** change to 5 guards 200-400 guests			

RESOLUTION NO. 18-1115

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, INCREASING ADMISSION FEES FOR THE CHINO VALLEY AQUATIC CENTER; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR SEVERABILITY

WHEREAS, in 2016, the Arizona voters approved Proposition 206, increasing the minimum wage for Arizona workers, including Town employees; and

WHEREAS, the increase in minimum wage for Town employees at the Chino Valley Aquatic Center (the "Center") is projected to result in a substantial loss to the Town if admission fees are not increased;

WHEREAS, the Town of Chino Valley Town Council recognizes the benefits to quality of life and to the public safety of Chino Valley occasioned by the Center and desires to continue to operate the Center; and

WHEREAS, a Notice of Intent to Increase Admission Fees for the Chino Valley Aquatic Center, in compliance with A.R.S. § 9-499.15, was posted on the homepage of the Town's website for at least sixty days before the date of approval of this Resolution,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, Arizona, that the Chino Valley Aquatic Center Admission fees are amended and increased to read as follows:

Fee	2018 Season	2019 Season	2020 Season
Daily Use			
Ages 0-2 Child	$ 0.00	$ 0.00	$ 0.00
Ages 3-17 Child	$ 3.00	$ 3.25	$ 3.50
Ages 18-54 Adult	$ 4.00	$ 4.25	$ 4.50
Ages 55 and Older	$ 3.00	$ 3.25	$ 3.50
Family – 5 immediate Family Members	$ 14.00	$ 15.00	$ 16.00
Season Passes			
Ages 0-2 Child	$ 0.00	$ 0.00	$ 0.00
Ages 3-17 Child	$ 85.00	$ 90.00	$100.00
Ages 18-54 Adult	$140.00	$150.00	$160.00
Ages 55 & Older	$ 85.00	$ 90.00	$100.00
Family – 5 immediate Family Members	$225.00	$225.00	$250.00
Family – Additional	$ 25.00	$ 25.00	$ 30.00
Learn to Swim			
Youth – 8 sessions, 30 minutes each	$ 45.00	$ 50.00	$ 55.00
Adult – 4 sessions, 1 hour each	$ 45.00	$ 50.00	$ 55.00
Fitness Program Lessons – 9 sessions, 1 hour each	$ 45.00	$ 50.00	$ 55.00
Private Lessons – 9 sessions, 1 hour each	$ 20.00	$ 25.00	$ 30.00

Fee	2018 Season	2019 Season	2020 Season
Aquatic Facility Rental			
Aquatic Facility, 2 hour minimum, 1-200 guests	$150.00	$160.00	$170.00
Lifeguards, minimum 3, 2 hour minimum 1-200 guests	$ 80.00	$ 90.00	$100.00
Aquatic Facility, 2 hour minimum, 201-400 guests	n/a*	n/a*	n/a*
Lifeguards, minimum 3, 2 hour minimum	$130.00	$150.00	$170.00
Slide Rental	$ 40.00	$ 50.00	$ 60.00

*Aquatic Facility Rental is 2 hour minimum regardless of number of guests
**Change to 5 lifeguards for 200-400 guests

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 24th day of April, 2018.

_____
Darryl Croft, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Resolution No. 18-1115 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on April 24, 2018, 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 **7.b.**

Meeting Date:	04/24/2018
Contact Person:	Alex Lerma, Associate Planner
	Phone: 928-626-4427 x-1295
Department:	Development Services
Item Type:	Action-Presentation
Estimated length of staff presentation:	5 minutes
Physical location of item:	Located 274 feet north of the northwest corner of West Road 3 North and State Route 89 at 2062 North State Route 89.

AGENDA ITEM TITLE:

Consideration and possible action to approve a Conditional Use Permit (CUP 18-002) for approximately 2.82 acres of real property generally located 274 feet north of the northwest corner of West Road 3 North and State Route 89 at 2062 North State Route 89 to allow the installation and replacement of an electronic sign in the CL (Commercial Light) zoning district. (Jason Sanks, Development Services Director)

RECOMMENDED ACTION:

Move to approve Conditional Use Permit (CUP 18-002) for approximately 2.82 acres of real property located at 6062 North State Route 89 to permit the proposed electronic sign in the CL (Commercial Light) zoning district, subject to the conditions recommended by staff.

SITUATION AND ANALYSIS:

Issue Statement

See attached Staff Report

Conditions recommended by staff

1) The electronic sign shall not contain any form of animation and must remain static for at least eight seconds with a transition time of no greater than two seconds. If the Town and/or Arizona Department of Transportation ("ADOT") develop more stringent requirements for static and transition time code for electronic signs, the sign that is subject to this Use Permit shall be modified to comply.

2) If the Town receives complaints from community residents of excessive brightness or glare at night, the applicant shall submit sign modification plans to the Development Services Department for review and approval that ensure brightness and glare are reduced to satisfactory levels.

3) Information displayed on the electronic sign shall be exclusive to activities and events that occur only on the premises, in compliance with ADOT regulations (A.R.S. §§ 28-2901 through 28-2915 and A.A.C.

§§ R17-3-701 and R17-3-701.01) and the Town's prohibition of off-site commercial signs.

Applicable "Policy"

Satisfaction of "Policy"

Summary of Issues and Staff Rationale

Findings of Fact

Fiscal Impact

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

Attachments

St. Catherine Draft CUP Letter
St. Catherine_Staff Report

Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net

April __, 2018

St. Catherine Laboure Roman Catholic Mission Chino Valley
P.O. Box 152
Chino Valley, AZ 86323

RE: Conditional Use Permit (C18-002)
St. Catherine Laboure Electronic Sign

On April 24, 2018, the Chino Valley Town Council approved a Conditional Use Permit in the above-referenced case for approximately 2.82 acres of property located at 2062 North State Route 89, as shown on Exhibits 1 (legal description) and 2 (map), which are attached hereto and incorporated herein. The minutes from the Town Council meeting are available from the Town Clerk or online at chinoaz.net.

The Use Permit permits an electronic sign use in the Commercial Light zoning district. The use and operation permitted by the Use Permit shall substantially conform to the Design Plan, attached hereto and incorporated herein as Exhibit 3.

This Use Permit is subject to the following conditions:

1) The electronic sign shall not contain any form of animation and must remain static for at least eight seconds with a transition time of no greater than two seconds. If the Town and/or Arizona Department of Transportation ("ADOT") develop more stringent requirements for static and transition time code for electronic signs, the sign that is subject to this Use Permit shall be modified to comply.

2) If the Town receives complaints from community residents of excessive brightness or glare at night, the applicant shall submit sign modification plans to the Development Services Department for review and approval that ensure brightness and glare are reduced to satisfactory levels.

3) Information displayed on the electronic sign shall be exclusive to activities and events that occur only on the premises, in compliance with ADOT regulations (A.R.S. §§ 28-2901 through 28-2915 and A.A.C. §§ R17-3-701 and R17-3-701.01) and the Town's prohibition of off-site commercial signs.

Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net

This Use Permit is subject to all limitations set forth in the Chino Valley Unified Development Ordinance and in this Use Permit, including termination and/or revocation. If either commencement of the use or commencement of construction, pursuant to a valid building permit, has not occurred within 2 years of the effective date of this Use Permit, this Use Permit will automatically expire. The effective date of this Use Permit is the date upon which conditions 1 through 3, above, have been satisfied, determined by the Development Service Director.

Please ensure that all public hearing notice signs installed on the site, if any, are removed immediately.

If you have any questions regarding this Use Permit, please contact Alejandro Lerma at 928-636-2646 Ext. 1295 or by email at alerma@chinoaz.net.

Sincerely,

_____

Alejandro Lerma
Planner

Enclosure (Exhibits):
1. Legal Description
2. Map
3. Site Plan

Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net

Exhibit 1 – Legal Description

Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net

PARCEL NO. 1 :

All that portion of the Southwest quarter of the Southeast quarter of Section 10, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, lying West of the West right-of-way line of the Prescott-Ash Fork Highway .
(U.S. Highway 89) as such Highway existed July 22, 1936, described as follows:
BEGINNING at the Southeast corner of the above described tract;
thence North 2 degrees 34 minutes 28 seconds East, 260.89 feet along the West right-of-way line of said U. S. Highway 89 to the TRUE POINT OF BEGINNING;
thence continuing North 2 degrees 34 minutes 28 seconds East, 104.35 feet along said right-of-way line;
thence South 89 degrees 52 minutes 36 seconds West, 417.42 feet;
thence South 2 degrees 34 minutes 28 seconds West, 104.35 feet;
thence North 89 degrees 52 minutes 36 seconds East, 417.42 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

All that portion of the Southwest quarter of the Southeast quarter of Section 10, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, lying West of the West right-of-way line of the Prescott-Ash Fork Highway (U.S. Highway 89) as such Highway existed July 22, 1936, described as follows:
BEGINNING at the Southeast corner of the above described tract;
thence North 2 degrees 34 minutes 28 seconds East, 365.24 feet along the West right-of-way line of said U. S. Highway 89 to the TRUE POINT OF BEGINNING;
thence continuing North 2° 34' 28" East, 156.53 feet along said right-of-way line;
thence South 89 degrees 52 minutes 36 seconds West, 417.42 feet;
thence South 2 degrees 34 minutes 28 seconds West, 156.53 feet to a point lying South 89 degrees 52 minutes 36 seconds West, 417.42 feet from a point on said right-of-way line, which lies North 2 degrees 34 minutes 28 seconds East, 365.24 feet from the Southeast corner of the above described tract;
thence North 89 degrees 52 minutes 36 seconds East, 417.42 feet to the TRUE POINT OF BEGINNING.

Parcel No. 3

All that portion of the Southwest quarter of the Southeast quarter of Section 10, Township 16 North, Range 2 West of the Gila and Salt River base and Meridian, Yavapai County, Arizona, being more particularly described as follows:

BEGINNING at the Northeast corner of that certain parcel of land described in the instrument filed for record in Book 1172, pages 157 and 158, Official Records of Yavapai

Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

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County;

Thence North 02 degrees 44 minutes 51 seconds East, a distance of 1.69 feet along the West right of way line of U.S. Highway 89 to a found ADOT brass cap right of way marker;

Thence North 87 degrees 11 minutes 00 seconds West, a distance of 49.98 feet along the said West right of way line to a found ADOT brass cap right of way marker;

Thence North 02 degrees 43 minutes 22 seconds East, a distance of 28.43 feet along the said West right of way line to the Southeast corner of Lot 95, amended Plat of Luna Estates, as shown on the map filed for record in Book 17 of Maps, page 71, Official Records of Yavapai County;

Thence South 89 degrees 51 minutes 51 seconds West, a distance of 375.31 feet along the South line of Lots 95 and 94 of said Amended Plat of Luna Estates, to an existing fence;

Thence South 02 degrees 13 minutes 01 seconds West, a distance of 31.24 feet along said fence to its intersection with the Westerly prolongation of the North line of said certain parcel;

Thence South 89 degrees 56 minutes 27 seconds East, a distance of 7.58 feet along said prolongation to the Northwest corner of said certain parcel;

Thence continuing South 89 degrees 56 minutes 27 seconds East, a distance of 417.42 feet along said North line to the POINT OF BEGINNING;

Parcel No. 4:

All that portion of the Southwest quarter of the Southeast quarter of Section 10, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being more particularly described as follows:

BEGINNING at the Northwest corner of that certain parcel of land described in the instrument filed for record in Book 1172, pages 157 and 158, Official Records of Yavapai County;

Thence South 02 degrees 44 minutes 51 seconds West, a distance of 260.89 feet along the West line of said certain parcel to the Southwest corner of that certain parcel described in the instrument filed for record in Book 1172 pages 155 and 156, Official records of Yavapai County;

Thence North 89 degrees 56 minutes 27 seconds West, a distance of 5.17 feet along the Westerly prolongation of the South line of said certain parcel in Book 1172, pages 155 and 156 to its intersection with an existing fence;

Thence North 02 degrees 13 minutes 01 seconds East, a distance of 260.78 feet along said fence to its intersection with the Westerly prolongation of the North line of said certain parcel in Book 1172, pages 157 and 156;

Development Services Department
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Chino Valley, AZ 86323

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Thence South 89 degrees 56 minutes 27 seconds East, a distance of 7.58 feet along said prolongation to the POINT OF BEGINNING.

Parcel No. 5:

Lots 93, 94 and 95, Amended Plat of Luna Estates, according to Book 17 of Maps, Page 71, records of Yavapai County, Arizona.

Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

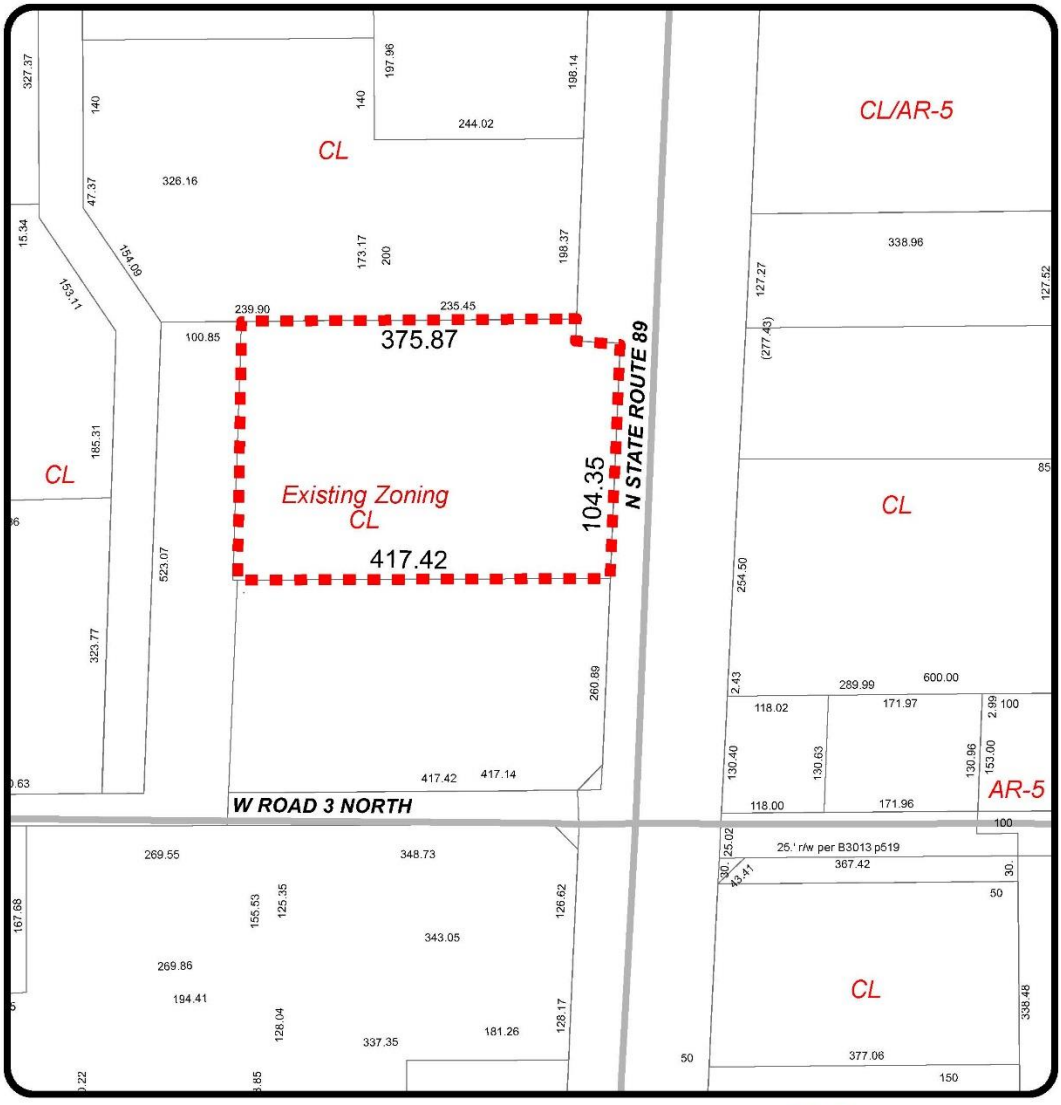
Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net

Exhibit 2 – Map

Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net

EXHIBIT 2



CUP-000002: St. Catherine Labure

■ ■ ■ Subject Property

Applicant: St. Catherine Labure Church

Request: New Sign - 12' Height

Location: 2060 N State Route 89 Chino Valley, AZ, 86323
APN- 306-14-007E

N

Not to Scale

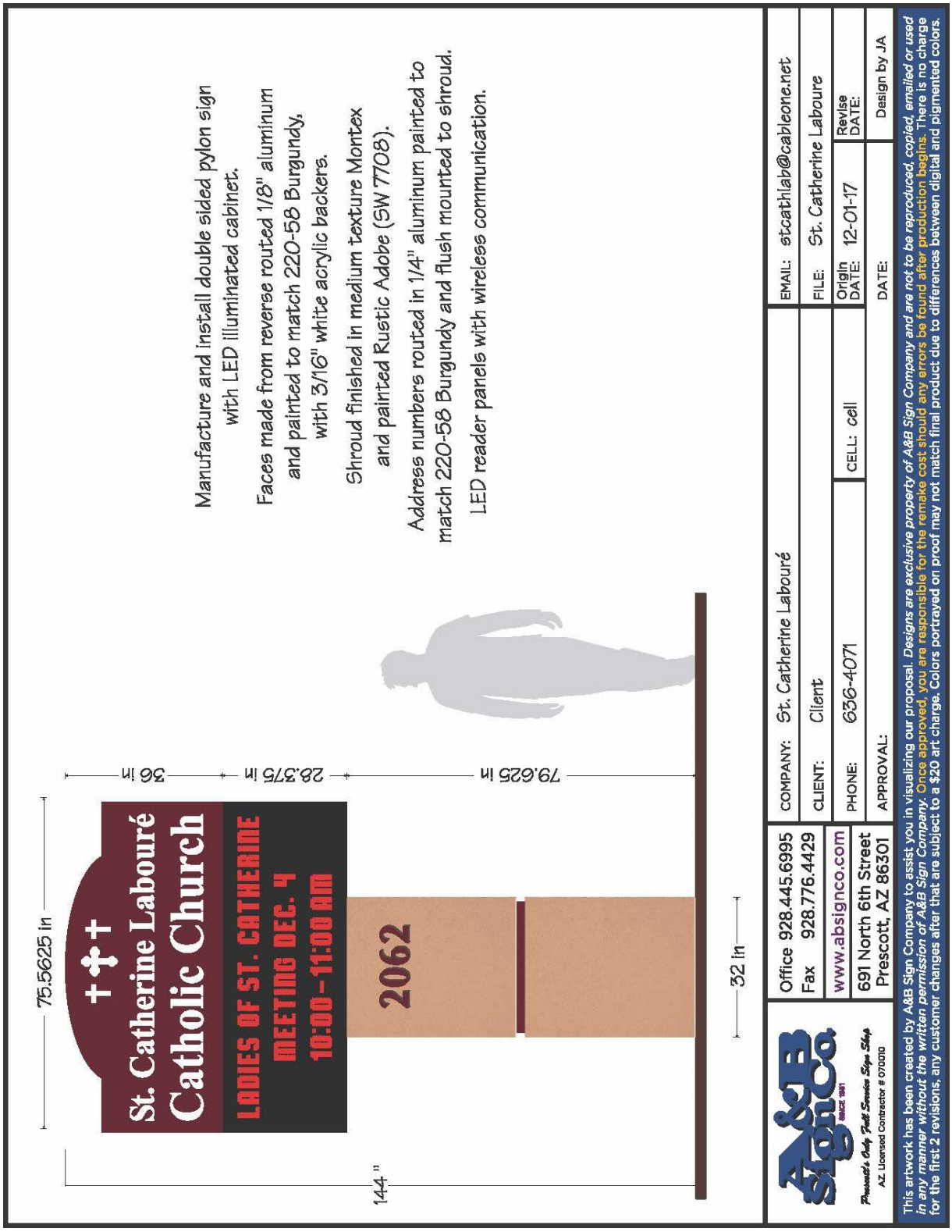
Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net

Exhibit 3 – Design Plan

Development Services Department
1982 Voss Drive #203
Chino Valley, AZ 86323

Phone number: (928) 636-4427
Fax number: (928) 636-6937
www.chinoaz.net



TOWN COUNCIL
STAFF REPORT

APPLICATION SUMMARY

File Number:	C18-000002
Assessor's Parcel Number:	306-14-007E
Site Location:	Located approximately 270 feet north of the northwest corner of West Road 3 North and State Route 89 intersection at 2062 North State Route 89.
Property Owner:	St. Catherine Laboure Church
Applicant:	A & B Signs Co. Inc. (Bryan Wieweck)
Request:	Request for to amend the Conditional Use Permit (CUP) to allow the installation and replacement of an electrical sign.

SITE DATA

Existing Zoning	CL (Commercial Light)
Lot Size	2.82 acres (approximately 122,839 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Commercial/ Multi-Family Residential
Existing Land Use	Community Church

BACKGROUND

SITE DESCRIPTION

The subject property is approximately 270 feet north of the northwest corner of West Road 3 North and State Route 89 intersection at 2062 North State Route. The property currently accessed via North State Route 89. The site is identified with the CL (Commercial Light) zoning district under the Town of Chino Valley UDO (Unified Development Ordinance). The parcel is identified with a Land Use Designation of Commercial/ Multi-Family Residential under the Town of Chino Valley General Plan Potential Land Use Map. The site is accessed going north on State Route 89. Existing improvements on the property include a 9038 sq. ft. Church building, a modular classrooms, and a mobile home. (**See Figure 1.)**

PROJECT DESCRIPTION & HISTORY

With its close proximity to State Route 89, St. Catherine Laboure Church would like to replace its previous sign with a freestanding monument sign with a digital display. The double-sided digital display portion of

the freestanding monument sign will be approximately 15 sq. ft. in area (28.3" X75.5") and the LED reader panels will be in 16mm hi-resolution RGB (red-green-blue) with wireless communication. The electronic information centers will have a light sensor built in to them to automatically dim as the ambient light decreases. The new free standing monument sign will be located at least 6 feet from property line and will conform to the development standards set forth by the Commercial Light zoning district. (**See Figure 2)**

Originally the applicate was granted a CUP to allow a free standing monument sign which included a light emitting diode (LED) Message reader board through Ordinance No 13-770 and passed on June 25th, 2013. (**See Figure 3**) The LED message reader board that was approved was 32 sq. ft. in area and was approximately 3' above ground level. With damages to the sign caused by a car accident, the property owners decided to completely remove the approved sign.

The property owners submitted plans for the construction of a new sign at the beginning of this year. The proposed sign substantially differed from the one previously approved by council in 2013. Although the electronic display portion of the proposed sign abides by requirements set forth by the sign standards in the UDO, Staff believes that the increase in high from the three (3) feet above ground level that was approved originally in 2013, to the now proposed six (6) feet in the new design plan merits review and approval by Council in addition to the signs being location long a major thoroughfare along State Route 89.

APPLICABLE STATUTES/ ORDINANCES

4.21.3 GENERAL SIGN REGULATIONS

A. The regulations, requirements, and provisions set forth in this Chapter shall apply to all signs erected, placed, or constructed within the Town.
B. All signs shall be structurally designed, constructed, erected, and maintained in conformance with all applicable Technical Codes and regulations.
C. Signs shall not be constructed or located in a manner that interferes with pedestrian or vehicular travel, obstructs free and clear vision of traffic, poses a hazard to either pedestrians or vehicles, or in such a manner to confuse, distract, or interfere with traffic and/or pedestrians.
D. Signs shall be located a minimum of six feet (6') from property lines.
E. All signs and sign structures, conforming and non-conforming, shall be maintained in good order, repair, and appearance at all times so as not to constitute a danger or hazard to the public safety or create visual blight as determined by the Zoning Administrator or his/her designee.
F. All illuminated signs shall comply with Section 4.24 Outdoor Lighting including, but not limited to, Subsection 4.24.4 General Requirements, Subsection (P).
G. A non-commercial sign may be located in any location that a commercial sign is permitted and shall comply with the regulations set forth in this Chapter for that location.
(Ord. 17-819, passed 3-14-2017)

4.21.5 SIGN STANDARDS

B. Freestanding Signs

USE	ZONING DISTRICT	MAXIMUM AREA	MAXIMUM HEIGHT	STANDARDS
Shopping Centers or Commercial Centers	CL, CH, I, PL and OS	See Speed Limit Table 4.21.5.B-2		One sign may be permitted for every 500 ft. of street frontage; Maximum of 2 signs per street frontage. Individual buildings within the development and/or the PAD sites within the commercial center shall not be considered as separate developments for signage purposes. May be illuminated.

Speed Limit Table 4.21.5.B-2	
Speed Limit of Adjacent Roadway	
	> 35 MPH
Maximum Area	96 sq. ft.
Maximum Height	12 ft.

C. Electronic Signs

Uses	Zoning District	Maximum Area	Maximum Height	Standards
	CL, CH, I, PL, and OS	Electronic Signs: Per Use Permit	Electronic Signs: Per Use Permit	Electronic Signs: As conditioned in Use Permit.
	CL, CH, I, PL, and OS	Reader Panel Signs: 32 sq. ft.	Reader Panel Signs: 14 feet	8 foot minimum height to bottom of sign panel.

SURROUNDING PROPERTIES ZONING AND LAND USES

The area is predominantly made up of low density single family residences and commercial properties. The properties directly north and west are zoned CL (Commercial Light) and are currently vacant. To the south, properties are zoned CL (Commercial Light), the property directly south is a single family residence and further south is located a commercial center. To the east, adjacent State Route 89, properties are zoned CL (Commercial Light). Land uses include a single family residence, vacant land and an auto shop.

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	EXISITING LAND USE
North	CL	Commercial/ Multi- Family Residential	Vacant Land
West	CL	Commercial/ Multi- Family Residential	Vacant Land
South	CL	Commercial/ Multi- Family Residential	Single Family Residence, Commercial Center
East	CL	Commercial/ Multi- Family Residential	Single Family Residence, Vacant Land, Auto Shop

PUBLIC REVIEW PARTICIPATION

The Town Staff notified property owners within a 300' radius, resulting in fourteen (14) letters to surrounding property owners. Property owners received a copy of the design plan proposed by the applicant. To date, no responses to those letters have been received by the Town.

The item went before the Planning and Zoning Commissions on April 3, 2018. At said meeting the Commission had no issues or concerns regarding the proposed sign and agreed with Staff on the conditions of approval. The Commission forwarded a recommendation of approval to Town Council with several conditions. Vote: 6-0 Passed-Unanimously

STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The current CL (Commercial Light) is in conformance with the 2014 Chino Valley General Plan's Future Land Use Map, which places the property in a Commercial/Multi-Family Residential Land Use. The property's land use of a community church has been the same in the previous years and will continue to do so in the near future.

CONSISTANCY WITH THE ZONING ORDINANCE

The parcels current zoning district is CL (Commercial Light). Historically the land use of the property has been that of a community church and has abide by the development standards set forth by the Commercial Light zoning district. The purpose of the Commercial Light district is:

"*to provide for neighborhood amenity and some general commercial uses. Land use is composed chiefly of retail and service businesses, offices, and apartments, together with necessary accessory uses.*"

The existing land use of a community church is already permitted within the Commercial Light district. The proposed sign is also an allowable use, subject to CUP approval.

TRAFFIC HAZARD OR CONGESTION:

The lighting of the sign will make the sign more visible to traffic. A concern with electronic/digital display is the fact that the message changes every few seconds and has the potential to distract motorists. The Town's sign regulations do not dictate requirements regarding a time frame between the changing of messages in an effort to minimize the potential for distraction. The applicant has indicated that the electronic information center will use a light sensor built in to automatically dim as the ambient light decreases.

Arizona Revised Statutes §§ 28-7901, 28-7902, and 28-7903 relate to the regulation and control of electronic outdoor advertising located along Arizona highways. Section 28-9702E1 states that electrical outdoor advertising signs must not contain any form of animation and must remain static for at least eight seconds with a transition time of no greater than two seconds. Since this sign will be located on SR-89, staff has proposed matching this criteria in the conditions of approval for the CUP.

ON-PREMISE VS OFF-PREMISE SINGS:

Signs abutting ADOT right of way are either categorized as On-Premise or Off-Premise signs. ADOT defines an On-Premise as a "sign that is located on the premises of the activity that the sign advertises. The premises is defined as "that land that is actually used and integral to the activity. If the sign advertises only the activity on the premises, it is exempt from the State's requirements for size, location, and spacing and does not need an Arizona Outdoor Advertising Permit."

Furthermore ADOT defines an Off-Premise Sign as "signs that are located on premises other than where the activity, service or production that the sign advertises is located. The State's regulations control the size, location, spacing, and lighting of billboards that are along the regulated highways. An Arizona Outdoor Advertising Permit is required before erecting or maintaining a billboard along a regulated highway. This is in addition to any permit that is required by the local governing jurisdiction."

The information displayed on the proposed church sign will need to stay exclusive to the property and its activities to be considered an On-Premise sign. This means that if church wants to advertise sponsored community events, those events will need to be conducted on site. If in the future church wishes to display information not related to the site itself, ADOT will consider it a billboard and an Off-Premise Sign.

STAFF RECOMMENDATION

Staff and Planning and Zoning Commission recommend an approval for a Conditional Use Permit for the proposed electrical display for St. Catherine Laboure Catholic Church, subject to the following conditions:

1) The electronic sign shall not contain any form of animation and must remain static for at least eight seconds with a transition time of no greater than two seconds. If the Town and/or Arizona Department of Transportation ("ADOT") develop more stringent requirements for static and transition time code for electronic signs, the sign that is subject to this Use Permit shall be modified to comply.

2) If the Town receives complaints from community residents of excessive brightness or glare at night, the applicant shall submit sign modification plans to the Development Services Department for review and approval that ensure brightness and glare are reduced to satisfactory levels.

3) Information displayed on the electronic sign shall be exclusive to activities and events that occur only on the premises, in compliance with ADOT regulations (A.R.S. §§ 28-2901 through 28-2915 and A.A.C. §§ R17-3-701 and R17-3-701.01) and the Town's prohibition of off-site commercial signs.

FIGURE 1. AERIAL MAP

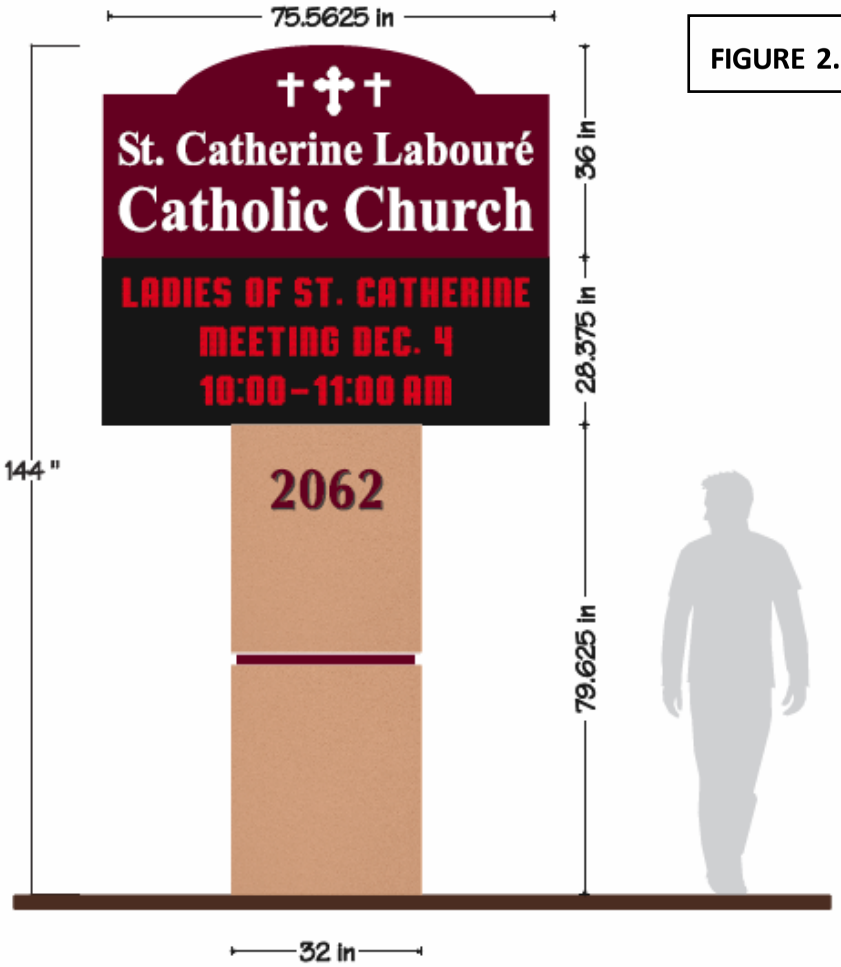


FIGURE 2. Proposed Design Plan

Manufacture and install double sided pylon sign with LED illuminated cabinet.

Faces made from reverse routed 1/8" aluminum and painted to match 220-58 Burgundy, with 3/16" white acrylic backers.

Shroud finished in medium texture Montex and painted Rustic Adobe (SW 7708).

Address numbers routed in 1/4" aluminum painted to match 220-58 Burgundy and flush mounted to shroud.

LED reader panels with wireless communication.

A&B Sign Co. SINCE 1951
Prescott's Only Full Service Sign Shop
AZ. Licensed Contractor # 070010

Office 928.445.6995
Fax 928.776.4429
www.absignco.com
691 North 6th Street
Prescott, AZ 86301

COMPANY:	St. Catherine Labouré			EMAIL:	stcathlab@cableone.net
CLIENT:	Client			FILE:	St. Catherine Laboure
PHONE:	636-4071	CELL:	cell	Origin DATE:	12-01-17
APPROVAL:			DATE:		Revise DATE:
					Design by JA

This artwork has been created by A&B Sign Company to assist you in visualizing our proposal. *Designs are exclusive property of A&B Sign Company and are not to be reproduced, copied, emailed or used in any manner without the written permission of A&B Sign Company.* Once approved, you are responsible for the remake cost should any errors be found after production begins. There is no charge for the first 2 revisions, any customer changes after that are subject to a $20 art charge. Colors portrayed on proof may not match final product due to differences between digital and pigmented colors.

FIGURE 3. Originally Approved Design Plan

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting		**7.c.**
Meeting Date:	04/24/2018	
Contact Person:	Alex Lerma, Associate Planner Phone: 928-626-4427 x-1295	
Department:	Development Services	
Item Type:	Action-Presentation	
Estimated length of staff presentation:	5 minutes	
Physical location of item:	Located on the northeast corner of North Road 1 East and East Perkinsville Road at 1204 East Perkinsville Road.	

AGENDA ITEM TITLE:

Consideration and possible action to approve Ordinance No. 18-844 rezoning approximately 44 acres of real property generally located on the northeast corner of North Road 1 East and East Perkinsville Road at 1204 East Perkinsville Road, from AR-5 (Agricultural Residential-5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential-7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district to modify the SR-0.16 zoning district development standards. (Jason Sanks, Development Service Director)

RECOMMENDED ACTION:

Move to approve Ordinance No. 18-844 rezoning approximately 44 acres of real property generally located on the northeast corner of North Road 1 East and East Perkinsville Road at 1204 East Perkinsville Road, from AR-5 (Agricultural Residential- 5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development Overlay zoning district subject to the conditions recommended by staff.

SITUATION AND ANALYSIS:

Issue Statement

See attached Staff Report.

Conditions recommended by staff

1. The development shall be in general conformance with the Conceptual Site Plan, Perimeter Wall Plans and Landscape Plan, as approved or modified by the Town's Development Services Director, with specific regard to the following:

   a) Location of pedestrian multi-use trail providing connectivity to Perkinsville Road;
   b) Perimeter landscaping along Perkinsville Road and Road 1 East; and
   c) Location of park including that two (2) picnic tables, one (1) tot lot, and one (1) Ramada shall be provided.

2. The developer shall work with the Public Works Director in establishing a viable pull out for future public transportation.

Subject to the following modified underlying SR-0.16 Development Standards

	SR-0.16 Standards	Proposed SR-0.16 PAD Standards
Minimum Lot Area	**7,000 sq. ft.**	**7,000 sq. ft.**
Minimum Lot Frontage	**50 ft.**	**50 ft.**
Minimum Building Setback from Arterial – E. Perkinsville Rd. (Ref. Section 4.28)	**50 ft.**	**25 ft. ***
Minimum Building Setback from Arterial- Road 1 East (Ref. Section 4.28)	**50 ft.**	**50 ft.**
Minimum Building Setback from Arterial- Road 3 North (Ref. Section 4.28)	**50 ft.**	**20 ft. ***
Minimum Front Yard Setback (Section 4.28)	**25 ft.**	**15 ft. * to livable** **20 ft. * to garage (driveway)**
Minimum Side Yard Setback	**10 ft.**	**5 ft. /10 ft. (15 ft. total)***
Minimum Side Street Yard Setback from Local Street (Section 4.28)	**20 ft.**	**10 ft. ***
Minimum Rear Yard Setback	**10 ft.**	**10 ft.**
Maximum Building Height	**25 ft.**	**2 stories/ 30 ft. ***
Accessory Building	**5 ft. side / 10 ft. rear**	**5 ft. side / 5 ft. rear***
Maximum Lot Coverage	**50 %**	**55%***

***INDICATES A MODIFICATION TO THE STANDARD**

Applicable "Policy"

Satisfaction of "Policy"

Summary of Issues and Staff Rationale

Findings of Fact

Fiscal Impact

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

Attachments

Perkinsvile40_Ordinance
Perkinsville40 Staff Report

ORDINANCE NO. 18-844

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 44.3 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTH ROAD 1 EAST AND EAST PERKINSVILLE ROAD AT 1204 EAST PERKINSVILLE ROAD, FROM AR-5 (AGRICULTURAL RESIDENTIAL- 5 ACRE MINIMUM) ZONING DISTRICT TO SR-0.16 (SINGLE FAMILY RESIDENTIAL- 7,000 SQUARE FOOT MINIMUM LOT AREA) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desires to amend the Town of Chino Valley Official Zoning Map to change the zoning for a ± 44.3 acre parcel of real property from AR-5 (Agricultural Residential- 5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development overlay district; and

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission recommends approval of the rezoning; and

WHEREAS, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance,

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

Section 1. In General.

1.1 The recitals above are hereby incorporated as if fully set forth herein.

1.2 The Official Zoning Map is hereby amended for property consisting of approximately 44.3 acres, described in Exhibit 1 and as shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, from AR-5 (Agricultural Residential- 5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development overlay district, subject to the Town of Chino Valley adopted codes, requirements, standards and regulations and the following stipulations:

A. The development shall be in general conformance with the Conceptual Site Plan, Perimeter Wall Plans and Landscape Plan, as approved or modified by the Town's Development Services Director, with specific regard to the following:

(1) Location of pedestrian multi-use trail providing connectivity to Perkinsville Road;
(2) Perimeter landscaping along Perkinsville Road and Road 1 East; and
(3) Location of park including that two picnic tables, one tot lot, and one Ramada shall be provided.

B. The developer shall work with the Public Works Director in establishing a viable pull-out for future public transportation.

C. The property shall be subject to the following modified underlying SR-0.16 Development Standards:

	SR-0.16 Standards	Proposed SR-0.16 PAD Standards
Minimum Lot Area	**7,000 sq. ft.**	**7,000 sq. ft.**
Minimum Lot Frontage	**50 ft.**	**50 ft.**
Minimum Building Setback from Arterial – E. Perkinsville Rd. (Ref. Section 4.28)	**50 ft.**	**25 ft. ***
Minimum Building Setback from Arterial- Road 1 East (Ref. Section 4.28)	**50 ft.**	**50 ft.**
Minimum Building Setback from Arterial- Road 3 North (Ref. Section 4.28)	**50 ft.**	**20 ft. ***
Minimum Front Yard Setback (Section 4.28)	**25 ft.**	**15 ft. * to livable 20 ft. * to garage (driveway)**
Minimum Side Yard Setback	**10 ft.**	**5 ft. /10 ft. (15 ft. total)***
Minimum Side Street Yard Setback from Local Street (Section 4.28)	**20 ft.**	**10 ft. ***
Minimum Rear Yard Setback	**10 ft.**	**10 ft.**
Maximum Building Height	**25 ft.**	**2 stories/ 30 ft. ***
Accessory Building	**5 ft. side / 10 ft. rear**	**5 ft. side / 5 ft. rear***
Maximum Lot Coverage	**50 %**	**55%***
***INDICATES A MODIFICATION TO THE STANDARD**		

1.3 The Property described in Paragraph 1.2 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and this ordinance shall have no force or effect.

Section 4. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 24th day of April, 2018 by the following vote:

AYES: _____ ABSENT: _____

NAYS: _____ ABSTAINED: _____

_____
Darryl Croft, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 18-844 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 24th DAY OF APRIL, 2018, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 20__.

_____
Jami C. Lewis, Town Clerk

AJM:ard 3232604.1 4/16/2018

EXHIBIT 1
TO
ORDINANCE NO. 18-844

[Legal Description]

See following pages.

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF YAVAPAI, STATE OF ARIZONA,

AND IS DESCRIBED AS FOLLOWS:

All that portion of Government Tract 53, in Section 14, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the Southwest corner of Tract 40 which is a common corner to an angle point on the Easterly line of said Tract 53 and marked with a GLO brass capped pipe monument;

Thence, North 89° 56’ 55” West, along the North line of said Section 14, a distance of 1016.48 feet to the Northeast corner of Parcel II as recorded in Book 3627 of Official Records, Page 489, in the office of the Yavapai County Recorder;

Thence, South 00° 07’ 29” East, along the East line of said Parcel II, a distance of 630.00 feet to the Southeast corner of said Parcel II;

Thence, North 89° 56’ 55” West, along the South line of said Parcel II, a distance of 300.00 feet to a point on the West line of said Section 14;

Thence, South 00° 07’ 29” East, along the West line, 691.97 feet to the Southwest corner of said Tract 53;

Thence, North 89° 56’ 54” East, along the South line of said Tract 53, a distance of 1648.83 feet to a point on the West line of that parcel described in Book 3410 of Official Records, Page 831, in the office of the Yavapai County Recorder;

Thence North 00° 10’ 21” West, along the West line of said parcel, 1319.29 feet to a point on the South line of said Tract 40;

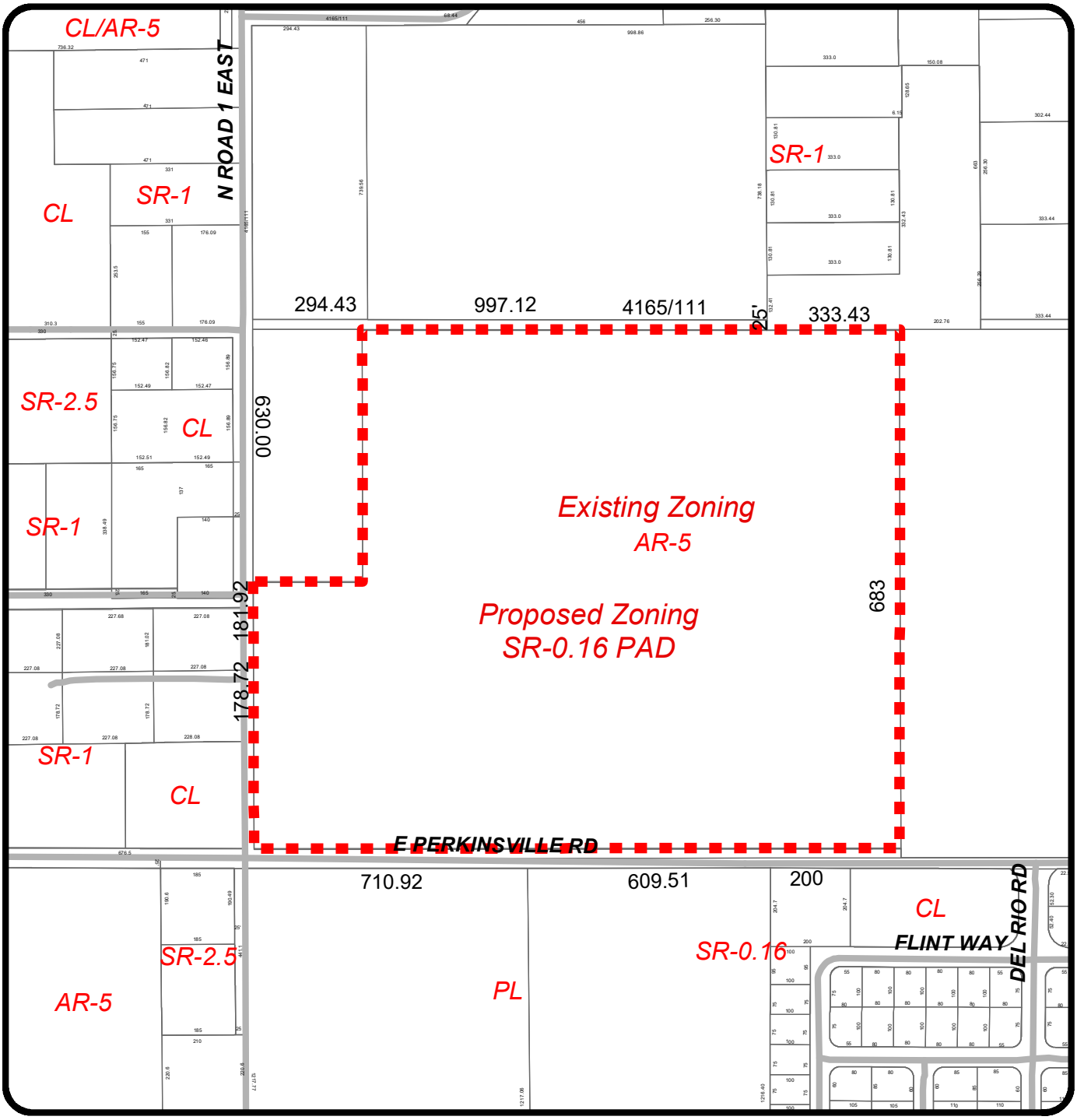
Thence, North 89° 59’ 50” West, along said South line, 331.25 feet to the POINT OF BEGINNING.

EXHIBIT 2
TO
ORDINANCE NO. 18-844

[Zoning Exhibit]

See following pages.

Zoning Exhibit A



Z17-000014: Perkinsville Road 40

Subject Property

Applicant: Lindsay Schube/ Gammage & Burnham PLC

Request: Agriculture Residential (AR-5) to
Single Family Residential SR-0.16 PAD

Location: 1204 E Perkinsville Road Chino Valley, AZ, APN- 306-18-009H

N

Not to Scale

PLANNING AND ZONING COMMISION
STAFF REPORT

APPLICATION SUMMARY

File Number:	ZC17-000014
Assessor's Parcel Number:	306-18-009H
Site Location:	Located on the northeast corner of East Perkinsville Road and North Road 1 East intersection at 1204 East Perkinsville Road, Chino Valley, AZ 86323
Property Owner:	PerkAZ Property LLC
Applicant:	Gammage & Burnham PLC, Lindsay Schube
Request:	Request for a zone change from AR-5 (Agricultural Residential - 5 Acre Minimum) zoning district to SR-0.16 (Single Family Residential – 7,000 Square Foot Minimum Lot Area) zoning district with a Planned Area Development overlay

SITE DATA

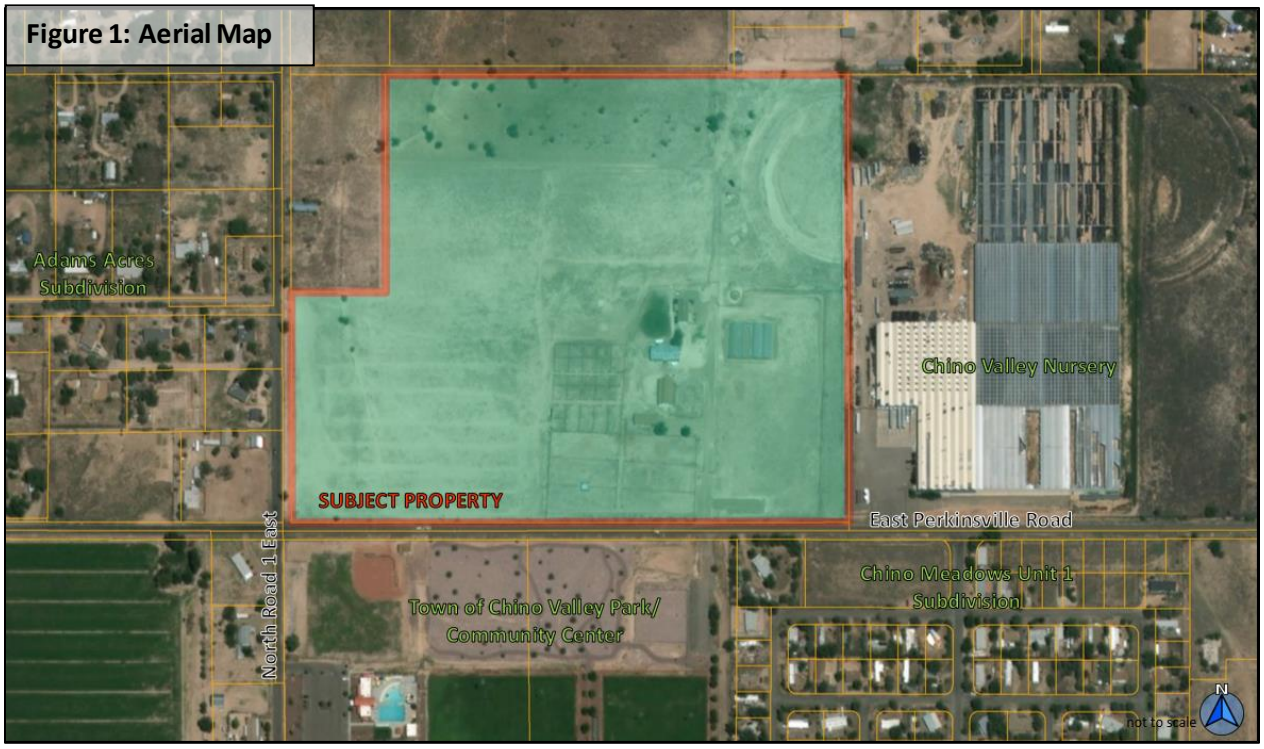
Existing Zoning	(AR-5) Agricultural Residential- 5 Acre Minimum
Lot Size	44.3 acres (approximately 1,929,708 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Medium Density Residential (2 ac or less)
Existing Land Use	Single Family Residence

BACKGROUND

SITE DESCRIPTION

The subject property is located on the northeast corner of East Perkinsville Road and North Road 1 East intersection at 1204 East Perkinsville Road. The site is currently zoned AR-5 (Agricultural Residential- 5 Acre Minimum) under the Town of Chino Valley Unified Development Ordinance. The parcel is identified with a Land Use Designation of Medium Density Residential (2 ac or less under the Town of Chino Valley General Plan Potential Land Use Map. The site is accessed via a private driveway from East Perkinsville Road. Existing improvements on the property include a vacant residence, accessory structures, vacant greenhouse structures on a concrete pad, and livestock fencing. **See Figure 1.**

Figure 1: Aerial Map

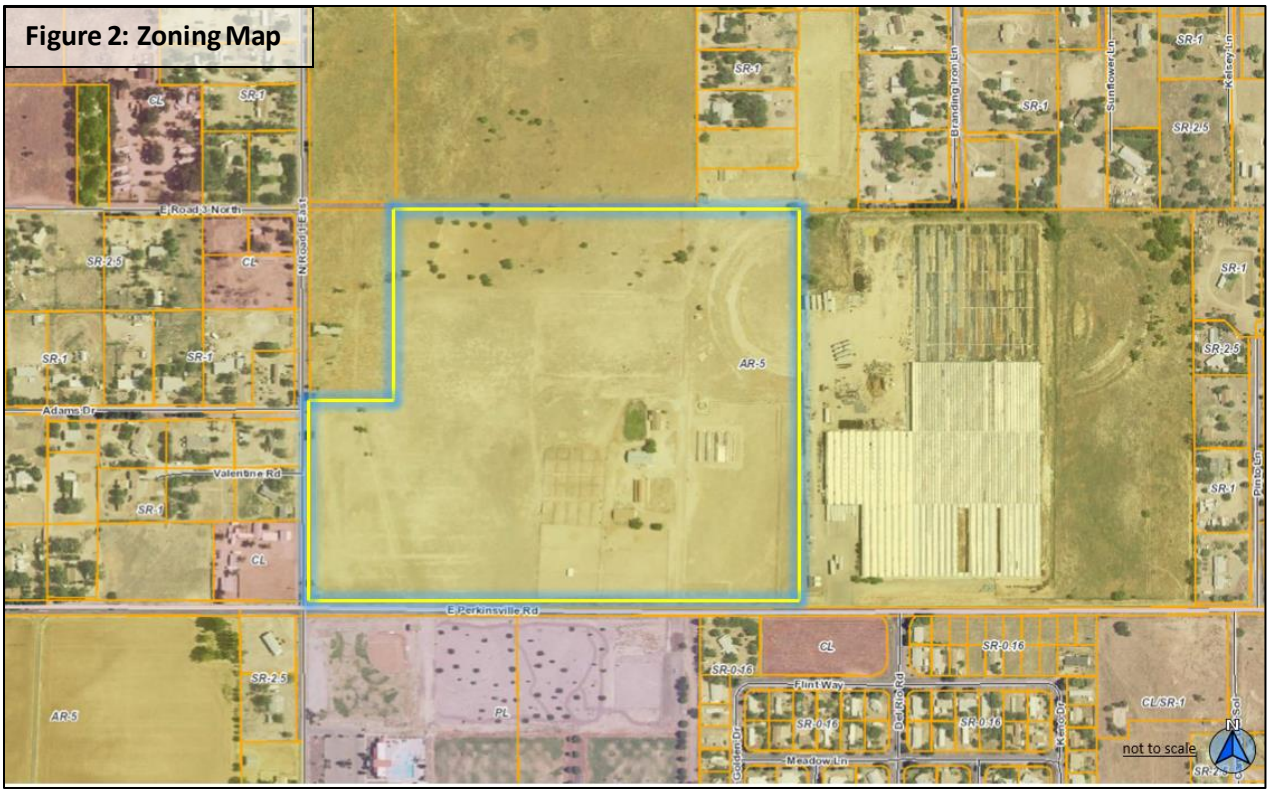


SURROUNDING PROPERTIES AND LAND USES

The area is predominantly comprised of medium and low density single family residential properties. The subject property is bounded on the south by East Perkinsville Road, on the west by North Road 1 East, on the north by East Road 3 North, and on the east by the Chino Valley Nursery.

The properties to the north are zoned AR-5 (Agricultural Residential- 5 Acre Minimum), SR-1 (Single Family Residential- 1 Acre Minimum) and CL (Commercial Light) with vacant land and single family residential properties. To the west properties are zoned SR-1 (Single Family Residential- 1 Acre Minimum), CL (Commercial Light) and PL (Public Land). Those properties to the west are identified as single family residential properties and a storage mill. To the south parcels are zoned AR-5 (Agricultural Residential- 5 Acre Minimum), SR-2.5 (Single Family Residential- 2.5 Acre Minimum) and PL (Public Land), CL (Commercial Light) and SR-0.16 (Single Family Residential – 7,000 Square Foot Minimum Lot Area). The south area is comprised of single family residence, vacant land and the Towns recreational center. To the east, the property is zoned AR-5 (Agricultural Residential- 5 Acre Minimum) and is identified as the Chino Valley Nursery, currently vacant. **See Figure 2**

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	AR-5, SR-1, and CL	Medium Density Residential (2ac or less)	Single Family Residence, Vacant
West	SR-1, CL, PL	Medium Density Residential (2ac or less)	Single Family Residence, Vacant, Storage Mill
South	CL, CH, MR-1/MHP-4	Medium Density Residential (2ac or less)	Single Family Residence, Vacant , Town Recreational Center
West	AR-5	Medium Density Residential (2ac or less)	Vacant Nursery



PROJECT DESCRIPTION

The applicant requests to rezone the property from AR-5 (Agricultural Residential- 5 Acre Minimum) zoning district to SR-0.16 PAD (Single Family Residential- 7,000 Square Foot Minimum) zoning district with a Planned Area Development Overlay to create a new single-family residential community known currently as **Perkinsville Road 40**. The proposed SR-0.16 zoning district is consistent with the Medium Density Residential (2 ac or less) General Plan land use designation.

The Conceptual Site Plan proposes 159 (minimum 56' x 125') single-family lots for individual ownership with a corresponding density of approximately 3.6 dwelling units per gross acre. **(See Exhibit A- Concept Plan)** Primary access to the community will be provided form North Road 1 East and East Perkinsville Road. The majority of the lots in the Conceptual Site Plan are oriented in a north-south direction around four (4) east-west streets. The north-south spine street and large open space amenity areas split the two grids of lots.

The applicant has thoughtfully designed Perkinsville Road 40 to meet current and future housing demands. The project's proximity to Old Home Manor Industrial Park and transportation corridors makes it uniquely suited to accommodate the proposed density. Moreover, building new housing on smaller lots in an area served by public sewer and water results in a more efficient use of land and allows for more diverse housing opportunities.

With the PAD overlay, the applicant modified development standards are supported by the provision of meaningful open space amenities and landscape tracts. This includes landscaped buffers at the project perimeter adjoining existing roadways. The minor deviations from standard requirements are reasonable considering the overall quality of the project.

Landscape/ Open Space/ Amenities

The project's location, adjacent to the Chino Valley Community Center Park (Town Park), will provide future residents of this community with easy access to an aquatic center, baseball and softball fields, playgrounds, soccer fields, and sand volleyball courts. The open space within the Project will provide both passive and active amenities and will provide pedestrian connection to the vast indoor and outdoor recreational opportunities offered at the Town Park.

Perkinsville Road 40 is plans to include 6.4 acres of open space, making up 14% of the gross project area. **(See Exhibit B- Landscape Plan)** These common open spaces will include several passive open spaces areas, located in the middle of the Project will be located a central park with active recreational amenities, and a multi-use pedestrian trail that forms the backbone of the community by creating connectivity and opportunities for interaction among residents.

The centrally located neighborhood park consists of approximately 1.3 acres and is directly accessible from multi-use trails and sidewalks. In addition to the recreational opportunities offered at the Town Park south of the Project, amenities in the central park will include two (2) picnic tables, one (1) tot lot, one (1) Ramada, seating areas, and shade trees.

The project design will include multi-use trails and will serve as the social backbone of the neighborhood and will connect to the sidewalks along adjacent public roadways, as well as the Town Park. The multi-use trail corridor will be designed as a tree-lined, detached path with landscaping and shade.

The Project design will provide future residents with a heightened sense of place and arrival with tree-lined boulevard-style entry from both East Perkinsville Road and north Road 1 East. The entrance from Road 1 East will open up to a larger open space tract with passive recreational opportunities that will create an open and inviting community environment. These open spaces will provide enhanced landscaping, shade trees, and seating areas to emphasize the social importance of passive open spaces as a gathering spot for community residents.

The open spaces will serve as dual purpose facilities. Retention areas will be incorporated in the open space tracts, generally in the turf area, while sidewalks, trails, play equipment, and other active recreational amenities will be located outside of designated retention areas. Apart from the abundant amount of common area provided at the entrances and the central park, a landscaped buffer is planned along the north and south property line adjacent roadways.

Decorative masonry perimeter theme walls will be used throughout the community, along adjacent public streets, open space areas, and the neighborhood perimeter to enhance the streetscape and visual presence of the community. Further, the perimeter walls/fencing is strategically planned along the perimeters of the Project to promote security and minimize impact from adjacent properties and roadways. **(See Exhibit C- Conceptual Perimeter Wall Plan)** The Conceptual Perimeter Wall Plan depicts where the following two types of 6-foot perimeter walls are proposed.

- Articulated, decorative themed walls abutting public roadways; and
- Standard block walls abutting adjacent private properties.

The applicant has provided images to conceptually illustrate the design intent for amenity features and perimeter walls. These exhibits and images are conceptual only and intended to be illustrative of the character and quality of the community. **(See Exhibit D- Character Images)**

PLANNED AREA DEVELOPMENT PROPOSED MODIFICATIONS

The SR-0.16 zoning classification will facilitate development at a density that is consistent with existing development in the immediate vicinity while allowing flexibility in lot area, dimensions, and other development standards. The applicants proposed SR-0.16 PAD standards are provided below.

SR-0.16 PAD Development Standards

	SR-0.16 Standards	Proposed SR-0.16 PAD Standards
Minimum Lot Area	**7,000 sq. ft.**	**7,000 sq. ft.**
Minimum Lot Frontage	**50 ft.**	**50 ft.**
Minimum Building Setback from Arterial – E. Perkinsville Rd. (Ref. Section 4.28)	**50 ft.**	**25 ft. ***
Minimum Building Setback from Arterial- Road 1 East (Ref. Section 4.28)	**50 ft.**	**50 ft.**
Minimum Building Setback from Arterial- Road 3 North (Ref. Section 4.28)	**50 ft.**	**20 ft. ***
Minimum Front Yard Setback (Section 4.28)	**25 ft.**	**15 ft. * to livable 20 ft. * to garage (driveway)**
Minimum Side Yard Setback	**10 ft.**	**5 ft. /10 ft. (15 ft. total)***
Minimum Side Street Yard Setback from Local Street (Section 4.28)	**20 ft.**	**10 ft. ***
Minimum Rear Yard Setback	**10 ft.**	**10 ft.**
Maximum Building Height	**25 ft.**	**2 stories/ 30 ft. ***
Accessory Building	**5 ft. side / 10 ft. rear**	**5 ft. side / 5 ft. rear***
Maximum Lot Coverage	**50 %**	**55%***
***INIDATES A PROPOSED MODIFICATION TO THE STANDARD**		

In exchange for modified development standards, the project is able to provide additional, meaningful, open space amenities and landscape tracts, including landscaped buffers along the project perimeter and adjoining existing roadways. Approval of the proposed modifications to the development standards will result in a residential community with varying housing types and an overall higher quality of design.

PUBLIC REVIEW & HEARING PROCESS

Town Staff notified property owners within a 300' radius, resulting in twenty six (26) letters to surrounding property owners. Property received information regarding the applicate request for a zone change . To date, no responses to those letters have been received by the Town.

The Firm representing the applicant revived the following two calls inquiries prior to the Neighborhood Meeting:

1. Feb. 14, 2018 – A phone call was received from a real estate agent representing the owner of the 4-acre parcel adjacent to the northwest of the subject property. The owner is in

support of the applicants request for a zone change, but is elderly and lives out of town, so she will not be able to attend any of the public meetings.

2. Feb. 15, 2018 – A phone call was received from Joyce Ford. She owns two parcels (one home) northeast of the property off of E. Red Cinder Road. She wanted to know what the proposal is and if it would utilize ground water that could potentially impact her well. It was explained to her that the project currently is requesting a zone change from agriculture to residential; a future subdivision application would be processed later; and that all residential units would hook up to public Town sewer and water, available in Perkinsville Road. She wanted to know if the Town would require her to dedicate land for public road. She was informed that the Town cannot make another property dedicate land; only the project site would be required to dedicate adjacent road frontage right-of-way.

The neighborhood meeting was held on February 28, 2018. Approximately 10 property owners attended the meeting. An introduction was given by the applicant giving an overview of the development proposal. The applicant introduced the project exhibits, including a conceptual landscaping plan, conceptual development plan and design concepts.

One of the property owners simply wanted to know the timing for the subdivision to be constructed. The Applicant stated that there is currently no developer or buyer for the property, so the time frame was unknown. Property owners wanted to know how tall the homes would be. The applicant stated that they would propose a modification through the PAD Overlay to increase the building height for SR-0.16 development standards from 25' to 30'. Property owners asked if the project would be served with Town water and raised the issues if the Town would require existing homes in the area to connect to public water and/ or sewer. The applicant responded that the Town would be providing water to the project and that the Town would not require surrounding property owner to hook up to Town water/sewer. Overall the property owners who attended the meeting were in support of the zone change and were pleased with the design concepts the applicant provided.

On April 3, 2018 the item was presented before the Planning and Zoning Commission. During public comment a resident commented that as the Town developed more large density residential developments, people that needed transportation have been forgotten and that transportation would be necessary. He would like transportation issues to be considered without the bus having to enter into a subdivisions and would like consideration for a bus pullout on either Perkinsville or preferably, Road 1 East. The Commission added a stipulation in regards to the bus pullout for the development.
Vote: 6-0 Passed- Unanimously

STAFF ANALYSIS AND RECOMMENDATION

The property has a General Plan land use designation of MDR (Medium Density Residential). The application is to request a Zone Change from AR-5 to SR-0.16 with a PAD overlay, remain under the General Plan Medium Density Residential land use designation. The Applicant proposes residential development at a density that meets the intent of the MDR designation with a minimum lot size of 7,000 square feet.

The Land Use Element section of the General Plan discusses the prevailing land use patterns in Chino Valley reflecting large residential-use lots spreading out long distances from each other and from shopping, schools, parks, series and other uses. This requires residents to drive long distances and does

not promote a walkable community. The small residential lots proposed by the applicant will meet the need for smaller lots and higher density residential development.

Through the General Plan, the Town has identified key areas for Community Cores within the Town of Chino Valley that provide convenience to neighborhood residents by concentrating various uses. The "Recreation/ Employment/ Gateway Core" is located at the intersection of Perkinsville Road and State Route 89, approximately 1,700 feet to the east of the subject property. The development will facilitate higher residential density near a Community Core as envisioned by the Town.

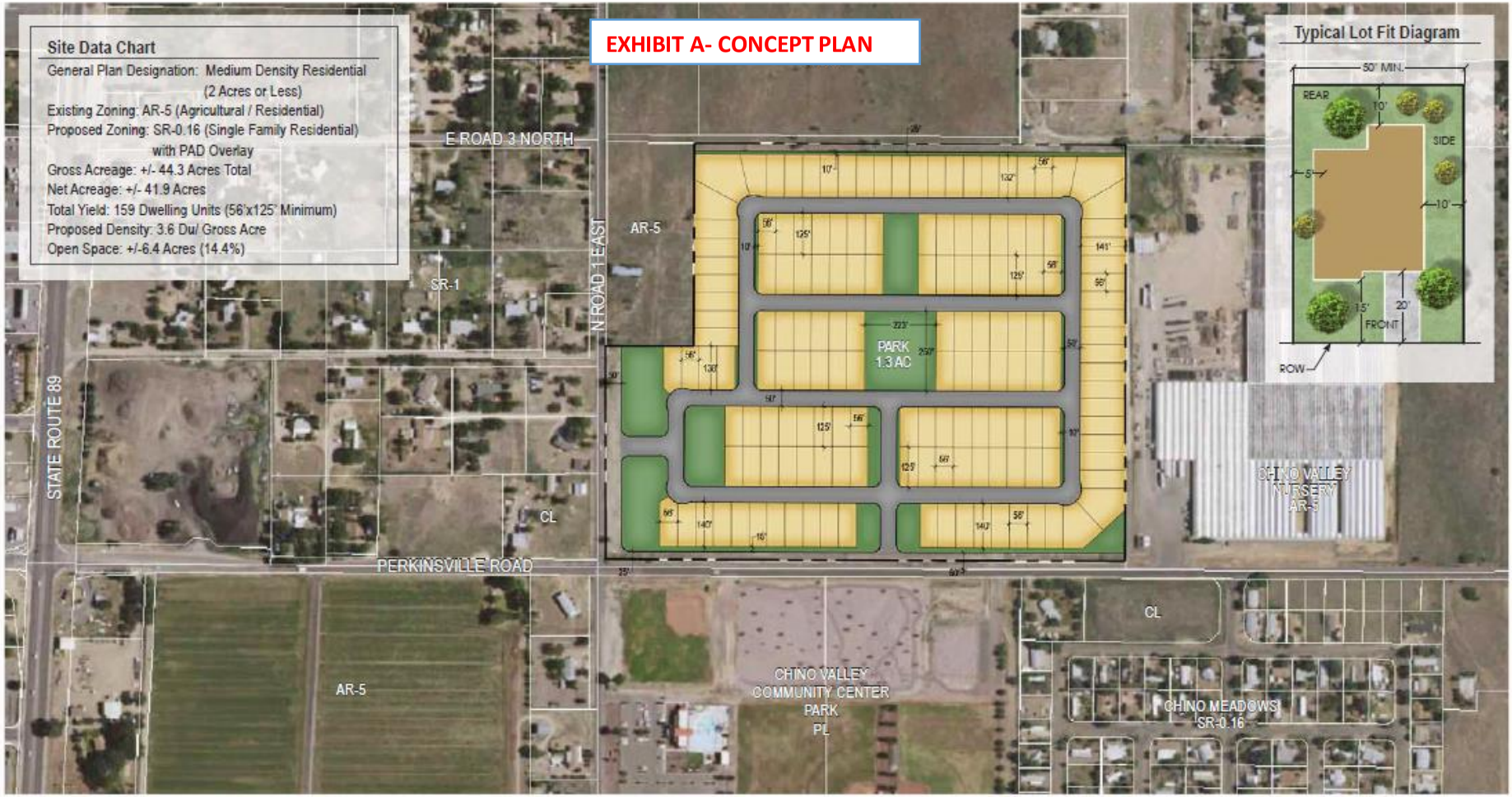
Furthermore the Land Use Element Section of the General Plan, when discussing future possibilities for land uses, the Plan encourage future subdivisions to be "planned so that homes were located within an area offering options for waling, biking, or short-distance driving…the subdivision might be considered to be part of a Community Core." The development will create a smooth transition from large lot residential and agricultural uses of the east to the more intense development envisioned at the Community Core to the west. The location of greater residential development to close proximity to services of the Community Core and the Chino Valley Community Center will facilitate the goal of ensuring a safe and walkable community. The project will also provide more affordable "work force" housing as needed for the long term development of the nearby Old Home Manor Industrial Park.

STAFF RECOMMENDATION

Staff and Planning and Zoning Commission recommend an approval for a zone change of parcel 306-18-009H from the current zoning of AR-5 (Agricultural Residential- 5 Acre Minimum) to SR-0.16 (Single Family Residential- 7,000 Square Foot Minimum Lot Area) zoning district with a PAD (Planned Area Development) Overlay zoning district with the following conditions:

1. The development shall be in general conformance with the Conceptual Site Plan, Perimeter Wall Plans and Landscape Plan, as approved or modified by the Town's Development Services Director, with specific regard to the following:

    a) Location of pedestrian multi-use trail providing connectivity to Perkinsville Road;
    b) Perimeter landscaping along Perkinsville Road and Road 1 East; and
    c) Location of park including that two (2) picnic tables, one (1) tot lot, and one (1) Ramada shall be provided.
    d) The developer shall work with the Public Works Director in establishing a viable pull out for future public transportation.



Note: This drawing is conceptual in nature. The lot layout is subject to change through the design and development process.

NORTH

0 150 300 600

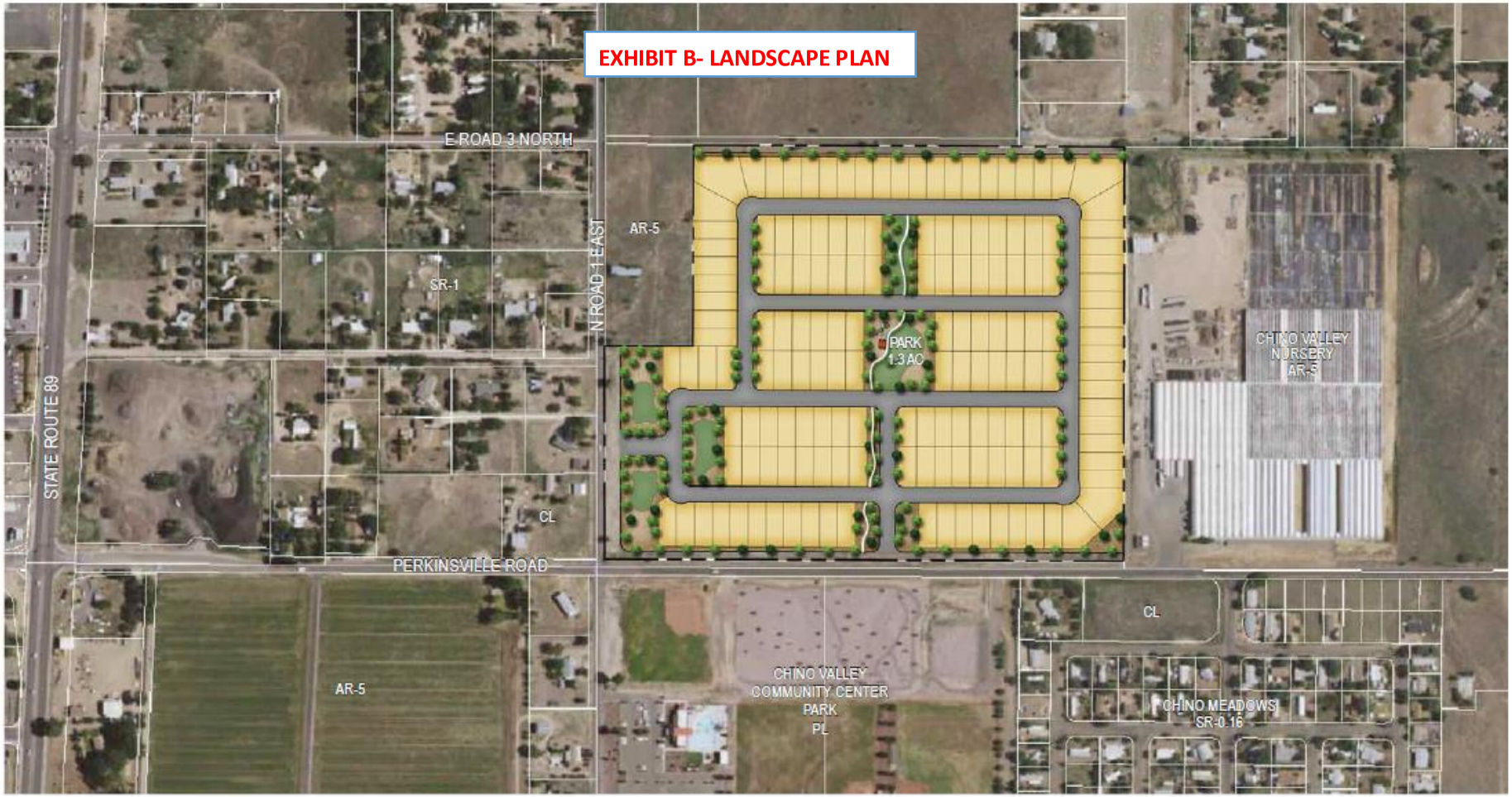
SCALE: 1" = 300'

PERKINSVILLE ROAD 40 | CONCEPTUAL SITE PLAN

NOVEMBER 29, 2017

NORRIS DESIGN

Planning | Landscape Architecture | Branding



Note: This drawing is conceptual in nature. The lot layout is subject to change through the design and development process.

NORTH

0 150 300 600

SCALE: 1" = 300'

PERKINSVILLE ROAD 40 | CONCEPTUAL LANDSCAPE PLAN

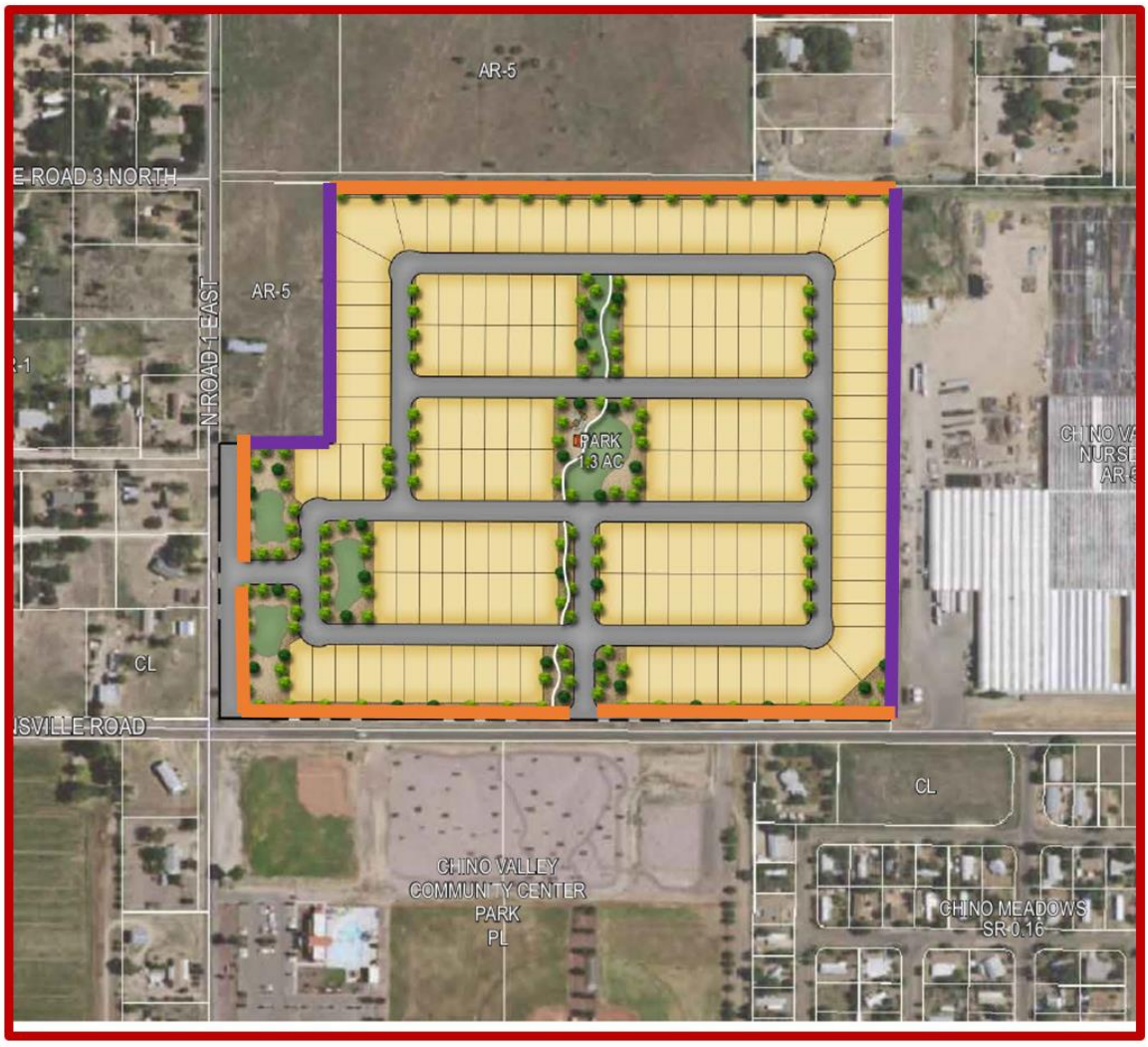
NOVEMBER 29, 2017

NORRIS DESIGN

Planning | Landscape Architecture | Branding

EXHIBIT C- PERIMETER WALL PLAN

Conceptual Perimeter Wall Plan
Perkinsville Road 40



Proposed 6-foot perimeter block wall

Proposed 6-foot articulated decorative perimeter wall

EXHIBIT D - CHARACTER IMAGES

ENTRY SIGNAGE

WALLS

AMENITY & SITE LANDSCAPE

Note: Images shown are meant to illustrate design intent and character.
Further detail will be provided through the design and development process

EXHIBIT 3

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **7.d.**

Meeting Date:	04/24/2018
Contact Person:	Alex Lerma, Associate Planner
	Phone: 928-626-4427 x-1295
Department:	Development Services
Item Type:	Action-Presentation
Estimated length of staff presentation:	5 minutes
Physical location of item:	Located east, off State Route 89, east of the forner of Staley Lane and Durham Drive at 3845 Durham Drive, Chino Valley, Arizona, 86323.

AGENDA ITEM TITLE:

Consideration and possible action to approve Ordinance No. 18-845 rezoning approximately 2.5 acres of real property located east of the corner of Staley Lane and Durham Drive at 3845 Durham Drive, from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district. (Alex Lerma, Associate Planner)

RECOMMENDED ACTION:

Motion to approve Ordinance No. 18-845 rezoning approximately 2.5 acres of real property located at 3845 Durham Drive from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

SITUATION AND ANALYSIS:

Issue Statement

See attached Staff Report

Applicable "Policy"

Satisfaction of "Policy"

Summary of Issues and Staff Rationale

Findings of Fact

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Mendoza ZC Ordinance
Mendoza TC Staff Report
Mendoza Site Plan

ORDINANCE NO. 18-845

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 2.5 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF STALEY LANE AND DURHAM DRIVE AT 3845 DURHAM DRIVE, FROM CL (COMMERCIAL LIGHT) ZONING DISTRICT TO CH (COMMERCIAL HEAVY) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the "Town Council") desires to amend the Town of Chino Valley Official Zoning Map to change the zoning for a ± 2.5 acre parcel of real property from CL (Commercial Light) to CH (Commercial Heavy); and

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission recommends approval of the rezoning; and

WHEREAS, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance,

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

Section 1. In General.

1.1 The recitals above are hereby incorporated as if fully set forth herein.

1.2 The Official Zoning Map is hereby amended for property consisting of approximately 2.5 acres, described in Exhibit 1 and as shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

1.3 The Property described in Paragraph 1.2 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and this ordinance shall have no force or effect.

Section 4. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 1.10 and 1.11 of the Town of Chino Valley Unified Development Ordinance. Each day a violation continues, or the failure to perform any act or duty required by this ordinance, the Unified Development Ordinance or by the Town of Chino Valley Town Code continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 24th day of April, 2018 by the following vote:

AYES: _____ ABSENT: _____

NAYS: _____ ABSTAINED: _____

_____
Darryl Croft, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 18-845 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 24th DAY OF APRIL 2018, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 20__.

_____
Jami C. Lewis, Town Clerk

EXHIBIT 1
TO
ORDINANCE NO. 18-845

[Legal Description]

See following pages.

LEGAL DESCRIPTION

All that portion of Section 3, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

COMMENCING at the East quarter corner of said Section 3;

Thence North 00 degrees, 50 minutes, 35 seconds West (basis of bearing), along the East line of said Section 11, a distance of 1882.57 feet to the POINT OF BEGINNING;

Thence continuing North 00 degrees, 50 minutes, 35 seconds West, distance of 302.48 feet;

Thence South 89 degrees, 26 minutes, 30 seconds West, a distance of 315.50 feet to the beginning of a curve to the right, having a radius of 4681.39 feet;

Thence Southerly, along said curve, a distance of 294.45 feet, with a chord bearing South 04 degrees, 14 minutes, 05 seconds West, 294.40 feet;

Thence South 05 degrees, 55 minutes, 20 seconds West, a distance of 4.10 feet;

Thence South 89 degrees, 42 minutes, 53 seconds East, a distance of 342.11 feet to the POINT OF BEGINNING.

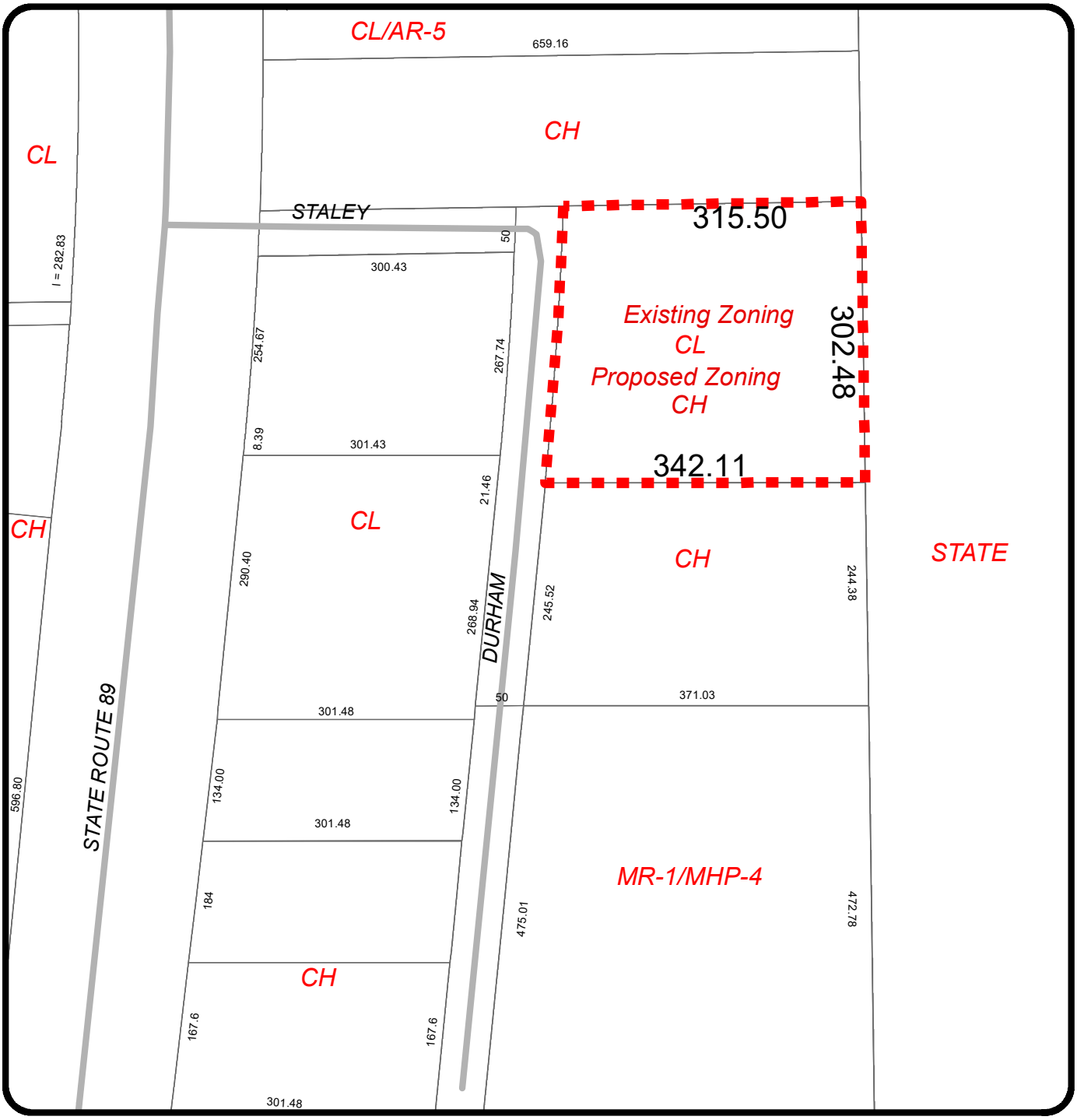
EXCEPT all coal, oil, gas and other minerals as reserved from said land.

EXHIBIT 2
TO
ORDINANCE NO. 18-845

[Zoning Exhibit]

See following pages.

Zoning Exhibit A



Z18-000004: Mendoza

Subject Property

Applicant: Corey Mendoza

Request: CL to CH

Location: 3845 Durham, Chino Valley, AZ, APN- 306-04-047B

N

Not to Scale

PLANNING AND ZONING COMMISION
STAFF REPORT

APPLICATION SUMMARY

File Number:	ZC18-000004
Assessor's Parcel Number:	306-04-047B
Site Location:	Located off the corner of Staley Lane and Durham Drive, east off State Route 89 at 3845 Durham Drive, Chino Valley, AZ 86323
Property Owner:	Corey Mendoza
Applicant:	Corey Mendoza
Request:	Request for a zone change from (CL) Commercial Light to (CH) Commercial Heavy

SITE DATA

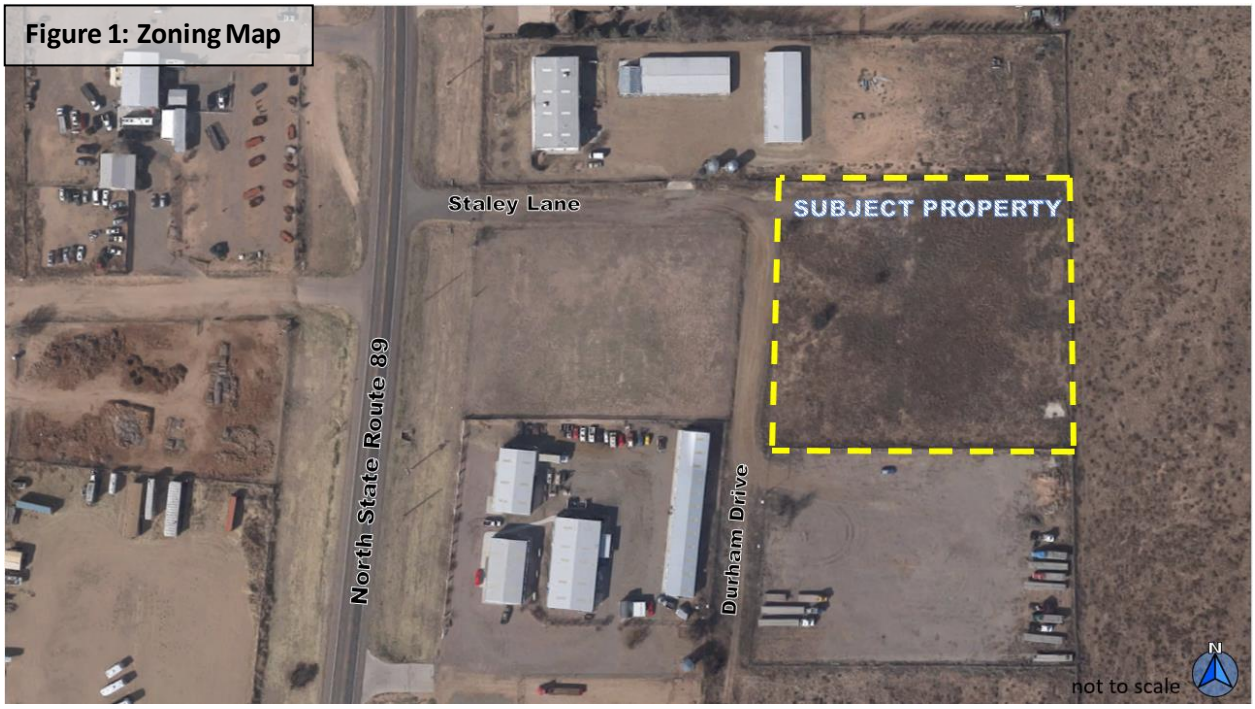
Existing Zoning	(CL) Commercial Light
Lot Size	2.5 acres (approximately 108,900 sq. ft.)
Subdivision	N/A
General Plan Land Use Designation	Commercial/ Multi-Family Residential
Existing Land Use	Vacant

BACKGROUND

SITE DESCRIPTION

The subject property is located off the corner of Staley Lane and Durham Drive, east of State Route 89 at 3845 Durham Drive. The site is currently zoned (CL) (Commercial Light under the Town of Chino Valley Unified Development Ordinance. The parcel is identified with a Land Use Designation of Commercial/ Multi-Family Residential under the Town of Chino Valley General Plan Potential Land Use Map. The property is currently vacant. **See Figure 1.**

Figure 1: Zoning Map

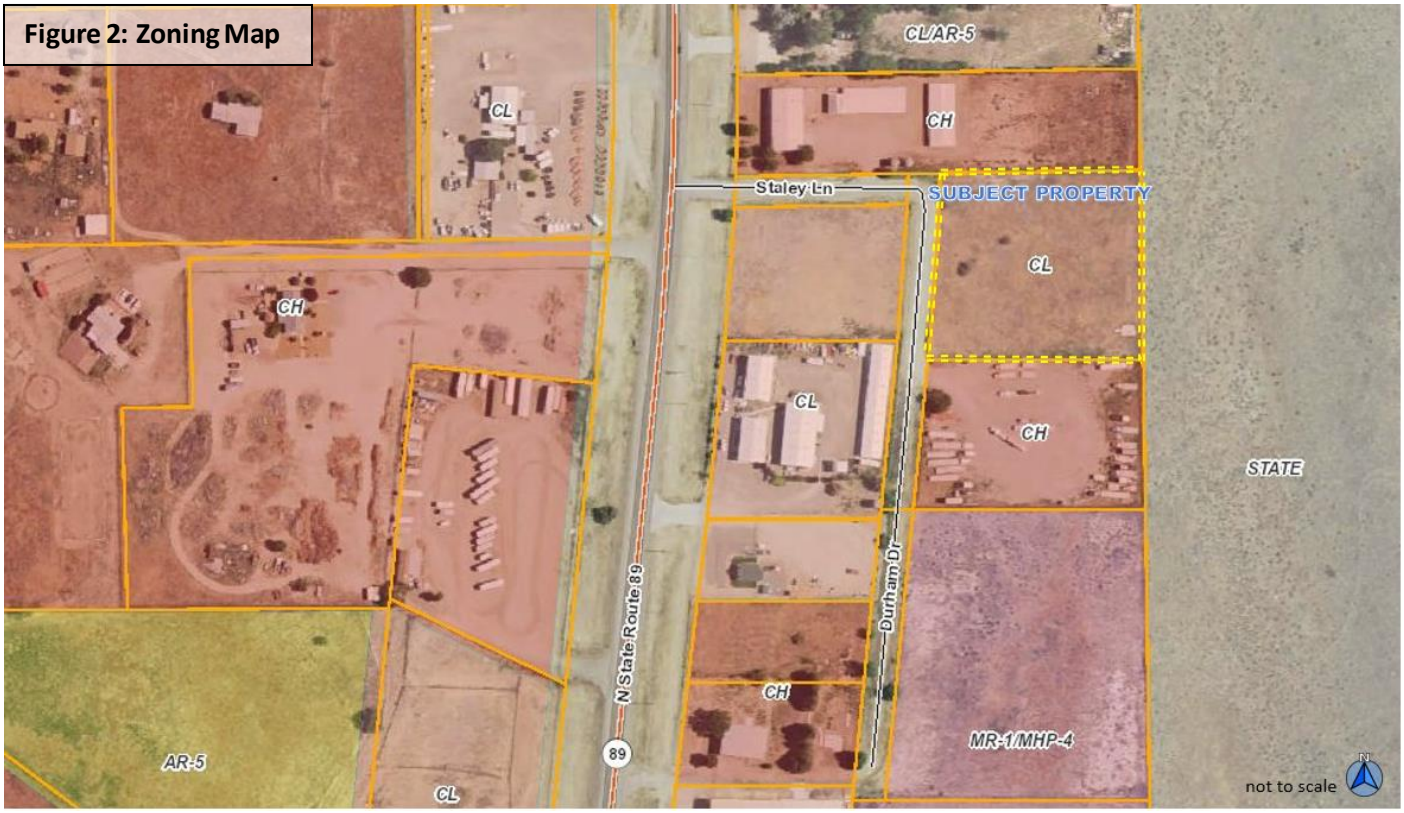


SURROUNDING PROPERTIES AND NEIGHBORHOOD

The surrounding area is predominantly comprised of commercial uses. The property directly north is zoned (CH) Commercial Heavy. To the west, properties are zoned (CL) Commercial Light and further along, adjacent State Route 89, (CH) Commercial Heavy. Directly south, properties are zoned CH, CL, and (MR-1/MHP-4) Multi-Family Residential- 1 Acre Minimum/ Mobile Home Park-Residential – 4 Acre Minimum. To the east of the subject parcel, the property is zoned (STATE) State Land. **See Figure 2**

AREA	ZONING	GENERAL PLAN LAND USE DESIGNATION	LAND USE
North	CH	Commercial/ Multi-Family Residential	Mini Storage
West	CL, CH	Commercial/ Multi-Family Residential	Vacant, Manufacturing, Storage Yard
South	CH, MR-1/MHP-4	Commercial/ Multi-Family Residential	Storage Yard, Vacant
East	STATE	Future Growth Areas	Vacant

Figure 2: Zoning Map



PROJECT DESCRIPTION

The applicant is requesting a change in zoning district from (CL) Commercial Light to (CH) Commercial Heavy to allow commercial trucking usage. With the approved zone change, the applicant proposes to move his commercial trucking business, C&R Trucking to the site. Once developed, the site will consist of two buildings. One of the buildings will be used as an office and a maintenance facility and the second building will be used for storage and a caretaker residence. (**See Exhibit A: Site Plan**)

PUBLIC REVIEW & HEARING PROCESS

The applicant notified all property owners within a 300' radius by letter and signage was placed on the property notifying the general public of a neighborhood meeting in order to discuss the applicant's intentions to rezone. A neighborhood meeting was scheduled for March 14, 2018. One property owner attended said meeting. She wanted to know what the overall schedule for development was on the site. The property owner supported the applicants request for a zone change.

One March 20, 2018 the item went before the Planning and Zoning Commission. During said meeting Commissioners questioned if the fencing around the property would be improved. Staff explained that UDO requires that the designated area for storage have a six to eight fence. There were no public comments made. **Vote: 6-0 Passed- Unanimously.**

STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The requested Commercial Heavy zoning district is in conformance with the 2014 Chino Valley General Plan's Future Land Use Map, which places the property in the Commercial/ Multi-Family Residential land use designation.

ZONING

The parcel's current zoning district of (CL) Commercial Light is intended to provide for neighborhood amenities and some general commercial uses. Land uses is composed chiefly of retail and service businesses, offices, and apartments. The uses allowed in the CL zoning district are light in nature and their impact on surrounding properties are minimal.

The applicant intends to relocate his commercial trucking business on site. The (UDO) Unified Development Ordinance does not specifically list the proposed use of commercial trucking in either CL or CH zoning districts. The (CH) Commercial Heavy zoning district is intended to provide for and encourage commercial and light manufacturing facilities that are not appropriately located next to residential zoning. Those uses in CH are heavier in nature and tend to have a higher impact on surrounding properties opposed to uses allowed in the CL zoning district.

Staff supports the applicant's request to rezone the property to the CH zoning district. The property directly to the north is zoned CH and operates as a mini storage. The property to the south is also zoned CH and operates as a contractors yard with the storage commercial trucks. The property to the west operates as a manufacturing business. The type of uses of the surrounding subject property are similar in nature of the type of use the applicant will be locating on site. A commercial trucking use will not have a negative impact on surrounding businesses based on the current intense uses of adjacent properties.

STAFF RECOMMENDATION

Staff and Planning and Zoning Commission recommend an approval for a zone change of parcel 306-04-047B from the current zoning of (CL) Commercial Light to (CH) Commercial Heavy.

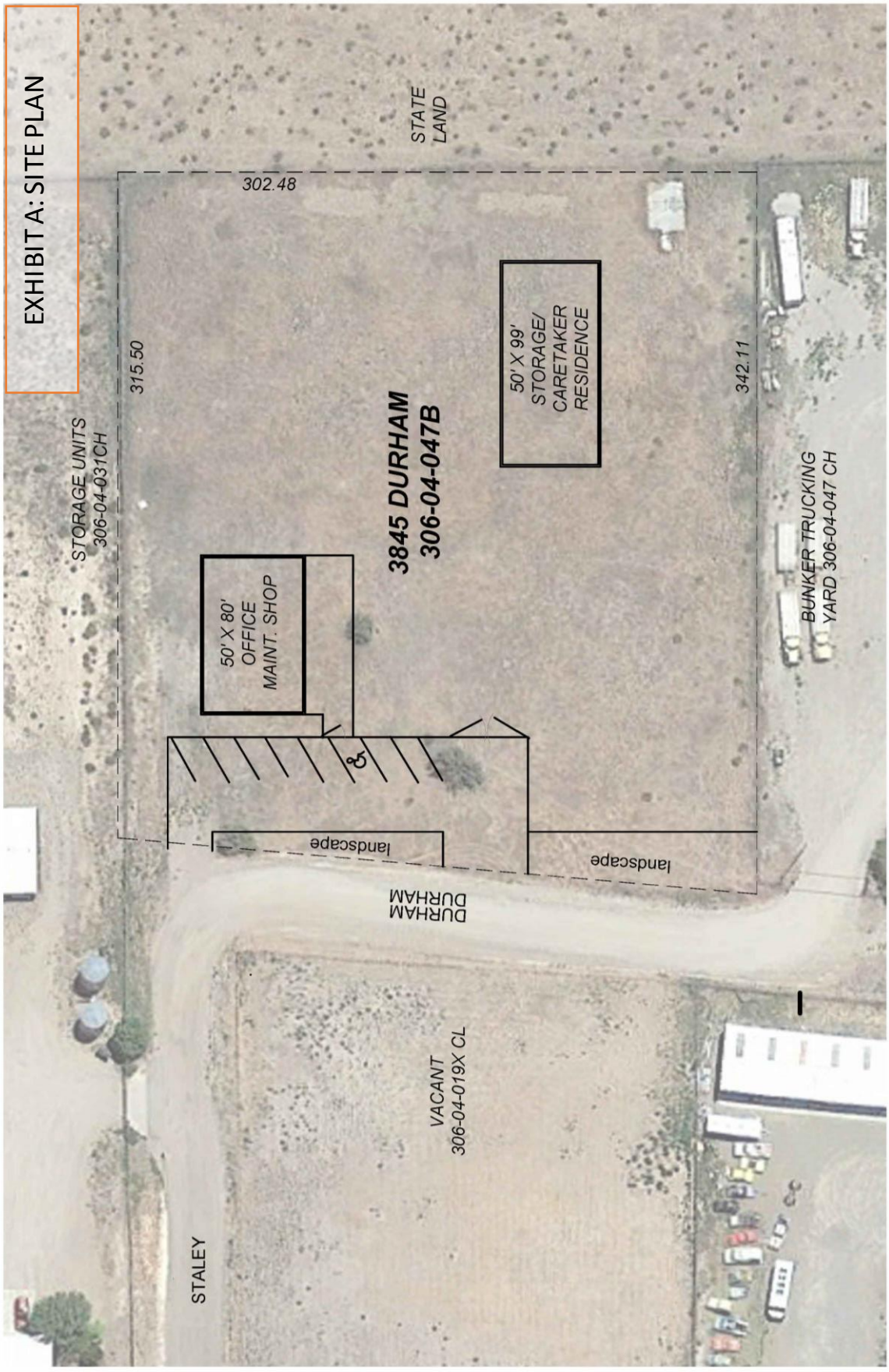
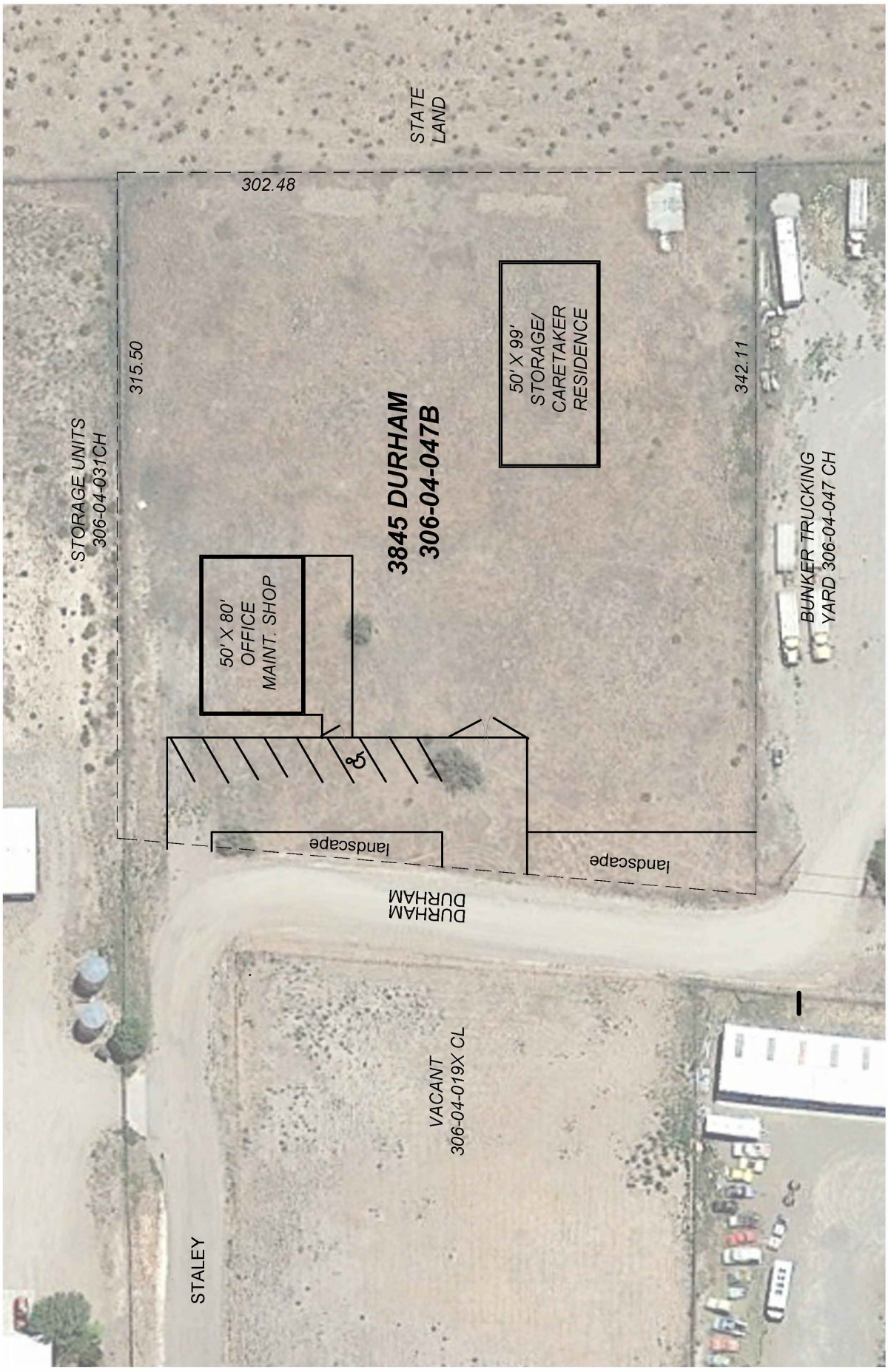


EXHIBIT A: SITE PLAN
STATE LAND
302.48
315.50
342.11
STORAGE UNITS
306-04-031CH
3845 DURHAM
306-04-047B
50' X 80'
OFFICE
MAINT. SHOP
50' X 99'
STORAGE/
CARETAKER
RESIDENCE
BUNKER TRUCKING
YARD 306-04-047 CH
landscape
landscape
DURHAM
DURHAM
VACANT
306-04-019X CL
STALEY


STATE LAND
302.48
315.50
342.11
STORAGE UNITS
306-04-031CH
3845 DURHAM
306-04-047B
50' X 80'
OFFICE
MAINT. SHOP
50' X 99'
STORAGE/
CARETAKER
RESIDENCE
BUNKER TRUCKING
YARD 306-04-047 CH
landscape
landscape
DURHAM
DURHAM
VACANT
306-04-019X CL
STALEY