



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, October 14, 2014
6:00 P.M.**

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

AGENDA

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a) Proclamation declaring October 19-25, 2014 as "Arizona Cities and Towns Week," sponsored by the League of Arizona Cities and Towns.
- b) Recognition of General Plan Committee members. (Mayor Marley)

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

4) RESPONSE TO THE PUBLIC

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

- a) Request made by former Planning and Zoning Commissioner with regard to executive-session minutes.
- b) Roadway maintenance in Appaloosa Meadows, response to a request from residents posed in 2013, and residents' offer to assist with funding repairs.

- c) Noise pollution with regard to Prescott Airport air traffic and airport expansion plans and request to place item on agenda.

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) November 4, 2014 election report. (Jami Lewis, Town Clerk)
- b) Status report by Town Manager Robert Smith regarding Town accomplishments, and current or upcoming projects.

6) **CONSENT AGENDA**

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

- a) Consideration and possible action to accept the June 24, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to accept the July 8, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to accept the July 17, 2014 study session minutes. (Jami Lewis, Town Clerk)
- d) Consideration and possible action to accept the July 22, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)
- e) Consideration and possible action to approve Financial Report for the month ended August 31, 2014. (Joe Duffy, Finance Director)

7) **ACTION ITEMS**

- a) Consideration and possible action regarding noise pollution issues with Prescott Airport air traffic and airport expansion plans. (Mayor Marley; Councilmember Best)

Recommended Action: Refer matter to the Public Safety Subcommittee for further research, review, and recommendations.

- b) Consideration and possible action to approve the CivicPlus Advantage Contract in the amount of \$12,731.00 for three years, effective October 14, 2014, allowing CivicPlus to immediately begin redesign of the Town website and provide ongoing website hosting and support services. Funding to come from non-departmental fund. (Spencer Guest, IT Specialist)

Recommended Action: Approve the CivicPlus Advantage Contract in the amount of \$12,731.00 for three years, beginning October 14, 2014 and allowing CivicPlus to immediately begin redesign of the Town website and provide ongoing website hosting and support services.

- c) Presentation and discussion regarding Klaus Nietschmann and the Chino Valley Elks request to determine a location for a permanent memorial to the Granite Mountain Hot Shots. (Ruth Mayday, Development Services Director)

- d) Consideration and possible action to adopt Ordinance No. 14-789 to rezone approximately 1.53 acres generally located at 734 N. SR 89, from Commercial Light (CL) to Commercial Heavy (CH). Applicant: DogKay LLC/Doug Jones. (Ruth Mayday, Development Services Director)

Recommended Action: Adopt Ordinance No. 14-789 for the rezoning of approximately 1.53 acres generally located at 734 N. SR 89, from Commercial Light (CL) to Commercial Heavy (CH).

- e) Consideration and possible action to adopt Ordinance No. 14-778 to rezone approximately 16.81 acres generally located at 1460 West Road 4 North from Agricultural/Residential, 5 acre minimum (AR-5) to Commercial Light, Planned Area Development Overlay (CL-PADO) and Multiple Family Residential, Planned Area Development Overlay (MR-PADO). Applicant: La Vacara Trust/Joe Cordovana, Trustee. (Ruth Mayday, Development Services Director)

Recommended Action: Approve the rezoning of 16.81 acres from AR-5 to the CL-PADO and MR-PADO as stipulated in Ordinance No. 14-788.

- f) Consideration and possible action to approve the Strategic Plan 2014. (Ruth Mayday, Development Services Director)

Recommended Action: Approve the Strategic Plan 2014.

8) **EXECUTIVE SESSION**

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

9) **ACTION ITEMS RESUMED**

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

10) ADJOURNMENT

Dated this 9th day of October, 2014.

By: ***Jami C. Lewis, Town Clerk***

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 1-(800) 347-1695 (Arizona Relay Service) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/clerk/townagenda.shtml>, and in the Public Library and Town Clerk's Office.

CERTIFICATION OF POSTING

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

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



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **2. a.**

Meeting Date: 10/14/2014
Contact Person: Cecilia Grittman, General Services Director
Phone: 928-636-2646 x-1202
Department: General Services
Item Type: Presentation Only
Estimated length of Staff Presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Proclamation declaring October 19-25, 2014 as "Arizona Cities and Towns Week," sponsored by the League of Arizona Cities and Towns.

SITUATION & ANALYSIS:

N/A

Attachments

Cities and Towns proclamation

**Office of the Mayor**

202 N. State Route 89
Chino Valley, AZ 86323
(928) 636-2646



PROCLAMATION

Arizona Cities and Towns Week October 19-25, 2014



Whereas, the Citizens of Chino Valley rely on the Town of Chino Valley to experience a high quality of life in our community; and

Whereas, cities and towns in Arizona work 24 hours a day, seven days a week to deliver vital town services such as police and emergency response to ensure safe communities; and

Whereas, cities and towns in Arizona also provide services and programs that enhance the quality of life for residents such as parks, utilities, street maintenance, libraries, pools, recreational facilities, and senior centers; and

Whereas, it is important for Chino Valley to continue to provide the excellent delivery of services and programs that our citizens have come to expect in our community; and

Whereas, it is one of the responsibilities of Chino Valley officials to ensure open and accessible government through frequent communication with citizens using various avenues and means; and

Whereas, through participation and cooperation; citizens, community leaders, local businesses, and municipal staff can work together to ensure that services provided by the Town of Chino Valley can remain exceptional elements of the quality of life of our community;

Now, Therefore, be it resolved that the Town of Chino Valley joins with the League of Arizona Cities and Towns and fellow municipalities across the state of Arizona declaring **October 19-25, 2014** as "**Arizona Cities And Towns Week.**"

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Town of Chino Valley to be affixed this 14th day of October, 2014.

Chris Marley, Mayor

ATTEST: Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **2. b.**

Meeting Date: 10/14/2014
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Town Clerk
Item Type: Presentation Only
Estimated length of Staff Presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Recognition of General Plan Committee members. (Mayor Marley)

SITUATION & ANALYSIS:

Mayor Marley will recognize the members of the General Plan Committee, established in January 2012 and disbanded September 23, 2014. Members to be recognized are: Stephen Whisenhunt, Karen Rockhold, Marti Klein, Norm Freeman, John Morgan, Trisha Lamb, Celia Vander Molen, Robert McCaullay, Michael Edmonds, Tom Payne, Ron Romley, Cheri Romley, Ed Steinback, Frank Perkins, Dan McGuire, and Nancy Best.

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **6. a.**

Meeting Date: 10/14/2014

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 June 24, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the June 24, 2014 regular meeting minutes.

Attachments

June 24, 2014 minutes

DRAFT

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

**TUESDAY, JUNE 24, 2014
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, June 24, 2014.

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

Absent: Councilmember Lon Turner

Staff Town Manager Robert Smith; General Services Director Cecilia Watts; Town Attorney Phyllis

Present: Smiley; Finance Director Joe Duffy; Police Chief Chuck Wynn; Lieutenant Vince Schaan; Officer Gary Bruso; Court Administrator Ronda Apolinar; Town Engineer/Public Works Director Ron Grittmann; Planner Ruth Mayday; Deputy Town Clerk Liz Hart (recorder)

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

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

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

- a)** Town Council and Chino Valley Chamber of Commerce appreciation of businesses that applied for a new business license in the months of March and April 2014. Also, appreciation of long-standing business, Yavapai Title of Chino Valley. (Cecilia Watts, General Services Director)

Tracy Schminisky, Chamber President/CEO, recognized new businesses for March and April, as well as long-standing business, Yavapai Title Agency.

- b)** Dan Jackson presentation on Connection fees. (Ron Grittmann, Public Works Director)

Mr. Jackson presented four rate scenarios analyzed under differing funding methods for the bonds:

- *Scenario 1 – Current rate plan with revenue bonds:* Debt service will increase, so rates must adjust upward every year.
- *Scenario 2 – GO bonds only:* No additional debt will be incurred and rates need not be adjusted for the next four years.
- *Scenario 3 – GO bonds with no buy-in fees in bond areas:* There will be no debt service; non-rate revenues will be less; and sewer rates will have to increase, but not as high as Scenario 1.
- *Scenario 4 – GO bonds with no buy-in fees townwide:* Water rates will not change; wastewater rates will be higher than Scenarios 2 and 3, but not as high as Scenario 1.
- *Summary:* (i) adding extra accounts from Prescott and Wilhoit and new SR 89 expansion will reduce the overall burden on ratepayers; (ii) using GO tax debt will enable the town to eliminate rate adjustments for the next four to five years, but will require taxes to pay for the debt; and (iii) reducing or eliminating buy-in fees will result in loss of revenue that must be made up by additional rate adjustments.

Council asked about fire hydrant water use and the basis for connection fees. Mr. Jackson and Mr. Grittmann related that fire hydrant use generally was paid for by everyone, and connection fees were based on average frontages. Buy-in fees only paid for the pipe to the property line and did not include the line back to the septic tank or for tank abandonment. It was Council's decision as to what costs to include in a project. For the town to lay pipe from the property line to the tank was about \$2,500.

3) CALL TO THE PUBLIC

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

Ellen Arnold, resident, requested that those already on the sewer system be exempt from the proposed property tax, as they had already paid for the system; and she also asked about out of state property owners voting on the matter.

Ron Romley, resident, spoke about the Yavapai Regional Transit grand opening on June 26 at Frontier Village.

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)** Road grading schedule on Aztec between Road 1 North and Road 2 North.

Town Engineer Grittmann reported that Aztec was due to be resurfaced within two weeks.

- b) Complete, comprehensive, and accurate explanation of the 10.8 million dollar waste water expenditures.

Finance Director Duffy presented an overview of the Town's wastewater indebtedness, incurred in 2007-2008, and associated with the Chino Meadows sewer project, which included two loans from the Water Infrastructure Finance Authority and three loans from the U.S. Department of Agriculture.

- c) Discussion about revenue bond, explanation to Town's people what a revenue bond for the water and sewer would be, how it works, and the possibility of a Revenue Bond being on the November ballot.

Mayor Marley reported that Mr. Jackson had addressed a portion of this question under item 2b. In addition, the SR 89 Utility Project Committee had discussed both general obligation (GO) and revenue bonds and had recommended that Council place a GO bond on the November ballot. On May 27, 2014, Council voted to accept this recommendation.

5) **CURRENT EVENT SUMMARIES AND REPORTS**

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

Councilmember Hatch reported on the Magistrate Evaluation Subcommittee's activity, as well as local appointments to NACOG's Tourism and Audit Committees.

Councilmember Best reported on a recent Public Safety Subcommittee meeting.

Mayor Marley read his monthly Mayor's Report, which focused on state and local medical marijuana regulations.

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

Town Manager Smith reported that Liz Hart had been sworn in as Deputy Clerk and the Development Services Director position would be filled as of July 1.

6) **CONSENT AGENDA**

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

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Linda Hatch to approve consent agenda items a, b, c, d, and e.

Vote: 6 - 0 PASSED

- a) Consideration and possible action to appoint applicants to fill vacancies on the Chino Valley Roads and Streets Committee as recommended by the Appointments Subcommittee. (Liz Hart, Deputy Town Clerk)

Recommended Action: To appoint Robert Johan and James Miller to the Roads and Streets Committee as recommended by the Appointments Subcommittee.

- b) Consideration and possible action to to approve the Indigent Legal Services Contract with Bryan Purcell to provide legal defense services for indigent defendants in Chino Valley Municipal Court. (Ronda Apolinar, Court Administrator)

Recommended Action: Approve the Indigent Legal Service Contract with Bryan Purcell in the amount of \$15000.00 to provide legal defense services for indigent defendants in Chino Valley Municipal Court.

- c) Consideration and possible action to approve the First Amendment to the Lease Agreement between the Town of Chino Valley and Yavapai Community College which renews the current lease to extend it through April 18, 2025. (Cecilia Watts, General Services Director)

Recommended Action: Move to approve the First Amendment to the Lease Agreement between the Town of Chino Valley and Yavapai Community College which renews the current lease to extend it through April 18, 2025.

- d) Consideration and possible action to amend the regular meeting agenda format by moving Executive Session after the Action Items. (Vice-Mayor Croft; Councilmember Best)

Recommended Action: Direction to Staff

- e) Council will recess to observe Councilmember Turner's birthday.

7) **EXECUTIVE SESSION**

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

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Linda Hatch to move the executive session to the end of the action agenda.

Vote: 6 - 0 PASSED

(Item 7a was addressed after item 8e, but is retained here for clarity. Item 7b was not addressed.)

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Linda Hatch to go into executive session to discuss item 7a with the attorney at 8:34 p.m.

Vote: 6 - 0 PASSED

Mayor Marley reconvened the regular meeting at 8:51 p.m.

- a) An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding a Settlement and Release Agreement with Fann Contracting, Inc. related to the construction of the wastewater treatment plant and for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding an Asset Purchase Agreement and Escrow Instructions Agreement with the City of Prescott related to the acquisition of certain water delivery facilities. (Robert Smith, Town Manager)
- b) An executive session pursuant to A.R.S. § 38-431.03(A)(3) and (7) for discussion or consultation for legal advice with the Town Attorney regarding right of way easement along the proposed extension of Road 1 East and for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property located along the proposed extension of Road 1 East between Road 4 South and Kalinich and to consider a proposal from property owner Steven Chontos related to Yavapai County Assessor's Parcel Number 102-01-223E, one of the properties located within the project boundaries.. (Councilmember Wojcik; Councilmember Hatch)

8) ACTION ITEMS

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to take a five-minute recess at 7:14 p.m.

Vote: 7 - 0 PASSED

Mayor Marley reconvened the meeting at 7:33 p.m.

- a) Consideration and possible action to discuss the proposed General Obligation Bond election language. (Robert Smith, Town Manager)

Recommended Action: Confer and provide feedback and input to staff regarding development of language and materials for the proposed ballot measure.

(This item was heard after item 6c but is retained here for clarity.)

Michael Cafiso, bond counsel, and Mark Reader, financial advisor, reviewed the latest draft of the ballot and voter pamphlet language, and related that:

- They will incorporate Council's and staff's comments into the next draft for Council's review.
- The ballot language required a maximum possible interest rate, and since interest rates could move quickly in a short period of time, they included a maximum interest rate of 7% to allow for flexibility, although they anticipated it being 2%-4%.
- They will submit two separate applications to Water Infrastructure Finance Authority (WIFA) for funding, after which WIFA will contact the Town regarding subsidies and forgivable principal.
- Staff will work with Yavapai County and Elections Operations Services on voting-related language.

MOVED by Mayor Chris Marley, seconded by Vice-Mayor Darryl Croft to instruct staff to place the ballot language and resolution on the next agenda for a vote.

Vote: 6 - 0 PASSED

- b) Consideration and possible action to approve changes to Town of Chino Valley, Personnel Policy, dated 9/12/2002, Policy No. 710, "Holidays," effective 7/1/2014. (Cecilia Watts, General Services Director)

Recommended Action: Move to approve changes to Town of Chino Valley, Personnel Policy, dated 9/12/2002, Policy No. 710, "Holidays," effective 7/1/2014.

Ms. Watts reported that

- Personnel Policy No. 710 Holidays stated that non-exempt employees required to work on a holiday be paid at 1.5 times regular pay and in addition, shall accrue holiday hours at the rate of one hour for each actual holiday hour worked up to a maximum of eight (8) hours. The Town observed 80 holiday hours per year, but the policy did not allow an employee to accrue over 48 hours of holiday leave hours.
- Police Officers built up a lot of leave time, due to their particular schedules and staffing shortages, and were unable to deplete their leave time as fast as they were accruing it. Staff reviewed the matter for the police and other departments that occasionally required holiday hours and determined that the impact on the budget to pay that time rather than accrue it was very minimal.
- The proposed policy change would allow the Town to pay all staff members required to work on a holiday at 1.5 times their regular pay, as well as be paid their regular hourly rate for hours worked up to a maximum of 8 hours.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve changes to Town of Chino Valley, Personnel Policy, dated September 12, 2002, Policy No. 710 Holidays effective July 1, 2014.

Vote: 6 - 0 PASSED

- c) Consideration and possible action to approve the memorandum understanding with Unisource Energy Services and approve an amount not to exceed \$25,534.56 from the current fiscal year and \$98,960.64 from FY 14/15. (Richard Straub, Sr Engineer Project Manager)

Recommended Action: Move to approve the memorandum understanding with Unisource Energy Services and approve an amount not to exceed \$25,534.56 from the current fiscal year and \$98,960.64 from FY 14/15.

Mr. Gritman reported that:

- In 1997, the Town's voters approved a franchise agreement ("agreement") with Citizens Utilities, the natural gas supplier at that time. The agreement called for the Town to pay for the relocation of gas line utility conflicts associated with capital projects, but it did not specify a process by which the utility would inform the Town of utility relocation costs or the sub-standard condition of gas lines. Thus, during the conceptual development stage of a capital project, it was impossible to develop accurate cost estimates.
- Staff consulted with the town attorney, who stated that the town could not challenge the agreement. Staff then developed the subject MOU to better clarify the process and responsibilities set forth in the agreement. It defined a gas line conflict; provided that a conflicting gas line not constructed to industry standard should not be subject to reimbursement; and called for Unisource to begin the design to resolve a gas line conflict at the 30% plan stage rather than their past practice at the 100% plan stage. This will allow staff the ability to determine if the town had enough funds for the project in

the first place or to seek additional funds.

- Such conflicts generally occurred with box culverts and drainage projects, such as those on Road 2 North and Road 3 North, which were now incurring change orders due to such gas line conflicts: \$98,000 for the Road 3 North project and \$28,000 for the Road 2 North project.
- Due to these new costs, the County split the Road 2 North project into two phases over two fiscal years, and resolve the conflict in phase 1.

Town Attorney Smiled advised that as the MOU and the change order expenditures were two separate items, they should be voted on separately.

Vice-Mayor Croft asked staff to provide more information on future agenda item titles with regard to how such monies were spent.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve the memorandum of understanding with Unisource Energy Services.

Vote: 6 - 0 PASSED

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve an amount not to exceed \$25,534.56 from the current fiscal year and \$98,960.64 from FY 14/15.

Vote: 6 - 0 PASSED

- d) PUBLIC HEARING and consideration and possible action to approve Resolution No. 14-1039 adopting a Final Budget for fiscal year 2014-2015, and proposed expenditure limitation for the same year, in the amount of \$29,966,774, which includes the statements and estimates of expenses of the Chino Valley Street Lighting Improvement Districts. (Joe Duffy, Finance Director)

Recommended action: (1) Hold public hearing; and (2) Approve Resolution No. 14-1039 adopting a Final Budget and proposed expenditure limitation for fiscal year 2014-2015 in the amount of \$29,966,774

Mr. Duffy reviewed the annual budget process and highlights of the final budget:

- On May 27, 2014, Council adopted Resolution No.14-1035, adopting the tentative budget.
- *Total budget:* This was \$17 million larger than last year's, mostly due to several grant applications and potential capital improvement projects to be funded through bonds. The total operating budget was mostly unchanged.
- *Highlights in the budget:* Third phase of the comp and class study; equipment acquisition and replacement through lease purchase; general obligation bond projects; Yavapai Flood Control District project; Unisource Gas payment; Roads Impact Fee projects; grants; and other community comparisons.
- *General Fund:* There was a large increase in the general fund fund-balance; reserves will be fully funded.
- *HURF:* FY 2014/2015 will be the last year with any significant funds for roads.
- *Capital Improvement Fund:* This includes bond expenditures, and transfers to the general fund, water enterprise, and debt service.
- *Water/Sewer Enterprise Funds:* Both were still not covering the cost of operations; it was essential that the town acquire new utility accounts either through acquisition and/or system expansion.
- He anticipated that this budget would receive the GFOA award.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to open the public hearing on the budget for 2014/2015.

Vote: 6 - 0 PASSED

No one from the public spoke.

Mr. Smith pointed out a scrivener's error in the resolution title.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to close the public hearing.

Vote: 6 - 0 PASSED

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve Resolution No. 14-1039 adopting a Final Budget and proposed expenditure limitation for fiscal year 2014-2015 in the amount of \$29,966,774.

Vote: 6 - 0 PASSED

- e) Consideration and possible action to amend the Unified Development Ordinance (UDO) to regulate the manner and placement of Assisted Living Facilities, Assisted Living Homes, Recovery Homes, and related special purpose residences. (Ruth Mayday, Planner)

Recommended Action: Approval of the proposed text amendments to Section 2 Definitions, and Sections 3.5 through 3.11, Sections 3.13 and 3.15, for the purposes of regulating the manner and placement of Sober Homes, Assisted Living Centers, and Assisted Living Homes.

Ms. Mayday reported that:

- Given the growing demand for sober living and/or recovery homes in the region and the impact they might have on residential neighborhoods, implementing regulations to provide separation between these uses, the number of residents allowed per site, and to protect the health, safety, and general welfare of the community was timely. Additionally, there were group living situations, such as elder care facilities, that were not currently defined in the UDO.
- Occupants of Sober Living and Recovery Homes met the definition of "disabled" under the Fair Housing Act (FHA) and Americans With Disabilities Act (ADA), as long as the residents were not using drugs and alcohol, in which case they were no longer considered disabled.
- Sex offenders were not considered disabled as defined by the FHA. Anyone seeking tenancy in a recovery home as part of their treatment for drug or alcohol addiction that was also a registered sex offender was required to comply with all other registry and notification requirements in accordance with state and federal law.
- So that the establishment of Recovery Homes in town was transparent, staff recommended requiring a conditional use permit (CUP) in all residential zoning districts other than MHP (Mobile Home Park) prior to issuing said home a business license. This would mandate a neighborhood meeting, public hearings, and an opportunity for those affected to comment on the proposed use.
- On October 3, 2013, Council discussed this item and directed staff to continue work on it and bring it back for action.
- The Planning and Zoning Commission ("Commission") discussed the text amendments on May 6, 2014. One person supported the proposed amendments as they would enable this person to open an assisted living home. It was suggested that Recovery Homes not

be allowed in the MR (Multi Family Residential) zoning district as they could possibly lead to overcrowding in apartments per HUD standards. However, staff explained that HUD only regulated minimum dimensions for a bedroom in units constructed, rehabilitated, or subsidized with HUD funding. As this was not within the town's purview and as nursing homes and convalescent centers were already a permitted use in the MR zoning district, staff stood by its original recommendation to include Recovery Homes as a permitted use in the MR zoning district.

- On June 3, 2014, the Commission held a public hearing, discussed the proposed language, and reviewed how it might affect the Multi-Family (MR-1) and Mobile Home Park (MHP-4) zoning districts. No one from the public spoke. The Commission voted unanimously to forward this item to Council with a recommendation for approval.
- Currently, the UDO's definition of a nursing home did not meet the current definition of Nursing Care Institution or Residential Care Institution as set forth in ARS 36-401(31) or (39). While the UDO also did not define "Assisted Living Home" or "Assisted Living Center" at all, ARS 36-401 clearly differentiated between these four types of special purpose residences.
- While there was one Assisted Living Home in the town, other forms of congregate care, such as assisted living or nursing homes, were not available. Nursing homes and convalescent homes were allowed as uses by right in Multiple Family (MR) or Mobile Home Parks (MH).
- Staff recommended defining Assisted Living Center(s) and Assisted Living Home(s), and allowing them as conditional uses in residential zoning districts, and as permitted uses in Multiple Family (MH) and Commercial Light (CL) zoning districts.

Councilmember Hatch pointed out a potential conflict due to the legal definitions of 'single family residence' and 'single housekeeping unit,' as single family residence limited the unrelated residents. When Council passed this item, all related language needed to be consistent. Town Attorney Smiley and Ms. Mayday explained that the Single Family Residential zoning district allowed for different uses, and due to a Supreme Court decision, the town might need to change its definition of 'family.'

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to table this item until it is worked out and brought back.

Vote: 6 - 0 PASSED

9) **ADJOURNMENT**

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to adjourn the meeting at 8:51 p.m.

Vote: 7 - 0 PASSED

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 24th day of June, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14th day of October, 2014.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **6. b.**

Meeting Date: 10/14/2014

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 July 8, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the July 8, 2014 regular meeting minutes.

Attachments

July 8, 2014 minutes

DRAFT

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

**TUESDAY, JULY 8, 2014
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, July 8, 2014.

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

Staff Town Manager Robert Smith; General Services Director Cecilia Gritman; Town Attorney Phyllis

Present: Smiley; Finance Director Joe Duffy; Lieutenant Vince Schaan; Officer Cody Johnson; Civilian Operations Supervisor Laurie Whisenand; Civilian Officer Marrilee Easton; Magistrate John Walker; Town Engineer/Public Works Director Ron Gritman; Planner Ruth Mayday; Deputy Town Clerk Liz Hart; Town Clerk Jami Lewis (recorder)

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

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

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

Councilmember McKee attended the meeting via conference phone.

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

a) **Proclamation Supporting National Night Out 2014**

Mayor Marley read the proclamation; Lieutenant Schaan and Civilian Officer Easton spoke about the August 5 event at Memory Park.

3) **CALL TO THE PUBLIC**

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

Will Williams with the Chino Valley Lions Club spoke about the proposed route for the Territorial Days parade.

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) The possibility of current sewer users being exempt from the proposed property tax due to the bills incurred when sewer system was originally established.

Who represents the out of state owners, which are unable to vote on the proposed tax?

Mayor Marley reported that he was unable to obtain an answer on this item and he will address it on the following agenda.

5) **CURRENT EVENT SUMMARIES AND REPORTS**

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

Councilmember Hatch reported on Chino Valley Finance Director Joe Duffy's appointment to the NACOG Audit Committee.

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

Mr. Smith reported on:

- Planner Ruth Mayday's promotion to Development Services Director.
- A video clip promoting the Town's aquatic center, produced by Cable One at no cost.

6) **CONSENT AGENDA**

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

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve Consent Agenda items 6a, b and c.

Vote: 7 - 0 PASSED

- a) Consideration and possible action to approve the revised vote-by-mail Election Services Agreement between Yavapai County Board of Supervisors, Yavapai County Recorder and the Town of Chino Valley for utilizing County election services to remain in effect until terminated.

Recommended Action: Approve Elections Services Agreement with Yavapai County Recorder for utilizing County election services, with Agreement to remain in effect until terminated

- b) Consideration and possible action to approve recommended budget adjustments for the Fiscal Year Ending June 30, 2014. (Joe Duffy, Finance Director)

Recommended Action: Approve recommended budget adjustments for Fiscal Year Ending June 30, 2014.

- c) Consideration and possible action to adopt Resolution No. 14-1040, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2014/2015, pursuant to Section 48-616, Arizona Revised Statutes, as amended; setting a date for public hearing on the proposed statements and estimates as approved; and providing for notice of the hearing and publication of the proposed statements and estimates of the expenses of the district which shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property in the districts. (Joe Duffy, Finance Director)

Recommended Action: Adopt Resolution No. 14-1040, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2014/2015.

7) ACTION ITEMS

- a) Discussion, consideration, and possible action to adopt a resolution ordering and authorizing all matters necessary for a bond election to be held on November 4, 2014. If this resolution is so adopted, the deadline for submitting arguments with respect to it is August 4, 2014. (Robert Smith, Town Manager)

Recommended Action: Approve Resolution No. 14-1041, ordering and authorizing all matters necessary for a bond election to be held on November 4, 2014.

Mr. Smith reported that:

- Council had indicated through prior action that the findings generated by the citizens' bond committee warranted a bond question on the November 2014 election ballot.
- Michael Cafiso with Greenburg Traurig, the Town's bond counsel, prepared the resolution and ballot language that will be used for the election.
- The ballot language would authorize the issuance of bonds that would be repaid by the property owners in the Town through secondary property taxes for the design and construction of facilities for water production and distribution and wastewater collecting and treatment. The authorization would be for bonds that would mature not more than 25 years from their date and would bear interest at a rate of not to exceed 7% per annum. The issuance of these bonds would result in a property tax increase sufficient to pay the annual debt service on the bonds.

Mayor Marley spoke about the many Council meetings in which Council discussed this matter, including June 24, 2014, wherein Council reviewed and discussed the subject resolution, ballot language, and voter information pamphlet. Council was being asked to vote on the resolution and ballot language tonight; the pamphlet language will be reviewed in an upcoming meeting. Mr. Cafiso also edited the resolution since the packet was published.

Council asked about infrastructure extensions beyond Road 4 South and across the highway, and mandating businesses to hook up. Mr. Smith related that:

- A Prescott water line on the west side of SR 89 traversing from Road 4 South past Road 5 South would be included in the acquisition.
- The bond did not include funds to cross the highway, but Development Services Director Mayday had received preliminary clearance to use grant money from an old EPA grant in the amount of \$470,000 for that purpose.
- Mandatory connection would depend upon the funds being used, but Council could waive connection fees for the bond-defined project area.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve Resolution No. 14-1041, ordering and authorizing all matters necessary for a bond election to be held on November 4, 2014.

Vote: 7 - 0 PASSED

- b) Consideration and possible action to to amend the Unified Development Ordinance (UDO) to regulate the manner and placement of Assisted Living Facilities, Assisted Living Homes, Recovery Homes, and related special purpose residences. (Ruth Mayday, Planner)

Recommended Action: Approval of the proposed text amendments to Section 2.1 Definitions and Chapter 3 Zoning Districts?, Sections 3.5 through 3.13 (AR-36, AR-5, AR-4, SR-2.5, S4-2, SR 1.6, SR-1, SR-0.16, MR), and Section 3.15 (CL) and Section 4.10 Special Purpose and Temporary Housing for the purposes of regulating the manner and placement of Sober Homes, Assisted Living Centers, and Assisted Living Homes.

Ms. Mayday reported that:

- On June 24, 2014, during discussion on this item, a question was raised about the proposed use being in conflict with the UDO's definition of 'single family residential.' In further reviewing the UDO, staff found no definition for 'single family residential,' but there was a definition for 'dwelling, single family' that used the phrase 'single housekeeping unit,' which was also not defined. The proposed amendment would add a definition that would allow for groups of unrelated individuals to occupy a single-family dwelling unit. Neither the International Building Code nor the International Residential Code limited the number of persons that could occupy a single-family residential dwelling unit, related or not related.
- The right and ability of recovery homes to locate in single-family neighborhoods was well-established in law, in which the courts demonstrated their willingness to uphold the Fair Housing Act's (FHA) prohibitions on discrimination based on handicap, while striking down the imposition of zoning regulations governing the manner and placement of said homes. In short, the rights of the handicapped to not suffer discrimination in housing choices superseded the Town's ability to define family and regulate the number of persons residing in a dwelling unit based on familial status.
- While the town could not regulate the manner and placement of recovery homes, it could do so for assisted living homes and centers. Staff recommended defining Assisted Living Center as 11 or more residents, and an Assisted Living Home as 10 or less residents; and allowing them as conditional uses in residential zoning districts to encourage the public process, and as permitted uses in Multiple Family (MH) and Commercial Light (CL) zoning districts.
- An entity was currently considering one of these homes in Appaloosa Meadows.
- Staff recommended the changes to the UDO proposed in Ordinance 14-785.

Town Attorney Smiley clarified that sober and recovery residences were not regulated by anyone, as their residents were protected persons under FHA and ADA as persons with a

disability. Assisted living homes and centers were regulated by the state and must be licensed. When discussing zoning, the town could regulate where to locate such homes, but not such things as the number of caregivers.

Public comment:

Craig Brown, 4th District County Supervisor, related that the county was discussing this issue, particularly whether or not such operations constituted a business and should be taxed.

Lee Paul, Appaloosa Meadows resident, opposed any such business in the subdivision, as its CC&R regulations prohibited business activity.

Cheri Romley, Appaloosa Meadows resident, opposed such homes in the subdivision due to the CC&R regulations and quality of life issues, such as lower property values, increased traffic, and lack of knowledge about who would monitor such homes. She urged the town to delay a decision and study other municipalities' regulations.

Jay Bates, Appaloosa Meadows resident, opposed such homes in the subdivision, and asked about CC&Rs overruling other regulations, and what would be allowed under the proposed amendments. He also requested that Council postpone the item until the HOA obtained counsel.

Hans Vang, Appaloosa Meadows resident, stated that area homeowners signed contracts prohibiting home businesses.

Fred Reubhausen, Appaloosa Meadows resident, opposed any such operation in the subdivision.

Annie Lane spoke about no one neighborhood being better than others.

Randy Brumund, Appaloosa Meadows resident, opposed the proposition.

Sherry Brown, Appaloosa Meadows resident, asked why she had not heard about this matter.

Kim Burkett, Appaloosa Meadows resident, spoke about having bad experiences with such homes as a law enforcement officer.

Ms. Smiley and Ms. Mayday advised that:

- this item pertained to a zoning code amendment, not any specific property;
- zoning regulations did not affect CC&Rs;
- the courts considered such homes as any other single family residence, not a business; and
- while assisted living homes would require HOA approval, recovery homes would not.

Council discussion:

- Council's actions were separate from those of the HOAs, which would have to seek their own counsel and recommendations.
- The town needed to determine if recovery homes would need to pay bed tax or if they were taxed as rentals.
- Council had previously voted to require a 5,280-foot distance from such homes.
- If Council did not pass this ordinance today, someone could apply for a recovery home tomorrow at any location and not have to abide by the distance or other requirements in the ordinance.

- They generally believed that these proposed regulations would protect the town and the HOAs.

Ms. Smiley stated that her understanding was that such homes were taxed as rental properties.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to approve the proposed text amendments to Section 2.1 Definitions and Chapter 3 Zoning Districts, Sections 3.5 through 3.13 (AR-36, AR-5, AR-4, SR-2.5, SR-2, SR 1.6, SR-1, SR-0.16, MR), and Section 3.15 (CL) and Section 4.10 Special Purpose and Temporary Housing for the purposes of regulating the manner and placement of Sober Homes, Assisted Living Centers, and Assisted Living Homes.

Vote: 7 - 0 PASSED

8) EXECUTIVE SESSION

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

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Pat McKee to go into executive session after a brief recess at 7:19 p.m.

Vote: 7 - 0 PASSED

Mayor Marley reconvened the regular meeting at 8:24 p.m.

- a) Council may hold an executive session pursuant to A.R.S. 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of the Town Magistrate.(Councilmember Hatch/Councilmember McKee)
- b) An executive session pursuant to A.R.S. § 38-431.03(A)(3) and (7) for discussion or consultation for legal advice with the Town Attorney regarding right of way easement along the proposed extension of Road 1 East and for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property located along the proposed extension of Road 1 East between Road 4 South and Kalinich and to consider a proposal from property owner Steven Chontos related to Yavapai County Assessor's Parcel Number 102-01-223E, one of the properties located within the project boundaries.. (Mayor Marley)

9) ADJOURNMENT

MOVED by Councilmember Lon Turner, seconded by Councilmember Mike Best to adjourn the meeting at 8:24 p.m.

Vote: 6 - 0 PASSED

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 8th day of July, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14th day of October, 2014.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **6. c.**

Meeting Date: 10/14/2014

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 July 17, 2014 study session minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the July 17, 2014 study session minutes.

Attachments

July 17, 2014 minutes

DRAFT

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

**THURSDAY, JULY 17, 2014
6:00 P.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 Thursday, July 17, 2014.

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

Absent: Councilmember Pat McKee; Councilmember Don Wojcik

Staff Town Manager Robert Smith; General Services Director Cecilia Grittman (recorder); Finance

Present: Director Joe Duffy; Town Engineer/Public Works Director Ron Grittman; Development Services Director Ruth Mayday

1) CALL TO ORDER; ROLL CALL

Mayor Marley called the meeting to order at 6:00 p.m.

2) CONSIDERATION AND POSSIBLE ACTION TO REVIEW AND DISCUSS THE LANGUAGE IN THE PUBLICITY PAMPHLET RELATED TO THE GENERAL OBLIGATION BOND FOR AUTHORIZATION BY VOTERS AT THE NOVEMBER 2014 ELECTION. (ROBERT SMITH, TOWN MANAGER)

Mr. Smith handed out revised pamphlet language with late suggestions by various professionals.

Council reviewed the document page by page, as follows:

Letter to the Voters of the Town

- Discussed tax levy language.
- Added language regarding possible Wilhoit (Acme) Water Company acquisition. Mr. Grittman reported on a new valuation, valuation process and current status of the system.
- Added language to clarify the vote needed for the ballot measure to pass.

Questions and answers about the proposed bonds and projects to be funded

- Discussed section on why the election was being held.
- Deleted language relating to town funding sources in addition to the bonds.
- Discussed descriptions of primary and secondary property taxes.

- Added language regarding use of bond money related to water extensions to Windy Valley Plaza.
- Revised language regarding regional benefits to the community, paragraphs related to road system maintenance, utility rate savings and stabilization, and economic development.
- Discussed possible waiver of connection fees to certain properties.

Certain other information about the bonds

- Discussed language and tables related to estimated assessment cost by neighborhoods and estimated effect of GO bond approval on neighborhoods with Chino Valley utilities.
- Discussed possible interest rates for the bonds.

Important voting information

- Discussed changes needed that will need to be provided by Yavapai County or other sources.

Mr. Smith stated that he will make the edits per discussion and get back to Council as soon as possible.

3) CONSIDERATION AND POSSIBLE ACTION TO REVIEW AND DISCUSS THE LANGUAGE IN THE PUBLICITY PAMPHLET RELATED TO THE GENERAL PLAN FOR RATIFICATION BY VOTERS AT THE NOVEMBER 2014 ELECTION. (ROBERT SMITH, TOWN MANAGER)

Council and staff discussed what would happen if the General Plan measure did not pass.

Council reviewed the language and made no changes.

4) ADJOURNMENT

MOVED by Councilmember Linda Hatch, seconded by Vice-Mayor Darryl Croft to adjourn the meeting at 7:23 p.m.

Vote: 5 - 0 PASSED

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the Town Council of the Town of Chino Valley, Arizona held on the 17th day of July, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14th day of October, 2014.

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **6. d.**

Meeting Date: 10/14/2014

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 July 22, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the July 22, 2014 regular meeting minutes.

Attachments

July 22, 2014 minutes

DRAFT

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

**TUESDAY, JULY 22, 2014
6:00 P.M.**

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, July 22, 2014.

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

Absent: Councilmember Pat McKee

Staff Town Manager Robert Smith; Town Attorney Phyllis Smiley; Finance Director Joe Duffy;

Present: Lieutenant Vince Schaan; Officer Cody Johnson; Magistrate John Walker; Town Engineer/Public Works Director Ron Grittman; Planner Ruth Mayday; Town Clerk Assistant Liz Hart; Town Clerk Jami Lewis (recorder)

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

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

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

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

- a)** Presentation of the final concept of the Chino Valley Skate Park. (Ron Grittman, Public Works Director)

Mr. Grittman spoke about the public meeting held on April 30, which yielded a final conceptual design that could be easily constructed, require no digging or drainage features, and could be used by skate boarders and bicyclists alike. Staff anticipated the final design by year-end 2014 to early 2015, at which time proponents would start soliciting contractors and donations for construction.

3) **CALL TO THE PUBLIC**

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding

to criticism.

Norma Bennett, resident, spoke about her opposition to the timing of the proposed bond measure.

Tracie Schimikowsky, CEO, Chino Valley Area Chamber of Commerce, presented the latest edition of the *Accommodations, Attraction, Dining, and Event Guide*, one element of the Chamber's service agreement with the Town.

Ellen Arnold, resident, spoke about the water piece of the bond issue being the most important.

Mayor Marley invited citizens to share their comments and opinions about the bond in venues other than Council meetings, which was now prohibitive since the election had been called.

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) The possibility of current sewer users being exempt from the proposed property tax due to the bills incurred when sewer system was originally established.

Who represents the out of state owners, which are unable to vote on the proposed tax?

Mayor Marley reported that: the bond proposed that the entire Town pay a little, instead of a few paying the entire cost; and the current voting system did not allow property owners, whose primary resident was out of state, to vote in elections affecting their town property.

5) CURRENT EVENT SUMMARIES AND REPORTS

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

Councilmember Turner reported on Yavapai County's withdrawal from funding the County Water Advisory Committee (WAC) and discussions regarding options for future funding.

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

Town Manager Smith reported on:

- Chino Valley Fire District's recent inspection of town facilities;
- The Town's monthly participation in the Chamber's radio program; and
- Improvements to local communication from the Town government through Facebook and an upcoming renovation to the town's website.

6) **CONSENT AGENDA**

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

Council set down item 6b.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve consent agenda item 6a.

Vote: 6 - 0 PASSED

- a) Consideration and possible action to approve the May 13, 2014 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to to approve change order number 3 to contract with Economists.com in an amount not to exceed \$8,000.00 for additional utility rate analysis and an update to the valuation of the Wilhoit Water Company. Funds to come from water and sewer professional services line item. (Ron Gritman, Public Works Director)

Mr. Gritman reported that the proposed general obligation bond also included purchasing the Wilhoit Water Company with Water Infrastructure Finance Authority funds, which required a valuation of the system. As valuations had been done previously on the system, this item proposed to update those valuations.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve consent agenda item 6b.

Vote: 6 - 0 PASSED

7) **ACTION ITEMS**

- a) Consideration and possible action to award Banking Services Contract to National Bank of Arizona. (Joe Duffy, Finance Director)

Recommended Action: Award Banking Services Contract to National Bank of Arizona.

Mr. Duffy and Councilmember Hatch, Finance Subcommittee Chair, reported that:

- The Town's financial policies required the staff to issue a request for banking services to all qualified banks located within the Town's geographic boundaries every five years. Staff recently issued a request for proposals and received two responses.
- The Finance Subcommittee reviewed the proposals on July 15, 2014 and was satisfied with National Bank's presentation.
- Staff tested National Bank's online services to ensure they met the Town's requirements, resulting in staff's recommendation to award the banking services contract for the next five years to National Bank of Arizona.

Mark Garmon, National Bank Branch Manager, and Derek Shreiner, Commercial Banker, spoke about the bank's relationship with the Town.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to award Banking Services Contract to National Bank of Arizona.

Vote: 6 - 0 PASSED

- b) PUBLIC HEARING and consideration and possible action to adopt Resolution No. 14-1040, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2014/2015, pursuant to Section 48-616, Arizona Revised Statutes, as amended provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property in the districts. (Joe Duffy, Finance Director)

Recommended action: (1) Hold a public hearing; and (2) Approve Resolution No. 14-1040, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2014/2015.

Mr. Duffy reviewed the proposed budget for the Street Lighting Improvement Districts (SLIDs) and reported that:

- Taxes were levied on properties within street lighting improvement districts to pay for the annual expenses of those districts. Authorization of this resolution accepted the statements and estimated expenses that will be incurred by those districts.
- This was the step two of three to process the levy to pay for the expenses associated with street lighting in those districts. Step three, adoption of the levy, will follow to complete the process.
- The Resolution number was in error and should be number 14-1043.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to open the public hearing for the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2014/2015.

Vote: 6 - 0 PASSED

Ellen Arnold, resident, asked about the town proposing new street lights and using solar powered lighting. Mr. Duffy explained that the SLIDs already existed and were located only in the Bright Star Subdivision. Vice-Mayor Croft added that the town had no intention to put up more street lights at this time.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to close the public hearing.

Vote: 6 - 0 PASSED

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve Resolution No. 14-1043, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2014/2015.

Vote: 6 - 0 PASSED

- c) Consideration and possible action to approve the Leasing Services Proposal from NB: AZ Public Financial Services, a Division of Zions First National Bank and Affiliate of National Bank of Arizona, authorizing the Town Manager to execute the Lease Purchase Agreement and approve Resolution No. 14-1042. (Joe Duffy, Finance Director)

Recommended Action: Approve the Leasing Services Proposal from NB: AZ Public Financial Services, authorizing the Town Manager to execute the Lease Purchase Agreement and approve Resolution No. 14-1042.

Mayor Marley related that staff had requested postponement of items 7c and 7d.

- d) Consideration and possible action to approve the purchase of four Ford Police Interceptors from Berge Ford in an amount not to exceed \$28,868.40 each, one Ford 550 from Berge Ford in an amount not to exceed \$55,756.25, one John Deere 544K front end loader from RDO Equipment Company in an amount not to exceed \$166,503.38, and one 410K backhoe from RDO Equipment in an amount not to exceed \$107,898.66 for a combined total of \$445,631.89. Funds to come from capital replacement line items. (Ron Gritman, Public Works Director)

Recommended Action: Approve the purchase of four Ford Police Interceptors from Berge Ford in an amount not to exceed \$28,868.40 each, one Ford 550 from Berge Ford in an amount not to exceed \$55,756.25, one John Deere 544K front end loader from RDO Equipment Company in an amount not to exceed \$166,503.38, and one 410K backhoe from RDO Equipment in an amount not to exceed \$107,898.66 for a combined total of \$445,631.89.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to table action items 7c and 7d to a future meeting.

Vote: 6 - 0 PASSED

- e) Consideration and possible action to adopt Ordinance No. 14-786, amending Section 1.9 Review and Approval Processes, and Subsection s1.9.2 Amendments and 1.9.4 Planned Area Development Overlay District: PAD of the Unified Development Ordinance (UDO). (Ruth Mayday, Planner)

Recommended Action: Adopt Ordinance No. 14-786, amending Section 1.9, and Subsections 1.9.2 and 1.9.4, of the UDO.

Ms. Mayday reported that:

- The purpose of the Planned Area Development (PAD) overlay district was to allow for modification of the requirements of the UDO when planning developments throughout town. When used as intended, a PAD overlay could provide latitude in design of residential, commercial, and industrial projects, resulting in a development that was harmonious with surrounding uses, and allowed for fine-tuning the Development Plan to meet the community's current and future needs.
- The initial direction of this item was to make minor adjustments to the PAD regulations as currently set forth in the UDO. Upon further review, it became apparent that the entire section needed revision, as its language contradicted the intent of a PAD, set forth an unnecessarily long review and approval period, and repeated other sections of existing code that, if amended, would require additional amendments to the PAD regulations. Rather than amend the PAD regulations piecemeal, staff rewrote the section entirely.
- Section 1.9.4.3(B)(2) set forth specific requirements that should apply only to residential developments that clearly were not related to industrial or commercial uses and mandated designation of open space as "active open space" which was not a valid zoning district or land use designation, nor was it defined in the UDO. While Section 1.9.4.3(B)(4) spoke to relief from the regulations in (B)(2) for some uses, it did not address all commercial or industrial uses, and referred to zoning districts the town did not utilize. In addition, the language required review and approval of Covenants, Conditions, and Restrictions by the town attorney, which was clearly not the purview of the Town.
- Section 1.9.4.3 specifically prohibited modification of underlying uses, rendering the zoning districts an "all or nothing" proposition. As a result, certain uses could not be

restricted or prohibited in a given zoning district. However, this was crucial when considering mixed-use developments, and the current language provided no mechanism by which uses that might be incompatible with a residential development could be prohibited, while permitting compatible uses.

- Errors in grammar, punctuation, and capitalization were also addressed in the rewrite.
- Staff provided an alternative that tied the PAD requirements to the General Plan, safeguarded the Town's interest in development and coordination of infrastructure extensions, and provided the flexibility necessary to encourage innovative design that will meet the community's current and future needs.

A councilmember expressed concern about lacking limits for what the Development Services Director could authorize on her own without Council approval. Town Attorney Smiley and Director Mayday stated that the director could only authorize small modifications to a PAD, not substantial ones, and in their experience, they had never seen any instances of abuse.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to adopt Ordinance No. 14-786, amending Section 1.9, and Subsections 1.9.2 and 1.9.4, of the UDO.

Vote: 5 - 1 PASSED

NAY: Councilmember Linda Hatch

- f) Consideration and possible action to accept the language in the publicity pamphlet related to the General Obligation Bond for authorization by voters at the November 2014 election. (Robert Smith, Town Manager)

Recommended Action: Modify or accept the language in the publicity pamphlet related to the General Obligation Bond.

Mr. Smith handed out the revised pamphlet language per Council's recommendations on July 17. Council reviewed the document and recommended further modifications.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to approve the language in the publicity pamphlet as amended.

Vote: 6 - 0 PASSED

- g) Consideration and possible action to accept the language in the publicity pamphlet related to the General Plan for ratification by voters at the November 2014 election. (Robert Smith, Town Manager)

Recommended Action: Modify or accept the the language in the publicity pamphlet related to the General Plan.

Development Services Director Mayday related that Council had recommended no changes during the July 17 study session.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve the language in the publicity pamphlet related to the General Plan.

Vote: 6 - 0 PASSED

8) EXECUTIVE SESSION

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

- a) Council may hold an executive session pursuant to A.R.S. 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of the Town Magistrate.(Councilmember Hatch/Councilmember McKee)

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to go into executive session at 7:13 p.m.

Vote: 6 - 0 PASSED

Mayor Marley reconvened the regular meeting at 7:35 p.m.

- b) An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding a Settlement and Release Agreement with Fann Contracting, Inc. related to the construction of the wastewater treatment plant. (Robert Smith, Town Manager)

(Council heard this item after item 9a but is retained here for clarity.)

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to go into executive session to discuss the Settlement and Release Agreement with Fann Contracting, Inc. at 7:37 p.m.

Vote: 6 - 0 PASSED

Mayor Marley reconvened the regular session at 8:18 p.m.

9) ACTION ITEMS RESUMED

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

- a) Consideration and possible action to approve the recommendation by the Magistrate Evaluation Subcommittee regarding a salary increase for the Magistrate and to prepare an amendment to the Magistrate's Employment Contract.

(Council heard this item after item 8a but is retained here for clarity.)

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve a flat salary of \$90,000 effective July 1 and modify the Magistrate's employment contract to reflect that.

Vote: 6 - 0 PASSED

Councilmember Hatch added that Council had instructed staff to make the salary increase retroactive.

10) ADJOURNMENT

MOVED by Councilmember Don Wojcik, seconded by Councilmember Mike Best to adjourn the meeting at 8:18 p.m.

Vote: 6 - 0 PASSED

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Chino Valley, Arizona held on the 22nd day of July, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14th day of October, 2014.

Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 6. e.

Meeting Date: 10/14/2014
Contact Person: Joe Duffy, Finance Director
 Phone: 928-636-2646 x-1211
Department: Finance
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Financial Report for the month ended August 31, 2014.

RECOMMENDED ACTION:

Approve Financial Report for the two months ending August 31, 2014.

SITUATION AND ANALYSIS:

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

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

The report includes the following sections:

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

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

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

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

Fiscal Impact

Fiscal Impact?: none

If Yes, Budget Code:

Available:

Funding Source:

Attachments

August 2014

Town of Chino Valley

Arizona

Financial Report



To The Town Council

For the two Months Ending August 31, 2014 17% of the Fiscal Year

Town of Chino Valley						
Revenue and Expense Summary						
For the two Months Ending August 31, 2014 17% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
GENERAL FUND						
General Fund Revenues by Category						
Franchise Taxes	\$ -	\$ - *	\$ -		\$ 142,000	0%
Tax Revenues	\$ 628,712	\$ 632,006	\$ 3,294	1%	\$ 3,755,363	17%
Licenses & Permits	\$ 43,230	\$ 18,349	\$ (24,881)	-58%	\$ 217,000	8%
Intergovernmental	\$ 455,285	\$ 487,866	\$ 32,581	7%	\$ 3,063,000	16%
Charges for Services	\$ 21,759	\$ 20,807	\$ (952)	-4%	\$ 98,200	21%
Fines and Forfeitures	\$ 4,304	\$ 16,204	\$ 11,900	277%	\$ 118,000	14%
Other Revenues	\$ 730	\$ 286	\$ (444)	-61%	\$ 2,300	12%
Contributions and Donations	\$ 899	\$ 501	\$ (398)	-44%	\$ 7,800	6%
Investment Earnings	\$ 53	\$ 72	\$ 19	36%	\$ 550	13%
Transfers In	\$ 9,247	\$ 16,667	\$ 7,420	80%	\$ 560,087	3%
Total Revenues	\$ 1,164,217	\$ 1,192,756	\$ 28,539	2%	\$ 7,964,300	15%
* Estimated final quarter accruals.						
Total Revenues for the General Fund are up \$28,539 over the previous fiscal year. Licenses and Permits are down due to a reduction in Building Permits this fiscal year. Intergovernmental Revenues are up 7% primarily due to an increase in State Shared Income Tax and State Shared Sales Tax. Transfers In were increased in the current years budget over the prior year. The total General Fund Revenues are up 2% compared to the last fiscal year.						

Town of Chino Valley						
Revenue and Expense Summary						
For the two Months Ending August 31, 2014 17% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
General Fund Expenditures by Department						
Prosecutor	\$ 20,338	\$ 16,600	\$ (3,738)	-18%	\$ 122,800	14%
Town Clerk	\$ 28,370	\$ 29,759	\$ 1,389	5%	\$ 244,100	12%
Town Manager	\$ 61,807	\$ 67,963	\$ 6,156	10%	\$ 406,600	17%
Human Recourses	\$ 7,696	\$ 8,435	\$ 739	10%	\$ 69,850	12%
Municipal Court	\$ 44,711	\$ 49,417	\$ 4,706	11%	\$ 312,550	16%
Finance	\$ 46,676	\$ 49,160	\$ 2,484	5%	\$ 304,450	16%
Management Information System	\$ 30,579	\$ 29,129	\$ (1,450)	-5%	\$ 245,650	12%
Mayor and Council	\$ 4,295	\$ 4,316	\$ 21	0%	\$ 31,750	14%
Planning	\$ 25,604	\$ 28,657	\$ 3,053	12%	\$ 170,850	17%
Building Inspection	\$ 31,079	\$ 43,442	\$ 12,363	40%	\$ 273,500	16%
Police	\$ 511,778	\$ 456,037	\$ (55,741)	-11%	\$ 2,613,000	17%
Animal Control	\$ 16,080	\$ 20,558	\$ 4,478	28%	\$ 143,850	14%
Recreation	\$ 3,498	\$ 2,960	\$ (538)	-15%	\$ 69,400	4%
Library	\$ 46,769	\$ 49,355	\$ 2,586	6%	\$ 287,700	17%
Senior Center	\$ 34,416	\$ 37,607	\$ 3,191	9%	\$ 230,750	16%
Parks Maintenance	\$ 76,947	\$ 35,704	\$ (41,243)	-54%	\$ 396,500	9%
Aquatic Center	\$ 63,216	\$ 50,597	\$ (12,619)	-20%	\$ 249,750	20%
Facilities Maintenance	\$ 69,409	\$ 53,373	\$ (16,036)	-23%	\$ 346,650	15%
Fleet Maintenance	\$ 56,488	\$ 41,711	\$ (14,777)	-26%	\$ 336,600	12%
Engineering	\$ 10,720	\$ 10,789	\$ 69	1%	\$ 74,750	14%
Non Departmental	\$ 118,519	\$ 92,454	\$ (26,065)	-22%	\$ 923,250	10%
Total Expenditures	\$ 1,308,995	\$ 1,178,022	\$ (130,974)	-10%	\$ 7,854,300	15%
Total Revenue Over (Under)						
Total Expenditures	\$ (144,778)	\$ 14,734	\$ 159,512		\$ 110,000	
GENERAL FUND (Continued)						
Total General Fund Expenditures are down \$130,974 or 10% compared to last fiscal year. Through August each department should be less than 17%.						

Town of Chino Valley						
Revenue and Expense Summary						
For the two Months Ending August 31, 2014 17% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
HIGHWAY USER REVENUE FUND						
Total Revenues	\$ 124,730	\$ 135,521	\$ 10,791	9%	\$ 1,235,350	11%
Expenditures						
Road Maintenance	\$ 115,660	\$ 116,533	\$ 873	1%	\$ 1,200,350	10%
Total Revenue Over (Under)						
Total Expenditures	\$ 9,070	\$ 18,988	\$ 9,918		\$ 35,000	
Total Fund Revenues are up 9% over the prior fiscal year due to the budgeted increase in HURF fund distributions. . Expenditures are even with last fiscal year.						
WATER ENTERPRISE FUND						
Water Revenues	\$ 116,704	\$ 71,351	\$ (45,353)		\$ 433,000	
Transfers In	\$ 36,667	\$ 46,783	\$ 10,116		\$ 280,700	
Total Revenues	\$ 153,371	\$ 118,135	\$ (35,236)	-23%	\$ 713,700	17%
Expenditures						
Water Utility Operations	\$ 124,112	\$ 85,146	\$ (38,966)		\$ 611,800	
Debt Service/Reserve	\$ -	\$ -	\$ -		\$ 101,900	
Total Expenditures	\$ 124,112	\$ 85,146	\$ (38,966)	-31%	\$ 713,700	12%
Total Revenue Over (Under)						
Total Expenditures	\$ 29,259	\$ 32,988	\$ 3,729		\$ -	
Total Water Enterprise Fund Revenues are down due to no Water Buy In fees so far this fiscal year and a 15% reduction in Water Service Fees. Expenditures are down due to a large repair last fiscal year.						
SEWER ENTERPRISE FUND						
Total Revenue	\$ 322,213	\$ 254,439	\$ (67,774)	-21%	\$ 1,753,914	15%
Expenditures						
Sewer	\$ 112,911	\$ 111,451	\$ (1,460)		\$ 982,100	
Debt Service/Reserve	\$ 28,174	\$ 27,485	\$ (689)		\$ 771,814	
Total Expenditures	\$ 141,085	\$ 138,936	\$ (2,149)	-2%	\$ 1,753,914	8%
Total Revenue Over (Under)						
Total Expenditures	\$ 181,128	\$ 115,503	\$ (65,624)		\$ -	
Total Sewer Enterprise Fund Revenues are down 29% over last fiscal year due to no Sewer Buy In Fees this fiscal year.. Sewer Service Fees are up 12% and department expenditures are down 2%.						

Town of Chino Valley						
Revenue and Expense Summary						
For the two Months Ending August 31, 2014 17% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
CAPITAL IMPROVEMENT FUND * (excludes bond projects)						
Total Revenues	\$ 209,572	\$ 210,669	\$ 1,097	1%	\$ 5,010,132	4%
Transfers In Road Impact Fees		\$ -	\$ -		\$ 886,000	
Capital Improvements	\$ 132,260	\$ 98,857	\$ (33,403)		\$ 4,776,000	
Transfers	\$ 143,016	\$ 186,689	\$ 43,673		\$ 1,120,132	
Total Expenditures	\$ 275,276	\$ 285,546	\$ 10,270	4%	\$ 5,896,132	5%
Total Revenue Over (Under)						
Total Expenditures	\$ (65,704)	\$ (74,877)	\$ (9,173)		\$ -	
Capital Improvement Fund Revenues are up slightly by 1% over the prior fiscal year. Transfers are up due to the increased amount budgeted this fiscal year.						
Detailed Capital Improvement Fund Projects Funded by Road Impact Fees		Actual Year to Date FY 2014-15	Annual Budget FY 2014-15			
Center Street Box Culvert		\$ 13	\$ 500,000			
Road 1 East & Road 3 South		\$ 132	\$ 200,000			
Center Street Rd1 E and Rail		\$ -	\$ 150,000			
Design on Peavine Trail		\$ -	\$ 36,000			
		\$ 145	\$ 886,000			

Town of Chino Valley						
Revenue and Expense Summary						
For the two Months Ending August 31, 2014 17% of the Fiscal Year						
			Actual vs Prior Year			
	Actual Year to Date FY 2013-14	Actual Year to Date FY 2014-15	Amount	% FY 2014-15/ FY 2013-14	Annual Budget FY 2014-15	% of Budget YTD
OTHER MINOR FUNDS						
Other Minor Funds -Revenues						
CDBG Grant	\$ -	\$ -	\$ -		\$ 264,000	
Grants Fund	\$ 51,632	\$ 22,406	\$ (29,226)		\$ 3,470,000	
Special Revenue Fund Court	\$ 3	\$ 908	\$ 905		\$ 15,600	
Capital Asset Replacement	\$ 33	\$ 9	\$ (24)		\$ 500	
Police Impact Fee Funds	\$ 2,785	\$ 387	\$ (2,397)		\$ 111	
Library Impact Fee Funds	\$ 909	\$ -	\$ (909)		\$ -	
Parks/Rec Impact Fee Funds	\$ 2,958	\$ 2	\$ (2,956)		\$ -	
Roads Impact Fee Funds	\$ 26,929	\$ 2,399	\$ (24,530)		\$ 1,000	
Special Revenue Fund PD	\$ 5,730	\$ 3,005	\$ (2,724)		\$ 40,000	
CVSLID Districts	\$ (410)	\$ 753	\$ 1,163		\$ 4,000	
Total Revenues	\$ 90,568	\$ 29,869	\$ (60,699)	-67%	\$ 3,795,211	1%
CDBG Grant	\$ -	\$ -	\$ -		\$ 264,000	
Grants Funds	\$ 87,907	\$ 2,797	\$ (85,110)		\$ 3,470,000	
Special Revenue Fund - Court	\$ 45	\$ -	\$ (45)		\$ 35,000	
Capital Replacement Fund	\$ -	\$ -	\$ -		\$ 10,000	
Police Impact Fee Funds	\$ 559	\$ 409	\$ (150)		\$ 79,014	
Library Impact Fee Funds	\$ 11,575	\$ 11,652	\$ 77		\$ 7,000	
Parks/Rec Impact Fee Funds	\$ 130	\$ -	\$ (130)		\$ 24,564	
Roads Impact Fee Funds	\$ 7,301	\$ -	\$ (7,301)		\$ 886,000	
Special Revenue Fund PD	\$ 2,399	\$ 1,239	\$ (1,160)		\$ 40,000	
CVSLID Districts	\$ 950	\$ 679	\$ (271)		\$ 4,000	
Total Expenditures	\$ 110,866	\$ 16,776	\$ (94,089)	-85%	\$ 4,819,578	0%
Total Revenue Over (Under)						
Total Expenditures	\$ (20,297)	\$ 13,093	\$ 33,390		\$ (1,024,367)	
TOTAL ALL FUNDS						
Total Revenue All Funds	\$ 2,064,671	\$ 1,941,389	\$ (123,282)	-6%	\$ 20,472,607	9%
Total Expenditures All Funds	\$ 2,075,994	\$ 1,820,960	\$ (255,034)	-12%	\$ 22,237,974	8%
Total Revenue Over (Under)						
Total Expenditures All Funds	\$ (11,323)	\$ 120,430	\$ 131,752		\$ (1,765,367)	
(1) Budget does not include Carryover Amounts from Prior Fiscal Years						
(2) Year to date amounts include actual expenditures paid to date.						

Town of Chino Valley
Major Revenue Summary
For the two Months Ending August 31, 2014 17% of the Fiscal Year

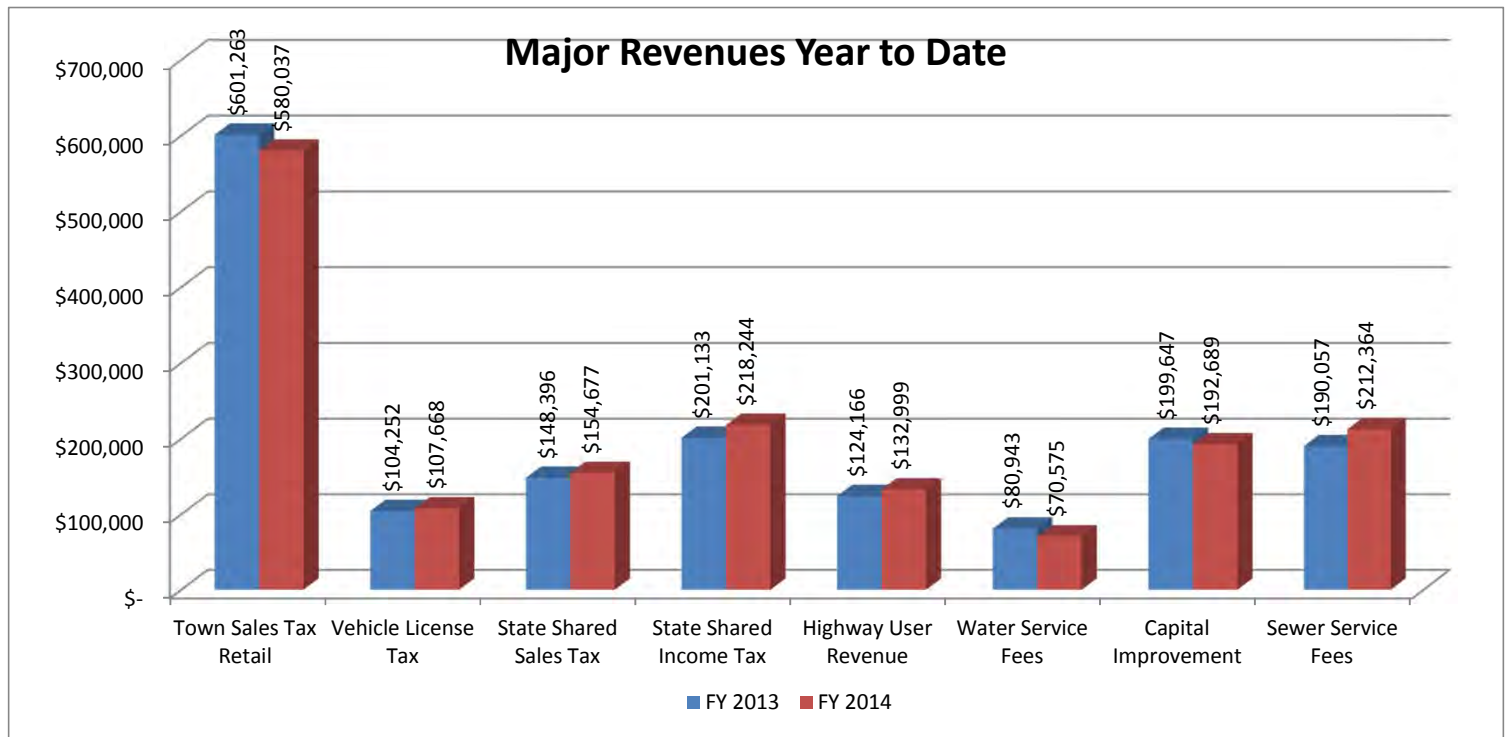
					Actual vs Prior Year	
	Actual Year to Date FY 2013-14	Annual Budget FY 2014-15	Actual Year to Date FY 2014-15*	% of Budget YTD	Amount	%
Town Sales Tax Retail	\$ 601,263	\$ 3,500,000	\$ 580,037	17%	\$ (21,226)	-4%
Vehicle License Tax	\$ 104,252	\$ 597,000	\$ 107,668	18%	\$ 3,416	3%
State Shared Sales Tax	\$ 148,396	\$ 977,000	\$ 154,677	16%	\$ 6,281	4%
State Shared Income Tax	\$ 201,133	\$ 1,309,000	\$ 218,244	17%	\$ 17,111	9%
Highway User Revenue	\$ 124,166	\$ 805,000	\$ 132,999	17%	\$ 8,833	7%
Water Service Fees	\$ 80,943	\$ 467,000	\$ 70,575	15%	\$ (10,368)	-13%
Capital Improvement	\$ 199,647	\$ 1,138,000	\$ 192,689	17%	\$ (6,958)	-3%
Sewer Service Fees	\$ 190,057	\$ 1,125,000	\$ 212,364	19%	\$ 22,307	12%
Major Revenues Y.T.D.	\$ 1,649,858	\$ 9,918,000	\$ 1,669,253	17%	\$ 19,395	1%
Total Revenue All Funds	\$ 2,064,671	\$ 20,472,607	\$ 1,941,389	9%	\$ (123,282)	-6%

80%

48%

86%

The Major Revenues are up slightly by \$19,395 or 1% over the prior fiscal year. Town Sales Tax Retail is down due to the Town no longer collecting for the Pipeline Transportation Tax as a sales tax. Water Service Fees are down due to decreased usage.



Impact Fee Fund Recaps					
For the two Months Ending August 31, 2014 17% of the Fiscal Year					
	Police Impact Fees	Library Impact Fees	Parks/Rec Impact Fees	Roads Impact Fees	
Beginning Fund Balance @ 6/30/14	\$ 82,789	\$ -	\$ 40,614	\$ 1,374,471	
Impact Fees Revenue to Date	\$ 387	\$ -	\$ 2	\$ 2,399	
Impact Fees Expenditures to Date	\$ 409	\$ -	\$ -	\$ -	
Ending Fund Balance to Date	\$ 82,767	\$ -	\$ 40,616	\$ 1,376,870	
Budgeted Expenditures FY 14/15	\$ 79,014	\$ -	\$ 24,564	\$ 886,000	
Contingency Funds Budget					
For the two Months Ending August 31, 2014 17% of the Fiscal Year					
		Actual Year to Date FY 2014-15	Annual Budget FY 2014-15		
	General Fund Budget		\$ 367,000		
	General Fund Balance		\$ 367,000		
	HURF Fund Budget		\$ 42,000		
	Water Fund Budget		\$ 31,000		
	Sewer Fund Budget		\$ 49,000		
	Balance of Continge	\$ -	\$ 489,000		
Annual Debt Service Summary By Fund					
Fiscal Year Ended June 30, 2015					
Debt Issue	Date Issued	Original Amount	Outstanding Amount as of June 30, 2014	FY 2015 Principal	FY 2015 Interest
General Government					
GADA Loan 2007A	7/1/2011	\$ 3,825,000	\$ 3,620,000	\$ 235,000	\$ 172,794
US Bank Series 2010	12/15/2010	\$ 7,280,000	\$ 7,280,000		\$ 331,638
		\$ 11,105,000	\$ 10,900,000	\$ 235,000	\$ 504,432
Water Enterprise Fund					
US Bank Series 2010	12/15/2010	\$ 745,000	\$ 610,000	\$ 45,000	\$ 25,882
Sewer Enterprise Fund					
WIFA	1/10/2007	\$ 1,580,000	\$ 1,090,290	\$ 77,886	\$ 30,070
WIFA	1/11/2008	\$ 4,853,000	\$ 3,738,165	\$ 242,138	\$ 105,192
USDA	2/16/2007	\$ 1,595,000	\$ 1,413,024	\$ 38,702	\$ 57,574
USDA	4/10/2008	\$ 1,505,000	\$ 1,372,832	\$ 34,877	\$ 55,975
USDA	4/16/2008	\$ 1,332,000	\$ 1,215,957	\$ 30,820	\$ 49,580
		\$ 10,865,000	\$ 8,830,268	\$ 424,423	\$ 298,391
Total Town of Chino Valley Debt		\$ 22,715,000	\$ 20,340,268	\$ 704,423	\$ 828,705



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. a.

Meeting Date: 10/14/2014
Contact Person: Liz Hart, Deputy Town Clerk/Records Technician
 Phone: 928-636-2646 x-1210
Department: Council
Item Type: Action
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action regarding noise pollution issues with Prescott Airport air traffic and airport expansion plans.

RECOMMENDED ACTION:

Refer matter to the Public Safety Subcommittee for further research, review, and recommendations.

SITUATION AND ANALYSIS:

Issue Statement

On September 23 during call to the public, resident Al Gibbons submitted a public agenda request regarding Prescott Airport air traffic and expansion. Co-sponsors Mayor Marley and Councilmember Best are recommending that this matter be sent to the Public Safety Committee for further research, review, and recommendation.

Fiscal Impact

Fiscal Impact?: No
If Yes, Budget Code:
Available:
Funding Source:

Attachments

Al Gibbons agenda item request



TOWN OF CHINO VALLEY
PUBLIC REQUEST FOR COUNCIL AGENDA ITEM
*(Fill out only the sections in **italic** type preceded by *)*

☐ Regular Meeting ☐ Special Meeting ☐ Other: _____

DATE SCHEDULED: _____ TIME: _____

*CONTACT PERSON: AL Gibbons *PHONE: 583-0152

*ORGANIZATION (if applicable): alje@commspeed.net

☐ Report/Presentation Only ☐ Consent ☐ Action *Estimated Length: 15 min.

**PLEASE DESCRIBE YOUR AGENDA ITEM REQUEST AND LIST ATTACHMENTS (if any):*

Goal: Have the Town Council answer the following question. "Yes or no, Does the CV Town Council support eliminating Prescott's Exported industrial noise pollution, heard in CV, from flight schools and the planned large Jet industry?"

Mike Best has been shown Prescott's document, Airport Area Economic Development. Councilman Best stated he would obtain a copy(s) from Prescott for Council use.

RECOMMENDED MOTION:

Move to

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

SIGNATURES OF COUNCIL SPONSORS:

Mayor Marley
Councilmember

Councilmember Best (by phone)
Councilmember



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **7. b.**

Meeting Date: 10/14/2014
Contact Person: Spencer Guest, IT Specialist
 Phone: 928-636-2646 x-1215
Department: General Services
Item Type: Action-Presentation
Estimated length of staff presentation: 15 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve the CivicPlus Advantage Contract in the amount of \$12,731.00 for three years, allowing CivicPlus effective 10/14/2014 to immediately begin redesign of the Town website and provide ongoing website hosting and support services.

RECOMMENDED ACTION:

Move to approve the CivicPlus Advantage Contract in the amount of \$12,731.00 for three years, beginning 10/14/2014 and allowing CivicPlus to immediately begin redesign of the Town website and provide ongoing website hosting and support services.

SITUATION AND ANALYSIS:

Issue Statement

The Town website at www.chinoaz.net has been in need of a redesign to accommodate rapidly changing web standards. Industry recommendations suggest a 5 year redesign life cycle and the current web design has been in use for approximately 8 years. For the past year the Management Information Systems (MIS) division was working on ideas to overhaul the website and implement various changes to accommodate new recommended web design standards. In this process, the Town Manager's office recommended not only a redesign, but also requested new content management features be implemented that would allow MIS to delegate the responsibilities of website updates to staff within each department. These new features would allow for each department to be responsible to update their own website content while allowing MIS to continue to control the design and management features of the website.

Applicable "Policy"

N/A

Satisfaction of "Policy"

N/A

Summary of Issues and Staff Rationale

MIS began investigating vendors that could provide website redesign and the content management features requested by the Town Manager's office. In the process, MIS found that many additional features were available within the perspective systems. These features would greatly enhance the Town's ability to service the public while also providing much needed features to assist Town staff to effectively accomplish their day-to-day responsibilities.

MIS created a list of features that would allow staff to effectively evaluate perspective vendors and their abilities to fulfill the broadest amount of features while still accomplishing the redesign and content management objectives. MIS staff along with staff from the Town Administration and Clerks Office participated in several demonstrations designed to assess the vendor's potential fit to fulfill the list of features. Four website/content management vendors were selected based on their potential to address the needed features and a written quote was requested to compare the fiscal impact from the four vendors. MIS applied each vendor's offering to the list of features and added them to a comparison grid found in the attachment "WebsiteRedesignVendorComparison.pdf".

Findings of Fact

Based on the results from the Vendor Comparison sheet, the two highest cost vendors were eliminated. CivicPlus and EVO Government Websites were further asked for a follow-up demonstration with the intent to assess any final questions about features and determine which solution was the easiest for staff to use. Based on these final demonstrations, Civic Plus was selected as the solution that had the required features and was the easiest for non-technical users to understand and utilize. Additionally, CivicPlus has a good reputation nationwide among governmental organizations for providing effective feature rich websites. Within Arizona the City of Flagstaff, Coconino County, City of Avondale, City of Apache Junction, City of Paradise Valley, City of Buckeye are a few of the municipal organizations that use CivicPlus to provide their websites.

CivicPlus provided a written quote for the project development and deployment for the redesign of the www.chinoaz.net website as well as the ongoing annual services fees. The costs are reflected on the attachment "CivicPlusAdvantageContract.pdf". As noted on the quote, the initial project development and deployment costs are \$29,926.00 with ongoing annual service costs of \$4,134.00. The Chino Valley Finance Director requested the Town use the CivicPlus Advantage Payment Plan which allows the Town to spread the costs over multiple years at \$12,731 for three years. If the Town so chooses to continue with CivicPlus for a fourth year, the maintenance fees will be \$4,557.00 for that year with the added benefit of a free website redesign at the end of the fourth year. CivicPlus continued maintenance and hosting fees are billed at an annual rate with a 5% increase per year. CivicPlus annual renewal services include redundant hosting, daily backups, disaster recovery plans, 24/7 support, continuous software maintenance, unlimited upgrades and continued staff training with support personnel. CivicPlus estimates the redesign process will take 4 to 6 months from the start of the project until the go live date of the new site.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code: 01-95-5590

Available: \$15,000

Funding Source:

The website redesign project was initially budgeted for \$35,000 with ongoing maintenance fees of \$6000 per year. The Finance Department requested vendors provide for a multi-year payment plan that spread the initial development and deployment costs along with the maintenance fees over a three to four year payment plan. The year one budget for this project was thus set at \$15,000 with planned equal consecutive year budgets to accommodate continued fiscal expenditures.

Attachments

CivicPlus Advantage Contract

Website Redesign Vendor Comparison

CivicPlus Advantage Contract

Organization	Town of Chino Valley			URL	http://www.chinoaz.net
Street Address	202 N State Route 89				
Address 2					
City	Chino Valley	State	AZ	Postal Code	86323
CivicPlus provides telephone support for all trained clients from 7am –7pm Central Time, Monday-Friday (excluding holidays). Emergency Support is provided on a 24/7/365 basis for representatives named by the Client. Client is responsible for ensuring CivicPlus has current updates.					
Emergency Contact & Mobile Phone		Spencer Guest (928) 636-4385			
Emergency Contact & Mobile Phone		Jan Mazy (928) 636-2646 x 1205			
Emergency Contact & Mobile Phone		Cecilia Grittman (928) 636-2646 x 1202			
Billing Contact	Joe Duffy			E-Mail	jduffy@chinoaz.net
Phone	(928) 636-2646	Ext.	1053	Fax	(928) 636-2144
Billing Address	202 N State Route 89				
Address 2					
City	Chino Valley	ST	AZ	Postal Code	86323
Tax ID #	86-0256834			Sales Tax Exempt #	
Billing Terms	Annual			Account Rep	Will Spicer
Info Required on Invoice (PO or Job #)					
Contract Contact	Cecilia Grittman			Email	cgrittman@chinoaz.net
Phone	(928) 636-2646	Ext.	1202	Fax	(928) 636-2144
Project Contact	Spencer Guest			Email	squest@chinoaz.net
Phone	(928) 636-2646	Ext.	1215	Fax	(928) 636-2144

Terms & Conditions

Client Deliverable

- Icon Enterprises, Inc., d/b/a CivicPlus ("CivicPlus") will create a unique website for the Town of Chino Valley ("Client") that includes all functionality as defined in Exhibit A – CivicPlus Project Deliverables, attached hereto.

Additional Services

- Client may contract with CivicPlus for additional Consulting, Website Design, Setup, Programming, and Training services (CivicPlus Project Deliverables) that exceed those defined in Exhibit A. CivicPlus will invoice Client for the additional services immediately prior to project Go-Live.
- Client may contract with CivicPlus for additional Annual Services that exceed those defined in Exhibit A. CivicPlus will invoice Client for Annual Services immediately prior to project Go-Live.



Service & License Agreement for **Chino Valley, AZ**

4. Services that involve billable time beyond the contracted amount will be documented and invoiced. Written approval by the Client is necessary before billable time is incurred.
5. Modules that incur additional usage fees may be purchased and activated at any time.

CivicPlus Advantage Billing & Payment Terms

The following agreement terms apply to the CivicPlus Advantage Plan – whereby the initial project development fees and recurring fees are paid equally over a three (3) year period. See Exhibit A for complete details and fee options.

6. Billing for the CivicPlus Advantage Plan begins upon contract signing.
7. The Client shall sign a project completion and acceptance form prior to Project Go-Live. All Parties agree that the website will not go-live until the project is accepted in writing by the Client.
8. The CivicPlus Advantage Plan provides a fixed fee for an Agreement term of 36 months from the first date of billing. At 36 months, Client has the following options:
 - a. Contract for 12 months of standard Annual Services with CivicPlus. Base rate of \$4,557 is subject to a technology investment and benefit fee of 5 percent (%) of the total Annual Services costs.
 - i. After forty-eight (48) months of continuous service, Client is entitled to a no-cost redesign, details noted in Exhibit B. Redesigns that include additional features not available on the original website may be subject to additional charges. Additional features include, but are not limited to, additional modules and integration of third-party software.
 - b. Terminate services with CivicPlus by providing written notice as noted in Term 15.
9. Fees for the CivicPlus Advantage Plan are invoiced prior to the year of service. They are due by the first of the following month, but no sooner than 30 days from invoice date.
10. Project development will be discontinued if payment is not made within 30 days after the invoice due date.
11. After project go-live, if the Client's account exceeds 60 days past due, Support will be discontinued until the Client's account is made current. If the Client's account exceeds 90 days past due, Annual Services will be discontinued until the Client's account is made current. Client will be given 30 days notice prior to discontinuation of services for non-payment.
12. The Client will be invoiced electronically through email. Upon request CivicPlus will mail invoices and the Client will be charged a \$5.00 convenience fee.
13. Unless otherwise limited by law, a finance charge of 2.9 percent (%) per month or \$5.00, whichever is greater, will be added to past due accounts. Payments received will be applied first to finance charges, then to the oldest outstanding invoice(s).
14. Provided the Client's account is current, at any time the Client may request an electronic copy of the website graphic designs, the page content, all module content, all importable/exportable data, and all archived information ("Customer Content"). Client agrees to pay \$250 per completed request. Provided the Client's account is current, upon termination of services Client may request a complimentary electronic copy of website Customer Content.

Agreement Renewal

15. Either party may terminate this Agreement at the end of the contract term by providing the other party with 60 days written notice, prior to the contract renewal date. The Contract Renewal Date is thirty-six (36) months after the original contract was signed by the Client. Renewal Options are listed in Term 8 of this Agreement.
16. In the event of early termination of the Agreement by the Client within the first twelve (12) months of the Agreement, full payment of the remainder of the total First Year fees are due within 15 days of termination.
17. In the event of early termination of the Agreement by the Client after twelve (12) months, but before the expiration of the Agreement, Annual Services fees for year(s) two (2) and three (3) will be prorated and Client will be charged only for the time it remains as a Client of CivicPlus. Full payment of the remainder of the total First Year fees and prorated fees are due within 15 days of termination.

Support

18. CivicPlus will provide unlimited telephone support Monday-Friday, 7:00 am – 7:00 pm (Central Time) excluding holidays, for all trained Client staff. Emergency Support is provided on a 24/7/365 basis for emergency contacts named by the Client. Client is responsible for providing CivicPlus with contact updates.



Service & License Agreement for **Chino Valley, AZ**

19. Support includes providing technical support of the GCMS® software, application support (pages and modules), and technical maintenance of Client's website. Following initial setup, additional page design, graphic design, user training, site modification, and custom programming may be contracted separately for an additional fee.
20. During the period of this agreement and subsequent annual renewals, CivicPlus warrants that it will, without additional charge to the Client, take action to correct any problems or defects discovered in the GCMS® software and reported to CivicPlus by the Client, such warranty to include ongoing maintenance upgrades and technical error correction.
21. CivicPlus provides online website statistics software at no extra charge. If Client desires to use other website statistic software, CivicPlus will provide the necessary log file access.

Marketing

22. Client will make a reasonable attempt to work with the CivicPlus Marketing Department to gather information and meet deadlines associated with website award contest entries throughout the term of this Agreement.
23. Client permits CivicPlus to include an example of the Client's home page and a link to the Client's website on the CivicPlus corporate website.
24. Client will make a reasonable attempt to work with the CivicPlus Marketing Department to create a news item to be released in conjunction with their project Go-Live date. Client will provide CivicPlus with contact information for local and regional media outlets. CivicPlus may use the press release in any marketing materials as desired throughout the term of this Agreement.
25. Client will make a reasonable attempt to work with the CivicPlus Marketing Department to create a case study related to their website
26. Client allows CivicPlus to display a "Government Websites by CivicPlus" insignia, and web link at the bottom of their web pages. Client understands that the pricing and any related discount structure provided under this agreement assumes such perpetual permission.

Intellectual Property, Ownership & Content Responsibility

27. Upon full and complete payment of submitted invoices for the Project Development and launch of the website, Client will own the Customer Content.
28. Upon completion of the development of the site, Client will assume full responsibility for website content maintenance and content administration. Client, not CivicPlus, shall have sole responsibility for the accuracy, quality, integrity, legality, reliability, appropriateness, and intellectual property ownership or right to use of all Customer Content.
29. Client shall not (i) license, sublicense, sell, resell, transfer, assign, distribute or otherwise commercially exploit or make available to any third party the GCMS® software in any way; (ii) modify or make derivative works based upon the GCMS® software; (iii) create Internet "links" to the GCMS software or "frame" or "mirror" any GCMS® administrative access on any other server or wireless or Internet-based device; or (iv) reverse engineer or access the GCMS® software in order to (a) build a competitive product or service, (b) build a product using similar ideas, features, functions or graphics of the GCMS® software, or (c) copy any ideas, features, functions or graphics of the GCMS® software.
30. The CivicPlus name, the CivicPlus logo, and the product and module names associated with the GCMS® software are trademarks of CivicPlus, and no right or license is granted to use them.

Indemnification

31. Client shall defend, indemnify and hold harmless CivicPlus, its partners, employees, and agents from and against any and all lawsuits, claims, demands, penalties, losses, fines, liabilities, damages, and expenses including attorney's fees of any kind, without limitation, in connection with the operations of and installation of software contemplated by this Agreement, or otherwise arising out of or in any way connected with the CivicPlus provision of service and performance under this Agreement. This section shall not apply to the extent that any loss or damage is caused by the negligence or willful misconduct on the part of CivicPlus. If Client and CivicPlus are both negligent, damages shall be apportioned in accordance with the percentage of negligence of each party. This paragraph is not intended to benefit entities not a party to this contract.

Liabilities

32. CivicPlus will not be liable for any act, omission of act, negligence or defect in the quality of service of any underlying carrier or other service provider whose facilities or services are used in furnishing any portion of the service received by the Client.



Service & License Agreement for **Chino Valley, AZ**

CivicPlus will not be liable for any failure of performance that is caused by or the result of any act or omission by Client or any entity other than CivicPlus that furnishes services, facilities or equipment used in connection with CivicPlus services or facilities.

33. Except as expressly provided in this Agreement, CivicPlus makes no expressed or implied representations or warranties, including any warranties regarding merchantability or fitness for a particular cause.

Force Majeure

34. No party shall have any liability to the other hereunder by reason of any delay or failure to perform any obligation or covenant if the delay or failure to perform is occasioned by force majeure, meaning any act of God, storm, fire, casualty, unanticipated work stoppage, strike, lockout, labor dispute, civic disturbance, riot, war, national emergency, act of Government, act of public enemy, or other cause of similar or dissimilar nature beyond its control.

Taxes

35. It is CivicPlus' policy to pass through sales tax in those jurisdictions where such tax is required. If the Client is tax-exempt, the Client must provide CivicPlus proof of their tax-exempt status, within fifteen (15) days of contract signing, and this agreement will not be taxed. If the Client's state taxation laws change, the Client will begin to be charged sales tax in accordance with their jurisdiction's tax requirements and CivicPlus has the right to collect payment from the Client for past due taxes.

Acceptance

We, the undersigned, agreeing to the conditions specified in this document, understand and authorize the provision of services outlined in this Agreement.

Client

Date

CivicPlus

Date

Sign and E-mail or Fax this Copy

Attn: Contract Manager
E-mail: SalesCoordinators@CivicPlus.com
Fax: 785-587-8951

And – Mail Two (2) Signed Originals

CivicPlus Contract Manager
317 Houston St., Suite E
Manhattan, KS 66502

We will e-mail or fax a counter-signed copy of the contract back to you so we can begin your project. Upon receipt of two signed originals, we will counter-sign and return one copy for your files.

—Remainder of this page left intentionally blank—

Service & License Agreement for **Chino Valley, AZ****Exhibit A - CivicPlus Project Deliverables**

All Quotes are in US Dollars and Valid for 30 Days from August 20, 2014.

Project Development and Deployment	
<i>Initial GCMS® upgrades, maintenance, support and hosting – no additional cost</i>	\$29,925
<i>Server Storage not to exceed 30 GB</i>	
Total First Year Fee	\$29,925
Total Second Year Fee	\$4,134
Total Third Year Fee	\$4,134

At the request of the Town of Chino Valley, CivicPlus agrees to redistribute their standardized pricing as follows:

CivicPlus Advantage Project Development & Annual Services	
Year One	\$ 12,731
Year Two	\$ 12,731
Year Three (Client may terminate contract at the end of 36 months or select from options available in Term 8 of the Terms & Conditions)	\$ 12,731

--Remainder of this page left intentionally blank--

Service & License Agreement for **Chino Valley, AZ****Project Development**

Kick-Off Meeting	
<u>Deliverable:</u> Project Timeline, training jump start and worksheets	Included
Phase 1: Consulting	
<u>Deliverable:</u> Needs assessment, best practices and worksheets	Included
Phase 2: Website Preview Presentation	
<u>Deliverable:</u> Website layout and mood board will be presented for your approval	Included
Phase 3: Website Reveal Presentation	
<u>Deliverable:</u> Completed website design and navigation structure will be presented. You will be able to propose changes at this time.	Included
Phase 4: 24 Hours Customized Interactive Webinar Training for up to 6 employees	
<u>Deliverable:</u> Train System Administrator(s) on GCMS® Administration, permissions, setting up groups and users, module administration. Basic User training on pages, module entries, applying modules to pages. Applied use and usability consulting to result in effective communication through your website.	Included
Phase 5: Go Live	
<u>Deliverable:</u> Content migrated from the current primary site to new site based on best practice recommendations. Custom website. Registration of site with all major search engines. <i>Note: Content from sites other than the primary site can be migrated to the new primary site for an additional fee.</i>	Included
Additional Functionality	
Google Translation Tool	Included
Total Project Development and Deployment Fee	
<i>Initial GCMS® upgrades, maintenance, support and hosting included – no additional cost Server Storage not to exceed 30 GB</i>	\$29,926
Total Fees Year 1	
\$29,926	

**Project Development Includes the Following:**

Modules	Functionality
• Agenda Center • Alerts Center & Emergency Alert Notification • Archive Center • Bid Postings • Blog • Business/Resource Directory • Calendar • Carbon Calculator • Citizen Request Tracker™ (5 users) • Community Voice™ • Community Connection • Document Center • ePayment Center • Facilities & Reservations • Frequently Asked Questions • Forms Center • Healthy City • Intranet • Job Postings • My Dashboard • News Flash • Notify Me® Email • Online Job Application with 1 Generic Application • Opinion Poll • Photo Gallery • Postcard • Quick Links • Real Estate Locator • Spotlight • Staff Directory	• Action Items Queue • Audit Trail / History Log • Automated PDF Converter • Automatic Content Archiving • Content Library • Dynamic Breadcrumbs • Dynamic Sitemap • Expiring Items Library • Generic Mobile App (iOS & Android) • Graphic Link Administration • Links Redirect and Broken Links Finder • Menu Management • Mouse-over Menu Structure • MuniMobile™ • Online Editor for Editing and Page Creation (WYSIWYG) • Online Web Statistics (Only With CivicPlus Hosting) • Printer Friendly/Email Page • Rotating Content • RSS • Search Engine Registration • Site Layout Options • Site Search & Entry Log • Slideshow • Social Media Integration (Facebook & Twitter) • User & Group Administration Rights • Web Page Upload Utility • Website Administrative Log

Annual Services Include the Following:

Support	Maintenance of CivicPlus Application & Modules	Hosting
7 a.m. – 7 p.m. (CST) Monday – Friday (excluding holidays) 24/7 Emergency Support Dedicated Support Personnel 2-hour Response During Normal Hours Usability Improvements Integration New & Upgraded Services Proactive Support for Updates & Fixes Online Training Manuals Monthly Newsletters Phone Consulting CivicPlus Connection	Install Service Patches for OS Upgrades Fixes Improvements Integration Testing Development Usage License	Shared Web/SQL Server DNS Consulting & Maintenance Monitor Bandwidth-Router Traffic Redundant ISP Redundant Cooling Diesel Powered Generator Daily Tape Backup Intrusion Detection & Prevention Antivirus Protection Upgrade Hardware

**Exhibit B – Basic Redesign of Website****CivicPlus Project Development Services & Scope of Services for
CP Basic Redesign**

- New design
- Redevelop banner
- Redevelop navigation method (may choose top drop-down or other options)
- Design setup - wireframe
- Redevelop graphic elements of website (Newsflash, FAQs, Calendar, etc.)
- Project Management
- Testing
- Review
- Content Migration – Includes retouching of all existing published pages to ensure proper formatting, menu structure, and application of new site styles. Note: Content will be formatted or pages broken up (shortened or re-sectioned)
- Site styles and page layouts will be touched so all pages match the new design and migrate cleanly
- Spelling and broken links will be checked and reported if unable to correct

Town of Chino Valley Website Redesign Vendor Comparison

	CivicPlus	Revize	Vision Internet	EVO
Features				
Website redesign with consistent layout	X	X	X	X
Multiple Permission Levels	X	X	X	X
Delegated management of departmental web pages - Modifications to the site, posting pictures, posting documents	X	X	X	X
Posting and Hosting large video files of meetings (2 - 4 hrs)	X	?	?	X
Document and Page Search	X	X	X	X
Indexing of PDF files - including the body information of the PDFs	X	?	?	X
Migration of Approx 5000 PDF files	X	X	X	X
Online Submission forms	X	X	X	X
Issue/Complaint/Suggestion Tracking System	X			X
Event Calendars	X	X	X	X
Latest News, Public Notices on front page.	X	X	X	X
Image Gallery	X	X	X	X
Flyers, Newsletters	X	?	?	X
Document Management capabilities	X	X	X	Yes (200 MB Limit)
Surveys	X	X	No	No
Opinion Polls	X	?	X	No
Public Feedback section on front page	X	X	?	X
Staging of web page modifications for review and publishing	X	X	X	X
Social Media Integration	X	X	X	X
Email alerts	X	X	X	X
Mass Emails	X			Add Cost - \$1.00/1000
Mobile Device Support	X	X	X	X
Meeting Management - Agendas, Minutes Etc.	X	?	No	Partial
Job Postings Manager	X	X	X	X
Human Resources Online Application Management	X	X	X	X
Employee Only Content	X	?	X	X
Business Directory	X	X	X	X
Mapping Integrations	X	X	?	X
Business Real Estate Listing	X	No	No	X
Blog	X	?	?	X
Bid/RFP Management	X	X	X	X
Project Tracking and Management	Partial			X
Statistics	X			X
All Features Included in Price	X	No	NO	Yes
Development Time	5 -6 Months	5-6 Months	?	3 - 4 months
Training	3 days Online	1x 4hrs session (10 people)	2 days web-based	6 hours Web-Based
Initial Cost	\$ 29,926.000	\$ 37,300.00	\$ 46,325.00	\$ 15,800.00
Annual Costs	\$ 4,134.00	\$ 3,800.00	\$ 6,765.00	\$ 1,500.00



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. c.

Meeting Date: 10/14/2014
Contact Person: Ruth Mayday, Development Services Director
 Phone: 928-636-4427 x-1217
Department: Development Services
Item Type: Action-Presentation
Estimated length of Staff Presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Presentation and discussion regarding Klaus Nietschmann and the Chino Valley Elks request to determine a location for a permanent memorial to the Granite Mountain Hot Shots. (Ruth Mayday, Development Services Director)

SITUATION & ANALYSIS:

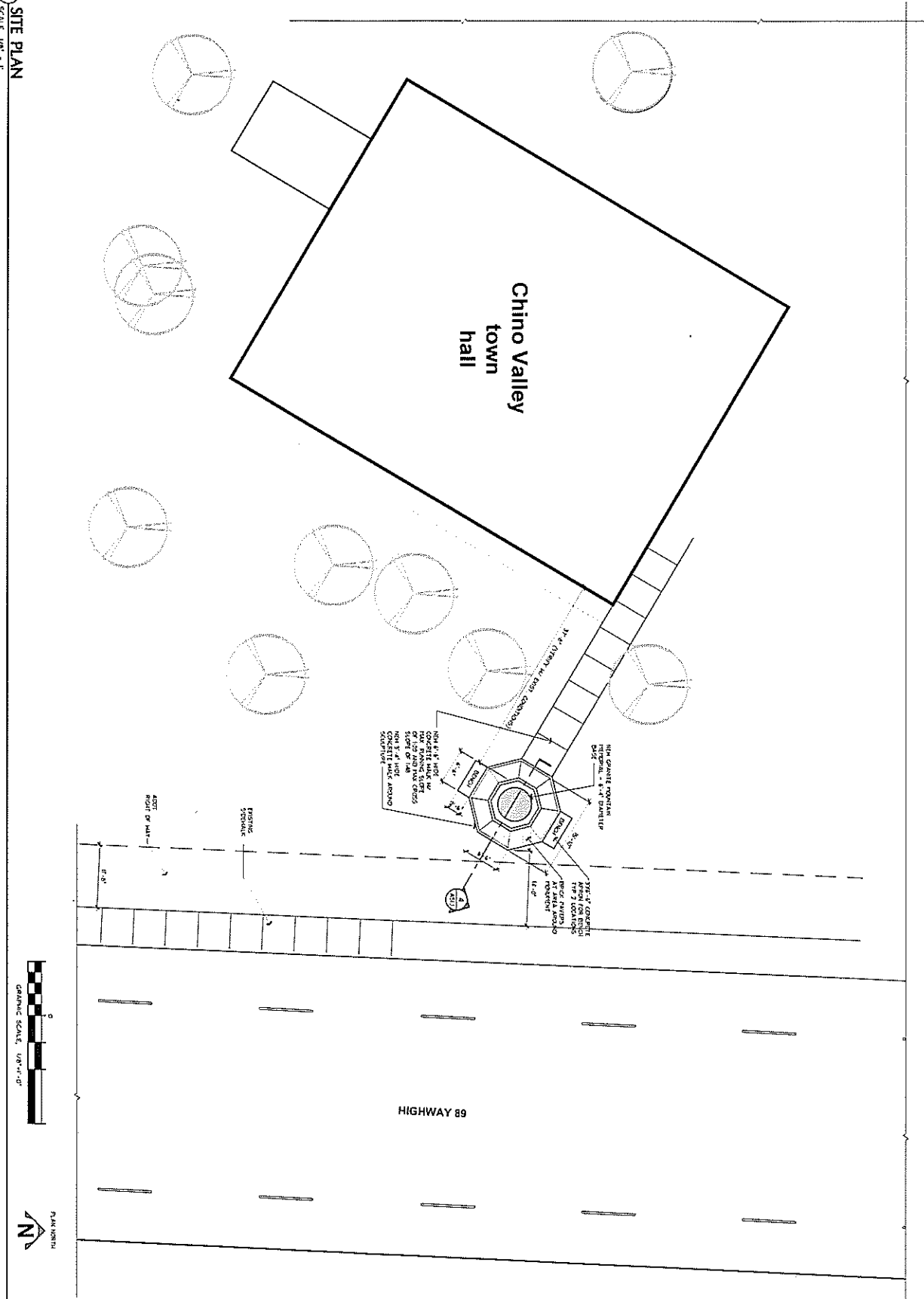
The Chino Valley Elks are proposing to locate a memorial statue in memory of the Granite Mountain Hot Shots who perished in the Yarnell Hill Fire. The bronze monument is 76" high (6'4") and will rest on a 5' x 5' concrete base. Fundraising for the monument and installation is the responsibility of the Elks and the Chino Valley Fire Department Charities; the Town will have no financial obligation other than use of the land.

Staff met with Mr. Nietschmann on July 16, 2014 in a pre-application Technical Review Meeting to discuss the proposal. Staff advised Mr. Nietschmann to select a location at Town Hall so that it could be discussed with Town Council.

Attachments

location map
Hot Shot photo 1
hot shot photo 2
hot shot photo 4
hot shot photo 4

① SITE PLAN
SCALE: 1/8" = 1'-0"



AS10 DATE: 10/1/14 CHECKED BY: JAM DATE: 10/1/14 DRAWN BY: JAM	SITE DESIGN HOT SHOTS MONUMENT CHINO VALLEY, AZ	STROH ARCHITECTURE, INC. 1323 South Brande Heights Drive Prescott, AZ 86303 (928) 771-0548	
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ERIC MARSH
JESSE STEED
CLAYTON WHITTIED
ROBERT CALDWELL
TRAVIS CARTER
CHRISTOPHER MACKENZIE
TRAVIS TURBYFILL
ANDREW ASHCRAFT
JOE THURSTON
WADE PARKER
ANTHONY ROSE
GARREY ZUPFINGER
SCOTT NORRIS
DUSTIN DEFORD
WILLIAM WARNEKE
KEVIN WOYJECK
GRANT MCKEE
SEAN MINNER
JOHN J. PERCIN, JR.





THE HOT SHOT'S PRAYER

WHEN I AM CALLED TO DUTY, LORD
TO FIGHT THE ROARING BLAZE,
PLEASE KEEP ME SAFE AND STRONG,
I MIGHT BE HERE FOR DAYS,
BE WITH MY FELLOW CREWMEMBERS
AS WE HIKE UP TO THE TOP
HELP US CUT ENOUGH LINE
FOR THIS BLAZE TO STOP
LET MY SKILLS AND HANDS
BE FIRM AND QUICK,
LET ME FIND THOSE SAFETY ZONES
AS WE HIT AND LICK,
OR IF THIS DAY ON THE LINE
I SHOULD ANSWER DEATH'S CALL,
LORD BLESS MY HOT SHOT CREW,
MY FAMILY ONE AND ALL.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. **7. d.**

Meeting Date: 10/14/2014
Contact Person: Ruth Mayday, Development Services Director
 Phone: 928-636-4427 x-1217
Department: Development Services
Item Type: Action
Estimated length of staff presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to adopt Ordinance No. 14-789 to rezone approximately 1.53 acres generally located at 734 N. SR 89, from Commercial Light (CL) to Commercial Heavy (CH).
 Applicant: DogKay LLC/Doug Jones.

RECOMMENDED ACTION:

Adopt Ordinance No. 14-789 for the rezoning of approximately 1.53 acres generally located at 734 N. SR 89, from Commercial Light (CL) to Commercial Heavy (CH).

SITUATION AND ANALYSIS:

Issue Statement

The applicant is requesting rezoning of approximately 1.53 acres from Commercial Light (CL) to Commercial Heavy (CH) in order to add a 30' x 34' steel building for the purpose of enclosing two (2) existing car lifts.

Summary of Issues and Staff Rationale

On or about July 2014, Mr. and Mrs. Jones, owners of the property, submitted a zone change application requesting a Commercial Heavy (CH) zoning from Commercial Light (CL) in order to allow construction of the proposed structure to enclose two (2) existing lifts. A neighborhood meeting was held in the Town Council Chambers on July 30, 2014, for the residents of Chino Valley. Applicant Doug Jones provided information regarding his request for a zone change from Commercial Light (CL) to Commercial Heavy (CH). One person spoke in support of the application, and one person requested the Town to require a screening fence to be installed and a conex container to be removed from the property.

On September 16, 2014 after notification in compliance with Arizona Revised Statutes, a public hearing was held before the Planning and Zoning Commission. As no public comment was proffered, the public hearing was closed. The Planning and Zoning Commission voted unanimously to forward the application to Town Council with a recommendation for approval.

Findings of Fact

Doug's Total Auto Repair has been in business in Chino Valley since 2007. The applicants requested to add a commercial steel building for the purpose of providing cover for two (2) existing car lifts. No additional parking is warranted as no additional traffic is expected. Staff recommends the proposed rezoning of the subject parcel.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Ordinance 14-789

Zoning Map

Site Plan

ORDINANCE NO. 14-789

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 1.53 ACRES OF REAL PROPERTY LOCATED AT 734 NORTH STATE ROUTE 89 FROM COMMERCIAL LIGHT (CL) ZONING DISTRICT TO COMMERCIAL HEAVY (CH) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING PENALTIES.

WHEREAS, the Town Council has determined that this change of zoning and amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan, 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, by a unanimous vote of those members present (Commissioner Sloan was absent) recommends approval of the rezoning; and

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. The Change of Zoning and amendment to the Official Zoning Map is hereby approved for real property consisting of approximately 1.53 acres located at 734 North State Route 89 and legally described in Exhibit A and shown on the Zoning Exhibit (map) in Exhibit B, both of which are attached hereto and incorporated herein by this reference, from Commercial Light (CL) zoning district to Commercial Heavy (CH) zoning district.

2. The Property described in Paragraph 1 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 zoning 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 14th day of October, 2014 by the following vote:

AYES: _____
NAYS: _____

ABSENT: _____
ABSTAINED: _____

APPROVED this 14th day of October, 2014.

Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Curtis, Goodwin, Sullivan, Udall &
Schwab, PLC, Town Attorney

The following exhibits are attached hereto and incorporated herein:

- A. Legal Description
- B. Zoning Exhibit (Map)

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 14-789 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 14th DAY OF OCTOBER, 2014, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2014.

Jami C. Lewis, Town Clerk

EXHIBIT A

LEGAL DESCRIPTION

All that portion of the North half of Section 22, Township 16 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the center of said Section 22;

thence South 89°33'40" West, 623.89 feet along the East-West mid section line;

thence North 16°05'52" East, 615.29 feet;

thence North 89°34'12" East, 814.94 feet;

thence North 02°31'31" East 435.60 feet to the TRUE POINT OF BEGINNING;

thence North 89°34'12" East, 300.40 feet to the West right of way line of U.S. Highway 89;

thence North 02°31'31" East, 221.98 feet along said right of way;

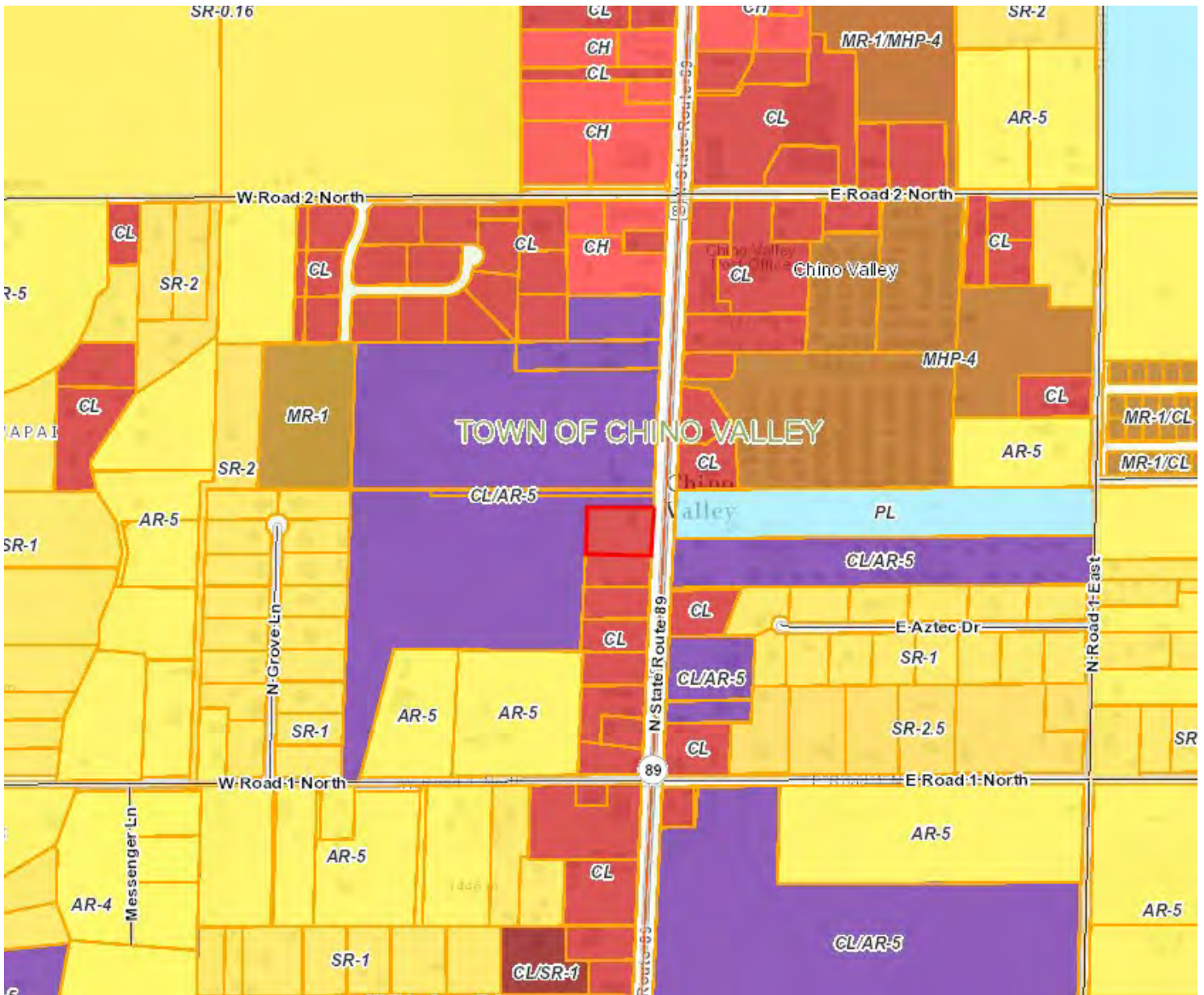
thence South 89°40'42" West, 300.37 feet;

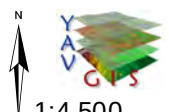
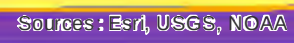
thence South 02°31'31" West, 222.53 feet to the POINT OF BEGINNING.

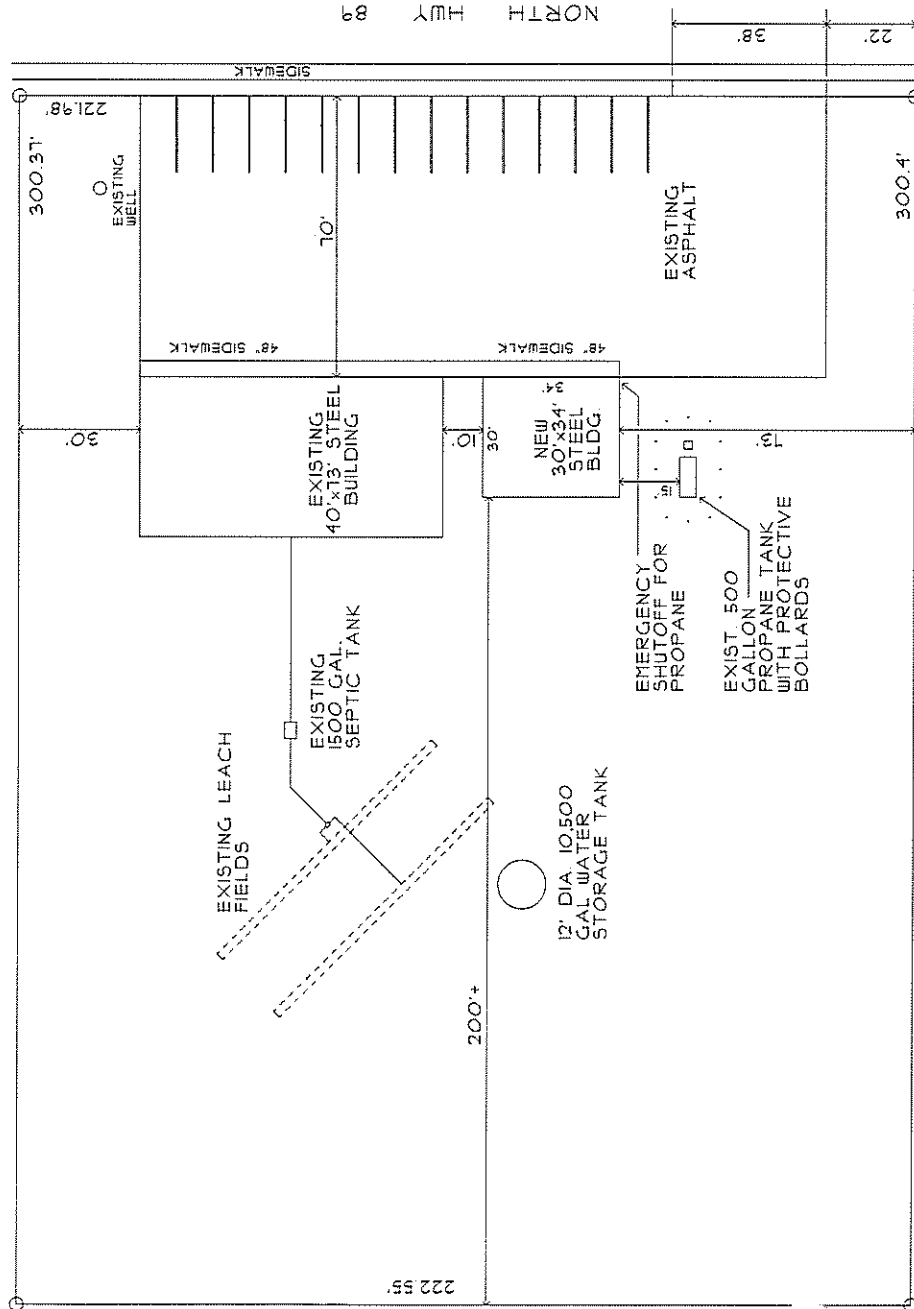
Revised 04-01-13

14

EXHIBIT B







134 N. HWY 89
CHINO VALLEY
P.N. 306-23-02IV

1" = 30'

Commercial Project for Mr. JONES
Stazenski Construction
(928) 636-2633
Job #2614
1 July 2014

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. e.

Meeting Date: 10/14/2014
Contact Person: Ruth Mayday, Development Services Director
 Phone: 928-636-4427 x-1217
Department: Development Services
Item Type: Action
Estimated length of staff presentation: 30 minutes
Physical location of item: 1460 W. Road 4 North

AGENDA ITEM TITLE:

Consideration and possible action to adopt Ordinance No. 14-778 to rezone approximately 16.81 acres generally located at 1460 West Road 4 North from Agricultural/Residential, 5 acre minimum (AR-5) to Commercial Light, Planned Area Development Overlay (CL-PADO) and Multiple Family Residential, Planned Area Development Overlay (MR-PADO). Applicant: La Vacara Trust/Joe Cordovana, Trustee.

RECOMMENDED ACTION:

Staff finds that the proposed rezoning can resolve the long-standing conflict between the LaVacara Trust, surrounding property owners, and the Town, and provide a means by which the Windmill House can be reopened, providing the public with an additional activity and entertainment facility in the Town. The addition of the Multifamily Housing component will expand the availability of a variety of housing choices in the Town.

MOTION: Motion to approve the rezoning of 16.81 acres from AR-5 to the CL-PADO and MR-PADO as stipulated in Ordinance No. 14-788.

SITUATION AND ANALYSIS:

Issue Statement

The applicant is requesting rezoning of approximately seventeen acres (16.81) from Agricultural/Residential 5 Acre Minimum (AR-5) to the following: 10.26 acres to Commercial Light Planned Area Development (CL-PAD), and 6.55 acres to Multifamily Housing, Planned Area Development (MR-PAD). Applicant LaVacara Trust also proposes to restrict the number and type of uses that would be allowed by right in the CL-PAD zoning district.

Summary of Issues and Staff Rationale

Initial approval for the Windmill House was granted in November of 2003 upon the approval of Ordinance No. 561. The permit was valid for a five (5) year period and set forth a number of conditions related to mitigating any impact on surrounding neighbors. The building permit for the clubhouse (Windmill House) was issued in January of 2005 and finalized in May of 2006.

A Technical Review Meeting was held on September 26, 2006 to review the proposed JC Estates, an adult retirement living community, comprised of independent living and assisted living residential units. The project encompassed both the subject property and the adjacent parcel to the east, and covered approximately 80 acres (79.9) near North 1 West and West 4 North. Upon the adoption of Ordinance No. 06-678 and its companion Resolution No. 06-812 on November 6, 2006, the current UDO replaced the previous zoning code. Included in the UDO were requirements for road construction, maintenance, and dedication of rights-of-way.

In October of 2008, the applicant returned with a larger project covering 170 acres and expanded the uses to include apartments, a skilled nursing facility, and offices for doctors. The concept was to provide a senior living community for those 55 years of age and over. Among the many requirements listed in the notes from the meeting was dedication of right-of-way along the frontage on West Road 4 North.

To accommodate the uses proposed in the JC Ranch project, the applicant requested a zoning change from Agricultural/Residential 5 Acre Minimum (AR-5) to Planned Area Development with underlying zoning of Commercial Light (CL), Multifamily Residential (MR-1) Single Family Residential, 1 Acre Minimum (SR-1), and Open Space (OS). A parallel application for a Minor General Plan Amendment (mGPA) was submitted at the same time. Both applications encompassed approximately 170 acres generally located near the northwest corner of West Road 4 North and North Road 1 East, south of Road 4 ½ North.

Development of the property was conditioned upon review and approval of a Final PAD within two (2) years of approval of the Preliminary PAD; dedication of Right-of-Way was required prior to filing the Final PAD. These stipulations were referenced in Resolution 09-899 which approved the Minor General Plan Amendment and established a two year deadline for compliance with the stipulations. Both items were considered by the Planning and Zoning Commission during a public hearing on April 2, 2009: Planning and Zoning Commission voted to deny the application; that recommendation was advanced to Town Council. During its regular meeting on June 9, 2009, Town Council approved both items, thereby changing the zoning districts and land use designations for the project.

In May of 2011 (prior to the expiration of the previously approved Ordinance No. 09-719 and Resolution No. 09-899), the LaVacara Trust submitted parallel applications for a Minor General Plan Amendment (MGPA11-001), a Zone Change (ZC 11-003), and a Conditional Use Permit (CUP11-002) encompassing approximately 28 acres of the area included in Ordinance No. 09-719 and Resolution No. 09-899, and constituted the area within which The Windmill House, a nursery, and the Western Town were located. The intent was to reduce the size and scope of the project to a more manageable and financially feasible size, given the rapidly declining economy. After said applications were received by the Town, the property owner was notified by first class mail, return receipt on August 17, 2011 that the two year deadline for compliance with the stipulations in Ordinance No. 09-719 and Resolution 09-899. Because the stipulations had not been satisfied, Town Council would hold a Public Hearing to take further action to extend, terminate, or determine compliance with the ordinance and resolution.

The Planning and Zoning Commission heard all three applications on September 6, 2011 during its regularly scheduled meeting, voting unanimously to recommend denial of MGPA11-001, declined to hear the Zone Change request. (ZC 11-003 was heard by the Commission on October 18, 2011; a recommendation of denial was forwarded to Town Council.) The Commission voted unanimously to forward CUP11-002 to the Town Council with a recommendation of approval.

The recommendations made by the Planning and Zoning Commission in regards to MGPA11-001,

ZC11-03, and CUP11-002 as well as the previously approved Ordinance No. 09-719 and Resolution No. 09-899 were heard by Town Council on November 8, 2011.

1. Ordinance No. 11-752: *Approved by Town Council.*
2. Ordinance No. 11-753: *Denied by Town Council.*
3. Ordinance No. 11-754: *Approved by Town Council.*
4. Resolution 11-968: *Approved by Town Council.*
5. Resolution 11-969: *Denied by Town Council.*

As a result, the LaVacara Trust had been granted a Conditional Use Permit (CUP11-002) to continue operation of the Windmill House, the nursery, western town, and casita for a period of fifteen years, provided that all stipulations were met, and the applicant abided by all restrictions and conditions governing use of the property and nature of the events held. Despite staff's attempts to bring Mr. Cordovana into compliance with the terms of the permit, no Right-Of-Way dedication was received by the Town.

On September 4, 2012, the Planning and Zoning Commission considered Ordinance 12-762 to revoke CUP11-002 and voted unanimously to forward Ordinance No. 12-762 to Town Council with a recommendation of approval, which Town Council granted on September 25, 2012, effectively shutting down all activity at the Windmill House.

On February 6, 2014, Mr. Joe Cordovana, in his capacity as Trustee for the LaVacara Trust, submitted a zone change application, requesting Commercial Light, Planned Area Development (CL-PAD). The request is for an approximately 16.81 acre parcel of land that includes the Windmill House and related uses that have been the subject of previous actions by the Town Council. It is the applicant's intent to reopen the Windmill House and associated uses to the public. This request was amended in August of 2014 to include a request for Multifamily Residential, Planned Area Development (MR-PAD).

Staff finds that the proposed rezoning can resolve the long-standing conflict between the LaVacara Trust, surrounding property owners, and the Town, and provide a means by which the Windmill House can be reopened, providing the public with an additional activity and entertainment facility in the Town. The addition of the Multifamily Housing component will expand the availability of a variety of housing choices in the Town.

Conditions of Approval

Staff recommends conditioning the Planned Area Development as follows:

1. The Development Plan shall be in substantial conformance with all applicable Town Codes, building codes, and engineering requirements unless otherwise modified herein.
2. The property owner agrees that the approval of this action confers no additional entitlements or rights to the owner or applicant other than those that are specifically vested herein.
3. All structures open to the public or in close proximity to public/common areas shall be inspected by the Building Official (or his designee) and conform to currently adopted Town of Chino Valley Building Codes. No business license shall be issued until said inspections have been performed and all deficiencies have been corrected.
4. Any future additions to or expansions of existing structures shall require amendment of the Development Plan.

5. Construction of multifamily housing may require extension of municipal sewer and water service from its closest termination point to the site, depending upon the number of dwelling units and will require submittal of an Amended Development Plan.
6. Prior to issuance of any business license or building permit, LaVacara Trust will dedicate and convey right-of-way in compliance with the standards set forth in section 4.23 and 4.28 of the UDO for the full frontage of West Road 4 North.
7. Any amplified music or other noise associated with the uses subject to this CUP shall not exceed 60 decibels at the property boundary.
8. Uses are limited to the following:
 - a. Restaurants, cafes and coffee shops
 - b. Dancing, art, music and other educational facilities
 - c. Indoor and outdoor sales of nursery stock
 - d. Public utility buildings, structures, or appurtenances thereto for public service use
 - e. Indoor theaters, assembly halls
 - f. Commercial greenhouses may be permitted with a minimum of ten (10) contiguous acres.
 - g. Catering services for off-site events
 - h. Casita to be used in conjunction with weddings
 - i. Multiple Family Residential (MR-PAD) in accordance with UDO 3.13 Multiple Family Residential and limited to the 6.55 acre parcel identified on the Development Plan (included for illustrative purposes only and confers no approvals for construction or development)
9. Weddings and other ~~private events shall end no later than 12:00 am (midnight).~~
10. Buffet and restaurant service ~~shall end no later than 8:00 pm Monday through Thursday night.~~
11. ~~Pumpkin~~ Festivals.
12. Western Town activities, subject to final inspection and approval of all structures by Building Official (or his/her designee) prior to initiation of public activities.
13. Family Movie nights.

Findings of Fact

Section 1.9.4.1 Planned Area Development Overlay District: Purpose sets forth the following as the purposes of a PAD Overlay District:

§§A: Provide for the orderly development of land consistent with the Unified Development Ordinance of the Town of Chino Valley (UDO) to permit flexibility in the design of residential, commercial, and/or industrial developments in conformity with the intent and purpose of the General Plan and Unified Development Ordinance.

Staff finds that the proposed rezoning meets this purpose as follows:

1. The Development Plan required as a result of the PAD Overlay will provide staff with the tools necessary to mitigate impacts that the proposed project may have on the neighborhood, including modification of required setbacks and separations, landscaping, lighting plans, and the like;

2. The proposed zoning and uses meet the intent of the UDO as it provides for the social, physical, and economic advantages resulting from comprehensive and orderly planned use of land resources (§1.2 Administration; Purpose)

3. It provides an opportunity to develop a mixed-use district in a concentrated area that is within walking distance of the neighborhoods and populations it serves.

§§B: Modify underlying zoning district regulations to permit flexibility and innovation in developmental design and provide opportunities for unique or mixed-use development.

Staff finds that the proposed rezoning meets this objective as follows:

1. Reduces the number of allowed uses in the Commercial Light (CL) zoning district.
2. Provides additional Multiple Family housing opportunities.
3. Provides an opportunity to develop a neighborhood services core that is within walking distance of the community it serves, and provides opportunity for future development as a mixed-use development.

§§C: Promote economical construction and maintenance of streets and utilities without compromising public safety and welfare.

Staff finds that the proposed rezoning meets this objective as follows:

1. Dedication of Right-of-Way will allow for future expansion of roads, should the traffic generated by the proposed uses interfere with the flow of traffic on West Road 4 North.
2. The location utilizes existing arterial streets to carry traffic rather than require the construction of new lane miles for perpetual maintenance by the town.
3. Any required infrastructure improvements are the full responsibility of the applicant to construct to Town standard and dedicate for perpetual maintenance.

§§D: Preserve and utilize open space and offer recreational opportunities close to residential uses.

Staff finds that the proposed rezoning meets this purpose as follows:

1. Among the applicant's proposed uses for the Windmill House are offering recreational classes such as yoga to the public, meeting space for service clubs, and movie nights for families; the lakes and area offer a privately maintained park-like setting. The enrichment classes would benefit the community without expenditure of taxpayer dollars to support the activities offered.
2. The potential development of multiple family housing provides a mixed-use development in a contained area that does not rely on taxpayer-funded recreational amenities.

Staff finds that the proposed rezoning supports a number of Goals and Policies set forth in the General Plan currently in effect and fully described in the Recommendation portion of the Staff Brief, and can easily comply with the General Plan 2014 adopted by Town Council in June of this year and before the voters for ratification on November 4, 2014.

Other Pertinent Documents Available Upon Request:

Please see attached Staff Brief.

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Ordinance 14-778

Location Map

Development Plan

Draft Staff Report

ORDINANCE NO. 14-778

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, APPROVING THE DEVELOPMENT PLAN FOR THE WINDMILL HOUSE PLANNED AREA DEVELOPMENT AND CHANGING THE ZONING FOR APPROXIMATELY 16.81 +/- ACRES OF REAL PROPERTY LOCATED AT 1460 WEST ROAD 4 NORTH, FROM AGRICULTURAL/RESIDENTIAL, 5 ACRE MINIMUM (AR-5) ZONING DISTRICT TO APPROXIMATELY 10.26 ACRES OF COMMERCIAL LIGHT ZONING DISTRICT AND 6.55 ACRES OF MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT, BOTH WITH A PLANNED AREA DEVELOPMENT ("PAD") OVERLAY ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR NON-SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, by adoption of this Ordinance the Town Council desires to modify underlying zoning district regulations to permit flexibility and innovation in developmental design and provide opportunities for unique or mixed-use development; and

WHEREAS, the Town Council has determined that this rezoning conforms with the Town of Chino Valley General Plan; 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,

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. The Windmill House Planned Area Development Plan, defined in Paragraph 3 herein and attached hereto as Exhibit 3, is hereby approved.
2. The zoning classification of real property consisting of approximately 16.81 acres, located at 1460 West Road 4 North in Section 4, T16 N R 2 W G&SRBM described in the legal description, Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2 (the "Property"), both attached hereto and incorporated herein by this reference, is hereby changed from Agricultural/Residential; 5 Acre Minimum (AR-5) zoning district to approximately 10.26 acres of Commercial Light (CL) and 6.55 acres of Multiple Family Residential (MR) zoning districts, both with a Planned Area Development overlay zoning district, in accordance with the Development Plan, as defined in Paragraph 3 herein.
3. The following definitions shall apply:
 - a. "Project" shall mean the "Windmill House PAD" containing approximately 16.81 acres, located at 1460 West Road 4 North.

- b. "Development Plan" shall mean that certain document submitted pursuant to Section 1.9.4.3 of the Unified Development Ordinance, as follows:

Exhibit 3: Development Plan Exhibit of the Windmill House Planned Area Development, dated October 14, 2014.

- 4. The Property described in Paragraph 2 of this Section shall be used and developed in accordance with the Town of Chino Valley Unified Development Ordinance, except as modified by the following:
 - a. All structures shall comply with applicable Town Codes, including the Town's Building Code and shall be inspected as required by such codes by the Building Official (or his designee). No business license shall be issued for any use on the Property until required inspections and approvals have been completed and all deficiencies, if any, have been corrected.
 - b. Any additions to or expansions of existing structures or of structures shown to be constructed on the Development Plan shall require amendment of the Development Plan.
 - c. Construction of multifamily housing may require extension of municipal sewer and water service from its closest termination point to the site, depending upon the number of dwelling units and will require approval of an Amended Development Plan.
 - d. Dedication to the Town of Chino Valley for West Road 4 North right-of-way that is adjacent to the Property shall be completed prior to issuance of any business license and/or building permit. Said right-of-way dedication shall comply with the standards set forth in section 4.23 and 4.28 of the Unified Development Ordinance.
 - e. Prior to issuance of a business license or any building permit, Developer shall submit for approval by the Town Council, a detailed site plan showing, at a minimum, locations of buildings and streets, setbacks, landscaping, outdoor lighting, building elevations, parking, retention and drainage.
 - f. All amplified music or other noise associated with the uses on the Property shall not exceed 60 decibels at the property boundary.
 - g. Uses are limited to the following:
 - i. Restaurants, cafes and coffee shops;
 - ii. Dancing, art, music and other educational facilities;
 - iii. Indoor and outdoor sales of nursery stock;
 - iv. Public utility buildings, structures, or appurtenances thereto for public service use;
 - v. Indoor theaters, assembly halls;
 - vi. Commercial greenhouses occupying a minimum of ten (10) contiguous acres;
 - vii. Catering services for off-site events;
 - viii. Casita to be used in conjunction with weddings;

- ix. Buffet and restaurant service;
 - x. Festivals;
 - xi. Family movie nights.
- h. Multiple Family Residential uses shall comply with Section 3.13 of the Unified Development Ordinance and shall be located only within the 6.55 acre parcel identified on the Development Plan.
 - i. Weddings and other private events shall end no later than 12:00 am (midnight).
 - j. Western Town activities, are permitted only after final inspection and approval of all "Western Town" structures by Building Official (or his/her designee).

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 zoning 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 14th day of October, 2014 by the following vote:

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

APPROVED this 14th day of October, 2014.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

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

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 14-778 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 14TH DAY OF OCTOBER, 2014, WAS POSTED IN THREE PLACES ON THE _____ DAY OF OCTOBER, 2014.

Jami C. Lewis, Town Clerk

The following exhibits are attached hereto and incorporated herein:

1. Legal Description
2. Zoning Exhibit (map)
3. Windmill House Development Plan

Exhibit 1: Legal Description

PRACEL A
March 5, 2014

All that portion of Section 4, Township 16 North, Range 2 West, Gila and Salt River Meridian, Yavapai County, Arizona, described as follows:

Beginning at the South One Quarter corner of said Sec. 4;

Thence N00°50'25"W 25.03 feet along the N-S mid-sec. line to the

Thence S87°52'55"E 113.11 feet to the TRUE POINT OF BEGINNING;

Thence N01°34'14"W 367.00 feet;

Thence Northerly 110.75 feet on a curve to the right, said curve having a delta of 48°48'48" and a radius of 130.00 feet and a cord of N23°36'09"E 107.43 feet;

Thence N18°31'18"W 102.60 feet;

Thence Northerly 224.59 feet on a curve to the right, said curve having a delta of 79°20'28" and a radius of 162.19 feet and a cord of N19°32'28"E 207.08 feet;

Thence N15°09'53"E 269.77 feet;

Thence N78°27'22"E 191.18 feet;

Thence N15°08'20"E 368.36 feet;

Thence N74°35'56"E 195.73 feet;

Thence S01°24'26"E 1488.36 feet;

Thence N87°52'55"W 649.42 feet to the true point of beginning, containing 16.81 acres more or less.

Together with and subject to an easement for Ingress, Egress and Utilizes, said easement being 50.00 feet in width, 25.00 feet each side of the following described center line:

Beginning at the South One Quarter corner of said Sec. 4;

Thence N00°50'25"W 25.03 feet along the N-S mid-sec. line;

Thence S87°52'55"E 113.11 feet;

Thence N01°34'14"W 367.00 feet;

Thence Northerly 110.75 feet on a curve to the right, said curve having a delta of 48°48'48" and a radius of 130.00 feet and a cord of N23°36'09"E 107.43 feet;

Thence N18°31'18"W 102.60 feet;

Thence Northerly 224.59 feet on a curve to the right, said curve having a delta of 79°20'28" and a radius of 162.19 feet and a cord of N19°32'21"E 207.08 feet;

Thence N15°09'53"E 269.77 feet;

Thence N78°27'22"E 191.18 feet;

Thence N15°08'20"E 368.36 feet;

Thence N74°35'56"E 146.75 feet to the TRUE POINT OF BEGINNING;

Thence N04°43'14"E 195.58;

Thence N01°35'34"W 1034.22 feet to the South Right-of Way Road 4 ½ North.

Together with and subject to an Easement for Ingress, Egress, Utilities and Landscaping located in Sec. 4, T16N, R2W, G. & S.R.M., Yavapai County, Arizona, said Easement being over and across the following described parcel.

Beginning at the South One Quarter Corner of said Sec. 4

Thence N00°50'25"W 25.03 feet to the TRUE POINT OF BEGINNING;

Thence N00°50'25"W 13.84 feet;

Thence N53°52'28"E 137.98 feet;

Thence N84°20'04"E 47.97 feet

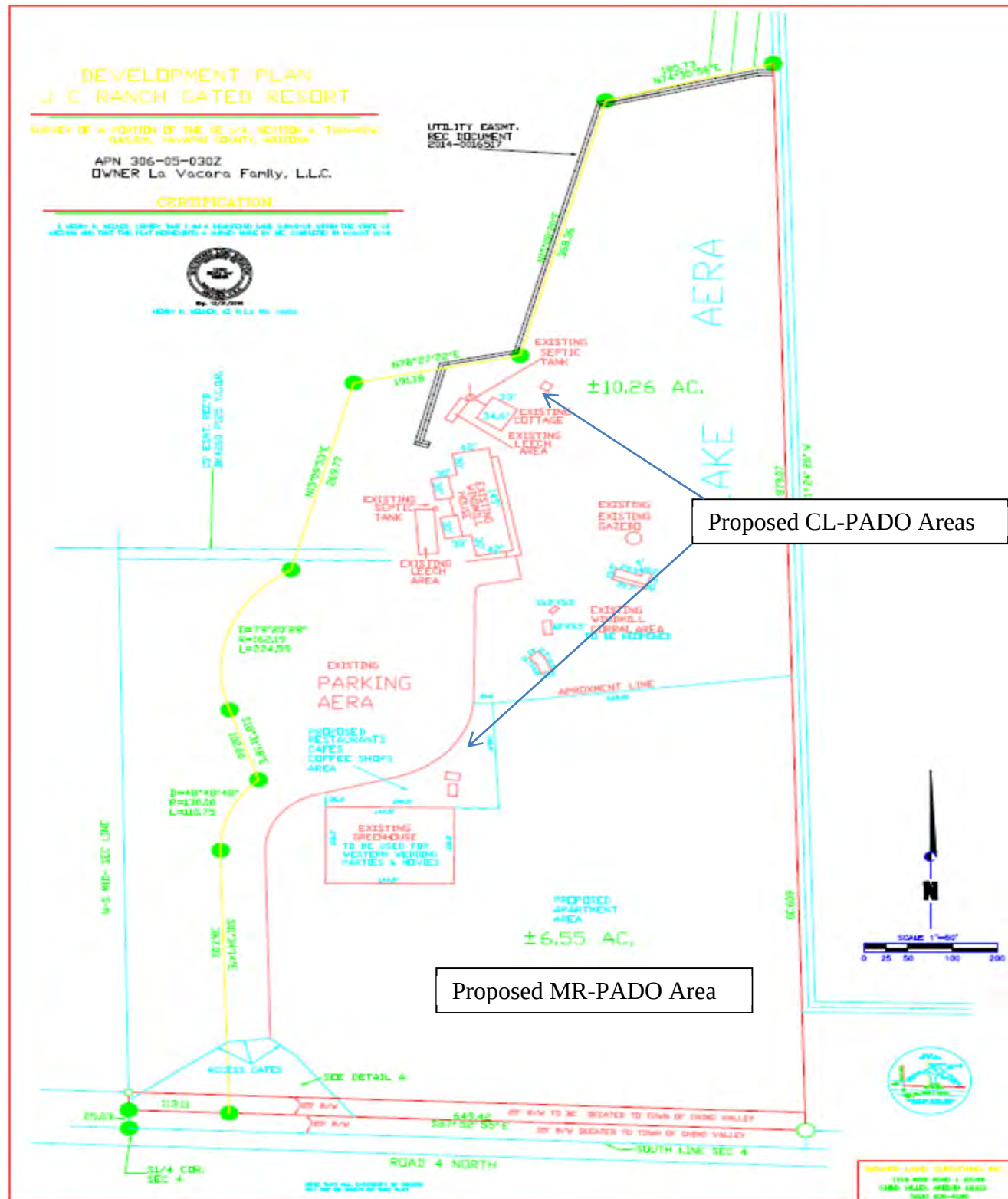
Thence S50°15'20"E 36.44 feet;

Thence S37°55'24"E 109.05 feet;

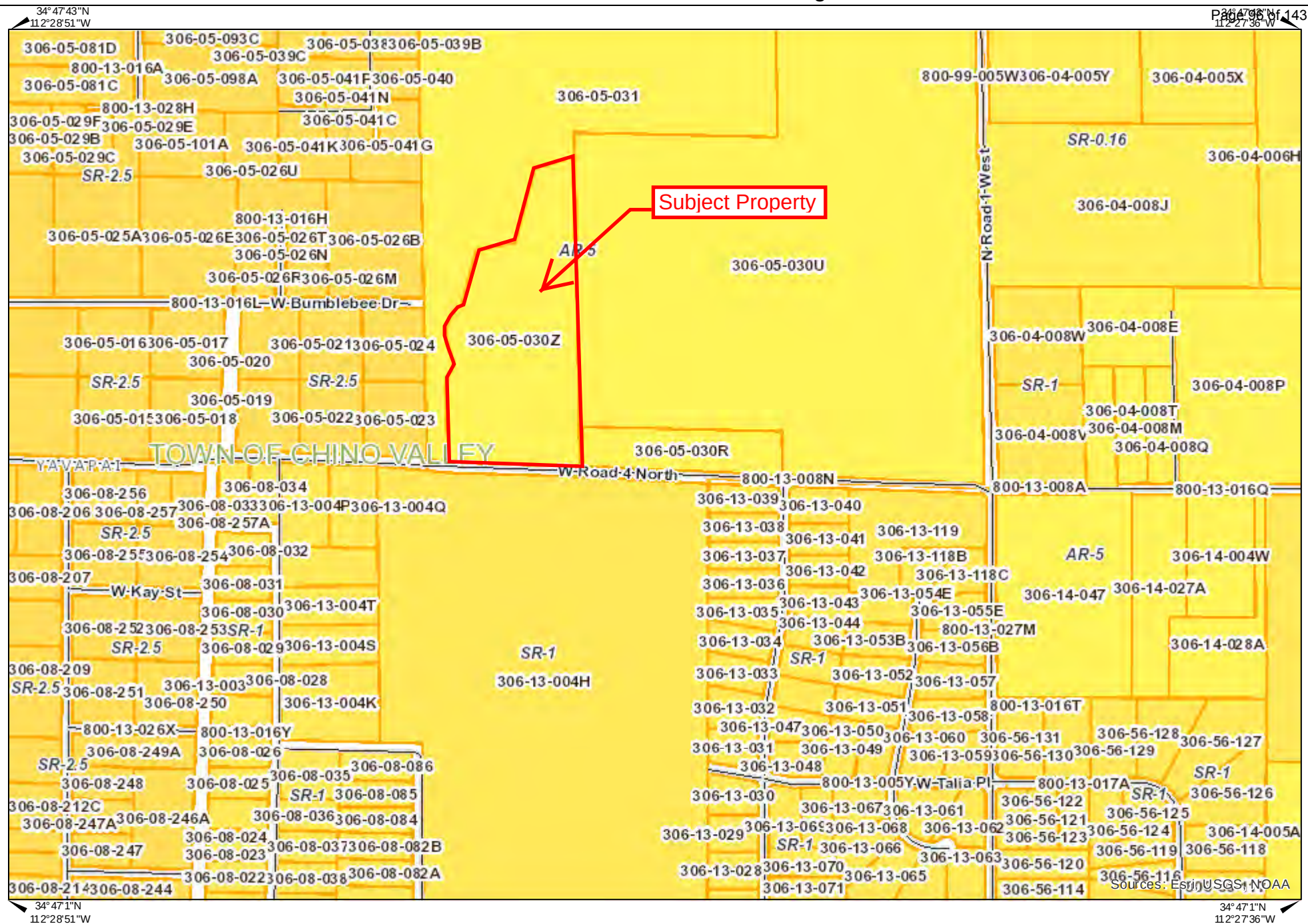
Thence N87°52'55"W 254.20 feet to the point of beginning.



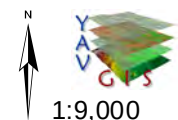
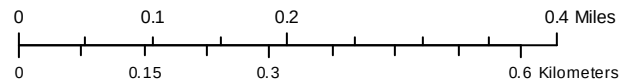
EXPIRES 12-31-16

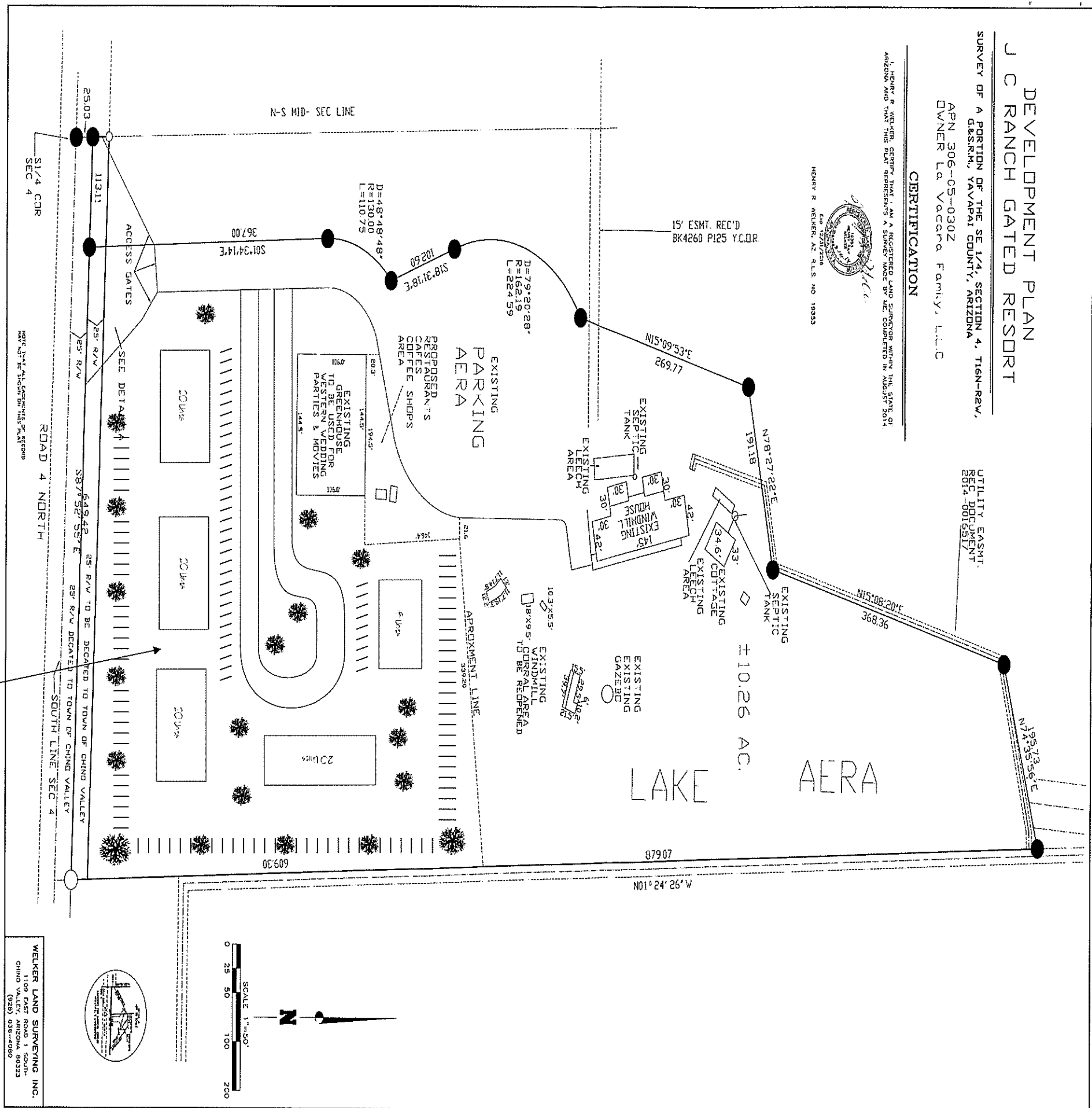






Disclaimer:
Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.





Staff Brief – Windmill House

The applicant is requesting rezoning of approximately seventeen acres (16.81) from Agricultural/Residential 5 Acre Minimum (AR-5) to the following: 10.26 acres to Commercial Light Planned Area Development (CL-PAD), and 6.55 acres to Multifamily Housing, Planned Area Development (MR-PAD). Applicant LaVacara Trust also proposes to restrict the number and type of uses that would be allowed by right in the CL-PAD zoning district.

History

Initial approval for the Windmill House was granted in November of 2003 upon the approval of Ordinance No. 561, which allowed the use as a conditional use as a “privately owned and operated park and recreation facility”; commercial agricultural sales were allowed as an accessory use. The permit was valid for a five (5) year period and set forth a number of conditions related to mitigating any impact on surrounding neighbors. The building permit for the clubhouse (Windmill House) was issued in January of 2005 and finalized in May of 2006.

A Technical Review Meeting was held on September 26, 2006 to review the proposed JC Estates, an adult retirement living community, comprised of independent living and assisted living residential units. The project encompassed both the subject property and the adjacent parcel to the east, and covered approximately 80 acres (79.9) near North 1 West and West 4 North. At the same time, replacement of the existing Zoning Code with the Unified Development Ordinance (UDO) was underway; upon the adoption of Ordinance No. 06-678 and its companion Resolution No. 06-812 on November 6, 2006, the current UDO replaced the previous zoning code. Included in the UDO were requirements for road construction, maintenance, and dedication of rights-of-way.

In October of 2008, the applicant returned with a larger project covering 170 acres and expanded the uses to include apartments, a skilled nursing facility, and offices for doctors. The concept was to provide a senior living community for those 55 years of age and over. Among the many requirements listed in the notes from the meeting was dedication of right-of-way along the frontage on West Road 4 North.

As amended upon the adoption of Ordinance NO. 08-707 on October 23, 2008, the UDO Section 2 Definitions sets forth the following as the definition of arterial street:

“Means a street with the principal function to serve as a part of a major network for the through traffic flow separate from local traffic, to and from areas of principal traffic generation, of adequate design, capacity and construction to provide for the safe and rapid distribution and collection of through traffic and to provide limited ingress and egress to and from collector and local streets (See section 4.28 for a list of arterial streets).

Statutorily, ARS 9-462.01 A (7) states that a legislative body of any municipality by ordinance may “require as a condition of rezoning public dedication of rights-of-way as streets, alleys, public ways....as are

reasonably required by or related to the effect of the rezoning.” As the commercial and residential uses proposed in October 2008 as a part of the JC Ranch Master Planned Retirement Community (“JC Ranch”) would increase the number and frequency vehicle trips per day as well as turning into and out of the subject property, requiring dedication of additional Right-of-Way for future road expansion was made a condition of rezoning in order to mitigate increased traffic flows on West 4 North, Road 1 West, and Road 4 ½ North resulting from the proposed project.

To accommodate the uses proposed in the JC Ranch project, the applicant requested a zoning change from Agricultural/Residential 5 Acre Minimum (AR-5) to Planned Area Development with underlying zoning of Commercial Light (CL), Multifamily Residential (MR-1) Single Family Residential, 1 Acre Minimum (SR-1), and Open Space (OS). A parallel application for a Minor General Plan Amendment (mGPA) was submitted at the same time. Both applications encompassed approximately 170 acres generally located near the northwest corner of West Road 4 North and North Road 1 East, south of Road 4 ½ North.

Included in Ordinance No. 09-719 were numerous stipulations, two of which are critical to the case now before Council. First, development of the property was conditioned upon review and approval of a Final PAD within two (2) years of approval of the Preliminary PAD. Second, dedication of Right-of-Way was required prior to filing the Final PAD. These stipulations were referenced in Resolution 09-899 which approved the Minor General Plan Amendment. The Resolution also established a two year deadline for compliance with the stipulations set forth in the PAD Ordinance, and authorized Town Council to hold a public hearing to determine compliance with the stipulations, or take further action to revert the Land Use designation from Commercial to Medium Density Residential, 2 acres or less. Both items were considered by the Planning and Zoning Commission during a public hearing on April 2, 2009. After a presentation by the applicant’s Agent and Town Staff, the Commission took comment from members of the general public. The Planning and Zoning Commission voted to deny the application; that recommendation was advanced to Town Council.

During its regular meeting on June 9, 2009, Town Council heard the requests for the Zoning Change and Minor General Plan Amendment, and approving both items, thereby changing the zoning districts and land use designations for the project.

In May of 2011 (prior to the expiration of the previously approved Ordinance No. 09-719 and Resolution No. 09-899), the LaVacara Trust submitted parallel applications for a Minor General Plan Amendment (MGPA11-001), a Zone Change (ZC 11-003), and a Conditional Use Permit (CUP11-002). These applications encompassed approximately 28 acres of the area included in Ordinance No. 09-719 and Resolution No. 09-899, and constituted the area within which The Windmill House, a nursery, and the Western Town were located. The intent was to reduce the size and scope of the project to a more manageable and financially feasible size, given the rapidly declining economy.

After said applications were received by the Town but before the requisite public hearings were held, the property owner was notified by first class mail, return receipt on August 17, 2011 that the two year deadline for compliance with the stipulations in the above referenced ordinance and resolution had passed. Because the stipulations had not been satisfied, Town Council would hold a Public Hearing to take

further action to extend, terminate, or determine compliance with Ordinance No. 09-719 and Resolution 09-899.

The Planning and Zoning Commission heard all three applications on September 6, 2011 during its regularly scheduled meeting. The Commission first considered the Minor General Plan Amendment (MGPA11-001), hearing first from staff, then the applicant, and then took comments from the general public. Upon closing the public hearing, the Commission discussed their concerns with the application, and agreed that they did not think a General Plan Amendment or a Rezone were appropriate. Commissioners Rice and Owen commented on the deficiencies in the General Plan; Commissioner Owen further commented that the town would need some commercial nodes throughout town and that the issue would be addressed in the updating of the General Plan. The Commission then voted unanimously to recommend denial of MGPA11-001, and subsequently declined to hear the Zone Change request. (ZC 11-003 was heard by the Commission on October 18, 2011; a recommendation of denial was forwarded to Town Council.)

Issuance of a Conditional Use Permit (CUP11-002) to allow continued operation of the Windmill House and associated uses was then considered. As with previous ordinance, permits, and resolutions associated with the subject property, CUP11-002 included a number of conditions, limiting the hours of operations and the nature of the events to be held, among other things. The sole engineering condition was the dedication of Right-Of-Way as set forth in Sections 4.23 and 4.28 of the Unified Development Ordinance (UDO) along the full frontage of West Road 4 North. After a presentation by staff and taking comments from the general public, the Commission voted unanimously to forward CUP11-002 to the Town Council with a recommendation of approval.

The recommendations made by the Planning and Zoning Commission in regards to MGPA11-001, ZC11-03, and CUP11-002 as well as the previously approved Ordinance No. 09-719 and Resolution No. 09-899 were heard by Town Council on November 8, 2011.

1. Ordinance No. 11-752: This ordinance reversed the rezoning action taken in Ordinance No. 09-719, reverting the zoning district back to Agricultural/Residential, 5 Acre minimum (AR-5). *Approved by Town Council.*
2. Ordinance No. 11-753: This ordinance would have actuated ZC11-003, rezoning approximately 28 acres in the general area of the northwest corner of North Road 1 East and West Road 4 North, south of Road 4 ½ North from AR-5 to CL. *Denied by Town Council.*
3. Ordinance No. 11-754: This ordinance approves the issuance of CUP11-002, allowing the applicant to continue operation of the Windmill House and related uses. The Town Attorney provided an alternative to the language recommended for approval by the Commission, which set a 15-year horizon for the CUP, required dust mitigation, set forth a process by which the CUP could be revoked in the event of non-compliance by the applicant, and included the stipulations previously recommended by the Commission. These stipulations limited uses and hours of operation, and required dedication of Right-of-Way along West Road 4 North. *Approved by Town Council.*
4. Resolution 11-968: This resolution caused the reversion of the Minor General Plan Amendment set forth in MGPA09-899, and changed the land use designation from Commercial to Medium Density Residential, 2 acres or less. *Approved by Town Council.*

5. Resolution 11-969: This resolution would have actuated Minor General Plan Amendment 11-001, allowing a change of land use designation for the Windmill House site, encompassing approximately 28 acres. *Denied by Town Council.*

As a result, the LaVacara Trust had been granted a Conditional Use Permit (CUP11-002) to continue operation of the Windmill House, the nursery, western town, and casita for a period of fifteen years, provided that all stipulations were met, and the applicant abided by all restrictions and conditions governing use of the property and nature of the events held.

The Windmill House and other uses on the approximately 28 acres to which the CUP had been attached continued to operate, until the lessee left the facility and Mr. Joe Cordovana applied for a new business license to operate the Windmill House in mid-2012. Mr. Cordovana, in his capacity as Trustee for the LaVacara Trust, had not yet dedicated the Right-of-Way required in the most recently approved CUP, and that had been consistently required since the inception of the JC Ranch Master Planned Retirement Community and Ordinance No. 08-707.

The operation of the Windmill House and related uses was granted contingent upon Mr. Cordovana's compliance with the conditions and stipulations set forth in the CUP. Despite staff's attempts to bring Mr. Cordovana into compliance with the terms of the permit, no Right-Of-Way dedication was received by the Town. During a meeting on August 16, Mayor Marley and staff met with Mr. Cordovana; he stated that he would not dedicate the Right-of-Way unless the Town agreed to process a new zone change application for CL zoning, waive fees for said application, and ensure the application was approved by Town Council. As staff could not agree to the terms of his request, Mr. Cordovana continued to refuse to dedicate the Right-of-Way.

Staff had no other option than to initiate action to revoke CUP11-002. On September 4, 2012, the Planning and Zoning Commission considered Ordinance 12-762 to revoke CUP11-002 due to the lack of compliance with the stipulations therein. After a presentation by staff and taking comments from the general public, the Commission voted to forward Ordinance No. 12-762 to Town Council with a recommendation of approval, which Town Council granted on September 25, 2012, effectively shutting down all activity at the Windmill House.

On February 6, 2014, Mr. Joe Cordovana, in his capacity as Trustee for the LaVacara Trust, submitted a zone change application, requesting Commercial Light, Planned Area Development (CL-PAD). The request is for an approximately 28 acre parcel of land situated in the general area of the intersection of West Road 4 North and North Road 1 West. This area includes the Windmill House and associated uses that have been the subject of previous actions by the Town Council. It is the applicant's intent to reopen the Windmill House and associated uses to the public.

A neighborhood meeting was held on August 7, 2014 at the Windmill House after notification of all property owners in accordance with UDO §1.9.5 Citizen Review Process. Mark Svejda, attorney for the applicant, discussed the proposed rezoning with those present. The majority of the attendees were clearly in opposition, stating the impact that increased traffic, noise, and inconvenience would negatively impact the neighborhood and ruin their quality of life. A few neighbors would support operating the Windmill

House with a Conditional Use Permit that would give surrounding property owners the ability to exert more control over the Windmill House and future development of the property.

After notification in compliance with ARS §9-462.04, a public hearing was held on September 16, 2014 before the Planning and Zoning Commission. Staff explained the proposed rezoning to the Commission, who then took public comment on the matter. The applicant provided petitions collected throughout town and the adjacent neighborhood with over 650 signatures. The commissioners discussed the proposal amongst themselves, and stated their reasons for supporting recommendation of approval or denial. Commissioner Merritt made a motion to recommend denial of the application and require a development plan to be submitted with any future application for rezoning; seconded by Commissioner Pasziak. The Commission voted unanimously to forward the application to Town Council with a recommendation of denial and a requirement for future applications to include a development plan.

In 2003 when the initial CUP was issued allowing the construction of this facility with a conditional use as a “privately owned and operated park and recreation facility” in the Agricultural/Residential, 5 Acre minimum (AR-5) zoning district. The adopted Zoning Code at that time provided the following definitions:

Park: A public or private parcel of land developed and used for passive or active recreation.

Recreational Facilities: Includes buildings, structures, or areas built or developed for the purposes of entertaining, exercising, or observing various activities participated in either actively or passively by individuals or organized groups other than the immediate families of the owners or proprietors and their personal guests, or any such facility which involves twenty-five (25) or more attendees and participants, more often than twice in any one calendar month. This excludes schools and churches.

Restaurant: an establishment which serves food or beverages. This includes cafes, tea rooms, drive-ins, and similar establishments.

While the proposed use did include some potential park-like or recreational features, the nature of the business was largely the food services made available to the general public by the Windmill House. This facility was also intended to serve as a “clubhouse” of sorts, providing a common area for activities in which residents of the proposed residential component could partake without having to drive an automobile. When became evident to the applicant that the residential component would not materialize in the short term, the use of the facility for food service to the general public increased. Construction of the Western Town further expanded the services offered to the general public.

A Zoning Ordinance, or in the case of Chino Valley, a Unified Development Ordinance, sets forth zones that provide for the grouping of compatible or related land uses, and applies regulations to properties located within each zoning classification or district. It regulates height, density, lot size, and specifies uses (Single Family Residential, Industrial) among other things, rather than broad classifications such as High Density Residential or Commercial.

The purpose of a General Plan is to set forth land use designations that broadly describe the uses in a given area, but do not set forth specific regulations regarding uses. A land use designation of “Commercial” can

include all uses in CL and CH, but does not specify lot size or development standards, nor does it differentiate between or specify a particular CL or CH use. In reviewing the 2003 General Plan (03 GP), the Future Land Use Map (as amended) refers to zoning districts and specific uses rather than land use designations. For instance, the map designates current and future school sites; schools are a specific use rather than a broad land use designation such as “community commercial” or “high density residential”. Zoning overlays are included, despite the fact that they are zoning districts and not Land Use Designations.

In 2003 when the initial CUP was issued for the subject property, the applicable zoning district was AR-5, while the Land Use Designation was Medium Density Residential, 2 Acres or Less. The CUP was issued predicated on the assumption that the clubhouse use would serve as an accessory use to a larger residential development, and was allowed as a “privately owned and operated park and recreation facility” and was a conditional use in all zoning districts that would have been included in the Land Use Designation of MDR-2 Acres or less. Based on this set of circumstances, the applicant invested a significant amount of money in developing the Windmill House; the subsequent expansion of uses to include a casita and Western Town are in keeping with the recreational uses originally contemplated with the initial CUP and subsequent rezoning and General Plan amendments. The cycle of conditional use permits, failure to abide by conditions of zoning or use permits, and reversion of land use designations and zoning districts that have transpired over the past ten (10) years with the LaVacara Trust need to be resolved with finality, for the welfare of the applicant, the neighbors, and the community at large.

Recommendation

On February 6, 2014, Mr. Joe Cordovana, in his capacity as Trustee for the LaVacara Trust, submitted a zone change application, requesting Commercial Light, Planned Area Development (CL-PAD). This request was amended in August of 2014 to include a request for Multifamily Residential, Planned Area Development (MR-PAD). The Planned Area Development overlay (PAD) is ideal for regulation of the manner and placement of uses and structures in this case for a number of reasons.

First, it allows for the modification of underlying uses, thereby permitting staff to disallow those uses most objectionable to the surrounding neighborhood. The applicant has limited his request to the following uses for this site:

1. Restaurants, cafes and coffee shops
2. Business and professional offices, banks and similar
3. Business, trade, dancing, art, music and other educational facilities
4. Indoor and outdoor sales of nursery stock
5. Public utility buildings, structures, or appurtenances thereto for public service use
6. Indoor theaters, assembly halls
7. Casita to be used in conjunction with weddings
8. Commercial greenhouses may be permitted with a minimum of ten (10) contiguous acres. (See Subsection 4.30 Commercial Greenhouse Development Standards (Amended with Ord. 13-779 12/10/13)
9. Multiple Family Residential (MR-PAD) in accordance with UDO 3.13 and limited to the 6.55 acre parcel identified on the Development Plan

Section 3.13 of the Unified Development Ordinance sets forth the regulations governing the manner and placement of Multiple Family Residential dwelling units in the Town of Chino Valley. The UDO defines a

Multiple-Family Dwelling thusly: “A building designed exclusively for occupancy by or occupied by three (3) or more families living independently of each other.”

There are three (3) permitted uses in this zoning district: Multiple Family dwellings, customary accessory buildings, and churches or similar places of worship. Conditional uses allowed with a Conditional Use Permit are as follows: Privately owned and operated parks and recreation areas and centers; Group Homes; Nursing and Convalescent homes; Temporary home and land sale offices located within the same subdivision as that land which is offered for sale; Public utility buildings; Schools, and Residential facilities for the developmentally disabled.

The corresponding development standard requires a fifty foot (50') setback from the property boundary along the front; upon dedication of the Right-of-Way parallel to West Road 4 North, the setback would be 75' from the existing property boundary, and approximately 100' from the centerline of the road. The required side- and rear yard setback are a minimum of twenty feet (20') and ten feet (10') respectively; the maximum lot coverage (under roof) is 40%.

When applied to the subject parcel, the maximum allowed square footage under roof would be 114,127 square feet (6.55 acres x 40%). Because the UDO requires a minimum of 3,000 square feet of raw land area per dwelling unit, a maximum of 95 units can potentially be developed (6.55/3,000). The UDO further requires a minimum of 1.5 parking stalls per one bedroom apartment; assuming a maximum of 95 units, the required number of parking stalls would be 143, which would require approximately 25,700 square feet of area to accommodate the parking required in this zoning district. Further, Section 4.22 Off-Street Parking and Loading requires a minimum of a three foot (3') landscaped berm or wall to screen parking areas from public view.

Resolution of this matter by approving the zoning change request will meet the needs of both the applicant and the community in several ways. First, it grants a permanent zoning district that establishes the use of the Windmill House as a use by right on the property, rather than allowing operation of the Windmill House by Conditional Use Permit. Similar to the previously issued CUP's, the permitted uses can be further conditioned to mitigate impact on the surrounding area. In addition, adherence to all requirements of the UDO and Town Codes would still apply; if the applicant fails to meet the conditions of the rezoning or comply with Town Code, his business license would not be issued, or once issued, revoked.

Second, it requires filing of a Development Plan that outlines current and future uses. The Development Plan must be reviewed by staff to ensure it is in compliance with underlying zoning district requirements. Only when staff is satisfied that the plan meets all development standards and regulations of the underlying zoning district is it forwarded to the Planning and Zoning Commission for consideration and recommendation, and then to Town Council for final approval. The Development Plan is then recorded, binding the uses and arrangement set forth in the recorded plan to the land. In order to increase the number buildings, commercial square footage, or open space area by greater than 9% requires a revision to the Development Plan, triggering an additional series of public hearings as required by UDO Section 1.9.4: Planned Area Development Overlay. Review and approval of the Development Plan will be required prior to issuance of a business license.

Finally, a Town of Chino Valley business license would not be issued unless and until a dedication of Right-Of-Way was made by the applicant, accepted by Town Council, and recorded at the Yavapai County Recorder's Office. As a result, no business could be conducted on the subject property until the Right-of-Way dedication was irrevocably completed. The submittal of a Development Plan setting forth the manner

and placement of the allowed uses in addition to the dedication of Right-of-Way have been the long-standing issues that have precluded finalization of this project. Approving the request for the Planned Area Development (PAD) overlay for the Commercial Light (CL) and Multiple Family Residential (MR) will require a fully vetted Development Plan reviewed and approved by Town Council.

General Plan Compliance

The current General Plan (GP03) adopted by Town Council on June 26, 2003 and ratified by the citizens on November 4, 2003 describes the overall plan regulating the manner and placement of broad categories of uses known as Land Use Designations. Chapter 3: Land Use Element describes the zoning districts effective at the time of adoption of the GP03, as well as the Land Use Designations used on the Future Land Use Map. The property subject to rezoning has been assigned a land use designation of Medium Density Residential; the GP03 definition of Medium Density Residential (MDR) found on page 33 is as follows:

“The density range for medium density residential is for lots two acres or less in size. This designation is intended to promote both single-family and multi-family residential along with Mobile Home Parks. This designation also includes Planned Area Developments whereby density bonuses may be granted in order to maximize economy of infrastructure, open space and affordability”.

The Commercial Land Use Guidelines define “Commercial” thusly:

The Commercial designation is intended to guide the expansion of commercial uses through out (sic) the town as the community grows. Commercial uses are directly connected to transportation modes and major intersections. Currently, the Highway 89 corridor is the designated commercial sector for the community. As other roadways are improved and their use expanded, both residential and commercial development will be extended to these areas. Examples are the corridors along Perkinsville Road and the Glassford Hill extension. “

Finally, the Planned Area Development Overlay (PAD) is defined as follows:

“The Planned Area Development (PAD) Overlay provides for a development in which dwelling units are clustered in order to maximize economy of infrastructure and open space. This is achieved through density bonuses, open space and conservation easements.”

“The purpose of a PAD is to encourage the preservation of agricultural and natural open space, enhance affordability, minimize cost of public services, conserve water, and improve landscaping and promote the health, safety, and general welfare of the residents of the PAD and the citizens of Chino Valley. A PAD is only allowed with an operating wastewater system and potable water system or equivalent.”

These definitions are important in the context of this proposed rezoning, as the congruence of this specific rezoning action with the existing General Plan needs to be fully clarified. The Guiding Principles, Goals, and Policies set forth in the GP03 set forth the framework within which future growth should occur, and describes the type of development the community as a whole wishes to see.

The Guiding Principal for the Land Use element states:

“The Town of Chino Valley will provide a sustainable mix of land uses that will maintain a quality of life and enhance the vitality of the community while promoting economic development and new development and appropriate locations.”

Goal LU-1 is to “Preserve the stability and diversity of the town's existing neighborhoods while allowing for increased density for infill purposes”. The policies supporting that goal require efforts to prevent deterioration of existing structures and public facilities, historic preservation, land use densities, buffering between new developments and existing uses, and encourage infill development. Of particular interest in this case are LU1.3 through LU1.6. LU1.3 specifically requires that new densities are in conformance with the Future Land Use map designations. The definition previously cited specifically calls out multi-family housing as an acceptable use in the MDR Land Use Designation. LU1.4 states that “the type and density of land use shall be consistent with that of the immediate neighborhood.” Multi-family housing is frequently used to buffer single family residential development from nearby commercial uses similar in nature to what has been developed on the subject property. Rather than construct one monolithic building housing all 95 dwelling units, the PAD overlay enables staff to require a number of smaller structures that better fit the surrounding neighborhood. This will also allow the developer to construct units in phases to better accommodate market demand.

The adoption of appropriate guidelines, principals, and standards that require buffers such as landscaping, open spaces, building setbacks and/or sound barriers between new development and existing neighborhoods to lessen the impact of non-compatible development are required by LU1.5, found on page 38 of GP03. Through the adoption of numerous landscape requirements, buffering, and setback/separation requirements, the development standards set forth in the UDO meet the requirements of this land use policy; incorporating them in the Development Plan required for the Planned Area Development will ensure impacts of the proposed development on the surrounding neighborhood will be minimized. It also supports the use of non-compatible development as infill near or adjacent to existing residential development if the incompatible effects of the development on existing neighborhoods are mitigated. By using the PAD in this context, staff can require a more stringent development standard to minimize impact on the surrounding areas.

Finally, LU 1.6 encourages infill development that takes advantage of existing municipal services, utilities, schools, and shopping centers. The connection of this project to municipal water and sewer, or construction of an on-site wastewater treatment facility and use of the Appaloosa Water Company can both provide municipal services to the subject property, or, should adequate capacities exist, the applicant could expand the service area of Appaloosa Meadows Water Company and install an on-site wastewater treatment plant to serve the residents of any future residential development.

Goal LU-4 sets forth both the goal for managing growth, and the policies by which that management will occur. (Manage growth in an efficient and orderly form). The first policy supporting this goal is LU4.1: Promote development where resources and infrastructure are in place. The applicant owns a water company capable of serving both the residential and commercial users of the proposed project; the existing septic system is adequate to serve the Windmill House and related uses. As stipulated below and in the Ordinance, connection to municipal water and sanitary sewer may be required for the multi-family housing development, or construction of an alternative system may be required. This determination is not required prior to rezoning the property, but rather through the Development Plan required of PAD zoning, and subsequent building permit submittals.

Land Use Policies 4.2 through 4.4 require the coordination of centralized municipal water and wastewater systems with existing and future development, and obligate development to shoulder its share of development impact costs. Land Use Policy 4.5 mandates that high-density residential developments have direct access to arterial and collector streets to minimize impact on lower density residential areas. As related to the subject rezoning, UDO Section 4.28 identifies Road 4 North in its entirety as an arterial as well as Road 1 West, providing access to arterials for residents of any future multi-family housing development and users of the existing Windmill House.

Consideration of the Town as a whole that provides a place to live, work, and play is the purpose of Land Use Goal 5. Supporting policies LU5.1 through 5.4 encourage the development of a range of housing options, community services such as parks and recreational facilities, facilitate industrial and commercial development, and offer neighborhood commercial nodes. The proposed rezoning meets all of the policies set forth in this Goal as follows:

LU-5.1: Encourage residential development that allows for a diversity of housing types to attract diverse age groups and accommodate a range of income levels. The subject rezoning will provide rental housing targeted at seniors who may not be able to afford a single family residence.

LU-5.2: Continue to provide and improve community services including but not limited to schools, public safety facilities, utilities, parks, trails, and open spaces. The area under consideration for rezoning has been used in the past as a privately funded recreation and open space facility that the owner/developer has made available for use by the public.

LU-5.3: Designate sites for commercial and industrial uses in appropriate locations to increase the town's employment base and employment opportunities for residents. The Windmill House and concomitant activities have employed up to 25 people full and part time in the past. The additional limited commercial space can provide additional employment opportunities for residents of the area that can be accessed directly from an arterial street designed to carry such capacities.

LU-5.4: Promote the inclusion of neighborhood commercial nodes, compatible in scale and mass to existing or planned development, where arterial or collector roads intersect, in order to support nonresidential activities, provide localized employment opportunities and minimize auto use and air pollution. Rezoning of the subject property from AR-5 to CL-PAD and MR-PAD will provide staff the tools it needs to require future development to be compatible with the existing neighborhood. As previously stated, both Roads 4 North and 1 West have been identified as arterials in UDO Section 4.28; this intersection is less than a quarter of a mile from the subject property. There are opportunities for additional small scale commercial development on site that can provide localized employment opportunities; its proximity to existing residential neighborhoods make it easily accessible to pedestrians, bicyclists, and other alternative modes of transportation thereby minimizing automobile use and improving air quality.

Therefore, staff finds that the proposed rezoning is in compliance with the General Plan in effect on the date of potential approval, and no additional amendment of the effective GP is necessary.

The General Plan 2014 sets forth a new concept in land use planning for the Town of Chino Valley: Community Cores. These areas are intended to offer mixed-use, pedestrian oriented developments that can offer alternatives to the automobile-centric development patterns currently found in Chino Valley. This same concept can be applied to the subject property by use of a PAD overlay. A designated “senior living core” or “Senior Living Planned Area Development” could offer uses such as restaurants, recreational facilities, medical services, enrichment classes and other activities that specifically serve an aging population and are within walking distance of the proposed multiple family residential use and surrounding neighborhood.

The new General Plan supports the concept of clustered development; in fact, the single goal set forth in the Land Use element is “Focus on development of community cores and on lifestyle choices in land use.” This goal is supported by four (4) Target Strategies:

- 1) *Encourage new variety of residential and compatible development in Community Cores for sustainable lifestyle choices.* The proposed rezoning would allow for the development of a new form of senior living within a mixed-use development.
- 2) *Protect existing residences in large-lot neighborhoods as new lifestyle choices develop; Revise UDO to add significant buffering and screening where new community cores or other non-residential uses are proposed adjacent to existing residences.* By adding the Planned Area Development overlay to the zoning request, staff can better match the screening and buffering to the impact on the surrounding areas, rather than impose the minimum requirements set forth in the UDO.
- 3) *Avoid proximity of incompatible land uses; identify high-intensity types of land uses such as heavy industrial...* Here the General Plan better defines incompatible land uses as those that are difficult to buffer or screen from surrounding areas; relative to the subject rezoning, the PAD overlay allows for limited uses that are easily screened and buffered to mitigate impacts on the surrounding areas.
- 4) *Strive for developments that fulfill the Community Vision while allowing for flexibility and encouraging innovation.* Rezoning the subject 16.81 acres from AR-5 to CL-PAD and MR-PAD will allow for future development of a mixed-use senior living core, which embodies the Community Vision’s focus on diversifying business and employment opportunities, varieties in housing, and options in transportation.

The Land Use Element narrative discusses current housing and population trends both locally and nationally. More communities are planned with pedestrian use in mind, providing small business clusters within walkable distances. Given the increasing number of single occupancy households and an aging population, alternatives to the typical large lot single family home that predominates the housing supply in Chino Valley will be necessary.

In laying the foundation for the Community Core concept, the General Plan recognizes that “There is a need for some additional types of land use patterns in Chino Valley to accommodate the needs of its multi-generational and aging population, its desires to create healthier and less costly lifestyle options, and promote a sustainable economy. “ The proposed rezoning will allow for the development of a small commercial and recreational cluster to serve the surrounding neighborhoods within walking distance of the subject property, and allow for the future development of housing options that are currently unavailable in Chino Valley.

Staff proposes initiating a Minor General Plan amendment upon the ratification of the General Plan 2014 that would provide for a “Senior Living Core”, or alternatively, a “mixed use neighborhood core” that would provide neighborhood service related uses at the subject site. While the rezoning itself already complies with the General Plan 2014, memorializing the concept with a Minor General Plan Amendment and Development Plan would better define the concept for development in the future. Should the voters of Chino Valley fail to ratify the General Plan, the applicant would be required to comply with the existing General Plan.

Findings of Fact

Staff finds that the proposed rezoning can resolve the long-standing conflict between the LaVacara Trust, surrounding property owners, and the Town, and provide a means by which the Windmill House can be reopened, providing the public with an additional activity and entertainment facility in the Town. The addition of the Multifamily Housing component will expand the availability of a variety of housing choices in the Town.

Section 1.9.4.1 Planned Area Development Overlay District: Purpose sets forth the following as the purposes of a PAD Overlay District:

§§A: Provide for the orderly development of land consistent with the Unified Development Ordinance of the Town of Chino Valley (UDO) to permit flexibility in the design of residential, commercial, and/or industrial developments in conformity with the intent and purpose of the General Plan and Unified Development Ordinance.

Staff finds that the proposed rezoning meets this purpose as follows:

- 1) The Development Plan required as a result of the PAD Overlay will provide staff with the tools necessary to mitigate impacts that the proposed project may have on the neighborhood, including modification of required setbacks and separations, landscaping, lighting plans, and the like;
- 2) The proposed zoning and uses meet the intent of the UDO as it provides for the social, physical, and economic advantages resulting from comprehensive and orderly planned use of land resources (§1.2 Administration; Purpose)
- 3) It provides an opportunity to develop a mixed-use district in a concentrated area that is within walking distance of the neighborhoods and populations it serves.

§§B: Modify underlying zoning district regulations to permit flexibility and innovation in developmental design and provide opportunities for unique or mixed-use development.

Staff finds that the proposed rezoning meets this objective as follows:

- 1) Reduces the number of allowed uses in the Commercial Light (CL) zoning district
- 2) Provides additional Multiple Family housing opportunities
- 3) Provides an opportunity to develop a neighborhood services core that is within walking distance of the community it serves, and provides opportunity for future development as a mixed-use development.

§§C: Promote economical construction and maintenance of streets and utilities without compromising public safety and welfare.

Staff finds that the proposed rezoning meets this objective as follows:

- 1) Dedication of Right-of-Way will allow for future expansion of roads, should the traffic generated by the proposed uses interfere with the flow of traffic on West Road 4 North.
- 2) The location utilizes existing arterial streets to carry traffic rather than require the construction of new lane miles for perpetual maintenance by the town.
- 3) Any required infrastructure improvements are the full responsibility of the applicant to construct to Town standard and dedicate for perpetual maintenance.

§§D: Preserve and utilize open space and offer recreational opportunities close to residential uses.

Staff finds that the proposed rezoning meets this purpose as follows:

- 1) Among the applicant's proposed uses for the Windmill House are offering recreational classes such as yoga to the public, meeting space for service clubs, and movie nights for families; the lakes and area offer a privately maintained park-like setting. The enrichment classes would benefit the community without expenditure of taxpayer dollars to support the activities offered.
- 2) The potential development of multiple family housing provides a mixed-use development in a contained area that does not rely on taxpayer-funded recreational amenities.

Staff finds that the proposed rezoning supports a number of Goals and Policies set forth in the General Plan currently in effect and fully described in the Recommendation portion of the Staff Brief, and can easily comply with the General Plan 2014 adopted by Town Council in June of this year and before the voters for ratification on November 4, 2014.

Conditions of Approval

Staff recommends conditioning the Planned Area Development as follows:

- 1) The Development Plan shall be in substantial conformance with all applicable Town Codes, building codes, and engineering requirements unless otherwise modified herein.
2. The property owner agrees that the approval of this action confers no additional entitlements or rights to the owner or applicant other than those that are specifically vested herein.

3. All structures open to the public or in close proximity to public/common areas shall be inspected by the Building Official (or his designee) and conform to currently adopted Town of Chino Valley Building Codes. No business license shall be issued until said inspections have been performed and all deficiencies have been corrected.
4. Any future additions to or expansions of existing structures shall require amendment of the Development Plan.
5. Construction of multifamily housing may require extension of municipal sewer and water service from its closest termination point to the site, depending upon the number of dwelling units and will require submittal of an Amended Development Plan.
6. Prior to issuance of any business license or building permit, LaVacara Trust will dedicate and convey right-of-way in compliance with the standards set forth in section 4.23 and 4.28 of the UDO for the full frontage of West Road 4 North.
7. Any amplified music or other noise associated with the uses subject to this CUP shall not exceed 60 decibels at the property boundary.
8. Uses are limited to the following:
 - a. Restaurants, cafes and coffee shops
 - b. Dancing, art, music and other educational facilities
 - c. Indoor and outdoor sales of nursery stock
 - d. Public utility buildings, structures, or appurtenances thereto for public service use
 - e. Indoor theaters, assembly halls
 - f. Commercial greenhouses may be permitted with a minimum of ten (10) contiguous acres.
 - g. Catering services for off-site events
 - h. Casita to be used in conjunction with weddings
 - i. Multiple Family Residential (MR-PAD) in accordance with UDO 3.13 Multiple Family Residential and limited to the 6.55 acre parcel identified on the Development Plan (included for illustrative purposes only and confers no approvals for construction or development)
9. Weddings and other private events shall end no later than 12:00 am (midnight)
10. Buffet and restaurant service
11. Festivals
12. Western Town activities, subject to final inspection and approval of all structures by Building Official (or his/her designee) prior to initiation of public activities.
13. Family Movie nights

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. f.

Meeting Date: 10/14/2014
Contact Person: Ruth Mayday, Development Services Director
 Phone: 928-636-4427 x-1217
Department: Development 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 approve the Strategic Plan 2014.

RECOMMENDED ACTION:

MOTION: Motion to approve the Strategic Plan 2014

SITUATION AND ANALYSIS:

Issue Statement

Staff and Council need a framework for planning and decision making with regards to the goals and objectives of the Council and community.

Summary of Issues and Staff Rationale

Town Council met with facilitator Lance Decker on November 5th and December 11th, 2013 to develop a Strategic Plan. The purpose of the plan is to create a single unified document that represents the broad policies of Town Council, and prioritize those policies so they can be implemented in a manner that best serves the community.

Staff reviewed notes and comments from the meetings with Lance Decker to develop a draft plan that included a Strengths, Weaknesses, Opportunities, Threats, and Trends (SWOTT) analysis, Organizational Values, and Key Result Areas. Staff also created a timeline/Gantt chart outlining the Objectives and Action Plans attached to each Key Result Area to illustrate the distribution of the workload over time, and the interrelated order of events required for many of the objectives and action items.

Since the initial draft review on March 5, 2014, staff has meet with Council on two other occasions to further refine the narrative and timelines for action. On September 18, 2014, staff and Council met once again to review the most recent draft. The corrections suggested at that meeting have been incorporated in this Final Draft, which is now ready for Council approval.

Fiscal Impact

Fiscal Impact?: no

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Final Draft



2014 STRATEGIC PLAN

TOWN OF CHINO VALLEY

BACKGROUND

Chino Valley is a beautiful, semi-rural town with open land, sunny skies and friendly people. Excellent schools, quality healthcare providers and an enviable climate are just a few of the many reasons so many people call this wonderful place home.

Conveniently located approximately 90 miles from Phoenix and Flagstaff, Chino Valley straddles State Highway 89 just fifteen miles north of Prescott. Incorporated in 1970, the Town encompasses 63 square miles in the mountains of north central Arizona at an elevation of 4,656 feet. It enjoys comfortable, mild temperatures throughout all four seasons with over 300 days of sunshine per year.

It's no surprise that people are drawn to this open western way of life. The population has grown to about 11,000 within recent years but still retains its rural tranquility and small-town charm. Affordable land, plenty of open space and modern amenities make living in the area attractive to young families and retirees alike. . Mountains, hills, and forests provide picturesque views and serene surroundings. Wildlife is abundant and sustained by fresh, clean air and crystal-clear water. Wide-open land and modern amenities abound. The weather is warm and comfortable, and the people are friendly.

Recreational opportunities are plentiful. The close proximity of the Town to Prescott National Forest makes thousands of acres of land available for hiking, biking, and off-road vehicle use. Ranching is still alive and well in Chino Valley, and oftentimes traffic will wait for a herd of cattle to be ushered across a road by a cowboy riding a horse – just like they were one hundred years ago. Old Home Manor, located east of State Route 89, hosts a public shooting range, a radio-controlled airplane park, softball and soccer leagues, dog shows, and a number of community oriented activities.

Like many rural communities across the state and country, Chino Valley has experienced its share of challenges over the past five years. By setting forth specific goals and objectives, this document can provide the foundation necessary to foster a sense of mutual understanding so that the residents, town staff, and the Town Council can come together to work for a more secure future for Chino Valley.

PURPOSE AND APPROACH

The purpose of the Chino Valley Strategic Plan is to develop a clear picture of its future as a local government enterprise and how it will serve the community. The Plan sets into writing a vision of what Chino Valley will be five years from now, identifies the milestones to be achieved over those five years, and creates an action plan by which the Mayor, Town Council, Town Manager and staff can guide their efforts and measure progress.

The secret of change is to focus all
of your energy not on fighting the
old, but on building the new.

~Socrates

OBJECTIVES OF COMPLETING A STRATEGIC PLAN

The objectives of the Town of Chino Valley Strategic Plan are to...

- identify the business factors (strengths, weaknesses, opportunities and threats) that will affect the organization over the next five years;
- confirm the mission, vision, values and principles that guide the organization's Mayor, Town Council, Town Manager and staff;
- identify and develop a limited number of key result areas on which the organization will focus:
- create objectives, strategies and action plans for the next five years; and,
- Build a clear direction for the entire organization.
- Set timelines and schedules for review of progress and possible revisions to the plan.

ORGANIZATION OF THE STRATEGIC PLAN

The Town Council, working in concert with the Town's professional staff, has developed a set of Key Result Areas that define the overarching needs of the community. Each Key Result Area has a set of Goals that must be achieved to resolve the issues related to that Key Result.

A number of objectives, supported by underlying action items, have been outlined to better clarify the means by which Council and staff will undertake to realize the desired results in each Key Result Area.

In order to adequately plan a course of action for each Key Result Area, a review of the current Strengths, Weaknesses, Opportunities, Threats, and Trends has been included. Similarly, each goal and objective has been reframed in terms of being "SMART": Specific, Measurable, Attainable, Relevant, and Time limited.

The ability to work to achieving the tasks set forth in each Key Result Area is dependent upon the ability of staff, Council, and the community to agree upon three foundational statements: a Mission Statement, Community Vision, and Corporate Vision. A discussion of these statements and how they help define the direction of the Town precedes the KRA (Key Results Area) analysis.

MISSION STATEMENTS

The existing Corporate Mission Statement is included in the Strategic Plan found within the General Plan adopted in 2003. During the most recent strategic planning sessions, Town Council developed the following Mission Statement:

The mission of the Town of Chino Valley government is to provide thoughtful, affordable, timely, cost effective, forward-looking government for its citizens.

VISION STATEMENTS: COMMUNITY

A number of Vision Statements have been developed for both the community over the past ten years. The following Community Vision Statement and a Corporate Vision Statement were adopted as a part of the Strategic Plan within the General Plan adopted in 2003.

A new Community Vision Statement was developed by Town Council during the most recent strategic planning sessions. Concurrent to the development of the Strategic Plan is the finalization of the General Plan. Mandated by Arizona Revised Statutes, the General Plan sets forth the community's vision for the physical development of the Town for the next ten years and beyond. The new General Plan includes the following Community Vision Statement:

"Chino Valley: A community looking to its future that envisions diverse business and employment expansion, varieties in housing, and options in transportation; all while maintaining its valued farming heritage, recreational

and environmental assets, and its small town atmosphere.

The underlying sentiment in the Community Vision Statements has been consistent: a desire to protect the small town attributes that have attracted new residents to the community, a focus on retaining a family-centric outlook, and desire for growth that will cement the Town's economic viability. While economic growth and retaining a small town atmosphere appear to be mutually exclusive, balancing these needs offers the community a unique opportunity to define what success looks like for both.

Chino Valley has been able to maintain its small town atmosphere, but at a cost. While surrounding communities are seeing economic rejuvenation, Chino Valley is stuck in neutral. A lack of a cohesive vision, an inability to acknowledge past failures and move beyond them, and a recognition of consistent themes in what appear to be conflicting future visions for the Town have hampered progress. Throughout the Strategic Planning process as well as the Visioning Process for the General Plan, six common themes reoccur:

- 1) Community and Economic Development, including planning and construction of infrastructure, have been neglected and the local economy is suffering as a result.
- 2) The Town needs a broader economic base.
- 3) Housing growth needs to be managed to fit the water supply.
- 4) A broader range of housing types needs to be made available across all income levels

- 5) Economic development will rebuild town coffers and reduce reliance on state and federal governments, enabling the Town to save for the future and better survive coming economic downturns.
- 6) Focus on broad policy that will result in a rising tide that lifts all boats, not just maintain the status quo.

In order for the Town of Chino Valley to achieve the results set forth in this Strategic Plan, all sides need acknowledge commonalities of philosophies and work together to achieve the goals upon which we can all agree.

VISION STATEMENT: CORPORATE

The Town also functions as a municipal corporation, managing the day-to-day services statutorily required of various incorporated political subdivision throughout the state. The following Vision Statement was adopted by Town Council and reflects the most recent vision for the Town as a corporate body:

Corporate Vision Statement: *“The Town of Chino Valley is an employer of choice. We provide competitive salaries and benefits. We seek to hire and retain quality employees who work hard and efficiently. We are worthy of public trust and the respect and trust of fellow employees. We provide prompt and courteous service to all citizens. We efficiently utilize our resources.”*

During the Strategic Planning process, Council reviewed and set forth a number of Organizational Values. These values represent the guiding principles by which Town Council,

Management, and staff will interact with each other and the public.



We will always...

- 1) **Be informed about issues that impact the Town, and make decisions based on what is best for Chino Valley.**
 - a) *Listen to all sides of an issue, without bias, before making a decision that affects the Town.*
 - b) *Present constructive ideas, and be willing and able to support ideas with well-researched facts.*
 - c) *Seek expertise when considering an action that may affect the Town. Carefully consider the consequences of rejecting professional advice.*
- 2) **Be mindful of our obligation to good stewardship of Town resources.**
 - a) *The vision for the Town needs to reflect the will and needs of all citizens. Consider the public interest above all.*
 - b) *Council members need to balance the needs of individuals and the long-range best interests of the Town.*
 - c) *Staff is here to serve the residents of the Town of Chino Valley and should always strive to make Chino Valley a better place to live and do business.*

3) Be fiscally responsible and consider the consequences of our decisions, many generations into the future.

- a) *Politics should always take a back seat to the financial burden placed on citizens.*
- b) *Consider the financial impacts of our decisions and how they will affect the citizens.*
- c) *Remember that there are financial and workload consequences to policy-maker demands for legal and staff time.*

4) Communicate respectfully and professionally.

- a) *Remember that we are all here to build a better Chino Valley that will prosper and grow long after we are gone.*
- b) *Focus on the issue and not the person. Consider how statements made may be construed by staff, council, or the public.*

- c) *Once Council has established policy, Management, Staff, and Council will speak with one unified voice.*
- d) *Be professional, respectful, honest, and courteous at all times. Honesty does not excuse rude, discourteous, or subversive behavior.*

We will...

- *Not promise actions, policies, or decisions that we cannot provide.*
- *Recognize limits to capabilities; do not promise outcomes over which you do not have direct control.*
- *Not hide concerns and issues that may be unpopular to discuss.*

We're part of an elite team that, working together, can accomplish more than expected.

KEY RESULT AREA 1: STRONG FISCAL HEALTH





STRONG FISCAL HEALTH

The Town of Chino Valley continues to recover from the recession, but lags behind neighboring communities. A lack of infrastructure precludes commercial and industrial development that could increase employment and retail choices, and by extension, disposable income that could be spent in the Town, increasing sales tax revenues. Without infrastructure, the growth of the community is stymied, creating a vicious circle of increasing sales taxes, decreasing revenues, and decreasing services.

Careful planning can help mitigate, if not avoid, the damages that will be incurred in the next economic downturn. Ensuring that legal and financial controls are in place will provide transparency and accountability. Continued vigilance in

finding savings will accelerate the rate at which a Rainy Day Fund can be established and funded. Funding the development of infrastructure is necessary to ensure the sustained viability of the Town now and for decades to come.

STRENGTHS

Fiscal Strength speaks to the ability of the town to manage its finances and meet its obligations. Income streams such as sales taxes and state revenue sharing, as well as debt obligations, are included.

a) *Financial stability*

WEAKNESSES

Fiscal Strife resulting from limited funding streams and outstanding debt obligations have the potential to stymie forward movement

- a) *Decreased state shared revenues*
- b) *Existing, significant pending, or potential litigation*
- c) *Inability to fund infrastructure expansion*
- d) *Community Lack of support for taxing for infrastructure*

OPPORTUNITIES

Opportunities are potential future actions that can positively impact the community. Leadership should direct their energies to developing those broad actions that will result in commercial, industrial, and residential development across all economic strata.

- a) *Ready for business growth due to significant amount of commercially zoned properties along the SR89 corridor*
- b) *Old Home Manor presents an opportunity for economic and job development efforts including manufacturing, industrial, entertainment & sports activities*
- c) *Shopping and other commercial business opportunities can develop where sewer and water is available*
- d) *Senior care facilities and other deficiencies in the residential market provide opportunities for additional housing development.*
- e) *When properly managed, bond indebtedness can help the town grow its economic base through the extension of infrastructure Increases in construction will provide employment and tax revenues.*

THREATS

Overreliance on construction industry has undermined economic and employment foundation

- a) *Shortage of new business and jobs*

- b) *Unrealistic optimism about business coming to Town.*
- c) *Residents desire to preserve rural setting/ lifestyle conflicts with the need for growth that will sustain the Town. Some citizens “not wanting any growth”*
- d) *Sales tax revenues inadequate to meet financial obligations; no clear path to increase this revenue stream*
- e) *If care is not taken, Town could conceivably become bankrupt, or required to make drastic reductions in services.*
- f) *Increasing demand for development will tax existing infrastructure; Town needs to meet long-range water and wastewater capacity needs sooner rather than later.*

TRENDS

For the next few years, we will hopefully experience an improving economy.

- a) *New home construction will continue to increase.*
- b) *The community will need to consider more dense forms of residential development in addition to preservation of “ranchettes”; higher densities will require new infrastructure.*
- c) *Regional growth will help Chino Valley recover. However, availability of infrastructure would ensure more localized improvement.*
- d) *Retail follows rooftops- as population grows, more retailers will be interested in meeting the increased demand. Careful planning will allow both retail chains and Mom-and-Pops to coexist and prosper.*
- b) *The Chamber of Commerce will become more active, and function as a powerful economic development and community engagement tool, providing leadership from the resident/citizen side while working with elected leaders and town management to advance the economic interests of the Town.*

Goal 1: Develop adequate revenue instruments for full funding of budget and CIP				2014				2015				2016				2017				2018			
				1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Objective A: Council Policy on Contingency Funds																							
Strategy: Develop Policy for management and expenditure of Contingency Funds				X	X																		
Objective B: Committee for taxing MMJ																							
Strategy: Establish Council Committee to develop means to tax cultivation of Medical Marijuana to provide revenues to offset additional expenses																							
Action 1: Craft policy for taxing cultivation of medical marijuana; determine fiscal impact to the Town for both revenues received and monitoring of activity				X	X																		
Action 2: Adopt policy					X																		
Action 3: Forward policy to relevant stakeholders at State legislature and regulatory agencies																							
Objective C: Set up funding for Unique Programs/Sustainable Development				FIN	TC																		
Strategy: Determine need for programs that will best support development																							
Action 1: Coordinate with other organizations to avoid duplication of efforts																							
Action 2: Develop awareness programs to inform community																							
Action 3: Incentivize use of sustainable construction practices																							
Objective D: Establish plan for Rainy Day Fund				FIN	TC																		
Strategy: Determine needed reserves in light of recent recession					X																		
Action 1: Prioritize funding of town obligations																							
Action 2: Recognize efforts to reduce spending and carry funds forward																							

SMART:

Specific: Develop new tax revenues from medical marijuana; management of contingency funds; establish adequate reserves

Measurable: Growth in budget balances held in reserves; increasing ability to fund Capital Investment Projects.

Achievable: Judicious use of funding will enable Town to set aside funds to build reserves.

Relevant: Must be implemented to secure fiscal health of Town.

Time Bound: Complete by December 31, 2017.

LEGEND

TC: Town Council
 TM: Town Manager
 FIN: Finance
 PW: Public Works
 L: Legal
 DS: Development Services

 : Council Action
 : Active & Future Projects
 : Completed

Goal 2: Resolve Town's budgetary/financial issues				2014				2015				2016				2017				2018			
				Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4
Objective A: Plan for bond election to finance infrastructure acquisition																							
Strategy 1: Create calendar of statutory deadlines	TM	TC	L	X																			
Action 1: Complete actions required by statutory deadlines		TC	L			X																	
Action 2: Staff to prepare appropriate support information for bond issue.	PW	TM	ALL			X																	
Action 3: Council to determine what is to be included in the bond issuance			TC	X																			
Action 4: Hold Bond Election			TC																				
Strategy 2: Develop alternative in the event of failure of bond election																							
Strategy 3: Initiate purchase of Prescott Water System																							
Action 1: Open Discussions with Prescott to Agree Upon Value		L	TM	X																			
Action 2: Attorneys to Develop Agreement			L			X																	
Action 3: Begin WIFA Processes/funding available		PW	TC	X																			
Action 4: Commence Construction after Council Approval		TC	PW																				
Action 5: Fund City of Prescott and Complete Acquisition		TC	L																				
Action 6: Begin Construction 2015			PW																				
Strategy 4: Purchase WWTP from private owner				FIN	PW	TC																	
Action 1: Begin Negotiations for WWTP Acquisition	PW	L	TM	X																			
Action 2: Attorneys to Develop Agreement		TC	L			X																	
Action 3: Complete WWTP Acquisition		TC	L																				
Objective B: Reach consensus regarding Cameron Ranch						X																	

SMART:

Specific: Develop actionable plan for acquisition of water and sewer infrastructure

Measurable: Community approval of General Obligation bonds

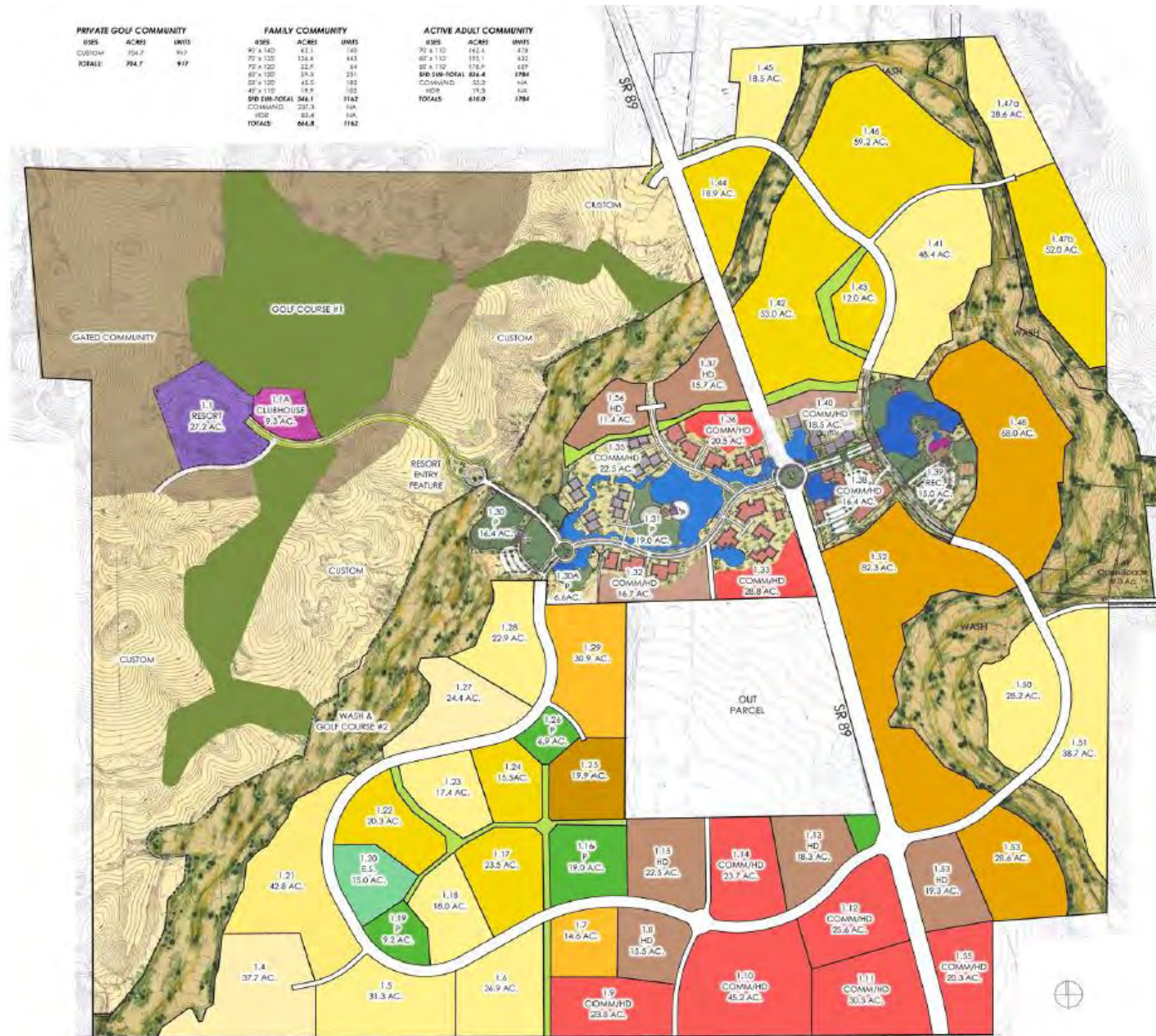
Achievable: Acquisition possible through two means of financing

Relevant: Town cannot control its future when it does not control its utility infrastructure

Time Bound: Hard deadlines for voter approval

[illegible]

KEY RESULT AREA 2: SUSTAINABLE ECONOMIC AND COMMUNITY DEVELOPMENT



Economic and Community development activities in the Town of Chino Valley have lagged behind similar undertakings in neighboring municipalities. In order to maintain its economic independence and community identity, the Town needs to

formulate broad policies that remedy long-standing deficiencies in the structure and implementation of land use, economic development, and public works planning.

There is a precarious balance between unfettered growth and overregulated development. Ensuring that the often stated desire to maintain a small town atmosphere is respected while providing new and expanded economic opportunities can be achieved if carefully planned. Ignoring the proverbial “wolf at the door” will not make growth go away; it will simply occur in surrounding areas and undermine the already fragile economic foundation of the town.

The interconnectedness of land use, economic, and public works planning must be addressed in broad policy plans that consider the needs of the community, both now and in the future. The General Plan serves as the unified document for mapping future growth and development and serves as the basis for managing the growth of the Town.

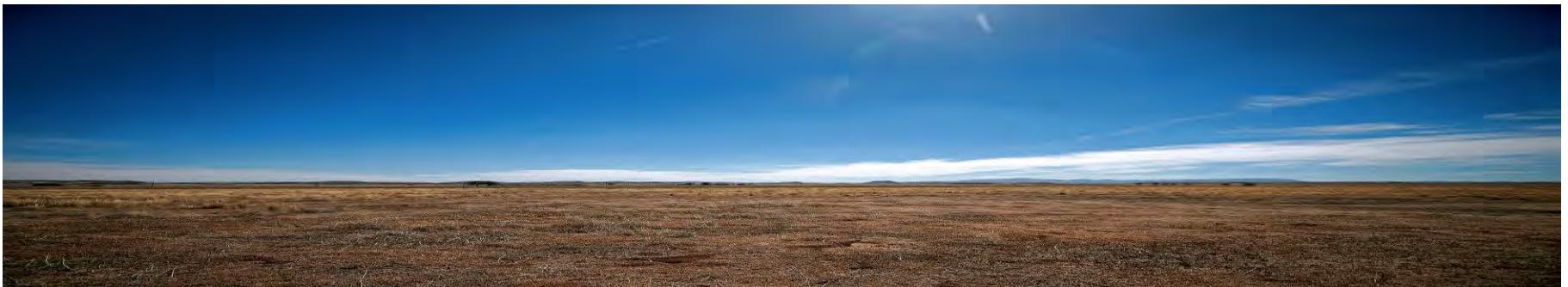
- Development of Industrial Park and recreational facilities at Old Home Manor
- Sustainable Development with the right kind of Business and Industry

- Create healthy local economic growth that is self-sustaining
- Create an interesting and comfortable downtown atmosphere
- Prepare for a downturn in the economy.
- Water & sewer acquisition and expansion to facilitate investment on SR 89

STRENGTHS

Economic Strength refers to the capability/capacity of the town to provide opportunities for economic investment in the community.

- a) *Development of Old Home Manor as employment and recreation center that will stimulate sales tax revenues directly and indirectly*
- b) *A forward thinking Town Manager with good business experience*
- c) *Knowledgeable professional staff with ability to implement improvement plans*





WEAKNESSES

Fiscal Stress: Decreases in state shared revenues and local sales tax collections have strained coffers; lack of infrastructure limits commercial and industrial base.

- a) *Low retail sales tax base*
- b) *No property tax to make up gap*
- c) *Huge financial deficit as a result of imbalance between enterprise funds and generated revenues negatively impacting General Fund*

OPPORTUNITIES

Economic Development: Direct energies to those actions that will result in commercial, industrial, and residential development across economic strata.

- a) *Available development land for commercial and industrial users*

- b) *Senior care facilities and other unmet housing needs create new residential construction opportunities*
- c) *Room for business growth – significant amount of commercially zoned properties along the SR89 corridor*
- d) *Room for industrial growth along SR89 corridor now, and Old Home Manor when the Chino Valley extension is completed with the Eastern Corridor enhancement*
- e) *Shopping*
- f) *Economic and jobs development efforts.*
- g) *Develop Old Home Manor to accommodate Manufacturing Industrial Shooting sports Entertainment & sports activities*

Community Development: Establish a framework for private sector growth and development

- a) *Increased residential construction coming out of recession*
- b) *Infrastructure expansion (water & sewer)*
- c) *Room for sustainable residential growth*
- d) *Become more proactive in activities related to Community Development*

Unrealized Economic Opportunities

- Scarcity of rental and affordable housing
 - Good: demand for housing is returning to market; people with greater wealth are moving to town.
 - Bad: low-wage earners and young families have fewer housing options.
- Manufacturing inquiries
 - Good: business community is realizing Chino Valley is worthy of consideration for growth.
 - Bad: no infrastructure to meet need/demand.
- Large retirement community
 - Good: rising home values/sales prices indicate wealthier retirees moving to area.
 - Bad: Don't need jobs to survive; less affected by lack of employment and different view of employment situation

- Water & sewer expansion
 - Good: Interest in spine infrastructure in several locations; would spur economic growth.
 - Bad: Expensive; limited rights-of-way limit extensions.

THREATS

Lack of Infrastructure and Resources: Inability to provide water and sewer service puts town at distinct competitive disadvantage

- a) *Lack of fire flows negatively impact business recruitment activities.*
- b) *Lack of infrastructure owned by Town; Prescott Water System and Fann Environmental do not always act with best interests of community at forefront*
- c) *Exhaustion of the water supply; decrease in water table and inability to import water*

TRENDS

For the next few years we should experience an improving economy.

- a) *Availability of infrastructure would ensure more localized improvement; however, regional growth will help Chino Valley recover.*
- b) *Lower housing costs will be attractive to young families that work both in Chino Valley and adjoining communities.*
- c) *Business will increase as population increases. Not just the number of businesses, but the goods and services offered will broaden to meet needs of residents. Growth will be limited by availability of infrastructure but will provide opportunities for entrepreneurs.*
- d) *Jobs will come to the Town. Increased employment will add to aggregate income of residents, increasing disposable income which should in turn increase sales tax revenues. The ability to accommodate commercial/industrial growth will be dependent on infrastructure.*



[illegible][illegible]

Goal 1: Complete the CV Industrial and Commercial Development Plan (con't)																			
				2014				2015				2016				2017			
Strategy: Partner with Chamber of Commerce to promote local businesses and entrepreneurs																			
Action: Develop local business promotion program with use quarterly updates at Council meetings (Choose Chino)																			
Action: Increase in use of social media																			
Objective D: Complete 5 year flood management plan																			
Strategy: Complete a set of action plans and submit subsequent reports to the Flood Control District in support of CV receiving continued funding.																			
Action: Apply for and receive Flood Control Grants.						PW													
Action: Public Works reports the status of the work on the flood control plan for the first two years to Council						PW													
Center Street Box Culvert at Santa Cruz Wash Complete Design of Box Culvert						PW	X												
Bid, Council Award, and Construction of Box Culvert						PW	X												
Action: Submit the next phase of the flood control plan to the county						PW													
Chino Meadows 5 Flood Control Complete Design and Secure Army Corp Approval						PW													
Bid, Award and Construct Flood Control Project						PW													
Continue WR2S Drainage Project Bid, Council Award, and Construction						PW													

SMART

Specific: Identification of fundamental economic and community development issues narrows focus to well-defined areas

Measureable: Installation of infrastructure, businesses attracted and retained, and dollars spent on flood control projects will indicate success

Achievable: Development of special purpose plans will focus on actions to achieve single purposes rather than broad initiatives

Relevant: Resolution of infrastructure, business attraction/retention, and flood/street issues are integral to Economic and Community Development

Time Bound: Must be completed prior to next economic downturn

Goal 2: Complete the CV Water and Wastewater Infrastructure Plan				2014				2015				2016				2017				2018			
Strategy: Acquire Prescott Water and Fain Environmental Wastewater Treatment Plant				1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Action: Finance through General Obligation Bonds					X																		
Alternative Action: A) Finance through Industrial Revenue Bonds																							
Alternative Action: B) Do nothing																							
Strategy: Interconnection of Prescott & Chino Water systems																							
Action: Design interconnection for looped system																							
Action: Complete construction of connections																							
Action: Migrate accounts from Prescott to Chino Valley																							
Strategy: Acquire Wastewater Treatment System																							
Action: Expand service areas to commercial corridors																							
Action: coordinate installation of dry lines during roundabout construction on SR 89																							
Strategy: Develop long-range water resource program																							
Action: Research feasibility of rainwater capture systems																							
Action: Cameron Ranch																							
Action: Study feasibility of injection wells for effluent recharge																							

SMART

Specific: Creates plan for acquisition of utility infrastructure

Measurable: Number of water accounts migrated from Prescott; expansion of wastewater system

Achievable: Alternative plan if bond resolution does not pass

Relevant: Necessary to complete Town's Economic and Community Development strategies

Time Bound: Acquisition and integration are essential before next economic downturn

Goal 3: Complete the Chino Valley Road Projects Infrastructure Plan	2014				2015				2016				2017				2018			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Action: Extend Road 4 to Peavine Trail	X																			
Action: Complete Loop Road project																				
Action: Continue to direct CDBG funds to road repairs																				

SMART

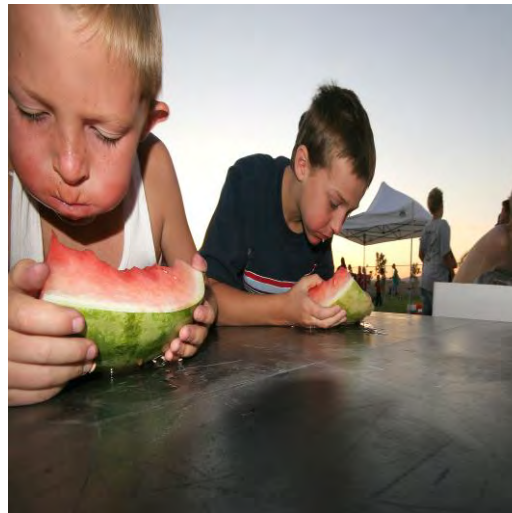
Specific: Creates plan for improving traffic flows

Measurable: Completion of road construction projects

Achievable: A combination of ADOT and CDBG funds can be allocated; qualified staff can design/build as allowed

Relevant: Necessary to provide alternative circulation to existing spine roads

Time Bound: Road 4 South is tied to Cortez agreement; other actions dependent upon funding



KEY RESULT AREA 3: COMMUNITY ENGAGEMENT AND COMMUNICATION



The real citadel of strength of any community is in the hearts and minds and desires of those who dwell there.

-Everett Dirksen

Historically, the Town has functioned separately and apart from other organizations, political subdivisions, and service sectors whose presence and success reflects upon and affects the reputation of the Town. This disconnect has created voids in non-governmental services that impact the citizens of the community. A lack of communication between the Town and these organizations as well as the Town and its citizens have led to an atmosphere of mistrust and suspicion. This mistrust undermines the ability of the community to work together to create a better Chino Valley.

Although the town does not have responsibility for these areas, it is fundamentally important that the Town work with critical organizations and entities such as schools, medical service providers, the Chamber of Commerce, and similar groups to ensure that the non-governmental needs of the community are met. Similarly, the Town needs to engage with the surrounding communities in regional economic development efforts as well as those focused solely on Chino Valley. Developing more expedient and direct communication between these groups, the Town, and the citizens of Chino Valley will broaden the shoulders upon whom these responsibilities rest, and provide opportunities for better civic engagement.

- Top of the line Educational facilities
- Medical
- Transit
- Chamber of Commerce
- Recreational Facilities

A successful relationship will bring members of these organizations and entities together with Town staff to plan for

future growth and development in the community. By interconnecting these seemingly independent entities, the town and its partners can work towards a community that considers the needs of all residents. Better communication with the public will foster a greater sense of trust and community. It will also empower the citizens to take a more active role in the development of their community.

STRENGTHS

Feeling of Community: The sense of belonging and common purpose held by the residents of the Town, Council and Commission members, and Management and Staff that describes those traits and amenities most valued by the community as a whole.

- a) *Despite disagreements, most citizens have a positive feeling of community*
- b) *Cohesive sense of identity and qualities that define being a part of Chino Valley*

Leadership: Forward looking, visionary Council setting policy to guide the Town's future

- a) *Works with administration to develop "SMART" plans*
- b) *Ensures quality service for the Community.*
- c) *Growing Chamber of Commerce providing a unified voice for business community in Chino Valley*

Planning: A process by which a structure and hierarchy of tasks are conceptualized before they are needed, then set forth in documents that provide a framework for action to address future growth and development.

- a) *Planning processes and tools are used to create goals and objectives that include other organizations and partners.*
- b) *General Plan provides community input in physical planning of the Town.*

- c) *Department heads work together to develop plans that create a better Chino Valley.*

WEAKNESSES

Policy-maker Strife: Council, staff, and the community have not yet created a solid sense of trust with each other

- a) *Divided council*
- b) *Perceived lack of Transparency*
- c) *Long-term lawsuits*
- d) *Chino Valley politics/"Good Old Boys"*
- e) *Not distrust but frustration with the Town.*
- f) *General apathy*

Lack of Organizational Metrics: Management and staff are emerging from survival mode to firmer footing and lack a cohesive, unified plan to move town forward

- a) *No established goals or objectives for Management and staff*
- b) *Lack of coordination between General Plan, Overall Economic Development Plan, Capital Improvement Plan, Infrastructure Development Plan, Old Home Manor Development Plan.*
- c) *Economic downturn forced staffing reductions, furloughs, and wage freezes which have resulted in mixed and multiple responsibilities among management and staff*
- d) *New modes of communication with public and partners underutilized*

OPPORTUNITIES

Uptick in economy provides opportunity to re-establish neglected community relations

- a) *Interagency and intergovernmental partnerships with neighboring groups and communities will increase opportunities for regional growth*
- b) *Cooperation and communication among public and non-public providers of amenities (transit, medical services, education) can better match available services to market demand*
- c) *New means of communication are instantaneous – Facebook, Twitter, and webpage provide endless opportunities to engage the community in communication with staff and council.*

THREATS

The tug-of-war between residents who want to preserve the town of 50 years ago, those that want some limited growth, and those want all the modern services and amenities.

- *Pervasive negativity in both Council and general populace*
- *Citizen distrust of Town Government*
- *Decisions of previous councils limit opportunities for the Town.*

TRENDS

Community mistrust of Town government will continue.

- *Evidence is the failure of the community to approve school bond issues.*
- *An atmosphere of mistrust combined with a lack of communication and a desire to hold onto the status quo is an expected result, given the circumstances and a lack of cohesive planning.*
- *By focusing first on long range planning, the Town can become proactive in responding to challenges rather than reactive.*

- Demand for amenities such as schools, recreation, transit, and will correspond with residential growth.



Goal 1: Certify a partnership agreement for joint cooperation between Chino Valley leaders and Town partners to work cooperatively on advancing Strategic Plan Goals

				2014				2015				2016				2017				2018			
				1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Strategy 1: Craft partnership agreements with community partners		DS	TM																				
Action 1: Meet with Chamber of Commerce, CVUSD, Transit, and related organizations			MG																				
Action 2: Develop specific goals and a timeline for collective action in advancing the Town's Strategic Plan			TC																				
Action 3: Provide regular reports to Town Council highlighting organizational interaction with key community groups, leaders and the Town's partners			TC																				

SMART:

Specific: Links municipality with non-government partners.

Measurable: Number of joint committees established.

Achievable: Coordination will facilitate execution of strategic plan.

Relevant: Ensures community input and policies.

Time Bound: Limited to 5-year horizon of Strategic Plan

Goal 2: Engage citizens in ongoing dialog

				2014				2015				2016				2017				2018			
				1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Strategy: Institute annual surveys of residents to gauge sentiment about Town Policies			TC																				
Action: Create a system for considering and addressing suggestions, recommendations and complaints from the Town's customers	MG	MG	TC																				
Action: Create a tracking system to report compliments and complaints from Town's customers			PW																				
Action: Recognize outstanding customer service events at Town Council meetings			TM																				

SMART:

Specific: Survey specific to Town's policies.

Measurable: Number of surveys received.

Achievable: Smaller population size is do-able.

Relevant: Continue to engage community in policy decisions.

Time Bound: Annual activity is opportunity for fine-tuning policies.

Goal 3: Improve communications between Town and Citizens

				2014				2015				2016				2017				2018			
				1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Action 1: Update/Upgrade Town Website	MG																						
<i>Increase use of Facebook page to communicate with residents</i>	MG																						
Action 2: Implement Software as Service (SAS) for Development Services	DS	FIN	TC																				
<i>Website link to report code violations</i>	DS	MG																					
<i>Website link to apply for/track permits, licenses, etc.</i>	DS	MG																					
Action 3: Departments to provide activity reports to Council on a quarterly basis	All	TC																					
Action 4: Public Works provides an annual schedule for road maintenance	PW				X																		

SMART:

Specific: Increase use of new media formats.

Measurable: Number of "hits", "friends", or "followers".

Achievable: Smaller population size is do-able.

Relevant: Increased communication between citizens, staff, and town council is critical in formulating policy.

Time Bound: Short timelines with big impacts.