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

TUESDAY, NOVEMBER 13, 2012
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, November 13, 2012.

Present:	Mayor Chris Marley; Vice-Mayor Carl Tenney; Councilmember Mike Best; Councilmember Darryl Croft; Councilmember Dean Echols; Councilmember Linda Hatch; Councilmember Lon Turner
Staff Present:	Town Manager Robert Smith; General Services Director Cecilia Watts; Town Attorney Sharon Sargent-Flack; Finance Director Joe Duffy; Police Chief Chuck Wynn; Police Commander Mark Garcia; Magistrate John Walker; Town Engineer/Public Works Director Ron Grittman; Civil Engineer Richard Straub; Utilities Supervisor Chris Bartels; Town Clerk Assistant Liz Hart; Town Clerk Jami Lewis (recorder)
Attendees:	IT Specialist Spencer Guest

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

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

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

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a) Presentation of donation check from Davidson's Inc./ProForce for the Chino Valley Shooting Range. (Chuck Wynn, Police Chief)

Chief Wynn reported on the status of the shooting range, the 9-11 steel memorial, and the facility's formal dedication.

Mr. Tucker from Davidson's Inc./ProForce then presented a $50,000 check to the Town for corporate sponsorship of the pistol range and law enforcement tactical range.

3) CALL TO THE PUBLIC

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

No one from the public spoke.

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.

Mayor Marley reported that on October 23, Sally Brown spoke about right-of-way issues with her property. Council referred her to the town manager, and she later met with the associate planner.

Mayor Marley also completed an overview of the Council/Manager form of government that he began in the previous meeting.

5) CURRENT EVENT SUMMARIES AND REPORTS

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

Councilmember Hatch reported on a Yavapai Regional Medical Center hospital board opening for the next year and the board reviewing possible uses for their north campus, to be located near Chino Valley.

Vice-Mayor Tenney recognized members of Boy Scout Troop 7016. He also reported on the upcoming Council election and that he would not be running again.

Police Chief Chuck Wynn announced that Commander Mark Garcia had given his notice to retire.

General Services Director Cecilia Watts reported that the Town received 400 citizen surveys in the first week.

Mayor Marley gave the Mayor's Report, which focused on the spring 2013 election and candidate process.

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 items 6c and 6d for discussion.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to accept Consent Agenda items 6a, 6b and 6e.

Vote: 7 - 0 PASSED - Unanimously

a) Consideration and possible action to approve the August 6, 2012 study session minutes. (Jami Lewis, Town Clerk)

b) Consideration and possible action to approve the August 14, 2012 regular meeting minutes. (Jami Lewis, Town Clerk)

c) Consideration and possible action to approve Amendment No. 1 to Agreement between Burgess & Niple, Inc. and the Upper Verde River Watershed Protection Coalition for Program Management Services, dated November 28, 2007, to extend the effective date of the agreement through June 30, 2013, with the understanding that the Town shall remain as a non-dues paying non-voting member until further notice. (Vice-Mayor Tenney; Mayor Marley)

Vice-Mayor Tenney reported that:

- In November 2007, the Upper Verde River Watershed Protection Coalition ("Coalition") hired the engineering firm of Burgess & Niple, Inc. ("B&N") to provide program management services and to complete projects identified and approved by the Coalition Board.
- The initial contract with B&N will expire on November 27, 2012.
- On October 24, 2012, the Coalition Board approved a seven month extension of the contract to June 30, 2013, which introduced certain cost-saving measures, established a trial period for the change in services, and provided time to negotiate a longer-term program management contract.
- Although the Town had formerly been a dues paying, voting member of the Coalition, due to the Town's budget difficulties, on September 13, 2011, Council voted to continue participating with the Coalition as a non-dues paying, non-voting member.

Town Attorney Sharon Sargent-Flack reported that the original intergovernmental agreement between B&N and the Coalition allowed the Town and other participating entities to contribute fiscal resources to the Coalition. Although the Town was not obligated to contribute at this time and the Coalition acknowledged this, she wanted Council to be aware that B&N could look to the Town for a fiscal commitment per their original agreement, and Council might want to include an indemnification provision to protect the Town.

Council briefly debated the apparent minimal risk versus needing to protect the Town from possible changes.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to approve Amendment No. 1 to Agreement between Burgess & Niple, Inc. and the Upper Verde River Watershed Protection Coalition for Program Management Services, dated November 28, 2007, with the understanding that the Town shall remain as a non-dues paying non-voting member until further notice.

Vote: 6 - 1 PASSED

NAY: Councilmember Linda Hatch

d) Consideration and possible action to authorize a $500 expenditure for the Town of Chino Valley to join the Prescott Valley Economic Development Foundation. Funds to come from Contingency. (Robert Smith, Town Manager)

Mr. Smith reported that:

- The Town's limited staffing and funding sources had kept the Town from working on economic development matters, and the Foundation was allowing the Town to petition for membership.
- Benefits of membership included opportunities to: access the network of economic development professionals, list the Town's vacant commercial properties, link to the business website, post on the online investor directory, create Town initiatives through the Foundation's framework, receive newsletters, and display the Town's logo in its directory.

Mayor Marley asked staff to keep close watch, and if the Town did not get its money's worth, advise Council to cancel the membership at the end of the fiscal year.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to authorize an expenditure of $500 for the Town of Chino Valley to join the Prescott Valley Economic Development Foundation.

Vote: 7 - 0 PASSED - Unanimously

e) Consideration and possible action to approve final change order to contract with CLM Earthmovers, for the Center Street Community Development Block Grant Project, in the amount of $11,995. Funds to come from Community Development Block Grant. (Ron Grittman, Public Works Director)

7) ACTION ITEMS

a) Consideration and possible action to approve a utility rate schedule and direct staff to post the proposed schedule in accordance with ARS §9-499.15 to its home web page and direct staff to prepare the required resolution for consideration and possible action in accordance with ARS §9-511.01 at its January 22, 2013 meeting. (Ron Grittman, Public Works Director)

Mr. Grittman reported that:

- In June 2012, the Town contracted with Economists.com to develop a utility rate schedule to address deficiencies within the Utilities Division that will result in it being out of money by 2015.
- On October 4, 2012, staff presented the first draft of a proposed rate schedule to Council, with three alternative rate plan scenarios: Scenario 1 proposed no change from the current situation; Scenario 2 proposed comprehensive changes; and Scenario 3 proposed moderate changes.
- Variables were: (i) phasing out the carryover; (ii) ownership of the wastewater treatment plant; (iii) funding a capital improvement program, and (iv) acquiring the water company in Chino Meadows Unit 1.
- Assumptions were: (i) the Town could add new water ratepayers through buyouts of two other water companies; (ii) new sewer accounts would be minimal; and (iii) the Town could acquire the wastewater treatment plant through bonding.
- The Utilities Committee then reviewed the first draft and requested that two new scenarios be developed: Scenario 1A to hold lower rate increases for two years, followed by larger increases in the following three years; and Scenario 2A to have higher increases in years one and two and comparable increases in the next three years.

At this point in the presentation, Council and staff determined that some of the numbers in the presentation appeared to be inconsistent with what the Utilities Committee asked for. Mayor

Marley suggested tabling the item, staff contacting the consultant, and Council addressing it later in the meeting.

Craig Brown, Williamson Valley resident, pointed out another possible error.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Lon Turner, to table item 7a until the end of the meeting.
Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch, to move up item 7j.
Vote: 7 - 0 PASSED - Unanimously

(Council returned to this item after item 7l, but it is retained here for clarity.)

Mr. Grittman contacted consultant Dan Jackson via conference phone and they reviewed the corrected rate schedule scenarios. Mr. Grittman then continued his report:

- Once Council selected a scenario, staff will publish the proposed rate schedule on the Town's website for the required 60 days, and then bring it to Council for formal adoption.
- The proposed capital improvement projects will fund additional pipe in the ground; with $300,000, staff could do 1/2 mile per year. Location of new pipe will be determined per Council priority and/or certain situations such as a new commercial entity or neighborhood with failing septic systems.
- Mr. Jackson was recommending that Council adopt a five-year schedule, and eliminate the split buy-in fee and establish a standard rate of $6,000 for sewer and $4,000 for water, which covered the cost of installing the pipe. In addition, the Utilities Committee was also recommending to eliminate the interest fees on the buy-in amortization.

Council and staff discussed: adopting a two-year rate schedule with a review in 2014 for possible adjustments; needing to fix the deficit first then initiating the CIP and listing such priorities in a resolution; the Utilities Committee reviewing these priorities annually and bringing their recommendations to Council; and staff working on a strategy to get water and sewer to the highway.

Council then discussed the five scenarios and concluded that although 2A's rate plan was the highest, it would stop the deficit nose dive, extend the system faster, and spread out the payments.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Mike Best to approve a five-year plan with review and amendments in two years.

Vote: 7 - 0 PASSED - Unanimously

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to approve utility rate schedule, Alternative 2A, and direct staff to post the proposed the schedule in accordance with A.R.S. § 9-499.15 to its home web page and direct staff to prepare the required resolution for consideration at its December 11 meeting and possible action in accordance with A.R.S. § 9-511.01 at its January 22, 2013 meeting.

Vote: 7 - 0 PASSED - Unanimously

b) *Continued from September 6, 2012:* Discussion regarding the extension of Road 1 East between Road 3 South and the future alignment of Road 5 South.

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

Acronyms used in this item:
ADOT (Arizona Department of Transportation)

Mr. Grittman reported that:

- ADOT proposed two alternatives regarding the configuration of State Route 89 between Road 4 South and the Town's southern limits (Road 5 South alignment).
- The first alternative would provide two left turns for south bound traffic: one at the approximate location of Road 4½ South and the other at Road 5 South. Neither of these locations will allow for southbound left turns into the current businesses.
- The second alternative would provide three left turns for south bound traffic: one into Windy Valley Plaza, in addition to the two left turns in the first alternative. This was contingent upon the Town extending Road 1 East between Road 4 South and 1,000 feet north of the Road 5 South alignment. In an effort to better provide circulation, Council had expressed a desire to look at extending Road 1 East between Road 3 South and Road 4 South, as well.
- ADOT will provide the Town with all the millings from the project for construction of Road 1 East, which will be performed by Public Works crews for an estimated $30,000. Drainage culverts and a low water crossing will also be constructed at Autumn Wash, south of Road 3 South.
- Staff recommended that Council approve extending Road 1 East all the way to the Road 5 South alignment.

Town Attorney Sharon Sargent-Flack disclosed that Tom Kack and Mark Drutz, principals of the Town Attorney's firm, also held a minority interest with others in Dirt on the Range, LLC, which owned some property in the vicinity of the Road 1 East extension near State Route 89 and Road 4½ South.

Dennis Colgan, Managing Member of Dirt on the Range, spoke about an easement from the highway to Road 1 East that pre-dated the Road 4 South roundabout and was established as a truck turn-around, and many affected business owners favoring placing an east-west road at Road 4½ South, although there were some safety concerns.

Tom Foster, former traffic engineer with ADOT, hired by Mr. Colgan, spoke about safety issues with the latest design, especially between Roads 4½ and 5 South. After discussions with the current ADOT engineer and area business owners, they were recommending a roundabout to replace the left turn north of Road 5 South or at Road 4.5 South. This would not eliminate the proposed driveways.

Alvin Stump, ADOT's current District Engineer, stated that a roundabout at Road 5 South would impact the project's budget, but would fix the whole problem and make for better circulation for the businesses. However, as the roundabout would need to connect to the local street system, an east-west road from the roundabout to Road 1 East was essential.

Gary Warren, affected business owner, spoke about a roundabout being the best solution for the design.

County Supervisor-Elect Craig Brown supported a roundabout at Road 5 South.

J. B. Jordan, Road 4 South property owner, expressed an interest in working with the Town to extend Road 1 East from Road 4 South to Road 3 South.

Council discussed:

- extending Road 1 East benefitting the entire neighborhood;
- a roundabout not compromising the businesses further south;
- extending Road 1 East all the way down or stopping at the easement; and ADOT giving the Town the millings providing an opportunity to take the road all the way down;
- staff needing to research legal ramifications of one business owner who was not willing to dedicate right-of-way for the Road 1 East extension; and
- the roundabout being north of or at Road 5 South.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Dean Echols to instruct staff to work with ADOT to obtain millings and other plans necessary to extend Road 1 East from Road 3 South to Road 5 South and connect it to State Route 89 at Road 5 South.

Councilmember Hatch suggested amending the motion to get legal advice regarding Mr. Chontos' statements that the Town did not have a legal right to the right-of-way. Vice-Mayor Tenney stated that staff would have to research that as part of the process to secure the easements.

Vote: 6 - 1 PASSED

NAY: Councilmember Linda Hatch

c) Consideration and possible action to approve the drawings of the proposed maquette rendition of the equine sculptures for the roundabout at Road 4 South and State Route 89. (Ron Grittman, Public Works Director)

Mr. Grittman reported that Jon Hair was under contract to cast three equine sculptures for the roundabout at Road 4 South and State Route 89. He had provided renderings of the statues and needed Council's approval of them prior to casting and completing the design.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Dean Echols to approve the drawings of the proposed maquette rendition of the equine sculptures for the roundabout at Road 4 South and State Route 89.

Vote: 7 - 0 PASSED - Unanimously

d) Consideration and possible action to adopt Resolution No. 12-1002, approving a Call of Election for Spring 2013, designating election date, purpose of election, deadline for voter registration, and location and deadline for candidates to file nomination papers. (Jami Lewis, Town Clerk)

Town Clerk Jami Lewis reported that:

- Proposed ballot items for the 2013 election included election of a mayor and three councilmembers and a ballot measure for the Alternative Expenditure Limitation–Home Rule Option.
- Pursuant to House Bill 2826, passed during the previous legislative session, the Town's general elections will move from the Spring of odd-numbered years to the Fall of even-numbered years starting in 2014. Thus, current councilmembers elected in 2011 and candidates elected in 2013 will not serve the standard 4-year term: their terms will either be shortened to 3.5 years or lengthened to 5.5 years. This will not be decided until next spring.
- Staff received notification this morning that the Auditor General had approved the Town's analyses for Home Rule, and arguments for the publicity pamphlet were due by December 12.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to adopt Resolution No. 12-1002, approving a Call of Election for Spring 2013.

Vote: 7 - 0 PASSED - Unanimously

e) Discussion and possible action to approve 2012 LTAF II Grant Agreement between Yavapai County and Chino Valley Senior Center for Senior Center transportation needs. Funds for the required 25% match to come from Senior Center miscellaneous maintenance line in the general fund. (Cecilia Watts, General Services Director)

Acronym used in this item:
LTAF (Local Transportation Assistant Funds)

Ms. Watts reported that:

- Yavapai County notified the Town that approximately $1,325 in 2012 LTAF funds will be available in December 2012.
- In the past, such funds had been used to support the Transit System; however, since the Transit System had $23,567 in LTAF II funds as of June 30, 2012, staff and the transit manager were recommending that these funds be used to supplement Senior Center transportation needs.
- The LTAF II funds require a 25% match from the General Fund, and staff will not know the exact amount until December 2012.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve 2012 LTAF II Grant Agreement between Yavapai County and Chino Valley Senior Center.

Vote: 7 - 0 PASSED - Unanimously

f) Consideration and possible action to authorize the Mayor to sign a letter of support for the proposal by Yavapai Regional Transit for a Section 5311 Federal discretionary grant for federal fiscal year (FFY) 2013 to fund establishment of a regional transit system for the City of Prescott, Town of Prescott Valley, and Town of Chino Valley area.

Acronym used in this item:
TAC (Transit Advisory Committee)

Transit Manager Ed Steinback and TAC Chair Ron Romley reported that:

- At the request of current and potential customers, and upon learning about the subject grant, the Transit Committee was proposing to establish the Yavapai Regional Transit ("YRT") from the Chino Valley system.
- YRT would operate as a non-profit without any local government financial involvement, with an innovative funding structure and new funding sources through public/private partnerships, and provide services from Chino Valley to Prescott and Prescott Valley.
- The Arizona Department of Transportation was supportive of the unique approach and would, along with the Central Yavapai Metropolitan Planning Organization, provide technical, planning, guidance, and procurement assistance.
- As part of the grant application, TAC desired a letter of support from Council.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to authorize the Mayor to sign a letter of support for a Section 5311 federal discretionary grant for the regional transit system proposal.

Vote: 7 - 0 PASSED - Unanimously

g) *Continued from October 23, 2012:* Consideration and possible action to approve the copier usage agreement and maintenance agreement for managed print services with Arizona Office Technologies (AOT). Funds to come from various department lines for equipment purchase and maintenance. (Spencer Guest, IT Specialist)

Mr. Guest reported that:

- At the previous Council meeting, Council asked staff for additional detail on the costs and services to be provided, as well as the meaning of a fuel charge documented on the maintenance agreement.
- Staff had been investigating managed print services (MPS) as a potential way to enhance the Town's copier/printer fleet and leverage new technologies, resulting in staff efficiency and overall reductions in Town operational costs.
- While current costs for print services were around $1,901 per month, staff estimated that monthly costs using MPS would be $1,725.
- Three vendors provided quotes, which included the Town's current equipment that they would support under their pricing and monthly cost estimates, as well as pricing for leasing new equipment.
- Arizona Office Technologies (AOT) was selected based on the lowest per month cost, their willingness to support a larger amount of the Town's printer and copier fleet, and greater flexibility in reviewing the lease contract on a regular basis to accommodate changes in the Town's fleet and usage.
- The proposed agreements, based on the Mohave Contract to fulfill the Town's Cooperative Purchasing requirements, provided for a 60 month lease on six pieces of new equipment, supplies, and ongoing repair and maintenance on 21 devices from the Town's current fleet.
- The monthly cost for these agreements was $1,309.29 plus a variable cost based on volume for the Town's main copier for a total of approximately $1,609.29.

- Staff found that the fuel charge referenced in the maintenance agreement would be void due to a Mohave Contract stipulation that required any transportation or fuel charges to be expressly documented in the pricing. The final draft of the agreement had a note to that effect.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Dean Echols to approve the copier usage agreement and maintenance agreement with Arizona Office Technologies (AOT) for a 60 month lease term.

Vote: 7 - 0 PASSED - Unanimously

h) Consideration and possible action to approve Second Amendment to Professional Services Agreement dated November 1, 2010, with Marc E. Hammond for prosecutorial services. (Cecilia Watts, General Services Director)

Ms. Watts reported that, through an RFQ process in 2010, the Town entered into an agreement with Marc Hammond for prosecutorial services. His two-year contract with the Town expired October 30, 2012 and as the Town was going through a program-by-program review, staff felt it was desirable to not bind the Town for an annual contract at this time. Therefore, this Second Amendment will provide for month-by-month prosecutorial services with a provision for 30-day termination notice by either party.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve Second Amendment to Professional Services Agreement with Marc E. Hammond for prosecutorial services, effective November 1, 2012 and reflecting a month-to-month contractual agreement with a 30-day notice by either party for termination.

Vote: 7 - 0 PASSED - Unanimously

i) Consideration and possible action to approve the yearly Indigent Legal Services Contract for Court Misdemeanors with J. Andrew Jolley in the amount of $15,000. Funds to come from Court professional services line. (John Walker, Magistrate)

Magistrate Walker reported that the Town and the Court had determined that entering into indigent legal services agreements with attorneys was an appropriate method to provide legal services to indigent defendants in cases arising pursuant to Rule 6.1 of the Rules of Criminal Procedure for Arizona and for certain other types of legal proceedings. The proposed $15,000 covered up to 40 cases at 30 hours per case. Should there be more than 40 cases, the agreement provided for $100 per hour, although that had not happened before.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to approve the yearly Indigent Legal Services Contract for Court Misdemeanors with J. Andrew Jolley in the amount of $15,000.

Vote: 7 - 0 PASSED - Unanimously

j) Consideration and possible action to approve Professional Services Agreement with Red Oak Consulting for the calculation of the Town's Development Impact Fees pursuant to Senate Bill 1525 and Arizona Revised Statutes §9-463.05, with anticipated start date of December 2012 and completion anticipated in January 2014, in an amount not to exceed $72,000. Funds to come from Non-Departmental expenses, with $35,000 being budgeted for this fiscal year, and the remainder to be included in FY 2013/2014 budget. (Cecilia Watts, General Services Director)

(This item was heard after the first part of item 7a but is retained here for clarity.)

Ms. Watts (staff report) and Pat Walker (oral presentation) reported that:

- Senate Bill 1525 (A.R.S. § 9-463.05), which became effective January 1, 2012, required municipalities to calculate Development Impact Fees differently than the current procedure in order to continue collecting such fees.
- Implementing the new requirements included the following tasks: (i) develop Impact Fees for applicable service areas; (ii) determine projected capital projects; (iii) analyze and collect data; (iv) incorporate General Plan Land Use Assumptions; (v) develop Infrastructure Improvement Plan; and (vi) calculate Development Impact Fees and a funding and cash flow analysis.
- The Red Oak Team will facilititate up to two stakeholder meetings with the development community, associations, citizens and/or advisory committees, in addition to a public hearing and several Town Council presentations. This project will be primarily led by Pat Walker, as a sub-consultant of Red Oak Consulting.
- This project will take at least one year to complete and will be funded over two fiscal years. Staff anticipated that new fees will be adopted in January 2014 and become effective 75 days after Council approval.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to approve Professional Services Agreement with Red Oak Consulting, in a total amount not to exceed $72,000.

Vote: 7 - 0 PASSED - Unanimously

k) Consideration and possible action regarding legal services for the Town of Chino Valley. Funds for advertising in the approximate amount of $1,000 to come from Human Resources advertising line. (Cecilia Watts, General Services Director)

Acronym used in this item:
RFQ (Request for Qualifications)

Ms. Watts (staff report) and Vice-Mayor Tenney reported that:

- Council had not evaluated the Town's legal services in many years and formed a Legal Services Review Committee, consisting of Vice-Mayor Tenney (Chair), and Councilmembers Hatch and Croft, to evaluate the process and examine options. The Committee examined hiring inhouse, full and part-time, drafting a new agreement with the current firm, and putting out an RFQ.
- Discussions resulted in the Committee drafting an RFQ for Council's review, as they determined that hiring inhouse was not viable, as it would cost at least $200,000, while the Town currently paid $150,000 for legal services.

- Should Council agree to this process, staff anticipated a cost of $1,000 for advertising and a December 20 deadline for proposals. The Committee would perform the first review of the submittals and bring a subset of the proposals to Council in January 2013 for review and interviews, with the anticipation of entering into an agreement in March.
- Besides regular attendance at Council meetings and serving as General Counsel for Town affairs, the Committee was recommending that the individual or firm selected keep office hours at Town Hall on the Tuesdays of regularly-scheduled Council Meetings from 2:00 p.m. through the evening's Council meeting. This would allow Council and staff to schedule meetings with the attorney, thus enhancing access to this resource.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Linda Hatch to solicit RFQs from law firms interested in provideing legal services for the Town of Chino Valley.

Vote: 7 - 0 PASSED - Unanimously

l) Consideration and possible action to approve the July 2, 2012 special meeting minutes. (Absent: Councilmember ~~Turner~~ Echols) (Jami Lewis, Town Clerk)

Mayor Marley asked for an amendment to the minutes to reflect that the motion under item 5 include Council allowing the Court the opportunity to send the matter back to the consultant.

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Lon Turner to approve the minutes, as amended.

Vote: 6 - 0 PASSED

Other: Councilmember Dean Echols (ABSTAIN)

8) EXECUTIVE SESSION

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

9) ADJOURNMENT

MOVED by Vice-Mayor Carl Tenney, seconded by Councilmember Darryl Croft to adjourn the meeting at 8:46 p.m.

Vote: 7 - 0 PASSED - Unanimously

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 13th day of November, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 22nd day of January, 2013.

Jami C. Lewis

Jami C. Lewis, Town Clerk