



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, December 11, 2012
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**
- 3) CALL TO THE PUBLIC**

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

- 4) RESPONSE TO THE PUBLIC**

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

- 5) CURRENT EVENT SUMMARIES AND REPORTS**

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

- a) Status update on grant applications and letters of inquiry by Stephen Whisenhunt, Director of Development.**
- b) Year-end Transit System report by Ed Steinback, Transit Manager.**
- c) General overview of Town projects by Robert Smith, Town Manager.**

- d) Presentation regarding the preliminary results of the recent citizen survey by Cecilia Watts, General Services Director.

6) CONSENT AGENDA

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

- a) Consideration and possible action to approve the September 11, 2012 regular meeting minutes. (Jami Lewis, Town Clerk)
- b) Consideration and possible action to approve the September 25, 2012 regular meeting minutes. (Jami Lewis, Town Clerk)
- c) Consideration and possible action to approve Monthly Financial Report for Month Ended October 31, 2012. (Joe Duffy, Finance Director)
- d) Consideration and possible action to accept the dedication of public right-of-way from Sun Edison Origination 3, Inc. for the alignment of Road 4 South from State Route 89 easterly along Road 4 South at Section 2 Township 15 North Range 2 West. (Ron Grittman, Town Engineer)
- e) Consideration and possible action to approve Intergovernmental Agreement (IGA) Regarding Gang & Immigration Intelligence Team Enforcement Mission (GITEM) State Gang Task Force, between the Arizona Department of Public Safety and the Town of Chino Valley. As the Town anticipates using the saving from this IGA to bring the existing part time officer to full time, the net cost to the Town should be zero. (Chuck Wynn, Police Chief)
- f) Consideration and possible action to approve Change Order Number 1 to agreement with Civil Tec Engineering in the amount of \$960 for additional construction management services for the CDBG Project located at Center Street between Railroad and Cottonwood Lanes. Funds to come from Engineering professional services line. (Ron Grittman, Town Engineer)
- g) Consideration and possible action to approve Change Orders 1, 2, and 3 to contract with N.L. Booth Construction for the roadway widening project at Road 2 North and the Santa Cruz Wash in an amount not to exceed \$15,979.84. Funds to come from Roads Impact Fee Funds. (Ron Grittman, Town Engineer)

7) ACTION ITEMS

- a) Consideration and possible action regarding discussions held at the December 6, 2012 study session relating to sales taxes, property taxes, and possible revenue options. (Council Finance Committee)

Recommended Action: To be determined per Council discussion.

- b) Consideration and possible action to approve Professional Services Agreement with Civil Tec Engineering for the design of roadways and box culverts, including a Letter of Map Revision (LOMR) at Center Street and the Santa Cruz Wash, in an amount not to exceed \$198,894. Funds to come from Road Impact Fees Funds; although this Item was not in the Fiscal Year 2012/2013 Budget, sufficient Road Impact Fee Funds are available. (Ron Grittmann, Town Engineer)

Recommended Action: Approve the Professional Services Agreement with Civil Tec Engineering for the design of roadways and box culverts, including a Letter of Map Revision at Center Street and the Santa Cruz Wash, in an amount not to exceed \$198,894.

- c) Consideration and possible action to approve the Professional Services Agreement with Civil Tec Engineering for design of the tactical 360 degree police shooting range at Old Home Manor in the vicinity of the Chino Valley Shooting Facility in an amount not to exceed \$10,960. Funds to come from grants obtained by the Police Department. (Ron Grittmann, Town Engineer)

Recommended Action: Approve the Professional Services Agreement with Civil Tec Engineering for the design of the tactical 360 degree police shooting range at Old Home Manor in the vicinity of the Chino Valley Shooting Facility in an amount not to exceed \$10,960.

- d) Consideration and possible action to adopt Resolution No. 12-999, declaring the "Chino Valley Town Code Chapter 90: Animals" as a public record and adopt Ordinance No. 12-762 repealing the Chino Valley Town Code Title IX: General Regulations, Chapter 90: Animals, and adopting the new "Chino Valley Town Code Chapter 90: Animals" by reference. (Chuck Wynn, Police Chief)

Recommended Action: Adopt Resolution No. 12-999, declaring the "Chino Valley Town Code Chapter 90: Animals" as a public record and adopt Ordinance No. 12-762 repealing the Chino Valley Town Code Title IX: General Regulations, Chapter 90: Animals, and adopting the new "Chino Valley Town Code Chapter 90: Animals" by reference.

- e) *Continued from December 6, 2012:* Consideration and possible action to fund abatement of properties within the Town of Chino Valley. Funding source to be determined per December 6, 2012 study session discussion. (Chuck Wynn, Police Chief)

Recommended Action: To be determined per Council discussion.

- f) Consideration and possible action to amend Article 4: Hours of Work/Working Conditions of the Memorandum of Understanding Between the Town of Chino Valley, Arizona and the Chino Valley Police Officers Association.

Recommended Action: Approve amendment of Article 4 of the Memorandum of Understanding Between the Town of Chino Valley, Arizona and the Chino Valley Police Officers Association.

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

Recommended Action: Approve the July 2, 2012 special meeting minutes.

8) EXECUTIVE SESSION

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

- a) Council may vote to hold an executive session pursuant to Arizona Revised Statutes § 38-431.01(A)(3), discussion or consultation for legal advice with the attorney or attorneys of the public body, and/or § 38-431.01(A)(4), discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding a pre-annexation development agreement that is the subject of pending litigation, *Cortez Enterprises v. Town of Chino Valley*, CV 2006-1407, Yavapai County Superior Court, including but not limited to the October 10, 2012 mediation. (Mayor Marley)
- b) Consideration and possible action regarding pre-annexation agreement that is the subject of pending litigation, *Cortez Enterprises v. Town of Chino Valley*, CV 2006-1407, Yavapai County Superior Court, including but not limited to the October 10, 2012 mediation.
- c) Council may vote to hold an executive session pursuant to Arizona Revised Statutes § 38-431.01(A)(3), discussion or consultation for legal advice with the attorney or attorneys of the public body, and/or § 38-431.01(A)(4), discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding issues concerning water transportation/pipeline transaction privilege taxes due to the Town from the City of Prescott, including but not limited to *City of Prescott v. Town of Chino Valley*, Case No. CV 46161, Yavapai County Superior Court, Order Confirming Apportionment Formula and Apportionment Schedule filed June 21, 1996, and negotiations to settle disputes regarding the same. (Mayor Marley)
- d) Consideration and possible action regarding issues concerning water transportation/pipeline transaction privilege taxes due to the Town from the City of Prescott, including but not limited to *City of Prescott v. Town of Chino Valley*, Case No. CV 46161, Yavapai County Superior Court, Order Confirming Apportionment Formula and Apportionment Schedule filed June 21, 1996, and negotiations to settle disputes regarding the same.

9) ADJOURNMENT

Dated this 5th day of December, 2012.

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

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 636-1787 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting. Supporting documentation and staff reports furnished to the

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

CERTIFICATION OF POSTING

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

Date: _____

Time: _____

By: _____
Jami C. Lewis, Town Clerk