

1. Town Council - Agenda

Documents: [2016_04_26_CC_RG_AG.PDF](#)



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

REGULAR MEETING
Tuesday, April 26, 2016
6:00 P.M.

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

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

AGENDA

1. **CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL**
2. **INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**
 - a. Name the Horses in the Road 4 South Roundabout Contest. (Cecilia Grittmann, Assistant Town Manager)
 - b. Proclamation declaring May 2016 as "National Law Enforcement Memorial Week," sponsored by Chino Valley Police Department and Chino Valley Police Officer's Association. (Mayor Marley)

3. **CALL TO THE PUBLIC**

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

4. **RESPONSE TO THE PUBLIC**

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

5. CURRENT EVENT SUMMARIES AND REPORTS

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

- a. Status reports by Mayor and Council regarding current events.
- b. Status report by Town Manager Robert Smith regarding Town accomplishments, and current or upcoming projects.
- c. Status report regarding 2016 general election and recruitment for Council-appointed public bodies. (Jami Lewis, Town Clerk)

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 adopt Resolution No. 16-1080, approving a Call of Election for Fall 2016, designating election date, purpose of election, deadline for voter registration, and location and deadline for candidates to file nomination papers. Funds to come from General Fund, Town Clerk Elections expenditure line. (Jami Lewis, Town Clerk)
- b. Consideration and possible action to approve Financial Report for the nine months ending March 31, 2016. (Joe Duffy, Finance Director)
- c. Consideration and possible action to accept the November 18, 2015 study session/retreat minutes. (Jami Lewis, Town Clerk)
- d. Consideration and possible action to accept the November 19, 2015 study session/retreat minutes. (Jami Lewis, Town Clerk)
- e. Consideration and possible action to accept the March 22, 2016 regular meeting minutes. (Jami Lewis, Town Clerk)

7. ACTION ITEMS

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

- a. Consideration and possible action to approve Amendment Number 4 to Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association, effective July 1, 2016. (Cecilia Gritman, Assistant Town Manager)

Recommended Action: Approve Amendment Number 4 to Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association, effective July 1, 2016.

8. EXECUTIVE SESSION

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

- a. An executive session pursuant to A.R.S. § 38-431.03(A)(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 in pending litigation or settlement discussions conducted in order to resolve litigation in the matter of Hatch v. Town of Chino Valley. (Phyllis Smiley, Town Attorney)
- 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 contract with Musgrove Drutz and Kack related to legal service representing the Town in the matters of Cortez Enterprises, Inc. v. Town, City of Prescott v. Town, and Becker Holdings, LLC v. Hall that is the subject of negotiation. (Phyllis Smiley, Town Attorney)
- c. An executive session pursuant to A.R.S. § 38-481.03(A)(1) for discussion or consideration of employment, assignment, salaries, or disciplining of Town Manager Robert Smith. (Mayor Marley; Vice-Mayor Croft)
- d. An executive session pursuant to A.R.S. Section 38-431.03(A)(3) and (4) for discussion or consultation for legal advice with the Town Attorney and to consider the Town's position and instruct the Town Attorney regarding the Town's position regarding settlement discussions conducted in order to resolve litigation in the matter of Cortez v. Town of Chino Valley. (Robert Smith, Town Manager)
- e. An executive session pursuant to A.R.S. § 38-431.03(A)(7) 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 at Old Home Manor. (Robert Smith, Town Manager)

9. ACTION ITEMS RESUMED

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

- a. Consideration and possible action to approve a settlement agreement in the matter of Hatch v. Town of Chino Valley. (Phyllis Smiley, Town Attorney)

Recommended Action: Approve the proposed settlement agreement in the matter of Hatch v. Town of Chino Valley.

- b. Consideration and possible action to terminate the Fee Agreement with Musgrove, Drutz and Kack for legal services in the matters of Cortez Enterprises, Inc. v. Town of Chino Valley, City of Prescott v. Town of Chino Valley, and Becker Holdings, LLC v. Hall. (Phyllis Smiley, Town Attorney)

Recommended Action: Terminate the Fee Agreement with Musgrove, Drutz and Kack for legal services in the matters of Cortez Enterprises, Inc. v. Town of Chino Valley, City of Prescott v. Town of Chino Valley, and Becker Holdings, LLC v. Hall.

10. ADJOURNMENT

Dated this 21st day of April, 2016.

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

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 711 (Telecommunications Arizona Relay Service) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting.

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

CERTIFICATION OF POSTING

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

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