1. Town Council - Agenda

   Documents: 2016_04_26_CC_RG_AG.PDF

2. Town Council - Agenda Packet

   Documents: 2016_04_26_CC_RG_PK.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 Grittman, 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 Grittman, 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 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:_____

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Jami C. Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 2. a.**

Meeting Date: 04/26/2016

Contact Person: Cecilia Grittman, Assistant Town Manager
Phone: 928-636-2646 x-1202

Department: General Services

Estimated length of Staff Presentation: 5 minutes

Physical location of item: N/A

AGENDA ITEM TITLE:

Name the Horses in the Road 4 South Roundabout Contest. (Cecilia Grittman, Assistant Town Manager)

SITUATION & ANALYSIS:

A citizen came to the Town and asked if he and his friend could help support a "Name the Horses" contest for the horses in the Roundabout at Road 4 South and Highway 89. He felt this would be a fun contest that the community would get behind, and he offered to contribute $100.00 toward a prize. The Town agreed that it would match the $100.00, thus giving the winner a $200.00 cash prize.

The Recreation Department first introduced the contest to the school district in an effort to get the children involved in naming the horses. Unfortunately, we received only one entry, and therefore we didn't have a legitimate winner. We decided to open up the contest through the newspaper and our website to solicit more entries.

A committee, which consists of the Recreation Department and the citizens whose idea it was for the contest, have picked out their three top entries out of over 100 submitted, and forwarded the ballot sheet to the Council for their vote. The Council was asked to vote for the 3 finalists, and the winner will be announced at this Council Meeting.

The 3 final entries (without the contestants name) are:

1) Earth, Wind and Fire
2) Lock, Stock, and Barrel
3) Tribute, Jubilee, Sundance

Attachments

Contest Ballot

Two community members approached the Town of Chino Valley's Manager's Office with a request to engage the community through a contest to name the 3) Horses in the 4 South Roundabout. The names should have individual as well as a group meaning and should evoke the Pride of Chino Valley. We first ran this contest in the Chino Valley Unified School district, during October 2015. Unfortunately, we only received 1) entry and could not fairly declare a winner. With help from the Chino Valley Review, we published the contest in the newspaper and had great community feedback. We received more than 100 entries over the course of February 2016. The three entries below are the finalists chosen by the sponsors and the Town. Please select the group of names you believe suits the Horses most.

NAME CHINO VALLEY'S HORSES

CONTEST BALLOT

☐ # 1

Names:

1. Earth
2. Wind
3. Fire

Reason: Elements of Chino Valley.

☐ # 2

Names:

1. Lock
2. Stock
3. Barrel

Reason: Represents a "whole" town (farmers, business, & families) working together to guard & protect the community.

☐ # 3

Names:

1. Tribute
2. Jubilee
3. Sundance

Reason: Emotions evoked in the community members of Chino Valley.

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 2. b.**

Meeting Date:	04/26/2016
Contact Person:	Liz Hart, Deputy Town Clerk/Records Technician Phone: 928-636-2646 x-1210
Department:	Town Clerk
Estimated length of Staff Presentation:	5 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

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)

Attachments

National Law Enforcement Month

Office of the Mayor

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

PROCLAMATION

Supporting National Law Enforcement Memorial Week
May 15-21, 2016

***Whereas**, the Town of Chino Valley fully supports the Chino Valley Police Department and the Law Enforcement Officers that place their lives on the line for their community; and*

***Whereas**, in 2015, 133 Law Enforcement Officers were killed in the line of duty and this year to date 32 Law Enforcement Officers have lost their lives in line of duty deaths, 16 of which were by gunfire for a 167% increase over 2015; and*

***Whereas**, in 1962, President John F. Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, as National Police Week. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those Law enforcement Officers who have lost their lives in the line of duty for the safety and protection of others;*

***Now, Therefore**, I, Chris Marley, Mayor of the Town of Chino Valley, do hereby proclaim in concert with the Chino Valley Police Department and the Chino Valley Police Officer's Association, May 15-21, 2016 as National Law Enforcement Memorial Week in Chino Valley, Arizona, and urge all of our citizens to recognize this observance and support the recognition of National Peace Officers Memorial Day every May 15, and the calendar week it falls in as National Police Week. In support and recognition of these dates, the Town of Chino Valley will fly a "Thin Blue Line" flag on the Town Hall flagpole during this time in recognition of those Law Enforcement Officers who have given the ultimate sacrifice.*

***In Witness Whereof**, I have hereunto set my hand and caused the Seal of the Town of Chino Valley to be affixed this 26th of April, 2016.*

Chris Marley, Mayor

ATTEST: Jami C. Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 5. c.**

Meeting Date:	04/26/2016
Contact Person:	Jami Lewis, Town Clerk Phone: 928-636-2646 x-1208
Department:	Town Clerk
Estimated length of Staff Presentation:	5 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

Status report regarding 2016 general election and recruitment for Council-appointed public bodies. (Jami Lewis, Town Clerk)

SITUATION & ANALYSIS:

This report will include a brief update regarding:

- Council candidacy process and number of candidates currently collecting signatures.
- Home Rule presentations for Town organizations and groups and Voter Pamphlet arguments.
- Current recruitment for various public bodies.

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:	04/26/2016
Contact Person:	Jami Lewis, Town Clerk Phone: 928-636-2646 x-1208
Department:	Town Clerk
Item Type:	Consent
Estimated length of staff presentation:	None
Physical location of item:	N/A

AGENDA ITEM TITLE:

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.

RECOMMENDED ACTION:

Adopt Resolution No. 16-1080, approving a Call of Election for Fall 2016.

SITUATION AND ANALYSIS:

The Town's next election is scheduled for Fall 2016, with the Primary Election on August 30, 2016 and the General Election on November 8, 2016. As the election is in conjunction with the federal and state elections, this will *not* be a vote-by-mail ballot election. Pertinent election dates are attached.

Proposed ballot items include the election of a mayor (2-year term), three councilmembers (2-year term), and three councilmembers (4-year term), and a ballot measure to approve an Alternative Expenditure Limitation (Home Rule Option) for the Town.

Candidate packets are available now from Town Clerk's Office. Candidates have from May 2 to June 1, 2016 to file their nomination papers.

Fiscal Impact

Fiscal Impact?:	Yes
If Yes, Budget Code:	01-42-5285
Available:	$32,633
Funding Source:	

Funds to come from Town Clerk budget, election costs expenditure line in the general fund.

Attachments

Resolution 16-1080 Call of Election
Pertinent Election Dates

CALL OF ELECTION

RESOLUTION NO. 16-1080

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, DESIGNATING THE ELECTION DATE AND PURPOSE OF ELECTION; DESIGNATING THE DEADLINE FOR VOTER REGISTRATION; AND DESIGNATING THE PLACE AND THE LAST DATE FOR CANDIDATES TO FILE NOMINATION PAPERS

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, AS FOLLOWS:

Section 1: Designation of Election Date

That August 30, 2016, has been set as the time for holding the Primary Election in the Town of Chino Valley.

Section 2. Purpose of Election

That a Primary Election will be held for the purpose of nominating candidates for Mayor and Councilmember whose names shall appear on the ballot at the General Election to be held November 8, 2016. Any candidates receiving a majority of all the votes cast at the Primary Election will be declared elected without running in the General Election.

Section 3. Propose the Approval of the Home Rule Expenditure Limitation Option

A proposal to adopt a local Alternative Expenditure Limitation (Home Rule Option) will be considered at the Town Primary Election on Tuesday, August 30, 2016.

Section 4. Designating Deadline for Voter Registration

Yavapai County registration and voting lists will be used for the municipal election. In order to be qualified to vote in the Primary Election, one must be registered by August 1, 2016. The last day to register for the General Election will be October 11, 2016.

Section 5. Designating Date and Place to File Candidate Nomination Papers

Candidates seeking municipal office may obtain nomination papers and other materials which must be filed by candidates at the Town Clerk's Office, Town Hall, 202 N. State Route 89, beginning May 2, 2016. Candidates must file nomination papers and other nomination forms by 5:00 p.m. on June 1, 2016 in order for their names to appear on the Primary Election ballot.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 26th day of April, 2016.

_____
Chris Marley, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Phyllis L. N. Smiley, Town Attorney

I hereby certify the above foregoing Resolution No. 16-_____ was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on April 26, 2016, and that quorum was present thereat and that the vote thereon was ____ ayes and ____ nays and ____ abstentions. ____ Council members were absent or excused.

_____
Jami C. Lewis, Town Clerk

CONVOCACIÓN DE UNA ELECCIÓN

RESOLUCIÓN NÚM. 16-1080

UNA RESOLUCIÓN DEL ALCALDE Y DEL CONCEJO COMÚN DEL PUEBLO DE CHINO VALLEY, CONDADO YAVAPAI, ARIZONA, DESIGNANDO LA FECHA DE LA ELECCIÓN Y EL PROPÓSITO DE LA ELECCIÓN; DESIGNA LA ÚLTIMA FECHA PARA REGISTRARSE PARA VOTAR; Y DESIGNANDO EL LUGAR Y LA ÚLTIMA FECHA EN QUE LOS CANDIDATOS PUEDEN PRESENTAR SUS FORMULARIOS DE NOMBRAMIENTO

RESUELVE EL ALCALDE Y EL CONCEJO COMÚN DEL PUEBLO DE CHINO VALLEY, CONDADO DE YAVAPAI, ARIZONA, COMO LO QUE SIGUE:

Sección 1: Designación de la Fecha de la Elección

Se ha fijado el día 30 de agosto de 2016 como la fecha para celebrar la Elección Primaria en el Pueblo de Chino Valley.

Sección 2. Propósito de la Elección

La Elección Primaria se celebrará con el propósito de nombrar a candidatos para el cargo de Alcalde y para Miembros del Concejo cuyos nombres aparecerán en la boleta de la Elección General que se celebrará el 8 de noviembre de 2016. Cualesquier de los candidatos que reciban una mayoría de todos los votos emitidos en la Elección Primaria serán declarados elegidos sin tener que participar en la Elección General.

Sección 3. Propone la Aprobación de la Limitación de Gastos - Opción de Autonomía

Una propuesta para adoptar una limitación de gastos alternativa local - opción de autonomía - que se considerará en la elección Primaria del Pueblo en martes, día 30 de agosto de 2016.

Sección 4 Designación de la Última Fecha para Registrarse para Votar

El registro y las listas de votantes del Condado Yavapai se usarán para la elección municipal. Para estar capacitado para votar en la Elección Primaria, uno tiene que estar registrado para votar para el día 1 de agosto de 2016. La última fecha para registrarse para votar para la Elección General será el 11 de octubre de 2016.

Sección 5. Designa la Fecha y el Lugar en donde Entablar los Formularios de Nombramiento de Candidatura

Los candidatos procurando un cargo municipal pueden obtener los formularios de nombramiento y otros materiales que se tienen que entablar por los candidatos de la Oficina del Secretario del Pueblo de Chino Valley, Ayuntamiento, 202 N. State Route 89, comenzando el día 2 de mayo de 2016. Los candidatos tienen que entablar los formularios de nombramiento y

otros materiales de nombramiento para las 5:00 de la tarde el día 1 de junio de 2016 para que sus nombres aparezcan en la boleta de la Elección Primaria.

PASADA Y ADOPTADA por el Alcalde y el Concejo Común del Pueblo de Chino Valley, Arizona este día 10 de mayo de 2016.

_____
Chris Marley, Alcalde

CERTIFICA:

_____
Jami C. Lewis, Secretario del Pueblo

APROBADA EN FORMA:

_____
Phyllis L. N. Smiley, Abogado del Pueblo

Por la presente certifico que la anterior Resolución No. 16-1078 de arriba fue debidamente aprobada por el Concejo del Pueblo de Chino Valley, Arizona, en una reunión regular que se celebró el 12 de abril de 2016, y que estaba presente un quórum por eso y que el voto por esa fue ____ a favor y _____ en contra y _____ abstenciones. _____ Miembros del concejo estaban presentes o excusados.

_____
Jami C. Lewis, Secretario del Pueblo

PERTINENT ELECTION DATES
FALL 2016

APPLICABLE PARTY	LEGAL DATE	ACTION STEP
Candidates & Political Action Committees	May 2	Earliest date to file nomination papers
	June 1	Deadline to file nomination papers, 5:00 p.m., Town Clerk's Office at Town Hall
	June 30	Deadline to file June 30 Campaign Finance Report
	July 1	Earliest date to post political signs
	July 21	Deadline for write-in candidates to file nomination papers, 5:00 p.m., Town Clerk's Office at Town Hall
	Aug. 26	Deadline to file Pre-Primary Campaign Finance Report
Citizens & Voters	June 1	Deadline to submit arguments for voter pamphlet for ballot measures, 5:00 p.m., Town Clerk's Office at Town Hall
	Aug. 1	Deadline to register to vote in Primary Election
	Aug. 19	Deadline to request early/absentee ballot
	Aug. 26	Deadline to vote an early/absentee ballot in person (Yavapai County Recorder's Office)
	AUG. 30	PRIMARY ELECTION DAY
Current Elected Officials	Sep. 19	Deadline to canvass vote (declare results) of Primary Election
Candidates & Political Action Committees	Sep. 10	Deadline to remove political signs (unless left up for General Election)
	Sep. 29	Deadline to file Post-Primary Campaign Finance Reports (for those who filed a Statement of Organization)
	Sep. 29	Deadline for write-in candidates to file nomination papers, 5:00 p.m., Town Clerk's Office at Town Hall
	Nov. 4	Deadline to file Pre-General Campaign Finance Reports (for those who filed a Statement of Organization)
Citizens & Voters	Oct. 10	Deadline to register to vote in General Election
	Oct. 28	Deadline to request early/absentee ballot
	Nov. 4	Deadline to vote an early/absentee ballot in person (Yavapai County Recorder's Office)

APPLICABLE PARTY	LEGAL DATE	ACTION STEP
	NOV. 8	GENERAL ELECTION DAY
Current Elected Officials	Nov. 28	Deadline to canvass (declare results) vote of General Election
Candidates & Political Action Committees	Nov. 18	Deadline to remove political signs
	Dec. 8	File Post-General Campaign Finance Reports (for those who filed a Statement of Organization)
	Dec. 13	Candidates to assume their new office
	Mar. 8, 2017	Deadline to file candidate committee termination statement (unless committee is still active and filing reports)

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 6. b.**

Meeting Date:	04/26/2016
Contact Person:	Joe Duffy, Finance Director Phone: 928-636-2646 x-1211
Department:	Finance
Item Type:	Consent
Estimated length of staff presentation:	10 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Financial Report for the nine months ending March 31, 2016.

RECOMMENDED ACTION:

Approve Financial Report for the nine months ending March 31, 2016.

SITUATION AND ANALYSIS:

The Finance Department prepares 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?: No
If Yes, Budget Code:
Available:
Funding Source:

Attachments

March 2016 Report

Town of Chino Valley

Arizona

Financial Report

To The Town Council

For the Nine Months Ending March 31, 2016 75% of the Fiscal Year

Town of Chino Valley

Revenue and Expense Summary

For the Nine Months Ending March 31, 2016 75% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16		Actual vs Prior Year Amount	% FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
GENERAL FUND							
General Fund Revenues by Category							
Franchise Taxes	$ 68,752	$ 73,766	*	$ 5,014	7%	$ 134,500	55%
Tax Revenues	$ 2,818,996	$ 2,990,824		$ 171,828	6%	$ 3,904,000	77%
Licenses & Permits	$ 206,195	$ 259,342		$ 53,147	26%	$ 260,000	100%
Intergovernmental	$ 2,235,620	$ 2,273,881		$ 38,261	2%	$ 3,189,500	71%
Charges for Services	$ 34,830	$ 68,538		$ 33,708	97%	$ 108,000	63%
Fines and Forfeitures	$ 81,797	$ 94,585		$ 12,788	16%	$ 140,000	68%
Other Revenues	$ 3,359	$ 3,880		$ 521	16%	$ 1,500	259%
Contributions and Donations	$ 1,561	$ 1,652		$ 91	6%	$ 3,500	47%
Investment Earnings	$ 637	$ 1,126		$ 489	77%	$ 500	225%
Transfers In	$ 75,000	$ 194,994		$ 119,994	160%	$ 310,000	63%
Total Revenues	**$ 5,526,747**	**$ 5,962,588**		**$ 435,841**	**8%**	**$ 8,051,500**	**74%**

*** Estimated final quarter accruals.**

Total Revenues for the General Fund are up $435,841 over the previous fiscal year. Licenses and Permits are up 26% due to an increase in Building Permits and Plan Check Fees this fiscal year. Transfers In were increased in the current years budget over the prior year. The total General Fund Revenues are up 8% compared to the last fiscal year.

Town of Chino Valley

Revenue and Expense Summary

For the Nine Months Ending March 31, 2016 75% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16	Actual vs Prior Year Amount	Actual vs Prior Year % FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
General Fund Expenditures by Department						
Prosecutor	$ 86,897	$ 92,148	$ 5,251	6%	$ 130,600	71%
Town Clerk	$ 146,118	$ 156,125	$ 10,007	7%	$ 197,600	79%
Town Manager	$ 317,245	$ 291,151	$ (26,094)	-8%	$ 392,500	74%
Human Recourses	$ 56,606	$ 144,718	$ 88,112	156%	$ 195,300	74%
Municipal Court	$ 249,178	$ 183,143	$ (66,035)	-27%	$ 261,900	70%
Finance	$ 238,293	$ 255,805	$ 17,512	7%	$ 329,200	78%
Management Information Systen	$ 146,499	$ 162,490	$ 15,991	11%	$ 273,600	59%
Mayor and Council	$ 14,770	$ 20,934	$ 6,164	42%	$ 33,000	63%
Planning	$ 121,636	$ 142,821	$ 21,185	17%	$ 186,300	77%
Building Inspection	$ 196,629	$ 192,320	$ (4,309)	-2%	$ 277,100	69%
Police	$ 1,946,751	$ 1,923,447	$ (23,304)	-1%	$ 2,651,800	73%
Animal Control	$ 89,262	$ 76,390	$ (12,872)	-14%	$ 123,300	62%
Recreation	$ 17,104	$ 47,732	$ 30,628	179%	$ 63,800	75%
Library	$ 218,514	$ 237,044	$ 18,530	8%	$ 309,600	77%
Senior Center	$ 164,490	$ 178,964	$ 14,474	9%	$ 242,400	74%
Parks Maintenance	$ 230,265	$ 276,519	$ 46,254	20%	$ 333,200	83%
Aquatic Center	$ 105,800	$ 116,958	$ 11,158	11%	$ 244,900	48%
Facilities Maintenance	$ 236,571	$ 264,215	$ 27,644	12%	$ 345,900	76%
Fleet Maintenance	$ 213,835	$ 161,073	$ (52,762)	-25%	$ 341,000	47%
Engineering	$ 40,132	$ 102,718	$ 62,586	156%	$ 122,000	84%
Non Departmental	$ 380,216	$ 547,958	$ 167,742	44%	$ 996,500	55%
Total Expenditures	**$ 5,216,811**	**$ 5,574,673**	**$ 357,862**	**7%**	**$ 8,051,500**	**69%**
Total Revenue Over (Under) Total Expenditures	**$ 309,936**	**$ 387,915**	**$ 77,979**		**$ -**	

GENERAL FUND (Continued)

Total General Fund Expenditures are up $357,862 or 7% compared to last fiscal year. Through March each department should be less than 75%. In total the General Fund Departments are at 69%. Human Resources, Recreation and Engineering are up due to personnel adjustments within their department offset by personnel savings in Fleet Maintenance. Parks Maintenance is up due to increased watering cost over the prior fiscal year. All other departments appear to be on track so far this budget year.

Town of Chino Valley

Revenue and Expense Summary

For the Nine Months Ending March 31, 2016 75% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16	Actual vs Prior Year Amount	Actual vs Prior Year % FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
HIGHWAY USER REVENUE FUND						
Total Revenues	$ 607,888	$ 664,508	$ 56,620	**9%**	$ 1,014,000	**66%**
Expenditures						
Road Maintenance	$ 812,687	$ 614,490	$ (198,197)	**-24%**	$ 1,014,000	**61%**
Total Revenue Over (Under) Total Expenditures	**$ (204,799)**	**$ 50,018**	**$ 254,817**		**$ -**	

Total Fund Revenues are up 9% over the prior fiscal year due to the budgeted increase in HURF fund distributions. Expenditures are down 24% primarily due to the Perkinsville Roundabout payment of $150,000 made in FY 2014-15.

WATER ENTERPRISE FUND						
Water Revenues	$ 306,602	$ 386,123	$ 79,521		$ 5,038,000	
Transfers In	$ 210,525	$ 112,500	$ (98,025)		$ 150,000	
Total Revenues	**$ 517,127**	**$ 498,623**	**$ (18,504)**	**-4%**	**$ 5,188,000**	**10%**
Expenditures						
Water Utility Operations	$ 380,384	$ 333,547	$ (46,837)		$ 484,200	
Debt Service/Reserve	$ 12,938	$ 12,356	$ (582)		$ 4,646,000	
Total Expenditures	**$ 393,322**	**$ 345,903**	**$ (47,419)**	**-12%**	**$ 5,130,200**	**7%**
Total Revenue Over (Under) Total Expenditures	**$ 123,805**	**$ 152,720**	**$ 28,915**		**$ 57,800**	

Total Water Enterprise Fund Revenues are down 4% due to reduced budgeted transfers in from the Capital Improvement Fund. Water Service Fees are up 29% primarily due to an increase in active accounts and usage by the Parks Department. Expenditures are down 12% over last fiscal year.

SEWER ENTERPRISE FUND						
Total Revenue	**$ 1,125,987**	**$ 1,158,808**	**$ 32,821**	**3%**	**$ 2,204,200**	**53%**
Expenditures						
Sewer	$ 639,960	$ 665,133	$ 25,173		$ 751,200	
Debt Service/Reserve	$ 384,106	$ 238,300	$ (145,806)		$ 1,453,000	
Total Expenditures	**$ 1,024,066**	**$ 903,433**	**$ (120,633)**	**-12%**	**$ 2,204,200**	**41%**
Total Revenue Over (Under) Total Expenditures	**$ 101,921**	**$ 255,375**	**$ 153,454**		**$ -**	

Total Sewer Enterprise Fund Revenues are up 3% over last fiscal year. Sewer Buy In fees are down but offset by a 7% increases in Sewer Service Fees. Operating expenses are up due to additional personal costs and maintenace and repair expenses bringing the plant up to the Town's standards.

Town of Chino Valley

Revenue and Expense Summary

For the Nine Months Ending March 31, 2016 75% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16	Actual vs Prior Year Amount	Actual vs Prior Year % FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
CAPITAL IMPROVEMENT FUND						
Total Revenues	**$ 939,674**	**$ 996,959**	$ 57,285	**6%**	**$ 4,060,500**	**25%**
Lease Purchase Proceeds	**$ 715,346**	**$ -**	$ (715,346)			
Yavapai Drainage District		$ 628,263	$ 628,263		**$ 529,000**	
Capital Improvements	$ 789,226	$ 810,838	$ 21,612		$ 3,304,000	
Equipment Acquisition	$ 683,881		$ (683,881)			
Transfers	$ 905,099	$ 852,750	$ (52,349)		$ 1,137,000	
Total Expenditures	**$ 2,378,206**	**$ 1,663,588**	**$ (714,618)**	**-30%**	**$ 4,441,000**	**37%**
Total Revenue Over (Under) Total Expenditures	**$ (723,186)**	**$ (38,366)**	**$ 684,820**		**$ 148,500**	

Capital Improvement Fund Tax Revenues are up slightly by 6% over the prior fiscal year primarily due to an increase in Sales Tax activity. Transfers are down due to the decreased amount budgeted this fiscal year. Capital Improvements include the Chino Meadows Unit 5 at Peavine drainage project being constructed this fiscal year.

Town of Chino Valley

Revenue and Expense Summary

For the Nine Months Ending March 31, 2016 75% of the Fiscal Year

	Actual Year to Date FY 2014-15	Actual Year to Date FY 2015-16	Actual vs Prior Year Amount	Actual vs Prior Year % FY 2015-16/ FY 2014-15	Annual Budget FY 2015-16	% of Budget YTD
OTHER MINOR FUNDS						
Other Minor Funds -Revenues						
CDBG Grant			$ -			
Grants Fund	$ 176,540	$ 244,792	$ 68,252		$ 3,385,000	
Special Revenue Fund Court	$ 5,848	$ 8,250	$ 2,402		$ 38,500	
Capital Asset Replacement	$ 24,177	$ 47,462	$ 23,285		$ 10,000	
Police Impact Fee Funds	$ 422	$ 12,408	$ 11,986		$ 63,000	
Library Impact Fee Funds	$ 16,562		$ (16,562)			
Parks/Rec Impact Fee Funds	$ 20	$ 20	$ -		$ 16,000	
Roads Impact Fee Funds	$ 3,052	$ 716	$ (2,336)		$ 529,000	
Special Revenue Fund PD	$ 39,058	$ 45,100	$ 6,042		$ 45,000	
CVSLID Districts	$ 2,360	$ 2,397	$ 37		$ 4,000	
Total Revenues	**$ 268,039**	**$ 361,145**	**$ 93,106**	**35%**	**$ 4,090,500**	**9%**
CDBG Grant			$ -			
Grants Funds	$ 128,325	$ 220,867	$ 92,542		$ 3,385,000	
Special Revenue Fund - Court	$ 8,420	$ 21,891	$ 13,471		$ 38,500	
Capital Replacement Fund	$ 3,614	$ 15,211	$ 11,597		$ 10,000	
Police Impact Fee Funds	$ 35,651	$ 19,478	$ (16,173)		$ 63,000	
Library Impact Fee Funds	$ 16,562		$ (16,562)			
Parks/Rec Impact Fee Funds	$ 22,348		$ (22,348)		$ 16,000	
Roads Impact Fee Funds			$ -		$ 529,000	
Special Revenue Fund PD	$ 21,173	$ 29,238	$ 8,065		$ 40,000	
CVSLID Districts	$ 2,915	$ 2,888	$ (27)		$ 4,000	
Total Expenditures	**$ 239,008**	**$ 309,573**	**$ 70,565**	**30%**	**$ 4,085,500**	**8%**
Total Revenue Over (Under) Total Expenditures	**$ 29,031**	**$ 51,572**	**$ 22,541**		**$ 5,000**	
TOTAL ALL FUNDS						
Total Revenue All Funds	$ 8,985,462	$ 9,642,631	$ 657,169	**7%**	$ 24,608,700	**39%**
Total Expenditures All Funds	$ 10,064,100	$ 9,411,660	$ (652,440)	**-6%**	$ 24,926,400	**38%**
Total Revenue Over (Under) Total Expenditures All Funds	**$ (1,078,638)**	**$ 230,971**	**$ 1,309,609**		**$ (317,700)**	

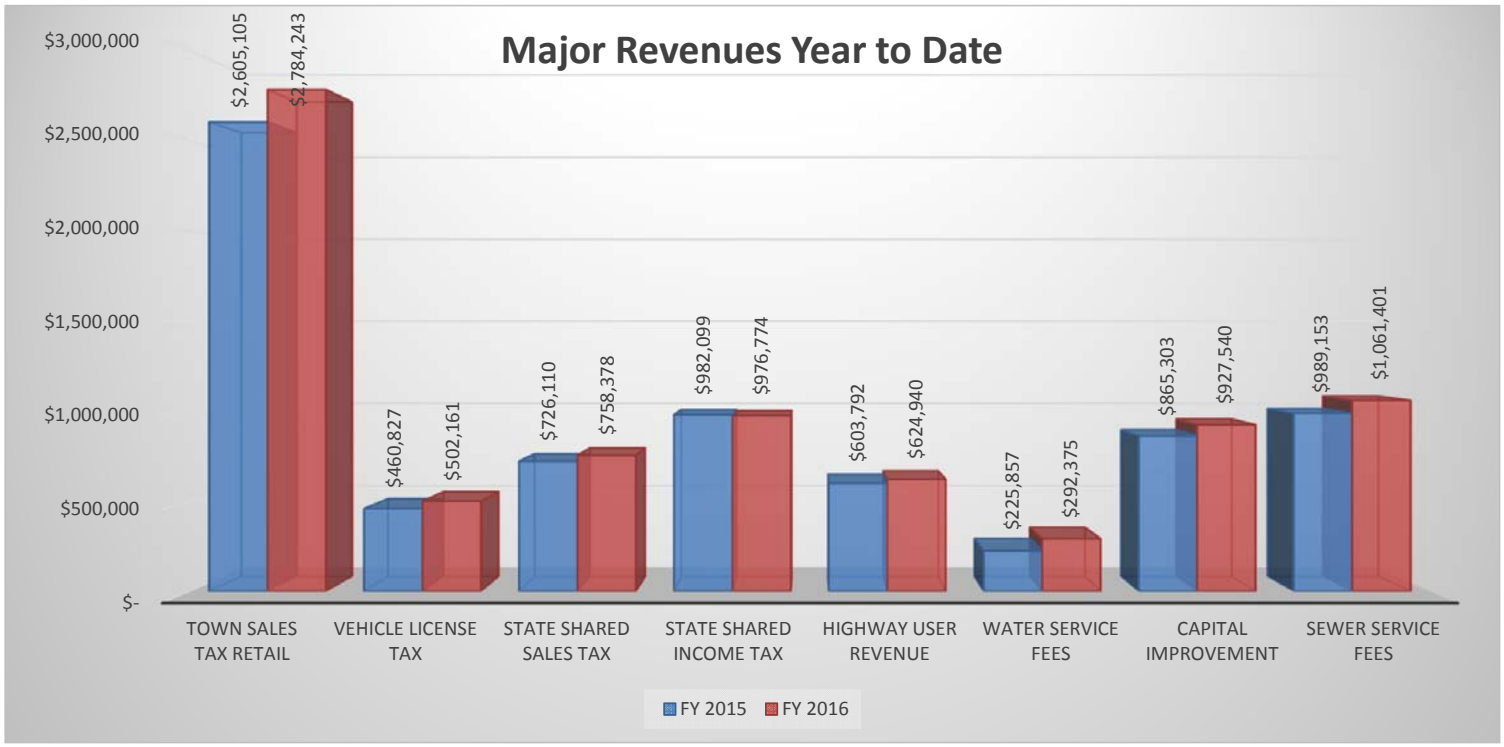
(1) Budget does not include Carryover Amounts from Prior Fiscal Years

(2) Year to date amounts include actual expenditures paid to date.

Town of Chino Valley
Major Revenue Summary
For the Nine Months Ending March 31, 2016 75% of the Fiscal Year

	Actual Year to Date FY 2014-15	Annual Budget FY 2015-16	Actual Year to Date FY 2015-16	% of Budget YTD	Actual vs Prior Year Amount	Actual vs Prior Year %
Town Sales Tax Retail	$ 2,605,105	$ 3,550,000	$ 2,784,243	78%	$ 179,138	7%
Vehicle License Tax	$ 460,827	$ 641,000	$ 502,161	78%	$ 41,334	9%
State Shared Sales Tax	$ 726,110	$ 1,033,000	$ 758,378	73%	$ 32,268	4%
State Shared Income Tax	$ 982,099	$ 1,302,000	$ 976,774	75%	$ (5,325)	-1%
Highway User Revenue	$ 603,792	$ 843,000	$ 624,940	74%	$ 21,148	4%
Water Service Fees	$ 225,857	$ 365,000	$ 292,375	80%	$ 66,518	29%
Capital Improvement	$ 865,303	$ 1,304,000	$ 927,540	71%	$ 62,237	7%
Sewer Service Fees	$ 989,153	$ 1,450,000	$ 1,061,401	73%	$ 72,248	7%
Major Revenues Y.T.D.	**$ 7,458,246**	**$ 10,488,000**	**$ 7,927,812**	**76%**	**$ 469,566**	**6%**
Total Revenue All Funds	**$ 8,985,462**	**$ 24,608,700**	**$ 9,642,631**	**39%**	**$ 657,169**	**7%**
	83%	**43%**	**82%**			

The Major Revenues are up $469,566 or 6% over the prior fiscal year in line with the budget projections. Town Sales Tax Retail is up 7% so far this fiscal year. Water Service Fees are up 29% primarily due to an increase in active accounts and the Parks Department water usage. Total combined revenue for all funds is up 7%.



Impact Fee Fund Recaps

For the Nine Months Ending March 31, 2016 75% of the Fiscal Year

	Police Impact Fees	Library Impact Fees	Parks/Rec Impact Fees	Roads Impact Fees
Beginning Fund Balance @ 6/30/15	$ 13,254	$ -	$ 18,281	$ 575,032
Impact Fees Revenue to Date	$ 12,408	$ -	$ 20	$ 716
Impact Fees Expenditures to Date	$ 19,478	$ -	$ -	$ -
Ending Fund Balance to Date	**$ 6,184**	**$ -**	**$ 18,301**	**$ 575,748**
Budgeted Expenditures FY 15/16	$ 63,000	$ -	$ 16,000	$ 529,000

Contingency Funds Budget

For the Nine Months Ending March 31, 2016 75% of the Fiscal Year

	Actual Year to Date FY 2015-16	Annual Budget FY 2015-16
General Fund Budget		**$ 380,000**
General Fund Balance		**$ 380,000**
HURF Fund Budget		**$ 42,000**
Water Fund Budget		**$ 31,000**
Sewer Fund Budget		**$ 49,000**
Balance of Contingency Budget	**$ -**	**$ 502,000**

Annual Debt Service Summary By Fund

Fiscal Year Ended June 30, 2016

Debt Issue	Date Issued	Original Amount	Outstanding Amount as of June 30, 2015	FY 2016 Principal	FY 2016 Interest
General Government					
GADA Loan 2007A	7/1/2011	$ 3,825,000	$ 3,385,000	$ 240,000	$ 162,806
US Bank Series 2010	12/15/2010	$ 7,280,000	$ 7,280,000		$ 331,638
		$ 11,105,000	$ 10,665,000	$ 240,000	$ 494,444
Water Enterprise Fund					
US Bank Series 2010	12/15/2010	$ 745,000	$ 565,000	$ 45,000	$ 24,712
Sewer Enterprise Fund					
WIFA	1/10/2007	$ 1,580,000	$ 1,012,403	$ 80,034	$ 27,922
WIFA	1/11/2008	$ 4,853,000	$ 3,496,027	$ 248,952	$ 98,378
WIFA	1/1/2015	$ 2,963,671	$ 2,841,817	$ 124,303	$ 57,121
USDA	2/16/2007	$ 1,595,000	$ 1,374,323	$ 40,329	$ 55,947
USDA	4/10/2008	$ 1,505,000	$ 1,337,955	$ 36,343	$ 54,509
USDA	4/16/2008	$ 1,332,000	$ 1,185,137	$ 32,116	$ 48,284
		$ 13,828,671	$ 11,247,662	$ 562,077	$ 342,161
Total Town of Chino Valley Debt		**$ 25,678,671**	**$ 22,477,662**	**$ 847,077**	**$ 861,317**

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 6. c.**

Meeting Date: 04/26/2016

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 November 18, 2015 study session/retreat minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the November 18, 2015 study session/retreat minutes.

Attachments

November 18, 2015 minutes

D R A F T

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

WEDNESDAY, NOVEMBER 18, 2015
8:00 A.M.

The Town Council of the Town of Chino Valley, Arizona, met for a Study Session/Retreat in the Pro Force Tactical Law Enforcement Range Classroom, located at 2178 Sgt. Dee Barnes Way, Chino Valley, Arizona, on Wednesday, November 18, 2015.

Present:	Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Susie Cuka; Councilmember Jack Miller; Councilmember Corey Mendoza; Councilmember Lon Turner
Staff Present:	Town Manager Robert Smith; Assistant Town Manager Cecilia Grittman

1) CALL TO ORDER; ROLL CALL

Mayor Marley called the meeting to order at 8:07 a.m.

2) Welcome and opening comments, and review of retreat agenda, session objectives and introductions.

Mr. Smith reviewed the process for developing a report from this meeting and introduced facilitator Lance Decker with LL Decker & Associates.

Mr. Decker reviewed the retreat objectives:

- Review and update the Town's current strategic plan;
- Discuss pressing issues facing the Town of Chino Valley; and
- Develop strong lines of communication within the Council, and between the Town and the community.

The group discussed the purposes for the joint meeting with the Chamber of Commerce Board, the roles of other entities in the Town, and other partnerships that could be formed for the community's benefit.

Participants were then asked to state their name and occupation, and reveal some unknown fact about themselves that might give the others some insight into their communication style.

Mr. Decker reviewed how the meeting would be managed and what participants could expect during the day, after which he introduced the group to storyboarding, the five-step issue discussion model, and four possible alternatives for decision--making.

3) Discussion regarding pre-retreat interviews.

Prior to this workshop, Councilmembers were interviewed to help determine the topics and issues on which to focus. The summary of these interviews was used as a starting point for further discussions. Six themes became clear during the telephone interviews:

- Planning for the long-term future
- Economic development / infrastructure challenges
- Dealing with past challenges
- Leadership opportunities and challenges
- Management and staff issues
- Fiscal issues

4) Review and discussion regarding the current Strategic Plan.

Mr. Smith reviewed the current Strategic Plan's key result areas, indicating those that had been accomplished and those still outstanding. He reviewed some items in more detail for the new councilmembers. He also reviewed the differences between the General Plan and Strategic Plan.

The meeting recessed at 9:58 a.m. and reconvened at 10:13 a.m.

5) Discussion regarding pressing issues facing the Town and updates to the Strategic Plan.

Mr. Decker asked the group to identify what was changing in the Town that needed the Town government's attention:

- Lack of unity; losing a sense of identity
- Agriculture
- Rezoning
- Council focus and function; dynamics
- Expectations of community and what the Town should provide
- Exporting high school grads, the Town's future
- Home businesses from store front
- In migration; traffic is up, but backups are decreasing
- Increasing need for communications; factual communications

The group discussed the following topics in more detail using the five-step discussion model:

- Commercial Corridor 89; poor economy had stagnated positive changes and growth
- Medical marijuana
- Rezoning matters as they related to the General Plan and possible Prop 207 claims.

The meeting recessed at 12:05 p.m. and reconvened at 12:16 p.m.

Mr. Smith reviewed:

- Staff and Council accomplishments since 2012 and the financial impacts of those milestones.
- The Town's condition four years ago and the steps taken to create stability.
- Transitions with personnel, administration, and Council, and the relationships between the three.
- Developing high-performance teams in administration and Council.
- New goals for the Strategic Plan and the next year.
- Capital reserves and capital improvements program.

A general discussion of all identified items helped the group prioritize their issues with the

following items becoming those for detailed discussion during the balance of the retreat:

Supporting a healthy local economy

- A strong economy will generate revenue needed for coming changes.
- Development of the Route 89 commercial corridor will contribute.
- Poor economy will stagnate positive changes.
- A healthy economy supported a variety of public programs and acted as a spring-board for prosperity.
- Water, wastewater, and connecting streets and roads will contribute to economic support.

Medical marijuana

- The Town had little control over the growers and producers.
- There was no current direct tax benefit from having medical marijuana grown in Town.
- The few jobs created may not warrant the additional public safety and public services needed.
- Discuss actions the Town could take to manage the impact of medical marijuana.

Reserve policy

- Currently, this was limited to a small rainy-day fund.
- They needed to establish for the replacement of capital assets that depreciate.
- Infrastructure, such as water and sewer lines will need to be replaced, and roads wear out and need resurfacing and constant maintenance.
- A reserve policy could create a program to replace capital assets before calamity.

Mr. Decker then led a discussion on building a sustainable infrastructure, including water, sewer, roads, storm drainage, roundabouts, and trash trucks.

The group then reviewed the Strategic Plan in more detail and discussed possible amendments to the goals and key result areas.

6) Discussion with Chamber of Commerce officials regarding common interests and actions.

Before the Chamber participants arrived, the group discussed the issues that they desired to review with the Chamber:

- How the Chamber measured or determined success.
- Metrics the Chamber used.
- Other things/services the Chamber could provide.
- Support the Town should supply to the Chamber.
- Feedback that came back to the Town.
- The Chamber's role in information and referral.
- Ways the Town and Chamber could have a better partnership.
- The Chamber taking over the small business development program.
- The Chamber's role in economic development.

The meeting recessed at 3:15 p.m. and reconvened at 3:30 p.m.

Mr. Smith introduced Mr. Decker to the Chamber participants: Chairman Gary Warren; Wendy McGonigle with Tom's Print and Sign; Nancy Best; School Representative John Scholl; and Executive Director Arlene Alen.

Mr. Decker spoke about the partnership between the Town and Chamber and led a discussion on

the issues listed above.

Chamber participants spoke about issues of concern with which the Town might be able to help:

- Events
- Volunteers
- Housing

The participants agreed that their futures were linked and that the partnership between the two groups was important enough to schedule future joint coordinating meetings.

7) Closing remarks and meeting evaluation.

Mr. Decker and participants evaluated the session, discussing what worked well and what did not.

Mr. Smith asked councilmembers to submit their comments to him by next Wednesday so he could compile them and send them back out.

Mayor Marley read a list of possible action items pertaining to:

- Communications with community leaders.
- Medical marijuana tax--League resolution.
- Land use plan for Old Home Manor (OHM) Industrial Park.
- Mayor's report on sales and property taxes.
- Means for the Town to become more business friendly.
- Signage for commercial construction projects.
- Study session on selling versus leasing property at OHM.
- Intergovernmental collector agreements with ADOT.
- Anchor facility at OHM.
- Councilmembers visiting with business owners.
- Including Chamber's input on signage and agricultural overlay draft regulations.

Mayor Marley read a list of challenges to staff regarding:

- medical marijuana;
- water system stability;
- lower sewer bills; and
- funding the capital improvement program.

Mr. Smith encouraged councilmembers to suggest names of business people in Town to whom he should reach out.

8) ADJOURNMENT

The meeting adjourned at 4:47 p.m.

_____
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 18th day of November, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of April, 2016.

_____
Jami C. Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 6. d.**

Meeting Date: 04/26/2016

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 November 19, 2015 study session/retreat minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the November 19, 2015 study session/retreat minutes.

Attachments

November 19, 2015 minutes

D R A F T

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

THURSDAY, NOVEMBER 19, 2015
8:00 A.M.

The Town Council of the Town of Chino Valley, Arizona, met for a Study Session/Retreat in the Pro Force Tactical Law Enforcement Range Classroom, located at 2178 Sgt. Dee Barnes Way, Chino Valley, Arizona, on Thursday, November 19, 2015.

Present:	Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Susie Cuka; Councilmember Jack Miller; Councilmember Corey Mendoza; Councilmember Lon Turner
Absent:	Mayor Chris Marley
Staff Present:	Town Manager Robert Smith; Assistant Town Manager Cecilia Grittman

1) CALL TO ORDER; ROLL CALL

The meeting was called to order at 8:30 a.m.

2) Review of November 18, 2015 session.

The group debriefed yesterday's session with the Chamber: They desired to provide the Chamber with the requested metrics and hold another meeting with the Chamber to learn more about what the Chamber did.

The group discussed communication issues:

- Strategies to get information to citizens.
- Communicating with "critical players" in the Town, such as leaders of youth organizations, sports teams, civic organizations, churches, and schools.
- Meeting folks one on one.

The group reflected on yesterday's Strategic Plan discussion:

- Focus more on bricks and mortar issues.
- Remove what the Town had accomplished.
- Include a higher level of detail in this iteration.
- Consider staffing and what they could do efficiently.
- Send comments to Robert by next Wednesday.

3) Discussion regarding updates to Strategic Plan, direction to staff, and action steps.

The group discussed priorities for which to give staff direction, then separated all action items into annual activities, items needing further discussion, and priority items.

Annual activity

- Trash services and pick up
- Sales tax analysis (reduction)
- Sales tax versus property tax
- Finding grants
- Chamber of Commerce meeting to discuss cooperation and collaboration

Issues needing further discussion after retreat

- Community pool
- Possible bond
- Marijuana growers
- Town's involvement in economic development
- Build recreational opportunities

Three critical topics

- Fiscal sustainability, including: asset inventory; revenue producing system and assets; economic analysis of water and sewer impacts; assets listing.
- Capital improvements, including: capital reserve program and plan; capital improvement programming; Prescott water pipes; Center Street sewer; other water companies; S. Road 1 East extension; roads maintenance plan.
- Communications plan and policy, including: two-way communication with feedback; newspaper coverage; list of key leaders with regard to civic engagement; social media.

Councilmember Miller left the meeting at 10:07 a.m.

Participants discussed communication issues in more detail.

Councilmember Turner left the meeting at 10:35 a.m.

Mr. Smith reviewed immediate action items relating to:

- Comments on the strategic plan, CIP, and milestones
- Dirt roads standards
- Goals for fiscal reserves, including road maintenance
- Old Home Manor Industrial Park study session
- Prescott water project executive session
- Staff review of strategic plan
- Mayor's Report on sales and property taxes
- Economic development research
- Unified Development Ordinance review related to commercial/industrial uses
- Signage for commercial projects
- Old Home Manor Industrial Park anchor
- Medical marijuana study session
- Expansion of recreation support
- Further meeting and service agreement with chamber
- Town communication/outreach plan
- Appraisal of Town's assets

4) Closing remarks and meeting evaluation.

Participants discussed actions that made the meeting a success:

- Productivity
- Pre-retreat interviews and opening exercise
- Level of informational territory

Participants would change:

- Breakfast
- Time it took to get to the "meat"
- More detailed schedule prior to meeting

5) ADJOURNMENT

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Corey Mendoza to adjourn the meeting at 11:04 p.m.

Vote: 4 - 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 Study Session/Retreat of the Town Council of the Town of Chino Valley, Arizona held on the 19th day of November, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of April, 2016.

_____
Jami C. Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 6. e.**

Meeting Date: 04/26/2016

Contact Person: Jami Lewis, Town Clerk
Phone: 928-636-2646 x-1208

Department: Town Clerk

Item Type: Consent

AGENDA ITEM TITLE:

Consideration and possible action to accept the March 22, 2016 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the March 22, 2016 regular meeting minutes.

Attachments

March 22, 2016 minutes

D R A F T

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

TUESDAY, MARCH 22, 2016
6:00 P.M.

The Town Council of the Town of Chino Valley, Arizona, met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, March 22, 2016.

Present: Mayor Chris Marley; Vice-Mayor Darryl Croft; Councilmember Mike Best; Councilmember Susie Cuka; Councilmember Jack Miller; Councilmember Corey Mendoza; Councilmember Lon Turner

Staff Present: Town Manager Robert Smith; Assistant Town Manager Cecilia Grittman; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Police Chief Chuck Wynn; Police Lieutenant Vince Schaan; Police Sergeant Randy Chapman; Acting Public Works Director/Town Engineer Michael Lopez; Associate Planner James Gardner; Town Clerk Assistant Amy Pyeatt-Lansa; Town Clerk Jami Lewis (recorder)

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

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

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

Mayor Marley designated Councilmember Miller as Presiding Chair.

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 criticism.

Craig Brown, Yavapai County District 4 Supervisor, spoke about a recent Central Yavapai Metropolitan Planning Organization meeting and Yavapai County clean up in May.

Ron Maines, resident, spoke about a lack of response regarding a records request he had submitted. Councilmember Miller asked Mr. Maines to provide his contact information to Town Manager Smith.

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) Comment regarding offsite business signs on highway.

Mayor Marley reported on the Development Services Department initiating an extensive outreach in January regarding updates to the sign code.

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.

Vice-Mayor Croft spoke about the current Citizen's Academy.

Councilmember Miller reported on a recent CYMPO meeting and the status of the Road 1 North signal project.

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

Mr. Smith had nothing to report.

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 6a and b.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve consent agenda items 6c, d and e.

Vote: 7 - 0 PASSED - Unanimously

a) Consideration and possible action to approve Intergovernmental Agreement ("IGA") between Yavapai County and Town of Chino Valley to provide electronic law enforcement records management and maintenance services. Funds to come from Professional Services line in the FY 2016-2017 Police Department budget. (Chuck Wynn, Police Chief)

Council asked about the IGA's $5,000 increase in cost.

Chief Wynn explained that:

- The county had had been absorbing a 3% increase for each of the seven years the IGA had been in effect.
- This increase will more accurately reflect the actual costs.
- To purchase this service on its own would cost the Town $100,000 and $15,000 in maintenance.

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

Vote: 7 - 0 PASSED - Unanimously

b) Consideration and possible action to approve the Agreement for Professional Consulting Services with CivilTec Engineering, Inc., for the preparation of engineering construction plans for the Old Home Manor Industrial Park project in an amount not to exceed $196,105.00. Funds to come from EDA grant and accounted for in the Grants Fund. (Michael Lopez, Acting Public Works Director/Town Engineer)

Mr. Lopez reported that at the EDA's request for amendments to the scope of work, the original price for this agreement jumped from $198,000 to $220,000. The EDA did not accept the new amount as it was outside of the 10% range. Staff went back to the professional, who reworked their proposal down to $196,000.

Council asked about a time constraint with WIFA loan. Mr. Lopez stated that this item was not associated with the WIFA loan and had a five-year timeframe.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Corey Mendoza to approve consent agenda item b.

Vote: 7 - 0 PASSED - Unanimously

c) Consideration and possible action to amend the Planning and Zoning Commissioner Position Description & Selection Process. (Jami Lewis, Town Clerk)

d) Consideration and possible action to accept the February 17, 2016 study session meeting minutes. (Jami Lewis, Town Clerk)

e) Consideration and possible action to accept the February 23, 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 adopt Resolution No. 16-1079, authorizing the refinancing of the May 1, 2007 Greater Arizona Development Authority (GADA) loan and the 2010 US Bank Series Pledged Excise Tax Revenue Obligations. (Joe Duffy, Finance Director)

Recommended Action: Adopt Resolution No. 16-1079, authorizing the refinancing of the May 1, 2007 GADA loan and the 2010 US Bank Series Pledged Excise Tax Revenue Obligations.

Mr. Duffy reported that since the study session on this item, staff was now recommending to not to include the 2007 GADA loan due to tax consequences from the property purchase associated with the loan. Refinancing the remaining 2010 bonds still made good economic sense due to a savings of $250,000 net present value.

Mark Reader, Managing Director with Stifel Nicolaus, reported that:

- There was $3 million left on this loan at 4.90% interest.
- They had submitted bids for this loan and were hoping for an interest rate of 2.25% to 2.50%.
- A successful loan will put $28,000 net back into the Town's general fund per year.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to adopt Resolution No. 16-1079, authorizing the refinancing of the May 1, 2007 GADA loan.

Vote: 7 - 0 PASSED - Unanimously

b) (i) Public Hearing regarding application from Tony Cordovana for a new Series 12 (Restaurant) Liquor License for Windmill House, located at 1460 W. Road 4 North, Chino Valley.
(ii) Consideration and possible action to recommend approval for a new Series 12 Liquor License for Windmill House. (Jami Lewis, Town Clerk)

Recommended Action:
(i) Hold Public Hearing.
(ii) Recommend approval for a new Series 12 Liquor License for Windmill House.

Staff report summary: The Police and Planning Departments reviewed the application and recommended approval with no comments. Staff posted the necessary notices to meet the required 20-day period and received no communications in favor of or in opposition to the application.

MOVED by Vice-Mayor Croft, seconded by Councilmember Mendoza to hold the public hearing.
Vote: 7 - 0 PASSED - unanimously

No one from the public spoke.

MOVED by Vice-Mayor Croft, seconded by Mayor Marley to close the public hearing.
Vote: 7 - 0 PASSED - unanimously

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to recommend approval for a new Series 12 Liquor License for Windmill House.

Vote: 7 - 0 PASSED - Unanimously

c) PUBLIC HEARING regarding Resolution No.16-1078, proposing an extension of the alternative expenditure limitation—home rule option. (Joe Duffy, Finance Director)

Recommended Action: Hold public hearing.

Mr. Duffy reviewed the ballot measure, including:

- History and purpose of the 1980 expenditure limitation initiative.
- Expenditure Limitation options and those used by other Arizona municipalities.
- State-imposed limit versus Home Rule.

Key points were:

- Chino Valley citizens had approved the Alternative Expenditure Limitation—Home Rule Option every four years from 1985 through the present.
- For the next four fiscal years, under the state limit, the Town could spend only approximately $9 million to provide services to the community, while under Home Rule, the Town could spend approximately $20 million.
- A "yes" vote will continue the Home Rule option for the next four years; a "no" vote will place the Town under the state-imposed limit for the next two years.

MOVED by Vice-Mayor Croft, seconded by Mayor Marley to open the public hearing.
Vote: 7 - 0 PASSED - unanimously

No one from the public spoke.

MOVED by Vice-Mayor Croft, seconded by Mayor Marley to close the public hearing.
Vote: 7 - 0 PASSED - unanimously

d) Consideration and possible action to adopt Resolution No. 16-1077, amending the Town's Consolidated Fee Schedule related to public records, business licenses, and liquor licenses. (Jami Lewis, Town Clerk)

Recommended Action: Adopt Resolution No. 16-1077, amending the Town's Consolidated Fee Schedule related to public records, business licenses, and liquor licenses.

Ms. Lewis reported that the proposed fees would:

- Eliminate the meeting transcription fee, as it was obsolete.
- Reinstate the Peddlers and Solicitors refundable deposit fee that had been inadvertently omitted from the consolidated fee schedule.
- Reduce and equalize all liquor business license fees to simplify the fee schedule.
- Establish a new liquor license application processing fee for cost recovery purposes.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Corey Mendoza to adopt Resolution No. 16-1077, amending the Town's Consolidated Fee Schedule related to public records, business licenses, and liquor licenses.

Vote: 7 - 0 PASSED - Unanimously

e) Consideration and possible action to adopt Ordinance No. 16-812 amending the Unified Development Ordinance ("UDO") Chapter 1 Administration and Procedures, Section 1.9 Review and Approval Processes, Subsection 1.9.5 Citizen Review Process, changing requirements for Neighborhood Meetings for Conditional Use Permits, Zone Changes, and Planned Area Developments. (James Gardner, Associate Planner)

Recommended Action: Approve Unified Development Ordinance Section 1.9 Review and Approval Processes by adopting Ordinance No. 16-812.

Mr. Gardner reported that the proposed amendment would change requirements for neighborhood meetings by allowing staff the discretion as to whether or not to attend and requiring applicants to submit a written report of the meeting outcomes. This would bring a level of flexibility and discretion to the process, and continue to provide the same level of transparency and public participation.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to approve Unified Development Ordinance Section 1.9 Review and Approval Processes by adopting Ordinance No. 16-812.

Vote: 7 - 0 PASSED - Unanimously

f) Consideration and possible action to adopt Ordinance No. 16-813 amending Unified Development Ordinance ("UDO") Chapter 4 General Regulations, Section 4.22 Off-Street Parking and Loading, Subsection 4.22.5 Parking Standards for Non-Residential and Mixed Uses, Sub-subsection 4.22.5(E) Joint Use Parking for PAD, and Subsection 4.22.8 Determination of Required Parking, by deleting Sub-subsections (B) and (H) and renumbering the remaining subsections to conform, and amending the Table. (James Gardner, Associate Planner)

Recommended Action: Approve text amendments to Section 4.22 Off-Street Parking and Loading of the Unified Development Ordinance by adopting Ordinance No. 16-813.

Mr. Gardner reported that the proposed amendments would:

- *Sec. 4.22.5(E):* Strike the joint use parking option for PADs only in order to allow for joint use parking agreements and extend the rights granted to PADs to the entire Town.
- *Sec. 4.22.8(B&H):* Strike these contradictory subsections and eliminate a maximum cap for parking spaces, in order to provide clarity in the UDO; allow the market to dictate the amount of parking business owners provide; retain minimum requirements; and allow staff to control excesses through the technical review process.
- *Sec. 4.22.8 Table:* Strike RV parking requirements from apartment and condominium complexes in order to remove a burden on property managers for enforcement, monitoring, and expense of pavement to accommodate RVs.

In response to Council inquiry, Mr. Gardner added that grading permits were required for parking areas.

MOVED by Vice-Mayor Darryl Croft, seconded by Mayor Chris Marley to approve text amendments to Section 4.22 Off-Street Parking and Loading of the Unified Development Ordinance by adopting Ordinance No. 16-813.

Vote: 7 - 0 PASSED - Unanimously

g) Consideration and possible action to to amend Title V: Public Works, Chapter 50: General Provisions and Chapter 51 Water and Sewers, modifying mandatory connection fees, among other things. (Ruth Mayday, Development Services Director)

Recommended Action: Approve Ordinance 16-815 amending Title V (5) Public Works, Chapters 50 General Provisions, and Chapter 51 Water and Sewer systems, and deleting 50.56 Effluent Collection, Treatment, and Recharge Policy.

Ms. Mayday reported that the proposed amendments would:

- *Sec. 50.56 Effluent Collection, Treatment and Recharge Policy:* Delete in its entirety.
- *Sec. 51.001 Definitions:* Add a definition for package wastewater treatment plant.
- *Sec. 51.002 Private Sewer Systems; Approval Required; Violation; Enforcement:* Amend to expand regulations for private sewer systems.
- *Sec. 51.135 Wastewater Collection Required; Generally:* Amend to divide regulations into new and existing development and make various modifications that Council discussed during previous meetings.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Lon Turner to approve Ordinance 16-815 amending Title V Public Works, Chapters 50 General Provisions, and Chapter 51 Water and Sewer systems, and deleting 50.56 Effluent Collection, Treatment, and Recharge Policy.

Vote: 7 - 0 PASSED - Unanimously

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 Mike Best to take a five minute break and then recess into executive session at 7:00 p.m.

Vote: 7 - 0 PASSED - Unanimously

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 contract with the City of Prescott related to acquisition of Prescott Water facilities located within Chino Valley that is the subject of negotiations. (Robert Smith, Town Manager)

b) 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 in order to consider its position and instruct the Town Attorney regarding the Town's position regarding pending litigation and settlement discussions conducted in order to resolve litigation in the matter of Cortez v. Town of Chino Valley. (Robert Smith, Town Manager)

9) ACTION ITEMS RESUMED

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

Councilmember Miller reconvened the regular meeting at 8:29 p.m.

10) ADJOURNMENT

MOVED by Mayor Chris Marley, seconded by Councilmember Mike Best to adjourn the meeting at 8:30 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 22nd day of March, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of April, 2016.

_____
Jami C. Lewis, Town Clerk

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TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 7. a.**

Meeting Date:	04/26/2016
Contact Person:	Cecilia Grittman, Assistant Town Manager Phone: 928-636-2646 x-1202
Department:	General Services
Item Type:	Action Item
Estimated length of staff presentation:	5 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Amendment #4 to Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association, effective July 1, 2016.

RECOMMENDED ACTION:

Move to approve Amendment #4 to Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association, effective July 1, 2016.

SITUATION AND ANALYSIS:

Issue Statement

The Chino Valley's Police Officers Association (CVPOA) per Town Code, has the right to meet and confer with Town Management, and submit a proposal to same relating to wages, benefits, safety regulations, and other working conditions by January 15th of each year. The proposal has been received and the meet and confer process has occurred. Chino Valley Town Code, Chapter 33, § 33.07(C)(5) states that on or before May 1 of each year, all areas of agreement, as well as those areas in dispute, shall be submitted by the Town Manager to the Mayor and Council for consideration. The Mayor and Council may accept, reject, or modify the areas in the agreement. The Mayor and Council may also take whatever actions they feel appropriate with regard to those areas in dispute. Final action by the Mayor and Council shall constitute the memorandum of understanding for the following fiscal year.

The proposal submitted for this year had 7 areas for consideration. Town Management feels it can honor 4 of 7 areas requested, in fiscal year 16-17. Some of the areas are administrative changes only, having no financial impact, and are easily changed and administered. Attachment 1 to this Agenda Item is an analysis showing the CVPOA requests, Management's responses, agreed outcome and resulting action.

The areas that Town Management feels it cannot honor in fiscal year 16-17 are:

- Item (2)Any increase in costs for insurance to be absorbed by the Town.Partially covered, see attachment
- Item (3)Shift Differential Pay, small subset of employees only benefit, see attachment 1
- Item (5)Specialty Pay, no compelling argument made, see attachment 1
  Attachment 2, for Council's consideration and approval, is the Amendment to the MOU that embodies the Town Manager's recommendations for amending the MOU.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code:

Available:

Funding Source:

The approved adjustments will be included in next fiscal years budget.

Attachments

Proposed Outcomes

MOU Amendment 4

MOU through 3rd Amendment

CVPOA Memorandum of Understanding

2016 / 17 POINTS AND AGREED OUTCOMES OF THE

MEET AND CONFER PROCESS

Per letter dated January 5, 2016 from the Chino Valley Police Officers Association ("CVPOA"), the CVPOA submitted seven items for consideration for fiscal year 2016/17, to be considered by the Mayor and Common Council of the Town of Chino Valley ("Town"). These seven items are below:

A) A 2.5%, or one "step" increase for all employees:

Over the past several years employees have not received their standard step increases, due to the slow recovery of the economy. The CVPOA has watched as the leaders of the Town government have fought to bring the Town budget back into the black. The employees have stood by in difficult times and have shown their loyalty to the Town. Prescott Valley has been heavily recruiting law enforcement personnel, and our officers have shown their dedication to the citizens and their community. The CVPOA requests the Town to give back to these employees and recognize their dedication.

Agreed Outcome:

The Assistant Town Manager, Finance Director and Human Resources Director are currently working on performance management scenarios for FY 16/17. Although the budget has not been finalized by Council, we are looking at a combination of Cost of Living Adjustment (COLA) and Merit increases between 2 – 3.5%, with COLA at 2% and the merit program at .5 -1.5% increases.

B) Insurance Costs:

We propose any raise in insurance cost will be absorbed by the Town so we may maintain status quo on take-home pay.

Agreed Outcome:

Yavapai Combined Trust set their new rates for Health Insurance premiums at their March 2016 meeting. Although health insurance premiums rose by an average of 9%, the Trust agreed to fund part of the increase from their healthy reserves, and agreed on a 2% increase to health insurance premiums only. Medical, Dental, Vision and Life insurance will have no increases.

The Town will continue to pay 100% of the employee health, dental, vision, and life premium, and in fiscal year 2016/17 will reintroduce Short Term Disability (STD), that is 100% employer paid. For dependent coverage, the Town will continue to fund 30% of the premium. For employees carrying family coverage, the largest monthly increase will be $11.00, with most

family coverage being in our basic coverage, which will only experience a $1.00/month increase for dependent coverage. With the addition of an employer-paid short-term disability benefit, the Town feels it offers a fairly rich and competitive benefit package.

C) Shift Differential Pay:

We are requesting a $1.00/hour shift differential to pay to sworn employees assigned to graveyard shift. This will be an incentive for employees to work this shift, as a recent internal study of all sworn employees showed that only two employees desired to work this shift. It will also set an expectation of the employee to continue to perform at high standards and to continue to be proactive.

Agreed Outcome:

Management does not feel it can support a shift differential pay for sworn employees assigned to the graveyard shift. The cost for this benefit would currently run in excess of $20,000, and would diminish the ability for the Town to offer merit and / or COLA increases next fiscal year.

It should also be understood by police personnel that shift work is inherent in the industry, as it is in other industries. This differential may be re-evaluated in later years depending on industry trends.

D) Stand-By Pay:

The CVPOA recognizes that the Town of Chino Valley treats all employees fair and gives employees equal benefits. With that in mind, we are requesting stand-by pay for detectives. We request the same stand-by rate paid to current Town of Chino Valley employees.

Agreed Outcome:

The request was made for stand-by pay for detectives, of which there are two in the department. The Town will honor the stand-by pay for this position, at the same rate the employees in the Utilities department are receiving ($1.00/hour). The HR Director is currently writing up guidelines / policy for administering the stand-by pay and it will be available by the end of May 2016.

E) Specialty Pay:

Many of our employees have striven to improve themselves and by doing so have improved the Chino Valley Police Department. Our employees wish to make the Chino Valley Police Department one of the finest within the state. In an effort to accomplish this, many of our employees have taken on training and certifications that require on-going dedication to their specialty. We are requesting a 2.5% per pay specialty, not to exceed a total of 5%, for employees that hold specialty certifications.

These employees will be required to maintain their certifications, training, and be willing to respond when their specialty is required. These specialties are to include: Qualified Phlebotomist, Drug Recognition Expert, and bilingual language.

Agreed Outcome:

Currently the Town pays a 5% specialty pay for the following positions: Field Training Officers (4 positions), PANT (1 position), GITEM (1 position), and Detective (2 positions, with one being grandfathered).

The current specialty pay equates to 8 positions out of 24 sworn offers receiving specialty pay (33%).

Management feels that approximately one-third of staff receiving specialty pay is reasonable, and is not likely to consider additional specialty pay for 16/17.

Several of these positions already receive overtime pay on call-outs, and no data was presented to justify the Town's additional commitment (industry standard, other jurisdictions, etc.).

F) Mayor Optional Holiday Release:

This past year the Mayor has authorized Town employees to go home early the day prior to a holiday. This authorization exempts all sworn law enforcement personnel. We request that equal amount of hours be placed in all sworn members "personal day" bank.

Agreed Outcome:

The Mayor graciously allowed employees to leave early on two holidays this past year. The days the Mayor allows employees to leave early are undefined and totally at the Mayor's discretion. Currently, any member who was not working on a day the Mayor allowed people to leave was not given any additional hours. In fact, if an employee was scheduled for vacation on a day that employees were allowed to leave early, the scheduled employee still used vacation hours.

Management believes it would be fair to allow those sworn officers who are actually working at the time the Mayor allows early dismissal to be given those hours in their personal leave bank, for the balance of hours left in their shift or four hours, whichever is less. Officers who are not working at the time the Mayor allows early release will not receive personal leave. This would be consistent with the treatment allowed other TOCV employees.

As this is a benefit bestowed by the Mayor and completely at his discretion, this item will be honored as written for FY 16 /17. However, this will not be a permanent change in the CVPOA's MOU; however, it may be considered on a year-by-year basis.

G) Uniform Pay, changing withholding amount:

In accordance with the MOU, the uniform allowance is paid in the employee's paycheck twice a year. In the past, employees have had the option of claiming "exempt" withholding to avoid taxes being withheld on the dates when we receive the uniform allowance. With our new automated timecard system, employees are not allowed to claim "exempt," so employees are having retirement come out of the allocation as well. We are asking that the uniform allowance be paid in a separate check with no deductions, allowing the employee to receive the full amount of their uniform allowance.

Agreed Outcome:

With the Town's new payroll system, PayCom, there are options employees can use besides claiming "exempt" to achieve the same or very similar result. For example, the employee may claim M-10 exemptions for that pay period and receive essentially the same benefit as claiming exempt.

The HR Department is currently writing up instructions informing employees how they can change the withholding amount to essentially mimic a similar amount as claiming exempt. Those instructions will be provided to all employees by June 1, 2016, thereby providing plenty of time before the first uniform payment in July.

AMENDMENT NUMBER 4
TO
MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF CHINO VALLEY, ARIZONA
AND
CHINO VALLEY POLICE OFFICERS ASSOCIATION

This Fourth Amendment to the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association is made and entered into this 26th day of April, 2016, with an Effective Date of July 1, 2016 by and between the Town of Chino Valley, a municipal corporation of the State of Arizona ("Town") and Chino Valley Police Officers Association, a chartered non-profit labor organization ("CVPOA"). Town and POA are collectively referred to herein as the "Parties".

I. RECITALS

A. The Parties entered into a Memorandum of Understanding effective July 8, 2010 (the "MOU") through the first regular pay period in July 2011 and continuing in effect year-by-year unless one of the Parties notifies the other in writing no later than November 1 of its request to meet and confer regarding a new Memorandum.

B. Pursuant to the MOU, Town recognized CVPOA as its law enforcement employee group with whom it shall meet and confer in accordance with Section 33.07 of the Town Code.

C. Neither Party has provided a written request to meet and confer regarding a new Memorandum.

D. On December 11, 2012, the Parties entered into Amendment Number 1 to the MOU, amending Article 4, Section 4-1: Hours of Work/Working Conditions; Work Schedules.

E. On February 26, 2013, the Parties entered into Amendment Number 2 to the MOU, also amending Article 4, Section 4-1: Hours of Work/Working Conditions; Work Schedules.

F. On April 28, 2015, the Parties entered into Amendment Number 3 to the MOU, amending Article 3: Compensation/Wages, Section 3-1: Wages; Article 4, Section 4-1: Hours of Wrk/Working Conditions; Work Schedules, and Article 5: Benefits, Section 5-1: Holidays and Vacation Leave and Section 5-3: Uniform, Clothing and Equipment Allowance.

F. The Parties have met and conferred in accordance with Section 33.07 of the Town Code and Section 6-2 of the MOU, at which time certain points and outcomes were discussed. The Parties desire to amend the MOU to reflect certain agreed-upon outcomes.

II. AGREEMENTS

Now, therefore, in consideration of the agreements and promises hereinafter set forth and those set forth in the MOU, the Parties agree to amend the MOU as follows:

Article 3: Compensation/Wages, Section 3-1: Wages shall be amended to read as follows (deletions shown in ~~strikethrough~~; additions shown in ALLCAPS):

Section 3-1: Wages

A. REGULAR WAGES: All sworn officers and employees covered by this MOU shall receive compensation in the same amount as received during fiscal year ~~2014-2015~~2015-2016, except that the Town may, without prior written notice, provide members of the Association with a cost of living adjustment of UP ~~1~~2% AND MERIT INCREASES OF BETWEEN .5 AND 1.5% during fiscal year ~~2015-2016~~2016-2017. If this MOU is extended beyond fiscal year ~~2015-2016~~2016-2017, compensation for Association members shall continue at the level established in ~~2015-2016~~2016-2017 unless the Town, in its sole discretion, decides to increase the rate of pay.

~~Section 3-1A:~~ B. Training Pay:

~~A.~~ Field Training Officers (FTOs} will receive an additional five percent (5%) of their regular rate of pay for every day they are assigned to an officially authorized field training position.

~~Section 3-1B:~~ C. Investigator Pay:

1. ~~A.~~ Personnel assigned to the investigations division, or assigned to PANT as a narcotics detective, in a full time capacity will receive an additional five percent {5%) of their regular rate of pay for every day they are assigned to an officially authorized Detective position.

2. STAND-BY PAY FOR DETECTIVES: DETECTIVES SHALL RECEIVE STAND-BY PAY AT THE RATE OF $1.00 PER EVERY HOUR THEY ARE REQUIRED BY THE TOWN TO BE ON STAND-BY STATUS, AS SET FORTH IN GUIDELINES AND POLICIES ESTABLISHED BY THE TOWN FOR ADMINISTRATION OF STAND-BY PAY.

Except as amended above, all other terms and conditions of the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officer Association, effective July 1, 2010, as previously amended by Amendments 1, 2, and 3 shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Fourth Amendment to the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officer Association, effective July 1, 2010, as previously amended by Amendments 1, 2, and 3 shall become effective as of July 1, 2016.

THE TOWN OF CHINO VALLEY	CVPOA Representative
By:_____	By:_____
Chris Marley, Mayor	_____
	Printed Name, Title

PLS:pls 2645400.1 4/6/2016

ATTEST:

_____

Jami Lewis, Town Clerk

MEMORANDUM OF UNDERSTANDING

between

Town of Chino Valley, Arizona

and

Chino Valley Police Officer Association

(Revised to incorporate Amendments 1, 2 and 3)

Preamble

WHEREAS the parties, the Chino Valley Police Officer Association, a chartered non-profit labor organization, and the Town of Chino Valley, an Arizona municipal corporation, through their designated representatives, met and conferred in good faith pursuant to Chapter 33, Section 33.07, of the Town of Chino Valley Code of Ordinances **("Town Code"),** in order to reach agreement concerning wages, hours, and working conditions of employees in the Law Enforcement Employee Group, and

WHEREAS the parties hereby acknowledge that the provisions of this Memorandum are not intended to abrogate the authority and responsibility of Town government provided for under the Statutes of the State of Arizona or the Ordinances of the Town except as expressly and lawfully limited herein,

NOW THEREFORE, it is agreed that this Memorandum of Understanding (hereinafter "**Memorandum")** shall be submitted to the Town Council of the Town for its consideration.

ARTICLE 1: Rights

Section 1-1: Purpose/Gender

Wherever any words used herein in the masculine, feminine or neuter, they shall be construed as though they were also used in another gender in all cases where they would so apply.

Section 1-2: Rights of Association

A. The Chino Valley Police Officer Association {"Association"), as the authorized representative, has the exclusive right to serve as the meet and confer representative of all employees as described in Attachment A.

B. The Town of Chino Valley ("Town") shall deduct monthly from the pay warrants of Association members the regular periodic Association membership dues and/or special assessments in accordance with Town Ordinance Section 33.07(8) and pursuant to the Town's existing dues deduction authorization form duly completed and signed by the Association member, and transmit such deductions to the Association on a monthly basis; except, however, that such deduction shall be made only when an Association member's earnings for a pay period are sufficient after other legally required deductions are made. The Town shall, at the request of the Association, make changes in the amount of the deduction hereunder during the term of this Memorandum. The Town shall not make dues deductions for Association members on behalf of any other employee organization as defined in Town Ordinance Section 33.07(8) during the term of this Memorandum. The Town assumes no liability on account of any action taken pursuant to this paragraph.

C. The Association is authorized to use work areas in Chino Valley Police Department ("Police Department') facilities, as agreed upon with the Chief of Police, for pick-up by or distribution to Association members of official Association literature that is not political in nature, abusive of any person or organization, or disruptive of the department's operations. The Association may, using its own resources, use the mailboxes at work locations to communicate with Association members.

D. The Association is authorized to use work areas in Police Department facilities, as agreed upon with the Chief of Police, for the conducting of meetings with members. If members of the Association are working their normally scheduled hours during an Association meeting, the member will be allowed to attend the meeting, without suffering a loss of pay or benefits, for a maximum of two (2) hours and one (1) meeting time per month. Police Department supervisors and Association leadership will be

equally responsible for ensuring no delay in calls for service. The Association agrees that that there will be no delay in responding to calls for service or incidents and incident response times will not increase. Additionally, the time, day, and location of meetings will be set in a manner as to avoid predictability.

E. The Town shall provide an existing bulletin board within the Police Department facilities that is readily accessible to Association members, for the exclusive use by the Association for communicating with its members.

F. Any Association representative attending any {i) Disciplinary Review Board, (ii) Use of Force Board, (iii) Accident Review Board, (iv) Appeal Committee, or (v) any other review board will be allowed to adjust his work schedule by an equal amount of time spent in the meeting. The adjustment will require the approval of the representative's supervisor with operational consideration. Approval will not be unreasonably withheld.

G. The Association will be allowed to call-out members of the executive board or designated representatives to advise a Group member who has been involved in a critical incident, (i.e. use of deadly force event). This is for the mutual benefit of both the Town and the Association to respond to critical incidents as needed. If call-out occurs, overtime will be paid.

H. The Association representative tasked with the duty of meeting and conferring with the Town Manager in connection with Section 33.07 of the Town Code will be entitled to normal pay and benefits. The representative will only be paid for the time actually spent in negotiations with the Town Manager or Town representatives.

Section 1-3: Rights of Law Enforcement Employee Group Members

A. A Law Enforcement Employee Group member **("Group member")** has the right to have the Association serve as his meet and confer representative as set forth in Town Ordinance Section 33.07.

B. A Group member has the right to be represented by the Association in dealings with the Town concerning grievances and matters pertaining to his individual employment rights and obligations.

1. If requested by a Group member, representation will be allowed when said member is the subject of an investigation {i) by a Police Department Investigator, (ii) by any Police Department Supervisor, or (iii) by any other Town Employee who is conducting an investigatory interview or interrogation. The Town will notify the Association who will obtain the most readily available Association representative. The Association representative will make every

reasonable attempt to arrive within one hour from the time a phone call is made available to the member. Department management will make a concerted attempt to release the Association representative giving the consideration of the Department's and the Association's scheduling concerns. The Association representative will attend the above interview/interrogation only as an observer, but the Association representative may make a request for (i) a caucus to bring to the investigator's attention issues which may be violations of the Memorandum, (ii) short restroom/breaks, or (iii) questions outside the scope of the Notice of Investigation ("NOI").

2. The interview/interrogation session shall be a reasonable period of time, taking into consideration the gravity and complexity of the misconduct being investigated.

3. At the time of the scheduled interview by a Police Department Investigator, a Police Department Supervisor, or other Town Employee, the investigator will make available for review to the Group member and/or his representative any material that is being used as the basis for an allegation of misconduct. Material includes any video, audio, photographs, or documents written by a complainant, witness or investigative lead that may be included in the internal investigation. During the course of the administrative investigation the investigator will not intentionally misrepresent any fact or material issue to the member.

4. A Group member under investigation will be notified in writing every three (3) months as to the current status of the investigation. This will include a brief description of the number of known witnesses still to be interviewed and other investigative processes remaining to be completed, as well as an estimated date of completion.

C. A Group member has the right to present his own grievance, in person or through legal counsel.

D. Group members are entitled to representation if a grievance is appealed and is at the Executive Level (Commander or Chief) or when department management has more than one representative at the meeting to discuss the appeal of the grievance.

E. Once a Group member has been disciplined, no further disciplinary action may be imposed for the same specific allegation during the same incident of misconduct. A Group member may be subject to additional discipline if further investigation reveals additional allegations arising from the same incident.

F. A Group member under investigation by a Police Department Investigator or a Police Department Supervisor for a disciplinary matter that may lead to a written reprimand, suspension, demotion, or discharge, and who is interviewed or interrogated, or requested to produce any documentation, shall be given a written NOI informing him of the specific nature of the investigation, his status in the investigation, and all known allegations of misconduct involved in the interview of the member. In addition, the Group member and/or the Police Department Supervisor/Investigator may mechanically record such interview/interrogation. Should any mechanical recordings take place, the Police Department reserves the right to transcribe any such interview/interrogation for the purpose of verifying the accuracy of the interview/interrogation and, if requested, the Group member shall sign the transcription if it is accurate. In the event that the investigator intends to segment the interview or the interrogation, the NOI will inform the member of the specific nature and all known allegations pertaining to the portion or portions of the investigation being covered by the segmented NOI.

1. A copy of the signed and dated NOI will be given to the Group member prior to the beginning of the interview. The member shall have the right to retain the NOI for his use throughout the entire course of the interview.

2. In the event the Group member does not record his interview/interrogation, he may request a copy of the investigator's recording, if the investigator records the interview/interrogation.

3. If any Group member is told not to speak to anyone regarding an investigation, this admonition does not apply to speaking with an attorney functioning within the attorney-client relationship. In addition, if an accused member is told not to speak to anyone regarding an investigation, this admonition does not apply to speaking with an Association representative, who may discuss the matter only with the Association President or his designee. Further; if an accused member is told not to speak to anyone regarding an investigation, this admonition does not prohibit the accused member from speaking to his/her spouse under spousal privilege. Once the investigation is completed, any Group member may speak with an Association representative regarding the incident. When the investigation is completed, the accused member will be notified in writing of the findings. A member under internal or administrative investigation may be reassigned {may include reassignment to his home), until the completion of the investigation.

4. If during the course of the above mentioned investigation, information is learned concerning additional misconduct on the part

of the Group member being interviewed, an NOI will be issued to the Group member prior to the member being questioned about the additional misconduct information.

H. It is understood by the parties that the benefits granted by this Article shall not be interpreted or applied as requiring the employer to count as time worked, any hours or fractions of hours spent outside the Group member's work shift in pursuit of benefits provided by this Article.

I. A Law Group member attending any Grievance meeting or any other review board while off duty shall be allowed to adjust their work schedule by an equal amount of time spent in the meeting. The adjustment will require the approval of the Group member's supervisor, with operational considerations; approval will not be unreasonably withheld.

J. After a notice of termination has been signed by the appropriate authorities, and if the Group member is given the opportunity to resign, the member will have three (3) hours to consult with an Association representative.

K. A Group member who receives a written reprimand will be provided a copy of the official documentation, if any exists, supporting the written reprimand at the time the member receives the reprimand.

L. A Group member identified only as a witness will be given the opportunity to consult with the Association President, or his designee, to discuss his rights and obligations prior to the interview or interrogation.

M. If a polygraph examination is required of a Group member, an Association representative may monitor, by both visual and aural means, the interview and examination from the monitoring room. The member will be allowed an Association representative during the post exam interviews. The Police Department Investigator will also have the right to be present.

Section 1-4: Prohibition of Strike and Lockouts

A. The Association and the Group members covered by this Memorandum recognize and agree that rendering of police services to the community cannot under any circumstances or conditions be withheld, interrupted, or discontinued, and to do so would endanger the health, safety and welfare of the citizens of the Town of Chino Valley.

B. The Association pledges to maintain unimpaired municipal services as directed by the Town. Neither the Association, nor any member, for any reason, will authorize, institute, aid, condone or engage in a slowdown, work stoppage, strike, or any other interference with the work and statutory

functions and obligations of the Town or the Police Department. During the term of this Memorandum neither the Town nor its agents for any reason shall authorize, institute, aid or promote any lockout of Law Enforcement Employee Group members covered by this Memorandum.

C. Should any Association member during the term of this Memorandum, and until such time that it is expressly and legally rescinded, breach the obligations of Section 1-48, the Town Manager or his designee shall immediately notify the Association that a prohibited action is in progress.

D. The Association shall forthwith, through its executive officers and other authorized representatives, disavow said strike or other prohibited action, and shall notify in writing all Association members and representatives of their obligation and responsibility for maintaining compliance with this Article, including their responsibility to remain at work during any interruption which may be caused or initiated by others. Copies of such notification shall be delivered to the office of the Town Manager. In addition, the Association shall order all members violating this Article to immediately return to work and cease the strike or other prohibited activity. Such order shall be delivered both orally and in writing to all Group members violating this Article with copies of the written order to be delivered to the office of the Town Manager.

E. Penalties or sanctions the Town may assess against a Law Enforcement Employee Group member who violates this Section shall include, but not be limited to:

1. Discipline up to and including discharge.

2. Loss of all compensation and benefits, including seniority, during the period of such prohibited activity.

F. Should the Association during the term of this Memorandum and until such time that it is expressly and legally rescinded, breach its obligations under this Section, it is agreed that all penalties set forth in Town Ordinance, shall be imposed on the Association, in addition to any other legal and administrative remedies available to the Town that in its discretion it may elect to pursue.

G. Nothing contained herein shall preclude the Town from obtaining judicial restraint or from seeking damages from the Association, in the event of a violation of this Section.

ARTICLE 2: Grievance/Arbitration/Labor Management

Section 2-1: Grievance Procedure

A. Informal Resolution

1. As a matter of good labor-management relations the parties encourage a Group member who believes that he has a bona fide grievance to discuss and attempt to resolve it with t"lis immediate supervisor.

2. If the above informal discussion is held and does not resolve the grievance, the Group member may file a formal grievance in accordance with the guidelines of the Town of Chino Valley Personnel Policy **("Personnel Policy")** Manual, Policy No. 805.

B. Appeal Committee

1. If the during the course of the grievance an Appeal Committee is required, the Grievance Appeal Committee shall be composed of: **Chairman** - A member of the Town Manager's Office designated by the Town Manager. **Secretary** - A designee of the Human Resources Director. **Member** -A different Town department head on a rotating schedule. **Member** - Association President or his designee.

2. The Grievance Committee shall schedule a hearing regarding the grievance at which the grievant shall be afforded the opportunity to fully present his position and to be represented.

C. Arbitration

1. If arbitration is necessary, Personnel Policy Manual, Policy Nos. 810 and 815 will be used as the guidelines for the arbitration. However, the arbitrator shall be bound by the language of the Memorandum and Police Department rules and regulations consistent in considering any issue properly before him.

2. The arbitrator shall expressly confine himself to the precise issues submitted to him and shall have no authority to consider any other issue not so submitted to him.

3. The arbitrator shall be bound by applicable State and Town law.

4. The Grievance Committee or the arbitrator shall submit ·findings and advisory recommendations to the grievant and to the Town Manager.

D. Time Limits

· 1. Failure of Town Management representatives to comply with time limits set by the Personnel Policy Manual shall entitle the grievant to appeal to the next level of review; and failure of the grievant to comply with said time limits shall constitute abandonment of the grievance; except however, that the parties may extend time limits by mutual written agreement prior to the expiration of the time limits set forth in the Personal Policy Manual.

E. The Association may, in its own name, file a grievance that alleges violation by the Town of the rights accorded to the Association by the specific terms of Section 1-2 of the Memorandum. All other grievances must be signed and filed by Group member, subject to the provisions of this Article.

F. It is understood by the parties that the benefits granted by this Section shall not be interpreted or applied as requiring the employer to count as time worked, any hours or fractions of hours spent outside the Group member's work shift in pursuit of benefits provided by this Article.

ARTICLE 3: Compensation/Wages

Section 3-1: Wages

A. All sworn officers and employees covered by this MOU shall receive compensation in the same amount as received during fiscal year 2014-2015, except that the Town may, without prior written notice, provide members of the Association with a cost of living adjustment of 1% during fiscal year 2015-2016. If this MOU is extended beyond fiscal year 2015-2016, compensation for Association members shall continue at the level established in 2015-2016 unless the Town, in its sole discretion, decides to increase the rate of pay.

Section 3-1A: Training Pay

A. Field Training Officers (FTOs} will receive an additional five percent (5%) of their regular rate of pay for every day they are assigned to an officially authorized field training position.

Section 3-1B: Investigator Pay

A. Personnel assigned to the investigations division, or assigned to PANT as a narcotics detective, in a full time capacity will receive an additional five percent {5%) of their regular rate of pay for every day they are assigned to an officially authorized Detective position.

Section 3-2: Out-of-Rank Pay

A. A Group member who is temporarily required to serve in a regular authorized position in a supervisory classification, (e.g., sergeant), for an extended period of time, shall be compensated at the higher rate of pay in accordance with the following:

B. To be eligible for the additional compensation, the unit member must first accumulate thirty (30) consecutive regular working shifts of assignment in the higher rank within any twelve (12) month period; satisfactory performance during a previous appointment to the higher rank will be credited to the qualifying period. Once this qualification is satisfied, no additional re-qualification will be required. All shifts worked beyond the thirtieth (30th) shift in the supervisory classification will be subject to the higher rate of pay, and will be paid retroactive to the first day.

C. Temporary assignments out-of-rank shall be recorded only in full shift units. A Group member working out-of-rank for less than one (1) full shift will not be credited with working out-of-rank service time.

D. To qualify for out-of-rank pay, a Group member must be assuming substantially the full range of duties and responsibilities of the higher level position. Out-of rank pay is not authorized, for example, if the organization of a work Group is such that each Group member carries on his normal duties during the temporary absence of a supervisor, without a need for the direction which the supervisor would provide on a longer term basis.

E. Time worked in a higher rank shall not earn credit toward the completion of probationary requirements in the higher rank.

F. A Group member who has qualified under these prov1s1ons shall be compensated at the minimum rate established for the higher rank for all shifts worked beyond the 30th shift served in the higher rank, and will be paid retroactive to the first day. In the event of overlapping salary ranges, a one-step differential shall be paid for out-of-rank assignments. The higher rate of pay shall be used in computing overtime when authorized overtime is served in out-of-rank work assignments; the overtime rate shall be the rate established by the overtime regulations that apply to the higher rank.

ARTICLE 4: Hours of Work/Working Conditions

Section 4-1: Work Schedules

A. Schedule changes may be routine (anticipated) or emergency (unanticipated). For routine operational actions, a seven-day written notice will be given to change schedules. For emergency operational actions, Group members will be provided with as much advance notice and information as the situation will allow.

B. A meal period may be taken at a private residence provided such residence is within the Group member's assigned area, if applicable.

C. A Group member assigned to the Canine Detail shall be allowed one (1) hour of paid time per scheduled work day to care for his police dog at his residence. The Police Department will determine when and how the hours will be scheduled. Hours spent for care of the police dog shall be considered and compensated as “hours worked”.

D. A Group member assigned as a solo motor officer shall be allowed two (2) hours of paid time per work week for the care and maintenance of the department issued motorcycle. The Police Department will determine when and how the hours will be scheduled. Hours spent for care and maintenance of the motorcycle shall be considered and compensated as “hours worked”.

E. Understanding the difficulty in scheduling manpower on a 24 hour, seven day per week basis, the Association agrees to work with the Town Manager or his designee, including the Chino Valley Police Chief, so that work schedules outside of the normal 40 hour work week can be considered. Pursuant to ARS § 23-392(A) and (B), the POA and the Town agree as follows:

> If the Association Member is a Chino Valley Police Department sworn law enforcement officer and said Member’s job classification prescribes federally- mandated overtime compensation, then time worked in excess of eighty (80) hours in a consecutive 14-day period will be paid at one of the following rates: (i) one and one-half the regular rate at which the Association Member is employed, or (ii) one and one-half compensatory time off for each hour worked. The decision regarding whether to receive overtime pay or overtime compensatory time will be at the Association Member’s discretion, as per policy and practices in effect as of the Effective Date of this POA MOU.

F. A Group member assigned to and working GIITEM or PANT shall be exempt from the 80 hour two week work period and instead work 40 hour work weeks

which coincide with his assignment.

Section 4-2: Seniority

A. Seniority shall be by length of service within a class. If seniority within the class is not determinative, then length of service with the Town shall prevail.

B. Seniority shall be used as a factor in choice of work assignments, vacation schedules and in the determination of layoffs.

ARTICLE 5: Benefits

Section 5-1: Holidays and Vacation Leave

A Group member shall be entitled to holiday benefits as set forth in Personnel Policy Manual, Policy No. 710, and the Town's Administrative Calendar as prepared each year.

A. Paid holidays shall include:
New Year's Day
Martin Luther King, Jr. Day
President's Day
Memorial Day
Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Friday after Thanksgiving
Christmas Day

B. The Town Council may decide to add additional Personal Leave Days as it sees fit.

C. The Town and Police Department agree to maintain its present vacation selection procedure and, to every extent practicable, allow a transferred Group member to maintain his previous vacation schedule.

Section 5-2: Out-of-State Vacation Recall

When a Group member is temporarily recalled to duty from out-of-state while on an authorized vacation by order of the Chief of Police, or designee, he shall be reimbursed for necessary and provable transportation expenses as determined by the Chief.

Section 5-3: Uniform, Clothing and Equipment Allowance

A. The Police Department will furnish to each sworn Group member entering the department the following:

1. One (1) .40 cal. Glock Service Weapon
2. Three (3) Magazines
3. One (1) Pepper Spray Canister
4. One (1) Uniform Breast Badge
5. One (1) Flat Badge and Department Identification Card
6. One (1) Traffic Vest
7. One (1) Digital Audio Recorder
8. One (1) Computer External USB Memory Drive

9. One (1) Taser device and cartridges
10. One (1) Department Issued Portable Radio
11. One (1) Rechargeable Flashlight
12. Ammunition for service weapon, shotgun, and patrol rifle. Ammunition for a back-up handgun will be issued if it is of the same caliber as the department issued service weapon.
13. Two hard-bound ARS Title 4, 13, and 28 Manual, updated each year, shall be maintained in the patrol briefing area, and one copy shall be kept and made available in the patrol Sergeant Office.

B. The Police Department shall replace those items as it, in the judgment of the Department, become unserviceable due to wear or damage in the course and scope of official duties.

C. All uniformed Group members will receive one thousand five hundred dollars {$1,500) clothing allowance per annum. Barring unforeseen circumstances, payment for uniform allowance will be made equally in the member's paycheck the first pay day in July and the first pay day in January. Such payment will be made to cover the cost of uniforms, maintenance, cleaning of such uniforms, and for other duty-related expenses.

D. A new uniformed Group member may elect to receive an initial fiscal year uniform allowance in a lump sum during the first thirty {30) days of employment. This will allow the new member to afford the extensive cost of an initial uniform purchase. If the member fails to complete the one {1) year probation period, the member will pay back the total amount of the uniform allowance. The new member shall be required to sign an agreement with the Town stating they understand and acknowledge the above requirements prior to being issued the lump sum uniform allowance.

E. A newly hired sworn police officer who purchases a new ballistic vest shall, upon showing proof of purchase, be reimbursed an amount up to, but not exceeding, eight hundred fifty dollars ($850).

F. Upon replacement of his ballistic vest, a sworn police officer shall be entitled to the above eight hundred fifty dollar ($850) reimbursement every five (5) years.

G. Upon duty related retirement, the Town will provide the sworn retiring member a Retired Police Officer's Commission Card similar in appearance to the regular Commission Card.

H. Upon duty related retirement, a sworn Law Enforcement Employee Group member will receive his breast badge, a retired flat badge, and his fully functional department-issued service weapon, including all three (3) duty magazines, for one dollar ($1.00). If the Group member dies in the line of

duty or while employed by the Department, the sworn member's spouse or an adult survivor may elect to receive these items, except for the flat badge and case, for one dollar ($1.00) which will be paid by the Association). The sworn member's spouse or adult survivor will have the option of receiving the service weapon in a fully functional condition, or may request the unit member's service weapon be disabled, or may decline receiving the service weapon. Upon request, he Association will provide a gun safety device.

ARTICLE 6: Miscellaneous

Section 6-1: Aid to Construction of Provisions of Memorandum of Understanding

A. It is intended by the parties that the provisions of this Memorandum shall be in harmony with the rights, duties, obligations and responsibilities which by law devolve upon the Town Council, Town Manager, Chief of Police, and other Town boards and officials, and these provisions shall be interpreted and applied in such manner.

B. The Association recognizes the powers, duties and responsibilities of the Chief of Police as set forth in the Town Code and that pursuant thereto the Chief of Police has the authority to establish rules and regulations applicable to the operation of the Police Department and to the conduct of the police officers and non-sworn employees employed therein, subject to the provisions of this Memorandum.

C. The lawful provisions of this Memorandum are binding upon the parties for the term thereof. The Association having had an opportunity to raise all matters in connection with the meet and confer proceedings resulting in this Memorandum is precluded from initiating any further meeting and conferring for the term thereof relative to matters under the control of the Chief of Police, the Town Council or the Town Manager. This Section shall not be construed to limit free and informal discussions.

Section 6-2: Term and Effect of Memorandum

A. This Memorandum shall remain in full force and effect beginning on the first day of the first regular pay period in July 2010, up to and through the first regular pay period in July 2011, and thereafter shall continue in effect year-by-year unless one of the parties notifies the other in writing no later than November 1 of its request to meet and confer regarding a new Memorandum.

B. Except as expressly provided in this Memorandum, the Town shall not be required to meet and confer concerning any matter, whether covered or not covered herein, during the term or extensions thereof.

C. The provisions of this Memorandum shall be subject to Federal and State law, and existing local laws that vest jurisdiction and authority in the Town Council.

D. This Memorandum constitutes the total and entire agreements between the parties and no verbal statement shall supersede any of its provisions.

SIGNATURES

This Memorandum of Understanding shall constitute the entire agreement of both parties and is executed, with signatures, beginning July 1, 2010 through June 30, 2011.

Passed, Approved, and Adopted by the Mayor and Council of the Town of Chino Valley this 8th day of July, 2010.

Jim Bunker, Mayor

ATTEST:

Jami Lewis, Town Clerk

Signature, CVPOA representative

BRIAN C. SANDERS

Printed name

ATTACHMENT A

Law Enforcement Employee Group

The "Law Enforcement Employee Group" includes all Chino Valley Police Department sworn police officers below the rank of Commander, including Field Training Officers, Detectives, Sergeants, Animal Control Officers, Dispatch Supervisors, Dispatchers, Records Employees and all other non-sworn Police Department employees including, but not limited to, Property and Evidence Custodians and Civilian Community Service Officers.

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 8. a.**

Meeting Date:	04/26/2016
Contact Person:	Phyllis Smiley, Town Attorney
Department:	Town Attorney
Estimated length of Staff Presentation:	None
Physical location of item:	N/A

AGENDA ITEM TITLE:

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)

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 8. b.**

Meeting Date:	04/26/2016
Contact Person:	Phyllis Smiley, Town Attorney
Department:	Town Attorney
Estimated length of Staff Presentation:	None
Physical location of item:	N/A

AGENDA ITEM TITLE:

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)

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 8. c.**

Meeting Date:	04/26/2016
Contact Person:	Jami Lewis, Town Clerk Phone: 928-636-2646 x-1208
Department:	Council
Item Type:	Executive Session
Estimated length of staff presentation:	None
Physical location of item:	N/A

AGENDA ITEM TITLE:

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.

RECOMMENDED ACTION:

Recess the regular meeting and reconvene in executive session for the purpose stated in the Agenda.

SITUATION AND ANALYSIS:

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.

Fiscal Impact

Attachments

Evaluation form

TOWN OF CHINO VALLEY ARIZONA
Management Performance Appraisal Form

NAME: _____ JOB CLASSIFICATION: _____

DEPARTMENT: _____ DIVISION: _____

APPRAISAL PERIOD: From: _____ To: _____

Performance Ratings: (Unsatisfactory - 0) (Satisfactory - 1) (Above Satisfactory -2) (Not Rated -NR)

Performance Factors	Performance Rating	Comments
1. Job Knowledge - Current knowledge in the field of management of municipal government.		
2. Work Product - Work product is of high quality and quantity.		
3. Planning - Develops, organizes, and carries out plans to sustain and improve the organization.		
4. Communications - Communications are transmitted in a timely manner, in the correct format, and to the desired audience that easily understands the message. Listens attentively and acknowledges receipt of the message.		
5. Team Building - Is the team leader and is continually developing the skills and abilities of team members.		
6. Leadership - Models professionalism in dress and actions and motivates his/her subordinates and others to greater performance.		
7. Customer Service - Frequently interacts with citizens and interested business and non-profit organizations resulting in successful interventions and establishing positive relationships.		
8. Manager/Town Council Interactions - Communicates effectively with Town Council members, individually and at scheduled meeting, to inform and receive feedback.		
9. Financial Management - Develops budgets and establishes controls to monitor expenditures. Makes timely financial reports to the Council. Forecasts future financial needs and recommends methods for increasing revenues to meet these needs.		

TOWN OF CHINO VALLEY ARIZONA
Management Performance Appraisal Form

Performance Factors	Performance Rating	Comments
10. Economic Development - Establishes an economic development program to recruit business and industry. Trains staff and provides facilities in support of the economic development activities. Coordinates with Chamber of Commerce and other community leaders to facilitate the ED effort.		
11. Staffing -Ensures that the Town is properly staffed and that employee compensation and benefits are sufficient to retain employees within current financial constraints. Provides professional develop activities to increase staff productivity.		
12. Personal and Time Management - Devotes sufficient time to conduct the business and affairs of the Town. Efficiently manages the work load during office hours and attends meetings and other activities outside of regular work hours that benefit the Town. .		

Organizational Goals (Identify five (5) major goals for the appraisal period)

Goal	Level of Accomplishment
Goal #1:	
Goal #2:	
Goal #3:	
Goal #4:	
Goal #5:	

Appraiser: _____ Date: _____
Employee: _____ Date: _____
Appraiser and Employee may attach additional pages of constructive comments.

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TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 8. d.**

Meeting Date: 04/26/2016

Contact Person: Robert Smith, Town Manager
Phone: 928-636-2646 x-1201

Department: Town Manager

Estimated length of Staff Presentation:

Physical location of item: N/A

AGENDA ITEM TITLE:

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 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)

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 8. e.**

Meeting Date:	04/26/2016
Contact Person:	Robert Smith, Town Manager Phone: 928-636-2646 x-1201
Department:	Town Manager
Estimated length of Staff Presentation:	None
Physical location of item:	Old Home Manor

AGENDA ITEM TITLE:

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)

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 9. a.**

Meeting Date: 04/26/2016
Contact Person: Phyllis Smiley, Town Attorney
Department: Town Attorney
Item Type: Action Item
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

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:

Motion to approve the proposed settlement agreement in the matter of Hatch v. Town of Chino Valley.

SITUATION AND ANALYSIS:

Issue Statement

Applicable "Policy"

Satisfaction of "Policy"

Summary of Issues and Staff Rationale

Findings of Fact

Fiscal Impact

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

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting **Item No. 9. b.**

Meeting Date: 04/26/2016
Contact Person: Phyllis Smiley, Town Attorney
Department: Town Attorney
Item Type: Action Item
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

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:

Motion 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.

SITUATION AND ANALYSIS:

Issue Statement

On April 23, 2013 the Town Council approved an agreement with Musgrove, Drutz and Kack to represent the Town 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. City of Prescott v. Town was settled in 2013; Becker v. Hall was concluded in July, 2013. In Cortez v. Town, the Town is represented by Jeff Murray, whose fees are paid by SW Risk and MDK's services are felt to be duplicative and unnecessary at this time. Staff recommends terminating the agreement with MDK to avoid additional legal fees at this time.

Applicable "Policy"

Satisfaction of "Policy"

Summary of Issues and Staff Rationale

Findings of Fact

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:
Available:
Funding Source:

Attachments

Fee Agreement with Musgrove, Drutz & Kack

MUSGROVE, DRUTZ & KACK, P.C.
ATTORNEYS AT LAW

JAMES B. MUSGROVE
MARK W. DRUTZ
THOMAS P. KACK
SHARON M. FLACK
JEFFREY D. GAUTREAUX
ANDREW J. DIENER

POST OFFICE BOX 2720
PRESCOTT, ARIZONA 86302-2720

1135 W. IRON SPRINGS ROAD
PRESCOTT, ARIZONA 86305

TELEPHONE
(928) 445-5935
(928) 445-5980 (FAX)
(928) 775-9565

GRANT K. McGREGOR (1959-2005)

May 8, 2013

File No. 8749-2a

VIA EMAIL ONLY
Jami Lewis, Town Clerk
Town of Chino Valley
P. O. Box 406
Chino Valley, AZ 86323

RECEIVED
MAY 13 2013
By

Re: Fee Agreement

Dear Jami:

Enclosed for your file, please find an *original* executed Fee Agreement. If you have any questions, please feel free to contact our office.

Sincerely,

MUSGROVE, DRUTZ & KACK, P.C.

By Sharon Flack
Mark W. Drutz
Sharon M. Flack

SMF/sh
Enclosures

FEE AGREEMENT

The undersigned, Town of Chino Valley (the "Client"), hereby employs MUSGROVE, DRUTZ & KACK, P. C. (the "Law Firm") to represent Client in connection with the following matters:

1. Cortez Enterprises, Inc. v. The Town of Chino Valley, Yavapai County Superior Court Case No. P1300CV2006-1407 - File No. 8749-34
2. City of Prescott v. Town of Chino Valley, Yavapai County Superior Court Case No. P1300CV46161 - File No. 8749-95
3. Becker Holdings, LLC v. Hall, Yavapai County Superior Court Case No. P1300CV2013-00180 - File No. 8749-165

Client (jointly and severally if more than one) agrees to pay for all services rendered on its behalf at the then prevailing hourly rates, which are presently set forth below and which may be revised after notice to Client:

Mark W. Drutz	$ 200.00
Sharon M. Flack	$ 190.00
CLA/Paralegal	$ 85.00
Legal Assistant	$ 65.00

In certain cases different rates may apply per separate agreement.

Client shall remain fully responsible for all costs and out-of-pocket expenses incurred on its behalf and will, from time to time, advance or reimburse the Law Firm for the same upon presentation of such bills for payment. Client shall pay to the Law Firm an advance deposit in the sum of $ 0.00 (Advance) upon the execution of this Fee Agreement. Client understands that the fees and costs may exceed the Advance. Client agrees that the Law Firm may pay itself its fees and reimburse itself its advanced costs and expenses from the Advance. The Advance is not a guarantee or representation of the total fees and expenses for the case and all fees and costs which exceed the amount of the Advance shall be paid by the Client. If significant third party expenses are expected, such as for experts or depositions, Client will advance fees for the same. Client is to maintain $ 0.00 in trust. Any unused Advance will be returned to Client within a reasonable time after representation concludes.

All Client bills are due and payable upon presentation. Any bills not paid when due shall bear interest from the date thereof at the rate of eighteen percent (18%) per annum. If suit is instituted to collect a bill, or, if efforts are made with third parties on behalf of the Law Firm, to collect any amount due, Client agrees to pay all costs of collection, including, but not limited to, court costs and reasonable attorneys' fees.

Law Firm may withdraw from representation of Client if Client fails to pay amounts due or fails to reasonably cooperate or communicate with Law Firm, fails to follow Law Firm's advice or if Client makes misrepresentations, misstatements or omissions regarding the matters on which Law Firm represents Client. Client also understands that Law Firm may withdraw at any time with Client's consent or without Client's consent for good cause. Good cause includes the reasons set forth in this paragraph, Client's breach of this Agreement, a conflict of interest or any fact or circumstance that would render Law Firm's continuing representation unlawful or unethical.

Client understands that a legal proceeding by its very nature is unpredictable and that Law Firm cannot and does not make any representation or warranty regarding the outcome of Client's case. Law Firm's comments about the outcome of Client's case are expressions of opinion only.

If the Law Firm agrees to represent in further matters, that representation will be subject to the terms set forth herein with an Advance as may be agreed. Law Firm shall not be responsible for renewing Judgments or Security Interests unless separately agreed to in writing. Client agrees that Client shall retain copies of documents and paperwork received from Attorney as Client's copy of the file for the documents received. Law Firm hereby offers that Client may pick up Client's original documents and copies of other documents/paperwork in Law Firm's possession following completion of representation if not received by Client previously. The file may be destroyed without further notice at any time after Client receives original documents and copies or after five (5) years after the work for Client hereunder is substantially completed whichever first occurs.

CLIENT: TOWN OF CHINO VALLEY

By: N Carl Tenney 4/23/13
VICE-MAYOR Date

Print Name: N. CARL TENNEY

_____ Date

Print Name: _____

MUSGROVE, DRUTZ & KACK, P.C.

By Sharon M Kack

Date: May 7, 2013

Client Phone Numbers:

Home: N/A
Work: 928-636-2646
Cell: N/A
Fax: 928-636-2144
Other: _____

Email Address
N/A
Client Social Security Number

Client Address:

Mailing:
TOWN OF CHINO VALLEY
Cindy Sandlin, Finance Dept.
202 N. State Route 89
Chino Valley, Arizona 86323
Street: _____

Additional Clients and Contact Information:

Robert Smith, Town Manager, 636-2646 ext. 1201