1. Town Council - Agenda & Agenda Packet

   Documents: 2016_05_24_CC_RG_AG.PDF

2. Town Council - Agenda Packet

   Documents: 2016_05_24_CC_RG_PK.PDF

3. Town Council - Action Taken

   Documents: 2016_05_24_CC_RG_AT.PDF

Town of Chino Valley

MEETING NOTICE
TOWN COUNCIL

REGULAR MEETING
Tuesday, May 24, 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. Proclamation declaring May 27-28, 2016 as "Poppy Days," sponsored by the American Legion Auxiliary. (Mayor Marley)

b. Presentation by Yavapai County Assessor, Pam Pearsall, about the Property Tax Assistance Program offered by Yavapai County. (Cecilia Grittman, Assistant Town Manager)

c. Presentation by Mark Garman and Lee Davis of National Bank of Arizona regarding the final transaction details of the contract to refinance the 2007A GADA obligations. (Joe Duffy, Finance Director)

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.

a. Comments in support of the Council's decision regarding public prayer.

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. Progress update regarding Economic Development Administration Grant, Environmental Protection Agency Grant Appropriation, and Center Street Sewer Project. (Ruth Mayday, Development Services Director; Michael Lopez, Public Works Director/Town Engineer)

6. CONSENT AGENDA

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

a. Consideration and possible action to approve agreement between the Town of Chino Valley and the Friends of the Library, a 501 (c) 3 corporation, for construction and dedication of addition to the Town of Chino Valley Library, effective 5/24/2016. (Cecilia Grittman, Assistant Town Manager)

b. Consideration and possible action to adopt Ordinance No. 16-818 amending the Town Code Title XI Business Regulations, Chapter 114 Cable Television, Section 114.45 License Payments, Paragraph (A) to amend the percentage related to the license fee. (Cecilia Grittman, Assistant Town Manager)

c. Consideration and possible action to adopt Resolution No. 16-1083, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2016/2017, pursuant to Section 48-616, Arizona Revised Statutes, as amended; setting a date for public hearing on the proposed statements and estimates as approved; and providing for notice of the hearing and publication of the proposed statements and estimates of the expenses of the districts which shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property in the districts. Approval will create a levy to pay for street lighting within the CVSLID street lighting districts. The districts are accounted for in a separate fund by the Town. (Joe Duffy, Finance Director)

d. Consideration and possible action to to approve Resolution No. 16-1087, accepting the dedication of right-of-way of certain real property located approximately at the intersection of Road 4 South and Peavine. (Phyllis Smiley, Town Attorney)

e. Consideration and possible action to accept the April 19, 2016 study session minutes. (Jami Lewis, Town Clerk)

f. Consideration and possible action to accept the April 26, 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 the first amendment to the Final Plat of the Mollie Rae Subdivision, located in the North 1/2 of Section 28, Township 16 North, Range 2 West. (Ruth Mayday, Development Services Director)

Recommended Action: Staff recommends approval of the First Amendment of the Final Plat of the Mollie Rae Subdivision.

b. Consideration and possible action to approve Resolution No. 16-1082, approving a Tentative Budget for the fiscal year 2016-2017 and proposed expenditure limitation for the same year, in the amount of $21,738,500; and setting a public hearing date of June 28, 2016 on the adoption of the final budget. (Joe Duffy, Finance Director)

Recommended Action: Approve Resolution No. 16-1082, approving a Tentative Budget and proposed expenditure limitation for FY 2016-2017, in the amount of $21,738,500 and setting June 28, 2016 as the date for the public hearing on adoption of the final budget for FY 2016-2017.

8. EXECUTIVE SESSION

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

9. ACTION ITEMS RESUMED

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

10. ADJOURNMENT

Dated this 19th day of May, 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.

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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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Date:_____ Time:_____ By:_____

Jami C. Lewis, Town Clerk

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

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

Meeting Date:	05/24/2016
Contact Person:	Jami Lewis, Town Clerk Phone: 928-636-2646 x-1208
Department:	Council
Estimated length of Staff Presentation:	5 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

Proclamation declaring May 27-28, 2016 as "Poppy Days," sponsored by the American Legion Auxiliary. (Mayor Marley)

SITUATION & ANALYSIS:

Each year on Memorial Day weekend, the American Legion Auxiliary sponsors "Poppy Days." The red poppy has been designated as a symbol of sacrifice of lives in all wars, and the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower.

Attachments

Proclamation

Office of the Mayor

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

PROCLAMATION

Poppy Days – May 27-28, 2016

***Whereas**, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and*

***Whereas**, millions who have answered the Call to Arms have died on the field of battle; and*

***Whereas**, a nation at peace must be reminded of the price of war and the debt owed to those who have died in war; and*

***Whereas**, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and*

***Whereas**, the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower; and*

***Now, Therefore**, I, Chris Marley, Mayor of the Town of Chino Valley, do hereby proclaim* **May 27-28, 2016** *as* **Poppy Days** *in Chino Valley, Arizona, and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.*

***In Witness Whereof**, I have hereunto set my hand and caused the Seal of the Town of Chino Valley to be affixed this **24th** day of **May**, **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. 2. b.**

Meeting Date:	05/24/2016
Contact Person:	Cecilia Grittman, Assistant Town Manager Phone: 928-636-2646 x-1202
Department:	General Services
Estimated length of Staff Presentation:	10 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

Presentation by Yavapai County Assessor, Pam Pearsall, about the Property Tax Assistance Program offered by Yavapai County. (Cecilia Grittman, Assistant Town Manager)

SITUATION & ANALYSIS:

Presentation by Yavapai County Assessor, Pam Pearsall, who is striving to educate qualified taxpayers about the Property Tax Assistance Programs in Arizona offered through the Assessor's Office. Two programs are currently being offered, and Ms. Pearsall will elaborate on them. These 2 programs are The Senior Valuation Freeze and Exemptions for disabilities and widow / widowers.

Attachments

No file(s) attached.

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

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

Meeting Date:	05/24/2016
Contact Person:	Joe Duffy, Finance Director Phone: 928-636-2646 x-1211
Department:	Finance
Estimated length of Staff Presentation:	5 minutes
Physical location of item:	n/a

AGENDA ITEM TITLE:

Presentation by Mark Garman and Lee Davis of National Bank of Arizona regarding the final transaction details of the contract to refinance the 2007A GADA obligations. (Joe Duffy, Finance Director)

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

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

Meeting Date:	05/24/2016
Contact Person:	Ruth Mayday, Development Services Director Phone: 928-636-4427 x-1217
Department:	Development Services
Estimated length of Staff Presentation:	10 minutes
Physical location of item:	N/A

AGENDA ITEM TITLE:

Progress update regarding Economic Development Administration Grant, Environmental Protection Agency Grant Appropriation, and Center Street Sewer Project. (Ruth Mayday, Development Services Director; Michael Lopez, Public Works Director/Town Engineer)

SITUATION & ANALYSIS:

The Public Works and Development Services Departments are working jointly on a number of projects that will create opportunities for economic growth and development in Chino Valley. Staff would like to update Council with regards to the status of these projects.

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:	05/24/2016
Contact Person:	Cecilia Grittman, Assistant Town Manager Phone: 928-636-2646 x-1202
Department:	General Services
Item Type:	Consent
Estimated length of staff presentation:	10 minutes
Physical location of item:	1020 Palomino Road

AGENDA ITEM TITLE:

Consideration and possible action to approve agreement between the Town of Chino Valley and the Friends of the Library, a 501 (c) 3 corporation, for construction and dedication of addition to the Town of Chino Valley Library, effective 5/24/2016.

RECOMMENDED ACTION:

Move to approve the Agreement for Construction and Dedication for an addition to the Town of Chino Valley Library between the Town of Chino Valley and the Friends of the Library, effective 5/24/2016.

SITUATION AND ANALYSIS:

The Friends of the Library, who provide volunteer and fund-raising efforts for the Chino Valley Public Library, are in need of additional space in which to continue to perform the work they do with their Amazon program in selling used books. Currently they are spread throughout the Library in cubbyholes and workstations. The ability to work together and be less disruptive to the Library patrons and staff is desired by the Friends, and they brought forth a solution to Town management.

The Friends propose to build on to the back of the Library facility, and Council conceptually approved their project at its meeting on 04/12/2016. The Friends will fund the construction project, with the exception of the utility relocations. The Public Works department will provide oversight of the construction project.

The Friends entered into a construction agreement with B's Contracting 3/4/16, but the agreement lacked some bonding, warranties and indemnity language that would protect the Town and the Friends, financially and legally, should the contractor not fulfill his obligations. The Town's attorney therefore requested a formal agreement between the Town and the Friends, requesting the bonding, the assurances, and the responsibilities of the parties.

The Friends and the the Contractor have produced and signed an addendum to their original contract that takes into account the assurances the Town and the Town's attorney requested.

Fiscal Impact

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

Attachments

Agreement between Friends and Town

AGREEMENT FOR CONSTRUCTION AND DEDICATION OF ADDITION TO THE TOWN OF CHINO VALLEY LIBRARY

This Agreement for Construction and Dedication of an Addition to the Town of Chino Valley Library (the "Agreement") is made and entered into this ___ day of _____, 2016 between the Town of Chino Valley ("Town"), an Arizona municipal property corporation, and the Friends of the Chino Valley Public Library ("Friends"), an Arizona non-profit corporation.

Recitals

1. The Town owns and operates the Town of Chino Valley Public Library ("Library") located at 1020 West Palomino Road, Chino Valley, Arizona 26323.

2. The Friends assist the Library in numerous ways, including hours of volunteer services and fundraising events and operations.

3. The space in the Library is no longer adequate for the events and operations of the Friends at the Library and the Friends would like an area of the Library reserved for its use to further their book sales that benefit the Library without disturbing Library patrons.

4. Friends is willing to cause the design and construction of an addition to the Library as described herein at no cost to Town and Town is willing to allow Friends to construct the proposed addition to the Library upon the terms and conditions set forth below in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, Town and Friends agree as follows:

1. Purpose. The purpose of this Agreement is to set forth the Parties' duties and responsibilities regarding the design and construction of the proposed addition to the Library and its subsequent acceptance by Town (the "Project").

2. The Project. The Project shall consist of the design and construction of an addition to the Library as described in Exhibit A to this Agreement which is attached hereto and incorporated herein by this reference.

3. Responsibilities of Friends. The Friends shall:

3.1 Engage and pay all expenses of an architect to design the addition to the Library.

3.2 Submit to Town the plans, specifications and drawings ("Plans") for approval prior to entering into a contract for construction of the Project.

3.3 Enter into a contract with a qualified contractor ("Construction Contractor") acceptable to the Town to construct the Project ("Construction Contract") and include in the Construction Contract, at a minimum, the following provisions:

3.2.1 A requirement that the work be performed and the Project completed in accordance with all requirements of law and that no work be undertaken until Contractor has obtained all required permits and other approvals. "Completion" means construction has been completed in compliance with the Plans, the site of the Project has been cleaned up and all construction materials and waste have been removed, and all certificates of occupancy have been obtained. The work on the Project shall be performed in accordance with the best modern practice and with materials and workmanship of the highest quality.

3.2.2 A requirement that the Construction Contractor consult with the Town Engineer and provide the Town Engineer with the Plans and any other documents necessary for the Town Engineer to provide construction administration for the Project.

3.2.3 A requirement that Construction Contractor furnish to Town with the following bonds, which shall be binding upon the Construction Contractor:

3.2.3.1 A performance bond in an amount equal to the full amount of the Construction Contract between Friends and Construction Contractor conditioned upon the faithful performance of the Contract in accordance with Plans. Such bond shall be solely for the protection of the Town of Chino Valley.

3.2.3.2 A payment bond in an amount equal to the full Construction Contract amount solely for the protection of the claimants supplying labor or materials to the Construction Contractor or his subcontractors in the construction and completion of the Project.

3.2.3.3 Each such bond shall include a provision allowing the prevailing party in a suit on such bond to recover as a part of this judgment such reasonable attorney's fees as may be fixed by a judge of the court.

3.2.3.4 Each such bond shall be executed by a surety company or companies holding a certificate of authority to transact surety business in the State of Arizona issued by the Director of the Department of Insurance pursuant to Title 20, Chapter 2, Article 1 of the Arizona Revised Statutes and any amendments thereto. The bonds shall be made payable and acceptable to Town. The bonds shall be written or countersigned by an authorized representative of the surety who is either a resident of the State of Arizona or whose principal office is maintained in Arizona, and the bonds shall have attached thereto a certified copy of the power of attorney of the signing official.

3.2.3.5 Submittal of the required bonds as set forth in this paragraph is a condition precedent to Construction Contractor beginning work on the Project.

3.2.4 Warranty. A requirement that Construction Contractor warrant to Town that all materials and equipment furnished under the Construction Contract will be new, and that all work will be of good quality, free from faults and defects; and to further guarantee all work and materials for a period of one year from the date of Town's acceptance of the Project. Should any portion of the work need replacement or repair within one year from the date of completion due to construction methods or material failure, Contractor shall replace such work at no cost to Town. If Construction Contractor fails within reasonable time to replace or repair any portion of the work deemed to be needed, Town may cause said work to be done and Construction Contractor shall pay all costs incurred therein. All work not conforming to the Plans, including substitutions not properly approved and authorized, may be considered defective. If required by Town, Construction Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment. The provisions of this paragraph shall survive termination or expiration of this Agreement.

3.2.5 A requirement that the Construction Contractor, its successors and assigns indemnify and hold harmless Town, its officers and employees from and against all liabilities, damages, losses and costs (including reasonable attorney fees and court costs) to the extent caused by the negligence, recklessness or intentional wrongful conduct of Construction Contractor or other persons employed or used by the Construction Contractor in the performance of the Construction Contract. Construction Contractor's duty to indemnify and hold harmless Town, its officers and employees shall arise in connection with any claim, damage, loss or expense that is attributable to bodily injury, sickness, disease, death, or injury to, impairment, or destruction of property including loss of use of resulting there from, caused by Construction Contractor's negligence, recklessness or intentional wrongful conduct in the performance of the Construction Contract and the negligence, recklessness or intentional wrongful conduct of any person employed by Construction Contractor or used by Construction Contractor in the performance of the Construction Contract. The provisions of this paragraph shall survive termination or expiration of this Agreement.

Insurance provisions set forth in the Contract shall be separate and independent from the indemnity provisions of this paragraph and shall not be construed in any way to limit the scope and magnitude of the indemnity provisions. The indemnity provisions of this paragraph shall not be construed in any way to limit the scope and magnitude and applicability of the insurance provisions.

3.2.6 A requirement that the Construction Contractor secure and maintain throughout the term of the Contract, the following insurance in the name of Construction Contractor, naming Town as additional insured with respect to claims which may arise out of or result from Construction Contractor's acts, operations or negligence or those of its subcontractors, or anyone directly or indirectly employed by any of them including officers, employees, agents or representatives for matters related to the Contract. The coverage shall be provided on an "occurrence" basis rather than a "claims made" basis, shall be provided without offset against Town's existing insurance and provide for a minimum of thirty (30) calendar days' notice to Town prior to cancellation, reduction in coverage or other substantial modification.

Construction Contractor shall provide a Certificate of Insurance which sets forth the following minimum amounts and types of coverage:

TYPE OF COVERAGE	AMOUNT NOT LESS THAN
Workers' Compensation	Statutory
Employers Liability	$100,000 each accident $100,000 disease each employee $500,000 disease aggregate

TYPE OF COVERAGE	AMOUNT NOT LESS THAN
Commercial General Liability (including contractual liability for this Contract; broad form property damage; completed operations; and explosion, collapse and underground coverage)	$1,000,000 per occurrence $2,000,000 aggregate combined single limit
Automobile Liability (including owned, hired and non-owned coverages)	$1,000,000 combined single limit
Builders "All-risk"	Completed Value (at least 100% of the Contract)

3.2.6.1 Construction Contractor shall submit to Town proof of the required insurance prior to beginning the Work. Such proof of insurance shall include the Project name. Construction Contractor shall obtain the above-described insurance from insurance companies which are duly authorized to issue such policies in the State of Arizona and "Best Rated A" or better by the A.M. Best Company, or which are otherwise acceptable to Town. Contractor shall maintain such insurance coverage until all the work has been completed and the Project has been accepted by Town.

3.2.6.2 Town shall not be obligated to review any of Construction Contractor's Certificates of Insurance, insurance policies or endorsements or to advise Construction Contractor of any deficiencies in such documents and any receipt of copies or review by Town of such documents shall not relieve Construction Contractor from or be deemed a waiver of Town's right to insist on strict fulfillment of Construction Contractor's obligations under this paragraph.

3.2.6.3 The insurance coverages referenced above shall apply to all operations of Construction Contractor related to the Project which are undertaken by the insured, subcontractors or their employees and agents during the life of the Construction Contract. These policies shall not expire until all work has been completed and the Project has been accepted by

Town. If a policy does expire during the life of the Construction Contract, a renewal Certificate of the required coverage must be sent to Town not less than thirty (30) calendar days prior to expiration date.

3.3 Indemnify, defend and hold the Town harmless from and against any and all claims, losses, liability, costs, expenses, or damages (including reasonable attorney's fees) ("Claims") of any nature whatsoever which is caused by any activity, condition or event arising out of the performance or nonperformance by the Friends. Such indemnification obligation extends to all liability, losses and damages of any nature for or on account of any injuries or death of persons or damages to or destruction of property arising out of or in any way connected with the performance or nonperformance of Friends' duties and responsibilities pursuant to this Agreement, except such injury or damage as shall have been occasioned by the willful misconduct of the Town. In the event of an action, the damages which are the subject of this indemnity shall include costs, expenses of litigation and reasonable attorney's fees. The provisions of this paragraph shall survive termination or expiration of this Agreement.

3.4 Assign to Town all warranties provided by the Construction Contractor or a manufacturer or supplier of equipment or goods used in the Project.

4. Responsibilities of Town. Town shall:

4.1 Provide construction administration for the Project.

4.2 Relocate the water, sewer, and gas lines as shown on the plans.

4.3 Upon satisfactory completion of the Project, accept the Project and issue a certificate of occupancy for the Project in conformance with Town procedures.

4.4 Upon completion and acceptance of the Project and payment of all amounts owed to Construction Contractor and the architect, permit Friends to occupy and use that portion of the Library that constitutes the Project on reasonable terms and conditions established by Town.

5. General Terms and Conditions

5.1 Effective Date: This Agreement shall become effective as of the date written above and remain in full force and effect until terminated pursuant to Paragraph 5.3.

5.2 Termination: This Agreement shall terminate on upon completion and acceptance of the Project, except for those terms that survive termination of this Agreement.

5.3 Amendments: This Agreement may be amended upon written Agreement by all Parties.

5.4 Notice Regarding A.R.S. § 38-511: This Agreement is subject to cancellation under Section 38-511, Arizona Revised Statutes.

5.5 Immigration Law Compliance Warranty: The Parties warrant that they are in compliance with A.R.S. § 41-4401 and further acknowledge that:

a. Any contractor or subcontractor who is contracted by a Party to perform work related to this Agreement shall warrant their compliance with all federal immigration laws and regulations that relate to their employees and their compliance with A.R.S. § 23-214(A), and shall keep a record of the verification for the duration of the employee's employment or at least three years, whichever is longer.

b. That any breach of the warranty, shall be deemed a material breach of this Agreement that is subject to penalties up to and including termination of the Agreement.

c. The Parties retain the legal right to inspect the papers of any contractor or subcontractor employee who performs work related to this Agreement to ensure that the contractor or subcontractor is complying with the warranty above and that the contractor agrees to make all papers and employment records of said employee available during normal working hours in order to facilitate such an inspection.

5.6 Independent Contractor: This Agreement does not create an employee/employer relationship between the parties and nothing in this Agreement shall make any contractor or subcontractor an agent or employee of the Parties to this Agreement.

5.7 Default: If Friends fails or refuses to perform its obligations under this Agreement, Town may perform such obligations and charge the actual costs to Friends. If Friends fails or refuses to pay any costs or expenses it is required to pay under this Agreement, Town may terminate this Agreement and pursue any remedies available to it at equity or by law.

5.8 Notices. Any notice to be given under this Agreement shall be in writing, shall be deemed to have been given when personally served or when mailed by certified or registered mail, addressed as follows:

TOWN:	YRT:
Town Manager Town of Chino Valley 202 N. State Route 89 Chino Valley, Arizona 86323	Ms. Linda Berg, President Friends of the Chino Valley Public Library 1020 Palomino Road, #103 Chino Valley, Arizona 86323

The addresses may be changed from time to time by either party by serving notices as provided above.

5.9 Controlling Law: This Agreement is to be governed by the laws of the State of Arizona.

5.10 Assignability: This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns. Neither Party shall assign its interest in this Agreement without the prior written consent of the other Party.

5.11 Sole Agreement: This Agreement and all Exhibits attached hereto sets forth all of

the covenants, promises, agreements, conditions and understandings between the Parties hereto, and there are no covenants, promises, agreements, conditions or understandings, either oral or written, between the Parties other than as set forth herein, and those agreements which are executed contemporaneously herewith. This Agreement shall be construed as a whole and in accordance with its fair meaning and without regard to any presumption or other rule requiring construction against the party drafting this Agreement. This Agreement cannot be modified or changed except by a written instrument executed by all of the Parties hereto. Each party has reviewed this Agreement and has had the opportunity to have it reviewed by legal counsel.

5.12 Nothing contained in this Agreement shall create any partnership, joint venture or other agreement between the Parties hereto. Except as expressly provided herein, no term or provision of this Agreement is intended or shall be for the benefit of any person or entity not a party hereto, and no such other person or entity shall have any right or cause of action hereunder.

5.13 Time of the Essence: Time is of the essence hereof. Unless otherwise specified herein, the term "day" as used in this Agreement shall mean calendar day. If the date for performance of any obligation hereunder or the last day of any time period provided herein shall fall on a Saturday, Sunday or legal holiday, then said date for performance or time period shall expire at the close of business on the first day thereafter which is not a Saturday, Sunday or legal holiday.

5.14 Recitals. The Recitals are hereby incorporated into this Agreement by reference.

IN WITNESS WHEREOF, Town and Friends have executed this Agreement as of the date first written.

TOWN OF CHINO VALLEY, ARIZONA

By: _____
Chris Marley, Mayor

ATTEST:

By: _____
Jami Lewis, Town Clerk

APPROVED AS TO FORM:

By: _____
Phyllis L. N. Smiley, Town Attorney

FRIENDS OF THE CHINO VALLEY PUBLIC LIBRARY

_____

Linda Berg, President

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

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

Meeting Date: 05/24/2016

Department: General Services

Item Type: Consent

Estimated length of staff presentation: None

Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to adopt Ordinance No. 16-818 amending the Town Code Title XI Business Regulations, Chapter 114 Cable Television, Section 114.45 License Payments, Paragraph (A) to amend the percentage related to the license fee.

RECOMMENDED ACTION:

Adopt Ordinance No. 16-818 amending the Town Code Section 114.45 License Payments, Paragraph (A) to amend the percentage related to the license fee.

SITUATION AND ANALYSIS:

This year will be renewing our license with Cable One; it will be an incremental process throughout the year as we change the Town Code to comply with changes in legislation that now conflict with our Town Code. The change being adopted tonight through Ordinance 114.45 simply brings the Town code into agreement with what the Town has been receiving from Cable One for their license agreement to subscribers within the Town of Chino Valley. The Town Code currently states the Town is to 3% of revenues, when in fact we receive 5% of annual gross revenues from subscribers.

We will be renewing the entire License Agreement with Cable One by October, 2016. It will require a public hearing and an opportunity for input from the Council.

Fiscal Impact

Fiscal Impact?: N

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Ordinanance 16-818 Cable TV Code

ORDINANCE NO. 16-818

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE TOWN CODE OF THE TOWN OF CHINO VALLEY, ARIZONA, TITLE XI: BUSINESS REGULATIONS, CHAPTER 114 CABLE TELEVISION, BY AMENDING SECTION 114.45 LICENSE PAYMENTS RELATED TO CONFORMING THE CODE TO ARIZONA STATE LAW; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING PENALTIES

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

The Town Code of Chino Valley, Arizona, Title 11 Business Regulations, Chapter 114 Cable Television, Section 114.45 License Payments is hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in strikeout):

§ 114.45 License Payments.

(A) Any person awarded a license under this chapter shall pay to the town each year during the life of the license, a license fee in the amount of FIVE PERCENT (~~3~~5%) of its annual gross subscriber revenues derived from its operation of the licensed cable television system within the town. Should FCC rules be amended to allow the imposition of license fee charges upon gross revenues from auxiliary services, the town may then by ordinance immediately require grantee to pay a license fee of FIVE PERCENT (~~3~~5%) ~~percent~~ of its annual gross revenues rather than FIVE PERCENT (~~3~~5%) of its annual gross subscriber revenues.

* * *

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. Providing for Penalties

Any person found responsible for violating any provision of this Ordinance section shall be subject to the civil sanctions and habitual offender provisions set forth in Section 10.99(A), (B) and (D) of the Town Code of the Town of Chino Valley, Arizona.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 24th day of May, 2016 by the following vote:

AYES: _____ ABSENT: _____

NAYS: _____ ABSTAINED: _____

APPROVED this 24th day of May, 2016.

_____
Chris Marley, Mayor

ATTEST:

_____
Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

_____
Phyllis L. N. Smiley, Town Attorney

I, JAMI LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 16-818 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 24th DAY OF May, 2016, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 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. 6. c.**

Meeting Date: 05/24/2016

Contact Person: Joe Duffy, Finance Director
Phone: 928-636-2646 x-1211

Department: Finance

Item Type: Consent

Estimated length of staff presentation: None

Physical location of item: Bright Star Subdivision

AGENDA ITEM TITLE:

Consideration and possible action to adopt Resolution No. 16-1083, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2016/2017, pursuant to Section 48-616, Arizona Revised Statutes, as amended; setting a date for public hearing on the proposed statements and estimates as approved; and providing for notice of the hearing and publication of the proposed statements and estimates of the expenses of the districts which shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property in the districts.

RECOMMENDED ACTION:

Adopt Resolution No. 16-1083, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2016/2017 and setting a date for the public hearing on the proposed statements and estimates for June 28, 2016.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code:

Available:

Funding Source:

Approval will create a levy to pay for street lighting within the CVSLID street lighting districts. The districts are accounted for in a separate fund by the Town.

Attachments

Resolution 16-1083

RESOLUTION NO. 16-1083

TOWN OF CHINO VALLEY, ARIZONA

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA APPROVING THE PROPOSED STATEMENTS AND ESTIMATES OF REVENUES AND EXPENSES OF THE TOWN OF CHINO VALLEY STREET LIGHTING IMPROVEMENT DISTRICTS FOR FISCAL YEAR 2016/2017, PURSUANT TO SECTION 48-616, ARIZONA REVISED STATUTES, AS AMENDED; SETTING A DATE FOR PUBLIC HEARING ON THE PROPOSED STATEMENTS AND ESTIMATES AS APPROVED; AND PROVIDING FOR NOTICE OF THE HEARING AND PUBLICATION OF THE PROPOSED STATEMENTS AND ESTIMATES OF THE DISTRICTS WHICH SHALL BE PROVIDED FOR BY THE LEVY AND COLLECTION OF AD VALOREM TAXES ON THE ASSESSED VALUE OF ALL THE REAL AND PERSONAL PROPERTY IN THE DISTRICTS

WHEREAS, the provisions of A.R.S. § 48-616 require the governing body to levy taxes upon all property in a municipal street lighting improvement district to pay the annual expenses of said districts; and

WHEREAS, the governing body of the municipality shall make annual statements and estimates of the expenses of the district, which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all the real and personal property in the district, shall publish notice thereof, shall have hearings thereon and adopt said statements and estimates as provided in title 42, chapter 17, article 3, Arizona Revised Statutes; and

WHEREAS, the Mayor and Council desire to approve said statements and estimates for Fiscal Year 2016/2017;

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

1. The proposed statement and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for Fiscal Year 2016/2017, attached hereto and incorporated herein as Exhibit “A”, is hereby approved.

2. A public hearing and special meeting to approve the statement and estimates and final budgets of the Districts shall be set for the 28th day of June, 2016 and notice of such hearing shall be published in accordance with the requirements of A.R.S. § 48-616.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 24th day of May, 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. 16-1083 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on May 24, 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

The following exhibits are attached hereto and incorporated herein:

1. Exhibit A: Proposed Statement and Estimates of Revenues and Expenses of the Town of Chino Valley Street Lighting Improvement Districts for Fiscal Year 2016/2017

Exhibit A

TOWN OF CHINO VALLEY, ARIZONA

STREET LIGHTING IMPROVEMENT DISTRICTS

Schedule of Estimated Assessments - Fiscal Year 2016/2017

			A	B	C	D	E
Co. Dist. No.	Town ID No.	Town ID Name	2015/2016 Estimated Actual Expenses	2015/2016 Levy Request	2015/2016 Difference on Expenses vs. Levy	2016/2017 Projected Expenses	2016/2017 Levy Request
13004	CVSLID 1	Chino Valley, Arizona, CVSLID #1 Lighting Improvement District	$ 1,947	$ 1,987	$ 40	$ 2,042	$ 2,000
13005	CVSLID 2	Chino Valley, Arizona, CVSLID #2 Lighting Improvement District	$ 999	$ 994	$ (4)	$ 1,048	$ 1,000
13006	CVSLID 3A	Chino Valley, Arizona, CVSLID #3A Lighting Improvement District	$ 909	$ 1,001	$ 92	$ 958	$ 1,000

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

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

Meeting Date: 05/24/2016
Contact Person: Phyllis Smiley, Town Attorney
Department: Town Attorney
Item Type: Consent
Estimated length of staff presentation: None
Physical location of item: n/a

AGENDA ITEM TITLE:

Consideration and possible action to approve Resolution No. 16-1087, accepting the dedication of right-of-way of certain real property located approximately at the intersection of Road 4 South and Peavine.

RECOMMENDED ACTION:

Motion to approve Resolution No. 16-1087.

SITUATION AND ANALYSIS:

Issue Statement

The dedication of this right-of-way by Cortez Enterprises was agreed upon pursuant to Section 6.02.04 of the Provisional Settlement Agreement in the lawsuit of Cortez v. Town. This resolution by the Town is for the purpose of accepting the dedication and will be noted on the map of dedication that will be recorded in the Yavapai County Recorder's office. While it is not the Town's usual practice to accept dedications by resolution, it was requested by Cortez and the Town sees no reason not to oblige. Staff therefore recommends approval of the resolution.

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

Resolution 16-1087

Exhibit A

Exhibit B

RESOLUTION NO. 16-1087

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, AUTHORIZING ACQUISITION OF CERTAIN REAL PROPERTY IN THE TOWN FOR RIGHT-OF-WAY FOR PUBLIC ROADWAY PURPOSES, PUBLIC AND PRIVATE UTILITIES, AND OTHER PUBLIC USES NOT INCONSISTENT WITH ITS USE AS A ROADWAY, BY DEDICATION; AND AUTHORIZING AND DIRECTING THE MAYOR, TOWN MANAGER AND TOWN ATTORNEY TO ACQUIRE TITLE TO SUCH REAL PROPERTY ON BEHALF OF THE TOWN BY DEDICATION.

WHEREAS, the continued growth and development of the Town of Chino Valley (the "Town") requires acquisition of certain real property described in Exhibit A (the "Property"), attached hereto and made a part hereof, for right-of-way and public roadway purposes; and

WHEREAS, pursuant to Paragraph 6.02.04 of the Provisional Settlement Agreement entered into by the Town of Chino Valley and Cortez Enterprises, Inc. ("Cortez"), in the matter of Cortez v. Town of Chino Valley, requires dedication of the Property to the Town to be used as public right-of-way and to provide Cortez non-exclusive ingress, egress and public utility access to the Road 4 South right-of-way; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley find that acquisition of the Property is necessary for public right-of-way purposes, and it is in the public interest to acquire such property; and

WHEREAS, the Mayor and Common Council of the Town of Chino Valley have considered alternatives available to it, have balanced the public good and the private injury resulting from the acquisition of the property and have determined that locating the public improvements on the property results in the greatest public good and the least private injury and that acceptance of the dedication is in the best interests of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, Arizona, that

1. That the Mayor, Town Manager and Town Attorney are hereby authorized and directed to acquire title to and possession of the real property generally described in Exhibit A, for public right-of-way purposes, accepting the dedication (donation) of the Property by Cortez as evidenced by the Map of Dedication (attached hereto as Exhibit B) prepared and provided to the Town by Cortez, subject to the requirements set forth in Paragraph 6.02.04 of the Provisional Settlement Agreement dated March 6, 2014 between Cortez and the Town; and

2. That the Mayor, Town Manager and Town Attorney are authorized to perform all acts necessary to acquire said property in the manner and for the purposes described in this resolution on behalf of the Town.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 24th day of May, 2016 by the following vote:

AYES: _____ ABSENT: _____

NAYS: _____ ABSTAINED: _____

_____
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.16-1087 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on May 24, 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

The following exhibits are attached hereto and incorporated herein:

1. Exhibit A – Legal Description of Property to be Acquired by Dedication
2. Exhibit B – Map of Dedication

EXHIBIT A

Description of Property to be Acquired

EXHIBIT B

Map of Dedication

A PORTION OF SECTION 1, TOWNSHIP 15 NORTH, RANGE 2 WEST IN THE TOWN OF CHINO VALLEY, YAVAPAI COUNTY, STATE OF ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 1;

THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 1, NORTH 89°32’25” WEST A DISTANCE OF 198.54 FEET TO THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED IN BOOK 3306 OF OFFICIAL RECORDS, PAGE 416, RECORDS OF YAVAPAI COUNTY, ARIZONA AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTHERLY LINE OF SECTION 1 AND THE NORTH LINE OF ABOVE REFERENCED PROPERTY, NORTH 89°32’25” WEST A DISTANCE OF 200.32 FEET TO THE NORTHWEST CORNER OF ABOVE REFERENCED PROPERTY;

THENCE ALONG THE WESTERLY LINE OF THE ABOVE REFERENCED PROPERTY, SOUTH 03°41’41” WEST A DISTANCE OF 85.00 FEET;

THENCE SOUTH 89°32’25” EAST A DISTANCE OF 200.32 FEET TO A POINT ON THE EAST LINE OF THE ABOVE REFERENCED PROPERTY;

THENCE ALONG SAID EASTERLY LINE, NORTH 03°41’41” EAST A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.

MAP OF DEDICATION
A PORTION OF ROAD 4 SOUTH

LOCATED IN A PORTION OF SECTION 1, TOWNSHIP 15 NORTH,
RANGE 2 WEST, GILA & SALT RIVER BASE & MERIDIAN,
YAVAPAI COUNTY, ARIZONA.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT CORTEZ ENTERPRISES, INC., AN ARIZONA CORPORATION, AS OWNER OF A PORTION OF SECTION 1, TOWNSHIP 15 NORTH, RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, HEREBY DEDICATES TO THE TOWN OF CHINO VALLEY, ARIZONA, A PUBLIC RIGHT-OF-WAY, FOR PUBLIC ROADWAY PURPOSES, PUBLIC AND PRIVATE UTILITIES AND OTHER PUBLIC USES NOT INCONSISTENT WITH ITS USE AS A ROADWAY.

IN WITNESS WHEREOF, CORTEZ ENTERPRISES, INC., AN ARIZONA CORPORATION, HAS CAUSED THE NAME OF THE CORPORATION TO BE AFFIXED HERETO AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF JOHN L. PEMBERTON, PRESIDENT, BEING DULY AUTHORIZED TO SO DO, ON THIS ____ DAY OF _____, 201___.

CORTEZ ENTERPRISES, INC.

ATTEST: _____
JOHN L. PEMBERTON, PRESIDENT

STATE OF ARIZONA

COUNTY OF YAVAPAI

ON THIS ____ DAY OF _____, 201___, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DID PERSONALLY APPEAR JOHN L. PEMBERTON, WHO ACKNOWLEDGED HIMSELF TO BE PRESIDENT OF CORTEZ ENTERPRISES, INC., AN ARIZONA CORPORATION, AND ACKNOWLEDGED AS SUCH OFFICER, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES CONTAINED THEREIN.

IN WITNESS THEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

RESOLUTION NO.: _____

THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, DO HEREBY CERTIFY THAT THE RIGHT-OF-WAY SHOWN AND DESCRIBED HEREON HAS BEEN DEDICATED TO THE TOWN OF CHINO VALLEY PURSUANT TO TOWN RESOLUTION NO. _____, PASSED AND ADOPTED ON THIS ___ DAY OF _____, 201___.

_____
MAYOR

_____
TOWN CLERK

_____
TOWN ENGINEER

PROPERTY DESCRIPTION

ALL THAT PORTION OF SECTION 1, TOWNSHIP 15 NORTH, RANGE 2 WEST, GILA AND SALT RIVER BASE AND MERIDIAN, TOWN OF CHINO VALLEY, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 1;

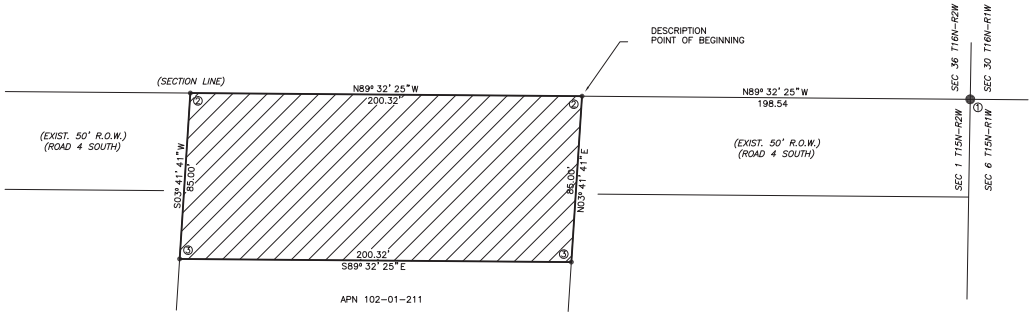
THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 1, NORTH 89°32'25" WEST, A DISTANCE OF 198.54 FEET TO THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED IN BOOK 3306 OF OFFICIAL RECORDS, PAGE 416, RECORDS OF YAVAPAI COUNTY, ARIZONA, AND THE TRUE POINT OF BEGINNING;

THENCE, CONTINUING ALONG SAID NORTHERLY LINE OF SECTION 1 AND THE NORTH LINE OF THE ABOVE REFERENCED PROPERTY, NORTH 89°32'25" WEST, A DISTANCE OF 200.32 FEET TO THE NORTHWEST CORNER OF THE ABOVE REFERENCED PROPERTY;

THENCE ALONG THE WESTERLY LINE OF THE ABOVE REFERENCED PROPERTY, SOUTH 03°41'41" EAST, A DISTANCE OF 85.00 FEET;

THENCE, SOUTH 89°32'25" EAST, A DISTANCE OF 200.32 FEET TO A POINT ON THE EAST LINE OF THE ABOVE REFERENCED PROPERTY;

THENCE ALONG SAID EASTERLY LINE, NORTH 03°41'41" WEST, A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.



EXISTING RIGHT-OF-WAY (R.O.W.) AS SHOWN ON THE RECORD OF SURVEY AT 2015-0035206-1, 2 & 3, RECORDS OF YAVAPAI COUNTY.

① = FOUND G.L.O. BRASS CAPPED MONUMENT.
② = FOUND REBAR W/CAP "LS26405".
③ = SET REBAR W/CAP "LS13941".

= AREA TO BE DEDICATED

N

SCALE: 1" = 30'
0 15 30 60 90

CERTIFICATION

I, G. MICHAEL HAYWOOD, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF SEPTEMBER, 2015; THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE BOUNDARY FORMS A MATHEMATICALLY CLOSED FIGURE; AND, THAT ALL MONUMENTS SHOWN EXIST AS OF THE DATE HEREOF AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 13941
G. MICHAEL HAYWOOD
ARIZONA, U.S.A.
EXPIRES 3-31-2018

G. MICHAEL HAYWOOD – AZ. R.L.S. No. 13941

REVISED: 5-9-16 GMH

(RECORDER'S DATA)
Filed and recorded at the request of
TOWN OF CHINO VALLEY

NEXUS SOUTHWEST, LLC
REGISTERED LAND SURVEYORS
212 S. MARINA STREET
PRESCOTT, AZ. 86303
(928) 778-5101

JOB NO: 15-404	DRAWN: GMH
CREW: RR/CM	DATE: 12-10-15
CLIENT: CORTEZ ENT.	CHECKED: GMH
SCALE: 1" = 30'	DATE: 12-11-15

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

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

Meeting Date: 05/24/2016

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 April 19, 2016 study session minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the April 19, 2016 study session minutes.

Attachments

April 19, 2016 minutes

D R A F T

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

TUESDAY, APRIL 19, 2016
6:00 P.M.

The Town Council of the Town of Chino Valley, Arizona, met for a Study Session in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, April 19, 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; Finance Director Joe Duffy; Assistant Public Works Director/Town Engineer Michael Lopez; Utility Supervisor Chris Bartels; Wastewater Treatment Plant Operator Mike Bovee; Utilities Crew Leader Joe Grassi; Associate Planner James Gardner; Town Clerk Jami Lewis (recorder)

1) CALL TO ORDER; ROLL CALL

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

Mayor Marley reported that staff requested that Council move item 3 to the top of the queue.

MOVED by Vice-Mayor Darryl Croft, seconded by Councilmember Mike Best to move item number 3 to number one.

Vote: 7 - 0 PASSED - Unanimously

2) Presentation and discussion regarding the Revenue Manual, Preliminary Budget, and Capital Improvement Plan for fiscal year 2016/2017. (Joe Duffy, Finance Director)

(This item was heard after item 3 but is retained here for clarity.)

Mr. Duffy presented the revenue manual, an instrument that helped staff increase the accuracy of budget projections by allowing them to identify the specific trends with each revenue account.

The Revenue Manual included:

- Summary of all revenues over the last five fiscal years (FYs).
- Projected revenues for the next five FYs.
- Assumptions that all revenues were projected to stay even or increase 3% each year unless other data was available.
- No grants, interfund transfers, or carry over amounts at this time.

Key points regarding revenues:

- General Fund (GF) revenues increased 3% this FY and were projected to increase 3.75% next budget year.
- In the GF, total sales tax increased 4%-5% increase.
- Construction had increased, but not as high as projected.
- The capital improvement fund was projected to increase 4% next year.
- City of Prescott payments for water transportation tax will end in FY 2020/2021.
- Sewer buy-in fees were less than projected and rate increase freezes were not included in the projections.
- Overall, revenues were showing slow, steady increases and staff was still projecting revenues conservatively.
- Projections will be updated during the budget process as new data became available.

Council had no questions or comments.

Mr. Duffy then presented the preliminary budget for FY 2016/2017 and reviewed:

- How to read the budget spreadsheets.
- Revenues, expenditures, reserves, contingencies, fund balance, and interfund loans.
- A summary of the general fund 10 year fund balance; highway user revenue fund (HURF); capital improvement fund (CIP); and water and sewer funds.
- Fund balances by fiscal year.

Key points regarding the major funds:

- *General fund:* Reserves were fully funded in FY 2014 and the fund was healthy.
- *HURF:* The fund had dropped dramatically since the recession and was severely underfunded. He recommended increasing the current $50,000 transfer in from the CIP with an additional $25,000. This was still not enough to get the needed roadwork done.
- *CIP:* This included roads impact fee projects, drainage projects, the EDA grant match, and transfers to general fund, water fund, and debt service.
- *Water fund:* The fund's cash flow was positive, but the general fund was carrying most of the fund's reserves. $2 million was added to this fund for potential water system purchase(s).
- *Sewer fund:* This was the Town's first full year of operating the system. Staff had projected a $70,000 loss; actual losses were $77,000. Staff anticipated additional losses next year to get the plant to a proper operating level. As staff was putting cash away each year for asset repairs, he anticipated breaking even after this FY and being cash flow positive in FY 2018.

3) Presentation and discussion of proposed amendments to the Town of Chino Valley Consolidated Fee Schedule regarding Business License fees related to marijuana and liquor related businesses. (James Gardner, Associate Planner)

Mr. Gardner reviewed the preliminary proposed fee schedule amendments and how the fees were determined.

<u>Medical marijuana uses</u>

- *Proposal:* Establish fees for applications, business licenses, employee licenses, and inspections.
- *Purpose:* (i) Provide some cost recovery incurred by additional paperwork and tracking associated with such businesses; as well as address some disproportionate impacts placed upon the Town by these businesses, which require more significant oversight due to state

law; and (ii) Ensure that the businesses and employees were current with state regulations.

In response to Council questions, Mr. Gardner and Town Manager Smith reported that:

- The Town had the authority to require additional regulations over the state for health and safety matters and to reduce risk.
- The Town's inspections would not duplicate those done by the Fire District; they would relate primarily to buildings and public safety.
- On-site inspections would be for compliance related to alarms, buildings, exits/entrances, ADA standards, parking, landscaping and lighting; it will be up to Council to determine the frequency of some inspections.
- Staff believed MMJ business employees received only a one-time certification, but the Town would want to ensure that such employees were staying in compliance.
- As the Town had no impact fees and received no sales taxes from MMJ facilities, this might be the only structure available to the Town to offset the impacts of these businesses.
- The only other Town imposing similar fees was Show Low, which had similar metrics to the Town, and whose fees were comparable.

Council comments:

- Council should discuss this further with the town attorney.
- They desired to protect the community, but not over-regulate it.
- There was concern over one MMJ facility that would not allow police personnel on premises.
- Slow down on this until a problem actually arose.
- The fire district conducted annual inspections and did not charge a fee.

Council asked staff to:

- Provide a list of state regulations for MMJ establishments as compared to staff's proposal, referencing the specific provisions related to staff's proposals.
- Research Health Department regulations with regard to random drug or alcohol checks for MMJ employees.
- Provide more data and justification for the proposal.

<u>Liquor establishments</u>

- *Proposal:* Establish fees for inspections of bars, beer and wine stores, liquor stores, domestic farm wineries, and private clubs.
- *Purpose:* Provide some cost recovery incurred by additional paperwork and tracking associated with such businesses; as well as address some disproportionate impacts placed upon the Town by these businesses, which require more significant oversight due to state law.

Mr. Gardner and Town Clerk Lewis described how these new fees would interact with the recent amendments to the liquor license business license and liquor license application fees.

In response to Council's questions, Mr. Gardner reported that the liquor license inspection fee would be only for the first time the business applied with the Town or for a change to the license.

Council comment: The proposed fee penalized businesses that served alcohol. While MMJ businesses did not pay sales taxes, liquor establishments did.

Land use advertising fees

- *Proposal:* Eliminate the Town's advertising fee for rezones, subdivisions, planned area developments, and conditional use permits; and require that applicants do this themselves and provide the required affidavit to the Town.
- *Purpose:* Relieves staff of this responsibility.
- *Considerations:* (i) impetus on the applicant leads to possibly missed deadlines; (ii) applicants must pay prior to publication, while the Town was able to pay afterward; (iii) the newspaper tracked Town-paid ads, but not private ads; (iv) private ads cost considerably more.

Council comments:

- Giving the applicant this responsibility appeared to create more of a liability.
- The Town should help citizens with such complex processes, since it was mandated.

4) Presentation and discussion regarding Wastewater Treatment Facility evaluation. (Chris Bartels, Public Works Manager)

Public Works Director/Town Engineer Lopez introduced Mr. Bartels who would:

- Review the current status of the wastewater treatment facility ("Plant"), expenses to date, and projected expenses to get the Plant functioning at its most efficient.
- Review staff's research regarding septage receival and discussions with region entities regarding a county-wide regional facility.

Mr. Bartels presented:

- The Plant's construction, operations and maintenance history, and staff's comprehensive evaluation of the Plant since taking it over in April 2015.
- The Plant's technology.
- The Utility Division's objectives to obtain an operational understanding of the entire facility, identify issues, develop costs, project long term needs, and develop/implement revenue strategy.
- Current employee certifications and experience, and operational training resources.
- The Plant's flow schematic.
- Critical instrumentation and equipment's purpose, current status, replacement costs, average service life, and remaining service life.
- Instrumentation and equipment replaced to date and costs.
- Instrumentation and equipment to be replaced or refurbished and projected replacement schedule.

Mayor Marley recessed the meeting at 7:55 p.m. and reconvened it 8:00 p.m.

Council asked about warranties. Mr. Bartels stated that most such equipment generally had a one year manufacturer's warranty and warranty for motors had a little longer. Councilmember Turner noted that with commercial applications, maintenance levels greatly affected longevity.

Mr. Bartels then reviewed matters related to the liquid waste (septage) receiving program:

- *Current facilities:* There were 11 facilities receiving septage statewide at an average cost of $0.15 per gallon.
- *Regional needs:* There was a need for another receiving location in the region, as Grey Wolf and Prescott's facilities were limited. As the Town's Plant was designed to accept septage, the Town had the ability to create this as a revenue stream.
- *Possible disadvantages:* Impacts to chemical and biological balance; damage to wastewater treatment equipment; decrease in equipment service life; and increase in operational costs.
- *Possible advantages:* Potential to offset costs of running the Plant and provide a resource for the regional need. Staff will provide projected revenues to Council.
- *Program needs:* Replace existing SMU filter, develop regulations and protocols, and develop training for staff and liquid waste haulers.
- *Staff recommendation:* Develop program; implement it on a small scale, such as liquid only users; assess program; develop and implement refined receiving protocols and procedures; implement full scale program; and constantly assess and monitor conditions.

Staff provided more details in response to Council's questions:

- *Mitigating damage:* Septage would be tested before being offloaded.
- *Equipment service life:* The potential for decreased service life was only if something, such as an illegal dump, got through the system. Staff will work to mitigate these issues.
- *Sludge disposal costs:* About $40,000 per year.

Council comment: This was a big opportunity for the Town and if set up correctly, it would provide ongoing revenue.

5) ADJOURNMENT

MOVED by Councilmember Jack Miller, seconded by Councilmember Corey Mendoza to adjourn the meeting at 8:18 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 Study Session of the Town Council of the Town of Chino Valley, Arizona held on the 19th day of April, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of May, 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. 6. f.**

Meeting Date: 05/24/2016

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 April 26, 2016 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:

Accept the April 26, 2016 regular meeting minutes.

Attachments

April 26, 2016 minutes

D R A F T

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

TUESDAY, APRIL 26, 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, April 26, 2016.

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; Town Attorney Phyllis Smiley; Finance Director Joe Duffy; Police Chief Chuck Wynn; Deputy Town Clerk Liz Hart; Town Clerk Jami Lewis (recorder)

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

Vice-Mayor Croft called the meeting to order at 6:00 p.m.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

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

Ms. Grittman introduced Recreation Coordinator Kelsey Siggins, who presented:

- Chino Valley residents Dan Lawler and Joyce Easterling brought this idea to the Town.
- A group of community members and recreation department selected the top three names from over 100 entries.
- The Council selected the winning names, which were submitted by Mamie Timlick: Lock, Stock, and Barrel, representing farmers, business, and families working together to protect and guard the community.

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)

Vice-Mayor Croft read the proclamation and presented it to Police Officer Jeff Pizzi, who presented a Thin Blue Line Flag to the Town in recognition of the Memorial Week.

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.

Craig Brown, Yavapai County Supervisor, spoke about a recent car show at Yavapai College and the upcoming Fun Run Classic Car Show in Seligman.

Lillian Morales, resident, spoke about not finding information on the Town's website related to crime statistics, block watch, disaster preparedness, and the Town's preparations for recreational medical marijuana.

4) RESPONSE TO THE PUBLIC

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

Mayor Marley had nothing to report.

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.

Mayor and Councilmembers had nothing to report.

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

Mr. Smith reported on upcoming study sessions.

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

Ms. Lewis reported on election matters related to Council candidacy, Home Rule outreach, and Home Rule pamphlet arguments, as well as upcoming openings for various public bodies.

6) CONSENT AGENDA

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

MOVED by Councilmember Mike Best, seconded by Councilmember Corey Mendoza to accept consent agenda items 6a, b, c, d and e.

Vote: 6 - 0 PASSED - Unanimously

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)

MOVED by Councilmember Mike Best, seconded by Councilmember Corey Mendoza to accept consent agenda items 6a, b, c, d and e.

Vote: 6 - 0 PASSED - Unanimously

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.

Staff report summary: The Police Officers Association's proposal submitted this year had seven items for consideration. Management proposed to honor the four items in the Memorandum of Understanding (MOU) Amendment for FY 2016-2017.

Ms. Grittman reported that:

- In 2010, the Chino Valley Police Officers Association obtained the right to meet and confer.
- Council had the option to amend, deny, or agree to any of the proposed outcomes.
- Management tried to treat police officers as other employees, in that what they were granted, management tried to honor for all employees.

MOVED by Councilmember Mike Best, seconded by Councilmember Jack Miller 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.

Vote: 6 - 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 Councilmember Corey Mendoza, seconded by Councilmember Mike Best to move to executive session to discuss items a, b, d and e at 6:26 p.m.

Vote: 6 - 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 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.

Vice-Mayor Croft reconvened the regular meeting at 7:18 p.m.

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.

MOVED by Councilmember Jack Miller, seconded by Councilmember Lon Turner to approve the proposed settlement agreement in the matter of Hatch v. Town of Chino Valley.

Vote: 6 - 0 PASSED - Unanimously

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.

MOVED by Councilmember Mike Best, seconded by Councilmember Jack Miller 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.

Vote: 6 - 0 PASSED - Unanimously

10) ADJOURNMENT

MOVED by Councilmember Lon Turner, seconded by Councilmember Mike Best to adjourn the meeting at 7:20 p.m.

Vote: 6 - 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 26th day of April, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of May, 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:	05/24/2016
Contact Person:	Ruth Mayday, Development Services Director Phone: 928-636-4427 x-1217
Department:	Development Services
Item Type:	Action Item - Presentation
Estimated length of staff presentation:	5 minutes
Physical location of item:	West Center Street, N 1/2 of S 28 T 16N R2W

AGENDA ITEM TITLE:

Consideration and possible action to approve the first amendment to the Final Plat of the Mollie Rae Subdivision, located in the North 1/2 of Section 28, Township 16 North, Range 2 West.

RECOMMENDED ACTION:

Staff recommends approval of the First Amendment of the Final Plat of the Mollie Rae Subdivision.

SITUATION AND ANALYSIS:

Issue Statement

Extension of the Center Street Sewer will provide municipal wastewater services to the Mollie Rae Subdivision. Recent changes to sewer connection policy will require the connection of the existing dry lines to the new extension; however, the language in the plat does not coincide with the newly-adopted policies.

Summary of Issues and Staff Rationale

The Final Plat for the Mollie Rae subdivision was recorded on January of 2008, after approval by Town Council. Anticipating future extensions of municipal sanitary sewer systems, the developer installed dry sewer lines that could be connected to Chino Valley's system once it reached the subdivision. In addition, because adequate fire suppression was not available at the time, all houses constructed in the subdivision were required to have a fire sprinkler system installed.

The Town now has the ability to extend the wastewater lines from their current termination near SR 89 and Center Street, which triggers the connection requirement set forth in the Notes on the final plat. Recent changes in the sewer connection policy as adopted in Ordinance No. 16-815 conflict with the Notes, specifically in paragraph nine (9).

Since the approval of the Final Plat, the fire marshal has determined that the fire flows are adequate, negating the need for fire sprinklers in the homes in Mollie Rae, as long as they do not exceed 7,500 square feet under roof. The language in the Notes on the Final Plat need to be corrected to remove the sprinkler requirement.

Findings of Fact

1) Upon the adoption of Ordinance 16-815 by Town Council, the Town's mandatory sewer connection policy was amended
2) The changes in language are contrary to the requirements set forth in the Notes on the Final Plat
3) The Fire Marshal has determined that sprinklers are no longer necessary as adequate fire flows are available
4) Adopting the First Amendment to the Final Plat will correct the conflicts in language

---

Fiscal Impact

Fiscal Impact?: no

If Yes, Budget Code:

Available:

Funding Source:

Attachments

1st Amendment to Mollie Rae

When Recorded Return to:
Town of Chino Valley
Town Clerk
202 North State Route 89
Chino Valley, Arizona 86323

FIRST AMENDMENT TO FINAL PLAT OF MOLLIE RAE ESTATES UNITS ONE, TWO AND THREE

This First Amendment to Final Plat of Mollie Rae Estates Units One, Two and Three ("Plat Amendment") is made this _____ day of _____, 2016, by Mollie Rae LLC, an Arizona limited liability company.

RECITALS:

A. The Final Plat of Mollie Rae Estates Units One, Two and Three was recorded January 30, 2008, in Book 61 of Maps and Plats, Page 89, Official Records of Yavapai County, Arizona ("Final Plat"); and

B. Mollie Rae LLC, an Arizona limited liability company, is the owner of and successor in interest to certain Lots in Mollie Rae Estates Units One, Two and Three; and

C. Mollie Rae LLC, an Arizona limited liability company, is the Declarant for the Declaration of Restrictions for Mollie Rae Estates Units One, Two and Three, which was recorded December 22, 2009, in Book 4714, Page 216, in the Office of the Recorder of Yavapai County, Yavapai County, Arizona; and

D. The Town of Chino Valley has modified its requirements in regard to mandatory connection to a sanitary sewer system if and when such sanitary sewer system is available to connect to the existing sewer system located within the Mollie Rae Estates Subdivision; and

E. Central Yavapai Fire District and Chino Valley Fire District have determined that fire flows are sufficient such that it is no longer necessary to require fire sprinklers for all residences located within the Mollie Rae Estates Subdivision;

F. The Town of Chino Valley has reviewed, and the Town of Chino Valley Town Council has approved, the following amendments to the Final Plat.

NOW, THEREFORE, the Final Plat is hereby amended as follows:

1. The following Note on the Final Plat is deleted in its entirety:

> ALL RESIDENCES IN MOLLIE RAE ESTATES, INCLUDING ANY ATTACHED STRUCTURES, WILL BE REQUIRED TO HAVE A FIRE SPRINKLER SYSTEM PER NFPA 13 INSTALLED TO MEET FIRE FLOW REQUIREMENTS OF THE CENTRAL YAVAPAI COUNTY

FIRE DISTRICT AND THE 2003 INTERNATIONAL FIRE CODE WITH AMENDMENTS.

2. The Note set forth in the ninth paragraph of Notes on the Final Plat is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikethrough~~):

> At such time that the municipal sanitary sewer line is extended to the property, the developer shall cause the dry system to be connected to the municipal sanitary sewer system AND ALL PROPERTIES NOT SERVED BY A PROPERLY OPERATING SEPTIC SYSTEM ON THAT DATE SHALL CONNECT TO THE MUNICIPAL SANITARY SEWER SYSTEM. ~~Upon connection to the town's sanitary sewer system, all septic tanks shall~~ PROPERTIES BEING SERVED BY OPERATING SEPTIC SYSTEMS AT THE TIME THE DRY SYSTEM IS CONNECTED TO THE TOWN'S SANITARY SEWER MAY be abandoned in accordance with town, county and state ordinances and statuTes AND CONNECT TO THE MUNICIPAL SANITARY SEWER OR MAY CONTINUE TO OPERATE ON THE EXISTING SEPTIC SYSTEM UNTIL SUCH TIME AS THE PROPERTY OWNER CHOOSES TO CONNECT TO THE TOWN'S SYSTEM. IF THE SEPTIC SYSTEM FAILS AND IS DEEMED UNREPAIRABLE, THE PROPERTY OWNER SHALL CONNECT TO THE TOWN'S SANITARY SEWER SYSTEM AND THE SEPTIC SYSTEM SHALL BE ABANDONED PURSUANT TO LAW.

3. The Mayor and Town Council of the Town of Chino Valley having approved the amendment to the Final Plat set forth above on the ___ day of _____, 2016,

NOW, THEREFORE, by signing below, the Parties agree to the foregoing First Amendment to the Final Plat of Mollie Rae Estates.

Owner, Mollie Rae LLC

By:_____
Its:_____
Date:_____

Town of Chino Valley, Arizona

_____
Chris Marley, Mayor
Date:_____

ATTEST:

_____
Jami Lewis, Town Clerk

_____
Michael Lopez, Town Engineer
Date:_____

PLS:pls 2654566.2 5/9/2016

TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

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

Meeting Date: 05/24/2016

Contact Person: Joe Duffy, Finance Director
Phone: 928-636-2646 x-1211

Department: Finance

Item Type: Action Item

Estimated length of staff presentation: 15 minutes

Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to approve Resolution No. 16-1082, approving a Tentative Budget for the fiscal year 2016-2017 and proposed expenditure limitation for the same year, in the amount of $21,738,500; and setting a public hearing date of June 28, 2016 on the adoption of the final budget.

RECOMMENDED ACTION:

Move to approve Resolution No. 16-1082, approving a Tentative Budget and proposed expenditure limitation for FY 2016-2017, in the amount of $21,738,500 and setting June 28, 2016 as the date for the public hearing on adoption of the final budget for FY 2016-2017.

SITUATION AND ANALYSIS:

At the study sessions on April 19, 2016, May 4, 2016 and May 5, 2016 staff presented the tentative budget draft to Council for consideration for FY 2016-2017. The tentative budget establishes a limitation on expenditures for the proposed fiscal year.

The Tentative Budget will be published once a week for two consecutive weeks following the adoption of the Tentative Budget.

The Tentative Budget will be made available for public inspection at Town Hall, the library and is published on the town website.

A public hearing will be held on June 28, 2016, after which the final budget is adopted.

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code:

Available:

Funding Source:

Sets the Expenditure Limit for Fiscal Year 2016/2017

Attachments

Resolution 16-1082
State Budget Forms

RESOLUTION NO. 16-1082

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, YAVAPAI COUNTY, ARIZONA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR 2016/2017, PROPOSING AN EXPENDITURE LIMITATION FOR THE SAME YEAR; AND SETTING A DATE FOR PUBLIC HEARING ON THE TENTATIVE BUDGET AND ADOPTION OF A FINAL BUDGET; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE AND APPROVAL ACCORDING TO THE LAW

WHEREAS, pursuant to Article 9, Section 20(9) of the Arizona Constitution, and Arizona Revised Statutes ("A.R.S.") Section 41-563.03(C), (E) and (G), the qualified voters of the Town of Chino Valley did, on March 12, 2013, adopt an Alternative Expenditure Limitation for the Town; and

WHEREAS, Proposition 424, which set forth said Alternative Expenditure Limitation, provided that, as part of the budget process, the Mayor and Common Council shall annually adopt an expenditure limitation to govern the budget, after public hearing; and

WHEREAS, in accordance with the provisions of A.R.S. Title 42, Chapter 17, Articles 1-5, the Town Council shall make an estimate of the amounts required to meet the public expenditures/expenses for the ensuing year, an estimate of revenues from sources other than direct taxation, and the amount to be raised by taxation upon real and personal property of the Town of Chino Valley; and

WHEREAS, in accordance with said chapter of said title, the estimates required to meet the public expenditures/expenses for the ensuing year shall be published according to law and a public hearing shall be held at which any taxpayer may appear and be heard in favor of or against any of the proposed expenditures/expenses or tax levies; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, Arizona, as follows:

1. That the tentative expenditure limitation to govern the Town of Chino Valley budget for Fiscal Year 2016/2017 is hereby proposed in an amount not to exceed $21,738,500.

2. That the estimates of revenues and expenditures shown in the schedules attached hereto and expressly made a part hereof, are hereby adopted as the tentative budget of the Town of Chino Valley for Fiscal Year 2016/2017.

3. That the Town Clerk is directed to publish the tentative budget as required by law; and

4. That a public hearing on the tentative budget shall be held on June 28, 2016 during the regularly scheduled Town Council meeting; and

5. That this Resolution shall be effective from and after its passage and approval according to law.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 24th day of May, 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. 16-1082 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on May 24, 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

The following exhibits are attached hereto and incorporated herein:
1. Schedules of estimates of revenues and expenditures for 2016/2017 fiscal year.

OFFICIAL BUDGET FORMS

Town of Chino Valley

Fiscal Year 2017

Town of Chino Valley
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2017

Fiscal Year		Sch	FUNDS							
			General Fund	Special Revenue Fund	Debt Service Fund	Capital Projects Fund	Permanent Fund	Enterprise Funds Available	Internal Service Funds	Total All Funds
2016	Adopted/Adjusted Budgeted Expenditures/Expenses*	E	8,001,500	4,471,500	737,000	3,393,000	0	7,334,400	0	23,937,400
2016	Actual Expenditures/Expenses**	E	7,494,060	2,087,610	731,806	2,024,883	0	2,161,292	0	14,499,651
2017	Fund Balance/Net Position at July 1***									0
2017	Primary Property Tax Levy	B	0							0
2017	Secondary Property Tax Levy	B								0
2017	Estimated Revenues Other than Property Taxes	C	8,054,500	4,424,000	0	4,046,000		4,650,500		21,175,000
2017	Other Financing Sources	D	0	0	0	0	0	0	0	0
2017	Other Financing (Uses)	D	0	0	0	0	0	0	0	0
2017	Interfund Transfers In	D	250,000	75,000	727,000	553,000	0	75,000	0	1,680,000
2017	Interfund Transfers (Out)	D	75,000	0	0	1,605,000	0	0	0	1,680,000
2017	Reduction for Amounts Not Available:									
LESS:	Amounts for Future Debt Retirement:									0
										0
										0
										0
2017	Total Financial Resources Available		8,229,500	4,499,000	727,000	2,994,000		4,725,500	0	21,175,000
2017	Budgeted Expenditures/Expenses	E	8,429,500	4,553,500	727,000	2,937,500	0	5,091,000	0	21,738,500

EXPENDITURE LIMITATION COMPARISON	2016	2017
1. Budgeted expenditures/expenses	$ 23,937,400	$ 21,738,500
2. Add/subtract: estimated net reconciling items		
3. Budgeted expenditures/expenses adjusted for reconciling items	23,937,400	21,738,500
4. Less: estimated exclusions		
5. Amount subject to the expenditure limitation	$ 23,937,400	$ 21,738,500
6. EEC expenditure limitation	$	$

[x] The city/town does not levy property taxes and does not have special assessment districts for which property taxes are levied. Therefore, Schedule B has been omitted.

* Includes Expenditure/Expense Adjustments Approved in the current year from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts on this line represent Fund Balance/Net Position amounts except for amounts not in spendable form (e.g., prepaids and inventories) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

Town of Chino Valley
Tax Levy and Tax Rate Information
Fiscal Year 2017

	2016	2017
1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A)	$	$
2. Amount received from primary property taxation in the **current year** in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18)	$	
3. Property tax levy amounts		
A. Primary property taxes	$	$
B. Secondary property taxes		
C. Total property tax levy amounts	$	$
4. Property taxes collected*		
A. Primary property taxes		
(1) **Current** year's levy	$	
(2) Prior years' levies		
(3) Total primary property taxes	$	
B. Secondary property taxes		
(1) **Current** year's levy	$	
(2) Prior years' levies		
(3) Total secondary property taxes	$	
C. Total property taxes collected	$	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate		
(2) Secondary property tax rate		
(3) Total city/town tax rate		

B. Special assessment district tax rates

Secondary property tax rates - As of the date the proposed budget was prepared, the city/town was operating 3 special assessment districts for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the city/town.

* Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

Town of Chino Valley
Revenues Other Than Property Taxes
Fiscal Year 2017

SOURCE OF REVENUES	ESTIMATED REVENUES 2016	ACTUAL REVENUES* 2016	ESTIMATED REVENUES 2017
GENERAL FUND			
Local taxes			
Sales Taxes	$ 3,904,000	$ 3,951,879	$ 4,066,000
Franchise Taxes	134,500	136,767	128,000
Licenses and permits			
Building Permits	125,000	175,118	175,000
Business Licenses	60,000	59,187	62,000
Plan Check Fees	65,000	88,892	90,000
Other Licenses and Permits	10,000	14,941	11,000
Intergovernmental			
State Shared Sales Tax	1,033,000	1,033,737	1,046,000
State Shared Income Tax	1,302,000	1,302,365	1,359,000
Vehicle License Tax	641,000	644,260	663,000
Yavapai County Library Funds	109,000	101,087	101,000
Police Dept Grants	32,500	6,528	7,500
Senior Nutrition Grant	72,000	50,652	52,000
Charges for services			
Engineering Fees	2,500	18,050	5,000
Senior Nutrition Program Fees	8,500	16,126	16,000
Facility Use Fees	18,000	23,218	25,000
Police Report Fees	3,000	2,430	3,000
Aquatic Center Fees	73,500	72,358	75,000
Other Charges for Services	2,500	989	3,500
Fines and forfeits			
Animal Control Fees	31,000	26,998	30,000
Library Fines	4,000	3,482	4,000
Court Fines and Forfeitures	105,000	117,973	124,000
Interest on investments			
Interest	500	2,128	1,500
Contributions			
Sponsorships	2,000	708	1,000
Senior Center Thrift Store	1,500	1,329	1,500
Friends of the Library			
Miscellaneous			
Other Revenues	1,500	5,960	4,500
Total General Fund	$ 7,741,500	$ 7,857,162	$ 8,054,500

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

Town of Chino Valley
Revenues Other Than Property Taxes
Fiscal Year 2017

SOURCE OF REVENUES	ESTIMATED REVENUES 2016	ACTUAL REVENUES* 2016	ESTIMATED REVENUES 2017
SPECIAL REVENUE FUNDS			
Highway User Revenue Fund			
Highway User Revenue	$ 843,000	$ 875,938	$ 853,000
Interest	500	935	1,000
Miscellaneous	1,500	1,822	1,500
	$ 845,000	$ 878,695	$ 855,500
CDBG Grants	$	$	$
	$	$	$
Miscellaneous Grants	$ 3,385,000	$ 1,100,000	$ 3,500,000
	$ 3,385,000	$ 1,100,000	$ 3,500,000
Special Revenue Fund-Court	$ 9,500	$ 10,751	$ 9,500
Special Revenue Fund-PD	45,000	60,937	55,000
Lighting Improvement Districts #1, #2, #3	4,000	4,000	4,000
	$ 58,500	$ 75,688	$ 68,500
Total Special Revenue Funds	$ 4,288,500	$ 2,054,383	$ 4,424,000
CAPITAL PROJECTS FUNDS			
Impact Fee Funds	$	$ 12,570	$
Capital Improvements Fund	4,060,500	1,973,902	4,035,500
Replacement Fund	500	51,964	10,500
	$ 4,061,000	$ 2,038,436	$ 4,046,000
Total Capital Projects Funds	$ 4,061,000	$ 2,038,436	$ 4,046,000
ENTERPRISE FUNDS			
Water Enterprise Fund	$ 5,038,000	$ 568,649	$ 2,531,000
Sewer Enterprise Fund	2,134,500	1,566,663	2,119,500
	$ 7,172,500	$ 2,135,312	$ 4,650,500
Total Enterprise Funds	$ 7,172,500	$ 2,135,312	$ 4,650,500
TOTAL ALL FUNDS	$ 23,263,500	$ 14,085,293	$ 21,175,000

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

Town of Chino Valley
Other Financing Sources/<Uses> and Interfund Transfers
Fiscal Year 2017

FUND	OTHER FINANCING 2017 SOURCES	OTHER FINANCING 2017 <USES>	INTERFUND TRANSFERS 2017 IN	INTERFUND TRANSFERS 2017 <OUT>
GENERAL FUND				
Capital Improvement Fund	$	$	$ 250,000	$
General Fund				75,000
Total General Fund	$	$	$ 250,000	$ 75,000
SPECIAL REVENUE FUNDS				
HURF Fund			75,000	
Total Special Revenue Funds	$	$	$ 75,000	$
DEBT SERVICE FUNDS				
Capital Improvement Fund	$	$	$ 727,000	$
Total Debt Service Funds	$	$	$ 727,000	$
CAPITAL PROJECTS FUNDS				
Capital Improvement Fund	$	$	$ 553,000	$ 1,052,000
Road Impact Fee Fund				553,000
Total Capital Projects Funds	$	$	$ 553,000	$ 1,605,000
ENTERPRISE FUNDS				
Water Enterprise	$	$	$ 75,000	$
Total Enterprise Funds	$	$	$ 75,000	$
TOTAL ALL FUNDS	$	$	$ 1,680,000	$ 1,680,000

SCHEDULE D

Town of Chino Valley
Expenditures/Expenses by Fund
Fiscal Year 2017

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2016	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2016	ACTUAL EXPENDITURES/ EXPENSES* 2016	BUDGETED EXPENDITURES/ EXPENSES 2017
GENERAL FUND				
Prosecutor	$ 130,600	$	$ 130,600	$ 123,700
Town Clerk	197,600		183,373	224,000
Town Manager	392,500		395,000	371,400
Human Resources	195,300		195,300	221,600
Magistrate Court	261,900		254,788	278,600
Finance	329,200		329,200	343,200
Mgmt Info Systems	273,600		267,900	336,400
Mayor & Council	33,000		32,500	43,200
Planning	186,300		190,850	207,000
Building Inspection	277,100		262,700	257,700
Police	2,651,800		2,499,661	2,768,800
Animal Control	123,300		123,300	128,300
Recreation	63,800		70,600	96,100
Library	309,600		309,455	312,600
Senior Center	242,400		241,800	271,600
Parks	333,200		386,870	373,400
Aquatic Center	244,900		232,902	220,400
Facilities Maintenance	345,900		354,755	343,500
Fleet Maintenance	341,000		236,807	283,000
Engineering	122,000		141,841	125,900
Customer Service				118,100
Non-Departmental	566,500		653,858	581,000
Contingency	380,000			400,000
Total General Fund	$ 8,001,500	$	$ 7,494,060	$ 8,429,500
SPECIAL REVENUE FUNDS				
Highway User Revenue Fund	$ 1,014,000	$	$ 905,351	$ 966,000
Miscellaneous Grants Fund	3,385,000		1,100,000	3,500,000
Special Revenue Fund -- Court	38,500		38,500	38,500
Special Revenue Fund -- PD	30,000		40,000	45,000
Lighting Improvement Districts	4,000		3,759	4,000
Total Special Revenue Funds	$ 4,471,500	$	$ 2,087,610	$ 4,553,500
DEBT SERVICE FUNDS				
Debt Service Fund	$ 737,000	$	$ 731,806	$ 727,000
Total Debt Service Funds	$ 737,000	$	$ 731,806	$ 727,000
CAPITAL PROJECTS FUNDS				
Capital Improvements Fund	$ 3,304,000	$	$ 1,953,845	$ 2,869,000
Impact Fees Funds	79,000		47,639	18,500
Asset Replacement Fund	10,000		23,399	50,000
Total Capital Projects Funds	$ 3,393,000	$	$ 2,024,883	$ 2,937,500
ENTERPRISE FUNDS				
Water Enterprise Fund	$ 5,130,200	$	$ 516,740	$ 2,606,000
Sewer Enterprise Fund	2,204,200		1,644,552	2,485,000
Total Enterprise Funds	$ 7,334,400	$	$ 2,161,292	$ 5,091,000
TOTAL ALL FUNDS	$ 23,937,400	$	$ 14,499,651	$ 21,738,500

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

Town of Chino Valley
Expenditures/Expenses by Department
Fiscal Year 2017

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2016	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2016	ACTUAL EXPENDITURES/ EXPENSES* 2016	BUDGETED EXPENDITURES/ EXPENSES 2017
Prosecutor				
General Fund	$ 130,600	$	$ 130,600	$ 123,700
Department Total	$ 130,600	$	$ 130,600	$ 123,700
Town Clerk				
General Fund	$ 197,600	$	$ 183,373	$ 224,000
Department Total	$ 197,600	$	$ 183,373	$ 224,000
Town Manager				
General Fund	$ 392,500	$	$ 395,000	$ 371,400
Department Total	$ 392,500	$	$ 395,000	$ 371,400
Human Resources				
General Fund	$ 195,300	$	$ 195,300	$ 221,600
Department Total	$ 195,300	$	$ 195,300	$ 221,600
Municipal Court				
General Fund	261,900		254,788	278,600
Special Revenue Fund	$ 38,500	$	$ 38,500	$ 38,500
Department Total	$ 300,400	$	$ 293,288	$ 317,100
Finance				
General Fund	$ 329,200	$	$ 329,200	$ 343,200
Department Total	$ 329,200	$	$ 329,200	$ 343,200
Mgmt Info Systems				
General Fund	$ 273,600	$	$ 267,900	$ 336,400
Department Total	$ 273,600	$	$ 267,900	$ 336,400
Mayor and Council				
General Fund	$ 33,000		32,500	43,200
Department Total	$ 33,000	$	$ 32,500	$ 43,200
Planning				
General Fund	$ 186,300	$	$ 190,850	$ 207,000
Department Total	$ 186,300	$	$ 190,850	$ 207,000
Building Inspection				
General Fund	$ 277,100		262,700	257,700
Department Total	$ 277,100	$	$ 262,700	$ 257,700
Police				
General Fund	2,651,800		2,499,661	2,768,800
Impact Fee Fund	$ 63,000	$	$ 25,639	$
Special Revenue Fund	30,000		30,000	45,000
Department Total	$ 2,744,800	$	$ 2,555,300	$ 2,813,800
Animal Control				
General Fund	$ 123,300		123,300	128,300
Department Total	$ 123,300	$	$ 123,300	$ 128,300
Recreation				
General Fund	$ 63,800	$	$ 70,600	$ 96,100
Impact Fee Fund	16,000			18,283
Department Total	$ 79,800	$	$ 70,600	$ 114,383

Town of Chino Valley
Expenditures/Expenses by Department
Fiscal Year 2017

DEPARTMENT/FUND	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2016	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2016	ACTUAL EXPENDITURES/ EXPENSES* 2016	BUDGETED EXPENDITURES/ EXPENSES 2017
Library				
General Fund	$ 309,600	$	$ 309,455	$ 312,600
Department Total	$ 309,600	$	$ 309,455	$ 312,600
Senior Center				
General Fund	$ 242,400	$	$ 241,800	$ 271,600
Department Total	$ 242,400	$	$ 241,800	$ 271,600
Parks Maintenance				
General Fund	$ 333,200	$	$ 386,870	$ 373,400
Department Total	$ 333,200	$	$ 386,870	$ 373,400
Aquatics Center				
General Fund	$ 244,900	$	$ 232,902	$ 220,400
Department Total	$ 244,900	$	$ 232,902	$ 220,400
Facilities Maintenance				
General Fund	$ 345,900	$	$ 354,755	$ 343,500
Department Total	$ 345,900	$	$ 354,755	$ 343,500
Fleet Maintenance				
General Fund	$ 341,000	$	$ 236,807	$ 283,000
Department Total	$ 341,000	$	$ 236,807	$ 283,000
Engineering				
General Fund	$ 122,000	$	$ 141,841	$ 125,900
Department Total	$ 122,000	$	$ 141,841	$ 125,900
Customer Service				
General Fund	$	$	$	$ 118,100
Department Total	$	$	$	$ 118,100
Non-Departmental				
General Fund	$ 996,500	$	$ 603,859	$ 981,000
Debt Service Fund	737,000		731,806	727,000
Capital Improvement Fund	3,304,000		816,845	2,869,217
Grant Fund	3,385,000		1,100,000	3,500,000
Asset Replacement Fund	10,000		23,399	50,000
Department Total	$ 8,432,500	$	$ 3,275,909	$ 8,127,217
Water Utilities				
Water Enterprise Fund	$ 5,130,200	$	$ 516,740	2,606,000
Department Total	$ 5,130,200	$	$ 516,740	$ 2,606,000
Sewer Utilities				
Sewer Enterprise Fund	$ 2,204,200	$	$ 1,644,552	$ 2,485,000
Department Total	$ 2,204,200	$	$ 1,644,552	$ 2,485,000
Roads				
HURF	$ 1,014,000	$	$ 905,351	$ 966,000
Department Total	$ 1,014,000	$	$ 905,351	$ 966,000
Street Lighting Improvement District				
SLID Fund	$ 4,000	$	$ 3,759	$ 4,000
Department Total	$ 4,000	$	$ 3,759	$ 4,000
TOTAL ALL DEPARTMENTS	$ 23,987,400	$	$ 13,280,652	$ 21,738,500

Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

Town of Chino Valley
Full-Time Employees and Personnel Compensation
Fiscal Year 2017

FUND	Full-Time Equivalent (FTE) 2017	Employee Salaries and Hourly Costs 2017	Retirement Costs 2017	Healthcare Costs 2017	Other Benefit Costs 2017	Total Estimated Personnel Compensation 2017
GENERAL FUND	79.0	$ 4,272,604	$ 649,749	$ 672,800	$ 410,709	= 6,005,862
SPECIAL REVENUE FUNDS						
Highway User Revenue	7.0	$ 279,343	$ 31,677	$ 52,354	$ 40,060	= 403,434
Total Special Revenue Funds	7.0	$ 279,343	$ 31,677	$ 52,354	$ 40,060	= 403,434
ENTERPRISE FUNDS						
Water Enterprise Fund	2.5	$ 114,637	$ 13,000	$ 23,316	$ 12,127	= 163,080
Sewer Enterprise Fund	3.5	169,140	19,180	31,326	17,309	236,955
Total Enterprise Funds	6.0	$ 283,777	$ 32,180	$ 54,642	$ 29,436	= 400,035
TOTAL ALL FUNDS	92.0	$ 4,835,724	$ 713,606	$ 779,796	$ 480,205	= 6,809,331

Town of Chino Valley

MEETING NOTICE
TOWN COUNCIL

REGULAR MEETING
Tuesday, May 24, 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

ACTION TAKEN

1. CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL

2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

a.	Proclamation declaring May 27-28, 2016 as "Poppy Days," sponsored by the American Legion Auxiliary. (Mayor Marley)	**READ**
b.	Presentation by Yavapai County Assessor, Pam Pearsall, about the Property Tax Assistance Program offered by Yavapai County. (Cecilia Grittman, Assistant Town Manager)	**HEARD**
c.	Presentation by Mark Garman and Lee Davis of National Bank of Arizona regarding the final transaction details of the contract to refinance the 2007A GADA obligations. (Joe Duffy, Finance Director)	**HEARD**

3. CALL TO THE PUBLIC **HEARD**

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.

a. Comments in support of the Council's decision regarding public prayer. **REPORTED**

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. **REPORTED**

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

c. Progress update regarding Economic Development Administration Grant, Environmental Protection Agency Grant Appropriation, and Center Street Sewer Project. (Ruth Mayday, Development Services Director; Michael Lopez, Public Works Director/Town Engineer) **HEARD**

6. CONSENT AGENDA

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

a. Consideration and possible action to approve agreement between the Town of Chino Valley and the Friends of the Library, a 501 (c) 3 corporation, for construction and dedication of addition to the Town of Chino Valley Library, effective 5/24/2016. (Cecilia Grittman, Assistant Town Manager) **APPROVED**

b. Consideration and possible action to adopt Ordinance No. 16-818 amending the Town Code Title XI Business Regulations, Chapter 114 Cable Television, Section 114.45 License Payments, Paragraph (A) to amend the percentage related to the license fee. (Cecilia Grittman, Assistant Town Manager) **APPROVED**

c. Consideration and possible action to adopt Resolution No. 16-1083, approving the proposed statements and estimates of expenses of the Town of Chino Valley Street Lighting Improvement Districts for fiscal year 2016/2017, pursuant to Section 48-616, Arizona Revised Statutes, as amended; setting a date for public hearing on the proposed statements and estimates as approved; and providing for notice of the hearing and publication of the proposed statements and estimates of the expenses of the districts which shall be provided for by the levy and collection of ad valorem taxes on the assessed value of all the real and personal property in the districts. Approval will create a levy to pay for street lighting within the CVSLID street lighting districts. The districts are accounted for in a separate fund by the Town. (Joe Duffy, Finance Director) **APPROVED**

d. Consideration and possible action to to approve Resolution No. 16-1087, accepting the dedication of right-of-way of certain real property located approximately at the intersection of Road 4 South and Peavine. (Phyllis Smiley, Town Attorney) **APPROVED**

e. Consideration and possible action to accept the April 19, 2016 study session minutes. (Jami Lewis, Town Clerk) **APPROVED**

f. Consideration and possible action to accept the April 26, 2016 regular meeting minutes. (Jami Lewis, Town Clerk) **APPROVED**

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 the first amendment to the Final Plat of the Mollie Rae Subdivision, located in the North 1/2 of Section 28, Township 16 North, Range 2 West. (Ruth Mayday, Development Services Director) **APPROVED**

Recommended Action: Staff recommends approval of the First Amendment of the Final Plat of the Mollie Rae Subdivision.

b. Consideration and possible action to approve Resolution No. 16-1082, approving a Tentative Budget for the fiscal year 2016-2017 and proposed expenditure limitation for the same year, in the amount of $21,738,500; and setting a public hearing date of June 28, 2016 on the adoption of the final budget. (Joe Duffy, Finance Director) **APPROVED**

Recommended Action: Approve Resolution No. 16-1082, approving a Tentative Budget and proposed expenditure limitation for FY 2016-2017, in

the amount of $21,738,500 and setting June 28, 2016 as the date for the public hearing on adoption of the final budget for FY 2016-2017.

8. EXECUTIVE SESSION **NO ACTION**

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

9. ACTION ITEMS RESUMED

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

10. ADJOURNMENT

Dated this 19th day of May, 2016.

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

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

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

CERTIFICATION OF POSTING

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

Date:_____ Time:_____ By:_____

Jami C. Lewis, Town Clerk