1. Town Council - Agenda

   Documents:

   2019_01_22_CC_RG_AG.PDF

2. Town Council - Packet

   Documents:

   2019_01_22_CC_RG_PK.PDF
Town of Chino Valley

MEETING NOTICE
TOWN COUNCIL

REGULAR MEETING
TUESDAY JANUARY 22, 2019
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. Presentation of donation to K-9s from Hitchin' Post BBQ. (Chuck Wynn, Police Chief)
   b. Semi-Annual update by the Chino Valley Area Chamber of Commerce. (Cecilia Grittman, Town Manager)
   c. Report by Council-appointed representative Chris Marley regarding the current status of the Northern Arizona Municipal Water Users Association (NAMWUA), Upper Verde River Water Protection Coalition (UVRWPC), and Groundwater Users Advisory Committee (GUAC).

3. CALL TO THE PUBLIC

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

4. RESPONSE TO THE PUBLIC

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

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events. If listed below, there may also be a presentation on information requested by the Mayor and Council and questions may be answered. No action will be taken.

a. Status reports by Mayor and Council regarding current events.

b. Status report by Town Manager Cecilia Grittman regarding Town accomplishments, and current or upcoming projects.

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 appoint applicants to the Planning and Zoning Commission. (Jami Lewis, Town Clerk)

b. Consideration and possible action to accept the January 8, 2019 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 a Conditional Use Permit (CUP18-006) for 12.35 acres (approx. 535,788 sq. ft.) of real property located approximately 0.25 miles east of the southeast corner of North Road 1 West and West Road 4 North at 683 West Road 4 North, Assessor's Parcel Number 306-14-003S, to allow the existing single family residential use within the CL (Commercial Light) zoning district. (Owner of Record: Donald K. Cox and Catherine Cox) (Alex Lerma, Planner)

   Recommended Action: Continue this item to the February 12, 2019 Regular Council Meeting per the applicant's request.

b. Consideration and possible action to approve Ordinance 2019-856 to rezone 12.35 acres (approx. 535,788 sq. ft.) of real property located approximately 0.25 miles east of the southeast corner of North Road 1 West and West Road 4 North at 683 West Road 4 North, Assessor's Parcel No. 306-14-003S, from SR-1 (Single Family Residential-1 acre minimum) zoning district to CL (Commercial Light) zoning district to allow a wholesale nursery. (Owner of Record: Donald K. Cox and Catherine Cox) (Alex Lerma, Planner)
Recommended Action: Continue this item to the February 12, 2019 Regular Council Meeting per the applicant's request.

c. Consideration and possible action to approve Ordinance 2019-860 to rezone 1.48 acres of real property generally located 1,663 feet south and 300 feet west of southwest corner of West Road 2 South and State Route 89 at 1328 South State Route 89, Assessor's Parcel Number 306-33-005K from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district. (Owner of Record: Dawn Lee Henrickson) (Alex Lerma, Planner)

**Recommended Action:** Adopt Ordinance 2019-860 rezoning 1.48 acres of real property from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

d. Consideration and possible action to approve Ordinance 2019-861 to rezone 5.62 acres of real property generally located 2,250 feet south of the southwest corner of West Road 2 South and State Route 89 at 1458 South State Route 89, Assessor's Parcel Number 306-33-005M, from CL/AR-5 (Commercial Light/Agricultural Residential-5 acre minimum) zoning district to CH (Commercial Heavy) zoning district. (Owner of Record: TDH Investments LLC) (Alex Lerma, Planner)

**Recommended Action:** Adopt Ordinance 2019-861 rezoning 5.62 acres of real property from CL/AR-5 (Commercial Light/ Agricultural Residential-5 acre minimum) zoning district to CH (Commercial Heavy) zoning district.

e. Consideration and possible action regarding the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association. (Laura Kyriakakis, Human Resources Director)

**Recommended Action:** Accept staff recommendation regarding the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association.

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 17th day of January, 2019.

_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
Town of Chino Valley

MEETING NOTICE
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   c. Report by Council-appointed representative Chris Marley regarding the current status of the Northern Arizona Municipal Water Users Association (NAMWUA), Upper Verde River Water Protection Coalition (UVRWPC), and Groundwater Users Advisory Committee (GUAC).

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a. Consideration and possible action to appoint applicants to the Planning and Zoning Commission. (Jami Lewis, Town Clerk)

b. Consideration and possible action to accept the January 8, 2019 regular meeting minutes. (Jami Lewis, Town Clerk)

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   Recommended Action: Continue this item to the February 12, 2019 Regular Council Meeting per the applicant's request.

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Recommended Action: Adopt Ordinance 2019-860 rezoning 1.48 acres of real property from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

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e. Consideration and possible action regarding the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association. (Laura Kyriakakis, Human Resources Director)

Recommended Action: Accept staff recommendation regarding the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association.

8. EXECUTIVE SESSION

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Date:_____________________  Time:__________________  By:______________________________________

Jami C. Lewis, Town Clerk
AGENDA ITEM TITLE:
Presentation of donation to K-9s from Hitchin' Post BBQ. (Chuck Wynn, Police Chief)

SITUATION & ANALYSIS:
In November, Hitchin' Post BBQ food truck hosted an event at Olsen's Grain to raise funds to help outfit a new K-9 vehicle. This will be the presentation of the check.

Attachments
No file(s) attached.
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AGENDA ITEM TITLE:
Semi-Annual update by the Chino Valley Area Chamber of Commerce. (Cecilia Grittman, Town Manager)

Attachments

No file(s) attached.
AGENDA ITEM TITLE:
Report by Council-appointed representative Chris Marley regarding the current status of the Northern Arizona Municipal Water Users Association (NAMWUA), Upper Verde River Water Protection Coalition (UVRWPC), and Groundwater Users Advisory Committee (GUAC).

SITUATION & ANALYSIS:
The Town Council appointed former mayor Chris Marley to serve as the Town's representative on three regional water-related committees. His report will provide an update on the activities of the three committees.

Attachments

No file(s) attached.
AGENDA ITEM TITLE:
Consideration and possible action to appoint applicants to the Planning and Zoning Commission. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:
Appoint applicants to the Planning and Zoning Commission per recommendation of the Appointments Subcommittee.

SITUATION AND ANALYSIS:
The Council Appointments Subcommittee met on January 8 to review applications and make recommendations for Planning & Zoning Commission (PZC), Parks and Recreation Advisory Board (PRAB), and Industrial Development Authority (IDA). After the meeting, an applicant who had missed the interviews requested to be interviewed and another applicant who was interviewed and recommended for two positions withdrew her application for both those positions and requested to be appointed to another body. Since these two actions will potentially change several of the recommendations made by the subcommittee, Chair Mayor Croft is now recommending that Council only take action on the subcommittee's recommendation for Planning and Zoning (Regular) Commissioners, which is not affected by the changes at this time.

The subcommittee will hold another meeting in 2 weeks and bring back recommendations for PZC Alternate, PRAB, IDA and potentially Board of Adjustment.

Recommendation:

Other Pertinent Documents Available Upon Request:
### Fiscal Impact

**Fiscal Impact?:** No

**If Yes, Budget Code:** Available:

**Funding Source:**

### Attachments

January 8, 2019 Draft Minutes
The Town Council Appointments Subcommittee of the Town of Chino Valley convened for a public meeting in the Council Chambers Conference Room, located at 202 N. State Route 89, Chino Valley, Arizona.

Present: Mayor Darryl Croft (Chair); Councilmember Mike Best; Vice-Mayor Lon Turner

Staff Present: Town Clerk Jami Lewis (recorder)

Attendees: Planning and Zoning Commission Chair Chuck Merritt

1) CALL TO ORDER

Mayor Croft called the meeting to order at 2:02 p.m.

2) ROLL CALL

3) APPROVAL OF MINUTES

   a) Consideration and possible action to approve the June 14, 2018 public meeting minutes.

   MOVED by Vice-Mayor Lon Turner, to accept the minutes.

   AYE: Mayor Darryl Croft (Chair), Councilmember Mike Best, Vice-Mayor Lon Turner

   PASSED - Unanimously

4) OLD BUSINESS

5) NEW BUSINESS

   a) The Council Appointments Subcommittee may vote to recess the public meeting and hold an executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of recommending to the Town Council the appointment of Michael Bacon, Michael Ditta, Welles Geary, John McCafferty, Teena Meadors, David Somerville, Robert Switzer, and Sandra Tuttobene to fill positions on the Planning and Zoning Commission, Parks and Recreation Advisory Board, and Industrial Development Authority.
MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Mike Best to go into executive session at 2:15 p.m.

AYE: Mayor Darryl Croft (Chair), Councilmember Mike Best, Vice-Mayor Lon Turner
PASSED - Unanimously

Mayor Croft reconvened the public meeting at 4:20 p.m.

b) Consideration and possible action to recommend appointment of applicants to the Planning and Zoning Commission.

Mayor Croft reported that the subcommittee was recommending John McCafferty, Teena Meadors, and Robert Switzer for Regular positions and Sandra Tuttobene as Alternate, and that Ms. Tuttobene take the same training as for a Regular position.

c) Consideration and possible action to recommend appointments to the Parks and Recreation Advisory Board.

Mayor Croft reported that the subcommittee was recommending Sandra Tuttobene for the Parks and Recreation Advisory Board.

d) Consideration and possible action to recommend appointments to the Industrial Development Authority.

Mayor Croft reported that the subcommittee was recommending Michael Ditta for the Industrial Development Authority.

6) ADJOURNMENT

MOVED by Vice-Mayor Lon Turner, seconded by Councilmember Mike Best to adjourn at 4:27 p.m.

AYE: Mayor Darryl Croft (Chair), Councilmember Mike Best, Vice-Mayor Lon Turner
PASSED - Unanimously

Submitted: January 9, 2019.

By: Jami C. Lewis, Town Clerk

Approved: ____________, 2019.
6.b.

Town Council Regular Meeting

Meeting Date: 01/22/2019

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 January 8, 2019 regular meeting minutes. (Jami Lewis, Town Clerk)

RECOMMENDED ACTION:
Accept the January 8, 2019 regular meeting minutes.

Attachments

January 8, 2019 draft minutes
The Town Council of the Town of Chino Valley met for a Regular Meeting in the Chino Valley Council Chambers, located at 202 N. State Route 89, Chino Valley, Arizona, on Tuesday, January 8, 2019.

Present: Mayor Darryl Croft; Vice-Mayor Jack Miller; Councilmember Mike Best; Councilmember Cloyce Kelly; Councilmember Annie Perkins; Councilmember Corey Mendoza; Councilmember Lon Turner

Staff Present: Town Manager Cecilia Grittman; Town Attorney Andrew McGuire (electronically); Finance Director Joe Duffy; Police Chief Chuck Wynn; Police Officer Tiffany Farmer; Public Works Director/Town Engineer Frank Marbury; Planner Alex Lerma; Community Services Director Scott Bruner; Administrative Technician Kathy Frohock (videographer); Town Clerk Jami Lewis (recorder)

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

Mayor Croft called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

2) INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS

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) Request for an update on the shooting facility.

Mayor Croft reported that this item was on the agenda and it could not be discussed until then.

b) Question regarding the Town's pursuit of a second supermarket.
Mayor Croft reported that this was one of the citizens’ biggest desires. The Town was committed to actively pursuing a second supermarket and will work with any grocer that presented itself. This will be a key objective of the Economic Development Director position that was yet to be filled. Challenges to attract a grocer included:

- Most supermarkets in the current economy preferred to lease a building, and the Town did not have any vacant buildings of sufficient size.
- The Town lacked available commercial space.
- The Town lacked utilities in the key strategic areas that a grocer might consider, but would work actively and cooperatively with any potential grocer in locating the infrastructure if the opportunity presented itself.

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.

Councilmember Kelly encouraged people to attend upcoming question and answer meetings regarding the water and road repair issue.

Councilmember Best reported on January 9 50th Anniversary Committee meeting.

b) Status report by Town Manager Cecilia Grittman and/or Town staff members regarding Town accomplishments, and current or upcoming projects.

Town Manager Grittman reported on:

- Lights at the ballfields being successfully installed.
- A thank you letter to Council from retired Children’s Librarian Darlene Westcott.

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.

Councilmember Miller requested to remove Item 6b.

Town Clerk Lewis informed Council that there was a typographical error in the text amendment under Item 6a and Council’s motion should include correction of the error.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Lon Turner to accept Consent Agenda items 6a, c and d with the correction to Item 6a text amendment, Section 152.007 as amended.
AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Corey Mendoza, Councilmember Lon Turner
PASSED - Unanimously

a) Consideration and possible action to adopt Ordinance No. 2019-863 amending the Town of Chino Valley Town Code by repealing Chapter 152 Flood Damage Prevention and adopting new Chapter 152 Flood Damage Prevention. (Frank Marbury, Public Works Director/Town Engineer)

b) Consideration and possible action to approve the Intergovernmental Agreement (IGA) between the Chino Valley Unified School District (CVUSD) and the Town of Chino Valley to complete design and construction improvements to transportation conveyance systems related to Del Rio School and Heritage Middle School. Funds to come from Adjacent Ways funding with no cost to the Town other than staff's time to perform engineering and project management. (Frank Marbury, Public Works Director/Town Engineer)

(This item was heard after item 6d but is retained here for clarity.)

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to adopt Resolution 2019-1134, approving the Intergovernmental Agreement (IGA) between the Chino Valley Unified School District (CVUSD) and the Town of Chino Valley for design and construction management of improvements to transportation conveyance systems related to Del Rio School and Heritage Middle School at no cost to the Town but staff's time to perform engineering and project management.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Corey Mendoza, Councilmember Lon Turner
PASSED - Unanimously

c) Consideration and possible action to accept the November 27, 2018 study session minutes. (Jami Lewis, Town Clerk)

d) Consideration and possible action to accept the December 11, 2018 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 accept the Comprehensive Annual Financial Report and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2018, as prepared by Henry & Horne, LLP, Certified Public Accountants. (Joe Duffy, Finance Director)

   Recommended Action: Accept the Comprehensive Annual Audited Financial Report and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2018, as prepared by
Henry & Horne, LLP, Certified Public Accountants.

Mr. Duffy introduced Brian Hemmerle from Henry & Horne, who reviewed the Annual Financial Report and reported that the Town received a clean opinion on compliance with government accounting standards, tax revenues had increased, and Town Finance staff was very transparent.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to accept the Comprehensive Annual Audited Financial Report and the Annual Expenditure Limitation Report for the fiscal year ended June 30, 2018, as prepared by Henry & Horne, LLP, Certified Public Accountants.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Corey Mendoza, Councilmember Lon Turner
PASSED - Unanimously

b) Consideration and possible action to terminate the Concessionaire Agreement between the Prescott Sportsmen's Club (PSC) and the Town of Chino Valley, dated May 31, 2011, effective immediately. (Cecilia Grittman, Town Manager)

Recommended Action: Terminate the Concessionaire Agreement between the Prescott Sportsmen's Club and the Town of Chino Valley, dated May 31, 2011, effective immediately.

Ms. Grittman recommended that Council go into executive session to review communication received from the Club’s attorney.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to go into Executive Session at 6:16 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Corey Mendoza, Councilmember Lon Turner
PASSED - Unanimously

Mayor Croft reconvened the regular meeting at 6:23 p.m. and reported that the Council read a letter that was received from an attorney; Council would take a vote; and the Town Manager would then report on current issues and how to deal with those issues.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to terminate the Concessionaire Agreement between the Prescott Sportsmen's Club and the Town of Chino Valley, dated May 31, 2011, effective immediately.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Corey Mendoza, Councilmember Lon Turner
PASSED - Unanimously
Ms. Grittman reported that Chief Wynn had been working with the Recreation Department and the shooting range will be open for public shooting beginning January 26 on Saturdays and Sundays. The Town will work with volunteers and part-time people to get the range open. The Concessionaire Agreement to run the range will go out for bid and current active memberships will be honored.

c) Consideration and possible action to adopt Resolution No. 2019-1133 ordering and calling an election to be held in and for the Town of Chino Valley, Arizona on May 21, 2019, to submit to the qualified electors thereof the questions of (1) the proposed amount to be raised by an initial primary (ad valorem) property tax to fund a road construction and maintenance program, and (2) voter authorization for purchase of certain water companies to expand the Town’s water utility system. Funds to come from General Fund, Town Clerk Elections expenditure line. (Jami Lewis, Town Clerk)

Recommended Action: Adopt Resolution No. 2019-1133 ordering and calling a special election to be held on May 21, 2019, for the purpose of submitting two questions to the voters related to a property tax levy of $________ to fund a road construction and maintenance program, and utility system acquisitions.

Public Works Director/Town Engineer Marbury reported that:
- The Roads and Streets Committee developed a potential solution to the lack of funding for the degradation of the Town’s road system.
- They determined a minimum of $1.2 million additional funding per year was needed to keep the roads at the current maintenance level and they were recommending $1.5 million per year to improve the condition of the roadways and provide for future expansion.
- Town staff met with over 200 citizens and 21 organizations for input.
- The recommended ballot measure was to ask voters to approve a primary property tax levy in the amount decided by Council for a 20-year program dedicated to road maintenance and construction.
- The second ballot question concerned the ability of the Town to enter into negotiations to purchase private or public water distribution systems as the opportunities arose. The measure would specifically name each system within the Town. Voters would be asked to grant Council permission to purchase the named companies when conditions are favorable.
- The feedback from the community regarding these items had been favorable.

Councilmember Mendoza added that:
- The Community was concerned about what would happen when the current Council did not hold office, but he reminded the community that the councilmembers were also citizens of the community. The Roads and Streets Committee believed that implementing a property tax for an additional $1.5 million per year was best solution to the issue.

Councilmember Kelly reported that he had received a huge amount of correspondence concerning the road situation and there was quite a bit of misinformation. There would be several more public question and answer meetings including one on January 17 at the Nazarene Church. He encouraged the community to attend to get the facts.
Town Manager Grittman explained that the bulk of the public meetings would occur closer to the election and would begin in March.

Mrs. Lewis reported that:

- This would be a vote by mail election.
- Citizens would receive a voter pamphlet approximately 35 days before the election which would contain the information that was presented at the public meetings. Any citizen that wanted to submit an argument (pro/con statement) to be included in the pamphlet must submit it by February 20 with an $80 fee.
- Voter registration would close April 22 and the ballots would be mailed that week. Onsite voting would be available at the Yavapai County Administration Building.
- The Town website had relevant information located under News Flash and under the Ballot Measures and Propositions page.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to adopt Resolution No. 2019-1133 ordering and calling a special election to be held on May 21, 2019, for the purpose of submitting two questions to the voters: (1) related to a property tax levy of $1.5 million to fund a road construction and maintenance program, and (2) utility system acquisitions.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Corey Mendoza, Councilmember Lon Turner

PASSED - Unanimously

d) Consideration and possible action to approve a Conditional Use Permit (CUP18-007) for 14.46 acres (approx. 629,877 sq. ft.) of real property, Assessor's Parcel No. 306-18-010K, located approximately 0.25 miles south of the southeast corner of East Perkinsville Road and North Road 1 East at 1525 North Road 1 East to rehabilitate the existing well site within the PL (Public Land) zoning district. (Owner of Record: City of Prescott) (Alex Lerma, Planner)

Recommended Action: Approve Conditional Use Permit (CUP18-007) to allow the rehabilitation of the existing well site including removal of the existing building and construction of a new facility within the PL (Public Land) zoning district.

Mr. Lerma reported that:

- The 2008 approved CUP for arsenic equipment had expired.
- The City of Prescott was requesting a CUP in order rehabilitate their facilities. They proposed to demo the existing steel building and remove the walls that enclosed it and develop a new 912 sq. ft. 15-foot high concrete block building that would house a new pump house and motor.
- The landscaping plan would be implemented within six months of approval of the CUP and lighting would only be turned on when staff was on site or during an emergency.
- The Planning and Zoning Commission voted unanimously to recommend approval of the CUP.
MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Cloyce Kelly to approve Conditional Use Permit (CUP18-007) to allow the rehabilitation of the existing well site including removal of the existing building and construction of a new facility within the PL (Public Land) zoning district.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Corey Mendoza, Councilmember Lon Turner

PASSED - Unanimously

e) Consideration and possible action to adopt Ordinance 2019-858 to rezone 2.71 acres of real property, Assessor's Parcel No. 306-04-010U, located approximately 375 feet east of the northeast corner of State Route 89 and Road 4 North intersection at 868 East Road 4 North from CH (Commercial Heavy) zoning district to CL (Commercial Light) zoning district. (Owner of Record: Corey and Robin Mendoza) (Alex Lerma, Planner)

Recommended Action: Adopt Ordinance 2019-858 to rezone 2.71 acres of real property from CH (Commercial Heavy) zoning district to CL (Commercial Light) zoning district.

Councilmember Mendoza recused himself from this item at 6:45 p.m.

Mr. Lerma reported that:

- The property included an office building and three steel buildings. In 2010, Council approved a zone change from the AR-5 district to the CH district, which allowed the applicant to operate the C&R Trucking business currently located onsite. In 2017, Council approved a CUP to allow a marijuana research facility.
- The applicant was moving the current business to another location and believed the CH zone was no longer necessary.
- The General Plan land use designation was identified as a potential community core and one of the goals was to have diversity or a mix of uses. The rezone of the property would fall into that category and the zone change would have less impact on the surrounding area.

The Planning and Zoning Commission unanimously voted to recommend approval to the Council.

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Lon Turner to adopt Ordinance 2019-858 to rezone 2.71 acres of real property from CH (Commercial Heavy) zoning district to CL (Commercial Light) zoning district.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Lon Turner

Other: Councilmember Corey Mendoza (ABSTAIN)

PASSED
8) EXECUTIVE SESSION

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

MOVED by Vice-Mayor Jack Miller, seconded by Councilmember Mike Best to go into executive session at 6:51 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Corey Mendoza, Councilmember Lon Turner

PASSED - Unanimously

a) An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding a current zoning case. (Martin Scribner, Interim Development Services Director)

9) ACTION ITEMS RESUMED

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

Mayor Croft reconvened the regular meeting at 7:34 p.m. and reported that Council discussed the matter with its attorney and gave direction to staff.

10) ADJOURNMENT

MOVED by Councilmember Mike Best, seconded by Councilmember Cloyce Kelly to adjourn the meeting at 7:34 p.m.

AYE: Mayor Darryl Croft, Vice-Mayor Jack Miller, Councilmember Mike Best, Councilmember Cloyce Kelly, Councilmember Annie Perkins, Councilmember Corey Mendoza, Councilmember Lon Turner

PASSED - Unanimously

ATTEST:

__________________________
Darryl L. Croft, Mayor

__________________________
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 8th day of January, 2019. I further certify that the meeting was duly called and held and that a quorum was present.
Dated this 22nd day of January, 2019.

__________________________________
Jami C. Lewis, Town Clerk
TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting
Meeting Date: 01/22/2019
Department: Town Clerk
Item Type: Action
Estimated length of staff presentation: 5 minutes

Physical location of item: Located approximately .25 mile east of the southeast corner of North Road 1 West and West Road 4 North at 683 West Road 4 North.

AGENDA ITEM TITLE:
Consideration and possible action to approve a Conditional Use Permit (CUP18-006) for 12.35 acres (approx. 535,788 sq. ft.) of real property located approximately 0.25 miles east of the southeast corner of North Road 1 West and West Road 4 North at 683 West Road 4 North, Assessor's Parcel Number 306-14-003S, to allow the existing single family residential use within the CL (Commercial Light) zoning district. (Owner of Record: Donald K. Cox and Catherine Cox) (Alex Lerma, Planner)

RECOMMENDED ACTION:
Continue this item to the February 12, 2019 Regular Council Meeting per the applicant's request.

SITUATION AND ANALYSIS:
The applicant has formally requested that this item be rescheduled for the February 12, 2019 Town Council meeting.

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

Attachments
No file(s) attached.
AGENDA ITEM TITLE:
Consideration and possible action to approve Ordinance 2019-856 to rezone 12.35 acres (approx. 535,788 sq. ft.) of real property located approximately 0.25 miles east of the southeast corner of North Road 1 West and West Road 4 North at 683 West Road 4 North, Assessor's Parcel No. 306-14-003S, from SR-1 (Single Family Residential-1 acre minimum) zoning district to CL (Commercial Light) zoning district to allow a wholesale nursery. (Owner of Record: Donald K. Cox and Catherine Cox) (Alex Lerma, Planner)

RECOMMENDED ACTION:
Continue this item to the February 12, 2019 Regular Council Meeting per the applicant's request.

SITUATION AND ANALYSIS:
The applicant has formally requested that this item be rescheduled for the February 12, 2019 Town Council meeting.

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

Attachments
No file(s) attached.
AGENDA ITEM TITLE:
Consideration and possible action to approve Ordinance 2019-860 to rezone 1.48 acres of real property generally located 1,663 feet south and 300 feet west of southwest corner of West Road 2 South and State Route 89 at 1328 South State Route 89, Assessor's Parcel Number 306-33-005K from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district. (Owner of Record: Dawn Lee Henrickson) (Alex Lerma, Planner)

RECOMMENDED ACTION:
Staff and Planning and Zoning Commission forward a recommendation of approval to Town Council to adopt Ordinance 2019-860 rezoning 1.48 acres of real property from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

SITUATION AND ANALYSIS:
See attached Staff Report

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

Attachments
Henrickson Lantana Site Plan
Henrickson Lantana Staff Report
APPLICATION SUMMARY

File Number: Z18-000016
Assessor’s Parcel Number: 306-33-005K
Site Location: The subject property is located 1,663 feet south and 300 feet west of southwest corner of West Road 2 South and State Route 89 at 1328 South State Route 89.
Owner Of Record: Dawn Lee Henrikson
Applicant: Desert Development & Design Corp.
Request: Request to rezone 1.48 acres of real property from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.

SITE DATA

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>CL (Commercial Light)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>1.48 acres (approx. 64,468 sq. ft.)</td>
</tr>
<tr>
<td>Subdivision</td>
<td>N/A</td>
</tr>
<tr>
<td>General Plan Land Use</td>
<td>Commercial/ Multi-Family Residential</td>
</tr>
<tr>
<td>Designation</td>
<td></td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Single Family Residence</td>
</tr>
</tbody>
</table>

BACKGROUND

SITE DESCRIPTION

The subject property is located 1,663 feet south and 300 feet west of the southwest corner of West Road 2 South and State Route 89 at 1328 South State Route 89. The property is accessed from State Route 89 along a 50 foot easement running east and west along APN 306-33-005L and 306-33-005P. The site has a zoning classification of CL (Commercial Light) and a Land Use Designation of Commercial/ Multi Family Residential. Improvements to the site include an affixed manufactured home. See Figure 1.
**SURROUNDING PROPERTIES ZONING AND LAND USES**

The area is made up of predominantly developed and undeveloped commercial properties. The property directly to the north is zoned CH (Commercial Heavy) with Lantana Commercial Plaza. To the east, properties are zoned CL (Commercial Light) and are currently vacant. The properties directly to the south are zoned CL (Commercial Light) and are currently vacant. To the west, properties are zoned AR-5 (Agricultural Residential- 5 Acre Minimum) with vacant land. See Figure 2

<table>
<thead>
<tr>
<th>AREA</th>
<th>ZONING</th>
<th>GENERAL PLAN LAND USE DESIGNATION</th>
<th>LAND USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CH</td>
<td>Commercial/Multi-Family Residential</td>
<td>Lantana Commercial Plaza</td>
</tr>
<tr>
<td>East</td>
<td>CL</td>
<td>Commercial/Multi-Family Residential</td>
<td>Vacant Commercial Properties</td>
</tr>
<tr>
<td>South</td>
<td>AR-5</td>
<td>Commercial/Multi-Family Residential</td>
<td>Vacant Commercial Properties</td>
</tr>
<tr>
<td>West</td>
<td>AR-5, SR-1</td>
<td>Commercial/Multi-Family Residential</td>
<td>Vacant Agricultural Land</td>
</tr>
</tbody>
</table>
PROJECT DESCRIPTION

The applicant is proposing to make improvements to the property which include two 5,040 square foot buildings for fabrication and storage purposes. The applicant is also proposing to convert the existing modular structure into an office building. The applicant is proposing to rezone the property to CH (Commercial Heavy) zoning district in order to permit businesses with heavy uses such as welding, fabrication and manufacturing. See Appendix A: Site Plan

CITIZENS REVIEW & PUBLIC HEARING PROCESS

Town Staff notified property owners within a 300’ radius, resulting in seven (7) notices for the neighborhood meeting and public hearings. To date staff has not received any requests or comments for this application.

The neighborhood meeting was held on November 19, 2018 at Town Hall. There were no property owners in attendance at the meeting.

DECEMBER 4TH PLANNING AND ZONING MEETING

The item went before the Planning and Zoning Commission as an action item on December 4, 2018. Staff presented a brief summary as it related to the project stating that the intend of the applicant was to attract businesses with intense uses not allowed in the Commercial Light zoning district, uses such as fabrication, welding and manufacturing.
The applicant, who also owns Lantana Plaza, stated that the subject property would use the rear of Lantana Plaza as a secondary access using a turning lane and that the primary access will be by State Route 89.

Vote: 7-0 Passed Unanimously

### STAFF ANALYSIS AND RECOMMENDATION

#### GENERAL PLAN CONFORMANCE

The zoning request of CH (Commercial Heavy) will be in conformance with the property’s Commercial/Multi-Family Residential General Plan land use designation. Commercial/Multi-Family Residential designation will continue to focus on the Land Use Goals and Strategies promoting local commercial businesses.

#### ZONING

The Commercial Heavy zoning district will be supported by the zoning classification of the 4.86 acre property located to the north of the subject property. The property to the north contains similar commercial uses as the applicant proposes to locate on the subject property. Section 3.16 of the Unified Development Ordinance lists commercial uses such as manufacturing, welding shops and storage spaces as permitted by right in the Commercial Heavy zoning district.

### STAFF AND PLANNING AND ZONING COMMISSION RECOMMENDATION

Staff and Planning and Zoning Commission recommends that Town Council adopt Ordinance 2019-860 rezoning 1.48 acres of real property from CL (Commercial Light) zoning district to CH (Commercial Heavy) zoning district.
APPENDIX A: SITE PLAN
ORDINANCE NO. 2019-860

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 1.48 ACRES OF REAL PROPERTY GENERALLY LOCATED APPROXIMATELY 1,663 FEET SOUTH AND 300 FEET WEST OF SOUTHWEST CORNER OF WEST ROAD 2 SOUTH AND STATE ROUTE 89, AT 1328 SOUTH STATE ROUTE 89, FROM THE CL (COMMERCIAL LIGHT) ZONING DISTRICT TO THE CH (COMMERCIAL HEAVY) ZONING DISTRICT.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to amend the Town of Chino Valley Official Zoning Map for a ±1.48 acre parcel zoned CL (Commercial Light) to CH (Commercial Heavy); and

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission recommended approval of the rezoning; and

WHEREAS, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this Ordinance.

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

Section 1. The recitals above are incorporated as if fully set forth herein.

Section 2. The Official Zoning Map is hereby amended for property consisting of approximately 1.48 acres, described in Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, to rezone it from CL (Commercial Light) to CH (Commercial Heavy). The Property described herein shall be used in accordance with the Town of Chino Valley Unified Development Ordinance.

Section 3. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 22nd day of January, 2019.

ATTEST:

______________________________
Darryl L. Croft, Mayor

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

______________________________
Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2019-860 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on January 22, 2019, and that quorum was present, and that the vote thereon was ___ ayes and ___ nays and ___ abstentions. ___ Council members were absent or excused.

______________________________
Jami C. Lewis, Town Clerk
EXHIBIT 1
TO
ORDINANCE NO. 2019-860

[Legal Description]

See following pages.
All that portion of the Southwest Quarter of the Northwest Quarter of Section 34, Township 16 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

COMMENCING at the North Quarter Corner of said Section 34;

Thence South 89°24’08” West, 2063.05 feet along the East-West midsection line to the Westerly right of way line of State Route 89;

Thence North 01°58’14” West, 774.80 feet along said right of way;

Thence South 89°23’46” West, 323.10 feet to the TRUE POINT OF BEGINNING;

Thence South 89°23’46” West, 323.10 feet;

Thence North 01°17’20” West, 200.33 feet;

Thence North 89°23’48” East, 321.91 feet;

Thence South 01°37’47” East, 200.34 feet to the TRUE POINT OF BEGINNING.
EXHIBIT 2
TO
ORDINANCE NO. 2019-860

[Zoning Exhibit]

See following pages.
Applicant: Desert, Development & Design Corp. (Tim Henrickson)

Request: Rezone 1.48 acres from CL zoning district to CH zoning district.

Location: 1328 South Highway 89 Chino Valley, AZ 86323

APN: 306-33-005K
Town Council Regular Meeting

Meeting Date: 01/22/2019
Contact Person: Alex Lerma, Associate Planner
Phone: 928-626-4427 x-1295
Department: Development Services
Item Type: Action-Presentation
Estimated length of staff presentation: 5 minutes
Physical location of item: Located 2,250 feet south of the southwest corner of West Road 2 South and State Route 89 at 1458 South State Route 89.

AGENDA ITEM TITLE:
Consideration and possible action to approve Ordinance 2019-861 to rezone 5.62 acres of real property generally located 2,250 feet south of the southwest corner of West Road 2 South and State Route 89 at 1458 South State Route 89, Assessor's Parcel Number 306-33-005M, from CL/AR-5 (Commercial Light/Agricultural Residential-5 acre minimum) zoning district to CH (Commercial Heavy) zoning district. (Owner of Record: TDH Investments LLC) (Alex Lerma, Planner)

RECOMMENDED ACTION:
Staff and Planning and Zoning Commission forward a recommendation of approval to Town Council to adopt Ordinance 2019-861 rezoning 5.62 acres of real property from CL/AR-5 (Commercial Light/ Agricultural Residential- 5 acre minimum) zoning district to CH (Commercial Heavy) zoning district.

SITUATION AND ANALYSIS:
See attached staff report.

Fiscal Impact

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

Attachments
Henrickon State Route 89 Site Plan
Henrickon State Route 89 Staff Report
Ord. 2019-861
### Landscape Plan

1. **Property Line 656.01'**

2. **20' Landscape Strip**

3. **Landscape Plan**

#### Plant Schedule

<table>
<thead>
<tr>
<th>Item</th>
<th>Common Name</th>
<th>Botanical Name</th>
<th>Qty</th>
<th>Size at Planting</th>
<th>Mature Height</th>
<th>Mature Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Autumn Blaze Maple</td>
<td>Acer freemonti 'Autumn Blaze'</td>
<td>5</td>
<td>24&quot; Box</td>
<td>50</td>
<td>40</td>
</tr>
<tr>
<td>2.</td>
<td>Arizona Ash</td>
<td>Fraxinus velutina</td>
<td>2</td>
<td>24&quot; Box</td>
<td>40</td>
<td>40</td>
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<tr>
<td>3.</td>
<td>Wichita Blue Juniper</td>
<td>Juniperus scopulorum ''Wichita Blue'</td>
<td>6</td>
<td>24&quot; Box</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>Shrubs, Grasses and Succulents</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Howard McMinn Manzanita</td>
<td>Arctostaphylos densiflora</td>
<td>13</td>
<td>5 Gallon</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Karl Foerster Grass</td>
<td>Calamagrostis acutiflora 'Karl Foerster'</td>
<td>18</td>
<td>5 Gallon</td>
<td>2</td>
<td>2</td>
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<tr>
<td>3.</td>
<td>Desert Spoon</td>
<td>Dasylirion wheeleri</td>
<td>8</td>
<td>5 Gallon</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>4.</td>
<td>Buffalo Juniper</td>
<td>Juniperus Sabina 'Buffalo'</td>
<td>4</td>
<td>5 Gallon</td>
<td>1</td>
<td>6</td>
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<tr>
<td>5.</td>
<td>Russian Sage</td>
<td>Perovskia atriplicifolia 'Blue Spires'</td>
<td>11</td>
<td>5 Gallon</td>
<td>3</td>
<td>3</td>
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<tr>
<td>6.</td>
<td>Potentilla</td>
<td>Potentilla fruiticosa</td>
<td>9</td>
<td>5 Gallon</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>7.</td>
<td>Autumn Sage</td>
<td>Salvia gregii</td>
<td>13</td>
<td>5 Gallon</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

**Note:** All disturbed areas to be covered with 3/4" decorative stone 2" minimum depth on 3.5 ounce spun landscape fabric.
**APPLICATION SUMMARY**

**File Number:** Z18-000017  
**Assessor’s Parcel Number:** 306-33-005M  
**Site Location:** Located 2,250 feet south of the southwest corner of West Road 2 South and State Route 89 at 1458 South State Route 89.  
**Owner of Record:** TDH Investments LLC  
**Applicant:** Desert Development & Design Corp.  
**Request:** Request to rezone 5.62 acres of real property from CL/AR-5 (Commercial Light/Agricultural Residential- 5 acre minimum) zoning district to CH (Commercial Heavy) zoning district to allow for mini-storage and RV storage.

**SITE DATA**

<table>
<thead>
<tr>
<th>Existing Zoning</th>
<th>CL/AR-5 (Commercial Light/Agricultural Residential- 5 acre minimum)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>5.62 acres (approx. 244,807 sq. ft.)</td>
</tr>
<tr>
<td>Subdivision</td>
<td>N/A</td>
</tr>
<tr>
<td>General Plan Land Use Designation</td>
<td>Commercial/ Multi-Family Residential</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Single Family Residence</td>
</tr>
</tbody>
</table>

**BACKGROUND**

**SITE DESCRIPTION**

The subject property is located 2,250 feet south of the southwest corner of West Road 2 South and State Route 89 at 1458 South State Route 89. The property is accessed by State Route 89. The site has a zoning classification of CL/AR-5 (Commercial Light/Agricultural Residential- 5 acre minimum) zoning district and a Land Use Designation of Commercial/Multi Family Residential. Improvements to the site include a single family residential unit and a guest home. *See Figure 1.*
SURROUNDING PROPERTIES ZONING AND LAND USES

The area is made up of predominantly developed and undeveloped commercial properties. The properties directly to the north are zoned CH (Commercial Heavy) and CL (Commercial Light) with the old NAPA building and vacant commercial properties. To the east, properties are zoned CL (Commercial Light) and CH (Commercial Heavy) with a single family residence, Ace Hardware Store and the American Legion building. The properties directly to the south are zoned CL/AR-5 (Commercial Light/Agricultural Residential-5 acre minimum). These properties are either used as a residence or vacant. To the west, properties are zoned AR-5 (Agricultural Residential-5 Acre Minimum) with vacant land. See Figure 2

<table>
<thead>
<tr>
<th>AREA</th>
<th>ZONING</th>
<th>GENERAL PLAN LAND USE DESIGNATION</th>
<th>LAND USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CH, CL</td>
<td>Commercial/Multi-Family Residential</td>
<td>Old NAPA building, vacant commercial property.</td>
</tr>
<tr>
<td>East</td>
<td>CL, CH</td>
<td>Commercial/Multi-Family Residential</td>
<td>Single Family Residence, Ace Hardware, American Legion</td>
</tr>
<tr>
<td>South</td>
<td>CL/AR-5 (Commercial Light/Agricultural Residential-5 acre minimum)</td>
<td>Commercial/Multi-Family Residential</td>
<td>Single Family Residence, Vacant</td>
</tr>
</tbody>
</table>
West AR-5 Commercial/Multi-Family Residential Vacant Agricultural Land

PROJECT DESCRIPTION

The applicant is proposing to make improvements to the property including two (2) 24,750 square foot buildings, a 9,920 square foot building and an office building converted from the existing residence. The applicant intends to develop approximately 50 covered RV spaces in building B and an additional 50 spaces in building C. Building A will provide approximately 100-120 storage spaces. In addition, there will be approximately 25 uncovered RV spaces in a designated area northwest of the property. See Appendix A: Site Plan

CITIZENS REVIEW & PUBLIC HEARING PROCESS

Town Staff notified property owners within a 300 foot radius, resulting in ten (10) notices for the neighborhood meeting and public hearings. To date staff has not received any request or comments for this application.

The neighborhood meeting was held on November 19, 2018 at Town Hall. There were no property owners in attendance at the meeting.
DECEMBER 4TH PLANNING AND ZONING MEETING

The item went before the Planning and Zoning Commission as an action item on December 4, 2018. Staff presented summarizing the applicant’s intent to develop the property into a RV and mini storage. Staff noted that a zone change would eliminate the blended zoning, which has become a challenge to staff as far as defining development standards.

Vote: 7-0 APPROVAL UNANIMOUSLY

STAFF ANALYSIS AND RECOMMENDATION

GENERAL PLAN CONFORMANCE

The zoning request of CH (Commercial Heavy) will be in conformance with the property’s Commercial/ Multi-Family Residential General Plan land use designation. The Commercial/ Multi-Family Residential designation will continue to focus on the Land Use Goal and Strategies promoting local commercial businesses and high density residential uses.

ZONING

The parcels current zoning district of CL/AR-5 (Commercial Light/ Agricultural Residential- 5 Acre Minimum) is referred to as a blended district and is not clearly defined in the Town of Chino Unified Development Ordinance. These types of blended districts become a challenge for staff when defining basic restrictions and regulations such as permitted uses and building setbacks. In situations where a zoning district is not specifically defined, an interpretation must be rendered. The proposed zoning district of CH (Commercial Heavy) is clearly defined in the UDO and as such the property will be able to abide by a single zoning district development standards.

The Commercial Heavy zoning district will be supported by the zoning classification of the properties located on the north and east of the subject property. Mini-storage buildings and storage facilities, including the storage of recreational vehicles will be a use allowed by right in the Commercial Heavy classification.

STAFF AND PLANNING AND ZONING COMMISSION RECOMMENDATION

Staff and Planning and Zoning Commission recommends that Town Council to adopt Ordinance 2019-861 rezoning 5.62 acres of real property from CL/AR-5 (Commercial Light/ Agricultural Residential- 5 acre minimum) zoning district to CH (Commercial Heavy) zoning district.
ORDINANCE NO. 2019-861

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, APPROVING A CHANGE OF ZONING AND AMENDMENT TO THE OFFICIAL ZONING MAP FOR APPROXIMATELY 5.62 ACRES OF REAL PROPERTY GENERALLY LOCATED APPROXIMATELY 2,250 FEET SOUTH OF THE SOUTHWEST CORNER OF WEST ROAD 2 SOUTH AND STATE ROUTE 89, AT 1458 SOUTH STATE ROUTE 89, FROM THE CL (COMMERCIAL LIGHT), ZONING DISTRICT TO THE CH (COMMERCIAL HEAVY) ZONING DISTRICT.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to amend the Town of Chino Valley Official Zoning Map for a 5.62 acre parcel zoned CL (Commercial Light) to CH (Commercial Heavy); and

WHEREAS, the Town Council has determined that this amendment to the Official Zoning Map conforms with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Planning and Zoning Commission recommended approval of the rezoning; and

WHEREAS, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this Ordinance.

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

Section 1. The recitals above are incorporated as if fully set forth herein.

Section 2. The Official Zoning Map is hereby amended for property consisting of approximately 5.62 acres, described in Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated herein by this reference, to rezone it from CL (Commercial Light) to CH (Commercial Heavy). The Property described herein shall be used in accordance with the Town of Chino Valley Unified Development Ordinance.

Section 3. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 22nd day of January, 2019.

ATTEST:

Darryl L. Croft, Mayor

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, Town Attorney
Gust Rosenfeld, PLC

I hereby certify the above foregoing Ordinance No. 2019-861 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on January 22, 2019, and that quorum was present, and that the vote thereon was ___ ayes and ___ nays and ___ abstentions. ___ Council members were absent or excused.

Jami C. Lewis, Town Clerk
EXHIBIT 1
TO
ORDINANCE NO. 2019-861

[Legal Description]

See following pages.
All that portion of the Southwest Quarter of the Northwest Quarter of Section 34, Township 16 North, Range 2 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

Beginning at the East Quarter corner of said Section 34;

Thence South 89°24’08” West, 2063.05 feet along the East-West midsection line to the Westerly right of way line of State Route 89 to THE TRUE POINT OF BEGINNING;

Thence South 89°23’11” West, 655.42 feet;

Thence North 01°17’20” West, 375.21 feet;

Thence North 89°23’48” East, 650.96 feet;

Thence South 01°58’14” East 375.17 feet to the TRUE POINT OF BEGINNING.
EXHIBIT 2
TO
ORDINANCE NO. 2019-861

[Zoning Exhibit]

See following pages.
Applicant: Desert, Development & Design Corp. (Tim Henrickson)

Request: Rezone 5.62 acres from CL/AR5 zoning district to CH zoning district.

Location: 1458 South Highway 89 Chino Valley, AZ 86323

APN: 306-33-005M
TOWN OF CHINO VALLEY
COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting  7.e.
Meeting Date:  01/22/2019
Contact Person:  Laura Kyriakakis, Human Resources Director
Phone:  928-636-2646 x-1204
Department:  Human Resources
Item Type:  Action-Presentation
Estimated length of staff presentation:  5 minutes
Physical location of item:  N/A

AGENDA ITEM TITLE:
Consideration and possible action regarding the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association. (Laura Kyriakakis, Human Resources Director)

RECOMMENDED ACTION:
Accept staff recommendation regarding the Memorandum of Understanding between the Town of Chino Valley and the Chino Valley Police Officers Association.

SITUATION AND ANALYSIS:
The Chino Valley's Police Officers Association (CVPOA) per Town Code, has the right to meet and confer with Town Management, and submit a proposal to the Town relating to wages, benefits, safety regulations, and other working conditions by January 15th of each year. The proposal was received and the meet and confer process was completed.

Chino Valley Town Code, Chapter 33, §33.07(C)(5) states that on or before May 1 of each year, all areas of agreement, as well as those areas in dispute, shall be submitted by the Town Manager to the Mayor and Council for consideration. The Mayor and Council may accept, reject, or modify the areas in the agreement. The Mayor and Council may also take whatever actions they feel appropriate with regard to those areas in dispute. Final action by the Mayor and Council shall constitute the memorandum of understanding for the following fiscal year.

The proposal submitted for this year, was received by the Chino Valley Town Management on December 26, 2018, and had six (6) areas for consideration. No recommended changes to the MOU are being presented to the Town Council for acceptance. The MOU provides that it continues in effect until the parties meet and confer to form a new agreement.

The attachment to this agenda item is an analysis showing the CVPOA requests and management’s responses.
<table>
<thead>
<tr>
<th>Fiscal Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiscal Impact?: 0.00</td>
</tr>
<tr>
<td>If Yes, Budget Code:</td>
</tr>
<tr>
<td>Available:</td>
</tr>
<tr>
<td>Funding Source:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Attachments</th>
</tr>
</thead>
<tbody>
<tr>
<td>CVPOA MOU Response from TCV</td>
</tr>
</tbody>
</table>
January 2, 2019

Chino Valley Police Officer’s Association  
Steven Angel, Vice-President  
P.O. Box 5181  
Chino Valley, AZ 86323

RE: CVPOA Memorandum of Understanding (MOU) Proposal

Dear Mr. Angel:

Thank-you for your letter dated December 2018, and received on December 26, 2018, outlining the requested MOU changes on behalf of the CVPOA. Below are responses to your requested changes, from the Town of Chino Valley, for further discussion:

1. A 2.5%, or one "step," increase for all employees:
   Over the past several years employees have not received their standard step increases, due to the slow recovery of the economy. Over the past two years employees have received a small COLA raise. We are asking for a 2.5% step increase this year.
   The Yavapai County Sheriff’s Office had a significant raise this year to become competitive in pay and retain their employees. The Chino Valley Police Department must continue to be competitive in pay and by granting a 2.5% step increase we can continue to show our employees they matter. It is disheartening when employees can refer to the pay step-scale in town policy and not have an explanation as to why they are not at the step/grade they should be at.

Response:
Below is an overview of Cost of Living Adjustments (COLAs) and merit increases provided to Town of Chino employees in the last three fiscal years.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>COLA</th>
<th>Merit Increase Range (Pay for Performance)</th>
<th>Pay Increase Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>16/17</td>
<td>2%</td>
<td>0%, 0.5%, 1.0%</td>
<td>2% - 3%</td>
</tr>
<tr>
<td>17/18</td>
<td>1%</td>
<td>0%, 1.5%, 2%</td>
<td>1% - 3%</td>
</tr>
<tr>
<td>17/18</td>
<td>Law Enforcement Staff ONLY</td>
<td>Pay Adjustment Increase over and above COLA and Merit Increase</td>
<td>4% - 6%</td>
</tr>
<tr>
<td>18/19</td>
<td>1%</td>
<td>0%, 1%, 2%, 3%</td>
<td>1% - 4%</td>
</tr>
</tbody>
</table>

In FY 17/18, the Police Officers and Sergeants also received a pay adjustment (increase) ranging between 4% and 6%. This pay adjustment was over and above the regular COLA and merit increase provided in FY 17/18. It was implemented to adjust the Town’s pay scale to be competitive with the average salary mid-point of other local law enforcement agencies.
In FY19/20, the Town of Chino Valley will be recommending the current Salary Pay Plan, consisting of 12 steps (27% range) within each pay grade, be replaced with an Open Pay Plan. The recommended Open Pay Plan will have a Minimum, Midpoint, and Maximum range (27% range), within each pay grade, which will support the Town Council’s philosophy of Pay for Performance.

Below is a comparison of salary ranges for the Town of Chino Valley Police Department in comparison to other public entities in the region.

<table>
<thead>
<tr>
<th>Position</th>
<th>Town of Chino Valley</th>
<th>City of Prescott</th>
<th>Town of Prescott Valley</th>
<th>Yavapai County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cadet</td>
<td>$43,800-$57,400</td>
<td>$43,243</td>
<td>$42,700-$59,700</td>
<td>$44,100-$66,300</td>
</tr>
<tr>
<td>Police Officer</td>
<td>$48,200-$63,300</td>
<td>$47,600-$66,600</td>
<td>$44,800-$62,800</td>
<td>$48,600-$73,000</td>
</tr>
<tr>
<td>Sergeant</td>
<td>$61,600-$80,800</td>
<td>$62,500-$87,500</td>
<td>$57,400-$80,300</td>
<td>$59,000-$88,800</td>
</tr>
<tr>
<td>Lieutenant</td>
<td>$74,800-$98,100</td>
<td>$82,000-$114,700</td>
<td>$75,300-$105,400</td>
<td>$71,800-$107,900</td>
</tr>
</tbody>
</table>

2. Insurance costs:

We request any raise in insurance cost will be absorbed by the Town so we may maintain status quo on take-home pay. We also request that in the fiscal budget of 2019-2020 the Town of Chino Valley employ their own insurance broker to determine if it is beneficial for the Town of Chino Valley to stay within the Yavapai Combined Trust, or if there is a better option for the employees.

This was another issue that the police department has lost employees over. CVPOA understands the other agencies are larger and are able to obtain better insurance options, however we want the Town of Chino Valley to find the best insurance available for their employees at a comparable cost.

Response:
Below are the historical premium increases, passed on to Town of Chino Valley staff in the last three fiscal years.

<table>
<thead>
<tr>
<th>Category</th>
<th>Plan</th>
<th>16-‘17</th>
<th>17-18</th>
<th>18-19</th>
<th>National Average 2018*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Med/RX</td>
<td>Premier</td>
<td>2.00%</td>
<td>3.00%</td>
<td>3.03%</td>
<td>4.3%</td>
</tr>
<tr>
<td>Med/RX</td>
<td>Basic Plus</td>
<td>2.00%</td>
<td>3.00%</td>
<td>3.95%</td>
<td>4.3%</td>
</tr>
<tr>
<td>Med/RX</td>
<td>HDHP w/ HSA</td>
<td>2.00%</td>
<td>3.00%</td>
<td>3.05%</td>
<td>4.3%</td>
</tr>
<tr>
<td>Dental</td>
<td>Comp</td>
<td>0.00%</td>
<td>2.80%</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Dental</td>
<td>Prevent</td>
<td>0.00%</td>
<td>2.80%</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Vision</td>
<td></td>
<td>0.00%</td>
<td>1.60%</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>STD</td>
<td></td>
<td>2.00%</td>
<td>3.00%</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Overall</td>
<td></td>
<td>1.14%</td>
<td>2.74%</td>
<td>1.43%</td>
<td></td>
</tr>
</tbody>
</table>

*Mercer’s 2017 National Survey of Employer-Sponsored Health Plans
Although health insurance contributions would have needed to increase between 7% and 9%, to cover projected expenses and claims costs, the Trust agreed to fund a portion of the increases due to their healthy reserves.

The Town of Chino Valley offers three different medical plans to its employees. Currently, the Town provides each benefit eligible employee with $692/month to use towards benefit elections. The Town continues to absorb 30% of the cost of dependent coverage for the premium, basic, and high-deductible health plans. The Town also continues to absorb 25% of the dependent coverage for vision and dental.

For employees with dependent coverage, this amounted to the following monthly increases. The Family premium cost passed on for family coverage is approximately 40% less than the national average family premium cost.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Premium family</td>
<td>$11/month</td>
<td>$15/month</td>
<td>$17/month</td>
<td>$1,215/month</td>
<td>$1,635/month</td>
</tr>
<tr>
<td>Basic family</td>
<td>$1/month</td>
<td>$2/month</td>
<td>$10/month</td>
<td>$743/month</td>
<td></td>
</tr>
<tr>
<td>High-Deductible family</td>
<td>$5/month</td>
<td>$8/month</td>
<td>$10/month</td>
<td>$953/month</td>
<td></td>
</tr>
</tbody>
</table>

*Town of Chino Valley provides each benefit eligible employee $692/month to offset benefit premium elections.
** NCSL

The monthly increases are fairly nominal. Finally, the Town will continue to provide short-term disability, as well as group term life insurance, valued at 1.5 times the employee’s base salary, at no cost to the employee. The Town feels it offers a fairly rich total rewards package that primarily consists of competitive salaries, health insurance options, paid time-off and a pension program.

We currently utilize the services of Segal Consulting. Not only do they conduct an annual plan comparison of our costs and coverage to other public sector entities in our region and the state of Arizona, but they also assist the YCT and the TCV with the following services:

- Plan design and strategy – (plan design and coverage currently being reviewed),
- Cost and utilization modeling,
- Budgeting and financial monitoring,
- Network and Prescription analysis (options and contracting),
- Vendor bidding,
- Funding options and processes,
- Compliance requirements,
- Health plan compliance, and
- Market trends.

3. On duty Injury:
   In the event an employee is injured in the line of duty and is unable to function in a "light duty" or "modified duty" status that employee must go out on Workman's Comp.
Workman's comp pays only a portion (66%) of the employee's salary. This reduced pay would place most employees in a financial predicament.

CVPOA is proposing the Town of Chino Valley pay the remaining 34% of the employee's salary. In the event this occurs, the town would still be accruing salary savings with the 66% being paid by the State.

Response:

In the event lost time from work is incurred, due to a work related injury or occupational disease, and an employee becomes eligible for workers' compensation temporary total disability (TTD) benefits, the benefit will be provided by the insurance carrier as a “tax-exempt” benefit equal to 66.67% an employee’s gross average weekly wage up to the maximum amount allowed by law. As an existing supplemental benefit, the TCV currently pays the difference between the benefits received from the insurance carrier and the regular rate of compensation the employee would receive from the town if they were able to work. The payment is taken from the employee’s town benefit provided sick leave balance, then vacation leave balance, and finally compensatory time accruals.

If the Town reviews the option being recommended, the goal will be to make this benefit available to all Town of Chino Valley employees. The existing supplemental benefit allowing employees to utilize time from their leave balances, in order to make their pay whole, will continue to be offered to all employees.

Request #4 skipped on the original letter.

5. Mayor optional holiday release:

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

**This was approved last year, however was not written in the MOU. We are requesting that it be officially written into the MOU.

Response:
The Mayor graciously allowed employees to leave early on two holidays this past calendar year. Your request asks for all sworn members to receive an equal amount placed in their "personal leave" bank.

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

Management believes it would be fair to allow those sworn officers who are actually working on the day the Mayor allows early dismissal to be given those hours in their personal leave bank, for the balance of the hours left in their shift, or five hours, whichever is less. Officers who are not working on the day the Mayor allows early release, will not receive personal leave. This would be consistent with the treatment allowed other Town of Chino Valley employees. As with any personal hours earned, those hours fall under the “Use it, or Lose it” policy; any personal hours not used prior to the end of the fiscal year will be lost.
As this is a benefit bestowed by the Mayor and completely at his discretion, this item will be honored as granted and will not become a permanent change in the CVPOA’s MOU, but can be considered on a year-to-year basis.

6. Vacation time payout:
   We are proposing that union members be allowed to receive one payout of vacation time equal to their taken vacation (limited to once per year and a maximum of 40 hours).

Example: a union member receives an approval to take 40 hours of vacation; that member may then request to have an additional 40 hours of vacation time "cashed out" from their vacation bank and can receive that amount in a separate check on the next scheduled payday. This will allow members an opportunity to enjoy their vacation time instead of just taking "stay-cations" to avoid losing time when they are maxed out.

Response:
The Personnel Committee is discussing options to recommend to Town Council, on ways to reduce vacation time liability for employees who have a vacation balance at or above a certain threshold. The above listed item is an option that was presented to the Personnel Committee by an employee outside of the Police Department and has already been discussed by the Personnel Committee. This option along with other options will continue to be discussed by the Personnel Committee and a final recommendation will be presented to the Town Council as soon as practicable. If the Town recommends the option you support, the goal will be to make this benefit available to all Town of Chino Valley employees.

7. Modify uniform allowance payout:
The current Uniform allowance payouts are made in bi-annually in January and July. We are requesting that instead, they be made on the first payday of June and December.

Response:
The current bi-annual uniform allowance benefit payment was changed from a monthly payment at the request of staff. The month in which the bi-annual payment is made to benefit eligible staff should not affect their ability to purchase uniforms and other required attire. The bi-annual payment will remain as it’s currently set-up, with payments coinciding at the beginning of each fiscal year and mid-point of each fiscal year.

Sincerely,
Laura Kyriakakis
Laura Kyriakakis,
Human Resources Director