

TOWN OF GILA BEND

Minutes of the February 11, 2014 regular Council meeting.

Pursuant to ARS 38-431.02, notice is hereby given that the TOWN COUNCIL will hold a special Council meeting on February 11, 2014 beginning at **6:00 p.m.**, in the Gila Bend Town Council Chambers located at 644 W Pima, Gila Bend, Arizona. A copy of the final agenda will be available twenty-four hours prior to the meeting in the Town Clerk's Office, 644 West Pima, Gila Bend, AZ 85337.

I. CALL TO ORDER

- A. Call to order **Mayor S. Holt called the meeting to order at 6:00pm**
- B. Pledge of Allegiance **led by Mayor S. Holt**
- C. Invocation **given by Town Attorney S. McClure**

II. ROLL CALL

Mayor Steve Holt	Council Member Ron Henry
Vice-Mayor Chuck Turner	Council Member Tommy Lee Sikes
Council Member Fernando Fernandez	Council Member James Turner
Council Member Armida Gonzalez	

Staff present: Town Manager F. Buss, Town Attorney S. McClure, Town Clerk B. Turner, Finance Director S. Young, Public Works Director (PWD) B. Menard, Planning & Economic Development Director (PEDD) E. Rubi, Parks & Recreation Director (PRD) C. Turner, Deputy Clerk C. Eisenberger

III. CONSENT AGENDA (all items subject to approval by a single motion; any Council Member may require any of these items to be voted on separately **Council Member R. Henry motioned to approve Items A, C, and D of the Consent Agenda and move Item B. to be discussed after Item N. Vice Mayor C. Turner seconded. No discussion. Motion to approve Items A, C, D and move item B to be discussed after Item N. passed unanimously: 7-0**

- A. **Approval of Council Meeting Minutes:** The Mayor and Town Council may discuss and possibly take action on the approval of the January 14, 2014 regular meeting minutes and January 30, 2014 special meeting minutes: **Discussion and Action**
- B. **Payment of Claims:** The Mayor and Town Council may discuss and possibly take action to ratify claims in the amount of \$253,280.86 for the period of January 1, 2014 through January 31, 2014. **Discussion and Action**
- C. **2014 Holiday Schedule:** The Mayor and Town Council may discuss and possibly take action to approve the 2014 Town Holiday Schedule. **Discussion and Action**
- D. **Call for Bid:** The Mayor and Town Council may discuss and possibly take action to Call for Bid for Exterminating Services. **Discussion and Action**

IV. BUSINESS – Discussion and possibly action on the following items:

- A. **Entegra Power:** Becky Turner, Vice-President of Regulatory Affairs and Contract Services for the Entegra Power Group, will give an update on Entegra's compliance with the Town of Gila Bend's development agreement. **Discussion Only** **Rebecca Turner, VP of Regulatory Affairs for Entegra, reviewed the requirements out-lined in the development agreement and Entegra's compliance through the JAG program. Ms. Turner introduced Mr. Jason Moore, JAG Director for this area. Mr. Moore spoke on the JAG program and the multiple benefits of this program to students. Mr. J. Moore introduced Mr. Corey Drury and Ms. Victoria Young, who administer the JAG program for the Gila Bend Unified School District. Mr. C. Drury spoke about the program as it relates to the Gila Bend School and introduced Jesse Galvan, a Ninth (9th) Grade student in the JAG program, who spoke on how the program was beneficial to him. Ms. Victoria Young spoke about the benefits of the program and working with the students in the program. Ms. V. Young introduced three (3) of her students: Arianna Martinez, JAG President; Ashley Mendoza, JAG Historian; and Savannah Fernandez, JAG Secretary. Each student spoke on their experiences with the program and how excellent the program is. Council Member R. Henry noted that he spoke before the JAG students last year and how impressed he was with the program and students. Stacey Garleib with Successful Impressions reviewed**

their program and the benefits of the program to students and residents of Gila Bend. Discussion item only so no vote taken.

Mayor S. Holt noted that Item K. would be addressed at this time and then return to Item B.

- B. **Donation-Gila Bend Lions Club:** The Mayor and Town Council may discuss and possibly take action to approve a request for donation from the Gila Bend Lions Club for the Gila Bend Lion's Club 31st annual Journey for Sight. **Discussion and Action Addressed by Council after Agenda Item K. Vice Mayor C. Turner made a motion to approve a donation to the Gila Bend Lions Club in the amount of \$500. Motion second made by Council Member J. Turner. Discussion on the Journey for Sight Program and what donations are used for. No further discussion. Motion to approve a \$500 donation to the Gila Bend Lions Club Journey for Sight program passed unanimously: 7 - 0**
- C. **Arizona Forward:** Staff request to join Arizona Forward in support of enhancing the Town of Gila Bend's relationship marketing, outreach, and economic development efforts. **Discussion and Action Town Manager F. Buss reviewed the benefits of joining Arizona Forward. Discussion on cost for joining is \$1,000.⁰⁰ annually. Mayor S. Holt spoke on the importance of doing this. No further discussion. Vice Mayor C. Turner moved to approve joining Arizona Forward. Second by Council Member F. Fernandez. Motion to approve passed unanimously: 7-0**
- D. **Ordinance 14-01:** An Ordinance of the Common Council of the Town of Gila Bend, Arizona, hereby amending certain purchasing provisions of the Gila Bend Town Code as currently enacted in Chapter 38, Purchasing, as hereinafter set forth. (The Mayor shall read Ordinance 14-01 by title only) **Discussion and Action Town Manager reviewed this recommendation by auditors. Town Attorney S. McClure spoke about what issues and how issues were fixed. Discussion on who and how many signatories should be required on checks. Vice Mayor C. Turner motioned to approve Ordinance 14-01 with Mayor or Vice Mayor as one signatory and Town Manager or Town Clerk as one signature on all checks issued by the Town. Motion seconded by Council Member J. Turner. Motion passed unanimously: 7-0**
- E. **Special Event Permit:** The Mayor and Town Council may discuss and possibly take action to approve submittal of a special event alcohol permit to the Arizona Department of Liquor License and Control to allow for the sale of alcohol (beer only) at the Annual Butterfield Stage Days Event February 15th & 16th, 2014. **Discussion and Action PRD C. Turner reviewed the special event and request for an alcohol permit for the event. Council Member R. Henry motioned to approve the Special Event Permit. Second by Council Member J. Turner. No discussion. Motion to approve passed unanimously: 7-0**
- F. **Closing of Streets for Parade:** The Mayor and Town Council may discuss and possibly take action to approve the closing of local streets for the Annual Butterfield Stage Days Parade February 15, 2014 from 9:00 am to 12:00 pm. **Discussion and Action Mayor S. Holt reviewed new route. PWD B. Menard noted that the start time of the parade moved back one hour for road closure. Vice Mayor C. Turner motioned to approve the Closing of Streets for Parade. Second by Council Member R. Henry. No further discussion. Motion to approve passed unanimously: 7-0**
- G. **Special Land Use Permit:** The Mayor and Town Council may discuss and possibly take action on approving the renewal of State Land Special Use Permit for the Rodeo Grounds Lease #23-115536-26. **Discussion and Action Town Manager reviewed the Rodeo Grounds Land Lease and option of purchasing versus leasing. Town Clerk B. Turner noted this is a 10 year lease. Council Member R. Henry noted the need to discuss possibly purchasing at a later date. Vice Mayor C. Turner moved to approve the 10-Year Lease. Second by Council Member F. Fernandez. No further discussion. Motion to approve passed unanimously: 7-0**
- H. **Bid Award:** The Mayor and Town Council may discuss and possibly take action to award bid for the Papago Water Line Project DG1301 to DPE Construction in the amount of \$193,391.00. **Discussion and Action PWD B. Menard reviewed the project, noted that this project was in two (2) pieces and that two (2) bids were received. Discussion on difference in price**

for contractor versus Town doing. Director B. Menard noted that the low bidder was the lowest on both pieces of the project combined. Discussion on inspection to be done in-house and whether building inspections can be done in-house also. Vice Mayor C. Turner moved to award the bid to DPE Construction. Second by Council Member J. Turner. No further discussion. Motion passed unanimously: 7-0

- I. **Bid Award:** The Mayor and Town Council may discuss and possibly take action award bid for the Papago Water Line Project (Town Portion) to DPE Construction in the amount of \$57,100.00. Discussion and Action *PWD B. Menard reviewed. Town Manager F. Buss noted that this is Town funds, reviewed flood plain issues that caused delay and that even with delay project should be completed ahead of schedule. Discussion on Town portion issues and whether future deductions possible. Council Member R. Henry motioned to award the bid to DPE Construction. Second by Council Member F. Fernandez. No further discussion. Motion to award bid to DPE Construction passed unanimously: 7-0*
- J. **Bid Award:** The Mayor and Town Council may discuss and possibly take action to award bid for the Main Street Chip Seal Project to Cactus Asphalt in the amount of \$253,081.55. Discussion and Action *PWD B. Menard reviewed project noting that currently it is a dirt road and watered at least twice daily. Town Manager F. Buss spoke about funding. Discussion on using 'left-over' money on other roads or doing slurry where possible. Discussion on chip seal versus slurry. Resident John Utz spoke about doing Cemetery Road with discussion following on why Cemetery Road cannot be done at this time. Discussion on weight limit and speed limit and need clarification on what Council wants done with unused funds. PWD B. Menard and Town Manager F. Buss will put together a plan on what other roads to do and bring back to Council for discussion and action. Council Member J. Turner motioned to award bid to Cactus Asphalt. Second by Council Member R. Henry. No further discussion. Motion to award bid to Cactus Asphalt approved unanimously: 7-0*

Council addressed Agenda Item L. next as Agenda Item K. previously addressed after Agenda Item A.

- K. **Bid Award:** The Mayor and Town Council may discuss and possibly take action to award bid for the Martin Avenue Quiet Zone Project to City Wide Contracting in the amount of \$83,704.00. Discussion and Action *Agenda Item K. was addressed after agenda Item A. PWD B. Menard reviewed what a Quiet Zone is, noted that funds are budgeted for this project, that five (5) bids came in and he has a maintenance Consent Order from Union Pacific Rail Road (UPRR). Council Member R. Henry commented that the Quiet Zone in Wellton cost \$150,000 and cannot understand why the Town only has \$50,000 budgeted for this project. Discussion on budgeted funds, portion of budgeted funds used and funding amount based on estimate provided by engineer. Town Manager R. Buss noted that only one local contractor submitted a bid for this project and bids showed a wide range between lowest and highest bids submitted. It was noted that a budgetary transfer would be required to complete this project. Mayor S. Holt noted that engineer estimates to complete projects have often been too low. Mr. Bhakta, owner of Yucca Motel, spoke about the importance of the Quiet Zone and the General Manager of the Space Age Lodge, Charlotte Cadavez, spoke about customer complaints and having to refund money due to train noise. Council Member R. Henry spoke about the satisfaction of other communities that have established quiet zones. Discussion on establishment of a Quiet Zone not a guarantee for no whistle blowing and Vice Mayor C. Turner voiced his concerns with UPRR to follow through as UPRR agreed to not have trains stop and block the crossing on Martin Street but continue to do so every day. John Utz, resident, commented that towns east and west of Gila Bend that have Quiet Zones will get the tourism dollars because visitors will choose to stay there where there is no train noise. Discussion on Flagstaff's Quiet Zone. Council Member J. Turner moved to award the bid for the Martin Avenue Quiet Zone to City Wide Contracting. Second by Council Member R. Henry. No further discussion. Motion to approve passed unanimously: 7-0*

Council addressed Agenda Item B. next.

- L. **Budgetary Transfer:** The Mayor and Town Council may discuss and possibly take action to transfer a total of \$7,500.00 from the Town Manager's Contingency GL line item to the Parks and Recreation Department Special Events GL line item for the additional cost of the Holiday Lights Starry Nights. **Discussion and Action Council Member R. Henry moved to approve the budgetary transfer. Second by Vice Mayor C. Turner. No discussion. Motion to approve passed unanimously: 7-0**
- M. **Budgetary Transfer:** The Mayor and Town Council may discuss and possibly take action to transfer a total of \$550.00 from the Town Manager's Contingency GL line item to the Parks and Recreation Special Events GL line item for the additional cost associated with this year's Butterfield Stage Days Rodeo. **Discussion and Action Vice Mayor C. Turner motion to approve the budgetary transfer. Second by Council Member F. Fernandez. No discussion. Motion to approve passed unanimously: 7-0.**
- N. **Non-Contingent Revenue/Expenditure Monthly Report:** At the request of Council Member R Henry, staff will present the Non-Contingent Revenue/Expenditure Report for the 1st & 2nd quarter of Fiscal Year 2013-2014. **Discussion Only Council Member R. Henry motioned to table this item for a Work Session to be done before the next Council Meeting. Second by Vice Mayor C. Turner. No discussion. Motion to table item to a Work Session done before the next Council Meeting passed unanimously: 7-0**

Council addressed Item B. on the Consent Agenda next.

- B. **Payment of Claims:** The Mayor and Town Council may discuss and possibly take action to ratify claims in the amount of \$253,280.86 for the period of January 1, 2014 through January 31, 2014. **Discussion and Action Council Member R. Henry had questions on check for \$4,999 issued to Power Partners noting that it was previously made for \$5,000 and voided. Town Manager F. Buss noted that this is a check for professional services that was invoiced incorrectly and noted that this is a budgeted expense. Council Member R. Henry questioned why the MOU stated there was no expense to the Town and this invoice shows there to be an expense. Town Manager F. Buss noted that the MOU did not incur an expense to the Town but the Town still must pay for the study and there is \$15,000.⁰⁰ allocated in the budget. Discussion on the confusion concerning this expenditure, expenditure to Town and the MOU. Mayor S. Holt noted that he is solidly behind this project and noted the potential for Gila Bend is great. Discussion on the benefits to the town and funds in budget. Vice Mayor C. Turner motioned to approve the payment. Second by Council Member J. Turner. No further discussion. Motion passed unanimously: 7-0**
- V. MAYOR AND COUNCIL MEMBER'S REPORT ON CURRENT EVENTS
(This is the time Council Member's may present a brief summary on current events. The Council may not propose, discuss, deliberate or take any legal action on the information presented)
Mayor S. Holt reported on MAG meeting and keeping Gila Bend involved with transportation issues. Mayor S. Holt reported on the Mayor & Manager meetings and their involvement in trying to prevent the taking of HURF funds from the towns and that the League of AZ Cities and Towns is very involved with this issue. Council Member R. Henry asked about the towns new website. Mayor S. Holt noted that it is not included in his Mayor's Report.
- VI. TOWN MANAGER REPORT
Request involvement of Council Members in Bills. The League is taking the lead role and MAG is supporting. This is a lot of work but it is a perfect role and opportunity for Council Members to become involved in supporting the town.
Have directed Colby, Diane, and Beverly to create a preliminary plan for youth engagement in the community. Preliminary thoughts include the return of midnight madness, sports clinics with professional athletes, game nights on Tuesday and Thursdays, etc. This team hopes to have a presentation ready for council discussion at the next council meeting
Was appointed to the Arizona Energy Consortium board and attended first meeting on Friday the 17th
Met with representatives of the Chamber of Commerce and Town relative to logistics and funding for the Butterfield Stage Days.

Was interviewed by two media outlets – one a paper out of Ohio and the other being Greenwire. They are doing stories on Gila Bend and its leadership in renewable energy and the positive economic impacts.

Completed detailed white paper for CDBG, and submitted it to the Asst. Director along with our application for next year. On a related note, met with engineers and drilling company relative to the Well #8 project. The project cost is now reduced from roughly \$1M to \$550K. Met with Eric Fitzer regarding the I-11 corridor. Eric is representing the state on the corridor, primarily from a Utilities siting standpoint. Completed a resolution by Council for its consideration.

Met with Jokake regarding I-11 corridor, ADOT encroachment permitting, housing development, town property mapping they are doing for us, etc.

Met with representatives of a solar company interested in locating in Gila Bend. The firm is out of Italy.

Attended MAG Continuum of Care Bi-Monthly Board Meeting; Assigned Ernie to take over as the Town's representative for the Transportation Policy/Review Committee.

Attended the West Valley Manager's meeting – expect extensive discussion on the transportation plan and survey at the March meeting. Also, they are requesting the Mayor and possibly a member of Council to attend the Bi-National meeting being hosted by the City of Nogales to promote international economic development.

Spent an inordinate amount of time working with All Covered on various server issues. We continue to experience turnover on our designated site engineer. This causes problems with continuity and takes longer to handle issues because of the learning curve. Also, I set up the planning director's computer as well as assignment to the domain server. Continue to make progress on the new website while keeping the current website up to date.

Two items on the near term horizon to be aware of: General Plan Update and Development Impact Fee Study/Update

Participated in a joint phone call with Ernie and MCFCD relative to the FLO-2D analysis and study. If anyone has any pictures of past flood events in Gila Bend, please forward those to Ernie ASAP. This is one of the final pieces to finalize the study.

Met with a diplomat to Canada who also represents major investment interests. He is looking for projects beginning at \$500M and above. They are very interested in the transmission initiative.

Working on contract renewals with first things first and care1st for the upcoming fiscal year.

Some other meetings attended include: the MAG economic development committee meeting; Solar Task Force, Monthly Core Partners Meeting; Walton Sustainability Initiatives, West Valley Mayors and Manager's meeting; MAG regional council meeting; staff meetings, and citizen meetings.

The Community of Care Web Portal will be a virtual one stop shop for patrons of the Family Resource Centers for the entire region. It will also be a fully integrated, single source of data entry, service referral, contacts, and information. This is the next step of migration for the Family Resource Center's goal of servicing the "whole person" in "one stop shop" format. In short, this entire effort embodies the essence of Social Sustainability. As a result, Human Services will become even more efficient for patrons of the service, staff, and providers. As noted above, this will be a region-wide effort and Gila Bend will be one of the participants

Town Manager F. Buss reported for the following departments:

Planning & Economic Development: Introduced Ernest Rubi has started as the Town's new Planning Director. In addition to becoming acclimated to the multiple activities, projects and initiatives currently underway in Gila Bend, Ernie is working on an a toolbox of incentives to help attract housing development, working on a strategy for the general plan update, over the counter permit processing, cemetery road legal access project, etc. I've also connected him with Jon Vlaming relative to the Pima Street Beautification project and Eric Fitzer for questions and reference as needed.

Parks & Recreation Department: Receiving quotes on needed electrical repairs at Community Park basketball and volleyball courts, 15 of 16 lights not working. Might be beneficial to go with new LED units to cut monthly costs. Receiving complaints about the condition of the tennis courts from members of the community, The Heritage Grant

agreement states it falls under the purview of GBUSD. Recreational soccer being very well attended on Wednesdays for adults and Saturdays for youth.

Public Works Department: *Completed Paper Mill Two Year Discharge permit so they can proceed with expansion. Four bid openings on Thursday: Quiet Zone on Martin, Main Street Chip Seal, Papago Waterline CDBG and Town portions. "THE CANNON" was delivered and is in pieces in the PW yard, but is missing some pieces*

Finance Department: *Compiled monthly finance report for Council. Waiting on one more proposal for the Town's debit/credit card acceptance. Completed Staff Report for Council, relative to Revenue/Expenditure reporting, asset balances, and utility billing aging.*

Town Clerk's Department: *Quarterly Reports for CDBG projects have been completed and submitted. Next set of reports are due April 10th. As a reminder, Financial Disclosure Statements are due by January 31st. The State Legislative Session has begun, with a host of proposed bills relative to Elections.*

Fire Department: *No report*

Social Services Department: *Solar Express changes and schedules – early morning route and dial-a-ride type service is coming soon. Continue working with Chuck to transition the move at the Community Center. Completed 6 month menu cycle review for Senior Center.*

Council Member R. Henry asked about CDBG meeting and what is going on with it. Town Manager F. Buss reviewed the process and noted Town is not losing any funds on current projects. Council Member R. Henry asked about losing funds on next year's funds. Town Attorney S. McClure noted that discussion needs to stop as this is not an agenda item. Council Member R. Henry mentioned that he had questions on the CDBG program with Town Attorney S. McClure noting that an item should be placed on the agenda for discussion.

VII. CALL TO THE PUBLIC (*The procedures to follow if you address the Council are: Council requests that you express your ideas in three minutes or less and refrain from any personal attacks or derogatory statements about any individual . The Mayor will limit discussion whenever he deems such an action appropriate to the proper conduct of the meeting. At the conclusion of an open call to the public, individual members of the Council may respond to criticism made by those who have addressed the Council, may ask Staff to review a matter, or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take legal action on any matters during an open call to the public unless the matters are properly noticed for discussion and legal action.*) ***Clyde Kreeger, resident, spoke about calling Animal Control for the loose dogs on his street and told it would take them a week and suggested that he catch them. Nahtu Bhakta spoke about removing dirt from the wash beside the Yucca Motel and water pressure in the motel is low when five (5) or more people showering or using the water. Chris Hubbard, resident, spoke about Butterfield Stage Days and branding the town. Heather Goebel, resident, spoke about Veteran's Assistance coming to Buckeye. Jim Broschart, resident, spoke about increasing law enforcement to combat illegal drugs and thieving in Gila Bend. Terry Basu, resident, spoke about stray dogs tearing up the skirting on mobile homes at the Palms while chasing and killing cats. Fred Hull, resident, spoke on the half dozen or more stray dogs on the south side of town and hovering around the post office, noted that someone dumped from a dump truck at Well #4, a resident saw local business dumping tires at Well #4 and there have been fires by the south side park. Clyde Kreeger spoke on concrete issue. Dianne Henry, resident, spoke about an Arizona Republic article she read regarding public comment made during discussion of an agenda item.***

VIII. FUTURE AGENDA ITEMS
(This is the time Council Member's may request items be placed on future agenda's) ***No future agenda items.***

IX. EXECUTIVE SESSION: Pursuant to A.R.S. 38-431.03(A)(3)The Town Council may go into executive session for purpose of obtaining legal advice for any of the above agenda items. ***No Executive Session called.***

X. ADJOURNMENT ***Council Member R. Henry motioned to adjourn. Second by Vice Mayor C. Turner. Motion to adjourn passed unanimously: 7-0 Time of adjournment: 7:41pm***

Steven Holt, Mayor

ATTEST:

Beverly Turner, MMC
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held February 11, 2014 and the meeting was duly called and posted and that a quorum was present.

Beverly Turner, MMC
Town Clerk