

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
April 14, 2011**

Library Auditorium
7401 E. Civic Circle
Prescott Valley, Arizona 86314

1. CALL TO ORDER

Mayor Skoog called the meeting to order at 5:30 p.m.

2. INVOCATION

Council member Don Tjiema gave the invocation.

3. PLEDGE OF ALLEGIANCE

Council member Don Tjiema led in the recitation of the Pledge of Allegiance.

4. ROLL CALL

Present: Mayor Skoog, Vice Mayor Anderson, Council Member Flannery, Council Member Lasker, Council Member Nye, and Council Member Schumacher, Council Member Tjiema.

Student Council members present: Tausha Hunter, Vanessa Sanchez, Eamon Mokhtari, Taylor Alandzes, Patrice Brinkman, Leslie Wasem, Omar Rojas.

Student Staff members present: Justus Schollock, Amber Wiste.

5. SCHEDULED ANNOUNCEMENTS & PRESENTATIONS

a. Chamber of Commerce Introduction of New Members & Business Academy Graduates

Marnie Uhl introduced Sandy Lundy, representing Simon Med a full service radiology group, who presented information about the services provided at their facility.

Two graduates of the 5th Chamber Business Academy came forward and were congratulated. Greg Hicks of Tekamba Computers and Peggy Johnson of Comfort Touch Massage and Body Works each told a little about the services they offer and expressed appreciation to the Chamber for the academy.

Marnie invited everyone to come out on Saturday, May 7 beginning at 9:00 a.m. for the big Team Up to Clean Up event with the Chamber of Commerce members.

b. Prescott Valley Star Party, Corinne Shaw

Corinne Shaw, Chairman of the Prescott Valley Astronomy Club, encouraged everyone to attend the groups first 'Star Party' April 23, 2011 at the Pronghorn Park in Prescott Valley from about dusk (7:45 p.m.) until 9:00 p.m. Friends of the Prescott Valley Area Public Library and Parks and Recreation are partnering with the group. Corinne distributed Friends of the PV Library envelope membership applications encouraging everyone to consider becoming a member. A brief discussion of what you can expect to see at the Star Party on that particular evening will be held prior to the event viewing. On July 22 another Star Party will be held in the vicinity of the Prescott Valley Library/NAU Campus.

c. Spotlight on the Library 2010

Stuart Mattson introduced Carole Popaden, President Library Board of Trustees, who gave an overview of the library activities indicating a 33 percent increase in traffic in the library facility. This is the first library in the area to have the advanced RFID technology. Carol announced she is moving to Florida next week after which Mayor and Council expressed their appreciation to her for the time she has donated to the library.

d. Family Art Festival

Student Council member Amber Wiste announced the Parks and Recreation Family Art Festival this Saturday, April 16 being held between 10:00 a.m. and 2:00 p.m. The Paint a Chair live Auction, at 1:00 p.m., will be a reflection of Disney's work as interpreted by the Bradshaw High School students. All proceeds will go to the Art Scholarship Fund. The Eggstravaganza will begin at 11:00 a.m. at the Civic Center lawn with age divisions for the Easter Egg Hunts. Little Bo Peep and Mr. Bunny will be in attendance as well as a petting zoo. The event is open to everyone at no charge. Chairs typically sell at \$40 to \$250 each in this live auction.

6. *PROCLAMATION*

a. National Arbor Day

Town Clerk Diane Russell read the National Arbor Day Proclamation after which it was presented to Parks and Recreation Director Brian Witty. Brian thanked Amber Wiste for her participation in the Parks and Recreation efforts and shadowing of him on this day.

b. Substance Abuse Awareness Month

Town Clerk Diane Russell read the Substance Abuse Awareness Month Proclamation after which it was presented to Student Council member Omar Rojas and Council member Nye.

c. Fair Housing Month

Town Clerk Diane Russell read the Fair Housing Month Proclamation after which it was presented to Ruth Mayday.

7. CERTIFICATES

a. Certificate of Appreciation to Kristi Jones for 10 years of service

Town Clerk Diane Russell read Community Development's accolades about Kristi Jones. Com Dev Director Richard Parker said Kristi does a wide variety of tasks and assists everyone she can and noted how proud they are to have her. Mayor and Council members thanked her for her 10 years of service to the town. Council members commented she exemplifies the positive attitude and dedication that all staff brings to the town. Kristi always has a ready smile and has a very pleasant personality. Ruth Mayday thanked her for her assistance and organizational skills in helping her both at the town and her involvement in extra curricular activities. Mayor Skoog presented Kristi with a Plaque of Appreciation and pin.

b. Certificate of Appreciation to Nancy Thurston for 5 years of service

Town Clerk Diane Russell read the accolades submitted by the Library Director Stuart Mattson. Nancy Thurston came forward along with her 'support group' Ted Johnson Assistance Library Director, and staff members Barbara, Jeannie, Geralyn, Allison, Kathleen, Eartha, and former employee Susan Lapis. Many of the group expressed not only their appreciation to Nancy but a few humorous remarks as well. The theme continued with the Council member's remarks as well as Nancy's remarks to all of them. Kathy Hellman presented Nancy with a bouquet of flowers. Mayor Skoog presented Nancy with a Certificate of Appreciation and pin.

8. MAYOR'S RECOGNITION AWARDS

a. 2010 Census Count

Joe Scott, Rebecca Myers, Kristi Jones, Judy Stanley, Vikie Anderson, Julia Bowers, Mark Kramer, Jeff Wilson, Randall Burton, Paul Macari, Woody Lewis, Larry Prentice and Christina Jan are being thanked this evening for going above and beyond to ensure an accurate 2010 Census Count. Com Dev Director Richard Parker stressed the importance of the Census work done by this group of people to ensure that an additional (originally denied) 800 addresses were included in the count through their extra effort. We have an accurate or good count showing six percent growth of our community. Town Manager and Council expressed their appreciation to the group also. A special thank you to GIS Larry Prentice and Christina Jan who provided the technological information needed to realize the additional \$800,000 that will come in over each of the next 10 ten years given their

efforts. Joe Scott thanked the group for the team work, technology and the talent they brought to the group. Mayor Skoog presented each of them with a Certificate of Appreciation for their work on this project.

9. COMMENTS/COMMUNICATIONS

Council member Lasker explained that the Rotary Club sponsored the Student Government participants who attended last week's Work Study and again at this evening's Council meeting. The students will write essays about this experience for which two scholarships will be awarded. This is one of the rare opportunities that students get to learn and participate in local government. Leslie Wasem, Omar Rojas, Amber Wiste, Vanessa Sanchez, Patrice Brinkman, Tausha Alandzes and Justus Scholock thanked Council for this opportunity and noted how important is to be involved in the government process. They found this exercise interesting, inspiring, and fun and said this experience has assisted them in making future schooling decisions.

10. CONSENT AGENDA

- a. *Approval of Minutes - March 24, 2011*
- b. *Approving Routine Records Destruction*
- c. *Approving the fireworks display contract with Reyman Pyrotechnic/Any Pyro for the 4th of July celebration for a total of \$25,000.00*
- d. *Approving a Special Event Liquor License to for the Yavapai Food Bank, Inc. and Buffalo Wild Wings at 2985 N. Centre Court parking lot in the Entertainment District in celebration of the first annual Prescott Valley Mile High PBR to be held on April 29 and 30, 2011*
- e. *Approving the Upper Verde River Watershed Protection Coalition application for a US Bureau of Reclamation System Optimization Grant and an Advanced Water Treatment Grant, with a 50% match that will be paid from the Coalition's budget*
- f. *Authorizing the Mayor to sign Resolution No. 1743 approving the 2011 Governor's Office of Highway Safety Click It or Ticket Enforcement Grant Contract # 2011-OP-042 and accept the grant award*
- g. *Approving a Budget Transfer as per the Fiscal Analysis for valve work at Fain Park in an amount of \$12,000.00*
- h. *Approving Accounts Payable for March 15 - 31, 2011*

Student Council member Leslie Wasem made the MOTION, seconded by Student Council member Eamon Mokhtari, to approve all items listed on the Consent Agenda, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Lasker made the MOTION, seconded by Council Member Tjiema, to approve all items listed on the Consent Agenda, by electronic vote. MOTION carried with 7 ayes and 0 nays.

11. NEW BUSINESS (FOR REVIEW, COMMENT, AND/OR POSSIBLE ACTION)

a. Consideration of approving the reading of Ordinance No. 756 Repealing Article 11-6 "Bicycle Identification" in Chapter 11 "Traffic" of Town Code

After blowing years of dust off the Arizona Revised Statute book §28-643 - Local Traffic Control Devices – it was read by Student Assistant Town Attorney Justus Scholock. This statute provides the authority to set and place street signs. Cindy Corcoran introduced the subject and noted that this was discussed at great lengths at the March 17th Work Study Session. Since the next three Ordinances are all related she combined them into one discussion.

The bicycle registration provision is no longer being performed nor are tickets being issued by the PD for non compliance at this point. The police department no longer even has the tools to perform the registration procedure. Therefore, staff recommends repealing this section from town code.

Student Council member Leslie Wasem made the MOTION, seconded by Student Council member Eamon Mokhtari, to read Ordinance No. 756 Repealing Article 11-6 Bicycle Identification in Chapter 11 Traffic of Town Code on two separate occasions by title only then place the same on final passage, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Flannery made the MOTION, seconded by Council Member Nye, to read Ordinance No. 756 Repealing Article 11-6 Bicycle Identification in Chapter 11 Traffic of Town Code on two separate occasions by title only then place the same on final passage, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk Diane Russell read Ordinance No. 756 by title only for the first reading.

b. Consideration of authorizing the Mayor to sign Resolution No. 1736 declaring the document entitled "Police Department Responsibilities and Authority" to be a public record

Cindy Corcoran stated that this is where the major changes come to Chapter 11. In the past the responsibility for installing, maintaining and conducting traffic studies for sign and traffic signal locations fell upon the Police Department even though this work was done by the Public Works Department. This document would streamline the process to allow the

Town Engineer to be the Traffic Engineer to conduct studies and make those determinations.

Student Council member Omar Rojas made the MOTION, seconded by Student Council member Patrice Brinkman, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1736 declaring the document entitled Police Department Responsibilities and Authority to be a public record, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Nye made the MOTION, seconded by Council Member Schumacher, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1736 declaring the document entitled Police Department Responsibilities and Authority to be a public record, by electronic vote. MOTION carried with 7 ayes and 0 nays.

c. Consideration of approving the reading of Ordinance No. 757 adopting by reference that certain public record entitled "Police Department Responsibilities and Authority"

Cindy Corcoran stated this is the Ordinance adopting by reference the document Police Department Responsibilities and Authority.

Student Council Mayor Tausha Hunter made the MOTION, seconded by Student Council member Taylor Alandzes, to approve the reading of Ordinance No. 757 adopting by reference that certain public record entitled Police Department Responsibilities and Authority on two separate occasions by title only, then place the same on final passage, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Mayor Skoog made the MOTION, seconded by Council Member Flannery, to approve the reading of Ordinance No. 757 adopting by reference that certain public record entitled Police Department Responsibilities and Authority on two separate occasions by title only, and then place the same on final passage, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk Diane Russell read Ordinance No. 757 by title only for the first reading.

d. Consideration of approving the reading of Ordinance No. 758, Amending Section 3-020-040 "Town Engineer" in Chapter 3, "Administration" of the Prescott Valley Town Code

Cindy Corcoran stated this ordinance would stipulate the Town Engineer is the Traffic Engineer turning over the affiliated responsibilities to that office.

Student Council member Taylor Alandzes made the MOTION, seconded by Student Council member Eamon Mokhtari, to read Ordinance No. 758 Amending Section 3-020-040 Town Engineer in Chapter 3, Administration of the Prescott Valley Town Code on two separate occasions by title only, and then place the same on final passage, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Flannery made the MOTION, seconded by Council Member Tjiema, to read Ordinance No. 758, Amending Section 3-020-040 Town Engineer in Chapter 3, Administration of the Prescott Valley Town Code on two separate occasions by title only, and then place the same on final passage, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Student Town Clerk Amber Wiste read Ordinance No. 758 by title only for the first reading.

Town Attorney Ivan Legler complimented Cindy Corcoran for the amount of time she has spent on this two-year project. Town Code originally had every signal and sign listed in it. Staff decided to bring the code into the 21st Century by streamlining the process and balancing it with any continued Council involvement. While code listed the Police Department as the responsible department it actually fell to Public Works. Cindy spent a lot of time with the departments to determine who actually performed what duties. Her work on this is really appreciated.

- e. Consideration of approving a Case Records Access Agreement which sets forth the terms and conditions under which Redflex will have access to certain Case Records from the Court and limits Redflex's use of those records to photo speed and red light enforcement within the Town

Assistant Town Attorney Colleen Auer stated that this is the information that Redflex needs from the court to keep up with citations which was being handled by the Administrative Office of the Courts (AOC). In February, 2011, the Information Technology Director for the AOC notified Judge Carson that, effective March 2011, the AOC would no longer disclose case management system data ("Case Records") to outside entities for the purpose of photo speed and red light enforcement. Instead, the AOC would only make Case Records available to each court. Each court would then be responsible to ensure that any further dissemination of such records to an outside entity met the requirements of Arizona Supreme Court Rule 123(c) (6).

The Town currently has an agreement with Redflex Traffic Systems, Inc. ("Redflex") to provide photo speed and red light enforcement within Town limits through July 27, 2011, subject to renewal for an additional two (2) years, through and including July 27, 2013. In order to provide the agreed-upon photo enforcement services to the Town, Redflex must have access to Case Records reflecting the status of pending photo enforcement citations, among other information. To date, Redflex has had access to these records through an approved application-to-application electronic exchange with the AOC. With the above-described change in AOC policy, Redflex must now obtain these records from the Prescott Valley Magistrate Court ("Court").

An agreement was made between the Court and Redflex to access our records for an automatic electronic exchange process of uploading of the records. Until the automatic exchange process is in place the Court will handle making the records available to Redflex manually (about six months). This Case Records Access Agreement ("Agreement") sets

forth the terms and conditions under which Redflex will have access to certain Case Records from the Court and limits Redflex's use of those records to photo speed and red light enforcement within the Town, consistent with the disclosure requirements of Arizona Supreme Court Rule 123(c) (6) and Arizona Code of Judicial Administration Section 1-606. The terms of the Agreement have been reviewed and approved by all parties, the Court and the AOC.

Discussion ensued about the benefits of photo enforcement related to speed and accident reduction, and freeing up police officers to pursue other calls. Council member Nye stated that it is good to hear that the document we have put together has been accepted by all involved. She expressed concern that staff may have to work overtime to make records available for Redflex until the automatic exchange process is in place. Auer explained that this is a time limited process for the court. Auer confirmed that the court and AOC have a good working relationship and every indication shows that the AOC will continue to work with us through this transition. The actual implementation cost and whatever additional cost is involved will be paid by Redflex; the only other Court cost is staff time.

Student Council member Patrice Brinkman made the MOTION, seconded by Student Council member Omar Rojas, to approve the Agreement as written, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Schumacher made the MOTION, seconded by Council Member Nye, to approve the Agreement as written, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Legler thanked staff for their work on this project.

f. Consideration of authorizing the Mayor to sign Resolution No. 1744, amending the Town's Financial Policy 4-05

Heidi Derryberry stated these policy revisions add definitions related to the new GASB statement No. 54 related to fund balances. It sets a rate of no less than 10 percent of General Fund revenues, excluding transfers, in the stabilization fund; proposes a change to the General Fund minimum fund balance to 25 percent of fund revenues, excluding transfers - approximately \$5.4 million; and changes the average maturity of General Obligation bonds from 20 to 25 years.

Student Council Vice Mayor Vanessa Sanchez made the MOTION, seconded by Student Council member Taylor Alandzes, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1744, amending the Town's Financial Policy, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Vice Mayor Anderson made the MOTION, seconded by Council Member Flannery, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1744, amending the Town's Financial Policy, by electronic vote. MOTION carried with 7 ayes and 0 nays.

g. Consideration of authorizing the Mayor to sign a Letter of Acceptance for \$330,000 in HOME funds from the Arizona Dept. of Housing to continue the Owner Occupied Housing Rehabilitation Program

Planner Ruth Mayday commented that acceptance of these monies would allow the town to continue assisting homeowners through the home rehabilitation program. These funds are used to bring houses up to code. The Fair Housing Act Proclamation read earlier this evening was an integral part of their application this year. Mayday explained how the recipients of the funds are determined. Mayday continued with responses to the Student council member questions as follows. The limit is \$25,000 for repairs and \$35,000 to replace an existing mobile home. Between 14 and 16 households are served every round. If a mobile home is beyond repair it is replaced. Contract awards for the work are done through the bid process. This is the second consecutive year we have run this program in-house. Student council members stated this is a good program and wished more people could benefit from it.

Student Council member Leslie Wasem made the MOTION, seconded by Student Council member Eamon Mokhtari, to authorize the Mayor (or in his absence, the Vice Mayor) to sign the Letter of Acceptance for \$330,000 in HOME funds from the Arizona Department of Housing, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Lasker made the MOTION, seconded by Council Member Tjiema, to authorize the Mayor (or in his absence, the Vice Mayor) to sign the Letter of Acceptance for \$330,000 in HOME funds from the Arizona Department of Housing, by electronic vote. MOTION carried with 7 ayes and 0 nays

h. Consideration of adopting the revised Prescott Valley Public Library Board of Trustee By-Laws

Carol Popaden Chairman of Board of Library Trustees introduced the board members and thanked them for their hard work. Popaden pointed out the three changes to the revised By-laws. The By-laws are reviewed every three years and copies are given to the library director, council members and the town manager.

Council member Flannery pointed out that typically any By-law changes are supposed to go to the Review Committee prior to being brought before the council for adoption. He expressed his disappointment that communication broke down and steps were skipped. He noted that we opened Pandora's Box with the Board of Adjustments By-laws, but there was reason for that. He recognizes the Library Board's special circumstances, but he is surprised that they bypassed certain things and it went straight to the Council. Protocol needs to be set that all Boards and Commissions by-laws must be reviewed first then brought before Council for adoption – not just send a copy to Council for adoption. Communication is important to maintain to avoid potential conflicts in the town code or other rule book.

Council member Nye said it is hard to let Carol go, but will let her go with their good wishes and joy, and thanked her for the time she was here.

Student Council member Taylor Alandzes made the MOTION, seconded by Student Council member Patrice Brinkman, to adopt the Prescott Valley Public Library Board of Trustees by-laws as revised, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council member Flannery brought to attention that a section in the By-laws states that a majority vote of the Board of Trustees approves their by-laws. Popaden clarified that that action means the Board has to approve the by-laws prior to submitting them to the Council for review and possible action.

Town Attorney Ivan Legler pointed out that the Library Board of Trustees has been exemplary in its willingness to cooperate with the town. Under state law and town code the Library Board does not legally have to bring their by-laws before Council for adoption. They are unlike the other boards and commissions which do have to go before Council as stated in Town Code. They are bringing it to us as a cooperative approach rather than a requirement to do so. We appreciate them doing it. They are independent of the other boards.

Popaden said they want to do this to ensure that everyone is operating on the same page.

Student Council member Taylor Alandzes made the MOTION, seconded by Student Council member Patrice Brinkman, to authorize the Mayor (or in his absence, the Vice Mayor) to sign the Letter of Acceptance for \$330,000 in HOME funds from the Arizona Department of Housing, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Flannery made the MOTION, seconded by Council Member Schumacher, authorize the Mayor (or in his absence, the Vice Mayor) to sign the Letter of Acceptance for \$330,000 in HOME funds from the Arizona Department of Housing, by electronic vote. MOTION carried with 7 ayes and 0 nays.

i. Consideration of approving the transfer of \$200,000 from the wastewater enterprise fund capital budget to the operations budget

Neil Wadsworth Utilities Director stated this transfer will pay for expenses incurred for the completed repairs to the wastewater treatment plant related to the storm event in January of 2010.

Student Council member Eamon Mokhtari made the MOTION, seconded by Student Council member Taylor Alandzes, to approve the transfer of \$200,000 from the wastewater enterprise fund capital budget to the operations budget, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Tjiema made the MOTION, seconded by Council Member Flannery, to approve the transfer of \$200,000 from the wastewater enterprise fund capital budget to the operations budget, by electronic vote. MOTION carried with 7 ayes and 0 nays

- j. Consideration of approving Change Order #3 with Low Mountain Construction, Inc., adding 59 days to the contract schedule and increasing the contract amount by \$50,000 for the Mountain Valley Park Turf Expansion and Lighting Project (CIP #P302.2)

Neil Wadsworth Utility Director indicated that this is the final change order/close out order for work that was completed just prior to the July 4th weekend last summer. This change order is for additional materials recommended by the turf manufacturer. Negotiations with the contractor have resulted in the reduced amount of \$50,000, down from \$179,000 for these materials. The materials increased the drain bed under the turf from 6 inches to 10 inches with two different types of rock in separate layers. Wadsworth responded to Student Council members that if this action is denied, staff would have to return to negotiations with the contractor or face a potential lawsuit from the contractor.

Student Council member Omar Rojas made the MOTION, seconded by Student Council member Patrice Brinkman, to approve Change Order #3 with Low Mountain Construction, Inc., adding 59 days to the contract schedule and increasing the contract amount by \$50,000, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Nye made the MOTION, seconded by Council Member Schumacher, to approve Change Order #3 with Low Mountain Construction, Inc., adding 59 days to the contract schedule and increasing the contract amount by \$50,000, by electronic vote. MOTION carried with 7 ayes and 0 nays

- k. Consideration of awarding a construction contract to Southwest Tank and Steel, Inc., in the amount of \$100,900.00 for the PCC 1 & PCC 2 Coating & Standpipe Rehabilitation (CIP # E314wd)

Annually we take a couple of our water tanks out of service for maintenance reasons (exterior and interior). These particular tanks, located on the ridge down by Prescott County Club, have not been cleaned in the last eight or ten years. Staff is asking for a budget transfer to include a second tank. Staff budgeted \$95,000 for one tank but for a small amount more can get both tanks done this year. Wadsworth responded to Student Council that while the two tanks are non-operational the third tank in this area has the capacity to continue service to that area.

Student Council member Taylor Alandzes made the MOTION, seconded by Student Council member Patrice Brinkman, to award a construction contract to the responsive low bidder, Southwest Tank and Steel, Inc., in the amount of \$100,900.00 for the PCC 1 & PCC 2 Coating & Standpipe Rehabilitation, AND motion to approve a budget transfer as

per the Fiscal Analysis, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Flannery made the MOTION, seconded by Council Member Schumacher, to award a construction contract to the responsive low bidder, Southwest Tank and Steel, Inc., in the amount of \$100,900.00 for the PCC 1 & PCC 2 Coating & Standpipe Rehabilitation, AND motion to approve a budget transfer as per the Fiscal Analysis, by electronic vote. MOTION carried with 7 ayes and 0 nays

- l. Consideration of approving a contract with the low bidder, Waste Management of Arizona, Inc., for disposal services for Clean-up Day - Spring 2011 in an amount not to exceed \$33,875.00*

Public Works Director Norm Davis stated that the Spring 2011 Clean-up Day is scheduled for Saturday, May 7. The Chamber of Commerce Team-up to Clean-up event announced earlier this evening disposes of their refuse at the Clean-up event. Some Yavapai County residents do participate therefore the County pays 15 - 20 percent to defray costs. Davis responded to Student Council that at the end of the day, a private contractor hauls the materials away for disposal. Chief Fessler assured everyone that the police department can manage the traffic that backs up on that road. Davis stated that the contract does allow the contractor one week to haul the materials away, but typically the refuse is hauled off and the area restored within 24 hours. Discussion ensued about rimmed versus non rimmed tires disposal related to the rate charged.

Student Council member Taylor Alandzes made the MOTION, seconded by Student Council member Omar Rojas, to approve a contract with the low bidder, Waste Management of Arizona, Inc., for disposal services for Clean-up Day - Spring 2011 in an amount not to exceed \$33,875.00, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Flannery made the MOTION, seconded by Council Member Nye, to approve a contract with the low bidder, Waste Management of Arizona, Inc., for disposal services for Clean-up Day - Spring 2011 in an amount not to exceed \$33,875.00, by electronic vote. MOTION carried with 7 ayes and 0 nays

- m. Consideration of authorizing the Mayor to accept the APS incentives for a photovoltaic program and sign the Credit Purchase Agreements with APS*

Kim Moon CIP Coordinator introduced Brian Weisman of Smart Energy Capital and Mark Holohan of Wilson Electric.

Planner Ruth Mayday explained we are doing this project to offset current and future electrical expenses. There are no out of pocket expenses to the town associated with this project. Mayday showed examples of other arrays around the state and what they would look like at the locations in town.

Utility Director Neil Wadsworth projected the savings the town could realize over the next 25 years with the proposed locations (approximately \$3 million). The four array locations will provide 41 percent of the power to the Waste Water Treatment Plant 1 & 2, and the Duplex and Triplex Booster stations. The town could have interconnection by November saving money immediately.

Moon covered the points of the APS Contract having a term of 20 years. APS will pay the town \$.0888 for each REC associated with 1 kwh up to the approved maximum kwh per site. If we build it, we must use it for the kwhs approved. The town will contract with Smart Energy to provide any reporting obligations. There will be two meters per site. Moon responded to Student Council that the Town of Prescott Valley will specify liability responsibilities in the contract with Smart Energy and Wilson Electric.

Student Council questions and responses continued. Should a hailstorm occur Smart Energy would be liable for damage to their arrays as they are the property owners of the solar panels. On the other hand, if the town were to hit one of them with a truck, the liability would be on the town. The small amount of power that will be produced at the sites will be completely used at those sites.

There will be two separate contracts one with the electrical provider APS and Wilson Electric and Smart Energy. Tonight's contract is with APS so they will pay us the incentives for the project.

Mark Holohan of Wilson Electric stated that a special glass plate protects the solar panel from hail damage and is warranted for 25 years.

Moon stated that the staff is pursuing this project at the direction of the town council and town manager. Moon noted that this is the first time that it has been fiscally feasible to take this direction to go green and save money.

Photovoltaic panels have no water requirements. Solar commercial solar panels require a lot of land for installation. The sites selected are optimal for this requirement. Future sites may be considered.

Mark Holohan of Wilson Electric stated that there are a few competent installers locally for residential properties. His company does strictly commercial installations.

Brian Weisman, Solar Energy Capital gave the funding sources/owners of his company and stated that the only difference the town will see is two electric bills from APS, both less.

Mark Holohan stated that the town is one of the largest commercial users at the municipal level. Prescott Valley will be the first in the APS service territory to have solar installed on our own facilities, second only in size to the City of Tucson in Arizona.

Student Council member Patrice Brinkman made the MOTION, seconded by Student Council member Omar Rojas, to authorize the Mayor (or in his absence, the Vice Mayor) to accept the incentives from APS and sign the Credit Purchase Agreements with APS, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Schumacher made the MOTION, seconded by Council Member Nye, to authorize the Mayor (or in his absence, the Vice Mayor) to accept the incentives from APS and sign the Credit Purchase Agreements with APS, by electronic vote. MOTION carried with 7 ayes and 0 nays

- e. Consideration of approving a Case Records Access Agreement which sets forth the terms and conditions under which Redflex will have access to certain Case Records from the Court and limits Redflex's use of those records to photo speed and red light enforcement within the Town

12. COMMENTS FROM THE PUBLIC

Parks and Recreation Director Brian Witty wished Town Clerk Diane Russell Happy Birthday followed by the singing of happy birthday to Diane.

13. ADJOURNMENT

Student Council member Eamon Mokhtari made the MOTION, seconded by Student Council member Leslie Wasem, to adjourn, by roll call vote. Student Town Clerk Amber Wiste called the roll. MOTION passed.

Council Member Tjiema made the MOTION, seconded by Council Member Lasker, to adjourn, by electronic vote. MOTION carried with 7 ayes and 0 nays. Mayor Skoog adjourned the meeting at 8:30 p.m.

ATTEST:

APPROVED:

Diane Russell, Town Clerk

Harvey Skoog, Mayor

STATE OF ARIZONA)
COUNTY OF YAVAPAI) ss:
TOWN OF PRESCOTT VALLEY)

CERTIFICATE OF COUNCIL MINUTES

I, Diane Russell, Town Clerk of the Town of Prescott Valley, Arizona, 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 Prescott Valley, held on Thursday, April 14, 2011.

I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of April, 2011

Diane Russell, Town Clerk