

# COUNCIL MEETING AGENDA

## TUESDAY, FEBRUARY 11, 2014

Members may attend in person or by telephone

Ed Foster, Mayor  
Michael Jewitt, Vice Mayor

Carol Kelley  
Mark Orgeron  
Monica Timberlake

Norma Crooks  
Mary Scott

**Quartzsite Town Hall  
Council Chambers  
465 North Plymouth Avenue  
Quartzsite, Arizona**

**Regular Meeting  
9:00 a.m.**

### SPEAKING TO THE COUNCIL

*If you are interested in speaking to the Council during Public Hearings, Communications from Citizens, or other designated agenda items, you must fill out a speaker card (located on the table inside the front entrance to the Council Chambers) and deliver it to the Town Clerk prior to the convening of the meeting. Each individual will be limited to three (3) minutes for their remarks.*

*All persons attending the Council meeting, whether speaking to the Council or not, are expected to observe the Council Rules, as well as the rules of politeness, propriety, decorum and good conduct. Any person interfering with the meeting in any way, or acting rudely or loudly, will be asked to leave.*

### CELL PHONES AND RECORDING DEVICES

*As a courtesy to others please turn off or silence all cell phones or pagers. Reporters or others with recording devices need to be staged at the back of the public seating area.*

***The times listed for agenda items are estimated.  
Items may be discussed earlier or in a different sequence.***

Est. Time	AGENDA ITEM	COUNCIL ACTION
9:00	<b>CALL TO ORDER OF REGULAR MEETING</b>	
9:00 – 9:05	<b>INVOCATION AND PLEDGE OF ALLEGIANCE</b>  <i>The invocation may be offered by a person of any religion, faith, belief or non-belief. Interested persons should contact the Clerk for further information.</i>	
9:05 – 9:06	<b>ROLL CALL</b>	
9:06 – 9:07	<b>APPROVAL/AMENDMENT OF AGENDA</b>	Discussion, possible action by MOTION.
	<b>PRESENTATIONS; PROCLAMATIONS</b>	
9:07 – 9:17	1. <b>PRESENTATION</b> - Congressman Paul Gosar's Office will be recognizing the General Store's contributions to the community.	

9:17 – 9:20		<p><b>CONSENT AGENDA</b></p> <p><i>All items listed below are considered consent calendar items and may be approved by a single motion unless removed at the request of Council for further discussion/action. Other items on the agenda may be added to the consent calendar and approved under a single motion.</i></p>	
	2-a.	<p><b>LEDGER OF ACCOUNTS PAID</b> – Consider approval of check series 36857 - 36915, totaling \$119,993.49.</p>	Discussion; possible action by MOTION; may be acted upon with single motion.
	2-b.	<p><b>MINUTES</b> – Consider approval of the minutes of the Regular Meeting of January 14, 2014 and the Regular Meeting of January 28, 2014.</p>	Discussion; possible action by MOTION; may be acted upon with single motion.
		<p><b>ADMINISTRATIVE ITEMS</b></p> <p><i>Administrative items are for Council discussion and action. It is at the discretion of the majority of the Council regarding public input requests on any Administrative Item. Persons wishing to speak on an Administrative Item should complete a Request to Speak Form and indicate the Item they wish to address. Council may or may not accept public comment.</i></p>	
9:20 - 10:00	3.	<p><b>EXECUTIVE SESSION</b></p> <ul style="list-style-type: none"> <li>• 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 legal issues related to the selection of a town manager and pursuant to A.R.S. § 38-431.03(A)(1) for discussion and consideration of the following applicants for employment as town manager: <ul style="list-style-type: none"> <li>• Skylor Miller</li> <li>• Robert Wherry</li> </ul> </li> </ul>	
		<p><b>RETURN TO OPEN SESSION</b></p>	

10:00 – 10:05	4.	<b>TOWN MANAGER</b> – Direction to staff regarding negotiation of a contract.	Discussion; possible action by MOTION.
10:05 – 10:20	5.	<b>TOWN CODE</b> – Discussion and possible action regarding the Town Code, Chapter 3, Administration, Section 3-1-1, Officers, and the conflicts it creates throughout the Town Code.	Discussion; possible action by MOTION.
10:20 – 10:30	6.	<b>CHIEF OF POLICE</b> – Discussion and direction regarding the interview and hiring process for the position of Chief of Police.	
		<b>COMMUNICATIONS</b>	
10:30 - 10:35	7.	Announcements and Reports from the MAYOR on current events.	
10:35 - 10:40	8.	Announcements and Reports from the COUNCIL on current events.	
10:40 - 10:45	9.	Reports from the TOWN MANAGER to the Council.	
10:45 - 11:00		<b>COMMUNICATIONS FROM CITIZENS</b> <i>At this time, members of the public may comment on matters within the jurisdiction of the Town but not on the agenda. For the official record, individuals must state their name. <b>There is a 3 minute limit for each speaker.</b> The Council's response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.</i>	
11:00		<b>ADJOURN</b>	MOTION to adjourn.

**Certification of Posting**

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Quartzsite Town Hall, 465 N. Plymouth Ave, Quartzsite, AZ, U.S. Post Office, 80 W. Main Street, Quartzsite, AZ and The Senior Center, 40 Moon Mountain Ave, Quartzsite, AZ, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ a.m./p.m. in accordance with the statement filed by the Town of Quartzsite with the Town Clerk, Town of Quartzsite.

By: \_\_\_\_\_, Town Clerk's Office.

RECEIVED

FEB 03 2014

TOWN OF QUARTZSITE

QUARTZSITE PUBLIC LIBRARY  
Statistical Report January, 2014

<b>Total Number of Patrons</b>	<b>2,791</b>
Adult Fiction	1,321
Adult Non Fiction	390
Paperbacks	400
Large Print	607
E-Books	1,849
Arizona Books	125
Foreign Language	2
ILL Sent to other Libraries	0
ILL. Received from other Libraries	0

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**TOTAL ADULT BOOKS** **4,692**

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Young Adult Fiction	26
Young Adult Non-Fiction	0
Juvenile Fiction	23
Juvenile Non-Fiction	15
Kids Computer Use	50
Graphic Novel	2

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MISCELLANEOUS

Puzzles	11
DVD	1,571
VHS	480
CD Audio	123
Audio Cassettes	46

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**TOTAL CIRCULATION** **2,347**

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Computer Questions	685
Reference Questions	649
Information	570
Computer Use	1,945
Wireless Usage	993
New Patrons Registered	79
Meeting Room Use	40
Donations	440

# QUARTZSITE CHILDREN'S LIBRARY

Statistical Report January, 2014

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Computer Questions	50
Reference Questions	85
Information	31
Computer Use	115
Wireless Use	0
New Patrons Registered	0
Meeting Room Use	0
Donations	0



Hello again, Billie Fowler  
 Contact information  
 Preferences  
 Users  
 Log out  
 Estimated content credit\*: \$1,030.35  
 Southwest Valley Library Consortium (AZ)  
 Prices shown in USD

Q Search...

Shop  
 One Copy / One User & Metered Access

One Copy/One User & Metered Access  
 Simultaneous Use  
 Purchase Content Credit

No pinned carts  
 + Create cart  
 VIEW CARTS  
 SELECT EXPRESS LOCAL CONTENT MARC CHECKOUT REPORTS  
 INVOICING NEWS 8 SUPPORT

**Library statistics**

Website Standard and mobile

[Run new report](#)

**Collection**

From inception through 1/31/2014

**One Copy/One User**

Adv. = Advantage, across all Advantage accounts  
 Cons. = Consortium

Format	Adv. titles	Adv. copies	Cons. titles	Cons. copies
Audiobook	1	1	683	692
eBook	13	13	3,787	3,846
<b>Total</b>	<b>14</b>	<b>14</b>	<b>4,470</b>	<b>4,538</b>

**Metered Access, expiring content**

Format	Adv. titles	Adv. copies	Cons. titles	Cons. copies
Audiobook	0	0	6	6
eBook	0	0	120	120
<b>Total</b>	<b>0</b>	<b>0</b>	<b>126</b>	<b>126</b>

**Metered Access, licensed content**

Format	Adv. titles	Adv. licenses purchased	Cons. titles	Cons. licenses purchased
eBook	13	676	1,043	28,028
<b>Total</b>	<b>13</b>	<b>676</b>	<b>1,043</b>	<b>28,028</b>

**User activity**

From 1/1/2014 through 1/31/2014

Unique users with titles checked out: 437

**Checkouts**

Format	Count
Audiobook	299
eBook	1,550
<b>Total</b>	<b>1,849</b>

**Holds**

Format	Count
Audiobook	35
eBook	296
<b>Total</b>	<b>331</b>

[Run new report](#)

## Circulation Statistics By Item Report Class : 01/01/2014 to 01/31/2014

Item Report Class	Checked In	Checked Out	Renewed	In-House Use	Booked
000 - 099	3	3	0	1	0
100 - 199	17	21	8	2	0
200 - 299	7	10	5	0	0
300 - 399	64	73	7	7	0
400 - 499	1	1	1	1	0
500 - 599	27	24	8	7	0
600 - 699	68	70	16	13	0
700 - 799	80	77	19	11	0
800 - 899	16	17	0	3	0
900 - 999	95	94	17	11	0
ADV	7	7	1	1	0
Aud	49	46	5	4	0
AZ	70	73	18	10	0
AZ NF	8	6	0	1	0
AZ R	0	0	0	1	0
BC	0	0	0	0	0
Biography	0	0	0	1	0
CD ROM	0	1	0	0	0
CD/AUD	114	123	28	25	0
Christian Fiction	208	214	18	11	0
DVD	1504	1571	94	104	0
Easy Book	4	7	1	3	0
eBook	0	0	0	0	0
Fiction	666	714	75	75	0
Fiction Large Print	385	372	47	25	0
Fiction Paperback	146	175	29	16	0
French	1	1	0	0	0
Graphic Novel	2	2	2	0	0
J Fiction	28	23	5	6	0
J Non-Fiction	9	15	0	1	0
J PBK	7	8	1	2	0
J Spanish	1	0	0	0	0
Jigsaw puzzle	12	11	1	2	0
L	21	22	3	4	0
Large Print Non-Fiction	13	17	3	1	0
Magazine	0	0	0	1	0
Mystery	301	333	38	30	0
Mystery Large Print	55	57	9	3	0
Mystery Paperback	96	112	10	8	0
Native American	0	0	0	0	0
PHA	2	2	0	0	0
Reference	0	0	0	0	0
Romance	0	0	0	0	0
Romance Paperback	56	57	4	6	0
Science Fiction	29	26	2	2	0
	46	37	8	6	0

Science Fiction					
Paperback					
Spanish	3	<u>1</u>	0	0	0
Undefined	28	27	2	4	0
VHS	466	480	12	19	0
Western	34	34	3	1	0
Western Large Print	134	139	17	6	0
Western Paperback	106	<del>113</del>	16	6	0
YA Fiction	31	<u>26</u>	7	4	0
YA Non-Fiction	0	0	0	0	0
YA Paperback	3	4	0	0	0
Total	5023	5266	540	445	0



## MONTHLY MAGISTRATE ACTIVITY REPORT

MONTH OF: JANUARY 2014

	Prior Year	Current Year
Civil Traffic Action Filed	63	22
Criminal Traffic Action Filed	5	6
Misdemeanor Cases Filed	8	5
Initial Appearances Handled	17	7
Trials and Pre-Trials Held	11	24
Civil Traffic Closings	77	107
Criminal Traffic Closings	11	11
Misdemeanor Cases Closed	8	4
Warrants Issued	0	14
Warrants Closed	2	6
Harassment or Orders of Protection	1	3
Revenue Generated by Court	\$11,664.54	\$12,591.96
Total Collected	\$20,361.09	\$22,815.91

Comments:

Total collected does not include Bonds received per the Court

Filed as per Section 5-2-3:  
Subsection E

Preparer: Lori Callan *Lori Callan*

A. Kelly  
Honorable Amanda Kelly, Magistrate



## TOWN OF QUARTZSITE

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### REGULAR COUNCIL MEETING

Tuesday, February 11, 2014

**Agenda Item #2-a.** Consider approval of check series 36857 - 36915, totaling \$119,993.49.

**Summary:** The Quartzsite Town Council Procedure Policy states that at least once each month the Council shall review a list of all the bills paid, and may ask for clarification at any time.

The Procedure Policy also states the Council should designate the check numbers being approved.

**Responsible Person:** Laura Bruno, Town Manager

**Attachment:** Ledger of Accounts Paid: check series 36857 - 36915.

**Action Requested:** Motion to approve the Ledger of Accounts Paid; Check series 36857 - 36915.

**Quartzsite Town Council Meeting of  
FEBRUARY 11, 2014  
Check Register/ Revenue/ Consent Agenda**

**Horizon Community Bank- Begin Ck# 36857 - 36915**

**Balances on all cash accounts as of February 6, 2014**

Checking Account	\$	1,972,056.43
LGIP Account	\$	686,505.95
WIFA Debt Reserve Account	\$	185,156.46

<b>Total Expensed Dollar Amount for Consent Agenda</b>	<b>\$</b>	<b>187,256.57</b>
<b>Total Payroll for Pay Period Ending 01/18/14</b>	<b>\$</b>	<b>67,263.08</b>
<b>YTD Total Revenue Dollar Amount for Consent Agenda</b>	<b>\$</b>	<b>943,701.04</b>
<b>YTD Total Sewer Cap Revenue as of 02/06/14</b>	<b>\$</b>	<b>3,252.72</b>
<b>YTD Total Sewer Sales Revenue as of 02/06/14</b>	<b>\$</b>	<b>524,840.58</b>
<b>YTD Total Water Cap Revenue as of 02/06/14</b>	<b>\$</b>	<b>4,596.44</b>
<b>YTD Total Water Sales Revenue as of 02/06/14</b>	<b>\$</b>	<b>411,011.30</b>

## Report Criteria:

Report type: GL detail

Check.Check Number = 36857-36915

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
<b>36857</b>						
01/29/2014	36857	APS	996.18	Electric Service	01-130-5048	996.18
01/29/2014	36857	APS	340.47	Electric Service	01-140-5048	340.47
01/29/2014	36857	APS	362.25	Electric Service	01-170-5048	362.25
01/29/2014	36857	APS	181.13	Electric Service	01-150-5048	181.13
01/29/2014	36857	APS	280.50	Electric Service	01-180-5048	280.50
01/29/2014	36857	APS	228.30	Electric Service	03-220-5048	228.30
01/29/2014	36857	APS	1,524.43	Electric Service	03-220-5048	1,524.43
01/29/2014	36857	APS	6,354.24	Electric Service	15-500-5048	6,354.24
01/29/2014	36857	APS	699.13	Electric Service	01-185-5048	699.13
01/29/2014	36857	APS	6,942.73	Electric Service	16-550-5048	6,942.73
Total 36857:			17,909.36			
<b>36858</b>						
01/29/2014	36858	C & B Lock and Key	25.00	Upgrade Key Touch Entry for Tow	01-130-5030	25.00
01/29/2014	36858	C & B Lock and Key	25.00	Upgrade Key Touch Entry for Tow	01-140-5035	25.00
01/29/2014	36858	C & B Lock and Key	25.00	Upgrade Key Touch Entry for Tow	01-160-5022	25.00
01/29/2014	36858	C & B Lock and Key	25.00	Upgrade Key Touch Entry for Tow	15-500-5030	25.00
01/29/2014	36858	C & B Lock and Key	25.00	Upgrade Key Touch Entry for Tow	16-550-5030	25.00
01/29/2014	36858	C & B Lock and Key	25.00	Upgrade Key Touch Entry for Tow	03-220-5022	25.00
Total 36858:			150.00			
<b>36859</b>						
01/29/2014	36859	Connected Computer & Re	85.00	Computer Tech Services	01-130-5035	85.00
01/29/2014	36859	Connected Computer & Re	1,020.43	QPD Phone System Preparation	01-140-5048	1,020.43
Total 36859:			1,105.43			
<b>36860</b>						
01/29/2014	36860	D And L Auto Parts	41.71	Auto/Equipments Parts	03-220-5025	41.71
01/29/2014	36860	D And L Auto Parts	32.05	Auto Parts Services	03-220-5047	32.05
01/29/2014	36860	D And L Auto Parts	1,371.37	Auto Parts	01-140-5025	1,371.37
01/29/2014	36860	D And L Auto Parts	58.39	Auto Parts	15-500-5025	58.39
01/29/2014	36860	D And L Auto Parts	71.26	Equipment Parts	15-500-5040	71.26
01/29/2014	36860	D And L Auto Parts	68.99	Equipment Parts	16-550-5040	68.99
Total 36860:			1,643.77			
<b>36861</b>						
01/29/2014	36861	E. Clifford Fausett	50.00	Security Deposit Refund-Park Pav	01-000-4905	50.00
Total 36861:			50.00			
<b>36862</b>						
01/29/2014	36862	Fedex	52.77	Shipping for Water Dept	16-550-5042	52.77
01/29/2014	36862	Fedex	26.71	Shipping for Parks Dept	01-180-5042	26.71
Total 36862:			79.48			

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
<b>36863</b>						
01/29/2014	36863	Legend Technical Services	299.40	Quarterly Monitoring Well#1	15-500-5039	299.40
01/29/2014	36863	Legend Technical Services	225.90	Monthly APP/AZPDES	15-500-5039	225.90
Total 36863:			<u>525.30</u>			
<b>36864</b>						
01/29/2014	36864	River City Newspapers	104.38	Quail Trail Pump Station Bid Publi	16-550-5033	104.38
Total 36864:			<u>104.38</u>			
<b>36865</b>						
01/29/2014	36865	Safetyline	11.57	Org Class 2 Towing Jackets for P	01-180-5042	11.57
Total 36865:			<u>11.57</u>			
<b>36866</b>						
01/29/2014	36866	Teledyne Isco, Inc.	92.16	Operation/System Maint. Supplie	15-500-5091	92.16
Total 36866:			<u>92.16</u>			
<b>36867</b>						
01/29/2014	36867	Tonya Hoogerwerf	75.50	Per Diem: Permit Tech Exam 1/20	01-160-5043	75.50
Total 36867:			<u>75.50</u>			
<b>36868</b>						
01/29/2014	36868	Universal Police Supply Co	357.20	Uniform Allowance - C. Conley	01-140-5019	357.20
01/29/2014	36868	Universal Police Supply Co	693.12	QPD Shoulder Patches	01-140-5019	693.12
Total 36868:			<u>1,050.32</u>			
<b>36869</b>						
01/29/2014	36869	Usa Blue Book	198.16	Lab Supplies for WWTP & Water	15-500-5052	198.16
01/29/2014	36869	Usa Blue Book	198.17	Lab Supplies for WWTP & Water	16-550-5052	198.17
Total 36869:			<u>396.33</u>			
<b>36870</b>						
01/29/2014	36870	West Payment Center	499.25	Annual Charges: AZ Legislative S	01-150-5051	499.25
Total 36870:			<u>499.25</u>			
<b>36888</b>						
02/06/2014	36888	ACC Business	13.53	Phone Services	01-110-5048	13.53
02/06/2014	36888	ACC Business	135.28	Phone Services	01-130-5048	135.28
02/06/2014	36888	ACC Business	148.70	Phone Services	01-140-5048	148.70
02/06/2014	36888	ACC Business	54.11	Phone Services	01-150-5048	54.11
02/06/2014	36888	ACC Business	40.64	Phone Services	01-160-5048	40.64
02/06/2014	36888	ACC Business	27.16	Phone Services	01-185-5048	27.16
02/06/2014	36888	ACC Business	40.64	Phone Services	03-220-5048	40.64
02/06/2014	36888	ACC Business	27.16	Phone Services	15-500-5048	27.16
02/06/2014	36888	ACC Business	27.16	Phone Services	16-550-5048	27.16
Total 36888:			<u>514.38</u>			

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
<b>36889</b>						
02/06/2014	36889	ADOT Project Reconciliatio	478.10	ADOT Design Review Fee	03-220-5056	478.10
Total 36889:			478.10			
<b>36890</b>						
02/06/2014	36890	Az Mun. Risk Retention Po	246.00	Workers Comp	01-110-5015	246.00
02/06/2014	36890	Az Mun. Risk Retention Po	510.00	Workers Comp	01-130-5015	510.00
02/06/2014	36890	Az Mun. Risk Retention Po	7,341.00	Workers Comp	01-140-5015	7,341.00
02/06/2014	36890	Az Mun. Risk Retention Po	129.00	Workers Comp	01-150-5015	129.00
02/06/2014	36890	Az Mun. Risk Retention Po	139.00	Workers Comp	01-160-5015	139.00
02/06/2014	36890	Az Mun. Risk Retention Po	155.00	Workers Comp	01-170-5015	155.00
02/06/2014	36890	Az Mun. Risk Retention Po	319.00	Workers Comp	01-180-5015	319.00
02/06/2014	36890	Az Mun. Risk Retention Po	211.00	Workers Comp	01-185-5015	211.00
02/06/2014	36890	Az Mun. Risk Retention Po	5,573.00	Workers Comp	03-220-5015	5,573.00
02/06/2014	36890	Az Mun. Risk Retention Po	504.00	Workers Comp	01-230-5015	504.00
02/06/2014	36890	Az Mun. Risk Retention Po	266.00	Workers Comp	01-181-5015	266.00
02/06/2014	36890	Az Mun. Risk Retention Po	924.00	Workers Comp	15-500-5015	924.00
02/06/2014	36890	Az Mun. Risk Retention Po	1,781.00	Workers Comp	16-550-5015	1,781.00
02/06/2014	36890	Az Mun. Risk Retention Po	231.00	Workers Comp	01-140-5089	231.00
Total 36890:			18,329.00			
<b>36891</b>						
02/06/2014	36891	Blue Cross& Blue Shield O	1,747.58	Employee Medical - Payroll Dedu	01-000-2208	1,747.58
02/06/2014	36891	Blue Cross& Blue Shield O	586.22	Employee Medical	01-110-5016	586.22
02/06/2014	36891	Blue Cross& Blue Shield O	1,303.45	Employee Medical	01-130-5016	1,303.45
02/06/2014	36891	Blue Cross& Blue Shield O	3,255.04	Employee Medical	01-140-5016	3,255.04
02/06/2014	36891	Blue Cross& Blue Shield O	1,128.27	Employee Medical	01-150-5016	1,128.27
02/06/2014	36891	Blue Cross& Blue Shield O	719.10	Employee Medical	01-160-5016	719.10
02/06/2014	36891	Blue Cross& Blue Shield O	979.37	Employee Medical	01-170-5016	979.37
02/06/2014	36891	Blue Cross& Blue Shield O	502.48	Employee Medical	01-180-5016	502.48
02/06/2014	36891	Blue Cross& Blue Shield O	418.73	Employee Medical	01-185-5016	418.73
02/06/2014	36891	Blue Cross& Blue Shield O	3,298.99	Employee Medical	03-220-5016	3,298.99
02/06/2014	36891	Blue Cross& Blue Shield O	209.37	Employee Medical	01-230-5016	209.37
02/06/2014	36891	Blue Cross& Blue Shield O	272.17	Employee Medical	01-181-5016	272.17
02/06/2014	36891	Blue Cross& Blue Shield O	933.93	Employee Medical	15-500-5016	933.93
02/06/2014	36891	Blue Cross& Blue Shield O	1,352.63	Employee Medical	16-550-5016	1,352.63
Total 36891:			16,707.33			
<b>36892</b>						
02/06/2014	36892	Canyon State Crane Servic	2,697.30	Changing Aerator Motor WWTP	15-500-5091	2,697.30
Total 36892:			2,697.30			
<b>36893</b>						
02/06/2014	36893	Davis Building Supply	158.17	Barricade for Quail Trail & Riggles	03-220-5029	158.17
02/06/2014	36893	Davis Building Supply	195.86	Rebar for PW Dept	03-220-5029	195.86
Total 36893:			354.03			
<b>36894</b>						
02/06/2014	36894	Diamond Brooks Bottled W	41.00	Bulk Water Service	01-130-5035	41.00
02/06/2014	36894	Diamond Brooks Bottled W	41.00	Bulk Water Service	01-140-5035	41.00
02/06/2014	36894	Diamond Brooks Bottled W	41.00	Bulk Water Service	01-150-5035	41.00

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
02/06/2014	36894	Diamond Brooks Bottled W	41.00	Bulk Water Service	01-170-5035	41.00
02/06/2014	36894	Diamond Brooks Bottled W	28.70	Bulk Water Service	03-220-5035	28.70
Total 36894:			192.70			
<b>36895</b>						
02/06/2014	36895	Dr. Jeni McCutcheon, PSY.	800.00	Classic Post Officer Evaluations	01-140-5035	800.00
Total 36895:			800.00			
<b>36896</b>						
02/06/2014	36896	Empire Southwest	449.85	Service Call: Grader #2204 for P	03-220-5025	449.85
Total 36896:			449.85			
<b>36897</b>						
02/06/2014	36897	Etherspeak Inc.	6.15	Phone Services	01-110-5048	6.15
02/06/2014	36897	Etherspeak Inc.	61.50	Phone Services	01-130-5048	61.50
02/06/2014	36897	Etherspeak Inc.	67.68	Phone Services	01-140-5048	67.68
02/06/2014	36897	Etherspeak Inc.	24.62	Phone Services	01-150-5048	24.62
02/06/2014	36897	Etherspeak Inc.	18.46	Phone Services	01-160-5048	18.46
02/06/2014	36897	Etherspeak Inc.	18.46	Phone Services	01-170-5048	18.46
02/06/2014	36897	Etherspeak Inc.	12.30	Phone Services	01-185-5048	12.30
02/06/2014	36897	Etherspeak Inc.	18.46	Phone Services	03-220-5048	18.46
02/06/2014	36897	Etherspeak Inc.	12.30	Phone Services	15-500-5048	12.30
02/06/2014	36897	Etherspeak Inc.	12.30	Phone Services	16-550-5048	12.30
Total 36897:			252.23			
<b>36898</b>						
02/06/2014	36898	Home Depot Credit Service	85.42	Police Dept Bldg Maintenance Su	01-140-5030	85.42
02/06/2014	36898	Home Depot Credit Service	164.84	Small Tools & Concrete items	03-220-5060	164.84
02/06/2014	36898	Home Depot Credit Service	53.90	Janitorial Supplies	03-220-5034	53.90
02/06/2014	36898	Home Depot Credit Service	239.45	Maintenace Supplies for Parks De	01-180-5086	239.45
Total 36898:			543.61			
<b>36899</b>						
02/06/2014	36899	IAPE	50.00	Annual Membership for T. Rider	01-140-5051	50.00
Total 36899:			50.00			
<b>36900</b>						
02/06/2014	36900	Jack Pots Portables, Inc.	190.53	Porta Potties for Qtz Park	01-180-5035	190.53
Total 36900:			190.53			
<b>36901</b>						
02/06/2014	36901	Kansas State Bank	150.96	Konica Minolta Bizhub C654 Copi	01-130-5058	150.96
02/06/2014	36901	Kansas State Bank	53.22	Konica Minolta Bizhub C654 Copi	01-130-5057	53.22
Total 36901:			204.18			
<b>36902</b>						
02/06/2014	36902	Oscar Villafana	1,439.92	Body/Paint & Supplies-'07 Crown	01-140-5025	1,439.92

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
Total 36902:			1,439.92			
<b>36903</b>						
02/06/2014	36903	Pioneer landscaping Materi	567.07	Landscaping Rock for misc Areas	03-220-5029	567.07
02/06/2014	36903	Pioneer landscaping Materi	560.49	Landscaping Rock for misc areas	03-220-5029	560.49
Total 36903:			1,127.56			
<b>36904</b>						
02/06/2014	36904	Postmaster	60.00	Post Office Box Svc Annual Fee	01-150-5051	60.00
Total 36904:			60.00			
<b>36905</b>						
02/06/2014	36905	Quartzsite Cap & Embroide	92.48	24 Mesh Hats w/Logo for Parks D	01-180-5019	92.48
Total 36905:			92.48			
<b>36906</b>						
02/06/2014	36906	Quill Corporation	16.31	Office Supplies: Admin	01-130-5021	16.31
02/06/2014	36906	Quill Corporation	7.42	Office Supplies: Court	01-150-5021	7.42
02/06/2014	36906	Quill Corporation	173.96	Office Supplies: Police Dept	01-140-5022	173.96
02/06/2014	36906	Quill Corporation	286.85	Office Supplies: Admin	01-130-5021	286.85
02/06/2014	36906	Quill Corporation	2.25	Office Supplies: Magistrate Court	01-150-5021	2.25
02/06/2014	36906	Quill Corporation	94.97	Office Supplies: Library	01-140-5021	94.97
02/06/2014	36906	Quill Corporation	28.39	Office Supplies: WW Dept	15-500-5021	28.39
02/06/2014	36906	Quill Corporation	28.39	Office Supplies: Water Dept	16-550-5021	28.39
Total 36906:			638.54			
<b>36907</b>						
02/06/2014	36907	Road Runner Sanitary Sup	34.34	Janitorial Supplies	01-130-5021	34.34
02/06/2014	36907	Road Runner Sanitary Sup	4.63	Janitorial Supplies	01-140-5034	4.63
02/06/2014	36907	Road Runner Sanitary Sup	34.33	Janitorial Supplies	01-150-5034	34.33
02/06/2014	36907	Road Runner Sanitary Sup	34.33	Janitorial Supplies	01-160-5034	34.33
02/06/2014	36907	Road Runner Sanitary Sup	34.35	Janitorial Supplies	01-170-5034	34.35
02/06/2014	36907	Road Runner Sanitary Sup	50.56	Janitorial Supplies	03-220-5022	50.56
02/06/2014	36907	Road Runner Sanitary Sup	34.34	Janitorial Supplies	15-500-5034	34.34
02/06/2014	36907	Road Runner Sanitary Sup	34.34	Janitorial Supplies	16-550-5034	34.34
02/06/2014	36907	Road Runner Sanitary Sup	60.00	Janitorial Supplies	01-180-5034	60.00
Total 36907:			321.22			
<b>36908</b>						
02/06/2014	36908	Rush Signs	280.00	Vehicle Lettering on Unit#1423	01-140-5025	280.00
Total 36908:			280.00			
<b>36909</b>						
02/06/2014	36909	Sams Club Credit	407.63	TV for Training Purposes	03-220-5043	407.63
02/06/2014	36909	Sams Club Credit	20.47	Misc items for PW Dept	03-220-5022	20.47
02/06/2014	36909	Sams Club Credit	122.21	Snacks for Recreation	01-185-5095	122.21
02/06/2014	36909	Sams Club Credit	15.92	Janitorial Supplies for Comm. Bld	01-185-5034	15.92

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
Total 36909:			566.23			
<b>36910</b>						
02/06/2014	36910	Sonoran Integrations	85.00	Tech Services with Phone Extensi	01-130-5035	85.00
Total 36910:			85.00			
<b>36911</b>						
02/06/2014	36911	T & C Seal Coating, Inc.	22,146.24	Slurry Seal Walkways	03-220-5029	22,146.24
Total 36911:			22,146.24			
<b>36912</b>						
02/06/2014	36912	U.S. Bank Operations Ctr.	2,221.05	Excise tax revenue bond obligatio	01-100-5007	2,221.05
02/06/2014	36912	U.S. Bank Operations Ctr.	6,924.43	Excise tax revenue bond obligatio	15-500-5007	6,924.43
02/06/2014	36912	U.S. Bank Operations Ctr.	3,919.50	Excise tax revenue bond obligatio	16-550-5007	3,919.50
Total 36912:			13,064.98			
<b>36913</b>						
02/06/2014	36913	Usa Blue Book	1,374.05	Lab Incubator for WWTP	15-500-5050	1,374.05
Total 36913:			1,374.05			
<b>36914</b>						
02/06/2014	36914	Vision Service Plan	276.20	Employee Payroll Deduction	01-000-2209	276.20
Total 36914:			276.20			
<b>36915</b>						
02/06/2014	36915	U.S. Bank Operations Ctr.	2,221.05	Excise tax revenue bond obligatio	01-100-5007	2,221.05
02/06/2014	36915	U.S. Bank Operations Ctr.	6,924.43	Excise tax revenue bond obligatio	15-500-5007	6,924.43
02/06/2014	36915	U.S. Bank Operations Ctr.	3,919.50	Excise tax revenue bond obligatio	16-550-5007	3,919.50
Total 36915:			13,064.98			
Grand Totals:			119,993.49			
Grand Totals:			119,993.49	119,993.49-		.00

## Report Criteria:

Report type: GL detail

Check.Check Number = 36857-36915



## TOWN OF QUARTZSITE

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### **REGULAR COUNCIL MEETING**

Tuesday, February 11, 2014

**Agenda Item #2-b.** Consider approval of the minutes of the Regular Meeting of January 14, 2014 and the Regular Meeting of January 28, 2014.

**Summary:** The Town Clerk shall keep the minutes of all meetings of the Common Council. Upon approval by the Council, the Clerk shall enter the approved minutes in a book constituting the official record of the Council.

**Responsible Person:** Tina Abriani, Town Clerk

**Attachment:** Minutes of the Regular Meeting of January 14, 2013 and the Regular Meeting of January 28, 2014.

**Action Requested:** Motion to approve the minutes of the Regular Meeting of January 14, 2014 and the Regular Meeting of January 28, 2014.

**MINUTES**  
**TOWN OF QUARTZSITE**  
**REGULAR MEETING OF THE COMMON COUNCIL**  
**TUESDAY, JANUARY 14, 2014, 9:00 AM**

**CALL TO ORDER:** 9:00 AM

**INVOCATION:** None

**PLEDGE OF ALLEGIANCE:** Led by Vice Mayor Jewitt

**ROLL CALL:**

**Present:** Mayor Foster, Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Orgeron, Council Member Scott, Council Member Timberlake.

**ABSENT:** No one

**STAFF PRESENT:** Laura Bruno, Town Manager; Patricia Ronan, Town Attorney; Tina Abriani, Town Clerk

**APPROVAL/AMENDMENT OF AGENDA:** Vice Mayor Jewitt moved to approve the agenda as presented and Council Member Kelley seconded the motion. Vice Mayor Jewitt withdrew his motion. Council Member Kelley withdrew her second to the motion. Vice Mayor Jewitt moved to approve the agenda as presented with one correction: Item 7 is a discussion only item. Council Member Kelley seconded the motion. The vote was unanimous. **Motion Passed.**

**CONSENT AGENDA:**

**1-a. LEDGER OF ACCOUNTS PAID – Consider approval of check series 36636 - 36785, totaling \$200,347.52.**

Council Member Scott pulled checks 36656 and 36677. Town Manager Bruno answered the questions about these checks.

**1-b. MINUTES – Consider approval of the minutes of the Regular Meeting of December 23, 2013 and the Special Meeting of January 3, 2014.**

Council Member Scott pulled the minutes of the Regular Town Council Meeting of December 23, 2013, Page 3. It should say 'Council Member Scott directed staff' instead of 'directs'. She asked that the minutes be amended.

**Vice Mayor Jewitt moved to approve the Consent Agenda as amended and Council Member Kelley seconded the motion. The vote was unanimous. Motion Passed.**

**Council Member Scott moved** to amend Page 3 of the minutes for December 23, 2013 to state 'Council Member Scott directed staff' and also to approve the checks that were discussed before. **Vice Mayor Jewitt seconded** the motion. The vote was unanimous. **Motion Passed.**

**ADMINISTRATIVE ITEMS:**

**2. PLANNING & ZONING COMMISSION ORDINANCE – Discussion and possible adoption of an ordinance amending Ordinance No. 13-02 by changing the number of members on the Planning & Zoning Commission from seven to five.**

The Mayor suggested the order of Items 2 and 3 be reversed.

**3. PLANNING & ZONING COMMISSION INTERVIEWS AND POSSIBLE APPOINTMENTS – Interview applicants for appointment to the Planning & Zoning Commission. Discussion and consider possible appointments to the Planning & Zoning Commission.**

Mr. Dole stepped to the podium and introduced himself. He stated he is a long term resident of the Town of Quartzsite. He answered the questions of the Council.

Randie Farish introduced himself and stated he is with the Scenic Road RV Park. He answered the questions of the Council.

Terry Frausto introduced herself. She stated she has lived in the community since 1996. She answered the questions of the Council.

**Vice Mayor Jewitt moved** to nominate all three. The vote was unanimous. **Motion Passed.**

**Vice Mayor Jewitt moved** to adjourn Item 2 and **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

The Mayor recused himself from attending the executive session. He stated the reason was that he is in favor of avoiding litigation where possible, saving the tax payers the cost and aggravation of that.

**Vice Mayor Jewitt moved** to adjourn to executive session.

Discussion ensued between the Mayor and Attorney Ronan regarding the executive session. The Mayor said that he was recusing himself and would not attend the executive session because the executive session dealt with litigation. The Mayor stated that he disapproved of litigation. Attorney Ronan alerted the Mayor to three items that did not relate to litigation, including further discussion of the Town Manager applicants and documents being made available that the Mayor had specifically requested. The Mayor declined to attend the executive session.

Vice Mayor Jewitt moved to adjourn to the executive session.

Council Member Crooks asked that the record reflect that Mayor Foster recused himself from the executive session.

Council Member Scott seconded the motion. The vote was six ayes. **Motion Passed.**

9:23 AM Adjourned to executive session.

#### 4. EXECUTIVE SESSION

- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Linda Conley; Heriberto Dominguez and Yoami Dominguez; Stephen Frakes; James C. Kemp and Reyna Kemp; Michelle Norris; William Ponce; and Herlen Yeomans and Eloina Yeomans v. Town of Quartzsite, et al.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Town of Parker and Town of Quartzsite v. La Paz County, et al.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Desert Gardens v. Quartzsite.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Jennifer and John Jones v. Town of Quartzsite, et al.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Jennifer Jones v. Town of Quartzsite, et al.*

- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Janet Brannan v. Town of Quartzsite, et al.*
- Executive session pursuant to A.R.S. Section 38-431.03(A)(2) for discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law relating to (1) the acquisition of insurance coverage for Quartzsite and (2) attorney-client communications.
- Executive session pursuant to A.R.S. Section 38-431.03(A)(1) for discussion or consideration of employment of Town Manager and review of applicants and questionnaires.
- Executive session pursuant to A.R.S. Section 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney relating to administrative and discretionary personnel matters, Town Code designations and requirements and liability risks to members of the Town Council.
- Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for *Foster v. Town of Quartzsite, et al.*

**12:06 PM RETURN TO OPEN SESSION**

**ROLL CALL:**

**Present:** Mayor Foster, Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Orgeron, Council Member Scott, Council Member Timberlake.

**5. TOWN MANAGER POSITION – Discussion and possible action on next steps regarding the employment of a Town Manager.**

**Vice Mayor Jewitt** moved to adjourn the item. **Council Member Kelley** seconded the motion. The vote was unanimous. **Motion Passed.**

**6. POLICE CHIEF JOB DESCRIPTION – Consider approval of a proposed annual salary range and description for the position of Quartzsite Police Chief.**

The Council Members discussed the \$60,000 - \$90,000 proposed salary range and the position description.

**Council Member Crooks moved** to approve the proposed annual salary range and description to recruit with those amendments that were just mentioned to the position of Quartzsite Police Chief. The amendments were: to remove the twenty-five pounds and to add one hundred pounds to be lifted, as well as add the word 'run' to the physical demands.

**Council Member Orgeron seconded** the motion. The vote was unanimous. **Motion Passed.**

**7. OPEN PUBLIC RECORDS REQUESTS – Discussion of open public records requests.**

The Mayor, Council Members, Town Manager and Town Attorney discussed open public records requests.

**COMMUNICATIONS:**

**8. Announcements and Reports from the MAYOR on current events.**

None

**9. Announcements and Reports from the COUNCIL on current events.**

None

**10. Reports from the TOWN MANAGER to the Council.**

Town Manager Bruno handed out calendars prepared by the Payroll Office listing Council pay dates. She announced that a new Police Officer has been hired. The new Officer's name is Ms. Candi Conley and she started January 13, 2014. Town Manager Bruno advised the Council that the Town has two employees that have applied to go to the police academy. They are currently going through the comprehensive background process. If they pass, they will move on to the academy and she will keep the Council apprised of that.

**CALL TO THE PUBLIC:**

Shanana Rain GoldenBear spoke regarding police academy training, public records request fees and the Grand Gathering. The Grand Gathering Senior Fair's venue has been changed from the Town Park to the Q.I.A.

**ADJOURNMENT: 12:28 PM**

**Vice Mayor Jewitt moved** to adjourn the meeting.

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of January 14, 2014, of the Town Council of Quartzsite, Arizona, held on January 14, 2014.

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

DATED this 11<sup>th</sup> day of February 2014

\_\_\_\_\_  
Tina M. Abriani, Town Clerk

On behalf of the Common Council

\_\_\_\_\_  
Ed Foster, Mayor

DRAFT

**MINUTES**  
**TOWN OF QUARTZSITE**  
**REGULAR MEETING OF THE COMMON COUNCIL**  
**TUESDAY, JANUARY 28, 2014, 9:00 AM**

**CALL TO ORDER: 9:00 AM**

**INVOCATION:** None.

**PLEDGE OF ALLEGIANCE:** Led by Vice Mayor Jewitt.

**ROLL CALL:**

**Present:** Mayor Foster, Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Orgeron, Council Member Scott, Council Member Timberlake.

**ABSENT:** No one.

**STAFF PRESENT:** Laura Bruno, Town Manager; Patricia Ronan, Town Attorney; Tina Abriani, Town Clerk

**APPROVAL/AMENDMENT OF AGENDA:** Vice Mayor Jewitt moved to approve the agenda as presented. Council Member Kelley seconded the motion. The vote was unanimous. **Motion Passed.**

**PRESENTATIONS; PROCLAMATIONS:**

1. **PROCLAMATION – Arizona Adult Literacy Week, February 9-15, 2014.**

Mayor Foster read the proclamation aloud.

2. **QUARTZSITE TROLLEY – Update and status report on the Quartzsite Trolley.**

John Andoh, Transit Planning Consultant and Janet Collier, Transit Coordinator, used a PowerPoint presentation to provide an overview of the status of the pilot trolley project. They reviewed the trolley schedule, funds collected, funds expended, ridership, fares collected and advertising sales.

Council Member Kelley stated she has heard nothing but positive comments about the trolley.

Council Member Scott commented that if the trolley should be used again next year, it should not start in December. She asked that when the pilot program is over, the bottom line should be reviewed, as well as any grant monies that will be available.

Council Member Scott stated the Town Council needs the final figures for this year so that they may review the service and make it better for next year; if they choose to run it next year.

Herman Konyen suggested that signs be posted at the trolley stops. The signs would explain what the trolley is, when it stops and how much it costs to ride.

Jennifer Jones asked about the costs of purchasing and installing the bus stops. John Andoh explained they were paid out a HURF transportation enhancement grant and did not affect the Town's general fund.

Marilyn McFate stated the transit system, not including the trolley, is for the elderly, handicapped and others. She suggested that the trolley run behind the shows to pick up people that are tired.

**CONSENT AGENDA:**

- 3-a. LEDGER OF ACCOUNTS PAID – Consider approval of check series 36786 – 36856, totaling \$228,427.96**
- 3-b. MINUTES – Consider approval of the minutes of the Regular Meeting of January 14, 2014.**
- 3-c. INTERGOVERNMENTAL AGREEMENT – Consider approval of an Intergovernmental Agreement (IGA) with the State of Arizona Department of Transportation (ADOT) for a Management Inventory System project for the Town's regulatory and cautionary signs.**

**Vice Mayor Jewitt moved** to approve the consent agenda as written.

Council Member Scott pulled check # 36796 and page 2 of 6 of the minutes.

**Vice Mayor Jewitt withdrew** his motion.

**Vice Mayor Jewitt moved** to approve the consent agenda, as amended by Council Person Scott and **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

Town Manager Bruno explained that check # 36796 was one check with two account numbers.

Council Member Scott stated more of the discussion that took place on page 2 of the minutes, where the Mayor and Attorney Ronan spoke regarding the Mayor recusing himself from executive session, should be included in the minutes.

Attorney Ronan stated she will work with the Clerk on that item and resubmit the minutes at the next meeting.

**Council Member Scott** moved to approve check # 36796 and **Council Member Timberlake** seconded the motion. The vote was unanimous. **Motion Passed.**

**ADMINISTRATIVE ITEMS:**

**4. PARK, RECREATION FACILITIES & CEMETERY CODE AMENDMENTS**

An ordinance declaring the document entitled “Park, Recreation Facilities & Cemetery Code Amendments, January 28, 2014” as a public record; adopting the “Park, Recreation Facilities & Cemetery Code Amendments, January 28, 2014” by reference; amending the Town Code of the Town of Quartzsite Arizona, Chapter 11, Offenses, by repealing and adopting new Chapter 21 Park, Recreation Facilities & Cemetery, relating to the Use, Reservation of, and Rules for Town Facilities; providing for severability; and providing penalties.

The title of the proposed ordinance was read into the record by Mayor Foster.

Town Manager Bruno stated that on November 12, 2013, the Council did approve rule changes for the use of the Town of Quartzsite Park and Cemetery Facilities. The rules included hours, times of use and fees regarding the Cemetery Columbarium Niche Wall. On November 12, 2013 staff was directed to bring back an amended ordinance for Council approval.

**Vice Mayor Jewitt** moved to approve this ordinance as presented and secondly, to direct staff to look closer at vagrancy and extended parking ordinances. **Council Member Crooks** seconded the motion.

Council Member Scott suggested looking into the issue of consecutive days of use of the Park Facilities.

The vote was unanimous. Motion Passed.

**5. HI JOLLY CEMETERY BOARD - Consider the reappointment of one regular member to the Hi Jolly Cemetery Board with a term ending November 2016.**

Hi Jolly Cemetery Board Member Ms. Eileen Lunsford approached the podium.

Council Member Scott thanked Ms. Lunsford for her hard work on the Cemetery Board and for her request to stay on the Board.

**Vice Mayor Jewitt moved** to reappoint Ms. Eileen Lunsford to the Hi Jolly Cemetery Board with a term to expire in November 2016. **Council Member Kelley seconded** the motion. The vote was unanimous. **Motion Passed.**

**6. HI JOLLY CEMETERY BOARD - Consider the appointment of one regular member to the Hi Jolly Cemetery Board with a term ending December 2015.**

Terry Frausto approached the podium and Council Member Kelley asked if Terry Frausto had enough time to serve on the board. Terry replied stating she does have enough time.

**Vice Mayor Jewitt moved** to appoint Terry Frausto to the Hi Jolly Cemetery Board, term to expire December 2015 and **Council Member Kelley** seconded the motion. The vote was unanimous. **Motion Passed.**

**7. EXECUTIVE SESSION**

**Executive session pursuant to A.R.S. Section 38-431.03(A)(2) for discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law relating to (1) the acquisition of insurance coverage for Quartzsite and (2) attorney-client communications.**

**An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of applicants, William DiLibero, Skylor Miller, Enrique Ochoa, Robert Wherry, and Thomas Wilson for possible employment as town manager, including review of reference checks to establish a final list of candidates to interview.**

**Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for Linda Conley; Heriberto Dominguez and Yoami Dominguez; Stephen Frakes; James C. Kemp and Reyna Kemp; Michelle Norris; William Ponce; and Herlen Yeomans and Eloina Yeomans v. Town of Quartzsite, et al.**

**Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation for Town of Parker and Town of Quartzsite v. La Paz County, et al.**

**Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation with La Paz County regarding outstanding public records requests.**

**Executive session pursuant to A.R.S. Section 38-431.03(A)(4) for discussion or consultation with the attorneys for the Town in order to consider its position and instruct its attorneys regarding the Town of Quartzsite's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation in connection with a notice of claim from Jennifer Jones.**

**ADJOURNMENT TO EXECUTIVE SESSION: 9:41 AM**

**Vice Mayor Jewitt moved to adjourn to executive session and Council Member Kelley seconded the motion.**

**RETURN TO OPEN SESSION: 10:59 AM**

The Mayor called the meeting back to order.

**ROLL CALL:**

**Present:** Mayor Foster, Vice Mayor Jewitt, Council Member Kelley, Council Member Crooks, Council Member Orgeron, Council Member Scott, Council Member Timberlake.

**COMMUNICATIONS:**

**8. Announcements and Reports from the MAYOR on current events.**

None

**9. Announcements and Reports from the COUNCIL on current events.**

Council Member Kelley stated, "We have had a beautiful season."

**10. Reports from the TOWN MANAGER to the Council.**

Town Manager Bruno advised that the Bureau of Land Management has reported camping permits are up from last year. They are gathering numbers and they will be getting them to us, for our surrounding area. The Vendor Permits are at a par with what they were last year.

**COMMUNICATIONS FROM CITIZENS**

Jennifer Jones, resident, stated the vendors are wondering why the trolley is not free. She spoke regarding her ongoing litigation in U.S. District Court.

**ADJOURNMENT: 11:03 AM**

**Vice Mayor Jewitt** moved to adjourn and **Council Member Crooks** seconded the motion.

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of January 28, 2014, of the Town Council of Quartzsite, Arizona, held on January 28, 2014.

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

DATED this 11<sup>th</sup> day of February 2014

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Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:

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Ed Foster, Mayor



## TOWN OF QUARTZSITE

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### **REGULAR COUNCIL MEETING**

Tuesday, February 11, 1014

**Agenda Item #5**            Discussion and possible action regarding the Town Code, Chapter 3, Administration, Section 3-1-1, Officers, and the conflicts it creates throughout the Town Code.

**Summary:**

**Responsible Person:**    Mary Scott, Council Member

**Attachment:**            Chapter 3 of the Town Code.

**Action Requested:**      Discussion and possible action regarding the Town Code, Chapter 3, Administration, Section 3-1-1, Officers, and the conflicts it creates throughout the Town Code.

# CHAPTER 3 ADMINISTRATION

(Ord. 89-01)(Res. 89-01)

## ARTICLE 3-1 OFFICERS IN GENERAL

- 3-1-1 Officers
- 3-1-2 Additional Officers
- 3-1-3 Bond
- 3-1-4 Vacancies; Holding More Than One Office
- 3-1-5 Additional Powers and Duties

### Section 3-1-1 Officers

There are hereby created the offices of town manager, town clerk, police chief, town engineer, town attorney and town magistrate who shall be appointed by the Council and who shall serve, with the exception of the magistrate, at the pleasure of the Council. The magistrate shall be appointed for a term of office as provided in Section 5-2-1.

### Section 3-1-2 Additional Officers

The Council may appoint and remove from time to time such other officers as it may deem necessary and that are not provided for in this code or state statute.

### Section 3-1-3 Bond

The Council shall require each officer of the town to give bond for the due discharge of his duties in such sums and with such security as it may direct and approve as determined by resolution. The town shall pay the costs of such bond.

### Section 3-1-4 Vacancies; Holding More Than One Office

Any vacancy that shall occur in any town office shall be filled by appointment by the Council, provided that one person may hold more than one office and that, at the discretion of the Council, the functions of a town official may be validly performed and discharged by a deputy or another town official, or an otherwise qualified individual not holding office but employed at the pleasure of the Council.

### Section 3-1-5 Additional Powers and Duties

In addition to any powers and duties prescribed in this code, each officer shall have such further powers, perform such further duties and hold such other office as may be provided by the Council through ordinance, resolution or order.

**ARTICLE 3-2 OFFICERS**

- 3-2-1 Town Manager
- 3-2-2 Town Clerk (Ord. 06-05/Ord. 06-12/Ord. 10-06/Ord. 08-13/Ord. 10-07)
- 3-2-3 Police Chief
- 3-2-4 Town Engineer
- 3-2-5 Town Attorney (Ord. 11-08)
- 3-2-6 Town Magistrate

**Section 3-2-1 Town Manager**

- A. Office Created. The office of the town manager of the Town of Quartzsite is hereby created and established. The town manager shall be appointed by the Council wholly on the basis of his administrative and executive ability and qualifications and shall hold office for and at the pleasure of the Council.
- B. Bond. The town manager shall furnish a corporate surety bond to be approved by the Council in such sum as may be determined by the Council. The bond shall be conditioned upon the faithful performance of the duties imposed upon the manager as prescribed in this article. Any premium for such bond shall be a proper charge against the town.
- C. Compensation. The town manager shall receive such compensation as the Council shall fix from time to time.
- D. Removal Procedure. The town manager may be removed by a majority vote of the Council. If requested, the Council shall grant him a public hearing within thirty days following notice of removal. During the interim, the Council may suspend the manager from duty, but shall continue his salary and, if the removal becomes final, shall pay his salary for one month following the removal date.
- E. Powers and Duties. The town manager shall be the administrative head of the government of the town under the direction and control of the Council except as otherwise provided by the Council. He shall be responsible to the Council for the proper administration of all affairs of the town. In addition to his general powers as administrative head and not as a limitation thereon, it shall be his duty and he shall have the powers set forth in the following paragraphs.
  - 1. Appoint and, when necessary for the good of the service, suspend or remove all officers and employees of the town not appointed by the Council. He may authorize the head of a department or office to appoint, suspend or remove subordinates in such department or office.
  - 2. Prepare the budget annually and submit it to the Council together with a message describing the important features and be responsible for its administration after adoption.

3. Prepare and submit to the Council at the end of the fiscal year a complete report on the finances and administrative activities of the town the preceding year.
4. Keep the Council advised of the financial condition and future needs of the town and make such recommendations as he may deem desirable.
5. Serve as personnel officer with such duties as directed by the Council, prescribed by this code and as set forth in the personnel rules and regulations. He shall recommend to the governing body a standard schedule of pay for each appointive office and position in the town service, including minimum, intermediate and maximum rates. He shall authorize the payment of overtime pay for such employees as may work in excess of a normal work period. Such rates of pay and periods of work shall be in conformity with wages and salaries enacted by the Council.
6. Recommend to the governing body from time to time adoption of such measures as he may deem necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services.
7. Consolidate or combine offices, positions, departments or units under his jurisdiction, with the approval of the Council. The manager may be the head of one or more departments.
8. Attend all meetings of the Council, unless excused therefrom, and take part in the discussion of all matters coming before the Council. He shall be entitled to notice of all regular and special meetings of the Council.
9. In case of accident, disaster or other circumstances creating a public emergency, the manager may award contracts and make purchases for the purpose of meeting said emergency; but he shall file promptly with the Council a certificate showing such emergency and the necessity for such action, together with an itemized account of all expenditures.
10. See that all laws and ordinances are duly enforced.
11. Investigate the affairs of the town or any department or division thereof. Investigate all complaints in relation to matters concerning the administration of the government of the town and in regard to service maintained by the public utilities in the town, and see that all franchises, permits and privileges granted by the town are faithfully observed.
12. Perform such other duties as may be required by the Council, not inconsistent with state law or town ordinances.

- F. Council Not to Interfere With Appointments or Removals. With regard to officers and employees appointed by the manager, neither the Council nor any of its members shall direct or request the appointment of any person to, or his removal or suspension from, such office by the manager or any of his subordinates, or in any manner take part in the appointment or removal of such officers and employees in the administrative services of the town. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the manager.

**Section 3-2-2 Town Clerk** (Ord. 06-05/Ord. 06-12/Ord. 08-13/Ord. 10-07)

- A. Appointment. The Clerk shall be appointed by the Town Manager. The position shall be classified and subject to the Town of Quartzsite Personnel Policy.
- B. Records. The clerk shall keep a true and correct record of all business transacted by the Council and any other records that either pertain to the business of the town or that the Council directs. The clerk shall number, plainly label and file separately in a suitable cabinet all ordinances, resolution, notices, deeds, surveys, leases, paid and unpaid vouchers, inventories, letters, orders and other documents of whatever nature.
- C. Public Inspection of Records. The clerk shall keep convenient for public inspection all public records and public documents under his control, as provided by state statute.
- D. Monthly Reports. The clerk shall prepare and collect from town officers and employees such monthly reports prepared in such manner and to include such information as may be directed by the Council.
- E. Minutes. The clerk shall prepare or cause to be prepared all minutes of Council proceedings and ensure their correctness and accuracy.
- F. Ordinances, Resolution, Budgets and Notices. The clerk shall process, record, file, publish and, if required by state statute, post all ordinances, resolutions, budgets and notices that may be passed by the Council.
- G. Duties as Treasurer. The clerk or the Town Manager's designee shall hold the office of Town Treasurer and receive and safely keep all monies that shall come to the town and pay out the same when authorized by the Council. He shall keep a separate record and account of each different fund provided by the Council, apportion the monies received among the different funds as prescribed by the Council, and keep a complete set of books showing: every money transaction of the town, the state of each fund, from what source the money in each fund was derived and for what purpose expended, and he shall make monthly reports to the Council of all receipts and disbursements and the balance in each fund. At the end of the fiscal year he shall make a full and detailed statement of the receipts and expenditures of the town during the year, specifying the different sources of revenue and the amount received from each, all appropriations made

by the Mayor and Council, and the object for which they were made, and the amount of money expended under each, the evidences of indebtedness issued, and what portion remains thereof outstanding, with the rate and amount of interest due thereon, and the amount of cash on hand.

- H. Election Official. The clerk shall be the town election official and perform those duties required by state statute.
- I. Licenses. The clerk shall issue or cause to be issued all licenses that may be prescribed by state statute or this code.
- J. Administrative Duties. The clerk shall perform those administrative responsibilities and duties that are conferred upon him by the Town Manager in addition to those specified in this code.

**Section 3-2-3 Police Chief**

The Police Chief shall be the chief of police and he shall perform such duties as may be required of him by law and as the Council may deem necessary.

**Section 3-2-4 Town Engineer**

The town engineer shall be appointed by the Council. The engineer shall have charge of the town streets, sewers and waterworks and shall perform such duties as may be required of him by law and such other duties as the Council may deem necessary.

**Section 3-2-5 Town Attorney** (Ord. 11-08)

- A. The Town Attorney shall be appointed by the Town Manager under contract terms approved by Council. The Town Attorney shall act as the legal counselor and advisor of the Council and other town officials and, as such, shall give his opinion in writing when requested by the Town Manager. The Town Attorney review and assist in the drafting of all deeds, contracts, conveyances, ordinances, resolutions and other legal instruments when required by the Town Manager. The Town Attorney shall approve or disapprove as to form, in writing, all drafts of contracts and all official or other bonds before final approval or acceptance thereof by the Council. The Town Attorney shall return within the time allotted by the Town Manager all ordinances and resolutions submitted for consideration by the Town Manager, with approval or disapproval as to form noted thereon, together with the reasons therefore. The Town Attorney shall prosecute and defend all suits, actions or causes where the town is a party to the extent of the Town Attorney's ability and in accordance with the Town Attorney's independent professional legal judgment and in compliance with the Arizona Supreme Court's Rule of Professional Responsibility shall report to the Council, when required, the condition of any suit or action to which the town is a party. The Town Attorney shall prosecute all criminal charges in the Quartzsite Magistrate Court which are supported by probable cause within the parameters of the Arizona Supreme Court's Rules of Professional Responsibility and

prevailing standards of prosecution. The Town Attorney shall prosecute all civil, petty and civil traffic offenses in the Quartzsite Magistrate Court which are supported by probable cause within the parameters of Professional responsibility and prevailing standards of prosecution if the defendant in such matters is represented by counsel. The Town Attorney shall attend all Council meetings to advise the Council on legal issues and serve as Town Parliamentarian.

- B. That if any section, subsection, sentence, clause or phase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Quartzsite Common Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phases be declared unconstitutional.

**Section 3-2-6 Town Magistrate**

The town magistrate shall be appointed by the Council and shall be the presiding officer of the magistrate's court. He shall perform those functions necessary to the maintenance of the magistrate's court as provided by state statute.

**ARTICLE 3-3 PERSONNEL SYSTEM**

- 3-3-1 Creation and Scope
- 3-3-2 Conditions of Employment
- 3-3-3 Rules and Regulations
- 3-3-4 Political Contributions
- 3-3-5 Personnel Board

**Section 3-3-1 Creation and Scope**

There is hereby adopted a merit system for the employees of the town, the provisions of which shall apply to all employees of the town, except elected officials, officers of the town appointed by the Council, persons engaged under contract to supply expert, professional or technical services, temporary employees and volunteer personnel who receive no regular compensation from the town.

**Section 3-3-2 Conditions of Employment**

The appointment, promotion and tenure of every employee shall be conditioned solely on merit and fitness and the satisfactory performance of the duties and responsibilities assigned. No employee or applicant for employment shall be discriminated against on the basis of race, color, religion, sex, age or political affiliation.

**Section 3-3-3 Rules and Regulations**

The Council may adopt by resolution rules and regulation to give effect to this article, which may be modified or changed from time to time, but such rules and regulations shall follow the generally accepted principles of good personnel administration.

**Section 3-3-4 Political Contributions**

No officer, official or employee of the town shall use any influence or pressure upon any employee to obtain any assessment or contribution of money or time, either direct or indirect, for any political campaign or personal gain.

**Section 3-3-5 Personnel Board** (Ord. 11-03)

A. Terms

There is hereby created a personnel board, which shall consist of three (3) members from the citizens of the town, appointed by the Mayor and Council, setting terms of three (3) years, so staggered that only two (2) board member terms expire in the same year. This board shall be required to meet a minimum of once each year at a date and time to be determined by the members of the board. Special Meetings may be called as needed by the chairman. The members of the board shall elect a chairman from their membership to conduct the meetings. The members of the personnel board shall serve at the pleasure of the Mayor and Council.

B. Duties

The board shall meet as needed to conduct hearings on qualified employee grievances and make recommendations to the Town Manager or his/her designee as the Personnel Officer. In the event that the board does not have full membership, the Hearing Officer for the Town of Quartzsite, Arizona, or in his absence the Hearing Officer for La Paz County, Arizona shall conduct the hearing on qualified employee grievances and make recommendations to the Town Manager and his/her designee as the Personnel Officer.

The board shall review changes to the Town of Quartzsite Personnel Policy and make recommendations to the Mayor and Council as needed.

**ARTICLE 3-4 PROCUREMENT** (Ord. 89-04) (Ord. 93-06) (Res. 89-07) (Ord. 11-15)

- 3-4-1 General
- 3-4-2 Procedure
- 3-4-3 Exclusive Service
- 3-4-4 Bidding
- 3-4-5 Determination of Lowest Possible Bidder
- 3-4-6 Performance Bond
- 3-4-7 Emergency Purchase
- 3-4-8 Forms
- 3-4-9 Professional Services
- 3-4-10 Cooperative Purchasing

**Section 3-4-1 General**

The Town Manager is the procurement agent for the town. Procurement of property or services whether by purchases or by contract for services called Category 1, Category 2, Category 3, and Category 4, which shall be further defined by Resolution of the Common Council.

**Section 3-4-2 Procedure**

- A. Any Category 1 procurement may be made by the procurement agent or his or her proxy without further formality.
- B. Any Category 2 procurement made by the procurement agent or his or her proxy shall require the solicitation of at least three oral bids for the item or service and the procurement made from the lowest responsible bidder.
- C. Any Category 3 procurement made by the procurement agent or his or her proxy shall require the solicitation of at least three oral bids for the item or service and the procurement made from the lowest responsible bidder.
- D. Category 4 procurement.
- E. Purchases and contracts for property shall require the publication of a solicitation for bids in two issues of a newspaper of general circulation in the town giving not less than at least ten days following the second publication for prospective bidders to place a bid unless the cost of publication is equal to or in excess of two percent (2%) of the cost of the procurement inclusive of any taxes, fees or other necessary charges.
- F. If publication of notice of solicitation of bids is required, the notice shall include a general description of the articles to be purchased or services to be performed and the time and place for opening bids. In addition, the procurement agent shall post a notice inviting bids in the town hall and may also mail to all responsible prospective suppliers a copy of the notice inserted in the newspaper.

- G. If publication of notice of solicitation of bids is not required, procurement shall be conducted as for Category 3 procurement.
- H. Solicitation of bids for Category 4 contracts for services shall be made as for the solicitation of bids for Category 4 purchases or contracts for the purchase of goods except that entry into Category 4 contracts for services shall be by the Mayor or the Town Manager at the direction of the Common Council after consideration of the advice of the procurement agent concerning the advantages or disadvantages of contract and bid proposals.
- I. Purchases of used equipment and non-durable purchases such as fuel and oil are not subject to the bidding procedures applicable to other purchases on the recommendation of the procurement agent and approval of the Council.

**Section 3-4-3 Exclusive Service**

In the event that there is only one firm or company or individual capable of providing a particular service or commodity and such services or commodities cannot be secured from other persons or companies, Section 3-4-2 shall not be applicable, and such services or commodities can be secured without bidding.

**Section 3-4-4 Bidding**

- A. The procurement agent and all parties contracting with the town shall follow the procedure set forth in this section in relation to all bids required under Section 3-4-2. All notices and solicitation of bids shall state the time and place for opening.
- B. All bids shall be submitted sealed to the procurement agent and shall be identified as bids on the envelope.
- C. All bids shall be opened in public at the time and place stated in the public notice.
- D. A tabulation of all bids received shall be posted in the Town Hall for public inspection.
- E. The procurement agent or the Common Council, as appropriate, shall have the authority to reject any and all bids and parts of all bids and re-advertise or re-solicit bids.

**Section 3-4-5 Determination of Lowest Responsible Bidder**

Unless the Common Council or procurement agent exercises the right of rejection, the purchase or contract shall be made from and with the lowest responsible bidder for the entire purchase or contract or for any part thereof. In determining the lowest responsible bidder, the Common Council and/or the procurement agent shall consider:

- A. The ability, capacity and skill of the bidder to perform the contract or provide the service required.

- B. Whether the bidder can perform the contract or provide the services promptly or within the specified time, without delay or interference.
- C. The quality of performance of previous contracts.
- D. The previous and existing compliance by the bidder with laws and ordinances of the town.
- E. The financial resources and ability of the bidder to perform the contract.
- F. The quality, availability and adaptability of the supplies or services.

**Section 3-4-6 Performance Bond**

The procurement agent shall have the authority to require a performance bond, in cash or otherwise, for such amount as he may deem sufficient to secure the execution of the contract for the best interest of the town.

**Section 3-4-7 Emergency Purchases**

In case of an emergency which requires immediate purchases of supplies or services and when time is of the essence, the Town Manager shall be empowered to authorize the procurement agent with the Common Council at a regular meeting not more than thirty (30) days following the procurement.

**Section 3-4-8 Forms**

The procurement agent shall prescribe and maintain such forms as he shall find necessary for the operation of the provisions of this article.

**Section 3-4-9 Professional Services**

Unless required by the council, the bidding and other requirements of this article shall not apply to professional services. Such services shall include, but not be limited to, the following: physicians, attorneys, engineers and similar professions.

**Section 3-4-10 Cooperative Purchasing**

This article shall not apply to purchases made by, through or with the State of Arizona or its political subdivisions. The town may make purchase or award contracts for services without a formal bidding process whenever other governmental units have done so for the same item or service if, in the opinion of the procurement agent, a separate bidding process is not likely to result in a lower price for such items or service.

**ARTICLE 3-5 OFFICE OF ZONING ADMINISTRATOR**

- 3-5-1 Established
- 3-5-2 Appointment of Administrator
- 3-5-3 Duties
- 3-5-4 Fees
- 3-5-5 Appeals

**Section 3-5-1 Established**

The office of zoning administrator of the Town of Quartzsite is hereby established.

**Section 3-5-2 Appointment of Administrator**

The zoning administrator shall be appointed by the Council and may be the town manager, town clerk or any other individual appointed by the Council, which the Council finds to be qualified to hold said position.

**Section 3-5-2 Appointment of Administrator**

It shall also be the duty of the zoning administrator to make recommendations to the planning and zoning commission as to zoning changes that are necessary in the town, and, upon the filing of an application with the zoning commission for a change of zoning, the zoning administrator shall hold a hearing after giving the same notice that it requires for a regular planning and zoning commission meeting prior to making said recommendations. After holding a public hearing, the zoning administrator shall make his recommendations, in writing, citing the facts upon which he relies in making his decisions and shall submit his recommendations to the planning and zoning commission prior to the planning and zoning commission holding any hearings which deal with the rezoning of any parcel of property within the town.

**Section 3-5-4 Fees**

The Council shall be authorized to establish a uniform schedule of fees to be charged by the zoning administrator for any duties performed by the administrator, and such fee schedule shall become effective upon approval of the Council.

**Section 3-5-5 Appeals**

Any decision or recommendation of the zoning administrator shall be appealable to the board of adjustment as established in the zoning ordinance of the town.

**ARTICLE 3-6 CIVIL PREPAREDNESS AND DISASTER**

3-6-1	Purposes
3-6-2	Definitions
3-6-3	Civil Preparedness Organization
3-6-4	Powers and Duties (Ord. 10-06)
3-6-5	Mutual Aid
3-6-6	Immunity of Town and Representatives Thereof
3-6-7	Violations

**Section 3-6-1 Purposes**

The purposes of this article are to:

- A. Reduce vulnerability of people and the community to damage, injury and loss of life and property resulting from natural or man-made catastrophes, riots, or hostile military or paramilitary action.
- B. Prepare for prompt and efficient rescue, care and treatment of persons victimized or threatened by disaster.
- C. Provide a setting conducive to the rapid and orderly start of restoration and rehabilitation of persons and property affected by disasters.
- D. Clarify and strengthen the roles of the Mayor, Council, manager and town agencies in prevention of, preparation for and response to and recovery from disasters.
- E. Authorize and provide for cooperation in disaster prevention, preparedness, response and recovery.
- F. Authorize and provide for coordination of activities relating to disaster prevention, preparedness, response and recovery by agencies and officers of this town, agencies of the private sector and similar activities in which the federal government, the state and its political subdivisions may participate.
- G. Provide a disaster management system embodying all aspects of pre-disaster preparedness and post-disaster response.

**Section 3-6-2 Definitions**

In this article unless the context otherwise requires:

- A. **“Civil preparedness”** means the organization, administration, trained manpower, facilities, equipment, material, supplies, programs, emergency plans, ability to execute emergency plans and all other measures necessary and incidental thereto relating to disaster prevention preparedness response and

recovery by all governmental and private sector agencies to protect or save health, life or property.

- B. **“Director”** means the town manager or his designee.
- C. **“Disaster”** means the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property or extreme peril to the safety of persons or property, resulting from any natural or manmade causes, including but not limited to fire, flood, earthquake, wind, storm, blight, drought, famine, infestation, air contamination, epidemic, explosion, riot or other act of civil disobedience which endanger life or property, or hostile military or paramilitary action.
- D. **“Emergency”** means the existence of a disaster within the town limits requiring immediate action by the emergency forces of the town.
- E. **Emergency forces”** means all town governmental and private sector agencies, volunteers, facilities, equipment, trained manpower and other resources required to perform civil preparedness functions.
- F. **“Regulations”** means the orders, rules and emergency procedures deemed essential for civil preparedness.
- G. **“State of emergency”** means the duly proclaimed existence of a disaster within the state except a disaster resulting in a state of war emergency which is or is likely to be beyond the capabilities and resources of any single county, city, or town and requires the combined efforts of the state and the political subdivision.
- H. **“State of war emergency”** means the situation which exists immediately whenever this nation is attacked or upon receipt by this state of a warning from the federal government indicating that such an attack is imminent.

**Section 3-6-3 Civil Preparedness Organization**

The town manager is hereby authorized and directed to create a civil preparedness organization. The town manager or his designee shall be the director of civil preparedness.

**Section 3-6-4 Powers and Duties (Ord. 10-06)**

- A. The Council
  - 1. Shall have the power to make, amend and rescind regulations, not inconsistent with regulations promulgated by the governor, necessary for civil preparedness, which regulations shall have the full effect of this article when a copy is filed in the office of the Town Clerk. Existing ordinances and regulations, or ordinances and regulations issued under authority of A.R.S. Title 26, Chapter 2, in conflict therewith, are suspended during the time and to the extent that they are in conflict.

2. May appropriate and expend funds, make contracts, obtain and distribute equipment, materials and supplies for civil preparedness purposes.
3. In the absence of specific authority in state emergency plans and procedures, the Council shall take emergency measures as deemed necessary to carry out the provisions of A.R.S. Title 26, Chapter 2.
4. In a state of war emergency the Council may waive procedures and formalities required by law pertaining to the performance of public work, entering into contracts, incurring obligations, employing permanent and temporary workers, utilizing volunteer workers, renting equipment, purchasing and distributing supplies, materials and facilities and appropriating and expending public funds when the Council determines and declares that strict compliance with such procedures and formalities may prevent, hinder or delay mitigation of the effects of the state of war emergency. The Town shall be exempt during such emergency from budget limitations prescribed by Article IX, Section 20 of the State Constitution.
5. In addition to the powers granted by other provisions of the law or town ordinance, the Council may, by proclamation, declare an emergency or a local emergency to exist. The proclamation may be rescinded by a majority of the Council after twenty-four hours.
6. During an emergency or local emergency, the Mayor shall govern by proclamation and shall have the authority to impose all necessary regulations to preserve the peace and order of the Town including but not limited to:
  - a. Imposition of curfews in all or in a portion of the town;
  - b. Ordering the closing of any business;
  - c. Denying public access to any public building, street or other public place;
  - d. Calling upon regular or auxiliary law enforcement agencies and organizations within or without the town for assistance.

B. The Town Manager

1. The Town Manager is responsible in nonemergency periods to act on behalf of the Council to develop a readiness plan for the town's civil preparedness and for coordinated operations in disaster situations.

2. During emergencies, the Town Manager shall act as the principal advisor or aid to the Council on emergency operations. His major responsibility is to assure coordination among emergency forces and with higher and adjacent governments, by assuring that the emergency operation center functions effectively. He shall assist the Council in the execution of operations, plans and procedures required by the emergency.
3. The Town Manager shall prepare a comprehensive disaster basic plan which shall be adopted and maintained by resolution of the Council upon the recommendations of the Town Manager. In the preparation of this plan as it pertains to town organization, it is the intent that the services, equipment, facilities and personnel of all existing departments and agencies be used to the fullest extent.
4. The disaster plan shall be considered supplementary to this article and have the effect of law whenever emergencies, as defined in this article, have been proclaimed.

**Section 3-6-5 Mutual Aid**

In periods of local emergency as declared pursuant to this article, the Town is hereby granted full power to provide mutual aid to any affected area in accordance with local ordinances, resolution, emergency plans or agreements therefore. The Town may request from state agencies mutual aid including personnel, equipment and other available resources to assist the town during the local emergency in accordance with emergency plans or at the direction of the governor.

**Section 3-6-6 Immunity of Town and Representatives Thereof**

- A. The Town shall not be liable for any claim based upon the exercise or performance, or the failure to exercise or perform a discretionary function or duty on the part of the town or any employee of the town, except willful misconduct, gross negligence or bad faith of any such employee, in carrying out the provisions of A.R.S. Title 26, Chapter 2.
- B. The immunities from liability, exemptions from laws, ordinances and rules, all pensions, relief, disability workmen's compensation and other benefits which apply to the activity of officers, agents or employees of the town when performing their respective functions within the limits of the town shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorial under the provisions of this article, excepting willful misconduct, gross negligence or bad faith.
- C. Volunteers duly enrolled or registered for services in a local emergency, a state of emergency or a state of war emergency in carrying out, complying with or attempting to comply with, any regulations issued pursuant to A.R.S. title 26, Chapter 2 or any local ordinance, or performing any of their authorized functions or duties, or training for the performance of their authorized functions or duties,

shall have the same degree of responsibility for their actions and enjoy immunities as officers and employees of the state and its political subdivisions performing similar work.

**Section 3-6-7 Violations**

It is unlawful for any person to violate any provision of this article or to refuse or willfully neglect to obey any lawful regulation or order issued as provided in this article. This provision, however, does not apply to the refusal of any private organization or members thereof to participate in an emergency; local emergency or state of emergency as defined by this article.

**ARTICLE 3-7 INDEMNIFICATION AND DEFENSE OF OFFICERS AND EMPLOYEES ACTING WITHIN THE SCOPE OF THEIR DUTIES**

(Ord. 13-05)

- 3-7-1 Definitions
- 3-7-2 Persons To Be Indemnified Or Defended
- 3-7-3 Prerequisite; Notification of Town Manager
- 3-7-4 Proceeding Not Initiated By The Town
- 3-7-5 Criminal Proceedings
- 3-7-6 No Presumption Created
- 3-7-7 Proceeding Initiated By The Town
- 3-7-8 Success On The Merits
- 3-7-9 Determination By Legal Counsel
- 3-7-10 Indemnification Not Deemed Exclusive Remedy

**Section 3-7-1 Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**“Defend”** means to provide legal counsel to represent the person in a proceeding.

**“Indemnify”** means to reimburse an officer or employee for expenses incurred related to a proceeding.

**“Person”** means (i) current and former officers, employees, Town Council members and members of committees, commissions and boards of the Town, and (ii) the spouse of a current or former officer, employee, Town Council member or member of a committee, commission or board of the Town to the extent such spouse is named in a proceeding solely because of the spouse’s marital relationship to such officer, employee, Town Council member or member of a committee, commission or board of the Town who is named in a proceeding.

**“Proceeding”** means any threatened, pending or completed action or suit, whether civil, criminal, or administrative.

**Section 3-7-2 Persons to be Indemnified or Defended**

- A. Any person made a party or threatened to be made a party to any proceeding because such person is an officer, employee, council member or member of a committee, commission or board of the town shall be indemnified and defended in accordance with this article.
- B. The indemnification and defense obligations set forth in this article do not apply to acts of an officer, employee, council member or member of a committee, commission or board for any conduct that exceeds the authority granted to the person by virtue of his position.
- C. The indemnification and defense obligations set forth in this article do not apply to acts of an officer, employee, council member, or member of a committee, commission or board of the town being civilly or criminally prosecuted for acts constituting a violation of the town code.
- D. The town reserves the right not to indemnify any person with respect to an award of damages where such person is adjudged by a court as negligent or committing misconduct in the performance of his duty to the town.

**Section 3-7-3 Prerequisite; Notification of Town Manager**

As a prerequisite to indemnification of defense under this article, a person shall notify the town manager as soon as he has knowledge that he is made a party or threatened to be made a party to any proceeding. If there is no town manager, the interim town manager or town clerk shall be notified.

**Section 3-7-4 Proceeding not Initiated by the Town**

Except as provided in Section 3-7-2, if the proceeding is one not initiated by the town:

- A. The person shall be indemnified against his expenses, including attorney's fees, costs, judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with the proceeding.
- B. The town, either directly or through its insurance carrier, shall defend the person in connection with the proceeding.

**Section 3-7-5 Criminal Proceedings**

Except as provided in Section 3-7-2, if the proceeding is a criminal proceeding, the person shall be indemnified and defended if he had no reasonable cause to believe his conduct was unlawful.

**Section 3-7-6 No Presumption Created**

With respect to the indemnification and defense obligations under section 3-7-4 or 3-7-5, a termination of the proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not by itself create a presumption that the person acted, or failed to act, other than in good faith and in a manner which he reasonably believed to be in or not opposed to the best interest of the town, and with respect to any criminal proceeding, shall not by itself create a presumption that the person had reasonable cause to believe that his conduct was unlawful.

**Section 3-7-7 Proceeding Initiated by the Town**

The indemnification and defense obligations set forth in this article shall not apply to proceedings initiated by the town to procure a judgment against any person in the town's favor unless a determination is made pursuant to section 3-7-9 that the requirements of this article have been met. Notwithstanding anything else set forth in this section, if a court enters a judgment that the person's actions exceeded his authority, such person shall reimburse the town for all costs incurred by it in providing the indemnification and/or defense of the proceeding.

**Section 3-7-8 Success on the Merits**

To the extent that a person covered by this article has been successful on the merits or otherwise in defense of any proceeding covered by this article or in the defense of any claim, issue, or matter therein, he shall be indemnified against expenses, including attorney's fees and costs, actually and reasonably incurred by him in connection therewith.

**Section 3-7-9 Determination by Legal Counsel**

Any indemnification made pursuant to this article and any defense authorized by this article shall be provided by the town only as authorized in the specific case upon a determination that indemnification or defense of the person is proper in the circumstances because he has met the requirements set forth in this article. Indemnification and defense shall be made unless the town attorney or independent legal counsel engaged by the town determines that the requirements of this article have not been met.

**Section 3-7-10 Indemnification not Deemed Exclusive Remedy**

The indemnification provided by this article shall not be deemed exclusive of any other rights to which those indemnified may be entitled. The indemnification provided by this article shall be supplemental to and excess to any valid and collectible insurance coverage.



## TOWN OF QUARTZSITE

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### REGULAR COUNCIL MEETING

Tuesday, February 11, 2013

**Agenda Item #6** Discussion and direction regarding the interview and hiring process for the position of Chief of Police.

**Summary:** The Town of Quartzsite has begun the recruitment process for Chief of Police. Advertising began in January with the Town placing ads on its own website, on the AZ POST website, and on the Arizona Chiefs of Police website. Review of applications will begin February 17, 2014.

To date, the Town has received several applications for the Chief of Police position. Most of those applicants are from within Arizona.

Steps needed in the review and interview process include:

- ✓ Paper screen and select candidates for interview
- ✓ Assemble an interview panel, schedule and conduct interviews
- ✓ Conduct reference checks for final candidates
- ✓ Discuss and recommend a final candidate
- ✓ Negotiate contract and identify start date
- ✓ Council approval of proposed contract

Following approval of the proposed contract, the new Chief of Police can begin his or her employment with the Town.

**Responsible Person:** Laura Bruno, Town Manager

**Attachment:** Job advertisement placed on the various websites.

**Action Requested:** Discuss and agree on process for the review and interview of applicants for the position of Chief of Police.

# Chief of Police

## Town of Quartzsite, Arizona

The Town of Quartzsite is seeking a Chief of Police. Quartzsite is located 18 miles east of the Colorado River, on I-10. Situated within the Sonoran Desert, which holds its own mystique, the surrounding mountains add to the overall appeal, creating a scenic environment that is known for pristine desert views and glorious sunsets. Home to 3,770 residents, the population grows to a half million or more “Snow Birds” during the winter season, Quartzsite is the destination of choice for adventure seekers, as well as the vendors who bring a vast array of treasures from all over the world to sell.

The Chief of Police position provides leadership and management to the police department which consists of 12 sworn officers and 1 clerk. Under the general direction of the Town Manager, the Chief oversees an annual budget of approximately \$1.2 million, and is responsible for decision-making, independent judgment in interpreting rules and regulations, and applying State law and Town ordinances. Duties and responsibilities include providing direction and supervision for Police Department personnel; ensuring effective administration and enforcement of law enforcement activities; and establishing effective community relations.

This position requires a Bachelor’s degree and a minimum 5 years experience as a police officer, 3 years of which are supervisory. An equivalent combination of education and experience may be considered. Must possess Arizona Peace Officer Standards and Training certification, or have the ability to obtain certification within 90 days of appointment. Must reside within the Town unless otherwise approved.

The salary range for this position is \$60,000 - \$90,000 annually DOQ, plus an excellent benefits package.

Please provide a cover letter, resume, and completed Town of Quartzsite Application for Employment, which is available at the following link:

[Application - Town of Quartzsite](#)

Return your completed package to:

By email: [recruitment@ci.quartzsite.az.us](mailto:recruitment@ci.quartzsite.az.us)

By regular mail: Town of Quartzsite  
Recruitment  
PO Box 2812  
Quartzsite, AZ 85346

For questions, contact the Quartzsite Town Manager by phone at 928-927-4333 or by email at [townmanager@ci.quartzsite.az.us](mailto:townmanager@ci.quartzsite.az.us).

This position is open until filled. Review of applications will begin on Monday, February 17, 2014.