

# COUNCIL MEETING AGENDA

TUESDAY, OCTOBER 28, 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  
7:00 p.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 are requested to be staged at the back of the public seating area in order not to interfere with the meeting.*

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

<b>Est. Time</b>	<b>AGENDA ITEM</b>	<b>COUNCIL ACTION</b>
7:00	<b>CALL TO ORDER OF REGULAR MEETING</b>	
7:00 – 7:05	<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>	
7:05 – 7:05	<b>ROLL CALL</b>	
7:05 – 7:10	<b>APPROVAL/AMENDMENT OF AGENDA</b>	Discussion, possible action by MOTION.
7:10 – 7:15	<b>CONSENT AGENDA</b> <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>	

	1-a.	<b>LEDGER OF ACCOUNTS PAID</b> – Consider approval of check series 38051 - 38097, totaling \$205,976.02.	Discussion; possible action by MOTION; may be acted upon with single motion.
	1-b.	<b>MINUTES</b> – Consider approval of the Amended Minutes of the Regular Meeting of September 23, 2014; the Minutes of the Regular Meeting of October 14, 2014 and the Minutes of the Special Meeting of October 17, 2014.	Discussion; possible action by MOTION; may be acted upon with single motion.
		<b>ADMINISTRATIVE ITEMS</b> <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>	
7:15 – 7:35	2.	<b>NEW COMPUTER AND SOFTWARE FOR THE UTILITIES DEPARTMENT</b> - Review, discuss and consider approval of the purchase of proprietary computer equipment with meter reading software.	Discussion; possible action by MOTION.
7:35 – 7:40	3.	<b>HI JOLLY CEMETERY BOARD REAPPOINTMENT</b> - Consider the reappointment of Pastor Bruce Swart, the Chairman of the Hi Jolly Cemetery Board, whose term expires in November 2014. The new term would expire November 2017.	Discussion; possible action by MOTION.
7:40 – 7:50	4.	<b>SLURRY SEAL BID</b> – Consider approval of a bid from T & C Seal Coating, Inc. for slurry seal services for Fiscal Year 2014-2015.	Discussion; possible action by MOTION.
7:50 – 8:05	5.	<b>TRANSIT SERVICES UPDATE</b> – Review and discussion of the comparison of Transit Services in Fiscal Year 2012-2013 and Fiscal Year 2013-2014.	Discussion.

8:05 – 8:15	6.	<b>APS FRANCHISE MEMORANDUM OF UNDERSTANDING</b> – Consideration and possible approval of a resolution deeming that a franchise with Arizona Public Service for the use of Town streets for electric utility purposes is beneficial for the Town and ordering that the question of approval of the franchise by the voters be placed on the March 10, 2015 ballot.	Discussion; possible action by MOTION.
8:15 – 8:30	7.	<b>TAX COLLECTION EFFORTS</b> – Discussion and possible action to change the sales tax collection method currently used by the Town of Quartzsite.	Discussion; possible action by MOTION.
8:30 – 9:00	8.	<b>EXECUTIVE SESSION</b> <ul style="list-style-type: none"> <li>• An executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding amendments to a Power Purchase Agreement for Wastewater Project with SunEdison Origination1, LLC that are the subject of negotiations.</li> <li>• An executive session pursuant to A.R.S. § 38-431.03(A)(7) for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property located at 560 Coyote Street, Quartzsite, AZ (APN 306-18-001A).</li> </ul>	
		<b>COMMUNICATIONS</b>	
9:00 - 9:05	9.	Announcements and Reports from the MAYOR on current events.	
9:05 - 9:10	10.	Announcements and Reports from the COUNCIL on current events.	
9:10 - 9:15	11.	Reports from the TOWN MANAGER to the Council.	

9:15 – 9:30		<p><b>COMMUNICATIONS FROM CITIZENS</b></p> <p><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></p>	
9:30		<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.



## TOWN OF QUARTZSITE

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### REGULAR COUNCIL MEETING

Tuesday, October 28, 2014

**Agenda Item #1-a.** Consider approval of check series 38051 - 38097, totaling \$205,976.02.

**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:** Skylor Miller, Town Manager

**Attachment:** Ledger of Accounts Paid: check series 38051 - 38097.

**Action Requested:** Motion to approve the Ledger of Accounts Paid; check series 38051 - 38097.

**Quartzsite Town Council Meeting of  
OCTOBER 28, 2014  
Check Register/ Revenue/ Consent Agenda**

**Horizon Community Bank- Begin Check # 38051 - 38097**

**Balances on all cash accounts as of October 24, 2014**

<b>Checking Account</b>	<b>\$</b>	<b>2,172,456.37</b>
<b>LGIP Account</b>	<b>\$</b>	<b>697,009.28</b>
<b>WIFA Debt Reserve Account</b>	<b>\$</b>	<b>90,028.22</b>

<b>Total Expensed Dollar Amount for Consent Agenda</b>	<b>\$</b>	<b>265,516.50</b>
<b>Total Payroll for Pay Period Ending 10/11/2014</b>	<b>\$</b>	<b>59,540.48</b>
<b>YTD Total Revenue Dollar Amount for Consent Agenda</b>	<b>\$</b>	<b>465,795.76</b>
<b>YTD Total Sewer Cap Revenue as of 10/24/14</b>	<b>\$</b>	<b>0.00</b>
<b>YTD Total Sewer Sales Revenue as of 10/24/14</b>	<b>\$</b>	<b>269,873.45</b>
<b>YTD Total Water Cap Revenue as of 10/24/14</b>	<b>\$</b>	<b>9,200.00</b>
<b>YTD Total Water Sales Revenue as of 10/24/14</b>	<b>\$</b>	<b>186,722.31</b>

## Report Criteria:

Report type: GL detail

Check Check Number = 38051-38097

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
<b>38061</b>						
10/14/14	38061	Arizona State Treasurer	6,398.41	Fees Collected September 2014	01-000-2212	6,398.41
Total 38061:			6,398.41			
<b>38062</b>						
10/14/14	38062	La Paz County Treasurer	30.78	Fees Collected September 2014	01-000-2212	30.78
Total 38062:			30.78			
<b>38063</b>						
10/14/14	38063	Schneider & Onofry, P.C.	100,000.00	Settlement Agreement	01-140-5095	100,000.00
Total 38063:			100,000.00			
<b>38064</b>						
10/14/14	38064	Verizon Wireless	35.88	Cell Phone Services	01-160-5048	35.88
10/14/14	38064	Verizon Wireless	105.51	Cell Phone Services	01-230-5048	105.51
10/14/14	38064	Verizon Wireless	120.72	Cell Phone Services	01-130-5048	120.72
10/14/14	38064	Verizon Wireless	91.50	Cell Phone Services	01-180-5048	91.50
10/14/14	38064	Verizon Wireless	117.36	Cell Phone Services	01-185-5048	117.36
10/14/14	38064	Verizon Wireless	34.77	Cell Phone Services	03-220-5048	34.77
10/14/14	38064	Verizon Wireless	30.50	Cell Phone Services	15-500-5048	30.50
10/14/14	38064	Verizon Wireless	154.83	Cell Phone Services	16-550-5048	154.83
Total 38064:			691.07			
<b>38065</b>						
10/14/14	38065	Connected Computer & Re	210.38	Computer Tech Services	01-130-5035	210.38
10/14/14	38065	Connected Computer & Re	210.38	Computer Tech Services	01-160-5035	210.38
10/14/14	38065	Connected Computer & Re	1,113.55	Computer Tech Services	01-170-5035	1,113.55
10/14/14	38065	Connected Computer & Re	93.50	Computer Tech Services	03-220-5035	93.50
10/14/14	38065	Connected Computer & Re	210.37	Computer Tech Services	15-500-5035	210.37
10/14/14	38065	Connected Computer & Re	210.37	Computer Tech Services	16-550-5035	210.37

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
Total 38065:			<u>2,048.55</u>			
<b>38066</b>						
10/17/14	38066	Prescott Resort & Confere	447.84	Hotel for AZBO Conference - T. Hoogerwerf	01-160-5043	447.84
Total 38066:			<u>447.84</u>			
<b>38067</b>						
10/20/14	38067	Holiday Inn-Phoenix Downt	127.99	Hotel for TPT Tax Training - K. Tunnell	01-130-5043	127.99
Total 38067:			<u>127.99</u>			
<b>38068</b>						
10/23/14	38068	ABM	1,146.55	Consultant Services-Community Development	01-160-5032	1,146.55
Total 38068:			<u>1,146.55</u>			
<b>38069</b>						
10/23/14	38069	AlSCO - Steiner Corp	278.88	Uniform/Mat Cleaning Svcs - PW Dept	03-220-5035	278.88
10/23/14	38069	AlSCO - Steiner Corp	67.80	Mat Cleaning Services for Town Hall	01-130-5035	67.80
10/23/14	38069	AlSCO - Steiner Corp	60.66	Mat Cleaning Services for Comm Ctr	01-185-5035	60.66
Total 38069:			<u>407.34</u>			
<b>38070</b>						
10/23/14	38070	APS	2,804.64	Electric Service	03-220-5049	2,804.64
Total 38070:			<u>2,804.64</u>			
<b>38071</b>						
10/23/14	38071	AZ Municipal Clerks Assoc.	50.00	AMCA Fall Training - M. Castellanos	01-130-5043	50.00
Total 38071:			<u>50.00</u>			
<b>38072</b>						
10/23/14	38072	Bingham Equipment Comp	621.15	Shifter Control - PW Loader	03-220-5025	621.15

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
Total 38072:			621.15			
<b>38073</b>						
10/23/14	38073	Blue Cross& Blue Shield O	2,482.08	Employee Medical - Payroll Deduction	01-000-2208	2,482.08
10/23/14	38073	Blue Cross& Blue Shield O	62.81	Employee Medical	01-110-5016	62.81
10/23/14	38073	Blue Cross& Blue Shield O	462.18	Employee Medical	01-130-5016	462.18
10/23/14	38073	Blue Cross& Blue Shield O	4,138.00	Employee Medical	01-140-5016	4,138.00
10/23/14	38073	Blue Cross& Blue Shield O	1,173.77	Employee Medical	01-150-5016	1,173.77
10/23/14	38073	Blue Cross& Blue Shield O	314.05	Employee Medical	01-160-5016	314.05
10/23/14	38073	Blue Cross& Blue Shield O	2,086.20	Employee Medical	01-170-5016	2,086.20
10/23/14	38073	Blue Cross& Blue Shield O	502.48	Employee Medical	01-180-5016	502.48
10/23/14	38073	Blue Cross& Blue Shield O	418.73	Employee Medical	01-185-5016	418.73
10/23/14	38073	Blue Cross& Blue Shield O	2,989.44	Employee Medical	03-220-5016	2,989.44
10/23/14	38073	Blue Cross& Blue Shield O	209.37	Employee Medical	01-230-5016	209.37
10/23/14	38073	Blue Cross& Blue Shield O	272.17	Employee Medical	01-181-5016	272.17
10/23/14	38073	Blue Cross& Blue Shield O	1,447.06	Employee Medical	15-500-5016	1,447.06
10/23/14	38073	Blue Cross& Blue Shield O	1,865.78	Employee Medical	16-550-5016	1,865.78
Total 38073:			18,424.12			
<b>38074</b>						
10/23/14	38074	C&D Disposal	103.90	4Yd Commercial Bin Fee (Parks)	01-180-5035	103.90
Total 38074:			103.90			
<b>38075</b>						
10/23/14	38075	Centerline Supply West	358.24	Caution Road Sign	03-220-5029	358.24
Total 38075:			358.24			
<b>38076</b>						
10/23/14	38076	Chevron Usa	82.40	Fuel - Police	01-140-5024	82.40
10/23/14	38076	Chevron Usa	41.20	Fuel - Administration	01-130-5024	41.20
10/23/14	38076	Chevron Usa	22.35	Fuel - WW	15-500-5024	22.35
10/23/14	38076	Chevron Usa	22.36	Fuel - Water Dept	16-550-5024	22.36
10/23/14	38076	Chevron Usa	21.59	Fuel - Magistrate	01-150-5024	21.59

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
Total 38076:			189.90			
<b>38077</b>						
10/23/14	38077	ClassicPlan Premium Fina	1,017.78	Liability Insurance	01-185-5046	1,017.78
10/23/14	38077	ClassicPlan Premium Fina	2,035.55	Liability Insurance	01-130-5046	2,035.55
10/23/14	38077	ClassicPlan Premium Fina	4,834.41	Liability Insurance	01-140-5046	4,834.41
10/23/14	38077	ClassicPlan Premium Fina	763.33	Liability Insurance	01-150-5046	763.33
10/23/14	38077	ClassicPlan Premium Fina	763.33	Liability Insurance	01-170-5046	763.33
10/23/14	38077	ClassicPlan Premium Fina	9,414.39	Liability Insurance	03-220-5046	9,414.39
10/23/14	38077	ClassicPlan Premium Fina	1,272.22	Liability Insurance	01-230-5046	1,272.22
10/23/14	38077	ClassicPlan Premium Fina	3,053.31	Liability Insurance	15-500-5046	3,053.31
10/23/14	38077	ClassicPlan Premium Fina	2,289.99	Liability Insurance	16-550-5046	2,289.99
Total 38077:			25,444.31			
<b>38078</b>						
10/23/14	38078	Curtis, Goodwin, Sullivan,	10,227.76	General Council Svcs September 2014	01-120-5071	10,227.76
10/23/14	38078	Curtis, Goodwin, Sullivan,	126.50	Special Council Svcs	15-500-5032	126.50
Total 38078:			10,354.26			
<b>38079</b>						
10/23/14	38079	DesertWorks Computers L	280.00	Tech Services for DPS ACJIS Terminal	01-140-5035	280.00
Total 38079:			280.00			
<b>38080</b>						
10/23/14	38080	Empire Southwest	666.26	Vehicle Repair (Truck) - Water Dept	16-550-5025	666.26
10/23/14	38080	Empire Southwest	666.23	Vehicle Repair (Truck) - WW Dept	15-500-5025	666.23
10/23/14	38080	Empire Southwest	37.16	Equipment/vehicle repair - PW Grader	03-220-5025	37.16
Total 38080:			1,369.65			
<b>38081</b>						
10/23/14	38081	ERA	394.81	Proficiency Tests - Wastewater	15-500-5039	394.81
Total 38081:			394.81			

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
<b>38082</b>						
10/23/14	38082	Grainger	355.45	2 Sump Pumps - Parks Dept	01-180-5060	355.45
Total 38082:			355.45			
<b>38083</b>						
10/23/14	38083	La Paz County Landfill	439.10	SW-Sludge-WWTP	15-500-5050	439.10
Total 38083:			439.10			
<b>38084</b>						
10/23/14	38084	La Paz Regional Hospital	75.00	CDL Physical for J. Newton	03-220-5035	75.00
Total 38084:			75.00			
<b>38085</b>						
10/23/14	38085	Laura Moore	750.00	Buy back 3 cemetery plots: 20,21,22	01-000-4028	750.00
10/23/14	38085	Laura Moore	150.00	Open/Close 2 cremans	01-000-4028	150.00
Total 38085:			600.00			
<b>38086</b>						
10/23/14	38086	Purcell Tire Co	973.93	Vehicle parts/tires - Police	01-140-5025	973.93
10/23/14	38086	Purcell Tire Co	1,150.86	Vehicle parts/tires - PW	03-220-5025	1,150.86
10/23/14	38086	Purcell Tire Co	833.81	Vehicle parts/tires - WW	15-500-5025	833.81
10/23/14	38086	Purcell Tire Co	625.90	Vehicle parts/tires - ADMIN	01-130-5025	625.90
Total 38086:			3,584.50			
<b>38087</b>						
10/23/14	38087	Purchase Power	71.42	Postage Refill	01-130-5042	71.42
10/23/14	38087	Purchase Power	71.43	Postage Refill	01-140-5042	71.43
10/23/14	38087	Purchase Power	71.43	Postage Refill	01-150-5042	71.43
10/23/14	38087	Purchase Power	71.43	Postage Refill	01-160-5042	71.43
10/23/14	38087	Purchase Power	71.43	Postage Refill	03-220-5042	71.43
10/23/14	38087	Purchase Power	71.43	Postage Refill	15-500-5042	71.43
10/23/14	38087	Purchase Power	71.43	Postage Refill	16-550-5042	71.43

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
Total 38087:			500.00			
<b>38088</b>						
10/23/14	38088	REDW LLC	12,796.52	Sales Tax Audit 07/30/14-09/29/14	01-130-5032	12,796.52
Total 38088:			12,796.52			
<b>38089</b>						
10/23/14	38089	River City Newspapers	112.10	2 Weed Ad - Transit Van Driver	01-230-5033	112.10
Total 38089:			112.10			
<b>38090</b>						
10/23/14	38090	Southwest Laboratories, In	19.50	Drug Testing - V. Lopez-Garzarza	01-150-5084	19.50
Total 38090:			19.50			
<b>38091</b>						
10/23/14	38091	TDS Telecom	330.97	Phone Services	01-130-5048	330.97
10/23/14	38091	TDS Telecom	584.61	Phone Services	01-140-5048	584.61
10/23/14	38091	TDS Telecom	241.05	Phone Services	01-150-5048	241.05
10/23/14	38091	TDS Telecom	61.70	Phone Services	01-160-5048	61.70
10/23/14	38091	TDS Telecom	287.81	Phone Services	01-170-5048	287.81
10/23/14	38091	TDS Telecom	175.85	Phone Services	03-220-5048	175.85
10/23/14	38091	TDS Telecom	239.13	Phone Services	15-500-5048	239.13
10/23/14	38091	TDS Telecom	181.82	Phone Services	16-550-5048	181.82
Total 38091:			2,102.94			
<b>38092</b>						
10/23/14	38092	Town of Payson	250.00	Defense Program - Annual Fee	01-140-5043	250.00
Total 38092:			250.00			
<b>38093</b>						
10/23/14	38093	Visa	5,184.66	Replace Generator Seal-Repair/Parts/Labor	16-550-5050	5,184.66
10/23/14	38093	Visa	244.75-	Credit Sheraton Hotel: M. Orgeron	01-110-5043	244.75-
10/23/14	38093	Visa	5.11-	Credit Comfort Inn: J. Newton	01-140-5043	5.11-

Check Issue Date	Check Number	Payee	Invoice Amount	Description	Invoice GL Account	Amount
Total 38093:			<u>4,934.80</u>			
<b>38094</b>						
10/23/14	38094	Vision Service Plan	<u>305.21</u>	Employee Vision Insurance - Payroll Deduction	01-000-2209	305.21
Total 38094:			<u>305.21</u>			
<b>38095</b>						
10/23/14	38095	Ward Law Offices, PLLC	<u>1,522.50</u>	Prosecutorial Services -Sept 2014 (Balance)	01-150-5073	1,522.50
Total 38095:			<u>1,522.50</u>			
<b>38096</b>						
10/23/14	38096	West Payment Center	<u>452.19</u>	West Law Info Charges	01-150-5051	452.19
Total 38096:			<u>452.19</u>			
<b>38097</b>						
10/23/14	38097	Western States Petroleum,	<u>2,139.68</u>	Unleaded Fuel - Police	01-140-5024	2,139.68
10/23/14	38097	Western States Petroleum,	<u>742.94</u>	Unleaded Fuel -Transit	01-230-5024	742.94
10/23/14	38097	Western States Petroleum,	<u>22.44</u>	Unleaded Fuel -Admin	01-130-5024	22.44
10/23/14	38097	Western States Petroleum,	<u>90.37</u>	Unleaded Fuel - P&Z	01-160-5024	90.37
10/23/14	38097	Western States Petroleum,	<u>756.03</u>	Unleaded Fuel - WW	15-500-5024	756.03
10/23/14	38097	Western States Petroleum,	<u>750.42</u>	Unleaded Fuel - Water Dept	16-550-5024	750.42
10/23/14	38097	Western States Petroleum,	<u>986.64</u>	Unleaded Fuel - PW	03-220-5024	986.64
10/23/14	38097	Western States Petroleum,	<u>744.18</u>	Unleaded Fuel - Park	01-180-5024	744.18
Total 38097:			<u>6,232.70</u>			
Grand Totals:			<u>205,976.02</u>			
Grand Totals:			<u>206,775.74</u>	<u>206,775.74-</u>		<u>.00</u>

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Report Criteria:

Report type: GL detail

Check.Check Number = 38051-38097

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## TOWN OF QUARTZSITE

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### **REGULAR COUNCIL MEETING**

Tuesday, October 28, 2014

**Agenda Item #1-b.** Consider approval of the Amended Minutes of the Regular Meeting of September 23, 2014; the Minutes of the Regular Meeting of October 14, 2014 and the Minutes of the Special Meeting of October 17, 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:** Amended Minutes of the Regular Meeting of September 23, 2014; the Minutes of the Regular Meeting of October 14, 2014 and the Minutes of the Special Meeting of October 17, 2014.

**Action Requested:** **Motion to approve the Amended Minutes of the Regular Meeting of September 23, 2014; the Minutes of the Regular Meeting of October 14, 2014 and the Minutes of the Special Meeting of October 17, 2014.**

**MINUTES**  
**TOWN OF QUARTZSITE**  
**REGULAR MEETING OF THE COMMON COUNCIL**  
**TUESDAY, SEPTEMBER 23, 2014, 7:00 PM**

**AMENDED**

**CALL TO ORDER:** 7:00 p.m.

**INVOCATION:** Pastor Bruce Swart gave the invocation at the Mayor's request.

**PLEDGE OF ALLEGIANCE:** The pledge was led by Mayor Foster.

**ROLL CALL:**

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

**STAFF PRESENT:** Skylor Miller, Town Manager; Susan Goodwin, Town Attorney; Tina Abriani, Town Clerk

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

**PRESENTATIONS; PROCLAMATIONS:**

**1. PROCLAMATION – Mental Health Awareness Week October 5-11, 2014.**

The Mayor read the proclamation aloud.

**CONSENT AGENDA:**

**2-a. LEDGER OF ACCOUNTS PAID – Consider approval of check series 37907 - 37962, totaling \$95,436.22.**

**2-b. MINUTES – Consider approval of the minutes of the Regular Meeting of September 9, 2014, the Special Meeting of September 9, 2014 and the Special Meeting of September 16, 2014.**

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

**ADMINISTRATIVE ITEMS:**

**3. GUEST PRESENTATION – Paul Skillicorn, CEO of Biotechnology Research and Development, LLC and Daniel B. Higgins, P.E., Regional Director of**

**Central U.S. GE Power & Water, Water & Process Technologies will provide information regarding agriquatics and alternative waste water treatment solutions.**

Mr. Paul Skillicorn, President of Biotechnology Research & Development and President of Agriquatics introduced himself and Ms. Lila Garza, present CEO of Alma Energy, the U.S. rights holder to the technologies to be presented. Mr. Skillicorn also introduced Dan Higgins, who heads up GE Sales Marketing for the U.S. and the marketing for the product to be presented.

Mr. Skillicorn said the technology would take the existing wastewater treatment system and replace it with a system they are proposing. He said the existing system is a good system, that is working well right now and wastewater is treated successfully, but nutrients are lost, there are increased greenhouse gases and solids must be disposed of. It is a cost item with no return.

He said fewer fees have to be raised to complete the expansion project and because the system is above 80% of its design capacity) – new connections are prohibited, so Town development is on hold.

Mr. Skillicorn described the system GE and Agriquatics (the technology is a combination of the two) are proposing to treat wastewater: raw effluent comes in, a pretreatment disposes of the grit, screened solids are ground down to a very fine product, the solids and the liquids are separated.

The solids go into an anaerobic digester, where energy is produced. The released nutrients can be used again after it goes back through the system. The final grit in the system is disposed of elsewhere.

Clarified liquids go into a duckweed treatment system, the core of the system. He said the key is in extracting nutrients and growing protein. The proteins go into a bio-refinery that can be used to produce plastics and fish. At that point, the water is highly treated, filtered and disinfected. The result is a pure water that can be reused, effectively, for any purpose at all, including drinking.

An overview of the mechanical system that separates liquids and solids, the GE portion, was provided. He said that the piece that makes money is the bio-plastics and compounds for commercial sale; it is 100% naturally reinforced bio-plastic that is biodegradable.

Mr. Skillicorn said the Bureau of Land Management would have to allow the use of the land for the project (approximately 50 acres for an approximate 30-year timeframe). He said the system would recover all its capital costs.

The approximate capital cost is eight million dollars and expected returns are 50% annually. Capital investments and costs shared will be negotiated as a joint venture. This proposed plant does not currently exist.

Ms. Garza spoke regarding small towns and business perspectives; and possible grants. She said this would be a public private partnership among the Town, Agriquatics and GE.

Council Member Kelley asked about ADEQ approval. Mr. Skillicorn advised he does not have that approval, but is not worried about that.

Council Member Scott asked for work sessions regarding costs and possibly having an ADEQ representative attend and speak to this.

Vice Mayor Jewitt asked what the initial capital outlay for the Town would be.

Mr. Skillicorn advised that the Town has a three million dollar USDA grant that has not been used. He would like to reprogram that money. He stated he may have to get Washington involved.

Ms. Garza stated this was a very preliminary presentation. She suggested that the three presenters create a proposal outlining every aspect of the project or the Town and bring it back at another meeting.

Council Member Crooks asked about the necessary repairs to the existing wastewater treatment plant and if the presenters are aware of the situation with the money for that. Mr. Skillicorn and Ms. Garza advised that they are aware and that there would be an annual dividend that may be used to pay down the debt.

Council Member Kelley stated she would like to see ADEQ and WIFA say it is O.K. The Council advised they need more information before making a decision.

The Mayor directed staff to place this discussion, with possible action, regarding working with a proposal, when one has been received.

Council Member Timberlake stated she would like a work session with ADEQ and BLM to have them speak and ask questions.

Mr. Skillicorn advised ADEQ and BLM need to be educated before they can advise the Council regarding their positions on the matter.

**4. HI JOLLY CEMETERY REGULATIONS FORM - Review and possible approval of an amended Hi Jolly Cemetery Regulations Form to include the requirement of proof of payment for a headstone in order to receive the \$150 refundable portion of the \$200 Headstone Deposit.**

Dinice Ross asked the Council for approval of the amended form.

**Council Member Orgeron** moved to approve the amended Hi Jolly Cemetery Regulations Form for use. **Council Member Crooks** seconded the motion. The vote was unanimous. **Motion Passed.**

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

The Mayor invited both interested volunteers, Audrey Berger and Carol “Lynn” Stimson, to the podium to introduce themselves.

Audrey Berger stated she is a thirty year resident.

Carol “Lynn” Stimson advised that most people know her by “Lynn”. She stated she just moved back to Quartzsite; but, she did come to Quartzsite in 1995 and lived inside the Town limits. She said she likes the cemetery a lot.

**Council Member Scott** nominated Audrey Berger and explained the reason was that Lynn Stimson was just appointed to the Municipal Board of Adjustment. She noted that Audrey is not on a board, but is actively involved with the community. Council Member Scott said she wished that there were two openings and that she is glad both of them are on a board as she knows they will do a great job.

**Council Member Orgeron** seconded the motion. The vote was unanimous. Audrey Berger was appointed to the Hi Jolly Cemetery Board.

**6. COUNTY PROSPERITY SUMMIT – Discussion, consideration and possible action to become a Co-applicant of the Town of Parker and the La Paz Economic Development Corporation in an effort to have La Paz County selected to host a County Prosperity Summit in collaboration with the National Association of Counties.**

Town Manager Miller explained that Supervisor Wilson contacted him to request that this information be put before the Council. D.L. Wilson is looking to form a regional partnership with the County and surrounding communities. He is hoping to have La Paz County host a prosperity summit, a program going on through the National Association of Counties. Supervisor Wilson is not asking for any financial obligation; but, is looking for Quartzsite to be a co-applicant to strengthen that application to the National Association of Counties.

Council Member Orgeron asked the Town Manager if Supervisor Wilson brought this before any other Councils or communities.

Town Manager Miller advised the Supervisor did say he would push this out to other groups.

The Town of Parker and the La Paz Economic Development Corporation would be co-applicants.

Council Member Scott thinks the Town of Quartzsite would be perfect for this and benefit from it. She looks forward to suggestions and good ideas from experts for the Town's economic development.

**Council Member Timberlake moved** to apply to become a co-applicant of the Town of Parker and the La Paz Economic Development Corporation in an effort to have La Paz County selected to host a County Prosperity Summit in collaboration with the National Association of Counties.

**Vice Mayor Jewitt seconded the motion.** The vote was unanimous. **Motion Passed.**

**Council Member Orgeron moved** to adjourn to executive session and **Vice Mayor Jewitt seconded** the motion. The vote was unanimous. **Motion Passed.**

**ADJOURN TO EXECUTIVE SESSION - 8:25 p.m.**

**7. EXECUTIVE SESSION - An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment and salary of Lee Alirez as the Town of Quartzsite Chief of Police and A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding an employment contract with Lee Alirez as the Town of Quartzsite Chief of Police.**

**RETURN TO OPEN SESSION – 8:44 p.m.**

**ROLL CALL:**

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

**8. CHIEF OF POLICE EMPLOYMENT CONTRACT Consideration and possible concurrence on an employment agreement with Lee Alirez as the Town of Quartzsite Chief of Police pursuant to Town Code Section 4-1-2.**

**Vice Mayor Jewitt moved to approve** the contract to be presented to Lee Alirez for Quartzsite Chief of Police, effective October 13, 2014 and **Council Member Kelley seconded** the motion.

Council Member Scott stated the reason for her vote: to protect the taxpayers so that there is not a large payout; there will be changes made to the Council and it is unknown how those changes will affect the Police Department; he has been informed of the situation, full disclosure has been made to the new Chief and she advised he is a very good man and it is the Council's job to look out for the people. Council Member Scott said that is what the Council is trying hard to do.

The Mayor stated he agrees that the Town needs a Chief of Police, but believes the Town is paying too much money for him. He noted that it is the consensus to pay him the agreed upon amount, so he accepts that right now.

**ROLL CALL VOTE: Motion Passed** by unanimous roll call vote  
(summary: Yes = 7).

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

### **COMMUNICATIONS:**

#### **9. Announcements and Reports from the MAYOR on current events.**

The Mayor announced the results of the 2014 Primary Election.

- A total of 1772 votes were cast at the primary election for four open four-year term seats.
- Two of the candidates received more than fifty per cent (50%) of the votes cast in order to be directly elected at the primary election. (Norm Simpson and Loretta Warner)
- Both Monica Timberlake and Bradley Trainer received 164 votes.
- Section 16-661 of the Arizona Revised Statutes requires an automatic recount is required.
- After the recount, there is still a tie vote, so all candidates receiving the equal number of votes shall be candidates at the general election.
- The names of the people receiving nominating votes: Hal Davidson, Terry Frausto, Carol Kelley, Monica Timberlake and Bradley Trainer. There will be five names on the general election ballot for two seats.

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

None

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

Town Manager Miller announced the La Paz Board of Supervisors hosted a work session Monday morning, September 22, 2014, with representatives from the Bureau of Land Management (BLM), to discuss trail closures and the Travel Management Plan.

Highlighted information was: the BLM would like to implement their Travel Management Plan within the year. They are starting up a new round of Town Hall type meetings. They are proposing to have local meetings to address concerns.

Some of the concerns were: the data presented was uncategorized, it didn't differentiate between the different types of trails – ambiguous language and not enough detail; the proposed closures seemed somewhat arbitrary, no explanations were provided. The level of public participation and passion was phenomenal, stated Town Manager Miller.

Town Manager Miller announced the Health & Development Services Board met earlier today. He advised that the Council will receive a report in the near future regarding the Board's recommendation for non-profit recipients of public funding. The recommendations are made to the Council for their review and final decision.

Town Manager Miller announced the Cemetery will be having their Walk with the Past on November 1, 2014. They still need volunteers, specifically two male volunteers, preferably with some military background.

The Mayor stated the comment period has been extended by the BLM regarding the trail closings.

## **COMMUNICATIONS FROM CITIZENS**

Suellen Pennington of the Quartzsite First Assembly Church advised there will be two events hosted by the Church: a Spaghetti Dinner fund raiser, held at the Church on October 4, 2014 from 5:00 p.m. – 7:00 p.m. Tickets, costing \$6.00 per plate, will be sold at the door. This event will help the support the Children's Program through the year.

The second event will be the Third Annual Fall Festival hosted on October 25, 2014, at the Community Center. This event is open for all of the families of Quartzsite. It will be a fun-filled day with games, prizes, face-painting, a puppet show, hayride, jump house and karaoke. There will be a food booth.

Donations are welcomed, such as prizes for the games, cakes for the cake walk, and candy for goody bags that every child receives.

Anyone that would like to help with the event should contact funds Suellen Pennington or Carla. The proceeds will help in sending the children to summer camp, vacation bible school and a Christmas party.

Pam Kasky, resident of Quartzsite, stated it had been a warm and positive evening. She suggested that everyone return negatives with positives.

Shanana Rain Golden Bear spoke about the food given by the government to the hungry, not very much. She encouraged our community to step up and add to this.

She advised that some people list their residences by miles from a main road. She encouraged the community to help the Food Bank.

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

**ADJOURNMENT:** 9:03 p.m.

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of September 23, 2014, of the Town Council of Quartzsite, Arizona, held on September 23, 2014.

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

DATED this 28<sup>th</sup> day of October 2014

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Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:

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Ed Foster, Mayor

**MINUTES**  
**TOWN OF QUARTZSITE**  
**REGULAR MEETING OF THE COMMON COUNCIL**  
**TUESDAY, OCTOBER 14, 2014, 7:00 PM**

**CALL TO ORDER:** 7:00 p.m.

**INVOCATION:** None

**PLEDGE OF ALLEGIANCE:** Council Member Kelley led the pledge.

**ROLL CALL:**

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

**STAFF PRESENT:** Skylor Miller, Town Manager; Susan Goodwin, Town Attorney; Tina Abriani, Town Clerk

**APPROVAL/AMENDMENT OF AGENDA:**

Vice Mayor Jewitt moved to approve the agenda as presented and Council Member Crooks seconded the motion.

Council Member Scott pulled check #38047 and page 4 of the minutes.

Council Member Kelley seconded the amended motion. The vote was unanimous. Motion Passed.

**PRESENTATIONS; PROCLAMATIONS:**

**1. PRESENTATION – Award to be presented to Sergeant Frausto for his twenty years of public safety service to the Town of Quartzsite.**

Town Manager Miller presented an award, on behalf of the Town, to Sergeant Frausto for twenty years of dedicated and faithful service to the community. The Mayor congratulated Sergeant Frausto. The audience gave a standing ovation.

Sergeant Frausto said it has been a ride the last twenty years, up and down; but, the main reason he stayed here is because of the people. He said he hopes to continue for more years serving the lovely people of Quartzsite and the Council.

**2. PROCLAMATION – World Food Day, October 16, 2014.**

The Mayor read the Proclamation announcing October 16, 2014 as World Food Day recognized by the Town of Quartzsite.

Council Member Kelley spoke about the minimal supplies she has to give to the hungry

The Mayor spoke regarding the lack of State assistance in helping to feed the people. He asked that citizens contribute to the Food Bank box here at the Town Hall.

### **3. PROCLAMATION – Arizona Cities & Towns Week, October 19 - 25, 2014.**

The Mayor read the Proclamation announcing Arizona Cities & Towns Week, October 19 - 25, 2014, recognized by the Town of Quartzsite.

#### **CONSENT AGENDA:**

**Council Member Orgeron moved to approve the Consent Agenda as amended. Council Member Timberlake seconded the motion. The vote was unanimous. Motion Passed.**

#### **4-a. LEDGER OF ACCOUNTS PAID – Consider approval of check series 38001-38050, totaling \$136,943.28.**

Council Member Scott pulled check #38047 made out to Ward Law Offices, PLLC. She asked for a copy of the invoice to know what time period the payment covers and for what cases.

Town Manager Miller advised the check is for the attorney's standard flat rate monthly fee.

**Council Member Scott moved to approve check #38047 and Vice Mayor Jewitt seconded the motion. The vote was unanimous. Motion Passed.**

Town Manager Miller stated he will provide Council with a copy of the invoice for check #38047.

#### **4-b. MINUTES – Consider approval of the minutes of the Regular Meeting of September 23, 2014.**

Council Member Scott noted a typographical error in the minutes; after number five, the third paragraph, the last line: "She said likes the cemetery a lot."

The Council decided to direct staff to correct the minutes to reflect what the speaker of the sentence actually said and approve it at the next meeting.

#### **ADMINISTRATIVE ITEMS:**

### **5. OPENING OF SLURRY SEAL BIDS – Opening of bids received for Slurry Seal services for Fiscal Year 2014-2015.**

Town Manager Miller opened the one and only bid received by T & C Seal Coating, Incorporated. He noted: Certificate complete, addendum complete and the bidder provided the following price:

- Type III Slurry Seal, unit price \$1.39
- Open Grad Slurry Seal, \$1.90
- Combined Price, \$3.29

The Town Manager explained there was no action to be taken on the agenda item because the opened bid will next be reviewed by Town staff to determine if there will be a formal recommendation to Council at the next meeting.

**6. BOARD APPOINTMENT – Consider the appointment of one regular member to the Hi Jolly Cemetery Board with a term ending November 2017.**

The Mayor stated Carol “Lynn” Stimson is to be considered to replace resigned Kay Mooring on the Hi Jolly Cemetery Board.

Ms. Stimson stated when she was before the Council at the last meeting, she did say that she likes the Cemetery. She advised that she really likes the Cemetery. She visits as her husband is buried there and she would really enjoy seeing the future of the Cemetery and what is being done to it. She noted she cleans up when she visits.

Scott stated she is glad that Ms. Stimson is still interested and knows she will be a go-getter.

**Vice Mayor Jewitt moved** to approve the admission of Lynn Stimson to the Hi Jolly Cemetery Board effective November 1, 2014 and to expire 2017. **Council Member Orgeron seconded** the completed motion. The vote was unanimous. Motion Passed.

**7. SUPPORT FOR NON-PROFIT APPLICANTS FROM THE TOWN ECONOMIC OUTREACH FUND – Discussion and possible action to approve Accountability Contracts with the Historical Society in the amount of \$3,000, the Senior Center in the amount of \$3,000 and the Business Chamber in the amount of \$2,200 as recommended by the Health and Development Services Board regarding award of the 2014 Town Economic Outreach Funds.**

Council Member Timberlake asked Town Manager Miller about a Board Member being on the Board and receiving Town funds.

Town Manager Miller spoke about looking for new volunteers for the Board or looking to modify the Town Code to accommodate a broader set of volunteers. He advised that he does not think the recommendation decision reached by the Health and Development Services Board was impacted by the eligibility of the person in question. (Sue MacCracken of the Senior Center)

Discussion took place regarding adhering to the Town Code and picking and choosing parts of the Town Code to follow.

Town Manager Miller stated the Town Code prohibits one from being a member of an organization that receives funding through the grant process for a period of one year before and one year after one leaves the organization.

Town Manager Miller stated there is currently one member of the Health and Development Services Board that could potentially receive funding tonight; however, she abstained from all discussion and did not take part in the vote.

Council Member Orgeron stated he was under the impression that the Town funds were going to be opened up to all non-profits. He stated it was not advertised and the other non-profits did not know the funds were available.

Town Manager Miller explained that during the Health and Development Services Board meeting, creating an application process and advertising the funds' availability was discussed.

**Council Member Crooks moved** to open the item to public discussion and **Vice Mayor Jewitt seconded** the motion. The vote was unanimous. **Motion Passed.**

Kay Mooring, local resident and member of one of the receiving groups, the Quartzsite Historical Society, spoke regarding the Historical Society's compliance with the requirements by the Town for the funding.

Council Member Crooks suggested the possibility of tabling the item.

Sally Ford, Chairman of the Health and Development Services Board, spoke regarding the Town Code as it related to the Town's funds for non-profits. She suggested a new start next year advertising so that all non-profits may become aware of the availability of Town funds; but, this year to approve the recommendations made by the Health and Development Services Board. She does not want the groups that have abided by the rules throughout the year to be penalized by not receiving the funds.

Council Member Orgeron suggested tabling the item until three more requests for funds from non-profits are received. He stated the funds could then be awarded.

Ms. Ford asked how there can be an award made to any non-profit organization that had not submitted quarterly reports for the past year.

Discussion continued regarding the Town Code, the Health and Development Board Member that is on the Board of the Senior Center, advertising the availability of funds and award monies.

Elmer London had two points to share. One, he didn't see anything in the Board's directions that they have to go out and solicit. Two, is the Board prepared to finance something like that? He noted with more applicants they will receive less.

Shanana Rain Golden Bear, President of Proud Neighbors, spoke about it being a good thing to let the non-profits know that there are Town funds available.

The Mayor stated he thinks it is late to start trying to change the rules for the process; the process has seen its course and he thinks it is time to make the move on it. He stated some good discussion took place and there are some things to be put on the agenda to change.

The Mayor closed the public discussion.

Council Member Crooks asked Town Manager Miller how many meetings of the Health and Development Services Board have taken place since he has been on staff. Town Manager Miller replied, one in September. Council Member Crooks asked how there could be a deadline without a board. Town Manager Miller advised the applicants had turned in their reports to the front desk of the Town Hall.

Town Manager Miller stated he has several recommendations to clean the process up moving forward for following years. He said what the Council decides to do tonight is their discretion, of course.

Council Member Timberlake asked the Town Manager how long it would take to make an amendment to the Town Code.

The Mayor stated thirty days after the vote of Council the amendment would take effect.

Town Attorney Goodwin advised she does not think the fact that an ineligible person was appointed to the board invalidates the action making the recommendation.

Council Member Scott asked Town Attorney Goodwin if the Council could move forward because the Board Member basically recused herself and was not involved in the process. Council Member Scott stated the Council will clean up the Town Code. The Town Attorney said yes.

**Vice Mayor Jewitt moved** to approve the recommendation of the Health & Development Services Board regarding disbursements to the Historical Society, the Senior Center and the Business Chamber of Commerce subject for this year, for they all must do their quarterly reporting; if they fail to report, they will be ineligible next year. **Council Member Kelley seconded** the motion. The vote was five ayes: Council Member Kelley, Mayor Foster, Vice Mayor Jewitt, Council Member Scott and Council Member Timberlake; two nays: Council Member Crooks and Council Member Orgeron. **Motion Passed.**

#### **COMMUNICATIONS:**

#### **8. Announcement of the November 12, 2014 Town Council Meeting.**

The Mayor announced that the first regular Council Meeting would be November 11, 2014, Veteran's Day. The Town Code provides that the meeting be scheduled for the next day. The meeting will be held on November 12, 2014.

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

see above, Item #8

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

Council Member Scott announced she is still getting a lot of complaints about the transit system. She directed the matter be put on the next regularly schedule meeting's agenda. She asked that the schedule, hours and ridership last year at this time and this year now.

Council Member Timberlake asked that there be some recommendations on a modification of the Town Code regarding who can and cannot serve on boards on the agenda of the next meeting.

Council Member Timberlake spoke about the Halloween celebration. Parents and community members, with or without their children, are asked to go to the Community Center at 4:30 p.m. on Halloween. There will be hot dogs for the children, a costume contest between 5:00 p.m. and 5:30 p.m., 5:30 p.m. trick or treating will begin at the Community Center and end at the Town Hall. The Haunted House at Town Hall will open at 6:00 p.m.

Council Member Kelley stated a volunteer from the food bank has donated a fire breathing dragon. There will be fire from the dragon if there is an approval from the Fire Department, otherwise, there will be noise from the dragon. Council Member Kelley advised Terry Frausto donated the hot dogs for the event.

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

Town Manager Miller publicly recognized Town Attorney Susan Goodwin's inclusion in the 2015 Edition of Best Lawyers in America for her work in the practice area of municipal law, which includes all forms of political subdivisions including cities, towns and special taxing districts.

Town Manager Miller provided an update on the progress of the Quail Trail Well rehabilitation.

Town Manager Miller advised that through the Chief of Police review process, the panel and he made a recommendation to Council to hire Mr. Lee Alirez and the Council did unanimously approve his contract. Unfortunately, Mr. Alirez was offered another position closer to family and with a higher salary. The process was immediately started back up and three applicants will be reviewed Wednesday, October 15, 2014.

## COMMUNICATIONS FROM CITIZENS

Sally Ford spoke of the Town hosting a public party to honor Sergeant Xavier Frausto for all he has done.

Pam Kasby, resident of Quartzsite, spoke regarding a fundraiser for the Food Bank. On the day of the Christmas Parade at the Q.I.A., from 3:00 p.m. to 5:30 p.m., there will be a Soup and Chowder Festival.

Shanana Rain Golden Bear asked that everyone participate in the Halloween event. Everyone may park at the Town Hall, the Community Center, or along East Quail Trail, much like a parade. She thanked Council Member Kelley and Council Member Timberlake and the Town Manager Miller for all their help.

Suellen Pennington, from the First Assembly of God with Pastor Bruce, thanked everyone for all the support of the Spaghetti Dinner held on October 4, 2014. Ms. Pennington invited everyone, including children, to go to the Community Center on October 25, 2014, a Saturday, between 1:00 p.m. and 4:00 p.m., for a lot of games, a lot of food that will be available and a special puppet show.

**ADJOURNMENT:** 8:20 p.m.

**Vice Mayor Jewitt** moved to adjourn and **Council Member Kelley** 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 October 14, 2014, of the Town Council of Quartzsite, Arizona, held on October 14, 2014.

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

DATED this 28<sup>th</sup> day of October 2014

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Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:

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Ed Foster, Mayor

**MINUTES**  
**TOWN OF QUARTZSITE**  
**SPECIAL MEETING OF THE COMMON COUNCIL**  
**FRIDAY, OCTOBER 17, 2014, 1:00 PM**

**CALL TO ORDER:** 1:00 p.m.

**INVOCATION:** None.

**PLEDGE OF ALLEGIANCE:** Led by Mayor Foster.

**ROLL CALL:**

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

**STAFF PRESENT:** Skylor Miller, Town Manager; Kelly Schwab, 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. The vote was unanimous. **Motion Passed.**

**ADMINISTRATIVE ITEMS:**

1. **EXECUTIVE SESSION** - An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment and salary of Reginald Winston as the Town of Quartzsite Chief of Police and A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding an employment contract with Reginald Winston as the Town of Quartzsite Chief of Police.

Council Member Timberlake moved to adjourn to executive session and Council Member Orgeron seconded the motion. The vote was unanimous. **Motion Passed.**

**ADJOURN TO EXECUTIVE SESSION:** 1:03 p.m.

**RETURN TO OPEN SESSION:** 2:17 p.m.

The Mayor called the meeting back to order at 2:17 p.m.

**ROLL CALL:**

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

**2. CHIEF OF POLICE EMPLOYMENT CONTRACT - Consideration and possible concurrence on an employment agreement with Reginald Winston as the Town of Quartzsite Chief of Police pursuant to Town Code Section 4-1-2.**

The Mayor announced that an agreement was reached with Mr. Winston.

Town Manager Miller read a portion of a memo he sent to the Council on October 15, 2014 regarding the outcome of the latest round of interviews for the Chief of Police position. *(The following indented material is an excerpt from the memo read aloud by Town Manager Miller.)*

On October 15, 2014, a review panel comprised of the Town Manager, Town Attorney Susan Goodwin, Council Members Carol Kelley and Mark Orgeron, Wickenburg Chief of Police Pete Wingert, Buckeye Chief of Police Larry Hall and Interim Chief Xavier Frausto conducted interviews with potential candidates for the Quartzsite Chief of Police. Three candidates were selected for interviews, two of which were from applications received after the panel had commenced with a set of applications. It was decided at that time not to complicate the process. Now, due to the recent withdrawal of Chief Alirez, examination of these candidates was warranted.

The panel was provided a series of interview questions and took turns asking the series to each candidate. Time was allotted at the end of each interview for follow-up questions and a brief conversation with the applicant. The panel scored each candidate's answers and a consensus was reached about the general skills, knowledge, abilities and fit of each candidate. While some candidates showed promise, one individual stood out and was the unanimous favorite of the panel.

Sgt. Reginald Winston was recommended for the position by the panel. His education, experience, professionalism, management style, and community-mindedness were a perfect fit for the police department, town management and the community as a whole.

Sgt. Winston comes to us with nearly 20 years of police experience in a variety of roles including community policing and administration. He has also distinguished himself in service to our country, first in the U.S. Marine Corps for 13 years and later as an officer in the Army National Guard where he participated in oversea tours in Operation Iraqi Freedom. He has earned multiple degrees covering the fields of Administrative Justice, Public Safety Administration and a Master's of Science in Leadership.

*(Excerpt ends.)*

Town Manager Miller explained that Mr. Winston's application was received after the previous interview process had begun. This was the process that included Mr. Alirez.

Town Manager Miller advised that Mr. Winston will be the best fit for the community. Town Manager Miller expressed his gratitude for Mr. Winston's interest in serving the Town of Quartzsite. Town Manager Miller recommended Reginald Winston for appointment as the Chief of Police.

Council Member Scott spoke regarding her thoughts and concerns prior to the interview with Sergeant Reginald Winston and the fact that her concerns were alleviated by the end of the interview. Council Member Scott stated she believes Mr. Winston will do a fantastic job and that he is a perfect fit for the community.

Council Member Timberlake stated she assumes that when the Council comes together at the Council meetings, the Council puts the best interests of the community first. Council Member Timberlake advised that she also assumes that when the new Council comes in, they will do the same thing in putting the best interests of the community first. Council Member Timberlake said, following those assumptions, if the new Council were presented with the same options that the current Council was presented with, the new Council would have come to the same conclusion.

Council Member Scott advised that Reginald Winston was protected by way of having been made aware of the political climate and what may or may not be brewing. She stated the Council also did its best to protect the taxpayers regarding the salary and the contract.

Council Member Crooks thanked Council Member Orgeron and Council Member Kelley for working in the process.

The Mayor advised the Council will make a motion to offer a contract to Mr. Winston for a starting salary of \$80,000, with a six month review raising it to \$82,000. The Mayor stated Mr. Winston will start on November 3, 2014, subject to completion of background checks. The Mayor noted that Mr. Winston is already an AZ Post certified officer.

**Vice Mayor Jewitt said, "I so move." Council Member Kelley seconded the motion.**

**ROLL CALL VOTE: MOTION PASSED** by unanimous roll call vote (summary: Yes = 7).

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

Mayor Foster invited Mr. Winston to stand and to talk to the audience.

Mr. Reginald Winston thanked the Mayor and the Council. He spoke to the community members that were in attendance, stating he looks forward to working with each and every one of them over the next several years. Mr. Winston said he thinks he and they will have a wonderful time bringing the community together as one.

**ADJOURNMENT:** 2:26 p.m.

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

**CERTIFICATION:**

I hereby certify that the foregoing October 17, 2014, of the Town Council of Quartzsite, Arizona, held on October 17, 2014.

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

DATED this 28<sup>th</sup> day of October 2014

---

Tina M. Abriani, Town Clerk

On behalf of the Common Council

Approved:

---

Ed Foster, Mayor



## TOWN OF QUARTZSITE

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### REGULAR COUNCIL MEETING

Tuesday, October 28, 2014

#### Agenda Item #2

Review, discuss and consider approval of the purchase of proprietary computer equipment with meter reading software.

#### Summary:

The charge for the computer system and software is \$7,500; with taxes included, the total is \$8,130.90.

The computer has already been received by the Town. This purchase was from a sole source provider and as such is exempt from bidding requirements.

The Interim Utilities Director was under the assumption that this purchase was planned and approved prior to the assumption of his new duties as Interim Utilities Director.

- The previous Meter Reading Laptop was over eight years old and feeling its age.
- We had an obligation to Badger through a trade-in agreement to help cut costs that we return the old Toughbook laptop and take the new one, which I discovered while researching a cheaper alternative.
- If we were allowed to buy our own unit (laptop), it would have cost the Town's Utility Department \$9000 to have Badger install the software on a piece of equipment that we purchased, and in addition, Badger would not have honored any type of warranty or guarantee if we utilized a piece of equipment that was not from them.
- The actual reading software began to malfunction (i.e., drop reads during offloading of the data).
- The laptop at its age could no longer hold a charge for very long, which resulted in mobility issues.

**Responsible Person:** Skylor Miller, Town Manager

**Attachment:** Copy of Invoice and Town Code, Chapter 3, Article 3-4, Section 3-4-2 C. and Section 3-4-2 E. 3.

**Action Requested:** **Motion to approve the \$8,130.90 purchase of proprietary computer equipment with meter reading software.**

Remit To:

YUMA WINNELSON CO.  
P O BOX 709  
YUMA, AZ 85366-0709

RECEIVED  
SEP 19 2014  
PLANNING AND ZONING

Original Invoice

Page	Date Printed	Invoice No.
1	9/16/14	248386 00

To Reorder Contact Us At  
Phone No. : (928) 341-1993  
Fax No .. : (928) 782-3221 DB# 12

Sold To:

TOWN OF QUARTZSITE  
PO BOX 2812  
QUARTZSITE, AZ 85346-2812

Ship To:

ORION LAPTOP TRADE-IN

Customer Number 440-000882	Customer Purchase Order JEFF	Salesman 010-ROBERT LOPEZ	Type Shipment Stock	Ship VIA	Date Shipped 9/16/14
-------------------------------	---------------------------------	------------------------------	------------------------	----------	-------------------------

THANK YOU FOR YOUR PURCHASE

Units Ordered	U/M	Item Description	Units Shipped	B/C	Price	Per	Discount	Extended	Tax
1	EA	ORI-MP-00769-EN ORION LAPTOP TRADE-IN ***** BEGIN SERIAL NUMBER **** 248386-00 ***** END SERIAL NUMBER *****	1		7,500.0000		.00	7,500.00	T

Standard returns must be done within 30 days and are subject to prior approval. All returns are subject to a restock fee.

Terms: Monthly Service Charge May Be Applied To Past Due Accounts.  
2% 10TH NET EOM

Tax Area ID: AZ - 030270350	Net Sales	7,500.00
	Freight	.00
State Tax % 5.600	State Tax	420.00
Local Tax % 2.812	Local Tax	210.90
	Invoice Amount	8,130.90

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. For inquiries please call (928) 341-1993.

T&C: You agree that the sale of these products/services is subject to all of our standard terms and conditions of sale located at [www.winwholesale.com/tcsale](http://www.winwholesale.com/tcsale).

**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 Advisory Board** (Ord. 11-03)(Ord. 14-04)

**A. Terms**

There is hereby created a personnel board, which shall consist of three (3) regular members and two (2) alternate members from the citizens of the Town. Regular members and alternates shall be appointed by the Mayor and Council. The terms of regular members shall be three (3) years, so staggered that only two (2) board member terms expire in the same year. The terms of the alternate members shall be one (1) year. Alternate members shall be called by the chairman as needed to assure a quorum is present. 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 regular 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. The board may meet in executive session in accordance with the Arizona Open Meeting Law.

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)(Ord. 14-04)

- 3-4-1 General
- 3-4-2 Procedure
- 3-4-3 Award by Council
- 3-4-4 Bidding
- 3-4-5 Determination of Lowest Possible Bidder
- 3-4-6 Performance Bond
- 3-4-7 Forms
- 3-4-8 Change Orders
- 3-4-9 Unauthorized Purchases

**Section 3-4-1 General**

The Town Manager is the procurement agent for the Town. No purchase of goods or contract for services of any kind or description, payment for which is to be made from funds of the Town, shall be made by the procurement agent, or any officer, employee or agent of the Town, except in the manner set forth in this article, and unless said purchase is in accordance with the adopted Town Budget.

**Section 3-4-2 Procedure**

- A. \$2,000 or Less. Whenever any contemplated purchase of goods or contract for services is for the sum of \$2,000 or less, the procurement agent may purchase the item as needed without further formality.
- B. \$2,001 to \$4,000 Inclusive. Whenever any contemplated purchase of goods or contract for services is for the sum of at least \$2,001 but not more than \$4,000, the procurement agent shall solicit at least three oral bids for the item or service. The procurement agent may then award the purchase or contract of service to the lowest responsible bidder who submits a responsive bid.
- C. \$4,001 to \$8,000 Inclusive. Whenever any contemplated purchase of goods or contract for services is for the sum of at least \$4,001 but not more than \$8,000, the procurement agent shall solicit at least three written bids for the item or service on bid forms and award the purchase or contract of services to the lowest responsible bidder.
- D. \$8,000 and Over. Whenever any contemplated purchase of goods or contract for service is for the sum of \$8,000 or more, the procurement agent shall cause to be published in two issues of a newspaper of general circulation in the Town, notice inviting bids, which notice shall be published at least five days prior to the date set for the receipt of the bids. The notice herein required 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 purchasing 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.
- E. Exceptions: The following procurements are exempt from the bidding requirements of this article to the extent set forth below.
  - 1. Construction Contract. Construction projects are exempt from these bidding requirements and shall comply with Title 34, Arizona Revised Statutes; however, if public competitive bidding is not required pursuant to A.R.S. § 34-201(C) and (D), then the requirements of this section shall apply.
  - 2. Cooperative Purchasing. Cooperative purchases are exempt from these bidding requirements whenever other governmental units have bid 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 services. Purchases from the state bid list are cooperative purchases.

3. Sole Source Providers. Purchases from sole source providers are exempt from these bidding requirements if the procurement agent make a written determination that competition is not available and there is only one known source for the goods or services.
  4. Professional Services. Contracts for professional services are exempt from these bidding requirements. Contracts for professional services of engineers, architects, landscape architects, assayers, geologists and land surveyors may be required to comply with the procedures set forth in A.R.S. § 34-102(C), A.R.S. §34-103(C) and (D) or Title 34, Chapter 6, Arizona Revised Statutes.
  5. Intergovernmental Agreements. Intergovernmental agreements are exempt from these bidding requirements.
  6. Emergency Purchases. The procurement agent may procure and contract for supplies and services without compliance with the procedures set forth in this section when there has been a determination that an emergency purchase is necessary. The procurement agent shall be responsible for determining the validity of all emergency purchase requests. A complete written explanation shall be provided to the Council as soon as reasonably practical after the emergency purchase.
  7. Used Equipment. 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.
- F. Nothing in subsection E shall preclude the Town from soliciting bids for proposals for the procurement listed in subsection E if the purchasing agent or Council deems it to be in the best interest of the Town to do so.
- G. Proposed purchases of multiple items shall not be segregated for the purpose of avoiding the requirements of this section.

**Section 3-4-3 Award by Council**

No contract of \$8,000 or more shall be let except by the Council. Whenever any contemplated purchase or commodities or contract for services is for the sum of \$8,000 or more, the purchasing agent shall present the bids to the Council for approval, and advise the Council of the advantages or disadvantages of the contract and bid.



## TOWN OF QUARTZSITE

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### REGULAR COUNCIL MEETING

Tuesday, October 28, 2014

- Agenda Item #3** Consider the reappointment of Pastor Bruce Swart, the Chairman of the Hi Jolly Cemetery Board, whose term expires in November 2014. The new term would expire November 2017.
- Summary:** Pastor Swart, Hi Jolly Cemetery Board Chairman, has requested to be appointed for another term.
- If reappointed, Pastor Bruce's term would expire in November 2017. Member terms are for a period of three years, established in Resolution No. 06-08.
- Responsible Person:** Tina Abriani, Town Clerk
- Attachment:** Expiration of Citizen Advisory Board/Commission Term Form from Pastor Bruce Swart.
- Action Requested:** **Motion to reappoint Pastor Bruce Swart to the Hi Jolly Cemetery Board with a term to expire November 2017.**



# TOWN OF QUARTZSITE

465 North Plymouth Avenue • PO Box 2812 • Quartzsite, AZ 85346

Phone (928) 927-4333 • Fax (928) 927-4400

Arizona Relay Service (928)927-3762 (TDD)

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[www.ci.quartzsite.az.us](http://www.ci.quartzsite.az.us)

TO: MAYOR AND COUNCIL

RE: EXPIRATION OF CITIZEN ADVISORY BOARD/COMMISSION TERM

FROM: BRUCE J. SWART

(Please print name)

On 11 / 30 / 2014 my term expires on the

CEMETERY

Board / Commission / Committee.

I am requesting reappointment for another term.

I do not wish to be reappointed to another term.

Sincerely,



Signature

10/13/14

Date

cc: Town clerk



## TOWN OF QUARTZSITE

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### REGULAR COUNCIL MEETING

Tuesday, October 28, 2014

**Agenda Item #4** Consider approval of a bid from T & C Seal Coating, Inc. for slurry seal services for Fiscal Year 2014-2015.

**Summary:** On August 26, 2014, the Town issued an Invitation for Bids for Slurry Seal services on local streets within the Town. The deadline for submission of sealed bids was Monday, October 13, 2014 at 4:00 p.m.

The single sealed bid packet received by the Town, from T & C Seal Coating, Inc., was opened and reviewed at the Regular Council meeting of Tuesday, October 14, 2014 at 7:00 p.m.

The Director of Public Works, Emmett Brinkerhoff, and the Town Manager, Skylor Miller, have reviewed the bid for completeness and acceptability.

The bid received from T & C Seal Coating, Inc. is recommended to the Council for approval.

**Responsible Person:** Emmett Brinkerhoff, Director of Public Works

**Attachment:** Slurry Seal Bid Packet received from T & C Seal Coating, Inc.

**Action Requested:** Consider approval of the only responsible bid for Slurry Seal services for the Fiscal Year 2014-2015 from T & C Seal Coating, Inc. and authorize the Town Manager to execute the contract.



## INVITATION FOR BIDS TOWN OF QUARTZSITE

ISSUE DATE:	INVITATION FOR BID
FOR: Type 3 Slurry Seal & Open Grade Slurry Seal – Town of Quartzsite Public Works	DATE/TIME DUE: <b>Monday, October 13, 2014 @ 4:00 P.M.</b> DATE/TIME OF OPENING: <b>Tuesday, October 14, 2014 @ 7:00 P.M.</b>

Bids – In accordance with the following and in compliance with all terms and conditions, unless otherwise noted, the undersigned offers and agrees, if the bids are accepted, to furnish items or services for which prices are quoted, at the price set opposite each item, delivered or furnished to designated points within the time specified. It is understood and agreed that with respect to all terms and conditions accepted by **The Town of Quartzsite** the items or services offered and accompanying attachments shall constitute a Contract.

**NOTE: The Town of Quartzsite** does not discriminate against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by Federal or state law relating to discrimination in employment in the performance of its procurement activity.

<b>NAME AND ADDRESS OF FIRM:</b> T+C Seal Coating Inc Box 1067 Avondale AZ 85323	Telephone/Fax No: 623-932-3303 FAX " 1430  E-Mail Address: tcjordan75@aol.com
--	--

Federal Employer Identification No. or Federal Social Security No. (Sole Proprietor)

86-0688569

Prompt Payment Discount:

1 % for payment within 7 days/net 10 days.



**THE TOWN OF QUARTZSITE**

**CERTIFICATE REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION  
LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants' Responsibilities. The Regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211)

**BEFORE COMPLETING CERTIFICATION, READ INSTRUCTION FOR CERTIFICATION.**

1. The Prospective recipient of Federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

T-C Seal Coating Inc.  
Organization

Cathy Jordan President  
Name and Title of Authorized Representative

Cathy Jordan  
Signature

9-30-14  
Date

**TOWN OF QUARTZSITE  
APPENDIX  
PRICING SCHEDULE**

ITEM NO,		EST. QTY.	UNIT PRICE	EXTENSION
	Type III Slurry Seal		\$ 1.39	
	Open Grade Slurry Seal		\$ 1.90	
	Combined Price		\$ 3.29	

Cathy Jordan  
Vendor Legally Authorized Signature

9-30-14  
Date

Cathy Jordan President  
Print Name and Title



# TOWN OF QUARTZSITE

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## ACKNOWLEDGEMENT

Acknowledgement receipt of this addendum and the Bid submitted is in accordance with the information stipulated.

Proposal received without signed acknowledgement of Addendum will be cause for rejection.

Addendum No. 1 (Dated September 17, 2014) Acknowledged By:

T+E Seal Coating Inc.

Company Name

Cathy Jordan President

Authorized Representative's Name & Title (Print)

Cathy Jordan

Signature of Authorized Representative

**APPENDIX A  
SPECIFICATIONS**

**Pricing should be guaranteed for any location in The Town of Quartzsite and include:**

1. Pricing from July 1, 2014 to June 30, 2015
2. Use of the ADOT Asphalt index for pricing.
3. Oil
4. Aggregate Material
5. Labor
6. Tax

\*\*\*And any other needed for a TYPE 3 Slurry (minimum 20 pounds per square yard) and for an OPEN GRADE Slurry (minimum 50 pounds per square yard).

\*\*\*Pricing should be submitted per square yard. The Town of Quartzsite Public Works will combine both quotes for total square yard price.

***The Town of Quartzsite reserves the right to reject any or all bids received in response to this invitation to bid and waive any informality in procedures or submittals received.***

By signing this bid, Bidder certifies, acknowledges, understands, and agrees to be bound by the conditions set forth in the Invitation for Bid.

Check One:  Individual  Partnership  Corporation

State in which Incorporated: AZ

Cathy Jordan

Vendor Legally Authorized Signature

Date

ATTEST: (If a Corporation)

Cathy Jordan President  
Print Name and Title

Terry Jordan  
Secretary

Sealed bids in duplicate, subject to terms and conditions of this invitation will be received by **The Town of Quartzsite, Attn. Tina Abraini, Town Clerk, P.O. Box 2812, Quartzsite, AZ 85346** on opening date and time specified, and then publicly opened and read, for furnishing items specified therein to specified destinations within the time specified or stipulated by the Bidder.

**APPENDIX A  
SPECIFICATIONS**

**Pricing should be guaranteed for any location in The Town of Quartzsite and include:**

1. Pricing from July 1, 2014 to June 30, 2015
2. Use of the ADOT Asphalt index for pricing.
3. Oil
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5. Labor
6. Tax

\*\*\*And any other needed for a TYPE 3 Slurry (minimum 20 pounds per square yard) and for an OPEN GRADE Slurry (minimum 50 pounds per square yard).

\*\*\*Pricing should be submitted per square yard. The Town of Quartzsite Public Works will combine both quotes for total square yard price.

***The Town of Quartzsite reserves the right to reject any or all bids received in response to this invitation to bid and waive any informality in procedures or submittals received.***

By signing this bid, Bidder certifies, acknowledges, understands, and agrees to be bound by the conditions set forth in the Invitation for Bid.

Check One:  Individual  Partnership  Corporation

State in which Incorporated: AZ

Cathy Jordan

Vendor Legally Authorized Signature

Date

ATTEST: (If a Corporation)

Cathy Jordan President  
Print Name and Title

Terry Jordan  
Secretary

Sealed bids in duplicate, subject to terms and conditions of this invitation will be received by **The Town of Quartzsite, Attn. Tina Abraini, Town Clerk, P.O. Box 2812, Quartzsite, AZ 85346** on opening date and time specified, and then publicly opened and read, for furnishing items specified therein to specified destinations within the time specified or stipulated by the Bidder.

T+C Seal Coating Inc.

Box 1067  
Aurora AZ 85323

RECEIVED

SEP 30 2014

TOWN OF QUARTZSITE

Jim M. Abriani

1:05 p.m.

Town of Quartzsite  
c/o Tina Abriani, Town Clerk

Box 2812

Quartzsite AZ

85346

Slurry Seal Bid



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## ADDENDUM NO. 1

### SLURRY SEAL

DATED: SEPTEMBER 17, 2014

Each bidder shall acknowledge receipt of this addendum by attaching the signed acknowledgement form to its bid.

Below are the following changes and is part of the Bid Documents:

#### **APPROXIMATE YARDAGE FOR SLURRY SEAL 2014-2015**

Type III - minimum 40,000 square yards

Maximum 75,000 square yards

Open Grade- minimum 3,000 square yards

Maximum 10,000 square yards



**Type 3 Slurry Seal & Open Grade Slurry Seal**

**Town of Quartzsite, Public Works**

**Bid Opening 10/14/2014 at 7:00 p.m.**

Town of Quartzsite, 465 N. Plymouth Avenue Quartzsite

	NAME	DATE	\$ Amount	COMMENTS
1	T+C SEAL COATING, INC.	10-14-2014	\$1.39	TYPE III SLURRY SEAL
2			\$1.90	OPEN GRADE SLURRY SEAL
3			\$3.29	COMBINED PRICE
4				
5				





## TOWN OF QUARTZSITE

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### REGULAR COUNCIL MEETING

Tuesday, October 28, 2014

**Agenda Item #5** Review and discussion of the comparison of Transit Services in Fiscal Year 2012-2013 and Fiscal Year 2013-2014.

**Summary:** The Quartzsite Transit System was instituted in May 1996 through an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation. The project provided transportation services which met the special needs of elderly persons and persons with disabilities for whom mass transportation services were unavailable, insufficient or inappropriate. At that time, the Town Council requested a monthly report to determine if the project would continue. The IGA provided, in the scope, for termination by either party upon thirty days written notice.

The Quartzsite Transit System has developed through the years to become a reliable Town service for its senior citizens, disabled citizens, winter visitors and when seats are available, to the general public, on a donation basis. The service is available Monday – Friday from 8:30 a.m. to 3:00 p.m., excluding holidays. Transportation is provided throughout the Town limits with regular trips to Blythe, Yuma and Lake Havasu City.

Recently, the Town has partnered with the Western Arizona Council of Governments' Area Agency on Aging to provide free passes to those that are income qualified.

On March 25, 2014, the Town Council authorized the filing of an application for a grant for Arizona Department of Transportation's (ADOT) Federal Public Transportation Grant Program Section 5311 and was subsequently awarded the funding. Now, the Town is entering Phase I, which is to complete a transit study to determine what a sustainable public transportation system would look like for the Town of Quartzsite. Upon successful completion of the transit study, Phase II, Planning & Marketing, would begin. If the study determines that a public transportation system would not be viable in Quartzsite, the funds would be returned to ADOT and the Town would then need to fund its own local transportation system.

The Town Council sets the overall policy for the Quartzsite Transit System with recommendations from the Health and Development Services Board and Town staff members.

**Responsible Person:** Council Member Mary Scott requested this item be placed on this agenda.

Staff available for discussion: Skylor Miller, Town Manager and Janet Collier, Transit Coordinator

- Attachment:**
- Transit System Ridership Report Oct. 1, 2012 – Sept. 30, 2013
  - Transit System Ridership Report Oct. 1, 2013 – Sept. 30, 2014
  - Transit System Budget Expenditures June 30, 2013 – June 30, 2014
  - Transit System Budget Expenditures June 1, 2014 – October 31, 2014
  - Transit Driver Total Hours Worked 07/2013 – 09/2013  
and 07/2014 – 09/2014
  - ADOT Multimodal 5311 Grant Timeline

**Action Requested:** Discussion and possible direction to staff.



WACOG 5300 PROGRAM DATA

*October 1, 2012 - September 30, 2013*

AGENCY:		Quartzsite			PHONE:	0	NAME:	Janet Collier	
MONTH:		FY YEAR:	2012-13		Master				
RIDES-TRIPS-MILES						ELDERLY/DISABLED DATA			
Month	# of Rides	# of Jobs	# of Trips	# of Hours	# of Miles	# Of Elderly	# Of Elderly who are Disabled	# Of Disabled	# Of Other
January	255	0	798	295	2775	99	26	100	38
February	233	0	603	187	2589	75	36	92	45
March	246	0	621	211	2751	86	33	93	45
April	257	0	743	198	2516	94	22	113	35
May	286	0	869	219	2947	105	22	141	33
June	226	0	670	168	2094	123	13	77	13
July	260	0	933	220	2657	116	26	97	25
August	215	0	716	184	2298	100	18	88	19
September	129	0	474	112.45	1264.1	57	12	52	8
October	231	0	642	190	2188	106	41	55	26
November	261	0	745	208	2615	113	35	80	32
December	254	0	769	192	2419	100	27	89	38
<b>Totals</b>	<b>2853</b>	<b>0</b>	<b>8583</b>	<b>2384.45</b>	<b>29113.1</b>	<b>1174</b>	<b>311</b>	<b>1077</b>	<b>357</b>

Driver Trainings

Month	PASS	Defensive Driving	CPR & First Aide	Drug & Alcohol	Wheel Chair				
January	0	0	0	0	0	0	0	0	0
February	0	0	0	0	0	0	0	0	0
March	0	0	0	0	0	0	0	0	0
April	0	0	0	0	0	0	0	0	0
May	0	0	0	0	0	0	0	0	0
June	0	0	0	0	0	0	0	0	0
July	0	0	0	0	0	0	0	0	0
August	0	0	0	0	0	0	0	0	0
September	0	0	0	0	0	0	0	0	0
October	0	0	0	0	0	0	0	0	0
November	0	0	0	0	0	0	0	0	0
December	0	0	0	0	0	0	0	0	0
<b>Annual Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

*7-12-12-4*

*5-29-12-2*

*5*

*2*

*3*

*2*

## LEGEND FOR TRANSIT REPORT

Rides- The number of individual riders, regardless of how many times they rode throughout the month.

The elderly, disabled, elderly disabled and other categories are counted daily throughout the month.

Our transit van runs locally in Quartzsite Monday through Friday

Our regional trips include Blythe, Parker, Lake Havasu and Yuma

Our passenger trips are the boarding and deboarding of a passenger each time they enter and exit a vehicle

Hours are calculated on an 8 hour day not the amount of hours we provide service

Miles are the number of miles driven daily transporting riders.

For the 2013-2014 year our annual ridership was 137 different individuals using our service

For the 2012-2013 year our annual ridership was 200



**WACOG DATA COLLECTION  
FY2014 SUMMARY**

*October 1, 2013 - September 30, 2014*

AGENCY:		Town Of Quartzsite			PHONE:	928 927 4333	NAME:	Janet Collier	
MONTH:		FY YEAR:	2013-14						
RIDES-TRIPS-MILES						ELDERLY/DISABLED DATA			
Month	# of Rides	# of Jobs	# of Trips	# of Hours	# of Miles	# Of Elderly	# Of Elderly who are Disabled	# Of Disabled	# Of Other
January	188	1	700	168	2170.6	63	43	71	14
February	159	1	519	152	1799.33	49	44	48	18
March	185	3	635	168	2491.1	67	53	55	10
April	165	0	600	184	1934.8	69	50	52	3
May	170	0	611	178.25	2117	69	45	42	13
June	140	0	490	185	2053.1	63	43	26	8
July	152	0	483	177.5	2626.2	54	47	40	11
August	163	0	522	160	1755.1	62	48	42	9
September	159	0	507	168	1575.53	62	43	52	2
October	161	0	587	176	2054.8	87	13	56	5
November	134	0	503	144	1848.8	64	8	52	8
December	135	0	550	152	2411.1	51	33	46	8
<b>Totals</b>	<b>1911</b>	<b>5</b>	<b>6707</b>	<b>2012.75</b>	<b>24837.46</b>	<b>760</b>	<b>470</b>	<b>582</b>	<b>109</b>

**Driver Trainings**

Month	PASS	Defensive Driving	ADA/Title VI	CPR	First Aide	Safety	Dispatcher	Customer Service	Reasonable Suspicion
January	0	0	0	0	0	0	0	0	0
February	0	0	0	0	0	0	0	0	0
March	2	0	0	0	0	0	0	0	0
April	0	0	0	0	0	0	0	0	0
May	0	0	0	1	1	0	0	0	2
June	0	0	0	0	0	0	0	0	0
July	0	0	0	0	0	0	0	0	0
August	0	0	0	0	0	0	0	0	0
September	0	0	0	0	0	0	0	0	0
October	0	0	0	0	0	0	0	0	0
November	0	0	0	0	0	0	0	0	0
December	0	0	0	0	0	0	0	0	0
<b>Annual Total</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>

WACOG DATA COLLECTION  
FY2014 SUMMARY

Driver Trainings

Month	* P&P Training	* Pre&Post	*24HR.BTW	* AST					
January	4	4	0	0	0	0	0	0	0
February	0	0	0	0	0	0	0	0	0
March	4	0	0	4	0	0	0	0	0
April	0	0	0	5	0	0	0	0	0
May	0	0	0	5	0	0	0	0	0
June	0	0	0	4	0	0	0	0	0
July	0	0	0	0	0	0	0	0	0
August	0	0	0	0	0	0	0	0	0
September	0	0	0	0	0	0	0	0	0
October	0	0	0	0	0	0	0	0	0
November	0	0	0	0	0	0	0	0	0
December	0	0	0	0	0	0	0	0	0
Annual Total	8	4	0	18	0	0	0	0	0

\*P&P Training = Transit Operation Policy & Procedure Training

\*Pre\*post = Vehicle Pre & Post Training

\* 24HR. BTW = 24 HR. Behind the wheel training with an experienced driver

\* AST = Agency Specific Trainings

Description of Agency Specific Trainings

0  
*March, April, May, June we attended Safety Meetings in Blythe.*

QUARTZSITE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 12 MONTHS ENDING JUNE 30, 2014

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>LOCAL TRANSIT TRANSPORTATION</u>					
01-230-5011 SALARIES & WAGES	25,978.34	25,978.34	33,088.60	7,110.26	78.5
01-230-5012 FICA EMPLOYERS SHARE	2,022.21	2,022.21	2,529.16	506.95	80.0
01-230-5014 OVERTIME	.00	.00	.00	.00	.0
01-230-5015 WORKMANS COMP INSURANCE	1,316.00	1,316.00	1,432.88	116.88	91.8
01-230-5016 HEALTH INSURANCE	6,809.40	6,809.40	6,051.86	( 757.54)	112.5
01-230-5017 EMPLOYEE RETIREMENT	986.70	986.70	1,447.19	460.49	68.2
01-230-5018 UNEMPLOYMENT INSURANCE	813.81	813.81	965.61	151.80	84.3
01-230-5019 UNIFORM ALLOWANCE	.00	.00	.00	.00	.0
01-230-5020 GRANT EXPENSE	.00	.00	.00	.00	.0
01-230-5022 OTHER SUPPLIES	.00	.00	.00	.00	.0
01-230-5024 GAS & OIL	13,438.34	13,438.34	16,000.00	2,561.66	84.0
01-230-5025 VEHICLE MAINTENANCE	1,782.77	1,782.77	1,700.00	( 82.77)	104.9
01-230-5032 OUSIDE SERVICES PROVIDER	5,880.00	5,880.00	5,600.00	( 280.00)	105.0
01-230-5033 PRINTING & ADVERTISING	1,645.37	1,645.37	2,300.00	654.63	71.5
01-230-5034 JANITORIAL SUPPLIES	.00	.00	.00	.00	.0
01-230-5035 OTHER SERVICES	14,929.98	14,929.98	15,000.00	70.02	99.5
01-230-5036 OUTSIDE SERVICES PROVIDER	.00	.00	.00	.00	.0
01-230-5040 EQUIPMENT REPAIR	.00	.00	.00	.00	.0
01-230-5041 TELEPHONE	.00	.00	.00	.00	.0
01-230-5042 POSTAGE	5.20	5.20	50.00	44.80	10.4
01-230-5043 TRAVEL/MEETING/TRAINING	991.43	991.43	800.00	( 191.43)	123.9
01-230-5046 INSURANCE	17,751.47	17,751.47	15,753.56	( 1,997.91)	112.7
01-230-5048 UTILITIES/TELEPHONE	979.79	979.79	1,000.00	20.21	98.0
01-230-5051 DUES/SUBSCRIPTIONS/LICENSES	365.00	365.00	500.00	135.00	73.0
01-230-5053 MISCELLANOUS	.00	.00	.00	.00	.0
01-230-5056 GRANT MATCH	.00	.00	.00	.00	.0
01-230-5060 SMALL TOOLS/EQUIPMENT	144.19	144.19	150.00	5.81	96.1
01-230-5061 CAPITAL OUTLAY	.00	.00	.00	.00	.0
01-230-5084 DRUG & ALCOHOL SCREENING	.00	.00	.00	.00	.0
<b>TOTAL LOCAL TRANSIT TRANSPORTATION</b>	<b>95,840.00</b>	<b>95,840.00</b>	<b>104,368.86</b>	<b>8,528.86</b>	<b>91.8</b>

QUARTZSITE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 4 MONTHS ENDING OCTOBER 31, 2014

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>LOCAL TRANSIT TRANSPORTATION</u>					
01-230-5011 SALARIES & WAGES	10,950.35	10,950.35	47,044.00	36,093.65	23.3
01-230-5012 FICA EMPLOYERS SHARE	836.77	836.77	3,599.00	2,762.23	23.3
01-230-5014 OVERTIME	.00	.00	.00	.00	.0
01-230-5015 WORKMANS COMP INSURANCE	809.00	809.00	2,282.00	1,473.00	35.5
01-230-5016 HEALTH INSURANCE	1,294.81	1,294.81	5,040.00	3,745.19	25.7
01-230-5017 EMPLOYEE RETIREMENT	391.41	391.41	2,074.00	1,682.59	18.9
01-230-5018 UNEMPLOYMENT INSURANCE	661.05	661.05	1,415.00	753.95	46.7
01-230-5019 UNIFORM ALLOWANCE	.00	.00	.00	.00	.0
01-230-5020 GRANT EXPENSE	.00	.00	.00	.00	.0
01-230-5022 OTHER SUPPLIES	62.23	62.23	1,100.00	1,037.77	5.7
01-230-5024 GAS & OIL	2,558.42	2,558.42	13,000.00	10,441.58	19.7
01-230-5025 VEHICLE MAINTENANCE	53.51	53.51	5,000.00	4,946.49	1.1
01-230-5032 OUSIDE SERVICES PROVIDER	.00	.00	.00	.00	.0
01-230-5033 PRINTING & ADVERTISING	81.25	81.25	1,100.00	1,018.75	7.4
01-230-5034 JANITORIAL SUPPLIES	.00	.00	325.00	325.00	.0
01-230-5035 OTHER SERVICES	.00	.00	175.00	175.00	.0
01-230-5036 OUTSIDE SERVICES PROVIDER	1,527.18	1,527.18	5,175.00	3,647.82	29.5
01-230-5040 EQUIPMENT REPAIR	.00	.00	.00	.00	.0
01-230-5041 TELEPHONE	.00	.00	.00	.00	.0
01-230-5042 POSTAGE	.00	.00	50.00	50.00	.0
01-230-5043 TRAVEL/MEETING/TRAINING	.00	.00	2,100.00	2,100.00	.0
01-230-5046 INSURANCE	5,088.88	5,088.88	15,750.00	10,661.12	32.3
01-230-5048 UTILITIES/TELEPHONE	316.64	316.64	1,600.00	1,283.36	19.8
01-230-5051 DUES/SUBSCRIPTIONS/LICENSES	.00	.00	525.00	525.00	.0
01-230-5053 MISCELLANOUS	.00	.00	.00	.00	.0
01-230-5056 GRANT MATCH	.00	.00	.00	.00	.0
01-230-5060 SMALL TOOLS/EQUIPMENT	.00	.00	325.00	325.00	.0
01-230-5061 CAPITAL OUTLAY	.00	.00	.00	.00	.0
01-230-5084 DRUG & ALCOHOL SCREENING	.00	.00	150.00	150.00	.0
<b>TOTAL LOCAL TRANSIT TRANSPORTATION</b>	<b>24,631.50</b>	<b>24,631.50</b>	<b>107,829.00</b>	<b>83,197.50</b>	<b>22.8</b>

**TRANSIT DRIVERS' TOTAL HOURS**

	<u><b>7/2013 – 9/2013</b></u>	<u><b>7/2014 – 9/2014</b></u>
Cherie Watson	548.50	406.75
Mark Church	0	205.50
Marilyn McFate	115.50	142.75
Ron Snyder	<u>0</u>	<u>0</u>
TOTALS	664.00	755.00

## ADOT MULTIMODAL 5311 GRANT TIMELINE

Quartzsite Common Council

October 10, 2014

1. March 2014 Quartzsite Transit Department applied for \$293,679 to develop and operate a 5311 or public transportation system for the town of Quartzsite. The award letter came August 4, 2014
2. October-November 2014 Arizona Department of Transportation will release the RFP (request for proposal,) to all of their rural desert transportation planners; they will also manage the process to make sure everything is done according to 5311 guidelines. The town will take part in the interview process to hire a transit planner. Federal Grant monies earmarked for the planning process are \$48,000, with a local match of \$12,000.
3. The remainder of the 5311 Grant Funds are contingent upon the outcome of the planning study.
4. The Transit Department is developing a scope of work for the Transit Study, to be submitted to ADOT the week of October 13.
5. The Transit Department is fine tuning a Public Participation Plan which includes goals and objectives, outreach techniques, and how planning and programming information for the Transit system will be made available to the public.
6. The planning study will be conducted this fall and winter. The goal is to develop a sustainable public transit system for the town.
7. Upon completion of a successful study a vehicle for the public transit program will be ordered. The vehicle is a 22 ft. cutaway van with a wheelchair lift, 96 inches wide, holding 8 passengers and 4 wheelchairs or 14 passengers and no chairs. The cost of the vehicle will be \$66,991.43. The award is \$80,650 with a local match of \$9,850. We currently have \$9791.50 from the sales of old and unused transit vehicles. The remainder of the funds are earmarked by ADOT for preventive maintenance, the purchase of bus stop signs and graphics for Transit Buses.
8. 2015 the next phase of 5311 development will be planning and marketing. The development of routes, schedules and marketing the new service to the community and region.
9. We are looking at close to June of 2015 to start the service. The remainder of the financial breakdown is in the chart below.

DATE	FUNDS AWARDED	FEDERAL GRANT	LOCAL MATCH	TOTAL AWARDED
October November	Planning Study	\$48,000	\$12,000	\$60,000
December	Capital	\$80,650	\$9,850	\$90,500
January-March	Administration	\$36,543	\$9,136	\$45,679
April -May	Continued development	As part of administrative cost		
June 2015	Operating	\$56,550	\$40,950	\$97,500
October 2014- June 2015	Total Award	\$221,743	\$71,936	\$293,679

If you have any questions you may reach The Transit Coordinator Janet Collier at 928-927-4333.



## TOWN OF QUARTZSITE

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### REGULAR COUNCIL MEETING

Tuesday, October 28, 2014

#### **Agenda Item #6**

Consideration and possible approval of a resolution deeming that a franchise with Arizona Public Service for the use of Town streets for electric utility purposes is beneficial for the Town and ordering that the question of approval of the franchise by the voters be placed on the March 10, 2015 ballot.

#### **Summary:**

At its meeting of August 12, 2014, the Town Council approved a franchise agreement with Arizona Public Service and directed that the question of approval of the franchise be placed on the November 4, 2014 ballot. Unfortunately, through an error by the County Elections Department, the item was not placed on the November 4, 2014 ballot. APS and the County Elections Department are working together and have agreed that the franchise election will be held at a special election to be held on March 10, 2015. The Town will not incur any costs for this election. There are no changes to the franchise that was previously approved. The existing franchise agreement with Arizona Public Service will expire in 2015. The Arizona Constitution requires that utility franchises be approved by the voters. The franchise gives APS the right to use the Quartzsite streets, alleys and other public rights-of-way to construct, maintain and operate its electric facilities in the Town. The franchise requires APS to relocate its facilities without cost to the Town, when APS facilities conflict with the Town's street projects and when the relocation is required by the Town for a governmental purpose. The franchise fee is two percent of the APS revenue from customers within the Town limits.

**Responsible Person:** Skylor Miller, Town Manager

**Attachments:** Resolution and Franchise

**Action Requested:** **Motion to adopt a resolution deeming that a franchise with Arizona Public Service is beneficial for the Town and ordering that the question of approval of the franchise by the voters be placed on the March 10, 2015 ballot.**

**RESOLUTION NO. 14-08**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA, DECLARING THAT THE TOWN COUNCIL DEEMS THE GRANTING OF A CERTAIN FRANCHISE BENEFICIAL FOR THE TOWN OF QUARTZSITE; ORDERING AN ELECTION TO BE HELD ON MARCH 10, 2015 FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE TOWN OF QUARTZSITE THE QUESTION AS TO WHETHER OR NOT A FRANCHISE SHALL BE GRANTED TO ARIZONA PUBLIC SERVICE COMPANY**

WHEREAS, Arizona Public Service Company is desirous of obtaining a franchise with the Town of Quartzsite in the form attached hereto as Exhibit A; and,

WHEREAS, the Town of Quartzsite has determined that the granting of the proposed franchise for Arizona Public Service Company is beneficial to the Town; and,

WHEREAS, the Town of Quartzsite, at the request of Arizona Public Service Company, desires to conduct an election for the purpose of submitting to the qualified electors of the Town of Quartzsite the question of whether the proposed franchise shall be granted.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Quartzsite, Arizona, as follows:

SECTION 1. That the Town Council of the Town of Quartzsite determines that the granting of the franchise proposed by Arizona Public Service Company in the form attached hereto as Exhibit A is beneficial to the Town of Quartzsite and the Town residents.

SECTION 2. That an election is hereby called and ordered to be held in the Town of Quartzsite on March 10, 2015 for the purpose of submitting to the qualified electors of the Town of Quartzsite the question as to whether the franchise under the terms and conditions of the above referenced agreement shall be granted to Arizona Public Service Company.

SECTION 3. That this franchise election be held pursuant to the provisions of the Arizona Constitution and laws of the State of Arizona and Town Code of the Town of Quartzsite.

SECTION 4. That the ballots used at said election shall be substantially in the following form:

*SHALL THE PROPOSED FRANCHISE FOR A PERIOD OF UP TO TWENTY-FIVE (25) YEARS BE GRANTED TO ARIZONA PUBLIC SERVICE COMPANY FOR THE USE OF TOWN RIGHTS-OF-WAY FOR ELECTRIC UTILITY PURPOSES?*

SECTION 5. That the Town Clerk and Town Manager are hereby authorized and directed to publish the proposed franchise and take such other actions required by law to conduct the election.

SECTION 6. That this Resolution supersedes Resolution No. 14-08 adopted on August 12, 2014.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Quartzsite, Arizona this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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

**ATTEST:**

\_\_\_\_\_  
Tina Abriani, Town Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Curtis, Goodwin, Sullivan, Udall &  
Schwab, PLC  
Town Attorneys  
By: Kelly Y. Schwab

FRANCHISE AGREEMENT

BETWEEN

ARIZONA PUBLIC SERVICE COMPANY

AND

QUARTZSITE, ARIZONA

Section 1. - Grant of Franchise:

There is hereby granted to Arizona Public Service Company, a corporation organized and existing under and by virtue of the laws of the State of Arizona (herein called "Grantee"), its successors and assigns, a franchise (herein called the "Franchise") to construct, maintain and operate its electrical system, as defined herein, upon, over, along, across and under the present and future public rights-of-way. These rights-of-way include but are not limited to streets, alleys, ways and highways in the Town of Quartzsite, Arizona (herein called "Town"). Grantee's system includes electric power lines, together with all necessary or desirable appurtenances, including, but not limited to, poles, towers, wires, cables, conduits, transmission lines, transformers, switches and communication lines for its own use. This Franchise is for Grantee's use of Town's public rights-of-way to supply and deliver electric energy to Town, its successors, the inhabitants thereof, and all individuals and entities either within or beyond the limits thereof, for all purposes.

Any street lighting service furnished by Grantee to Town or to any street lighting improvement district within Town shall be the subject of a separate agreement and shall not be governed by the provisions of this Franchise.

This Franchise includes the right to use public rights-of-way for the location of communication lines and appurtenances owned and operated by Grantee incidental to

supplying electric energy under this Franchise. This Franchise does not include the right to use public rights-of-way for one-way transmissions directly to customers, users or subscribers of video programming, if any, which is required for the selection of or response to video programming. For purposes of the foregoing, the term “video programming” means programming provided by or generally considered comparable to programming provided by a television broadcast station. Grantee agrees that if Grantee uses or leases to others, the wires, towers, cables or lines for any purpose other than supplying electric services, before such use or lease, Grantee or Grantee’s lessee shall apply for and obtain a separate license from Town.

Town shall not be liable to Grantee should Grantee construct facilities pursuant to this Franchise in an area over which Town has erroneously exercised jurisdiction.

Section 2. – Grantee’s Compliance with Town Code; Plans Submitted for Approval; Town Construction near Grantee’s Facilities:

Town expressly reserves unto itself, subject to the limitations of the Constitution and laws of Arizona, the right to ensure the safety and welfare of the public, including without limitation to, pass and enforce ordinances to protect the public from danger or inconvenience in the operation of any work performed in the public rights-of-way, including without limitation enforcement of this Franchise.

All construction under this Franchise shall be performed in accordance with applicable codes and ordinances of Town with respect to such public rights-of-way. Such construction shall be completed within a reasonable time. Before Grantee makes any installations in the public rights-of-way, Grantee shall upon request or direction from Town obtain a construction permit and submit for approval a map showing the location of

such proposed installations to the designated Town official. Town and Grantee agree and understand that there may be instances when Grantee is required to make repairs that are of an emergency nature. Grantee shall notify Town prior to such repairs, to the extent practicable, and shall obtain the necessary permits in a reasonable time after notification, showing the work performed in the public rights-of-way.

If Town authorizes either directly or through a contractor any construction project adjacent to or near Grantee's facilities operated pursuant to this Franchise, Town shall include in all such construction specifications, bids, and contracts, a requirement that the contractor or his designee must comply with the overhead power line safety laws (A.R.S. § 40-360.41 *et. seq.* as amended).

Section 3. – Construction and Relocation of Grantee's Facilities; Payment:

All facilities installed or constructed pursuant to this Franchise shall be so located or relocated and so erected as to minimize the interference with traffic, or other authorized uses over, under or through the public rights-of-way. Furthermore, Grantee shall not install, construct, maintain or use its facilities in a manner that damages or interferes with any existing facilities of another utility located in the public rights-of-way and agrees to relocate its facilities, if necessary, to accommodate another facility relocation that has a prior rights interest in the public rights-of-way.

Annually, the Town and Grantee shall provide one another with a general schedule of its known future construction projects in order that construction projects may be coordinated to the extent practicable. Neither party shall finalize the design of any facility without providing the other party notice as set forth in Section 15 below, and a reasonable opportunity to comment. If either party identifies a potential conflict between their

existing facilities and the other party's proposed facilities, said party shall immediately notify the other party of such conflict and the parties shall use their best efforts to resolve such conflict.

Activities related to the construction of Grantee's facilities within the rights-of-way such as traffic control, backfilling, compaction and paving, and the location or relocation of lines and related facilities shall be subject to regulation by Town. Grantee shall keep accurate records of the location of all facilities in the public rights-of-way and furnish them to Town upon request. Upon completion of new or relocation construction of underground facilities in the public rights-of-way, Grantee shall, upon request or direction from Town, provide Town's Engineer with corrected drawings showing the location of the underground facilities in those cases where the actual location differs significantly from the proposed location. Grantee shall provide to Town, upon Town's request, the actual location of such new or relocated facilities in the public rights-of-way in an electronic format. Such format shall conform to utility industry best-practice standards. Grantee shall be required to obtain and pay all required fees and charges for construction permits and inspections of all non-electrical transmission or distribution facilities constructed within Town, including but not limited to, office buildings, storage buildings, or repair shops. Permits for electrical transmission or distribution facilities will be issued at no cost under this Franchise.

- A. If Town requires Grantee to relocate Grantee's facilities which are located in private easements obtained by Grantee prior to Town's acquisition of said property from which the facilities must be relocated, the entire cost of relocating Grantee's facilities (including the cost of purchasing a new

private easement if necessary) shall be borne by Town. Town shall also bear the entire cost of all subsequent relocations of the relocated facilities required by Town, until such time as Town condemns or purchases Grantee's private easement.

B. Except as covered in Paragraph A above, Grantee shall bear the entire cost of relocating its facilities located on public rights-of-way, the relocation of which is necessary for Town's or a contractor of Town carrying out of Town's governmental functions. Notwithstanding the foregoing, if Grantee is requested to perform work of a temporary nature on a governmental project to relieve construction problems which could be relieved by other means, the cost of said temporary work will be borne by Town or Town's contractor working on the governmental project. Governmental functions are those duties imposed on Town, where the duties involve a general public benefit, not in the nature of a corporate or business undertaking for the corporate benefit and interest of Town. Governmental functions include, but are not limited to, the following:

1. Any and all improvements to Town's public rights-of-way;
2. Establishing and maintaining domestic water systems, sanitary sewers, storm drains, and related facilities;
3. Establishing and maintaining municipal parks, parking spaces, parkways, pedestrian malls, or grass, shrubs, trees and other vegetation for the purpose of landscaping any street or public property;

4. Providing fire protection and other public safety functions; and
  5. Collection and disposal of garbage and recyclables.
  6. The relocation of Grantee's facilities necessary to carry out the exercise of the Town's police power for urban renewal.
- C. Town will bear the entire cost of relocating any of Grantee's facilities, the relocation of which is necessitated by the construction of improvements by or on behalf of Town in furtherance of a proprietary function. All functions of Town which are not governmental are proprietary.
- D. If Town participates in the cost of relocating Grantee's facilities for any reason, the cost of relocation to Town shall not include any upgrade or improvement of Grantee's facilities as they existed prior to relocation.
- E. Town will not exercise its right to require Grantee's facilities to be relocated in an unreasonable or arbitrary manner, or to avoid its obligation under the Franchise. Town agrees to notify Grantee during the planning and design of Town's projects in rights-of-way that may require relocation of Grantee's facilities and to coordinate its construction plans and schedules with Grantee to determine the most cost-effective design to mitigate Grantee's cost to relocate its facilities.
- F. Town agrees it will not require Grantee to relocate its facilities located within the public rights-of-way without providing Grantee adequate space within the rights-of-way to relocate the facilities that must be moved.
- G. Town will not plant any tree that can normally grow to a height of more than 25 feet under or adjacent to Grantee's overhead power lines in the public

rights-of-way. Grantee shall have the authority to prune or remove any trees or shrubs located within or hanging over the limits of the public rights-of-way of Town that in the judgment of Grantee may interfere with the construction, or endanger the operation, of the lines and/or facilities of Grantee. All said vegetation management work is to be done at Grantee's expense and pursuant to A.N.S.I. Standard A300.

Section 4. – Indemnification:

Town, its departments, officers, employees, agents, successors and assigns, shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation or maintenance by Grantee of its appurtenances hereunder, except to the extent such accident or damage may be proximately caused by the negligent or willful and wanton acts or omissions of Town, its departments, officers, employees, agents, successors and assigns. The acceptance of this Franchise shall be deemed an agreement on the part of Grantee that Grantee shall, to the fullest extent permitted by law, defend, indemnify, and hold Town harmless from and against any and all claims, costs, suits, damages, judgments, expenses and losses including, but not limited to attorney fees and court costs relating to, arising out of, or alleged to have resulted from the exercise of this Franchise by Grantee; provided, however, that such claims, expenses and losses are not the result of the willful misconduct or negligent acts or omissions of Town:

Grantee, so long as it maintains, operates or owns facilities, within rights-of-way of Town, at its own cost and expense, shall keep, or cause to be kept, in force insurance against claims and liability for personal injury, death and property damage arising from the construction, operation or maintenance by Grantee of its facilities in a reasonable amount

sufficient to insure Grantee's obligations under this Section, with Town named as an additional insured. Grantee shall provide Town with 30 days written notice of material change, cancellation or nonrenewal by the insurer. The policy shall be primary and noncontributing with any policy of Town.

Section 5. – Restoration of Rights-of-Way:

Whenever Grantee shall cause any opening or alteration whatsoever to be made for any purpose in any public right-of-way, the work shall be completed with due diligence within a reasonably prompt time. Grantee will restore the disturbed property to a condition as good as it was prior to such opening or alteration. Town agrees that this requirement shall be deemed met if the disturbed property is restored with comparable materials, so that the restoration meets or exceeds industry and Town standards as adopted by the Town Council.

Section 6. – Franchise Fee:

Grantee shall pay to Town in consideration of the grant of this Franchise a sum equal to two percent (2%) of all revenues of Grantee, including Regulatory Assessments, but excluding transaction privilege taxes and similar governmental impositions, from the retail sales and/or delivery by it of electric energy and other charges for services attendant to the retail sale and/or delivery of electric energy delivered through Grantee's electric distribution system within the present and any future corporate limits of Town, as shown by Grantee's billing records. Grantee shall not, however, pay said franchise fee on revenues charged to Grantee's retail customers by third party electric service providers. Said payments shall be in lieu of any and all fees, charges or exaction of any kind otherwise assessed by Town in any way associated with Grantee's use of the rights-of-way, including

but not limited to, the construction of Grantee's facilities hereunder or for inspections thereof during the term of this Franchise.

For the purpose of verifying amounts payable hereunder, the books and records of Grantee shall be subject to inspection by duly authorized officers or representatives of Town at reasonable times.

Beginning DATE HERE, payment as described in the preceding paragraphs shall be payable in quarterly amounts within 30 days after the end of each calendar quarter.

Notwithstanding the provisions of this Franchise, if during the term of this Franchise Grantee enters into any electric franchise with any other municipality in Arizona during the term of this Franchise that provides for a higher percentage of Grantee's revenues than two percent (2%) or includes more categories of revenues than set forth in this Franchise, Grantee shall notify Town Council of such higher percentage or expanded revenue base. Town Council, at its sole discretion, shall have the option to, as applicable: (i) increase Grantee's franchise fee to the higher percentage rate; or (ii) include other revenue categories set forth in the franchise agreement Grantee has with the other entity of this State. Following Town Council's action, Grantee agrees to henceforth pay to Town a new franchise fee at the higher franchise percentage or to include the additional revenue categories.

Section 7. – Additional Fees and Taxes:

Notwithstanding any provision contained herein to the contrary, Grantee shall pay, in addition to the payment provided in Section 6, the following charges, taxes and fees as established in a code or ordinance properly adopted by Town:

- A. General ad valorem property taxes and special district assessments;

- B. Transaction privilege and use tax as authorized by law and collected by Grantee for its retail sales to its electric customers within the present and any future corporate limits of Town;
- C. Other charges, taxes or fees generally levied upon businesses by Town, provided said charge, tax or fee is a flat fee per year and that the annual amount of such fee does not exceed the amount of similar fees paid by any other businesses operated within Town.

Section 8. – Term:

This Franchise shall continue and exist for a period of twenty-five (25) years from EFFECTIVE DATE HERE; provided, however, that either party may terminate this Franchise on its tenth anniversary by giving written notice of its intention to do so not less than one (1) year before the date of termination. If such notice is given for the purpose of negotiating a new franchise and such negotiation is successful, the party giving the notice of termination shall be responsible for the costs of the resulting franchise election.

Section 9. – Franchise: Non-Exclusive:

This Franchise is not exclusive, and nothing contained herein shall be construed to prevent Town from granting other like or similar grants or privileges to any other person, firm or corporation.

Section 10. – Conflicting Ordinances:

Notwithstanding any other provisions hereof, all ordinances and parts of ordinances in conflict with the provisions hereof, to the extent applicable to a franchised electric public service corporation, are hereby superseded.

Section 11. – Independent Provisions:

If any section, paragraph, clause, phrase or provision of this Franchise, shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Franchise as a whole or any part of the provisions hereof other than the part so adjudged to be invalid or unconstitutional.

Section 12. – Town Use of Facilities:

In consideration of this Franchise and the rights granted hereby, Town shall, if the following six criteria are met, have the right to place, maintain, and operate on Grantee's poles located on public rights-of-way within Town's corporate limits, any and all wires and appurtenances (other than steps or climbing devices) for Town's fire alarm, police telephone or other municipal communications services utilized for governmental functions:

- A. Town must notify Grantee in writing of Town's intended use of Grantee's poles;
- B. Town shall, to the fullest extent permitted by law, defend, indemnify and hold Grantee harmless from any and all claims, costs, damages, expenses and losses, including but not limited to attorney fees and court costs relating to, arising out of, or alleged to have resulted from Town's use of Grantee's facilities pursuant to this Franchise; provided however, that such claims, expenses and losses are not the result of the willful misconduct or negligent acts or omissions of Grantee.
- C. Town's facilities and the installation and maintenance thereof must comply with the applicable requirements of the Occupational Safety and Health Act, the National Electrical Safety Code, and all other applicable rules and

regulations as amended. If Town does not comply with all applicable laws, ordinances and regulations, or if Town's facilities create an immediate safety hazard, Grantee retains the right to remove or correct Town's facilities at Town's expense;

- D. Town's facilities and the installation and maintenance thereof must not cause Grantee's facilities and the installation and maintenance thereof to be out of compliance with all applicable requirements of the Occupational Safety and Health Act and the National Electrical Safety Code and all other applicable rules and regulations as amended. If Town does not comply with all applicable laws, ordinances and regulations, or if Town's facilities create an immediate safety hazard, Grantee retains the right to remove or correct Town's facilities at Town's expense;
- E. Town's use of its facilities shall not interfere with Grantee's use of Grantee's facilities, and;
- F. Town shall be responsible for any incremental costs incurred by Grantee as a result of Town's use of Grantee's facilities.

Section 13. – No Third Party Beneficiaries:

There are no third party beneficiaries to this Franchise agreement between Town and Grantee.

Section 14. – Voter Approval Required:

This Franchise is subject to the approval of the electors of Town. Grantee shall pay all of the costs incurred in conducting the franchise election, except that, if one or more additional propositions are presented to the electors at such election, Grantee shall pay only

that portion of Town's election expense determined by dividing all of Town's expenses by the number of issues presented on the ballot.

Section 15. – Notices:

Any notice required or permitted to be given hereunder shall be in writing, unless otherwise expressly permitted or required, and shall be deemed effective either (i) upon hand delivery to the person then holding the office shown on the attention line of the address below, or, if such office is vacant or no longer exists, to a person holding a comparable office, or (ii) on the third business day following its deposit with the United States Postal Service, first class and certified or registered mail, return receipt requested, postage prepaid, addressed as follows:

- A. To Town: Town Clerk  
Town of Quartzsite  
Quartzsite, Arizona
  
- B. To Arizona Public Service: Franchise Department  
P.O. Box 53999, M.S. 3111  
Phoenix, Arizona 85072-3999

Section 16. – Adoption:

We, the undersigned, have adopted this document on the dates written below in accordance with the results of the Town of Quartzsite, November 4, 2014.

TOWN OF QUARTZSITE

ARIZONA PUBLIC SERVICE  
COMPANY,  
An Arizona Corporation

By \_\_\_\_\_  
Ed Foster  
Mayor

By \_\_\_\_\_  
Daniel T. Froetscher,  
Sr Vice President,  
APS Transmission Distribution &  
Customers  
On behalf of Arizona Public Service  
Company

On behalf of the Town of Quartzsite

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Tina Abriani, Town Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Curtis, Goodwin, Sullivan,  
Udall & Schwab, PLC  
By Susan D. Goodwin  
Town Attorney