



NOTICE OF REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH THURSDAY MARCH 18, 2021 7:00 P.M.

Pursuant to A.R.S. § 38-431.02(B), notice is hereby given to the members of the Town Council and to the general public that the Town Council will hold a Town Council Meeting which is open to the public on Thursday, February 18, 20201 at the Mammoth Community Center located at 101 W. 5th Street, Mammoth, Arizona. The Town Council may hold an Executive Session, A.R.S. § 38-431.03(A)(3) and (4) for legal advice, which will not be open to the public, to discuss any Agenda items set forth below.

Public access to the Mayor and Council Chambers will be restricted in order to prevent a large or close gathering of the members of the public and to promote social distancing. Additionally, some items on the agenda may be shortened, continued to a future meeting or taken out of order. These steps are part of the effort to limit the number of people who must be physically present, or who might desire to be physically present, at the meeting, and to limit the time of the public meeting. No more than 25 members of the public will be admitted on a first come, first seated basis.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
 - A. Possible consideration to excuse Councilmember(s) from Meeting pursuant to Mammoth Town Code 2.04.3
4. CALL TO THE PUBLIC
Pursuant to A.R.S. 38-341 (H)

A public body may make an open call to the public during a public meeting, subject to a three minute limitation to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may

Handicapped individuals with special accessibility needs may contact the ADA Coordinator for the Town of Mammoth at (520) 487-2331 (V/TDD)

ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

5. CONSENT AGENDA

ALL ITEMS SET FORTH BELOW ARE CONSIDERED TO BE ROUTINE MATTERS AND WILL BE ENACTED BY ONE (1) MOTION AND ONE (1) ROLL CALL VOTE OF THE TOWN COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS UNLESS A COUNCILMEMBER SO REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE OF EVENTS.

A. Approval of Staff Recommendations and Reports

(MAY BE SEEN ON LINE AS AN ATTACHMENT TO THIS AGENDA)

1. Police Report
2. Public Works Report
3. Town Manager Report
4. Town Clerk/Treasurer Report
5. Library Report
6. Planning and Zoning Report

B. Approval of Accounts Payable for Payment and Filing

C. Approval of Meeting Minutes

1. Regular Meeting of February 18, 2021

Motion is:

Motion: 1st _____ 2nd _____

Council Action: ___Passed ___Defeated ___Tabled ___No Action Taken

6. OLD BUSINESS

- A. Consideration and Possible Approval of Amendment to Ordinance 14-27-12-5 to Change the Definition of Abandoned Vehicles by Adding the Following: "It shall be presumed the vehicle or part thereof is "abandoned" or is a "junk vehicle" if any of the following conditions exist for more than three (3) consecutive days: The vehicle does not have a current, fully paid registration from the State of Arizona. It is a partially or wholly dismantled vehicle. Cars, Trucks, ATV's, RV's, Golf Carts, are all considered to be vehicles.**

This Code shall apply to a limit of two (2) non-working vehicles. Three (3) plus vehicles of a non-working status shall constitute a

salvage or junk yard and is not allowed in the residential areas of Mammoth.

Motion is: To Amend the Ordinance as stated.

Motion: 1st _____ 2nd _____

Council Action: ___ Passed ___ Defeated ___ Tabled ___ No Action Taken

- B. Consideration and Possible Approval of Amending or Rescinding the 03-25-2020 Town Council Special Meeting Agenda Item B – Closure of Town Buildings and Item C – Moratorium on Utility Disconnects and Other Fees**

Motion is: Amend/Rescind the Policies.

Motion: 1st _____ 2nd _____

Council Action: ___ Passed ___ Defeated ___ Tabled ___ No Action Taken

7. NEW BUSINESS

- A. Ratify Town of Mammoth Mayor and Town Attorney Signing the Intergovernmental Agreement with The Mammoth-San Manuel Unified School District No. 8.**

Motion: Ratify the IGA Approval and Signatures.

Motion: 1st _____ 2nd _____

Council Action: ___ Passed ___ Defeated ___ Tabled ___ No Action Taken

- B. Consideration and Approval of Accepting Councilman Alvaro Anaya's Resignation**

Motion is: Accept Resignation of Mr. Alvaro Anaya

Motion: 1st _____ 2nd _____

Council Action: ___ Passed ___ Defeated ___ Tabled ___ No Action Taken

- C. Consideration and Possible Action to Fill the Vacant Council Position.**

Motion is: Appoint Mr./Mrs. "Citizen" to the Mammoth Town Council.

Motion: 1st _____ 2nd _____

Council Action: ___ Passed ___ Defeated ___ Tabled ___ No Action Taken

D. Consideration and Possible Approval of Amendment to Personnel Policy, Section 31 – L.

Motion is: Amendment to Bereavement Leave by adding to second paragraph to read “grandparent, step-grandparent and grandchild”.

Motion: 1st _____ 2nd _____

Council Action: ___ Passed ___ Defeated ___ Tabled ___ No Action Taken

E. Consideration and Possible Approval of Directing Staff to Explore Joint Action with Kearny and Superior to Provide Animal Control Services to Our Respective Communities.

Motion is: Staff to Research and Liaison with Other Communities re:

Animal Control Services Motion: 1st _____ 2nd _____ Council Action:

___ Passed ___ Defeated ___ Tabled ___ No Action Taken

F. Consideration and Possible Approval of Amendment to Town of Mammoth Ordinance 199.02 AMENDING SECTION 2.04.030, VACANCIES IN COUNCIL TO THE MAMMOTH TOWN CODE Item 8 to Read:

“Ceasing to attend Town Council meetings in person for two consecutive meetings. This section shall not apply if the Council member(s) has furnished a written statement from a physician, physician assistant or nurse practitioner attesting that the personal absence from a Council meeting is medically advisable or necessary;”

Motion is: Approve Amendment to Ordinance 199.02 as presented.

Motion: 1st _____ 2nd _____

Council Action: ___ Passed ___ Defeated ___ Tabled ___ No Action Taken

G. FY 2021 – FY2022 Budget Discussion

8. MAYOR AND COUNCIL COMMENTS

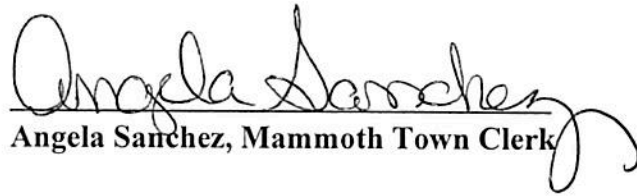
9. Adjourn

Motion is to adjourn this meeting at _____ PM

Motion: 1st _____ 2nd _____

Council Action: ___ Passed ___ Defeated ___ Tabled ___ No Action Taken

The undersigned hereby certifies that a copy of this notice was posted at the Mammoth Town Hall on March 12, 2021 by 5:00 p.m.


Angela Sanchez, Mammoth Town Clerk

Copies of the agenda are available for public inspection at the Mammoth Town Hall and the Mammoth Public Library. Persons with disabilities needing accommodations should contact the Mammoth Town Hall coordinator at (520) 487-2331. If possible, such requests should be made 72 hours in advance.

Town Clerks Report

March 11, 2021

Records Management

Records retention process is ongoing. Estimating it will take approximately 6 months to complete.

Sexual Harassment and Hostile Workplace Training

State Statute requires all supervisory staff, must complete 2 hours and non-supervisory staff must complete 1 hour of sexual harassment training every 2 years. We have scheduled staff trainings for March 26th and March 31st. All elected officials are encouraged to attend. If necessary, we can hold a separate training for elected officials.

Accounting and Policy and Procedures

I am currently working on an Accounting Policy and Procedures because our current policy is either out dated or nonexistent. It will include a Cash Handling Policy to ensure we are practicing appropriate separation of duties.

Audit Report

We have received the draft audit report for FY 20/21. There were 5 corrective measures from 2015 and 2 from 2018 that were never addressed. We have completed a response to the deficiencies and have corrected or are in the process of correcting all 7 issues. I have been working with the auditors to clean up the GL accounts in this years' budget and ensure the upcoming budget process will be streamlined. We have also been preparing to begin the budget process.

Town of Mammoth

Monthly Financial Report to Public

This is a general notice of Total Revenues and Expenses in the General Fund

FOR PUBLIC

Month of February 1 to February 28, 2021

Beginning Balance of \$433,576.60

Revenues/Credits of \$150,791.80

Expenses/Debits of \$180,389.62

Ending Monthly Balance of \$403,978.78

We had a negative monthly amount of \$ 29,597.82

FOR COUNCIL ONLY

Revenues Include

Arizona State Tr Corp Pmt City Sales Tax \$31,234.87

Arizona State Tr Corp Pmt State Sales Tax \$13,782.89

Arizona State Tr Corp Pmt Urban Revenue Sharing \$20,091.32

Arizona State Tr Corp Pmt Hwy User Revenue \$12,215.19

Arizona State Tr Corp Pmt Vehicle License Tax \$ 8,545.32

Misc. Other Revenues/Water, Fees, ect. \$64,921.50

JANUARY STATEMENT for Treasurer Report MARCH 18, 2021

LIBRARY REPORT MARCH 18, 2021

Good Evening,

We at the library are excited to allow patrons back beginning April 1 2021. We have received our first vaccines and will both be fully vaccinated by April 2. It is our understanding that many who receive the second vaccine have experienced some illness therefore we have staggered our 2 shots to allow for one of us to be at the library each day even if illness is the side effect.

We will not be opening the game room up until June 2021 due to the fact it is a small room and there is no way to social distance in that room.

It will be so nice to allow patrons to view all the work we have put into the library over this past year.

Thank you for allowing us time to be fully ready for this opening.

Have a wonderful month and we look forward to each of you coming in to see the library and make use of it, we have a large selection new and old books, movies, tv series, documentaries and much more.

Sharon Christiansen

Librarian

Planning and Zoning Report for March 2021

We are still working on the first set of properties, we now have 8 more on the list to come up as soon as we are able to clear one or two of the current citations.

We must keep this limited to 6 working properties at any one time or we will get lost in dates to comply.

We must follow all timing rules in order to be able file for reimbursement when we complete a property for the owners who do not comply.

I am not adding any new properties at this time, we still have 5 on going.

We will be starting on abandoned vehicle Mid April, this should help Mammoth take on a new cleaner look.

Looking through town we can see that there is a lot of clean up going on, this is wonderful. Please take a moment to let me know when you see a property that you think needs to be on our list. Also please check with me on any property that you may wish to see the status of.

Thank you

Sharon Christiansen

We are still looking for 2 more members on Planning and Zoning

Old Business

John Schempf

From: Claudia Rodriguez <claudia.rodriguez@pinal.gov>
Sent: Thursday, March 11, 2021 4:51 PM
To: j.schempf@townofmammoth.us
Cc: Sharon Christiansen
Subject: GUIDELINE SUGGESTIONS FOR LIBRARY REOPENING

Sharon and I would like to be able to reopen the library together on Tuesday, April 6, 2021. We both have our Covid vaccine 2nd doses coming up on 3/31 and 4/2. The reopening would include a few extra days in case we have symptoms with the 2nd dose.

We would like to be open Tuesdays - Fridays from 12:00-5:00 with limitations:

- Door to remain locked in order to control social distancing during business hours.
- Limit entry to 2 patrons at a time (Many patrons are not vaccinated yet).
- No sitting will be permitted in reading areas at all at this time.
- Patrons will be required to stop at entrance to read posted rules, use hand sanitizer, mask, and disposable gloves (gloves if he/she will be browsing items). We are currently waiting for our order of gloves to arrive.
- No children under 15 allowed without a parent. Due to younger ones not being vaccinated yet and would be difficult to control social distancing. Parents must accompany children at all times. Mask and hand sanitizing rule applies to the children, too.
- ONE computer will be available by appointment only and will be limited to one hour of use. Disinfecting will be done immediately after each use.
- Anybody showing Covid symptoms will not be allowed to enter.

We feel these reopening limitations are crucial in helping stop the spread of Covid in our community, but we are looking forward to seeing our patrons again and having the library made available to them once again. Thank you.

--
Claudia Rodriguez
Mammoth Public Library

What's Changed

If you've been fully vaccinated:

- You can gather indoors with fully vaccinated people without wearing a mask.
- You can gather indoors with unvaccinated people from one other household (for example, visiting with relatives who all live together) without masks, unless any of those people or anyone they live with has an increased risk for severe illness from COVID-19.
- If you've been around someone who has COVID-19, you do not need to stay away from others or get tested unless you have symptoms.
 - However, if you live in a group setting (like a correctional or detention facility or group home) and are around someone who has COVID-19, you should still stay away from others for 14 days and get tested, even if you don't have symptoms.

What Hasn't Changed

For now, if you've been fully vaccinated:

- You should still take steps to protect yourself and others in many situations, like wearing a mask, staying at least 6 feet apart from others, and avoiding crowds and poorly ventilated spaces. Take these precautions whenever you are:
 - In public
 - Gathering with unvaccinated people from more than one other household
 - Visiting with an unvaccinated person who is at increased risk of severe illness or death from COVID-19 or who lives with a person at increased risk
- You should still avoid medium or large-sized gatherings.
- You should still delay domestic and international travel. If you do travel, you'll still need to follow CDC requirements and recommendations.
- You should still watch out for symptoms of COVID-19, especially if you've been around someone who is sick. If you have symptoms of COVID-19, you should get tested and stay home and away from others.
- You will still need to follow guidance at your workplace.

Guidance for Organizing Large Events and Gatherings

Updated Mar. 8, 2021

Languages

[Print](#)

Summary of Recent Changes

Updates as of March 7, 2021

Key Points

- Avoid large events and gatherings, when possible.
- Consider the level of risk when deciding to host an event.
- Promote healthy behaviors and maintain healthy environments to reduce risk when large events and gatherings are held.
- Be prepared if someone gets sick during or after the event.

COVID-19 Cases are Extremely High. Avoid Events and Gatherings.

COVID-19 cases, hospitalizations, and deaths are extremely high across the United States. To decrease your chance of getting and spreading COVID-19, CDC recommends that you do not visit with people who do not live with you at this time. **Attending events and gatherings increases your risk of getting and spreading COVID-19. Stay home to protect yourself and others from COVID-19.**

Gatherings

CDC continues to recommend that large gatherings be avoided, particularly those in which physical (social) distancing cannot be maintained between people who live in different households. This guidance is intended for those who are planning a large event, such as sporting events, concerts, festivals, conferences, parades, or weddings. CDC also has resources for those attending large events and visiting with family and friends.

Risk Factors to Consider

Promoting Healthy Behaviors that Reduce Spread

Event planners should consider implementing strategies to encourage behaviors that reduce the spread of COVID-19 among staff and attendees.

- **Stay Home when Appropriate**
 - Educate event staff and attendees about when they should stay home.
 - Advise event staff and attendees to stay home if they have tested positive for COVID-19, are waiting for COVID-19 test results, have COVID-19 symptoms, or if they have had close contact with a person who has tested positive for or who has symptoms of COVID-19.
 - Develop policies that strongly encourage event staff who are sick to stay at home without fear of reprisal, and ensure staff are aware of these policies.
 - Consider developing flexible refund policies for attendees for events that involve a participation fee. See additional information about Communication, Leave (Time off) Policies, Back-up Staffing, and more in sections below.
 - CDC criteria can help inform staff about when it is okay to end isolation or quarantine:
 - If they have been sick with COVID-19
 - If they tested positive for COVID-19 but had no symptoms
 - If they have recently had a close contact with a person with COVID-19
 - CDC recommends conducting health checks such as temperature screening and other symptom checking of staff and attendees in a way that is safe and respectful, and in accordance with any applicable privacy laws and regulations. It is important to keep in mind that temperature screening and screening of symptoms alone may not prevent someone from attending the event who has COVID-19.
- **Physical (Social) Distancing**
 - Adjust the size of an event based on the ability of attendees from different households to stay 6 feet (2 arm lengths) apart.
 - Remind attendees upon arrival to stay at least 6 feet away from people who don't live with them.
 - Discourage attendees and staff from greeting others with physical contact (for example, handshakes). Include this reminder on signs about physical distancing.
 - Find additional information below about how to modify layouts and maintain healthy environments.
- **Masks**
 - Require that staff and attendees wear well-fitting masks that fit completely over their nose and mouth. Make a plan beforehand for how compliance will be monitored and ensured.
 - Encourage attendees ahead of the event to bring and use masks at the event. Consider having masks on-hand to provide to staff and attendees who do not bring their own.
 - Advise staff and attendees that masks should **not** be placed on babies or children younger than 2 years old, anyone who has trouble breathing, or anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.

- The following categories of people are exempt from the requirement to wear a mask:
 - A child under the age of 2 years.
 - A person with a disability who cannot wear a mask, or cannot safely wear a mask, for reasons related to the disability.
 - A person for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the workplace [risk assessment](#) [external icon](#).
- **Hand Hygiene and Respiratory Etiquette**
 - Require staff and attendees to [wash their hands](#) frequently (for example, before, during, and after taking tickets, or after touching garbage) with soap and water for at least 20 seconds and increase monitoring to ensure adherence.
 - If soap and water are not readily available, staff and attendees can use hand sanitizer that contains at least 60% alcohol and rub their hands until dry.
 - Encourage guests to avoid singing or shouting, especially indoors. If possible, keep music levels down so people don't have to shout or speak loudly to be heard.
- **Adequate Supplies**
 - Ensure that you have adequate supplies to support [healthy hygiene](#) [pdf icon](#) [290 KB, 2 pages] Supplies include soap, water, hand sanitizer containing at least 60% alcohol, a way to dry hands (e.g., paper towels, hand dryer), tissues, disinfectant wipes, masks (as feasible), and no-touch trash cans.
- **Signs and Messages**
 - Post [signs](#) in highly visible locations (for example, at entrances, in restrooms) that promote everyday protective measures and describe how to [stop the spread](#) [pdf icon](#) [468 KB, 1 page] of germs by [properly wearing a mask, physical distancing, and washing hands](#).
 - Broadcast regular [announcements](#) on reducing the spread of COVID-19 on public address systems.
 - Include messages (for example, [videos](#)) about behaviors that prevent spread of COVID-19 when communicating with staff, vendors, and attendees (such as on the invitation, on the event website, and through event [social media accounts](#)).
 - Consider developing signs and messages in multiple languages and formats (for example, large print, braille, American Sign Language) for people who have limited vision or are blind or people who are deaf or hard of hearing.
 - Learn more about reaching people of diverse languages and cultures by visiting: [Know Your Audience](#).
 - Find freely available CDC print and digital resources about COVID-19 on [CDC's communications resources](#) [main page](#).

The entire article can be found at:

<https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/considerations-for-events-gatherings.html>

OLD BUSINESS 6 B

Discussion and Possible Authorization of Termination of Moratorium on Utility Disconnections and Assessment of Late Fees for Water, Sewer and Sanitation Service During Corona Virus Pandemic.

Action Item: Authorize Termination of Moratorium on Utility Disconnections and Assessment of Late Fees for Water, Sewer and Sanitation Service During Corona Virus Pandemic.

Council Action: _____ Pass, _____ Defeated, _____ Tabled

Discussion and Possible Authorization of Termination of Moratorium on Convenience Fees for Water, Sewer and Sanitation Service During Corona Virus Pandemic.

Action Item: Authorize Termination of Moratorium on Convenience Fees for Water, Sewer and Sanitation Service During Corona Virus Pandemic.

Council Action: _____ Pass, _____ Defeated, _____ Tabled



**TOWN OF MAMMOTH
MINUTES OF A REGULAR MEETING
OF THE MAMMOTH TOWN COUNCIL
HELD ON
FEBRUARY 18, 2021**

**These are the Minutes of a Regular Meeting held by the Mammoth Town Council
On February 18, 2021 pursuant to the notice required by Law.**

Due to the COVID-19 Virus and our efforts to slow the spread, and to keep all members and attendees safe in this time of crisis. We require that all those in attendance are Masked and adhering to Social Distancing Measures.

Some Council Members are appearing by Telephonic means.

1. **CALL TO ORDER** – This meeting was called to order at 7:00 PM Mayor Armenta
2. **PLEDGE OF ALLEGIANCE** Lisa Armenta
3. **ROLL CALL**

PRESENT MEMBERS

Mayor Armenta
Vice Mayor Martinez
Councilman Anaya (T)
Councilman Bustamante (T)
Councilman Martinez
Councilman Adams
Councilman Brewer

PRESENT STAFF

Attorney S Cooper
Town Manager J. Schempf
Town Clerk A. Sanchez
Police Chief R Lujan
Town Recorder S. Christiansen

ABSENT MEMBERS

(T) Attending by Telephonic Means

4. **CALL TO THE PUBLIC** No-one For Call to the Public
5. **CONSENT AGENDA**

A. Staff Recommendations and Reports

Town Clerk/Treasure Report
Police Report
Public Works Report
Library Report
Planning and Zoning Report
Town Managers Report

Councilman Brewer requests to pull the police and public works reports for a discrepancy between the two reports. Police Report states no accidents, yet there was an accident involving Public Works that was investigated by Mammoth PD, Shouldn't that say at least one accident? Also concerned with Mammoth PD investigating Mammoth Town Vehicle Accidents, should be an outside agency. Also, we know nothing about what happened, was anyone hurt, we just don't know. Chief Lujan responds explaining that

Handicapped individuals with special accessibility needs may contact the ADA Coordinator for the Town of Mammoth at (520) 487-2331 (V/TDD)

the statistical report is for the previous month which would be January and the accident occurred in February. Also addressed Mammoth PD investigating accident noting that any may obtain a copy of the report if they wish to. Mammoth PD investigates all incidents completely and files all reports, there would be no need to call an outside agency. Mr. Schempf spoke of the accident and its status at present. Vice Mayor Martinez Clarifies for the record= Public Works report reflects that the accident took place of February 3, 2021 and the Police Report reflects the month of January. This may be where some of the confusions is coming from.

B. APPROVE ACCOUNTS PAYABLE For Payment and Filing

C. APPROVAL OF MEETING MINUTES

Regular Meeting January 18, 2021 Work Session

Regular Meeting January 18, 2021

Vice Mayor Martinez Requests that the Police and Public Works Reports be Pulled along with the Town Manager Report to get more information on the February 3 incident.

Motion to Approve Consent Agenda (less the items Pulled for Q&A)

Motion by: Vice Mayor Martinez

Second By: Councilman Martinez

Roll Call Vote

Mayor Armenta	YES	Vice Mayor Martinez	YES
Councilman Anaya	YES	Councilman Bustamante	YES
Councilman Martinez	YES	Councilman Adams	YES
Councilman Brewer	YES		

Motion Passed Vote 7-0

TOWN MANAGERS REPORT-J SCHEMPF-Speaks of Council training coming up on March 4th at 2pm. Personnel from League of Cities and Towns will present the training and then at 3pm we will begin our budget talks. Also on the 18th and the 31st will be working on the budget. Something you may not have been aware of is that our Town Hall Property was up for Sale (Auction) by the School District. Vice Mayor Martinez discovered it in the Miner. Our new Town Clerk Angie Sanchez, through her contacts in Pinal County she was able to locate the title in the name of the Town of Mammoth. Found that it had been transferred to us but had not been recorded properly. She was able to get it recorded properly and we now have good title to the Town Hall Property. Thank you to Angie Sanchez. Next, Mammoth is showing 177 cases of Covid, this means 1 in every 10 people in Mammoth have tested positive for Covid. (Gave a detailed explanation of the Public Works Accident of Feb. 3rd, 2021. It is being investigated by our insurance company at this time. No one has been cited at this time.)

Motion to Accept Public Works and Town Manager Reports

Motion by: Vice Mayor Martinez

Second by: Councilman Adams

Motion Passed Vote 7-0

POLICE REPORT-CHIEF LUJAN-Statistical Report for January 1-31, 2021

Sgt. Green has been working with Public Works and Planning/Zoning to clean up some of the properties in town. The drive through prescription drop off event went very well. Happy to announce that all of our officers have completed their yearly proficiency training. There are still a few more trainings upcoming but we are looking good. Officer was given an Award for Pinal County Victim's Rights, for being instrumental in the conclusion of a kidnapping case. Congratulations and Thanks to Officer Chase.

Motion to Accept Public Works and Town Manager Reports

Motion by: Vice Mayor Martinez

Second by: Councilman Martinez

Motion Passed Vote 7-0

6. OLD BUSINESS

A. Consideration and Possible Approval of Marijuana Public Records Resolution and Ordinance

Motion to Table for Next Meeting with more information from Planning and Zoning and Police

Motion by: Vice Mayor Martinez		Second by: Councilman Martinez	
Mayor Armenta	YES	Vice Mayor Martinez	YES
Councilman Anaya	NO	Councilman Bustamante	YES
Councilman Martinez	NO	Councilman Adams	YES
Councilman Brewer	YES		

Motion Tabled Vote 5-2

B. Consideration and Possible Direction to Staff to Draft Ordinance for Changes to Council Attendance Policy

There was much discussion on this issue the result is as follows:

Motion is to Direct Staff TO DRAFT POLICY CHANGE TO INCLUDE TELEPHONIC PARTICIPATION. Amend Ordinance 199 to include if Council Member attends by telephone for more than 2 consecutive meetings without a doctors note will be considered a vacancy in council.

Motion by: Vice Mayor Martinez Second by: Councilman Adams
Vice Mayor Martinez has amended her Motion to add: If a Council Member is not appearing in person and has a doctors note, but is seen in a manner that does not comply with the doctor order, that will also be reason for a vacancy in council.

Motion was again Second by Councilman Adams

Mayor Armenta	YES	Vice Mayor Martinez	YES
Councilman Anaya	NO	Councilman Bustamante	NO
Councilman Martinez	YES	Councilman Adams	YES
Councilman Brewer	YES		

Motion Passed Vote 5-2

C. Consideration and Possible Approval of Limited Re-opening the Library and Police Department.

After a short discussion it was agreed to allow the library and Police department to stay closed until next months meeting when it will be readdressed.

Motion is to Table this Agenda Item for March Meeting

Motion by: Councilman Brewer		Second by: Vice Mayor Martinez	
Mayor Armenta	YES	Vice Mayor Martinez	YES
Councilman Anaya	YES	Councilman Bustamante	YES
Councilman Martinez	YES	Councilman Adams	NO
Councilman Brewer	YES		

Motion Tabled Vote 6-1

7. NEW BUSINESS

A. Consideration and Possible Approval of a Comprehensive Town wide plan to Enforce Zoning Ordinances in a Major Effort to Improve the Community's Appearance and Pride

Motion is to Approve a Comprehensive Town wide plan to Enforce Zoning Ordinances in a Major Effort to Improve the Community's Appearance and Pride.

Motion by: Vice Mayor Martinez Second by Councilman Brewer
Motion Passed 7-0

- B. Consideration and Possible Approval of Document Control Policy**
Motion is to Approve the Document Control Policy
Motion by: Vice Mayor Martinez Second by Councilman Martinez
Motion Passed 7-0
- C. Consideration and Possible Approval of County Excise Tax Policy**

Motion is to Approve the County Excise Tax Policy
Motion by: Vice Mayor Martinez Second by Councilman Martinez
Motion Passed 7-0
- D. Consideration and Possible Approval of Water/Waste-Water Operator Contract**

Motion is to Approve Water/Waste-Water Operator Contract
Motion by: Vice Mayor Martinez Second by Councilman Martinez
Motion Passed 7-0
- E. Possible Approval of Employment Law Contract with Pierce Coleman**

Motion is to Approve Employment Law Contract with Pierce Coleman
Motion by: Vice Mayor Martinez Second by Councilman Martinez
Motion Passed 7-0
- F. Consideration and Possible Approval of Authorizing Town Manager to sign Partnership Documents for the 21st Century Community Learning Center Program-Lisa Armenta**

Motion is to Approve Authorizing Town Manager to sign Partnership Documents with the 21st Century Community Learning Center Program
Motion by: Vice Mayor Martinez Second by Councilman Martinez
Motion Passed 7-0
- G. Consideration and Possible Approval Exploring Alternative Funding/Acquisition of Newer Police Vehicle.**
Motion is to Approve Exploring Alternative Funding/Acquisition of Newer Police Vehicle.

Motion by: Vice Mayor Martinez Second by Councilman Martinez
Motion Passed 7-0
- H. Consideration and Possible Approval of Removing "Interim" from Town Manager Title**

Motion is to Approve of Removing "Interim" from Town Manager Title
Motion by: Vice Mayor Martinez Second by Councilman Martinez
Motion Passed 7-0
9. EXECUTIVE SESSION-Not needed during this meeting
10. Adjourn
Motion is to adjourn meeting at 9:00 PM
Motion by: Councilman Adams Second by: Councilman Martinez
Motion Passed Vote 7-0

I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held February 18, 2021. I further certify that the meeting was duly called and held.

John Schempf, Town Manager

New Business

INTERGOVERNMENTAL AGREEMENT

BETWEEN

THE MAMMOTH-SAN MANUEL UNIFIED SCHOOL DISTRICT NO. 8

AND

THE TOWN OF MAMMOTH

This Intergovernmental Agreement ("IGA") is made by and between the Mammoth-San Manuel Unified School District No. 8, a political subdivision of the State of Arizona (the "District") and the Town of Mammoth, an Arizona municipal corporation (the "Town"). The District and the Town are from time to time referred to in this Agreement individually as a "Party," and collectively as the "Parties."

1. PURPOSE

The purpose of this Agreement is to provide the terms, conditions and framework whereby the Parties desire to clarify any previous discrepancies or confusion as to ownership by the Town of the property described in this Agreement ("Town Property") by street address and legal description that will permit MSMUSD to proceed with a Special Election on May 18, 2021 regarding other properties owned by MSMUSD.

2. LEGAL AUTHORITY

A. Arizona Revised Statutes §§ 11-951 and 11-952 authorize intergovernmental agreements by and between political subdivisions and political agencies such as the District and the Town. Further, the District is authorized by Arizona Revised Statutes §§ 15-342 and 15-491 to enter into intergovernmental agreements with other districts or governmental entities regarding sale, lease or exchange of real property.

B. A town may sell a parcel of real property to another political subdivision

without following the procedures prescribed in A.R.S. § 9-407 (B). A notice of intent to exchange or sell any property shall be published pursuant to A.R.S. § 39-204 before the sale. A.R.S. § 9-407.

3. RECITALS

A. The District and the Town desire to clarify the Town's ownership of the Town Property located at 125 N. Clark Street, Mammoth, Arizona 85618 with legal description:

Parcel 307-16-0510

Lots Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), in Block Five(5), MAMMOTH, according to the plat recorded in the office of the County Recorder of Pinal County, Arizona, on May 10, 1917, in Book 16 of Miscellaneous, Page 218.

In 1956, the District transferred ownership of the Town Property to the Lion's Club of Mammoth, AZ. (Attached Exhibit A, Bargain and Sale Deed, June 23, 1956). By Deed dated August 11, 1958, the Lion's Club transferred ownership of the Town Property to the Town of Mammoth, which had incorporated as a municipal corporation. (Attached Exhibit B, Deed, Pinal County Recorder No. 175330)

B. The District published a Mailed Ballot Election Notice and Call of Special Election on February 10, 2021 to be held on May 18, 2021 to permit qualified voters to vote on authorizing the District to sell, lease or exchange District-owned parcels of real property described in the Notice and to use the proceeds of any sale, lease or exchange to improve the current PreK-12 school site and/or equip and furnish the currently used school site for effective instruction.

C. The District learned after publishing the Notice of Special Election that the Town Property had erroneously been listed by the County Assessor as property owned by the District for valuation purposes and that the District had also incorrectly been designated as the responsible taxpayer for the Town Property for an as yet undetermined number of years.

D. The District inadvertently relied upon that information and incorrectly included the Town Property in its Notice of School Site Sale Election as one of the District-owned properties for which voter authorization was being sought.

E. The District, because of financial necessity due to declining enrollment, the

changing economic environment of the District, and the impact caused by the national emergency created by the spread of the coronavirus, desires to sell District-owned properties no longer suitable for or utilized as school sites to improve the District's budget situation.

F. The Town wants appropriate clarification and resolution of any confusion regarding ownership of the Town Property and that it has no intention of selling, leasing or exchanging the Town Property without impacting the ability of the District to take steps to improve its budget situation as to property owned by the District.

G. The Parties appreciate the need to provide the maximum benefit to the Mammoth community.

Based upon the foregoing findings, the Parties agree as follows:

3. AGREEMENT

District Responsibilities:

A. Shall confirm with the Pinal County Recorder's Office and the Pinal County Assessor's Office that all necessary records have been corrected to accurately reflect the legal ownership of the Town Property by the Town, and shall file and/or record any documents requested by the County Recorder and/or County Assessor deemed necessary to accurately state the public record of the correction.

B. Agrees to inform and educate its Governing Board, employees, and necessary government agencies of the correction of the terms, conditions, and requirements contained within this Agreement in reference to respective Parties' specific obligations and responsibilities in an effort to maintain a collaborative, positive, and productive working relationship with each other.

C. Work with the Town to provide necessary community outreach to assure Mammoth community members and businesses regarding the correction as to ownership of the Town Property.

D. Publish notice on the District's website of the Town's legal title to and ownership of the Town Property and that the Town Property is not a property owned by or to be marketed by the District.

E. The District specifically disclaims any ownership interest in the Town Property and that it will not entertain offers to buy, lease or exchange the Town Property.

Town Responsibilities:

A. Agrees that the Special Election called by the District for May 18, 2021 may go forward without further amendment to the Election Notice and other Election documents that erroneously indicated that the District owned the Town Property.

B. Acknowledges and accepts the District's disclaimer of any ownership interest in the Town Property and that the District will not entertain offers to buy, lease or exchange any of the Town's interest in the Town Property.

C. Shall confirm with the Pinal County Recorder's Office and the Pinal County Assessor's Office that all necessary records have been corrected to reflect the correct legal ownership of the Town Property by the Town, and will file and record any documents requested by the County Recorder and/or County Assessor to reflect that correction, if deemed necessary.

D. Agrees to inform and educate its Town Council, employees, and necessary government agencies of the correction and any terms, conditions or requirements contained within this Agreement in reference to respective Parties' specific obligations and responsibilities in an effort to maintain a collaborative, positive, and productive working relationship with each other.

E. Work with the District to provide necessary community outreach to the Town of Mammoth community members and businesses regarding the correction as to ownership of the Town Property.

Responsibilities of both Parties:

A. Dispute. If a claim or dispute arises as to the terms and conditions of this Agreement, the Superintendent of the District and the Town Manager shall meet and resolve any disputes or concerns prior to the matter coming before the Governing Board or Council of the respective bodies. Any claim or dispute not so resolved shall be submitted to arbitration or mediation in Pinal County. In the event of a breach of this Agreement, the non-breaching Party may pursue all remedies under the laws of the State of Arizona and shall be entitled to reasonable attorney fees and costs.

B. Records. Each Party shall retain all books, accounts, reports, files, and other records relating to the performance of the Agreement and to make such documents open to inspection and audit by the other Party at reasonable times.

C. Severability. Should any part of this Agreement be held to be invalid or void, the remainder of the Agreement shall remain in full force and effect with those offending portions omitted.

D. Governing Law. This Agreement shall be construed under the laws of the State of Arizona.

E. Rights/Obligations of Parties Only. The terms of this Agreement are intended only to define the respective rights and obligations of the Parties. Nothing expressed in this Agreement shall create any rights or duties in favor of any potential third-party beneficiary or other person, agency, or organization.

E. Certification of Authority. The persons executing this Agreement on behalf of the Parties hereby represent and guarantee that they have been authorized to do so on behalf of themselves and the entity they represent. Further representation is made that due diligence has occurred, and that all necessary internal procedures and processes, including compliance with the open meeting law where necessary, have been satisfied in order to legally bind the Parties to the terms of this Agreement.

F. Non-Assignability. Neither Party may assign any right or delegate a duty or responsibility under this Agreement without the prior written consent of the other Party.

G. Compliance with Non-Discrimination Laws. To the extent applicable, the Parties shall comply with all non-discrimination policies and all state and federal non-discrimination laws and regulations.

H. E-verify Immigration. The Parties warrant, and represent to each other, that they are in compliance with A.R.S. §§ 41-44-01 and 23-214, the Federal Immigration and Nationality Act (FINA), and all other federal immigration laws and regulations.

I. Entire Agreement. This Agreement constitutes the entire agreement between the Parties, and all prior or contemporaneous agreements, whether oral or in writing, are superseded by this Agreement. There are no other representations or other provisions than those contained in this Agreement. Any amendment or modification of this Agreement shall be made in writing and signed by the

designated representatives for the Parties to this Agreement.

Notices: All notices given or to be given by either party to the other shall be given in writing and shall be addressed to the parties at the addresses hereinafter set forth. All notices shall be deemed received upon actual receipt. Notices shall be addressed as follows:

Town of Mammoth
125 N. Clark Street
Mammoth, Arizona 85618
Attention: Town Manager

Mammoth-San Manuel Unified School District #8
711 McNab Parkway
San Manuel AZ 85631
Attention: District Superintendent

IN WITNESS WHEREOF, the Parties have executed this Agreement this _____ day of _____, 2021.

MAMMOTH-SAN MANUEL
UNIFIED SCHOOL DISTRICT #8

TOWN OF MAMMOTH

By: _____

By: Patricia Armenta

Terry Newman
Governing Board President

Patricia Armenta
Mayor

ATTEST:

ATTEST:

By: _____
Governing Board Clerk

By: _____
Town Council Clerk

The undersigned attorneys have determined that this Agreement is in proper form and is within the power and authority of the respective Parties under the laws of the State of Arizona.

By: _____

James W. Fritz, Attorney for District

By: 

Steven R. Cooper, Town Attorney

RECEIVED

3/31/21
1:08 P.M.

Alvaria

To Town Manager
As of March 1st
2021 I, Alvaro Anaya
am resigning from
the town council.

Thank you
Alvaro C. Anaya

An employee receiving temporary disability payments under the workman's compensation laws may use accumulated sick leave in order to continue to maintain his or her regular income. However, all employees receiving full salary in lieu of temporary disability payments shall remit any funds received under workman's compensation to the Town. An employee receiving workman's compensation and not supplementing their income with sick leave shall not accrue sick or vacation leave or receive pay for holidays for any pay period they do not actually perform their duties. The employee's accumulated sick leave shall be used until it is exhausted. Thereafter, vacation time may be used until it is exhausted.

No employee shall receive sick leave as a result of a job injury or disease incurred while employed by someone other than the Town of Mammoth.

J. Catastrophic Sickness

Employees shall be allowed an additional five (5) days sick leave per year for catastrophic sickness. This leave can only be used while confined in a hospital or recuperation at doctor's orders, for major surgery that involves the physical health of the employee. These additional five (5) days shall not accumulate. This will only be effective after all other leave is exhausted.

K. Return to Duty

A certification from a licensed physician or practitioner allowing an individual to return to work is required for any absence, due to illness or injury, when it is determined by the Department Head that one is necessary to establish that an employee is fit to perform his/her duties.

L. Bereavement Leave

A regular or probationary full-time employee may be granted paid bereavement leave due to a death in the immediate family.

For the purpose of this section the term immediate family means the employee's spouse, child, stepchild, mother, father, sister, brother, mother-in-law, father-in-law, brother-in-law, sister-in-law, step-parent-in-law, grandparent and grandchild.

The amount of bereavement leave is limited to three (3) days.

If the employee wishes to take leave beyond three (3) days, an additional 2 days may be charged to sick leave.

Bereavement leave can be used by employees with more than six (6) months of service.

M. Military Leave

Military leave shall be granted in accordance with the provisions of State Law. All employees entitled to military leave shall give their supervisors an opportunity, within the limits of military regulations, to determine when such leave shall be taken.

Tentative Budget Calendar & Deadlines

- Mar. 18, 2021** - **Meeting with Council to discuss priorities for Budget and any possible Capital Improvement Projects (CIP) for FY 21/22**
- Mar. 19-31, 2021** - **Meet with department heads to discuss priorities for FY 21/22**
- April 15, 2021** - **Budget Study Session with Council**
- Apr 19-May 7** - **Meet with department heads to finalize priorities for FY 21/22**
- May 20, 2021** - **Update of current budget and Final Budget Study Session with Council**
- *June 1, 2021** - **Adoption of FY 21/22 Tentative Budget**
(Note: Sets maximum limits for expenditures, can be reduced but not increased in Final Budget)
- Jun 2, 2021** - **Post Adopted FY 21/21 Tentative Budget on Town Website**
(within 7 days of adoption) for 60 months and make copies available to the public in Town Hall
- June 2-Jun 16** - **Publish Adopted FY 21/22 Tentative Budget Schedule A**
(must include Truth in Taxation, primary and secondary property tax levies, final adoption hearing date and budget public hearing date) for two consecutive weeks in local newspaper
- Jun 17, 2021** - **Special Meeting Public hearing on Property Tax Levy and Final Budget**
- *July 1, 2021** - **Adoption of FY 21/22 Final Budget and Tax Levy**
- July 2, 2021** - **Post Adopted FY 21/21 Final Budget on Town Website**
(within 7 days of adoption for 60 months and make copies available to the public in Town Hall
- July 19, 2021** - **Deadline for Adoption of FY 21/22 Tentative Budget**
- Aug. 2, 2021** - **Deadline for Adoption of FY 21/22 Final Budget**
- Aug. 16, 2021** - **Deadline for Adoption of FY 21/22 Property Tax Levy**

***Meetings not regular council meeting dates (Note: Meetings involving Council will be held in the evening).**