



NOTICE OF REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH THURSDAY DECEMBER 16, 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 the Regular Town Council Meeting which is open to the public on Thursday, December 16, 2021 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.

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 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. Presentation for Helicopter Service Contract by Louise Sandoval of PHI Cares.
6. **CONSENT AGENDA**

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

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

- B. Approval of Accounts Payable for Payment and Filing**
 - 1. Accounts Payable for December**

- C. Approval of Meeting Minutes**
 - 1. Special Meeting of October 11, 2021**
 - 2. Work Session of November 16, 2021**
 - 3. Regular Meeting of November 18, 2021**
 - 4. Special Meeting of December 7, 2021**

Motion is: Approve Consent Agenda

Motion: 1st _____ 2nd _____

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

7. OLD BUSINESS

- A. Discussion and Possible Action to Approve Final Revisions to the Mammoth Town Council Policies and Code of Ethics**

- B. Motion is: Approve Final Revisions to the Mammoth Town Council Policies and Code of Ethics**

Motion: 1st _____ 2nd _____

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

- C. Consideration and Possible Action to Approve Appoint New Commissioners**

Motion is: Approve Appoint New Commissioners

Motion: 1st _____ 2nd _____

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

8. NEW BUSINESS

- A. Discussion and Possible Action to Approve Request to Post the Council Agendas at the Post Office**

Motion is: Approve Request to Post the Council Agendas at the Post Office

Motion: 1st _____ 2nd _____

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

- B. Discussion and Possible Approval to Sign Intergovernmental Transportation Funding Agreement Between the Pinal Regional Transportation Authority and the Town of Mammoth for Design and Construction of Improvement in Connection with a Local Roadway Element**

Motion is: Approve to Sign Intergovernmental Transportation Funding Agreement Between the Pinal Regional Transportation Authority and the Town of Mammoth for Design and Construction of Improvement in Connection with a Local Roadway Element

Motion: 1st _____ 2nd _____

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

- C. Discussion Regarding Calls to Mammoth Police Department and the Necessity to have a Formal Report on all Calls.**

Discussion Only

- D. Discussion on the Possibility of a Site for Electric Car, Propane, C.N.G. Vehicle Charging Station within the Town**

Discussion Only

- E. Discussion and Possible Approval to Move Recycling Site on Main Street to Alternate Site**

Motion is: Approval to Move Recycling Site on Main Street to Alternate Site

Motion: 1st _____ 2nd _____

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

- F. Discussion and Approval to Contract for Dispatch Services with:**
a. Pinal County Sheriff's Office or
b. Town of Kearny

Motion is: Approve to Contract with Outside Agency for Dispatch Services

Motion: 1st _____ 2nd _____

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

9. MAYOR AND COUNCIL COMMENTS

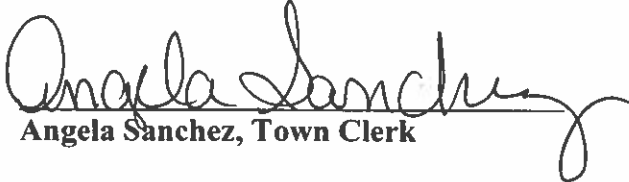
10. ADJOURN

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 December 10, 2021 by 5:00 p.m.


Angela Sanchez, 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.

December 1, 2021

Mr. John Schempf
Town Manager
PO Box 130
Mammoth, AZ 85618

Emergency Air Medical Membership Proposal – The City of Mammoth, Arizona

Introduction: This proposal is made by PHI Air Medical for The City of Mammoth, Arizona on December 1, 2021, regarding city-wide participation in the PHI Cares membership program. PHI provides medically necessary emergency air medical transportation. A PHI Cares membership covers the uninsured or otherwise uncovered portion of the flight charges which may be incurred by members requiring medically necessary emergency air medical transportation on a PHI aircraft.

Purpose: PHI Air Medical is offering The City of Mammoth, Arizona a special rate to cover The Incorporated City of Mammoth residents through the PHI Cares program in accordance with the terms and conditions set forth below and stated in a defined service agreement entered into between the two parties. All standard terms and conditions of the PHI Cares program shall be applicable to The City of Mammoth except as otherwise set forth in the service agreement between the two parties. Our standard terms and conditions may be viewed on our website at: www.PHICares.com.

In the event a qualified resident of The City of Mammoth, Arizona is transported from the City of Mammoth or Pinal County by PHI Air Medical, they will not have any out-of-pocket expense for their PHI Air Medical transport. The city membership will cover all of the air medical expenses for a resident's PHI Air Medical transport.

Membership Fee: For and in consideration of the services described above, the annual membership fee for 508 households and the household dependents of these residents will be \$7.00 per household, per year for a total of \$3,556.00. This is an annual fee, with no monthly charges, sign-up fees, or additional taxes.

Terms of Proposal: This proposal is valid through March 31, 2022. Upon acceptance, it will be replaced by a service agreement. The provision of PHI Cares membership for The City of Mammoth as outlined in this proposal will be subject to (i) The City of Mammoth's verbal or written acceptance of this proposal, and (ii) PHI Air Medical's receipt and approval of a fully executed service agreement between the two parties.

*Membership is not an insurance product and does not pay for services provided by any ground ambulance provider or any other transport provider. Membership and renewal fees are subject to change.

Thank you for your consideration of this life-saving emergency air medical benefit for the residents of The City of Mammoth, Arizona.

Sincerely,
Brian Coutts

Brian Coutts
Program Director
PHI Cares Membership Program
2800 N. 44th Street
Phoenix, AZ 85008
Office: 602.224.3562 Cell: 480.510.2945
BCoutts@PHIAirMedical.com
www.PHICares.com



PHI AIR MEDICAL OVERVIEW

TOWN OF MAMMOTH





Air Medical Industry Overview



550,000 + air ambulance flights every year



1,506 per day



63 flights every hour



1 flight every minute



PHI Air Medical Serving Pinal County

- PHI, Inc. began in 1949 in the offshore oil and gas industry and later expanded into Air Medical.
- Servicing Arizona since 1969.
- Headquartered in Phoenix, AZ.
- PHI has 63 community Air Medical bases Nationwide and 83 total Air Medical bases total.
- We provide air medical services, and outreach education to local communities and leading healthcare systems.





Commitment to Safety

- PHI Air Medical Ambulances are CAMTS Accredited, ensuring that all PHI pilots, personnel, and aircraft meet much higher standards than required.
- PHI Air Medical has been awarded the Vision Zero Safety Award twice for our leadership in improving the safety of air medical transport.





Our Base and Flight Crews 24/7/365

- Flight Paramedic FP-C
- Certified Flight Registered Nurse CFRN
- Pilot
- Mechanic
- Medical Director

Our Air Medical personnel have an expanded scope of practice necessary to effectively treat patients.





Medical & Safety Equipment

Over 30 Medicines

Transport Ventilator

IV Pumps

Fetal Monitor

TXA (medication used to treat or prevent excessive blood loss)

Cardiac Monitor/Defibrillator

Autopilot and Stability Augmentation Systems

Helicopter Terrain Awareness Systems

Night Vision Goggles



Types of Patients Typically Transported

- Traumas
- Cardiac/Heart Attacks
- Strokes/Neuro
- High Risk OB
- Burns
- Pediatric/NICU



PHI Air Medical's Emergency Perinatal Transport Team proudly serves communities across Arizona. Providing specialized care for 85% of Arizona's High-Risk OB and Neonatal Intensive Care patients.



Coordination of Patient Destination



Appropriate Facility
for the Patient's
Condition



Interfacility
transports to a
higher level of care



Patient Preferences



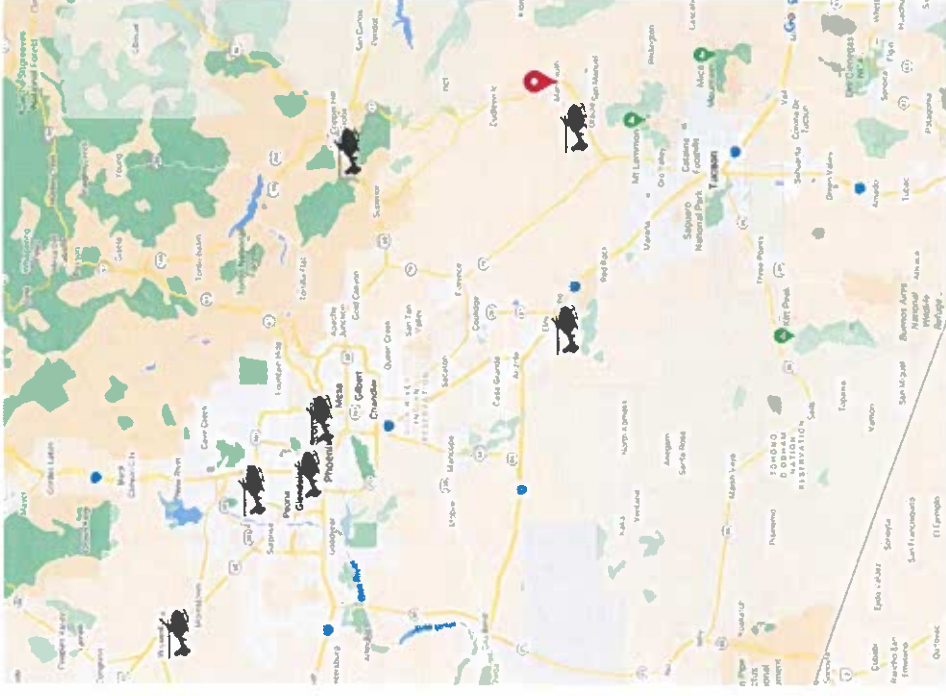
Weather Conditions
& Range



Flight Time to Mammoth

(In air flight times are approximated and vary based on wind conditions)

Base Location	Flight Time
Oracle	5 minutes
Miami	21 minutes
Eloy	23 minutes
Safford	24 minutes
Mesa	37 minutes
Sierra Vista Airport	37 minutes
Sierra Vista Hospital	37 minutes
Phoenix (Perinatal Team)	42 minutes
Deer Valley	48 minutes
Show Low	48 minutes
Wickenburg	65 minutes





PHI Cares Membership Program

- No out-of-pocket costs when a member is transported by PHI.
- All co-pays, deductibles and out-of-pocket expenses are covered.
- No limit to the number of times a member can be transported by PHI.
- No financial coverage limitations.





PHI Membership Options & Rates

Standard Membership Options and Rates

- 1 Year Household with insurance \$60 / year
- 1 Year Individual with insurance \$40 / year
- 1 Year Household or Individual without insurance \$100 / year

Additional Membership Options

- Group – Discounted National Coverage rates for 50 or more households.
- Citywide – Coverage for all households in the incorporated city for pickup within city limits.
- Countywide – Coverage for all county residents for pickup within the county or within 10 miles of county boundary.

Town of Mammoth Limited Coverage Membership

- Coverage includes interfacility transports and scene calls anywhere within Pinal County.
- Coverage for all Households 508 households at \$7 per household within the incorporated Town.
- Residents of Mammoth will have the option to upgrade to a National Membership at a discounted rate of \$45.





Citywide Limited Coverage Membership



PHI will help communicate the new air citywide medical benefits to city residents through a press release and graphics and digital flyers provided to the city and local press.



PHI will continue to coordinate meetings with local EMS to provide training and establish safe landing zones.



PHI will provide the Town of Mammoth with membership cards for residents to pick up at designated locations.

PHI MEMBERS EMERG TRANS

GROUP NAME **TOWN of**

MEMBERSHIP # **XX-000**

VALID THROUGH **1/1/202**

Limited benefits and restrictions may apply. For more information, please contact the Department of Public Health at **1.888.435.9744**.

IN AN EMERG

INTER-FACIL

if a higher level of care is needed, please call the medical staff you are a PH member to request PHI Air Medical services. PHI and arr

FOR MEDICAL 1.877.



Thank You!



A service of PHI Air Medical

**GOOD FOR YOUR HEALTH.
GOOD FOR THE HEALTH OF YOUR COMMUNITY, TOO.**



Join the PHI Cares program today!

WWW.PHICARES.COM

Jillian Manley
Membership Sales – Ariz
New Mexico
[jmanley@phairmedical.c](mailto:jmanley@phairmedical.com)
(209) 768-4160

Town of Mammoth, AZ

12/1/21

Town Clerks Report

December 16, 2021

FY21 Budget and Year End Audit

The outside auditors have completed their audit and are planning to present the audit finding to the council in a special meeting this month if all goes as planned.

Water Overcharge Credits

We are on our 6th month of applying water credits due to overcharges from 2014 – 2016. We began with a total of \$60,540 for current customers and \$15,751 for former customers. To date we have applied a total of \$57,764.95 towards customers water service and have a balance of \$2,775.05 remaining to apply.

Sustainability Program

The first round of checks was delivered to the businesses on Dec. 8, 2021. All of the businesses were very pleased and asked that I thank the council on their behalf.

Police Officers Quarters/New Evidence Locker

We are in the process of preparing the evidence to be moved to the new location so we can begin work on the police officer's quarters.

**MAMMOTH POLICE DEPARTMENT
MONTHLY ACTIVITY REPORT
November 2021**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Total Complaints	69	71	71	101	89	97	90	51	87	79	63	0	868
Adult Arrests	2	2	3	3	0	2	1	1	3	2	1	0	20
Juvenile Arrests	1	0	0	0	0	0	0	0	0	0	0	0	1
Traffic Citations	4	4	5	5	3	4	7	2	4	3	2	0	43
Traffic Written Warnings	0	1	0	2	1	0	1	0	0	0	0	0	5
Traffic Verbal Warnings	12	4	12	11	2	8	9	3	2	7	12	0	82
Loose Dogs Citations	0	0	0	0	0	0	0	0	0	0	0	0	0

COMPLAINT BREAKDOWN

	Nov 2021	Year to Date		Nov 2021	Year to Date
Abandoned Vehicle		1	Livestock(cattle) comp		3
Accidents (961,962,963)		9	Loud Music Complaint	4	15
Alarm Drop		5	Minor Consumption		0
Alcohol Related		0	Missing Person		4
Ambulance Req (MED)	13	202	Motorist Assist		5
Animal Calls		26	Murder		2
Arrests	1	20	Neighbor Dispute		7
Arson		1	Noise Complaint		0
Assaults		5	Order of Protection		1
Agency Assists	3	37	Probation Violation		0
Attempt to Locate	3	54	Property Found/Lost		5
ATV Complaints		0	Special Detail/PW		4
Bond out		1	School Truancy		0
Burglary		8	Search Warrants		0
Child Abuse/Injury		0	Sex Offense		0
Citizen/Public Assist	8	132	Shoplifting	1	1
Civil Standby	1	13	Speeding Vehicle		0
Complaints	1	9	SUS Activity/people	4	62
Criminal Damage	1	9	Theft	1	19
Criminal Trespass		4	Threats & Intimidation		1
Deaths		8	Traffic Enforcement	14	110
Disturbance	1	27	Vandalism		1
Disobey Court Order	1	5	Warrant Arrest	1	9
Disorderly Conduct		1	Welfare Check	4	21
Domestic Violence	1	17	DRUNK		0
Drug Related Incident		0	911 Hang up calls	1	16
DUI		0	911 Open line		6
False Reporting to Law		0	Reckless Driving		2
Fingerprints		0	Fraud		4
Fire	1	17	Animal Control	1	14
Fire Weapon		0	Snake Removal	1	10
Follow Up	1	6	Officer Information		2
Harassment	1	11	MFD TOTAL CALLS	14	226
House Watch/ExtraPatrol	1	28			
Juvenile Complaints		5			

TOWN OF MAMMOTH

PUBLIC WORKS MONTHLY REPORT

This is the Public Works Monthly Report for the month of NOV., 2021. This report is a culmination of all activities within the Town of Mammoth Public Works Department for the past 30 days. All information provided in this report is current and to the best of the knowledge of the Public Works supervisor.

Department Accomplishments:

Brush Day in Mammoth Nov 19 & 20th was a success. We had a lot of curbside service requests for brush. Not a good turnout for Sat. Repaired pressure tank #1 not issues.

Water Updates:

Had 9 water leaks, 2 on Tiger, 2 on San Manuel Dr., 1 on Owens, 1 on Riverside Dr., 2 at the cemetery and 1 on Vine. All leaks are repaired.

Sewer Updates:

None at this time.

Cemetery Updates:

Had 3 funerals

Roadway Updates/Concerns:

Started cleaning and patching roads still a lot of work to be done.

Equipment Issues/Updates:

Working to get all equipment up and running.

Staffing Issues:

None at this time.

Department Needs:

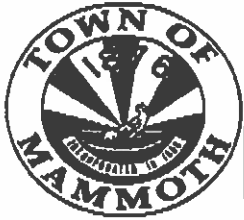
We need tools and power tools

Upcoming Projects:

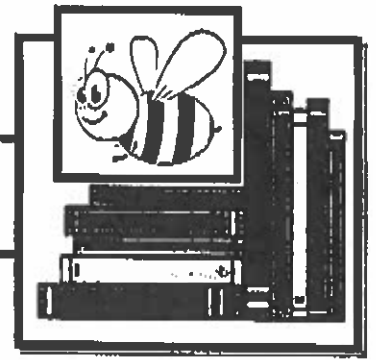
Start work on filling and repairing sink hole on Owens.

Information provided by: **Bill Hernandez**

Date: **12/9/21**



Mammoth Public Library



December 10, 2021

First my we offer our prayers for comfort and strength to the Adams/Martinez Family.

Good Evening Council

Things have been busy around here, patrons are finding out we are open and beginning to make a come back. We will be having our Santa at the Library on December 20th from 4 – 6 pm. Come and take a photo with Santa.

Hoping for a close to normal New year 2022.

Merry Christmas to all.

Sharon Christiansen

Telephone:
(520) 487-2026

Mailing: P.O. Box 549, Mammoth, Arizona 85618
125 N. Clark Street, Mammoth, Arizona 85618

FAX:
(520)487-2364



Town of Mammoth Planning and Zoning Commission

December 10, 2021

Good Evening Council

Planning and Zoning along with Public Works and the Police Department are making progress, it is slow going but if you look around we are seeing changes.

More letters have gone out and we are still working hard.

We will continue to provide updates as we get them

Note — we will begin the process of clean up and dismantling of the property on Riverside that was the source of the fire. We will lien this property and hopefully be able to force sale at an action and recoup some of our costs. I am still working on this scenario. However, we will be continuing the process of clean up as soon as all initial paperwork has been filed.

Sharon Christiansen

Address: 125 N Clark Street Mammoth Arizona 85618

Telephone: (520)487-2331 Cell: (520)834-1447

Mailing Address: P.O. Box 130 Mammoth Arizona 85618

Fax: (520)487-2152 or (520)487-2264

P 2/2

Final Mammoth Library 5204872364 >> 520 4872152

2021-12-10 16:03

Report Criteria:

Detail report.
Invoices with totals above \$0 included.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
762								
762	DES-UNEMPLOYMENT TAX	2021/3	2021/3	12/02/2021	761.03	761.03	12/03/2021	
	Total 762:				761.03	761.03		
2300								
2300	COLBY & POWELL	#1145-11/2/21	ACCOUNTING/AUDITING	11/30/2021	2,200.00	2,200.00	12/03/2021	
2300	COLBY & POWELL	615823	ACCOUNTING/AUDITING	11/23/2021	15,500.00	15,500.00	11/24/2021	
	Total 2300:				17,700.00	17,700.00		
3280								
3280	EMPIRE SOUTHWEST	EMPC0743311	PARTS/SERVICE <i>Caterpillar</i>	12/02/2021	99.12	99.12	12/03/2021	
3280	EMPIRE SOUTHWEST	EMPS5434249	PARTS/SERVICE	12/02/2021	351.03	351.03	12/03/2021	
	Total 3280:				450.15	450.15		
5134								
5134	LA CASITA	12/7/2021	SUSTAINABILITY PROGRAM PA	12/07/2021	10,000.00	10,000.00	12/07/2021	
	Total 5134:				10,000.00	10,000.00		
5215								
5215	LESLIE'S	00556-01-0605	POWER POWDER, THERMOME	10/21/2021	761.57	761.57	12/03/2021	
	Total 5215:				761.57	761.57		
5560								
5560	MAMMOTH TOWING	12/7/2021	SUSTAINABILITY PROGRAM PA	12/07/2021	10,000.00	10,000.00	12/07/2021	
	Total 5560:				10,000.00	10,000.00		
5580								
5580	MAMMOTH LUMBER	12/7/2021	SUSTAINABILITY PROGRAM PA	12/07/2021	3,296.26	3,296.26	12/07/2021	
5580	MAMMOTH LUMBER	345718-12/2/2	SUPPLIES/LUMBER/FITTINGS	12/02/2021	68.73	68.73	12/03/2021	
5580	MAMMOTH LUMBER	345718-12/2/2	SUPPLIES/LUMBER/FITTINGS	12/02/2021	33.14	33.14	12/03/2021	
5580	MAMMOTH LUMBER	345718-12/2/2	SUPPLIES/LUMBER/FITTINGS	12/02/2021	366.46	366.46	12/03/2021	
	Total 5580:				3,764.59	3,764.59		
5820								
5820	MERLE'S AUTOMOTIVE	272550	tire lube, containers	10/31/2021	16.17	16.17	12/03/2021	
5820	MERLE'S AUTOMOTIVE	272713	air filter, oil filter, bearings, oil	11/30/2021	319.94	319.94	12/03/2021	
	Total 5820:				336.11	336.11		
7000								
7000	PINAL CO. ANIMAL CONTROL	SEPTEMBER 2	ANIMAL CONTROL	12/02/2021	347.84	347.84	12/03/2021	
	Total 7000:				347.84	347.84		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
7060								
7060	PINAL CO. SHERIFF'S DEPT	#211 DOCKET	JAIL FEES-nanissa	11/23/2021	677.00	677.00	12/03/2021	
Total 7060:					677.00	677.00		
7380								
7380	PUBLIC SAFETY PERSONNEL R	PS22-230259	POLICE RETIREMENT EMPLOY	11/17/2021	2,796.07	2,796.07	11/24/2021	
7380	PUBLIC SAFETY PERSONNEL R	PS22-230259A	POLICE RETIREMENT EMPLOY	11/17/2021	651.57	651.57	11/24/2021	
Total 7380:					3,447.64	3,447.64		
8200								
8200	SOUTHWEST GAS	910001450280	910001450280	11/30/2021	11.16	11.16	12/03/2021	
8200	SOUTHWEST GAS	910001450280	910001450280	11/30/2021	11.16	11.16	12/03/2021	
8200	SOUTHWEST GAS	910001450280	910001450280	11/30/2021	11.16	11.16	12/03/2021	
8200	SOUTHWEST GAS	910001450312	910001450312	11/30/2021	31.80	31.80	12/03/2021	
8200	SOUTHWEST GAS	910002538719	910002538719	11/30/2021	5.01	5.01	12/03/2021	
8200	SOUTHWEST GAS	910002538766	910002538766	11/30/2021	35.17	35.17	12/03/2021	
Total 8200:					105.46	105.46		
9520								
9520	CENTURYLINK	5203853031-11	5203853031-	11/30/2021	96.90	96.90	12/03/2021	
9520	CENTURYLINK	5203853088-11	5203853088	11/30/2021	143.45	143.45	12/03/2021	
Total 9520:					240.35	240.35		
9940								
9940	WASTE MANAGEMENT	8212777-1575-	WASTEMANGEMENT TOWN PIC	11/30/2021	6,625.80	6,625.80	12/03/2021	
9940	WASTE MANAGEMENT	8217810-1575-	LA CASITA	11/30/2021	220.74	220.74	12/03/2021	
9940	WASTE MANAGEMENT	8218365-1575-	CIRCLE K	11/30/2021	839.36	839.36	12/03/2021	
9940	WASTE MANAGEMENT	8218426-1575-	DOLLAR GENERAL	11/30/2021	244.83	244.83	12/03/2021	
Total 9940:					7,930.73	7,930.73		
11013								
11013	ARIZONA STATE TREASURE	#208	victims rights	12/02/2021	4.00	4.00	12/03/2021	
11013	ARIZONA STATE TREASURE	#208	JCEF	12/02/2021	40.53	40.53	12/03/2021	
11013	ARIZONA STATE TREASURE	#208	FORENSICS FUND	12/02/2021	14.00	14.00	12/03/2021	
11013	ARIZONA STATE TREASURE	#208	2011 add assesment	12/02/2021	24.00	24.00	12/03/2021	
11013	ARIZONA STATE TREASURE	#208	2019 victim rights penaly	12/02/2021	18.00	18.00	12/03/2021	
11013	ARIZONA STATE TREASURE	#208	CLEAN ELECTION FUND	12/02/2021	23.11	23.11	12/03/2021	
11013	ARIZONA STATE TREASURE	#208	MSEF	12/02/2021	30.05	30.05	12/03/2021	
11013	ARIZONA STATE TREASURE	#208	CJEF	12/02/2021	97.72	97.72	12/03/2021	
11013	ARIZONA STATE TREASURE	#208	FTG	12/02/2021	16.18	16.18	12/03/2021	
11013	ARIZONA STATE TREASURE	#208	2019 PEACE OFC	12/02/2021	8.00	8.00	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	VICTIMS RIGHTS	12/02/2021	2.00	2.00	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	JCEF	12/02/2021	20.00	20.00	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	FORENSICS FUND	12/02/2021	6.54	6.54	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	2011 add assesment	12/02/2021	8.00	8.00	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	2019 victim rights penaly	12/02/2021	9.00	9.00	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	CLEAN ELECTION FUND	12/02/2021	10.90	10.90	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	MSEF	12/02/2021	14.17	14.17	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	CJEF	12/02/2021	45.77	45.77	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	FTG	12/02/2021	7.63	7.63	12/03/2021	
11013	ARIZONA STATE TREASURE	#210	2019 PEACE OFC	12/02/2021	4.00	4.00	12/03/2021	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 11013					403.60	403.60		
11049066								
11049	RODRIGUEZ, PABLO	0002	pool maintenance	12/02/2021	500.00	500.00	12/03/2021	
Total 11049066					500.00	500.00		
11049207								
11049	AMRRP	DECEMBER 2	12/2021-2000129 5	12/02/2021	560.78	560.78	12/03/2021	
11049	AMRRP	DECEMBER 2	12/2021-2000129 5	12/02/2021	186.93	186.93	12/03/2021	
11049	AMRRP	DECEMBER 2	12/2021-2000129 5	12/02/2021	560.78	560.78	12/03/2021	
11049	AMRRP	DECEMBER 2	12/2021-2000129 5	12/02/2021	560.78	560.78	12/03/2021	
11049	AMRRP	NOVEMBER 2	11/2021-2000129 5	12/02/2021	560.78	560.78	12/03/2021	
11049	AMRRP	NOVEMBER 2	11/2021-2000129 5	12/02/2021	186.93	186.93	12/03/2021	
11049	AMRRP	NOVEMBER 2	11/2021-2000129 5	12/02/2021	560.78	560.78	12/03/2021	
11049	AMRRP	NOVEMBER 2	11/2021-2000129 5	12/02/2021	560.78	560.78	12/03/2021	
Total 11049207					3,738.54	3,738.54		
11049210								
11049	O'REILLY AUTOMOTIVE, INC.	5553461845	AC COMPRESSOR	09/30/2021	397.55	397.55	12/03/2021	
11049	O'REILLY AUTOMOTIVE, INC.	5553461845	oil FUNNEL	09/30/2021	46.65	46.65	12/03/2021	
11049	O'REILLY AUTOMOTIVE, INC.	5553461845	BRAKES, ROTORS, OIL, FILTER	09/30/2021	260.41	260.41	12/03/2021	
11049	O'REILLY AUTOMOTIVE, INC.	5553461845	BATTERY	09/30/2021	220.07	220.07	12/03/2021	
11049	O'REILLY AUTOMOTIVE, INC.	5553461845	MIRROR	09/30/2021	8.38	8.38	12/03/2021	
Total 11049210					933.06	933.06		
11049249								
11049	LAS MICHOACANAS RESTAURA	12/7/2021	SUSTAINABILITY PROGRAM PA	12/07/2021	10,000.00	10,000.00	12/07/2021	
Total 11049249					10,000.00	10,000.00		
11049279								
11049	WELLS FARGO	11/3/2021	DOLLAR GENERAL	11/24/2021	14.40	14.40	11/24/2021	
11049	WELLS FARGO	11/3/2021	AMAZON	11/24/2021	37.14	37.14	11/24/2021	
11049	WELLS FARGO	11/3/2021	MAMMOTH LUMBER	11/24/2021	12.12	12.12	11/24/2021	
11049	WELLS FARGO	11/3/2021	ZOOM	11/24/2021	14.99	14.99	11/24/2021	
11049	WELLS FARGO	11/3/2021	INSTRUMENT	11/24/2021	235.61	235.61	11/24/2021	
11049	WELLS FARGO	11/3/2021	AMAZON-DESK CHAIR	11/24/2021	83.09	83.09	11/24/2021	
11049	WELLS FARGO	11/3/2021	AMAZON-WATER CLORINATOR	11/24/2021	513.19	513.19	11/24/2021	
11049	WELLS FARGO	11/3/2021	ARIZONA ASSOCIATION OF CHI	11/24/2021	485.00	485.00	11/24/2021	
11049	WELLS FARGO	11/3/2021	EDGEWATER	11/24/2021	28.13	28.13	11/24/2021	
11049	WELLS FARGO	11/3/2021	SAMSClub	11/24/2021	207.25	207.25	11/24/2021	
11049	WELLS FARGO	11/3/2021	TRACTOR SUPPLY	11/24/2021	26.51	26.51	11/24/2021	
11049	WELLS FARGO	11/3/2021	THE HOME DEPOT	11/24/2021	113.70	113.70	11/24/2021	
11049	WELLS FARGO	11/3/2021	AMAZON-SHELVES	11/24/2021	776.80	776.80	11/24/2021	
11049	WELLS FARGO	11/3/2021	EMPIRE	11/24/2021	275.16	275.16	11/24/2021	
11049	WELLS FARGO	11/3/2021	EBAY	11/24/2021	87.66	87.66	11/24/2021	
11049	WELLS FARGO	11/3/2021	AMAZON	11/24/2021	88.94	88.94	11/24/2021	
11049	WELLS FARGO	11/3/2021	WISCOMM	11/24/2021	79.85	79.85	11/24/2021	
11049	WELLS FARGO	11/3/2021	INSTRUMENT	11/24/2021	225.96	225.96	11/24/2021	
11049	WELLS FARGO	11/3/2021	SANDERSON FORD	11/24/2021	195.95	195.95	11/24/2021	
11049	WELLS FARGO	11/3/2021	DOLLAR GENERAL	11/24/2021	56.16	56.16	11/24/2021	
11049	WELLS FARGO	11/3/2021	AMAZON PRIME	11/24/2021	14.44	14.44	11/24/2021	
11049	WELLS FARGO	11/3/2021	THE HOME DEPOT	11/24/2021	247.48	247.48	11/24/2021	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
11049	WELLS FARGO	11/3/2021	GRAINGER	11/24/2021	293.65	293.65	11/24/2021	
Total 11049279:					4,113.18	4,113.18		
11049343								
11049	AMRRP	DECEMBER 2	12/20201-WC2000131.5	12/02/2021	503.95	503.95	12/03/2021	
11049	AMRRP	DECEMBER 2	12/20201-WC2000131.5	12/02/2021	167.99	167.99	12/03/2021	
11049	AMRRP	DECEMBER 2	12/20201-WC2000131.5	12/02/2021	503.95	503.95	12/03/2021	
11049	AMRRP	DECEMBER 2	12/20201-WC2000131.5	12/02/2021	503.95	503.95	12/03/2021	
11049	AMRRP	NOVEMBER 2	11/20201-WC2000131.5	12/02/2021	503.95	503.95	12/03/2021	
11049	AMRRP	NOVEMBER 2	11/20201-WC2000131.5	12/02/2021	167.99	167.99	12/03/2021	
11049	AMRRP	NOVEMBER 2	11/20201-WC2000131.5	12/02/2021	503.95	503.95	12/03/2021	
11049	AMRRP	NOVEMBER 2	11/20201-WC2000131.5	12/02/2021	503.95	503.95	12/03/2021	
Total 11049343:					3,359.68	3,359.68		
11049458								
11049	SCHEMPF, JOHN	11/12/21	CUTRINE	11/23/2021	278.98	278.98	11/24/2021	
Total 11049458:					278.98	278.98		
11049509								
11049	WC INDUSTRIES LLC	12/7/2021	SUSTAINABILITY PROGRAM PA	12/07/2021	527.84	527.84	12/07/2021	
11049	WC INDUSTRIES LLC	1351	R & R ENGINE & TRANSFER PA	11/24/2021	5,242.58	5,242.58	11/24/2021	
Total 11049509:					5,770.42	5,770.42		
11049519								
11049	ORTIZ, AMANDA	101	TERMINATED CUSTOMER	11/23/2021	132.11	132.11	11/24/2021	
Total 11049519:					132.11	132.11		
11049520								
11049	SAR DIRTWORK	148	WELDING JOB. REPAIR TANK	12/03/2021	480.00	480.00	12/03/2021	
Total 11049520:					480.00	480.00		
11049521								
11049	MARIA'S CAFE	12/7/2021	SUSTAINABILITY PROGRAM PA	12/07/2021	4,711.59	4,711.59	12/07/2021	
Total 11049521:					4,711.59	4,711.59		
11049522								
11049	SHEAR EXPRESSION	12/7/2021	SUSTAINABILITY PROGRAM PA	12/07/2021	10,000.00	10,000.00	12/07/2021	
Total 11049522:					10,000.00	10,000.00		
Grand Totals:					100,943.63	100,943.63		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Dated:	_____							
Mayor:	_____							
City Council:	_____							

City Recorder:	_____							
City Treasurer:	_____							

Report Criteria:
Detail report.
Invoices with totals above \$0 included.
Paid and unpaid invoices included.

Analyzed Business Checking - PF

Account number: [REDACTED] ■ November 1, 2021 - November 30, 2021 ■ Page 1 of 5



TOWN OF MAMMOTH
GENERAL FUNDS
125 N CLARK ST
MAMMOTH AZ 85618-0000

Questions?

Call your Customer Service Officer or Client Services
1-800-AT WELLS (1-800-289-3557)
5:00 AM TO 6:00 PM Pacific Time Monday - Friday

Online: wellsfargo.com

Write: Wells Fargo Bank, N.A. (038)
P.O. Box 6995
Portland, OR 97228-6995

Account summary

Analyzed Business Checking - PF

Account number	Beginning balance	Total credits	Total debits	Ending balance
[REDACTED]	\$881,841.47	\$176,581.91	-\$151,628.31	\$906,795.07

Credits

Electronic deposits/bank credits

Effective date	Posted date	Amount	Transaction detail
11/01		927.61	11/01Bankcard Deposit -0483205938
11/01		189.91	Desktop Check Deposit
11/01		14,614.87	Arizona State Tr Corp Pmt D1146850 Rmr*IV*City Sales Tax\
11/02		537.00	Cash Only Customer Deposit
11/02		257.70	Cash Only Customer Deposit
11/02		150.00	Cash Only Customer Deposit
11/02		112.10	Cash Only Customer Deposit
11/02		302.03	11/02Bankcard Deposit -0483205938
11/02		100.00	Cash Vault Deposit
11/02		186.41	Desktop Check Deposit
11/02		169.81	State of Arizona AZ_Erapay 211101 215274 Rmr*IV*5210846**169.81\Ref*Timothy Gulledge*628 N
11/02		103.00	State of Arizona AZ_Erapay 211101 203613 Rmr*IV*820014**103.00\Ref*Mya Reyes*109 E Owens P
11/02		75.00	State of Arizona AZ_Erapay 211101 215276 Rmr*IV*5210846**75.00\Ref*Timothy Gulledge*628 N
11/03		185.73	11/03Bankcard Deposit -0483205938
11/03		260.75	Desktop Check Deposit
11/04		1,433.69	11/04Bankcard Deposit -0483205938
11/04		1,774.17	Desktop Check Deposit
11/05		702.01	11/05Bankcard Deposit -0483205938
11/05		1,848.65	Desktop Check Deposit
11/05		126.67	Tsys/Transfirst Bkcd Stlmt 211104 41399800968346 41399800968346 AZ Fare-Mammoth Magist 110321
11/08		1,068.54	11/08Bankcard Deposit -0483205938

Electronic deposits/bank credits (continued)

<i>Effective date</i>	<i>Posted date</i>	<i>Amount</i>	<i>Transaction detail</i>
11/08		1,999.76	Desktop Check Deposit
11/08		11,867.42	Arizona State Tr Corp Pmt D1148832 Rmr*IV*Highway User Rev. Fund\
11/08		4,987.52	Arizona State Tr Corp Pmt D1148591 Rmr*IV*State Sales Tax\
11/08		1,508.78	Arizona State Tr Corp Pmt D1148490 Rmr*IV*City Sales Tax\
11/08		46.85	Arizona State Tr Corp Pmt D1148939 Rmr*IV*City Sales Tax\
11/09		1,399.87	11/09Bankcard Deposit -0483205938
11/09		14,095.38	Desktop Check Deposit
11/10		1,450.53	11/10Bankcard Deposit -0483205938
11/10		2,962.68	Desktop Check Deposit
11/10		16,485.43	Arizona State Tr Corp Pmt D1148727 Rmr*IV*Urban Revenue Sharing\
11/12		491.96	11/12Bankcard Deposit -0483205938
11/12		1,138.52	Desktop Check Deposit
11/12		253.47	Tsys/Transfirst Bkcd Stlmt 211111 41399800968346 41399800968346 AZ Fare-Mammoth Magist 111021
11/15		1,221.13	11/15Bankcard Deposit -0483205938
11/15		4,127.22	Desktop Check Deposit
11/15		4,263.32	Arizona State Tr Corp Pmt D1149329 Rmr*IV*Vehicle License Tax\
11/15		910.82	Arizona State Tr Corp Pmt D1149428 Rmr*IV*City Sales Tax\
11/15		130.00	State of Arizona AZ_Erapay 211112 239486 Rmr*IV*84102**130.00\Ref*Edward Godoy*711 N Main
11/15		130.00	State of Arizona AZ_Erapay 211112 239488 Rmr*IV*84102**130.00\Ref*Edward Godoy*711 N Main
11/15		130.00	State of Arizona AZ_Erapay 211112 239490 Rmr*IV*84102**130.00\Ref*Edward Godoy*711 N Main
11/15		110.71	State of Arizona AZ_Erapay 211112 239484 Rmr*IV*84102**110.71\Ref*Edward Godoy*711 N Main
11/15		60.00	State of Arizona AZ_Lihwap 211112 240266 Rmr*IV*14405**60.00\Ref*Richard Lopez*406 S Vine
11/16		1,392.91	11/16Bankcard Deposit -0483205938
11/16		749.21	Desktop Check Deposit
11/17		932.41	Cash Only Customer Deposit
11/17		752.90	Cash Only Customer Deposit
11/17		584.73	Cash Only Customer Deposit
11/17		371.42	Cash Only Customer Deposit
11/17		333.48	Cash Only Customer Deposit
11/17		266.61	Cash Only Customer Deposit
11/17		242.52	Cash Only Customer Deposit
11/17		100.11	Cash Only Customer Deposit
11/17		62.64	Cash Only Customer Deposit
11/17		1,238.25	11/17Bankcard Deposit -0483205938
11/17		267.00	Cash Vault Deposit
11/17		2,737.39	Desktop Check Deposit
11/18		235.67	11/18Bankcard Deposit -0483205938
11/18		1,042.12	Desktop Check Deposit
11/19		1,499.43	11/19Bankcard Deposit -0483205938
11/19		27,508.66	Desktop Check Deposit
11/22		1,069.14	11/22Bankcard Deposit -0483205938
11/22		5,090.14	Arizona State Tr Corp Pmt D1150228 Rmr*IV*Vehicle License Tax\
11/22		3,982.88	Arizona State Tr Corp Pmt D1150327 Rmr*IV*City Sales Tax\

Electronic deposits/bank credits (continued)

Effective date	Posted date	Amount	Transaction detail
11/23		1,176.58	11/23Bankcard Deposit -0483205938
11/23		3,362.81	Desktop Check Deposit
11/23		309.89	Desktop Check Deposit
11/23		4,797.85	Arizona State Tr Corp Pmt D1150428 Rmr*IV*State Sales Tax\
11/24		499.50	Cash Only Customer Deposit
11/24		445.61	Cash Only Customer Deposit
11/24		221.05	Cash Only Customer Deposit
11/24		183.71	Cash Only Customer Deposit
11/24		144.47	Cash Only Customer Deposit
11/24		275.74	11/24Bankcard Deposit -0483205938
11/24		406.00	Cash Vault Deposit
11/26		1,043.24	11/26Bankcard Deposit -0483205938
11/29		1,301.62	Desktop Check Deposit
11/29		30.00	Desktop Check Deposit
11/29		15,840.27	Arizona State Tr Corp Pmt D1150792 Rmr*IV*City Sales Tax\
11/29		15.74	State of Arizona Payments 211124 202111241982403 01\
11/30		699.56	11/30Bankcard Deposit -0483205938
11/30		471.63	Desktop Check Deposit
		\$176,581.91	Total electronic deposits/bank credits
		\$176,581.91	Total credits

Debits**Electronic debits/bank debits**

Effective date	Posted date	Amount	Transaction detail
11/04		6,568.53	< Business to Business ACH Debit - IRS Usataxpymt 110421 220170854663187 Town of Mammoth
11/09		82.04	< Business to Business ACH Debit - AFLAC Insurance 110521 Pce77446409 Town of Mammoth
11/09		81.84	< Business to Business ACH Debit - AFLAC Insurance 110521 Pce77835830 Town of Mammoth
11/10		102.35	Bankcard Interchange Fee - 0483205938
11/10		74.86	Bankcard Fee - 0483205938
11/10		34.71	Bankcard Discount Fee - 0483205938
11/10		46.22	< Business to Business ACH Debit - Fdms Fdms Pymt 211110 052-1712236-000 Town of Mammoth
11/17		6,393.77	< Business to Business ACH Debit - IRS Usataxpymt 111721 220172103685521 Town of Mammoth
11/22		48.41	< Business to Business ACH Debit - Fdms Fdms Pymt 211122 052-1386605-000 Town of Mammoth
		\$13,432.73	Total electronic debits/bank debits

< Business to Business ACH If this is a business account, this transaction has a return time frame of one business day from post date. This time frame does not apply to consumer accounts.



Checks paid

Number	Amount	Date	Number	Amount	Date	Number	Amount	Date
	1,123.49	11/12	25815 Ramsey, Cecl	1,156.00	11/09	25856	1,114.84	11/17
5809 Industrial	4,369.40	11/15	25816	500.00	11/05	25857	1,173.99	11/17
25739 Commision	241.38	11/01	25817	389.03	11/10	25858	1,346.01	11/22
25743 miv Enterprises	2,134.50	11/01	25818 waste management	1,026.98	11/09	25859	1,645.46	11/18
25766	294.84	11/19	25819	74.70	11/15	25860	984.72	11/18
25771	200.67	11/16	25820 Payroll	1,033.97	11/04	25861 payroll	1,173.34	11/18
25777	223.63	11/30	25821 Payroll	1,197.87	11/05	25862	848.99	11/22
25778	248.35	11/01	25822	722.58	11/15	25863 payroll	1,157.19	11/18
25779	100.00	11/05	25823	540.84	11/10	25864	462.07	11/19
25780	78.01	11/05	25825	1,074.38	11/05	25865 payroll	1,765.78	11/17
25781	455.00	11/19	25826	1,114.85	11/03	25866	294.84	11/19
25783 Voyager	1,577.71	11/01	25827	1,177.86	11/05	25867 payroll	1,409.51	11/17
25784 Harry Williams	1,250.00	11/02	25828	1,094.06	11/05	25868	980.63	11/18
25785	9.46	11/01	25829	1,330.03	11/05	25869	1,159.68	11/22
25787 AMRRP	2,029.51	11/12	25830	121.93	11/15	25870	1,960.84	11/22
25789	15.95	11/02	25831	1,630.15	11/05	25871	1,271.81	11/23
25790 PSPRS	3,268.30	11/02	25832	1,045.39	11/05	25872	1,530.76	11/17
25791 Waste management	625.80	11/01	25833	175.46	11/05	25873	48.00	11/22
25792	602.14	11/01	25834	1,087.37	11/04	25874	160.40	11/23
25794	466.41	11/15	25835	1,452.46	11/08	25876	823.00	11/23
25795	162.50	11/15	25836	1,281.49	11/04	25877 Centurylink	1,639.98	11/26
25796	278.06	11/23	25837	574.29	11/05	25878 Cooper + Rucker	3,255.00	11/22
25797	98.50	11/08	25838	1,765.78	11/04	25880	193.85	11/29
25798	97.06	11/22	25839	294.84	11/19	25882	15.95	11/30
25799	57.00	11/12	25840	1,409.51	11/03	25883	164.58	11/30
25800	217.83	11/10	25841	697.99	11/03	25884	177.50	11/22
25801 AMRRP	2,029.51	11/12	25842	1,020.63	11/08	25885	362.78	11/24
25802 AMRRP	5,607.81	11/12	25843	1,960.84	11/08	25887	800.00	11/26
25803	609.79	11/23	25845	1,095.54	11/03	25888	178.00	11/23
25804	80.00	11/09	25846 PSPRS	3,307.38	11/19	25889	789.60	11/19
25805	250.00	11/08	25847	189.00	11/29	25890 us Dept of Interior	7,225.38	11/24
25806 Centurylink	1,184.30	11/15	25848 Sedillos Jimmy	2,277.50	11/16	25891	179.07	11/26
25807	15.08	11/12	25849 Wilson Asph	4,000.00	11/12	25892	80.94	11/26
25808	572.91	11/09	25850	1,088.22	11/18	25893 Williams Harry	1,250.00	11/24
25810	60.00	11/15	25851	1,350.55	11/19	25897 Acker Acker	1,575.00	11/29
25811	373.63	11/09	25852	750.37	11/18	25901 Voyager	2,375.00	11/30
25812	135.03	11/04	25853	491.67	11/19	25902 WC Industries	66.42	11/30
25813	60.50	11/08	25854	432.07	11/19	25903	5,242.58	11/26
25814	461.01	11/16	25855 O'Reilly	1,281.37	11/18	3258452	432.07	11/08
			\$138,195.58	Total checks paid				

* Gap in check sequence.

\$151,628.31 Total debits

Daily ledger balance summary

<i>Date</i>	<i>Balance</i>	<i>Date</i>	<i>Balance</i>	<i>Date</i>	<i>Balance</i>
10/31	881,841.47	11/09	892,083.15	11/19	899,274.35
11/01	886,134.52	11/10	911,575.95	11/22	900,475.02
11/02	883,593.32	11/12	888,597.50	11/23	906,801.09
11/03	879,721.91	11/15	892,518.88	11/24	900,139.01
11/04	871,057.60	11/16	891,721.82	11/26	893,239.68
11/05	863,757.43	11/17	886,222.63	11/29	908,469.46
11/08	879,961.30	11/18	878,439.12	11/30	906,795.07
Average daily ledger balance		\$890,734.38			



**TOWN OF MAMMOTH
MINUTES OF A SPECIAL TELEPHONIC MEETING
OF THE MAMMOTH TOWN COUNCIL
OCTOBER 11, 2021**

**Minutes of a Special Telephonic Meeting of the Mammoth Town Council
On October 11, 2021 pursuant to the notice required by Law.**

1. CALL TO ORDER – This meeting was called to order at 10:05 AM Mayor Armenta

2. ROLL CALL

PRESENT MEMBERS

Mayor Armenta
Councilman Ponce
Councilman Bustamante
Councilman Martinez
Councilman Adams

PRESENT STAFF

Town Manager J. Schempf
Town Clerk A. Sanchez

ABSENT MEMBERS

Vice Mayor Martinez
Councilman Brewer

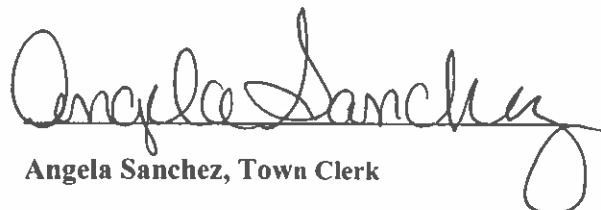
3. A. Council to Approve or Disapprove Recommending Special Event Liquor License from the State of Arizona for the San Pedro Valley Lions Club Horseshoe Tournament to be Held October 23, 2021 at the Club House.

Councilman Martinez made a motion to approve the recommending special event liquor license from the State of Arizona for the San Pedro Valley Lions Club Horseshoe Tournament to be held on October 23, 2021 at the club house. The motion was seconded by Councilman Martinez. Councilman Ponce asked if there will be security at the event. Town Manager explained that there will be four members of the Lions Club who will be monitoring the gate and it is being held in the fenced in area. Roll call by Town Clerk motion passed 5-0. Mayor ask that the Lion's Club asked sooner next time.

B. Adjourn

Councilman Bustamante made a motion to adjourn the meeting and Councilman Martinez seconded the motion. Motion passed 5-0 Meeting was adjourned at 10:07 AM.

I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held October 11, 2021. I further certify that the meeting was duly called and held.


Angela Sanchez, Town Clerk



**TOWN OF MAMMOTH
MINUTES OF A WORK SESSION
OF THE MAMMOTH TOWN COUNCIL
NOVEMBER 16, 2021**

**These are the Minutes of a Work Session held by the Mammoth Town Council
On November 16, 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.

- 1. CALL TO ORDER – This meeting was called to order at 4:13 PM Mayor Armenta.**
- 2. PLEDGE OF ALLEGIANCE John Schempf**
- 3. ROLL CALL**

PRESENT MEMBERS

Mayor Armenta
Vice Mayor Martinez (by phone)
Councilman Ponce
Councilman Bustamante
Councilman Brewer

PRESENT STAFF

Attorney S Cooper
Town Manager, J. Schempf
Town Clerk A. Sanchez
ABSENT MEMBERS
Councilman Bustamante
Councilman Adams

4. WORK SESSION AGENDA

A. Review, Update, Modify and/or Change Town of Mammoth Council Rules Policies Procedures and Code of Ethics

Code of Ethics

Mayor Armenta began by reviewing the Code of Ethics

The Town Clerk, Angela Sanchez explained the requested changes and asked the council if they were in agreement. The changes were as follows:

#2 changed to correct a typo and should read: "Affirm the dignity and worth of the *services* rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and deep sense of social responsibility as a trusted public servant." All agreed to the change.

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

#7- Remove “Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.” **Councilman Brewer** stated he thought it should be retained, because council members should not be campaigning for or against those running for council. The **Town Manager, John Schempf** asked **Steve Cooper, Town Attorney** to give his opinion as to whether it should remain or be removed. **Steve Cooper, Town Attorney** stated that since it was a study session no decision will be made at this time. Once we review the changes and receive input from the council, on Thursday you can still make changes if the majority wants it removed, we can remove it. From a legal standpoint you have first amendment rights which would trump any of these types of activities. However, from a policy standpoint at the end of the day a town is only as good as its council. If we can disagree and not be disagreeable it helps the community. Under Arizona Law the council cannot use its position as a council to support a candidate for the legislature or a bond issue for a school. It is against Arizona Law to use town resources to further a political interest. Individually you are free to do what you want but be careful what hat you are wearing and state you are speaking a resident not a council member.

Steve Cooper, Town Attorney suggested to remove the first sentence and leave the second sentence, “Refrain from participation in the election of members of the legislative body?” He also stated that Arizona Law prohibits a council from using their position to further an election cause.

Vice Mayor Martinez stated she does not agree because council members are citizens first, it is wrong to bar council from campaigning. In four years, all of the members of this board will be up for reelection and to not allow to campaign for one candidate over another is hampering the democratic process. We should be able to support whomever we want as long as we do it as an individual not as a council member.

Mayor Armenta asked the town attorney for some suggestions as to how to revise item number 7. Town Attorney Cooper explained they could strike the sentence all together. He explained that this is a study session so we are not taking action now. You could revise it to say refrain from participation in the election of members of the Town Council. Yes, you have a right as an individual but when you are out in public it is hard to take off your elected official hat. Even though you are saying I’m doing it individually they are still going to be looking at you as a council member. It is up to the council.

Vice Mayor Martinez suggested that item number 7 should be removed in its entirety. If we are not allowed to engage in any political activity, how are we supposed to campaign for ourselves when we run for office? However, I think town employees this is good practice. In the last election we had our town manager campaigning on the public’s time while being paid. This should not be allowed.

Councilman Brewer stated he agrees council members should be allowed to campaign and put-up signs in their own home. However, any statement you make in a meeting has to be agreed upon by the entire council.

Town Attorney Cooper explained that the entire statement says “Refrain from all political activities which undermine public confidence in professional administrators” which mean you can’t campaign by saying if you elect me, I will fire the lawyer.

Town Manager suggested that we start with the example that was provided from the Town of Eloy and add in anything we think is missing because theirs is a lot simpler and we don’t need a nineteen-page document.

Town Clerk suggested we keep some language in that prevents council members from presenting their opinion as that of the town as they campaign.

Vice Mayor Martinez suggested we strike item 7 and use 2.1.5 No Special Powers. All agreed to remove item 7 from the Code of Ethics. No other changes to Code of Ethics.

Mayor Armenta asked to move the Town Clerks evaluation to the next meeting because Vice Mayor Martinez has to leave early and it was agreed.

Councilman Brewer stated that there needs to be something in this document that states that if a member knowingly violates these rules they should be removed from office.

Town Council Rules and Procedures

Mayor Armenta asked if there are any suggested changes:

1. Form of Government **Town Clerk** suggests to fix typo Manager/Clerk form of government. Everyone agreed to the change.

2.1.7- Assumption of Office-**Vice Mayor Martinez** suggested that we should appoint new council members at the beginning of the meeting in November rather than waiting until the end. Everyone agreed to the change.

2.1.8- Council Vacancies- The **Town Manager** suggested that this be amended because it does not comply with state law which is that the appointment should be for the remainder of the unexpired term or next election which ever occurs first. **Vice Mayor Martinez** suggested to add “all efforts will be made to bring the council back into accordance with the regular election schedule.” It will read as follows: “The Council shall fill by appointment, for the remainder of the unexpired term or until the next election whichever occurs first, for any vacancy that may occur as required by state law. All efforts will be made to bring council back into accordance with regular election schedule.” Everyone agreed to the change.

Councilman Brewer stated that the council passed an ordinance, but never put the election of the mayor seat on the ballot for the people to vote on it. This needs to be resolved. **Vice Mayor Martinez** stated that the council has addressed this issue and it will go on the ballot for the 2022 election. There was discussion back and forth for clarification for other council members. **Councilman Bustamante** explained the history involving preclearance.

2.1.8.2- Application- **Vice Mayor Martinez** suggested to amend so that “if a Council seat is vacant within the first year after the election the council will invite all qualified candidates to

apply for the vacancy before any outside candidates are considered. The people who ran must submit a letter of interest based on the number of votes received. The people have already voted. If none of those candidates are interested then we should accept letters of interest or nominations. Just for the first year after an election. They don't have to be appointed just notified. Councilman Ponce wanted, "All candidates would be considered for appointment" added. Councilman Brewer suggested that the title "qualified candidate be struck." Vice Mayor Martinez stated that his was not to give preference it just to notify those who ran in the election that there is an opening.

Town Manager asked for clarification. **Vice Mayor Martinez** explained and suggested that "Must have been an official candidate. He suggested that it say "all persons who ran in the last election" in the place of "qualified candidates." Everyone agreed to the change.

2.3.2- Regarding Council Minutes- **Vice Mayor Martinez** asked that this item be changed to continue as we have been which is a generalization of what was discussed. Legal counsel stated that if someone wants to be on the record, they must ask for their statements to be added which is Roberts Rules of Order.

2.3.4- **Vice Mayor** asked that this section should be removed because it is redundant with 6.5.1 & 6.5.4. Also, section 6.5.1 and 6.5.4 should be amended to state that the mayor and/or three council members will call for a special meeting and/or suggest an item. **Councilman Brewer** stated it should state "shall" in place of may. Legal council recommended that this item be removed and addressed in section 6. **Councilman Bustamante** expressed concerns about open meeting law violations. **Vice Mayor Martinez** suggested adding 6.5.1 a and b. Item a.as written and b the mayor or three council members will call for a special meeting or the mayor, or three council members will put an item on the agenda.

3.2- insert Code of Ethics in place of Personal Code of Conduct per **Town Manager and Vice Mayor Martinez**.

Vice Mayor Martinez suggested we add language that would remove someone from office who violates the Code of Ethics as a penalty. Legal counsel suggested this discussion take place after the revision is complete. Vice Mayor Martinez suggested that Public Interest be moved to 3.4 and Conduct be moved to 3.3.

3.5-Conflict of Interest- 3.5.3 changed to read "nor use such information" per Town Manger.

3.4.7-**Vice Mayor Martinez** suggested commissioners be exempt from this, Councilman Brewer stated this is understood that is why we have commissioners. Vice Mayor Martinez stated she does not think councilmembers should be charged for information or copies. Town Clerk explained that councilmembers have made requests that were extreme and it took a large amount of staff time and resources. Councilman Bustamante stated that if a request take more than 1 man hour must be approved by the council.

Vice Mayor Martinez suggested that 3.6.1 be incorporated into the penalty section.

4.6.4-**Councilman Bustamante** expressed concern of “majority position” that he would not be able to make a political statement that is his own personal opinion. “If the council is divided the member may make a personal statement not that of the council.” (word smith)

5.1.3- **Councilman Brewer** suggested that all appointments shall be made by the council in November and reviewed annually. **Vice Mayor Martinez** stated she disagrees because the Vice Mayor and Commissioners are already reviewed every two years. This would not allow for staggering of terms. Council was not in agreement.

5.2.5- **Vice Mayor Martinez** suggested they should be held to our Town Personnel Policy as well. Everyone was in agreement.

5.6.1-change residents to “property owner” and change from 4- 2-year term. **Vice Mayor Martinez** suggested changing it to “residents or property owner.” **Town Attorney Cooper** suggested a 5.6.2 and add a waiver for those who are not residents but have knowledge or experience that would benefit the commissions or boards. He also provided a waiver for to the clerk. Everyone was in agreement.

6.1 and 6.2- Change Council Chambers at Town Hall to Council Meeting place.

6.5- Struck in accordance with Resolution 279. **Mr. Cooper legal counsel** suggested removing.

6.5.1- Change to read “Any council member may suggest an agenda item for the next regular council meeting and the item shall be placed on the agenda by the Mayor or three council members.”

6.5.2-add “with an exception for emergencies.”

6.5.4- “Three council members may call for a Special Meeting or Work Session.”

Vice Mayor Martinez mentioned that penalties were discussed at the last meeting and it was agreed that it would be discussed at this meeting. She suggested that it should be placed after conduct. The Town Clerk suggested that 3.7 be added for Penalties for Violation of Policy. Vice Mayor Martinez stated that there are no real penalties stated in the police for a major violation in 3.6. The Town Clerk read through section 3.6. Vice Mayor Martinez stated that a council member violated the council policies it was reported to the Town Attorney and Town Manger and the Mammoth Police Department and a file was created, but nothing was done. There needs to be a policy stating what the penalties are for such violations of any of these policies. **Mr. Cooper legal counsel** stated he sent a copy of what another city does and the council can review it prior to the next meeting.

Town Clerk asked if there was anything in the Eloy Policy that should be included there were none. Town clerk stated she would make the changes and they would be brought back to the council to discuss the outstanding issues.

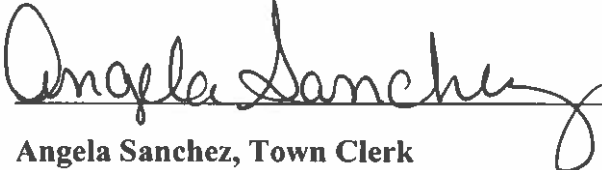
The mayor stated she would like to move the Town Clerks evaluation to the next meeting due to time constraints.

10. Adjourn

Motion to adjourn by Councilman Martinez and seconded by Councilman Brewer.

Meet adjourn at 5:40 PM

I certify that the preceding is a true and correct copy of the Town of Mammoth Council Meeting held November 14, 2021. I further certify that the meeting was duly called and held.

A handwritten signature in black ink that reads "Angela Sanchez". The signature is written in a cursive style and is positioned above a horizontal line.

Angela Sanchez, Town Clerk



**TOWN OF MAMMOTH
MINUTES OF A REGULAR MEETING
OF THE MAMMOTH TOWN COUNCIL
November 18, 2021**

**Minutes of a Regular Meeting of the Mammoth Town Council
On November 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 adhering to Social Distancing Measures.

- 1. CALL TO ORDER – This meeting was called to order at 7:05 PM Mayor Armenta**
- 2. PLEDGE OF ALLEGIANCE, Mayor Armenta**
- 3. ROLL CALL**

PRESENT MEMBERS

Mayor Armenta
Vice Mayor Martinez
Councilman Bustamante
Councilman Martinez (late)
Councilman Brewer
Councilman Ponce

PRESENT STAFF

Attorney S Cooper
Town Manager J. Schempf
Town Clerk A. Sanchez

ABSENT MEMBERS

Councilman Adams

A. Motion is to excuse Councilman Adams

**Motion by Vice Mayor Martinez
Motion Passed VOTE 6-0**

Second by Councilman Bustamante

4. Call to the Public

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 the call to the public individual members of the public body may respond to criticism made by those who address the public body. They may ask staff to review a matter or have the 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.

Representative Neil Carter state representative for district 8 spoke. He stated he wanted to introduce himself and that he was appointed to take the place of the late Representative Pratt.

5. Public Hearing

Open Public Hearing at 7:12PM

Discussion to Determine if the Town of Mammoth Want Pedestrian Crossings Over/Under State Highway 77

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

Councilman Bustamante asked to ensure everyone signs into the public hearing. Councilman Bustamante explained that there is a great need for a pedestrian crossing over highway 77. He stated that we could make a case for a divided community by the highway. Councilman Brewer stated that there are overpasses in other communities such as Superior and Globe. It is important for the safety of our residents. Sharon Christensen stated that she had children and it is very dangerous when kids get off the bus to cross the highway. The town clerk mentioned the Little League and kids crossing the highway. Vice Mayor Martinez stated that this will have to be a cooperation between the town and ADOT. Steve Cooper, Town Attorney stated that there is funding available for transportation and there may be monies available. We might be able to rehab some of the drainage ways under the highway. Vice Mayor Martinez stated that we would need three crossings near the school, the old school and Circle K. If we could put a sidewalk, we would only need two. Drainage ways brings other problems when it rains. The town manger stated that ADOT does not like to make changes so it will take a lot of political support.

Motion to close the public hearing at 7:35

Motion by Councilman Bustamante

Seconded by Vice Mayor Martinez

Motion Passed Vote: 6-0

6. 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.

The mayor pulled the Town Clerk and Town Manager's report. Vice Mayor Martinez pulled the accounts payable report.

Motion to approve the consent agenda including staff reports and the minutes with the exception of the Town Managers, Town Clerk and accounts payable.

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 6-0

John Schempf, Town Manager provided his report stating that he had submitted the bridge loan and is waiting for approval. He also stated he is working closely with the new mechanic to ensure the equipment is being repaired. We have a lot of issues with the loader, backhoe and dump truck. As a result, we have to prioritize and utilize a checklist for operators. He explained that the reason the lights were out on the highway was due to BIA issues.

Angela Sanchez, Town Clerk explained that the audit for this year is almost complete. Balance of water credit is \$3,44301 for overpayments. There is also approximately \$15,000 in former customer credits to track down. The grant from the casino came in at \$8,655.43 the mayor attended the awards banquet. The mayor was notified by Senator Kelly personally. Our grant application for the Congressional Direct Pending funds was approved for \$140,000 and will be funded sometime in January 2022 to purchase two new F-150's for our police department. ADOT notified us that they are releasing our excise tax funds that had been withheld in the amount of \$120,494.08.

Vice Mayor Martinez inquired regarding the accounts payable report. She asked why Dieserto Weed Control bill was so high this month. The town clerk explained it was a double payment for two months. She also asked about the fees from Wells Fargo and if we are looking for other options to reduce costs. The town clerk explained that that fee is paid completely by the customer in the amount of \$1.50 per

transaction. We have not looked for another company because we have all of our account with Wells Fargo and Caselle.

Motion to approve the town manager, town clerk and accounts payable reports

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 6-0

7. OLD BUSINESS

A. Discussion and Action to Ratify the Mammoth Fire District Response Protocol

The town clerk explained that the changes requested were made and the protocol has been updated.

Motion to Ratify the Mammoth Fire District Response Protocol

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 5-0

Councilman Ponce abstained

B. Discussion Regarding Community Clean-up Weed and Brush Event November 19th and 20th 7AM to 2 PM

The town clerk explained that there would be a free weed and brush day on Friday and Saturday the town will pick up one load curbside per household. Residents will also be able to drop off debris at the drop off site across from the softball field.

Discussion Only

8. NEW BUSINESS

A. Discussion and Possible Approval of Revisions to the Council Rules, Policy and Procedures and Code of Ethics

Motion to go into executive session for 15 minutes for legal advice

Motion by Vice Mayor Martinez

Seconded by Mayor Armenta

Motion Died Vote: 2-4

Vice Mayor Martinez stated a councilman had violated the council rules, policy and procedures. A point of order was raised by Councilman Bustamante. Steve Cooper, Town Attorney explained that this item was brought back because the council had planned to discuss penalties for violation. Vice Mayor Martinez stated a council member violated item 12 of the current council's code of conduct. Councilman Brewer stated that he has been charged but has not been convicted of anything. He also stated if he is convicted, he will resign from his position. Vice Mayor Martinez stated she reported an incident and nothing was done. Steve Cooper, Town Attorney explained he could not give a legal opinion on an item he had not seen. The town clerk suggested another work session to work through issues which as tentatively scheduled for Dec. 7, 2021 at 4PM.

Motion is to table this item until the council can review information provided by attorney

Motion by Councilman Martinez

Seconded by Councilman Ponce

Motion Passed Vote: 4-1

Mayor Armenta Abstained

B. Discussion and Possible Approval to Purchase Software License from Caselle for Direct Deposit for Town Employees

The town clerk explained that the employees have been asking for direct deposit and the cost would be \$2,410 to set up the process.

Motion to Approve the Purchase of Software License from Caselle for Direct Deposit for Town Employees

Motion by Councilman Ponce

Seconded by Councilman Brewer

Motion Passed Vote: 6-0

C. Discussion and Possible Approval to Bid up to \$15,000 for a Water Truck and \$5,000 for a Light Stick Pump and/or Welder at the September 8th at Richie Brothers Phoenix Auction

The town manager stated that the town is in dire need of a water truck for upcoming road projects and a light stick pump and welder to assist with upcoming water projects.

Motion to Approve to Bid up to \$15,000 for a Water Truck and \$5,000 for a Light Stick Pump and/or Welder at the September 8th at Richie Brothers Phoenix Auction

Motion by Councilman Brewer

Seconded by Councilman Ponce

Motion Passed Vote: 6-0

D. Discussion on Safety Parking Pull-out for Future Bus Service

Councilman Bustamante stated that we are in need of a bus stop for the elderly population. Also, the bus from the mine stops at Circle K and there is no space and it causes traffic issues. He stated for the record it must be for electric buses and cars so we can look to the future. Vice Mayor stated we also need to address school buses as well.

Discussion Only

E. Consideration and Possible Action to Draft Park Ordinance to Address: no alcohol in parks, establish a 5 AM to 10 PM hours of operation and no glass containers.

Vice Mayor Martinez stated that there have been complaints about parties in the park late at night and broken glass from alcohol. Also, people at the cemetery late at night drinking. By setting operation hours we will be able control when people are in the parks at night. If someone wants to sell alcohol, they will need to get a permit from the state liquor department. This will protect the town from liability. Requested staff post signage with hours and rules. Mayor Armenta stated we need to make sure that we make sure there is an opportunity to ask for exemptions for things like Día De Los Muertos and church fiestas if approved by the council.

The following items were to be included in the draft park ordinance:

Park Hours of Operations – 5AM – 10 PM (make allowances for seasonal changes)

No alcohol in parks unless they have a permit.

No glass containers in parks

All alcohol sales require a permit from the state.

Make allowances for special holidays like Día De Los Muertos and sunrise services

Motion to direct staff to draft a park ordinance

Motion by Vice Mayor Martinez

Seconded by Councilman Martinez

Motion Passed Vote: 6-0

F. Discussion and Possible Action to Appoint a New Vice Mayor

Vice Mayor Martinez asked why was the council appointing a new vice mayor. Historically the council only appoints a new vice mayor every two years and it has only been one year. Councilman Brewer stated it was because we need someone who will do the town's bidding not personal agendas, Vice Mayor Martinez asked to go on record "this is direct result of what is ongoing with Councilman Brewer in his personal statement this is a vendetta because he feels that I day something to do with his current criminal situation." Councilman Brewer stated that it was here-say. Steve Cooper, Town Attorney stated that if the council decides to, they would have to have two votes, one to appoint a new vice mayor and to nominate someone. The attorney stated that historically the mayor would nominate and the council would vote on it. It would take a majority vote of the council. Councilman Brewer stated that on February 21, 2019 at the council meeting there was motion to appoint a new vice mayor and it was voted on and this set a precedence. The attorney stated that to his knowledge the mayor would nominate and the council would vote. The attorney asked for clarification on the motion. New motion to appoint a new vice mayor and to appoint Councilman Bustamante. There was additional discussion and the mayor asked for a vote.

Motion to appoint a new vice mayor

Revised motion to appoint a new vice mayor and to appoint Councilman Bustamante.

Motion by Councilman Brewer

Seconded by Councilman Martinez

Roll Call Vote:

Councilman Adams-Absent

Councilman Brewer-Yes

Councilman Bustamante-Yes

Vice Mayor Martinez-No

Councilman Martinez-Yes

Mayor Armenta-No

Motion Passed Vote: 4-2

G. Discussion and Possible Action to Appoint a New Commissioners

Vice Mayor Martinez made a motion to go into executive session it was seconded by Mayor Armenta. The motion was defeated. The mayor asked the police chief to speak. He stated that he has no issues with the current commissioner and she has legal back ground and is a great advocate for the police department. Commissioners are for Public Works, Police, Planning and Zoning, Administration. Vice Mayor Martinez stated that according to the policy the mayor appoints commissions. Councilman Brewer stated that no council members have more power than another. The town attorney explained that in the current policy the mayor does appoint the commissions. Vice Mayor Martinez expressed that she feels that the other commissions with the exception of the mayor do not take their rolls seriously. She made a motion to do away with commissioners all together. The attorney stated we cannot act on the motion to do away with commissioners because it is not on the agenda. There are a few options, which is to table the item until the current policy is revised, follow the current procedures and the mayor can appoint, you can go back and revisit the issue. This is not good government the council needs to make a decision and not keep continuing it.

Motion to table

Motion by Mayor Armenta

Seconded by Councilman Martinez

Roll Call Vote:

Councilman Ponce-No

Councilman Brewer-Yes

Councilman Bustamante-Yes

Vice Mayor Martinez-No

Councilman Martinez-Yes

Mayor Armenta-Yes

Motion Passed Vote: 4-2

9. MAYOR AND COUNCIL COMMENTS

Councilman Martinez asked the council to bring and wear their council badges.

Councilman Bustamante stated we need to continue to focus on the infrastructure bill and thank those who voted for it.

Councilman Ponce stated he hopes Councilman Adams makes a quick recovery.

Councilman Brewer mentioned the construction of a catch basin from one end of the town to the other to control runoff and help with water issues.

Vice Mayor Martinez stated that she feels there is a big problem with councilman violating code of conduct and she has filed complaints with the mayor and town attorney and nothing has been done. She stated she will file a complaint with the Attorney General's Office and local County Attorney's Office. Conflict of interest and using your position for personal gain and the council is not taking these actions seriously.

Mayor Armenta stated that a split council does not allow us to accomplish anything. Also, she spoke with Senator Mark Kelly and invited him to come to meet with us.

The mayor drew the names for the free turkeys for the give-away the winners are as follows: Anna Esquivel, Lydia Castillo, Esther Castillo, Erica Durazo, Lee Taylor. Congratulations to the winners.

10. ADJOURN

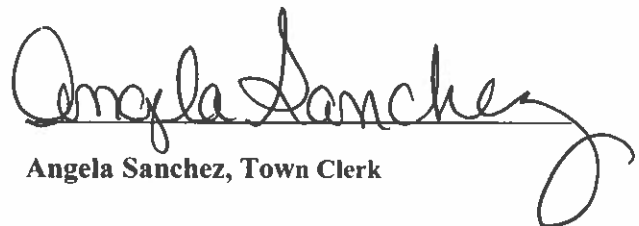
Motion to Adjourn at 8:57 PM

Motion by Mayor Armenta

Motion Passed Vote: 5-0

Seconded by Vice Mayor Martinez

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



Angela Sanchez, Town Clerk

Town of Mammoth Arizona

Code of Ethics

The mission of the of Mammoth Council is to create excellence in local governance by developing and fostering professional local government management. To further this mission, certain principles, as enforced by the Town of Mammoth Rules and Procedures, shall govern the conduct of every member of the Town of Mammoth Council, who shall:

1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.
2. Affirm the dignity and worth of the **services** rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and deep sense of social responsibility as a trusted public servant.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.
4. Serve the best interests of the people.
5. Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.
6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.
7. ~~Option 1-Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.~~
~~Option 2-Refrain from participation in the election of the members of the employing legislative body.~~
~~Option 3- No Councilmember has extraordinary powers beyond those of other members (except as may otherwise be provided in State law). All members, including the Mayor, have equal powers.~~
8. Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.
9. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
10. Resist any encroachment on professional responsibilities believing the member should be free to carry out official policies without interference and handle each problem without discrimination on the basis of principle and justice.

11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions pertaining to appointments, pay adjustments, promotions, and discipline.
12. Public office is a public trust. A member shall not leverage his or her position for personal gain or benefit.

TOWN OF MAMMOTH

2011 TOWN COUNCIL RULES AND PROCEDURES

DRAFT

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TOWN COUNCIL RULES AND PROCEDURES

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1. Form of Government.

The Town of Mammoth municipal government operates under a Council Manager/Clerk form of government as established by the Town ordinance.

1.1 Roles.

Under this form of government, the Council provides legislative direction, sets Town policy and monitors its execution by Town staff. The Town Manager/Clerk serves as the Town's chief administrative officer and is responsible for directing the day-to-day operations of the Town.

1.2 Authority.

The key provisions that outline Mammoth's Council-Manager/Clerk form of government are found in the Town ordinance.

1.3 Mutual Exclusivity.

Town staff shall not interfere with the administration of the Town Council's or Mayor's duties. Neither the Town Council nor any of its members shall interfere with the administration of the Town staff's duties or give orders to the subordinates of either the Town Manager/Clerk or Town Attorney.

2. Council Powers and Responsibilities.

2.1 Town Council Generally.

2.1.1 Number and Term. The elected Officials of the Town shall be seven (7) Council members (including the Mayor) who shall constitute the Town Council. Each Councilmember's term shall continue in office until assumption of duties of office by the or duly elected and sworn successor.

2.1.2 Any Form of action Permissible.

The corporate powers of the Town shall be vested in the Council and shall be exercised only as directed or authorized by law. All powers of the Council shall be exercised by ordinance, resolution, order, or motion.

2.1.3 No Artificial Limit.

The Town Council has the power, in the name of the Town, to do and perform all acts and things appropriate to a municipal corporation and the general welfare of its inhabitants, which are not specifically prohibited by the constitution, the Town ordinance or State or Federal laws.

2.1.4 Majority Rule.

The Council acts as a body. Policy is established by majority vote. A decision of the majority binds the Council to a course of action. The Council majority may be a majority of the quorum of the Council.

2.1.5 No Special Powers.

No Councilmember has extraordinary powers beyond those of other members (except as may otherwise be provided in State law). All members, including the Mayor, have equal powers.

2.1.6 One Office.

No member of the Council is permitted to hold any other Town office or Town employment (except as may otherwise be provided in the Town ordinance).

2.1.7 Assumption of Office.

Immediately prior to assumption of the duties of office, each Councilmember shall publicly sign the Council Code of Conduct and take and subscribe to the oath of office. The oath shall be given by the Town Magistrate or by the Town Clerk. Councilmembers of the Town shall assume duties of office **at the beginning of the** a regularly scheduled Council meeting **in November** immediately following or concurrent with the canvassing of the vote for the general election or as otherwise provided in State law. Assumption of an elected office will result in the automatic resignation of all other Town offices, elected, or appointed.

2.1.8 Council Vacancies.

The Council shall fill by appointment, **for the remainder of the unexpired term or until the next election whichever occurs first, for the unexpired term**, any vacancy that may occur **as required by state law. All efforts will be made to bring council back into accordance with regular election schedule.**

2.1.8.1 Time of Appointment.

Council shall appoint the substitute new Councilmember or Mayor as soon as possible after the Council receives notice that a seat will be vacated. This will typically result in an appointment being made prior to the seat being vacated, effective as of the known future date of the vacancy. If the notice of vacancy occurs during an active Council election season (i.e., after the deadline for candidates to file papers were to be filed complete). The vacancy appointment will not be made until the election cycle is complete (i.e., until after all votes have been cast). Election of a sitting Councilmember or Mayor to another office constitutes (as of the date of the election) notice that a vacancy exists as of the date of assumption of office.

2.1.8.2 Application.

Upon notice that a vacancy in the Council exists or will exist as of a known future date, the Council will call for letters of interest by individuals interested in being appointed, with a specific deadline for such applications to be received by the Town at the Town offices. Such call for applications will be advertised. Letters of interest will be submitted by applicants to the Town Clerk/**Manager**, who will collect the letters and make them available to Town Council. **If a vacancy occurs in the first year after the election the Council will notify all persons who ran in the last election to apply prior to entertaining outside candidates. All applicant would be considered for appointment.**

2.1.8.3 Nomination in Addition to Application: Interviews.

After such deadline, the Council will meet in a public meeting to consider the letters and may nominate any candidate that individual Council members deem to be qualified. Council may convene in a properly noticed Special Council Meeting for purpose of voting and selecting a candidate or may choose to delay this action to a future Regular or Special meeting.

2.1.8.4 Council Compensation.

Councilmembers will not receive any salary, benefits, or other form of monetary compensation for their services. A sitting Council may, by ordinance, modify or otherwise implement a schedule of compensation that until after the next Council election. Any such compensation will become effective beginning the next July 1st following the election.

2.2 Mayor and Vice Mayor-Appointment, Power and Duties.

2.2.1 The Mayor is the official head of the Town for all ceremonial purposes.

2.2.2 The Mayor does not possess any power of veto.

2.2.3 The Mayor, or Council designee, coordinates with the Town Manager/Clerk in the development of agendas for meeting of the Town Council.

2.2.4 The Mayor may perform such other duties consistent with mayoral office as may be prescribed by Town ordinance, as may be imposed by the Council, or as required by State law. Specific duties include:

2.2.4.1 The Mayor shall act as the chairman of the Council and preside over its meetings in accordance with Robert's Rule of Order. However, as a member of the Council, the Mayor shall have the same rights and privileges as all other Councilmembers have including the ability to make, and second, motions and vote on motions made by the Council.

2.2.4.2 The Mayor shall execute and authenticate by his signature all such instruments as the Council or any statutes, ordinances or this code may require.

2.2.4.3 The Mayor may, by proclamation, declare a local emergency to exist due to any natural or man-made calamity disaster. The Mayor may also declare such an emergency in the event of a threat of occurrence of riot or other acts of civil disobedience which endanger life or property within the Town. After declaration of any such emergency, the Mayor shall govern by proclamation and impose any and all necessary regulations to preserve the peace and order of the Town, including but not limited to:

2.2.4.3.1 Imposition of a curfew for all or any portion of the Town

2.2.4.3.2 Ordering the closing of any business

2.2.4.3.3 Closing to the public access to any public building, street, or other public place, or

2.2.4.3.4 Call upon regular or auxiliary law enforcement agencies and organizations within the Town for assistance in providing for the safety of the Town, its citizens and property

2.2.4.3.5 As the Mayor may deem appropriate, and upon request by an organization or individual, the Mayor may prepare proclamations that identify particular days and events to be of special interest to the Town and its citizens

2.3. Council Actions.

2.3.1 Legislative actions by the Town Council can be taken by means of ordinance, resolution, or minute action duly made and passed by the majority (unless

otherwise provided).

2.3.2. In accordance with State Law, public actions of the Council are recorded in the minutes of the town Council meeting. The Town Clerk is required to make a record of business actually passed upon by a vote of the Council and should not record any remarks of Councilmembers or of any other person, except at the special request of a Councilmember, with the consent of the Council.

2.3.3 Actions of the Council concerning confidential property, personnel, and legal matters of the Town are to be reported consistent with State law.

2.3.4. Any Councilmember may suggest an agenda item for the next regular Council meeting and the item may placed on the agenda.

3. Legal and Ethical Standards.

3.1 Preamble.

The residents and businesses in Mammoth are entitled to have fair, ethical and accountable local government. Such a government requires that public officials:

3.1.1 Comply with both the letter and the spirit of the laws and policies affecting operations of the government;

3.1.2 Be independent, impartial and fair in their judgment and actions;

3.1.3 Use their public office for the public good, not for personal gain, or exacting personal agendas;

3.1.4 Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility.

3.2 Code of Ethics.

To this end, the Mammoth Town Council has adopted a Code of Ethics to encourage public confidence in the integrity of local government and its fair and effective operation. This Town Council Code of Ethics is composed of two documents: (1) these Town Council Policies; (2) the Town Council **Code of Ethics**.

The Town Council Code of Ethics shall not be interpreted to conflict with other rights and responsibilities of public officials set forth in this code or Federal, State, or local document relating to ethical conduct by Mammoth Councilmembers.

3.3 Conduct. (moved from 3.4)

3.3.1 Councilmembers shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the Town Council, boards, commissions, committees, staff, or the public.

3.3.2 Councilmember's duties shall be performed in accordance with the processes and rules of order established by the Town Council.

3.3.3 Councilmembers shall inform themselves on public issues, listen attentively to public discussion before the body and focus on the business at hand.

3.3.4 Council decisions shall be based upon merits and substance of the matter at hand.

3.3.5 It is the responsibility of Councilmembers to publicly share substantive information that is relevant to a matter under consideration that they have received from outside of the public decision-making process with all other Councilmembers and the public prior to taking action on the matter.

- 3.3.6 Appropriate Town staff should be involved when Councilmembers meet with officials from other agencies and jurisdictions to ensure proper staff support as needed to keep staff informed.
- 3.3.7 Councilmembers shall not attend internal staff meetings or meetings between Town staff and third parties unless invited by Town staff or directed by Council.
- 3.3.8 Policy Role. Councilmembers shall respect and adhere to the Council, Manager/Clerk structure of Mammoth Town government as provided in State law and the Town ordinance. Councilmembers shall support the maintenance of a positive and constructive environment for residents, businesses, and Town employees.
- 3.3.9 Implementation. The Code of Ethics shall be included in the regular orientations for Town Council candidates. Councilmembers entering office shall sign a statement affirming, they have read and understand the Town of Mammoth Town Council Code of Ethics.

3.4 Public Interest. (moved from 3.3)

- 3.4.1 Recognizing that stewardship of the public interest must be their primary concern, Councilmembers shall work for the common good of the people of Mammoth and not for any private or personal interest. Councilmembers must endeavor to treat all members of the public and issues before them in a fair and equitable manner,
- 3.4.2 Councilmembers shall comply with the laws of the nation, the State of Arizona and the Town in the performance of their public duties. These laws include, but are not limited to: the United States of Arizona constitutions; Mammoth Town ordinances; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities and open meeting.

3.5 Conflict of Interest.

- 3.5.1. In order to assure their independence and impartiality on behalf of the public good. Councilmembers are prohibited from using their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest under State law.
- 3.5.2 Councilmembers shall not take advantage if services or opportunities for personal gain by virtue of their public office that are not available to the public in general.
- 3.5.3 Councilmembers shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the Town. They must neither disclose confidential information without proper legal authorization nor **usc** such information to advance the personal, financial, or private interests of themselves or others.
- 3.5.4 Town Councilmembers should avoid any action that could be construed as or create the appearance of using public office for personal gain, including use of Town stationery or other Town resources to obtain or promote personal business.
- 3.5.5 Public resources not available to the general public (e.g., town staff time, equipment, supplies, or facilities) shall not be used by Councilmembers for private gain or personal purposes

- 3.5.6 In keeping with their roles as stewards of the public interest, Councilmembers shall not appear on behalf of the private interest of a third party before Town Council or any board, commission or committee or proceeding of the Town, except as permitted by law.
- 3.5.7 To the best of their ability, Councilmembers shall represent the official policies and positions of the Town Council. When presenting their personal opinions or positions publicly, members shall explicitly state they do not represent the Council or the Town.

3.6 Compliance and Enforcement — All Rules.

Councilmembers take an oath or affirmation when they assume their office in which they promise to uphold the laws of the State of Arizona, the Town of Mammoth, and the United States of America. Consistent with this oath or affirmation is the requirement of the Council's policy to comply with the laws as well as report violations of the laws and policy of which they become aware.

3.6.1 Any suspected violation or alleged violation by a Councilmember must be reported to the mayor. Any suspected violation or alleged violation by the mayor must be reported to the Vice Mayor. In case of a Town staff member making the report regarding a Councilmember or Mayor, the report should be made to the Town Manager/Clerk who will then report it to the Mayor (or, when appropriate, the Vice Mayor). Upon report, the Town Manager/Clerk and Town Attorney will assist the mayor in the following one of the two (2) protocols for addressing the violation or alleged violation:

- 3.6.1.1 If the Mayor, Town Manager/Clerk, and the Town Attorney all agree that the violation or alleged violation is minor in nature, the mayor and either the Town Manager/Clerk or the Attorney may contact the individual Councilmember and advise the member of the concern and seek to resolve the matter.
- 3.6.1.2 If the Mayor, Town Manager/Clerk and the Town Attorney do not agree that the violation or alleged violation is minor in nature or agree that it is not minor in nature, then the Mayor shall convene a special ad hoc committee of the Mayor (who will serve as chair), Vice Mayor and a third party selected by the Mayor and Vice Mayor (the "Ethics Committee") who will meet with the Town Manager/Clerk and Town Attorney and appropriate staff and witnesses to determine how the matter may proceed, be resolved or be reported to the appropriate authorities
- 3.6.1.3 In implementing the provisions of this section, the Ethics Committee will be authorized to conduct all inquiries and investigations as necessary to fulfill their obligation.
- 3.6.1.4 The incident or violation is not minor if it involves the injury or potential injury to any person (e.g., physical, emotional, defamation, harassment, etc.), significant exposure to the Town Treasury or the probability for a repeat occurrence.

3.6.2 Councilmembers wishing to report a suspected violation by a staff member should report it to both the Town Manager/Clerk and Town Attorney.

- 3.6.3 In the event any Councilmember with a role in this policy is the subject of the inquiry, the role of that official shall be assumed by the next ranking official in the chain. For example, if the mayor is the subject of the inquiry, the Ethics Committee shall be comprised of the Vice Mayor (who shall serve as chair) and the two (2) most senior available Council members (by duration on the Council). If the Town Manager/Clerk or Town Attorney is the subject, the Committee will exclude that individual.
- 3.6.4 The term "Committee" or "Ethics Committee" is used for ease of reference only as it is not intended by this policy to create a permanent or standing committee but, rather, to assemble the officials necessary to review complaints should the need arise.
- 3.6.5 This policy and the protocols set forth are alternatives to any remedy that might otherwise be available or prudent. In order to ensure good government, any individual, including the Town Manager/Clerk and Town Attorney, who believes a violation may have occurred is hereby authorize to report the violation to other appropriate authorities.

3.7 Penalties for Minor and Major Policy Violations
TBD

4. Communications.

4.1 Written Communications.

Written communications addressed to the Town Council are to be referred to the Town Clerk for forwarding to the Council

4.2 Request for Staff Resources.

Council request for research or other staff work must be directed to the Town Manager/Clerk or the Town Attorney regarding legal matters

4.2.1 If more than one hour of staff time will be required to complete the task/project, the item will be agendaized to ask the Town Council if time should be spent on preparing a report on the proposed item.

4.2.2 Staff responses prepared to Council inquiries shall be distributed to all Town Councilmembers.

4.3 Relationship/Communications with Staff.

Staff serves the Council as a whole, therefore:

4.3.1 A Councilmember shall not direct staff to initiate any action, change a course of action or prepare any report, nor shall a Councilmember initiate any project or study without the approval of Council.

4.3.2 Councilmembers shall not attempt to pressure or influence discussions, recommendations, workloads, schedules, or department priorities absent the approval of the Council.

4.3.3 When preparing for Council meetings, Councilmembers should direct questions ahead of time to the Town Manager/Clerk so that staff can provide the desired information at the Council meeting.

- 4.3.4 Any concerns by a member of the Town Council regarding the behavior or work of a Town employee should be directed to the Town Manager/Clerk privately to ensure the concerns are resolved. Councilmembers shall not reprimand employees directly nor should they communicate their concerns to anyone other than the Town Manager/Clerk.
- 4.3.5 Councilmembers serving in Council committees or as the Town's representative to an outside agency may interact directly with Town staff assigned to that effort as the Town Manager/Clerk designee. The Town staff member so designated and assigned will keep the Town Manager/Clerk appropriately informed.
- 4.3.6 Soliciting political support from staff (e.g., financial, contributions, display of posters or lawn sign, name on support lists, etc.) is prohibited. Town staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace and may not be conducted while in uniform or wearing indicia of association with the Town.

4.4 Council Relationship/Communication with Boards, Commission. and Committees.

Individual Councilmembers shall not attempt to pressure or influence board, commission or committee (each, an "agency") decisions, recommendations or priorities, absent the approval of the Council. The role of Council liaison is to observe and report to the Council and actions of the agency and the Council, respectively.

4.5 Handling of Litigation and other Confidential Information.

All written materials and verbal information provided to Council members on matters that are confidential to State law shall be kept in complete confidence to ensure that the Town's position is not compromised. No disclosure or mention of any information in these materials may be made to anyone other than Councilmembers, the Town Attorney or Town Manager/Clerk.

- 4.5.1 Confidential materials provided in preparation for and during Executive Sessions must be returned to staff at the conclusion of the Executive Session.
- 4.5.2 Confidential materials provided to Council members outside Executive Sessions must be destroyed or returned to staff within thirty (30) days of their receipt.
- 4.5.3 Councilmembers may not request confidential written information from staff that has not been provided to all Councilmembers.

4.6 Representing an Official Town Position.

- 4.6.1 Town Councilmembers may use their title only when conducting official Town business, for information purposes or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed their authority.
- 4.6.2 Once the Town Council has taken a position on an issue, all official Town correspondence regarding that issue will reflect the Council's adopted position.

- 4.6.3 In most instances, the Council will authorize the mayor to send letters stating the Town's official position to appropriate legislators.
- 4.6.4 If a member of the Town Council appears before another governmental agency organization to give a statement on an issue affecting the Town, the Councilmember should indicate the majority position adopted by the Council. If the Council is divided in an issue, the member ~~should make no statement.~~ **may make a personal statement indicating that it is not that of the council.**
- 4.6.5 Personal opinions and comments may be expressed only if the Councilmember clarifies that these statements do not reflect the official position of the Town Council.

4.7 Quasi-Judicial Role/Ex Parte Contacts.

- 4.7.1 Quasi-Judicial Role, The Town Council has a number of roles. It legislates and makes administrative and executive decisions. The Council also acts in quasi-judicial capacity or "like a judge" when it rules on various permits, licenses, and land use entitlements. In this last capacity, quasi-judicial, the Council in a regular meeting, takes evidence, determines what the evidence shows and exercises its discretion in applying the facts to the law shown by the evidence. It is to these proceedings that the rule relative to ex parte contact applies.
- 4.7.2 *Ex Parte Contacts/Fair Hearing.* The Council shall refrain from receiving information and evidence on any quasi-judicial matter while such matter is pending before the Town Council or any agency, board or any agency, board, or commission thereof, except at the public hearing, note ordinary lobbying on non-quasi-judicial matters is legal and not a violation of these rules.
 - 4.7.2.1 As an elected official, it is often impossible to avoid such contacts and exposure to information, Therefore, if any member is exposed to information or evidence about a pending matter outside of the public hearing, through contacts by constituents, the applicant or through site visits, the member shall disclose all such information and/or evidence acquired from such contacts, which is not otherwise included in the written or oral staff report, during the public hearing.
 - 4.7.2.2 Matters are "pending" when an application has been filed. Information and evidence gained by members via their attendance at noticed public hearing before subordinate boards, commissions, and committees are not subject to this rule.

5. Boards, Commissions, and Citizen Committees.

This section is intended to describe the function of boards, commissions, and committees (each a "Citizen Committee") other than Council Member Committees (see 2.4). These general rules apply unless the motion, resolution, or ordinance creation the board, commission, or committee explicitly provides otherwise.

5.1 Boards, Commissions, and Citizen Committees Generally.

- 5.1.1 The Town ordinance authorizes the town Council to establish additional advisory Boards, Commissions, and Citizen Committees to assist the Council in its policy decisions. The Town Council has the inherent power to create Citizen Committees.

- 5.1.2 Town Boards, Commissions, and Citizen Committees do not set or establish Town policy or administrative direction to Town staff.
- 5.1.3 Appointment to Boards, Commissions and Citizen Committees are by the “Town Council ~~mayer~~ in November and reviewed annually,” after review and consideration of all applicants.
- 5.1.4 The term "Board" and "Commission" may be used interchangeably. Boards and Commissions typically have broader policy and advisory responsibilities than Citizen Committees, which typically have much more focused advisory roles to the Council.

5.2 Board, Commission and Citizen Committee Organization and Conduct.

- 5.2.1 There are two (2) classes of official Town Citizen Committees: “ad hoc” and “standing” Citizen Committees.
 - 5.2.1.1 Ad hoc Citizen Committees are formed by motion or resolution of the Council, having the composition, responsibilities, and schedule adopted by Council on motion resolution. Such as ad hoc Citizen Committees are only appropriate for addressing matters having a short duration or specific project focus and will automatically terminate as defined in their commissioning documents (or when the work is complete, if no time is stated) without further Council action, unless extended by Council.
 - 5.2.1.2 Standing Citizen Committees are formed by ordinance of the Council amending this document, having the composition, by-laws, and responsibilities adopted by council in such ordinance. Such Standing Citizen Committees are only appropriate for addressing matters having a continuing duration or recurring project focus and will terminate only upon Council action.
- 5.2.1 Each Board, Commission, or Citizen Committees must elect one of its members to serve as the presiding officer or chair at the first meeting of an ad hoc Citizens Committee, or on the first meeting of the year for a Board, Commission, or Standing Citizen Committee.
- 5.2.2 Boards, Commissions, and Citizen Committees shall hold regular and special meetings as may be required. The conduct of Board, Commission, and Citizen Committee meetings are governed by the same rules of policy and procedure as the Town Council.
- 5.2.3 Boards, Commission, and Citizen Committees should comply with all applicable open meeting and conflict-of-interest laws of Arizona.
- 5.2.4 Board, Commission, and Citizen Committee members are expected to adhere to the Town Council's Code of Ethics.
- 5.2.5 Board, Commission, and Citizen Committee members are expected to adhere to the Town Council’s Code of Ethics and Town’s Personnel Policy.

5.3 Board, Commission, and Citizen Committee Appointments.

All voting members of Town Boards, Commission, or Citizen Committees must be appointed by the ~~mayer~~ council.

- 5.3.1 The motion, ordinance, or resolution establishing such Boards, Commissions, or Citizen Committees will include the number of members, the purpose for which

the Board, Commission, or Citizen Committee is organized, and the duties of thereof.

- 5.3.2 The Town ordinance provides that members of Town Boards and Commissions must be residence of the Town. Non-voting Citizen Committee membership may include nonresidents.
- 5.3.3 All appointees should bring skill, integrity, knowledge, interest, and commitment to evaluating issues in the broad context of the public interest. To the extent possible, appointees should be selected to represent a broad cross-section of the community relative to the purpose of the agency.
- 5.3.4 Appointees may serve an unlimited number of consecutive terms on a given Board, Commission or Citizen Committee (except where specifically limited).
- 5.3.5 The Town Clerk provides application forms and maintains a composite listing of all applications on file which have been received.

5.4 Boards, Commissions, and Citizen Committees-Vacancy of Office.

- 5.4.1 If a member of Council, a Board, Commission or Citizen Committee (1) is absent from three regular meetings of such Board or Commission, consecutively or within a calendar quarter, and the Chair thereof recommends removal, (2) has violated the Code of Ethics. The Council may, for good cause or upon recommendation of the Chair of the agency, determine that a vacancy has not been created.
- 5.4.2 Resignations may be submitted at any time to the Town Council either directly or through the Board, Commission 310n, or Citizen Committee Chair. Resignations are effective upon submittal.
- 5.4.3 Upon notice of a vacancy, Town staff shall initiate an appointment procedure similar to that for Council, leading to a recommendation to the mayor for a successor of such vacancy and the successor will be appointed to serve only to the date of the unexpired term. The Commission, Board, or Committee appointment process differs from the Council appointment process in that (1) the call for applications may be advertised (if requested by the Council, Commission, Board, or Committee) and (2) the Chair of the Commission, Board, or Committee will participate as a member of the interview panel.

5.5 Board, Commission, and Citizen Committee Duty of Loyalty to the Town Council.

Boards, Commissions, and Citizen Committees serve as advisory agencies to Council, and have no independent authority (except as provided by State law or Town ordinance). Such agencies of the Town may perform the duties outlined herein, have projects assigned by Council, may initiate independent activities (so long as such activities do not involve tasking of other governmental agencies in the name of the Town, out of state travel, or retention of consultants), and may report on a regular basis to Council in the activities of such agency. When acting in their appointed roles, these agencies should act based on the policy direction of the Council. They should not act in opposition or conflict with the Council, except when the Council has adopted an unambiguously illegal or unethical position. Members of these agencies who cannot in good conscience support the policy directions of Council should resign and see to persuade the Council through other means.

5.6 Board, Commission, and Standing Citizen Committees.

5.6.1 Planning and Zoning Advisory Commission. The Planning and Zoning Advisory Commission (the "P&Z Commission") shall be formed of five (5) members, all of whom must be residents **or property owners** of the Town. Each member will be appointed to a ~~four~~ **two**-year term, unless filling a vacancy appointment (in which the term is the balance of the term of the person replaced). The P&Z Commission may set its own meeting schedule, but meetings will be held at least quarterly, or at the request of the Mayor, a Councilmember, or an applicant. The P&Z Commission may adopt its own rules of procedure, but such rules must include Roberts Rules of Order. The P&Z Commission has the duty to diligently perform all the duties allocated to the P&Z Commission by Arizona Law or Town ordinance.

5.6.2 Waiver of the residency requirement.

The Town Council may waive the residency or property owner requirement in order for an individual to serve on a town commission, committee or board. The individual must complete a waiver form and be approved by the Town Council.

6. Council Meetings.

All meetings of the Town Council are governed by state Open Meetings Law (the "Act"). The Act applies to the Town Council, and all subordinate boards, commissions, and Citizen Committees of the Town. If any member of a Town legislative body, or Town staff, believe that action has been taken on an item in contravention of the Act, that person is privileged to place the item on a future agenda for reconsideration or other actions.

6.1 Regular Meetings.

Regular meetings of the Town Council are held on the third Thursday of each month at 7:00 p.m. in the Council **meeting place Chambers at Town Hall**. All regular Council meetings are open to the public.

6.2 Study Sessions.

Study Sessions or "Work Sessions" of the Town Council are held **as needed before each regular meeting at 6:30** in the Council **meeting place Chambers at Town Hall** to allow for a detailed review of important matters. Study Sessions may be conducted with another Town Board, Commission, Citizen Committee, or another governmental agency. Formal action is typically not taken at a Study Session unless the agenda indicates that action may be taken, in which case the Study Session is reclassified as a Special Meeting. All Study Session meetings are open to the public.

6.2 Executive Sessions.

Executive Sessions are also regulated pursuant to the Act. All written materials and verbal information regarding Executive Session items must remain confidential. Written reports and exhibits or materials furnished to members of the Council as part of an Executive Session must not be copied or saved and must be returned to staff at the conclusion of the Executive Session. No member of the Council, employee of the Town,

or anyone else present should disclose to any other person the intent or substance of any discussion that takes place in an Executive Session unless authorized by the Council.

- 6.2.1 Permissible topics or issues for an Executive Session discussion are limited to those topics or issues outlined in State law (currently, A.R.S 38-431.03), which generally are: Town staff employment matters; records exempt by law for public inspection; legal advice from the Town's Attorney's; legal instructions to the Town's Attorneys regarding contracts being negotiated, litigation, or settlement; labor agreement negotiations; international, tribal, and interstate negotiations; and real property purchase negotiations,
- 6.2.2 All public statements, information and press releases relating to Executive Session items should be handled by the Town Attorney or otherwise directed by the Council majority.
- 6.2.3 Executive Session meetings are closed to the public and the press.
- 6.2.4 Any suspected violation of the confidentiality of an Executive Session discussion shall be reported to the Town Attorney. "Confidential Information" means a communication, verbal or written, made in Executive Session that is specifically related to the legal basis for conducting the Executive Session.

6.4 Special and Emergency Meetings.

Pursuant to the Act, the Council may also hold special or emergency meetings as deemed necessary.

6.5 Council Agenda.

The Town Manager/Clerk is responsible to discern and plan, in consultation with the Mayor and in accordance with the Town Code, which items are ready or need to be placed on the agenda and the timing for scheduling such items. Any person may request placement of a matter on the Council agenda by submitting a formatted agenda action form, ~~in accordance with Resolution 279.~~

- 6.5.1. Any Councilmember may suggest an agenda item for the next regular meeting Council meeting and the item shall be placed on the agenda ~~at the Mayors discretion~~ by;
 - 6.5.1.1 the Mayor
 - 6.5.1.2 or three council members.
- 6.5.2 Ordinarily, no item will be placed on council's agenda for discussion unless submitted seven (7) days prior to the next regular Council meeting using the "Council Agenda Action Form" **with an exception for emergency items.**
- 6.5.3 Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate Board or Commission, set for a work session, or tabled for a future date, etc.
- 6.5.4 The Mayor or ~~four~~ **three** Council members may call for a Special Meeting or Special Work Session as he deems appropriate to conduct Town business subject to the requirements of the Open Meeting Law postings of meeting notices.

6.6 Decorum.

While the Town Council is in session, all persons shall conduct themselves with reasonable decorum. Any person who is so disorderly or who so persistently disrupts the business meeting so far as to interfere with the proper conduct of the business may be ordered removed from the meeting place. At such time, the Mayor may call a recess.

6.7 Time of Adjournment.

It is the policy of the Town that all evening meetings of the Council, including study sessions, should be adjourned no later than 9:00 p.m., which time is referred to as the normal time of adjournment. No new item of business shall be taken up by the Town Council after the normal time unless the Council has determined by majority vote to set aside this policy. In the event it appears that the entire agenda cannot be completed by the normal time of adjournment, the Council may take up and act upon the more pressing agenda items. All agenda items not considered at the meeting shall be on the agenda of the next regular, special, or adjourned regular meeting unless the Council directs otherwise.

6.8 Agenda Packets.

Agenda packets are to be made available at the Town Clerk's Office, the Town's web site (www.townofmammoth.us), and at the Council meetings, Council meeting agendas, minutes and staff reports are available for public review beginning the Friday evening before each Council meeting.

- 6.8.1 Agenda packets are to be delivered to Council members on the Friday prior to Thursday Council meetings; or as far in advance as possible, for a special or emergency council meetings.
- 6.8.2 Agenda packets may be released to the press or members of the public at 4:30 p.m., on the Friday preceding Thursday's council meetings, or as far in advance as possible for special or emergency Council meetings.

City of Maricopa Ethics Code for mayor and councilmembers

SEC. 2-134. Reporting Ethics Violations

Council Members have a duty to report violations of the Code of Ethics or any misconduct that raises a substantial question as to a Member's integrity or fitness as a public official. Council shall serve as a committee of the whole for purposes of Code of Ethics enforcement, which includes a reasonable process for investigating complaints that affords the subject of a complaint a full and fair opportunity to be heard. The City benefits from formal and informal reporting procedures that encourage prompt resolution of grievances and concerns.

(a) Informal Reporting Procedures

Before initiating the formal complaint process, a grievant should make every reasonable effort to resolve issues constructively in an informal manner, unless such efforts would be futile or inadequate to address the nature and severity of the alleged violation.

(1) Whenever possible, a grievant should first discuss concerns with the alleged violator.

(2) Either party may request the assistance of a neutral third-party to facilitate discussions about the complaint. Both parties must agree to use the neutral third-party.

(b) Formal Reporting Procedures A grievant may initiate the formal complaint process when informal efforts are futile, unsuccessful, or inadequate to address the nature and severity of the alleged violation. A person who knowingly makes a false, misleading, or unsubstantiated statement in a complaint may be subject to criminal prosecution for perjury and civil liability.

(1) The grievant shall inform the alleged violator of the intent to initiate the formal complaint process.

(2) The grievant shall submit a formal complaint to the City Manager and City Attorney within ninety (90) days from the date the grievant first became aware of the alleged violation or within one (1) year from the date of the alleged violation.

(3) The complaint shall provide:

- i. The name of the grievant;
- ii. The name of the alleged violator;
- iii. The nature of the alleged violation, including the specific provision of the Code of Ethics or law allegedly violated;
- iv. A statement of facts describing relevant conduct and dates;
- v. Copies of relevant documents or materials and/or a list of unavailable, relevant documents or materials;
- vi. A list of relevant witnesses; and
- vii. An affidavit stating that the information contained in the complaint is true and correct, and stating the grievant has good reason to believe and does believe that the facts alleged constitute a violation of the Code of Ethics.

(4) The City Manager and City Attorney or designee shall gather relevant facts, documents, witness statements, interview the alleged violator, and gather other information relevant to the complaint.

(5) The City Attorney or designee shall prepare a recommendation to Council.

(6) The complaint and recommendation shall be submitted to the entire Council for review at a duly convened executive session. All laws pertaining to executive sessions shall apply, including the right of the alleged violator to an open hearing.

i. Council shall review the complaint and recommendation, and consult with the City Attorney or designee to determine whether there is reasonable cause to believe a violation occurred and whether sanctions are warranted

ii. If there is reasonable cause to believe a violation occurred, the matter may be placed on a Regular Council Meeting agenda for action.

(A) A 2/3 vote of the Council (of the Members Present) at a Regular Council Meeting shall be required for a determination that a violation of the Code of Ethics has occurred.

(B) A 2/3 vote of the Council (of the Members Present) at a Regular Council Meeting shall be required for sanctions.

SEC. 2-135. Sanctions Any Council Member found in violation of this Code of Ethics may face the following sanctions:

(a) Warning

(b) Letter of reprimand

(c) Public censure by the Council, which may include:

(1) Loss of assignments;

(2) Loss of power to appoint members to City Boards, Commissions and Committees;

(3) Loss of Council discretionary funds;

(4) Loss of City-related travel privileges;

(d) A demand for non-monetary restitution (e.g., a public apology, the return of gifts); and/or

(e) A demand for reimbursement of administrative, legal, and/or investigation costs and expenses incurred in investigating and prosecuting the violation of the Code of Ethics. Serious infractions of the Code of Ethics or other intentional and repeated conduct in violation of this Article VIII may result in other sanctions as deemed appropriate by Council. Violations of state law provisions described herein shall be punished as provided for in state law. The language used in imposing sanctions will be consistent and follow a specific format as established by the Council.

TOWN OF MAMMOTH
AGENDA ACTION FORM

AGENDA ITEM NO.: _____
COUNCIL MEETING DATE: 12/16/2021
COUNCIL MEETING TIME: _____

DATE SUBMITTED: 11/30/2021 DATE ACTION REQUESTED: 12/16/2021
SUBJECT: AGENDAS ~~PACKET~~

TYPE OF ACTION REQUESTED:

FORMAL ACTION-MOTION
 INFORMATION ONLY
 RESOLUTION
 ORDINANCE
 OTHER

REQUEST AND/OR DISCUSSION ON: POSTING THE MEETING AGENDAS
AT THE POST OFFICE. (inside)

FISCAL IMPACT: 0

RECOMMENDATION: _____

PREPARED BY: Joseph S. Brown

TOWN CLERK'S RECOMMENDATION FOR PLACEMENT ON THE AGENDA: YES NO

John Blum 12/9/21
TOWN MANAGER DATE

MAYOR'S APPROVAL FOR PLACEMENT ON THE AGENDA: YES NO

Patricia Armenta 12/9/21
MAYOR DATE



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8 **INTERGOVERNMENTAL TRANSPORTATION FUNDING AGREEMENT**
9 **BETWEEN**
10 **THE PINAL REGIONAL TRANSPORTATION AUTHORITY**
11 **AND**
12 **THE TOWN OF MAMMOTH**
13 **FOR**
14 **DESIGN AND CONSTRUCTION OF IMPROVEMENTS**
15 **IN CONNECTION WITH A LOCAL ROADWAY ELEMENT**
16

17 This Agreement (hereinafter "**Agreement**") is entered into pursuant to A.R.S. § 11-952 by and between the Pinal
18 Regional Transportation Authority ("**PRTA**" or "**Authority**"), a special taxing district formed pursuant to Title 48
19 Chapter 30 of the Arizona Revised Statutes, and the Town of Mammoth, a body politic and political subdivision of
20 the State of Arizona ("**Local Jurisdiction**").
21

22 **RECITALS**
23

- 24 A. A.R.S. § 48-5301, *et seq.*, ("**PRTA Enabling Legislation**") authorizes the Authority to act as a regional taxing
25 authority for the purpose of funding multi-modal transportation operations and improvements identified
26 in the Pinal Regional Transportation Plan ("**Plan**") that was approved by the voters at a special election held
27 in Pinal County, Arizona, on November 7, 2017 ("**Special Election**"). The Special Election also authorized a
28 sales tax to fund the Plan ("**Voter Approved Sales Tax**"). Under the Plan, the voters approved numerous
29 Plan Elements. This Agreement implements one of such Plan Elements, the Local Roadway Funding
30 Element. Capitalized terms used in this Agreement and not defined herein shall have the meaning ascribed
31 to such terms in the Publicity Pamphlet and Sample Ballot, Special Election, November 7, 2017, Pinal County
32 Regional Transportation Plan Propositions 416 and 417 ("**Voter Pamphlet**").
33
34 B. A.R.S. § 48-5302 provides that the County Board of Supervisors may establish a regional transportation
35 authority, and the County Board of Supervisors has done so pursuant to Resolution #080515-RD15-018,
36 dated August 5, 2015.
37
38 C. The governing board of the Authority is composed of Pinal County members of the regional council of
39 governments in accordance with A.R.S. § 48-5303.
40
41 D. Pursuant to A.R.S. § 48-5304 (12), the governing board of the Authority (the "**PRTA Board**") has sole
42 authority to implement the elements of the Plan.
43
44 E. Pursuant to A.R.S. § 48-5304 (13), the PRTA Board shall coordinate the implementation of the Plan among
45 the local jurisdictions.
46
47 F. A Regional Transportation Fund was authorized by the Arizona Legislature per A.R.S. § 48-5307 to be the
48 repository for the Voter Approved Sales Tax proceeds collected for the purpose of funding the Elements
49 identified in the Plan.
50
51 G. The Authority is authorized by A.R.S. § 48-5304 (16) and 48-5308 to administer and distribute the regional
52 transportation funds to the members of the Authority as required by the voter approved Plan.

- 1
2 H. The amount that the PRTA must distribute to the Local Jurisdiction on an annual basis is established by
3 A.R.S. §48-5308.D.1, and for FY 2018 (the first year of the voter approved Plan) the amount is set at the
4 statutory amount of \$300,000 per year (the “PRTA Contribution Amount”), which amount is subject to
5 proration for partial years and annual adjustment pursuant to A.R.S. § 48-5308 as and when required by
6 this Agreement.
7
8 I. The Local Jurisdiction is authorized by A.R.S. § 9-240 (B) (3) to design, maintain, control and manage public
9 roads within the Local Jurisdiction’s jurisdictional boundaries.
10
11 J. The Local Jurisdiction, with funding from the Authority, wishes to undertake the design and construction of
12 improvements to the Local Jurisdiction’s public roads as authorized by the voters in order to implement the
13 voter approved Local Projects and Administrative Costs Element (the “Local Roadway Project”).
14
15 K. The Authority intends to fund the Local Roadway Project under the terms and conditions contained in this
16 Agreement and has entered into this Agreement for that purpose.
17
18 L. Following the Special Election, litigation ensued (the “Tax Challenge”) challenging the tax that was
19 authorized at the Special Election. The Arizona Supreme Court has yet to render an opinion (“Supreme
20 Court Opinion”) regarding the Tax Challenge.
21
22 M. The PRTA Enabling Legislation requires the PRTA to implement the Plan following voter approval, but the
23 funding source contemplated by the Enabling Legislation has been unavailable due to the Tax Challenge.
24
25 N. The PRTA Board on July 22, 2021 approved a Local Roads Guidance Document which is intended to be
26 applicable to this IGA. This guidance document is subject to change by the Board from time to time, and, as
27 amended, shall apply. Pursuant to the adopted guidance, it is the policy of the Authority to require that an
28 intergovernmental agreement be approved and entered into by the Authority and the Local Jurisdiction
29 before requests for funding reimbursement or payments can be processed by the Authority.
30
31 O. The Town of Mammoth has been identified as the Local Jurisdiction for the Local Roadway Project in the
32 Town of Mammoth and will be responsible for all aspects of the Local Roadway Project implementation
33 including, but not limited to, planning, project management, risk management, design, right of way
34 acquisition and construction, advertisement, award, execution and administration of the design and
35 construction contracts for the Local Roadway Project. The Authority’s role is limited to providing financial
36 support to the Local Jurisdiction for the Local Roadway Project, as described herein.
37
38

39 NOW, THEREFORE, the Town of Mammoth and the PRTA, pursuant to the recitals set forth above
40 and in consideration of the matters and things set forth herein, do mutually agree as follows:
41

42 **AGREEMENT**
43

- 44 **1. Purpose.** The purpose of this Agreement is to set forth the responsibilities of the parties for the planning, funding,
45 design, and construction of the Local Roadway Project and to address the legal and administrative matters among
46 the parties.
47
48 **2. Roadway Project.** The Local Roadway Project shall consist of projects proposed by the Local Jurisdiction on a
49 fiscal year basis pursuant to Section 4 of this Agreement.
50
51 **3. Effective Date; Term.** This Agreement shall become effective as of the date the PRTA Chairman or Executive
52 Director signs the Agreement (“Effective Date”). The initial “Term” of this Agreement shall be five (5) years
53 commencing on the Effective Date and shall be subject to renewal for additional five (5) year terms with the parties’

1 mutual consent. This Agreement is subject to termination pursuant to Section 6.

2
3 **4. Responsibilities of the Local Jurisdiction.**
4

- 5 a. Upon the receipt of Voter Approved Tax proceeds following the date of the Supreme Court Opinion
6 (“**Supreme Court Approval Date**”) affirming the validity of the Voter Approved Sales Tax, the PRTA will
7 notify the Local Jurisdiction of such receipt (the “**Tax Receipt Notice Date**”). Within ten (10) days following
8 the Tax Receipt Notice Date, the Local Jurisdiction shall submit an invoice to the PRTA to be reimbursed for
9 capital projects that fall within the category of “**Permitted Projects**” as set forth on Exhibit A and paid for
10 by the Local Jurisdiction during the period from April 1, 2018 through the Supreme Court Approval Date.
11 The amount of such invoice shall be referred to herein as the “**Reimbursement Amount**”. The Local
12 Jurisdiction must provide documentation demonstrating that expenses and fees for the Permitted Projects
13 have been paid, properly procured and that no person involved in the approval or implementation of the
14 Permitted Project had or has a conflict of interest as set forth in A.R.S. § 38-501 *et seq.*
15
- 16 b. Commencing with the fiscal year during which the Supreme Court Approval Date occurs, Permitted Projects
17 shall be funded pursuant to the following process:
18
- 19 i. No later than March 1 of each year, PRTA will estimate the amount of funds to be distributed
20 pursuant to A.R.S. § 48-5308.D.2 (“**Annual Local Road Distribution Amount**”) to the Local
21 Jurisdiction for Permitted Projects during the next fiscal year, based on the prior year’s
22 inflation and amount of collected Voter Approved Sales Taxes.
 - 23 ii. No later than April 1 of each year, the Local Jurisdiction shall submit a list of work that
24 qualifies as Permitted Projects (“**Requested Permitted Projects**”) to be constructed during
25 the next fiscal year together with an estimate of the costs of such projects. Each Requested
26 Permitted Project shall be submitted using the form included in PRTA’s Guidance for Local
27 Roadway Projects.
 - 28 iii. For Permitted Projects undertaken by the Local Jurisdiction during the portion of the fiscal
29 year after the date the Supreme Court issues its opinion, the parties will adjust the dates set
30 forth in clauses (i) and (ii) above to accommodate a period shorter than an entire fiscal year.
 - 31 iv. Throughout the Term of this Agreement, the Local Jurisdiction shall report quarterly
32 progress to PRTA consistent with PRTA’s Guidance for Local Roadway Projects.
 - 33 v. Throughout the Term of this Agreement, the Local Jurisdiction shall submit annual reports to
34 the PRTA that include:
 - 35 a. Certification that the work and materials paid with Voter Approved Sales Taxes and
36 performed during the prior year have been incurred and paid only for a Permitted Project.
 - 37 b. Certification that the work and materials for each Permitted Project have been properly
38 procured.
 - 39 c. Certification of compliance with A.R.S. Section 38-501 *et seq.* for the approval and
40 implementation of each Permitted Project.
 - 41 d. Certification of work completed for each Permitted Project and record of all payments
42 made.
 - 43 e. Each quarterly report shall be signed by a duly authorized representative of the Local
44 Jurisdiction and shall include sufficient background information documenting payments
45 made to contractors, vendors or any other costs for each Permitted Project.
- 46
- 47 c. No later than thirty (30) days after the end of each fiscal year the Local Jurisdiction’s auditor must certify to
48 the PRTA the amount of funds expended and that all funds were spent for Permitted Projects. If a year-end
49 report of funds paid during the prior fiscal year shows that expended funds are less than the amount
50 distributed by the PRTA, the unused amounts shall remain in the custody of the Local Jurisdiction. For the
51 disbursement of Vote Approved Sales Tax during the next fiscal year, the Local Jurisdiction may, but is not
52 obligated to, notify the PRTA of the amount of unused funds during the then current fiscal year and direct

1 the PRTA to deduct that amount from the following year's disbursement and maintain such funds at the
2 PRTA for future use by the Local Jurisdiction.
3

4 d. Inasmuch as the PRTA's role is limited to funding the Annual Local Road Distribution Amount, the Local
5 Jurisdiction agrees, to the fullest extent permitted by Arizona law, to indemnify, defend, and hold harmless
6 the PRTA and its Board, officers, officials, employees and agents from, for, and against, any and all claims,
7 demands, damages, liabilities or penalties, brought by or on behalf of any persons or entities, arising out of
8 the Local Jurisdiction's activities in performance of its obligations under this Agreement or use of PRTA's
9 resources, as described herein, regardless of how such claims are worded or styled, and regardless of the
10 specific cause of action or type of claim asserted. If a claim or claims by third parties become subject to this
11 indemnity provision, the parties to this Agreement shall expeditiously meet to discuss a common and
12 mutual defense, including possible proportionate liability and payment of possible litigation expenses and
13 damages. The obligations under this subsection shall survive termination of this Agreement.
14

15 e. The Local Jurisdiction shall require its contractors performing any portion of each Permitted Project to name
16 the Authority and its Board, officers, officials, employees and agents as additional insured and additional
17 indemnitees with respect to insurance policies for general liability, automobile liability and defects in design
18 in all of the Local Jurisdiction's contracts for each Permitted Project. The Local Jurisdiction shall also require
19 its contractors to name the Authority as an additional beneficiary in any performance and payment related
20 assurances posted for each Permitted Project.
21

22 **5. Responsibilities of Authority.**

- 23
- 24 a. For the Reimbursement Amount requested by the Local Jurisdiction for Permitted Project expenses paid
25 during the period from April 1, 2018 through the Supreme Court Approval Date, the PRTA shall pay the
26 Local Jurisdiction the Reimbursement Amount no later than twenty-one (21) days after the Local
27 Jurisdiction has submitted documentation demonstrating that expenses and fees for the Permitted
28 Projects have been paid, properly procured and that no person involved in the approval or
29 implementation of the Permitted Project had or has a conflict of interest as set forth in A.R.S. § 38-501 *et*
30 *seq.*
- 31 b. For all other advances of Voter Approved Sales Taxes, if the Local Jurisdiction is current in delivering
32 quarterly reports to the PRTA for previously approved Permitted Projects, following the PRTA's receipt of
33 the Local Jurisdiction's list of Requested Permitted Projects, the PRTA shall disburse the Annual Local Road
34 Distribution Amount as soon as possible during the fiscal year.
35

36 **6. Termination.**

- 37
- 38 a. Either party may terminate this Agreement for material breach of the Agreement by the other party. Prior
39 to any termination under this paragraph, the party allegedly in default shall be given written notice by the
40 other party of the nature of the alleged default. The party said to be in default shall have forty-five days to
41 cure the default. If the default is not cured within that time, the other party may terminate this Agreement.
42 Any such termination shall not relieve either party from liabilities or costs already incurred under this
43 Agreement.
- 44 b. If not terminated earlier, this Agreement shall terminate upon the termination of the Plan.
45

46 **7. Non-assignment.** Neither party to this Agreement shall assign its rights under this Agreement to any other party
47 without written permission from the other party to this Agreement.
48

49 **8. Construction of Agreement.**

- 50
- 51 a. Entire agreement. This instrument constitutes the entire agreement between the parties pertaining to
52 the subject matter hereof, and all prior or contemporaneous agreements and understandings, oral or

1 written, are hereby superseded and merged herein. Any exhibits and the Recitals to this Agreement
2 are incorporated herein by this reference.

3
4 b. Amendment. This Agreement may be modified, amended, altered or changed only by written
5 agreement signed by both parties.

6
7 c. Construction and interpretation. All provisions of this Agreement shall be construed to be consistent
8 with the intention of the parties as expressed in the Recitals hereof.

9
10 d. Captions and headings. The headings used in this Agreement are for convenience only and are not
11 intended to affect the meaning of any provision of this Agreement.

12
13 e. Severability. In the event that any provision of this Agreement or the application thereof is declared
14 invalid or void by statute or judicial decision, such action shall have no effect on other provisions and
15 their application, which can be given effect without the invalid or void provision or application, and to
16 this extent the provisions of the Agreement are severable. In the event that any provision of this
17 Agreement is declared invalid or void, the parties agree to meet promptly upon request of the other
18 party in an attempt to reach an agreement on a substitute provision.

19
20
21 f. Statutory Required Provision. This Agreement is subject to cancellation pursuant to the provisions of
22 A.R.S. § 38-511.

23
24 **9. Ownership of Improvements.** Ownership and title to all materials, equipment and appurtenances installed
25 pursuant to this Agreement shall automatically vest in the Local Jurisdiction upon completion of each Permitted
26 Project.

27
28 **10. Legal Jurisdiction.** Nothing in this Agreement shall be construed as either limiting or extending the legal
29 jurisdiction of the Local Jurisdiction or the Authority.

30
31 **11. No Joint Venture.** It is not intended by this Agreement to, and nothing contained in this Agreement shall be
32 construed to, create any partnership, joint venture or employment relationship between the parties or create any
33 employer-employee relationship between the Local Jurisdiction and any Authority employees, or between Authority
34 and any Local Jurisdiction employees. Neither party shall be liable for any debts, accounts, obligations nor other
35 liabilities whatsoever of the other, including (without limitation) the other party's obligation to withhold Social
36 Security and income taxes for itself or any of its employees.

37
38 **12. No Third-Party Beneficiaries.** Nothing in the provisions of this Agreement is intended to create duties or
39 obligations to or rights in third parties that are not parties to this Agreement or affect the legal liability of either
40 party to the Agreement by imposing any standard of care different from the standard of care imposed by law.

41
42 **13. Compliance with Laws.** The parties shall comply with all applicable federal, state and local laws, rules,
43 regulations, standards and executive orders, without limitation to those designated within this Agreement.

44
45 a. Anti-Discrimination. Neither party shall discriminate against any employee or client of either party or
46 any other individual in any way because of that person's age, race, creed, color, religion, sex, sexual
47 orientation, familial status, political affiliation, disability or national origin in the course of carrying out
48 the duties pursuant to this IGA. Both parties shall comply with applicable provisions of Executive Order
49 75-5, as amended by Executive Order 2009-09 of the Governor of Arizona, which are incorporated into
50 this IGA by reference as if set forth in full herein, including the provisions of A.R.S. § 41-1463.

51
52 b. Americans with Disabilities Act. This Agreement is subject to all applicable provisions of the Americans

1 with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations
2 under the Act, including 28 CFR Parts 35 and 36, as well as the Genetic Information Nondiscrimination
3 Act of 2008.

- 4
5 c. Workers' Compensation. An employee of either party shall be deemed to be an "employee" of both
6 public agencies, while performing pursuant to this Agreement, for purposes of A.R.S. § 23-1022 and
7 the Arizona Workers' Compensation laws. The primary employer shall be solely liable for any workers'
8 compensation benefits, which may accrue. Each party shall post a notice pursuant to the provisions of
9 A.R.S. § 23-906 in substantially the following form:

10
11 All employees are hereby further notified that they may be required to work under the
12 jurisdiction or control or within the jurisdictional boundaries of another public agency
13 pursuant to an intergovernmental agreement or contract, and under such circumstances
14 they are deemed by the laws of Arizona to be employees of both public agencies for the
15 purposes of workers' compensation.

16
17 **14. Waiver.** Waiver by either party of any breach of any term, covenant or condition herein contained shall not be
18 deemed a waiver of any other term, covenant or condition, or any subsequent breach of the same or any other term,
19 covenant, or condition herein contained.

20
21 **15. Force Majeure.** A party shall not be in default under this Agreement if it does not fulfill any of its obligations
22 under this Agreement because it is prevented or delayed in doing so by reason of uncontrollable forces. The term
23 "uncontrollable forces" shall mean, for the purpose of this Agreement, any cause beyond the control of the party
24 affected, including but not limited to failure of facilities, breakage or accident to machinery or transmission facilities,
25 weather conditions, flood, earthquake, lightning, fire, epidemic, war, riot, civil disturbance, sabotage, strike, lockout,
26 labor dispute, boycott, material or energy shortage, casualty loss, acts of God, or action or non-action by
27 governmental bodies in approving or failing to act upon applications for approvals or permits which are not due to
28 the negligence or willful action of the parties, order of any government officer or court (excluding orders
29 promulgated by the parties themselves), and declared local, state or national emergency, which, by exercise of due
30 diligence and foresight, such party could not reasonably have been expected to avoid. Either party rendered unable
31 to fulfill any obligations by reason of uncontrollable forces shall exercise due diligence to remove such inability with
32 all reasonable dispatch.

33
34 **16. Notification.** All notices or demands upon any party to this Agreement shall be in writing, unless other forms
35 are designated elsewhere, and shall be delivered in person or sent by mail addressed as follows:

36 The Authority:

Ms. Andrea Robles

Pinal Regional Transportation Authority

2540 W. Apache Trail #108

Apache Junction, AZ 85120

Town of Mammoth:

37 **17. Remedies.** Either party may pursue any remedies provided by law for the breach of this Agreement. No right or
38 remedy is intended to be exclusive of any other right or remedy and each shall be cumulative and in addition to any
39 other right or remedy existing at law or in equity or by virtue of this Agreement.

40
41 **18. Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed
42 an original, but all of which together shall constitute one and the same instrument. The signature pages from one or
43 more counterparts may be removed from such counterpart and attached to a single instrument.

44
45 In Witness Whereof, the Town of Mammoth has caused this Agreement to be executed by its Manager and
46 the Authority has caused this Agreement to be executed by the Chairman of its Board.

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Pinal Regional Transportation Authority

Mayor Craig McFarland
Chairman, PRTA Board of Directors

Date

Town of Mammoth

Town Manager

Date

Town of Mammoth

Town Clerk

Date

Attorney Certification

The foregoing Agreement by and between the Pinal Regional Transportation Authority and Mammoth has been reviewed pursuant to A.R.S. § 11-952 by the undersigned who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Agreement.

Pinal Regional Transportation Authority

William J. Sims, PRTA Attorney

Date

Town of Mammoth

Stephen R. Cooper, Town Attorney

Date

1 EXHIBIT A
2 LIST OF PERMITTED PROJECTS
3

4 The types of improvements below are permitted if they are on public roadways owned by the Local Jurisdiction:
5

- 6 • Pavement resurfacing and/or rehabilitation.
- 7 • Other necessary pavement maintenance.
- 8 • Paving of unpaved roads.
- 9 • Pavement markings.
- 10 • Lighting improvements.
- 11 • Widening narrow pavements or reconstructing bridges.
- 12 • Provision of additional travel lanes or exclusive/dedicated turn lanes.
- 13 • Traffic control devices and signage.
- 14 • Projects that correct, improve, or eliminate a hazardous location or feature.
- 15 • Curb, gutter and sidewalk improvement, including ADA safety upgrades.
- 16 • Development of a pavement management plan.
- 17 • Other road improvements if approved in writing by PRTA.

18

TOWN OF MAMMOTH
AGENDA ACTION FORM

AGENDA ITEM NO.: _____
COUNCIL MEETING DATE: 12/16/2021
COUNCIL MEETING TIME: _____

DATE SUBMITTED: 11/30/2021 DATE ACTION REQUESTED: 11/30/2021
SUBJECT: INCIDENT REPORTS.

TYPE OF ACTION REQUESTED:
 FORMAL ACTION-MOTION
 INFORMATION ONLY
 RESOLUTION
 ORDINANCE
 OTHER

REQUEST AND/OR DISCUSSION ON: CALLS MADE TO MAMMOTH POLICE DEPARTMENT. A REPORT SHOULD BE MADE BY M.P.O. ON ALL CALLS. (INCIDENT REPORTS)

FISCAL IMPACT: 0

RECOMMENDATION: _____

PREPARED BY: Joseph S. Brewer

TOWN CLERK'S RECOMMENDATION FOR PLACEMENT ON THE AGENDA: YES NO
Joseph S. Brewer 12/9/21
TOWN MANAGER DATE

MAYOR'S APPROVAL FOR PLACEMENT ON THE AGENDA: YES NO
Patricia Armenta 12/9/21
MAYOR DATE

AGENDA ACTION FORM

11/19/21
Atarua

AGENDA ITEM NO: _____	COUNCIL MEETING DATE: <u>Next NOV ?</u>
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Agenda Action Forms must be submitted to the Town Clerk no later than 10 days prior to Town Council Meeting. Agenda Action Forms are subject to review by Mayor, Town Manager and/or Town Clerk for completion and accuracy.

NAME OF PERSON PROPOSING ITEM: Ernest BUSTAMANTE DATE SUBMITTED: 11-19-21

BRIEF DESCRIPTION/SUMMARY OF THE AGENDA ITEM (AS YOU WOULD LIKE IT TO APPEAR):

Discuss the placement (site) of electric car, propane vehicle station in town. Discussion only. C.N.C. (10 min limit on discussion.)

Motion: _____

FISCAL IMPACT: _____ (FISCAL IMPACT ON CURRENT BUDGET MUST BE COMPLETED)

TYPE OF ACTION REQUESTED: _____ FORMAL ACTION-MOTION

INFORMATIONAL/DISCUSSION ONLY _____ OTHER

_____ RESOLUTION/ORDINANCE

Signature of Person Requesting Action

TOWN CLERK'S RECOMMENDATION FOR PLACEMENT ON THE AGENDA: YES _____ NO

RECOMMENDATION: Approve

[Signature] _____ DATE 12/9/21 (Section Completed by Staff)

TOWN MANAGER/Town Clerk

MAYOR'S APPROVAL FOR PLACEMENT ON THE AGENDA: YES _____ NO

[Signature] _____ DATE 12/9/21 (Section Completed by Staff)

MAYOR

TOWN OF MAMMOTH

AGENDA ACTION FORM

AGENDA ITEM NO.: _____
COUNCIL MEETING DATE: 12/14/2021
COUNCIL MEETING TIME: _____

DATE SUBMITTED: 11/30/2021 DATE ACTION REQUESTED: 12/14/2021
SUBJECT: DUMP SITE ON MAIN STREET

TYPE OF ACTION REQUESTED:

FORMAL ACTION-MOTION
 INFORMATION ONLY
 RESOLUTION
 ORDINANCE
 OTHER

REQUEST AND/OR DISCUSSION ON: MOVING THE DUMP SITE ON
MAIN STREET TO THE ASPHALT DUMP SITE BEHIND
THE SOFTBALL FIELD.

FISCAL IMPACT: 0

RECOMMENDATION: _____

PREPARED BY: Joseph S. Brown

TOWN CLERK'S RECOMMENDATION FOR PLACEMENT ON THE AGENDA: YES NO
Joseph S. Brown 12/9/2021
TOWN MANAGER DATE

MAYOR'S APPROVAL FOR PLACEMENT ON THE AGENDA: YES NO
Patricia Armenta 12/9/21
MAYOR DATE

Recorded at the request of:

When recorded, mail to:
THE TOWN OF MAMMOTH
P.O. Box 130
Mammoth, AZ 85618



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
LAURA DEAN-LITTLE

DATE: 01/28/03 TIME: 1043
FEE: 14.00
PAGES: 2
FEE NO: 2003-005761

Order No. 4742000013-VG

WARRANTY DEED
CORPORATION

Exempt per ARS 11-1134A-3

For valuable consideration, receipt of which is hereby acknowledged,
Arizona Corporation

Clark Investments, Inc., an

do hereby convey to THE TOWN OF MAMMOTH, A municipal corporation

the following real property situated in Pinal County, Arizona:

LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO current taxes, assessments, reservations in patents and all easements, rights of way, encumbrances, covenants, conditions, restrictions and all other matters affecting title as may appear of record.

The undersigned hereby warrants the title against all persons whatsoever, subject to the matters above set forth.

IN WITNESS WHEREOF, said Corporation has caused these presents to be signed by its duly authorized officer(s).

Clark Investments, Inc.

Dated: January 27, 2003

By: [Signature]
Clark Investments, Inc.

By: _____

STATE OF Arizona }
County of Pima } ss.

On this 28th day of January, 2003, before me, the undersigned officer, personally appeared Charles W. Clark, and

who acknowledged (himself) (themselves) to be the President and of Clark Investments, Inc.

, a Corporation, and that (he) (they) as such officer(s), being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by (himself) (themselves) as such officer(s).

IN WITNESS WHEREOF, I have set my hand and official seal.

My commission will expire 7/2005-01/07



[Signature]
Notary Public

PARCEL B: 306-16-0270

Lots 1, 2, 3 and the North 20 feet of Lot 4, Block 4, MAMMOTH, according to Book 2 of Maps, page 1, records of Pinal County, Arizona.

PARCEL C: 306-16-0170

Lot 1, Block 3, MAMMOTH, according to Book 2 of Maps, page 1, records of Pinal County, Arizona.

PARCEL D: 306-16-087 G

That portion of the Northeast quarter of the Southeast quarter of Section 19, Township 8 South, Range 17 East, of the Gila and Salt River Base and Meridian, Pinal County, Arizona, described as follows:

COMMENCING at the East-quarter corner of said Section 19;

THENCE South 01 degrees 26 minutes 07 seconds East, 756.29 feet along the East line of said Section 19 to the POINT OF BEGINNING;

THENCE continuing South 01 degrees 26 minutes 07 seconds East, 452.53 feet along said East line;

THENCE North 36 degrees 30 minutes 10 seconds West, 814.85 feet along the East line of Mammoth, according to Book 2 of Maps, page 1, records of Pinal County, Arizona, to a point on the South right of way line of Bluebird Street;

THENCE North 53 degrees 29 minutes 21 seconds East, 260.00 feet along said South right of way line;

THENCE South 36 degrees 30 minutes 10 seconds East 444.50 feet to the POINT OF BEGINNING.

Parcel Search* **Parcel B**

[Start a New Search](#)

Search Results (1 Entries)

Parcel Details (306-16-0270)

[open](#)

[open](#)

Previous year valuations are subject to change as prescribed in the Arizona Revised Statutes. All changes in value may not be reflected in this data. For updated/correct figures, please refer to the Treasurer's Office website.

[Comparable Properties](#) [Link to This Parcel](#) [Print View](#)

Parcel Number 306-16-0270 shows the following information for Tax Year: 2022 [Tax Year Chart](#)

Parcel Number: 306-16-0270 (View Tax Info)	Primary Owner: TOWN OF MAMMOTH
Section: 19 Township: 08S Range: 17E	Name 2:
Map: Assessor Parcel Viewer	In C/O:
Property Description: (What is this?)	Tax Bill Mailing Address
MAMMOTH ALL OF LOTS 1 2 & 3 & N 20' OF LOT 4 IN BLK 4 (30000 SQ FT)	Address: PO BOX 130
	City: MAMMOTH
	State: AZ
	Zip Code: 85618

Date of Recording: 6/22/2000	
Sale Amount: \$110,000.00	
Document(s):	
2003-005761	
Yes No	
Widow	X
Widower	X
Disabled	X
Senior Freeze	X

Property Address (Location):	
104 S MAIN ST MAMMOTH AZ 85618	
VIEW MAP	
Property Address refers to a geographical location: it may not match the mailing address city or zip code	
Subdivision:	MAMMOTH
Unit:	Block: 4 Lot: 1 Phase:
Cabinet: 0002	Slide: 0001

Imp: 1.00	Item: Service Garage
Const year: 1953	Grnd Flr Perim: 314
Stories:	Total Sq. Ft.: 3894

Parcel Search*

Parcel C

Start a New Search

Search Results (1 Entries)

Parcel Details (306-16-0170)



Previous year valuations are subject to change as prescribed in the Arizona Revised Statutes. All changes in value may not be reflected in this data. For updated/correct figures, please refer to the Treasurer's Office website.

Comparable Properties Link to This Parcel Print View

Parcel Number 306-16-0170 shows the following information for Tax Year: 2022 Tax Year Chart

Parcel Number: 306-16-0170 (View Tax Info)		Primary Owner: TOWN OF MAMMOTH	
Section: 19	Township: 08S	Range: 17E	Name 2:
Map: Assessor Parcel Viewer		In C/O:	
Property Description: (What is this?)		Tax Bill Mailing Address	
MAMMOTH LOT 1 & N 5' OF LOT 2 BLK 3 (15750 SQ FT)		Address:	PO BOX 130
		City:	MAMMOTH
		State:	AZ
		Zip Code:	85618

Date of Recording: 6/22/2000	Property Address (Location):			
Sale Amount: \$110,000.00				
Document(s):	Subdivision: MAMMOTH			
2003-005761	Unit:	Block: 3	Lot: 1	Phase:
	Cabinet: 0002	Slide: 0001		

	Yes	No
Widow		X
Widower		X
Disabled		X
Senior Freeze		X

Imp: 0.00	Item:		
Const year: 0	Grnd Flr Perim: 0		
Stories:	Total Sq. Ft.: 0		

Parcel Search*

Parcel D

Start a New Search

Search Results (1 Entries) open ▾

Parcel Details (306-16-087G) open ▾

Previous year valuations are subject to change as prescribed in the Arizona Revised Statutes. All changes in value may not be reflected in this data. For updated/correct figures, please refer to the Treasurer's Office website.

[Comparable Properties](#) [Link to This Parcel](#) [Print View](#)

Parcel Number 306-16-087G shows the following information for Tax Year: 2022 [Tax Year Chart](#)

Parcel Number: 306-16-087G (View Tax Info)		Primary Owner: TOWN OF MAMMOTH	
Section: 19	Township: 08S	Range: 17E	Name 2:
Map: Assessor Parcel Viewer		In C/O:	
Property Description: (What is this?)		Tax Bill Mailing Address	
BEG AT E1/2 COR OF SEC 19-TH S-756.29' TO POB TH CONT S-452.63' TH N-36 DEG W-814.85' TH N-53 DEG E-260' TH S-36 DEG E-444.50' TO POB SEC 19-8S-17E 3.76 AC		Address:	PO BOX 130
		City:	MAMMOTH
		State:	AZ
		Zip Code:	85618

Date of Recording: 6/22/2000	Property Address (Location):			
Sale Amount: \$110,000.00				
Document(s):	Subdivision:			
<u>2003-005761</u>	Unit:	Block:	Lot:	Phase:
	Cabinet:	Slide:		
	Yes	No		
Widow		X		
Widower		X		
Disabled		X		
Senior Freeze		X		

Imp: 0.00	Item:		
Const year: 0	Grnd Flr Perim:	0	
Stories:	Total Sq. Ft.:	0	

PCSO Cost Analysis

Description	Initial Cost	Annual Cost
Dispatch	\$23,958.80	\$23,958.80
Radios	\$21,602.98	\$0
IT	\$2,291.00	\$2,291.00
Total	\$47,852.78	\$26,249.80
Clerk	\$32,240.00	\$32,240.00
Grand Total	\$80,092.78	\$58,489.80
Current Budget	\$177,940.00	\$177,940.00
Savings	\$97,847.22	\$119,450.20

Kearny Cost Analysis

Description	Initial Cost	Annual Cost
Dispatch	\$45,000.00	\$45,000.00
Radios	\$0	\$0
IT	\$1,000.00	\$0
Total	\$46,000.00	\$45,000.00
Clerk	\$32,240.00	\$32,240.00
Grand Total	\$78,240.00	\$77,240.00
Current Budget	\$177,940.00	\$177,940.00
Savings	\$99,700.00	\$100,700.00

Mammoth Fire District

Annual Cost Analysis

Mammoth Dispatch	-	\$6,000
Kearny Dispatch	-	\$8,000
Radios	-	\$0
Net Change	-	\$2,000