



Town of Wickenburg

MINUTES

WICKENBURG COMMON COUNCIL REGULAR MEETING

Monday, August 3, 2020- 5:30 P.M.
155 N. TEGNER - COUNCIL CHAMBERS
WICKENBURG, ARIZONA 85390

- A. **CALL TO ORDER** - Mayor Pereira called the meeting to order at 5:32 PM due to some technical issues - Due to COVID-19 the public was limited in number for those attending in person but were able to watch the meetings online or listen over the phone. Staff was reduced as well and Council Members were able to call into the meeting.
- B. **PLEDGE OF ALLEGIANCE** - Lead by Council Member Kristy Bedoian
- C. **INVOCATION** - Lead by Community Development Director Steve Boyle
- D. **ROLL CALL**
- Present: Mayor Rui Pereira
Vice Mayor Royce Kardinal
Council Member Chris Band
Council Member Kristy Bedoian
Council Member Kelly Blunt (By Phone)
Council Member Sam Crissman (By Phone)
Council Member David Stander
- Staff Present: Vince Lorefice, Town Manager
Trish Stuhan, Town Attorney
Steve Boyle, Community Development & Neighborhood Services Director
Amy Brown, Town Clerk
Herschel Workman, Public Services Director
- E. **MAYOR & COUNCIL MEMBERS REPORT ON CURRENT EVENTS**
- Council Member Stander said that Sunset Parks looks great with all the improvements to the ball park. In addition, the basketball nets are up to play on those courts.
1. Proclamation – Child Support Awareness Month – August 2020 – Read by Mayor Pereira
- F. **TOWN MANAGER'S REPORT**
- Town Manager Lorefice gave a revenue update to the Council. He showed the budgeted amount for April, May and June for FY 2018-19, FY 2019-20 and FY 2020-21. He then showed the actuals that come in over those three months this year.

The budgeted amount is as follows:

	April	May	June
FY 18/19	253,953.15	216,189.87	211,124.48
FY 19/20	190,464.86	162,142.40	158,343.36
FY 21	253,953.15	216,189.87	211,124.48

The actual sales tax revenues have come in as follows:

	April	May	June
FY18/19	\$253,953.15	\$216,189.87	\$ 211,124.48
FY19/20	\$283,038.10	\$263,252.12	\$ 250,999.14

In looking at the specific categories for sales tax for June, the retail trade has been the one that is higher than in the past. There was a dip in the construction sales tax for 2020, but it is slightly higher than the 2018 total. The transient lodging, arts and entertainment is also down compared to past years. By comparison, we saw a 21.54% increase in the total sales tax compared to the amount that we budgeted because we cut back the estimates due to COVID-19.

Mayor Pereira asked if we knew why the retail sales numbers were so much higher. Town Manager Loreface thought that maybe it was more online shopping since we now receive sales tax on those purchases, however we were only seeing about a \$10,000 per month increase in sales tax since November each month which we attributed to the online sales.

Town Manager Loreface stated that the July and August general fund revenue actuals will be brought back to Council the second meeting in September per Council direction in the budget process. The Town has interested parties in the Tegner/Palm Dr property. The bid will go out this week and appear in the newspaper next week. The bid opening will be on August 25th at 11:00 am at Town Hall. If we have successful bids, this will come before the Council at their 9/8/2020 Council meeting. He reminded the Council that the next meeting will be on Tuesday, September 8th at 5:30 due to Labor Day on the first Monday of the month. The town also launched the business survey today asking about the COVID-19 impact on businesses. We have already received 53 responses.

G. CALL TO THE PUBLIC

- Nohl Rosen submitted the following comments that were read into the minutes: “Today I received a call from the Town Manager stating that I wouldn’t be allowed to attend the Town Council meeting in person unless I wore a mask and stated that he had consulted with the town attorney on the issue. I informed him that the mandatory mask mandate was unconstitutional and that there was indeed a medical exemption in regards to the mandate. It didn’t seem like he was too interested in hearing what I had to say in my opinion. How is the town manager able to make a decision without the Town Council even being allowed to vote on it? And why keep people out of the meeting that won’t or can’t wear a mask when you have all these social distancing plans in place? The masks don’t do anything to protect you from illness. It’s time to open up the meeting to all of the public already. Wearing a mask should be a choice, not a mandate. Enough is enough.” Town Attorney Trish Stuhan responded that Maricopa County passed the face covering regulations. We are following federal CDC guidelines as well as the Maricopa County

requirement by limiting the audience size and the requirement to wear face masks. This is a closed building. There are medical exceptions in the requirement, but we have options for residents to view the meeting via Zoom, Facebook or Cable TV channel. Residents are also allowed to submit their comments to be read into the minutes. We have not had any ADA requests for accommodations. We are required to follow the Maricopa County requirements as well as the CDC guidelines.

- Joanne Pierce, In-Town Resident, stated that she has lived in Wickenburg Ranch since 2016. She thanked Town Manager Lorefice for the information that he sent regarding the presentation on the Wickenburg Ranch Fire House as it was very helpful. She heard part of the Facebook meeting but had some volume issues. She left the meeting thinking the town doesn't care about Wickenburg Ranch. Her homeowner's insurance was included with the papers for her house. The ISO rating was 3-4 and her premiums were \$320 per year. In April of this year, she was notified that the insurance was increasing to \$1,990 per year due to lack of a fire station close to her house since the ISO changed to 10. She just feels that the town doesn't care. Mayor Pereira stated that he was sorry that she got that impression as Wickenburg Ranch has been a great addition to the town. The town has a plan to build the station.

H. NEW BUSINESS

1. **Approval of the Consent Agenda -**

All items listed under the Consent Agenda are considered to be routine matters and will be enacted by one motion and vote of the Town Council. There will be no separate discussion on these items unless a Council Member requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

MOVED BY Council Member David Stander to approve items a, b and c of the consent agenda

SECONDED BY Vice Mayor Royce Kardinal

VOTE: 7 – 0 (Yes – Mayor Pereira, Vice Mayor Kardinal, Council Members Band, Bedoian, Blunt, Crissman and Stander)

a. Approval of Minutes – Regular Meeting of July 6, 2020

By a 7-0 vote under the Consent Agenda, Council moved to approve the minutes of July 6, 2020.

b. Consider Renewing the Public Defender Contract with John Phebus for the effective dates of August 6, 2020 to August 6, 2022, at a pay rate of \$80.00 per hour, for one Monday of every month

Rosa Garcia-Marquez, Court Administrator, reported in her Council routing form that all Court levels in the U.S. are required to provide a public defender to a person who is considered indigent or in the interest of justice and if the State is seeking jail or probation as part of their sentence. Under the Sixth Amendment of the United States Constitution, courts have the responsibility to provide a public defender, regardless of a defendant's education or intelligence level, if the defendant is facing jail or probation

as part of their sentence.

The primary function of the public defender is to provide due process to defendants because of the complexity of the criminal process. If a person cannot afford to hire an attorney, the Sixth Amendment requires that the trial judge appoint one on the defendant's behalf (*GIDEON V WAINWRIGHT*, 372 US.335 (1963)). In some cases, if there are limited financial resources, a defendant may be provided counsel upon the promise to pay a portion of the public defender fee.

The Court is requesting that the contract with John Phebus be renewed for another two years - from August 6, 2020 to August 6, 2022. The only change is an increase of \$5.00 to his hourly rate, changing it from \$75.00 to \$80.00.

By a 7-0 vote under the Consent Agenda, Council moved to approve the renewal of the Public Defender contract with John Phebus for the effective dates of August 6, 2020 to August 6, 2022, at a pay rate of \$80.00 per hour, for one Monday of every month.

- c. Consider Resolution No. 2271, Amending the Town's Personnel Rules and Regulations by Amending Rule 3 Conditions of Employment, by adding Section 10 Federal Motor Carrier Safety Administration ("FMCSA") Clearinghouse

Tarah Mayerhofer, Human Resources and Risk Manager, reported in her Council routing form that the Federal Motor Carrier Administration (FMCSA) established the Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse (Clearinghouse). This new database contains information pertaining to violations of the U.S. Department of Transportation (DOT) controlled substances (drug) and alcohol testing program for holders of CDLs.

The Clearinghouse rule requires FMCSA-regulated employers, medical review officers (MROs), substance abuse professionals (SAPs), consortia/third party administrators (C/TPAs), and other service agents to report to the Clearinghouse information related to violations of the drug and alcohol regulations in 49 Code of Federal Regulations, Parts 40 and 382 by current and prospective employees.

The Clearinghouse final rule requires the following:

Employers must query the Clearinghouse for current and prospective employees' drug and alcohol violations before permitting those employees to operate a commercial motor vehicle (CMV) on public roads.

Employers must annually query the Clearinghouse for each driver they currently employ.

The Clearinghouse provides FMCSA and employers the necessary tools to identify drivers who are prohibited from operating a CMV based on DOT drug and alcohol program violations and ensure that such drivers receive the required evaluation and treatment before operating a CMV on public roads. Specifically, information maintained in the Clearinghouse enables employers to identify drivers who commit a

drug or alcohol program violation while working for one employer, but who fail to subsequently inform another employer (as required by current regulations). Records of drug and alcohol program violations will remain in the Clearinghouse for five years, or until the driver has completed the return-to-duty process, whichever is later.

PURPOSE:

The purpose of the Clearinghouse, as mandated by section 32402 of MAP-21, is to maintain records of all drug and alcohol program violations in a central repository and require that employers query the system to determine whether current and prospective employees have incurred a drug or alcohol violation that would prohibit them from performing safety-sensitive functions covered by the FMCSA and U.S. Department of Transportation (DOT) drug and alcohol testing regulations. This will provide FMCSA and employers the necessary tools to identify drivers who are prohibited from operating a CMV and ensure that such drivers receive the required evaluation and treatment before resuming safety-sensitive functions. Specifically, information maintained in the Clearinghouse will ensure that drivers who commit a drug or alcohol violation while working for another employer, or who attempt to find work with another employer, do not perform safety-sensitive functions until completing the return-to-duty process. The Clearinghouse thus addresses the situation in which drivers can conceal their drug and alcohol violations merely by moving on to the next job or the next jurisdiction.

As explained below, drug and alcohol violation records maintained in the Clearinghouse will “follow” the driver regardless of how many times he or she changes employers, seeks employment or applies for a CDL in a different State. The Clearinghouse will be administered and maintained in strict compliance with applicable Federal security standards. The Agency will comply with the consent requirements of the Privacy Act prior to releasing any driver’s Clearinghouse record to an employer.

Employers and medical review officers (MROs), or their designated representatives, are required to report information about positive drug test results, alcohol test results greater than 0.04 blood alcohol content, refusals to test and other non-test violations of FMCSA’s drug and alcohol regulations. In addition, Substance Abuse Professionals (SAPs) are required to report information about drivers undergoing the return-to-duty drug and alcohol rehabilitation process. Employers must search the Clearinghouse for information during the pre-employment process for prospective employees and at least once a year for current employees to determine whether anyone has incurred a drug or alcohol violation with a different employer that would prohibit him or her from performing safety-sensitive functions.

SUMMARY:

FMCSA amends the Federal Motor Carrier Safety Regulations to establish requirements for the Commercial Driver’s License Drug and Alcohol Clearinghouse (Clearinghouse), a database under the Agency’s administration that will contain information about violations of FMCSA’s drug and alcohol testing program for the holders of commercial driver’s licenses (CDLs). This rule is mandated by the Moving Ahead for Progress in the 21st Century Act (MAP-21). It will improve roadway safety

by identifying commercial motor vehicle (CMV) drivers who have committed drug and alcohol violations that render them ineligible to operate a CMV.

By a 7-0 vote under the Consent Agenda, Council moved to approve Resolution No. 2271 adding the FMCSA Clearinghouse policy to the Personnel Rules and Regulations.

2. Public Hearing on a New Liquor License Application, Series #12 to Palamino Club, located at 107 E. Wickenburg Way, with Applicant Raina L. Young and Forward a Recommendation to the Arizona Department of Liquor Licenses and Control

Mayor Pereira declared a conflict of interest as his company may work for the business.

Amy Brown, Town Clerk, reported that Raina L. Young has applied for a new liquor license, Series #12, for the Palamino Club, located at 107 E. Wickenburg Way. A Series #12 is for restaurant bar sales on the premises.

This non-transferable, on-sale, retail privileges liquor license allows the holder of a restaurant license to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement may result in revocation of the license.

The application was appropriately posted for twenty days. The Town Clerk's Office did not receive any comments from the public. Additionally, the application was forwarded to the Police Department and the Community Development Department for their reviews and recommendations, with no issues found.

Vice Mayor Kardinal opened the public hearing at 5:57 PM.

Public Hearing was closed at 5:57 PM due to no comments.

MOVED BY Council Member Chris Band to forward a recommendation to the AZ Department of Liquor License and Control to approve Raina L. Young's application for a new liquor license application, series #12 for Palamino Club

SECONDED BY Council Member David Stander

VOTE: 6 – 0 (Yes – Vice Mayor Kardinal, Council Members Band, Bedoian, Blunt, Crissman and Stander) (Mayor Pereira – Conflict of Interest)

3. Public Hearing on a New Liquor License Application, Series #10 to Fast Mart, located at 1115 W. Wickenburg Way, Applicant Andrea Dahlman Lewkowitz, and Forward a Recommendation to the Arizona Department of Liquor Licenses and Control

Mayor Pereira declared a conflict of interest as his company may work for the business.

Amy Brown, Town Clerk, reported that Andrea Dahlman Lewkowitz has applied for a new liquor license, Series #10, for Fast Mart, located at 1115 W. Wickenburg Way. A Series #10 allows a retail store to sell beer and wine (no other spirituous liquors).

Beer & Wine Store (series 10) may sell beer and wine “to-go” in the original, sealed container, may provide residential delivery, may conduct limited on-site sampling events using product supplied by an Arizona licensed producer or wholesaler, A.R.S. §4-203(J), A.R.S. §4-210(D).

The application was appropriately posted for twenty days. The Town Clerk's Office did not receive any comments from the public. Additionally, the application was forwarded to the Police Department and the Community Development Department for their reviews and recommendations, with no issues found.

Vice Mayor Kardinal opened the public hearing at 5:58 PM.

Public Hearing was closed at 5:58 PM due to no comments.

MOVED BY Council Member Chris Band to forward a recommendation to the Arizona Department of Liquor License & Control to approve Andrea Dahlman Lewkowitz's application for a new liquor license, Series #10, for Fast Mart

SECONDED BY Council Member Kristy Bedoian

VOTE: 6 – 0 (Yes – Vice Mayor Kardinal, Council Members Band, Bedoian, Blunt, Crissman and Stander) (Mayor Pereira – Conflict of Interest)

4. Consider Approving and Authorizing the Mayor to Execute a Cooperative Purchasing Contract with Rush Truck Centers for the Purchase of a 2021 Peterbilt 520 Refuse Truck in the Amount of \$309,611.45 in Accordance with the Terms and Conditions of the Cooperative Purchasing agreement with the Houston-Galveston Area Council (H-GAC) for the Purchase of Refuse Vehicles and approve \$9,611.45 from the Sanitation Contingency Funds

Herschel Workman, Public Services Director, reported that recent growth of the Town of Wickenburg, and especially at Wickenburg Ranch has made it necessary to add a third route to its service area. This new route is primarily the Wickenburg Ranch area with some relief to the existing two routes. With the purchase of this vehicle, the Department will have 3 full time trucks plus one spare in the fleet. Two existing 2006 vehicles will be retired.

Staff would like authorization to purchase this truck utilizing the Houston-Galveston Area Council Cooperative Purchase Contract Number HT06-20 for the Purchase of Refuse Vehicles in the amount of \$309,611.45. A copy of the quote, with specifications, is included in the packet. The budgeted amount for this truck was \$300,000 therefore \$9,611.45 is requested from the Sanitation Contingency Fund.

Council Member Bedoian asked whether the older trucks could be used anymore. Director Workman stated that the 2006 models break down a lot, so they really can't be used much.

Council Member Bedoian asked why the truck was over the budgeted amount. Director Workman said that they couldn't get an estimate prior to the budget being submitted so

they put \$300,000 into the budget. The last time they receive an 18% discount from the dealer that we are not getting this time.

Council Member Bedoian stated that we may need this but she is hesitant to spend that type of money.

Council Member Band asked if we could get that 18% discount from a different dealer. Director Workman said that the one who puts the body on the vehicle that gave the discount went bankrupt, so we don't have another good option. This is the only dealer that uses the same body as our current side loaders.

Town Manager Lorefice clarified that with this purchase, we will be able to sell two older trucks to take them off the insurance to save some money there. The older trucks are also very expensive to repair. We are trying to continue with the same type of truck as we have an inventory of frequently needed parts to keep the costs down instead of keeping different dealer parts.

Council Member Bedoian asked how we would sell the 2006 vehicles. Mayor Pereira responded that they will go on public auction.

Nohl Rosen submitted the following comments that were read into the minutes: "Two years ago there was an issue was brought before the Council regarding the purchase of a new sanitation truck for \$273,491 and the argument given was due to the Wickenburg Ranch route. Now 2 years later you want to purchase another new truck for the same reason and why are we looking out of state for help on the purchase of this vehicle? Should we really be spending money at this time to purchase a new garbage truck when businesses in the town are still getting through trying to recover financially after Ducey shut down the state and we're still dealing with a partial shutdown?"

Vice Mayor Kardinal said that the first year on the Council she thought the police department had to buy 11 vehicles because the fleet had been neglected. She liked the staggering of purchases, instead of doing them all at one.

MOVED BY Vice Mayor Royce Kardinal to authorize the expenditure of Sanitation Contingency Funds in the amount of \$9,611.45 and approve the purchase of a Sanitation Truck in the amount of \$309,611.45 from Rush Truck Centers

SECONDED BY Council Member Chris Band

VOTE: 7 – 0 (Yes – Mayor Pereira, Vice Mayor Kardinal, Council Members Band, Bedoian, Blunt, Crissman and Stander)

5. Consider Approving and Authorizing the Mayor to Execute a Purchase Order Contract with BWC Enterprises, Inc., DBA Woodruff Construction for \$324,938.48 in Accordance with the Terms and Conditions Submitted to the State of Arizona Contract No. ADSPO17-174299 to renovate the property at 1980 W. Wickenburg Way to become the new Wickenburg Public Safety Building

Les Brown, Police Chief, reported in his Council routing form that the Town of Wickenburg purchased the old bank building at 1980 W. Wickenburg Way in order to

renovate it for the purpose of becoming the new Public Safety Building. Woodruff Construction, assisted by Gordian, who works under a Statewide JOC Contract was contacted and submitted a bid to complete the work. A local contractor was contacted to determine interest in the project and no interest was identified. The approval of funds to complete phase one of the project was approved in the FY 20/21 budget.

Town Manager Lorefice stated that this will be under a Job Order Contract (JOC) through the state that is assisted by Gordian to insure we get the value of the JOC. We reached out to a local contractor and they were too busy to bid the project so we looked at other alternatives. Staff reviewed the flow of the building in creating the office space that will work for the department. This phase will include patrol, command staff, evidence and records to be moved to this building. Dispatch will be in phase two which is next fiscal year and will include enclosing the drive thru for holding cells. We have \$450,000 in this year's budget for this project. If approved tonight, this project is expected to start in two weeks and will take two to three months to complete. We hope to be complete by December. This is for the construction aspect. We also have the technology costs including the servers and racks. We will also be building in storage racks for records to be sufficient for future growth. We have walked the property with the contractor and engineer.

The lobby will be secure. There will be a community room in the suite that was off to the side of the bank that can also be used as a training room. We hope to then be able to host trainings here to reduce the travel needed for our officers. This will also serve as our emergency operations center where we will have it set to link with the counties and flood control districts. Lieutenant Ken Lutkiewicz is in the audience if there are operational questions.

Vice Mayor Kardinal said that she was involved with the original group that looked into different options for a new police station and wondered about the costs for a brand-new facility. Town Manager Lorefice stated that originally it was estimated to be about \$14 million with buying the land and construction of the station. This was scaled down to \$8 - 10 million as we tried to get some property donated to the town. Then the bank building came up with the lowered price at only \$1 million to purchase the building.

Council Member Stander asked about the changes to the parking lot as there should be safety measures. Town Manager Lorefice stated that it will eventually have a security fence but that is about \$60,000 and will not be in phase one. It is not needed until phase two when we move dispatch and add the holding cells. We will eventually extend the parking lot.

Council Member Band asked about any hazards that could be in the building such as water issues or asbestos. Town Manager Lorefice said that when we purchased the property we brought in a third-party inspector to make sure there weren't issues like that. It was built in 1983, so that is past the use of asbestos. We have a little extra in the bid in the event of an issue. There is one structural area that we have to modify but we have opened up some walls so we know what is there.

Council Member Band asked how old is the roof. Town Manager Lorefice said that he thought it was replaced in 2012 or 2008. One of those years they replaced the air conditioner and the other was the roof.

Council Member Bedoian did not feel that expediency was needed for the building to be done right now as this is not an emergency to do it now. In the budget we said we would hold off to see how our revenues have been coming in before making large expenditures. We did need the building, so that was why she voted for that but she would like to hold off on the renovations until we know what the economy will be doing. She likes to be fiscally cautious.

Council Member Crissman said that he didn't want this to financially strap us, but we have been talking about this for ten years. This is in an ideal area for our growth so he is in support.

Council Member Band said he has been watching the economic forecast. There are big businesses that are declaring bankruptcy right now and small businesses are faltering. We see good revenue numbers but will that continue. The consumer confidence is down. He also wondered if people will continue to spend money online. Las Vegas opened but no one is going there. We might be in a pause for four to five more months.

Council Member Blunt said that we have the building and we budgeted the renovations, so it is time to put the police department in the building.

Mayor Pereira agreed with Council Member Band. We talked about this during the budget process and agreed to be conservative this year. The Finance Director reduced the budget more than she thought was needed. We have a \$3 million contingency. This is in the budget and he would like to keep people working. The cost of materials are increasing right now due to a lack of production for the last several months. This is a good deal for right now. It is also not good to leave a building empty.

Council Member Band said that he heard that wood was at an all-time high cost and wondered if Council Member Crissman thought we should wait for the costs to come down.

Council Member Crissman thought we should move forward. We now have interest in our property so if we can sell that it can help pay for this. Wickenburg Ranch is still building. We need to take advantage of this time to keep things moving.

Mayor Pereira said that lumber costs are up about 25%.

Council Member Band said that mills shut down for COVID-19 and weren't producing. In addition, people aren't moving to new homes right now but they are remodeling. Town Manager Lorefice said this is a steel structure. Finance Director Wojcik is available via zoom if there are concerns on whether we can afford this right now. The plan is to move the police department to this new building. Then we will move the staff from the Public Services Center (PSC) to Town Hall to have all departments in one building. We will then look at what the Council would like to do with the PSC building, such as sell that also.

Council Member Stander thought that the material costs may stay high for a while or increase more as it may take some time to get the supply back up so the recovery may take a while.

Nohl Rosen submitted the following comments that were read into the minutes: "At this time should we really be spending over \$324,000 to renovate the new police building which cost \$1 million to purchase after money was taken from the Community Center's renovation. The police building wasn't an emergency issue when it was voted on and it this time we shouldn't be spending the money when we still have people still waiting for paved streets and sidewalks which were promised to them 12 – 14 years ago via annexation. As stated before we also have businesses that are still affected financially due to the pandemic. Is this really the time we should be spending money when we have all these other issues to deal with first?"

MOVED BY Council Member David Stander to approve and award the contract to renovate the new Wickenburg Public Safety Building located at 1980 W. Wickenburg Way to BWC Enterprises, Inc., DBA Woodruff Construction for \$324,938.48 in accordance with the terms and conditions submitted to the State of Arizona Contract No. ADSPO17-174299

SECONDED BY Vice Mayor Royce Kardinal

VOTE: 6 – 1 (Yes – Mayor Pereira, Vice Mayor Kardinal, Council Members Band, Blunt, Crissman and Stander) (No – Council Member Bedoian)

6. Discussion and Update on the Wireless Communication Facility Located on Matthie Ranch Road

Steve Boyle, Community Development Director, reported in his council routing form that Vice Mayor Kardinal and Mayor Pereira requested an update on the progress of the wireless communication facility located at the north end of town off of Matthie Ranch Road. The application date for the review of the construction was June 1, 2020. The Town issued two separate permits as requested by the applicant for the wireless tower on June 10, 2020. The applicant contracted with two separate companies for the construction of the facility, and they desired separate permits for the job. The building permits were reviewed by the Town's 3rd party consultant and approved.

The construction of the facility commenced within approximately a week of receiving the permit. The Town, to date, has conducted five separate inspections mainly for the footings and underground utilities. The Tower is due to be raised as soon as the communication equipment arrives from the supplier which could be any day. The facility is on schedule to be operational in August 2020. Staff included photos in the Council packet that were taken at the site to show the progress.

Director Boyle said that there have been some delays as they said there were back ordered parts. They have an open permit for construction. He talked to someone from Verizon today who said that it would not be complete until the first quarter in 2021. They were trying to finish in 2020 as they have the site wall and footings installed as well as some of the parts on site. Staff will continue to push them to complete as soon as possible but this is a private corporation. They know it is a necessity.

Council Member Crissman asked if they had paid for their permit yet. Director Boyle stated that they have two permits, one for electrical and one for structural with both being paid for and issued. They have six months before the permit expires.

Vice Mayor Kardinal stated that she can have as many as seven dropped calls a day. They are considering using a different company. Director Boyle stated that there are several satellites that fly over, but you also need the ground technology. AT&T will be updating their tower on the water tank soon.

Mayor Pereira asked if the developer is involved. Director Boyle said he will talk to them to see if they can put some pressure on the company.

7. Consider Resolution No. 2272, Accepting a Community Development Block Grant in the Amount of \$534,721.00 for the Apache Street Waterline Project, and Approving and Authorizing the Mayor to Execute an Intergovernmental Agreement with the Maricopa County Human Services Department Relating to the Administration of the Community Development Block Grant Funds

Herschel Workman, Public Services Director, reported in his Council routing form that the Town of Wickenburg has been awarded \$534,721.00 for a Community Development Block Grant for the Apache Street Waterline Project. This Intergovernmental Agreement (IGA) with Maricopa County Human Services Department is attached for your approval. Approval of this IGA is the formal process required for a Notice to Proceed and Release of funds by the County.

This project will address fire flow and potable water reliability by replacing aged, undersized waterlines on Apache Street between Wickenburg Way and Washington Street that will result in increased water volume and quality. The project will also resurface Apache Street within the project area. The scope of work can be found in Section 3 / 2.0 of this IGA. This is a budgeted item in the CIP list that will come from account 500-90914.

Vice Mayor Kardinal asked the time frame for the project. Director Workman estimated it to take 60-75 days once they start the project.

MOVED BY Council Member Chris Band to approve Resolution No. 2272, accepting a Community Development Block Grant in the amount of \$534,721.00 for the Apache Street Waterline Project, and approving and authorizing the Mayor to execute an Intergovernmental Agreement with the Maricopa County Human Services Department relating to the administration of the Community Development Block Grant Funds

SECONDED BY Council Member David Stander

VOTE: 7 – 0 (Yes – Mayor Pereira, Vice Mayor Kardinal, Council Members Band, Bedoian, Blunt, Crissman and Stander)

- I. **EXECUTIVE SESSION** - (Council May Vote to Go Into Executive Session Pursuant to A.R.S §38-431.03(A)(3) to Receive Legal Advice from the Town Attorney on Any of the Above Agenda Items.)

J. SCHEDULING OF FUTURE COUNCIL AGENDA ITEMS

- Council Member Crissman asked for a discussion on the Wickenburg Ranch fire station. This item was seconded by Council Member Band.

K. ADJOURNMENT

MOVED BY Council Member Chris Band to adjourn the meeting at approximately 6:39 PM
SECONDED BY Council Member Kelly Blunt
VOTE: 7 – 0 (Yes – Mayor Pereira, Vice Mayor Kardinal, Council Members Band, Bedoian, Blunt, Crissman and Stander)

Rui Pereira, Mayor

ATTEST:

Amy Brown, Town Clerk

CERTIFICATION

I, Amy Brown, the duly appointed and qualified Town Clerk of the Town of Wickenburg, do hereby certify that the foregoing MINUTES of the REGULAR MEETING of August 3, 2020 is a full, true and correct copy of the Wickenburg Common Council and that a quorum was present at the meeting.

Amy Brown, CMC
Town Clerk