

**NOTICE OF THE REGULAR MEETING OF THE
PIMA TOWN COUNCIL
May 9, 2023**

Pursuant to A.R.S. §38- 431.02, notice is hereby given to the members of the Town Council of the Town of Pima and the general public that the Town Council will hold its meeting on **Tuesday, May 9, 2023, beginning at 7:00pm, in the Pima Town Hall located at 110 W Center, Pima, Arizona 85543**

Call to Order:

Prayer:

Pledge of Allegiance:

Those Present:

**Approval of Minutes of the Regular Town Council Special Meeting held April 18, 2023.
Action**

CALL TO THE PUBLIC

Please submit a Request to the Town Council. The Council will hear brief comments (3min.) from the general public, and can respond to criticism, ask staff to review a matter or direct staff to include the matter on a future agenda.

DECLARATION ON CONFLICT OF INTEREST

The council members and staff have a right to declare a conflict of interest. The declaration of a conflict of interest must be made prior to discussion of any agenda item in which Council members or staff members determine they have a conflict of interest.

PUBLIC HEARING:

Mayor Brian P. will open a Public Hearing in compliance with A.R.S. § 38- 431.02 take input and discuss the Second Reading of the Rezoning Map.

Close Public Hearing:

COUNCIL BUSINESS:

- 1. Discussion and presentation from Wreaths Across America: (Leslie Cunning.)**
- 2. Discussion and possible action regarding annexation of Paul Charette properties: (Evan S.)**
- 3. Discussion and possible action regarding revision of Town Code Chapter 2, adding to Article 2-6, Sections 2-6-1 to sections 2-6-6: First Reading (Jimmie L.)**

4. **Discussion and possible action regarding the Highway Beautification Program:**
(Vernon B.)
5. **Discussion and possible action regarding transferring Town Funds into a Money Market Account:** (Vernon B.)
6. **Discussion and possible action regarding up-coming work sessions:** (Vernon B.)
7. **Discussion and Possible Decision: Personnel Matters to hire someone to do a Revenue Sharing Study.**

A. Motion to adjourn to executive session: (A.R.S. 38-431.03A3) (A.R.S. 38-431- 03A1)

B. Motion to update personnel matters:

Pursuant to (A.R.S. §38-431.03(A)(3)), the Council may vote to recess into executive session for discussion. No action will be taken during executive session.

DEPARTMENT BUSINESS:

CITY SERVICES
SANITATION
PUBLIC WORKS
EMERGENCY SERVICES
BUILDING PERMIT REPORT

CONSENT AGENDA:

MANAGER'S REPORT
A. Update on Soccer Fields
B. AZ Central Project
C. Interest in Utility Sale
D. Chip Sealing

FINANCIAL REPORT
PLANNING AND ZONING
POLICE REPORT
LIBRARY REPORT
COUNCIL REPORT
FIRE DEPARTMENT

ADJOURNMENT:

***Section 504 of the Rehabilitation Act & Title II of the Americans with Disabilities Act prohibits discrimination based on disability in public meetings. Individuals with disabilities who need a reasonable accommodation to participate in these meetings, or who require this information in an alternate format, may call the Town of Pima at 485-2611 or TDD (928) 428-0778, as soon as possible to allow sufficient time to arrange for the accommodation.

**NOTICE OF THE SPECIAL MEETING MINUTES OF THE
PIMA TOWN COUNCIL
April 18, 2023**

Pursuant to A.R.S. §38- 431.02, notice is hereby given to the members of the Town Council of the Town of Pima and the general public that the Town Council will hold its meeting on **Tuesday, April 18, 2023, beginning at 7:00pm, in the Pima Town Hall located at 110 W Center, Pima, Arizona 85543**

Call to Order: 7:03pm – Brian P.

Prayer: Vernon B.

Pledge of Allegiance: Brian P.

Those Present: Vernon B.,

Amendment of Minutes of the Regular Town Council Meeting held March 21, 2023. And Approval of Minutes of the Regular Town Council Meeting held March 21, 2023, and April 11, 2023. Action

Motion to amend the Minutes of the Regular Town Council Meeting held March 21, 2023, by: C.B. Fletcher 2nd: Sherrill T. Vote: unanimous

Motion to approve the Minutes of the Regular Town Council Meeting held March 21, 2023, by: Sherrill T. 2nd: Teresa B. Vote: unanimous

Motion to approve the Minutes of the Regular Town Council Meeting held April 11, 2023 (with the correction on agenda item #4 in the last sentence to read The Council did “not “ feel....) by: Teresa B. 2nd: C.B. Fletcher Vote: unanimous

CALL TO THE PUBLIC -NONE

Please submit a Request to the Town Council. The Council will hear brief comments (3min.) from the general public, and can respond to criticism, ask staff to review a matter or direct staff to include the matter on a future agenda.

DECLARATION ON CONFLICT OF INTEREST - NONE

The council members and staff have a right to declare a conflict of interest. The declaration of a conflict of interest must be made prior to discussion of any agenda item in which Council members or staff members determine they have a conflict of interest.

PUBLIC HEARING:

Mayor Brian P. will open a Public Hearing in compliance with A.R.S. § 38- 431.02 to discuss potential projects funded by the Community Development Block Grant program (CDBG) that were stated at the first Public Hearing that are listed below:

-Park Improvements

-Upgrade park for special needs and handicap accessibility

- Sidewalks on 200 E and 200 S
- Repave S. Main Street from Hwy 70 to the railroad or from the school to the railroad
- Help with new development of the library
- A new fire station
- Stop light on Highway 70 for new high school
- Traffic control on 450 S
- Traffic crossing for pedestrians on main street across highway 70
- Community garden-Blight Clause -Pima Motel
- Upgrade street lights on 450 S
- Land acquisition -possibly out by Pima Cotton Gin

Brian P. opened the Public Hearing for the CDBG Grant at 7:07pm. The Council along with the Public discussed all the options stated above with repaving and fixing town roads and upgrading town parks to be the popular demands. The decision was narrowed down to address repaving Main street and possibly seeking other funds or grants to help out with the town parks and possibly putting up a fence at the park by the swimming pool to fence off the canal.

Motion to use CDBG funds to repave S. Main Street from highway 70 to the railroad or from the school to the railroad, depending how far the funds will allow by: Lucas H. 2nd: C.B. Fletcher

Vote: unanimous

Close Public Hearing: 7:41pm -Brian P.

PUBLIC HEARING:

Mayor Brian P. will open a Public Hearing in compliance with A.R.S.§ 38- 431.02 take input and discuss the Rezoning Map.

Brian P. opened the Public Hearing for the Rezoning Map at 7:42pm
 Vernon explained that currently there is a moratorium on multi-family buildings so we can rezone the map. He presented the old map and the new proposed zoned map. The new map changes pertain to an Industrial Zone by the cotton gin and the manufactured/multi-family areas in several different locations. Daryl Weech and Timilie Carragher from the Planning & Zoning Committee addressed questions from the Public about the areas to be rezoned. The Public that was present was not opposed to the new zoning.

Motion to approve the First Public Hearing of the Rezoning Map by: Lucas H. 2nd: C.B. Fletcher Vote: unanimous

Close Public Hearing: 8:04pm -Brian P.

COUNCIL BUSINESS:

Pursuant to (A.R.S. §38-431.03(A)(3), the Council may vote to recess into executive session for discussion and consultation with the Town Attorney for legal advice. No action will be taken during the executive session.

DEPARTMENT BUSINESS:

CITY SERVICES
SANITATION
PUBLIC WORKS
EMERGENCY SERVICES
BUILDING PERMIT REPORT

CONSENT AGENDA:

MANAGER'S REPORT
FINANCIAL REPORT
PLANNING AND ZONING
POLICE REPORT
LIBRARY REPORT
COUNCIL REPORT
FIRE DEPARTMENT

ADJOURNMENT: 8:09pm

Motion to adjourn by: Lucas H. 2nd: C.B. Fletcher Vote: unanimous

***Section 504 of the Rehabilitation Act & Title II of the Americans with Disabilities Act prohibits discrimination based on disability in public meetings. Individuals with disabilities who need a reasonable accommodation to participate in these meetings, or who require this information in an alternate format, may call the Town of Pima at 485-2611 or TDD (928) 428-0778, as soon as possible to allow sufficient time to arrange for the accommodation.



PO Box 426
110 W. Center
Pima, AZ 85543

PHONE: (928) 485-2611
FAX: (928) 485-9230

PUBLIC HEARING NOTICE

To whom it may concern:

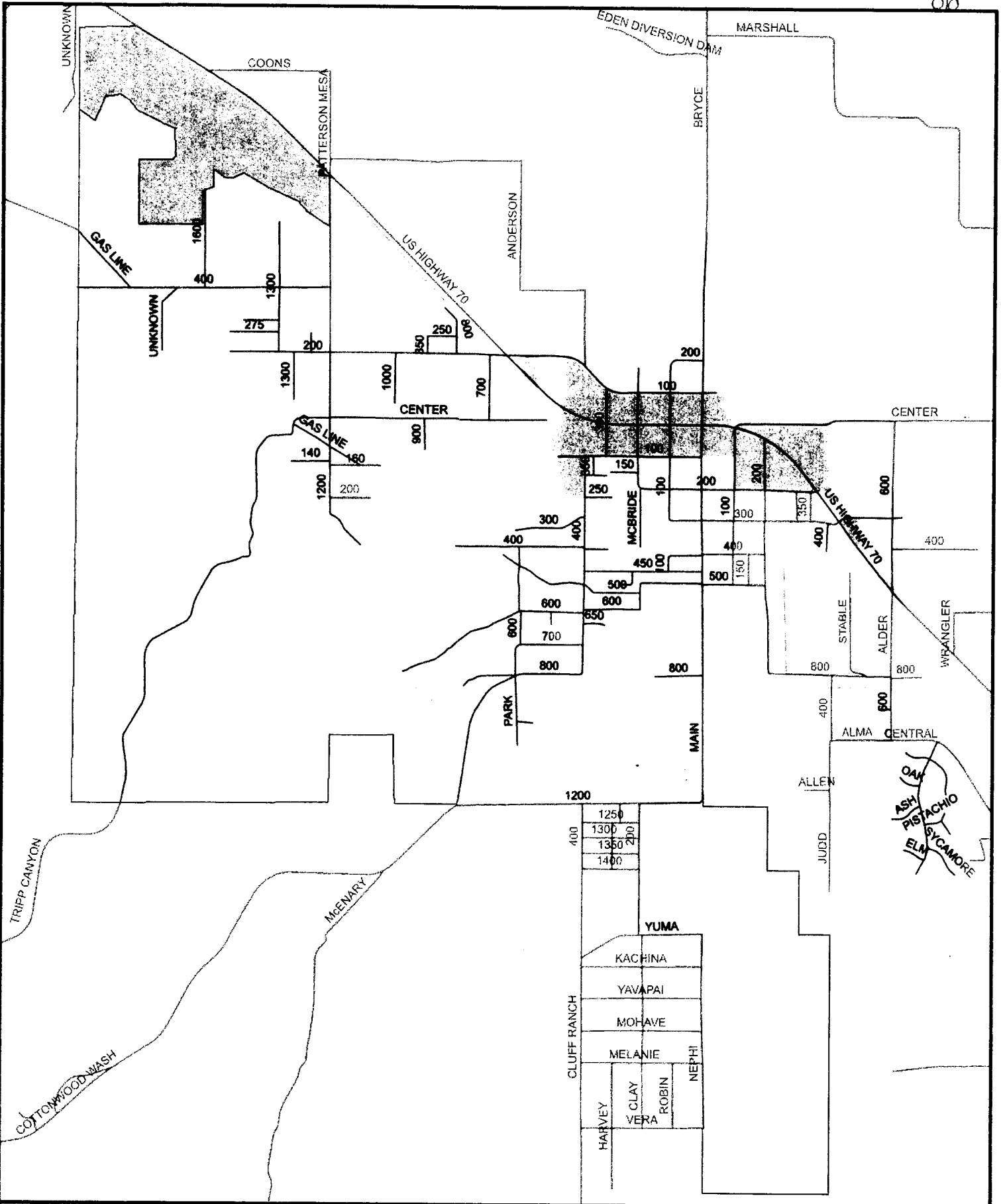
You are invited to attend A Second Public Hearing on **May 9, 2023**, at the Regular Town Council Meeting at 7pm at The Pima Town Hall located at 110 W. Center Pima, AZ 85543.

There will be a discussion/approval on updating The Town of Pima Zoning Map in the Town of Pima that will affect your property.

You may receive more information regarding this subject at the Pima Town Hall from 8am-4pm, Mon. through Thurs.

Thank you,

Vernon Batty
Pima Town Manager
928-485-2611



Town Of Pima Zoning Map

- Agricultural Residential Residential Manufactured Home
- Commercial Multi-Family
- Industrial

CHAPTER 2—MAYOR AND COUNCIL

ARTICLE 2-1 COUNCIL
 ARTICLE 2-2 MAYOR
 ARTICLE 2-3 COUNCIL ELECTION
 ARTICLE 2-4 COUNCIL PROVEDURE
 ARTICLE 2-5 ORDINANCES, RESOLUTIONS AND CONTRACTS
 ARTICLE 2-6 PLANNING AND ZONING

ARTICLE 2-1 COUNCIL

- 2-1-1 Elected Officers
- 2-1-2 Corporate Powers
- 2-1-3 Duties of Office
- 2-1-4 Vacancies in Council
- 2-1-5 Compensation
- 2-1-6 Oath of Office
- 2-1-7 Bond
- 2-1-8 Financial Disclosure Statements

Section 2-1-1 Elected Officers

The elected officers of the town shall be five councilmen, one of who shall be designated as mayor in accordance with Section 2-2-1. The mayor and councilmen shall constitute the council and shall continue in office until assumption of duties of office by their duly elected successors. Councilmen shall serve four year overlapping terms in the manner provided by state law. Candidates for office and elected officers primary residence shall be within the Town limits.

Section 2-1-2 Corporate Powers

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.

Section 2-1-3 Duties of Office

Following a regular Town Election, the Council shall meet on the first Tuesday after the General Elections for the purpose of choosing a Mayor from among their number, appointing the regular officers of the Council, and transacting such other business as they deem necessary.

Section 2-1-4 Vacancies in Council

The council shall fill by appointment for the unexpired term any vacancy that may occur for whatever reason. The vacancy appointment shall be filled by the next regular council meeting following the council's acceptance of the member's resignation.

Section 2-1-5 Compensation

The compensation of elective officers of the town shall be fixed from time to time by the resolution of the council; provided, that the compensation allowed to the mayor and councilmen shall not exceed that allowed by state statute.

Section 2-1-6 Oath of Office

Immediately prior to assumption of the duties of office, each Councilman shall, in public, take and subscribe to the oath of office.

Section 2-1-7 Bond

Prior to taking office, every council member shall execute and file an official bond, enforceable against the principal and his sureties, conditioned on the due and faithful performance of his official duties, payable to the state and to and for the use and benefit of the town or any person who may be injured or aggrieved by the wrongful act or default of such officer in his official capacity. A person so injured or aggrieved may bring suit on such bond under provisions identical to those contained in Section 38-260, Arizona Revised Statutes. Bond shall be in sum as shall be provided by resolution and the premium for such sum by paid by the town. Nothing in this section shall preclude the town from obtaining a blanket bond pursuant to the provisions of Section 9-302, Arizona Revised Statutes.

Section 2-1-8 Financial Disclosure Statements

Each member of the council shall file by January 31st of each year, on a form prescribed by the clerk, a financial disclosure statement, setting forth each information as determined by resolution of the council.

ARTICLE 2-2 MAYOR

- 2-2-1 Selection of Mayor
- 2-2-2 Powers and Duties of Mayor
- 2-2-3 Absence of Mayor
- 2-2-4 Failure to Sign Documents

Section 2-2-1 Selection of Mayor

The Council shall meet on the first Tuesday following the regular General Election to choose a Mayor from among their number. At this time, the Council members shall also select a Vice-Mayor to act in the Mayor's absence.

Section 2-2-2 Powers and Duties of the Mayor

The powers and duties of the mayor shall include the following:

- A. He shall be the chief executive officer of the town.
- B. He shall be the chairman of the council and preside over its meetings. He may make and second motions and shall have a voice and vote in all its proceedings.
- C. He shall enforce the provisions of this code.
- D. He shall exercise supervision over the acts and conduct of all the officers and employees of the town and shall inquire into all complaints against such officers or employees for violation or neglect of duty. He shall certify all complaints to the council.
- E. He shall execute and authenticate by his signature such instruments as the council, or any statute, ordinances or this code shall require.
- F. He shall make such recommendations and suggestions to the council as he may consider proper.
- G. He may, by proclamation, declare a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing, or any other natural or man-made calamity or disaster or in the event of the threat or occurrence of riot, rout or affray or other acts of civil disobedience which endanger life or property within the town. After declaration of such emergency, the mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the town, including but not limited to:
 - 1. Imposition of curfew in all or any portion of the town.
 - 2. Ordering the closing of any business.
 - 3. Closing to public access any public building, street or other public place.
 - 4. Calling upon regular auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.
- H. He shall perform such other duties required by state statute and this code as well as those duties required as chief executive officer of the town.

Section 2-2-3 Absence of Mayor

The mayor shall not absent himself for the town for a greater period than fifteen days without the consent of the council.

Section 2-2-4 Failure to Sign Documents

If the mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his signature for five days consecutively, then a majority of the members of the council may, at any regular or special meeting, authorize an acting mayor to sign such ordinance, resolution, contract, warrant, demand or other document

of instrument which when so signed shall have the same force and effect as if signed by the mayor.

ARTICLE 2-3 COUNCIL ELECTION

- 2-3-1 Primary election
- 2-3-2 Non-Political Ballot
- 2-3-3 General election Nomination
- 2-3-4 Election to Office
- 2-3-5 Candidate Financial Disclosure
- 2-3-6 Election Dates

Section 2-3-1 Primary elections

Any candidate who shall receive at the primary election a majority of all the votes cast shall be declared elected to the office for which he is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate; provided that if more candidates receive a majority than there are offices to be filled then those equal in number to the offices to be filled receiving the highest number of votes shall be declared elected.

Section 2-3-2 Non Political Ballot

Nothing on the ballot in any election shall be indicative of the support of the candidate.

Section 2-3-3 General Election Nomination

If at any primary election there is any office for which no candidate is elected, the primary election shall be considered to be an election for nomination of candidates for such office, and a general municipal election shall be held to fill such office. Candidates to be placed on the ballot at the general election shall be those not elected at the primary election and shall be equal in number to twice the number to be elected to any given office unless there be less than that number named on the primary election ballot. Persons who receive the highest number of votes for the respective offices at the primary election shall be the only candidates at such general election, provided that if there be any person who, under the provision of this article, would have been entitled to become a candidate for any office except for the fact some other candidate received an equal number of votes shall likewise become candidates for such office.

Section 2-3-4 Election to Office

The candidates equal in number to the persons to be elected who receive the highest number of voted shall be declared elected.

Section 2-3-5 Candidate Financial Disclosure

Each candidate for the office of councilman shall file a financial disclosure statement on a form prescribed by the clerk when such candidate files a nomination paper. The statement shall contain such information as required by resolution of the council.

Section 2-3-6 **Election Dates**

The Primary Election for the Town shall be held in conjunction with the Graham County Primary Election in September of each even number year.

Section 2-3-7 **Deadline for filing Nomination Papers**

A person desiring to be come a candidate and to have his name printed on the official ballot for municipal office shall file a nomination paper and the other nomination materials not less than seventy-five days or more than one hundred and five days before the primary election date. All such nomination papers must be completed and filed with the Town Clerk by four o'clock on the last business day for filing such papers.

ARTICLE 2-4 **COUNCIL PROCEDURE**

- 2-4-1 Regular Meetings
- 2-4-2 Special Meetings
- 2-4-3 Meetings to be Public
- 2-4-4 Quorum
- 2-4-5 Order of Business
- 2-4-6 Committees
- 2-4-7 Voting
- 2-4-8 Suspension of Rules

Section 2-4-1 **Regular Meetings**

The council shall hold regular meetings on the second Tuesday of each month at seven o'clock P.M. provided that when the day fixed for any regular meeting of the council falls upon a day designated by law as a legal holiday, such meeting shall be held at the same hour of the next succeeding day not a holiday, at the council's discretion. All regular meetings of the council shall be held in the council chambers of the town.

Section 2-4-2 **Special Meetings**

The mayor may convene the council at any time after giving at least twenty-four hours notice of such meeting to members of the council and the general public. The notice shall include the date, hour and purpose of such special meeting and shall be served upon each member of the council either in person or by notice left at his place of residence. No business shall be transacted at such meeting except such as is stated in the notice. If the mayor is absent from the town, a special meeting may be convened by a majority of the council. In the case of an actual emergency a meeting may be held upon such notice as is appropriate to the circumstances.

Section 2-4-3 **Meeting to the Public**

All official meetings to the council at which any legal action is taken shall be open to the public. Notice of meetings shall be given in a manner consistent with state statute. Upon approval by a majority vote of the council, the council may meet in a closed executive session for a discussion as per state statute.

Section 2-4-4 Quorum

A majority of the councilmen shall constitute a quorum for transacting business but a lesser number may adjourn from time to time and compel the attendance of absentees.

Section 2-4-5 Agenda

At least forty-eight hours prior to such council meeting all written reports, communications, ordinances, resolutions, contracts, and other documents to be submitted to the council, shall be delivered to the clerk who shall prepare an agenda according to the order of business and shall furnish each council member, the mayor and the attorney with a copy of the agenda, any material pertinent thereto and a copy of the minutes of the preceding council meeting. Such materials shall be furnished as far in advance of the council meeting as time for preparation will permit. None of the foregoing matters shall be presented to the council by administration official except those of an urgent nature, and the same, when presented shall have the written approval of the mayor before presentation.

Section 2-4-6 Order of Business

The business of the Council shall be taken up for consideration and disposition in the manner and order desired by the mayor and in conjunction with State laws.

Section 2-4-7 Committees

The council may create such committees, standing or special, as it deems necessary. Such committees shall consist of as many members and shall perform such duties as the council may require and shall exist at the pleasure of the council.

Section 2-4-8 Voting

- A. The Mayor shall vote as a member of the council
- B. The vote of every member of the council on every issue shall be included in the minutes. A member may announce his intention to abstain for voting. Each member choosing to vote shall do so verbally or by sign.

Section 2-4-9 Suspension of Rules

Any of the provisions of this chapter may be temporarily suspended in connection with any matter under consideration by a recorded vote of three-fourths of the members present, except that this section shall not be construed to permit any action that is contrary to state statute.

ARTICLE 2-5 ORDINANCES, RESOLUTIONS AND CONTRACTS

- 2-5-1 Prior Approval
- 2-5-2 Introduction
- 2-5-3 Same Day Passage Prohibited
- 2-5-4 Two Separate Readings

- 2-5-6 Effective Date of Ordinance
- 2-5-7 Signatures Required
- 2-5-8 Publishing Required
- 2-5-9 Posting Required

Section 2-5-1 Prior Approval

All ordinances, resolutions and contract documents shall, before presentation to the council, have been reviewed as to form by the attorney. When there are substantive matters of administration involved, all ordinances, resolutions and contract documents shall be referred to the person who will be charged with the administration of such ordinance, resolution or contract. Such person shall have an opportunity to present comments, suggestions and objection, if any, prior to the passage of the ordinance, resolution or acceptance of the contract.

Section 2-5-2 Introduction

Ordinances, resolutions and other matters or subjects requiring action by the council shall be introduced and sponsored by a member of the Council or Town Administrative staff, except that the Attorney may present ordinances, resolutions, and other matters or subjects to the Council, and any Council may assume sponsorship thereof by moving that such ordinance, resolution, matter or subject be adopted; otherwise they shall not be considered.

Section 2-5-3 Same Day Passage Prohibited

No ordinance, except an emergency ordinance, shall be put on its final passage on the same day on which it was introduced.

Section 2-5-4 Two Separate Readings

All ordinances, except emergency ordinances, shall have two separate readings, but the first and the second reading shall never be made on the same day. The first reading may be by title only, but the second reading shall be in full unless the council, in possession of printed copies of said ordinance, shall unanimously allow reading by title only.

Section 2-5-5 Requirements for an Ordinance

Each ordinance may have only one subject, the nature of which is clearly expressed in the title. Whenever possible, each ordinance shall be introduced as an amendment to this code or to an existing ordinance and, in such case, the title of the sections to be amended shall include the ordinance.

Section 2-5-6 Effective Date of Ordinance

No ordinance, resolution or franchise shall become operative until thirty days after its passage by the council and approval by the mayor, except measures necessary for the immediate preservation of the peace, health or safety of the town, but such an emergency measure shall not become immediately operative unless it states in a separate section the reason why it is necessary that it should become immediately effective, and unless it is approved by the affirmative vote of three-fourth of all the member elected to the council taken by ayes and nays.

Section 2-5-7 Signatures Required

Every ordinance passed by the council shall, before it becomes effective, be signed by the mayor and attested by the clerk.

Section 2-5-8 Publishing Required

Only such order, resolutions, motions, regulation or proceedings of the council shall be published as may be required by state statute or expressly ordered by the council.

Section 2-5-9 Posting Required

Every ordinance imposing any penalty, fine, forfeiture or other punishment shall, after passage, be posted by the clerk in three or more public places within the town and an affidavit of the person who posted the ordinance shall be filed in the office of the clerk as proof of posting.

Sec. 2-6-1 Membership

- A. The planning and zoning commission shall be composed of a total of seven members, at least five of which shall be residents of the town, and a maximum of two that live within 20 miles and have a vested interest in the town (ie. property and/or business owners). The members of the commission shall be appointed by the mayor, subject to the approval of the council. These appointments shall be for a period of three years each, with the terms of members so staggered that the terms of no more than three members shall expire in any one year, except that in the event of death or resignation of a member the vacancy may be filled for the unexpired term. The term of all members shall extend until their successors are qualified; except that three successive unexcused or unexplained absences from any regular or special meeting shall be grounds for termination at the will and pleasure of the planning and zoning administrator without the necessity of a hearing or notice and such action shall be final.
- B. Terms shall begin on January 1st, with the Planning and Zoning Administrator beginning the selection process in October of the previous year.
- C. All members shall serve without pay. Members of the commission may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the commission and approval of such expenditures by the planning and zoning administrator.

Sec. 2-6-2 Officers

The commission shall elect a chairman and vice chairman from among its own members, who shall serve for one year and until their successors are elected and qualified. The chairman shall preside at all meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. The chairman shall have the power to administer oaths and to take evidence. The vice chairman shall perform the duties of the chairman in the absence or disability of the chairman. Vacancies created by any cause shall be filled for the unexpired term by a new election.

Sec. 2-6-3 Duties

It shall be the duty of the commission to formulate, create and administer any lawful plan duly adopted by the council for the present and future growth of the town pertaining to the use of land and buildings for any purpose, together with all incidental activities usually associated therewith and commonly known as "Planning and Zoning": to make or cause to be made a continuous study of the best present and future use to which land and buildings shall be put within the town and in cooperation with adjacent areas; to recommend to the council revisions in such plans which, in the opinion of the commission, are for the best interest of the citizens of the town to promulgate rules of procedure and to supervise the enforcement of rules so promulgated by the commission and approved by the council.

Sec. 2-6-4 Meetings

The commission shall provide in its rules for its meetings; provided, that special meetings may be called by the chairman or in his absence the vice chairman. In addition, any three members of the commission may make written request to the chairman for a special meeting and in the event such meeting is not called, such members may call a special meeting in such manner and form as may be provided in the commission rules.

Sec. 2-6-5 Voting

Four members shall constitute a quorum. The affirmative vote of four members shall be required for passage of any matter before the commission. The minutes of the meetings shall reflect the "ayes" and "nays" cast on a particular measure and shall reflect the vote of each member present. A member may abstain from voting only upon a declaration that he has a conflict of interest in which case such member shall take no part in the deliberations on the matter in question.

Sec. 2-6-6 Fees

The commission shall be authorized to establish a uniform schedule of fees for service with all receipts to be paid into the general fund of the town. Such fee schedules shall become effective on approval by the council.

#6



Economic and Real Estate Consulting

May 1, 2023

via email: vernon.batty@pimatown.az.gov

Mr. Vernon Batty
Town Manager
Town of Pima, Arizona
110 W. Center Street
Pima, AZ 85543

Re: Proposal for Revenue Sharing Study

Dear Mr. Batty:

Thank you for the opportunity to submit a proposal to prepare an analysis for revenue sharing among the communities of Pima, Thatcher, and Safford. This letter will outline the scope of work and fee arrangement with respect to this representation.

1. **Scope of Engagement**. The scope of our engagement is to prepare a retail sales tax revenue sharing plan for the Town of Pima that can be evaluated and considered for implementation by the communities of Thatcher and Safford. Our specific scope of engagement is to determine the estimated contribution of retail spending by Pima residents in the retail centers of the adjacent communities. Our analysis will be comprised of the following elements.

- **Retail Spending Trends**

We will provide an estimate of retail spending that may be generated from the residents of Pima based on available data from the U.S. Census (which provides estimates of median and average household incomes) and other resources that may be available. We will also consult the U.S. Consumer Expenditure Survey to determine the typical spending patterns of households based on the average household income for the Town.

We will also provide a similar analysis for the communities of Thatcher and Safford to determine the relative spending potential of those communities and their contribution to spending in the three-community area. Retail sales tax collections will be collected and evaluated for each community from data available from the Arizona Department of Revenue and/or Comprehensive Annual Financial Reports. These reports, however, may not provide sufficient detail for our study and we may need to further discuss with you the types of retail sales categories that would potentially be shared. For instance, would auto sales be included in the analysis as well as restaurants and bars? We will need to flush out these details before we initiate the study.

Elliott D. Pollack & company

7505 East 6th Avenue, Suite 100 Scottsdale, Arizona 85251 ■ PH 480.423.9200 ■ info@edpco.com ■ www.arizonaeconomy.com

- **Retail Market Area Analysis**

Recognizing that approximately 50% of the population of Graham County lives in unincorporated areas (including the fact that some spending may come from Greenlee County), we will conduct an analysis of shopping patterns in the county by using Placer.ai which our firm currently subscribes to. Placer.ai software is an analytics platform that gathers cellular phone tracking data both historically and in real time to places of interest by the population, in this case major retail centers. The platform can isolate specific geographic locations attributed to major retailers within the region through a process called geo-fencing. Resulting quantitative data includes total visitor counts (with history going back five years) by time of day, day of week, seasonal trends, visitor journey (where they came from and where they went after), trade area identification (how far the retail centers draw customers), and other insights such as demographics, income, age, place of residence, etc. This information can help define the true retail market area for the three communities.

Elliott D. Pollack & Company has subscribed to Placer.ai covering the Arizona region for the past year. Members of the project team have actively participated in customized, bi-weekly training sessions by Placer.ai specialists. We are well-versed in the numerous product offerings and analyses available through the Placer.ai platform and have utilized the interactive software and data in several analyses throughout the State of Arizona.

- **Analysis**

Based on the data collected above, including resident spending patterns and where people in the region shop, we will estimate the amount of retail sales tax collections in Thatcher and Safford that may be attributable to Pima residents. Please note this analysis will be subject to some margin of error but will provide Pima and the other two communities with a starting point for discussion of a revenue sharing strategy.

- **Conclusions**

Our analysis will conclude with a written report of the analysis and conclusions provided electronically in PDF format.

As part of this analysis, we may require your assistance in collecting information on specific retail sales tax collections from Pima and potentially the other communities.

It is specifically understood that we have not made any guarantee as to the results regarding this matter and that our fees are not contingent or conditioned upon obtaining any particular result. All information, documents and other data furnished to or generated by this firm shall be kept strictly confidential and shall not be divulged to a third party without the client's prior written consent.

2. **Responsible Parties.** The parties primarily assigned to this representation will be Richard Merritt and Daniel Court. It is understood for the purposes of this agreement that the Town of Pima is the client and will be the recipient of the monthly statements.

3. Fees. The total professional fee for the study is \$14,500. A draft of the analysis will be delivered within eight weeks of notice to proceed. Invoices will be billed monthly based on the percentage of work completed.
4. Billing Procedure. We will render statements for professional services on a monthly basis, except in those instances when it is more appropriate to bill you upon completion of a matter. Unless otherwise requested, our billings contain a brief summary of the nature of the work, the fees, and the costs advanced.


In addition, you will be billed monthly for all costs and out-of-pocket expenses incurred on your behalf, including printing and photocopying charges (not to exceed ten cents per page), long distance charges, transportation expenses, delivery charges, purchase of necessary data, and other usual and customary costs. All such costs and expenses shall be billed to the client without mark-up or additional charges of any kind. We do not expect to incur any out-of-pocket expenses unless attendance at meetings would be required.

5. Terms of Payment. Our statements are due and payable upon receipt and considered to be past due if not paid within 30 days of the invoice date. Undisputed balances left unpaid for more than 30 days from the due date will begin accruing an 18% per annum finance charge. We reserve the right to turn over any bill that is 60 days or more past due to an attorney for collection.
6. Cooperation by Client. You agree to cooperate with us in our representation by complying on a timely basis with all reasonable requests for information and assistance in connection with our representation. We shall have the right to withdraw if payment of our fees is not made as set forth herein, or if you misrepresent or fail to disclose material facts to us.

If the above is consistent with your understanding regarding our representation, please execute the enclosed copy of this letter and return it to me. Should you have any questions, please do not hesitate to contact me.

We appreciate the opportunity to provide this proposal to you and look forward to undertaking the study.

Sincerely,
ELLIOTT D. POLLACK & CO.



Richard Merritt
President

Client signature is on the following page.

APPROVED AND AGREED:

By: _____

Client: Town of Pima, Arizona

Date: _____

Invoices should be sent to the following person or department:

Name: _____

Department: _____

Address: _____

Phone: _____

Email: _____

Pima Town Council Monthly Report / Pima Police Department

Apr-23

DR#/ ARREST/CIT/WAR

| | | | |
|------------------------|----------|---------------------------|---|
| Total | 94 | Adult Felony Arrests | 5 |
| Radio Assigned | 84 | Adult Misdemeanor Arrests | 4 |
| On View Activity | 10 | Juv. Misdemeanor Arrests | 0 |
| 301DR#/Arrest/cit/war | 8/0/0/0/ | Juv. Felony Arrests | 0 |
| 302 DR#/Arrest/cit/war | 22/3/1/3 | Bookings | 7 |
| 303 DR#/Arrest/cit/war | 16/1/0/4 | Total Arrests | 9 |
| 305/DR#/Arrest/cit/war | 22/2/0/3 | | |
| 307DR#/Arrest/cit/war | 24/3/2/5 | | |
| 308/DR#/Arrest/cit/war | 2/0/0/0 | | |

calls

| | | | |
|---------------------|----|----------------------------|---|
| Agency assist | 5 | Disorderly | 2 |
| Civil Standby | 3 | Harassment/Threats | 2 |
| DUI | 1* | Drugs | 0 |
| Animal Problem | 7 | Illegal Burning/ Littering | 0 |
| Alarm Call | 1 | Assault/stabbing | 0 |
| ATV Complaint | 4 | Trespassing | 2 |
| Burglary | 0 | Vehicle Impound | 0 |
| Citizen Assist | 5 | 911 Hangup | 0 |
| Criminal Damage | 3 | Prowler | 2 |
| Civil Matter | 1 | Escort | 1 |
| Drug Related | 1* | Fraud | 0 |
| Domestic Violence | 1 | Costodial Interference | 0 |
| Traffic Offense | 0 | Unwanted Person | 0 |
| Fight/Disturbance | 2 | Suspended License | 0 |
| Found Property | 0 | Order of Protection | 0 |
| Juvenile Problem | 0 | Alcohol Offense | 0 |
| Medical/EMT | 17 | Unattended Death | 0 |
| Suspicious Activity | 3 | Missing Person | 0 |
| Stolen Vehicle | 0 | Unsecure Property | 0 |
| Theft | 0 | Attempt Suicide | 0 |
| Traffic Complaint | 3 | Child Abuse | 0 |
| Search Warrant | 0 | Party | 0 |
| Welfare Check | 9 | Lost property | 0 |
| Wanted Person | 5 | Parking Problem | 2 |
| Weapons Offense | 1 | Utility Problem | 0 |
| Fire | 1 | Recovered Property | 0 |
| Pursuit | 0 | Canine | 0 |
| Papers Served | 0 | Phlebotomy | 0 |
| Vehicle Collisions | 2 | Premise check | 1 |

Information Reports
Loud Music

4
4

Follow up
Sex Offense

0
0

PIMA PUBLIC LIBRARY

Monthly Statistical Report

APRIL 2023

CIRCULATIONS

Currently checked out: 377

Currently overdue: 39

TOTAL MONTHLY CIRCULATIONS: 1,356 (# of items checked in and out)

HOLDINGS

Books- 12,987 AudioBooks- 163 DVD's- 1,846

TOTAL HOLDINGS: 14,996

PATRONS (registered card holders)

Admin/Board: 12 New Patrons Added: 3

Adults: 1,182 Children: 310

Family/Inst: 293 Restricted: 292

TOTAL PATRONS: 2,089

HOURS OF OPERATION: 144

NUMBER OF DAYS OPEN: 16

LIBRARY ATTENDANCE: 855

OF COMPUTER USERS: 29

PROGRAMS & OUTREACH

OF PROGRAMS/ATTENDANCE

Community Groups 4 8

LEGO Club 6 49

Movie Night 1 96

School Groups 0 0

Story Time 4 127

TOTAL: 15 280

VOLUNTEERS: 18 **HOURS GIVEN:** 29.5

FINANCIAL

Fines \$ 34.30 Copies \$ 11.40 Fax \$ 22.00 Sale Room \$ 9.10

Lost \$ 35.00 Donations \$ 26.15 (less) Petty Cash \$ -32.60

TOTAL INCOME \$ 105.35