

MINUTES

Town Council Special Meeting

6:00PM – Tuesday, July 11, 2023

Wellton, Town Hall Council Chambers

28634 Oakland Avenue, Wellton, Arizona 85356

Mayor Scott Blitz called the special meeting to order at 6:00PM on Tuesday, July 11, 2023. Mayor Blitz led the Pledge of Allegiance and gave the invocation. Roll call was taken.

Councilmembers Present: Mayor Scott Blitz, Councilmembers Barbara Biggs (via Zoom), Sylvia Davidson, and Michelle Jones.

Councilmembers Absent: Vice Mayor Cecilia McCollough.

Staff Present: Town Manager Richard Marsh, Deputy Town Clerk Sandra Jones, Public Works Director Joe Grant, Police Chief David Rodriguez, Grants Director Yolanda Galindo, Receptionist/Permit Clerk Ashley Rivera, Utility/Accounts Payable Clerk Mary Miranda, Code Enforcement Office Belen Medina, and Attorney John Austin Gaylord (via Zoom).

Guests Present: Audrey Zingler, Lynda Lake, Jim Sampson, Lila Wilson, Thomas Laybourne, Catherine Blitz, Marisol Hernandez, Martin Hernandez, Bob Leeper, Peggy Leeper, Larry Killman, Bob Newquist, Jane Newquist, Jeff Hubert, Brayden Hubert, Evie Pistone, Lou Lander, Brenda Lander, Ralph Davidson, Sue Sanders, Michaela Treanor, and Luis Luna.

Call to the Public

None submitted.

Presentations and Introductions

- Presentation of SeeClickFix: Mary Miranda, Ashley Rivera, and Sandra Jones.
- Presentation of Employee of the Month: Ashley Baughn
- Introduction of Code Enforcement Officer: Belen Medina and Code Enforcement Update by Richard Marsh, Town Manager
- Presentation of Certificate of Appreciation to: Jeff Hubert – Gotta Paint
- Introduction of Tour de Fields by Joe Grant, Public Works Director

Discussion and Action Items

1. Approval of Minutes:

a. For the Meeting of June 7, 2023 (Regular Meeting).

b. For the Meeting of June 7, 2023 (Community Facilities District (CFD) Meeting).

Motion made by Councilmember Jones, seconded by Councilmember Davidson, to approve Minutes for the June 7, 2023 (Regular Meeting) and June 7, 2023 (CFD Meeting) as amended.

Davidson: Yay

Jones: Yay

Blitz: Yay
 McCollough: Absent
 Biggs: Yay
 Motion carried.

2. Discussion regarding CDBG Program by Yolanda Galindo, Grants Director.
 Presentation by Grants Director Yolanda Galindo.

- **Recess Regular Session of the Common Council and open Public Hearing as Board of Adjustment**

Motion made by Councilmember Jones, seconded by Councilmember Davidson, to recess Regular Session of the Common Council and open Public Hearing as Board of Adjustment at 7:00PM.

Davidson: Yay
 Jones: Yay
 Blitz: Yay
 McCollough: Absent
 Biggs: Yay
 Motion carried.

3. **Public Hearing for:**

- a. **Variance Case #V-23-003: Quick Fix Pools and Spas LLC, agent for Jim and Tamra Wilcox, requests a variance of Planning & Zoning Code Chapter 8, Section 8-5.4.1-D (1): Minimum Interior Yard Setback: 6 feet on their lot located at 28731 Canal Avenue (Parcel #: 709-52-139) for the installation of a pool.**

Discussion regarding the Variance Request.

- **Close Public Hearing.**

Motion made by Councilmember Jones, seconded by Councilmember Davidson, to close Public Hearing at 7:01PM.

Davidson: Yay
 Jones: Yay
 Blitz: Yay
 McCollough: Absent
 Biggs: Yay
 Motion carried.

- **Recess the Wellton Town Council Special Session and convene as the Board of Directors of the Links at Coyote Wash Community Facilities Districts #2003-1 & #2005-1.**

Motion made by Councilmember Davidson, seconded by Councilmember Jones, to recess the Wellton Town Council Special Session and convene as the Board of Directors of the Links at Coyote Wash Community Facilities Districts #2003-1 & #2005-1 at 7:02PM.

Davidson: Yay

Jones: Yay
 Blitz: Yay
 McCollough: Absent
 Biggs: Yay
 Motion carried.

4. The Links at Coyote Wash Community Facilities District #2003-1:

- a. **Public Hearing, discussion, and possible action to adopt Resolution No. 57, a resolution of the Board of the Links at Coyote Wash Community Facilities District #2003-1, Yuma County, Arizona, levying upon the assessed valuation of the property within the District subject to ad valorem taxation a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amounts estimated to be required in the Annual Budget; all for Fiscal Year beginning July 1, 2023 and ending on June 30, 2024.**

Motion made by Councilmember Davidson, seconded by Councilmember Jones, to adopt Resolution No. 57, a resolution of the Board of the Links at Coyote Wash Community Facilities District #2003-1, Yuma County, Arizona, levying upon the assessed valuation of the property within the District subject to ad valorem taxation a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amounts estimated to be required in the Annual Budget; all for Fiscal Year beginning July 1, 2023 and ending on June 30, 2024.

Davidson: Yay
 Jones: Yay
 Blitz: Yay
 McCollough: Absent
 Biggs: Yay
 Motion carried.

5. The Links at Coyote Wash Community Facilities District #2005-1:

- a. **Public Hearing, discussion, and possible action to adopt Resolution No. 58, a resolution of the Board of the Links at Coyote Wash Community Facilities District #2005-1, Yuma County, Arizona, levying upon the assessed valuation of the property within the District subject to ad valorem taxation a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amounts estimated to be required in the Annual Budget; all for Fiscal Year beginning July 1, 2023 and ending on June 30, 2024.**

Motion made by Councilmember Davidson, seconded by Councilmember Jones, to adopt Resolution No. 58, a resolution of the Board of the Links at Coyote Wash Community Facilities District #2005-1, Yuma County, Arizona, levying upon the assessed valuation of the property within the District subject to ad valorem taxation a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amounts estimated to be required in the Annual Budget; all for Fiscal Year beginning July 1, 2023 and ending on June 30, 2024.

Davidson: Yay

Jones: Yay
 Blitz: Yay
 McCollough: Absent
 Biggs: Yay
 Motion carried.

- **Adjourn as the Board of Directors for The Links at Coyote Wash Community Facilities District #2003-1 and #2005-1 and reconvene the Wellton Town Council in Special Session.**

Motion made by Councilmember Jones, seconded by Councilmember Davidson, to adjourn as the Board of Directors for The Links at Coyote Wash Community Facilities District #2003-1 and #2005-1 and reconvene the Wellton Town Council in Special Session at 7:06PM.

Davidson: Yay
 Jones: Yay
 Blitz: Yay
 McCollough: Absent
 Biggs: Yay
 Motion carried.

- 6. Discussion and possible action to adopt Resolution No. 710 a Resolution of the Town Council of the Town of Wellton, Arizona, adopting the Annual Public Safety Personnel Retirement System (PSPRS) Funding Policy for the Fiscal Year 2024.**

Motion made by Councilmember Davidson, seconded by Councilmember Jones, to adopt Resolution No. 710 a Resolution of the Town Council of the Town of Wellton, Arizona, adopting the Annual Public Safety Personnel Retirement System (PSPRS) Funding Policy for the Fiscal Year 2024.

Davidson: Yay
 Jones: Yay
 Blitz: Yay
 McCollough: Absent
 Biggs: Yay
 Motion carried.

- 7. Discussion and possible action to adopt Resolution No. 711 a Resolution of the Town Council of the Town of Wellton, Arizona, designating Richard Marsh as the Chief Fiscal Officer for officially submitting the Town's Fiscal Year 2024 Annual Expenditure Limitation Report.**

Motion made by Councilmember Jones, seconded by Councilmember Davidson, to adopt Resolution No. 711 a Resolution of the Town Council of the Town of Wellton, Arizona, designating Richard Marsh as the Chief Fiscal Officer for officially submitting the Town's Fiscal Year 2024 Annual Expenditure Limitation Report.

Davidson: Yay

Jones:	Yay
Blitz:	Yay
McCullough:	Absent
Biggs:	Yay
Motion carried.	

8. Discussion regarding a possible meeting date to revisit the International Property Maintenance Code.

The International Property Maintenance Code (IPMC) is to be added as a discussion and action item to the Tuesday, August 1, 2023 Regular Meeting Agenda.

Future Agenda Items

- The International Property Maintenance Code (IPMC) will be revisited on the August 1, 2023 meeting agenda.
- Variance requests regarding setbacks.

Town Manager's Report

- Clarifier Update – Staff have the parts for the second clarifier at the Water Plant. The actual construction had been bid at \$1.2 million dollars. There is currently only \$147,000 remaining in the ARPA funds for the construction. As reported in May, ADEQ was consulted, and funds aren't available through ADEQ for this project at this time. They are willing to revisit if funding becomes available. ADEQ will still assist us in implementing the future findings of the consultant they have hired to deal with other issues at the plant. It appears a projected budget was not established for complete clarifier project build out when the project was in the planning phase during 2021, as mentioned in the April 4, 2023 Town Manager's Update. The Town has issued a second round of Request for Bids for this project. There has been substantially more interest in this round. There were 8 companies in attendance at the pre-bid meeting, as opposed to the 2 bids received during the first round. The bid opening will be this week. Staff are in pursuit of additional grant opportunities and funding sources for this project, as funding is not available in our budget. Updates will be provided as available.
- A heartfelt THANK YOU to our Staff (Brian Claar, Mary Miranda, Joe Grant, Ashley Rivera, Sandra Jones, Adolfo Ponce, Steve Juarez, Lizeth Agundez, Angel Esparza, and Juan Villfranca), Wellton Police Department, Wellton Fire Department, Tri-Valley Ambulance, Fireworks Production of Arizona, booth participants, and the attendees that helped make the 4th of July Celebration a success for 2023.
- The Police and Fire Cook-Out Celebration will be Friday, August 25, 2023 from 5:00PM – 7:00PM at Butterfield Park.
- I would like to express a Thank You to Staff and our CPAs for their hard work and dedication to ensure a Clean Audit for the Town of Wellton.
- Court Enhancement Fee

Our Finance Director presented his findings based on the average operating loss over the last 24 years (utilizing the last 9 years' worth of data) the total estimated operating loss since 1999, then added back the court funds under the ordinance to show there would have been a net operating loss to the Town of Wellton (not utilizing the funds under the ordinance) of \$500k + and the funds collected under the ordinance from the Court's calculation for that same time period is \$200k +.

If the \$200k was not used, that would mean that over the 24-year period, other general fund resources would have been required to recover the deficit.

Findings as presented by our Finance Director (see attached worksheet):

- Scheduled out the Last 6 years (including revenues and expenditures for FY23 through today).
- Blue highlighted cells are expenses that are clearly direct court costs for operations (salaries, wages, and related expenses; audits, office expenses and insurance).
- Orange highlighted cells are expenses that are likely not direct court operations costs (I wasn't sure about the defense attorney and prosecutor as those aren't operational costs)
- Total direct operating costs of the court over six years were \$300,170.29.
- Total court revenue over that same period is \$226,126.40, so clearly over this 6-year period, the direct operating expenses are significantly more than revenues generated.

Assumptions as presented by our Finance Director:

"The Town has (as evidenced in its audited financial statements, the flow assumption of funds is to use restricted resources first). If court fines collected under the ordinance are restricted for court operations and the court fines are unrestricted, it would be reasonable to assume the court fines collected under the ordinance would be expended first. Over the 6-year period that is presented, court operating expenses far exceeded total court revenues. In 2023 and 2022 that trend flattened out where there is a recovery of costs, but it is not significant. In years prior to 2022, there was a significant excess expenditure over revenues, which would indicate that it was necessary to utilize the funds under the ordinance to simply operate the court. For this 6-year period, the excess court operating expenses over revenues totaled \$74,004.89 (which includes net revenues in 2023 and 2022 of \$11,026.79). My guess and I can go back further, is that you will find a similar trend in years prior to 2018 where you will see net expenses over revenues. I did go back a few more years and found the following:

2017 – Net expenses over revenues \$16,278.68

2016 – Net expenses over revenues \$17,896.73

2015 – Net expenses over revenues \$12,848.40

An analysis of the average net operating loss and average annual court fees collected under the ordinance.

An estimate of the excess expenditures over revenues from 1999-2023 incurred in the General Fund based on the average operating loss over the last 9 years without the use

of the Court Fees collected under the ordinance. This represents the use of other General Fund revenues in excess of Town Court Fees collected."

If you would like to discuss this issue further, please let me know.

- Facebook Posts insights:
 - Traffic has dramatically increased at the Town of Wellton's Facebook page. We have had as many as 6,000 hits on an individual post.
 - Our audience is 71.20% women/28.80% men; Women ages 25-34 is our highest demographic, with men ages 35-44.
 - Followers:
 - December 2022 - 188
 - February 2023 - 424
 - March 2023 – 453
 - May 2023 - 488
 - June 2023 - 520
 - Current – 558
- Complaint re: Castle Dome Street setback violation. The owners have applied for a variance for the sheds. The Public Hearing will be on the August 1, 2023 Regular Meeting agenda.

Council's Report

- Vice Mayor McCollough as per email received July 9, 2023, she attended:
 - June 22nd - Parker, Arizona. WACOG Executive Board meeting. I serve as vice chair. Updates on Budget and activities for area agency on aging, head start, transportation plan. Rental assistance and energy assistance.
 - June. 27th - San Luis, Arizona. General Services Administration Grand Opening ceremony for San Luis Port of Entry 1. Governor Hobbs, Senator Kelly, GSA representatives, Immigration and Custom Enforcement Representatives. Dept. Of Homeland Security reps. Customs and Border Patrol and officials from Mexican and US consulate. Yuma county leadership and staff. Elected leaders and staff from Cities of San Luis, Somerton, Yuma. I was there representing the Town of Wellton.
 - Announcement of the studies being planned for the year 2024-25.
 - June 29th - Zoom - YMPO Executive Board meeting. Serve as Vice-Chair. Discussion on SMART transportation funds available for communities of 10,000 or less in population. Wellton is encouraged to apply. Information is available on the ADOT website.
 - Announcement of the transportation studies for the year 2024-25.
 - Approval of intergovernmental IGA with Yuma County for services.

Executive Session

- None requested.

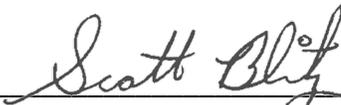
Adjournment

Motion made by Councilmember Davidson, seconded by Councilmember Jones to adjourn.

Davidson: Yay
Jones: Yay
Blitz: Yay
McCollough: Absent
Biggs: Yay

Motion carried.

Meeting adjourned at 7:15PM.



Scott Blitz, Mayor

ATTEST:



Richard Marsh, Town Manager

CERTIFICATION:

I hereby certify that the forgoing minutes are a true and correct copy of the special meeting held July 11, 2023, and the meeting was duly called and posted and that a quorum was present.



Richard Marsh, Town Manager