

RESOLUTION N^o 10-84

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, RATIFYING ACTIONS OF THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA TAKEN BETWEEN MAY 26, 2009 AND SEPTEMBER 21st, 2010.

Whereas, the Town of Dewey-Humboldt has become aware that the Common Council of the Town may have taken actions between May 26, 2009 and September 21st, 2010 in violation of the open meeting laws of the State of Arizona, thereby making it necessary to ratify said actions; and

Whereas, the Common Council of the Town of Dewey-Humboldt has determined that it is appropriate and in the best interest of the Town to ratify certain actions taken during those meeting of the Common Council; and,

Whereas, a statement of each item to be ratified is set forth below and a written description of the action to be ratified and all deliberations, consultations and decisions by members of the public body that preceded and related to such action including minutes of the meetings is available in the Town Clerks office;

Now, Therefore, Be it resolved by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona that the following action are hereby ratified:

1. Ratification of the selection and appointments of David Nystrom and David Hiles on May 26, 2009 as Dewey-Humboldt Town Council members, Agenda item 3.2
2. Ratification of the action by the Town Common Council June 2, 2009 approving a resolution for establishing the basis for volunteer insurance, Agenda item 5.2;
3. Ratification of the action of the Town Common Council June 2, 2009 swearing in new Council members David Nystrom and David Hiles , Mayor Len Marinaccio, and the signing of the Council Code of Conduct, approving Agenda item 7.1;
4. Ratification of the selection method of appointment of the Vice Mayor and appointment of Nancy Wright as Vice-Mayor, Agenda item 7.2
5. Ratification of the action of the Town Common Council June 16, 2009 approving the Consent Agenda, Agenda item 5.1, minutes;
6. Ratification of the action of the Town Common Council June 16, 2009 approving the Consent Agenda item 5.2, Sheriff IGA for law enforcement services within Town's corporate limits;
7. Ratification of the action of the Town Common Council June 16, 2009 approval of Development Services IGA with Yavapai County for building inspection and residential plan review, Agenda item 7.1;
8. Ratification of the action of the Town Common Council June 16, 2009 awarding the "Year 4" Road Chip Seal contract, Agenda item 7.4;
9. Ratification of the action of the Town Common Council June 16, 2009 awarding the Upper Main to Lower Main Pathway sidewalk contract, Agenda item 7.5;

10. Ratification of the action of the Town Common Council July 7, 2009 approving the Consent Agenda items 5.1 & 5.2 minutes and Voucher Transit MOU;
11. Ratification of the action of the Town Common Council July 7, 2009 approving Agenda item 6.1, Main Street Pedestrian Pathway Final Design and Construction Management;
12. Ratification of the action of the Town Common Council July 7, 2009 approving Agenda item 6.2, Appointment of Councilmember David Nystrom to CYMPO and Vice Mayor Nancy Wright as Alternate/successor;
13. Ratification of the action of the Town Common Council July 7, 2009 approving Agenda item 7.2, Call of Election for the 2009 General Plan;
14. Ratification of the action of the Town Common Council July 21, 2009 approving the Consent Agenda items 5.1 & 5.2, July 7, 2009 minutes and CYMPO Membership;
15. Ratification of the action of the Town Common Council July 21, 2009 approving Agenda item 5.3, Budget Transfer FY2009;
16. Ratification of the action of the Town Common Council July 21, 2009 approving Agenda item 7.2, written response BLM transfer Assessment;
17. Ratification of the action of the Town Common Council July 21, 2009 approving P&Z Commission's recommendation re: "Outside Storage", Agenda item 7.3;
18. Ratification of the action of the Town Common Council July 21, 2009 denying Agenda item 8.1. TA09-03 Planning & Zoning Ordinance Text Amendments to Section 543 Home Occupations and Section 301 Definitions;
19. Ratification of the action of the Town Common Council August 4, 2009 approving Agenda items 5, 5.1 and 5.2 July 14, 2009 & July 21, 2009 minutes and Banking Authority Resolution;
20. Ratification of the action of the Town Common Council August 4, 2009 approving Agenda item 6.1, Access Ordinance Amendment and associated documents;
21. Ratification of the action of the Town Common Council August 4, 2009 approving Agenda item 7.1, Model City Tax Code amendments;
22. Ratification of the action of the Town Common Council August 4, 2009 approving Agenda item 7.2, Environmental Consultant;
23. Ratification of the action of the Town Common Council August 11, 2009 approving and publishing notice of intent to assess Development fees, Agenda item 3.1;
24. Ratification of the action of the Town Common Council August 11, 2009 approving the Consent Agenda items 5.1 & 5.2, August 4, 2009, August 7-8, 2009, and August 11, 2009 minutes and Library District IGA;
25. Ratification of the action of the Town Common Council August 18, 2009 approving Agenda item 7.1, An Ordinance to deannex and annex certain properties at the northern border of the Town;
26. Ratification of the action of the Town Common Council August 18, 2009 tabling Agenda item 7.3, Proposed Revisions of the Council Rules and Procedures;
27. Ratification of the action of the Town Common Council August 18, 2009 approving Agenda item 7.4 Yavapai County Flood Control District funding IGA for FY09/10;
28. Ratification of the action of the Town Common Council August 18, 2009 approving Agenda item 7.5, consideration of Planning & Zoning Commission applications;

29. Ratification of the action of the Town Common Council September 8, 2009 approving Agenda items 5, 5.1 and 5.2, August 18, 2009 minutes and Reappointment of Doyle Wiste to the Planning & Zoning Commission;
30. Ratification of the action of the Town Common Council September 8, 2009 approving Agenda item 5.3, Contract for Street Sign Replacement;
31. Ratification of the action of the Town Common Council September 8, 2009 approving Agenda item 6.2, Revisions of the Council Rules and Procedures;
32. Ratification of the action of the Town Common Council September 8, 2009 approving Agenda item 7.1, appointment of Doyle Wiste and Bob Bowman to the Capital Improvement Program committee;
33. Ratification of the action of the Town Common Council September 8, 2009 approving Agenda item 7.2, appointment of Ethan Wolfinger as Town Prosecutor;
34. Ratification of the action of the Town Common Council September 8, 2009 approving Agenda item 7.3, 2009-2010 Survey Questions;
35. Ratification of the action of the Town Common Council September 22, 2009 approving Agenda items 5, 5.1 and 5.3, September 8, 2009 minutes and Special Event Liquor License For American Legion Post 78;
36. Ratification of the action of the Town Common Council September 22, 2009 approving Agenda item 5.2, CYMPO IGA with Central Yavapai Metropolitan Planning Organization;
37. Ratification of the action of the Town Common Council September 22, 2009 approving Agenda item 5.4, Old Main Preservation Charette Option for preserving and revitalizing Main Street;
38. Ratification of the action of the Town Common Council September 22, 2009 approving Agenda item 5.5, participation in the 2010 Census in Dewey-Humboldt;
39. Ratification of the action of the Town Common Council September 22, 2009 approving Agenda item 7.1, a Resolution partnering with the Census 2010 and forming a Complete Count Committee;
40. Ratification of the action of the Town Common Council September 22, 2009 approving Agenda item 7.2, Work Study Special Session ;
41. Ratification of the action of the Town Common Council September 22, 2009 approving Agenda item 7.3, Staff pursuit of scenario #4, self-performed maintenance;
42. Ratification of the action of the Town Common Council October 6, 2009 approving Agenda item 5.1, September 15, 2009 and September 22, 2009 minutes;
43. Ratification of the action of the Town Common Council October 6, 2009 approving Agenda item 5.2, Census Partnership Agreement;
44. Ratification of the action of the Town Common Council October 6, 2009 approving Agenda item 5.3, Application for the Local Transportation assistance Fund II Grant with matching funds from Community Development Program Budget;
45. Ratification of the action of the Town Common Council October 6, 2009 approving Agenda item 5.4, Resolution for Arizona Cities and Towns Week;
46. Ratification of the action of the Town Common Council October 6, 2009 approving Agenda item 6.1, Adoption of a Town Code which consolidates and numbers Town Ordinance;

47. Ratification of the action of the Town Common Council October 6, 2009 approving Agenda item 7.1, appointing applicants and nominees Stacy Morgan, Ron Whitman, Sandra Goodwin, Skip Gladue and Georgia Remoise to the Capital Improvements Program Committee;
48. Ratification of the action of the Town Common Council October 6, 2009 approving Agenda item 7.4, proposal for a process to appoint a Presiding Magistrate and appointment of Councilmembers Hiles, Wright, Rogers, Nystrom and Vice Mayor Wright to the subcommittee;
49. Ratification of the action of the Town Common Council October 13, 2009 approving Agenda item 3.1, development fees;
50. Ratification of the action of the Town Common Council October 20, 2009 approving Agenda items 5, 5.1 and 5.2, minutes for October 6, 2009 and IGA with Yavapai county Elections Department;
51. Ratification of the action of the Town Common Council October 20, 2009 approving Agenda item 7.1, road and other maintenance contract with L Bar L;
52. Ratification of the action of the Town Common Council October 20, 2009 approving Agenda item 7.2, adopt Disaster Response Plan;
53. Ratification of the action of the Town Common Council October 20, 2009 approving Agenda item 7.4, Americans with Disabilities Act Grievance Procedures;
54. Ratification of the action of the Town Common Council November 3, 2009 approving Agenda items 5.1 & 5.2, minutes for October 13, 2009 and appointment of Boyle, Pecharich, Cline, Whittington & Stallings, P.L.L.C. as town conflict attorney;
55. Ratification of the action of the Town Common Council November 3, 2009 approving Agenda item 6.1;
56. Ratification of the action of the Town Common Council November 3, 2009 approving Agenda item 7.1, annexation of unincorporated territories into the Town of Dewey-Humboldt;
57. Ratification of the action of the Town Common Council November 3, 2009 approving Agenda item 7.2, award design and community coordination contract for open space & trails master plan;
58. Ratification of the action of the Town Common Council November 3, 2009 approving Agenda item 7.3, appointment of Ethan Wolfinger as Town Attorney;
59. Ratification of the action of the Town Common Council November 17, 2009 approving Agenda item 5.1, minutes for November 3, 2009 and November 10, 2009;
60. Ratification of the action of the Town Common Council November 17, 2009 approving Agenda item 7.1, appointment of Catherine J. Kelley as Presiding Town Magistrate;
61. Ratification of the action of the Town Common Council November 17, 2009 approving Agenda item 6.1, Ordinance to implement revised development impact fees;
62. Ratification of the action of the Town Common Council November 17, 2009 approving Agenda item 6.2, canvass of the November 3, 2009 Special Election for the General Plan;
63. Ratification of the action of the Town Common Council November 17, 2009 approving Agenda item 7.2, acceptance of Main Street Charette Report;
64. Ratification of the action of the Town Common Council December 1, 2009 approving Agenda item 5.1, minutes for November 17, 2009;

65. Ratification of the action of the Town Common Council December 1, 2009 approving Agenda item 7.1, CIP Committee CIP Project recommendations for FY2011 and 2012-2021 CIP Project Schedule;
66. Ratification of the action of the Town Common Council December 1, 2009 approving Agenda item 7.2, awarding professional services contract to Lyon Engineering to provide survey services;
67. Ratification of the action of the Town Common Council December 1, 2009 approving Agenda item 7.3, SCPG Amendment for Friends of the Library for reimbursement of unanticipated costs;
68. Ratification of the action of the Town Common Council December 1, 2009 approving Agenda item 8.1, resolution to transfer funds;
69. Ratification of the action of the Town Common Council December 15, 2009 approving Agenda item 5.1, minutes for December 1, 2009;
70. Ratification of the action of the Town Common Council December 15, 2009 approving Agenda item 5.2, Publish CIP and authorization to publish the FY2012-2021 Capital Improvement program December 8 Study Session document:
71. Ratification of the action of the Town Common Council December 15, 2009 approving Agenda item 6.1, appointment of Brian Eitemiller to the Planning & Zoning Commission;
72. Ratification of the action of the Town Common Council December 15, 2009 approving Agenda item 6.2, appointment of applicants to the Open Space and Trails Committee;
73. Ratification of the action of the Town Common Council December 15, 2009 approving Agenda item 7.1, commission of a study to revise the Town's user fees and the Town's Principles of Sound financial Management;
74. Ratification of the action of the Town Common Council December 15, 2009 approving Agenda item 8.1, TA-09-05 Public Hearing for Text Amendment of §153.021 of the Town Code to allow Zoning Administrator Minor Zoning Adjustments for Facilities of Utilities and Non-Profit Community –Service Organizations;
75. Ratification of the action of the Town Common Council January 5, 2010 approving Agenda item 5.1, minutes for December 8, 2009 and December 15, 2009;
76. Ratification of the action of the Town Common Council January 5, 2010 approving Agenda item 5.2, a resolution in support of grant application for Open Space and Trails Master Plan;
77. Ratification of the action of the Town Common Council January 5, 2010 approving Agenda item 5.3, AZ69 highway signage per ADOT RSA;
78. Ratification of the action of the Town Common Council January 5, 2010 approving Agenda item 6.1, CIP Committee Presentation of Final CIP Document;
79. Ratification of the action of the Town Common Council January 5, 2010 approving Agenda item 6.2, Resolution regarding lowering the speed limit on AZ69;
80. Ratification of the action of the Town Common Council January 5, 2010 approving Agenda item 7.1, community comments on Council Agenda and meeting video;
81. Ratification of the action of the Town Common Council January 5, 2010 approving Agenda item 7.2, report on administrative adoption of a Staff Code of Ethics and an ordinance regarding Council oversight;

82. Ratification of the action of the Town Common Council January 19, 2010 approving Agenda items 5, 5.1 and 5.2, minutes for January 5, 2010 and January 12, 2010;
83. Ratification of the action of the Town Common Council January 19, 2010 approving Agenda item 6.2, appointment of Sandra Bradley to Open Space and Trails committee;
84. Ratification of the action of the Town Common Council January 19, 2010 approving Agenda item 6.3, amendment of Town Code, §105.08
85. Ratification of the action of the Town Common Council January 19, 2010 declining Agenda item 7.3, resolution on Unisource Gas Franchise election;
86. Ratification of the action of the Town Common Council January 19, 2010 declining Agenda item 7.2, resolution on APS Franchise election;
87. Ratification of the action of the Town Common Council January 19, 2010 tabling Agenda item 7.1, Utility Ordinance;
88. Ratification of the action of the Town Common Council February 2, 2010 approving Agenda item 5.1, minutes for January 19, 2010 Special Session and January 19, 2010 Regular Session;
89. Ratification of the action of the Town Common Council February 2, 2010 approving Agenda item 6.1, collection and use of impact fees;
90. Ratification of the action of the Town Common Council February 2, 2010 approving Agenda item 6.2, "founded" date as 1876 for highway signs;
91. Ratification of the action of the Town Common Council February 2, 2010 approving Agenda item 6.3, transportation master plan in FY11 budget;
92. Ratification of the action of the Town Common Council February 2, 2010 approving Agenda item 7.1, Roving dumpster program ;
93. Ratification of the action of the Town Common Council February 2, 2010 approving Agenda item 7.2, recycling program service;
94. Ratification of the action of the Town Common Council February 16, 2010 approving Agenda items 5, 5.1 and 5.2, minutes for February 2, 2010 and February 9, 2010 and monthly financial report and second quarter review;
95. Ratification of the action of the Town Common Council February 16, 2010 approving Agenda item 5.3, Servicing bank contract with Bank of America;
96. Ratification of the action of the Town Common Council February 16, 2010 approving Agenda item 8.1, TA-10-01 Public Hearing on Ordinance on Text Amendments to Town Code Section 153.129 Special Purpose Signs and Section 153.130 Off-Premises Signs;
97. Ratification of the action of the Town Common Council March 2, 2010 approving Agenda items 5, 5.1 and 5.2, minutes for February 12, 2010 and Multi-Hazard Mitigation Plan;
98. Ratification of the action of the Town Common Council March 2, 2010 approving Agenda item 7.1, appeal of hearing officers action on Iron King Mine site matter ;
99. Ratification of the action of the Town Common Council March 16, 2010 approving Agenda item 5.2, endorsement of appointment of Mayor by MATForce to its Prescott Area Steering Committee;
100. Ratification of the action of the Town Common Council March 16, 2010 approving Agenda item 5.1, minutes for March 2, 2010 and March 9, 2010;

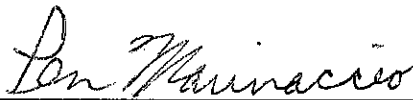
101. Ratification of the action of the Town Common Council March 16, 2010 approving Agenda item 5.3, Winter Maintenance Fund;
102. Ratification of the action of the Town Common Council March 16, 2010 approving Agenda item 7.1, appointment of Ashley Preston to the Environmental Issues Advisory Committee;
103. Ratification of the action of the Town Common Council March 16, 2010 approving Agenda item 7.2, acknowledgement of proposed FY2011 budget, publishing of FY2001 tentative budget;
104. Ratification of the action of the Town Common Council March 16, 2010 postponing Agenda item 7.3, postponement of indirect cost allocation plan and user fee study;
105. Ratification of the action of the Town Common Council March 16, 2010 approving Agenda item 7.4, sales tax revision overview and increasing the Transaction Privilege (Sales) Tax from 1% to 2%;
106. Ratification of the action of the Town Common Council March 16, 2010 approving Agenda item 8.1, Public hearing on TA-10-20 Proposed text Amendment to Town Code Section 153.016 Non Conforming Uses and structures and adoption of text amendment ;
107. Ratification of the action of the Town Common Council April 6, 2010 approving Agenda item 5.1, minutes of March 16, 2010;
108. Ratification of the action of the Town Common Council April 6, 2010 approving Agenda item 7.1, Prescott Street gauge Pole;
109. Ratification of the action of the Town Common Council April 20, 2010 approving Agenda item 5.1, minutes of April 6, 2010 and April 13, 2010;
110. Ratification of the action of the Town Common Council April 20, 2010 approving Agenda item 5.2, public defender contract with Patricia O'Conner;
111. Ratification of the action of the Town Common Council April 20, 2010 approving Agenda item 6.1, continue Gramocis' eComments through June 2010 ;
112. Ratification of the action of the Town Common Council April 20, 2010 approving Agenda item 6.4, Magistrate Fee Ordinance;
113. Ratification of the action of the Town Common Council April 20, 2010 approving Agenda item 6.5, Engineering and Building User fees;
114. Ratification of the action of the Town Common Council May 4, 2010 approving Agenda item 5.1, minutes of April 20, 2010 special meeting and April 20, 2010 regular meeting;
115. Ratification of the action of the Town Common Council May 4, 2010 approving Agenda item 5.2, Annual Emergency Management IGA;
116. Ratification of the action of the Town Common Council May 4, 2010 approving Agenda item 5.3, On-Call sign and post maintenance and replacement contracts;
117. Ratification of the action of the Town Common Council May 4, 2010 approving Agenda item 7.1, Town Planning Assistance contract;
118. Ratification of the action of the Town Common Council May 4, 2010 approving Agenda item 7.2, Town engineering assistance contract;
119. Ratification of the action of the Town Common Council May 18, 2010 approving Agenda item 4.2, appointment of interim Board of Adjustment members, Lydia Chapman, Doyle Wiste, and Bob Bowman;

120. Ratification of the action of the Town Common Council May 18, 2010 approving Agenda item 4.4, Dewey-Humboldt Little League finding;
121. Ratification of the action of the Town Common Council May 18, 2010 approving Agenda item 5.1, minutes of May 4, 2010;
122. Ratification of the action of the Town Common Council May 18, 2010 approving Agenda item 7.1, Process & Timing of Replacement of Council Members;
123. Ratification of the action of the Town Common Council May 18, 2010 postponing Agenda item 8.1TA-10-03 Text Amendment to the Town Code of Dewey-Humboldt, Amending Section 153.091;
124. Ratification of the action of the Town Common Council May 28, 2010 approving Agenda item 3.1, adoption of FY2011 Budget
125. Ratification of the action of the Town Common Council June 1, 2010 approving Agenda item 4.1, appointment of Rose Eitemiller to the Environmental Issues Advisory committee;
126. Ratification of the action of the Town Common Council June 1, 2010 approving Agenda item 5.1, minutes of May 11, 2010 and May 14, 2010 ;
127. Ratification of the action of the Town Common Council June 1, 2010 approving Agenda item 6.1, termination of eComments as of June 30, 2010;
128. Ratification of the action of the Town Common Council June 1, 2010 approving Agenda item 7.1; Ratification of the selection and appointment of Mark McBrady as Town Council member;
129. Ratification of the action of the Town Common Council June 1, 2010 approving Agenda item 7.2, nomination and election of Vice Mayor Denise Rogers;
130. Ratification of the action of the Town Common Council June 15, 2010 approving Agenda item 4.1, selection and appointment of Donald Zavala as Town Attorney and selection of Mariscal, weeks, McIntyre & Friedlander as Conflict Attorney;
131. Ratification of the action of the Town Common Council June 15, 2010 approving Agenda item 5.1, minutes of May 18, 2010;
132. Ratification of the action of the Town Common Council June 15, 2010 tabling Agenda item 6.1, FY2011 Budget and Resolution;
133. Ratification of the action of the Town Common Council June 29, 2010 approving Agenda item 3.1, special event approval;
134. Ratification of the action of the Town Common Council June 29, 2010 approving Agenda item 3.2, Resolution (10-80) to continue FY10 budget until adoption of FY11 budget;
135. Ratification of the action of the Town Common Council July 1, 2010 approving all actions taken on Agenda item 3.1, FY2011 budget;
136. Ratification of the action of the Town Common Council July 6, 2010 approving Agenda item 4.2, appointment of Ben Schaub to the Planning & Zoning Commission;
137. Ratification of the action of the Town Common Council July 6, 2010 approving Agenda item 4.3, NACOG Voucher Program agreement for FY2011 ;
138. Ratification of the action of the Town Common Council July 6, 2010 approving Agenda item 5.1, minutes of May 21, 2010, May 28, 2010, June 1, 2010, June 8, 2010, June 15, 2010 and June 22, 2010;

139. Ratification of the action of the Town Common Council July 6, 2010 approving Agenda item 7.2, Highway safety Improvement Program IGA;
140. Ratification of the action of the Town Common Council July 6, 2010 approving Agenda item 7.3, Letter of Intent-Smelter Property;
141. Ratification of the action of the Town Common Council July 6, 2010 approving Agenda item 8.1, TA-10-03 public hearing on text amendment to Town Code section 153.091 and adoption of text amendments;
142. Ratification of the action of the Town Common Council July 7, 2010 approving all actions taken in Agenda item 3.1, FY2011 Budget including a salary increase ;
143. Ratification of the action of the Town Common Council July 8, 2010 approving Agenda item 3.2, Role of Planning & Zoning and amendment to Code Section 31.19;
144. Ratification of the action of the Town Common Council July 13, 2010 approving Agenda item 3.1, Alternative alignments for Transportation Enhancements (TE) Round 18 Grant, selection of Option #2;
145. Ratification of the action of the Town Common Council July 20, 2010 postponing Agenda item 4.1, Postponement of Appointment to Board of Adjustment;
146. Ratification of the action of the Town Common Council July 20, 2010 approving Agenda item 5.1, minutes of July 6, 2010, July 8, 2010, and July 13, 2010 as amended;
147. Ratification of the action of the Town Common Council July 20, 2010 approving Agenda item 6.1, Antelope Meadows commercial Center, Drainage Analysis;
148. Ratification of the action of the Town Common Council August 3, 2010 approving Agenda item 4.2, appeal with ADOT Hearing Office on AZ69 Speed limit;
149. Ratification of the action of the Town Common Council August 3, 2010 approving all actions taken on Agenda item 5.1, minutes of June 29, 2010, July 1, 2010, July 7, 2010, July 20, 2010 special meeting and July 20, regular session, July 23, 2010 as amended;
150. Ratification of the action of the Town Common Council August 3, 2010 approving Agenda item 7.1, Building Permit Exemption – Accessory Building Exempt Size Change, Town Code §150.01 and Town Code chapter 153 Appendix;
151. Ratification of the action of the Town Common Council August 10, 2010 approving all actions taken on Agenda item 3.1, Independent Counsel for Town Manager Contract;
152. Ratification of the action of the Town Common Council August 17, 2010 re: Agenda item 4;

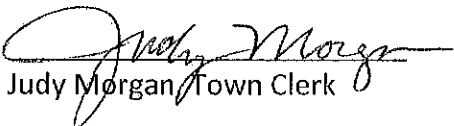
The effective date of this resolution shall be September 21st, 2010.

PASSED and ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt this 21st day of September, 2010.



Len Marinaccio, Mayor

ATTEST:


Judy Morgan, Town Clerk

APPROVED AS TO FORM:


Donald Zavala, Town Attorney