

465 1st Avenue
P.O. Box 970
Holbrook, AZ 86025

OUR MISSION


City of Holbrook Government exists to provide ethical and responsible local government.

AGENDA

Regular City Council Meeting
6:00 p.m. June 8, 2023

1. CALL TO ORDER:
2. ROLL CALL:
3. PLEDGE OF ALLEGIANCE/INVOCATION:
4. CONSENT AGENDA: Tab 1
May 25, 2023, work session minutes.
May 25, 2023, meeting minutes.
5. CALL TO THE PUBLIC FOR NON-AGENDA ITEMS:
*Three-minute time limit per individual.
6. CALL TO THE PUBLIC FOR AGENDA ITEMS:
*Five-minute time limit per individual.
7. BUSINESS (DISCUSSION AND POSSIBLE ACTION):
 - a. Resolution 23-01: A resolution designating the Chief Fiscal Officer (CFO) for the purpose of submitting the Annual Expenditure Limitation Report (AELR). Tab 2
 - b. Resolution 23-02: A resolution adopting the Fiscal Year 2023 Tentative Budget. Tab 3
 - c. Resolution 23-03: A resolution approving an Intergovernmental Agreement with Navajo County for Animal Impoundment Services. Tab 4
 - d. Interview applicants and select a council member. Tab 5
8. SUMMARY OF CURRENT EVENTS:
Mayor:
Council Members:
City Manager:
9. **SUBMISSION OF WRITTEN PETITION FOR ITEMS NOT ON THE AGENDA:
10. Executive Session: On a public majority vote of the members constituting a quorum, the City Council will hold an executive session pursuant to A.R.S. 38-431.03(A)(3) for the purpose of discussion and consultation for legal advice with the City Attorney regarding charter requirements for elections.
11. ADJOURNMENT

Posted the 5th day of June 2023.



Lisa Hunt, City Clerk

*Individuals must submit a "Request to Address City Council" form to the City Clerk prior to the start of the meeting.

Anyone may address the City Council on any issue within the jurisdiction of the Council. City Council may generally not discuss items that are not specifically identified on the agenda, except in certain circumstances. Therefore, pursuant to A.R.S. § 38-431.01 (H), action taken as a result of public comment will be limited to directing City staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Items on the agenda will not be heard or discussed in Call to the Public. Video or audio tapes or other overhead visual aids may not be presented during these public appearances. All speakers should begin their remarks by stating their name and address for the record.

**Any citizen of the City may appear before the Council at any regular meeting and present a written petition. Such petitions shall be considered, and response given within 31 days in conformity with the requirements of the Charter, the Open Meeting Law, and other statutory and constitutional provisions per Holbrook City Charter Article II, Section 2.18.

Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the meeting. Individual members of the public body may respond to comments made by others who have addressed the public body.

The Holbrook City Council may discuss or take legal action on any item listed on the Agenda.

Pursuant to ARS 38-431.02, notice is hereby given to the Holbrook City Council, and to the General public that a meeting, which is open to the public, will be held on above-mentioned date, in the City Council Chambers, at 465 First Avenue, Holbrook, Arizona. Members of the City Council may choose to participate in this meeting telephonically. The City Council may adjourn into executive session, which will not be open to the public, to discuss any matter listed on the agenda in accordance with A.R.S. 38-431.03. The Holbrook City Council may vote to hold an executive session for the purpose of obtaining legal advice from the Council's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

Electronic versions of this agenda can be found at www.holbrookaz.gov.

MINUTES OF THE WORK SESSION
OF THE HOLBROOK CITY COUNCIL HELD ON
MAY 25, 2023

CALL TO ORDER: Mayor Smith called the meeting to order at 5:05 p.m.

ROLL CALL: Mayor Kathleen Smith, Councilmembers Robert Black, Tim Dixon, Mike Nilsson, Arcenia Pacheco, and Karina Pack

CITY STAFF: City Manager Ted Soltis

DISCUSS FISCAL YEAR 2021-2022 BUDGET: City Manager Ted Soltis reviewed the Draft Annual Budget for FY 24 with the City Council. Discussion was held. Councilmembers complimented the City Manager on the budget.

The Tentative Budget will be presented at the June 8, 2023 Council meeting.

ADJOURNMENT

The Work Session adjourned at 6:04 p.m.

I hereby certify that the forgoing minutes are a true and correct copy of the minutes of the Work Session of the Holbrook City Council held on May 25, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Ted Soltis, City Manager

PASSED, APPROVED AND ADOPTED this 8th day of June 2023.

Kathleen Smith, Mayor

MINUTES OF THE REGULAR MEETING
OF THE HOLBROOK CITY COUNCIL HELD ON
May 25, 2023

CALL TO ORDER: Mayor Smith called the meeting to order at 6:04 p.m.

ROLL CALL: Mayor Kathleen Smith, Councilmembers Robert Black, Tim Dixon, Mike Nilsson, Karina Pack, and Arcenia Pacheco

CITY STAFF: City Manager Ted Soltis

PLEDGE OF ALLEGIANCE/INVOCATION: The Pledge of Allegiance was led by Councilmember Pack. The Invocation was given by Paster Hollingsworth of Saint John's Baptist Church.

CONSENT AGENDA:

May 11, 2023, Regular meeting minutes and Board of Adjustment meeting minutes

MOTION: Councilmember Dixon

SECONDED: Councilmember Nilsson

MOTION CARRIED

CALL TO THE PUBLIC FOR NON-AGENDA ITEMS:

Steven Carbonneau recommended a review of the code violation section of the City Code.

CALL TO THE PUBLIC FOR AGENDA ITEMS: None

NEW BUSINESS:

Charter Review Committee selection: A discussion was held on the candidates that Mayor Smith recommended. Since a consensus could not be reached, it was agreed to readvertise and place the selection on the next meeting.

SUMMARY OF CURRENT EVENTS:

-Mayor Smith - Volunteers are being sought for the Old West Fest. She congratulated the graduating seniors. She thanked veterans and their families for their sacrifices.

-Councilmember Dixon - He mentioned the 8th grade and High School graduation. He recommended that everyone be careful this weekend as there will be many activities.

-Councilmember Nilsson - He congratulated the graduates. He noted the number of events taking place at the Community Center and commented that the building was being put to good use.

-Councilmember Black - He noted that a citizen expressed concern over the condition of cardboard being stored at the recycling center.

-Councilmember Pack - She expressed appreciation that the streets were swept and hoped that residents would sweep their sidewalks.

-Councilmember Pacheco - She noted that the City was looking clean. She enjoyed her visit to the new restaurant Colonel Mustard.

SUMMARY OF CURRENT EVENTS-CITY MANAGER:

-He stated that the Splash Pad will be opening tomorrow at 8:00 am and that it has a fresh coating; he expressed appreciation to Staff for their work.

-He also noted that the pool will be opening on Monday at 1:00 pm. He stated that several planned pool improvement projects were unable to be completed due to supply issues, but they have been rescheduled for early fall. Projects still to be completed include tile replacement, concrete pad replacement, floor sealing, a new pool heater and filter, and a cover. Projects that have been completed include new gathering tables with umbrellas, new deck chairs, some tile work, and some new decking pads.

-He wished all an enjoyable and safe Memorial Day weekend.

SUBMISSION OF WRITTEN PETITION FOR ITEMS NOT ON THE AGENDA:

Cynthia Serna, with the White Mountain radio station, expressed their desire to locate their radio transmitter in the wastewater building. She wanted to know why the proposal was rejected. Mayor Smith noted that, per procedure, she will receive a response from administration within 31 days.

ADJOURNMENT:

MOTION: Councilmember Pack

SECONDED: Councilmember Black

MOTION CARRIED

Meeting adjourned at 6:43 p.m.

I hereby certify that the forgoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Holbrook City Council held on May 25, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Ted Soltis, City Manager

PASSED, APPROVED AND ADOPTED this 8th day of June 2023.

Kathleen Smith, Mayor

RESOLUTION 23-01

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF HOLBROOK, NAVAJO COUNTY, ARIZONA DESIGNATING THE CHIEF FISCAL OFFICER (CFO) FOR THE PURPOSE OF SUBMITTING THE ANNUAL EXPENDITURE LIMITATION REPORT (AELR)

WHEREAS, Arizona Revised Statutes §41-1279.07(E) requires each city to annually provide to the Auditor General by July 31 the name of the CFO designated to submit the annual expenditure limitation report (AELR).

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF HOLBROOK that Randy L. Sullivan Jr. is the CFO designated to submit the annual expenditure limitation report (AELR).

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HOLBROOK, ARIZONA, this 8th day of June 2023.

APPROVED/EXECUTED:

APPROVED AT TO FORM:

Kathleen Smith, Mayor

Bradley A. Burns, City Attorney

ATTEST:

Lisa Hunt, Deputy City Clerk

RESOLUTION 23-02

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF HOLBROOK, NAVAJO COUNTY, ARIZONA ADOPTING FISCAL YEAR 2023 TENTATIVE BUDGET

WHEREAS, in accordance with the provisions of A.R.S. 42-17, Articles 1-5, the Mayor and City Council of the City of Holbrook have conducted a public work session on May 25, 2023, to make an estimate of the different amounts required to meet public expenditures for the ensuing year, also an estimate of revenues from sources other than direct taxation, and the amount to be raised by taxation upon real and personal property of the City of Holbrook; and

WHEREAS, the City Clerk is required to publish the Tentative Budget and give Notice of the Public Hearing of the City Council where any citizen may appear and be heard or submit written comments in favor or against any proposed use within the budget or tax levy. The proposed Budget may be examined Monday through Thursday at the Holbrook City Hall located at 465 1st Avenue, Holbrook, AZ between the hours of 8:00 a.m. and 5:00 p.m., and at the Holbrook Library. It may also be viewed online at www.holbrookaz.gov.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HOLBROOK, ARIZONA, as follows:

Section 1: The estimates of expenses and revenues shown on the attached schedules are hereby adopted as the Tentative Budget of the City of Holbrook, Navajo County, Arizona for the Fiscal Year 2024.

Section 2: The Clerk is hereby authorized and directed to publish, in the manner prescribed by law, the attached statements and schedules of the Tentative Budget and Notice of Public Hearing on said Budget and Property Tax Levy to be held on June 22, 2023.

Section 3: The Mayor is authorized and empowered to execute this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HOLBROOK, ARIZONA, this 8th day of June 2023.

APPROVED/EXECUTED:

APPROVED AT TO FORM:

Kathleen Smith, Mayor

Bradley A. Burns, City Attorney

ATTEST:

Lisa Hunt, Deputy City Clerk

RESOLUTION 23-03

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF HOLBROOK, NAVAJO COUNTY, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH NAVAJO COUNTY FOR ANIMAL IMPOUNDMENT SERVICES

WHEREAS, the County and City desire to update the intergovernmental agreement for animal control services dated September 14, 2010.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF CITY OF HOLBROOK, ARIZONA:

Section 1: The updated Intergovernmental Agreement is adopted and approved, attached as Exhibit "A".

Section 2: The Mayor is authorized to execute this Resolution.

Section 3: The City Manager is authorized to execute the Agreement and to take all necessary action to carry out its terms.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HOLBROOK, ARIZONA, this 8th day of June 2023.

APPROVED/EXECUTED:

APPROVED AS TO FORM:

Kathleen Smith, Mayor

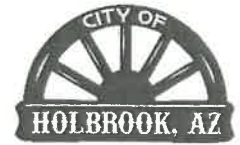
Bradley A. Burns, City Attorney

ATTEST:

Lisa Hunt, Deputy City Clerk



**Intergovernmental Agreement
for
Animal Impoundment Services
between
Navajo County and the City of Holbrook**



This Intergovernmental Agreement is made as of July 1, 2023, (the "Effective Date") by and between the CITY OF HOLBROOK an Arizona municipal corporation, ("CITY"), and NAVAJO COUNTY PUBLIC HEALTH, a political subdivision of the State of Arizona ("COUNTY"):

I. RECITALS

1. The parties are authorized by A.R.S. § 11-952 to enter into an agreement to perform animal control activities.
2. The CITY owns and operates an Animal Control Center at 105 Airport Road in Holbrook for its own animal control activities.
3. The CITY is willing to temporarily hold animals from the COUNTY at its Animal Control Center upon the terms and conditions set forth herein.

II. AGREEMENT

1. The Recitals above are incorporated into this Agreement as set forth in full.
2. The COUNTY constructed five (5) exterior dog kennels for the COUNTY to use. The CITY agrees to give COUNTY access to these five (5) kennels for impoundment of animals seized throughout the COUNTY. After the 72-hour hold time, the dog becomes the property of the CITY to do with as it sees fit.
3. The COUNTY agrees to pay CITY a flat fee of \$1,600.00 per month for the CITY's acceptance of up to 30 dogs brought in only by the COUNTY Animal Care & Control officer. This fee shall be inclusive of all services typically provided by the CITY in connection with dogs impounded at the Animal Control Center, including feeding, and if necessary, euthanasia. This fee may be amended from time to time by mutual agreement of the CITY and the COUNTY. Any such amendments shall be in writing and approved by the COUNTY's Board of Supervisors and attached hereto.
 - A. The COUNTY understands that the flat monthly fee does not include medical treatment for which the services of a veterinarian are required. If such services are required, the COUNTY will be notified before these services are performed and may decide against such services, unless the veterinarian determines emergency work is necessary. If services are agreed, the COUNTY will pay the billed charges.
 - B. The COUNTY will pay \$100 for any dog or cat brought in by a COUNTY Animal Care & Control officer to the CITY for rabies observation quarantine unless the dog owner pays all applicable quarantine fees.
 - C. The COUNTY agrees to allow the CITY to keep all impoundment fees and daily maintenance fees collected from dog owners on behalf of the COUNTY.
 - D. If a dog must be impounded for longer than the statutory 72 - 120-hour impoundment period due to circumstances beyond the reasonable control of the COUNTY or CITY, such as a court order or the need to continue to impound the dog for evidentiary purposes, the parties shall cooperate in good faith to determine the appropriate additional compensation to CITY.

3. The CITY shall bill the COUNTY monthly. The COUNTY shall make payment within 15 days after receipt of the CITY'S invoice unless a charge is disputed, in which case the bill will not be paid until both parties cooperate to promptly resolve the disputed charge.
 - A. Invoices shall be submitted to:
 Navajo County Animal Care & Control
 600 N 9th PI
 Show Low, AZ 85901
 - B. Payments shall be mailed to:
 City of Holbrook
 Attn: Finance Department
 P.O. Box 970
 Holbrook, AZ 86025
4. The CITY shall exercise the same degree of care with respect to dogs impounded by the COUNTY as it exercises with respect to dogs impounded by its own animal control officers.
5. This IGA shall remain in effect until terminated by mutual agreement of the parties or by either party giving 30 days written notice of termination to the other at the address specified in paragraph 3. This agreement is also terminable in accordance with the provisions of A.R.S. § 38-511, and that statute is hereby incorporated into this agreement by reference.

IN WITNESS WHEREOF, the authorized representatives of the parties have executed this IGA as of the Effective Date.

Navajo County Public Health District:

 Public Health Director, Janelle Linn

 Date

City of Holbrook:

 City Manager, Ted Soltis

 Date

Approved as to Form:

 City Attorney, Bradley A. Burns

 Date

**City of Holbrook
Council Action Form**

Meeting Date: June 8, 2023

Tab: _____

To: Mayor and City Council

From: Ted Soltis

Subject: Council Vacancy

Discussion: On May 11th, the City Council received Vice Mayor Payne's resignation. Her term expires in December 2024.

Three letters of interest were received: Adam Marsh, Tamera Church, and Teri Tafoya.

Per City Charter, "Section 2.12. Vacancies in Council and Office of Mayor, (b) In case of vacancy, for whatever reason, in the Council, the remaining members, including the Mayor, shall by majority vote, select a qualified person. The vacancy in the Council shall be filled within 31 days, but not less than 15 days from the date the Council receives notice of vacancy or accepts the resignation of one of its members. The appointed Council Member shall serve until the next general election or until a successor shall have been qualified."

Per City Charter, "Section 2.06. Qualification of Mayor and Council, (b) Council Members, Council Members shall be qualified electors of the City. Council Members shall have physically resided in the City of Holbrook for at least two years preceding the date of such election of appointment. Council Members must reside within city limits during the term in office. If a Council Member shall cease to possess any of these qualifications, except as provided herein, or shall have been convicted of a felony or any offense in violation of official duties, the office shall immediately become vacant. No person is eligible to stand for election or serve as a Council Member while employed by the City."

Per City Charter, "Section 2.12. Vacancies in Council and Office of Mayor, (d) Failure to Appoint Due to a Tie Vote, Should a tie vote occur in an attempt to select a person to fill a vacancy of a Council seat, and because thereof, there shall be failure to choose such person within 31 days within a manner shown in this Section, a special election shall be held to fill such vacancy."

Fiscal Impact: If Council chooses a candidate, there is no cost. If a tie vote occurs, an election will cost between \$15,000 - \$20,000.

Recommendation: Vote for the candidate of your choice.

Approved by: _____


Ted Soltis, City Manager

RECEIVED
MAY 16 2023

BY: *SM*

Adam D. Marsh, Ph.D.

1109 N 8th Ave #5

Holbrook, AZ 86025

(574) 993-6263

220marsh@gmail.com

May 17, 2023

Dear City Council of Holbrook, Arizona:

I am writing to express my interest in filling the remainder of the vacant Council seat to expire in December 2024. I believe that I am well-suited to fill this position because: 1) I have attended nearly every Council meeting since my last Council term expired in December of 2022 and I am up to speed on current issues and opportunities faced by the Council and City; 2) I have previously served in this capacity in the recent past for 4.5 years, so I understand the Rules of Order, the City Charter and its Code of Conduct for Elected Officials and Advisory Board Members, the Council-Manager form of government, and Open Meeting law; and 3) I received the next highest number of votes in the most recent public election and have the support of voters of the City.

I attest that I am a registered voter and that I have legally resided in the City of Holbrook for at least two years. I look forward to the interview process on June 8, 2023.

Sincerely,



Dr. Adam Marsh

RECEIVED
MAY 25 2023
BY:

Letter of Intent

My name is Tamera(Tammy) M. Church

I am sending this "Letter Of Intent: to be considered For a replacement for The City Council of Holbrook.

I have had a few friends talk to me this week asking me to consider sending this letter. I own Desert Rainbow Novelties on 1st and Hopi Dr. I will have been a resident in November 2023 for 3 years. Because of my owning a Business I have had the great opportunity to meet so many people in our "Happy Holbrook" town. People are naturally drawn to me and share their hearts with me about so many cares and concerns already even come for prayer so I already have a really good idea what people want for our town. I love this Town and would absolutely love serving along side all of you.

A few things about me. I am 60 years old Grandmother to 14 Mother of 9 children 5 boys 4 girls the youngest is 20 years old . I have 2 boys here in Holbrook Silas and Aaron who graduated from HHS. I have owned 4 businesses. I Was a Top Inventor in 2014 for " The Trilitary PAC" which I designed with The US Military in mind. I have taken 2 State IQ tests which consisted of hundreds of questions the California and Missouri State tests. My score was 141 which lands me in The Mensa Group. Mensa's are know for their practicality .

What people say about me.. They say I am easy to talk to , practical, driven and patient. Might be a good combo for a City Council woman . I would be thrilled to work along side you all to better our" Happy Holbrook ". Thank you for your time and consideration of me.

Sincerely,

Tamera M. Church

tamerachurch9@gmail.com

RECEIVED
MAY 25 2023
BY:

May 25, 2023

I am writing this letter to express my interest in filling the vacancy on the City Council.

I am a lifelong resident of Holbrook and have every intention of staying here. When my husband passed away in 2019 everyone was asking if I was going to move to the valley to be closer to my kids and my answer was always no because Holbrook is my HOME. My kids were born and raised here and would love to have Holbrook become a place where they may want to move back and raise their family. My heart is in it to see Holbrook prosper not only for me but all the citizens currently living here to make it a place we can all be proud of to call it our HOME.

I worked for the Holbrook Unified School District for 27 years and retired in 2021. I have always cared for the well being of Holbrook and now that I am retired I feel I have the time to serve the city and its citizens on the council.

Thank you for considering me to fill this vacancy.

Teri Tafoya