

**CITY OF WILLCOX  
MAYOR AND CITY COUNCIL  
AGENDA**

**Monday, March 19, 2012  
7:00 p.m.**

**City Council Chambers  
300 W. Rex Allen Drive  
Willcox, AZ 85643**

(Mayor or Designee will read only **BOLD** print of each agenda item,  
except for Public Hearings, Petitions and Communications.)

**Resolution No. 2012-18  
Ordinance NS311**

**NOTICE TO PARENTS:** Valley Telecom Group records all Willcox City Council meetings. These recordings may be played and replayed on Valley Telecom Cable Channel 1. If you permit your child to participate in the Council Meeting, a recording will be made of your child's participation. If your child is seated in the audience, he or she may be recorded. If you desire, you may request that your child be seated in a designated area to avoid recording. To do so, please submit your request to the City Clerk prior to the meeting. (A.R.S. §1-602.A)

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE TO THE FLAG**

**4. CALL TO THE PUBLIC**

Mayor and Council consider comments or complaints from the public. Those wishing to address the Council are required to register by completing an individual speaker's form and filing it with the Clerk before the meeting. The speaker must be recognized by the Mayor before speaking. Time permitting each presentation will be given approximately three (3) minutes. It is probable that each organization will be limited to one speaker. Action taken as a result of public comment will be limited to directing staff to study or reschedule the matter for further consideration at a later date.

**5. DECLARATION ON CONFLICT OF INTEREST**

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 member determine they have a conflict of interest.

**6. ADOPTION OF THE AGENDA**

The Council will at this time either adopt the agenda as presented or may remove or table any of the listed agenda items. Tabled items, unless otherwise directed, will appear on the next regular agenda. Council may not add any items to the agenda at this time. Should staff have any recommendations concerning the exclusion or tabling of agenda items they will voice these recommendations at this time.

**7. CONSENT AGENDA**

Items that are considered to be routine by the City Council will be enacted by one motion without discussion. The consent agenda is a timesaving device and Council members have received documentation on these items for their review prior to the open meeting. Any Councilmember may remove any item from the consent agenda for discussion and a separate vote as deemed necessary. The public may view the documentation relating to the consent agenda 24 hours prior to the meeting at the City Clerk's Office, 101 S. Railroad Avenue, Suite B, Willcox, AZ from 8:30 a.m. to 4:30 p.m. or at the Elsie S. Hogan Library, 100 N. Curtis Avenue during normal working hours Monday-Saturday.

**7A. THE MINUTES OF THE WORK SESSION FEBRUARY 20, 2012; REGULAR MEETING OF FEBRUARY 6<sup>th</sup>** Tab 1

**7B. ACCEPT FUNDS DONATED TO HUMANE SHELTER** Tab 2

**8. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**Public Hearing:** The Mayor and Council will hold a Public Hearing on Monday, April 2, 2012 at 7:00 p.m., **Tab 3**  
City Council Chambers, 300 W. Rex Allen Drive, to discuss the potential projects. (See attached for Ad and project names and descriptions.)

**COMMUNICATIONS:** Results of Primary Election: there were three (3) candidates running for the March 13, 2012 Primary Election; Earl B. Goolsby, 174; Elwood "Woody" Johnson 187; and William "Bill" Nigh 119. There were No Official Write In Candidates for the Primary Election.

**9. PRESENTATION BY CHIEF WEAVER TO MAYOR AND COUNCIL, REGARDING NIXLE INTERCONNECT PROGRAM **Tab 4****

Consideration and/or discussion on the presentation by Chief Weaver regarding Nixle Interconnect Program.

**10. DISCUSSION/DECISION REGARDING UPDATE ON CATHOLIC COMMUNITY SERVICES AND SPONSOR A-SENIOR PROGRAM **Tab 5****

Consideration, discussion and/or decision regarding the update on CCS and Sponsor-A-Senior Program.

**11. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-15 DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON MARCH 13, 2012 **Tab 6****

Consideration, discussion and/or decision regarding Resolution NO. 2012-15 Declaring and Adopting the Results of the Primary Election held on Tuesday, March 13, 2012. (City Clerk Cristina Garcia Whelan presents Certificates of Election to Earl B. Goolsby and Elwood "Woody" Johnson and Certificate of Nomination to William "Bill" Nigh.)

**12. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-16 APPROVING AND AWARDED THE CONTRACT TO CASELLE ("CONTRACTOR") UNDER OPTION 1 FOR THE PURCHASE OF THE CASELLE CLARITY SOFTWARE PACKAGE AND ANNUAL SUPPORT AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. **Tab 7****

Consideration, discussion and/or decision regarding Resolution NO. 2012-16, as stated relating to purchase of the Caselle Clarity Software Package and annual support.

**13. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-17 APPROVING AND ADOPTING THE CITY OF WILLCOX 457(b) PLAN OFFERED THROUGH THE HARTFORD AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. **Tab 8****

Consideration, discussion and/or decision regarding Resolution NO. 2012-17, as stated, relating to 457(b) Plan offered through the Hartford.

**14. REPORTS BY THE CITY MANAGER PAT MCCOURT**

Consideration, discussion, and/or decision regarding the following topics by the City Manager:

- **Report on City Election** – General Election will be held on Tuesday, May 15, 2012 for one (1) position. Nomination papers from write-in candidates are due Thursday, April 5, 2012. Those Official write in names will not appear on ballot.
- **Library Update**
- **Report City Clean Up April 28<sup>th</sup>**
- **Report/Update on Mascot Train**

**15. COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.**

**16. DISCUSSION/DECISION ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED STATUTES §38-431.03A(3) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY **Tab 9****

Consideration, discussion and/or decision to enter into an Executive Session pursuant to ARS §38-431.03A(3), as stated, relating to consultation for legal advice with the attorney(s) of the public body.

**17. RECESS TO EXECUTIVE SESSION, IF APPROVED**

**18. RECONVENE FROM EXECUTIVE SESSION**

**19. DISCUSSION/DECISION/DIRECTION TO STAFF REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION**  
Consideration, discussion, decision and/or direction to staff regarding matters discussed in Executive Session relating to advice from City Attorney.

**20. ADJOURN**

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**NOTE:** Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, or the Elsie S. Hogan Community Library during regular business hours Monday-Saturday and on the City's website [www.cityofwillcox.org](http://www.cityofwillcox.org).  
**NOTE:** People with disabilities may request reasonable accommodations. Requests must be made 48 hours prior to the meeting by contacting City Hall at 384-4271 during regular business hours 8:00 a.m. to 4:30 p.m., Monday through Friday.



TAB 1

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 20<sup>TH</sup> DAY OF FEBRUARY 2012**

**CALL TO ORDER**-Vice Mayor Monika Cronberg called the work session meeting on Monday, February 20, 2012 to order at 6:00 p.m. and there was not a Quorum present at this time. The Vice Mayor called the work session to order at 6:06 p.m.

**ROLL CALL**-City Clerk Cristina Garcia Whelan, CMC, called the roll:

**PRESENT**

Vice Mayor Monika Cronberg  
Councilman Elwood A. Johnson  
Councilman Stephen Klump  
Councilman Christopher Donahue  
Councilman William "Bill" Holloway-arrived 6:33 p.m.  
Councilman Robert "Bob" Irvin

**STAFF**

City Manager Pat McCourt  
City Attorney Hector M. Figueroa  
City Clerk Cristina Garcia Whelan, CMC  
Library Director Tom Miner  
Finance Director Ruth Graham  
Public Services & Works Director Dave Bonner  
Development Services Jeff Stoddard

**ABSENT**

Mayor Gerald W. Lindsey

**PLEDGE OF ALLEGIANCE TO THE FLAG**-Vice Mayor Cronberg.

**DECLARATION ON CONFLICT OF INTEREST**-There was no response from the Council members or staff.

**ADOPTION OF THE AGENDA**

**MOTION:** Councilman Johnson moved to adopt the agenda as presented.

**SECONDED:** Councilman Klump seconded the motion. **CARRIED.**

**DISCUSSION REGARDING PRESENTATION ON THE FISCAL YEAR 2012-2013 BUDGET FOR DEBT SERVICE FUND, CAPITAL IMPROVEMENTS FUND, MAGISTRATE COURT FUND AND FIREMEN'S PENSION FUND.**

City Manager McCourt presented form used last month for mid-year report. It is also form we used on the summary of budgets and the City maintains 12 budgets. Each of these is operated independently. Its budget is a balancing entity. The chart includes Fund Number which is self balancing set of accounts. Then numbered within our system and we have names used rather than number. He explained the columns (copies included in packet) which includes amount of money we would have at the beginning of the year or Revenue we were projecting at half way through the year. Column names are: Opening Balance, Revenues, Inter-fund Transfers, Expenses, Ending Balance and Fund Balance Change. We do not want to show expenditure twice and when spent then we show it. When spend the cash shown under Expenditures. If send money out like i.e. from General Fund \$16,600 is donation and matching for Skate Park. That is the actual expenditures and ending balance. In this case we spent more money during the first six (6) months than received in General Fund. Each of these is done independently and everybody likes to add up totals and when add totals they are meaningless in legality of separating the Funds.

Tonight staff will be talking about a couple of these Funds. They are simple one and there are always decisions. The First is Debt Service Fund which is for General Obligation (GO) Debt. That Debt is secured by the property taxes in the community. We have three (3) GO issues. Chart shows projected opening and projected Revenues. On sample this is transfer in \$54,050 coming from Water Fund. We have GO for Water and we are not collecting property tax on that because it is paid by the revenue from the Water Fund. In is income and expense is the cost of the bond issue. Shown is the Ending Balance on chart and estimate of the change of the balance.

The next chart was GO Bonds or Revenue Bonds and paid by each of the Funds and tied to property tax or Secondary Property Tax. Exception is the Water Bonds of 1974 and being paid by transfer from the Water Fund and not collecting property tax for that issue. We have two (2) other GO Bonds issued and these are bonds used to build this building and the Library improvements. We are still spending that money issued in 1974. In 2013 we will finish paying that off in FY2014 and that bond issue will be paid off. GADA 2004B paid FY2018 and GADA 2007 paid FY2028. This year if there is no other GO Bond approved by voters this will reduce the amount of Secondary Tax that needs to be collected when this issue gets paid off and it is substantial and will reduce the overall tax break.

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Mr. McCourt referring to copy of a "real property tax" from within the City and white-out all personal information and on this property tax it is \$257.60 and of that the City gets \$23.35 for both the Primary and Secondary Tax. That \$23 comes to the City or less than 10%. The \$23 is broken out paying for voter approved Bonds \$15.82 and into the General Fund for General Operations is \$7.53. This will be covered again when discuss the Revenues of General Fund. People when they get their Property Tax bill they seem to think the City gets all that and we don't.

The Net Assessed Values changes each year and we get notice from County Assessor. We are seeing some changes and increase in Assessed Valuation from FY11-12 and as assessed goes up the rate value goes down because of cap of total amount of money we can collect. The Secondary Tax the cap is set by how much Bond Indebtedness we have. An actual budget sheet for Debt Service Fund shows last couple year's budgets for Debt Service and 2012 shows where we are year-to-date and budget for FY13 which ends June 30, 2013. The City has received from Secondary Property Tax, Transfer from Water Fund \$164,641 and expend that money to pay Principal and Interest (Debt Service). It is hard to believe that some people do not pay their taxes and 2% is allowed for uncollectible tax to pay for those Bonds and Loans. Some communities have defaulted and not made payments and he is not recommending doing that. We are in good fiscal shape.

Of the other two (2) Funds one is the Magistrate Court. We have merged with Justice of the Peace (JP) Court and Agreement with County they receive revenues and after the accounting each year they tell us what we need to pay. We still have old cases settling before merged with JP Court and number will continue to go down and at some point it will become zero. Under Expenses it is a Trust Fund the City maintains and not one the City has anything to do with.

The Firemen's Pension is another Trust Fund for Volunteer Fire Fighters (VFF) and they pay a share and City matches. Interest earnings received and State Insurance. On the other side we pay for one VFF Retirement Pension. It is healthy fund and it is okay and no decision to be made by City. We keep minutes, records and the Mayor sits on the Board.

That is three (3) of the funds and they are relatively simple. As we go along the next step is to talk about the Enterprise Funds. There are four (4) and City sets the rates for those and keep those in good fiscal condition. Those we are planning to discuss at each Monday work session and we are required under City Code to do review of those funds by April of each year. There is an automatic Cost of Living if the Council does no do anything. Staff will be bringing recommendations on each of the Funds and Mayor and Council may or may not do anything as they choose.

**DISCUSSION REGARDING PRESENTATION REGARDING BALANCING THE GENERAL FUND BUDGET**

City Manager McCourt has included in the packet a memorandum from his office and he thinks it is his responsibility to bring options to the Mayor and Council. This report talks about the Enterprise Funds which are operated like a private company. If a private company, i.e. South West, was running our Gas System as opposed to the City we would charge them a License Fee for using our streets. That License Fee would then be deposited into our General Fund and same if we had private water or sewer. We don't do that because we are charging ourselves and the same people are paying for it in one way or another. If we want to compare with private company the Mayor and Council could decide they wish to include that in fee structure. If Mayor and Council chose to do that at a 5% fees charge would raise approximately \$120,000 per year. His recommendation at this point is to just look at that during rate review on the four (4) Enterprises. There is not decision requested tonight.

Mr. McCourt has not done this before because as he mentioned in his last memo to the Mayor and Council we are in "tight conditions" and so is the whole community and he is reluctant to look at other revenue sources for the General Fund. This is his fourth budget year with the City and looking at what sources of revenue are and future there will be some growth as seen in our Local Sales Tax and we are also seeing growth in our expenses. His question is "how are we ever going to close the gap?" We have a real gap between what we are spending. There is no requirement to do anything or we cut services or combination of those or do nothing. Looks like real deficient of about \$200,000 and hopes it will be less than that for the current fiscal year. At that rate we can go another six (6) years before we run out of money. Something might happen in the meantime. Or we can look at real services and say "okay what are we going to cut?" We have cut all the frills now left with "real meat" and these are not recommendations only statements; i.e. close the Library, close the Pool and which will save a substantial amount of money which these are services we provide to the community. Or we could reduce our Police protection or not water the Parks. There

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are things we can do and all will have significant impact on the public. That is the point we are to if we are going to cut services. We can hope Revenues grows faster than he anticipates and make up the deficit that way and that is possibility and it could happen. We have permanently lost a large piece of revenue that we used to get from SSVEC and it is never coming back period. It is a permanent reduction. As he looks at this he does not see the answer and is trying to give the Council an option. His recommendation at this time is to look at that when they do the rate review of Enterprise Funds.

**DISCUSSION REGARDING ECONOMIC DEVELOPMENT**

Economic Development talked about quite a bit and Mr. McCourt keeps working on these and keeps getting longer. We need to work on Economic Development without question. Concern as we do that we are doing Economic Development and not spending \$100 to make \$10; we need to spend \$10 and make \$100 and we need to make intelligent decisions relative on how to spend our money. Prepared some thoughts for Mayor and Council to look at and thinks we need to read and discuss those items. Thinks we need to look how we can help because he does not think the City by itself can do Economic Development and believes it has to be primarily fueled by the private sector. Perhaps ways we can help that process.

This is a short session and trying to keep the longer work sessions beginning next month will be more in-depth discussion on the Utility Funds and especially the ones we have questions and maybe some tough decisions to look and make. The first work session will be on the Solid Waste Fund. We did a very major rehash on that last year. Everything "has worked out okay" Solid Waste Fund is in good shape. Lots of changes were made on the business side and the mix and net effect was a wash and we are right where we should be. The Cost of Living came in that we owed to Contractor at 3% and he will begin getting Contract Adjustment on July 1. Also there was an increase at Tipping Fee going in and has put all those into calculations and believes we can safely have an increase of less than 3% for our customers.

Councilman Irvin asked how bad container size by people going to smaller size. City Manager McCourt explained we picked up almost 90 small businesses that went to smaller size containers. And we picked up quite a number of customers too. Carefully reviewed the sharing of Solid Waste customers and those sharing in South West and essentially been a wash. Everybody has there own container and they know what they are using. When we go through the Rate Reviews what staff hopes is when finish and not going to be asking for decision and hopes to be providing options as we go through those. We will need some decisions in April per City Code when we should complete our reviews. (Councilman Holloway arrived at 6:33 p.m.)

**ADJOURN**

There being no further business before the Mayor and Council, Vice Mayor Cronberg adjourned the meeting at 6:35 p.m.

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of the City of Willcox held on the 20<sup>th</sup> day of February 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

**Dated this 3<sup>rd</sup> day of March 2012**

\_\_\_\_\_  
City Clerk Cristina Garcia Whelan, CMC

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2011.

\_\_\_\_\_  
MAYOR GERALD W. LINDSEY  
Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk Cristina Garcia Whelan, CMC



**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 6<sup>TH</sup> DAY OF FEBRUARY 2012**

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**CALL TO ORDER** –Vice Mayor Monika Cronberg called the regular meeting to order on Monday, February 6, 2012 at 7:00 p.m. and thanked all for being here.

**ROLL CALL**-City Clerk Cristina Garcia Whelan, CMC, called the roll:

**PRESENT**

Vice Mayor Monika Cronberg  
Councilman Elwood A. Johnson  
Councilman Stephen Klump  
Councilman Christopher Donahue  
Councilman William "Bill" Holloway  
Councilman Robert "Bob" Irvin

**ABSENT**

Mayor Gerald W. Lindsey

**STAFF**

City Manager Pat McCourt  
City Attorney Hector M. Figueroa  
City Clerk Cristina Garcia Whelan, CMC  
Library Director Tom Miner  
Public Safety Director Jake Weaver  
Finance Director Ruth Graham  
Public Services & Works Director Dave Bonner  
Development Services Jeff Stoddard

**PLEDGE OF ALLEGIANCE TO THE FLAG**-Vice Mayor Cronberg.

**CALL TO THE PUBLIC**-There was no response from those present.

**DECLARATION ON CONFLICT OF INTEREST**-There was no response from the Vice Mayor, Council members nor staff.

**ADOPTION OF THE AGENDA**

**MOTION:** Councilman Holloway moved to adopt the agenda.

**SECONDED:** Councilman Irvin seconded the motion. **AMENDED MOTION:** Councilman Johnson moved to amend the motion to consider separately Consent Agenda item #7B relating to appointment to the Planning & Zoning Commission and removing items #19-22 relating to Executive Session. **SECONDED AMENDMENT:** Councilman Klump seconded the amendment. **AMENDED MOTION: Ayes**-Vice Mayor Cronberg, Councilmen Johnson, Klump, Donahue and Holloway **Nays**-Councilman Irvin. **ABSENT:** Mayor Lindsey. **CARRIED. 5-1-1. ORIGINAL MOTION: CARRIED.**

**CONSENT AGENDA**

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**7A. THE REGULAR MEETING MINUTES OF MAY 16, 2011; JUNE 20, 2011 AND JANUARY 17, 2012**

(Pulled 7B to regular item per motion.)

**7C. TO ACCEPT THE DONATION(S) TOTALING \$250 FROM SHAWN & LISA BENAVIDES AND MARY KAY CEROVICH TO BE USED BY THE WILLCOX ANIMAL CONTROL FACILITY AS NEEDED.**

**7D. INVESTMENT REPORTS BY FINANCE DEPARTMENT**

**MOTION:** Councilman Klump moved to adopt the Consent Agenda items as presented.

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**SECONDED:** Councilman Johnson seconded the motion. **CARRIED.**

**7B. APPOINTMENT OF SHARON NIGH TO FILL THE UNEXPIRED TERM VACATED ON THE PLANNING AND ZONING COMMISSION, TERM TO EXPIRE JUNE 30, 2014**

**MOTION:** Councilman Johnson moved to table this item at this time.

**SECONDED:** Vice Mayor Cronberg seconded the motion. **VOTE: Ayes-**Vice Mayor Cronberg, Councilmen Johnson and Holloway. **Nays-**Councilmen Klump, Donahue and Irvin. **3-3 Motion died.**

The Vice Mayor stated it has been tabled and no discussion and they can Table without Second. City Attorney Figueroa stated it was moved and seconded.

**MOTION:** Councilman Klump moved to approve the appointment, so that they can discuss it, to the Planning & Zoning.

**SECONDED:** Councilman Irvin seconded the motion. **DISCUSSION:** Councilman Irvin asked why it was removed. Vice Mayor Cronberg explained she received a request from certain parties that we open this up to further interest from the public and continue to advertise as there will be another position on that Commission opening very soon. Request came from members of the Commission. Councilman Klump asked how we do that after we have closed advertising. Vice Mayor explained we need to direct staff to re-advertise as there will be more positions and try to generate more interest. The Council has done this in the past as well. Councilman Klump stated we have closed it once and open it again and said he has no problem with that. City Manager McCourt said we have motion and if they will be providing some direction to staff to start advertising for the other position or does it include this too. Vice Mayor said she would presume that would be the correct method to follow. Councilman Irvin asked if we can advertise when we don't have an opening yet. That position is not open yet and VM said understands they want to pursue more interest. Councilman Holloway if approve Ms. Nigh's appointment tonight would she resign her Parks & Rec position and Vice Mayor stated she does not know. Councilman Holloway asked can she be on more than one Commission or Committee. City Attorney Figueroa explained having done each section for all Committees there is no stipulation and he does not recall that they can not serve on more than one.

**MOTION:** Councilman Johnson moved to table.

**SECONDED:** Councilman Holloway seconded the motion. Vice Mayor Cronberg stated Table is priority. **VOTE: Ayes-**Vice Mayor Cronberg, Councilmen Johnson, Klump, Donahue and Holloway. **Nays-**Councilman Irvin. **CARRIED 5-1-1 Absent-** Mayor Lindsey.

City Attorney Figueroa stated she as Vice Mayor can direct the City Manager and staff to proceed to seek additional applications. Vice Mayor Cronberg said at this time she will make that direction to staff to open it to further interest and seek any other interested parties for the position on Planning & Zoning.

**PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS**

**PUBLIC HEARINGS:** Vice Mayor Cronberg announced that the Mayor and Council will hold a public hearing on Monday, February 20, 2012, City Council Chambers, 300 W. Rex Allen Drive, Willcox, AZ regarding the Application for Liquor License Series #06 Quality Inn-Willcox, Person Transfer, Location Transfer, Corporation, Christina Selene Fraser, Harden Motel, Inc., 1100 W. Rex Allen Drive, Willcox, AZ.

**COMMUNICATIONS:** There are three (3) candidates running for the March 13, 2012 Primary Election. They are: Earl B. Goolsby, Elwood "Woody" Johnson and William "Bill" Nigh. (There are no write in candidates.)

**PRESENTATION BY KATHY SMITH OF THE WILLCOX CHAMBER OF COMMERCE AND AGRICULTURE ON THE COCHISE TOURISM COUNCIL**

Ms. Kathy Smith addressed the Council and is here this evening to talk about the Cochise County Tourism Council. The City of Willcox pays \$9,600/year to be a member of the Tourism Council. For that they do a lot of marketing for the entire County and Willcox benefits greatly. She is here tonight to urge you to continue your relationship with the Tourism Council. The Visitor Guide and held two weeks ago Strategic Session and it was decided not printing the Lands of Legend brochure because they still have 25,000 copies left to hand out and taking their dollars and spending in other areas for broader range of marketing. Also looking at Social Media too and thinking to take a lot of information from book and expand the tri-fold map and they give a lot of these out to people when looking for things to do within the County. Map called Visit Southern Arizona and it is put out from Tucson. They do a lot of Advertising along the sides and get map all in one. That is where they are heading this year and looking at cost of redoing map and adding those things to it. Thinks the biggest bang for City's buck is

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LuAnne Mattson she is PR person for Cochise County and spends a lot of time contacting other travel writers and she lines up different things for community's to do to bring people in. They did a Fam-Tour which is familiarization tour of this community last year during the U-pick Season and had 9-travel writers and one was from Sunset Magazine, Lori Davis came down from Phoenix paper. She free lances for the Phoenix paper and does the 52 weekends that they market. On the Fam-Tour they took the writers out in the morning they did the U-Picks, they picked all the vegetables, they took them downtown and did a Community Tour, spent time on Railroad Avenue, they did wine tasting at the Wine Tasting Rooms and that evening they took them to Coronado (Vineyards) and cooked everything they had picked that day and served them dinner. They thought **was** wonderful! June at Briggs and Acres because of the Fam-Tour she got article in Sunset Magazine and lady called her and did interview. Same back and did some more picking and did an article for Sunset Magazine for next Spring so that we can advertise Willcox as a place to come to in the Summer. Lori has been back several times and family and did the Maze and Pumpkin Patch and Willcox is now one of her favorite places to visit in Southern Arizona. It is building relationships and LuAnne does a lot of that for us. Last year through December 31 was \$103,310 that is the marketing dollars because of her. One of the big stories was in the Cowboys & Indians Magazine which is a very high quality magazine, it is full color and we got a very good mention. The Phoenix paper did wonderful article on Wings Over Willcox and they have several pitches for Wings that has come from LuAnne. This is her final note that for \$9,600 she thinks we get a "Big Bang for our Buck" with the Cochise County Tourism Council and urged the Council to continue to fund that. Councilman Holloway stated we "need to keep that gal in Phoenix happy" and his father calls him five (5) times a year there's about another article about Willcox and Cochise County, and she keeps promoting Willcox.

Ms. Smith said they have a new billboard coming in off of 340 Exit it is bright blue and white lettering on it and all it says is "AZ Visitor Info Turn Here" and their visitor count has gone up ever since the billboard went up. She can't say that that is a fact that is driving people off the highway but it seems like they are getting a lot more visitors. Ms. Smith thanked City Manager McCourt for the idea. Thank You!

**DISCUSSION/DECISION REGARDING REQUEST FROM THE FRIENDS OF MARTY ROBBINS TO CLOSE RAILROAD AVENUE FROM MALEY STREET TO STEWART STREET ON SATURDAY, MARCH 3, 2012 FROM 8:00 A.M. TO 5:00 P.M. AND SUNDAY, MARCH 4, 2012 FROM 8:00 A.M. TO 4:00 P.M.**

**MOTION:** Councilman Johnson moved to approve the request from the Friends of Marty Robbins to close Railroad Avenue from Maley Street to Stewart Street on Saturday, March 3, 2012 from 8 a.m. to 5 p.m. and Sunday, March 4, 2012 from 8 a.m. to 4 p.m.

**SECONDED:** Councilman Klump seconded the motion. **CARRIED.**

**DISCUSSION/DECISION REGARDING THE REQUEST FROM THE FRIENDS OF MARTY ROBBINS TO WAIVE REQUIREMENTS FOR ALL VENDORS TO HAVE INDIVIDUAL PERMITS**

**MOTION:** Councilman Johnson moved to approve the request from the Friends of Marty Robbins to waive requirements for all vendors to have individual permits.

**SECONDED:** Councilman Klump seconded the motion. **DISCUSSION:** Councilman Donahue asked the City Manager if the process for having just a single permit is that working and is there any issue with collections. Mr. McCourt replied we have had difficulties getting those lists from organizations names and what we do with those lists is we use them to compare with our Sales Tax Report. He does not know if ever had problem with this particular organization and will be letting them know that we need that list. **CARRIED.**

**DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-05 APPROVING AND ADOPTING THE TRANSFER OF EXTENSION ONE TO THE EXISTING CABLE TELEVISION LICENSE WITH COXCOR, LLC, (FORMERLY COXCOR, INC.) D/B/A COX COMMUNICATIONS ("COMPANY") FOR CABLE SERVICE IN THE CITY OF WILLCOX ("MUNICIPALITY") TO VALLEY CONNECTIONS, LLC, DIRECTING STAFF TO FORMALIZE A NEW AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.**

**MOTION:** Councilman Johnson moved to approve Resolution No. 2012-05, as presented, relating to CoxCor, LLC, for Cable Service in the City to Valley Connections, LLC.

**SECONDED:** Councilman Klump seconded the motion. **CARRIED.**

**DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-07 APPROVING AND ADOPTING THE ARIZONA MUTUAL AID COMPACT ("AZMAC") BETWEEN THE CITY OF WILLCOX ("CITY") AND THE ARIZONA DEPARTMENT**

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
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HELD ON THIS 6<sup>TH</sup> DAY OF FEBRUARY 2012**

**OF EMERGENCY AND MILITARY AFFAIRS ["DEMA"] AND AUTHORIZING THE MAYOR TO EXECUTE THIS THE  
COMPACT AND DECLARING AN EMERGENCY TO EXIST**

**MOTION:** Councilman Johnson moved to approve Resolution NO. 2012-07, as presented, relating to AZMAC between the City and DEMA.

**SECONDED:** Councilman Donahue seconded the motion. **CARRIED.**

**DISCUSSION AND DIRECTION TO STAFF ON DIRECT ELECTION OF MAYOR**

City Manager McCourt reported there were questions raised by a Council member in November and staff provided information to all the Council members in December on the procedure along with information from League of Cities. We have not received any further input and it is up on the dais for discussion. The City Manager asked the City Clerk to take a look and get us more definitive information because some of the information provided was from December. That was done as well as on some information on the cost.

Vice Mayor Cronberg opened the discussion up to all the Council members for their comments, questions or input for direction. Councilman Johnson said he brought it up and will continue on. He thinks it is a good thing for City of Willcox to do and its time to start electing a Mayor At Large. It has been pointed for many years and thinks it would be a good point for the City to have Election for Mayor and possibly encourage more voter turnout and get more people involved.

Councilman Klump asked if there is more cost involved and "City Clerk is nodding her head" and Mayor would run every two (2) years and asked if that was correct. Mr. McCourt said the Mayor, as he understands, would be elected for four (4) years term concurrent with the other Council members at that time. If decision from the City Council is to proceed then it has to go to the Election for the Voters of the City and if that is approved there is no additional cost for Direct Election of Mayor or it may be extremely minor for additional costs because of filing and printing costs for the election. Thinks it would be insignificant and probably \$200.00. The short term question asked the City Clerk would it occur in conjunction on the Primary Election to be held in March and City Clerk Whelan replied "no sir." There are three (3) candidates for the three (3) positions it is extremely likely there may not be a need for a General Election. If call election for only Direct Election of Mayor that would be more expensive.

Staff also asked the County if we could piggy-back and told that we could and that would minimize cost. Then in two (2) years time for municipal election then at that point any electorate of the City could run for the Mayor's position and the Council would no longer chose a Mayor from their ranks. The Direct Election of Mayor does not change the duties or responsibilities or powers and no additional costs in changes in that sense. Vice Mayor Cronberg asked does the Council still elects the Vice Mayor. City Manager replied as he understands the Council would still elect the Vice Mayor. The Vice Mayor asked giving general time line in moving forward if we would be able to piggy back on a major election such as the one in November. Mr. McCourt explained that based on information we received from the County on that question the answer is "yes."

Councilman Donahue asked to speak in regards on this concept and said he is really opposed to this. Reason whenever you elect a Mayor from the Public at Large the reality of the situation is that it becomes a political game and political tug of war "the Mayor said we are going to do this" and then the Council members "vehemently oppose" and end up with situation where promising the Direct Electorate something that can not be delivered because since the Mayor only delivering only one vote out of seven and begins to create a lot of stress in the newspaper and it starts to bring a lot of fractures to the community. Councilman Donahue said he is really opposed to it and does not think we have those problems here in Willcox and does not know why anybody would want to bring those kinds of problems to Willcox. Thinks system works really well as it is. Understands we have unmotivated electorate and said "I have to be honest" he knocked on every door in this town four (4) years ago and "two-thirds of the people in this town" don't Vote because they just don't vote. Other people told him they didn't vote because were not legal to vote and others people have come here and live here and because there are from Mexico, Canada or Holland they can't vote. They live in the City of Willcox but they can't. Does not know it is going to motivate the electorate and does not want to see anymore conflict and the conflict that we have now in the City is sufficient and does not see we need to increase that anytime in the future.

Councilman Holloway said he has the same reaction as Councilman Donahue and he has been here 37 years and Mayor elected by Council and has not seen a whole lot go wrong with that procedure. Not sure bad thing to have target on his or her

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back to get something done. Understands completely on titivating and promising things to people and that happens now and then we have Council says "no that's not legal" and that is concern about the mechanism.

Councilman Klump asked is it for four (4) year term that would go concurrent with Council members. Some cities have a two (2) year term for Mayor and every election they have election for Mayor is that the way Benson has. City Manager McCourt said that is up to legal counsel because not certain of legalities if Mayor runs for two (2) or four (4) years and City Attorney Figueroa said will check that out. He said a person can't run for Mayor unless electorate of the City of Willcox agree and vote to approve such an action. Vice Mayor Cronberg stated as she understand that process at this time they are looking at the idea to put on the ballot the question to our citizens "would you like to have Direct Election of your Mayor?" City Attorney Figueroa said the voters may say they do not want that and on the other hand may say "yes they want that." Other Cities have used it and if Electorate wants it then up to Mayor and Council. Vice Mayor said that she is leaning to put it out to electorate and if the interest turns out to be just like it has been to recent Council election there may not be much heavy opinion one way or the other and we may not have much of a turnout. In her view the Vice Mayor wants to put it to the people and find out what they think. Asked staff if there are public hearings required to have prior to such an action. City Attorney said this is new thing for all and the league LACT has a lot of information and we need guidance.

Vice Mayor Cronberg reminded the Council members that this is not an action item other than direction to staff and would appreciate some input from Council as to what that direction should be. Councilman Klump stated he does not see that t helps or hurts either way. Can see problems in neighboring communities where has been Mayor elected and makes promises and does things that do not go with the rest of the Council. Councilman Holloway would be more comfortable in getting more information about the process two (2) or four (4) years. Vice Mayor said the bottom line understanding is decision whether to put to electorate if they would like to go to Direct Election of Mayor. Councilman Klump said there would be some cost to the City then either by Council to get this paperwork done and submitted and advertising that it will be on the Ballot. City Manager McCourt stated there will be staff time involved gathering information and as he recalls it has to be an Ordinance to be brought forward and follow same process when we do Ordinances. What is in that Ordinance needs to be worked out if two (2) or four (4) year term and there is research. A lot falls on legal attorney to do this legal work.

Councilman Holloway said he has written all over his page and found there is a sample Ordinance on the selection of Mayor either 2-4 years possibility and they have been given that information in their packets. Councilman Irvin said he is in favor of leaving it as it is "if it ain't broke don't fix it."

Vice Mayor Cronberg stated thinks she is comfortable as saying statement they would as general agreement among the Council members here asked (staff) to pursue the definitive information on questions put forth so that they can make a decision finally as to whether or not this is something they want to work in getting that on the ballot in the future.

**DISCUSSION AND DIRECTION TO STAFF BUDGET PREPARATION FOR FY13**

City Manager McCourt reported at the last meeting there were some questions raised and they provoked quite a bit more thought and as a result of that wrote a memo. Some questions or what are some of the goals preparing budget. As City Manager he is to present a balanced budget for consideration to the City Council. There are several budgets which are different operations by Funds. Listed 10 goals that Mr. McCourt thinks and knows he would use and some of the goals are contradictory and some conflict with each other and that is "the nature of a budget." As he understands they are trying to minimize the loss of service to the public; minimize any deficit spending; minimize any tax or rate increases; minimize lay off costs, and we need to prepare budget and be prepared to respond to emergencies on unforeseen circumstances. In Arizona the way our budget law is written once adopt the budget we can't spend any more that we haven't built into the budget. Then we have to try and leave ourselves room for unforeseen events or emergencies when preparing the budget. Looked at increasing the efficiencies of our operation; we want to treat our employees fairly and impartially; we want to treat all of our customers and citizens and visitors fairly and impartially; we want to provide current and meaningful accurate information to the Council and public on all of the above; and we want to try to restore reductions of services that have already occurred. Those are some of the goals that we are working on as he tries to prepare the budget. They do not always mesh and sometimes in conflict. Most of our budgets are in fairly good shape.

Mr. McCourt reported we are having difficulties in two (2) called Streets Fund and separate HURF because State restricts use for only certain and specific purpose. The Council has said 1% to be put into Streets Operations. That money is segregated

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and not used for some other purpose. And that is maintained separately. In that Fund we have Fund Deficit and it has a few projects that we promised to the citizens. In the short term we are able to delay some of those and push them off and maintain that balance. We are having much larger difficulty is in the General Fund where most of services and operations are. There are specific Funds that are set up that can only do certain things such as Gas Fund all we can do with Gas Fund is collect gas revenues used to pay operations; same as with the Water, Fund, Sewer Funds and Sanitation. Grant Funds have to be used for that. What is left is Police, cars, Community Development, Elected Officials, General Administration, Finance and the Library everything that is left falls in General Fund. Our revenues currently do not match our expenses. The actual money coming in does not equal the actual expenses. That has been a problem for past couple of years. Fortunately the City has a Reserve of a couple million dollars and as we came into this recession and our income levels dropped significantly we have been able to minimize the reduction in services. Hoped as we climbed out of the recession that some of our Income levels will be restored and at least exceeds the Revenues.

In the interim, Mr. McCourt stated, we are trying to minimize any expenses that we can while maintain the level of services to the public the best we can. We know that the past couple of years we have not balance and have been in deficit for couple Thousand Dollars per year. Last year thought we would be in balance but had unexpected loss from the Electric Franchise about \$250,000 further reduction in revenues to General Fund. Knows we would have been in balance. This year getting close and have a deficit of \$120,000 and does not see any major changes for the rest of the year and that amount should be about \$250,000 through this fiscal year. If we increase our expenditures in General Fund we will increase the deficit and into Reserves faster. If we decrease our revenues in General Fund going to increase that deficit and move into Reserves faster and longer to recover. Staff has been looking at just trying to maintain level of services as best we can. We have had fall of services and example we have been maintaining vacancies which is less service. When we have four (4) person offices in Library and if we take Full Time from that mix you can't provide same level of service to the public. We have reduced the service levels. When we have Dispatch position that is maintained vacant that puts more strain on the remaining Dispatchers to make sure we have proper coverage in Dispatch. Usually shows up as long term problem that arises. When we don't fill Detective position in the Police Department what happens is not necessarily visible is a very large loss of service to the public. The Detectives are the ones that solve the crimes. The City had a very high Clearance Rating that was because we had two (2) Detectives, both very experienced and capable and we solved lots of crimes. If remove one that is loss of services. We are having loss of service to the public they are not real visible but they are losses. Staff is having losses in service to the public and have looked at increasing efficiencies and looked at grants and example is the building across the street with Efficiency Grant. We continue to do that. Other costs go up just like your personal costs go up. They keep rising.

Mr. McCourt stated he has a high level of frustration on the whole situation and we are trying, not frustrated, and trying to lay it down as clearly as he could on what's going on, what are current expectations that we will go out of this if we can maintain our current income sources. Question asked of him "is employees have not had a raise for a number of years and that hurts morale and productivity." What can we do about that? Because of the deficit problem and understands that is a major concern he has not felt he could recommend to the Council a raise for personnel. Even if no direct raise to our employees our personnel costs will still increase just keeping everything the same, same number of positions and General Fund will have increase in personnel costs of \$26,000.00. He is looking for direction and trying to prepare a budget that he can bring to the Mayor and Council and ultimately they can change the budget to what they feel is appropriate to the community. Hopes he is preparing the budget as a reflection of their values.

Vice Mayor Cronberg thanked Mr. McCourt and asked if Council had any questions, comments or additional assignments and this is the time if they have any questions or suggestions. Councilman Johnson said the schedule was "broke down very nice" and FY Budget Calendar preparation and has scheduled for 6-7 work sessions prior to Council meeting and question if we had budget session on opposite night of Council meeting to maybe get into discussion of what is actually happening instead of just an hour. Asked if could schedule that at different times and if that would be easier. City Manager stated staff will schedule them how it suits their schedules. Because of constraints trying to maintain the status quo and do not sees a need for major discussions but do plan especially for the utilities funds and have some flexibility. Just let him know. Vice Mayor Cronberg thinks she learned a lot more when she didn't have the thought of another meeting immediately following in her mind. Sometimes knows there are times things happen before regular meeting and there are times thinks would really like to have separate session dedicated to discussion. Staff has their reports pulled together and gives them a lot of good information and generally there is a lot to digest and can't come up with good questions. Sometimes takes hearing it and thinking about it and then talking about it. She would probably welcome some sessions not on a regular meeting night because then she could

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focus her attention on the really specific needs and knows status quo is what it is. We are not going to change much and as put in goals thinks there is a lot for them to think about and discuss and share ideas whether or not they can actually do what they want to do think worthy of in-depth discussion and time.

**REPORTS BY THE CITY MANAGER PAT McCOURT**

Consideration, discussion, and/or decision regarding the following topics by the City Manager:

- **Report on Voter Registration**-reminded everybody that Voter Registration for the City Election the deadline is coming up very rapidly February 13, 2012 with Cochise County.
- **Report on City Election** – Primary Election to be held on Tuesday, March 13, 2012.
- **Special Mayor/Manager's Luncheon**-Celebrating Arizona's Centennial, hosted by Cochise County Board of Supervisors', Guest Speaker Becky Orozco, on Tuesday, February 14, 2012. RSVP to City Manager by Monday, February 6, 2012. It will be at the Court House downtown Bisbee.
- **Chamber donation** of \$350.00 toward utilities at Community Center (Apple Festival & WOW) for the General Fund.
- **Aridus Winery** – Beginning renovation and new construction this week at the old Apple building location. Good sign more Economic Development
- **Sunset Cemetery Tree Planting**-Rotary Club approached City with donation of trees and 80 Pine trees were planted at Sunset Cemetery.
- **Proposed FY12-13 Budget Calendar**-enclosed is the Budget Calendar for FY12-13. Will shift dates to meet longer periods of time.
- **SSVEC**-we are a member of Coop and we received Capital Credit of \$3,690.70>> which is going to General Fund.
- **Union Pacific**-The City received notification we have been awarded another \$5,000 Grant to continue work on the Mascot Car.
- **NCCH**-signed the new updated agreement; recorded in Clerk's office; paid them and getting ready to close Grant with HUD.
- **Skate Park-3**-we have been working on that in conformance with our Purchasing Policy and we solicited bids for concrete work. We are awarding that concrete work and they should be out working on it later this week and hopefully by Friday we'll have poured the concrete and that was good news.
- **E-Waste**-collected 4,400 lbs of electronic equipment was collected otherwise would have been placed in our landfill.
- **Field 2**-started construction on the outfield fence at Keiller Park.

**COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.**

Councilman Irvin stated he was appalled with what was taking place tonight by a couple of members on the Council. We had citizen willing to serve and she was removed from it and for what reason he does not know. Having problems getting citizens to serve on certain committees and thinks need to take advantage of that.

Councilman Klump wanted to announce that he appreciates Mr. Stoddard's work and he had a good session on Saturday and attended by local contractors. It was an Educational Class on Lead on Certified Renovators or Re-modelers and it is requirement for all contractors. Mr. Stoddard did a good job getting it lined up and there was eight (8) of them and class was for 8-hours and otherwise they would have had to travel to Phoenix and that would have been an expense.

Councilman Donahue remind everybody that it is budget time and suggested to get plenty of rest, make sure you eat dinner and bring something cold to drink.

Vice Mayor Cronberg announced on comments from Mayor and he called her just before meeting this evening. He is very upset with himself for not feeling well and thought he would be here. He was very unhappy not here and very anxious to get back to work. Wants all to know how he appreciates the continuing well wishes and the amazing support he has gotten from so many citizens in this community. He asked the Vice Mayor to be sure and tell us.

**ADJOURN**

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 7:59 p.m.

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
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HELD ON THIS 6<sup>TH</sup> DAY OF FEBRUARY 2012**

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of the City of Willcox held on the 6<sup>th</sup> day of February 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

**Dated this 12<sup>TH</sup> day of MARCH 2012**

\_\_\_\_\_  
City Clerk Cristina Garcia Whelan, CMC

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
MAYOR GERALD W. LINDSEY  
Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk Cristina Garcia Whelan, CMC

CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION

Agenda Item 7B  
Tab Number 2  
Date: 3/19/2012

<u>Date Submitted:</u>	<u>Action:</u>	<u>Subject:</u>
March 14, 2012	<input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal	ACCEPT FUNDS DONATED FOR HUMANE SHELTER

TO: Mayor and Council  
FROM: Finance Director Ruth Graham

DISCUSSION:

The City recently received a generous cash contribution for the operation of the Humane Shelter from Linda Gale Drew totaling \$50.00.

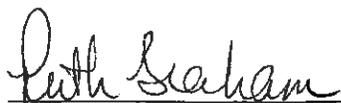
RECOMMENDATION:

Motion to accept donated funds totaling \$50.00 to be applied to the operation of the City of Willcox Humane Shelter. The revenue for such donations will be posted to General Fund Revenues under Account No. 10-39-50100, Contributions – Humane.

FINANCIAL IMPACT: Revenue increase of \$ 50.00

Submitted by:

Approved by:



Ruth Graham, Finance Director



Pat McCourt, City Manager



DISPLAY AD. Publish and Post on March 14, 2012

City of Willcox  
Public Hearing Regarding Use of CDBG Funds

The City of Willcox is expected to receive \$170,697 in FY12 federal CDBG funds from the Arizona Department of Housing Regional Account (RA). The City may also apply for \$300,000 from the competitive State Special Projects Account (SSP). CDBG funds must be used to benefit low-income persons and areas, alleviate slum and blight or address urgent need. Based on citizen input as well as local and state planning objectives potential projects have been selected to be forwarded to the State of Arizona with a request for funding.

A public meeting will be held at the regular City Council meeting at 7 p.m. on April 2, 2012 at the Willcox Council Chambers, 300 W. Rex Allen Drive, to discuss the potential projects. It is expected that the City Council will select these projects at this hearing and adopt applicable resolutions. The potential CDBG projects are named and described as follows:

1. To apply for SSP funds to the Energy Efficiency of City hall and the Old Border Patrol Building.
2. To apply for RA funds to continue the rehabilitation of the Willcox Community Center, specifically to replace windows and exterior doors for energy conservation, as funds allow.
3. To apply for RA funds to construct ADA compliant sidewalks from: (1) Rex Allen Drive, on Bisbee Avenue, to Soto Street; (2) Scott, on Arizona Avenue, to Haskell Avenue; (3) Arizona Avenue, on Downen Street, to Haskell Avenue; (4) Arizona Avenue, on Scott Street, to Senior Housing; (5) Bisbee Avenue, on Maley Street, to Haskell Avenue; (6) Maley Street, on Curtis Avenue, to Grant Street; (not in any preference order).
4. To apply for Water, Sewer, Gas Line Replacements as necessary in low-income areas.

To review project proposals, file grievances or learn more about the CDBG program contact the following:

**Cristina G. Whelan, CMC, City Clerk**  
City of Willcox  
101 S. Railroad Avenue, Suite B  
Willcox, AZ 85643  
(520) 384-4271  
(520) 384-2590 fax

TDD (520) 384-4673

Persons with disabilities who require special accommodations may contact the Willcox Police Department at the above location at least 48 hours before the hearing.





**CITY MAP**  
INDEX TO STREETS

- Airport Rd .....
- Arizona Ave .....
- Austin Blvd .....
- Biddle St .....
- Blebsen Ave .....
- Bobcat Ln .....
- Bowle Ave ... B3, B4
- Cases Lindas Dr .....
- Cholla Ln .....
- Circle I Rd .....
- Cochise Ave.. B3, B4
- Curtis St .....
- Delos St .....
- Douglas Ave .....
- Downen St .....
- Encanto St .....
- Fairway Dr .....
- First Ave .....
- First Ln .....
- Flagstaff Ave .....
- Floyd Dr .....
- Fort Grant Rd .....
- Fox St .....
- Fremont St .....
- Granada St .....
- Grant St ... D3, D4
- Haskell Ave .....
- Henry St .....
- Hoch Ln .....
- I-10 .....
- Ironwood Dr .....
- Jesse St .....
- Joe Hines Rd .....
- Jonnie Dr .....
- Kimmick Rd .....
- La Paz St .....
- Lakeside Dr .....
- Lawson Ln .....
- Lewis St .....
- Lippie Ln .....
- Maley Pl .....
- Maley St .....
- McCourt St .....
- Mesa Ave .....
- Mo Don Rd .....
- Ocotillo St .....
- Palmores Dr .....
- Parker St .....
- Pattie Rd .....
- Pattie Rd .....
- Pearce St .....
- Pedro Gonzales .....
- Gonzales Alley
- Phoenix Ave .....
- Prescott Ave .....
- Quail Dr .....
- Quail Run Ln .....
- Railroad Ave .....
- Rex Allen Dr .....
- Rex Allen Jr Dr .....
- Scott St .....
- Second Ave .....
- Second Ln .....
- Soto St .....
- Stewart St ... D3, D4
- Teeling Ln .....
- Third Ave .....
- Todd Pl .....
- Tucson Ave .....
- Virginia Ave .....
- Wasson St .....
- Wilson St .....
- Winchester Ln .....
- Wood St .....
- Young Ln .....

**DIRECTORY**

- † Churches - three more on Stewart District map
- ATM
- Border Patrol
- Community Center
- Cochise County Services Center
- Justice of the Peace
- Sheriff Dept.
- Health Dept.
- U.S. Post Office
- Extension Office
- City Hall & Museum
- Fire Dept.
- Highway Patrol
- Hospital
- Library
- Museum
- Police Dept.
- Post Office
- Sheriff Dept.
- City Limits

15 miles to BENSON;  
17 miles to TUCSON

Peta-Anne's "Real Map" of the City of  
**WILLCOX**  
**ARIZONA**

Founded 1870 • Incorporated May 8, 1915 • Elevation 4,167' • Population 5,773

SCALE 0 1/2 MILE

This map shows only the streets that actually exist in the City of Willcox.

To DOS CABEZAS,  
KANSAS SETTLEMENT.  
77 miles to DOUGLAS  
and MEXICO

**TWIN LAKES SUBDIVISION**  
For further information check  
with a Real Estate office.







TABS

Catholic Community Services  
Senior Nutrition Program

City of Willcox  
310 W Railroad Ave.  
Willcox AZ 85643

Dear Mayor and council members,

3-15-12

Catholic Community Services of Southeastern Arizona is the provider of approximately 150 daily noon meals to seniors greatest in need, which are either delivered to their homes or served at our two senior centers in Benson and the Ethel Berger Center.

The nutrition program is funded in part by three entities, the Older Americans Act Federal monies, contributions from the participants which the average donation is .0 cents, and community fundraising.

For the past 8 years the program's major fundraising came from a successful annual golf tournament held in Benson. However, in 2012 the program is facing an unexpected \$40,000 loss. Therefore, it is now vitally important that we develop a new additional county wide fund drive.

**SPONSOR-A-SENIOR FOR \$25.00 PER YEAR**

**We would like to ask for your generous support in helping us reach our Willcox and surrounding areas goal of 250, \$25.00 Sponsorships by, June 30<sup>th</sup> 2012. Please won't each of you sponsor a senior and share this information with your community.**

Meeting this goal is an absolute necessity in order to continue this extremely important program for those that are less fortunate. For more information contact: Marilyn Gourley Senior Meals Fundraising Chairperson at 520-586-2322. Please make tax deductible checks payable to: Cochise County Senior Meals Fundraising PO BOX 1027 Benson AZ 85602

Respectfully,



Leisa L. Cotten

Catholic Community Services Senior Nutrition Director

# URGENT!!!!!!

Cochise County Senior Meals Program  
Faces a \$40,000 loss in 2012

Your support to keep this program  
operating in Cochise County is vital.

We are conducting a  
**SPONSOR-A-SENIOR FUNDRAISER**  
in Willcox and the surrounding areas

our goal is to collect

250 Sponsorships

\$25.00 a year per sponsor

(tax deductible # 75-3055445)

Please make checks payable to:

Cochise County Senior Meals

P.O Box 1027

Benson AZ 85602

For more information contact

Marilyn Gourley 586-2322

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Catholic Community Services of Cochise County  
Senior Nutrition Program

Home Delivered Meals Guidelines & Fundraising Information

**WHO?**

Participants must be U.S. Citizens 60 and older. Priority goes to the GREATEST IN NEED economically and physically. Special attention is given to those who are under 60 and legally handicapped. Contact a local county case manager for more information on eligibility. Casemanagers must authorize a person to be eligible for service. For service in Benson, Dagoon, Pomerene, St.David, Willcox, Sunsites, Bowie, San Simon, Sunizona areas call 520-586-8190.

In the Sierra Vista, Hereford, Palominas, Tombstone, Huachuca City, Whetstone areas call 520-803-3950.

**!!!!TO DATE 3-15-12: THERE ARE 116 ON THE HDM PROGRAM AND  
APPRX.30 PEOPLE ON A WAITING LIST WHO NEED THE SERVICE!!!!**

**WHEN AND WHERE?** Five flash frozen meals with all the side dishes (Milk, Bread, Salad and Dessert) are delivered one time a week door to door. Volunteers deliver meals in the following areas. Benson, St. David, Pomerene, J-six, North Ocotillo, Dagoon, Willcox, Bowie, San Simon, Sunsites, Sunizona, Kanasa Settlement, Sierra Vista, Huachuca City, Whetstone, Tombstone, Herford, Palominas, and Miracle Valley.

**HOW?** Menus are planned by a C.C.S dietitian. All meals meet the federal nutrition guidelines. These meals are prepared and flash frozen in a C.C.S operated kitchen in Tucson, and then delivered to Cochise County once a week. All the side dishes are prepared daily by volunteers in two kitchens, located in Sierra Vista at the Ethel Berger Center, also in Benson at the Benson Senior and Community Center.

**WHAT ABOUT FUNDING?** There are three parts to the funding for these meals;(1) Government funds through the Older Americans Act (2) Contributions that the participants give: CCS SUGGESTED CONTRIBUTION PER MEAL IS \$2.00(participant's average contribution to date- March 2012-.07cents).(3) Community Fundraising by staff, volunteers, and a Cochise County Senior Nutrition Fundraising Committee.

***CATHOLIC COMMUNITY SERVICES HOST AN ANNUAL FUNDRAISING GOLF TOURNAMENT TO BENEFIT ALL THE ABOVE LISTED AREAS.***

**2012 GOLF TOURNAMENT-June 16th** Turquoise Hills Golf and RV –Four Person Scramble 8:00am shotgun - \$40.00 entree fee (includes cart and meal) 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, place trophies, hole-in-one cash prize, raffles, mulligans, 50/50 drawings

\$250.00 sponsorship includes a Team with Tee Box Sign and advertisement in county papers

\$100.00 Tee Box Sign and advertisement in county papers

**IN 2012 WE'VE HAD TO ADD A NEW FUNDRAISER TO HELP OFF SET AN UNEXPECTED \$40,000 LOSS IN THE PROGRAM**

**THE NEW 2012 FUNDRAISER is "SPONSOR A SENIOR for \$25.00 PER YEAR.**

Sponsorship money used to purchase raw foods only. For details call Marilyn Gourley 520-586-2322. Please mail checks to C.C.S Sr. meals PO Box 893 Benson AZ. 85602



**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**

**RESOLUTION NO: 2012-15**

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**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE  
CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, DECLARING  
AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD  
ON MARCH 13, 2012**

**WHEREAS**, the City of Willcox, Cochise County, Arizona did hold a primary election on the 13th day of March 2012 for the election of Council members; and

**WHEREAS**, the election returns have been presented to and canvassed by the Willcox City Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona, as follows:

**SECTION 1:** That the total number of ballots cast at said primary election, as shown by the poll lists, was 243.

**SECTION 2:** That the number of ballots to be verified was 2 and that voters found to be ineligible was 1.

**SECTION 3:** That the votes cast for the candidates for council member were as follows:

<u>Name</u>	<u>Precinct</u>	<u>Early</u>	<u>Vote Totals</u>
<u>Earl B. Goolsby</u>	<u>47</u>	<u>127</u>	<u>174</u>
<u>Elwood "Woody" Johnson</u>	<u>47</u>	<u>140</u>	<u>187</u>
<u>William "Bill" Nigh</u>	<u>31</u>	<u>88</u>	<u>119</u>

**SECTION 4:** That it is hereby found, determined and declared of record that the following two (2) candidates did receive more than one-half of the total number of valid votes cast and are hereby issued certificates of election:

Earl B. Goolsby                      and                      Elwood "Woody" Johnson

**SECTION 5:** That it is hereby found, determined and declared of record, that the following candidate did receive the next greatest number of votes of the electors of the city voting at said election and shall have their name placed on the general municipal election ballot of the City of Willcox, Cochise County, Arizona, to be held on the 15<sup>th</sup> day of May, 2012, and is hereby issued certificate of nomination:

William "Bill" Nigh

**SECTION 6:** This resolution shall be in full force and effect immediately upon its adoption.

**PASSED AND ADOPTED BY** the Mayor and Council of the City of Willcox, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**APPROVED/EXECUTED:**

\_\_\_\_\_  
MAYOR, GERALD W. LINDSEY  
Signed: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk, Cristina Garcia Whelan, CMC

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney, Hector M. Figueroa, Esq.

**RESOLUTION NO. 2012-15**



# COCHISE COUNTY ELECTIONS / SPECIAL DISTRICTS

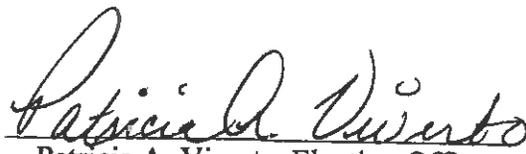
P.O. Box 223 Bisbee, Arizona 85603 FAX: (520) 432-8995

## CERTIFICATION OF CANVASS MARCH 13, 2012 CONSOLIDATED ELECTION CITY OF WILLCOX

I, the undersigned, being an Election Officer of Cochise County, do hereby certify, that attached hereto is a true and correct copy of the Official Results for the March 13, 2012 City of Willcox Election that has been filed in the records of the Cochise County Elections/Special Districts Office.

	Voter Registration:	Ballots Processed:	Ballots Rejected: Early & Precinct
<b>Poll 0009</b>			
City of Willcox	1270	243	1
<b>TOTAL</b>	<u>1270</u>	<u>243</u>	<u>1</u>

State of Arizona  
County of Cochise

  
Patricia A. Viverto, Election Officer



This instrument was acknowledged before me this 15<sup>th</sup> day  
of March, 2012 by Patricia A. Viverto

  
Notary Public

My commission will expire: Oct. 14, 2014

**JUANITA SIMMONS**  
Elections Director  
(520) 432-8975  
jsimmons@cochise.az.gov

**MARTHA L. DOMANN**  
Elections Technician  
(520) 432-8972  
mdomann@cochise.az.gov

**PATRICIA A. VIVERTO**  
Voter Outreach / Special Districts Coordinator  
(520) 432-8974  
pviverto@cochise.az.gov

OFFICIAL RESULTS

COCHISE COUNTY  
 CONSOLIDATED ELECTION  
 MARCH 13, 2012

EARLY/PREC/PROVISIONAL

RUN DATE:03/15/12 09:31 AM

REPORT-EL45A PA 1

	TOTAL VOTES	%	PRECINCT	EARLY
PRECINCTS COUNTED (OF 1)	1	100.00		
REGISTERED VOTERS - TOTAL	1,270			
BALLOTS CAST - TOTAL	243		67	176
VOTER TURNOUT - TOTAL		19.13		
Council-City of Willcox				
Vote for not more than 3				
GOOLSBY, EARL B.	174	35.95	47	127
JOHNSON, ELWOOD WOODY.	187	38.64	47	140
NIGH, WILLIAM BILL.	119	24.59	31	88
WRITE-IN.	4	.83	0	4
Over Votes	0		0	0
Under Votes	245		76	169



OFFICIAL RESULTS

COCHISE COUNTY  
 CONSOLIDATED ELECTION  
 MARCH 13, 2012

EARLY/PREC/PROVISIONAL

RUN DATE: 03/15/12 09:29 AM

REPORT-EL30A PAGE 0001

0009 City of Willcox

	TOTAL VOTES	%	PRECINCT	EARLY
REGISTERED VOTERS - TOTAL	1,270			
BALLOTS CAST - TOTAL	243		67	176
VOTER TURNOUT - TOTAL		19.13		

Council-City of Willcox

Vote for not more than 3

GOOLSBY, EARL B.	174	35.95	47	127
JOHNSON, ELWOOD WOODY.	187	38.64	47	140
NIGH, WILLIAM BILL.	119	24.59	31	88
WRITE-IN.	4	.83	0	4
Over Votes	0		0	0
Under Votes	245		76	169





**CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION**

Agenda Item 12  
Tab Number 2  
Date: 3/19/2012

<b>Date Submitted:</b>	<b>Action:</b>	<b>Subject:</b>
March 14, 2012	<input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal	Caselle Clarity Software Purchase

TO: MAYOR AND COUNCIL  
FROM: Finance Director Ruth Graham

**Discussion:**

In 1991, the City of Willcox started using the Caselle Classic software system for many of the City's accounting systems, including among others, General Ledger, Utility Billing, Accounts Payable, Cemetery, and Payroll. Approximately four years ago, Caselle introduced Clarity, an updated version of the software. We have been following the progress of the software since its introduction and discussing it with communities that are using Clarity.

On February 29<sup>th</sup>, we were informed that as of January 1, 2013, the change to Clarity will be required. Caselle will continue to support the Classic version; however, they will require that we upgrade our support to the Platinum level, which includes the Clarity version and will pay for the upgrade over five years with higher service and maintenance fees. If we make the change now we will be on the list for conversion and anticipate implementing the software in six months. If we wait until the required conversion, the costs will start on January 1, 2013 but the conversion will not be made until 2014 due to the backlog of customers required to upgrade.

Clarity software offers several enhancements. The company has addressed the recent law change to require additional web reporting and searchable database requirements. The system will track when an entry is made and which user makes the change. An enhanced steps checklist that remains visible and acts as a reminder of the steps that need to be taken; it's also interactive so the user can "jump" to the action area or module from the checklist. The General Ledger Excel Add-in module will provide better reporting capabilities and can be set up to allow web-based search capabilities. Utility Billing has been enhanced to allow better reporting and tracking. The Service Order module has been improved from the Classic version; the City was unable to use the Service Order module in the past because it didn't meet our needs. We have seen a demonstration of the Clarity version and it will allow us to maintain an electronic service order system that will be up to date, can be accessed from different departments, and will maintain an ongoing history of the service orders for each account. In addition, in the General Ledger program information can be exported in real time from the General Ledger module to Excel for enhanced reporting capabilities. The Clarity upgrade to the Materials Management module will provide a useful inventory management and tracking tool, and replace the system we are currently using.

The use of Clarity requires updated computers, and on December 19, 2011 the Mayor and Council authorized the purchase of new computers for Finance and Public Works in preparation for the change. The computers have been installed and are in use.

The cost for Clarity software is as follows:

\*1) Option 1:

Software purchase	\$24,995.
G/L Add-In & Service Orders	<u>2,900.</u>
Total Purchase	<u>\$27,895.</u>
Annual support (ongoing)	<u>\$10,236.</u>
Software & Support over five years:	<u>\$73,975.</u>

Half payable now (\$13,948) in FY12, and half at delivery (\$13,947) when the software is installed in approximately six months in FY13. The monthly support cost is \$853, for a total of \$46,080. over five years. Web-based training is included in the purchase price. The City also has an option to send employees to Provo, Utah for training at no additional cost.

2) Option 2:

Platinum Level Support, 5 years	<u>\$96,480.</u>
Ongoing for 60 months at this level	
Annual Cost	<u>\$19,296.</u>

Purchase price to be paid over five years through increased quarterly fees. With this option the additional support costs for Clarity will begin when the order is placed. If it's placed in March, 2012, the City will be put on a waiting list. Higher support costs will start in approximately six months and the software will be delivered in one year. If the option to wait until we're forced to make a change is elected, the increased support costs will start January 1, 2013 and installation will be anticipated sometime after January 2014.

Funds for the software purchase are budgeted in Utilities for Fiscal Year 2011-2012. The funds will cover both for the computers necessary to implement the Clarity upgrade and the software, as follows:

Caselle Clarity Update		
Gas	50-459-9901	\$ 10,500
Water	51-459-9901	\$ 10,500
Sewer	52-459-9901	<u>\$ 10,500</u>
Sub-total		\$ 31,500
Less: Computer purchase		
Dec 2011 (with tax & installation)		<u>\$ (8,877)</u>
FY12 Balance Available		<u>\$ 22,623</u>

We have secured quotes from three vendors, Caselle, Black Mountain and Asyst. A comparison of the bids received is attached.

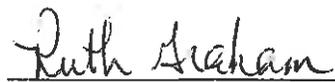
We have developed an ongoing relationship with Caselle. The system covers more than accounting or utility billing software; it includes all of the modules we need for a variety of applications. The Caselle software is the least expensive option we have found and we know of several small communities in Arizona using Caselle. A conversion to a new system will involve a substantial investment in manpower and testing. The upgrade will involve employee time but we anticipate that it will be a relatively seamless change. We will be working with the Caselle staff that we have known for several years, and the look and feel of the software is similar to our current version.

**Recommendation:**

Motion to proceed with Option 1 to purchase the Caselle Clarity software package at an overall cost of \$27,895, with \$13,948 (one-half) due at the time of commitment to purchase (Fiscal Year 2011-2012), and \$13,948 (the second half) due at the time of delivery in approximately six months (Fiscal Year 2012-2013). The ongoing service contract costs will increase in FY13, and the support costs for the upcoming year will be budgeted at the new rates.

**Financial Impact:** Software purchase \$27,895 (\$13,948 in FY12 and \$13,947 FY13).

Submitted by:

  
\_\_\_\_\_  
Ruth Graham, Finance Director

Approved by:

  
\_\_\_\_\_  
Pat McCourt, City Manager

City of Willcox  
 General Ledger, Utility Billing and Other Software  
 Comparison of Three Vendors  
 March 19, 2012

**Option 1: Caselle Clarity Purchase**

	Purchase:	Monthly Support:	Total Cost Over 60 months:
Billing, G/L, Other	\$ 24,995	\$ 853	
Service Orders/GL Add-in	\$ 2,900	x 60	
<b>Total Software</b>	<b>\$ 27,895</b>	<b>\$ 46,080</b>	<b>\$ 73,975</b>

To purchase the software, we will be required to pay 1/2 (\$13,948) at the time of commitment FY12) , and balance of \$13,948 at delivery in approximately 6 months (FY13). The G/L Web Add-in addresses the searchable database requirements. We are familiar with the support team; service is consistent; anticipate a seamless conversion.

**Option 2: Black Mountain Software**

	Purchase:	Monthly Support:	Total Cost Over 60 months:
All modules	\$ 69,245	\$ 1,045	
Conversion (1-time)	\$ 9,545	x 60	
<b>Total Software</b>	<b>\$ 78,790</b>	<b>\$ 46,080</b>	<b>\$ 124,870</b>

The software offers several benefits; however, the cost is higher and it will involve additional conversion time.

**Option 3: Asyst by U.S.T.I.**

	Purchase:	Monthly Support:	Total Cost Over 60 months:
Selected modules	\$ 20,140	535	
Uplift (Unlimited Users)	\$ 4,351	x 60	
Other modules anticipated	\$ 13,265	\$ 333	
Conversion	Not quoted	x 60	
<b>Total Software</b>	<b>\$ 24,491</b>	<b>\$ 52,080</b>	<b>\$ 76,571</b>

The quote does not include a number of "add-on" modules that will be required, including automated meter reading, payroll interface, cash receipting, fixed assets, payroll interface, journal entry (2 additional modules required), etc. It appears that every function will require an add-on rather than being comprehensive.

**Staff Recommendation:**

**Option 1, Purchase of Caselle Clarity Software.**

**RESOLUTION NO. 2012-16**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA ("CITY") APPROVING AND AWARDING THE CONTRACT TO CASELLE ("CONTRACTOR") UNDER OPTION 1 FOR THE PURCHASE OF THE CASELLE CLARITY SOFTWARE PACKAGE AND ANNUAL SUPPORT AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the CITY is authorized and empowered to have control of the finances and property of the corporation pursuant to A.R.S. § 9-240 (A); and

**WHEREAS**, the CITY is authorized and empowered to appropriate money and provide for the payment of its debts and expenses pursuant to A.R.S. § 9-240 (B) (2); and

**WHEREAS**, the CITY is authorized and empowered to make purchases pursuant to the adopted Willcox Purchasing Policy; and

**WHEREAS**, the CITY has solicited quote proposals from three vendors for the computer software upgrade package; and

**WHEREAS**, City Staff seeks approval for the Contract Award to be made to CONTRACTOR for the purchase of the Caselle Clarity Software Package and related Services for the Software cost of \$27,895, with \$13,948 (one-half) upfront and the other half at time of delivery plus an Annual support cost of \$10,236 to be paid at the monthly rate of \$853 all for a grand total of \$73,975 over a five year period; and

**WHEREAS**, City Staff seeks approval to enter into a Purchase and Service Contract on the Caselle Clarity Software Package and related Services; and

**WHEREAS**, the Mayor and Council have determined that formal action on this Resolution is in the best interest of the CITY and its citizens and desires to have the matter presented at its March 19<sup>th</sup>, 2012 Council Meeting; and,

**WHEREAS**, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely purchase of the software upgrade as presented and that this Resolution shall be effective immediately upon its passage and adoption.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, AS FOLLOWS:**

**Section 1:** The CITY formally approves the Contract Award for the purchase of the Caselle Clarity Software Package and related Services from CONTRACTOR as presented.

**Section 2:** The CITY formally authorizes entering into the Purchase and Service Contract for the Caselle Clarity Software Package and related Services as presented.

**Section 3:** That the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

**Section 3:** The Mayor is authorized and empowered to execute this Resolution and City Staff are authorized and directed to carry out the intent of this Resolution.

**PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this \_\_\_\_\_ day of March 2012.**

**APPROVED/EXECUTED:**

\_\_\_\_\_  
MAYOR, GERALD W. LINDSEY  
Signed: \_\_\_\_\_.

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Clerk, Cristina Garcia Whelan, CMC

\_\_\_\_\_  
City Attorney, Hector M. Figueroa, Esq.

**RESOLUTION NO. 2012-16**



# City of Willcox, AZ

Caselle® Clarity Upgrade Software & Services Proposal

March 2, 2012

(Valid for 180 days)

From:

Alan Paul, Territory Manager  
akp@caselle.com

**CITY of WILLCOX, AZ**  
**Clarity Upgrade Software & Services Proposal**  
**March 2, 2012**

**Proposal Summary**

Total Clarity Application Software	\$ 43,500
50% Contract Support Discount	<21,750>
Special Consideration Discount	<5,705>
	<hr/>
Net Software	\$ 16,045
Total Services	8,950
	<hr/>
<b>Total Clarity Upgrade Investment</b>	<b>\$ 24,995</b>
	<hr/> <hr/>

A deposit of 50% of the total proposal price is required with order.  
The remaining amount will be invoiced when the implementation has been completed.

Monthly support charges will be \$768 for the applications included herein and eight (8) concurrent user licenses.

Monthly support charges will be \$853 for the applications included herein, eight (8) concurrent user licenses, and the addition of Service Orders and the GL Excel Add in.

**Network & Database Software Requirements:**

It is the responsibility of the customer to meet the Caselle System Requirements. Prior to the implementation of Clarity, your SQL Server installation must be complete. Customers requesting additional assistance with Microsoft SQL Server installations will be working with Executech, Caselle's authorized contractor. You may contact them at (801) 253-4541. Charges will be billed at the rate of \$95 per hour upon approval by the customer. You will be invoiced by Caselle for these services.

**CITY of WILLCOX, AZ**  
**Clarity Upgrade Software & Services Proposal**  
**March 2, 2012**

<b>Clarity Application Software:</b>	
General Ledger/Budgeting/Bank Reconciliation	\$ 4,000
Payroll/Personnel/Benefits	4,000
Payroll Direct Deposit	2,500
Timekeeping	2,500
Accounts Payable	4,000
Purchase Orders/Requisitions	2,500
Utility Management	4,000
Utility Electronic Reading Interface	2,500
Cash Receipting	4,000
Online Payments/Credit Card Interface (2007 Purchase)	Incl.
Business License	3,000
Cemetery Management	2,500
Materials Management	4,000
Three Concurrent User Licenses	Incl.
Five Additional Concurrent User Licenses (8 Total)	4,000
	<hr/>
Total	\$ 43,500
50% Contract Support Discount	<21,750>
Special Consideration Discount	<5,705>
	<hr/>
<b>Net Software License</b>	<b>\$ 16,045</b>
	<hr/> <hr/>
<b>Services - Training Overview &amp; Data File Conversion:</b>	
General Ledger/Budgeting/Bank Reconciliation	\$ 1,200
Payroll/Personnel/Benefits	1,500
Payroll Direct Deposit	250
Timekeeping	500
Accounts Payable	750
Purchase Orders/Requisitions	250
Utility Management	1,500
Utility Electronic Reading Interface	250
Cash Receipting	750
Online Payments/Credit Card Interface	Incl.
Business License	750
Cemetery Management	500
Materials Management	750
	<hr/>
<b>Total Services</b>	<b>\$ 8,950</b>
	<hr/> <hr/>

**CITY of WILLCOX, AZ**  
**Clarity Upgrade Software & Services Proposal**  
**March 2, 2012**

**Training Overview:**

The training overview is designed for Caselle users familiar with either Caselle version 2.x or 3.x. It is intended to make the user comfortable in transitioning to Caselle Clarity by teaching how to utilize the new Clarity console and take advantage of new features in each module. A combination of training resources will be used to deliver this training including the Internet, video how-to guides, printed materials, training guides, and over-the-phone communication. It is not anticipated that the user will need instructor-led classroom training or be required to come to Caselle's training facility, though such training will be available if requested by the customer.

**Data File Conversion:**

*Database Upgrade* - Existing data will be sent to Caselle to be converted to the new database schema and tested to ensure compatibility with Caselle Clarity. This mock data conversion process will reveal data conversion issues to be resolved by the customer before the live data conversion occurs. Once data conversion issues are resolved, Caselle will send the new Clarity databases to the customer for final testing. When customer testing is complete, the live data conversion will be scheduled.

Customers requesting assistance with data file clean-up that is needed before converting your existing files, will be charged \$145 per hour.

*Reports* - 'Caselle Master' Reports from either Caselle version 2.x or 3.x will be converted to Caselle Clarity. Custom reports created by modifying a 'Caselle Master' or using Table Lists will need to be manually set up to work in Clarity. Caselle will manually create up to ten (10) custom reports per module. Customers can re-create custom reports in Clarity or Caselle will create additional custom reports at the cost of \$145 per hour.

*Forms* - All forms currently used in either Caselle version 2.x or 3.x will be converted and available for use in Caselle Clarity. These forms included payroll checks, transmittal checks, utility bills, shut-off notices, delinquent notices, and most other forms you are currently using.



*Caselle*® Clarity Software & Services Proposal

for

# City of Willcox, AZ

**February 22, 2012**

(Valid for 90 days)

From:

Alan Paul, Territory Manager  
akp@caselle.com

*Caselle*® Clarity Software & Services Proposal  
 City of Willcox, AZ  
 February 22, 2012

Proposal Summary

Total Software License	\$3,200	
Special Consideration Discount	<1,175>	
Net Software License		\$2,025
Total Training		375
Total Setup		500
<b>Total Investment</b>		<b>\$2,900</b>

Your Software Maintenance & Support will increase by \$85 per month.

Proposal Detail

<i>Caselle</i> ® Clarity Application Software	License Fees	Training	Setup	Total
GL Excel Add in	\$500	-	-	\$500
Utility Service Orders	2,700	\$375	\$500	3,575
<b>Sub Total</b>	<b>\$3,200</b>	<b>\$375</b>	<b>\$500</b>	<b>\$4,075</b>
<b>Special Consideration Discount</b>	<b>(1,175)</b>	-	-	<b>(1,175)</b>
<b>Grand Total</b>	<b>\$2,025</b>	<b>\$375</b>	<b>\$500</b>	<b>\$2,900</b>

Service Orders Setup

- Set up the Service Order options (including user, department, and actions).
- Customize Service Order data entry screens.
- Format three Service Order form layouts.
- Set up the Utility Management interface.

Additional Options (available at the regular Caselle rate of \$145.00 per hour):

- Formatting additional form layouts.



**Quote**

03/08/2012

City of Willcox

Ruth Graham

101 S Railroad Ave, Ste B

Willcox, AZ 85643

rgraham@willcoxcity.org



Teresa Van Buren

800-353-8829

<b>Product Description</b>	<b>Purchase Price</b>	<b>Annual Fees</b>	<b>One-Time Conversion</b>	<b>Total</b>
<b>Cemetery Management *</b>	4,390.00	440.00	880.00	5,710.00
<b>Cash Receipting</b>	4,390.00	880.00		5,270.00
<b>CR - Bar Code Scanner</b>	415.00	0.00		415.00
<b>CR - Cash Drawer</b>	175.00	0.00		175.00
<b>CR - Receipt Printer</b>	725.00	0.00		725.00
<b>Utility Billing *</b>	6,955.00	1,600.00	3,600.00	12,155.00
<b>UB - Account Barcode</b>	300.00	0.00		300.00
<b>UB - AMR Interface</b>	1,000.00	150.00		1,150.00
<b>UB - Outsource Bills</b>	1,500.00	150.00		1,650.00
<b>UB - Processing Interface</b>	1,500.00	255.00		1,755.00
<b>Business Licensing *</b>	4,390.00	880.00	880.00	6,150.00
<b>Service Orders</b>	3,250.00	650.00		3,900.00
<b>Inventory</b>	4,390.00	880.00		5,270.00
<b>Accounting</b>	8,750.00	1,750.00	1,575.00	12,075.00
<b>ACH Credit</b>	1,000.00	100.00		1,100.00
<b>Department Security - Accting</b>	1,995.00	0.00		1,995.00
<b>Purchase Orders</b>	1,750.00	350.00		2,100.00
<b>Remote Requisitions</b>	1,750.00	350.00		2,100.00
<b>Budget Preparation</b>	3,500.00	700.00		4,200.00
<b>Fixed Assets</b>	4,375.00	875.00	875.00	6,125.00
<b>Payroll</b>	6,125.00	1,225.00	1,105.00	8,455.00
<b>ACH Direct Deposit</b>	495.00	75.00		570.00
<b>Daily Time Cards</b>	2,625.00	525.00		3,150.00
<b>Human Resources</b>	3,500.00	700.00	630.00	4,830.00
Subtotals:	<b>\$ 69,245.00</b>	<b>\$ 12,535.00</b>	<b>\$ 9,545.00</b>	

Grand Total:	<b>\$ 91,325.00</b>
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**Terms**

- 1) Black Mountain makes every effort to ensure the content contained within this quote is complete and accurate. Black Mountain reserves the right to correct any error or omission related to price, product description or availability. To completely understand this quote, you must consider, in addition to product and prices, the terms and conditions that follow either on this or separate pages.
- 2) Prices quoted herein do not reflect sale or use taxes imposed by any state or local government, or any unit or subdivision thereof, which taxes are the responsibility of the buyer. Buyer agrees to be responsible for the documentation relating to the payment of such taxes to the maximum extent legally permitted. Black Mountain Software will be responsible for the collection of such taxes and/or the documentation related thereto, only to the extent required by law.
- 3) Installation and training come with the purchase of each software product. Free on-line training is always available thereafter for existing and new staff members as part of the Annual Service and Support. Advanced scheduling is required. Hourly rates and travel expenses apply to any other type of training.
- 4) All costs are based on prices in effect for 60 days from the date of this bid.
- 5) Annual service and support includes software updates and support via toll free telephone numbers. The price shown is for the first year, is billed annually, and is subject to change in subsequent years.
- 6) If travel is required, actual expenses if flying are billed as follows: charges include airfare, travel time at \$35 per hour per person, meals at \$42 per day, lodging at local rates, and rental car. Actual expenses for travel if driving are billed as follows: charges include mileage at 55.5 cents per mile, travel time at 45 cents per mile per person, meals at \$42 per day, lodging at local rates.
- 7) All of our software products are multi-user, with an unlimited number of licenses (seats). In addition, 'Read Only' access is available to limit data changes for specified users, while still providing lookup and printing capabilities.
- 8) Our Utility Billing software product requires the use of laser type billing forms, either postcards or full-page bills. QBS Safeguard of Billings, MT is already set up to produce billing forms in the proper format. The cost of laser billing cards is \$375 for 15,000 or \$240 for 3,000, plus shipping. Quotes are available for orders of other than 15,000 laser billing cards, or for full-page stock that is perforated. By using their service for the initial order, there is no additional labor charge for initial setup. After your first order, you may stay with QBS, or you may pick any other printing company you would like.
- 9) There are three Utility Billing Data entry/conversion options: (1) manually enter your own data - no charge, good training tool, (2) have our staff manually enter your data, or (3) digitally convert your data.  
  
A 'standard' utility billing conversion consists of basic customer account info, account balances, prior months meter readings, and text file comments that can be linked to customer accounts. Availability of data to be converted in usable formats from the current system impact the final data converted and costs associated with conversion.
- 10) UB -Processing Interface: Setup and ongoing transaction processing fees charged by your payment processor are NOT included in this quote. To interface with UB, our current import/export file formats and naming conventions must be used by the processor. An hourly charge of \$160 per hour applies to all assistance we provide enabling your processor to adapt to our format and naming convention.
- 11) Data entry/conversion costs for Accounting do not include chart conversion. If chart conversion is needed it is available for \$500.
- 12) Normal billing procedures for new clients or stand alone applications for current clients is 25% down payment billed at commitment and 75% final payment billed upon completion of installation and initial training. Add on applications for current clients are billed for full purchase price only at commitment and maintenance begins upon completion of installation and/or training. All billing will commence in full for all products after 1 year from commitment unless other arrangements have been made.



## COMPANY PROFILE

Black Mountain Software, Inc., is a Montana-based firm continuing to expand to serve the information management needs of local government across the nation. We have been in continuous operation since 1988, with a growing reputation for unequaled software products and superior service and support. Our software is not only used in Montana, but in Alabama, Alaska, Arizona, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Kansas, Michigan, Minnesota, New Jersey, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Utah, West Virginia, and Wyoming, as well.

Wayne Carriere of Helena began Black Mountain Software in 1988, offering software products to Montana cities and towns. In 1991, he began collaborating with another software company based in Polson. This company was co-founded by Jack Liebschutz. Jack had developed a fund accounting system for cities and towns. In 1993, the two ventures combined and incorporated as Black Mountain Software, Inc.

By 1995, Black Mountain Software had become the vendor of choice for the majority of Montana cities and towns that were computerized. Vastly superior products were the basis for this success. Our rapid expansion in local government also reflected our dedication to high quality service, tremendous value for the money, and attentiveness to the real needs of local government clients. Currently, we serve as the vendor for approximately 92 percent of Montana cities and towns with populations between 500 to 10,000.

Our growth has been rapid and stable since incorporating. We now have a total of more than 30 employees, two offices, more than 450 local government clients, and a reputation for exceptional products and services. We have developed and support more than 30 separate software products. These products are noted for reliable and complete integration. They provide automation far beyond that offered by competing vendors. Our service and support are absolutely top quality – immediate, effective, and reliable. Our packaging of services and value for the dollar has led the marketplace to a new standard and expectation.

We are proud of our strong track record of enhancing our software products to meet expanding client needs and evolving new standards.

We work extremely hard to ensure that each of our clients is fully satisfied with our software, service, and support. In assessing our suitability to provide your organization with software, we encourage you to contact any or all of our references. We stand by their opinions of us.

## MAINTENANCE and SUPPORT

At Black Mountain Software we fully support the software we provide. Our specially trained staff is available to promote service and support during the hours of 7:00 am to 5:00 pm, Monday-Friday (excluding most federal holidays), Mountain Standard Time. Black Mountain Software annual maintenance covers annual and periodic updates current with all changes in applicable law and equivalent to products sold to new customers, toll free telephone support, error correction, on line training sessions geared towards time sensitive topics year round, on line internet support via the Black Mountain Support Agent, assistance with software questions or problems that may arise, and all but "custom" software enhancements. Using today's advances in technology, it is very easy for BMS to support all of our clients no matter where they are physically located. We can generally connect to and be viewing our clients' desktops in about 15-30 seconds. It is like having us right there looking over your shoulder whenever you need us.

When your staff calls our office, they will almost always be greeted by a real live person, not some automated voicemail system for you to leave a message with. We are always here and ready to answer your calls, discuss your issue, and work through the solution with you. When you are calling our references, please be sure to inquire about our response time in solving their problems. Many, many calls are answered within minutes. More in depth issues that may require research or retrieving a backup to review, take longer. We generally answer calls on a first come, first serve basis. Sometimes, however, certain time-sensitive issues, printing of payroll checks for instance, may be given a higher priority than say, a report request.

Our software updates are not your typical "version releases". Because we are focused on responding to the needs of our clients, we are frequently making minor improvements and enhancements to our applications. After strict testing, these updates are immediately available to all of our clients. Software updates can be accessed via the My Support page on our web site 24/7 or internally within each application via the Live Update feature. All modifications are recorded in each application's Change Log so our users have an up-to-date list of any and all changes, enhancements, report additions, or improvements at the click of a button, any time they wish.

We provide all necessary upgrades to meet federal and state requirements for reporting purposes. Upgrades occur when new options become available with the growing technology and software changes, or when our clients provide us with detailed information with a request for change or enhancement. Many of our features are the results of clients expressing their needs to find a way to complete specific tasks. When an upgrade or enhancement occurs, we provide extensive testing in our offices with both test data and current client data prior to release to our clients.

## TRAINING

**All training and installation are included in the purchase prices quoted.** There are no hourly, per call, or hidden training fees. This includes the period of time to get through the initial setup, conversion period, learning curve, training on new items, verification of conversion data, assessing and implementing proper practices within the software to meet your city's needs, issues that come up during installation, etc. Today, we do the majority of our installations and training remotely. We do not require our clients to leave their environment and travel to our facilities for training. This helps keep costs minimal for our clients by eliminating travel expenses.

On line training also allows training sessions to be broken up into smaller blocks of time that are more convenient for your staff. We can schedule accounts payable training during the week of your first live AP run, payroll training during the week of your first live payroll run, bank reconciliation training for the week your bank statement arrives, etc. Training on individual topics as needed is a handy tool to have at your access.

If your entity decides you would rather have on site training, this can easily be accommodated. Travel expenses will apply (see specifics on quote). All training labor and installation is still included in the purchase price. No additional fees will apply.

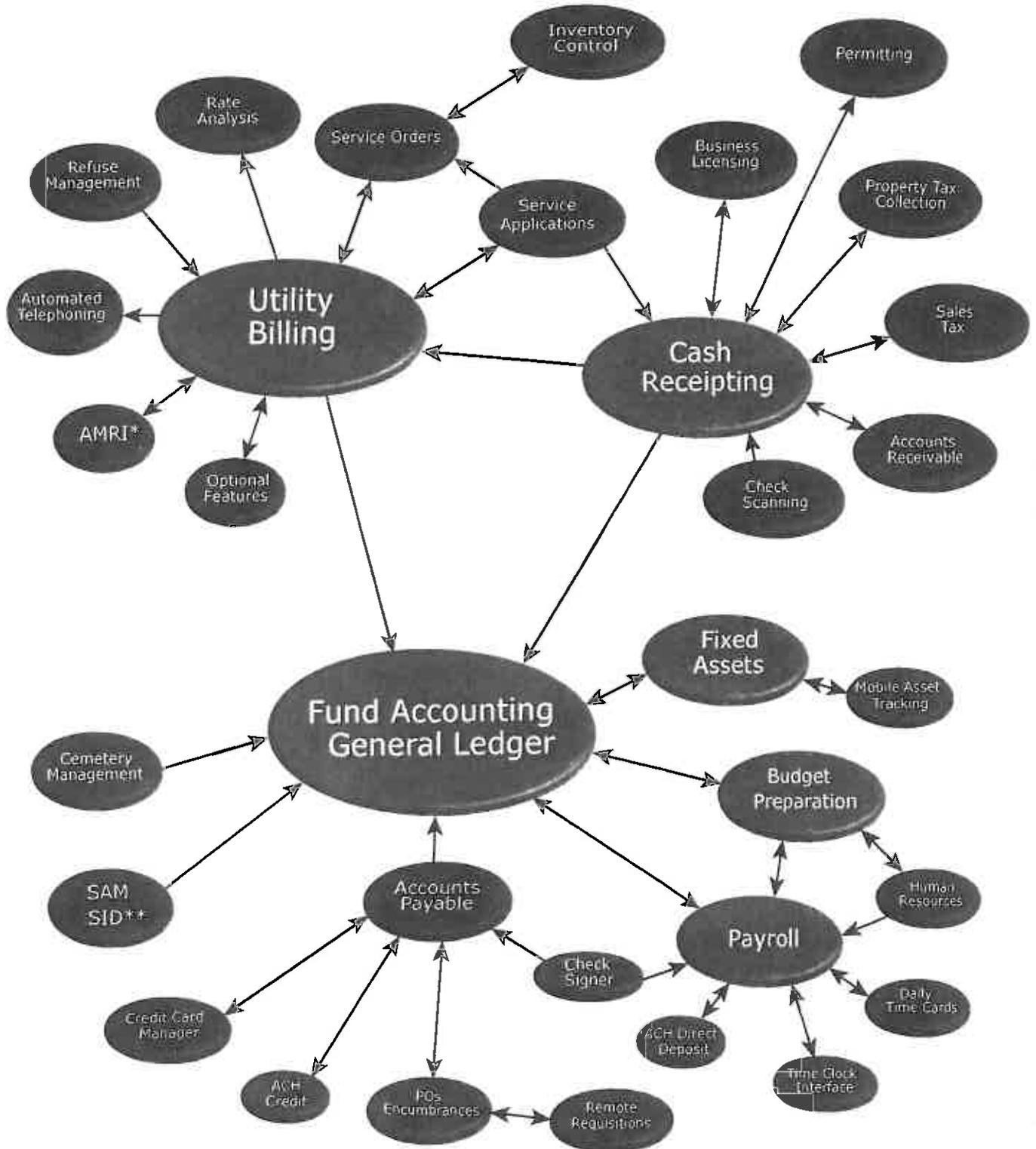
Additional individual online training, as in the case of training new office personnel, is also included with our software. We will first set up a time for training your new staff on basics relating to navigating, operating, and performing daily functions within your BMS applications and then continue to assist them throughout the process as they learn their new job. We understand the challenges that come with turnover in staff. We recommend at least an overview by one of our expert support staff to assist in the transition, but will provide whatever is needed or requested. Training additional staff is generally done online using our BMS Support Agent.

## PERSONNEL

We take great pride in (1) having an excellent multidisciplinary staff, and (2) continuing to maintain staff levels sufficient to serve our growing client base. We have excellent systems analysts, programmers, and support staff. **We are also proud that we have a CPA, as well as a number of staff members who previously worked in local government as clerks and accountants.** We feel this enables us to have the best understanding of your exact needs.

We'd be happy to send you a brief profile on all of our employees to give you a picture of their background, qualifications, and areas of expertise.

# Software Product Relationships



\* Automated Meter Reading Interface  
\*\* Special Assessment Manager and Special Improvement District Manager



Willcox, AZ  
**asyst for MS Office Price Quote**

**asyst:Utilities**

asyst:Utility Billing  
 asyst:Utility Billing to A/P Interface  
 asyst:Utility Billing to Tax Interface  
 asyst:Utility Billing to ArcView Interface  
 asyst:Special Penalty Processing  
 asyst:Service Orders  
 asyst:Bank Drafts  
 asyst:Budget Billing  
 asyst:Cigarettes Consumption  
 asyst:Related Meters  
 asyst:Handheld Meter Reader for Palm OS  
 asyst:Hand Held Meter

8	\$ 1,495	\$ 530
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
8	\$ 595	\$ 210
8	\$ 595	\$ 210
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
	\$ -	\$ -
8	\$ 595	\$ 210

**Totals**

\$ 16,290	\$ 5,840	\$ 22,130
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**asyst:JUSTIncase Remote Backup**

JUSTIncase

Number of Licenses	License Fee	Support
0	\$ -	\$ -

**asyst<sup>DL</sup>**

CRM - Customer Relationship Management

Number of Licenses	License/Support Fee	
	Monthly	Annual
	\$ -	\$ -

**eCommerce**

asyst:Pay for PayPal  
 asyst:JUSTIncase.net - Homestown

	License Fee	Support	Support	
			Monthly	Annual
8	\$ 195	\$ 120		
			\$ -	\$ -

asyst:Bill for Utility Billing  
 asyst:Bill for Tax Billing  
 asyst:Cert for Tax Certificates

# Bills/Certs	Cert Charge	Annual	
		Support	Processing
80		\$ 180.00	\$ 6.40
		\$ -	\$ -
		\$ -	\$ -

**Hardware**

Cash Receipts Equipment  
 MS Cash Drawer  
 Ithica Receipt Printer  
 Symbol Scanner

Units	Total
	\$ -
	\$ -
	\$ -

Meter Readers  
 Meazura Palm Pilot

Units	Total
	\$ -



Willcox, AZ  
**asyst for MS Office Price Quote**  
**Total asyst Price Quote Summary**

**asyst:Software**

License Fees	\$ 16,290
Annual Support Fees	\$ 5,840

**asyst:JUSTIncase Remote Backup**

License Fees	\$ -
Annual Storage & Support Fees	\$ -

**asyst<sup>SM</sup>**

Annual License & Support Fees	\$ -	
Monthly License & Support Fees		\$ -

**eCommerce**

**asyst:Pay for PayPal**

License Fees	\$ 195	
Annual Support Fees	\$ 120	
		\$ 186

**asyst:Bill - Monthly Charge**

**asyst:JUSTinter.net - Hometown**

Annual Hosting Fees	\$ -	
Monthly Hosting Fees		\$ -
Website Setup Fee	\$ -	

**Hardware**

Cash Receipt Equipment	\$ -
Meter Readers	\$ -

**Services**

Training	\$ 3,400
Quick Starts	\$ 2,090
Conversions	\$ -

<b>Total Quote</b>	<b>\$ 27,935</b>
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CITY OF WILLCOX  
REQUEST FOR COUNCIL ACTION

Agenda Item 13  
Tab Number 8  
Date: 3/19/2012

<u>Date Submitted:</u>	<u>Action:</u>	<u>Subject:</u>
March 14, 2012	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal	CITY OF WILLCOX EMPLOYEE-FUNDED 457(b) DEFERRED COMPENSATION PLAN WITH HARTFORD

TO: Mayor and Council  
FROM: Finance Director Ruth Graham

**DISCUSSION:**

On November 7, 2011, the Mayor and Council approved the City's participation in the Strategic Alliance for Volume Expenditures (S.A.V.E.) Consortium of Municipalities, Counties, Higher Education institutions, Political Agencies, and School Districts in the State of Arizona pooling their resources for achieving a common goal. The program allows participants to benefit from the combined procurement efforts and buying power of the group. The program is not in competition with the State Procurement Office; their website includes a link to the S.A.V.E. program. Under this program, a "lead" agency negotiates a contract through its full procurement process, including competitive bids, publication, notices and other state requirements. The state procurement requirements satisfy the City's requirements. That contract is then available for the use of other entities without having to go through the same competitive bidding and procurement process. There is no fee for the City to participate in the S.A.V.E. program, and there is no requirement for the City to use the programs and services offered through the program. We can choose to participate with the approved vendors that will benefit the City, and there is no fee to the City for such participation.

The City has offered employees the opportunity to participate in an employee-funded 457(b) Deferred Compensation Program for several years. Since 2004, a program has been offered through Lord Abbett. The plan was for the City of Willcox only, and carried high fees because of the small contributed balances. Only Lord Abbett funds were available for investment, and each contribution was subject to an up-front fee of 4%, plus ongoing plan maintenance fees. The benefit of the Lord Abbett plan was that it was offered by Edward Jones, a local investment provider; Tammy Pacquette is our local agent. Tammy introduced the City to the S.A.V.E. program and recommended an alternative deferred compensation plan through The Hartford that offers employees a lower cost structure and more investment choices.

The Hartford 457(b) plan uses the buying power of the consortium. There are no upfront investment fees for employees when contributions are made, and the maintenance fees are lower. Employees have a large range of investment options available, including Lord Abbett funds, and Tammy will continue as our local agent. The Lord Abbett program has been discontinued, and The Hartford program has been available to employees since February 1, 2012.

The Hartford has provided a standard 457(b) plan document and Board Resolution for the City's use in implementing the plan; no City-specific modifications have been made. A copy of the 457(b) Plan Document Certification is attached for your information.

The deferred compensation plan will continue to be funded solely by employee contributions. There is no cost to the City to offer the plan, and it is a benefit to the employees to provide a vehicle for retirement savings with tax-deferred contributions.

**RECOMMENDATION:**

Motion to approve Resolution No. 2012-\_\_\_ approving and adopting the City of Willcox 457(b) Plan offered through The Hartford, and authorizing the Mayor to execute the City of Willcox 457 Plan, Effective Date February 1, 2012, and the 457(b) Plan Document Certification.

**FINANCIAL IMPACT: \$ 0.**

Submitted by:

Approved by:

\_\_\_\_\_  
Ruth Graham, Finance Director

\_\_\_\_\_  
Pat McCourt, City Manager

**RESOLUTION NO. 2012-17**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“EMPLOYER”] RATIFYING, APPROVING AND ADOPTING THE CITY OF WILLCOX 457(b) PLAN OFFERED THROUGH THE HARTFORD AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the CITY and the S.A.V.E. have the authority to enter into agreements for cooperative procurement services pursuant to A.R.S. Section 11-952 and Section 41-2632 et seq. if authorized by their legislative or governing bodies; and

**WHEREAS**, the EMPLOYER and the S.A.V.E have entered into such an Agreement pursuant to Resolution 2011-88; and

**WHEREAS**, the EMPLOYER approved and adopted the City of Willcox employee-funded 457(b) Deferred Compensation Program through Lord Abbett as of 2004; and

**WHEREAS**, the Mayor and Council of the City of Willcox (“CITY”) desire to ratify the approval and adoption of the 457(b) Plan offered through The Hartford with the retroactive effective date of February 1, 2012; and

**WHEREAS**, it is the desire of the EMPLOYER to formally Adopt and Approve this Resolution at the Council Meeting on March 19<sup>th</sup>, 2012 for the purpose of ratifying participation by its employees in The Hartford Plan effective February 1, 2012; and

**WHEREAS**, the Mayor and Council have determined that formal action on this Resolution is in the best interest of the CITY, its citizens and its affected taxpayers; and,

**WHEREAS**, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely implementation of this Plan, and that this Resolution shall be effective immediately upon its passage and adoption.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, AS FOLLOWS:**

**Section 1:** The CITY formally adopts Resolution 2012-17 for the purpose of ratifying, approving and adopting the EMPLOYER 457(b) Plan effective February 1, 2012 for the employees of the CITY under The Hartford Retirement Plan (“PLAN”) option.

**Section 2:** The CITY formally declares the intention of the EMPLOYER to continue the Deferred Compensation Plan with CONTRACTOR, but reserves the right to terminate or amend the Plan at any time.

**Section 3:** The CITY is authorized and empowered by Arizona State Statutes to take such actions and to execute such documents as deemed necessary or desirable in order to carry out the intent of this Resolution as required by the Plan to make the Plan fully effective in accordance with its terms and intent.

**Section 4:** That the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

**Section 5:** That the Mayor is authorized and empowered to execute this Resolution and The Hartford Documents and the City Clerk is authorized to attest and certify as to the approval and adoption of this Resolution as may be required under the Plan.

**PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this \_\_\_\_\_ day of March, 2012.**

**APPROVED/EXECUTED:**

\_\_\_\_\_  
MAYOR, GERALD W. LINDSEY

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Clerk, Cristina Garcia Whelan, CMC

\_\_\_\_\_  
City Attorney, Hector M. Figueroa, Esq.

**RESOLUTION NO. 2012-17**

## **CERTIFICATION**

**I DO HEREBY CERTIFY** that I am the City Clerk for the City of Willcox, Cochise County, Arizona (“CITY”), and I am the custodian of Records and seal.

**I FURTHER CERTIFY** that the above is true, correct and correct extract of resolutions adopted at a duly called and held meeting of the Mayor and Council, and that said resolutions are still in effect and have not been modified or revised and are not in conflict with the laws of this municipal corporation.

**IN WITNES WHEREOF**, I have set my hand and the seal of the CITY as authorized at the City Council meeting held on \_\_\_\_ day of \_\_\_\_\_, 2012.

**SEAL**

\_\_\_\_\_  
**Cristina Garcia Whelan, CMC**  
**City Clerk**



## 457(b) PLAN DOCUMENT CERTIFICATION

**This form must be submitted to The Hartford along with your signed Specimen document.**

Employer Name: City of Willcox																	
Plan Name: City of Willcox 457 Plan																	
Effective Date of Plan: February 1, 2012	Hartford Group Number: 753131																
<p>Please select one of the following below:</p> <p><input checked="" type="checkbox"/> I, the undersigned employer representative, certify that the employer has adopted The Hartford's specimen 457(b) Plan Document without any modifications and have provided The Hartford with a copy of the adopted plan document.</p> <p><input type="checkbox"/> I, the undersigned employer representative, certify that the employer has adopted The Hartford's specimen 457(b) Plan Document <u>with</u> modifications and have provided The Hartford with a copy of the adopted document. I understand that the modifications will need to be approved by The Hartford to ensure that they conform to our Contract and Administrative Services Agreement with The Hartford, and their record keeping system and product. The provisions we have modified are as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black; width: 50%;"><u>Plan Selections</u></th> <th style="text-align: left; border-bottom: 1px solid black; width: 50%;"><u>Modifications</u></th> </tr> </thead> <tbody> <tr><td style="border-top: 1px solid black; height: 20px;"> </td><td style="border-top: 1px solid black; height: 20px;"> </td></tr> <tr><td style="border-top: 1px solid black; height: 20px;"> </td><td style="border-top: 1px solid black; height: 20px;"> </td></tr> <tr><td style="border-top: 1px solid black; height: 20px;"> </td><td style="border-top: 1px solid black; height: 20px;"> </td></tr> <tr><td style="border-top: 1px solid black; height: 20px;"> </td><td style="border-top: 1px solid black; height: 20px;"> </td></tr> <tr><td style="border-top: 1px solid black; height: 20px;"> </td><td style="border-top: 1px solid black; height: 20px;"> </td></tr> <tr><td style="border-top: 1px solid black; height: 20px;"> </td><td style="border-top: 1px solid black; height: 20px;"> </td></tr> <tr><td style="border-top: 1px solid black; height: 20px;"> </td><td style="border-top: 1px solid black; height: 20px;"> </td></tr> </tbody> </table>		<u>Plan Selections</u>	<u>Modifications</u>														
<u>Plan Selections</u>	<u>Modifications</u>																
Name of Authorized Signer: (please print)																	
GERALD W. LINDSEY, MAYOR																	
Signature:	Date:																



**CITY OF WILLCOX  
EXECUTIVE SESSION**

**AGENDA**

**MONDAY, MARCH 19, 2012**

**7:00 p.m.**

**300 W. REX ALLEN DRIVE**

**Willcox, Arizona**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. CONSIDERATION OF ARIZONA REVISED STATUTES 38-431.03(A)(3) – DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY**

Consideration and/or discussion pursuant to Arizona Revised Statutes §38-431.03(A)(3), as stated relating to consultation with the City Attorney(s) of the public body.

**4. ADJOURN**

*"Mine, Yours, Ours"*





## NOTICE OF EXECUTIVE SESSION

### CITY COUNCIL

In accordance with Resolution No. 370 of the City of Willcox, and Section 38-431.01 of the Arizona Revised Statutes **NOTICE IS HEREBY GIVEN** that the **MAYOR AND COUNCIL** of the City of Willcox, County of Cochise, Arizona, will hold an **EXECUTIVE SESSION**, if approved, during the **REGULAR** meeting on **MONDAY**, the **19<sup>TH</sup>** day of **MARCH** 2012 at **7:00 p.m.**, in the **CITY COUNCIL CHAMBERS, 300 W. REX ALLEN DRIVE, Willcox, AZ**

Item for Consideration and Discussion are:

**A.R.S. §38.431.03A(3) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY,**

Consideration and/or discussion regarding consultation for legal advice with the Attorney or Attorney's of the public body.

**DATED AND POSTED this 15<sup>th</sup> day of MARCH 2012, at 3:00 P.M.**

CITY OF WILLCOX, ARIZONA

*Cristina Garcia Whelan, CMC*

Is/ Cristina Garcia Whelan, CMC  
City Clerk Cristina Garcia Whelan, CMC

**"Mine, Yours, Ours"**

