

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

Monday, April 2, 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- 30

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. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

Public Hearing: The Mayor and Council will hold (1) a Public Hearing on Monday, April 2, 2012 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive, to discuss the potential CDBG projects. (See attached for Ad and project names and descriptions.); and **Tab 1**

(2) In accordance with ARS §9-499.15, Public Notice: The Mayor and Council will hold public hearings on Monday, May 7, 2011 and Monday, May 21, 2011 at 7:00 p.m. in the City Council Chambers, 300 W. Rex Allen Drive, Willcox, AZ, regarding the Notice of Intention to Increase Utility Rates and to consider the implementation of revised FY13 Utility Rate Schedules for the Gas, Water, Wastewater, and Solid Waste utilities.

Proclamation: Mayor Lindsey proclaims (1) April is **Fair housing Month**; and (2) **National Library Week** **Tab 2**
April 8-14, 2012.

8. 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 on the City's web site or 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.

- 8A. ACCEPT A \$50.00 DONATION TO THE WILLCOX DEPARTMENT OF PUBLIC SAFETY FROM PRIVATE DONOR** Tab 3
- 9. DISCUSSION/DECISION REGARDING APPOINTMENT TO THE PARKS & RECREATION ADVISORY COMMITTEE TO FILL UNEXPIRED TERM VACATED BY TIMOTHY ATWELL, TERM TO EXPIRE 12-31-2014** Tab 4
Consideration, discussion and/or decision regarding appointment to the P&R Advisory Committee to fill the unexpired term vacated by Timothy Atwell, term to expire 12-31-2014.
- 10. DISCUSSION/DECISION REGARDING ACCEPTING THE LETTER OF RESIGNATION FROM SHARON RAE NIGH FROM THE PARKS & RECREATION ADVISORY COMMITTEE** Tab 5
Consideration, discussion and/or decision regarding the acceptance of the letter of resignation from Sharon Rae Nigh from the P&R Advisory Committee.
- 11. DISCUSSION/DECISION REGARDING ACCEPTING THE LETTER OF RESIGNATION FROM WILLIAM M. NIGH FROM THE PARKS & RECREATION ADVISORY COMMITTEE** Tab 6
Consideration, discussion and/or decision regarding the acceptance of the letter of resignation from William M. Nigh from the P&R Advisory Committee.
- 12. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-18 THE INTERGOVERNMENTAL AGREEMENT [IGA] AMENDMENT FOR THE OPERATION OF THE ANIMAL SHELTER BETWEEN THE CITY OF WILLCOX ["CITY"] AND COCHISE COUNTY ["COUNTY"] FOR FY2013 THROUGH FY2014 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE IGA AMENDMENT AND DECLARING AN EMERGENCY TO EXIST** Tab 7
Consideration, discussion and/or decision regarding Resolution No. 2012-18, as stated, relating to the IGA for the Operation of the Animal Shelter between the City and County for FY2013 through FY2014.
- 13. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-19 THE COURT CONSOLIDATION AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND COCHISE COUNTY ["COUNTY"] FOR THE PURPOSE OF CONTINUING THE CONSOLIDATED COURT FOR THE PERIOD OF JULY 1, 2012 THROUGH DECEMBER 31, 2014, AUTHORIZING THE MAYOR OR VICE MAYOR TO EXECUTE THIS RESOLUTION AND THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.** Tab 8
Consideration, discussion and/or decision regarding Resolution NO. 2012-19, as stated, relating to the Court Consolidation between the City and County of continuing the Consolidated Court for the period of July 1, 2012 through December 31, 2014.
- 14. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-20 FOR THE PURPOSE OF APPROVING THE APPOINTMENT OF TREVOR J. WARD TO THE JUDICIAL POSITION OF CITY MAGISTRATE AND JUVENILE HEARING OFFICER FOR FY 2013 AND FY 2014 AND AUTHORIZING THE MAYOR OR VICE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 9
Consideration, discussion and/or decision regarding Resolution No. 2012-20, as stated, relating to approving the appointment of Trevor J. Ward to the Judicial Position of City Magistrate and Juvenile hearing Officer for FY2013-FY2014.
- 15. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-21 FOR THE PURPOSE OF APPROVING THE JUDICIAL SERVICES AGREEMENT WITH JUDGE TREVOR J. WARD FOR CONTRACT PERIOD BEGINNING JULY 1, 2012 AND TERMINATING DECEMBER 31, 2014, AUTHORIZING THE MAYOR OR VICE MAYOR TO** Tab 10

EXECUTE THIS RESOLUTION AND THE JUDICIAL SERVICES AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.

Consideration, discussion and/or decision regarding Resolution NO. 2012-21, as stated, relating to the Judicial Services Agreement with Judge Trevor J. Ward for contract period beginning July 1, 2012 and terminating December 31, 2014.

16. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-22 THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILLCOX [CITY] AND THE WILLCOX UNIFIED SCHOOL DISTRICT #13 [SCHOOL] FOR THE PURPOSE OF CONTINUING A SCHOOL SAFETY PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE IGA AND DECLARING AN EMERGENCY TO EXIST** Tab 11
Consideration, discussion and/or decision regarding Resolution No. 2012-22, as stated, relating to the IGA between the City and School for continuing a School Safety Program.
17. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-23 APPROVING AND ADOPTING THE JOINT EXERCISE OF POWERS AGREEMENT WITH THE NATIONAL JOINT POWERS ALLIANCE, ["NJPA"] FOR THE PURPOSE OF UTILIZING THE PROCUREMENT UNIT TO MAKE PURCHASES FOR THE CITY FOR THE SKATE PARK PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 12
Consideration, discussion and/or decision regarding Resolution NO. 2012-23, approving and adopting the Joint Exercise of Powers Agreement with NJPA for the purpose of utilizing the Procurement Unit to make purchases for the City for the Skate Park Project.
18. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-24 APPROVING AND AWARDDING THE BID PURCHASE TO AMERICAN RAMP COMPANY, INC. ["ARC"] UNDER THE NJPA COOPERATIVE PURCHASING AGREEMENT TO BE USED FOR THE COMMUNITY SKATE PARK PROJECT AND DECLARING AN EMERGENCY TO EXIST.** Tab 13
Consideration, discussion and/or decision regarding Resolution NO. 2012-24, as stated, awarding bid purchase to ARC under the NJPA Cooperative Purchsing Agreement for the Skate Park Project.
19. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-25 AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR FY 2012 STATE SPECIAL PROJECT AND FOR FY2012 REGIONAL ACCOUNT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, CERTIFYING THAT SAID APPLICATIONS MEET THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.** Tab 14
Consideration, discussion and/or decision regarding Resolution NO. 2012-25, as stated, authorizing the submission of applications for FY2012 SSP and FY2012 Regional Account CDBG Funds.
20. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-26 APPROVING THE FORMATION OF THE STEERING COMMITTEE AND THE TECHNICAL GROUP UNDER THE BORDER ENVIRONMENT COOPERATION COMMISSION ["BECC"] TO PREPARE A PUBLIC PARTICIPATION PLAN ("PPP") AND CONDUCT PUBLIC MEETINGS FOR THE GRANT APPLICATION SUBMITTAL FOR THE UPGRADES AT THE WASTE WATER TREATMENT PLANT ("WWTP") AND DECLARING AN EMERGENCY TO EXIST.** Tab 15
Consideration, discussion and/or decision regarding Resolution NO. 2012-26, as stated, approving the formation of the Steering Committee and the Technical Group under BECC to prepare a PPP and conduct public meetings for the Grant Application Submittal for the upgrades at the WWTP.
21. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-27 RATIFYING, APPROVING AND AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY ("GOHS") FOR THE 2013 GRANT FUNDING CYCLE, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 16
Consideration, discussion and/or decision regarding Resolution NO. 2012-27, as stated, ratifying, approving and authorizing the submittal of a Grant Application to GOHS for the 2013 Grant Funding Cycle.
22. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-28 APPROVING AND ADOPTING A NOTICE OF INTENTION TO INCREASE RATES AND CHARGES OF THE GAS, WATER, WASTEWATER, AND SOLID WASTE UTILITIES OF THE CITY OF WILLCOX.** Tab 17

Consideration, discussion and/or decision regarding Resolution NO. 2012-28, as stated, approving and adopting a Notice of Intention to increase rates and charges of the Gas, Water, Wastewater and Solid Waste Utilities of the City.

- 23. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-29 APPROVING AND AUTHORIZING THE WILLCOX DEPARTMENT OF PUBLIC SAFETY TO SUBMIT THE OPERATIONS PLAN FOR PARTICIPATION IN THE FY2012 STONEGARDEN GRANT FUNDING THROUGH THE US DEPARTMENT OF HOMELAND SECURITY FOR THE PURPOSE OF COLLABORATIVE LAW ENFORCEMENT ACTIVITIES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. Tab 18**

Consideration, discussion and/or decision regarding Resolution No. 2012-29, as stated, approving and authorizing the WDPS to submit the Operations Plan for Participation in the FY2012 Stonegarden Grant Funding through USDHS for the purpose of Collaborative Law Enforcement Activities.

- 24. REPORTS BY THE CITY MANAGER PAT MCCOURT Tab 19**

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

- **Report on City Election** – General Election to 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 name(s) will not appear on ballot. County Voter Registration ends April 14, 2012. Request for early Ballots begins April 19, 2012 by calling Cochise County Elections at 1-520-432-8354 or 1-888-457-4513.
- **Library Update**
- **Report City Clean Up April 28 2012**
- **Report on fire**
- **Budget Revised Schedule and Work Session Monday, April 16, 2012**-at 6:00 p.m. has been changed from Budget to Presentation by Severn Trent regarding Private Operations of Wastewater Treatment Plant

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

- 26. 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 20**

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.

- 27. RECESS TO EXECUTIVE SESSION, IF APPROVED**

- 28. RECONVENE FROM EXECUTIVE SESSION**

- 29. 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.

- 30. ADJOURN**

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.
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.

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.



NOTICE OF PUBLIC HEARING
MAYOR AND 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 a **PUBLIC HEARING**, during the **REGULAR** meetings, on **MONDAY** the **2ND** day of **APRIL**, 2012 at **7:00 p.m.**, in the **CITY COUNCIL CHAMBERS, 300 W. REX ALLEN DRIVE, WILLCOX, AZ.**

Public Hearing on:

USE OF CDBG FUNDS

All members of the public are invited to attend such meeting. For those persons unable to attend, written comments will be accepted until 4 p.m. the day of the public hearing in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, Willcox, AZ 85643.

DATED AND POSTED this 30th day of MARCH 2012 AT 11:00 A.M.

CITY OF WILLCOX, ARIZONA

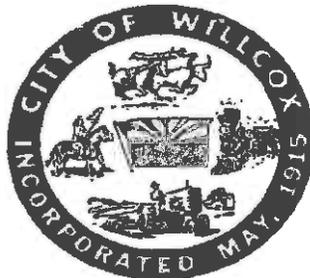
Cristina G. Whelan, CMC

Is/Cristina G. Whelan, CMC .

CITY CLERK

Publichearing/use of cdbg funds

TAB 1



NOTICE OF PUBLIC HEARING
MAYOR AND 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 a **PUBLIC HEARINGS**, during the **REGULAR** meetings, on **MONDAY** the **7TH AND 21ST** day of **APRIL**, 2012 at **7:00 p.m.**, in the **CITY COUNCIL CHAMBERS, 300 W. REX ALLEN DRIVE, WILLCOX, AZ.**

Public Hearing on:

The Notice of Intention to Increase Utility Rates and to consider the implementation of revised FY13 Utility Rate Schedules for the Gas, Water, Wastewater, and Solid Waste utilities.

All members of the public are invited to attend such meeting. For those persons unable to attend, written comments will be accepted until 4 p.m. the day of the public hearing in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, Willcox, AZ 85643.

DATED AND POSTED this 30th day of MARCH 2012 AT 11:00 A.M.

CITY OF WILLCOX, ARIZONA

/s/Cristina G. Whelan, CMC .
CITY CLERK

Publichearing/notice of intention utility rates

**PUBLIC HEARING
CITY OF WILLCOX**

NOTICE IS HEREBY GIVEN that the Mayor & Council of the City of Willcox will hold Public Hearings at 7:00 p.m. on Monday, May 7 and Monday, May 21, 2012 at the City Council Chambers, 300 W. Rex Allen Dr., Willcox, AZ 85643, for the purpose of hearing public comments and/or views concerning:

**PROPOSED FY13 UTILITY RATE INCREASES AND/OR DECREASES FOR THE
GAS, WATER, WASTE WATER, AND SOLID WASTE UTILITIES**

All members of the public are invited to attend such public hearings, if unable to attend, to submit written comments to the Office of the City Clerk, 101 S Railroad Ave, Willcox, AZ 85643, prior to 4:00 p.m. on the day of the public hearing.

/s/ Cristina Garcia Whelan, CMC, City Clerk

**Publish: April 4 and 11, 2012
Arizona Range News**

TAB 2

PROCLAMATION

WHEREAS, The Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services on the basis of race, color, religion, sex, disability, familiar status or national origin; and

WHEREAS, the 1968 and 1988 Federal Fair Housing Acts declare that it is a national policy to ensure equal opportunities in housing; and

WHEREAS, April has traditionally been designated as Fair Housing Month in the United States.

NOW, THEREFORE, I, GERALD W. LINDSEY, MAYOR of the City of Willcox, Cochise County, Arizona, do hereby proclaim April 2012, to be

*** * * * * FAIR HOUSING MONTH * * * * ***

in the City of Willcox, and do hereby urge all citizens of this community to comply with the letter and spirit of the Fair Housing Law.

In witness whereof, I have hereunto set my hand and caused the Seal of the City of Willcox to be affixed this 2nd day of April 2012



Mayor Gerald W. Lindsey

Attest _____
Cristina Garcia. Whelan, CMC
City Clerk

"Mine, Yours, Ours"

PROCLAMATION

WHEREAS, libraries provide free access to all – from books and online resources for families to library business centers that help support entrepreneurship and retraining; and

WHEREAS, our nation's school, academic, public and special libraries make a difference in the lives of millions of Americans today, more than ever; and

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy; and

WHEREAS, libraries are helping level the playing field for job seekers, with 88% of public libraries providing access to job databases and other online resources; and

WHEREAS, libraries are places of opportunity providing programs that teach all forms of literacy, promoting continuing education and encouraging lifelong learning; and

WHEREAS, in times of economic hardship, Americans turn to – and depend on – their libraries and librarians; and

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that I, Gerald W. Lindsey, Mayor of the City of Willcox, Cochise County, AZ do hereby proclaim April 8-14, 2012 as

***** NATIONAL LIBRARY WEEK *****

I encourage all residents to visit the library this next week to take advantage of the wonderful library resources available at your library. Create your own story at your library.



In witness whereof, I have hereunto set my hand and caused the Seal of the City of Willcox to be affixed this 2nd day of April 2012.

MAYOR GERALD W. LINDSEY

Attest: _____

City Clerk Cristina Garcia Whelan, CMC

"Mine, Yours, Ours"

**CITY OF WILLCOX
Request for Council Action**

Agenda Item: 8A.
Tab Number: 3
Date: 04-02-2012

Date Submitted:
March 26, 2012
Date Requested:
April 2, 2012

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject:
Request to accept a
\$50.00 donation to the
Willcox Department of
Public Safety from
private donor

To: Honorable Mayor and City Council
From: Chief Jake Weaver

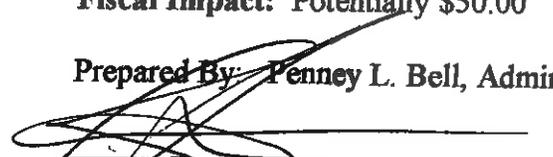
Discussion: The Willcox Department of Public Safety has received a \$50 (CASH) donation for appreciation from Cindy Keen, 12149 Indiana Ave #129, of Riverside, CA to be used as needed.

Recommendation: To accept this \$50 CASH donation to be used as needed by the Willcox Department of Public Safety.

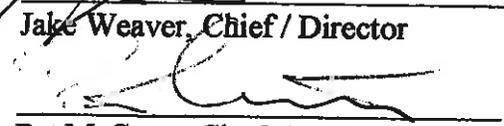
Motion:

Fiscal Impact: Potentially \$50.00

Prepared By: Penney L. Bell, Administrative Assistant

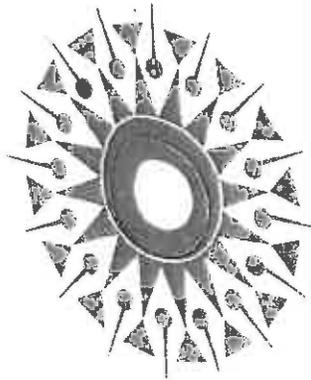
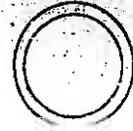
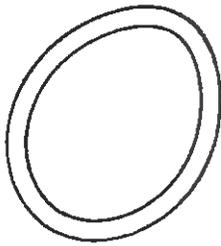


Jake Weaver, Chief / Director



Pat McCourt, City Manager

Thanks
it was
so nice
of you!



I wish to send my
depest gratitude to
Sgt Riis and the entire
police dept for all your
help and kindness with
handlings of my dads
death and protecting
his property until I could
get here. Please find
enclosed a donation
to your dept from
myself and my father.
James Doyle Carlisle in
the amount of \$50.00.
May God Bless you and
Keep you all Safe! Thank ^{you}
Cindy Keen

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: _____
Tab Number: 4
Date: 04-02-2012

Date Submitted:
03-28-2012

Date Requested:
04-06-2012

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject: Appointment to the Parks and Recreation Advisory Committee, to fill 1 vacancy, term expiring December 31, 2014.

TO: MAYOR AND COUNCIL

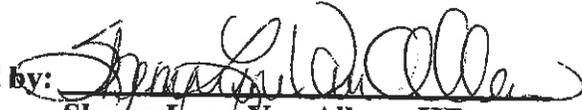
FROM: Sherry Lynn Van Allen, Human Resources

DISCUSSION: In accordance with the Willcox City Code Title 2-Chapter 2-2-3 Appointment; Terms; Vacancies; Removals: vacancies shall be filled by appointment by the Mayor and City Council. There is one (1) vacancy to fill which was vacated by the resignation of Timothy Atwell whose term expires December 31, 2014. City staff has advertised for the vacancy. Staff received 1 letter of interest in response to the advertisement. Currently there are 3-members that live in the City and 1-member that lives in the County. The Committee must have 3-members residing in the City at all times and may have 2-members reside in the County.

A letter was received for consideration for appointment to the Parks and Recreation Advisory Committee from Cody Bowman a resident of Willcox residing in Cochise County.

RECOMMENDATION: For the Mayor and Council to appoint Cody Bowman, if so desired, to the Parks and Recreation Advisory Committee to fill the unexpired term.

FISCAL IMPACT: -0-

Prepared by: 
Sherry Lynn Van Allen - HR

Approved by: 
Pat McCourt, City Manager

Cody Bowman

P.O.Box 632
Willcox, Az 85644
520-507-1964

March 15, 2012

I Cody Bowman am interested in volunteering for the Parks and Recreation committee.

I have the ability to help out in town and around the community and that is very appealing and rewarding concept.

I do have experience in the field of volunteering as it is listed as follows:

Patagonia State Park, Az, my responsibilities for the state park were maintaining park grounds, law enforcement and answering guest questions about the area.

Checks Dream Ranch; I was caretaker, Lead trainer for horses and clients. I assessed horse personalities so we could place them with the proper clients that were interested in adoption.

At present I am employed with the Holiday Inn Express in Willcox. I am an executive Housekeeping manager and keep up with the maintenance. This position enables me to work with the public on a daily basis. A few of the duties I am responsible for are scheduling nine employees, assist with orders and oversee the maintenance of each room.

Another position I held was in the state of Utah as a landscape and yard maintenance person. I was instructed on the care and feeding of many plants and also learned the art of pruning and sculpting. Upon the completion of training, I was given a crew and a set of job sites.

I began a college tour for business in agriculture and had exposure to soil sciences.

Dedication, Dependability is what I feel is necessary to succeed in anything you do.

MAR 15 REC'D



**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 10
Tab Number: 5
Date: 04-02-2012

Date Submitted:
3-22-12

Date Requested:
4-2-12

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject: Accept letter of resignation from Sharon Rae Nigh from the Parks & Recreation committee

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: Attached is a letter of Sharon Rae Nigh from the Parks & Recreation committee.

RECOMMENDATION: Accept the Resignation

FISCAL IMPACT: None

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

March 14, 2012

Mayor Sam Lindsey and the
Willcox City Council
150 Railroad Avenue
Willcox AZ 85644

RE: Parks and Recreation Committee

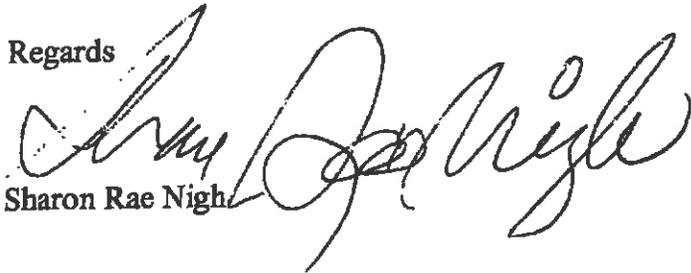
Gentlemen:

It has been a pleasure to serve as the Chairman and Member for the last 18 months, but I have to tender my resignation effective immediately.

I look forward to serving the City in other endeavors in the future.

Regards

Sharon Rae Nigh



RECEIVED

MAR 14 REC'D

SAU

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: _____
Tab Number: _____
Date: 04-02-2012

Date Submitted:
3-22-12

Date Requested:
4-2-12

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: Accept letter of
resignation from
William M. Nigh from
the Parks & Recreation
committee**

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: Attached is a letter of William M. Nigh from the Parks & Recreation committee.

RECOMMENDATION: Accept the Resignation

FISCAL IMPACT: None

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

March 14, 2012

Mayor Sam Lindsey and the
Willcox City Council
150 Railroad Avenue
Willcox AZ 85644

RE: Parks and Recreation Committee

Gentlemen:

It has been a pleasure to serve as a Member for the last 18 months, but I have to tender my resignation effective immediately.

I look forward to serving as a new Willcox City Council Member.

Regards


William M. Nigh

Received
MAR 14 REC'D


13

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 12
Tab Number: 7
Date: 04-02-2012

Date Submitted:
3-20-12

Date Requested:
4-2-12

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: IGA with the
Cochise County on
operation of the Animal
Control Facility**

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The City has an Intergovernmental Agreement with Cochise County on the operation of the Animal Control Facility at Willcox. The County owns the facility; the City operates the facility. The costs of operating the facility are shared by the County and City based on the number of animals placed in the facility less any income for redemptions/adoptions.

The costs are recalculated every two (2) years. The last adjustment was approved by Resolution 2010-59, on 6-7-10 for the amount of \$26,042. This proposed amount for the next two (2) Fiscal Years is \$29,668.94. This has been discussed with the County Manager and he is in agreement.

RECOMMENDATION: Approve the proposed Resolution

FISCAL IMPACT: General Fund FY 13 \$29,668.94
General Fund FY 14 \$29,668.94

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

RESOLUTION NO. 2012-18

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT [IGA] AMENDMENT FOR THE OPERATION OF THE ANIMAL SHELTER BETWEEN THE CITY OF WILLCOX ["CITY"] AND COCHISE COUNTY ["COUNTY"] FOR FY2013 THROUGH FY2014 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE IGA AMENDMENT AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the CITY shall have control of the of the finances and property of the corporation such as an Animal Shelter pursuant to A.R.S. §§ 9-240(A); and

WHEREAS, the CITY is empowered to prohibit the roaming at large of animals; to authorize impounding and summary sale thereof; to impose penalties upon owners thereof for violations of any ordinance that regulates, restrains and authorizes such actions by the City pursuant to A.R.S. §§ 9-240(B)(16); and

WHEREAS, the CITY and the COUNTY entered into an IGA on March 15, 2002 [Fee No. 020307923] and subsequent Amendments approved and adopted on June 20, 2006, July 8, 2008 and June 7,2010 regarding the operation of the Animal Shelter in the Willcox area; and

WHEREAS, the CITY and the COUNTY desire to approve and adopt another Amendment to the FY2002 IGA amending the amount of shared contribution to the operation of the facility in the annual amount of \$29,668.94 and providing for further adjustments every two years as provided in the original IGA; and

WHEREAS, the Mayor and Council desire to have this Resolution presented at the April 2, 2012 Council Meeting and have determined that approval of the Animal Shelter IGA is in the best interest of the CITY and its residents; 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 the IGA Amendment, 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: That the approval of the Animal Shelter IGA Amendment, as described above, is in the best interest of the CITY and its residents.

Section 2: That the CITY formally approves and adopts the IGA Amendment, by reference, as if set forth herein in full.

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 4: That the Mayor or Vice Mayor are authorized and empowered to execute this Resolution and to execute the IGA Amendment on behalf of the CITY.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, this ____ day of April 2012.

APPROVED/EXECUTED:

MAYOR, GERALD W. LINDSEY (or)
VICE MAYOR, MONICA CRONBERG

ATTEST:

City Clerk, Cristina Garcia Whelan, CMC

APPROVED AS TO FORM:

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2012-18

City of Willcox and Cochise County
Humane Expense
FY11 Budget Planning

Acct No	Account Description	6/30/2009 YTD Actual	6/30/2010 YTD Actual	6/30/2011 YTD Actual	12/31/2011 Actual	FY 2012 Projected	6/30/2012 Budget	Hourly rate \$ 10,2929	Hours/wk 35.00	Cost/wk \$ 360.25	cost/year \$ 18,733.17	% of Pers. 58.3%
		37,724	39,348	32,114	14,226	32,000	39,336				Actual FY 2011 \$ 18,733.17	
424-1101	SALARIES	1,027	589	1,384	334	1,000	1,508					
424-1104	PAY FOR PERFORMANCE	1,185	1,090	987	399	1,000	1,218					
424-1105	OVERTIME	11,951	13,334	6,854	3,017	6,200	11,155				575.75	
424-1201	INDUSTRIAL INSURANCE	2,828	2,832	2,330	1,039	2,448	3,125				3,998.17	
424-1203	FICA	3,660	3,664	3,308	1,209	3,200.0	4,127				1,359.17	
424-1204	ARS	138	305	178	65	130	269				1,929.67	
424-1205	UNEMPLOYMENT			1,546	50	100	2,612				103.83	
424-1208	Health Reimbur Allowance	159	169	122	69	138	208				901.83	
424-1209	LIFE INSURANCE			177	87	174	350				71.17	
424-2102	BENEFITS FEES	382	437	133		300	500				103.25	
424-2106	UNIFORMS	3,613	4,798	4,875	3,589	8,000	4,000				4,875.00	
424-2115	FEED	513	319	313	75	150	500					
424-2116	EQUIPMENT REPAIR/MAINT	2,043	1,077	412	26	200	1,800					
424-2190	SMALL EQUIP PURCHASES	2,353	3,235	1,205	1,300	3,000	3,000					
424-2404	VETERINARIAN SUPPLIES	9,845	10,636	10,169	2,346	10,000	11,388				1,205.00	
	UTILITIES	1,000	2,413	1,468		2,500	2,500				10,169.00	
# 424-2590	CONTRACT SERVICES	2,969	3,031	2,613	1,577	3,100	3,000				1,468.00	
424-2601	FUEL AND OIL		519	409		400	800					
424-2602	TIRES AND TUBES	1,371	516	1,477	143	500	1,000					
424-2603	VEHICLE REPAIR/MAINT											
424-2700	TRAVEL AND TRAINING	100					500					
424-2804	SUBS/MEMBERSHIPS	579	444	478		400	100					
424-9601	ADVERTISING	849	231	330	714	1,000	400					
424-9690	MISC EXPENSE											
424-9901	CAPITAL PURCHASES											
	TOTAL EXPENDITURES	84,289	89,007	72,882	30,434	75,940	94,396					

Facility cash operating costs	\$ 45,493.00
Non-cash costs	12,000
Total Facility costs	\$ 57,493.00
County Portion	\$ 41,535.88
City Portion	\$ 15,957.12

Contract services expense include veterinarian services and a septic flush at the facility.
* Includes a one time settlement = \$5124.94

County share of Revenue	\$ 866.94
City Rent	3,330.59
County Rent	8,669.41
Total County Cash payment	\$ 28,668.94

	FY 2009	FY 2010	FY 2011	Actual YTD	FY 2012	FY 2012
City Dogs	129	97	115	48	96	109.25
City Cats	43	19	20	10	20	25.5
County Dogs	280	220	237	179	358	273.75
County Cats	36	58	76	69	138	77
Total	488	394	448	306	612	485.5
City %	35.25%	29.44%	30.13%	18.95%	18.95%	27.75%

City of Willcox and Cochise County
Humane Expense
FY11 Budget Planning

Account No	Account Description	6/30/2006		6/30/2007		6/30/2008		6/30/2009		6/30/2010		Allocation		Hourly rate \$12.5388	Hours/wk 28.00	Cost/wk \$351.09	cost/year \$ 18,256.47	% of Pairs 47%
		YTD Actual		YTD Actual		YTD Actual		YTD Actual		County	City	County	City					
24-1101	SALARIES	34,206		22,687		34,265		37,724		39,121		27,603	11,518				\$ 18,256.47	
24-1104	PAY FOR PERFORMANCE																	
24-1105	OVERTIME	1,492		608		1,338		1,027		1,538		1,085	453					
24-1201	INDUSTRIAL INSURANCE	352		1,080		1,233		1,185		1,260		889	371				588.00	
24-1202	MEDICAL INSURANCE	12,027		6,325		9,725		11,951		13,442		9,484	3,958				6,272.93	
24-1203	FICA	2,755		1,662		2,755		2,828		3,110		2,194	916				1,451.33	
24-1204	ARS	2,745		2,120		3,419		3,660		3,822		2,697	1,125				1,783.60	
24-1205	UNEMPLOYMENT	162		64		129		138		126		89	37				58.80	
24-1206	PSPRS																	
24-1207	LIFE INSURANCE			83		117		159		189		133	56				88.20	
24-2101	OFFICE SUPPLIES																	
24-2102	UNIFORMS																	
24-2106	FEED	160		121		396		382		500		353	147				352.79	
24-2115	EQUIPMENT REPAIR/MAINTENANCE	1,937		3,521		3,929		3,613		3,500		2,470	1,030				2,469.54	
24-2116	SMALL EQUIPMENT PURCHASES	81		248		453		513		500			500					
24-2190	VETERINARIAN SUPPLIES	643		747		764		2,043		1,800			1,800					
24-2404	UTILITIES	2,811		1,901		2,171		2,353		3,000		2,117	883				2,116.75	
24-2590	CONTRACT SERVICES	6,525		7,640		8,547		9,845		9,000		6,350	2,650				6,350.25	
24-2601	FUEL AND OIL	458		37		272		1,000		1,500		1,058	442				1,058.38	
24-2602	TIRES AND TUBES	1,991		1,852		2,622		2,969		3,000			3,000					
24-2603	VEHICLE REPAIR/MAINTENANCE	7				409				800			800					
24-2700	TRAVEL AND TRAINING	843		355		1,248		1,371		1,000			1,000					
24-2804	SUBSCRIPTIONS/MEMBERSHIPS	150		346		263				500			500					
24-9601	ADVERTISING	25				25		100		100			100					
24-9690	MISC EXPENSE	426		441		607		579		600			600					
24-9901	CAPITAL PURCHASES	743		555		550		849		1,000			1,000					
	TOTAL EXPENDITURES	70,539		52,393		87,725		84,289		89,408		56,523	32,885				\$ 40,847.05	
	71% * County portion																	
	29% Willcox portion																	
39-90300	+ Humane Impound Fees	1,400		760		1,164		2,833		1,150		863	288					
	Less:																	
	Fair Market Rent																	\$(12,000.00)
	Projected Fees																	\$ (862.50)
	Total County Portion																	\$ 27,984.55

The wages reflect no increases in FY11.
Contract services expense include veterinarian services and a septic flush at the facility.
* The allocations can be adjusted by changing the percentage in cell A47.
+ Also includes 10-32-50000 for years prior to 2009

FY08/09	City	County	City %	County %
Dogs	129	280	32%	68%
Cats	43	36	54%	46%
Total animals	172	316	35%	65%
FY 09/10 to Date				
Dogs	97	220	31%	69%
Cats	19	58	25%	75%
Total animals	116	278	29%	71%

**CITY OF WILLCOX
EXPENDITURES FOR THE HUMANE SHELTER**

Acct No	Account Description	6/30/2006		6/30/2007		6/30/2008		6/17/2008		6/30/2009		Allocation	
		YTD Actual	Budget	YTD Actual	Budget	YTD Actual	Budget	YTD Actual	Budget	County	City		
10-424-1101	SALARIES	34,206	-	22,687	-	31,994	-	31,994	-	29,341	9,780	-	-
10-424-1104	PAY FOR PERFORMANCE	-	-	-	-	-	-	-	-	-	-	-	-
10-424-1105	OVERTIME	1,492	608	608	2,062	1,392	1,575	1,392	1,538	1,154	385	-	-
10-424-1201	INDUSTRIAL INSURANCE	352	1,080	1,080	1,776	1,163	1,776	1,163	1,260	945	315	-	-
10-424-1202	MEDICAL INSURANCE	12,027	6,325	6,325	12,000	10,253	12,000	10,253	12,414	9,311	3,104	-	-
10-424-1203	FICA	2,755	1,662	1,662	3,434	2,400	3,434	2,400	3,110	2,333	778	-	-
10-424-1204	ARS	2,745	2,120	2,120	4,309	3,205	4,309	3,205	3,842	2,882	961	-	-
10-424-1205	UNEMPLOYMENT	162	64	64	112	129	112	129	112	84	28	-	-
10-424-1206	PSPRS	-	-	-	-	-	-	-	-	-	-	-	-
10-424-1207	LIFE INSURANCE	-	-	-	-	-	-	-	-	-	-	-	-
10-424-2101	OFFICE SUPPLIES	-	83	83	191	125	191	125	181	136	45	-	-
10-424-2102	UNIFORMS	-	-	-	-	-	-	-	-	-	-	-	-
10-424-2106	FEED	160	121	121	500	304	500	304	500	375	125	-	-
10-424-2115	EQUIPMENT REPAIR/MAINTENANCE	1,937	3,521	3,521	4,000	3,704	4,000	3,704	4,000	3,000	1,000	-	-
10-424-2116	SMALL EQUIPMENT PURCHASES	81	248	248	500	210	500	210	500	-	500	-	-
10-424-2190	VETERINARIAN SUPPLIES	643	747	747	1,000	764	1,000	764	2,200	-	2,200	-	-
10-424-2404	UTILITIES	2,811	1,901	1,901	3,500	2,124	3,500	2,124	3,500	2,625	875	-	-
10-424-2590	CONTRACT SERVICES	6,525	7,640	7,640	9,000	8,315	9,000	8,315	9,000	6,750	2,250	-	-
10-424-2601	FUEL AND OIL	458	37	37	1,000	272	1,000	272	1,000	750	250	-	-
10-424-2602	TIRES AND TUBES	1,991	1,852	1,852	2,000	1,906	2,000	1,906	3,000	-	3,000	-	-
10-424-2603	VEHICLE REPAIR/MAINTENANCE	7	-	-	400	409	400	409	800	-	800	-	-
10-424-2700	TRAVEL AND TRAINING	843	355	355	1,000	1,248	1,000	1,248	1,000	-	1,000	-	-
10-424-2804	SUBSCRIPTIONS/MEMBERSHIPS	150	346	346	500	263	500	263	500	-	500	-	-
10-424-9601	ADVERTISING	25	-	-	25	25	25	25	100	-	100	-	-
10-424-9690	MISC EXPENSE	426	441	441	600	572	600	572	600	-	600	-	-
10-424-9901	CAPITAL PURCHASES	743	555	555	600	418	600	418	1,000	-	1,000	-	-
	TOTAL EXPENDITURES	70,539	52,393	52,393	158,711	126,673	107,202	83,868	89,278	59,684	29,595	-	-

75% * County portion
25% Willcox portion

The wages have been adjusted to reflect no increases in FY09; the budget has been reduced.
Contract services expense include veterinarian services and a septic flush at the facility.
* The allocations can be adjusted by changing the percentage in cell A34.

**CITY OF WILLCOX
EXPENDITURES FOR THE HUMANE SHELTER**

Hourly rate	Hours/wk	Cost/wk	cost/year	% of Pers
\$ 12.5388	\$ 28.00	\$ 351.09	\$ 18,256.47	47%

588.00

5,793.20

1,451.33

1,792.93

52.27

84.47

233.33

4,000.00

3,500.00

9,000.00

1,000.00

\$ 45,752.00

County portion @ 75% of cost

\$ 34,314.00

Fair Market Rent

\$ (12,000.00)

Projected Fees

\$ (1,000.00)

Total County Portion

\$ 21,314.00

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 13
Tab Number: 8
Date: 04-02-2012

Date Submitted: 3-20-12
Date Requested: 4-2-12

Action: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal <input type="checkbox"/> Other

Subject: Renewal of the agreement with Cochise County on the operation of the Magistrate Court

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The attached proposed contract between the City of Willcox and Cochise County on the Court Consolidation is the same agreement as previously approved in May of 2011 with two (2) exceptions. The proposed term is extended to December 31, 2014 and the Exhibit "A" is modified to reflect two (2) year reconciliation in 2013.

The Contract expires on June 30, 2012. It is proposed to be extended for two and one half years to correspond to the term of office of the existing Justice of the Peace.

Due to staffing changes in the County the reconciliation for the period Jan 1, 2011 through December 31, 2011 has not been completed. Discussions with the County are to continue with the same City payment and perform two (2) year reconciliation for the period January 1, 2011 through December 31, 2012. City staff is in agreement with this proposal; as costs remained fairly constant in the 2010 calendar year and the City has a slight positive balance (\$1,666.98) on the books at this time. Barring any unusual circumstances the City costs should remain relatively level.

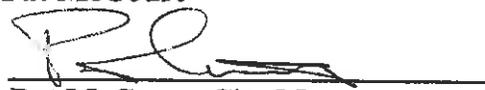
The City has a separate contract for appointment and compensation to the City Magistrate.

RECOMMENDATION: Approve the proposed Court Consolidation Agreement.

FISCAL IMPACT: Cost impact to the City General Fund is \$87,494 to the County per year. There are some small residual amounts being paid to the City for cases filed prior to the consolidation these are diminishing.

Prepared by: Pat McCourt

Approved by:


Pat McCourt, City Manager

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-19**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING THE COURT CONSOLIDATION AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND COCHISE COUNTY ["COUNTY"] FOR THE PURPOSE OF CONTINUING THE CONSOLIDATED COURT FOR THE PERIOD OF JULY 1, 2012 THROUGH DECEMBER 31, 2014, AUTHORIZING THE MAYOR OR VICE MAYOR TO EXECUTE THIS RESOLUTION AND THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the COUNTY and the CITY are authorized and empowered to enter into Intergovernmental Agreements pursuant to A.R.S. Sections 11-951 et seq., 11-952 et seq., and 22-402 et seq.; and

WHEREAS, the CITY is authorized pursuant to A.R.S. Sec. 22-402[C] to establish a municipal court or, in lieu of establishing or maintaining a municipal court, may enter into an Intergovernmental Agreement with the COUNTY and the Willcox Justice Court to provide the services of a municipal court, including the jurisdiction of all cases arising under the City Code and Ordinances of the city; and

WHEREAS, pursuant to Title I, Chapter 8, Section 1-8-2 of the Willcox City Code and A.R.S. Sec. 8-823 et seq., the CITY is empowered to appoint a person to serve as a Magistrate to preside over all judicial matters involving juveniles and adults; and

WHEREAS, the COUNTY and the CITY have determined that it is mutually beneficial to continue the Court Consolidation Agreement as amended for the period of July 1, 2012 through December 31, 2014 pursuant to authority granted by Section VI of that Agreement; and

WHEREAS, the Court Consolidation has and will continue to provide a coordinated and centralized judicial system for cost effective services to the residents of the CITY and the surrounding Willcox Community within Cochise County Justice Precinct Four; and

WHEREAS, the Mayor and Council of the City of Willcox, Cochise County, Arizona has determined that it is in the best interest of the City and its citizens to approve and adopt the Court Consolidation Agreement as amended and as presented to Mayor and Council; and

WHEREAS, the Mayor and Council and the County Board of Supervisors desire to have this item presented to the Willcox City Council at the next Council Meeting on April 2nd, 2012; 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 Consolidated Court Services beginning July 1, 2012, and that this Resolution be effective immediately upon its passage and adoption.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and adopts the Agreement, authorizes the Mayor or Vice Mayor to execute this Resolution and the Court Consolidation Agreement and directs and authorizes City staff to take necessary action to carry out the terms of the Agreement.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this _____ day of April, 2012

APPROVED/EXECUTED

MAYOR, GERALD W. LINDSEY (or)
VICE MAYOR, MONICA CRONBERG

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina Garcia Whelan, CMC

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2012-19

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 14
Tab Number: 9
Date: 04-02-2012

Date Submitted:
3-22-12

Date Requested:
4-2-12

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject: Renewal on the appointment of Trevor Ward as the City Magistrate; proposed expiration 12-31-14

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The City of Willcox currently contracts with Cochise County to provide a consolidated Court Service in Willcox (Justice of the Peace and City Magistrate). Currently, Trevor Ward is appointed by the City Council (Resolution 2010-27) to serve as City Magistrate and Juvenile hearing Officer; that appointment expires June 30, 2012. It is proposed to reappoint and make the expiration coincide with the term of office of the Justice of the Peace which is December 31, 2014.

RECOMMENDATION: Staff has no concerns.

FISCAL IMPACT: The appointment does not have any fiscal impacts, those occur with the Court consolidation contract with the Cochise County and the Compensation contract with Judge Ward which are separate items to be considered by the Council.

Prepared by: Pat McCourt

Approved by:



Pat McCourt, City Manager

RESOLUTION NO. 2012-20

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA ["CITY"] FOR THE PURPOSE OF APPROVING THE APPOINTMENT OF TREVOR J. WARD TO THE JUDICIAL POSITION OF CITY MAGISTRATE AND JUVENILE HEARING OFFICER FOR FY 2013 AND FY 2014 AND AUTHORIZING THE MAYOR OR VICE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is empowered to appoint a person of suitable experience to serve as City Magistrate and Juvenile Hearing Officer pursuant to Title I, Chapter 8, Section 1-8-2 of the Willcox City Code and A.R.S. Sec. 8-823 et seq.; and

WHEREAS, the County Presiding Juvenile Judge may appoint a person of suitable experience to serve as juvenile hearing officers pursuant to A.R.S. Section 8-323(A); and

WHEREAS, A.R.S. Section 8-823(A) provides that the local governing body shall approve the appointment of municipal magistrates as juvenile hearing officers; and

WHEREAS, A.R.S. Section 9-500.22 provides for the establishment of a diversion program by a city or town as authorized pursuant to Resolution 2008-05; and

WHEREAS, the CITY and the COUNTY have the authority to provide for Consolidated Court Services pursuant to A.R.S. Section 11-952 and Section 22-402[C] and have entered into an Agreement with the COUNTY pursuant to Resolutions 2008-33, 2010-25 and 2011-30 to accomplish that action; and

WHEREAS, the Mayor and Council of the City of Willcox desire to have this Resolution presented at its April 2nd, 2012 Council Meeting for the purpose of approving the appointment of Trevor J. Ward as City Magistrate and Juvenile Hearing Officer for the period of July 1, 2012 to December 31, 2014 consistent with the Judicial Services Agreement; 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 municipal judicial system; 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 Court Consolidation operations effective July 1, 2012, 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 Resolution No. 2012-20 for the purpose of approving the appointment of Trevor J. Ward to serve as City Magistrate/Juvenile Hearing Officer from July 1, 2012 to December 31, 2014 consistent with the Judicial Services Contract.

Section 2: 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: That the Mayor is authorized and empowered to execute this Resolution and the Judicial Services Contract as presented.

PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this _____ day of April 2012.

APPROVED/EXECUTED:

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina Garcia Whelan, CMC

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2012-20

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 15
Tab Number: 10
Date: 04-02-2012

Date Submitted:
3-22-12

Date Requested:
4-2-12

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: City
Magistrate Contract
renewal and amendment
Extension of term and
modification of
compensation**

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The current contract for the City Magistrate ends on June 30, 2012. The term of the attached proposed contract is July 1, 2012 to December 31, 2014 (this will coincide with the term of office of the Justice of the Peace). Trevor Ward, the current City Magistrate and juvenile hearing officer, has indicated an interest in continuing in those positions. The Staff is comfortable with his performance. The annual salary remains the same; however there is a proposed amendment to Article III in order to include a Cost of Living Adjustment (COLA), if there is one is provided to the City Employees.

RECOMMENDATION: Approve the contract for City Magistrate for one year period (July 1, 2012 – December 31, 2014).

FISCAL IMPACT: \$25,836.00/year plus Fringes estimated at \$2,211.08/year, total \$28,048.00. General Fund - Legal & Courts Budget. There may be greater impact if the City Council awards any COLA to the City workforce during the term of this agreement.

Prepared by: Pat McCourt

Approved by:


Pat McCourt, City Manager

RESOLUTION NO. 2012-21

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA ("CITY") FOR THE PURPOSE OF APPROVING THE JUDICIAL SERVICES AGREEMENT WITH JUDGE TREVOR J. WARD FOR CONTRACT PERIOD BEGINNING JULY 1, 2012 AND TERMINATING DECEMBER 31, 2014, AUTHORIZING THE MAYOR OR VICE MAYOR TO EXECUTE THIS RESOLUTION AND THE JUDICIAL SERVICES AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is empowered to appoint a person of suitable experience to serve as City Magistrate and Juvenile Hearing Officer pursuant to Title I, Chapter 8, Section 1-8-2 of the Willcox City Code and A.R.S. Sec. 8-823 et seq.; and

WHEREAS, the County Presiding Juvenile Judge may appoint a person of suitable experience to serve as juvenile hearing officers pursuant to A.R.S. Section 8-323(A); and

WHEREAS, the CITY passed and adopted Resolution 2010-27 appointing Trevor J. Ward to serve as City Magistrate and Juvenile Hearing Officer for the period of **July 1, 2012 to December 31, 2014**; and

WHEREAS, the CITY and the COUNTY have the authority to provide for Consolidated Court Services pursuant to A.R.S. Section 11-952 and Section 22-402[C] and have entered into an Agreement with the COUNTY pursuant to Resolutions 2008-33, 2010-25 and 2011-29 to accomplish that action; and

WHEREAS, the Mayor and Council of the City of Willcox desire to have this Resolution presented at its April 2nd, 2012 Council Meeting for the purpose of approving the Judicial Services Agreement with Magistrate Trevor J. Ward for the period of **July 1, 2012 to December 31, 2014**; 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 municipal judicial system; 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 Judicial Services effective as of July 1, 2012 through December 31, 2014, 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 Resolution No. 2012-20 for the purpose of approving the Judicial Services Contract with Trevor J. Ward to compensate him as City Magistrate/Juvenile Hearing Officer from **July 1, 2012 to December 31, 2014** and approving.

Section 2: 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: That the Mayor or Vice mayor are authorized and empowered to execute this Resolution and the Judicial Services Contract as presented.

PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this _____ day of April 2012.

APPROVED/EXECUTED:

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina Garcia Whelan, CMC

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2012-21

CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item 16
Tab Number 11
Date: 4/2/2012

Date Submitted:	Action:	Subject:
March 27, 2012	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> Formal	School Safety Program Amendment to Intergovernmental Agreement with the Willcox Unified School District

TO: MAYOR AND COUNCIL
FROM: Finance Director Ruth Graham

DISCUSSION:

The City of Willcox (City) and the Willcox Unified School District #13 (WUSD) have worked together for several years to provide a School Safety Program. The City and WUSD share the cost of the salary and benefits to provide a School Resource Officer (SRO).

The purpose of this IGA is to foster a safe school environment on the school premises and at school sponsored activities. The SRO is assigned to the schools for the purposes of ensuring the safety and security of the students and staff during regular school hours, special events and activities held on school campuses. The SRO investigates alleged criminal acts on school campuses, instructs students in Drug Abuse Resistance Education (D.A.R.E.) and other law related education, and assists WUSD employees with matters regarding the safety and security of students to provide a safe, positive learning environment. The SRO also acts as the immediate first responder to threats to the safety and security of WUSD students and employees, and acts as the liaison between WUSD and the WPDS.

On August 3, 2010, the City and WUSD entered into an Intergovernmental Agreement for FY11 that included a provision to extend the IGA for three additional one-year terms. The first extension was approved for FY12. A second one-year extension and amendment for FY13 is requested. The amendment will maintain the SRO wages at \$50,502, hold the cost of all other benefits static, and require an increase from both CITY and WUSD to cover one-half of the FY13 increased mandated by the Public Safety Retirement System (PRPRS).

The Willcox Department of Public Safety (WPDS) is the Law Enforcement Unit, and the SRO officer's salary and benefits are paid through the City's payroll. For the upcoming year, the City's PRPRS contribution rate for all officers increased from 23.79% to 30.70%. The new rate will increase the cost of the PRPRS benefit by \$3,489. The City pays for general training for the SRO; the position also requires specialized training. WUSD will again pay \$1,000.00 toward such

specialized training. The City provides the SRO's patrol car, uniforms, training, and other related costs.

The FY13 anticipated SRO compensation split is as follows:

	FY12	FY13
Wages	\$50,502.	\$50,502.
Benefits (difference for PRPRS only)	<u>25,456.</u>	<u>28,915.</u>
Total Wages	<u>\$75,958.</u>	<u>\$79,417.</u>

To be divided as follows:

City of Willcox	<u>\$41,685.</u>	<u>\$43,399.</u>
Plus training, vehicle, uniforms and all other		
WUSD	\$34,273.	\$36,018.
Plus: SRO Training Contribution	<u>1,000.</u>	<u>1,000.</u>
Total WUSD	<u>\$35,273.</u>	<u>\$37,018.</u>

Under this Agreement, WUSD will contribute the sum of \$37,018, for wages and specialized training costs; the City will contribute the sum of \$43,399. Each share will increase \$1,7445 from FY12 for increased costs for PPSRS contributions. WUSD's contribution will be fixed; CITY will absorb additional employments costs for the SRO.

RECOMMENDATION:

Motion to approve Resolution No. 2012-___ to approve the FY13 Amendment to the Intergovernmental Agreement Among Willcox Unified School District #13, and the City of Willcox, Cochise County, Arizona for the year beginning July 1, 2012 and ending June 30, 2013.

FINANCIAL IMPACT: \$43,399 cost to City; \$37,018 cost share from WUSD.

Submitted by:



Ruth Graham, Finance Director

Approved by:



Pat McCourt, City Manager

RESOLUTION NO. 2012-22

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILLCOX [CITY] AND THE WILLCOX UNIFIED SCHOOL DISTRICT #13 [SCHOOL] FOR THE PURPOSE OF CONTINUING A SCHOOL SAFETY PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE IGA AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the CITY is authorized pursuant to A.R.S. § 9-240(B) (12), to establish and require police of the town, to appoint watchmen and policemen, to remove them and to prescribe their powers and duties; and

WHEREAS, the CITY and the SCHOOL are vested with the authority to enter into Intergovernmental Agreements pursuant to A.R.S. §§ 11-951; 11-952; 15-154; 15-155 and 15-342(13); and

WHEREAS, the CITY, the SCHOOL have entered into Agreements for the SCHOOL SAFETY PROGRAM in past years that were funded by Grant Funds; and

WHEREAS, the CITY and the SCHOOL have agreed to share the cost of funding the SCHOOL SAFETY PROGRAM for the SRO in the total amount of \$79,417.00 with \$43,399.00 from the CITY and \$37,018.00 from the SCHOOL; and

WHEREAS, the CITY desires to have this Resolution presented at its next Council meeting on April 2nd, 2012 and has determined that approval of the SCHOOL SAFETY PROGRAM IGA is in the best interest of the CITY and its residents; 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 continued assignment of a School Resource Officer (“SRO”) to the SCHOOL, 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: That the CITY has determined the IGA is in the best interests of the CITY, the SCHOOL and the residents of the City of Willcox.

Section 2: That the CITY formally approves and adopts the School Safety Program Agreement, by reference as if set forth herein in full, and as outlined above in Resolution No. 2012-22.

Section 3: That the Mayor or Vice Mayor are authorized and empowered to execute this Resolution and are authorized to execute and implement the provisions of the IGA on behalf of the CITY.

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.

PASSED AND ADOPTED by the Council of the City of Willcox, Cochise County, Arizona, this ____ day of April, 2012.

APPROVED/EXECUTED:

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

ATTEST:

City Clerk, Cristina Garcia Whelan, CMC

APPROVED AS TO FORM:

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2012-22

**FY 2012-2013 AMENDMENT
TO THE
INTERGOVERNMENTAL AGREEMENT
AMONG
WILLCOX UNIFIED SCHOOL DISTRICT #13, AND
CITY OF WILLCOX, COCHISE COUNTY, ARIZONA**

This is a Fiscal Year 2012-2013 Amendment to the Intergovernmental Agreement dated August 3, 2010, hereinafter referred to as "IGA", between the City of Willcox, hereinafter referred to as "CITY," and Willcox Unified School District #13, hereinafter referred to as "SCHOOL," subject to the following terms and conditions:

1. The IGA between CITY and SCHOOL dated August 3, 2010 was effective for the period from July 1, 2010 to June 30, 2011. Pursuant to Section 3, Term and Renewal, the Agreement may be extended for three additional one year terms. CITY and SCHOOL extended the IGA for one additional year for the period beginning July 1, 2011 and ending June 30, 2012.

2. CITY and SCHOOL agree to extend the IGA for a second additional year, for the period beginning July 1, 2012 and ending June 30, 2013, with the following amendment to Section 7, Financing:

The funding for all costs association with the SCHOOL SAFETY PROGRAM will be shared among the CITY and SCHOOL as follows:

A)	WAGES	---	\$ 36,018.
	SPECIALIZED TRAINING	---	<u>1,000.</u>
	TOTAL FROM SCHOOL	---	\$ 37,018.
B)	TOTAL FROM CITY	---	<u>\$ 43,399.</u>
	Total	---	<u>\$ 80,417.</u>

3. All other terms and conditions of the IGA dated August 3, 2010 are restated and affirmed.

IN WITNESS WHEREOF, the parties hereto have executed their signatures to this FY13 Amendment on the dates written below:

CITY OF WILLCOX

WILLCOX DEPARTMENT OF PUBLIC SAFETY

Mayor, Gerald W. Lindsey Date

WDPS Chief, Jake Weaver Date

WILLCOX UNIFIED SCHOOL DISTRICT #13

Dr. Richard Rundhaug
Superintendent of Schools

**AMENDMENT TO INTERGOVERNMENTAL AGREEMENT
DETERMINATION**

RE: FY13 AMENDMENT TO SCHOOL SAFETY PROGRAM [SRO] AGREEMENT
BETWEEN THE CITY OF WILLCOX AND WILLCOX UNIFIED SCHOOL
DISTRICT #13

This FY13 Amendment has been reviewed pursuant to A.R.S. § 11-952 by the undersigned City Attorney who has determined that it is in appropriate form and is within the powers and authority granted to the City of Willcox, Cochise County, Arizona.

Approved as to form this ____ day of _____, 2012.

By: _____
Hector M. Figueroa, Esq.
City Attorney

In accordance with A.R.S. § 11-952 this Agreement has been reviewed by the undersigned that has determined that this agreement is in appropriate form and within the powers and authority granted to the Willcox Unified School District #13.

Approved as to form this ____ day of _____, 2012.

By: _____
Ann Carl
School District Attorney

CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item 12
Tab Number 12
Date: 4/2/2012

<u>Date Submitted:</u>	<u>Action:</u>	<u>Subject:</u>
March 27, 2012	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other <input type="checkbox"/> Formal	Participation in the Cooperative Purchasing Group Offered by National Joint Powers Alliance (NJPA)

TO: MAYOR AND COUNCIL
FROM: Finance Director Ruth Graham

DISCUSSION:

As a part of its construction of a skate park, the City of Willcox (City) has located equipment offered by the American Ramp Company. Several communities and organizations in the southwest United States have placed equipment offered by the American Ramp Company in their skate parks. Letters of endorsement are attached from the City of Peoria, AZ, Town of Eagar, AZ, Town of Clayton, NM, Generations Church in Yuma, AZ, Big Bear Recreation and Park District, CA, Naval Air Facility in El Centro, CA, and City of Boulder City, NV.

The American Ramp Company participates in the National Joint Powers Alliance (NJPA), a cooperative purchasing alliance based in Minnesota. The City of Willcox is eligible to participate in the NJPA and secure cooperative pricing for skate park equipment. There is no fee to join or for continuing participation in the NJPA. The Joint Exercise of Powers Agreement and the Membership Agreement set out the terms of the agreement.

RECOMMENDATION:

Motion to approve Resolution No. 2012-____ to approve participation by the City of Willcox in the National Joint Powers Alliance (NJPA), and authorizing the Mayor to execute the Joint Exercise of Powers Agreement, and the Membership Agreement.

FINANCIAL IMPACT: No fee to join the NJPA; savings on skate park equipment.

Submitted by:

Approved by:

Ruth Graham
Ruth Graham, Finance Director

Pat McCourt
Pat McCourt, City Manager

RESOLUTION NO. 2012-23

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA [“CITY”] RATIFYING, APPROVING AND ADOPTING THE JOINT EXERCISE OF POWERS AGREEMENT WITH THE NATIONAL JOINT POWERS ALLIANCE, [“NJPA”] FOR THE PURPOSE OF UTILIZING THE PROCUREMENT UNIT TO MAKE PURCHASES FOR THE CITY FOR THE SKATE PARK PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY and the NJPA 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, A.R.S. Section 41-2631 et seq. defines “cooperative purchasing” as procurement conducted by, or on behalf of, more than one public procurement unit; and

WHEREAS, A.R.S. Section 41-2632 et seq. provides that any public procurement unit may either participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any materials, services, or construction with one or more public procurement units in accordance with an agreement pursuant to this section if one or more of the parties involved is a public procurement unit; and

WHEREAS, the Mayor and Council of the City of Willcox desire to enter into the Joint Exercise of Powers Agreement and the Membership Agreement; and

WHEREAS, it is the desire of the CITY to formally Approve and Adopt the NJPA Joint Exercise of Powers Agreement and the Membership Agreement at its Regular Meeting on April 2nd, 2012; and

WHEREAS, the NJPA Joint Exercise of Powers Agreement and the Membership Agreement provide for mutual responsibilities in carrying out mutual promises and mutual benefits to result there from; and

WHEREAS, the Agreements may be cancelled as provided by A.R.S. Section 38-511; 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 these Agreements, 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: That the CITY formally approves Resolution 2012-23 for the purpose of approving and adopting the NJPA Agreements, by reference, as if fully set forth herein.

Section 2: 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: That the Mayor or Vice Mayor are authorized and empowered to execute this Resolution and the NJPA Agreements as may be required.

PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this _____ day of April, 2012.

APPROVED/EXECUTED:

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina Garcia Whelan, CMC

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2012-23



COMMUNITY SERVICES DEPARTMENT
9875 North 85th Avenue; Peoria AZ 85345
(623) 773-7137

January 14, 2010

Jeremy Cupp, Skatepark Specialist
American Ramp Company
601 McKinley Avenue
Joplin, MO 64801

Re. Letter of Reference

Dear Jeremy:

This is just a quick note to give you a quick update about the skate ramp installed at WestWing Park in August, 2009. This was the first type of skating amenity that we designed and constructed in our neighborhood parks. We were extremely hesitant about placing this type of activity in a neighborhood park because we already have 27 other similar parks that do not have formal skating facilities. We currently only have one in-ground skate park in our entire park's system and it is located in the central part of our city in a larger community park. We decided to move forward with the American Ramp Co. skate pad since it is located in the very northern portion of our City and several miles from our other skate park.

This skate pad has proven to be very beneficial to WestWing community and to many of our northern area residents. We had previously received several complaints from this neighborhood about kids not having any place to be able to street skate. The neighborhood has shown overwhelming support of the skate pad and it has become extremely popular with other adjacent neighborhoods too. The park and skate pad is located adjacent to an elementary school and we are seeing several kids coming to the skate pad before, and after school, to improve their skills. The facilities are holding up great. The skate pad is a huge hit with our neighborhood.

Thank you for your support in getting this off the ground and in our community.

Sincerely,

Kirk D. Haines
Parks Manager, Peoria Community Services Department
City of Peoria, Arizona

TOWN OF EAGAR
PO Box 1300
Eagar, AZ 85925
Office 928-333-4363 FAX-928-333-0924
h.carlson@eagaraz.gov

June 14, 2010

American Ramp Company
Jeremy Cupp

To: Whom it may concern

This letter is a recommendation for the American Ramp Company that provided the equipment and leadership for installing, the Town of Eagar's skate and bmx bike park. We opened the skate park in 2008 and it has been a great success for our youth and young adults in the community. The equipment has held up excellent and we have had no maintenance issues with the equipment.

I highly recommend this type of equipment that American Ramp Company provides and we have had absolute no maintenance issues with the equipment. I am attaching some photos that shows the equipment in our park.

The staff from the American Ramp Company were very good to work with and helped us any way they could and were good with any follow up questions we had.

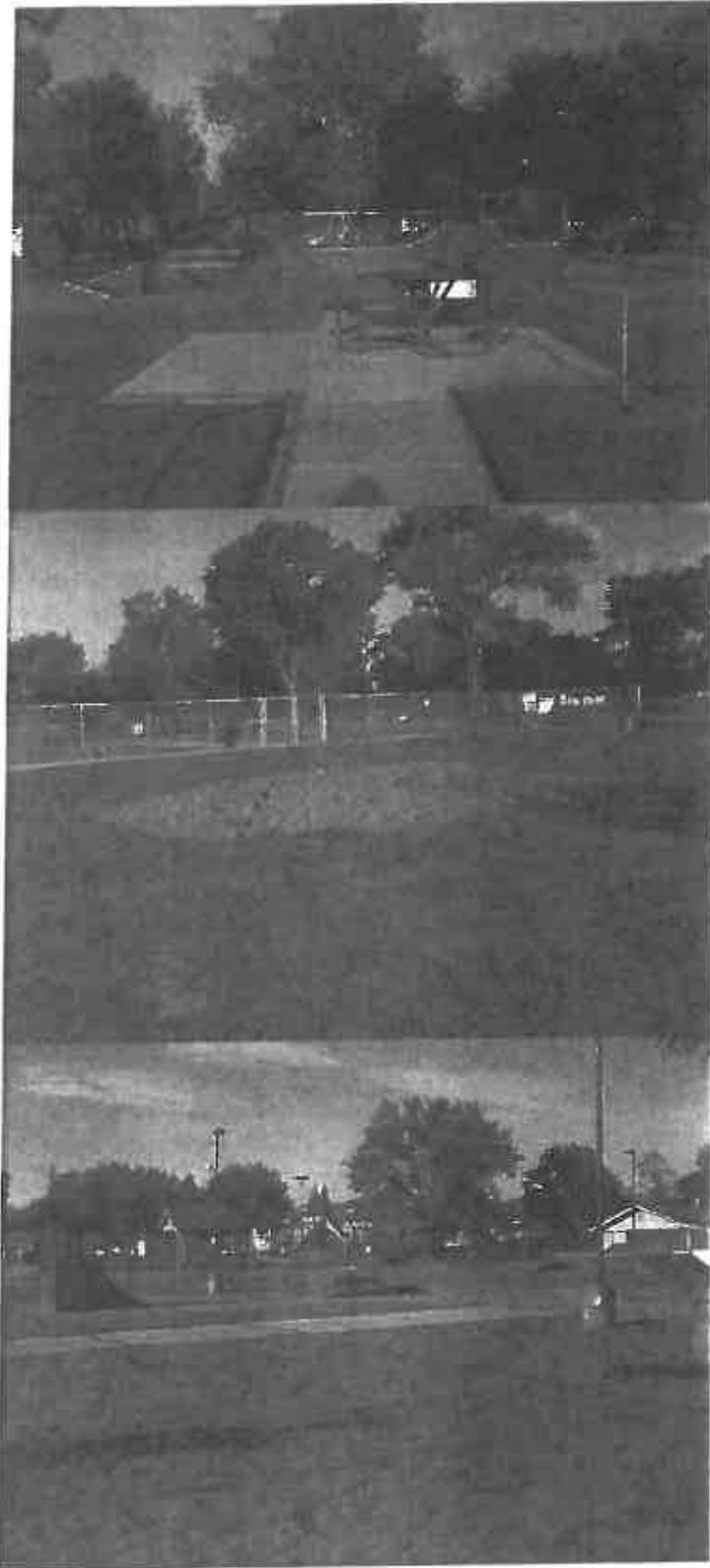
We incorporated a couple of community work days for helping with the installation of the equipment and this has a big help to get community support.

The fire department provides the maintenance of our park since it is adjacent to the fire station.

If you would have any further questions please call me at 928-333-4363.

Sincerely,

s/s Howard Carlson
Town of Eagar Fire Chief



Jack Chosvig Mayor
Ferron Lucero Manager
Karen Bray Treasurer
Nikki Crisman Clerk



Town of Clayton
1 Chestnut
Clayton, NM 88415
Phone: 505-374-8331 Fax: 505-374-8497

Noel Allen Mayor Pro-Tem
Coby Beckner Trustee
Leroy Montoya Trustee
Tony Naranjo Trustee

March 17, 2010

To whom it may Concern,

In 2005 a small group of skaters approached the Town Council and requested that the Town build them a skate park. Being a small town, population 2,400, with a restricted budgeted we were not sure if we would be able to build a park that would meet their needs.

American Ramp Company to the rescue! We spoke with several different companies but found that ARC was determined to design a park that met the skater's needs and our budget. Believe it or not, installation was a breeze. ARC delivered on time, the installation crew was professional and left a spotless work site. The equipment has withstood heavy use, snow loads and blistering summer heat and still looks new.

Thanks ARC for working with us to provide a skate park that our skaters can use for years to come.

Sincerely,

Carla Taylor
Administrative Assistant



When looking for a skate park to have installed indoors, at our church, we found American Ramp Company (ARC). We are so pleased with the immediate response to our inquiry and the thorough help that we received to get the product that was right for us.

Our church had some interesting requests and each one was carefully thought over and given great feedback from a skate park builder's point of view and a skater's preference. I really enjoyed the personalized service that was offered to us.

I highly recommend any organization or city, looking into skate parks, to American Ramp Company. They give you great customer service and deliver on their promise. Our skate park is now installed and is open to the city as an indoor alternative to our city park. The park has become a great blessing to our city and church. Thank you!

Nathan Shepherd
Generations Church



Big Bear Valley Recreation and Park District

A County of San Bernardino Special District

41220 Park Avenue PO Box 2832 Big Bear Lake, CA 92315
909 866-9700 Fax 909 866-9706



March 18, 2008

Dear Skating Enthusiasts:

It is exciting to let you know about the modular skate park designed and installed by American Ramp Company at our newly renovated park in Big Bear, California. "ARC" offers a high quality product, quick installation, great customer service and design capabilities, and in the end, a skate park that attracts hundreds of kids, teens, and adults. You may find out that your community needs two or three, we did!!

Reese Troublefield
District Manager
Big Bear Valley Recreation & Park District



MORALE, WELFARE AND RECREATION DEPARTMENT

December 20, 2010

From: MWR Director, NAF El Centro, CA
To: Jason Stouder, American Ramp Company

Subj: AMERICAN RAMP COMPANY'S SKATE PARK EQUIPMENT AT NAVAL AIR FACILITY EL CENTRO, CALIFORNIA

A few years ago we purchased some skate park equipment from American Ramp Company. The ramps are very low maintenance and have been of a durable quality. Our skate park is located at Naval Air Facility El Centro, California and we are in a low desert area. In the summer our temperatures reach 125 degrees in the sun. The skate park is under direct sunlight during the day, yet the equipment has been able to maintain itself in very good condition, in spite of the high temperatures.

It would be highly beneficial for American Ramp Company to establish a GSA account to better assist Government accounts with the purchasing of equipment such as ours. **

Ralph H. Ramsey



City of Boulder City
401 CALIFORNIA AVENUE
BOULDER CITY, NEVADA 89005
Mailing Address
P.O. BOX 61350
BOULDER CITY, NEVADA 89006-1350

Jeremy Cupp
Skatepark Specialist
American Ramp Company
601 McKinley Avenue
Joplin, Mo 64801

Date: January 13, 2010
REF: 10-011RH

Mr. Jeremy Cupp:

On behalf of the City of Boulder City and the Parks and Recreation Department, I would like to take a moment to send our appreciation to you and the staff of American Ramp Company for the fine job you did in constructing City of Boulder City Skate Park. From the original bid your company provided to the final construction of the skate park, we were impressed by your professionalism and attention to detail. We are very pleased with the entire project and are happy to report that the community is already enjoying the new skate park.

It was a pleasure doing business with American Ramp Company, and we are happy to recommend your company to anyone else interested in building a skate park in the future. We look forward to doing business with you again soon.

Sincerely,

Roger C. Hall
Director, Parks and Recreation

**JOINT EXERCISE OF POWERS
AGREEMENT**



- 6. Both Parties to this Agreement agree to abide by all of the general rules and regulations and policies of the participating agencies that they are receiving goods and services from;
- 7. Both Parties to this Agreement agree to strict accountability of all public funds disbursed in connection with this joint exercise of powers;
- 8. Both Parties to this Agreement agree to provide for the disposition of any property or surplus moneys (as defined by the participant) acquired as a result of this joint exercise of powers in proportion to the contributions of the governing bodies and;
- 9. Both Parties to this Agreement acknowledge their individual responsibility to gain ratification of this agreement through their governing body.

This Agreement allows for the NJPA to provide procurement contracts on behalf of all qualified participating agencies pursuant to the Uniform Municipal Contracting law, MN Statute §471.345 Subd 15.

PARTICIPANT INFORMATION

Applicant Name:	<u>CITY OF WILLCOX</u>	Reference:
Address:	<u>101 S RAILROAD AVE STE B, WILLCOX, AZ 85643</u>	Minnesota Joint Exercise of Powers M.S. 471.59
Federal ID Number:	<u>86-6000270</u>	
Contact Person:	<u>RUTH GRAHAM</u>	
Title:	<u>FINANCE DIRECTOR</u>	Participating Agency Joint Exercise of Powers Authority granted under State Statute
E-mail:	<u>rgraham@willcoxcity.org</u>	
Phone:	<u>(520) 384-4271 x 4202</u>	# <u>08190-ARC</u>
Website:	<u>www.cityofwillcox.com</u>	

THE UNDERSIGNED PARTIES HAVE AGREED THIS DAY TO THE ABOVE CONDITIONS.

Member Name: National Joint Powers Alliance®

By _____	_____
AUTHORIZED SIGNATURE	AUTHORIZED SIGNATURE
Its <u>Gerald W. Lindsey, Mayor</u>	_____
TITLE	TITLE
_____	_____
DATE	DATE

Completed applications may be returned to:

National Joint Powers Alliance ®
202 12TH Street NE
Staples, MN 56479

Duff Erholtz

Phone: 218-894-5490

Fax: 218-894-3045

E-mail: duff.erholtz@njpacoop.org

**JOINT EXERCISE OF POWERS
AGREEMENT**



This Agreement is Between the National Joint Powers Alliance® (NJPA) and

CITY OF WILLCOX, ARIZONA

(participating governmental agency)

Agreement. The participants in this Joint Exercise of Powers Agreement, hereinafter referred to as the Agreement, agree to jointly or cooperatively exercise certain powers common to them for the procurement of various goods and services by the participants. The term "governmental agency" as defined and used in this Agreement, includes any city, county, town, school district, education agency, post secondary institution, governmental agency or other political subdivision of any agency of any state of the United States or any other country that allows for the Joint Exercise of Powers, and includes any instrumentality of a governmental agency. For the purpose of this section, an instrumentality of a governmental agency means an instrumentality having independent policy making and appropriating authority.

Purpose. The purpose of this Agreement is to allow for the cooperative efforts to provide for contract and vendor relationships to purchase supplies, materials, equipment or services (hereinafter referred to as goods and services,) as a result of the current and active competitive bidding process exercised by a legal qualifying bidding agency on behalf of governmental and other qualifying agencies. Qualified customers may forgo the competitive bidding process as a result of this action and process provided on the agencies behalf. Reference the Uniform Municipal Contracting Law MN Statute 471.345 subd 15. This provision is made possible as a result of the purchasing contract development through a national governmental agency association's purchasing alliance.

Whereas, parties to this Agreement are defined as governmental agencies in their respective states;

and Whereas, this Agreement is intended to be made pursuant to the various Joint Exercise of Powers Acts of the states or nations of the respective participating governmental agencies which authorizes two or more governmental agencies to exercise jointly or cooperatively powers which they possess in common;

and Whereas, the undersigned Participating Governmental Agency asserts it is authorized by Intergovernmental Cooperation Statutes to enter into an agreement with NJPA to cooperate in procurement of goods and services; and Whereas, NJPA asserts it is a Minnesota Service Cooperative created and governed under Minnesota Statute §123A.21 authorized by Minnesota Statute §471.59 to "jointly or cooperatively exercise any power common to the contracting parties";

and Whereas, the undersigned Participating Governmental Agency and NJPA desire to enter into a "Joint Exercise of Powers Agreement" for the purpose of accessing available purchasing contracts for goods and services from each other which can be most advantageously done on a cooperative basis;

Now Therefore, it is mutually agreed as follows:

1. The Parties to this agreement shall provide in a cooperative manner access to each other's purchasing efforts to procure supplies, equipment, materials and services hereinafter referred to as "goods and services",
2. The Parties to this Agreement will adhere to any and all applicable laws pertaining to the purchasing of goods and services as they pertain to the laws of their state or nation,
3. Either Party to this Agreement may terminate their participation in this Agreement upon thirty (30) days written notice,
4. Neither Party to this Agreement claims any proprietary interest of any nature whatsoever in any of the other participants in this Agreement
5. Each party agrees that it will be responsible for its own acts and the result thereof to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. NJPA's liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes, Section §3.736, and other applicable law;

**MEMBERSHIP AGREEMENT
PARTICIPATING MEMBER**



PARTICIPATING MEMBER INFORMATION

Applicant Name: CITY OF WILLCOX
Address: 101 S RAILROAD AVE STE B, WILLCOX, AZ
Federal ID Number: 86-6000270
Contact Person: RUTH GRAHAM
Title: FINANCE DIRECTOR
E-mail: rgraham@willcoxcity.org
Phone: (520) 384-4271 x4202
Website: www.cityofwillcox.com

Please indicate an address to which your Membership materials may be delivered.
85643

Thank you.

APPLICANT ORGANIZATION TYPE:

- K-12
- Government or Municipality
- Higher Education
- Non-Profit
- Other (please specify):

I WAS REFERRED BY: (please specify)

- Advertisement _____
- Current NJPA Member _____
- Vendor Representative _____
- Trade Show _____
- NJPA Website _____
- Other _____

Completed applications may be returned to:

National Joint Powers Alliance ®
202 12TH Street NE
Staples, MN 56479

Duff Erholtz

Phone 218-894-5490

Fax 218-894-3045

E-mail duff.erholtz@njpacoop.org

**MEMBERSHIP AGREEMENT
PARTICIPATING MEMBER**



This Agreement, made and entered into this _____ day of April, 2012,
by and between National Joint Powers Alliance®, hereinafter referred to as "NJPA" and
CITY OF WILLCOX hereinafter referred to as the "Applicant".

Witnesseth:

That for a good and valuable consideration of the premises, mutual terms, covenants, provisions, and conditions hereafter set forth, it is agreed by and between the parties as follows:

Whereas, the NJPA is created by Minnesota Statute §123A.21 (with membership further defined in M.S. §471.59) to serve cities, counties, towns, public or private schools, political subdivisions of Minnesota or another state, another state, any agency of the State of Minnesota or the United States including instrumentalities of a governmental unit and all non-profits; and

Whereas, NJPA's purpose as defined in M.S. §123A.21 is to assist in meeting specific needs of clients which could be better provided by NJPA than by the members themselves; and

Whereas, the NJPA Board of Directors has established the ability for an "Applicant" desiring to participate in NJPA contracts and procurement programs to become a Participating Member; and

Whereas, the NJPA Board of Directors has determined that Participating Members will have no financial or organizational liability to NJPA or to its organizational activities;

Now Therefore, it is hereby stipulated and agreed that the "Applicant" Agency desires to be a Participating Member of NJPA with contract purchasing benefits, in accordance with terms and conditions of the applicable contract(s), and that NJPA hereby grants said Membership to said "Applicant."

Term:

This continuing agreement shall remain in force or until either party elects to dissolve the Agreement by written notice.

THEREFORE, IN WITNESS THEREOF,

the parties hereto have executed this Agreement the day and year written above.

**National Joint Powers Alliance®
202 12th Street NE
Staples, MN 56479**

Member Name:

By _____
AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

Its GERALD W. LINDSEY, MAYOR
TITLE

TITLE

DATE

DATE

27

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 18
Tab Number: 13
Date: 04-02-2012

Date Submitted:
3/26/2012
Date Requested:
4/2/2012

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: Award Skate
Park Equipment**

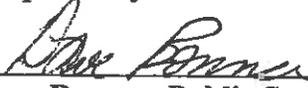
TO: MAYOR AND COUNCIL

DISCUSSION: Working with the Skate Park Committee, we have requested and received quotes for skate park equipment in accordance with the Willcox Procurement Policy. We started off with a basic design which exceeded the available funds. Using the information provided we requested additional quotes on specific items which we believed would fit in the budget. Three companies responded to the request for quotes, two are very close. Using the NJPA cooperative purchasing agreement, ARC (American Ramp Company Inc.) has the low bid.

RECOMMENDATION: Approve Resolution to accept ARC's bid under the NJPA cooperative purchasing agreement.

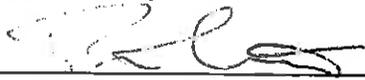
FISCAL IMPACT \$15,678.63 from the donated skate park funds and the City matching funds.

Prepared by:



Dave Bonner, Public Services & Works Director

Approved by:



Pat McCourt, City Manager

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-24**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND AWARDING THE BID PURCHASE TO AMERICAN RAMP COMPANY, INC. ["ARC"] UNDER THE NJPA COOPERATIVE PURCHASING AGREEMENT TO BE USED FOR THE COMMUNITY SKATE PARK PROJECT AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is authorized pursuant to A.R.S. § 9-240, et seq. to exercise control of the property of the corporation and to permit use of municipal property for the purposes of the corporation; and

WHEREAS, the CITY is vested with all powers of incorporated towns as set forth in Title 9 or other provisions of law relating to cities and towns pursuant to A.R.S. § 9-499.01, et seq.; and

WHEREAS, the CITY and the SKATE PARK COMMITTEE ("SPC") have had an on-going working relationship for the development of a Community Skate Park to serve the Youth of the Willcox Community; and

WHEREAS, the Mayor and Council are committed to pursue various procurement alternatives to assist in the development of the Community Skate Park; and

WHEREAS, City staff seek Mayor and Council approval for the awarding of the Equipment Bid Purchase to ARC under the NJPA Cooperative Purchasing Agreement; and

WHEREAS, the Mayor and Council of the City of Willcox have determined that it is in the best interest of the City and its citizens to approve the bid award to ARC; and

WHEREAS, the Mayor and Council desire to have this item presented at its April 2nd, 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 approval for awarding ARC the purchase bid, and that this Resolution be effective immediately upon its passage and adoption.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves the bid award to ARC under the NJPA Cooperative Purchasing Agreement.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this _____ day of April 2012.

APPROVED/EXECUTED:

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina Garcia Whelan, CMC

City Attorney, Hector M. Figueroa

RESOLUTION NO: 2012-24



WWW.AMERICANRAMP.COM

601 McKinley
Joplin, MO 64801
Tel: (417) 206-6816
Toll Free: (800) 949-2024
Fax: (417) 206-6888
sales@americanramp.com

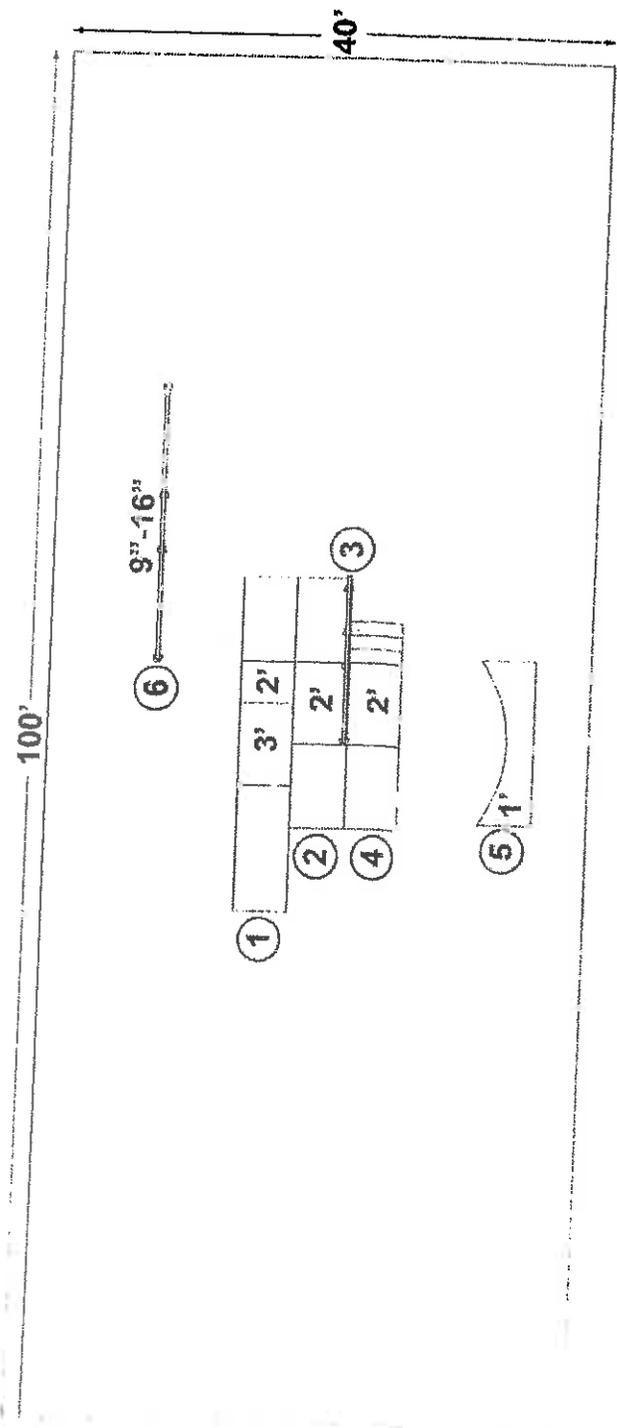
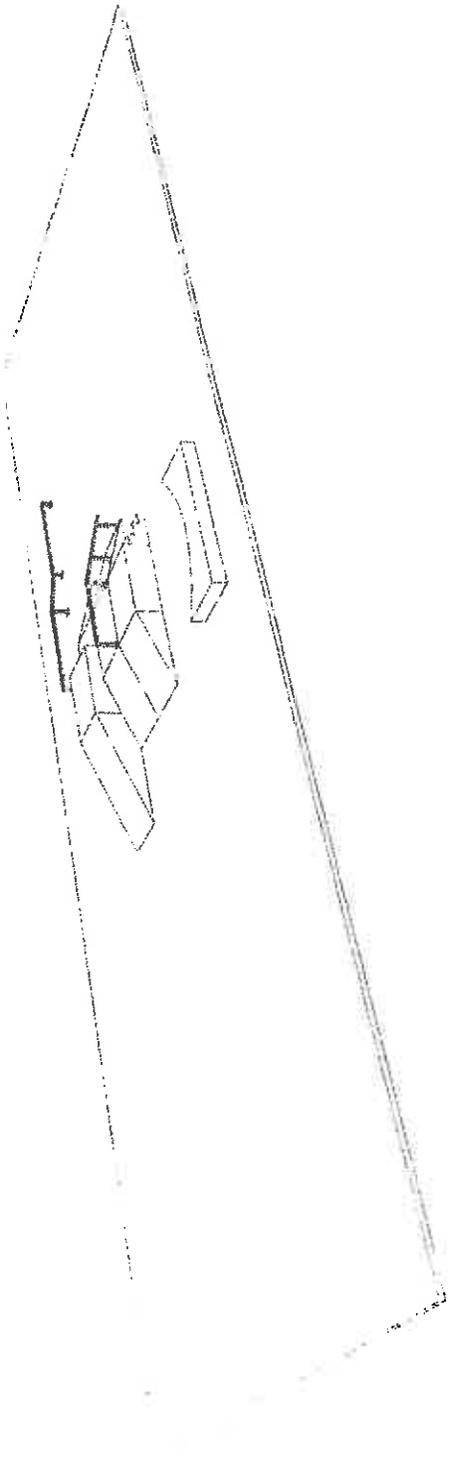
DRAWN BY: Todd Pettillo
DATE: 3/13/12

REP. AGENCY: American Ramp Company
REP. NAME: John Heigle
REP. PHONE: (417) 496-4883



CUSTOMER APPROVAL: [] DATE: []
PARK ENCLOSED? No
PRO SERIES: []
X SERIES: []
STEALTH SERIES: []
STEALTH CLASSIC SERIES: []
PROJECT NAME: Willcox Skate Park

DESIGN NO. 4759



CLICK HERE TO VIEW DESIGN VIDEOS

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601 McKinley
 Joplin, MO 64801
 Toll-free 877-RAMP-778
 Local 417-206-6816
 Fax 417-206-6888
sales@americanrampcompany.com

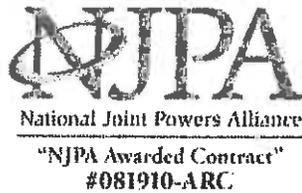


Design #	Ready to Ship	FOB
4759	30-60 Days	Willcox, AZ

Item	Obstacle	Height	Width	Length	Pro Series
1	Euro Gap	3.0'	4'	23.0'	\$5,047.48
2	Wedge, Flat, Wedge	2.0'	4'	18.0'	\$3,269.73
3	Grind Rail, Kinked (Square)	1.5'	3"	12.0'	\$480.00
4	Wedge, Flat, Stair	2.0'	4'	15.0'	\$3,052.93
5	Grindbox, Radius	1.0'	4'	12.0'	\$2,530.49
6	Grind Rail, Kinked (Square)	9"-16"	3"	20.0'	\$675.00
Subtotal					\$15,055.62
7% NJPA Discount					-\$1,053.89
6.6 % Sales Tax (Equipment Only)					\$924.11
Freight					FREE
Supervised Installation					\$752.78
TOTAL					\$15,678.63

Options and upgrades:

- For enclosed framework, add 10% (included in Stealth).
- If your project is subject to prevailing wage or bonding requirements call for revised quote.



Purchase through our competitively bid government NJPA contract (#081910-ARC)

**WE LOOK FORWARD TO BUILDING YOU A GREAT
 SKATE PARK!**

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RAMPAGE, LLC
1625 RAILROAD AVE
BRIDGEPORT, CT. 06605

203-521-2324 203-452-9061 Fax

info@skateparkramps.com

SKATER OWNED- SKATER DESIGNED -SKATER BUILT

SKATEPARK EQUIPMENT PROPOSALS FOR WILLCOX, AZ.

Proposal #1 All steel as per drawing:

\$11,330

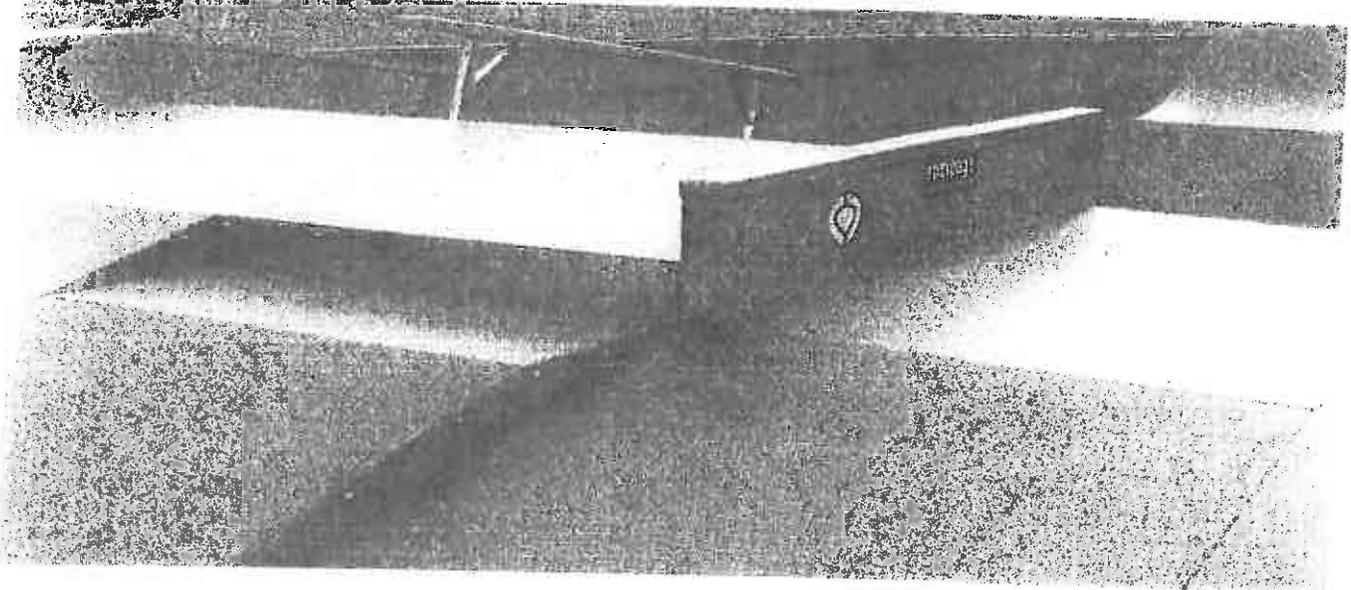
Laser cut framing with 7 gauge steel ramp surfaces as sized and specified by the American Ramp Company.

4474 shipping
\$15,804

Proposal #2 All steel as per Rampage specifications:

\$15,910

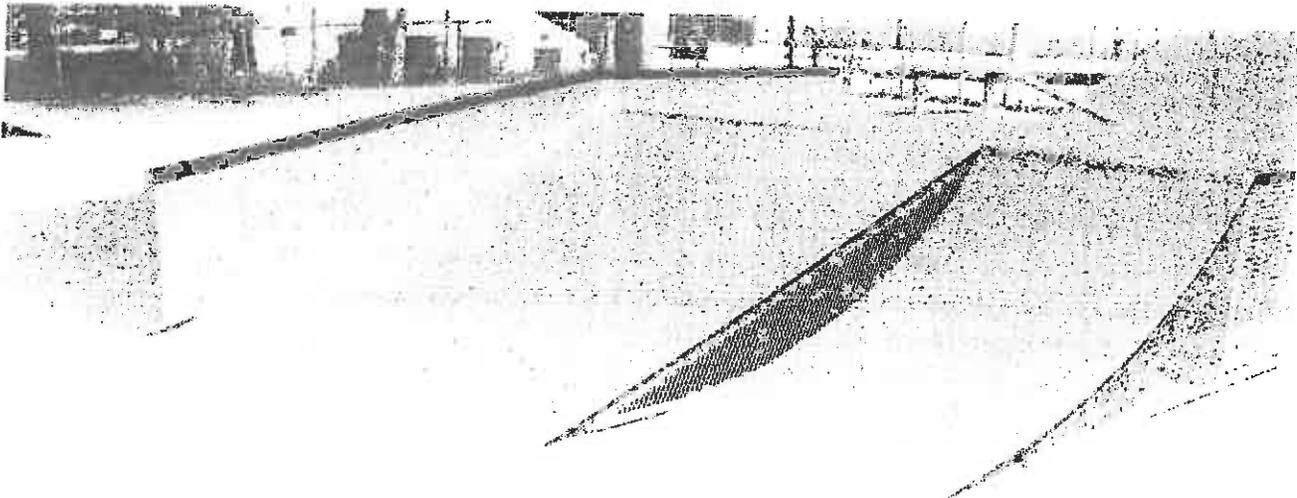
Laser cut framing with 7 gauge steel ramp surfaces sized and specified with corrected ramp lengths and geometry. Two foot tall wedge ramps will be 108" long with a 13 degree slope, three foot tall will have a 15 degree slope at 119" long.



Proposal #3 Steel frame steel skating surface with 5/8" subsurface:

\$14,662

Welded steel frame with 10 gauge steel skating surface on a 5/8" pressure treated plywood subsurface as per attached specifications.



Date: Tuesday, February 28, 20 Rep Organization: Classic_3_quote_skatewave 150 ExerPlay, Inc.
 By: Jenny Contact Person: Kevin Solomon
 Project Title: Wilcox Skatepark Phone Number: + (505) 281-0151
 Quote #: SW3_150_58214-1-1

QTY	ITEM NUM	DESCRIPTION	UNIT WT	UNIT PRICE	WEIGHT	EXTENDED AMT
← Obstacle 1						
GRIND BOXES/LEDGES - OBSTACLES						
1	146668-00-000	STREET LEDGE 17x19xx1	560	\$2,340.00	560	\$2,340.00
← Obstacle 5						
RAILS - OBSTACLES						
1	149855-00-000	FLAT RAIL W/KINK 8FT	90	\$580.00	90	\$580.00
ACCESSORIES/OPTIONS						
1	149211-00-000	3FT LEDGE UP/ACROSS	630	\$2,610.00	630	\$2,610.00
PYRAMIDS - OBSTACLES						
1	148394-00-000	3-SIDED PYRAMID 8X8 S	3,770	\$22,440.00	3,770	\$22,440.00
ACCESSORIES/OPTIONS						
1	149136-00-000	STAIRS 3FT X 4FT WIDE	260	\$1,680.00	260	\$1,680.00
URBAN SERIES - OBSTACLES						
1	159609-00-000	PLAZA 3X16X16 W/BNKS	3,340	\$18,950.00	3,340	\$18,950.00
← Obstacle 7						
RAILS - OBSTACLES						
1	145889-00-000	STR RND GRIND RAIL 10	60	\$520.00	60	\$520.00

Weight & Cost of Equipment:
 Total: \$49,120

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 19
Tab Number: 14
Date: 04-02-2012

Date Submitted: 03/28/2012 Date Requested: 04/02/2012

Action: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal <input type="checkbox"/> Other

Subject: Discussion / Decision on Use of CDBG Federal Funds and State Special Project Funds (SSP)

TO: MAYOR AND COUNCIL

DISCUSSION: City Council has held two public hearings for input on the use of CDBG Federal Funds. Three items were identified for these funds.

1. Apply funds to continue rehabilitation of the Willcox Community Center. Specifically to replace windows and exterior doors to improve energy efficiency.
2. 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).
3. To apply for Water, Sewer, Gas Line Replacements as necessary in low-income areas.

In addition, the City may apply for State Special Project funds (SSP). The recommendation here was to apply for Energy Efficiency funds for City Hall as well as the new Food Pantry location (Border Patrol).

Attached is the advertisement that was placed in the newspaper on March 14, 2012.

RECOMMENDATION: Staff recommends that the expected bi-annual dispersal of \$170,697 be used to continue the work on the Community Center for new windows and doors. Staff would also recommend that we apply for the competitive SSP funds for the Energy Efficiency improvements on the Border Patrol and City Hall.

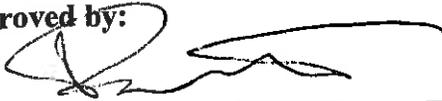
FISCAL IMPACT: None until funds are appropriated.

Prepared by:



Dave Bonner, Public Services & Works Director

Approved by:



Pat McCourt, City Manager

**AUTHORIZATION TO SUBMIT APPLICATIONS
AND IMPLEMENT CDBG PROJECTS**

RESOLUTION NO. 2012-25

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR FY 2012 STATE SPECIAL PROJECT AND FOR FY2012 REGIONAL ACCOUNT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, CERTIFYING THAT SAID APPLICATIONS MEET THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

WHEREAS, the City of Willcox is desirous of undertaking community development activities; and

WHEREAS, the State of Arizona is administering the Community Development Block Grant Program; and

WHEREAS, the State CDBG Program requires that CDBG funds requested address one of the three Congressional mandated National Objectives; and

WHEREAS, the activities within these applications address the community's identified housing and community development needs, including the needs of low and moderate income persons; and

WHEREAS, an Applicant receiving State CDBG funds is required to comply with the program guidelines and Federal Statutes and regulations.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Council of the City of Willcox authorize applications to be made to the State of Arizona, Department of Housing for FY2012 State Special Project CDBG funds, and for FY2012 Regional Account CDBG funds and authorize the Mayor to sign applications and contracts or grant documents for receipt and use of these funds for continuing improvements to the Community Center, and authorize the Mayor to take all actions necessary to implement and complete the activities submitted in said applications; and

THAT these applications for State CDBG funds meets the requirements of low- and moderate-income benefit for activities justified as benefiting low- and moderate-income

persons, aids in the prevention or elimination of slum and blight or addresses an urgent need which poses a threat to health; and

THAT, the City of Willcox will comply with all State CDBG Program guidelines, Federal Statutes and regulations applicable to the State CDBG Program and the certifications contained in these applications.

Passed and Adopted by the City Council of Willcox this 2nd day of April, 2012.

APPROVED/EXECUTED

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina Garcia Whelan, CMC

City Attorney, Hector M. Figueroa

Resolution No. 2012-25

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 OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 20
Tab Number: 15
Date: 04-02-2012

Date Submitted: 3/26/2012 Date Requested: 4/2/2012

Action: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal <input type="checkbox"/> Other

Subject: Appoint a Local Steering Committee and Technical Group to conduct a Public Participation for BECC funding

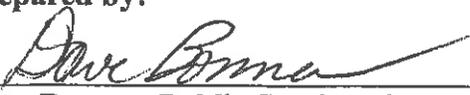
TO: MAYOR AND COUNCIL

DISCUSSION: Staff has been working with the Border Environment Cooperation Commission (BECC) in order to obtain funding for the renovation of the Wastewater Treatment Plant (WWTP). BECC has funding the preliminary Engineering Report and we have reach the point where the PER is ready for the 100% submittal. As part of the evaluation process, the City is required to provide a Public Participation Plan (PPP) which will involve a Local Steering Committee with a Technical Support Group.

The Local Steering Committee will conduct a minimum of two public meetings to inform the public of the information contained in the PER. The public will also be afforded an opportunity to voice any concerns or feedback on the plan. In addition to public meetings, the Local Steering Committee may also choose to meet with community organizations and major stakeholders in the system such as the Elks, Chamber of Commerce & Agriculture, WUSD and NCCH.

RECOMMENDATION: Approve Resolution to from the Steering Committee and Technical Group and authorize the Committee to perform the duties described in the Public Participation Guidelines provided by BECC. The Steering Committee would be Bili Holloway, Pat McCourt, John Bowen, Bob Coder and Phil Rodriguez. The Technical Group would be; Dave Highfeild – Wilson Engineering, Dean Moulis – ADEQ, Joel Mora – BECC, Jim Thomas and Dave Bonner

FISCAL IMPACT None

Prepared by:


Dave Bonner, Public Services & Works Director

Approved by:


Pat McCourt, City Manager

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-26**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING THE FORMATION OF THE STEERING COMMITTEE AND THE TECHNICAL GROUP UNDER THE BORDER ENVIRONMENT COOPERATION COMMISSION [“BECC”] TO PREPARE A PUBLIC PARTICIPATION PLAN (“PPP”) AND CONDUCT PUBLIC MEETINGS FOR THE GRANT APPLICATION SUBMITTAL FOR THE UPGRADES AT THE WASTE WATER TREATMENT PLANT (“WWTP”) AND DECLARING AN EMERGENCY TO EXIST.

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

WHEREAS, the CITY is empowered pursuant to A.R.S. §§ 9-240 and 9-276 to establish and define sewer districts and construct sewers therein; to regulate, build and repair sewers, tunnels and drains; and

WHEREAS, the CITY is empowered pursuant to A.R.S. § 9-511 to engage in any business or enterprise which may be engaged in by persons by virtue of a franchise from a municipal corporation, and may construct, purchase, acquire, own and maintain within and without its corporate limits any such business or enterprise, including plants and pipelines for sewage; and

WHEREAS, the Mayor and Council, approved and passed Resolution 10-117 on November 15, 2010 authorizing the submittal of an application to the BECC to obtain funds for the Rehabilitation/Reconstruction of the Waste Water Treatment Plant; and

WHEREAS, the BECC provides assistance to qualifying cities located within 100 kilometers of the United States/Mexico border for water and waste water projects; and

WHEREAS, the BECC has prioritized the City’s WWTP as one of its top priorities and have offered financial assistance for that purpose; and

WHEREAS, the City of Willcox Mayor and Council desire to approve the formation of a Steering Committee and the Technical Group under the BECC that will provide funds for the WWTP upgrades; and

WHEREAS, the Mayor and Council of the City of Willcox have determined that it is in the best interest of the City and its citizens to approve the formation of a Steering Committee and a Technical Group under the BECC and desire to have this item presented at its April 2nd, 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 the formation of a Steering Committee and a Technical Group under the **BECC**, and that this Resolution be effective immediately upon its passage and adoption.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and authorizes the formation of a Steering Committee and the Technical Group under the **BECC** and directs City staff to carry out the intent of this Resolution.

BE IT FURTHER RESOLVED by the Mayor and Council that the Steering Committee and the Technical Group shall consist of individuals so approved by Mayor and Council on April 2nd, 2012.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this _____ day of April, 2012.

APPROVED/EXECUTED:

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

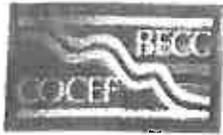
ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina Garcia Whelan, CMC

City Attorney, Hector M. Figueroa

RESOLUTION NO: 2012-26



BECC
Border Environment Cooperation Commission
Public Participation
Blv. Tomás Fernández, No.8069. Fracc. Los Parques, Cd. Juárez, Chih.
Phone. 1-877-277-1703



PUBLIC PARTICIPATION

Public Participation Guidelines



BORDER ENVIRONMENT COOPERATION COMMISSION

Public Participation Requirements **Guidelines for Compliance**

Objectives

The objective of public participation for projects submitted by border communities is that projects being considered for certification must have broad community support, and that the community understands its technical, financial, health, social and environmental aspects, supports its benefits, costs, risks, and impacts, and any changes in user fees.

Every project seeking certification must have a Public Participation Plan that shall contain the following components:

A- COMPREHENSIVE PUBLIC PARTICIPATION PLAN. Applicants must submit and implement a BECC-approved Community Participation Plan that will consist of:

- 1. Local Steering Committee**
- 2. Public Meetings and outreach with local groups as needed**
- 3. Public Access to Project Information**
- 4. Hold at Least Two Public Meetings**

B- REPORT DOCUMENTING PUBLIC SUPPORT. Following implementation of the Comprehensive Community Participation Plan, applicants must submit a report to the BECC demonstrating public support for the project. Each Participation Plan must describe how the applicant fulfilled the essential components of the Plan.



A- COMPREHENSIVE PUBLIC PARTICIPATION PLAN.

Each Comprehensive Community Participation Plan will vary with the specifics of each project and will be designed to meet the particular needs of the community where the project will be located. In each case, the applicant must demonstrate how the public will be meaningfully engaged in project development and implementation.

The BECC may participate, where appropriate, in the implementation of this Participation Plan to ensure compliance with the Community Participation criteria.

1. Local Steering Committee

The applicant must develop a local steering committee or utilize ^{an} existing committee. This steering committee must be made up of representatives from the community that will be affected by the project; this can include the participation of diverse organizations (e.g., residents, business, civic, non-profit, academic, governmental, educational, environmental, elected officials) to assist with the implementation of the Participation Plan. The steering committee must invite representation from both countries if the proposed project is located in and/or impacts both the United States and Mexico.

The steering committee may be responsible for developing detailed outreach activities, conducting surveys of public support, disseminating information about the project, engaging public participation in the process, developing public education and media campaigns, attending public meetings, preparing meeting minutes, and soliciting public support. The local steering committee may be involved in developing the Participation Plan. The project sponsor can provide assistance to the steering committee to support the mentioned activities.

Guidelines for Steering Committee Structure:

The steering committee shall have a chairperson, technical secretary, secretary, and technical work group.

General Operating Rules for the Steering Committee

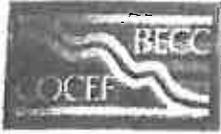
- I. The committee shall have an independent base from the BECC and the project applicant, but should work in coordination with the applicant.
- II. Members of the steering committee shall have equal and full rights as well as voting rights.
- III. The committee shall meet as required in order to carry out follow up activities to the Plan.



- IV. The committee shall develop a schedule of meetings to be held in each sector of the community.
- V. The committee shall provide notice of meetings in each sector.
- VI. Committee agreements shall be reached by consensus and by majority vote. Majority votes must have a quorum that is defined as having fifty percent plus one present at meeting.
- VII. The committee shall appoint a chairperson. The chairperson shall preside over committee meetings, as well as sector and public meetings.
- VIII. The committee shall appoint a technical secretary. The project sponsor shall provide the technical secretary. The technical secretary shall not have the right to vote. The functions of the technical secretary shall be: a) maintain records of all agreements reached; b) carry out follow up activities for all agreements reached; c) prepare documentation of all committee meetings; d) provide notice of all scheduled meetings of the committee; e) on behalf of the committee, provide notice of all meetings held in each sector; f) provide logistics and administrative support to the committee.
- IX. The steering committee shall rely, as needed, on the technical work group which can be composed of federal, state and local representatives. The engineer consultant or technical areas should be involved in providing assistance regarding engineering issues of the project.
- X. The technical work group's functions, in general, shall be: a) advise the steering committee; b) present and address technical aspects raised at the public meetings; c) provide technical information requested by the committee; d) advise and present the technical aspects of the project to the media consultant selected to carry out the outreach and communication program; e) provide clear translation (Spanish / English) of written and spoken technical information during the outreach campaign and the public meetings, if necessary; f) assist the committee in project related presentations made to local organizations.

Steering Committee Activities

- Participate in the development of the Plan.
- Carry out follow up activities to the Plan.
- If need, establish a dialogue through public meetings held in each sector of the city.
- Develop and approve the information, outreach, and communication strategies.
- Monitor an outreach and communication program.
- Supervise and follow up on the media campaign and any analysis related to surveys.



2. Meetings with Local Organizations

The applicant must meet individually with local organizations (e.g. business, civic, community, neighborhood, academic, environmental) affected by the project to provide information on and develop support for the project.

Guidelines:

To develop support, the applicant, together with the steering committee, could give presentations about the project to local organizations, provide as much information as needed, including the project proposal, and request letters of support from these organizations. Provide documentation of these meetings with local organizations such as who made the presentation, comments made during the presentation, as well as sign-up sheets and other documentation produced during this outreach process.

3. Public Access to Project Information

For at least one public meeting, the applicant's project proposal must be made available to the public at least 30 days before. This information must be available in a publicly accessible location during and after work hours. As required in for public meetings, the applicant must disclose the availability of the project information in the public meeting notices.

The applicant can utilize as many additional avenues as possible to distribute the project proposal including, but not limited to, providing copies to the local steering committee, providing copies during meetings with local organizations, and mailing copies to local organizations. In the event that the project affects other communities, the project sponsor must inform appropriate public officials from the affected communities of the project proposal's availability.

Guidelines:

The outreach and communication program is a key component of the Comprehensive Public Participation Plan. The objectives of such program are to guarantee public access to project information and provide for public consultation on the project.

Elements can include the implementation of a preliminary public opinion survey that addresses any issues, concerns, and/or doubts raised by interested groups or individuals as they relate to water, wastewater, and municipal solid waste problems. The opinion survey will help the applicant and steering committee define communication and outreach strategies necessary to strengthen the public participation process.



These outreach strategies can include the development of radio spots, design and printing of brochures, and surveys at public meetings. This material can be developed and aimed to the general public or specific audiences (children, teens, labor, business, students, housewives, government, low income neighborhoods, ethnic groups, etc.), and form part of environmental education programs aimed at schools and civic organizations.

The outreach and media program should have had broad coverage by the time neighborhood and general public meetings are held. To demonstrate the project's message was communicated to a broad sector of the community, it is recommended that the outreach campaign be documented through a combination of video and audio recordings, media interviews or presentations, presentation of surveys results, public consultations etc.

To aid in providing extensive coverage of the campaign, it is strongly recommended door-to-door visits be carried out as well as mailings of project fact sheets. A public opinion survey can be taken after the public consultation is completed to measure public support in lieu of a preliminary opinion survey.

Media Campaign

The media campaign shall be based on the public opinion evaluation carried out prior to the campaign and subsequent issues that are pertinent. The most accessible medium in the community shall be utilized, and the campaign shall be structured in such a way that it guarantees broad community coverage. Issues related to financial impacts shall be included in the campaign.

The media campaign shall have the following objectives:

- 1- Use the medium having the highest impact in the community (radio, TV, press).
- 2- Develop campaign messages based on the analysis of the preliminary opinion survey.
- 3- Develop messages on issues that surface during the public participation process.

The media campaign shall be coordinated with meetings held in each sector as well as public meetings. In other words, when the first public meeting is held, the media campaign should have already reached the community.

The media campaign should adhere to the following basic rules:

- 1- A media campaign provides information and should be divided into different issues.
- 2- The party responsible for the campaign is the applicant.
- 3- The campaign should have steering committee input.
- 4- The campaign should not be associated with the BECC.



- 5- Under no circumstances should the campaign be utilized for propaganda or to influence public opinion.

4. Public Meetings

Each applicant must hold at least two public meetings in the community affected by the project. If the project affects more than one community, the public meetings must be noticed to citizens in all affected communities. Notification must at least consist of notifying public officials in affected communities.

For a meeting to be BECC-approved the applicant must comply with the following requirements:

- The applicant must provide notice of the public meeting to the BECC, publish it in the local newspaper, and other media avenues, where appropriate. The notice must also include an accessible location where the public may obtain the applicant's project proposal. For at least one public meeting, the notice must be posted at least 30 days prior to the meeting.
- During the public meeting, the applicant must provide a briefing on the proposed project and hear public comments on the proposed project. Impacts of user fees must be presented during at least one of the public meetings. A summary document containing the fundamental aspects of the project must be made available during the public meeting.
- The applicant must record minutes of the public meeting to include the names of the participants and comments made. The minutes will serve as an official record of the meeting.
- The public meeting may be conducted in conjunction with public meetings required to comply with existing state or federal laws as long as the corresponding state or federal agency agrees to such and the notice of a public meeting is written and published accordingly.

Guidelines:

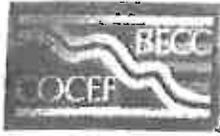
The public meetings shall be held once the outreach and media campaign is underway. Sector or neighborhood meetings as scheduled by the steering committee can take place prior to the general public meetings. Meetings in the neighboring border communities may be held if the project has transboundary impacts.



BECC
Border Environment Cooperation Commission
Public Participation
Blv. Tomás Fernández, No.8069. Fracc. Los Parques, Cd. Juárez, Chih.
Phone. 1-877-277-1703

Meetings shall ensure open and plural community participation. The use of a moderator is recommended. The moderator can be the chairperson of the steering committee and this person and the rest of the committee shall encourage community participation at meetings. English / Spanish translation of technical and financial information must be provided, if necessary.

BECC staff may participate at the meetings by explaining the role it plays in the certification process as well as to highlight the significance of having a community participation process in the certification of projects.



B- REPORT DOCUMENTING PUBLIC SUPPORT.

By the end of the process the applicant must provide a written report to the BECC documenting the successful implementation of the Comprehensive Community Participation Plan.

The report must include supporting documentation including a list of local steering committee members and their activities related to the project; a list of the local meetings conducted, copies of public meeting notices, the minutes from the public meetings, and other such documentation demonstrating the scope and success of the Public Participation Plan. The report should convey that the community understands and supports the environmental, health, social and financial benefits and costs of the project, as well as any changes in user fees.

Guidelines:

It is recommended that the applicant submit to the BECC a partial status report. The final report on the results of the public participation plan should convey that the objectives of the public participation plan were fulfilled.

That is, it should demonstrate that the project being considered for certification has broad community support and should duly document and contain all information generated throughout the public participation process, which can include:

- Press reports and interviews
- Public comments at neighborhood meetings
- Local organizations' letters of support
- Minutes of meetings with local organizations
- Survey results
- Photographs of the public & local organizational meetings, steering committee meetings, etc.
- Other such documentation showing the scope and success of the plan.

**CITY OF WILLCOX
Request for Council Action**

Agenda Item: 21.
Tab Number: 16
Date: 04-02-2012

Date Submitted:
March 26, 2012
Date Requested:
April 2, 2012

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject:
Request to submit grant proposal to the Governor's Office of Highway Safety for 2013 Grant funding

To: Honorable Mayor and City Council
From: Chief Jake Weaver

Discussion: The Willcox Department of Public Safety is requesting an "Urgent" council approval to submit a grant Proposal to the Arizona Governor's Office of Highway Safety for 2013 grant cycle. This request requires immediate action due to a delay in receiving the quotes for the equipment desired for the grant proposal. This proposal request targets the following Program Areas:

- Alcohol and Other Drugs
- Police Traffic Services

The total funding requested for the FY 2013 GOHS grant is \$79,429.00. The breakdown for funding is as follows:

• 2012 Chevrolet Tahoe DUI Vehicle	\$31,630
• Equipment Installation (AEP)	\$7,700
• In-car video camera	\$5,515
• Officer Overtime	\$30,000
• Six (6) PBT's	\$4,584

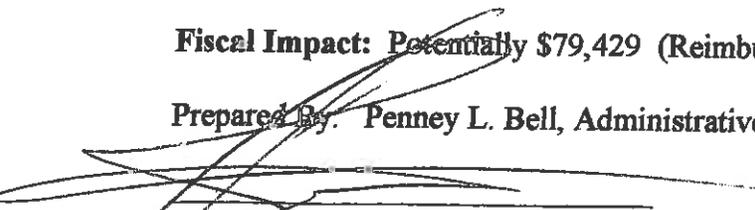
Deadline for submission is April 1, 2012.

Recommendation: To approve the request to submit a grant proposal for FY 2013 to the Arizona Governor's Office of Highway Safety for a total potential funding award of \$79,429.00. (copy of proposal appended)

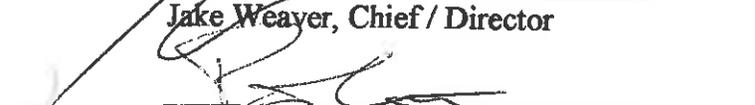
Motion:

Fiscal Impact: Potentially \$79,429 (Reimbursable Revenue)

Prepared By: Penney L. Bell, Administrative Assistant



 Jake Weaver, Chief / Director



 Pat McCourt, City Manager

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-27**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA RATIFYING, APPROVING AND AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE GOVERNOR'S OFFICE OF HIGHWAY SAFETY ("GOHS") FOR THE 2013 GRANT FUNDING CYCLE, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox is empowered pursuant to A.R.S. § 9-240(12) to establish and regulate the police of the city and is vested with all powers of incorporated cities and towns as set forth in Title 9; and

WHEREAS, the Governor's Office of Highway Safety, provides a funding mechanism open to local law enforcement agencies for grant funding to assist with their local operations; and

WHEREAS, the Willcox Department of Public Safety ["WDPS"] has submitted an application to the Governor's Office of Highway Safety and seeks Mayor and Council ratification; and

WHEREAS, the WDPS operations would be enhanced by having funding for said law enforcement activities and now desires to obtain authorization from Mayor and Council to formally ratify, approve and authorize the submittal of a application to the Governor's Office; and

WHEREAS, the Mayor and Council of the City of Willcox, Cochise County, Arizona have determined that it is in the best interest of the City, the WDPS and its citizens to ratify, approve and authorize the submittal of the application as presented; and

WHEREAS, the Mayor and Council and the WDPS desire to have this item presented at the next Council Meeting on April 2nd, 2012; 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 ratification of the application submittal, and that this Resolution be effective immediately upon its passage and adoption.

BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally ratifies and approves the submittal of the application by the WDPS as presented, authorizes the Mayor to execute this Resolution and directs and authorizes the Police Chief to take necessary action to carry out the intent of this Resolution.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this _____ day of April, 2012

APPROVED/EXECUTED

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina Garcia Whelan, CMC

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2012-27

PROPOSAL SUMMARY

- 1. Overtime – Alcohol:** Conduct enforcement details/patrol to decrease the number of vehicle accidents/injuries caused by drivers who speed, drive impaired, drive distracted, aggressive drivers and passenger restraint violations. Participate in statewide DUI Task Force activities as a member of the Southeastern Arizona DUI Task Force. Provide educational opportunities/ programs throughout the year at community events, school events and social events. Assist other agencies by providing HGN training classes by department certified HGN instructors. Overtime compensation will allow officer's to provide service for these details without taking them from their normal duties.
- 2. Equipment– Speed, Aggressive Driving, Alcohol:** Purchase mobile video recorder for patrol vehicle to provide evidence for court when citations are issued, thereby increasing successful prosecution and to improve officer safety by documenting contacts made with the public.
- 3. Equipment– Speed, Aggressive Driving, Alcohol, Training:** Purchase a police package vehicle to patrol and work special Statewide DUI Task Force details as a member of the Southeastern Arizona DUI Task Force. Assist other agencies participating in DUI Task Force details as well as enforcement of border related crimes in partnership with the Arizona Department of Homeland Security. In addition, a designated vehicle with visible identifiers marked on the unit to target DUI enforcement would be utilized as an education component when attending organized community events which would emphasize our department's commitment to educating our youth and citizens of the hazards of DUI violations as well as our standard of zero tolerance for DUI violations/violators.
- 4. Equipment – Alcohol, Youth Alcohol:** Purchase Portable Breath Testers for use when investigating youth violations involving alcohol and traffic stops involving impaired driver. In 2010, the Willcox Police Department was instrumental in proposing a new city ordinance which targets "Social Hosting" which implies additional punishment for underage drinking and alcohol related violations. The Willcox Police Department has a committed partnership with community organizations to attend organized community events to educate youth about legal issues and health problems associated with underage possession and consumption of alcohol.

I BACKGROUND/PROBLEM

The City of Willcox is a rural community in Cochise County with approximately 4,900 residents. The city is geographically located in the center of Interstate 10 and State Routes 186 and 191, approximately 80 miles east of Tucson Arizona. In addition, state routes 186 and 191 run through the community from Mexico (70 miles) and other surrounding communities. The Interstate and State Routes provide a large source of both private and commercial traffic through and around the city. The primary economic resources of the community are agricultural farming/ranching and tourism. The Willcox Police Department serves the community with a staff of eleven (11) certified officers, which includes one (1) Chief, one (1) Patrol Sergeant, one (1) Detective Sergeant, one (1) Detective Corporal, five (5) Patrol Officers, one (1) K-9 Officer and one (1) School Resource Officer. The Willcox Police Department provides a 24 hour patrol service within a 6.5 mile square radius community. The Police Department also assists service areas of the Interstate, State Routes, and outlying County areas as a result of an Interagency Agreement with the Cochise County Sheriff's Department and the Arizona Department of Public Safety. These agreements require our department to respond to agencies requesting back-up, covering emergency calls as needed and taking calls for service such as domestic disputes, vehicle accidents/collisions calls for service for the Arizona Department of Public Safety after 0000 hours via an Interagency Agreement on state routes and Interstate highways from mile post 339 to 341 increasing our duty responsibilities.

Problem:

The Willcox Department of Public Safety, Police Division has a unique responsibility in regards to enforcement as a result of the State Routes 186 and 191 which come to and from surrounding communities as well as the Country of Mexico. The city is also divided by Interstate 10 connecting Tucson and the State of New Mexico via our city. This factor is a benefit to the economy with added tourism, however it also leads to (2) major identified problems.

1. Due to our close proximity to the Mexico border as well as major thorough fares leading from Mexico through Willcox, there is a distinctive problem with tourists who travel to and from Mexico, as well as local citizens who drive under the influence of alcohol/drugs. Tourism from our area to Mexico by underage individuals is becoming increasingly popular as there is no legal drinking age limit in Mexico. The results of this fact are undeniable and have left a dramatic impact on many individuals, as lives have been lost. The interstate has an estimated traffic volume of approximately 25,000 vehicles per 24 hours through Willcox. This figure does not include the volumes produced by State Routes 186 and 191.
2. Secondly, due to our vast rural location, and limited youth activities in and around the Willcox community, our agency has experienced a rising concern of juveniles driving under the influence of alcohol/drugs. Another contributing factor to this concern is our local school district recently reduced the school week schedule to four (4) days. This reduction has resulted in a larger population of youth driving the streets and highways in Willcox and surrounding community for recreation on Fridays.

3. The Willcox Department of Public Safety was awarded funding through the Governor's Office of Highway Safety in 2003 to purchase a DUI enforcement vehicle. This vehicle was very instrumental as a visual tool for education and enforcement in regards to DUI violations. The vehicle was removed from the patrol fleet in 2010 due to age and progressive maintenance concerns. Since this date, our department has not had a vehicle specifically designated as a DUI Enforcement vehicle for special enforcement detail as well as community education events.

II ATTEMPTS TO SOLVE PROBLEM

In our efforts to be more pro-active, the City Mayor and council has supported the Willcox Department of Public Safety, Police Division with activities involving the Southeastern Arizona D.U.I. Task Force, uniting us with other departments in Cochise County, such as the Arizona Department of Public Safety, Sierra Vista Police Department, Cochise County Sheriff's Department, Douglas Police Department and other surrounding agencies. This is to keep with our Mission Statement as described below.

The Mission of the Willcox Department of Public Safety is to reduce the number of impaired drivers in the City of Willcox and surrounding areas with cooperative activities between community's, businesses, and Law Enforcement through education prevention and intervention.

In 2009, 2010 and 2011, the Willcox Department of Public Safety has accomplished the following objectives:

1. We have maintained a solid partnership and have worked closely with the Willcox Against Substance Abuse (W.A.S.A) program in the effort to promote our mission to the students in our public schools.
2. Through grant funding supplemented by department budget, we have implemented a full-time School Resource Officer who promotes safety within our public schools and teaches students drug and alcohol awareness through the D.A.R.E. program.
3. We have maintained training in our department with all of our officers to help with the procedures in impaired driver investigations. Currently all of our patrol officers are H.G.N. certified, two of our officers are H.G.N. instructors, and three of our officers are A.R.I.D.E. certified.
4. In 2010, the Willcox Police Department proposed a new city ordinance as described: *No person of eighteen (18) years of age in Arizona may knowingly permit or fail to take reasonable action to prevent the unlawful consumption of alcoholic beverages by an underage person on premises owned by the person or under the person's control. This subsection does not apply to spirituous liquor used exclusively as part of a religious service.* This ordinance (6-6-14 **Permitting or encouraging underage drinking**) was adopted by the Willcox City Council and was placed into effect December 16, 2010. In addition to this ordinance, our City Council also passed a **Zero Tolerance Ordinance** in regards to driving under the influence.

5. From 2009 through 2011, the Willcox Department of Public Safety officers recorded a total of 2,473 moving traffic violations. A total of 77 were arrested for D.U.I. alcohol and another 6 were arrested for D.U.I. drugs. Consequently, these impaired drivers were removed from the streets of Willcox and the public thoroughfares in our surrounding community. Additionally, our officers issued 151 citations for seatbelt violations and 30 citations for child restraint violations. These statistics were compiled from the recorded traffic stops from an average of 6 Patrol Officers and 1 Patrol Sergeant from the Willcox Department of Public Safety.
6. Current practices have been to use each shift officer and the manpower available during special details to enforce D.U.I. offenses in our community. We have recruited several of the local tavern owners to cooperate in our efforts to keep those under the influence off the streets by arranging free transportation to individuals who believe they are impaired. In addition, we have continued to provide education to those individuals who have had alcohol related violations, and the Chief of Police teaches a driver's education class to juveniles every other month.
7. Due to budget constraints and decreases in state shared revenue for the past 2 years, we have been unable to submit requests for needed equipment. Spending has been limited to the essentials. We have been unable to purchase any new patrol vehicles which are needed to replace the aged fleet which include vehicles in excess of seven (7) years and over 100k miles. In addition, budget cuts have limited the amount of overtime provided for officers to work special details which include providing enforcement in conjunction with the Southeastern DUI Task Force.

III PROJECT OBJECTIVES

The following objectives have been established in our effort to achieve the goals and objectives as outlined in our Department Mission Statement as well as this guidelines established by this grant:

1. The Willcox Department of Public Safety will continue to focus on reducing the number of impaired drivers in our community through education, intervention and enforcement by participating in a minimum of 1 educational activity every 60 days.
2. The Willcox Department of Public Safety will support the Arizona Department of Homeland Security and partner with surrounding agencies to help secure our border and combat border related crimes through increased patrol enforcement to reduce border related crimes to include traffic offenses by 5%.
3. The Willcox Department of Public Safety will schedule a minimum of 1 impaired driver enforcement details in the Willcox area and aggressive driving detail per month. This enforcement detail will be collaborated with the Southeastern Arizona D.U.I. Task Force for assistance during all the details worked in our area. Decrease DUI accidents/offenses by 5% within this grant period.
4. The Willcox Department of Public Safety will continue efforts to enhance partnership with civil organizations, local business and community leaders.
5. The Willcox Department of Public Safety will partner with the D.A.R.E. organization to extend the message relating to the dangers of drinking and driving and alcohol abuse to the community.
6. The Willcox Department of Public Safety will train officers to perform an impaired driver test for each traffic accident reported with the use of the PBT Device. This policy will promote a pro-active approach to zero tolerance for impaired driving and increase public awareness of our dedication to reduce the number of impaired driving incidents on our streets and highways.

METHOD OF PROCEDURE

The Willcox Department of Public Safety will focus on the established *Mission Statement* as a guide to help direct us in our efforts to bring strong public awareness through public speaking and participation in the community events. Increased visibility, our presence and participation with safety fairs, student education in our schools, conferences and other community events will be targeted as a high priority to the Department. In addition to this, our Department will also perform the following:

- Continue with daily high-contact traffic enforcement targeting aggressive and impaired drivers
- Zero tolerance regarding alcohol violations
- Regularly scheduled enforcement details around established increased driving events such as holidays and scheduled community events
- Special enforcement details scheduled in response to community complaints or in coordination with other agency details
- Report statistics back to G.O.H.S.
- Special DUI unit and equipment will be assigned to most pro-active traffic enforcement officer
- Officers will request every driver involved in traffic accident to perform an impaired driver test with the use of PBT devices.

PERFORMANCE MEASURES

The Willcox Department of Public Safety believes that a pro-active approach in targeting impaired and aggressive drivers will result in a decrease of DUI arrests and violations. Ultimately, our goal for 2012 will be to reduce the number of *Total Agency Citations* and the number of DUI Arrests by 20% from our current year. Based on prior statistics of citations issued and DUI arrests for 2011, we believe this is a measurable and obtainable goal.

The Willcox Department of Public Safety will complete the following by September 30, 2013:

- Participate in 20 DUI Task Force details
- Participate in 5 community education events
- Instruct 20 classes in the public schools on DUI / Drug awareness

BUDGET NARRATIVE

The following is a breakdown of the budget requested for this grant project:

➤ 2012 Chevrolet Tahoe Police Package Patrol Vehicle	\$	31,630.00
➤ Equipment Installation to complete marked unit	\$	7,700.00
➤ Digital In-Car Video Camera	\$	5,515.00
TOTAL VEHICLE COST	\$	44,845.00
➤ Officer Overtime (6 officers x \$5,000 each)	\$	30,000.00
➤ Alco-Sensor IV PBT's (6 x \$764.99)	\$	4,584.00
TOTAL OVERTIME/EQUIPMENT	\$	34,584.00

CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item 22
Tab Number 17
Date: 4/2/2011

<u>Date Submitted:</u>	<u>Action:</u>	<u>Subject:</u>
March 28, 2012	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal <input type="checkbox"/> Consideration	GAS, WATER, WASTEWATER AND SOLID WASTE UTILITIES: NOTICE OF INTENTION TO INCREASE RATES

TO: MAYOR AND COUNCIL
FROM: Finance Director Ruth Graham

DISCUSSION:

The City of Willcox operates a Gas Utility, a Water Utility, Wastewater Utility and Solid Waste Utility. As a part of its ongoing responsibility to operate the utilities in a business-like manner and to maintain a reserve balance for operations and capital investment needs, the City is reviewing its rates for services for the upcoming fiscal year 2012-2013. The rate reviews may result in the Council's decision to increase the rates, decrease the rates, or make no change.

Staff is requesting Council's approval of a Notice of Intention to Increase Rates and Charges of the Gas Utility, Water Utility, Wastewater Utility and Solid Waste Utility of the City of Willcox. The Notice is required to pursue the issue of rate reviews and possible rate increases for the funds for the period beginning July 1, 2012. A notice appears on the City's website; the notice will be published in the Arizona Range News on April 4th and 11th, the first public hearing will be held on May 7th, and a second public hearing and a decision on the rates is scheduled for a the Council meeting on May 21, 2012.

RECOMMENDATION:

Motion to approve Resolution No. 2012-___ Adopting a Notice of Intention to Increase Rates and Charges of the Gas Utility, Water Utility, Wastewater Utility, and Solid Waste Utility of the City of Willcox.

Submitted by:



Ruth Graham, Finance Director

Approved by:



Pat McCourt, City Manager

RESOLUTION NO. 2012-28

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA APPROVING AND ADOPTING A NOTICE OF INTENTION TO INCREASE RATES AND CHARGES OF THE GAS, WATER, WASTEWATER, AND SOLID WASTE UTILITIES OF THE CITY OF WILLCOX.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, AS FOLLOWS:

Section 1. Findings.

(a) The City of Willcox, Arizona (the "CITY") has the requisite statutory authority to engage in any business or enterprise which may be engaged in by persons by virtue of a franchise from the municipal corporation, and may construct, purchase, acquire, own and maintain within or without its corporate limits any such business or enterprise pursuant to the provision of A.R.S. § 9-511 et seq.

(b) The CITY has the requisite statutory authority to provide Gas, Water, Wastewater and Solid Waste Utility services for the benefit of the property owners and users within and without the City's corporate boundaries pursuant to the provision of A.R.S. § 9-511 et seq.

(c) The CITY is authorized to construct and maintain sewers and drains pursuant to A.R.S. §§ 9-240(B) (5) (a) and 9-276 et seq.

(d) The CITY is authorized to provide the town with water, to construct public wells and to supply the same with pumps and conducting pipes and ditches pursuant to A.R.S. §§ 9-240(B)(6) and 9-276 et seq.

(e) The Mayor and Council are required to adopt a notice of intention to increase and/or decrease rates and charges for the Gas, Water, Wastewater, and Solid Waste Utilities, provide notification on the City's home page website and to set a date for a public hearing on the proposed increases in accordance with A.R.S. §§ 9-511.01 and 9-499.15.

Section 2. Notice of Intention to Increase Rates and Charges. This resolution shall constitute a Notice of Intention by the City to increase rates and charges for use of the Gas, Water, Wastewater and Solid Waste Utilities, as shown in attached Exhibit A.

Section 3. Public Hearing. The first public hearing on the proposed increase in rates and charges is hereby set for 7:00 p.m. on May 7, 2012 and a second hearing is hereby set for 7:00 p.m. on May 21, 2012, in the Mayor and City Council Chambers, 300 W. Rex Allen Drive, Willcox, Arizona, at which oral and written comments will be received on the proposed increases. Following such hearings, the Mayor and Council will consider appropriate further action regarding the proposed rates and charges increase.

Above this Notice of Intention, as so published, shall appear a caption in substantially the following form:

**NOTICE OF PUBLIC HEARINGS
MAY 7, 2012, 7:00 P.M. AND MAY 21, 2012, 7:00 P.M.
CITY COUNCIL CHAMBERS
300 W REX ALLEN DRIVE
CITY OF WILLCOX, ARIZONA
ON
PROPOSED INCREASE IN GAS, WATER, WASTEWATER AND SOLID WASTE
UTILITIES SYSTEM RATES AND CHARGES**

PASSED, ADOPTED AND APPROVED, by the Mayor and City Council of the City of Willcox, Cochise County, Arizona, on this ____ day of April, 2012.

APPROVED/EXECUTED

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

ATTEST:

City Clerk, Cristina Garcia Whelan, CMC

APPROVED AS TO FORM:

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2012-28

EXHIBIT A
CITY OF WILLCOX, ARIZONA
GAS SYSTEM
RATES AND CHARGES EFFECTIVE JULY 1, 2012

Section 1. Monthly Availability Meter Charge based upon size of Gas Service:				
Customer Type	Meter Size	Rate Code	FY12 Meter Charge	FY13 Meter Charge
Residential In Town	175/200/250/275	101	\$ 11.01	\$ 12.01
Residential Out of Town	175/200/250/275	102	\$ 11.01	\$ 12.01
Commercial	175/200/250/275	110	\$ 11.01	\$ 12.01
Commercial	315/325 415/425	111	\$ 11.01	\$ 21.01
Commercial	750/800	112	\$ 11.01	\$ 31.01
Commercial	1000/1500 2000	113	\$ 11.01	\$ 61.01
Commercial	3000/4000	114	\$ 11.01	\$ 91.01
Commercial	5000/6000	115	\$ 11.01	\$ 101.01
Commercial	7000/8000	116	\$ 11.01	\$ 131.01

Section 2. Usage Charge based upon Units of Thousand cubic feet (Mcf):	
In Town Customers	\$ 3.280
Out of Town Customers	\$ 3.924

The Usage Charges reflect the overhead rate charged on each unit of gas (Mcf). The Usage Charge is in addition to the monthly cost of gas purchases and transportation costs described in Section 3. below. The Usage Charge is subject to the annual cost of living adjustment.

Section 3. Monthly Adjustment based on Gas Wholesale Price and Carrying Charges:

The City's cost for the supply of natural gas and the transportation of the gas to the City's gate changes on a monthly basis. The wholesale natural gas price to customers is adjusted monthly to pass through the City's cost for the natural gas.

Section 4. Annual Adjustment based on the Change in the Consumer Price Index:

Unless acted upon by the City Council, the rates listed in Section 1. and Section 2. of this Resolution shall be adjusted effective July 1st of each year, with July 1, 2012 being the date of the first adjustment. The rates shall be adjusted by taking the monthly Meter Charge Availability charges and the per unit Usage Charges for the most recent period and multiplying those rates by the annual change in the Consumer Price Index - All Urban Consumers - U.S. City Average (CPI) as published by the Bureau of Labor Statistics for the period from January 1st of the preceding year to January 1st of the current year.

EXHIBIT A
CITY OF WILLCOX, ARIZONA
WATER SYSTEM
RATES AND CHARGES EFFECTIVE JULY 1, 2012

Section 1. Monthly Availability Meter Charge based upon size of Water Service:				
Customer Type	Meter Size	Rate Code	FY12 Meter Charge	FY13 Meter Charge
Residential	3/4"	301	\$ 17.55	\$ 14.55
Residential	1"	302	\$ 27.21	\$ 19.21
Commercial	3/4"	310	\$ 17.55	\$ 14.55
Commercial	1"	311	\$ 27.21	\$ 19.21
Commercial	1 1/2"	312	\$ 46.52	\$ 26.52
Commercial	2"	313	\$ 85.16	\$ 35.16
Commercial	3"	314	\$ 152.80	\$ 72.80
Commercial	4"	315	\$ 297.61	\$ 182.61

Section 2. Unit Usage Charge based on Thousand Gallon Units (MG):	
0-2,000 Gallons	Included in base
2,001 - 6,000 Gallons	\$1.63
6,001 - 10,000 Gallons	\$1.82
10,001 - 15,000 Gallons	\$2.03
15,001 and above, No Limit	\$2.16

Section 3. Annual Adjustment based on the Change in the Consumer Price Index:

Unless acted upon by the City Council, the rates listed in Section 1. and Section 2. of this Resolution shall be adjusted effective July 1st of each year, with July 1, 2012 being the date of the first adjustment. The rates shall be adjusted by taking the monthly Meter Charge Availability charges and the per unit Usage Charges for the most recent period and multiplying those rates by the annual change in the Consumer Price Index - All Urban Consumers - U.S. City Average (CPI) as published by the Bureau of Labor Statistics for the period from January 1st of the preceding year to January 1st of the current year.

RESOLUTION NO. 2012-_____

EXHIBIT A
CITY OF WILLCOX, ARIZONA
WASTE WATER SYSTEM
RATES AND CHARGES EFFECTIVE JULY 1, 2012

Section 1. Monthly Availability Meter Charge based upon size of Water Service:				
Customer Type	Meter Size	Rate Code	FY12 Meter Charge	FY13 Meter Charge
Residential	3/4" or less	501	\$ 18.99	\$ 19.94
Residential	1"	502	\$ 25.82	\$ 27.11
Commercial	3/4" or less	520	\$ 27.61	\$ 28.99
Commercial	1"	521	\$ 34.46	\$ 36.18
Commercial	1 1/2"	522	\$ 51.68	\$ 54.26
Commercial	2"	523	\$ 72.31	\$ 75.93
Commercial	3"	524	\$ 137.77	\$ 144.66
Commercial	4"	525	\$ 224.00	\$ 235.20

Section 2. Unit Usage Charge based on Thousand Gallon Units (MG):	
All Customers	\$ 2.724830

Section 3. Annual Usage Rate Adjustment based on three month Winter Average:

The Current Usage Rate shall be based upon the volume of water usage during the billing cycles for December, January, and February each year. Water usage will be totaled and divided by three (3) to provide an average usage for computing the Sewer usage rate for each customer. This new average usage will remain unchanged throughout the ensuing year. Documentation of unusual circumstances (i.e. leaks) may be used by City Manager to adjust annual usage. The adjustment for Annual Usage shall be effective as of April 1st. New customers or sewer locations, or customers whose water is provided by a well, will be charged the average base rate and usage for that class of customers.

Section 4. Annual Adjustment based on the Change in the Consumer Price Index:

Unless acted upon by the City Council, the rates listed in Section 1, 2 and 3 of this Resolution shall be adjusted effective July 1st of each year, with July 1, 2012 being the date of the first adjustment. The rates shall be adjusted by taking the monthly Meter Charge Availability charges and the per unit Usage Charges for the most recent period and multiplying those rates by the annual change in the Consumer Price Index - All Urban Consumers - U.S. City Average (CPI) as published by the Bureau of Labor Statistics for the period from January 1st of the preceding year to January 1st of the current year.

EXHIBIT A
 CITY OF WILLCOX, ARIZONA
 SOLID WASTE (TRASH REMOVAL) SYSTEM
 RATES AND CHARGES EFFECTIVE JULY 1, 2012

Section 1. Solid Waste Charges for Residential Service:				
Customer Type	Container Size	Rate Code	FY12 Charge	FY13 Charge
Single Family	96 gallon	701	\$ 23.49	\$ 23.72
Senior Citizen /Side Yard	96 gallon	702	\$ 19.85	\$ 20.40
Commercial	SEE ATTACHED FISCAL YEAR 13 RATE SCHEDULE			

Section 2. Annual Adjustment based on the Change in the Consumer Price Index:

Unless acted upon by the City Council, the rates listed in Section 1 and as enumerated on the attached rate schedule shall be adjusted by the cost of living effective July 1st of each year, with July 1, 2012 being the date of the first adjustment. The rates from the most recent period will be multiplied by the annual rate of change in the Consumer Price Index - All Urban Consumers - U.S. City Average (CPI) as published by the Bureau of Labor Statistics for the period from January 1st of the preceding year to January 1st of the current year.

**SOLID WASTE RATE SCHEDULE
COMMERCIAL CUSTOMERS
FY13 ATTACHMENT TO SCHEDULE A**

Commercial customers with a 96 gallon container:				
Number of Cans /week	No. of pickups		FY 12 Rates	FY 13 Rates
	1	2		
			\$ 24.72	\$ 26.27

Commercial Customers with a 1.5 yard container:				
Number of Cans /week	No. of pickups		FY 12 Rates	FY 13 Rates
	1	2		
1	1	32	\$ 53.10	\$ 55.46
1	2	52	\$ 80.34	\$ 83.53
1	3	6	\$ 107.59	\$ 111.61
2	6	2	\$ 352.23	\$ 364.30
2	2	2	\$ 134.83	\$ 139.69
2	3	2	\$ 189.31	\$ 195.84
3	3	0	\$ 271.03	Calculated
4	2	0	\$ 243.79	Calculated
6	2	0	\$ 352.76	Calculated
		96		

Commercial Customers with a 3 yard container:				
Number of Cans /week	No. of pickups		FY 12 Rates	FY 13 Rates
	1	2		
1	1	8	\$ 77.31	\$ 80.42
1	2	20	\$ 128.76	\$ 133.45
1	3	14	\$ 180.22	\$ 186.48
1	4	1	\$ 231.67	\$ 239.52
1	5	0	\$ 283.12	\$ 213.62
1	6	1	\$ 334.57	\$ 345.59
2	1	1	\$ 128.76	\$ 133.45
2	2	12	\$ 231.67	\$ 239.52
2	3	0	\$ 334.57	Calculated
2	4	0	\$ 437.47	Calculated
2	5	6	\$ 540.38	\$ 557.72
2	6	7	\$ 643.28	\$ 663.79
3	3	3	\$ 487.36	\$ 504.69
3	6	0	\$ 951.99	Calculated
4	2	0	\$ 437.47	Calculated
4	5	0	\$ 1,054.89	Calculated
4	6	0	\$ 1,250.70	Calculated
		73		

Rates marked "Calculated" are not currently in use. If a commercial customer requests service at this rate level, the rate will be calculated using the same methods and formulas as those used for the rates shown.

**CITY OF WILLCOX
Request for Council Action**

Agenda Item: 23.
Tab Number: 18
Date: 04-02-2012

Date Submitted:
March 27, 2012
Date Requested:
April 2, 2012

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject:
Request to submit
Operations Plan for
Dept. of Homeland
Security Stonegarden
FY 2012 Grant

To: Honorable Mayor and City Council
From: Chief Jake Weaver

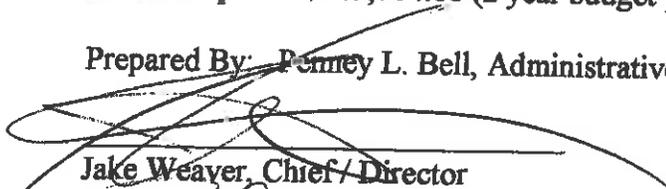
Discussion: The Willcox Department of Public Safety is requesting council approval to submit a Operation Plan for participation in the Department of Homeland Security FY 2012 Stonegarden Grant Funding. The Operation Plan allows agency participation in upcoming FY funding. Copy of FY 2012 Op plan appended.

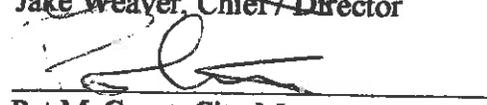
Recommendation: To allow the Willcox Department of Public Safety to submit the Operations Plan for participation in the FY 2012 Stonegarden grant funding for supporting Officer overtime, ERE, vehicle mileage, and equipment (hand held radios, in-car video cameras).

Motion:

Fiscal Impact: \$143,704.88 (2 year budget plan)

Prepared By: Penny L. Bell, Administrative Assistant


Jake Weaver, Chief / Director


Pat McCourt, City Manager

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-29**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND AUTHORIZING THE WILLCOX DEPARTMENT OF PUBLIC SAFETY TO SUBMIT THE OPERATIONS PLAN FOR PARTICIPATION IN THE FY2012 STONEGARDEN GRANT FUNDING THROUGH THE US DEPARTMENT OF HOMELAND SECURITY FOR THE PURPOSE OF COLLABORATIVE LAW ENFORCEMENT ACTIVITIES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox is empowered pursuant to A.R.S. § 9-240(12) to establish and regulate the police of the city and to enter into agreements with the county, the state and federal governments and agencies pursuant A.R.S. § 11-951 and 952 et seq. and is vested with all powers of incorporated cities and towns as set forth in Title 9; and

WHEREAS, the United States Department of Homeland Security ["DHS"] provides funding for local law enforcement agencies under a program known as "Operation Stonegarden" ["OSG"] and will reimburse the City for the expenses incurred thereto; and

WHEREAS, the Willcox Department of Public Safety ["WDPS"] has been applied for and has been granted funds for various law enforcement activities; and

WHEREAS, the WDPS seeks authorization to submit an Operations Plan for FY2012 Stonegarden funding in the amount of \$143,704.88 (2 year budget plan); and

WHEREAS, the Mayor and Council of the City of Willcox, Cochise County, Arizona have determined that it is in the best interest of the City, the WDPS and its citizens to authorize the WDPS to proceed with the submittal of the Operations Plan as presented; and

WHEREAS, the Mayor and Council and the WDPS desire to have this item presented at the next Council Meeting on April 2, 2012; 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 submittal of the WDPS Operations Plan, and that this Resolution be effective immediately upon its passage and adoption.

BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and authorizes the WDPS to proceed with the

submittal of the Operations Plan, authorizes the Mayor or Vice Mayor to execute this Resolution and directs and authorizes the Police Chief to take necessary action to carry out the intent of this Resolution.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this _____ day of April, 2012

APPROVED/EXECUTED

MAYOR, GERALD W. LINDSEY (OR)
VICE MAYOR, MONICA CRONBERG

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina Garcia Whelan, CMC

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2012-29

Executive Summary

Op Order Name:	FY 2012 OPSG ARIZONA -	
Op Order Number:	<Completed by CBP>	
Op Dates:	From: 10/01/2012	To: 09/30/2014
Report Date:	Today 's Date March 21, 2012	

I. SITUATION

A. General Situation:

Every year thousands of undocumented aliens journey north to try and gain illegal entry into the United States. Unfortunately, numerous people fall victim to harsh climatic elements and crime during the course of their journey. Additionally criminal organizations located in Mexico and members of terrorist organizations abroad attempt to gain entry into the United States via the common border between the United States and Mexico.

Generally undocumented aliens rely on smugglers, whose goal is to make money without regard for human life. Many of these smugglers use violence and intimidation to control their human cargo. Often aliens are victims of robbery, sexual assault, extortion, and kidnapping. Criminal and /or terrorist organizations may gain entry into the United States by way of our border with Mexico to transport narcotics and/or personnel to other locations within the United States by way of our interstates, highways, and roads. A large number of these incidents occur along the highway 186 and I-10 corridor. This same area is vulnerable to national security as an ingress for potential smuggling of terrorists and/or weapons of mass destruction, as well as narcotics.

Methods used by smugglers to cross narcotics and aliens into the United States include by vehicle, on foot, via tunnel, and aircraft. Due to the mobility of smugglers entering by foot, through dense brush, some of the city is used as an avenue to local stash houses and/or points of transport. Smugglers also utilize vehicles via the highway 186 and I-10 corridor both of which run through the city limits connecting to interior roads and streets allowing further transport to stash houses and drop off/pick up points and destinations within the interior United States. In order to facilitate their illicit smuggling activities, many of the vehicles used in the smuggling operations are primarily stolen vehicles reported out of Tucson and Phoenix metropolitan areas.

B. Terrain/Weather:

The terrain surrounding the City of Willcox is desert surrounded by mountains. Desert areas have dense brush in some areas. Additionally, a large dry lake bed is located to the south west of the city and is utilized by aliens to cross undetected by foot to pick up points for transport. The weather in the summer ranges from evening temperatures in the 70's to daytime temperatures in the high 90's to low 100's and monsoons which produce high volumes of rain causing flash flooding in streams and washes and lightning. Winter ranges from evening temperatures in the high teens to daytime temperatures in the 60's.

C. Criminal Element:

There are numerous smuggling organizations operating on both sides of the international border. These organizations typically are involved both human and drug smuggling operations. Due to security along the border being strengthened by Border Patrol, greater resistance to apprehension has been presented by the smuggling organizations, which has manifested itself in assaults on officers, ranging from physical to deadly, and include high speed vehicle pursuits. It is also common for smuggling organizations to utilize encrypted radios and cellular phones to communicate, and scanners to monitor law enforcement radio communications.

Alien and drug trafficking organizations in southern Arizona are familiar with traditional Police and Border Patrol operations and are known to employ innovative and aggressive methods to traffic illicit contraband and aliens across the border into the interior United States. Organized criminal elements, involved in the trafficking of aliens, narcotics, and other contraband actively employ professional guides/scouts and armed escorts to accomplish their trafficking efforts, and utilize a variety of weapons to include automatic weapons/rifles, wearing of body armor, and use of night vision equipment to avoid detection. If detected, smugglers typically make every effort to avoid apprehension, often resulting in violent confrontations, and/or high speed pursuits endangering those involved as well as unsuspecting innocent third parties.

D. Friendly Forces:

The Willcox Police Department, U.S. Border Patrol Willcox Station, Arizona Department of Public Safety (Highway Patrol), Cochise County Sheriff's Office, the FBI, ICE, and DEA all operate offices within Cochise County.

II. **MISSION**

The primary objective of this operation is to detect/apprehend human and drug smuggling cargos and stolen vehicles, deter criminal activity associated with this type of activity, deter the use of routes of ingress into the City of Willcox used by illicit smuggling organizations and reduce the impact of victimization by human predators. Secondly the intent/mission of this operation is to reduce the impact of alien victimization, drug and other illicit smuggling operations and elements

III. **EXECUTION**

A. Management/Supervisor Intent:

The United States Department of Homeland Security (DHS) Office for Domestic Preparedness (ODP) has established guidelines for operational overtime costs associated with providing enhanced law enforcement operations in support of federal agencies for increased border security and illegal border crossing enforcement. The intent of this operation is to have a positive impact against alien, drug and other illicit smuggling cargos and stolen vehicles; to deter criminal activity and the peripheral criminal activity that is associated with the trafficking, and to reduce the victimization of illegal aliens. The Willcox Police Department shall keep and maintain accurate logs and statistical data regarding the operations activities, its expenditures, and results. The Willcox Police Department will coordinate operational activity with other law enforcement agencies operating in or near the operational area.

B. General Concept:

In coordination with federal, state, and Cochise County law enforcement the Willcox Police Department supported by dispatch, shall deploy certified Police Officers along the main roadways and areas known to be utilized or impacted by smuggling operations. Officers will be dedicated to detecting human and/or drug cargo and other illicit cargo, aggressively search for stolen vehicles. High visibility patrols will be conducted in populated areas where drug and/or human cargo is suspected. Willcox Police Officers shall stop any vehicle that is observed committing an offense which would be construed as a violation of the traffic laws of the State of Arizona. If persons of interest are encountered, immediate notification will be made to U.S. Customs and Border Protection Willcox station. Willcox Police Officers deployed to the target areas will conduct traffic contacts. This deployment shall result in increased contacts with people and vehicles traveling these roadways.

These deployments will be based on intelligence driven information and in coordination with Department of Homeland Security entities. These Patrols will normally take place on or near Highway 186, Interstate 10, Fort grant Road, and on surface streets within the City of Willcox.

C. Specific Responsibilities:

All Stonegarden funds allocated within Arizona must support CBP's border security mission. All Stonegarden deployments must be pre-coordinated, approved and directed as part of the block schedule, named CBP operation or pre-coordinated ad hoc operation.

Border Patrol Responsibilities

- **Operational Control:** Border Patrol management at the Sector and Station level will closely coordinate with participating agencies and ensure that deployments are in alignment with station and sector objectives.
- Station personnel will work collaboratively with participating agencies to identify border security threats within their respective Area of Responsibility (AOR).
- In the absence of specific named operations, stations will pre-coordinate ad hoc OPSG deployments or create and provide bi-weekly block schedules to participating agencies (dates, times, and locations).
- SLT Officers/Deputies may conduct ad hoc OPSG operations which are not part of a named operation or are not part of the block schedule if pre coordination has taken place with the appropriate Border Patrol Station or identified BP POC
- Border Patrol will identify a sector and/or station point of contact that will:
 - Coordinate and approve every OPSG deployment.
 - Review Daily Activity Reports.
 - Create and provide block schedules.
- When practical, based on the deployment location of OPSG officers and BP station locations, participating agencies should be encouraged to attend station musters.
- If applicable, coordination with the Office of Field Operations regarding outbound operations should be encouraged.
- Station personnel are required to provide OPSG participants with actionable intelligence.

Participating Agency Responsibilities

- Participating agency will work collaboratively to identify border security threats within their Area of Responsibility (AOR).
- Participating agencies will adhere to the station block schedule, pre coordinated ad hoc deployment location or deployment scheme within a specific named CBP Operations Order.*
- Participating deputies/officers will advise Border Patrol dispatch and/or the duty Field Operations Supervisor (shift commander) when beginning and ending their shift.
 - In the event that a participating agency's jurisdiction covers multiple BP station AORs, a BP single POC can be identified to streamline the process
 - Notification to the BP Station or identified BP POC can be made by phone prior to the participating officer's departure to the pre-coordinated deployment area
- Participating deputies/officers will provide Border Patrol Stations with intelligence gathered during deployments.
 - In the event of arrest or seizure, pertinent information such as vehicle registration information, suspect information, seizure location and concealment methods should be included in the narrative section of the Daily Activity Report
 - In the event that a participating agency's jurisdiction covers multiple BP station AORs, a single Border Patrol POC can be identified receive the information and to streamline the process.
- Participating agencies will provide Border Patrol Stations with a Daily Activity Report within two days after each deployment.

Stonegarden Deployments

At the discretion of the CBP/BP Sector Chief Patrol Agent, partnering state, local, and tribal (SLT) agencies may conduct additional border security operations (discussed below) to support the Tucson and Yuma Sectors of the Border Patrol as part of a specific named operation or ad hoc operations which are not part of the block schedule. These additional enforcement operations will require pre-coordination of the ad hoc operation or a separate and approved CBP Operations Order (with Tucson or Yuma Sector HQ approval and Joint Field Command concurrence). Please note that all Stonegarden deployments discussed below must be conducted on overtime status. The additional OPSG enforcement operations are defined below:

- **Specific Named Operations:** SLT Officers/Deputies may perform the function of interdiction assets, observation posts, forward operating base/camp support, etc. in support of specific named Sector operations.
- **Specialty Teams:** SLT Officers/Deputies may support Sector specialty teams (i.e. DISRUPT – plain clothes surveillance/interdiction operations).
- **Pairing of Authority:** SLT Officers/Deputies may ride in the same vehicle as Border Patrol Agents and conduct joint enforcement operations.
- **Targeted Enforcement:** SLT Officers/Deputies may support Sector targeting of specific people, organizations, terrain, etc.
- **Pre-coordinated ad hoc OPSG Operations** SLT Officers/Deputies may conduct ad hoc operations which are not part of a named operation or are not part of the block schedule if pre coordination has taken place with the appropriate Border Patrol Station or identified BP POC. NOTE: per grant guidelines, supplanting normal activities is not allowed and will not be reimbursed (3). As with all OPSG deployments, a direct nexus to supporting the border security efforts must be illustrated.

D. Coordinating Instructions:

The Willcox Police Department will coordinate all operations with Border Patrol and with any other law enforcement within the area of operation for the de-confliction purposes. Where feasible, the Willcox Police Department will join with other agencies operating under Operation Stonegarden to conduct either joint or complimentary operations. Intelligence information furnished by Border Patrol, as well as other intelligence sources, will be used to determine areas of operation. Statistical information and intelligence information developed in the course of any operations will be furnished to the designated point of contact with Border Patrol. Intelligence information that is pertinent to other law enforcement agencies shall be provided to that agency.

IV. BUDGET (YEAR 1)

<i>Administration/Logistics/Budget Request</i>	<i>Narrative Justification (Computation of Items)</i>	<i>Federal Request</i>
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<i>Law Enforcement Operational Overtime</i>	\$33.00 per hour OT rate x 2 personnel x 6 hours x 2 day detail	\$41,118.40
<i>Fringe Benefits for Law Enforcement</i>	\$22.00/hr x 1.5 OT = (\$33.00/hr) x (.062) = (\$2.56/hr FICA) x 1,248 hrs/yr	\$3,194.88
<i>Travel, Lodging, and Per Diem for deployed LE and/or Federally sponsored (DHS/FEMA) border security task forces, conferences and/or mandatory training</i>		
<i>General Equipment</i>	Eight (8) In-Car Video Cameras Three (3) P25 Hand Held Radios	\$44,125.20 \$3,753.00
<i>Special Equipment (Requiring separate waiver i.e., Planes, boats, vehicles, SUVs, etc.)</i>		
<i>Part-Time to Full-Time Law Enforcement Personnel</i>		
<i>Activated Reserve Law Enforcement Personnel</i>		
<i>Vehicles - Vehicle Mileage</i>	<u>4,045</u> miles per year x .445 cents per miles x 2 vehicles	\$3,600.06
TOTAL		\$95,791.54

BUDGET (YEAR 2)

Administration/Logistics/Budget Request	Narrative Justification (Computation of Items)	Federal Request

Law Enforcement Operational Overtime	\$33.00 per hour OT rate x 2 personnel x 6 hours x 2 day detail	\$41,118.40
Fringe Benefits for Law Enforcement	\$22.00/hr x 1.5 OT = (\$33.00/hr) x (.062) = (\$2.56/hr FICA) x 1,248 hrs/yr	\$3,194.88
Travel, Lodging, and Per Diem for deployed LE and/or Federally sponsored (DHS/FEMA) border security task forces, conferences and/or mandatory training		
General Equipment		
Special Equipment (Requiring separate waiver i.e., Planes, boats, vehicles, SUVs, etc.)		
Part-Time to Full-Time Law Enforcement Personnel		
Activated Reserve Law Enforcement Personnel		
Vehicles - Vehicle Mileage	_4,045_ miles per year x .445 cents per miles x 2 vehicles	\$3,600.06
TOTAL		\$47,913.34

TOTAL YEAR 1 = \$95,791.54

TOTAL YEAR 2 = \$47,913.34

TOTAL REQUEST = \$143,704.88

V. COMMAND/CONTROL/COMMUNICATION

A. Chain of Command:

Generally, the Willcox Police Department implied chain of command shall be utilized. For each operational

period of this operation, the ranking person present shall be the Officer in Charge, unless designated otherwise by competent authority. In any event, one individual shall be the Operational Commander for that operational period.

B. Unit Command:

C. Communications Detail:

The Willcox Police Department personnel will utilize Police Office radio frequencies as designated for each operational period. During those operations where other agencies are operating either jointly or cooperatively, the Willcox Police Department Mutual Aid frequencies shall be utilized for inter-agency communication.

D. Map Coordinates:

Notes:

Longitude:

Latitude:

Degrees:

Minutes:

Seconds:

Decimal:

Location Zone:

VI. ANNEX

A. Administration Annex:

B. Execution Annex:

C. Command Annex:

Media Action Plan:

Legal Review:

Risks:

Photos:

Executive Summary

Op Order Name:	FY 2012 OPSG ARIZONA -	
Op Order Number:	<Completed by CBP>	
Op Dates:	From: 10/01/2012	To: 09/30/2014
Report Date:	Today 's Date March 21, 2012	

I. SITUATION

A. General Situation:

Every year thousands of undocumented aliens journey north to try and gain illegal entry into the United States. Unfortunately, numerous people fall victim to harsh climatic elements and crime during the course of their journey. Additionally criminal organizations located in Mexico and members of terrorist organizations abroad attempt to gain entry into the United States via the common border between the United States and Mexico.

Generally undocumented aliens rely on smugglers, whose goal is to make money without regard for human life. Many of these smugglers use violence and intimidation to control their human cargo. Often aliens are victims of robbery, sexual assault, extortion, and kidnapping. Criminal and /or terrorist organizations may gain entry into the United States by way of our border with Mexico to transport narcotics and/or personnel to other locations within the United States by way of our interstates, highways, and roads. A large number of these incidents occur along the highway 186 and I-10 corridor. This same area is vulnerable to national security as an ingress for potential smuggling of terrorists and/or weapons of mass destruction, as well as narcotics.

Methods used by smugglers to cross narcotics and aliens into the United States include by vehicle, on foot, via tunnel, and aircraft. Due to the mobility of smugglers entering by foot, through dense brush, some of the city is used as an avenue to local stash houses and/or points of transport. Smugglers also utilize vehicles via the highway 186 and I-10 corridor both of which run through the city limits connecting to interior roads and streets allowing further transport to stash houses and drop off/pick up points and destinations within the interior United States. In order to facilitate their illicit smuggling activities, many of the vehicles used in the smuggling operations are primarily stolen vehicles reported out of Tucson and Phoenix metropolitan areas.

B. Terrain/Weather:

The terrain surrounding the City of Willcox is desert surrounded by mountains. Desert areas have dense brush in some areas. Additionally, a large dry lake bed is located to the south west of the city and is utilized by aliens to cross undetected by foot to pick up points for transport. The weather in the summer ranges from evening temperatures in the 70's to daytime temperatures in the high 90's to low 100's and monsoons which produce high volumes of rain causing flash flooding in streams and washes and lightning. Winter ranges from evening temperatures in the high teens to daytime temperatures in the 60's.

C. Criminal Element:

There are numerous smuggling organizations operating on both sides of the international border. These organizations typically are involved both human and drug smuggling operations. Due to security along the border being strengthened by Border Patrol, greater resistance to apprehension has been presented by the smuggling organizations, which has manifested itself in assaults on officers, ranging from physical to deadly, and include high speed vehicle pursuits. It is also common for smuggling organizations to utilize encrypted radios and cellular phones to communicate, and scanners to monitor law enforcement radio communications.

Alien and drug trafficking organizations in southern Arizona are familiar with traditional Police and Border Patrol operations and are known to employ innovative and aggressive methods to traffic illicit contraband and aliens across the border into the interior United States. Organized criminal elements, involved in the trafficking of aliens, narcotics, and other contraband actively employ professional guides/scouts and armed escorts to accomplish their trafficking efforts, and utilize a variety of weapons to include automatic weapons/rifles, wearing of body armor, and use of night vision equipment to avoid detection. If detected, smugglers typically make every effort to avoid apprehension, often resulting in violent confrontations, and/or high speed pursuits endangering those involved as well as unsuspecting innocent third parties.

D. Friendly Forces:

The Willcox Police Department, U.S. Border Patrol Willcox Station, Arizona Department of Public Safety (Highway Patrol), Cochise County Sheriff's Office, the FBI, ICE, and DEA all operate offices within Cochise County.

II. **MISSION**

The primary objective of this operation is to detect/apprehend human and drug smuggling cargos and stolen vehicles, deter criminal activity associated with this type of activity, deter the use of routes of ingress into the City of Willcox used by illicit smuggling organizations and reduce the impact of victimization by human predators. Secondly the intent/mission of this operation is to reduce the impact of alien victimization, drug and other illicit smuggling operations and elements

III. **EXECUTION**

A. Management/Supervisor Intent:

The United States Department of Homeland Security (DHS) Office for Domestic Preparedness (ODP) has established guidelines for operational overtime costs associated with providing enhanced law enforcement operations in support of federal agencies for increased border security and illegal border crossing enforcement. The intent of this operation is to have a positive impact against alien, drug and other illicit smuggling cargos and stolen vehicles; to deter criminal activity and the peripheral criminal activity that is associated with the trafficking, and to reduce the victimization of illegal aliens. The Willcox Police Department shall keep and maintain accurate logs and statistical data regarding the operations activities, its expenditures, and results. The Willcox Police Department will coordinate operational activity with other law enforcement agencies operating in or near the operational area.

B. General Concept:

In coordination with federal, state, and Cochise County law enforcement the Willcox Police Department supported by dispatch, shall deploy certified Police Officers along the main roadways and areas known to be utilized or impacted by smuggling operations. Officers will be dedicated to detecting human and/or drug cargo and other illicit cargo, aggressively search for stolen vehicles. High visibility patrols will be conducted in populated areas where drug and/or human cargo is suspected. Willcox Police Officers shall stop any vehicle that is observed committing an offense which would be construed as a violation of the traffic laws of the State of Arizona. If persons of interest are encountered, immediate notification will be made to U.S. Customs and Border Protection Willcox station. Willcox Police Officers deployed to the target areas will conduct traffic contacts. This deployment shall result in increased contacts with people and vehicles traveling these roadways.

These deployments will be based on intelligence driven information and in coordination with Department of Homeland Security entities. These Patrols will normally take place on or near Highway 186, Interstate 10, Fort grant Road, and on surface streets within the City of Willcox.

C. Specific Responsibilities:

All Stonegarden funds allocated within Arizona must support CBP's border security mission. All Stonegarden deployments must be pre-coordinated, approved and directed as part of the block schedule, named CBP operation or pre-coordinated ad hoc operation.

Border Patrol Responsibilities

- Operational Control: Border Patrol management at the Sector and Station level will closely coordinate with participating agencies and ensure that deployments are in alignment with station and sector objectives.
- Station personnel will work collaboratively with participating agencies to identify border security threats within their respective Area of Responsibility (AOR).
- In the absence of specific named operations, stations will pre-coordinate ad hoc OPSG deployments or create and provide bi-weekly block schedules to participating agencies (dates, times, and locations).
- SLT Officers/Deputies may conduct ad hoc OPSG operations which are not part of a named operation or are not part of the block schedule if pre coordination has taken place with the appropriate Border Patrol Station or identified BP POC
- Border Patrol will identify a sector and/or station point of contact that will:
 - Coordinate and approve every OPSG deployment.
 - Review Daily Activity Reports.
 - Create and provide block schedules.
- When practical, based on the deployment location of OPSG officers and BP station locations, participating agencies should be encouraged to attend station musters.
- If applicable, coordination with the Office of Field Operations regarding outbound operations should be encouraged.
- Station personnel are required to provide OPSG participants with actionable intelligence.

Participating Agency Responsibilities

- Participating agency will work collaboratively to identify border security threats within their Area of Responsibility (AOR).
- Participating agencies will adhere to the station block schedule, pre coordinated ad hoc deployment location or deployment scheme within a specific named CBP Operations Order.*
- Participating deputies/officers will advise Border Patrol dispatch and/or the duty Field Operations Supervisor (shift commander) when beginning and ending their shift.
 - In the event that a participating agency's jurisdiction covers multiple BP station AORs, a BP single POC can be identified to streamline the process
 - Notification to the BP Station or identified BP POC can be made by phone prior to the participating officer's departure to the pre-coordinated deployment area
- Participating deputies/officers will provide Border Patrol Stations with intelligence gathered during deployments.
 - In the event of arrest or seizure, pertinent information such as vehicle registration information, suspect information, seizure location and concealment methods should be included in the narrative section of the Daily Activity Report
 - In the event that a participating agency's jurisdiction covers multiple BP station AORs, a single Border Patrol POC can be identified receive the information and to streamline the process.
- Participating agencies will provide Border Patrol Stations with a Daily Activity Report within two days after each deployment.

Stonegarden Deployments

At the discretion of the CBP/BP Sector Chief Patrol Agent, partnering state, local, and tribal (SLT) agencies may conduct additional border security operations (discussed below) to support the Tucson and Yuma Sectors of the Border Patrol as part of a specific named operation or ad hoc operations which are not part of the block schedule. These additional enforcement operations will require pre-coordination of the ad hoc operation or a separate and approved CBP Operations Order (with Tucson or Yuma Sector HQ approval and Joint Field Command concurrence). Please note that all Stonegarden deployments discussed below must be conducted on overtime status. The additional OPSG enforcement operations are defined below:

- Specific Named Operations: SLT Officers/Deputies may perform the function of interdiction assets, observation posts, forward operating base/camp support, etc. in support of specific named Sector operations.
- Specialty Teams: SLT Officers/Deputies may support Sector specialty teams (i.e. DISRUPT – plain clothes surveillance/interdiction operations).
- Pairing of Authority: SLT Officers/Deputies may ride in the same vehicle as Border Patrol Agents and conduct joint enforcement operations.
- Targeted Enforcement: SLT Officers/Deputies may support Sector targeting of specific people, organizations, terrain, etc.
- Pre-coordinated ad hoc OPSG Operations SLT Officers/Deputies may conduct ad hoc operations which are not part of a named operation or are not part of the block schedule if pre coordination has taken place with the appropriate Border Patrol Station or identified BP POC. NOTE: per grant guidelines, supplanting normal activities is not allowed and will not be reimbursed (3). As with all OPSG deployments, a direct nexus to supporting the border security efforts must be illustrated.

D. Coordinating Instructions:

The Willcox Police Department will coordinate all operations with Border Patrol and with any other law enforcement within the area of operation for the de-confliction purposes. Where feasible, the Willcox Police Department will join with other agencies operating under Operation Stonegarden to conduct either joint or complimentary operations. Intelligence information furnished by Border Patrol, as well as other intelligence sources, will be used to determine areas of operation. Statistical information and intelligence information developed in the course of any operations will be furnished to the designated point of contact with Border Patrol. Intelligence information that is pertinent to other law enforcement agencies shall be provided to that agency.

IV. BUDGET (YEAR 1)

<i>Administration/Logistics/Budget Request</i>	<i>Narrative Justification (Computation of Items)</i>	<i>Federal Request</i>
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<i>Law Enforcement Operational Overtime</i>	\$33.00 per hour OT rate x 2 personnel x 6 hours x 2 day detail	\$41,118.40
<i>Fringe Benefits for Law Enforcement</i>	\$22.00/hr x 1.5 OT = (\$33.00/hr) x (.062) = (\$2.56/hr FICA) x 1,248 hrs/yr	\$3,194.88
<i>Travel, Lodging, and Per Diem for deployed LE and/or Federally sponsored (DHS/FEMA) border security task forces, conferences and/or mandatory training</i>		
<i>General Equipment</i>	Eight (8) In-Car Video Cameras Three (3) P25 Hand Held Radios	\$44,125.20 \$3,753.00
<i>Special Equipment (Requiring separate waiver i.e., Planes, boats, vehicles, SUVs, etc.)</i>		
<i>Part-Time to Full-Time Law Enforcement Personnel</i>		
<i>Activated Reserve Law Enforcement Personnel</i>		
<i>Vehicles - Vehicle Mileage</i>	<u>4,045</u> miles per year x .445 cents per miles x 2 vehicles	\$3,600.06
TOTAL		\$95,791.54

BUDGET (YEAR 2)

Administration/Logistics/Budget Request	Narrative Justification (Computation of Items)	Federal Request

Law Enforcement Operational Overtime	\$33.00 per hour OT rate x 2 personnel x 6 hours x 2 day detail	\$41,118.40
Fringe Benefits for Law Enforcement	\$22.00/hr x 1.5 OT = (\$33.00/hr) x (.062) = (\$2.56/hr FICA) x 1,248 hrs/yr	\$3,194.88
Travel, Lodging, and Per Diem for deployed LE and/or Federally sponsored (DHS/FEMA) border security task forces, conferences and/or mandatory training		
General Equipment		
Special Equipment (Requiring separate waiver i.e., Planes, boats, vehicles, SUVs, etc.)		
Part-Time to Full-Time Law Enforcement Personnel		
Activated Reserve Law Enforcement Personnel		
Vehicles - Vehicle Mileage	_4,045_ miles per year x .445 cents per miles x 2 vehicles	\$3,600.06
TOTAL		\$47,913.34

TOTAL YEAR 1 = \$95,791.54

TOTAL YEAR 2 = \$47,913.34

TOTAL REQUEST = \$143,704.88

V. COMMAND/CONTROL/COMMUNICATION

A. Chain of Command:

Generally, the Willcox Police Department implied chain of command shall be utilized. For each operational

period of this operation, the ranking person present shall be the Officer in Charge, unless designated otherwise by competent authority. In any event, one individual shall be the Operational Commander for that operational period.

B. Unit Command:

C. Communications Detail:

The Willcox Police Department personnel will utilize Police Office radio frequencies as designated for each operational period. During those operations where other agencies are operating either jointly or cooperatively, the Willcox Police Department Mutual Aid frequencies shall be utilized for inter-agency communication.

D. Map Coordinates:

Notes:

Longitude:

Latitude:

Degrees:

Minutes:

Seconds:

Decimal:

Location Zone:

VI. ANNEX

A. Administration Annex:

B. Execution Annex:

C. Command Annex:

Media Action Plan:

Legal Review:

Risks:

Photos:

TAP 19

**CITY OF WILLCOX
FISCAL YEAR 2012-2013 BUDGET CALENDAR
REVISED 3/27/2012**

	Action	Who	2012 Deadline
1	Certified prop value report from County Assessor to calculate prop tax levy limit.	County	Feb 10
2	Summary budget v. actual information to departments; all have access to account detail on Caselle. Excel budget worksheets and instructions provided.	Finance	Feb 10
3	Make property values provided by County Assessor available for public inspection.	Clerk	Feb 15
4	Council W/S-Debt Serv, Cap Proj, Court, VFF, Economic Dev, GF Rev Source	City Mgr	Feb 20
5	Notify Prop Tax Oversight Comm of agreemt/disagreemt w/ property tax levy limit.	Finance	Feb 22
6	Departments to submit preliminary budgets in Excel format.	Finance	Feb 27
7	Meetings with individual department heads, City Manager and Finance.	Fin to staff	TBD
8	Council Budget Work Session: Refuse	Work Sess	March 5
9	Council Budget Work Session: Gas (Cancelled; Chambers closed for Election)	Work Sess	March 12
10	Council Budget Work Session: Waste Water 6:30 pm	Work Sess	March 19
11	Receive Preliminary revenue projections (from State)	CM/Fin	March 23
12	Council Budget W/S: Grants and Special Revenue Funds (16 and 17) 6:00 pm	Work Sess	April 2
13	Council Budget W/S: Streets/HURF 6:30 pm	Work Sess	April 9
14	Council W/S: Trent Severn on Public Private Partnership (WWTP) 6:00 pm	Work Sess	April 16
15	Council Budget W/S: General Fund Revenues 6:30 pm	Work Sess	April 23
16	Council Budget W/S: Admin, Finance, Library, Cap Improvements	Work Sess	April 30
17	Council Budget W/S: Public Works	Work Sess	May 7
18	First public hearing on FY13 utility rates	Reg Mtg	May 7
19	Council Budget W/S: Public Safety	Work Sess	May 21
	Second public hearing on FY13 utility rates; Adoption of rates	Reg Mtg	May 21
20	Deliver proposed budget to City Council for review.	CM/staff	June 4
21	Submit info on involuntary tort judgments to Prop Tax Oversight Commission	CM/Fin	July 2
22	Adopt tentative budget.	Council	July 2
	Publish budget once a week for two consecutive weeks. Also include time and place of budget hearing and statement indicating where the proposed budget may be examined (ARS §42-17103). Identify public hearing dates.	Fin	July 4/11
23	Publish Truth in Taxation notice & issue press release with the same information as the published notice (if tax levy amount is greater than prior year).	Clerk	July 4/11
			1st pub >14 and <20 days before tax levy hearing
24	Public Hearing on Final Budget and Property Tax Levy (can be combined with Truth in Taxation hearing).		July 2/16
25	Convvene meeting to adopt final proposed budget.		July 16
			On/before 14th day before tax levy is adopted
26	Adopt property tax levy. FY12 NS 307		Aug 6
27	Mail a copy of the truth in taxation notice, a statement of its publication or mailing and the result of the Council's vote to the Property Tax Oversight Commission @ 1600 W Monroe, Phoenix, AZ 85007.	Clerk	Aug 8
28	Forward certified copy of tax levy ordinance to Cochise County. The tax levy must be adopted by the Board of supervisors on or before the 3rd Monday in August.	Clerk	Aug 8

**CITY OF WILLCOX
EXECUTIVE SESSION**

AGENDA

MONDAY, APRIL 2, 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 **2nd** day of **APRIL** 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 30th day of MARCH 2012, at 11:00 A.M.

CITY OF WILLCOX, ARIZONA

Cristina Garcia Whelan, CMC

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

"Mine, Yours, Ours"