

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

**Monday, June 18, 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- 61
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

Tab 1

Public hearings: The Mayor and Council will hold a Public Hearing on Monday, July 2, 2012 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive, relating to the Licensing Agreement with Valley Connections, LLC.

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

Communications: Presentation of Declaration for Service on the City Council to former Councilmen Stephen Klump and Christopher Donahue

Tab 2

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. RESOLUTION NO. 2012-53 RELATING TO THE GRANT AWARD FROM THE ATTORNEY GENERAL'S OFFICE OF VICTIMS' RIGHTS PROGRAM ["VRP"] ON BEHALF OF THE WILLCOX DEPARTMENT OF PUBLIC SAFETY ["WDPS"], AUTHORIZING THE EXECUTION OF THIS RESOLUTION AND ACCEPTANCE OF THE AWARD AND DECLARING AN EMERGENCY TO EXIST. Tab 3**
- 8B. RESOLUTION NO. 2012-60 APPROVING AND ADOPTING THE FY 2012-2013 UTILITIES CONTRIBUTION AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND THE SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC, ["SEACAP"] AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST Tab 4**
- 8C. RESOLUTION NO. 2012-54 RELATING TO THE FY 2012-2013 AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND THE SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC, ["SEACAP"] AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST. Tab 5**
- 9. PRESENTATION BY JASON JONES ON THE TWIN LAKES MUNICIPAL GOLF COURSE Tab 6**
Consideration and/or discussion on the presentation by Mr. Jones on the Twin Lakes Municipal Golf Course
- 10. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-55 THE AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND EMPLOYEE SOLUTIONS GROUP ["ESG"] FOR SERVICES TO ACT AS ADMINISTRATOR OF EMPLOYEE BENEFIT PLANS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. Tab 7**
Consideration, discussion and/or decision regarding Resolution NO. 2012-55, as stated, relating to agreement between City and ESG for services to act as administrator Employee Benefit Plan.
- 11. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-56 THE AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND METLIFE FOR THE FY2012-2013 RENEWAL OF THE EMPLOYEE LIFE INSURANCE PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. Tab 8**
Consideration and/or discussion regarding Resolution No. 2012-56 as stated, relating to agreement between City and MetLife for FY 2012-13 renewal of the employee life insurance.
- 12. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-57 THE AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND HEALTH NET OF ARIZONA, INC. ["HN"] FOR THE FY2012-2013 RENEWAL OF THE EMPLOYEE INSURANCE PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. Tab 9**
Consideration, discussion and/or decision regarding Resolution No. 2012-57, as stated, relating agreement between the City and Heathnet of Arizona renewal of employee insurance plan.
- 13. DISCUSSION/DECISION REGARDING OBTAINING A BOOTH AT THE LEAGUE OF CITIES AND TOWNS ANNUAL CONFERENCE Tab 10**
Consideration, discussion and/or decision regarding obtaining a booth at the League Conference.
- 14. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-58 ADOPTING THE TENTATIVE BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2012-2013, ADOPTING THE ESTIMATED AMOUNTS REQUIRED TO MEET THE PUBLIC EXPENSES AND THE ESTIMATED REVENUES, AUTHORIZING AND DIRECTING PUBLICATION OF STATEMENTS AND SCHEDULES OF THE TENTATIVE BUDGET AND DECLARING AN EMERGENCY TO EXIST Tab 11**

Consideration, discussion and/or decision regarding Resolution No. 2012-58, as stated, relating to adopting Tentative Budget FY 2012-13.

- 15. DISCUSSION/ DECISION REGARDING RESOLUTION NO. 2012-59 THE ELSIE S. HOGAN COMMUNITY LIBRARY ["LIBRARY"] LIBRARY GENERAL POLICY AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. Tab12**
Consideration, discussion and/or decision regarding Resolution No. 2012-59, as stated, relating to the Library General Policy.
- 17. DISCUSSION/DECISION REGARDING THE APPOINTMENT OF AN EX-OFFICIO MEMBER TO ACT AS REPRESENTATIVE ON THE HISTORIC PRESERVATION ADVISORY COMMITTEE-h/f done copy to Hector Tab 13**
Consideration, discussion and/or decision regarding, as stated, relating to the appointment of an Ex-Officio member to act as representative on the Historic Preservation Advisory Committee
- 18. DISCUSSION/DECISION REGARDING THE APPOINTMENT OF AN EX-OFFICIO MEMBER TO ACT AS REPRESENTATIVE ON THE LIBRARY ADVISORY COMMITTEE Tab 14**
Consideration, discussion and/or decision regarding relating to the appointment of an Ex-Officio member to act as representative on the Library Advisory Committee.
- 19. DISCUSSION/DECISION REGARDING THE APPOINTMENT OF AN EX-OFFICIO MEMBER TO ACT AS REPRESENTATIVE ON THE PARKS AND RECREATION ADVISORY COMMITTEE Tab 15**
Consideration, discussion and/or decision regarding relating to the appointment of an Ex-Officio member to act as representative on the P&R Advisory Committee.
- 20. DISCUSSION/DECISION REGARDING THE APPOINTMENT OF AN EX-OFFICIO MEMBER TO ACT AS REPRESENTATIVE ON THE PLANNING AND ZONING COMMISSION Tab 16**
Consideration, discussion and/or decision regarding relating to the appointment of an Ex-Officio member to act as representative on the P&Z Commission.
- 21. DISCUSSION/DECISION REGARDING APPOINTMENT TO THE ARIZONA LEAGUE OF CITIES RESOLUTION COMMITTEE Tab 17**
Consideration, discussion and/or decision regarding relating to the appointment to the Arizona League of Cities Resolution Committee.
- 22. DISCUSSION/DECISION REGARDING RE-APPOINTMENT OR APPOINTMENT OF A COUNCIL MEMBER TO THE AD HOC STEERING COMMITTEE FOR THE WWTP PER REVIEW Tab 18**
Consideration, discussion and/or decision regarding re-appointment or appointment of Council member to the Ad Hoc Steering Committee for the WWTP PER Review.
- 23. DISCUSSION/DECISION REGARDING CITY APPOINTMENTS TO THE INPUT COMMUNITY ADVISORY COMMITTEE (SENIOR CITIZENS COMMITTEE) Tab 19**
Consideration, discussion and/or decision regarding relating to City appointments to the Community Input Advisory Committee (Senior Citizens Committee).
- 24. DISCUSSION/DECISION REGARDING APPOINTMENT TO THE SEAGO EXECUTIVE COMMITTEE Tab 20**
Consideration, discussion and/or decision regarding appointment to the SEAGO Executive Committee.
- 25. DISCUSSION/DECISION REGARDING APPOINTING SUE BALL TO FILL THE VACANCY ON THE LIBRARY ADVISORY COMMITTEE Tab 21**
Consideration, discussion and/or decision regarding appointment of Sue Ball to fill the vacancy on the Library Advisory Committee, term ending June 30, 2016.
- 26. DISCUSSION/DECISION REGARDING APPOINTING CHRISTOPHER DONAHUE TO FILL THE VACANCY ON THE LIBRARY ADVISORY COMMITTEE Tab 22**
Consideration, discussion and/or decision regarding appointment of Christopher Donahue to fill the vacancy on the Library Advisory Committee, term ending June 30, 2016.

27. DISCUSSION/DECISION REGARDING APPOINTING JAMES "JIM" FUSCO TO FILL THE VACANCY ON THE PLANNING AND ZONING COMMISSION. Tab 23
Consideration, discussion and/or decision regarding appointment of James "Jim" Fusco, to fill the vacancy on the Planning & Zoning Commission, term ending June 30, 2016.

28. DISCUSSION/DECISION REGARDING APPOINTING STEPHEN KLUMP TO FILL THE VACANCY ON THE PLANNING AND ZONING COMMISSION Tab 24
Consideration, discussion and/or decision regarding appointment of Stephen Klump, to fill the vacancy on the Planning & Zoning Commission, term ending June 30, 2016.

29. REPORTS BY THE CITY MANAGER PAT MCCOURT Tab 25
Consideration, discussion, and/or decision regarding the following topics by the City Manager:

- **Report on the WASA Fundraiser Golf Tournament-** to be held on Saturday, June 23, 2012
- **Report on Arizona League of Arizona Cities & Towns Annual Conference-**will be held on August 28-31, 2012 at the Hyatt Regency Scottsdale at Gainey Ranch
- **Report on Collection of Donations for the 4th of July Fireworks-**The Willcox Department of Public Safety is accepting donations towards the 4th of July Fireworks!
- **Report City Manager Vacation-**City Manager is on vacation from July 24th to August 10, 2012, Chief Weaver is covering.
- **Report on Skate Park Equipment-**it has arrived and is installed by this meeting date.
- **Report on Dedication & Open House Rose C. Allan Senior Learning Center-**Mayor and Council is invited to attend this event on Thursday, June 21st from 10:00 a.m. – 3:00 p.m.
- **Mayor/Manager Luncheon-** will be held on Thursday, June 21st at 12:00 pm in Douglas.
- **Benefits Fair-** will be held on Thursday, June 21st from 8:30am – 3:30pm at the City Council Chambers.
- **Parks and Recreation Advisory Committee-** has one open vacancy.

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

31. 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 26
Consideration, discussion and/or decision to enter into an Executive Session pursuant to ARS §38-431.03A(1) and (3), as stated, relating to consideration of employee and consultation for legal advice with the attorney(s) of the public body.

32. RECESS TO EXECUTIVE SESSION, IF APPROVED

33. RECONVENE FROM EXECUTIVE SESSION

34. 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 and/or consultation for legal advice from City Attorney.

35. 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.



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 **July**, 2012 at **7:00 p.m.**, in the **CITY COUNCIL CHAMBERS, 300 W. REX ALLEN DRIVE, WILLCOX, AZ.**

Public Hearing on:

Licensing Agreement with Valley Connections LLC.

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 11th day of JUNE 2012 AT 9:00 A.M.

CITY OF WILLCOX, ARIZONA

Is/Virginia A. Mefford
City Clerk

TAB 2

DECLARATION

WHEREAS, Christopher Dean Donahue has served the Willcox community well as a member of the City Council since his election in 2008;

WHEREAS, the members of the City Council are cognizant of Chris's special talents and expertise he has given to our City; and

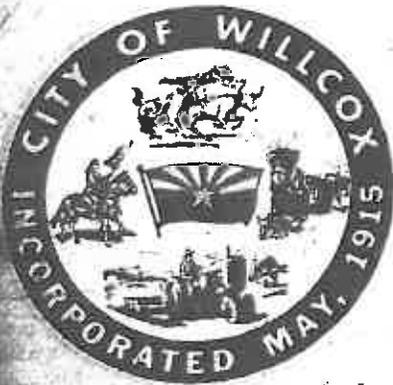
WHEREAS, his dedicated interest and devotion to duty have had a valuable affect of efficiency and morale on this Council.

NOW, THEREFORE, the Mayor and Council members of the City of Willcox wish to extend to you

Christopher Dean Donahue

our sincere appreciation for your outstanding performance of duty as a Council member of the City of Willcox.

FURTHER, the Mayor and Council congratulate Chris Donahue for his service to this community and wish him success in his future endeavors.



Robert A. Irvin
Mayor Robert A. Irvin

Attest: Cristina Garcia Whelan, CMC
Cristina Garcia Whelan, CMC
City Clerk

Bill Holloway
Vice Mayor Bill Holloway

Gerald A. Lindsey
Gerald A. Lindsey

Elwood A. Johnson

Monika Cronberg

Earl B. Goolsby

Bill Nigh

June 7, 2008

Dated

DECLARATION

WHEREAS, Stephen Klump has served the Willcox community well as a member of the City Council since his election in 2008;

WHEREAS, the members of the City Council are cognizant of Stephen's special talents and expertise he has given to our City; and

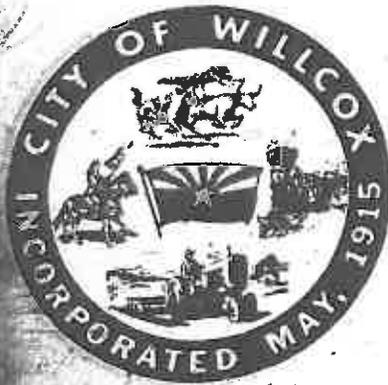
WHEREAS, his dedicated interest and devotion to duty have had a valuable affect of efficiency and morale on this Council.

NOW, THEREFORE, the Mayor and Council members of the City of Willcox wish to extend to you

Stephen Klump

our sincere appreciation for your outstanding performance of duty as a Council member of the City of Willcox.

FURTHER, the Mayor and Council congratulate Stephen Klump for his service, to this community and wish him success in his future endeavors.



Robert A. Irvin
Mayor Robert A. Irvin

Attest: Cristina Garcia Whelan, CMC
Cristina Garcia Whelan, CMC
City Clerk

Bill Holloway
Vice Mayor Bill Holloway

Gerald A. Lindsey
Gerald A. Lindsey

Elwood A. Johnson

Monika Cronberg

Earl B. Goolsby

Bill Nigh

June 7, 2012

Dated

**CITY OF WILLCOX
Request for Council Action**

Agenda Item: 8A
Tab Number: 3
Date: 06-18-2012

Date Submitted:
June 8, 2012
Date Requested:
June 18, 2012

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject:
Request to accept Grant
Award from the Office
of the Attorney General
for Victims' Rights
Program FY 2013

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

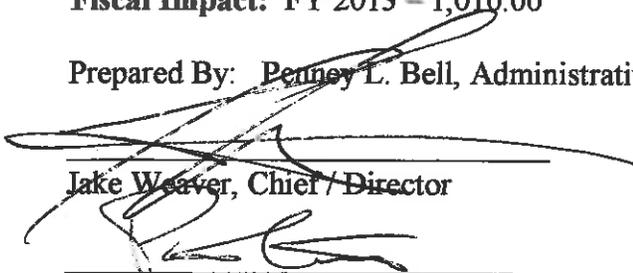
Discussion: The Willcox Department of Public Safety has received an award of \$1,010 from the Victims' Rights Fund through the Arizona Attorney General's Office for FY 2013. (Period of July 1, 2012 through June 30, 2013) The Victims' Rights Program (VRP) is to provide financial support to agencies to perform duties mandated under victims' rights laws. Funds are used for general office supplies; i.e. copy paper, print cartridges, postage, and copier lease.

Recommendation: To accept this VRP award of \$1,010 for FY 2013 to assist the Willcox Department of Public Safety to help offset costs associated with performance of duties that are mandated under victim's rights laws.

Motion:

Fiscal Impact: FY 2013 - 1,010.00

Prepared By: Penney L. Bell, Administrative Assistant



Jake Weaver, Chief / Director



Pat McCourt, City Manager



TOM HORNE
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL

OFFICE OF
VICTIM SERVICES

June 4, 2012

Penney Bell, Victims' Advocate Coordinator
Willcox Department of Public Safety
320 W. Rex Allen Dr.
Willcox, AZ 85643

Re: FY 2013 Victims' Rights Program Award

Dear Ms. Bell:

I am pleased to inform you that, pursuant to Arizona Revised Statutes § 41-191.06 and § 41-191.08, the Attorney General's Office has made an award of **\$1,010** from the Victims' Rights Fund to the Willcox Department of Public Safety for the period, July 1, 2012 through June 30, 2013.

As you are aware, the purpose of the Victims' Rights Program (VRP) is to provide financial support to city, county and state entities that are affected by Arizona Revised Statutes Title 13, Chapter 40, *Crime Victims' Rights* and A.R.S. Title 8, Chapter 3, Article 7, *Victims' Rights for Juvenile Offenses*. In particular, VRP monies are awarded to offset costs associated with performance of duties that are mandated under victims' rights laws. I trust that this award to your agency will satisfy this purpose, and that your efforts to include victims as an integral part of the justice process will continue to be both successful and effective. Prior to preparation of the Funding Agreement for your award, a budget-proposal form will be mailed to you for your completion and return.

Thank you for the fine work you do every day on behalf of crime victims. Should you have any questions or wish to discuss the budget for your award, please contact Kirstin Flores, State Victims' Rights Administrator at (602) 542-8451.

Sincerely,

Tom Horne
Attorney General

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-53**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING THE GRANT AWARD FROM THE ATTORNEY GENERAL'S OFFICE OF VICTIMS' RIGHTS PROGRAM ["VRP"] ON BEHALF OF THE WILLCOX DEPARTMENT OF PUBLIC SAFETY ["WDPS"], AUTHORIZING THE EXECUTION OF THIS RESOLUTION AND ACCEPTANCE OF THE AWARD 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 and the state pursuant A.R.S. § 41-191.08, Victims' Rights Fund, and is vested with all powers of incorporated cities and towns as set forth in Title 9; and

WHEREAS, the Attorney General's Office of Victims' Rights Program [VRP] has awarded the City of Willcox, on behalf of the WDPS, a specific sum of \$1,010.00 as authorized pursuant to Arizona Revised Statutes Title 13, Chapter 40 and Title 8, Chapter 3, Article 7 for the period commencing July 1, 2012 and terminating June 30, 2013; 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, identified victims and its citizens to approve and accept the Grant Award in the specific sum of \$1,010.00 ; and

WHEREAS, the Mayor and Council and the Office of Attorney General desire to have this item presented at the next Council Meeting on June 18th, 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 and immediate implementation of Victims' Rights Services, 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 accepts the Grant Award in the specific sum of \$1,010.00, 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 June, 2012

APPROVED/EXECUTED

MAYOR, ROBERT A. IRVIN

ATTEST:

APPROVED AS TO FORM:

City Clerk, City Clerk, Virginia A. Mefford

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2012-53

CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item 8B
Tab Number 4
Date: 6/18/12

| | | |
|------------------------|---|-----------------------------------|
| <u>Date Submitted:</u> | <u>Action:</u> | <u>Subject:</u> |
| May 31, 2012 | <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal | SEACAP CONTRACT ANNUAL RENEWAL |

TO: MAYOR AND COUNCIL
FROM: City Manager Pat McCourt

DISCUSSION:

The City of Willcox requests approval to enter into an annual Agreement with the SouthEastern Arizona Community Action Program, Inc. (SEACAP). The program is offered through the State of Arizona. Its purpose is to help residents in need of assistance, and to teach fiscal responsibility. In previous years SEACAP has provided assistance to the residents of Willcox with utility bills. SEACAP also administers a weatherization program to help people to conserve energy and save on utility bills. In order for our residents to be able to receive assistance the City must enter into a Fiscal Year 2012-2013 agreement with SEACAP.

RECOMMENDATION:

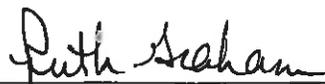
Motion to enter into the Agreement with SEACAP for Fiscal Year 2012-2013.

FISCAL IMPACT:

SEACAP provides financial assistance to City customers for utility bills and weatherization services.

Submitted by:

Approved by:



Ruth Graham, Finance Director



Pat McCourt, City Manager

SouthEastern Arizona Community Action Program, Inc. (SEACAP)
283 W. 5th Street
Safford, AZ 85546

Vendor I.D. # _____

AGREEMENT

PURPOSE: The purpose of this Agreement is to provide payment for services rendered by the Vendors to clients, determined eligible for the services by approved Contractors of the SEACAP. These services will be provided to individuals or households.

1. VENDOR NAME & ADDRESS:

CITY OF WILLCOX
101 S RAILROAD AVE
WILLCOX, AZ 85643

2. FEDERAL I.D. # or S.S. #

86-6000270

CONTACT PHONE #: (520) 384-4271

3. TYPE OF SERVICE: Emergency & Case Management Services

4. TERM OF AGREEMENT: BEGIN DATE: JULY 1, 2012

END DATE: JUNE 30, 2013

TERMS AND CONDITIONS:

1. This Agreement is entered into on the date indicated above by and between the SouthEastern Arizona Community Action Program, Inc. (hereinafter "SEACAP") and the Vendor identified above (hereinafter "Vendor").
2. The Vendor shall, upon request, perform services as described above, beginning on the date of this Agreement.
3. The parties understand and mutually agree that the Vendor shall perform services under this Agreement as an independent Vendor and not as an employee of SEACAP and that the Vendor is not entitled to the rights, privileges or benefits of an employee of SEACAP.
4. As payment for services rendered by the Vendor herein, SEACAP shall pay for services identified above in the amount designated on each eligible application processed and approved by SEACAP. The parties to this Agreement agree that the State of Arizona and SEACAP shall be indemnified and held harmless by the Vendor for its vicarious liability as a result of entering into this Agreement. Each party to this Agreement is responsible for its own negligence.
5. **Refunds** - All funds paid to a utility company on behalf of an eligible customer are considered grants and may be claimed by the customers once the utilities are shut-off. Any unclaimed or abandoned payments and/or deposits must be surrendered to the Arizona Community Action Association as per A.R.S. §46.-731.
6. **Arbitration.** The parties to this Agreement agree to resolve all disputes arising out of or relating to this Agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. §12-1518, except as may be required by other applicable statutes (Title 41).
7. **Audit Records.** Under A.R.S. §35-214 and §35-215, the Vendor shall retain and shall contractually require all data and other "records" relating to the acquisition and performance of the Agreement for a period of five (5) years after the completion of the Agreement. All records shall be subject to inspection and audit by the State and, where applicable, the Federal Government, to the extent that the books and records relate to the performance of the Agreement or subcontract at reasonable times. Upon request, the Vendor shall produce a legible copy of any or all such records.
8. **Availability of Funds for the Next State Fiscal Year.** Funds may not presently be available for performance under this Agreement beyond the current fiscal year. No legal liability on the part of the State for any payment may arise under this Agreement beyond the current state fiscal year until funds are made available for performance of this Agreement.
9. **Availability of Funds for the Current State Fiscal Year.** Should the State Legislature enter back into session and reduce the appropriations or for any reason and these goods or services are not funded, the State may take any of the following actions:
Accept a decrease in price offered by the Vendor; Cancel the Agreement; Cancel and re-solicit the requirements.
10. **Cancellation for Conflict of Interest.** Pursuant to A.R.S. § 38-511, the State may cancel this Agreement within three years after Agreement execution with penalty or further obligation if any person significantly involved initiating, negotiating, securing, drafting or creating the Agreement on behalf of the State is or becomes at any time while the Agreement or an extension of the Agreement is in effect an employee of or a consultant to any other party to the Agreement with respect to the subject matter of the Agreement. The cancellation shall be effective when the Vendor received written notice of the cancellation unless the notice specifies a later time. If the Vendor is a political subdivision of the State, it may also cancel this Agreement as provided in A.R.S. § 38-511.
11. **Compliance with Applicable Law.** The materials and services supplied under this Agreement shall comply with all applicable Federal, state and local laws, and the Vendor shall maintain all applicable licenses and permits requirements.
12. **Non-Discrimination.** The Vendor shall comply with executive order 99-4, and all other applicable Federal and State laws, rules and regulations, including the Americans with Disabilities Act.
13. **Personal Use of Agreements Prohibited.** This Agreement shall only be made available to the State, its agencies and members of its purchasing cooperative. Private individuals, government employees and public officials shall not be permitted to make purchases for personal or business use of this Agreement.
14. **Third-Party Antitrust Violations.** The Vendor assigns to the State any claim for overcharges resulting from antitrust violations, to the extent that those violations concern materials or services supplied by third parties to the Vendor, toward fulfillment of this Agreement.
15. SEACAP shall address all notices relative to this Agreement to the address indicated above. The Vendor shall address all notices relative to this Agreement to the SEACAP address listed above.

SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC.

VENDOR

CASE MANAGER: _____

SIGNATURE: _____

SEACAP REP: Librado M. Ramirez _____

PRINTED NAME: _____

TITLE Executive Director _____

TITLE: MAYOR, CITY OF WILLCOX _____

DATE: _____

DATE: _____

RESOLUTION NO. 2012-60

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING THE FY 2012-2013 UTILITIES CONTRIBUTION AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND THE SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC, [“SEACAP”] AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the CITY and SEACAP have agreed to enter into a Utilities Contribution Agreement for FY 2012-2013 wherein SEACAP will pay a sum certain of \$300.00 per month as a contribution to the cost of utilities for the city space being used by the Agency; and

WHEREAS, the City of Willcox, Cochise County, Arizona desires to have this Resolution presented at the June 18th, 2012 Council meeting and has determined that approval of the Agreement 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 execution of the Agreement for the effective date of 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: That approval of the FY 2012-2013 SEACAP Utilities Contribution Agreement is in the best interests of the residents of the City of Willcox.

Section 2: That the CITY formally approves and adopts the FY 2012-2013 Agreement with SEACAP, 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: The Mayor is authorized and empowered to execute this Resolution for the purpose of approving the FY 2012-2013 Utilities Contribution Agreement and authorizing the Mayor or his designee to execute the Agreement on behalf of the CITY.

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

APPROVED/EXECUTED:

MAYOR, ROBERT A. IRVIN

ATTEST:

APPROVED AS TO FORM:

City Clerk, Virginia A. Mefford

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2012-60

CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item 8C
Tab Number 5
Date: 6/18/12

| | | |
|------------------------|---|---|
| <u>Date Submitted:</u> | <u>Action:</u> | <u>Subject:</u> |
| June 13, 2012 | <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal | SEACAP UTILITIES CONTRIBUTION AGREEMENT |

TO: MAYOR AND COUNCIL
FROM: City Manager Pat McCourt

DISCUSSION:

Since July 1, 2009, the City of Willcox has provided office space in City Hall to the SouthEastern Arizona Community Action Program, Inc. (SEACAP). Prior to that time, SEACAP used a room at the City's Community Center. The City provided space to SEACAP at no cost prior to July 1, 2011.

For fiscal year 2011-2012 SEACAP agreed to pay its share of the utility costs for City Hall at the rate of \$300.00 per month, or \$3,600.00 per year. For FY 2012-2013, SEACAP has asked to continue to use the space in City Hall and continue to pay its share of the utility costs.

The cost sharing formula was based allocation of expenses for gas, water, sewer and solid waste by a percentage of the floor space used by the City and SEACAP. An analysis of the utility costs for the cost of services is attached for your consideration. The costs in 2010 and 2011 were similar, and the utility sharing of \$300.00 per month will continue to pay SEACAP's portion of the expenses for the upcoming year. FY12 payments totaling \$3,600.00 have been received in a timely manner.

If the continued use of the building is approved by the Mayor and Council, the City will recognize \$3,600 in revenue. That revenue is included in the tentative FY2012-2013 budget under General Fund Revenues, Page 2, Account No. 10-39-60400.

RECOMMENDATION:

Motion to allow SEACAP to continue to use office space in City Hall for Fiscal Year 2012-2013; the utility costs for City Hall will be shared at the rate of \$300.00 per month for a total of \$3,600.00.

FISCAL IMPACT: \$3,600.00 General Fund revenue.

Submitted by:


Ruth Graham, Finance Director

Approved by:


Pat McCourt, City Manager

CITY OF WILLCOX
Office of the City Manager



101 S Railroad Ave Ste B
Willcox, Arizona 85643-2198
(520) 766-4201 Fax: (520) 384-2590
pmccourt@willcoxcity.org

June 18, 2012

Southeast Arizona Community Action Program
Attention: Virginia Avila
101 S Railroad Ave Ste A
Willcox, AZ 85643

Re: Utility Contribution to City of Willcox for Use of Office Space

Dear Ms. Avila:

SEACAP moved into City Hall on July 1, 2009. For the first two years of SEACAP's occupancy, or the period from July 1, 2009 through June 30, 2011, the City provided 100% of the cost of utilities and maintenance for the portion of the building occupied by SEACAP. For the 2011-2012 Fiscal Year, the SEACAP paid a cost share allowance of \$300.00 per month to the City.

We have analyzed the current year costs for Water, Electricity, Sewer and Trash Service for the building. No allocation has been made for gas service. We roughly estimate that SEACAP uses about 32% of the building space. The area for the kitchens and bathrooms has been allocated to the City. Based on an average monthly cost of \$928.72 for utilities to the building, SEACAP's contribution for utility costs would be \$300.00.

Request is hereby made for SEACAP to contribute the sum of \$300.00 per month to the City of Willcox as a utility contribution for use of the office property in City Hall, beginning July 1, 2012. The rent will be recalculated each year thereafter as ongoing costs change.

Thank you for your courtesy and consideration in this matter.

Yours very truly,

Patrick McCourt
City Manager

RESOLUTION NO. 2012-54

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING THE FY 2012-2013 AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND THE SOUTHEASTERN ARIZONA COMMUNITY ACTION PROGRAM, INC, ["SEACAP"] AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the CITY and SEACAP entered into an Agreement for Fiscal Year 2007-2008 for the period of July 1, 2007 to June 30, 2008 pursuant to Resolution 2007-37; for Fiscal Year 2007-2008 for the period of July 1, 2008 to June 30, 2009 pursuant to Resolution 2008-49; for Fiscal Year 2009-2010 for the period of July 1, 2009 to June 30, 2010 pursuant to Resolution 2009-37; for Fiscal Year 2010-2011 for the period of July 1, 2010 to June 30, 2011 pursuant to Resolution 2010-64; and for Fiscal Year 2011-2012 for the period of July 1, 2011 to June 30, 2012 pursuant to Resolution 2011-26; and

WHEREAS, the City of Willcox, Cochise County, Arizona desires to have this Resolution presented at the June 18th, 2012 Council meeting and has determined that approval of the Agreement 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 execution of the Agreement for the effective date of 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: That approval of the FY 2012-2013 SEACAP Agreement is in the best interests of the residents of the City of Willcox.

Section 2: That the CITY formally approves and adopts the FY 2012-2013 Agreement with SEACAP, 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: The Mayor is authorized and empowered to execute this Resolution for the

purpose of approving the FY 2012-2013 Agreement and authorizing the Mayor or his designee to execute the Agreement on behalf of the CITY.

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

APPROVED/EXECUTED:

MAYOR, ROBERT "BOB" IRVIN

ATTEST:

APPROVED AS TO FORM:

City Clerk, City Clerk, Virginia A. Mefford

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2012-54

TAB 6

Virginia Mefford

From: Twin Lakes [twinlakes@vtc.net]
Sent: Wednesday, June 13, 2012 2:38 PM
To: Cristina Whelan
Subject: twin lakes agenda

Hey Christy,

The following is what I would like to discuss, informatively:

- 1) Revenue Decrease/ possible reasons
- 2) Irrigation System, Sprinklers, Valves, Issues
- 3) Irrigation Water, pH level
- 4) Operational Logistics/Labor Demands/shortfalls, etc.
- 5) Possible outcomes/solutions...to be tabled

I will keep this short and sweet and well under 15 minutes. Please include me on the agenda for the following council meeting, as then I will make some proposals.

If you have any questions, call me on my cell phone...as I will be out on the course cutting grass ☺

Thanks,

Jason & Carrie Jones
Managers
Twin Lakes Golf Course
520-384-2720
www.twinlakesaz.com
"One Shot at a Time"

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item 10
Tab Number 7
Date: 06/18/12

| Date Submitted: | Action: | Subject: |
|------------------------|---|---|
| June 12, 2012 | <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal | ESG (EMPLOYEE SERVICES GROUP) CONTRACT FY 2012-2013 |

TO: MAYOR AND COUNCIL
FROM: Sherry Lynn Van Allen, Human Resources

DISCUSSION:

Staff recommends entering into a with ESG, the Employee Services Group, to secure its services as administrator of the employee benefit plans offered by the City of Willcox for the 2012-2013 fiscal year, including a Health Reimbursement Arrangement (HRA), Flexible Spending Account (FSA) and COBRA administration. The City established a Health Reimbursement Arrangement plan in FY09-10 to protect its employees from high deductible costs. Prior to FY09-10, the City's HMO plan did not have a requirement for an out-of-pocket deductible. For FY11-12, the plan called for an increase from \$2500 to a \$5,000 deductible. The City elected to hold the employee responsible for the first \$500, and reimburse for costs up to the full deductible if such medical costs were incurred. This year the out of pocket deductible costs will remain at \$5,000.

The City set aside \$71,820 in FY12 to a reserve account to pay HRA claims. Based on prior claim experience, the amount suggested by ESG to be reserved for HRA claim payments for FY13 will decrease to \$69,255. This demonstrates a savings of approximately \$2500 from the previous FY12 reserve liability.

The Flexible Spending Account is funded with employee contributions. Each employee can elect an amount to set aside pre-tax to be used for medical expenses including deductibles, dental, eye, chiropractic, prescription drugs or drug co-payments, or other types of allowable expenses under IRS regulations.

The COBRA administration plan will be an efficient way for the City to meet its COBRA requirements under regulations that change rapidly.

As stated on the attached contract ESG charges the City \$6.50 per employee per month for administration of the HRA plan, \$6.60 per employee per month for those employees participating in the voluntary FSA plan, and \$1.50 per month per employee for the administration of the COBRA requirements. The prices are the same as they were for in FY11-12, ESG has again issued the City a "Rate Pass" on the administrative fees. This is the third year that ESG has not increased administrative fees to the City of Wilcox.

RECOMMENDATION:

To enter into a Contract with ESG, the Employee Services Group, to secure its services as administrator of the employee benefit plans offered by the City of Willcox for the 2011-2013 fiscal year.

FISCAL IMPACT: Estimated employee benefit plan administration costs of \$10,716.

Submitted by:



Sherry Lynn Van Allen – HR



Patrick McCourt, City Manager

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-55**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING THE AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND EMPLOYEE SOLUTIONS GROUP [“ESG”] FOR SERVICES TO ACT AS ADMINISTRATOR OF EMPLOYEE BENEFIT PLANS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox Common Council shall have control of the finances and property of the corporation pursuant to A.R.S. § 9-240 et seq.; and

WHEREAS, the CITY provides Health Insurance Plan for its employees and contracts with a Health Insurance Provider for that purpose; and

WHEREAS, the CITY desires to approve and adopt the Health Insurance Plan recommended by ESG and desires city staff to present the formal ESG contract documents to Mayor and Council for final approval and adoption; and

WHEREAS, ESG proposes to provide employee benefit package in the form of a Health Reimbursement Agreement Plan [“HRA”]; an expanded Flexible Spending Account Plan [“FSA”]; and third party administration of COBRA 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, its employees and the citizens of the CITY to enter into the Agreement with ESG as presented; and

WHEREAS, the CITY and the ESG desire to have this item presented at the Council Meeting on June 18th, 2012 for consideration and approval of the Agreement for the Contract period of July 1, 2012 to June 30, 2013; 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 ESG Plan Agreement, 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 adopts the ESG Agreement for HRA, FSA and COBRA benefits, authorizes the Mayor to execute this Resolution and the Agreement and directs 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 June, 2012

APPROVED/EXECUTED

MAYOR, ROBERT A. IRVIN

ATTEST:

APPROVED AS TO FORM:

City Clerk, Virginia A. Mefford

City Attorney, Hector M. Figueroa

RESOLUTION NO: 2012-55



**City Of Willcox
Administration Services Renewal Agreement**

Administration of Selected Benefit Plans HRA, FSA and COBRA

The renewal of services and related charges are presented, which serves to amend our service fee agreement for Fiscal year 2012 / 2013. Fees reflect the appropriate suite pricing discount (23%), representing three administration engagements summarized below.

The undersigned authorized representatives agree to provide for the City of Willcox, and the City of Willcox agrees to compensate ESG CORP, based on the following list of solutions, billed on a monthly basis:

- A. HRA Administration: \$6.50 per participant per month
Annual Renewal Fee: \$ Waived
Manual Check Disbursement Fee: \$ 1.00 per participant per month

- B. FSA Administration: \$6.60 per participant per month
One Time Renewal Fee: \$ Waived
Additional FSA Fee Information:
No Charge (City of Willcox Exclusive Benefit) – ESG funds excess claims dollars (debit card transactions in excess of account contributions). ESG advances to the City of Willcox, in excess of \$24,000 of claims annually, interest free to employer and participant.

- C. COBRA Administration: \$ 1.50 per participant per month
One Time Renewal Fee: \$ 0
Additional Costs: \$ 0 per occurrence.
Flat Fee Charges: \$ 0 per month.

Other COBRA Fee Information:

The law requires annual "notification of rights" under COBRA. ESG charges a flat \$125 to offer a customized letter for City of Willcox distribution internally. The client will be responsible for distribution and proof of process. A second option, ESG processes all activity, the letter preparation, mailing and distribution for \$3.00 per Employee. This notification covers the required annual documentation requirement, preparation, mail cost, materials and handling.

Any additional charges and/or options or features not listed above:

New Employees joining the any plan midyear incur a one-time \$25 setup fee in the month in which they join the plan. This fee covers the cost of the system setup, new employee kit preparation and postage cost, personal coaching as required, Summary Plan Description (required by ERISA), and handling to complete this requirement.

From time to time, HRA, FSA and/or COBRA plan designs are mandated by law. Events causing plan design changes may require IRS or ERISA compliance updates. This does not require a complete drafting of a new plan document, but an amendment of Adoption Agreement (IRS requirement); Summary Plan Description (ERISA requirement); or Summary of Material Modification (ERISA requirement). While these are rare occurrences, each change in these compliance documents incurs a one-time charge of \$125. This may occur this year, the pending PPACA reforms may impose a limit on FSA plans, which may require formal amendment.



Business Services Provider: **ESG CORP**
Employee Solutions Group
Address: 60 E. Rio Salado Parkway
Suite 900
Tempe, AZ 85281

Business Telephone: 877.668.8522
Business Fax: 866.668.1592
Email Address: athunberg@esgcorp.biz

Alan W. Thunberg
Practice Manager
ESG CORP

Date

City of Willcox - Signature / Title

Date



**City Of Willcox
Administration Services Renewal Agreement**

Administration of Selected Benefit Plans HRA, FSA and COBRA

The renewal of services and related charges are presented, which serves to amend our service fee agreement for Fiscal year 2012 / 2013. Fees reflect the appropriate suite pricing discount (23%), representing three administration engagements summarized below.

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One Time Renewal Fee: \$ Waived
Additional FSA Fee Information:
No Charge (City of Willcox Exclusive Benefit) – ESG funds excess claims dollars (debit card transactions in excess of account contributions). ESG advances to the City of Willcox, in excess of \$24,000 of claims annually, interest free to employer and participant.

- C. COBRA Administration: \$ 1.50 per participant per month
One Time Renewal Fee: \$ 0
Additional Costs: \$ 0 per occurrence.
Flat Fee Charges: \$ 0 per month.

Other COBRA Fee Information:

The law requires annual "notification of rights" under COBRA. ESG charges a flat \$125 to offer a customized letter for City of Willcox distribution internally. The client will be responsible for distribution and proof of process. A second option, ESG processes all activity, the letter preparation, mailing and distribution for \$3.00 per Employee. This notification covers the required annual documentation requirement, preparation, mail cost, materials and handling.

Any additional charges and/or options or features not listed above:

New Employees joining the any plan midyear incur a one-time \$25 setup fee in the month in which they join the plan. This fee covers the cost of the system setup, new employee kit preparation and postage cost, personal coaching as required, Summary Plan Description (required by ERISA), and handling to complete this requirement.

From time to time, HRA, FSA and/or COBRA plan designs are mandated by law. Events causing plan design changes may require IRS or ERISA compliance updates. This does not require a complete drafting of a new plan document, but an amendment of Adoption Agreement (IRS requirement); Summary Plan Description (ERISA requirement); or Summary of Material Modification (ERISA requirement). While these are rare occurrences, each change in these compliance documents incurs a one-time charge of \$125. This may occur this year, the pending PPACA reforms may impose a limit on FSA plans, which may require formal amendment.



Business Services Provider: **ESG CORP**
Employee Solutions Group
Address: 60 E. Rio Salado Parkway
Suite 900
Tempe, AZ 85281

Business Telephone: 877.668.8522
Business Fax: 866.668.1592
Email Address: athunberg@esgcorp.biz

Alan W. Thunberg
Practice Manager
ESG CORP

Date

City of Willcox - Signature / Title

Date

**CITY OF WILLCOX
HEALTH CARE (MEDICAL) SUMMARY OF RESULTS
BASED ON CLAIM SERVICE DATES**

SUMMARY COMMENTS:

- ➔ **PLAN FOR 2009 | 2010 COMPLETED AND RAN WELL AT 93% OF EXPECTED CLAIMS FOR THE YEAR.**
- ➔ **PLAN FOR 2010 | 2011 COMPLETED AND RAN WELL AT 72% OF EXPECTED CLAIMS FOR THE YEAR.**
- ➔ **PLAN FOR 2011 | 2012 COMPLETED AND IS RUNNING WELL 50% OF EXPECTED CLAIMS 90 DAYS TO GO.**

2009 BASE YEAR STATISTICS (FULLY INSURED):

2009 | 2010 TOTAL RENEWAL PREMIUM \$ 480,800.00 (Fully Insured Renewal)

RENEWAL STATISTICS (SINCE HRA INCEPTION)

2009 | 2010 TOTAL PREMIUM + HRA \$ 393,352.00 (Includes Actual HRA Claims)
PERCENTAGE INCREASE (DECREASE) -18.19%

2010 | 2011 PREMIUM + HRA \$ 380,994.00 (Includes Actual HRA Claims)
PERCENTAGE INCREASE (DECREASE) -3.14%

2011 | 2012 FUTURE YEAR PREMIUM + EXPECTED HRA \$ 370,054.00 (Includes Estimated HRA Claims)
PERCENTAGE INCREASE (DECREASE) -2.87%

INSURED PARTICIPANTS

| | <u>HMO</u> | <u>PPO</u> | <u>TOTAL</u> |
|--------------------------|------------|------------|--------------|
| Single | 22 | 0 | 22 |
| Employee + Spouse | 7 | 2 | 9 |
| Employee + Children | 19 | 0 | 19 |
| Family | 4 | 1 | 5 |
| Total Census | 52 | 3 | 55 |
| Total Deductibles | 82 | 6 | 88 |

2009 / 2010 (PRIOR YEAR) STATISTICS:

EE DEDUCTIBLE (Per Insured) \$ 500.00
CITY OF WILLCOX REIMBURSEMENT (Per Insured) \$ 2,000.00

TOTAL AT RISK DEDUCTIBLES \$ 176,000.00 100%

EXPECTED CLAIMS \$ 30,780.00 17.49%

ACTUAL CLAIMS \$ 28,679.70 16.30%
 (THUR 6/30/10)

ACTUAL PERCENTAGE OF EXPECTED CLAIMS 93%

2010 / 2011 ACTUAL CLAIMS:

EE DEDUCTIBLE (Per Insured) \$ 500.00
CITY OF WILLCOX REIMBURSEMENT (Per Insured) \$ 4,500.00

TOTAL AT RISK DEDUCTIBLES \$ 396,000.00 100%

EXPECTED CLAIMS \$ 71,820.00 18.14%

ACTUAL CLAIMS \$55,616.86 14.04%

ACTUAL PERCENTAGE OF EXPECTED CLAIMS 77%

2011 / 2012 ESTIMATED CLAIMS (OPEN YEAR)

EE DEDUCTIBLE (Per Insured) \$ 500.00
CITY OF WILLCOX REIMBURSEMENT (Per Insured) \$ 4,500.00

TOTAL AT RISK DEDUCTIBLES \$ 378,000.00 100%

EXPECTED CLAIMS \$ 71,820.00 19.00%

ACTUAL CLAIMS \$35,555.86 9.41%
 (YEAR REMAINS OPEN)

ACTUAL PERCENTAGE OF EXPECTED CLAIMS 50% (3 MONTHS REMAIN OPEN)

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item 11
Tab Number 6
Date: 06/18/2012

| | | |
|---|---|--|
| Date Submitted: June 12, 2012 | Action: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal | Subject: METLIFE CITY PAID LIFE INSURANCE CONTRACT FOR THE PERIOD FROM 7/1/12 THROUGH 6/30/13 |
|---|---|--|

TO: MAYOR AND COUNCIL
FROM: Human Resources – Sherry Van Allen

DISCUSSION:

This is a proposal to renew our Annual Life Insurance Contract with MetLife. We received a .03¢ per thousand dollar increase for FY13 and the premiums will be approximately \$45.00 higher per month than they were in FY12. This amount is subject to change depending on the number of full time participants we have within the work force. If approved by the Council, the City will continue to provide life insurance coverage in the amount of \$25,000 per employee; benefits double in the event of an accidental death. The coverage also includes a \$5,000 spousal benefit.

Following substantial research we have found that the City remains at a breakeven point with benefits being paid similar to the premiums we have paid over the past five years. Employee Solutions Group (ESG) requested additional rate quotes from other carriers and the premiums were more expensive than our current renewal rate with MetLife. The carriers were not interested in working with the City on a self-funded policy due to the small number of participants. We also found that those employees that take advantage of voluntarily adding additional Life Benefits to their policy at their own expense would face a substantial increase in premiums due to the loss of the group provided benefit. The premiums are low compared to the costs the City could incur if we separated from a Licensed Carrier and provided internal life benefits. If the City provided self-insured coverage at the same benefit level, a single death could cost \$25,000, and if it was an accidental death the benefit would double.

RECOMMENDATION:

To enter into a City-paid Contract with MetLife for basic employee life insurance in the amount of \$25,000 per employee for Fiscal Year 2012-2013 at an anticipated cost of \$7,572.00. This is a small investment and provides an excellent benefit for our current and future employees as well as their families.

FISCAL IMPACT: \$7,572.00 for City employee's life insurance premiums.

Submitted by:


Sherry Lynn Van Allen - HR


City Manager Patrick McCourt

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-56**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING THE AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND METLIFE FOR THE FY2012-2013 RENEWAL OF THE EMPLOYEE LIFE INSURANCE PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox Common Council shall have control of the finances and property of the corporation pursuant to A.R.S. § 9-240 et seq.; and

WHEREAS, the CITY provides Life Insurance Plan for its employees and contracts with a Life Insurance Provider for that purpose; and

WHEREAS, the CITY discussed, considered and approved the Life Insurance Plan with MetLife for the last fiscal year and desires to have staff present the formal renewal contract documents for FY2012-2013 to Mayor and Council for their approval; 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, its employees and its citizens to renew the Agreement with MetLife at an anticipated cost of \$7,572.00; and

WHEREAS, the CITY and MetLife desire to have this item presented at the Council Meeting on June 18th, 2012 for consideration and approval of the Agreement for the Contract period of July 1, 2012 to June 30, 2013; 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 continuation of the Life Insurance Plan Agreement, 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 adopts the MetLife Agreement, authorizes the Mayor to execute this Resolution and the Agreement and directs 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 June, 2012

APPROVED/EXECUTED

MAYOR, ROBERT A. IRVIN

ATTEST:

APPROVED AS TO FORM:

City Clerk, Virginia A. Mefford

City Attorney, Hector M. Figueroa

RESOLUTION NO: 2012-56

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item 12
Tab Number 9
Date: 06-18-2011

| Date Submitted: | Action: | Subject: |
|------------------------|---|--|
| June 12, 2012 | <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal | HEALTH NET INSURANCE CONTRACT FOR THE PERIOD FROM 7/01/12 THROUGH 6/30/13 |

TO: MAYOR AND COUNCIL
FROM: Human Resources – Sherry Lynn Van Allen

DISCUSSION:

Staff recommends a contract with Health Net to secure medical insurance benefits for its employees for the year beginning July 1, 2012 and ending June 30, 2013. A copy of the plan summary and pricing information is attached. The initial FY13 renewal rates quoted by Health Net reflected a 12.88% increase in premium costs over FY11 rates for a comparable plan. Jon Stewart and Al Thunberg, our agents at Employee Solutions Group, researched alternatives and negotiated a final rate increase of 5.58%. Willcox has received the lowest renewal percentage our agents have seen for comparable policies; other municipalities have experienced increases of a minimum of 11.8%. For the FY13 plan year the City will be passing 1/4 of the actual premium cost increase to the employees and the City will pick up the additional 75% of the premium.

The proposed Health Net HMO 3 and PPO 10 policies and Health Reimbursement Arrangements that staff is recommending will allow employees to have continued coverage making no plan changes through Health Net. The deductible will remain at \$5,000 per person for up to two members per family, with an HRA reimbursement of \$4,500 available from the City for a net cost of \$500 to the employee. The plan will continue to provide a good range of benefits as well as an enhanced wellness program available online. In addition, with the proposed renewal the City will continue to be grandfathered if the City elects to go to a different plan that may substantially change the coverage, we will be subject to an additional 2% penalty premium as mandated under the federal health coverage requirements.

Using the current census information for employee coverage, the City's anticipates a monthly premium of \$26,428.14 or \$317,137.68 per year. The over City budgeted premiums of \$376,183.00 reflect projected coverage, not actual; employee coverage is subject to change during the year. The City budget as presented continues to hold the employees at the same contribution rates as they have had for the last three years. The City exposure for the Health Reimbursement Arrangement will continue at the same rate. For FY12-13, ESG has recommended a reserve of \$69,255.00 for potential reimbursements of up to \$4,500 per person for up to two family members per year. For FY12-13 to date, approximately \$35,556.00 has been reimbursed to employees. Any amounts in the reserve account that are not used remain as the City's funds.

RECOMMENDATION:

To enter into a Contract with Health Net for the City of Willcox health insurance HMO Plan 3 and PPO plan 10 for the Fiscal Year 2012-2013 at an anticipated annual cost of up to \$376,183.00, and to include in the City Budget an allowance for a reserve account totaling up to \$74,432.

FISCAL IMPACT: \$376,183 for health insurance premiums, and \$74,432 for a reserve account.

Submitted by:



Sherry Lynn Van Allen
Human Resources



Pat McCourt
City Manager

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-57**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING AND ADOPTING THE AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND HEALTH NET OF ARIZONA, INC. [“HN”] FOR THE FY2012-2013 RENEWAL OF THE EMPLOYEE INSURANCE PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox Common Council shall have control of the finances and property of the corporation pursuant to A.R.S. § 9-240 et seq.; and

WHEREAS, the CITY provides Health Insurance Plan for its employees and contracts with a Health Insurance Provider for that purpose; and

WHEREAS, the CITY discussed, considered and approved the Health Insurance Plan with Health Net (“HN”) for the last fiscal year and desires to have staff present the formal renewal contract documents to Mayor and Council action; 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, its employees and the citizens of the CITY to renew the Agreement with HN; and

WHEREAS, the CITY and the HN desire to have this item presented at the Council Meeting on June 18, 2012 for consideration and approval of the Agreement for the Contract period of July 1, 2012 to June 30, 2013; 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 Health Insurance Plan Agreement, 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 adopts the HN Agreement, authorizes the Mayor to execute this Resolution and the Agreement and directs 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 June, 2012

APPROVED/EXECUTED

MAYOR, ROBERT A. IRVIN

ATTEST:

APPROVED AS TO FORM:

City Clerk, Virginia A. Mefford

City Attorney, Hector M. Figueroa

RESOLUTION NO: 2012-57

2012 Reference Information

Insurance FY13 Budget Information

| 2012 Rates | Premium | ER Paid | EE Paid | Credit | LEGEND |
|------------------|---------|---------|---------|--------|---|
| EE | 296.82 | 371.88 | | -75.06 | EE = Employee Only |
| EE&Spouse | 653 | 572.14 | | 80.86 | ER = Employer |
| EE&Children | 563.96 | 507.58 | | 56.38 | |
| FAMILY | 949.83 | 598.51 | | 351.32 | |
| FY13 renewal.... | | | | | FY13 Budgeted Medical Amount: \$376,183.00 |

| HMO FY13 | New Premium | Old Premium | Premium Increase |
|-------------|-------------|-------------|------------------|
| EE | 305.54 | 296.82 | 8.72 |
| EE&Spouse | 675.19 | 653.00 | 22.19 |
| EE&Children | 580.53 | 563.96 | 16.57 |
| FAMILY | 977.74 | 949.83 | 27.91 |

| EE Absorbs 25% of Increase of total dollar cost | | | | |
|---|---------|--------|--------------------|---------------------------|
| | Premium | ER Pay | New EE Pay | Increased per month |
| EE | 305.54 | 378.42 | -72.88 | 2.18 |
| EE&Spouse | 675.19 | 588.78 | 86.41 | 5.55 |
| EE&Children | 580.53 | 520.01 | 60.52 | 4.14 |
| FAMILY | 977.74 | 619.44 | 358.30 | 6.98 |
| | | | \$24,778.18 | \$297,338.16 |
| | | | \$14,400.00 | ESG Advocate Fees |
| | | | \$311,738.16 | Annual Estimated Charges. |

**CITY OF WILLCOX
ANNUAL PREMIUM COMPARISON**

FINAL - JUNE 7th, 2012

SUMMARY COMMENTS:

- ➔ CURRENT PLAN INCLUDES A 6% BROKER COMMISSION - COMMISSIONS ELIMINATED
- ➔ ESG HAS WAIVED BROKERAGE COMMISSIONS AND AGREED TO A FLAT SERVICE FEE OF \$1,200 PER MONTH
- ➔ CITY OF WILLCOX TOTAL INCREASE INCLUDING ALL PREMIUMS AND HRA EXPECTED CLAIMS IS 5.58%

INSURED PARTICIPANTS

| | HMO | PPO | TOTAL |
|--------------------------|-----------|----------|-----------|
| Single | 19 | 0 | 19 |
| Employee + Spouse | 6 | 2 | 8 |
| Employee + Children | 19 | 1 | 20 |
| Family | 2 | 1 | 3 |
| Total Census | 46 | 4 | 50 |
| | | | |
| Total Deductibles | 73 | 8 | 81 |

2011 / 2012 FINAL COST ANALYSIS -

CURRENT RATES:

(\$5K Ded - 100% - OV \$15 / \$30 - Rx \$10/\$30/\$45/\$60 + SP)

| | HMO | PPO | ANNUAL TOTAL | |
|--|-----------|-----------|----------------------|-------------|
| Employee | \$ 296.82 | \$ 298.66 | \$ 67,874.98 | |
| Employee + Spouse | \$ 653.00 | \$ 657.05 | \$ 62,785.20 | |
| Employee + Child(ren) | \$ 563.96 | \$ 567.45 | \$ 135,392.28 | |
| Family | \$ 949.83 | \$ 955.72 | \$ 34,264.56 | |
| TOTAL PREMIUM | | | \$ 300,117.00 | BASE |
| | | | | |
| HRA EXPECTED CLAIMS | | | \$ 71,820.00 | |
| TOTAL ANNUAL COST (Premium + HRA) | | | \$ 371,937.00 | BASE |

PROPOSED (ORIGINAL RENEWAL QUOTE):

(\$5K Ded - 100% - OV \$15 / \$30 - Rx \$10/\$30/\$45/\$60 + SP)

| | HMO | PPO | TOTAL | INC. / (DEC.) % |
|--|-------------|-------------|----------------------|-----------------|
| Employee | \$ 344.06 | \$ 347.43 | \$ 78,445.68 | |
| Employee + Spouse | \$ 756.92 | \$ 764.35 | \$ 72,842.64 | |
| Employee + Child(ren) | \$ 653.71 | \$ 660.12 | \$ 158,967.32 | |
| Family | \$ 1,100.99 | \$ 1,111.70 | \$ 39,764.16 | |
| TOTAL PREMIUM | | | \$ 348,019.80 | 15.96% |
| | | | | |
| HRA EXPECTED CLAIMS | | | \$ 71,820.00 | |
| TOTAL ANNUAL COST (Premium + HRA) | | | \$ 419,839.80 | 12.88% |

NEGOTIATED (HEALTHNET CONCESSION)

(\$5K Ded - 100% - OV \$15 / \$30 - Rx \$10/\$30/\$45/\$60 + SP)

| | HMO | PPO | TOTAL | INC. / (DEC.) % |
|--|-------------|-------------|----------------------|-----------------|
| Employee | \$ 325.47 | \$ 328.47 | \$ 74,207.16 | |
| Employee + Spouse | \$ 716.03 | \$ 722.63 | \$ 68,897.28 | |
| Employee + Child(ren) | \$ 618.39 | \$ 624.10 | \$ 148,482.12 | |
| Family | \$ 1,041.51 | \$ 1,051.11 | \$ 37,609.56 | |
| TOTAL PREMIUM | | | \$ 329,196.12 | 9.69% |
| | | | | |
| HRA EXPECTED CLAIMS | | | \$ 69,255.00 | |
| TOTAL ANNUAL COST (Premium + HRA) | | | \$ 398,451.12 | 7.13% |

NEGOTIATED (HEALTHNET NO COMMISSION)

(\$5K Ded - 100% - OV \$15 / \$30 - Rx \$10/\$30/\$45/\$60 + SP)

| | HMO | PPO | TOTAL | INC. / (DEC.) % |
|--|-----------|-----------|----------------------|-----------------|
| Employee | \$ 305.54 | \$ 308.29 | \$ 69,883.12 | |
| Employee + Spouse | \$ 672.19 | \$ 678.23 | \$ 64,875.20 | |
| Employee + Child(ren) | \$ 580.53 | \$ 585.75 | \$ 139,389.84 | |
| Family | \$ 977.74 | \$ 986.53 | \$ 35,304.12 | |
| TOTAL PREMIUM | | | \$ 309,032.28 | 2.97% |
| | | | | |
| HRA EXPECTED CLAIMS | | | \$ 69,255.00 | |
| | | | | |
| ESG ADVOCATE FEES | | | \$ 14,400.00 | |
| TOTAL ANNUAL COST (Premium + HRA) | | | \$ 392,687.28 | 5.58% |

Final Projection
by ESG

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 13
Tab Number: 10
Date: 06-18-2012

Date Submitted:
6-5-12

Date Requested:
6-18-12

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: Decision on
renting a booth for
Parade of Cities at the
Arizona League of Cities
Conference August 2012**

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The participation in the Showcase of Cities and Towns program during the Arizona League of Cities & Towns Annual Conference needs to be decided. The Showcase of Cities and Towns is where individual communities can rent space in the display area and "showcase" their community: the City of Willcox has participated in the past. The cost of a booth space without electricity is \$195.00; the cost with Electricity is \$260.00. The City has in the past, had one (1) booth space with electricity. Representatives from the City of Willcox who are attending the Conference usually volunteer to staff the space on the night of the Showcase of Cities. Materials have been donated for distribution.

RECOMMENDATION: Decision on whether the City wishes to participate in the Parade of Cities at the Arizona League of Cities Annual Conference in August of 2012.

FISCAL IMPACT: Either \$195.00 (without electricity) or \$260.00 (with electricity) for the booth fee. This would be paid from the General Fund, Line Item 10-402-9690, "City Council Misc Expense".

Prepared by: Pat McCourt

Approved by:



Pat McCourt, City Manager

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item
Tab Number 21
Date: 06/18/12

| | | |
|------------------------|---|---|
| Date Submitted: | Action: | Subject: |
| June 13, 2012 | <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal | Adoption of Tentative City Budget for Fiscal Year 2012-2013 |

TO: MAYOR AND COUNCIL
FROM: Finance Director Ruth Graham

DISCUSSION:

The Mayor and Council of the City of Willcox have held a number of work sessions with regard to the City's 2012-2013 fiscal year budget. The Council has analyzed the estimated revenues and expenses for the operation of the City, as well as capital investment needs.

Staff recommends adoption of a **tentative budget for the 2012-2013 fiscal year totaling \$22,286,659**. That is net of Interfund transfers totaling \$849,409. The tentative budget covers all of the operations in any of the funds managed by the City, including the General Fund, the HURF (Streets) Fund, the Grant and Special Revenue funds, the Debt Service Fund, the Capital Improvements Fund, the Repair & Demolition Fund, the Gas, Water, Sewer and Refuse Utilities, Magistrate Court trust fund, and the Firemen's Pension Fund. In addition to the operating needs of the City, this budget includes capital expenses for a wastewater treatment plant at an estimated cost of \$12 million. The budget also includes anticipated grant revenues and expenses.

By State law, the total amount of the budget that is tentatively approved in June cannot be increased before final adoption in August. If changes are made after the tentative budget is approved, the overall amount can be reduced or maintained at the current level, but it cannot be increased.

RECOMMENDATION:

Motion to approve a Tentative Budget for the Fiscal Year 2012-2013 in the amount of \$22,286,659.

FISCAL IMPACT: Budgeted revenues and expenditures of \$22,286,659.

Submitted by:



Ruth Graham



Pat McCourt, City Manager

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2012-58

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, ADOPTING THE TENTATIVE BUDGET OF THE CITY OF WILLCOX FOR FISCAL YEAR 2012-2013, ADOPTING THE ESTIMATED AMOUNTS REQUIRED TO MEET THE PUBLIC EXPENSES AND THE ESTIMATED REVENUES, AUTHORIZING AND DIRECTING PUBLICATION OF STATEMENTS AND SCHEDULES OF THE TENTATIVE BUDGET AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, in accordance with the provisions of Title 42, A.R.S. §§ 42-17101, 42-17102, 42-17103 and 42-17104, the City Council did on June 18, 2012 make an estimate of the different amounts required to meet the public expenses for the ensuing year, also an estimate of revenues from sources other than direct taxation, and the amount to be raised by taxation upon real and personal property of the City of Willcox; and

WHEREAS, it appears that the sums to be raised by primary taxation do not, in the aggregate amount, exceed that amount as computed in Title 42, A.R.S. § 42-17102.A; and

WHEREAS, the Mayor and Council have conducted budget work sessions to discuss the budget estimated public expenses and estimated revenues in properly noticed public sessions; and

WHEREAS, the Clerk is required to publish, in the manner prescribed by law, the attached statements and schedules of said tentative budget, together with a copy of this Resolution and a notice of the public meeting of the City Council, for the purposes of conducting a public hearing when and where any citizen may appear and be heard or submit written comments in favor of or against any proposed use within the budget or the tax levy. The proposed budget may be examined on weekdays at the Willcox City Hall located at 101 S Railroad Avenue, Willcox, Arizona between 8:00 A.M. and 4:00 P.M.

THEREFORE, BE IT RESOLVED, that the said estimates of public expenses and said estimates of revenues shown on the accompanying schedules in the amount of **\$22,286,659.00** are hereby adopted as the Tentative Budget of the City of Willcox, Cochise County, Arizona for the Fiscal Year 2012-2013.

BE IT FURTHER RESOLVED, WHEREAS, the Clerk is hereby authorized and directed to publish, in the manner prescribed by law, the attached statements and schedules of said tentative budget, together with a copy of this Resolution and a notice of the public meeting of the City Council as required by law.

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

APPROVED/EXECUTED:

MAYOR, ROBERT A. IRVIN

ATTEST:

APPROVED AS TO FORM:

City Clerk, Virginia A. Mefford

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2012-58

City of Willcox
Proposed Budget for Fiscal Year 2012-13 (as of June 18, 2012)

| Fund Number | Fund Name | 7/1/12 Projected Opening Balance | FY13 Projected Revenues | Inter-fund Transfers | | | FY13 Budgeted Expenses | 6/30/13 Projected Ending Balance | FY 12-13 Projected Change in Ending Balance | |
|--|-----------------------------------|----------------------------------|-------------------------|----------------------|--|------------|------------------------|----------------------------------|---|--|
| | | | | In | Out | | | | | |
| 10 | General Fund | \$ 1,647,375 | 3,080,701 | A/B \$ 604,988 | E \$ 6,500 F \$ 100,000 G \$ 121,900 | | \$ 4,394,809 | \$ 709,855 | \$ (937,520) | |
| 15 | HURF | \$ 151,269 | \$ 985,350 | | C \$ 10,321 | | \$ 1,038,357 | \$ 87,941 | \$ (63,328) | |
| 16 | Grants | \$ - | \$ 1,162,023 | C \$ 10,321 | | | \$ 1,172,344 | \$ - | \$ - | |
| 17 | Special Rev Grants | \$ 104,660 | \$ 59,570 | E \$ 6,500 | | | \$ 170,730 | \$ - | \$ (104,660) | |
| 20 | Debt Service | \$ 161,895 | \$ 157,300 | D \$ 5,700 | | | \$ 163,000 | \$ 161,895 | \$ - | |
| 21 | Capital Improv | \$ 43,000 | | G \$ 121,900 | | | \$ 164,900 | \$ - | \$ (43,000) | |
| 22 | Repair & Demolition | \$ - | \$ - | F \$ 100,000 | | | \$ 100,000 | \$ - | \$ - | |
| 50 | Gas - Operating Regulator Station | \$ 1,027,008 | \$ 1,294,173 | | A \$ 190,731 | | \$ 1,193,953 | \$ 936,497 | \$ (90,511) | |
| 51 | Water | \$ 1,449,352 | \$ 778,089 | | A \$ 128,264 D \$ 5,700 | | \$ 660,210 | \$ 1,433,267 | \$ (16,085) | |
| 52 | Sewer Plant Construction | \$ 812,257 | \$ 755,491 | | A \$ 127,361 | | \$ 705,737 | \$ 734,650 | \$ (77,607) | |
| 53 | Refuse Due to Gen Fund | \$ 82,672 \$ (42,469) | \$ 669,481 | | A \$ 122,833 B \$ 35,799 | | \$ 510,849 | \$ 46,873 \$ (6,670) | \$ - | |
| 61 | Magistrate Court Trust Fund | \$ 3,863 | \$ 9,370 | | | | \$ 9,370 | \$ 3,863 | \$ - | |
| 72 | Firemen's Pension Trust Fund | \$ 221,927 | \$ 7,050 | | | | \$ 2,400 | \$ 226,577 | \$ 4,650 | |
| | | | | | | \$ 849,409 | \$ 22,286,659 | \$ 4,334,749 | \$ (1,328,061) | |
| Fiscal Year 12-13 Tentative Operating Budget Total (net of transfers) | | | | | | | \$ 22,286,659 | | | |

Legend:

- A Utilities transfers to General Fund
- B Budgeted Refuse loan repayment to General Fund
- C Ft. Grant Beautification Project
- D General Obligation Bond for Water paid by Water Utility
- E Skatepark/Fireworks Transfers from General Fund
- F Repair & Demolition Fund - loan from General Fund
- G General Fund Capital Improvement Projects

Fy13

REVISED

**City of Willcox
Proposed Budget for Fiscal Year 2011-12 (as of July 15, 2011)**

| Fund Number | Fund Name | 7/1/11 Opening Balance | FY12 Projected Revenues | Inter-fund Transfers | | FY12 Budgeted Expenses | Projected Balance 6/30/12 | Change in Ending Balance |
|--|-------------------------------|---------------------------|-------------------------|----------------------|----------------------------|------------------------|---------------------------|--------------------------|
| | | | | In | Out | | | |
| 10 | General Fund | \$ 1,683,846 | 2,898,048 | A \$ 532,638 | B \$ 18,734 | \$ 4,315,884 | \$ 779,914 | \$ (903,932) |
| 15 | HURF | \$ 229,036 | \$ 1,007,699 | | B \$ 90,026 | \$ 1,084,576 | \$ 62,133 | \$ (166,903) |
| 16 | Grants | \$ 55,146 | \$ 1,914,711 | B \$ 91,160 | | \$ 2,005,871 | \$ 55,146 | \$ (0) |
| 17 | Special Rev Grants | \$ 105,248 | \$ 67,740 | B \$ 17,600 | | \$ 190,588 | \$ 0 | \$ (105,248) |
| 20 | Debt Service | \$ 161,895 | \$ 151,094 | C \$ 5,700 | | \$ 156,794 | \$ 161,895 | \$ - |
| 21 | Capital Improv | \$ 46,641 | \$ 117,700 | | | \$ 162,700 | \$ 1,641 | \$ (45,000) |
| 50 | Gas - Operating Bonds/Capital | \$ 1,018,789 | \$ 1,120,456 | | A \$ 190,735 | \$ 1,029,278 | \$ 919,232 | \$ (99,557) |
| 51 | Water | \$ 1,242,939 | \$ 717,548 | | A \$ 126,543 C \$ 5,700 | \$ 604,046 | \$ 1,229,898 | \$ (18,741) |
| 52 | Sewer Bonds/Capital | \$ 814,124 | \$ 701,969 | | A \$ 115,228 | \$ 615,637 | \$ 785,228 | \$ (28,896) |
| 53 | Refuse Due to Gen Fund | \$ 37,528 \$ (107,395) | \$ 663,986 | | A \$ 100,132 | \$ 563,854 | \$ 37,528 \$ (107,395) | \$ - |
| 61 | Magistrate Court Trust Fund | \$ 6,076 | \$ 28,000 | | | \$ 28,000 | \$ 6,076 | \$ - |
| 72 | Firemen's Pension Trust Fund | \$ 220,472 | \$ 5,425 | | | \$ 5,425 | \$ 220,472 | \$ - |
| | | \$ 5,514,345 | \$ 28,394,376 | \$ 647,098 | \$ 647,098 | \$ 29,762,653 | \$ 4,151,768 | \$ (1,368,277) |
| Fiscal Year 11-12 Tentative Operating Budget Total (net of transfers) | | | | | | \$ 29,762,653 | | |

- A Utilities transfers to General Fund
- B Grant/Contribution Match: Skatemark, Fireworks, Streets projects. See Budget Detail FY12
- C Water GO Bond funds payment transferred from Water to Debt Service

COMPARATIVE - FY 12

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item 15
Tab Number 12
Date: 6/18/12

Date Requested:
6/8/12

Resolution
 Ordinance
 Formal
 Other

Subject:
Approval and
Adoption of 2012
Updates to the Library
General Policy

TO: MAYOR AND COUNCIL

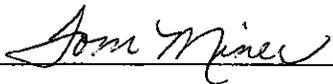
FROM: Tom Miner, Library Director and the Public Library Advisory Committee

DISCUSSION: The 2012 Library bi-annual policy updates were recently drafted, reviewed, finalized and approved by the Public Library Advisory Committee members, the Library Director and staff, the City Manager, and the City Attorney. Their recommendations have all been incorporated and are now forwarded for your consideration, approval and adoption.

RECOMMENDATION: The City Council approve the Resolution adopting the 2012 updates to the Library General Policy.

FISCAL IMPACTS: None

Submitted by:



Tom Miner, Library Director

Approved by:



Pat McCourt, City Manager

CITY OF WILLCOX
ELSIE S. HOGAN COMMUNITY LIBRARY
Phone: 520/766-4250 Fax: 520/384-0126



100 North Curtis Avenue
Willcox, Arizona 85643-2150
Email: tminer@willcoxcity.org

"Yours, Mine and Ours"

From: PUBLIC LIBRARY ADVISORY COMMITTEE **June 11, 2012**

Subject: Approval and Adoption of the 2012 Updates to the Library General Policy

To: Honorable Mayor and Members of the Willcox City Council

Lady and Gentlemen,

In unanimous agreement, as per our Regular Meeting held on May 8, 2012, it is the recommendation of this Committee that the City Council approve and adopt the Library's revised and updated General Policy, as written and presented to you this date.

Mr. Miner has satisfactorily answered all of the questions this Committee has raised pertaining to the updated and reformatted policy, and has incorporated all of our suggestions.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jeffrey S. Shroyer".

Jeffrey S. Shroyer
Chairman
Public Library Advisory Committee

RESOLUTION NO. 2012-59

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, (“CITY”) APPROVING AND ADOPTING THE ELSIE S. HOGAN COMMUNITY LIBRARY [“LIBRARY”] LIBRARY GENERAL POLICY AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is authorized pursuant to A.R.S. §§ 9-413; 9-419; 9-420, et seq. to establish a Library fund; to authorize the use of land and structures for a public library; to enter into agreements with the Arizona State Library, Archives and Public Records to provide supervision of expenditures of all monies involved in financing a library service; and

WHEREAS, the CITY is empowered to create a Public Library Advisory Committee “Committee” and to appoint five Committee Members pursuant to Title 2, Chapter 4 of the City Code; and

WHEREAS, the COMMITTEE is authorized to provide advisory assistance to the CITY in establishing rules, regulations and policy related to the use of the LIBRARY pursuant to Title 2, Chapter 4, Sections 2-4-4 and 2-4-5; and

WHEREAS, the COMMITTEE recently finalized the Library General Policy that was necessitated by the Library Renovation Project and deemed necessary to be in compliance with City policies governing public use of public facilities; and

WHEREAS, the COMMITTEE desires to present the Library General Policy to Mayor and Council for approval and adoption; and

WHEREAS, the City of Willcox, Cochise County, Arizona desires to have this Resolution presented at its June 18th, 2012 Council meeting and has determined that approval and adoption of the proposed General Policy 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 stated policies, 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 approval and adoption of the LIBRARY General Policy, as presented, is in the best interest of the residents of the City of Willcox.

Section 2: The CITY formally approves and adopts the LIBRARY General Policy and authorizes the Library Director, Mr. Thomas Miner, to implement the Policy.

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: The Mayor is authorized to execute this Resolution.

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

APPROVED/EXECUTED:

MAYOR, ROBERT A. IRVIN

ATTEST:

City Clerk, Virginia A. Mefford

APPROVED AS TO FORM:

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2012-59

**CITY OF WILLCOX
ELSIE S. HOGAN COMMUNITY LIBRARY
GENERAL POLICY**

Revised July 2012

(Updated as required, minimum bi-annual review)

Welcome to the Elsie S. Hogan Community Library. The following is for your information only. If you have questions on this or any other part of our library services or policies, please feel free to speak to either the Library Supervisor or the Director, or call us at (520) 766-4250.

This policy will be **reviewed and updated as required, a minimum of every two years** by the Library Director and the Public Library Advisory Committee.

I. MISSION STATEMENT

Our purpose is to provide free library service to all citizens. We attempt to fill the informational, cultural, recreational, and educational needs of our users, and to encourage non-users to use our services. We continually try to provide new ways to expand our services and provide materials, old and new, in many media.

II. VISION STATEMENT

The vision of the Elsie S. Hogan Community Library is to provide literary, reference and artistic materials in a variety of formats for free use by the public and to promote the use of these materials for enrichment and enlightenment.

III. GENERAL INFORMATION

A. Obtaining a Library Card:

1. Any Cochise County resident and/or his/her dependents shall be allowed the privilege of using library services without fee for the initial borrower's card. Proof of Cochise County residence (post office box numbers along with description of the location of residence will be accepted addresses), a reference (name, address, phone no.), and a picture ID are needed to obtain a library card. Lost or damaged cards will be replaced for a fee of \$1.00 (non-refundable).

2. A parent's or guardian's signature is required for applicants under 18 years old. A parent/guardian **must be present** when a child applies for a card. Our policy is: If a child is old enough to write their own name, then they are old enough to have a card, *however*, if any parent or legal guardian has outstanding fines on library items, a card will not be issued to that child until all fines are paid.

3. A ten dollar (\$10.00) refundable deposit shall be required of any non-resident patron. These patrons will be given a temporary library card and shall have full library privileges. The deposit will not be returned if the card is lost, stolen or damaged. A deposit will be refunded when:

- a. The patron returns the temporary library card with proof of ID and paid receipt, AND
- b. All materials have been returned, AND
- c. All charges and fines have been paid.

4. Three types of borrower's cards shall be issued:
 - a. Adult - anyone 18 years of age or older.
 - b. Student - anyone 17 years of age or younger, **must** have parent or legal guardian signature.
 - c. Temporary Adult (non-resident) - \$10.00 deposit (refundable) required.

B. Circulation:

1. Patrons will be limited to possessing 10 items per library cardholder.
2. Most materials are checked out for a three-week loan period with the exception of movies, which are checked out for one week, and newly released items are checked out for two weeks, depending on the status of the material.
3. Materials may be renewed once; some restrictions may apply. Renewals may be done in person, by telephone, or on-line, depending on the status of the material. Phone number is printed on library card.
4. Reserves for materials will only be held for one week after the patron has been notified that the material is available.
5. There will be **no** circulation of library materials or equipment to patrons with fines in excess of five dollars (\$5.00), or with an excess of overdue materials, unless payment arrangements have been made.

C. Overdue Materials Policy:

1. Overdue notices shall be processed and sent out weekly. Library privileges will be suspended for any patron with a delinquent status who has not made payment arrangements.
2. Patrons may not check out additional items, including Library equipment, until overdue items are returned, rechecked, or payment arrangements have been made. Payment arrangements may be made at the Library Director's and/or Library Supervisor's discretion.

D. Fines and Replacement Information:

1. Overdue materials will be charged fines as follows (per item):
 - Books - Regular 3-week checkout @ \$.10/day, with a 2-day grace period
 - Books - New releases @ \$.25/day, with a 2-day grace period
 - Interlibrary Loan Items @ \$.25/day, with a 2-day grace period
 - Videos and DVDs @ \$.50/day, with **no** grace period
 - Audiocassettes, CD-Books and Music CDs @ \$.10/day, with **no** grace period**The maximum fine shall be five dollars (\$5.00) per item.**
2. Patrons shall replace any book lost, destroyed or mutilated before circulation privileges are reinstated. See the section titled "**Reimbursement Policy**", which will be reviewed periodically by the Library Director and the Library Supervisor.

E. Internet Access:

Access to the Internet is described in the section titled "**Library Internet/Computer/Wireless**

Use Policy”.

F. Camera, Video, Audio-taping Use:

We respect our patron’s right to privacy, therefore, no use of cameras, camera-phones, or video or audio-taping equipment is allowed in the Library without the express permission of the Library Director.

G. Library Meeting Rooms:

Library meeting rooms are for meetings or programs of an educational, philanthropic, cultural, recreational or civic nature, and for other functions which, in the judgment of the City of Willcox or the Library Director, will benefit the residents of the community. Specific requirements concerning their use are contained in the section titled “**Elsie S. Hogan Community Library Meeting Room Policy**”.

IV. ELSIE S. HOGAN COMMUNITY LIBRARY REIMBURSEMENT POLICY

- A. The policy of Elsie S. Hogan Community Library is to ask patrons who damage or lose library materials to reimburse the library for those materials. Staff makes every reasonable effort to secure such reimbursement for library materials and for inter-library loan materials, by notifying patrons of overdue books and billing for any outstanding charges before privileges are suspended.
- B. This reimbursement policy allows staff to collect immediately for lost and damaged items. All cataloged items will be reimbursed at the price indicated on the item record, according to material code. In most instances, this will be the actual price of the book or materials, plus a \$3.00 processing fee per item.
- C. For specialized materials such as audio/cassette tapes, DVDs, CDs, reference books, old or rare books, or any other materials which do not fit easily into one of the material codes, a default price from the computer policy file will be used. Staff is allowed to use their own judgment in making exceptions for unusual materials or circumstances.
- D. Checks should be made payable to Elsie S. Hogan Community Library or City of Willcox Library, or Cochise County Library District, depending on the item.

V. AUTHORITY AND RESPONSIBILITY FOR THE MAINTENANCE OF LIBRARY COLLECTIONS

- A. It is a function of librarians to select and to discard library materials and to advise on their use. They are fitted for this task through training and experience, however, they must of necessity work within limitations of space and budget. Although they try to inform themselves as well as possible, they must work within their limitation of knowledge. Selection and withdrawal processes are therefore cooperative, and we welcome advice and suggestions from members of the community, the Public Library Advisory Committee, or authorities in various fields. Librarians however, are responsible for judging the needs of their collections and their communities, and they must make the final choices.

- B. Responsibility for book selection and book discarding for the Elsie S. Hogan Community Library rests with the Library Director and/or Library Supervisor, who operate within the framework of the policies and procedures developed by the Public Library Advisory Committee and Cochise County Library District.**

VI. WITHDRAWAL AND WEEDING OF MATERIALS FROM LIBRARY COLLECTIONS

Materials are regularly discarded from library collections. They are withdrawn because they are out-of-date, so badly worn or damaged that they cannot be bound or mended, because it is cheaper to replace them, or because they are once-popular materials that are no longer used. Space, the cost of replacement, and the condition of the collection are factors in these decisions. Withdrawn books are donated to the Friends of the Library, whose proceeds are all directly or indirectly returned to the library.

VII. GIFTS

Gifts of books, monetary gifts, and other materials are accepted with the understanding that they may be used or disposed of according to policy. The Public Library Advisory Committee recommends that all donations be given through the Friends of the Library. New titles acquired in this manner are subject to the basic standards of selection. Replacement and duplicate copies are added to the collection if needed. The cost of processing and the availability of shelving space are also factors in determining acceptance of gifts. The library does not provide evaluations of gifts for tax deductions or other purposes.

VIII. LIBRARY RIGHTS

- A. The Elsie S. Hogan Community Library subscribes to the Library Bill of Rights developed by the American Library Association as follows:**
 - 1. Books and other library resources should be provided for the interest, information and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background or views of those contributing to their creation.**
 - 2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.**
 - 3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.**
 - 4. Libraries should cooperate with all persons and groups concerned with restricting abridgment of free expression and free access to ideas.**
 - 5. A person's right to use a library should not be denied or abridged because of origin, age, background or views.**
 - 6. Libraries which make exhibit spaces and meeting rooms available to the public they serve, should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.**

B. Controversial Materials:

Intellectual freedom is the right of citizens in a democratic society to seek any information they want, without interference from the government or other citizens. Public libraries and library staff support the concept of intellectual freedom, which means that they try to stock a wide variety of materials, representing many different viewpoints, reflecting the diversity of the community. Some of these materials may be offensive to individuals or groups because of what they consider to be profanity or obscenity, or they might object to the social, economic and political ideas, religious viewpoints, the background of the author, the kinds of information provided, or for other reasons. Libraries do not advocate the ideas found in their collections or in resources accessible through the library. The presence of books and other resources in a library does not indicate endorsement of their contents by the library. Likewise, the ability for library users to access electronic information using library computers does not indicate endorsement or approval of that information by the library. We do believe it is essential to provide such materials if the American ideal of freedom is to be retained.

C. Age:

American public libraries flourish out of a commitment to the principle that knowledge and access to information empower the individual. Libraries embody the firm belief that information must not be the exclusive province of a privileged few and that it should be widely and freely available to all. Each individual may choose what he/she wishes to read or view, but may not control what others read or view. Responsibility for the choices that children make rests solely with their parents or legal guardians. Librarians do not legally act "in loco parentis" (in the place of parents) as teachers do. Library staff and volunteers make reasonable efforts to assist users of all ages who are in search of information or learning how to use computers. While it is fine for a librarian to help a child find age-appropriate materials and suggest alternatives for a child who has randomly chosen a book that may be too "adult", the librarian shall not forbid a child to check out a given book because the librarian disapproves of the book. Even in a small community, some parents are very restrictive, and other parents are very permissive. The parent of the child should make final decisions about what their child is allowed to read. As with other library materials, it is the responsibility of the parents/guardians, not the library, to restrict their children's access to on-line materials that are harmful to minors as defined in ARS Section 13-3501 (1). Parents should accompany young children to the library, and establish rules and expectations for older children that are in accordance with family values.

IX. LABELING AND COMPLAINTS

- A.** It is sometimes suggested that a label be affixed to library materials indicating a political or social point of view or indicating that an item is questionable or controversial. Such labeling suggests that Americans are incapable of making up their own minds about controversial subjects, and this practice is contrary to the American idea of the free market place of ideas. We do not subscribe to this practice.
- B.** In order to deal with objections to any item in the library a policy and procedure has to be established. No item is to be removed or restricted because of a complaint except in accordance with this policy and procedure.
- C.** All book complaints must be filed in writing with the Library Director, who will then immediately notify the appropriate supervisory personnel and the Public Library Advisory

Committee members. Complaints must be signed by the complaining party and will be placed on the agenda for the next regularly scheduled Public Library Advisory Committee meeting. Public Library Advisory Committee members will then have one month in which to review the complaint and the book. A special meeting will then be set to determine the library action on the complaint. All Public Library Advisory Committee members and the complaining party will be notified at least three days in advance of such meeting. The Public Library Advisory Committee's decision is final.

X. MATERIAL SELECTION POLICY

A. The Elsie S. Hogan Community Library, as part of its material selection policy, subscribes to the following statements published by the American Library Association:

1. Freedom to View
2. Free Access to Libraries for Minors
3. Freedom to Read Statement

XI. MATERIAL SELECTION GUIDELINES

A. Standard Bibliographies:

1. Library Journal
2. School Library Journal
3. Publisher's Weekly
4. Baker and Taylor; Ingram catalogs

B. Review Media:

1. Newspapers
2. Special reviews
3. New York Times Book Review

C. General factors for selection and rejection:

1. Literary quality
2. Cost
3. Balance of collection/need for subject representation in collection
4. Availability of material elsewhere in the community
5. Accessibility through ILL and/or cooperative ventures
6. Background of library patrons
7. Ethnic background of area served
8. Consideration of popular demand

XII. LIBRARY STANDARDS OF ACCEPTABLE BEHAVIOR:

ELSIE S. HOGAN COMMUNITY LIBRARY, A MEMBER CITY LIBRARY OF THE COCHISE COUNTY LIBRARY DISTRICT

Elsie S. Hogan Community Library is funded by the City of Willcox and Cochise County. The library, through its staff, desires to maintain its facility in a clean, pleasant and safe manner. The library is to be

Elsie S. Hogan Community Library is funded by the City of Willcox and Cochise County. The library, through its staff, desires to maintain its facility in a clean, pleasant and safe manner. The library is to be used as a place to read, choose books and other library materials, use computers and the photocopy machine, attend library programs, and request information from library staff.

Occasionally, a library visitor engages in behavior that is unacceptable or dangerous to other patrons, library staff, or volunteers. Unacceptable behavior is defined as any behavior that constitutes a crime, impinges on the rights of others, could result in injury to oneself or others, or could result in damage to or loss of library property. The following listed behaviors are considered by the library to constitute unacceptable behavior. It is the policy of the library to ask people to modify unacceptable behavior or to leave the library premises. In the case of a suspected criminal offense, or refusal to modify unacceptable behavior, the Willcox Department of Public Safety will be contacted.

Criminal behaviors include, but are not limited to the following:

- Theft
- Vandalism to library property (including facilities, equipment or materials)
- Entering the library with any instrument that may be used as a weapon (a weapon is defined as anything that can be used to cause injury and includes, but is not limited to, guns, knives, explosive devices, clubs, or caustic chemicals)
- Physical or verbal fighting (this behavior may be considered to constitute assault or disorderly conduct depending on the severity)
- Use of library computers or Internet in any way that violates Willcox City Ordinances, Arizona or Federal laws
- Exhibitionism or flashing of a sexual nature
- Gambling

Other unacceptable behaviors include, but are not limited to the following:

- Using offensive or abusive language, violent or seriously disrupting behavior, or making unreasonable noise
- Consuming food or drink by library patrons is generally not permitted, except in specific designated areas
- Intoxication of any kind
- Use of tobacco products of any kind
- Use of radios, tape or CD players, or other noise-emitting electronic devices without the use of headphones
- Leaving children younger than seven at the library without appropriate supervision (appropriate supervision means controlling any behavior by young children that could disrupt other library patrons or staff)
- Disciplining children in the library in a manner that injures the child or disrupts others
- Use of cell phones, including camera phones, except in specifically designated areas
- Soliciting for any purpose

XIII. ARIZONA RESOURCE ACCESS AND ATTAINMENT POLICY (AzRAP)

- A. The Elsie S. Hogan Community Library is committed to working with all public, private, academic, school, special and tribal libraries to help all Cochise County residents find the information they need and want, and to attain that material.

B. To assure that result, and in return for access to the Worldwide Cataloging System (WorldCat), unlimited Inter-Library Loan (ILL) fees paid, and batch loading as needed, the Elsie S. Hogan Community Library will:

1. Support the Statewide database project that provides a broad range of topics available to all residents, and to all public and K-12 public and charter school libraries, and if called upon, share costs, **if or when** necessary, with the Cochise County Library District.
2. Support pilot projects allowing this library to test new technologies to meet patrons' needs, such as e-readers, and alternative means, such as purchase-on-demand.
3. Support training for library staff members on Reference Services, including helping patrons find materials through virtual services.
4. Work with patrons, at no charge, to locate materials.
5. Provide specific information on attaining material. The library will offer several options to attain material, including: patron purchase of low-cost materials, such as print-on-demand; library (district) purchase of materials; database and web sources; and inter-library loan.
6. When materials can **only** be attained for a reasonable cost through inter-library loan, the library will offer to secure the materials, with the patron covering the postage costs (capped at \$6 per item), and any fees charged by the lending library. No other fees or charges will be passed on to the patron.
7. Provide materials to other Arizona public, regent, or community college libraries at no charge (fee).
8. Provide the Arizona State Library, Archives and Public Records (ASLAPR) with an electronic copy of this policy each time it is updated.

C. The Elsie S. Hogan Community Library will maintain constant compliance with this policy in order to apply for and receive future Library Services and Technology Act (LSTA) and State Grants-In-Aid (SGIA) Grants.

XIV. ELSIE S. HOGAN COMMUNITY LIBRARY MEETING ROOM POLICY

A. Purpose

The Library Meeting Rooms are for meetings or programs of an educational, philanthropic, cultural, recreational or civic nature, and for other functions, which, in the judgment of the City of Willcox and the Library Director, will benefit the residents of the community.

B. Statement of Policy/Principles

1. Use of a Library meeting room for City of Willcox, Library, Library-affiliated or Library-sponsored/co-sponsored meetings or programs shall have priority over **all** other requests. Thereafter, requests are considered in the following order:

2. The Library reserves the right to relocate or cancel a booking of a Library meeting room, for either City of Willcox business or a Library program, with a 24-hour notice.
3. Scheduling of a meeting or program of a group or organization in the Library does not in any way constitute an endorsement by the Library of the group or organization; its activities; or of the ideas and opinions expressed during the course of meetings or programs held at the Library.
4. The use of the name, address or telephone number of the Elsie S. Hogan Community Library as the address for any group using the Library for meeting purposes is prohibited.

C. Guidelines

1. All requests to use the meeting rooms must be made in advance by a Willcox resident who takes responsibility for the group's compliance with this policy and for protection of all Library property in connection with the meeting.
2. Local non-profit organizations and associations may use a Library meeting room free of charge during Library hours. They must allow the general public access to their meeting, and may not charge admission fees.
3. For-profit groups and businesses may use a Library meeting room for education and training, but may not sell or dispense their product, distribute advertising, or schedule appointments for follow-up sales.
4. No group may transfer use of a Library meeting room to another group.
5. All fees are due upon submission of the application form.

D. Fee Schedule:

| | Non-Profits/Associations | For-Profit/Private Use |
|--|---------------------------------|-------------------------------|
| Use During Library Hours | No Charge | \$35.00 |
| Use Before/After Library Hours + Key Deposit (refundable) | \$25.00 + \$100.00 | \$50.00 + \$100.00 |
| Equipment Charge (Reserved in Advance) | No Charge | \$15.00 |
| Food Service Cart Charge (During Library Hours Only) | No Charge | \$15.00 |
| Coffee Maker (ea) | \$2.50 | \$5.00 |
| Iced Tea Maker | \$2.50 | \$5.00 |
| Microwave | \$2.50 | \$5.00 |
| Popcorn Machine | \$5.00 | \$10.00 |
| Toaster | \$2.50 | \$5.00 |

1. Normal Library Hours are as follows: **Monday, Tuesday, Wednesday, 10 – 6; Thursday, 10 – 7; Friday, 9 – 5; Saturday, 9 – 2; Closed Sundays and Holidays.**

1. Normal Library Hours are as follows: **Monday, Tuesday, Wednesday, 10 – 6; Thursday, 10 – 7; Friday, 9 – 5; Saturday, 9 – 2; Closed Sundays and Holidays.**
2. Meetings must begin within 15 minutes of our scheduled closing time or an After Library Hours charge will apply. Those starting before 8 AM incur Before Library Hours charge.
3. The Meeting Rooms will **not be available on Sundays and Holidays.**

E. Application Form and Procedure:

1. Reservations are made with the Director of the Library by submission and approval of the Meeting Room Application Form.
2. The person signing the Application Form must be over 18 years of age and in attendance when the Meeting Room is in use. That person shall be responsible for the conduct of their group, payment of fees and for protection of library property in connection with the meeting.
3. Reservations must be made at least seven days prior to the meeting date, in order to allow sufficient time to process the application and to notify the contact person. Applications may be accepted up to 6 months in advance.
4. Any fees are due with the Meeting Room Application.
5. The applicant will be contacted by the Library Director or his/her agent if use of the room is not approved.
6. Cancellation of reservations for meetings is required 10 days in advance for the return of any fees.

F. User Responsibilities:

1. Chairs and tables will be provided, but must be set up by each group. Groups are responsible for returning furniture and equipment to the configuration in which the room was found.
2. Groups and/or individuals using the Meeting Rooms on Fridays and Saturdays must be responsible for disposal of trash on a carry-in/carry-out basis.
3. Groups are responsible for cleaning up after themselves, and for any damage resulting from their use.
4. Lights and equipment must be turned off.
5. Use of the Meeting Rooms when the library is closed requires a meeting with someone on the Library Staff to obtain a key and review alarm procedures.
6. The Kitchen must be cleaned and returned to the condition in which it was found.
7. Smoking is not permitted anywhere on these premises.
8. Failure to abide by any of these rules for meeting room use may be justification for denying the group further use of meeting room.

XV. ARIZONA ADDRESS CONFIDENTIALITY PROGRAM (ACP)

All persons enrolled in this Program by the AZ Secretary of State's office, upon displaying proper documentation to a Library staff member, will be issued a Temporary Patron ID card, with the ten dollar (\$10.00) fee waived. Any and all questions will be referred to either the Library Supervisor or Director.

CITY OF WILLCOX
ELSIE S. HOGAN COMMUNITY LIBRARY
 100 North Curtis Avenue
 Willcox, AZ 85643
 Tel.: (520) 766-4250
 Fax: (520) 384-0126

| | | | | | |
|-----------------------------------|---------------------------------------|-----------------------|--|--|--|
| FOR OFFICE USE ONLY: | | | | | |
| <input type="checkbox"/> Approved | <input type="checkbox"/> Not Approved | _____ Initials | | | |
| Meeting Room - A B C D E | | | | | |
| Fee charged: _____ | | Equip. charged: _____ | | | |
| Paid: \$ _____ | | Key Deposit: \$ _____ | | | |

APPLICATION FOR USE OF PUBLIC LIBRARY MEETING ROOM

Please complete this application and return it to: Director, Elsie S. Hogan Community Library, 100 North Curtis Ave, Willcox, AZ 85643-2150. Phone: (520) 766-4250; Fax: (520) 384-0126.

If the application is incomplete or illegible, it will be returned to you unapproved.

If you already made a tentative telephone reservation and you wish to hold it, you must submit this application on or before _____.

Date(s) of your meeting?

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

What time would you like the room open? _____

What time does your meeting start? _____ What time does it end? _____

Name of your organization? _____

Organization is: Non-Profit Association For-Profit Private Use Government

Purpose of your meeting? _____

Estimated attendance. _____ (Maximum capacity for room is 45)

Number of chairs needed _____ Number of tables needed _____

Equipment requested _____

The undersigned, on behalf of the above named organization, hereby indicates that he/she has read and agrees to comply with the policy and procedures governing the use of a Library meeting room. The undersigned assumes all and exclusive responsibility for the preservation of order and the sole responsibility for any **injury** to persons, **damage** to Library facilities or Library or personal property, or **loss** of Library or personal property that may result from this use. Elsie S. Hogan Community Library will not be held responsible for any materials, equipment, or personal belongings left in the building.

Date of application Signature of applicant Print Name

Email: _____

Contact person _____ **Phone** _____

Address _____ **City** _____ **State** _____

XVI. LIBRARY INTERNET, WIRELESS & COMPUTER USE POLICY (2012)

In accordance with the mission of the Elsie S. Hogan Community Library, public access to the Internet is provided as an integral part of information services. As the Elsie S. Hogan Community Library is a gateway and guide to ideas, information and entertainment, the Library endeavors to develop collections, services and resources to fulfill this mission. In accordance with this mission, one such resource is public access to the Internet, whereby the Library provides free access for all cardholders in good standing, and free WI-FI for customers with their own laptops.

The Internet is a global entity with a highly diverse user population, and library customers use it at their own risk. Internet users should be aware that not all sources on the internet provide accurate, complete or current information. Provision of Internet service does not imply that the Elsie S. Hogan Community Library endorses or approves of any material accessed. **The Library assumes no responsibility for any direct, indirect, or consequential damages resulting from its connections to the Internet, nor can it guarantee privacy of any Internet sessions.**

Child Safety on the Internet

The Elsie S. Hogan Community Library provides Internet access on PCs which are filtered appropriately for youth, to comply with the federal Children's Internet Protection Act (CIPA), and adult areas of the Library. Each PC is labeled to indicate its level of filtering. Even with filtering, some Internet sites that are inappropriate in a library setting may be displayed. Because the Library is a public place, Library staff has the authority to end an Internet session when such material displays, at which time a warning message is sent electronically to the user. The second violation of this policy may result in suspension of their computer use privilege for a period of time.

Parents or guardians, *not* the Library or its staff, are responsible for the Internet information selected and/or accessed by their children, and must grant formal permission for access in writing, through the "Authorization of Internet Access by Minors" form. Wireless Internet service is **not** filtered. Parents are encouraged to discuss the use of the Internet with their children in relation to family values and boundaries, and to monitor their children's use of the Internet. Because there is no age requirement for using PCs in certain areas, and because no filtering software is 100% effective, parents are advised that objectionable material could still be accessible. As a public institution, open to use by minors, the Library restricts access to certain materials as described in the Arizona Harmful to Minors Act, (ARS Title 34, Chapter 5, Sections 13-3501, 13-3506, 13-3507, and 13-3508). Violation of this law is a **Class 6 felony**. **ACCESS TO OBSCENE, PORNOGRAPHIC, OR SEXUALLY EXPLICIT MATERIALS TO POST, VIEW, READ OR PRINT IS STRICTLY FORBIDDEN.**

The Elsie S. Hogan Community Library reserves the right to suspend a customer's privilege to use the Internet due to illegal or unethical use of the Internet or for any other violation of policy or guidelines, and also to modify this policy and guidelines at any time.

Internet, Wireless and Computer Use Guidelines

The following guidelines have been established to maximize fair usage of the Elsie S. Hogan Community Library computer resources:

1. All workstations are available for use via the automated reservation system or for wireless access login codes, at the front Circulation Desk. Access to computers in the Teen area is limited to young adults ages 14-17. Minors (age 17 and under) may not use the Internet without a proper authorization form on file, signed by their parent or legal guardian.

2. For Internet access using the automated reservation system, users need to be registered Elsie S. Hogan Community Library cardholders in good standing; for out-of-county/state users, a temporary Guest Card may be issued.
3. Users shall not commit fraud by using another patron's library card, name, or identification.
4. Computers are available during normal hours of library operation. Time limits apply. Time limits are managed by Envisionware's PC Reservation module. Each location provides several computers with various initial time periods, from 30 minutes to 1 hr. These limits may be extended by the user in 30 minute increments, up to double the initial time period, if no one is waiting. The last sign-up is 45 minutes before closing and patrons will have only 30 minutes on the computer. The automated computer management system will shut down all public access computers at a designated time each day.
5. Customers may not use their own software programs on the library's computers.
6. Customers may not download any files onto the hard drives of library computers. Downloads should be made directly onto their own floppy disk, CD-R, CD-RW, or are available for purchase. Customers may also bring in a USB flash drive. Headphones are required for sound, and are also available for purchase.

WARNING: Files downloaded from the Internet may contain a virus. When using the wireless service, customers should have virus checking software on their own computer to check downloaded files. The Elsie S. Hogan Community Library is not responsible for damage to a customer's disk or computer, or for any loss of data, damage, or liability that may occur from use of the library's computers or its connection to the Internet.

7. Library staff cannot provide in-depth training or troubleshooting concerning the Internet, wireless Internet access, or the customer's equipment.
8. Material may be printed at a cost of twenty-five cents (\$0.25) per page. Patrons will be charged for all pages printed. It is the responsibility of the patron to properly select pages to print. The automated print management system will give you prompts. Please ask for assistance if needed. The Library does not provide color printers. Regarding the wireless service, printers are not available for use with the customer's equipment. Documents that need to be printed should be saved to a floppy, CD or flash drive and printed from the library's equipment.

WHILE EXPLORING THE INTERNET, PLEASE REMEMBER:

Customers may not always be able to access all the sites they wish for various reasons: the host computer may be out of service or have changed its address, lines to the host computer may be congested, or the Library's connection may be temporarily down.

COMPUTER/INTERNET USER RESPONSIBILITIES:

1. Respect the privacy of other library customers during their computer sessions.
2. Illegal or unethical use of the Internet is prohibited. The Library cooperates fully with authorities wishing to prosecute criminals.
3. Sending lewd, threatening, or unsolicited e-mail/text messages is prohibited.
4. Damaging or altering computer hardware or software is illegal, and perpetrators will be prosecuted.

5. Customers may not attempt to circumvent or compromise the security of any host, network, or account. This includes, but is not limited to, probing the security of other networks, logging into a server or account that the customer is not expressly authorized to access, or masquerading as another person in order to obtain access to their account.
6. The Library makes no guarantees about and is not responsible for the security of information transmitted and received during your wireless Internet session. Wireless signals can be intercepted and cables can be tapped. Only connections to secure web sites are encrypted.
7. While using library computers, customers are expected to abide by policies regarding food, drink, and behavior, as outlined in the Elsie S. Hogan Community Library General Policy.

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 17
Tab Number: 13
Date: 06-18-2012

| |
|------------------------------------|
| Date Submitted: 06-07-12 |
| Date Requested: 06-18-12 |

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

| |
|--|
| Subject: Ex-Officio appointment to the Historical Preservation Advisory Committee |
|--|

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The City Code Section 2-3-2B provides that: "The Mayor, with the consent of the City Council, may appoint Ex-Officio member to the Advisory Committee. Such member shall serve at the pleasure of the Mayor and City Council. Ex-Officio member shall not be entitled to vote on any item brought before the Advisory Committee." There is no term of office for the Ex-Officio Appointee(s), or any stated requirements for the Ex-Officio member on the Committee.

The Mayor and City Council has, as a matter of practice, appointed one of its members to serve on the various Commissions and Committees of the City; this helps keep the City Council informed on the group's needs and direction.

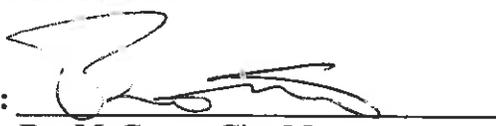
The current representative is former Councilman Stephen Klump. Mr. Klump has indicated that he would be willing to serve if there is no Council member who is available. Mr. Klump has also offered to resign the position and seek an appointment to a vacancy on this committee or some other appropriate committee.

If the Mayor and Council wish to follow past practice; it would be appropriate to thank the former Councilman for his service and select a current Councilmember to be the Ex-Officio.

RECOMMENDATION: No action is required. As stated above, the practice has been to have a currently seated council member serve as an Ex-Officio member to various Commissions, and Committees.

FISCAL IMPACT: Zero

Prepared by: Pat McCourt

Approved by: 

Pat McCourt, City Manager

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 18
Tab Number: 14
Date: 06-18-2012

| |
|------------------------------------|
| Date Submitted: 06-07-12 |
| Date Requested: 06-18-12 |

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|---|
| Action: <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Other |
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|---|
| Subject: Ex-Officio appointment to the Public Library Advisory Committee |
|---|

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The City Code Section 2-4-2B provides that: "The Mayor, with the consent of the City Council, may appoint an Ex-Officio member to the Advisory Committee. Such member shall serve at the pleasure of the Mayor and City Council. Ex-Officio member shall not be entitled to vote on any item brought before the Advisory Committee." There is no term of office for the Ex-Officio member, or any stated requirements for the Ex-Officio member on the Committee. It appears the City code only allows one (1) Ex-Officio member ("an Ex-Officio member").

The Mayor and City Council has, as a matter of practice, appointed one of its members to serve on the various Commissions and Committees of the City, to help keep the City Council informed on the group's needs and direction.

The current representative is former Council member Chris Donahue. Mr. Donahue has stated he will be glad to continue to serve if there is not a Councilmember who is able to serve. Mr. Donahue also stated he will be happy to vacate the Ex-Officio position in favor of an existing City Council member. Mr. Donahue would like to be considered for an appointment to a position on the Public Library Advisory Committee under the provisions of the City Code 2-4-2 A. There is currently a vacancy on the Public Library Advisory Committee.

RECOMMENDATION: No action is required. If the Council wishes to pursue past practice, it would be in order to send a letter thanking Mr. Donahue for his service and the Mayor and Council consider an existing City Council member for appointment as the Ex-Officio member.

FISCAL IMPACT: Zero

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 19
Tab Number: 15
Date: 06-18-2012

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|------------------------------------|
| Date Submitted: 06-07-12 |
| Date Requested: 06-18-12 |

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

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|---|
| Subject: Ex-Officio appointment to the Parks and Recreation Advisory Committee |
|---|

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The City Code Section 2-2-2B provides that: "The Mayor, with the consent of the City Council, may appoint an Ex-Officio member to the Advisory Committee. Such member shall serve at the pleasure of the Mayor and City Council. Ex-Officio member shall not be entitled to vote on any item brought before the Advisory Committee." There is no term of office for the Ex-Officio member, or any stated requirements for the Ex-Officio member on the Committee. It appears the code only allows one (1) Ex-Officio member ("an Ex-Officio member").

The Mayor and City Council has, as a matter of practice, appointed one of its members to serve on the various Commissions and Committees of the City, to help keep the City Council informed on the group's needs and direction. The current representative is Vice Mayor Bill Holloway.

RECOMMENDATION: No action is required since there is an Ex-Officio member, who is also a current City Council Member.

FISCAL IMPACT: Zero

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 20
Tab Number: 16
Date: 06-18-2012

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|------------------------------------|
| Date Submitted: 06-07-12 |
| Date Requested: 06-18-12 |

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| Action: <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Other |
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| Subject: Ex-Officio appointment to the Planning & Zoning Commission |
|--|

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The City Code Section 2-1-2A provides that: "The Mayor, with the consent of the City Council, may appoint an Ex-Officio member to the Commission, such member shall serve at the pleasure of the Mayor and City Council. Ex-Officio member shall not be entitled to vote on any item brought before the Commission." There is no term of office for the Ex-Officio member, or any stated requirements for Ex-Officio member on the Commission. It appears the code only allows one (1) Ex-Officio member ("an Ex-Officio member").

The Mayor and City Council has, as a matter of practice, appointed one of its members to serve on the various Commissions and Committees of the City, to help keep the City Council informed on the group's needs and direction.

The current representative is Mayor Bob Irvin.

RECOMMENDATION: No action is required since there is an Ex-Officio member, who is also a current City Council Member.

FISCAL IMPACT: Zero

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 21
Tab Number: 17
Date: 06-18-2012

Date Submitted:
06-6-12
Date Requested:
06-18-12

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: Appointment
to the Arizona League of
Cities Resolution
Committee**

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The City of Willcox belongs to the Arizona League of Cities & Towns (League). This is an organization which provides educational, coordination, and lobbying services at the State level for cities and towns within Arizona.

Each Member Entity of the League may appoint one (1) of its elected officials to serve on the Resolution Committee. The current representative from the City of Willcox is Councilman Lindsey. Resolutions are adopted at the annual meeting, which is held at the end of August each year. The resolutions are used to provide direction to the League staff on areas of priority for the League to pursue. There is no designated time frame for appointment as the representative on the League Resolution Committee, as long as the appointed individual remains an elected official of the Member Entity.

RECOMMENDATION: No action is necessary until either the currently appointed representative no longer wishes to serve or no longer holds elective office from the City of Willcox.

FISCAL IMPACT: There is no direct cost to serving as a member of the League Resolutions Committee.

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 22
Tab Number: 18
Date: 06-18-2012

Date Submitted:
06-05-12

Date Requested:
06-18-12

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: Appointment
of a Council member to
the Ad Hoc Steering
committee for the
WWTP PER Review**

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: On April 2, 2012 the Council approved Resolution 2012-26 which formed and provided for the appointment of Councilman Holloway to the Ad Hoc Steering Committee to review the Preliminary Engineering Report (PER) for the Waste Water Treatment Plant (WWTP) and present it to the Public through a series of Public Hearings. This Committee is a temporary committee and is required under the funding guidelines from BECC.

RECOMMENDATION: If the Council wishes to change the Council representation an action by the Council is necessary to appoint a different Council member.

FISCAL IMPACT: Since this is a requirement by the funding source, a lack of a representative might have an impact on the final approval of the funding.

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 23
Tab Number: 19
Date: 06-18-2012

Date Submitted:
06-05-12

Date Requested:
06-18-12

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: City
appointments to the
Community Input
Advisory Committee
(Senior citizens
Committee)**

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The City of Willcox approved Resolution 2010-99 on 10-4-2010 this approved the Memorandum of Understanding (MOU) between the City of Willcox (City) and the Northern Cochise County Hospital District (NCCH). Within the MOU is Section 6 forming a "Community Input Advisory Committee" (Committee). That Committee consists of nine (9) members: five (5) at large members; two (2) members appointed by NCCH; and two members appointed by the City. The current two City members are Tom Miner and Councilwoman Cronberg. (Councilman Lindsey also serves on the Committee as an "at large member").

There is no term of office for the City Appointees, or any stated requirements for being on the Committee (Section 7 of the MOU).

The City Council has frequently appointed one of its members to serve on the various Boards and Commissions of the City to help keep the City Council informed on the group's needs and direction.

RECOMMENDATION: No action is required until one of the City's appointees indicates they no longer wish to serve.

FISCAL IMPACT: Zero

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 24
Tab Number: 20
Date: 06-18-2012

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|------------------------------------|
| Date Submitted: 06-5-12 |
| Date Requested: 06-18-12 |

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

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|--|
| Subject: Appointment to the SEAGO Executive Committee |
|--|

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The City of Willcox belongs to the Southeastern Arizona Governments Organization (SEAGO). This is an agency which helps coordinate grant money and operates grant funded programs in the southeastern portion of the State of Arizona (The City of Willcox has received several grants through this agency [CDBG and Street Grants], additionally there is another agency in the area which receive grants through SEAGO [NCCH]). SEAGO is a nonprofit agency and has an Executive Board which governs the activities of the organization.

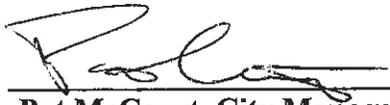
Every member entity of SEAGO may appoint one (1) of its elected officials to serve on the Executive Board. The current representative from the City of Willcox is Councilman Lindsey. Councilman Lindsey is also serving as the Chairman of the Executive Board of SEAGO. The term of office of the Chairmanship is February 2012 through February 2013.

There is no designated time frame for appointment as the SEAGO representative as long as the appointed individual remains an elected official of the Member Entity.

RECOMMENDATION: No action is necessary until either the currently appointed representative no longer wishes to serve or no longer holds elective office from the City of Willcox.

FISCAL IMPACT: There is no direct cost to serving as a member of the SEAGO Executive Board.

Prepared by: Pat McCourt

Approved by: 
Pat McCourt, City Manager

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 25
Tab Number: 21
Date: 06/18/2012

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|--------------------------------------|
| Date Submitted: 06/05/2012 |
| Date Requested: 06/18/2012 |

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

| |
|---|
| Subject: Appointment to the Library Advisory Committee, to fill 1 term expiring June 30, 2012. |
|---|

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 are two (2) terms expiring on June 30, 2012. City staff has advertised in the Arizona Range News to fill the vacancies. Staff has received one (1) resume in response to the advertisement.

A resume was received for consideration for appointment to the Library Advisory Committee from Sue Ball. This appointment will fill one of the two vacancies for a four year term beginning July 01, 2012 and expiring on June 30, 2016.

RECOMMENDATION: For the Mayor and Council to appoint Sue Ball, if so desired, to the Library Advisory Committee to fill the term expiring on June 30, 2012.

FISCAL IMPACT: -0-

Prepared by: Sherry Lynn Van Allen
Sherry Lynn Van Allen – HR

Approved by: Pat McCourt
Pat McCourt, City Manager

copy

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SUE BALL

OBJECTIVE:

Seeking an appointment to the Public Library Advisory Committee

SKILLS:

- 1 Reliable and trustworthy
 - 2 Easily adapt to new environments; Quick learner.
 - 3 Excellent communication / relationship skills.
-

EDUCATION:

**1957-1961 Chandler High School
Chandler, Arizona**

EXPERIENCE:

**Library Specialist 1 & 2 Feb. 8, 1999 to Feb. 9, 2003
Library Manager Feb. 9, 2003 to Oct. 21, 2005**

I left this position to re-locate to Willcox, Az.

QUALIFICATIONS:

I feel I am qualified for this position not only for my library experience, but also because of my interests and love for the written word. I am a strong advocate for reading, writing and engaging children in the world of books.

I also have financial knowledge and am aware of budgets and restraints necessary in operating a library.

PERSONAL INTERESTS: Reading, movies, goif, crafts, sightseeing, American history.

I would appreciate your considering me for this committee vacancy

***Thank you,
Sue Ball
225 N Bowie Ave.
Willcox, Az 85643
520 384 2037 520 488 2995
casaconcho2000@yahoo.com***

References available on request:

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 26
Tab Number: 22
Date: 06/18/2012

Date Submitted:
06/06/2012

Date Requested:
06/18/2012

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: Appointment
to the Library Advisory
Committee, to fill 1 term
expiring June 30, 2012.**

TO: MAYOR AND COUNCIL

FROM: Sherry Lynn Van Allen, Human Resources

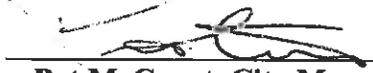
DISCUSSION: In accordance with the Willcox City Code Title 2-Chapter 2-2-3 Appointment; Terms; Vacancies; Removals: vacancies shall be filled by appointment by the Mayor and City Council. There are two (2) terms expiring on June 30, 2012. City staff has advertised in the Arizona Range News to fill the vacancies. Staff has received one (1) letter in response to the advertisement.

A letter of interest was received for consideration for appointment to the Library Advisory Committee from Christopher Donahue. This appointment will fill one of the two vacancies for a four year term beginning July 01, 2012 and expiring on June 30, 2016.

RECOMMENDATION: For the Mayor and Council to appoint Christopher Donahue, if so desired, to the Library Advisory Committee to fill the term expiring on June 30, 2012.

FISCAL IMPACT: -0-

Prepared by: 
Sherry Lynn Van Allen - HR

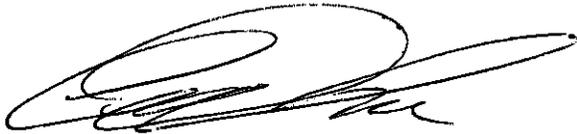
Approved by: 
Pat McCourt, City Manager

Honorable Mayor and Council,

I am seeking appointment to the Willcox Public Library Advisory Committee. As you are no doubt aware, I have served the last four years as an Ex-Officio member of the WPLAC in my previous capacity as a member of the Willcox City Council.

It is my understanding that my Ex-Officio duties did not automatically end with my City Council Term. I am prepared to serve as a voting member or as an Ex-Officio representing the City Council, whichever the Mayor and Council deem most appropriate.

Thank you for your consideration in this matter.



Christopher Donahue
Bibliophile and Concerned Citizen

JUN 14 11 REC'D


**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 27
Tab Number: 23
Date: 06/18/2012

Date Submitted:
06/05/2012
Date Requested:
06-18-2012

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: Appointment
to the Planning and
Zoning to fill the term
expiring June 30, 2012.**

TO: MAYOR AND COUNCIL
FROM: Sherry Lynn Van Allen, Human Resources

DISCUSSION: In accordance with the Willcox City Code Title 2-Chapter 2-1-2B Appointment; Terms; Vacancies; Removals: vacancies shall be filled by appointment by the Mayor and City Council. There are two (2) terms expiring on the Planning and Zoning Commission on June 30, 2012. City staff has advertised in the Arizona Range News soliciting letters of interest to fill the vacancies. Staff has received 1 letter of interest in response to the advertisement.

A letter was received for consideration for reappointment to the Planning and Zoning Commission from James "Joe" Fusco who is currently serving as Commission Chair. This new term will begin July 01, 2012 and expire on June 30, 2016.

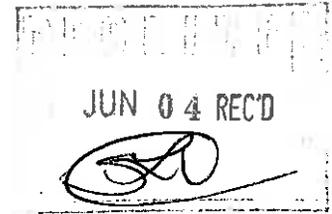
RECOMMENDATION: For the Mayor and Council to appoint James Fusco, if so desired, to the Planning and Zoning Commission to fill the expiring term.

FISCAL IMPACT: -0-

Prepared by: 
Sherry Lynn Van Allen – HR

Approved by: 
Pat McCourt, City Manager

June 4, 2012



To the Mayor and City Council:

I would like to renew my appointment to the City of Willcox Planning and Zoning Commission for another term. I am looking forward to many more years of service to our city staff, the citizens, the mayor and city council.

Thank you,



James Fusco

Chairman

City of Willcox Planning and Zoning Commission

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 28
Tab Number: 24
Date: 06/18/2012

Date Submitted:
06/12/2012

Date Requested:
06-18-2012

Action:

Resolution
 Ordinance
 Formal
 Other

**Subject: Appointment
to the Planning and
Zoning to fill the term
expiring June 30, 2012.**

TO: MAYOR AND COUNCIL

FROM: Sherry Lynn Van Allen, Human Resources

DISCUSSION: In accordance with the Willcox City Code Title 2-Chapter 2-1-2B Appointment; Terms; Vacancies; Removals: vacancies shall be filled by appointment by the Mayor and City Council. There are two (2) terms expiring on the Planning and Zoning Commission on June 30, 2012. City staff has advertised in the Arizona Range News soliciting letters of interest to fill the vacancies. Staff has received a letter of interest in response to the advertisement.

A letter was received for consideration for appointment to the Planning and Zoning Commission from Stephen Klump. This new term will begin July 01, 2012 and expire on June 30, 2016.

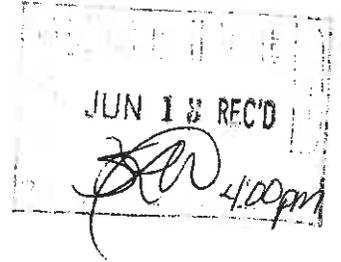
RECOMMENDATION: For the Mayor and Council to appoint Stephen Klump, if so desired, to the Planning and Zoning Commission to fill the expiring term.

FISCAL IMPACT: -0-

Prepared by: 
Sherry Lynn Van Allen - HR

Approved by: 
Pat McCourt, City Manager

June 13, 2012



Stephen A. Klump
425 W. Pearce St.
Willcox, AZ. 85643

City of Willcox
Attn: Mayor Bob Irvin and City Council
Suite B
101 S. Railroad Avenue
Willcox, AZ. 85643

Dear Mayor and Council Members

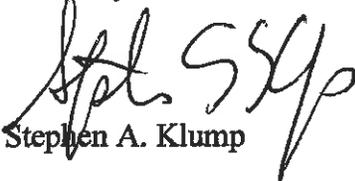
This letter is to let the City Council know of my interest in being a member of the Planning and Zoning Committee for the City of Willcox.

I feel I have ample experience to be an asset on this committee. I have served as a City Councilman for 4 years where I gained knowledge from the point of view of serving others and how the decisions made on the council effect everyone from business owners to individuals living in our community.

Moreover I am a business owner of two different construction companies and have years of experience in dealing with issues concerning planning and zoning from a contractors point of view.

Thank you for your consideration.

Sincerely,


Stephen A. Klump

WASA Fundraiser

Golf Tournament

Willcox, Arizona

TWIN LAKES GOLF COURSE

Saturday, June 23, 2012 8:00 AM

4 Person Scramble

18 Holes with Lunch

Raffle and Mulligans available

\$45 per person includes:

- Cart, Contests, Prizes

Proceeds benefit the WASA summer program

| | NAME | PHONE | HNDCP |
|----|------|-------|-------|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |

twinlakes@vtc.net

520.384.2720

1st Annual WASA Golf Tournament

Sponsor and gain and help! Sponsor a hole in the tournament, gain advertisement, and help WASA help the children in the community!

Where: Twin Lakes

When: 06/23/12

Prices:

- Silver: \$25.00
- Gold: \$50.00

Your choice of which hole!

GOLD

Business:

WASA: 520-384-4777

BENEFITS FAIR

THURSDAY - JUNE 21, 2012

at the

City Council Chambers

from 8:30 a.m. until 3:30 p.m.

This is when you can add new benefits or make changes to current ones.

Medical, Dental, Vision, FSA, AFLAC, Prepaid Legal, United Way, Salvation Army, The Hartford (457b plan) and TIAA-CREF (457b plan)

Make Plans to Attend.

Those that want may bring their spouse

Those that will be unable to attend please let me know ASAP at 766-4204 – Thanks – Sherry Lynn - HR

**CITY OF WILLCOX
EXECUTIVE SESSION**

AGENDA

MONDAY, JUNE 18, 2012

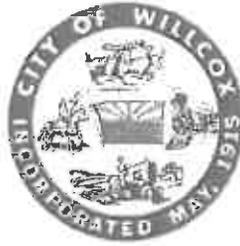
7:00 p.m.

300 W. REX ALLEN DRIVE

Willcox, Arizona

1. CALL TO ORDER
2. ROLL CALL
3. CONSIDERATION PURSUANT TO ARIZONA REVISED STATUTES §38-431.03A(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 for legal advice with the 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 **18TH** day of **JUNE** 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 14th day of JUNE 2012, at 4:00 P.M.

CITY OF WILLCOX, ARIZONA


Is/ Virginia A. Mefford

City Clerk Virginia A. Mefford

"Mine, Yours, Ours"