

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

Monday, October 15, 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- 83
Ordinance NS311**

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

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. CALL TO THE PUBLIC

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

5. DECLARATION ON CONFLICT OF INTEREST

Council members and staff have a right to declare a conflict of interest. The declaration of a conflict of interest must be made prior to discussion of any agenda item in which Council members or staff member determine they have a conflict of interest.

6. ADOPTION OF THE AGENDA

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

7. CONSENT AGENDA

Items that are considered to be routine by the City Council will be enacted by one motion **without** discussion. The consent agenda is a timesaving device and Council members have received documentation on these items for their review prior to the open meeting. Any Councilmember may remove any item from the consent agenda for discussion and a separate vote as deemed necessary. The public may view the documentation relating to the consent agenda 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.

7A. MINUTES OF PREVIOUS MEETINGS

**Regular Meeting- September 4, 2011, September 17, 2012 and October 1, 2012
Work Session- September 17, 2012 and October 1, 2012**

8 DISCUSSION/DECISION REGARDING RESOLUTION NO. 2012-82 THE INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE COCHISE COUNTY ELECTIONS AND SPECIAL DISTRICTS Tab 2
Consideration, discussion and/or decision regarding Resolution No. 2012-82 The Intergovernmental agreement (IGA) with the Cochise County Elections and Special Districts.

9. PRESENTATION/DISCUSSION REGARDING JULY 1 – SEPTEMBER 30, 2013 FINANCIAL STATEMENT AND INVESTMENT REPORT FROM RUTH GRAHAM. Tab 3
Consideration, discussion and/or decision regarding July 1- September 30, 2013 Financial Statement and Investment Report from Ruth Graham.

10. CITY MANAGER REPORTS
Consideration, discussion, and/or decision regarding the following topics by the City Manager:

- **Jury Duty-** City Manager on standby October 16, 2012
- **Wine Festival-** October 20 and 21, 2012 at Railroad Park.
- **Special Work Session-** Capital expense needs Gas System Monday, October 22, 2012 at 6:30 p.m.
- **Possible Special Meeting-** with Rex Allen Theater Group for funding

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

12. 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 REGARDING THE PURCHASE, SALE, OR LEASE OF REAL PROPERTY Tab 4
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 regarding the purchase, sale, or lease of real property.

13. RECESS TO EXECUTIVE SESSION, IF APPROVED

14. RECONVENE FROM EXECUTIVE SESSION

15. 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.

16. 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.

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

Tuesday, September 4, 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- 79
Ordinance NS311**

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1. CALL TO ORDER

2. ROLL CALL-City Clerk Virginia A. Mefford, called the roll:

PRESENT

Mayor Robert A. Irvin
Vice Mayor Bill Holloway
Councilman Gerald W. Lindsey
Councilman Elwood A. Johnson
Councilwoman Monika Cronberg
Councilwoman Monika Cronberg
Councilman Earl Goolsby
Councilman William "Bill" Nigh

STAFF

City Manager Pat McCourt
City Attorney Ann Roberts
Jake Weaver Chief of Police
City Clerk Virginia A. Mefford
Finance Director Ruth Graham
Library Director Tom Miner
Public Services & Works Director Dave Bonner
Development Services Jeff Stoddard

PLEDGE OF ALLEGIANCE TO THE FLAG – led by Mayor Irvin

CALL TO THE PUBLIC

Sharon Nigh attended the League of Town and cities the people who attended were very professional and thanked Virgie for the quality you bring to the City we would like. We as of today do not have a liability for the Rex Allen Days your liability ADOT application. **Please watch this.**

DECLARATION ON CONFLICT OF INTEREST

None Declared.

ADOPTION OF THE AGENDA

MOTION: Vice Mayor Holloway moved to adopt the agenda with the removal of items 17-20 relating to Executive Session and moving item 8A to regular agenda **SECOND:** Councilwoman Cronberg seconded the motion. **CARRIED**

PUBLIC HEARINGS, PETITIONS, AND COMMUNICATIONS

Public Hearing: The Mayor and Council will hold Public Hearing on Tuesday, September 4, 2012 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive, relating to:

Liquor Licensed Series #13 for Aridus Winery Company, LLC, new liquor license
OPENED: Public Hearing at 7:10 pm. with no discussion. **CLOSED:** at 7:11 pm.

CONSENT AGENDA

Items that are considered to be routine by the City Council will be enacted by one motion without discussion.

MOTION: Councilwoman Cronberg moved to adopt the Consent Agenda and table item 8A

SECOND: Councilman Goolsby seconded the motion **CARRIED**

MINUTES OF PREVIOUS MEETINGS

~~Regular Meeting April 2, 2012, Special Meetings April 5, 2012, May 7, 2012, July 9, 2012, Work Session August 6, 2012, Regular Meetings August 6, 2012, and August 20, 2012.~~

PRESENTATION/DISCUSSION BY REPRESENTATIVE OF FROM THE WILLCOX HISTORIC THEATER PRESERVATION INC. COMMITTEE

Ms. Berry gave a presentation on the WHTP Inc. When the doors closed in October the WHTP Inc. made an offer in April the museum would not sell or get rid of any contents; we did have some enthusiastic interest about getting the theater re-opened and WHTP Inc. did lots of research and we submitted three grants. We have one that is very interested. We increased our offer to \$35,000 but the museum still said it was not enough. We have exhausted the 120 days of the letter of intent and the roof is leaking and causing more damage; we don't know why the Museum turn their backs on re-opening we as a community we are trying to get this up and running. The museum board stated they have had interest in the theater and WHTP Inc. will support anyone who would like to re-open the theater. WHTP Inc. is very frustrated with the museum board but we will continue to do whatever it takes to get this re-opened.

Councilman Lindsey asked is there anything you are asking for the City of Willcox to do. I understand both sides and I know both sides are working to make this work. I just hope both parties will continue to work thing out. Councilman Goolsby asked is there going to be a time when you, I mean you have been in front of the council even before tonight; at what point would you abandon your efforts. Ms. Berry stated we will not abandon this possibility.

DISCUSSION AND/OR DECISION/DIRECTION REGARDING THE APPLICATION FOR LIQUOR LICENSE SERIES #13 ARIDUS WINERY COMPANY, LLC NEW LICENSE

MOTION: Councilman Johnson moved to approve the application for Liquor License Series #13 Aridus Winery Company, LLC, new license 1126 N. Haskell Avenue, Willcox, AZ **SECOND:** Councilwoman Cronberg seconded the motion.

DISCUSSION: Representative of Aridus explained they have purchased the old Apple Warehouse and we are also going to be bottling. Councilman Lindsey stated it is a great thing to have. Councilman Johnson asked will you be offering wine tasting. Aridus representative stated we have an office on Haskell so the growers can taste their wine we are simply bottling the wine. **CARRIED**

DISCUSSION AND/OR DECISION/DIRECTION REGARDING ACCEPTING A GIFT FROM SSVEC OF 8 COMPUTERS SYSTEMS 4 FOR TEEN USE AND 4 FOR PUBLIC USE

MOTION: Councilman Lindsey moved to accept the gift from SSVEC of eight computers. **SECOND:** Councilwoman Cronberg seconded the motion **DISCUSSION:** Councilwoman Cronberg asked Mr. Minor if they would buy the monitors for all CPU's Mr. Minor stated they would be purchasing the monitors. **CARRIED**

DISCUSSION AND/OR DECISION/DIRECTION REGARDING RESOLUTION NO. 2012-76, SUPPORTING THE SUNZIA SOUTHWEST TRANSMISSION PROJECT WITH REGARD TO ROUTE 4B OF THE SUNZIA PROPOSED TRANSMISSION LINE AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

MOTION: Vice Mayor Holloway moved to approve Resolution No. 2012-76, as stated supporting Sunzia Southwest Transmission Project with regard to Route 4B of the Sunzia Proposed Transmission Line **SECOND:** Councilman Lindsey seconded the motion **DISCUSSION:** SunZia Transmission representatives Ian Calkin and Nancy Jean Welker gave a brief overview on the high voltage transmission that would stretch through NM and Southern AZ. It is hopeful by the end of this year to finish up the project and we get with the State of Arizona for permitting. This will create many jobs and be located off HWY 19; this will create opportunities for Solar. The U of A and UNM stated it would be an economic growth for this area. We hope the City Council will approve this Resolution.

Councilman Lindsey asked about the Bowie Power Plant was a natural gas Project and would SunZia not be needed. Mr. Calkin stated this line will run parallel of I-10 this will depend on the BLM or State of Arizona this says will depend on what direction it will run. We are a long way of how the power lines will look; there are a lot of variables on how this will look. Councilman Lindsey and Councilman Goolsby are happy to see them stay away from the San Pedro River. **CARRIED**

DISCUSSION AND/OR DECISION/DIRECTION REGARDING RESOLUTION NO. 2012-77, OPPOSING THE FEDERAL IMPLEMENTATION PLAN ON NITROGEN OXIDES PROPOSED BY THE UNITES STATES ENVIRONMENTAL PROTECTION AGENCY AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION

MOTION: Councilman Lindsey moved to approve Resolution No. 2012-77, as stated opposing the Federal implementation plan on nitrogen oxides proposed by the Unites States environmental protection agency **SECOND:** Councilwoman Cronberg seconded the motion. **DISCUSSION:** Mr. Jeff Oldfather gave a presentation on the talking points in the Council packets. They have spent \$8 million on three upgrades and \$2.5 to \$5million to implement over the next five years. This plant is well operated and most efficiently run organization. We are not opposed to regulation we are opposed to someone putting us out of business. I urge you to consider this. Councilman Lindsey stated the ultimate goal is coal: it is probably the cheapest form of energy. Councilman Goolsby stated we took a class to the National Monument it is a logistic nightmare when were in Massena Point this area was one of the most pristine clear air. Councilman Lindsey stated if EPA should shut you down what is the alternative. Mr. Oldfather stated we could use the natural gas but these units were not designed to support this. **CARRIED**

DISCUSSION AND/OR DECISION/DIRECTION RESOLUTION NO. 2012-78, APPROVING THE APPOINTMENT OF ANN P. ROBERTS, ESQ., TO THE POSITION OF CITY ATTORNEY PURSUANT TO THE ASSIGNMENT OF LEGAL SERVICES CONTRACT APPROVED BY RESOLUTION NO. 2012-74; DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION; AND, DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to approve Resolution NO. 2012-78, as stated approving the appointment of Ann Roberts, Esq., as the City Attorney pursuant to the assignment of Legal Services Contract approved by Resolution #2012-74. **SECOND:** Councilman Lindsey seconded the motion. **CARRIED**

REPORTS BY THE CITY MANAGER PAT MCCOURT

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

- **City Hall front desk Closed-** on September 6-7, 2012 for conversion training.
- **Mayor/Manager Luncheon –** Quality Inn - Kiva Room on Thursday, September 20, 2012 at noon - RSVP by September 14, 2012 at Noon.
- **Special Work Session-** Capital needs on Gas System on the Monday, October 22, 2012 at 6:30 p.m.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

Mayor Irvin stated it was an honor and privilege to attend the League.

Councilman Holloway enjoyed the Conference and made some contacts on Economic Development.

Councilwoman Cronberg asked for follow up information on the Golf Course Mr. McCourt stated staff will bring up some minor adjustments on this.

Councilman Goolsby stated I was extremely honored, there was an awesome level of professionalism and they were there to make the things better.

Councilman Lindsey stated he enjoyed the Conference and enjoyed the information presented, on the Economic Development. I am sure Sue would come over from Sierra Vista to provide input on this.

Councilman Nigh stated I was able to attend three seminars on the Waste Water Treatment one was from Kingman, Scottsdale Waste Water Treatment Plant they provide all the water to 20 Golf Courses he did get the business card form this event and will keep in touch.

~~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~~

~~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.~~

~~RECESS TO EXECUTIVE SESSION, IF APPROVED~~

~~RECONVENE FROM EXECUTIVE SESSION~~

~~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.~~

ADJOURN- with no further discussion adjourned at 8:14 pm.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of the City of Willcox held on the 4th day of September 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 4th day of September 2012

City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 15th day of October 2012.

MAYOR ROBERT A Irvin
Signed _____

ATTEST:

City Clerk Virginia A. Mefford

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

Tuesday, September 17, 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- 79
Ordinance NS311**

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1. CALL TO ORDER

2. ROLL CALL-City Clerk Virginia A. Mefford, called the roll:

PRESENT

Mayor Robert A. Irvin
Vice Mayor Bill Holloway
Councilman Gerald W. Lindsey
Councilman Elwood A. Johnson
Councilwoman ~~Monika Cronberg~~
Councilman Earl Goolsby
Councilman William "Bill" Nigh

STAFF

City Manager Pat McCourt
City Attorney Ann P. Roberts
Jake Weaver Chief of Police
City Clerk Virginia A. Mefford
Finance Director Ruth Graham
Library Director Tom Miner
Public Services & Works Director Dave Bonner
Development Services Jeff Stoddard

ABSENT

Councilwoman Monika Cronberg-Excused

PLEDGE OF ALLEGIANCE TO THE FLAG – led by Mayor Irvin

CALL TO THE PUBLIC

Mr. Telles addressed the Council regarding the Rex Allen Museum and the Rex Allen Theater. He stated the Museum was given an offer and was not comfortable with it and they are still in talks with the other group and will address this further at the next Museum meeting they will have later this week, but just wanted to update the council of what has transpired.

Ms. Terri Rowden introduced herself stated we are non profit organization that would like to purchase the Rex Allen Theater and our mission is to provide and revive the Rex Allen Downtown area. We are trying to provide a growth for the community art group. We are trying to target the youth in the community to give them a place to thrive and to be a catalyst for the growth of the community. The Historical preservation committee would like to have a work session with the Council in the near future.

Daniel Nix addressed the council regarding the alley behind where he lives. He stated the area is not taken care of and the weeds are fairly high and he provided council with photos of the alley. He would like to put a fence accessible to the utilities. He would like to request to be on the agenda for this purpose.

DECLARATION ON CONFLICT OF INTEREST. None declared.

ADOPTION OF THE AGENDA

MOTION: Councilman Johnson moved to adopt the agenda as presented. **SECOND:** Vice Mayor Holloway seconded the motion **DISCUSSION:** None. **CARRIED**

CONSENT AGENDA

items that are considered to be routine by the City Council will be enacted by one motion without discussion.

MOTION: Councilman Johnson moved to adopt the Consent Agenda

SECOND: Councilman Lindsey seconded the motion **CARRIED**

MINUTES OF PREVIOUS MEETINGS

Regular Meeting April 2, 2012, **Special Meetings** April 5, 2012, May 7, 2012, July 9, 2012, **Work Session** August 6, 2012, **Regular Meetings** August 6, 2012, and August 20, 2012.

DISCUSSION AND/OR DECISION/DIRECTION REGARDING STREET CLOSURE FOR VETERANS DAY PARADE, RAILROAD AVENUE FROM FREMONT TO MALEY

MOTION: Councilman Johnson moved regarding street closure for Veterans Day Parade, Railroad Avenue from Fremont to Maley. **SECOND:** Vice Mayor Holloway seconded the motion **DISCUSSION:** Johnson asked a group if they are going to have just as nice of display as last year and the group stated we hope so. **CARRIED**

REX ALLEN DAYS PARADE STREET CLOSURES DESIGNATED FOR PARADE ON SATURDAY OCTOBER 6th. (ORIGINAL PARADE ROUTE CLOSURES)

MOTION: Councilman Johnson moved Regarding the Requests by Rex Allen Days, Inc. For The 61st Annual Rex Allen Days Parade Street closures designated for parade on Saturday October 6th. (Original Parade Route closures)

SECOND: Vice Mayor Holloway seconded the motion

DISCUSSION: Mr. Telles stated this parade may be the death of me, but Rex Allen Day's committee has been working diligently with ADOT. We sent them both routes and they came back with accepting both routes for a \$2,000.000 liability insurance and because of this; we want to move the parade route back to the original route. City Manager McCourt stated I received an email from the Chamber of Commerce to modify the times of the closure and asked Mr. Telles if had seen the email. Mr. Telles stated he has not and one of the Councilmen handed him a copy to read. Councilman Johnson asked will your insurance cover the extended time. Mr. Telles stated no it only covers until 1:00 pm. City Manager stated thank you for clearing that up for us, we will inform Chamber of Commerce the will need to get this taken care of, if they choose to extend the closure. **CARRIED**

DISCUSSION AND OR DECISION/DIRECTION REGARDING APPOINTMENT OF TIM CHARLEY TO THE PARKS & RECREATION ADVISORY COMMITTEE TO FILL UNEXPIRED TERM VACATED BY CODY BOWMAN, TERM TO EXPIRE 12-31-2014.

MOTION: Councilman Johnson moved regarding appointment of Tim Charley to the P&R Advisory Committee to fill the unexpired term vacated by Cody Bowman, term to expire 12-31-2014. **SECOND:** Councilman Lindsey seconded the motion. **DISCUSSION:** None. **CARRIED**

DISCUSSION AND/OR DECISION/DIRECTION REGARDING TO WAIVE OUR SHARE OF JUVENILE ACCOUNTABILITY BLOCK GRANT TO COCHISE COUNTY

MOTION: Councilman Johnson moved regarding to waive our share of juvenile accountability block grant to Cochise County. **SECOND:** Councilman Lindsey seconded the motion **DISCUSSION:** None **CARRIED**

DISCUSSION AND/OR DECISION/DIRECTION REGARDING ON DONATION OF MATERIALS AND LABOR TO CONSTRUCT A WILDLIFE OBSERVATION PLATFORM LOCATED ADJACENT TO THE GOLF COURSE

MOTION: Councilman Johnson moved regarding on donation of materials and labor to construct a wildlife observation platform located adjacent to the golf course. **SECOND:** Councilman Lindsey seconded the motion

Motion Died on the floor. **DISCUSSION:** City Manager stated it also includes the City to add some cost on this. Lindsey asked why a survey was need of this to build this. Mr. Bonner stated it is a small portion of the property is owned by a private citizen. Councilman Johnson Amend original motion on donation of materials and labor to construct a wildlife observation platform located adjacent to the golf course includes the City cost.

SECOND: by Vice Mayor Holloway. **CARRIED**

DISCUSSION AND/OR DECISION/DIRECTION REGARDING RESOLUTION NO. 2012-79, AS STATED, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, "CITY", REAFFIRMING RESOLUTION NOS. 2012-71 AND 2012-72, REGARDING THE GRANTING AND RENEWAL OF A FRANCHISE AGREEMENT TO SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC., AN ARIZONA CORPORATION, PROVIDING FOR THE PUBLICATION OF THE PROPOSED FRANCHISE AGREEMENT AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

MOTION: Councilman Johnson moved regarding Resolution No. 2012-79, as Stated, a resolution of the mayor and council of the City of Willcox, Cochise County, Arizona, "City", reaffirming resolution nos. 2012-71 and 2012-72, regarding the granting and renewal of a franchise agreement to Sulphur Springs Valley Electric Cooperative, Inc., an Arizona corporation, providing for the publication of the proposed franchise agreement and directing authorized city officers and agents to carry out the purposes and intent of this resolution. **SECOND:** Councilman Lindsey seconded the motion
DISCUSSION: None **CARRIED**

DISCUSSION AND/OR DECISION/DIRECTION REGARDING RESOLUTION NO. 2012-80, AS STATED, APPROVING AND ACCEPTING PAYMENT IN THE AMOUNT OF \$8,355.14 FROM VALLEY CONNECTIONS, L.L.C., AS PAYMENT IN FULL FOR ALL TAX FEES DUE FOR THE TIME PERIOD FROM JANUARY 1, 2006 THROUGH JUNE 30, 2012 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION.

MOTION: Councilman Johnson moved regarding Resolution No. 2012-80 As Stated, approving and Accepting payment in the amount of \$8,355.14 from Valley Connections, L.L.C., as payment in full for all tax fees due for the time period from January 1, 2006 through June 30, 2012 and authorizing the mayor to execute this resolution. **SECOND:** Councilman Lindsey seconded the motion
DISCUSSION: Mr. Troy Todd of Valley Connections, LLC stated they have many franchises and they have been doing self audit and realized they were not paying on the cable part and the telephone franchise we over collected and the net about was the \$8,355 and we wanted to settle up with this amount we would like to do this on a quarterly basis instead of the sales tax process. **CARRIED**

DISCUSSION AND/OR DECISION/DIRECTION RESOLUTION NO. 2012-81 AS STATED, APPROVING AND ADOPTING SECTION 317, ENTITLED "SUPPLEMENTAL BENEFITS FOR INJURED PUBLIC SAFETY EMPLOYEES", AS AN ADDITION TO THE "CITY OF WILLCOX EMPLOYEE HANDBOOK"; ESTABLISHING THE EFFECTIVE DATE; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY.

MOTION: Councilman Johnson moved regarding Resolution No. 2012-81, as Stated, approving and adopting section 317, entitled "supplemental benefits for injured public safety employees", an addition to the "city of Willcox employee handbook"; establishing the effective date. **SECOND:** Councilman Goolsby seconded the motion

DISCUSSION: Lindsey asked I don't understand this other than it was handed down by the legislature, do we have a choice. City Manager stated no we don't have a choice it is a mandate and we may have an impact on our budget we will make this up we hope through the workman's comp. **CARRIED**

REPORTS BY THE CITY MANAGER PAT MCCOURT

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

- **Mayor Manager Luncheon** – Quality Inn - Kiva Room on Thursday, September 20, 2012 at noon
- **City wide clean-up**- September 29, 2012
- **City Manager gone to ICMA**- October 6-10, 2012
- **City Manager Vacation**- October 12, 2012
- **Special Work Session**- Capital needs on Gas System on the Monday, October 22, 2012 at 6:30 p.m.
- **Jury Duty**- I was selected to jury duty.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

Councilman Holloway stated I am proud the parade route went back to the original route.

Councilman Lindsey stated I am happy the parade route is back to the original route and I'm glad things worked out.

Councilman Johnson asked for an update on the burnt down hotel.

Councilman Nigh stated he was relieved the R.A.D had all there ducts in a row with the Parade route and looking forward to hear about the burnt down hotel.

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 REGARDING THE PURCHASE, SALE, OR LEASE OF REAL PROPERTY

MOTION: Councilman Johnson moved 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 regarding the purchase, sale, or lease of real property. **SECOND:** Vice Mayor Holloway seconded the motion. **CARRIED**

RECESS TO EXECUTIVE SESSION, IF APPROVED at 7:43 pm.

RECONVENE FROM EXECUTIVE SESSION 8:30 pm.

DISCUSSION/DECISION/DIRECTION TO STAFF REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION

MOTION: Councilman Johnson moved to give staff direction for easement on the property and go out for proper bid and advertise with no minimum bid per executive session **SECOND:** by Vice Mayor Holloway. **3 AYES-**Councilmen Johnson, Councilman Goolsby, and Councilman Nigh and **3 NAYS:** Councilman Lindsey, Councilman Nigh, and Vice Mayor Holloway. **FAILED**

MOTION: Vice Mayor Holloway moved to give Direction to staff with no minimum bid to be postponed a week later and easement for shared property **SECOND:** by Councilman Lindsey **DISCUSSION:** Mr. Lindsey stated he would like a minimum bid for \$135,000. Ms. Roberts stated we have a motion on the floor. Mayor Irvin called for a vote **3 AYES-** Mayor Irvin, Councilman Lindsey, and Councilman Nigh and **3 NAYS-** Vice Mayor Holloway, Councilman Johnson, and Councilman Goolsby. **FAILED**

MOTION: Vice Mayor Holloway moved to direct staff to provide easement on that property **SECOND:** Councilman Johnson. **CARRIED**

MOTION: Vice Mayor Holloway moved to extend the due date to November 9 **SECOND:** Councilman Lindsey. **CARRIED**

MOTION: Mayor Irvin moved to have a minimum bid of \$135,000 **SECOND:** Councilman Lindsey. **DISCUSSION:** Councilman Goolsby asked why this number. Councilman Lindsey stated he has looked at it with a broker price opinion of it. I have looked at the area, building and the condition and I feel that is a fair number for a minimum bid; I hope it goes higher and I suspect that it will. Vice Mayor Holloway stated with the minimum bid of \$135,000 it seems as if we don't value that property. Councilman Goolsby stated I feel the same way. Councilman Holloway stated I want people to know it is a prime piece of property. Councilman Goolsby stated he feels the same way. Councilman Holloway stated it has an appraised value of \$168,000. Councilman Johnson stated that was where he was at. City Manager McCourt stated we are going to have sealed bids and to have a minimum bid they know they will have to bid what they think that property is worth to capture it. Councilman Lindsey stated all this does is keep the \$80,000 to \$90,000 bids out of the bids and then to have to turn around and start over. Councilman Goolsby asked would you entertain to compromise somewhere in the middle of \$135,000 and \$168,000 and do \$150,000. Councilman Lindsey stated it would be delaying the process but I would go with it, I'm just giving you my opinion. Councilman Johnson asked City Attorney Roberts if we receive a bid that is less than what the Council is looking for, we don't have to accept the bid. City Attorney Roberts stated it is the council's decision to accept the bid or none of these bids are comparable, my concern is, if we do a minimum bid of \$135,000 and someone was think of bidding \$225,000 and with the minimum bid of \$135,000 they my bid lower we loose out. Councilman Holloway had the same concern. Councilman Johnson stated for the record and for public information it was the appraised at \$228,000 and because of the sewer situation it appraised at \$168,000. Councilman Nigh stated the property in Willcox has not accelerated in value as in other different areas so it is a different situation. I yelled with Councilman Lindsey as he has the experience in this area. Councilman Johnson stated I agree with you there but how often do you get to sell property by the interstate. Vice Mayor Holloway asked for the Mayor to call for the vote. **2 AYES:** Mayor Irvin and Councilman Lindsey **4 NAYS:** Vice Mayor Holloway, Councilman Johnson, Councilman Goolsby, and Councilman Nigh. **FAILED**

MOTION: Vice Mayor Holloway moved to set minimum bid at \$158,000 **SECOND:** Councilman Johnson. **DISCUSSION:** Councilman Lindsey stated he was apposed to it if you are going to set a minimum bid it should be realistic if not we should just go with no minimum bid. Mayor Irvin called for a vote **3 AYES:** Vice Mayor Holloway, Councilman Johnson, and Councilman Goolsby, **3 Nays:** Mayor Irvin, Councilman Lindsey and Councilman Nigh. **FAILED**
MOTION: Mayor Irvin moved to have no minimum bid **SECOND:** Councilman Lindsey **CARRIED**

ADJOURN at 8:45 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of the City of Willcox held on the 17th day of September 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 17th day of September 2012

City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 15th day of October 2012.

MAYOR Robert A. Irvin
Signed: _____

ATTEST:

City Clerk Virginia A. Mefford

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 17th DAY OF SEPTEMBER 2012**

CALL TO ORDER- Mayor Bob Irvin called the work session meeting to order on Monday, September 17, 2012 at 6:00 p.m. and welcomed everyone in attendance

ROLL CALL-City Clerk Virginia A. Mefford, called the roll:

PRESENT

Mayor Robert A. Irvin
Vice Chairman Bill Holloway
Councilman Gerald W. Lindsey
Councilman Elwood A. Johnson
~~Councilwoman Monika Cronberg~~
Councilman Earl Goolsby
Councilman William "Bill" Nigh

STAFF

City Manager Pat McCourt
City Clerk Virginia A. Mefford
City Attorney Ann P. Roberts
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner
Development Services Jeff Stoddard
Library Director Tom Miner

ABSENT

Councilwoman Cronberg- Excused

PLEDGE OF ALLEGIANCE TO THE FLAG lead by Mayor Irvin

DECLARATION ON CONFLICT OF INTEREST

None Declared

ADOPTION OF THE AGENDA.

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

SECONDED: Vice Chairman Holloway seconded the motion. **DISCUSSION:** None **CARRIED.**

DISCUSSION REGARDING PARK FEES

Mr. Bonner explained the Park Fees the Council asked to be reworked. Mr. Bonner went through the pages in the back-up. Council asked if there was any usage fee now. Mr. Bonner stated there were no usage fees at this time only an application fee of \$50.00. Mr. Bonner explained line by line on the Rodeo Ground fees that have been charged in the past. He asked the Council if they had any questions. Councilman Johnson asked how the charges going to be managed. Are we going to put someone in charge of this and ensure everything is going to be checked? For example if someone reserves it on Friday and then someone comes in behind them and uses it and trashes it, who will be the one managing this? Because, if no one checks on it until Monday; how are you going to assess the deposit because someone could have used it between those times? Mr. Bonner stated this is something we are looking into. He then explained that the reason the lights are more expensive at Quail Park is because it represents two fields. Mr. Goolsby asked does that explain why the difference on cost at the Rodeo grounds is because of the usage is dependent on the event. Mr. Bonner stated yes. Council asked have you done a cost analysis on this to see if you recover your cost. Mr. Bonner stated it would not recover all the cost but it would help off set it, this is why the staff is asking to establish a fee structure to help. Mr. Goolsby stated you just said something that makes this right "fee structure"; the council could waive the fee. Mr. Bonner stated with so many fee waivers in the past I would rather have a fee structure so we wouldn't have the fee waiver process. Councilman Johnsons stated we do have a list of regular fees we waive is this a question of generating revenue or off setting cost. Mr. Bonner stated we have not had a quorum for Parks and Recreation because we need to have at least three members that live within the cit limits and the meetings we were having were more of how are we going to go about the fee schedule. Councilman Johnson stated if we are going to have a fee structure we need have one specific person to run it. Mr. Bonner stated we are already doing the reservation and making sure it is ready for the scheduled time. Councilman Johnson stated we should just charge a flat rate and leave it. City Manager McCourt stated I keep hearing we need to run this like a business. This is not what we are talking about; we are trying to identify the individuals who are specifically requesting for their use not the public use. The general public shouldn't need to pay to use the public parks. Councilman Johnson asked what it would cost to install a swipe card to pay for the electricity. Mr. Bonner stated it would cost

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 17th DAY OF SEPTEMBER 2012**

about \$2500. Mr. Lindsey stated I have a problem not charging the fee at Keiller Park it doesn't have to be excessive or anything and we should give the children a break to use it. Mr. Bonner stated we did give the children a break we cut their fees in half. He gave some comparisons to the Council of the Rodeo Grounds with various other towns that have one. Mr. Ward stated if someone is making a profit then they should pay to use the facilities. Mr. Bonner explained the City has to work over at the rodeo ground right before each event to get it prepared the cost is \$150. Councilman Johnson asked for a summary of cost analyses to maintain it. Councilman Goolsby stated I agree with Councilman Johnson, I have heard of people not receiving their deposit back, but I also agree with Vice Mayor Holloway it shouldn't cost community members to use the public parks. What we should do is call it a fee/deposit and be done with it. Mr. Bonner stated if we could do a non-refundable deposit it would be a lot better. On the Quail, Keiller and Railroad Parks it would be a non-refundable fee. Councilman Lindsey stated it wouldn't hurt to have a sign up that stated this is reserved from this time to that time. Councilman Johnson stated again, it goes back to management. City Manager McCourt stated we will have the occasion where someone will not play by the rules and the police will have to be called. Community member Mr. Paul Sheets stated I was at one of the City of Marana parks and I observed there were multiple signs around, there were city employees working, emptying trash and coming up to you to ensure you had the paperwork to have that facility, there is a lot of leg work that needs to be done to make this work. Mr. Trevor Ward stated I am here as a member of the community and not as a judge, and stated I'm pretty sure my tax dollars pay for a portion of the park and recreation. If I am making a profit for using the facilities I don't mind paying a fee, but for the youth groups to use it I don't think they should be charged. Little League is open to all youths up to the ages of 17 years old. It is a community event we don't charge for attendance. City Manager McCourt stated the fees discussed would not come close to covering the cost of operations of the various parks. Mayor stated we are out of time and we need to adjourn the work session and continue at a later time.

ADJOURN

Being no further business before the Mayor and Council Mayor Irvin adjourned the Work Session at 6:57 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of the City of Willcox held on the 17th day of September 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 17th day of September 2012

City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 15th day of October 2012.

MAYOR ROBERT A IRVIN

Signed _____

ATTEST:

City Clerk Virginia A. Mefford

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 1st DAY OF OCTOBER 2012**

CALL TO ORDER- Mayor Bob Irvin called the work session meeting to order on Monday, October 1, 2012 at 6:00 p.m. and welcomed everyone in attendance

ROLL CALL-City Clerk Virginia A. Mefford, called the roll:

PRESENT

Mayor Robert A. Irvin
Vice Chairman Bill Holloway
Councilman Gerald W. Lindsey at 6:11 pm
~~Councilman Elwood A. Johnson~~
Councilwoman Monika Cronberg
Councilman Earl Goolsby
Councilman William "Bill" Nigh

STAFF

City Manager Pat McCourt
City Clerk Virginia A. Mefford
City Attorney Ann P. Roberts
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner
Development Services Jeff Stoddard
Library Director Tom Miner

ABSENT

Councilman Gerald W. Lindsey- Excused

PLEDGE OF ALLEGIANCE TO THE FLAG lead by Mayor Irvin

DECLARATION ON CONFLICT OF INTEREST

None Declared

ADOPTION OF THE AGENDA.

MOTION: Councilwoman Cronberg moved to adopt the agenda as presented.

SECONDED: Vice Mayor Holloway seconded the motion. **DISCUSSION:** None **CARRIED.**

DISCUSSION REGARDING PARK FEES

Mr. Bonner explained briefly the basic premise the City would like to follow is the Community Center Fees. It is not to pay for all the cost but to capture some of the cost. There were three layers of types of users. Application fee, user fee plus half of fees proposed. He explained the ordinance; it basically says they are responsible. Council asked the department or actual user. Mr. Bonner stated the actual user. Mayor Irvin asked are the deposits returned. Mr. Bonner stated only if the Council waives the fees. Councilman Nigh stated you mentioned last meeting the cost was worked in. Mr. Bonner stated it is worked in at the Rodeo Arena for the preparation of the grounds. Councilman Nigh stated at the baseball fields I don't think all the fees should be given back, same with the arena. Vice Mayor stated you know how much \$150 pays for. City Manager McCourt asked if the city employee works outside of work time was this built in to the equation. Mr. Bonner stated not all of this was covered. Councilman Goolsby asked about regular time versus overtime is that per hour? Mr. Bonner stated it is per hour, if we know in advance what it is going to take place, we can have them work less say on Friday to make up the time worked on Saturday. Councilwoman Cronberg asked like flextime. Mr. Bonner stated yes. Councilwoman Cronberg asked was there discussion from the other meeting if someone reserves it will actually get to use it. Mr. Bonner stated yes there was, we have said if they have paperwork in hand then they have the right to use it. We have not had any of these problems in the past. Councilwoman Cronberg asked about the cleaning deposit, what if I know it was cleaned when I left, how do you know if someone didn't come behind me and made a mess, are we going to hire someone to monitor this? Mr. Bonner stated it was not our intension to do this. Council asked If someone comes in that represents the community, what kind of extra layer is there going to be? Is it going to be up to the front desk, or the council to decide? Mr. Bonner stated it will go to the front desk, Oscar, or me. I really don't have an answer to that at this time. Mayor Irvin asked will we have posters posted. Mr. Bonner stated we would have some laminated posters to put up. Councilwoman Cronberg asked about if someone has a reservation and they are not using it will they have the option to turn it over to someone who will use it. Mr. Bonner stated if it is reserved it is not up to him to decide, it would be up to the individual who reserved it to decide. Councilwoman Cronberg stated there are some that have reserved it and not used it. Mr. Bonner stated if there were fees this may be a deterrent for them hold the facilities. Vice Mayor Holloway stated they may not want to hold the facilities, if they have to pay lets say through August. Mr. Bonner stated we could do a

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 1st DAY OF OCTOBER 2012**

block of fees for leagues. Councilwoman Cronberg stated that would make more sense. Mr. Bonner stated it would be Daily, weekend, or seasonal. Councilman Johnson asked do you have timers on the lights. Mr. Bonner stated we do on all of them except field 3. Councilman Nigh asked will the fees go up with the electrical charges going up. Mr. Bonner stated it will and explained the electrical charge per hour. Vice Mayor stated we could not charge for the whole cost if it is a community event. Mr. Bonner stated it would be an off set, and stated we would have to do routine maintenance on the lights for example, replacing the lights. Councilwoman Cronberg stated when we were talking about the community Center there was some donations where this also worked into the equation of the fee schedule. Mr. Bonner stated yes we did. Councilman Johnson stated a lot of kids can't afford to pay and the coaches may not be able to pay with paying out on everything else, we will have an issue there. Also, If someone reserves the park on Friday and no one checks it till Monday how do you know if someone else used it or left the lights on. Mr. Bonner stated we could install timers to turn off the lights. We do have a timer where we have them automatically set to shut off at 11:00 pm as that is when the parks are closed, we could install some strobe light to indicate the lights are going off. Councilman Johnson stated we don't have a comparison as the Community Center not has been used. Mayor Irvin asked is there any more discussion. Mr. Tim Charley introduced himself; I work at SSVEC and thanked the Council for having him on the P & R. City Manager stated my recommendation is posting this before we make any decision and letting the community be aware and have some input. We will not have to have a meeting until this time.

ADJOURN

Being no further business before the Mayor and Council Mayor Irvin adjourned the Work Session at 6:42 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of the City of Willcox held on the 1st day of October 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 1st day of October 2012

City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 15th day of October 2012.

MAYOR ROBERT A Irvin
Signed _____

ATTEST:

City Clerk Virginia A. Mefford

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 1st DAY OF OCTOBER 2012**

CALL TO ORDER- Mayor Bob Irvin called the work session meeting to order on Monday, October 1, 2012 at 7:00 p.m. and welcomed everyone in attendance

ROLL CALL-City Clerk Virginia A. Mefford, called the roll:

PRESENT

Mayor Robert A. Irvin
Vice Chairman Bill Holloway
Councilman ~~Gerald W. Lindsey~~
Councilman Elwood A. Johnson
Councilwoman Monika Cronberg
Councilman Earl Goolsby
Councilman William "Bill" Nigh

STAFF

City Manager Pat McCourt
City Clerk Virginia A. Mefford
City Attorney Ann Roberts
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner
Development Services Jeff Stoddard
Library Director Tom Miner

ABSENT

Councilman Gerald W. Lindsey- Excused

PLEDGE OF ALLEGIANCE TO THE FLAG lead by Mayor Irvin

DECLARATION ON CONFLICT OF INTEREST

None Declared

ADOPTION OF THE AGENDA.

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

SECONDED: Councilwoman Holloway seconded the motion. **CARRIED**

CONSENT AGENDA

MOTION: Vice Mayor Holloway moved to adopt the consent agenda as presented.

SECONDED: Councilwoman Cronberg seconded the motion. **CARRIED**

MINUTES OF PREVIOUS MEETINGS

Minutes approve on consent agenda.

Special Meeting- May 31, 2011 and May 30, 2012

JT Work Sessions – August 8, 2011

Work Session- May 21, 2012 and September 4, 2012

**DISCUSSION AND/OR DECISION REGARDING WILLCOX WINE COUNTRY REQUEST FOR LIQUOR
LICENSE APPLICATION APPROVAL FOR WINE VENDORS AT WINE FESTIVAL OCTOBER 20 AND 21, 2012**

MOTION: Councilman Johnson moved to approve the Willcox Wine Country request for Liquor License application approval for wine vendors at Wine Festival in Railroad Park on October 20 and 21, 2012.

SECONDED: Councilwoman Cronberg seconded the motion. **CARRIED**

**DISCUSSION/DECISION REGARDING WILLCOX WINE COUNTRY FESTIVAL REQUEST FOR A
WAIVER FOR GLASS CONTAINERS IN RAILROAD PARK**

MOTION: Councilman Johnson moved to approve the Willcox Wine Country Festival request for a Waiver for Glass Containers in Railroad Park

SECONDED: Councilwoman Cronberg seconded the motion. **CARRIED**

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 1st DAY OF OCTOBER 2012**

**STREET CLOSURE REQUEST BY WILLCOX CHAMBER OF COMMERCE AND AGRICULTURE FOR SATURDAY
OCTOBER 6, 2012 ON RAILROAD AVENUE FROM STEWART ST TO MALEY ST. FOR REX ALLEN DAYS**

MOTION: Councilman Johnson moved to approve a street closure request by the Willcox Chamber of Commerce and Agriculture for Saturday, October 6th, 2012 on Railroad Avenue from Stewart St. to Maley St. for Rex Allen Days.

SECONDED: Vice Mayor Holloway seconded the motion. **CARRIED**

AMEND MOTION; Councilman Johnson to include October 5 & 6, 2012

SECOND: Vice Mayor Holloway. **CARRIED**

**DISCUSSION AND/OR DECISION/DIRECTION REGARDING FINAL BID PACKAGE ON PROPERTY ON
CIRCLE I ROAD.**

MOTION: Councilman Johnson moved to approve the final package on property on Circle I Road.

SECONDED: Councilwoman Cronberg seconded the motion. **CARRIED**

**DISCUSSION AND/OR DECISION/DIRECTION REGARDING APPROVAL TO SPEND USDA GRANT FUNDS TO
PURCHASE A LOSS PREVENTION DETECTION SYSTEM FOR THE LIBRARY**

MOTION: Councilman Goolsby moved to approve to spend USDA Grant Funds to purchase loss prevention detection system for the library.

SECONDED: Mayor Irvin seconded the motion. **DISCUSSION:** Nigh asked if it was a moving camera. Mr. Minor stated yes it is, and referenced the staff back-up, and included, this company was the only with sufficient amount. He recommended the Council approve this item. Councilman Johnson asked if this was an enhancement. Mr. Minor stated yes it is, we received a large grant to purchase this security system, to not burden the tax payers, and it will deter the theft. Vice Mayor asked is this a non bidding contractor. City Manager stated we will post for bidding on this. **CARRIED**

REPORTS BY THE CITY MANAGER PAT MCCOURT

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

- **Cowboy Hall of Fame-** Dinner will be on October 4, 2012 at 6:00 pm.
- **Rex Allen Days-** October 6-7 Parade on October 6, 2012 at 10:00 am.
- **City Manager gone to ICMA-** October 6-10, 2012 Chief Weaver will be here to take on the responsibility.
- **Annual Audit-** October 11 and 12, 2012 for year end June 30, 2012.
- **City Manager Vacation-** October 12, 2012 Chief Weaver will be here to take on the responsibility.
- **Jury Duty-** City Manager on standby October 16, 2012
- **Wine Festival-** October 20 and 21, 2012 at Railroad Park.
- **Special Work Session-** Capital expense needs Gas System Monday, October 22, 2012 at 6:30 p.m.
- **New Business in town-** Southwest Irrigation
- **Possible Special Meeting-** with Rex Allen Theater Group for funding to present a proposal to Council, maybe next Council meeting. Vice Mayor Holloway stated a half hour on October 15, 2012 at 6:30 pm.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

No Council commits at this time.

~~**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 REGARDING THE PURCHASE, SALE, OR LEASE OF REAL PROPERTY**~~

~~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 regarding the purchase, sale, or lease of real property.~~

~~No motion on the floor to move into executive session.~~

~~**RECESS TO EXECUTIVE SESSION, IF APPROVED**~~

**THE MINUTES OF THE WORK SESSION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 1st DAY OF OCTOBER 2012**

RECONVENE FROM EXECUTIVE SESSION

~~**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.~~

ADJOURN

Being no further business before the Mayor and Council Mayor Irvin adjourned at 7:15 p.m.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of the City of Willcox held on the 1st day of October 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 1st day of October 2012

City Clerk Virginia A. Mefford

PASSED, APPROVED AND ADOPTED this 15th day of October 2012.

MAYOR ROBERT A IRVIN

Signed _____

ATTEST:

City Clerk Virginia A. Mefford

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 8
Tab Number: 2
Date: 10-15-12

Date Submitted:
10-15-2012

Date Requested:
10-15-2012

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject: IGA with the
Cochise County
Elections & Special
Districts.

TO: MAYOR AND COUNCIL

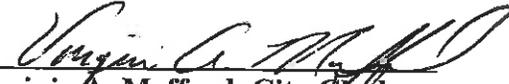
FROM: City Clerk

DISCUSSION: The City has an Intergovernmental Agreement with Cochise County Elections & Special Districts Resolution No. 2011-99; they have a few changes compared to previous year's agreements. These are as follows:

- 1.) Agreement is for a two year period – November 1, 2012 through December 31, 2014.
- 2.) There is more specific detail about the data that will be provided to the city following the election.

RECOMMENDATION: Approve the proposed Resolution

FISCAL IMPACT: \$8500.00

Prepared by: 
Virginia A. Mefford, City Clerk

Approved by: 
Pat McCourt, City Manager

RESOLUTION 2012-82

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, "CITY", APPROVING THE INTERGOVERNMENTAL AGREEMENT FOR ELECTION SUPPLIES AND SERVICES WITH COCHISE COUNTY, "COUNTY", AND DIRECTING AUTHORIZED CITY OFFICERS AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, it is the mutual desire of the City and County to provide citizens within the region with all the necessary means and opportunity to participate in elections;

WHEREAS, the County is in a position to assist City in the elections process by providing election supplies and services to cities, districts or other governmental bodies within the County; and,

WHEREAS, pursuant to A.R.S. §11-952, the City and County have the authority to enter into an Intergovernmental Agreement providing for election supplies and services.

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

SECTION 1. That the City of Willcox formally approves the Intergovernmental Agreement between the City of Willcox and the County of Cochise for Election Supplies and Services from November 1, 2012 through December 31, 2014.

SECTION 2. That the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

SECTION 3. That the Mayor is authorized and empowered to execute this Resolution and the Intergovernmental Agreement for Election Supplies and Services as presented.

**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF WILLCOX, ARIZONA, this 15th day of October, 2012.**

APPROVED/EXECUTED:

ROBERT A. IRVIN, MAYOR

Dated: _____

ATTEST:

VIRGINIA A. MEFFORD, City Clerk

APPROVED AS TO FORM:

ANN P. ROBERTS, City Attorney

RESOLUTION 2012-82



COCHISE COUNTY ELECTIONS & SPECIAL DISTRICTS

P. O. Box 223 • Bisbee, Arizona 85603
OFFICE: (520) 432-8970 • FAX: (520) 432-8995

September 24, 2012

Virginia Mefford
City Clerk
City of Willcox
310 W. Railroad Ave
Willcox, AZ 85643

Dear Virginia:

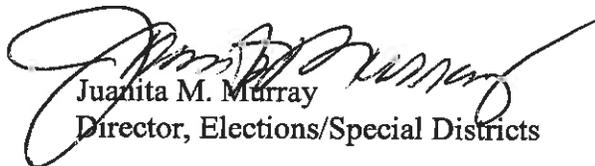
Enclosed is the Intergovernmental Agreement for Cochise County to provide election services to the City of Willcox. There have been a few changes compared to previous year's agreements. These are as follows:

- 1) Agreement is for a two year period – November 1, 2012 through December 31, 2014.
- 2) There is more specific detail about the data that will be provided to the City following the election.

Please review and obtain signatures from the proper city officials. As soon as you have returned the signed document, I will route to the county officials for signature and then return a recorded copy to you.

Thank you for your assistance and please do not hesitate to call if you have any questions.

Sincerely,



Juanita M. Murray
Director, Elections/Special Districts

JUANITA M MURRAY
Director, Elections/Special Districts
(520) 432-8975
jmurray@cochise.az.gov

MARTHA L. REYNOLDS
Elections Program Coordinator
(520) 432-8972
mreynolds@cochise.az.gov

ANNE MACAK
Elections Technician
(520) 432-8970
amacak@cochise.az.gov



INTERGOVERNMENTAL AGREEMENT FOR ELECTION SUPPLIES AND SERVICES

THIS AGREEMENT is made and entered into this _____ day of _____, 2012, by and between COCHISE COUNTY (the COUNTY), a political subdivision of the state of Arizona, and the City of Willcox (CITY), located at 310 W Railroad Ave, Willcox, Arizona, 85643, for certain election supplies and services;

WHEREAS, it is the mutual desire of the parties to provide citizens in the region with all necessary means and opportunity to participate in elections;

WHEREAS, the COUNTY seeks to assist in the elections process by providing election supplies and services to cities, districts, or other governing bodies within the region;

WHEREAS, the parties have authority to enter into an intergovernmental agreement to provide for election supplies and services pursuant to A.R.S. § 11-952 (Intergovernmental Agreements), A.R.S. § 11-251(41) (County Lease of Personal Property), A.R.S. § 41-2632 (Cooperative Purchasing) and A.R.S. Title 16 (Elections and Electors), the parties agree as follows:

NOW, THEREFORE, in consideration of the mutual covenants, conditions, and obligations herein set forth, the parties agree:

1. COUNTY DUTIES. The COUNTY agrees contingent upon receipt of a timely, specific request as provided in Paragraph 2(C), to provide the following election services:

- A. Provide ballots, including when appropriate, addition of candidate names.
- B. Administrative services to include the following:
 - 1. Conduct logic and accuracy tests of programs and equipment
 - 2. Provide abstract of results of tabulation to include total ballots cast within the jurisdiction; total votes for each candidate, question or proposition.
 - 3. Provide election equipment and supplies
- C. Arrange for consulting services to include the following:
 - 1. Programming for operation of tabulating equipment
 - 2. Printing of ballots
 - 3. Printing precinct register
- D. Arrange for election board workers:



1. Hire qualified election board workers to include precinct and early boards.
2. Train and supervise election board workers
3. Pay election board workers.

E.. Prior to or within ten (10) working days after the Cochise County Elections Officer receives notice, pursuant to Paragraph 2(C), that the CITY desires services, provide an estimate of the aggregate cost of the services and supplies.

2. CITY DUTIES. The CITY understands and agrees that:

- A. The CITY retains the primary responsibility for insuring that its election is noticed, held and conducted in the manner required by applicable local, state and federal laws and that the COUNTY does not assume responsibility under this agreement for any aspects of this election other than those that are expressly stated in Paragraph 1.
- B. For any specific election for which the CITY desires services and supplies pursuant to this Agreement, the CITY shall pay to the County the amounts at the rates set forth on Exhibit A hereto.
- C. With respect to any specific election for which the CITY desires services and supplies pursuant to this Agreement, the CITY shall provide written notice to the Cochise County Elections Officer of the need for services or supplies, listing specific services and supplies desired, at least one hundred and twenty (120) days prior to such election. This notice shall be in the form provided in Exhibit B hereto.
- D. The CITY shall inform the Cochise County Elections Officer in writing within ten (10) workings days after receiving the COUNTY estimate of the aggregate cost of elections services and supplies of the CITY's acceptance or rejection of the COUNTY'S services and supplies. Acceptance by the CITY shall constitute agreement by the CITY to pay actual costs up to ten percent (10%) over the estimate for the supplies and services provided.
- E. If a recount/hand count is necessary, the CITY shall reimburse the COUNTY for administrative costs of conducting a recount at the rate of \$500 per contest/questions/proposition.
- F. The CITY shall pay the COUNTY in a timely manner or in any event within ninety (90) days of receipt of invoice.



3. TERM. The term of this Agreement shall begin on November 1, 2012 and continue until December 31, 2014 provided that the Agreement shall be effective only when it is executed by all parties and filed with the Cochise County Recorder.

4. INDEMNIFICATION. To the extent permitted by law, each party to this agreement shall indemnify, defend and hold harmless the other party, its officers, departments, employees and agents from and against any and all suits, actions, legal or administrative proceedings, claims, demands or damages of any kind or nature which results from the act or omission of the indemnifying party, its agents, officers, employees or anyone acting under its direction, control or on its behalf, whether intentional or negligent.

5. CANCELLATION DUE TO CONFLICT OF INTEREST. Pursuant to A.R.S. § 38-511, the provisions of which are incorporated herein by reference, all parties are hereby put on notice that this Agreement is subject to cancellation by the a political subdivision or its departments or agencies if any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of such political subdivision is, at any time while the contract is or any extension of the contract is in effect, an employee or agent of any other party to the contract in any capacity or a consultant to any other party of the contract with respect to the subject matter of the contract.

6. NON-DISCRIMINATION. To the extent required by law, each party to this agreement shall comply with all state and federal equal opportunity and non-discrimination requirements and conditions of employment, including the American with Disabilities Act, in accordance with A.R.S. Title 41, Chapter 9, Article 4, and Executive Order 99-4, which mandates that all persons, regardless of race, color, religion, sex, age, national origin, or political affiliation, shall have equal access to employment opportunities.

7. WORKER'S COMPENSATION. An employee of either party shall be deemed to be an "employee" of both public agencies while performing pursuant to this Agreement, for purposes of A.R.S. § 23-1022 and the Arizona Workers' Compensation laws. The primary employer shall be solely liable for any worker's compensation benefits which may accrue. Each party shall post a notice pursuant to the provisions of A.R.S. § 23-906 in substantially the following form:

All employees are hereby notified that they may be required to work under the jurisdiction or control or within the jurisdictional boundaries of another public agency pursuant to an intergovernmental agreement or contract, and under such circumstances they are deemed by the laws of Arizona to be employees of both public agencies for the purposes of workers' compensation.



8. NOTICE. All written communications shall be addressed and mailed or personally served upon the parties, as follows:

To: COUNTY
Katie Howard, Clerk
Cochise County Board of Supervisors
1415 Melody Lane, Bldg G
Bisbee, AZ 85603

To: CITY
Virginia Mefford, City Clerk
City of Willcox
310 W. Railroad Avenue
Willcox, AZ 85643

With copy to:
Juanita Murray, Director
Elections/Special Districts
PO Box 223
Bisbee, AZ 85603

9. GOVERNING LAW. This Agreement shall be governed and interpreted by the laws of the State of Arizona.

10. SAVINGS CLAUSE. Should any part of this Agreement be held to be invalid or void, the remainder of the Agreement shall remain in full force and effect with those offending portions omitted.

11. AGREEMENT MODIFICATION. This Agreement may only be modified in writing and must be signed by both parties or their duly authorized agents.

12. BREACH. Failure by the COUNTY and/or CITY to provide the services/ material or to provide the documentation at the time and in the manner described in this Agreement shall constitute a breach of this Agreement.

13. WAIVER OF CONFLICT. The parties to this Agreement are aware that the County Attorney's Offices represents the Cochise County Elections Department, and may or may not also represent other party (for example, Special Districts, including but not limited to Flood, Fire or School Districts) to this agreement in this and other matters. By signing this Agreement each party specifically acknowledges that it is aware of a potential conflict of interest and specifically waives any such claim based upon legal counsels' representation of other parties to this Agreement.

14. ENTIRE AGREEMENT. This Agreement contains the entire understanding of the parties hereto. There are no representations or other provisions other than those contained herein, and any amendment or modification of this Agreement shall be made in writing and signed by the parties to this Agreement.



APPROVED:

COCHISE COUNTY

BY: _____
Michael Ortega
Cochise County Administrator

ATTEST:

BY: _____
Katie Howard, Clerk
Cochise County Board of Supervisors

APPROVED:

BY: _____
Authorized Signatory

ATTEST:

BY: _____
Authorized Signatory



INTERGOVERNMENTAL AGREEMENT DETERMINATION

RE: Intergovernmental Agreement for election services and supplies between City of Willcox and the County of Cochise for Elections held between November 1, 2012 and December 31, 2014.

Pursuant to A.R.S. Section 11-952, this Agreement has been reviewed by the undersigned attorney for Cochise County, who has determined that it is in proper form and is within the powers and authority granted, respectively, to the contracting bodies.

DATED this ____ day of _____, 2012.

Cochise County Attorney

By: _____
David Fifer
County Attorney

Pursuant to A.R.S. Section 11-952, this Agreement has been reviewed by the undersigned attorney for _____, who has determined that it is in proper form and is within the powers and authority granted, respectively, to the contracting bodies.

DATED this ____ day of _____, 2012.

By: _____

EXHIBIT A

**COCHISE COUNTY
ELECTIONS/SPECIAL DISTRICTS
FEE SCHEDULE**

Pursuant to A.R.S. Sec 11-251.08 and 48-619, following is the proposed fee schedule for services provided to jurisdictions by Cochise County.

<u>Election Services</u>	<u>Rate or Fee</u>	<u>Per</u>
<u>For standard countywide elections</u>		
ADMINISTRATIVE SERVICE FEES (These services include consulting or assistance given the entity, any function performed on behalf of the contracting entity, conducting the logic and accuracy test and tabulation of ballots.)	\$ 500.00	Election
BALLOT PROGRAMMING	\$ 50.00	Issue or Candidate Ballot
BALLOT PRINTING - COUNTYWIDE BALLOT	\$ 0.42	
BALLOT PRINTING - SEPARATE BALLOT	Actual cost	
CANCELLATION FEE	\$ 250.00	Per Jurisdiction
<u>For consolidated elections</u>		
ADMINISTRATIVE SERVICE FEES (These services include consulting or assistance given the entity, any function performed on behalf of the contracting entity, conducting the logic and accuracy test and tabulation of ballots.)	\$ 1,400.00	Election
INSTRUCTION OF ELECTION BOARDS	\$ 75.00	Class
TRAVEL TO CLASS LOCATION	\$ 0.42	Mile
ELECTION MANUAL	\$ 5.00	Copy
ELECTION PERSONNEL (Trouble shooters, Office Temps, Delivery, Early and Night Boards)	\$ 12.00	Hour
VOTING BOOTHS	\$ 4.00	Booth
BALLOT BOX AND SUPPLIES	\$ 50.00	Box
COUNTING SYSTEM ON SITE (M100 or AutoMARK)	\$ 500.00	Each
MEMORY CARD BURNING	\$ 50.00	Per Card
PROVISIONAL BALLOT	\$.50	Per Prov
BALLOT PROGRAMMING, LAYOUT, PRINTING, INFORMATIONAL AND PUBLICITY PAMPHLETS	Actual Cost	
POSTAGE		Actual Cost
MAPS	\$ 10.00	Each
<u>ELECTION BOARD WORKERS:</u>		
INSPECTOR	\$ 125.00	Each
JUDGES/CLERKS/MARSHAL	\$ 100.00	
PREMIUM BOARD WORKERS	\$ 25.00	Additional Pay
REQUIRED ELECTION CLASS	\$ 15.00	
MILEAGE FOR ELECTION WORKERS	\$.42	Mile
POLLING LOCATION RENTALS	Actual Cost	Location
TRUNK RENTAL	Actual Cost	
COPIES	\$ 0.30	Each
MAPS	\$ 10.00	Each
OTHER SUPPLIES	Actual Cost	

EXHIBIT B

_____ requests the following election services and supplies:

Please mark appropriate services and supplies requested:

SERVICES

- Provide ballots _____
- Conduct logic and accuracy tests _____
- Prepare voting booths _____
- Set up polling places _____
- Provide abstract of results of tabulation _____ (includes total ballots cast, total votes per candidate and total votes per question/proposition)
- Deliver ballots, equipment and supplies _____
- Pick up ballots, equipment and supplies _____
- Process early ballots _____
- Hire, train, oversee and pay election boards _____
- Prepare instructions and conduct classes _____
- Arrange for programming _____
- Arrange for printing early/sample ballots _____
- Arrange for printing precinct registers _____
- Arrange for printing of signature rosters _____
- Programming for operation of tabulating equipment _____

SUPPLIES

- Lease voting booths _____
- Lease ballot/supply box _____
- Disposable supplies _____
- Required signs _____
- M100 (Precinct Count Ballot Tabulator, 1 per polling location) _____
- AutoMark (Voting Accessibility equipment, 1 per polling location) _____

BY: _____ DATE: _____
(Signature and Printed name of Authorized Signatory)

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item 9
Tab Number 3
Date: 10/15/2012

<u>Date Submitted:</u>	<u>Action:</u>	<u>Subject:</u>
October 11, 2012	<input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal	Financial Statements Fiscal Year 2012-2013 1 st Quarter (July-September)

TO: MAYOR AND COUNCIL
FROM: Finance Director Ruth Graham

Discussion:

The following first quarter FY13 financial reports reflect the revenues and expenses of the funds managed by the City, including the General Fund, HURF (the Streets Fund), Grants, Special Revenue Grants, Debt Service, Capital Improvements, Repair and Demolition, Gas, Water, Sewer and Refuse (Solid Waste), as well as the Fiduciary (or trust) funds managed by the City for the Magistrate Court and the Firemen's Pension Fund.

The reports include:

- A) The Revenues, Expenses and Fund Balances report is on a modified-accrual basis that includes adjustments for accrued year-end revenues and expenses.
The report is arranged in columns showing:
- 1) Fund Number,
 - 2) Fund Name,
 - 3) 7/1/12 Opening Balance (unaudited),
 - 4) Revenues (YTD net of transfers),
 - 5) Interfund Transfers in and out,
 - 6) Expenses (YTD net of transfers),
 - 7) 9/30/12 fund balance, and
 - 8) Change in Fund Balance (YTD) with reductions shown in parentheses,
 - 9) A summary of the General Fund revenues and expenditures,
 - 10)
- B) An Investment Report as of September 30, 2012 is presented for the Council's information. This report is prepared on a cash basis; it reflects the actual cash transactions and cash balances, and does not include adjustments for accrued revenues and expenses.

The City has accumulated Fund Balances, or cash on hand, that is invested. The City follows the terms of the Investment Policy adopted January 20, 2009 which recites the following primary investment objectives of the City in order of priority:

- Safety
- Liquidity
- Optimal yield
- Collateralization

The City continues to participate in the Local Government Investment Pool (LGIP) Pool 700, a conservative long-term pool in which Willcox has participated since the fund's inception, and the Certificate of Deposit Registry (CDARS) program.

- C) City Sales Tax (FY13 Adjusted). This chart shows gross sales tax revenues by month for the years 2005-2012. The reference in the title (FY13 Adjusted) reflects a smoothing of revenues received in August 2011 when the City received a one-time payment of \$150,000 from a single taxpayer. The Total column on the right includes the year to date revenues as well as the budgeted revenues for the year. The % Budget line for FY13 represents actual revenues divided by budgeted revenues. The Average % Received line analyzes where we would expect to be at this time of year based on past years' receipts. The Budgeted Distribution block shows the distribution of the City Sales Tax Revenues. Bed tax revenues are included in the gross transaction privilege tax receipts; after allocation of the bed tax, 2% of the revenues are allocated to General Fund, and 1% to Streets.

Submitted by:



Ruth Graham, Finance Director

Approved:



Pat McCourt, City Manager

**City of Willcox Fiscal Year 2012-2013
Revenues, Expenses and Fund Balances (25% of fiscal year)**

Fund Number	Fund Name	7/1/12 Opening Bal.	Revenues	Inter-fund Transfers In	Inter-fund Transfers Out	Expenses	9/30/12 Ending Balance	FY13 YTD Fund Bal. Change
10-53	Operating Funds:							
10	General Fund	\$ 1,753,527	676,268	A \$ 142,297		\$ 909,201	\$ 1,662,891	\$ (90,636)
15	HURF	\$ 356,069	\$ 234,132			\$ 181,250	\$ 408,951	\$ 52,882
16	Grants	\$ -	\$ 75,358			\$ 158,775	\$ (83,417)	\$ (83,417)
17	Special Rev Grants	\$ 70,422	\$ 802			\$ 3,528	\$ 67,696	\$ (2,726)
20	Debt Service	\$ 164,611	\$ 6,181		B	\$ 135,768	\$ 35,023	\$ (129,587)
21	Capital Improv	\$ 43,766	\$ (748)			\$ 6,504	\$ 36,513	\$ (7,252)
22	Repair & Demolition	\$ -	\$ -			\$ 1,131	\$ (1,131)	\$ (1,131)
50	Gas - Operating	\$ 1,018,190	\$ 141,671		A	\$ 105,169	\$ 1,007,009	\$ (11,181)
51	Water	\$ 1,533,528	\$ 186,222		A	\$ 89,200	\$ 1,598,485	\$ 64,957
52	Sewer	\$ 962,624	\$ 186,344		A	\$ 95,562	\$ 1,021,566	\$ 58,942
53	Refuse Due to GF \$59,280	\$ 35,055	\$ 167,422		A	\$ 100,403	\$ 71,366	\$ 36,311
	Total Operating	\$ 5,937,791	\$ 1,673,652	\$ 142,297	\$ 142,297	\$ 1,786,491	\$ 5,824,953	\$ (112,839)
61-72	Fiduciary Funds:							
61	Magistrate Court Trust Fund	\$ 1,407	\$ 2,667			\$ 593	\$ 3,481	\$ 2,074
72	Firemen's Pension Trust Fund	\$ 224,009	\$ 1,787			\$ 600	\$ 225,196	\$ 1,187
	Total All Funds	\$ 6,163,207	\$ 1,678,106	\$ 142,297	# \$ 142,297	\$ 1,787,684	\$ 6,053,630	\$ (109,578)

A Utilities transfers to General Fund

B GADA Bond payments due July 1; revenue received throughout the year to offset.

CITY OF WILLCOX
 FINANCIAL SUMMARY BY FUND
 FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2012

GENERAL FUND

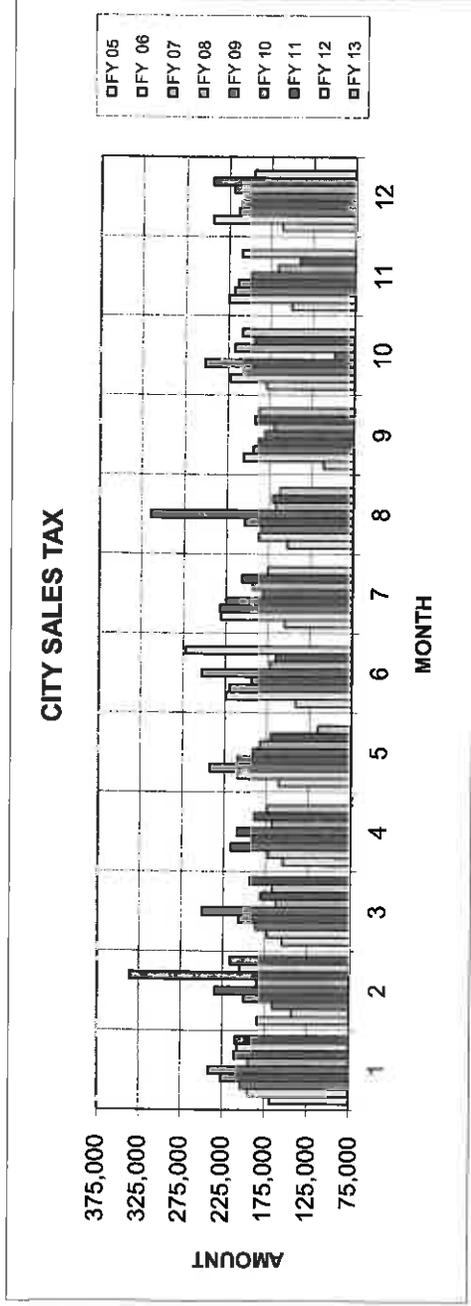
	BUDGET	PERIOD ACTUA	YTD ACTUAL	PCNT
REVENUE				
TAXES	1,749,589	426,778	426,778	24.4
LICENSES & PERMITS	311,237	37,266	37,266	12.0
INTERGOVERNMENTAL	832,188	180,191	180,191	21.7
APPROPRIATIONS	937,520	0	0	.0
NON-OPERATING	569,189	142,297	142,297	25.0
OTHER	223,486	32,034	32,034	14.3
	4,623,209	818,565	818,565	17.7
EXPENDITURES				
ADMINISTRATION	361,533	81,033	81,033	22.4
MAYOR & COUNCIL	32,085	13,714	13,714	42.7
COMMUNITY PROGRAM	217,000	24,309	24,309	11.2
PUBLIC SAFETY ADMIN	355,119	85,327	85,327	24.0
COMMUNICATIONS	300,157	64,947	64,947	21.6
HUMANE	97,356	17,513	17,513	18.0
PATROL	692,048	170,513	170,513	24.6
INVESTIGATIONS	168,928	21,237	21,237	12.6
FIRE DEPARTMENT	82,921	14,881	14,881	18.0
K-9 PATROL	25,261	2,128	2,128	8.4
FINANCE	334,229	77,408	77,408	23.2
LEGAL & COURTS	198,436	25,349	25,349	12.8
LIBRARY	292,498	59,409	59,409	20.3
SWIMMING POOL	146,005	37,714	37,714	25.8
PUBLIC WORKS ADMIN	195,123	40,438	40,438	20.7
CEMETERY	47,620	9,050	9,050	19.0
VEHICLE MAINTENANCE	111,809	25,109	25,109	22.5
BUILDINGS AND GROUN	150,502	28,853	28,853	19.2
DEVELOPMENT SERVIC	164,445	27,117	27,117	16.5
PARKS AND RECREATIO	421,734	83,151	83,151	19.7
TRANSFERS	228,400	0	0	.0
	4,623,209	909,201	909,201	19.7
	0	90,636-	90,636-	.0

FY 2012-2013 REVENUE ANALYSIS, 8 YEAR COMPARISON CITY SALES TAX

	JUL 1	AUG 2	SEP 3	OCT 4	NOV 5	DEC 6	JAN 7	FEB 8	MAR 9	APR 10	MAY 11	JUN 12	TOTAL
FY 05	168,013	183,504	154,754	154,469	160,110	141,338	154,907	152,582	110,850	178,844	150,068	161,654	\$ 1,871,093
% ACTUAL	9%	19%	27%	35%	44%	51%	60%	68%	74%	83%	91%	100%	
FY 06	193,896	143,339	173,142	171,901	208,794	224,179	230,275	186,889	205,698	222,916	225,015	243,549	\$ 2,429,593
% ACTUAL	8%	14%	21%	28%	37%	46%	55%	63%	72%	81%	90%	100%	
FY 07	202,743	165,765	186,262	216,547	242,925	219,633	231,558	183,483	194,169	206,918	218,263	213,479	\$ 2,481,745
% ACTUAL	8%	15%	22%	31%	41%	50%	59%	66%	74%	83%	91%	100%	
FY 08	226,135	199,426	206,086	190,555	209,137	193,394	224,737	203,483	188,181	252,298	213,351	209,987	\$ 2,516,769
% ACTUAL	9%	17%	25%	33%	41%	49%	58%	66%	73%	83%	92%	100%	
FY 09	241,222	233,929	249,889	209,366	191,160	252,520	181,257	313,856	180,737	98,680	198,186	203,912	\$ 2,554,713
% ACTUAL	9%	19%	28%	37%	44%	54%	61%	73%	80%	84%	92%	100%	
FY 10	193,688	184,506	162,446	168,042	182,805	171,565	193,292	166,484	169,312	217,453	166,070	219,163	\$ 2,194,826
% ACTUAL	9%	17%	25%	32%	41%	48%	57%	65%	73%	82%	90%	100%	
FY 11	210,485	336,293	180,741	188,681	170,387	165,299	205,760	170,540	192,588	193,598	140,665	243,983	\$ 2,399,019
% ACTUAL	9%	23%	30%	38%	45%	52%	61%	68%	76%	84%	90%	100%	
FY 12	206,815	204,379	167,071	173,708	114,454	271,942	175,746	161,979	187,513	208,225	209,202	195,304	\$ 2,276,339
% BUDGET	9%	18%	33%	33%	38%	50%	58%	65%	73%	82%	91%	100%	See note below
FY 13	209,064	216,270	192,923	22,995		26%	26%	26%	26%	26%	26%	26%	\$ 641,252
% BUDGET	9%	18%	26%	26%	26%	26%	26%	26%	26%	26%	26%	26%	\$ 2,422,104
AVG % RECV'D	9%	18%	26%	33%	41%	50%	59%	67%	75%	83%	91%	100%	

Budgeted		YTD
Distribution:		Rec'd:
Fund 10: General		
City Sales 2%		
10-31-10000	\$ 1,516,845	\$ 404,773
Bed Tax		
10-31-50000	\$ 160,000	\$ 34,092
Fund 15: Streets		
15-39-71100	\$ 745,259	\$ 202,387
	\$ 2,422,104	\$ 641,252
Over(Under)		
Budget	\$ 641,252	\$ 641,252

NOTE: August 2010 includes collection of prior year taxes in the amount of \$146,093



City of Willcox

Fiscal Year 2012-2013

Investment Report as of 9/30/2012

Cash Basis

Investment Account	Opening Cash Balance 7/1/2012	Cash In thru 9/30/12	Accrued	Cash Out thru 9/30/12	Ending Balance 9/30/2012	Change in Ending Balance
Governmental & Enterprise Funds						
Combined Savings	\$ 441,840	\$ 647,005	\$ -	\$ 789,682	\$ 299,163	\$ (142,677)
Local Govt Investment Pool (LGIP)	\$ 4,873,270	\$ 32,744	\$ -	\$ -	\$ 4,906,014	\$ 32,744
CDARS	\$ 509,851	\$ 447	\$ -	\$ -	\$ 510,298	\$ 447
Petty cash & other	\$ 1,370	\$ 323	\$ -	\$ 117	\$ 1,575	\$ 205
Savings-Golf Course	\$ 10,391	\$ 3	\$ -	\$ -	\$ 10,393	\$ 3
Police Bond Fund Checking	\$ 42,450	\$ 11	\$ - A	\$ -	\$ 42,461	\$ 11
Total Governmental & Enterprise	\$ 5,879,172	\$ 680,532	\$ -	\$ 789,799	\$ 5,769,905	\$ (109,267)
Agency Fund - Magistrate Court						
Combined Savings	\$ (1,866)	\$ 1,307	\$ -	\$ -	\$ (559)	\$ 1,307
Checking-Magistrate	\$ 3,273	\$ 2,667	\$ -	\$ 1,900	\$ 4,039	\$ 766
Total Agency-Magistrate Court	\$ 1,407	\$ 3,974	\$ -	\$ 1,900	\$ 3,480	\$ 2,073
Agency Fund - Fireman's Fund						
Combined Savings	\$ (230)	\$ 3,632	\$ - B	\$ 200	\$ 3,202	\$ 3,432
Local Govt Investment Pool (LGIP)	\$ 218,896	\$ 1,471	\$ -	\$ -	\$ 220,367	\$ 1,471
Firemen's Fund Savings	\$ 5,343	\$ 316	\$ -	\$ -	\$ 5,659	\$ 316
Total Agency-Fireman's Fund	\$ 224,009	\$ 5,419	\$ -	\$ 200	\$ 229,228	\$ 5,219
Total Cash	\$ 6,104,589	\$ 689,924	\$ -	\$ 791,899	\$ 6,002,613	\$ (101,975)
A	Reimbursement to Gen Fund-Police Facility/Library					
B	Firefighters contributions and City match					

City of Willcox

Fiscal Year 2012-2013

Investment Report by Fund as of 9/30/2012

Cash Basis

Fund Number	Fund Investment Account	Opening Cash Balance		Cash In		Cash Out thru 9/30/12	Ending Balance 9/30/2012	Change in Ending Balance
		7/1/2012	thru 9/30/12	Accrued	9/30/2012			
10	General Fund							
	Combined Savings	\$ (176,581)	\$ 11,896			248,305	\$ (412,989)	\$ (236,409)
	Local Govt Investment Pool (LGIP)	\$ 1,745,179	\$ 11,788			-	\$ 1,756,967	\$ 11,788
	CDARS	\$ 183,558	\$ 161			-	\$ 183,719	\$ 161
	Petty cash & other	\$ 1,370	\$ 323			117	\$ 1,575	\$ 205
	Sub-Total: General Fund	\$ 1,753,527	\$ 24,167	\$ -		248,422	\$ 1,529,273	\$ (224,255)
15	HURF							
	Combined Savings	\$ 57,714	\$ 192,272			17,905	\$ 232,081	\$ 174,367
	Local Govt Investment Pool (LGIP)	\$ 244,051	\$ 1,637			-	\$ 245,688	\$ 1,637
	CDARS	\$ 25,492	\$ 22			-	\$ 25,514	\$ 22
	Sub-Total: HURF	\$ 327,256	\$ 193,932	\$ -		17,905	\$ 503,283	\$ 176,027
16 & 17	Grants Special Revenue							
	Combined Savings	\$ 60,031	\$ 122,316			81,958	\$ 100,389	\$ 40,358
	Savings-Golf Course	\$ 10,391	\$ 3			-	\$ 10,393	\$ 3
	Sub-Total: Grants Special Revenue	\$ 70,422	\$ 122,318	\$ -		81,958	\$ 110,782	\$ 40,360
20 & 21	Debt Service & Capital Improvements							
	Combined Savings	\$ 160,320	\$ 6,335			137,580	\$ 29,075	\$ (131,245)
	Police Bond Fund Checking	\$ 42,450	\$ 11			-	\$ 42,461	\$ 11
	Sub-Total: Debt Svc & Capital Impr	\$ 202,770	\$ 6,346	\$ -		137,580	\$ 71,536	\$ (131,234)
50	Gas-Utility							
	Combined Savings	\$ (4,439)	\$ 35,934			83,084	\$ (51,589)	\$ (47,150)
	Local Govt Investment Pool (LGIP)	\$ 925,760	\$ 6,221			-	\$ 931,981	\$ 6,221
	CDARS	\$ 96,868	\$ 85			-	\$ 96,953	\$ 85
	Sub-Total: Gas Utility	\$ 1,018,190	\$ 42,240	\$ -		83,084	\$ 977,346	\$ (40,844)

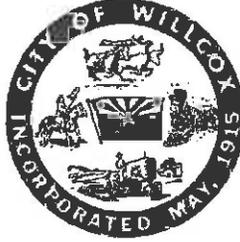
City of Willcox

Fiscal Year 2012-2013

Investment Report by Fund as of 9/30/2012

Cash Basis

Fund Number	Fund Investment Account	Opening Cash Balance 7/1/2012	Cash In		Cash Out thru 9/30/12	Ending Balance 9/30/2012	Change in Ending Balance
			thru 9/30/12	Accrued			
51	Water-Utility						
	Combined Savings	\$ 134,300	\$ 95,062		74,331	\$ 155,032	\$ 20,731
	Local Govt Investment Pool (LGIP)	\$ 1,266,671	\$ 8,513		-	\$ 1,275,185	\$ 8,513
	CDARS	\$ 132,556	\$ 116		-	\$ 132,673	\$ 116
	Sub-Total: Water Utility	\$ 1,533,528	\$ 103,692	\$ -	74,331	\$ 1,562,889	\$ 29,361
52	Sewer-Utility						
	Combined Savings	\$ 209,493	\$ 81,702		69,232	\$ 221,964	\$ 12,470
	Local Govt Investment Pool (LGIP)	\$ 681,754	\$ 4,584		-	\$ 686,338	\$ 4,584
	CDARS	\$ 71,377	\$ 63		-	\$ 71,439	\$ 63
	Sub-Total: Sewer Utility	\$ 962,624	\$ 86,349	\$ -	69,232	\$ 979,741	\$ 17,117
53	Refuse/Solid Waste						
	Combined Savings	\$ 1,000	\$ 101,487		77,287	\$ 25,201	\$ 24,201
	Local Govt Investment Pool (LGIP)	\$ 9,855	\$ -		-	\$ 9,855	\$ -
	Sub-Total: Refuse/Solid Waster	\$ 10,855	\$ 101,487	\$ -	77,287	\$ 35,055	\$ 24,201
	Total Investments	\$ 5,879,172	\$ 680,532	\$ -	789,799	\$ 5,769,905	\$ (109,267)
61	Magistrate Court						
	Combined Savings	\$ (1,866)	\$ 1,307		-	\$ (559)	\$ 1,307
	Checking-Magistrate	\$ 3,273	\$ 2,667		1,900	\$ 4,039	\$ 766
	Total Agency Fund - Magistrate Court	\$ 1,407	\$ 3,974	\$ -	1,900	\$ 3,480	\$ 2,073
72	Agency Fund - Fireman's Fund						
	Combined Savings	\$ (230)	\$ 3,632		200	\$ 3,202	\$ 3,432
	Local Govt Investment Pool (LGIP)	\$ 218,896	\$ 1,471		-	\$ 220,367	\$ 1,471
	Firemen's Fund Savings	\$ 5,343	\$ 316		-	\$ 5,659	\$ 316
	Total Agency - Fireman's Fund	\$ 224,009	\$ 5,419	\$ -	200	\$ 229,228	\$ 5,219



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 **15th** day of **October 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 11th day of October 2012, at 3:00 P.M.

CITY OF WILLCOX, ARIZONA

/s/ Virginia A. Mefford
City Clerk Virginia A. Mefford

"Mine, Yours, Ours"

**CITY OF WILLCOX
EXECUTIVE SESSION**

AGENDA

MONDAY, October 15, 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 REGARDING THE PURCHASE, SALE, OR LEASE OF REAL PROPERTY**
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.
- 4. ADJOURN**

"Mine, Yours, Ours"

