

THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ HELD ON THIS 1ST DAY OF DECEMBER 2016

SWEAR IN NEWLY ELECTED CITY COUNCIL MEMBERS - Judge Ward swore in the newly elected councilmembers: Johnson, Garza, and Rowden.

CALL TO ORDER - Mayor Robert Irvin called the meeting to order at 6:30 p.m.

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

PRESENT

Mayor Robert A. Irvin
Councilman Gerald "Sam" Lindsey
Councilman Elwood A. Johnson
Councilman Timothy A. Bowlby
Councilman Michael J. Laws
Councilwoman Rachel D. Garza
Councilwoman Terry Rowden

STAFF

City Manager Ted Soltis
City Clerk Virginia A. Mefford
City Attorney Ann P. Roberts
Finance Director Crystal Hadfield
Library Director Tom Miner

PLEDGE OF ALLEGIANCE TO THE FLAG - Led by Mayor Irvin

DECLARATION ON CONFLICT OF INTEREST - None

CALL TO THE PUBLIC

Rob Jones spoke on building the City of Willcox and healing of the Nation one community at a time. He welcomed the new councilmembers.

ADOPTION OF THE AGENDA

MOTION: Councilmember Bowlby made a motion to adopt the agenda as presented.

SECONDED: Councilmember Rowden seconded the motion.

MOTION CARRIED

ELECT A MAYOR

Mike Laws was elected Mayor with 6 out of 7 votes from among his peers. Councilmember Laws thanked the other councilmembers for their votes.

ELECT A VICE MAYOR

Terry Rowden was elected Vice Mayor with 4 out of 7 votes from among her peers.

RECESS AND RETURN TO NEW SEATING WITH NEWLY ELECTED MAYOR CHAIRING THE MEETING

Recessed at 6:43 p.m.

Returned at 6:54 p.m. to new seating with the newly elected Mayor chairing the meeting.

APPROVE THE NOVEMBER 3, 2016 COUNCIL MEETING MINUTES

MOTION: Councilmember Irvin made a motion to approve the November 3, 2016 council meeting minutes.

SECONDED: Councilmember Lindsey seconded the motion.

MOTION CARRIED: AYES (5): Mayor Laws, and Councilmembers: Irvin, Lindsey, Johnson, and Bowlby; NAYS (0);

ABSTAIN (2): Councilmember Garza and Vice Mayor Rowden.

APPROVE THE NOVEMBER 10, 2016 SPECIAL COUNCIL MEETING MINUTES

MOTION: Councilmember Bowlby made a motion to approve the November 10, 2016 special council meeting minutes.

SECONDED: Councilmember Irvin seconded the motion.

MOTION CARRIED: AYES (5): Mayor Laws and Councilmembers: Irvin, Lindsey, Johnson, and Bowlby; NAYS (0);

ABSTAIN (2): Councilmember Garza and Vice Mayor Rowden.

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**APPROVE STREET CLOSURE REQUEST FOR THE CHRISTMAS LIGHTED PARADE TO BE HELD ON
DECEMBER 3RD FROM 5:30 P.M. TO 7:00 P.M.**

MOTION: Councilmember Johnson made a motion to approve the street closure request for the Christmas lighted parade to be held on December 3rd from 5:30 p.m. to 7:00 p.m.

SECONDED: Councilmember Bowlby seconded the motion.

MOTION CARRIED

**WILLCOX TRANSPORTATION SERVICE UPDATE - SEAGO TRANSPORTATION PLANNER – CHRIS
VERTREES**

Mr. Vertrees gave an update on the transportation service and introduced Debbie Douglas and George Castle, part of the SEAGO transportation program. He explained how they were able to bring this program to Willcox. At the present time, this program is in the process of recruiting a driver, and once this is accomplished this program will be implemented. He is hoping to get a few volunteers. Once this begins, they will be doing a needs assessment. This program is supported through the Legacy Foundation.

DISCUSSION: Councilmember Lindsey asked how much was donated for this program. Mr. Vertrees stated the Legacy Foundation for Southeastern Arizona provided \$20,000 and in the future another \$10,000 will be provided. Councilmember Johnson asked how many days a week the service will be available. Ms. Douglas stated it will be five days a week Monday thru Friday. Drivers will have cell phones clients which clients will be able to call to schedule a ride. For trips to Tucson, a week's notice will be required. Councilmember Johnson asked how long this program will be funded. Ms. Douglas stated it will be funded for the next three years.

CITY MANAGER REPORT

- He attended the Veteran's Day parade. He thanked everyone who made the event possible, especially Connie Dunham who organized the event.
- He attended the 125th anniversary of the Masonic Temple.
- He attended the Sulphur Springs Valley Electric Company (SSVEC) luncheon which was instructive.
- He attended the quarterly manager's meeting.
- He provided an update on the Waste Water Treatment Plant (WWTP). The City is still \$3 million short in funding.
- He thanked staff, SSVEC, and volunteers for putting up the lights at Railroad Park. He also thanked those who donated funds for the lights. He can hardly wait to see the Christmas lighted parade when the entire park will be lit up.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS

Councilmember Garza thanked everyone in the audience and councilmembers and stated there will be a lot of positives happening.

Councilmember Bowlby congratulated Vice Mayor Rowden and Mayor Law for being elected into their positions. Councilmember Lindsey shared with the councilmembers he attended the water meeting and wanted the City to be aware of some of the issues. He welcomed Mayor Laws and Vice Mayor Rowden to their newly elected seats and welcomed newly elected Councilwomen Garza and Rowden and reelected Councilmember Johnson. Councilmember Johnson congratulated Councilwoman Garza and Vice Mayor Rowden. He also congratulated Mayor Laws and Vice Mayor Rowden to their new elected positions. He wished everyone a Merry Christmas and Happy New Year.

Councilmember Irvin stated it was a privilege serving as Mayor. He welcomed the newly elected councilmembers and Councilmembers Laws and Rowden for being elected Mayor and Vice Mayor. Vice Mayor Rowden expressed honor for being elected to council and being elected Vice Mayor. She is looking forward to serving on council and being Vice Mayor.

Mayor Laws stated he has big shoes to fill and hopes he does. He added that this council is pro-growth. He also thanked council for their trust.

ADJOURN

With no further business before the Mayor and Council, the meeting was adjourned at 7:22 p.m. by Mayor Laws.

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CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 1ST DAY OF DECEMBER 2016**

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 1st day of December 2016. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 1st day of December 2016

City Clerk Virginia A. Mefford, CMC

PASSED, APPROVED AND ADOPTED this 15th day of December 2016.

Mayor Michael J. Laws

ATTEST:

City Clerk Virginia A. Mefford, CMC

CITY OF WILLCOX
Council Action Form

Agenda Item: 9
Tab Number: 2

Meeting Date:

December 15, 2016

Action:

Resolution
 Ordinance
 Other

Subject: Resolution 2016-21 -
Chiricahua National Park

To: Mayor and City Council

From: Ted Soltis, City Manager

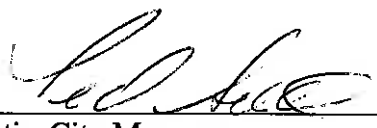
Discussion: Efforts to re-designate Chiricahua National Monument to a national park have been going on for more than a year. A number of entities have passed resolutions in support of the re-designation. Changing Chiricahua National Monument to national park has the potential to increase tourism.

Representative McSally introduced H.R. 6190 which does not propose any budgetary, staffing, or land use changes to the existing Chiricahua National Monument. Status - It was referred to the subcommittee on Federal Lands on 10/04/16.

Recommendation: Approve Resolution 2016-21.

Fiscal Impact: \$0

Submitted by:


Ted Soltis, City Manager

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

RESOLUTION 2016-21

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, SUPPORTING THE RE-DESIGNATION OF CHIRICAHUA NATIONAL MONUMENT TO CHIRICAHUA NATIONAL PARK

WHEREAS, the Chiricahua National Monument is an area of great natural beauty unique to southeastern Arizona that offers a wealth of outdoor activities, scenery, and wildlife; and

WHEREAS, the Chiricahua National Monument has all of the elements of activities, scenery, wildlife and environmental uniqueness to justify its designation as a national park; and

WHEREAS, designation of a national park in southeastern Arizona would benefit the local and regional economy as national parks attract many visitors from around the country and the world; and

WHEREAS, recreational activities and tourism play a significant role sustaining and increasing economic growth in the rural communities of southeastern Arizona; and

WHEREAS, Arizona Second Congressional District Representative Martha McSally has submitted H.R. 6190 – Chiricahua National Park Act that changes the designation of the Chiricahua National Monument to the Chiricahua National Park; and

WHEREAS, H.R. 6190 does not propose any budgetary, staffing, or land use changes to the existing Chiricahua National Monument.

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

SECTION 1: The Mayor and City Council expresses its support for re-designation of the Chiricahua National Monument to the Chiricahua National Park.

SECTION 2: The Mayor and City Council expresses its support for H.R. 6190.

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

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA, this 15th day of December, 2016.

APPROVED/EXECUTED:

MICHAEL J. LAWS, Mayor

APPROVED AS TO FORM:

ATTEST:

VIRGINIA A. MEFFORD, City Clerk

ANN P. ROBERTS, City Attorney

CITY OF WILLCOX
Council Action Form

Agenda Item: 10
Tab Number: 3

Meeting Date:

December 15, 2016

Action:

Resolution
 Ordinance
 Other

Subject: Resolution 2016-20 -
Financial Disclosure

To: Mayor and City Council

From: Ted Soltis, City Manager

Discussion: The Arizona State Legislature passed HB 2429 amending the financial statement required for persons holding elected offices. Pursuant to A.R.S. § 38.545, the City is required to adopt standards of financial disclosure. This resolution adopts financial disclosure standards and incorporates the latest amendments.

Recommendation: Approve Resolution 2016-20.

Fiscal Impact: \$0.

Submitted by:


Ted Soltis, City Manager

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

RESOLUTION 2016-20

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, PRESCRIBING STANDARDS OF FINANCIAL DISCLOSURE FOR LOCAL ELECTED OFFICIALS

WHEREAS, pursuant to the provisions of A.R.S. § 38-545, as amended, the City of Willcox is required to adopt standards of financial disclosure consistent with the provisions of Title 38, Chapter 3.1, Article 1, Arizona Revised Statutes, as amended; and

WHEREAS, the City of Willcox has determined that the standards of financial disclosure hereinafter adopted are, with respect to the City of Willcox, consistent with such standards of financial disclosure within the meaning of A.R.S § 38-545.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, THAT THE FOLLOWING STANDARDS OF FINANCIAL DISCLOSURE FOR LOCAL ELECTED OFFICIALS ARE HEREBY ADOPTED:

Section 1. DEFINITIONS. In this resolution, unless the context otherwise requires:

1. "Business" includes any enterprise, organization, trade, occupation or profession, whether or not operated as a legal entity or for profit, including any business trust, corporation, partnership, joint venture or sole proprietorship.
2. "Compensation" means anything of value of advantage, present or prospective, including the forgiveness of debt.
3. "Controlled business" means any business in which the local public officer or any member of his household has an ownership or beneficial interest, individually or combined, amounting to more than a fifty percent interest.
4. "Dependent business" means any business in which the local public officer or any member of his household has an ownership or beneficial interest, individually or combined, amounting to more than a ten percent interest, and during the preceding calendar year the business received from a single source more than ten thousand dollars and more than fifty percent of its gross income.
5. "Gift" includes any gratuity, special discount, favor, hospitality, service, economic opportunity, loan or other benefit received without equivalent consideration and not provided to members of the public at large. "Gift" does not include travel-related expenses that are publicly reported as required by law or political campaign contributions that are publicly reported pursuant to Title 16, Chapter 6.
6. "Local public officer" means a person holding an elective office of the City of Willcox.
7. "Member of household" means a local public officer's spouse and any minor child of whom

the local public officer has legal custody.

8. "Travel-related expenses" means any costs associated with transportation, food, lodging and registration fees and other expenses directly related to travel to, or from, a meeting, conference or other event where the local public officer is participating in the local public officer's official capacity.

Section 2. DUTY TO FILE FINANCIAL DISCLOSURE STATEMENT; CONTENTS; EXCEPTIONS.

- A. In addition to other statements and reports required by law, every local public officer, as a matter of public record, shall file with the City Clerk on a form prescribed by the City Clerk a verified financial disclosure statement covering the preceding calendar year ending December 31. The statement shall disclose:
 1. The name and home or work address of the local public officer, whether the local public officer's spouse is a member of the local public officer's household, the number of minor children who are members of the local public officer's household and all names and addresses under which each does business. If disclosure of the identity of the local public officer's spouse or minor children otherwise be required, a local public officer may comply with the identification requirement by using the term "spouse" or "minor child," as applicable.
 2. The name and address of each employer and of each other source of compensation other than gifts amounting to more than one thousand dollars received during the preceding calendar year by the local public officer and members of his household in their own names, or by any other person for the use or benefit of the local public officer or members of his household, a description of the services for which the compensation was received and the nature of the employer's business. This paragraph shall not be construed to require the disclosure of individual items of compensation that constituted a portion of the gross income of the business from which the local public officer or members of his household derived compensation.
 3. For a controlled business, a description of the goods or services provided by the business, and if any single source of compensation to the business during the preceding calendar year amounts to more than ten thousand dollars and is more than twenty-five percent of the gross income of the business, the disclosure shall also include a description of the goods or services provided to the source of compensation. For a dependent business the statement shall disclose a description of the goods or services provided by the business and a description of the goods or services provided to the source of compensation from which the dependent business derived the amount of gross income described in Section 1, paragraph 4. If the source of compensation for a controlled or dependent business is a business, the statement shall disclose a description of the business activities engaged in by the source of compensation.
 4. The names and addresses of all businesses and trusts in which the local public officer or members of his household, or any other person for the use or benefit of

the local public officer or members of his household, had an ownership or beneficial interest of over one thousand dollars at any time during the preceding calendar year, and the name and addresses of all businesses and trusts in which the local public officer or any member of his household held any office or had a fiduciary relationship at any time during the preceding calendar year, together with the amount or value of the interest and a description of the interest, office or relationship.

5. All real property interests and real property improvements, including specific location and approximate size, located in the City of Willcox, in which the local public officer, any member of his household or a controlled or dependent business held legal title or a beneficial interest at any time during the preceding calendar year, and the value of any such interest, except that this paragraph does not apply to a real property interest and improvements thereon used as the primary personal residence or for the personal recreational use of the local public officer. If a local public officer, any member of his household or a controlled or dependent business acquired or divested any such interest during the preceding calendar year, he shall also disclose that the transaction was made and the date it occurred. If the controlled or dependent business is in the business of dealing in real property interests or improvements, disclosure need not include individual parcels or transactions as long as the aggregate value of all parcels of such property is reported.
6. The names and addresses of all creditors to whom the local public officer or members of his household, in their own names or in the name of any other person, owed a debt of more than one thousand dollars or to whom a controlled business or dependent business owed a debt of more than ten thousand dollars which was also more than thirty percent of the total business indebtedness at any time during the preceding calendar year, listing each such creditor. This paragraph shall not be construed to require the disclosure of debts owed by the local public officer or any member of his household resulting from the ordinary conduct of a business other than a controlled or dependent business. Nor shall disclosure be required of credit card transactions, retail installment contracts, debts on residences or recreational property exempt from disclosure under paragraph 5 of this subsection, debts on motor vehicles not used for commercial purposes, debts secured by cash values on life insurance or debts owed to relatives. It is sufficient disclosure of a creditor if the name and address or a person to whom payments are made is disclosed. If the local public officer, and any member of his household or a controlled or dependent business incurred or discharged a debt which is reportable under this subsection during the preceding calendar year, the report shall disclose that the transaction was made and the date it occurred.
7. The identification and amount of each debt exceeding one thousand dollars owed at any time during the preceding calendar year to the local public officer and member of his household in their own names, or to any other person for the use or benefit of the local public officer or any member of his household. The disclosure shall include the identification and amount of each debt exceeding ten thousand dollars to a controlled business or dependent business which was also more than thirty percent

of the total indebtedness to the business at any time during the preceding calendar year. This paragraph shall not be construed to require the disclosure of debts from the ordinary conduct of a business other than a controlled or dependent business. If the local public officer, any member of his household or a controlled or dependent business incurred or discharged a debt which is reportable under this subsection during the preceding year, the report shall disclose that the transaction was made and the date it occurred.

8. The name of each source of any gift, or accumulated gifts from a single source, of more than five hundred dollars received by the local public officer and members of his household in their own names during the preceding calendar year, or by any other person for the use or benefit of the local public officer or any member of his household except gifts received by will or by virtue of intestate succession, or received by way of distribution from any intervivos or testamentary trust established by a spouse or by an ancestor, of gifts received from any other member of the household or relatives to the second degree of consanguinity. Travel-related expenses and political campaign contributions shall not be construed as gifts if otherwise publicly reported as required by law.
 9. A list of all business licenses issued by the City of Willcox, or by any other governmental agency which requires for its issuance the consideration of the application for such license by the city council of the City of Willcox, held by or in which the local public officer or any member of his household had an interest at any time during the preceding calendar year, including the name in which the license was issued, the type of business and its location.
 10. A list of all bonds, together with their value, issued by the City of Willcox, any industrial development authority of the City or any nonprofit corporation organized or authorized by the City held at any time during the preceding calendar year by the local public officer or any member of his household, which bonds issued by a single entity had a value in excess of one thousand dollars. If the local public officer or any member of his household acquired or divested any bonds during the preceding calendar year which are reportable under this paragraph, the fact that the transaction occurred and the date shall also be shown.
 11. The name of each meeting, conference or other event where the local public officer is participating in the public officer's official capacity if travel-related expenses of one thousand dollars or more were incurred on behalf of the local public officer and the travel-related expenses are not paid by the local public officer.
- B. If an amount or value is required to be reported pursuant to this section, it is sufficient to report whether the amount or value of the equity interest falls within:
1. Category 1, one thousand dollars to twenty-five thousand dollars.
 2. Category 2, more than twenty-five thousand dollars to one hundred thousand dollars.

3. Category 3, more than one hundred thousand dollars.

- C. This section does not require the disclosure of any information that is privileged by law.
- D. The statement required to be filed pursuant to subsection A shall be filed by all persons who qualified as local public officers at any time during the preceding calendar year on or before January 31 of each year, with the exceptions that a local public officer appointed to fill a vacancy shall, within sixty days following his taking of such office, file a financial disclosure statement covering as his annual period the twelve month period ending with the last full month prior to the date of his taking office, and a local public officer whose final term expires less than thirty-one days into the immediately following calendar year may file the local public officer's final financial disclosure at the same time as the disclosure for the last immediately preceding year.
- E. The City Clerk shall prepare written guidelines, forms and samples for completing the financial disclosure statement required by this section. A copy of the guidelines, forms and samples shall be distributed to each local public officer and shall be made available to each candidate required to file a financial disclosure statement pursuant to Section 3 of this resolution.
- F. Any statements that are required to be filed by a local public officer pursuant to this ordinance/resolution adopted pursuant to A.R.S. § 38-545 may be filed in an electronic format as prescribed by the secretary of state.

Section 3. DUTY TO FILE FINANCIAL DISCLOSURE STATEMENT BY CANDIDATE FOR LOCAL PUBLIC OFFICE. A candidate for local public office as specified in Section 1, paragraph 6, shall file a financial disclosure statement covering the preceding twelve month period and containing the information described in Section 2 on a form prescribed by the City Clerk at the time of filing nomination papers.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA, this 15th day of December, 2016.

APPROVED/EXECUTED:

MICHAEL J. LAWS, Mayor

APPROVED AS TO FORM:

ANN P. ROBERTS, City Attorney

ATTEST:

VIRGINIA A. MEFFORD, City Clerk

