

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ HELD ON THIS 15<sup>th</sup> DAY OF DECEMBER 2016**

**CALL TO ORDER** - Mayor Michael Laws called the meeting to order at 6:30 p.m.

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

**PRESENT**

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

**STAFF**

City Manager Ted Soltis  
City Clerk Virginia A. Mefford  
Finance Director Crystal Hadfield

**ABSENT**

Councilmember Robert A. Irvin - Excused.

**PLEDGE OF ALLEGIANCE TO THE FLAG** - Led by Mayor Laws

**DECLARATION ON CONFLICT OF INTEREST** - None

**CALL TO THE PUBLIC** - None

**ADOPTION OF THE AGENDA**

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

**SECONDED:** Councilmember Bowlby seconded the motion.

**MOTION CARRIED**

**APPROVE THE DECEMBER 1, 2016 COUNCIL MEETING MINUTES**

**MOTION:** Councilmember Bowlby made a motion to approve the December 1, 2016 Council meeting minutes.

**SECONDED:** Vice Mayor Rowden seconded the motion.

**MOTION CARRIED**

**CHAMBER OF COMMERCE UPDATE - ALAN BAKER**

Mr. Baker gave an update on the Chamber of Commerce and provided a handout for Council.

**DISCUSSION:** Councilmember Garza asked several questions. Councilmember Johnson asked about the quarterly financial report as he didn't see it in the handout. Mr. Baker apologized for not bringing it. Councilmember Johnson also asked who was on the Economic Development from Council and why more was not being done with the local organizations. Mr. Baker stated that the Chamber is trying to do more with local organizations. Councilmember Johnson asked why bigger chains were not looking to locate here. Mr. Baker stated Willcox's demographics are not suitable for them to come to our City. Vice Mayor Rowden noted that she is on the Economic Development committee which she said is going great and they are working on trying to bring something into our community. Mayor Laws stated a lot of younger people do not relocate here because they want to be closer to a bigger city. Councilmember Lindsey added that some like to be closer to amenities that Willcox does not offer.

**RESOLUTION 2016-20 - A RESOLUTION PRESCRIBING STANDARDS OF FINANCIAL DISCLOSURE FOR LOCAL ELECTED OFFICIALS**

**MOTION:** Councilmember Bowlby made a motion to approve Resolution 2016-20.

**SECONDED:** Vice Mayor Rowden seconded the motion.

**DISCUSSION:** City Clerk Mefford explained the key changes of the financial disclosure for local elected officials.

**MOTION CARRIED**

**RESOLUTION 2016-21 - A RESOLUTION SUPPORTING THE RE-DESIGNATION OF CHIRICAHUA NATIONAL MONUMENT TO CHIRICAHUA NATIONAL PARK**

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 15<sup>th</sup> DAY OF DECEMBER 2016**

**MOTION:** Vice Mayor Rowden made a motion to approve Resolution 2016-21.

**SECONDED:** Councilmember Lindsey seconded the motion.

**DISCUSSION:** Councilmember Lindsey stated that the use of the word "re-designation" does not read well. Councilmember Garza felt that the use of the word "re-designation" was appropriate and that this could be a good thing for our community. Councilmember Johnson asked if this designation would infringe on any landowners. Vice Mayor Rowden stated she researched the issue, and it will only be a name change from National Monument to National Park. She felt it will bring more people to our area if it goes through, and the Council should support the name change.

**MOTION CARRIED**

**CITY MANAGER REPORT**

- He attended the Christmas Parade. He thanked everyone who helped with the event. It was a wonderful event.
- He thanked Mayor Laws, Vice Mayor Rowden, and Councilmember Garza for attending the Newly Elected Training. They indicated it was great training and they learned a lot.
- He provided an update on the Waste Water Treatment Plant (WWTP) and stated the City is getting closer to obtaining the additional three million dollars. He is hoping to have the construction contract ready for approval for the January 19<sup>th</sup> Council meeting.
- He will be submitting a draft of Title 17 to the City Attorney. Once this is reviewed by the City Attorney, it will go to Planning and Zoning for review and then to public hearings before being brought to Council for approval.
- He announced the January 5<sup>th</sup> Council meeting will be cancelled due to the holidays.

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

Councilmember Garza stated she learned valuable information at the Newly Elected Official's Training and networked with other communities. She thanked the City Manager and Chief Rios for the speed detection device that has been setup in the school zone.

Councilmember Bowlby was not able to attend the Christmas parade, but he heard how great it was; he was sorry he missed it. He mentioned Napa won Business of the Year and Jeff Stoddard won Citizen of the Year. He wished he knew a City employee was receiving an award, as he would have attended. He wished everyone a Merry Christmas and Happy New Year. He noted that people could donate money or garland and lights for refurbishing the old Christmas decorations that will be hung on the light poles on Haskell Avenue.

Councilmember Lindsey noted that he enjoyed the Christmas parade and wished everyone Merry Christmas. Councilmember Johnson noted that some citizens expressed safety concerns for the intersection of Arizona Avenue and Rex Allen Drive. He felt the Christmas parade was phenomenal. He mentioned he would like to have a work session for WWTP to get more up to date. He hoped Title 17 gets approved soon. He wished everyone a Merry Christmas and Happy New Year.

Councilmember Lindsey announced ex-Councilmember Nigh has been sick and he is now doing better. He also wished everyone Merry Christmas.

Vice Mayor Rowden stated the Newly Elected Official Training was great. She thanked the City crew for the great work in putting up the lights at Railroad Park. She stated the Christmas parade was a great social event. She was glad to see Ace Hardware is expanding; it looks great. She congratulated Jeff Stoddard for receiving the Citizen of the Year award. She mentioned that Wings Over Willcox (WOW) will be doing more tours and getting more kids involved with the event. She wished everyone a Merry Christmas and a joyous new year. Mayor Laws stated it was a great Christmas parade and he enjoyed it. He congratulated Jeff Stoddard for receiving Citizen of the Year. He attended the Chamber dinner and it was great. He wished everyone a Merry Christmas and Happy New Year.

**ADJOURN**

With no further business before the Mayor and Council, the meeting was adjourned at 7:16 p.m. by Mayor Laws.

**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 15<sup>th</sup> day of December 2016. I further certify that the meeting was duly called and held, and that a quorum was present.

**THE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 15<sup>th</sup> DAY OF DECEMBER 2016**

**Dated this 15<sup>th</sup> day of December 2016**

\_\_\_\_\_  
City Clerk Virginia A. Mefford, CMC

**PASSED, APPROVED AND ADOPTED** this 19<sup>th</sup> day of January 2017.

\_\_\_\_\_  
Mayor Michael J. Laws

**ATTEST:**

\_\_\_\_\_  
City Clerk Crystal L. Hadfield

# Proclamation Tab 2

## *Willcox Historic Theater Recognition Weekend*

*WHEREAS, Historic Preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability, and the Willcox Historic Theater Preservation, Inc. is an important part of Historic Preservation in Willcox; and*

*WHEREAS, Willcox Historic Theater Preservation, Inc. is relevant for our community and other rural communities of all ages, all walks of life and all ethnic backgrounds; and*

*WHEREAS, the Willcox Historic Theater Preservation, Inc. has been an important part of the community since 1937 when it first opened with "The Gorgeous Hussy" starring Joan Crawford and Robert Taylor; and*

*WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and*

*WHEREAS, the Willcox Historic Theater by these means enhances quality of life in the community, contributing to the vitality of the Railroad Avenue Historic District and helping to make Willcox an attractive community,*

*NOW THEREFORE, I Michael J. Laws, Mayor of the City of Willcox, do hereby proclaim the first weekend of February as WILLCOX HISTORIC THEATER RECOGNITION WEEKEND. I encourage all residents to join me in celebrating the renovation of this wonderful Art Deco Theater and all that it brings to the community.*

*Dated this 19<sup>th</sup> day of January, 2017*

\_\_\_\_\_  
*Mayor, Michael J. Laws*

*Attest:* \_\_\_\_\_

*City Clerk, Crystal L. Hadfield*

CITY OF WILLCOX  
Request for Council Action

Agenda Item: 11  
Tab Number: 3

**Meeting Date:**  
January 19, 2017

**Action:**  
 Resolution  
 Ordinance  
 Other

**Subject:**  
AMRRP Policy Renewal

**To:** Mayor and City Council

**From:** Finance Director/City Clerk Crystal Hadfield

**Discussion:** The City participates in the Arizona Municipal Risk Retention Pool (AMRRP or the Pool) for liability and worker's compensation coverage. The liability and excess coverage policies are renewed on a calendar year basis, from January 1<sup>st</sup> to December 31<sup>st</sup>.

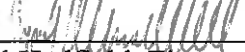
The liability policy includes coverage for property, equipment, valuable papers, general liability, personal/advertising injury, damage to premises rented to City, medical expense, professional liability, and auto liability and physical damage. A copy of the Rated Premium Breakdown is attached, with a total premium of \$140,336.00. After a complete evaluation of inventory with deletions and additions, our premium will slightly increase by \$1,723.00 from last calendar year.

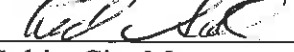
The Municipal Excess Liability coverage includes up to \$3,000,000 in the aggregate and for each wrongful act, as well as other underlying coverage as listed in the attached Appendix A. The coverage date is retroactive to January 1, 1998. The cost of the excess liability coverage is \$11,849.00.

Mr. Ed Bantel from Southwest Risk, the AMRRP administrative agency, will be at the meeting to present information about the policies and the coverage.

**Recommendation:** Motion to approve the Arizona Municipal Risk Retention Pool Liability policy No. AM40132017, and the Excess Liability Declarations policy No. AE40132017 as presented.

**Fiscal Impact:** \$152,185.00

**Submitted by:**   
Crystal Hadfield, Finance Director/City Clerk

**Approved by:**   
Ted Soltis, City Manager

# Rated Premium Breakdown

Date: 01/09/2017  
Policy:AM40132017

Coverage Period: 01/01/2017 - 01/01/2018

Insured: WILLCOX, CITY OF

<u>COVERAGE</u>	<u>PREMIUM</u>
<b>PROPERTY</b> \$ 13,086,382	<u>\$ 25,534.00</u>
<b>INLAND MARINE</b>	
\$ 944,429 CONTRACTORS EQUIPMENT \$1000 DE	\$ 2,473.00
\$ 116,262 MISCELLANEOUS EQUIPMENT \$250 D	\$ 463.00
\$ 50,000 VALUABLE PAPERS \$1000 DEDUCTIB	\$ 30.00
\$ 65,000 EDP EQUIPMENT EXCLUDES BREAKDO	\$ 302.00
<b>GENERAL LIABILITY</b>	
\$ 2,000,000 GENERAL AGGREGATE	\$ 72,383.00
\$ PRODUCTS/COMPLETED OPERATIONS AGGREGATE	
\$ PERSONAL/ADVERTISING INJURY	
\$ 2,000,000 EACH OCCURRENCE	
\$ DAMAGE TO PREMISES RENTED TO YOU	
\$ MEDICAL EXPENSE	
<b>PROFESSIONAL LIABILITY</b>	
\$ 2,000,000 AGGREGATE	\$ 15,266.00
\$ 2,000,000 EACH CLAIM	
<b>AUTO LIABILITY &amp; PHYSICAL DAMAGE</b>	
\$ 2,000,000 COMBINED SINGLE	\$ 19,705.00
\$ 50,000 UNINSURED MOTORIST/UNDERINSURED MOTORIST	
<b>CRIME</b>	\$ 2,325.00
<b>EQUIPMENT BREAKDOWN</b>	\$ 1,855.00
<b><u>TOTAL PREMIUM</u></b>	<u>\$ 140,336.00</u>



**ARIZONA MUNICIPAL RISK RETENTION POOL  
MUNICIPAL EXCESS LIABILITY COVERAGE AGREEMENT**

**DECLARATIONS**

Agreement#AE40132017

Replaces Agreement #AE40132016

THIS DECLARATIONS PAGE AND THE ATTACHED MUNICIPAL EXCESS LIABILITY COVERAGE AGREEMENT COMPLETE THIS COVERAGE PART.

Item I. "Named Member" and Principal Address:

**WILLCOX, CITY OF  
101 S RAILROAD AVE SUITE B  
WILLCOX, AZ 85643**

Item II.

This Agreement takes effect at 12:01 A.M., 01/01/2017, and expires at 12:01 A.M., 01/01/2018.

These effective and expiration times are based upon the local times at the principal address of the Named Member stated in Item I above.

IN RETURN FOR THE PAYMENT OF MEMBERSHIP FEES, THE POOL AGREES TO PROVIDE MEMBER WITH THE FOLLOWING COVERAGES FOR WHICH A MEMBERSHIP FEE IS SHOWN SUBJECT TO ALL THE TERMS AND CONDITIONS OF THE POOL'S INTERGOVERNMENTAL AGREEMENT AND THE APPLICABLE COVERAGE AGREEMENTS AND ENDORSEMENTS:

**SCHEDULE**

Description	Limit of Liability
Aggregate	\$ <u>3,000,000</u>

MUNICIPALITY

Item III. Description of Member:

Item IV. ENDORSEMENTS:

AZXSC (7-16)

Item V. "Excess Retroactive Date":

01/01/1988

Item VI. Schedule of "Underlying Coverage"

**Excess coverage applies only to coverage's for which underlying Limits of Coverage are shown.**

Underlying Municipal Liability Coverage and Municipal Auto Liability Coverage provided by:

Underlying Carrier	Arizona Municipal Risk Retention Pool
Coverage Agreement Number	AM40132016
Rating Period	From: 01/01/17 To: 01/01/18
Aggregate	\$6,000,000
Municipal Liability Products – Completed Operations Aggregate Limit	\$ 2,000,000
Municipal Liability Each Wrongful Act Limit	\$ 2,000,000
Municipal Liability Retroactive Date	
Municipal Auto Liability Each Accident Limit	\$ 2,000,000

Underlying Employers Liability Coverage provided by:

Underlying Carrier	Arizona Municipal Risk Retention Pool
Coverage Agreement or Policy Number	AZWC012220
Rating Period or Policy Period	From: 07/01/16 To: 07/01/17
Bodily Injury By Accident Limit	\$ 1,000,000
Bodily Injury By Disease – Each Employee Limit	\$ 1,000,000
Bodily Injury By Disease – Policy Limit	\$ 1,000,000

**MEMBERSHIP FEE:**

**\$ 11,849.00**



Item 12  
Tab 4



9633 South 48th Street, Suite 290  
Phoenix, AZ 85044-5658  
480-893-8860 | 480-893-8968 Fax  
Wilson-Engineers.com

November 8, 2016

Mr. Galovale "Nalo" Galovale, P.E.  
Public Works Director, City of Willcox  
250 N. Railroad Avenue  
Willcox, Arizona 85643

Re: Contract Award Recommendation for City of Willcox WWTP

Dear Mr. Galovale,

At the bid opening on October 28, 2016, six bids were received for the above referenced project. The bids ranged from \$ 13,175,000 to \$ 16,129,470. PCL CONSTRUCTION INC. from Tempe, AZ submitted the lowest bid in the amount of \$ 13,175,000. See below for bid comparisons.

No.	Bidders	From	Bid Amount
1	PCL Construction Inc.	Tempe, AZ	\$ 13,175,000
2	Ashton Construction Co.	Tucson, AZ	\$ 13,907,390
3	Jonovich Construction	Globe, AZ	\$ 14,914,000
4	Mortenson Construction	Chandler, AZ	\$ 15,707,752
5	Smithco Construction Inc.	Caballo, NM	\$ 15,785,000
6	Meridian Engineering Co.	Tucson, AZ	\$ 16,129,470

We reviewed the bid package provided by PCL CONSTRUCTION INC. against the EJCDC requirements and found their bids to be complete. Based on the information provided and our review, we can confirm that PCL CONSTRUCTION INC. has bid per plans, specifications, and addendums. See below for bid items provided by them as part of their bid package.

No.	Bid Items	PCL Construction Inc. Lump Sum Bid Price
1	Bid Item No. 1 – "General Requirements"	\$ 500,000
2	Bid Item No. 2 – "Site Work"	\$ 1,900,000
3	Bid Item No. 3 – "Yard Piping"	\$ 1,200,000
4	Bid Item No. 4 – "O&M Building"	\$ 600,000
5	Bid Item No. 5 – "Blower/Electrical Building"	\$ 250,000
6	Bid Item No. 6 – "Screening and Influent Pump Station"	\$ 1,100,000
7	Bid Item No. 7 – "Oxidation Ditch Flow Control Structure"	\$ 40,000
8	Bid Item No. 8 – "Oxidation Ditches"	\$ 1,120,000



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9	Bid Item No. 9 – “Clarifier Flow Control Structure”	\$	25,000
10	Bid Item No. 10 – “Secondary Clarifiers”	\$	800,000
11	Bid Item No. 11 – “Filter System”	\$	400,000
12	Bid Item No. 12 – “Chemical Feed Facility”	\$	200,000
13	Bid Item No. 13 – “Effluent and Non-Potable Water Pump Station”	\$	500,000
14	Bid Item No. 14 – “Scum Pump Stations”	\$	50,000
15	Bid Item No. 15 – “RAS/WAS Pump Station”	\$	250,000
16	Bid Item No. 16 – “Septage Receiving Station”	\$	400,000
17	Bid Item No. 17 – “Sludge Holding”	\$	120,000
18	Bid Item No. 18 – “Sludge Pump Station”	\$	100,000
19	Bid Item No. 19 – “Dewatering Area”	\$	750,000
20	Bid Item No. 20 – “Blower Equipment”	\$	100,000
21	Bid Item No. 21 – “Electrical Service”	\$	100,000
22	Bid Item No. 22 – “Secondary Electrical”	\$	2,040,000
23	Bid Item No. 23 – “Standby Power”	\$	160,000
24	Bid Item No. 24 – “Performance Testing”	\$	100,000
25	Bid Item No. 25 – “Rammed Aggregate Pier Foundation Systems”	\$	110,000
26	Bid Item No. 26 – “Clarifier Drain Pump Station”	\$	60,000
27	Bid Item No. 27 – “Miscellaneous work items”	\$	100,000
28	Bid Item No. 28 – “Lagoon #2 Closure Assistance Allowance”	\$	100,000
	<b>Total of All Lump Sums</b>	<b>\$</b>	<b>13,175,000</b>

In addition, we have worked with PCL CONSTRUCTION INC. on multiple projects of similar type and capacity and found their work to be exemplary. They have experience and expertise to plan and construct wastewater treatment plants and they work well as a team with the Owner and the Engineer. Therefore, based on our review of their bid package and our experience working with them on similar projects, we recommend that the City award the contract to the lowest bidder (PCL CONSTRUCTION INC.) in the amount of \$13,175,000. Thank you for the opportunity and we look forward to the successful completion of the project with you.

Sincerely,

Srikanth Yamani, P.E.

Wilson Engineers

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

**RESOLUTION 2017-01**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, APPROVING PCL CONSTRUCTION, INC. FOR RECONSTRUCTION OF THE WASTEWATER TREATMENT FACILITIES**

**WHEREAS**, the Arizona Department of Environmental Quality has mandated a renovation of the City's waste water treatment facilities to meet State and Federal Environmental Protection Agency laws; and

**WHEREAS**, the City requires the services of a qualified contractor for the reconstruction and improvement of the existing waste water treatment facilities; and

**WHEREAS**, PCL Construction, Inc. submitted the lowest bid from among six bidders; and

**WHEREAS**, Wilson Engineers reviewed the bid package and recommends the City award the contract to PCL Construction, Inc.

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

**SECTION 1:** PCL Construction, Inc. is approved for the provision of construction services in the amount of \$13,175,000.

**SECTION 2:** The Mayor is authorized and empowered to execute this Resolution.

**SECTION 3:** The City Manager is authorized and directed to take all action necessary and required to carry out the intent of this Resolution.

**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA, this 19<sup>th</sup> day of January, 2017.**

**APPROVED/EXECUTED:**

\_\_\_\_\_  
**MICHAEL J. LAWS, Mayor**

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
**CRYSTAL L. HADFIELD, City Clerk**

\_\_\_\_\_  
**ANN P. ROBERTS, City Attorney**