

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 8TH DAY OF SEPTEMBER, 2009**

CALL TO ORDER-Mayor Gerald W. Lindsey called the special meeting to order on Tuesday, September 8, 2009 at 7:00 p.m.

ROLL CALL –Mayor Lindsey welcomed all present and announced that all the Council members are present except for Vice Mayor Schultz.

PRESENT

Mayor Gerald W. Lindsey
Councilman Elwood Johnson
Councilman Jimmy Norris
Councilwoman Monika Cronberg
Councilman Stephen Klump
Councilman Christopher Donahue

STAFF

Public Safety Director Jake Weaver
City Attorney Hector Figueroa
City Clerk Cristina G. Whelan, CMC
Library Director Tom Miner
Finance Director Ruth Graham
Public Services & Works Director Dave Bonner
Building Inspector Jeff Stoddard

ABSENT

Vice Mayor Larry Schultz

PLEDGE OF ALLEGIANCE TO THE FLAG-Mayor Lindsey.

CALL TO THE PUBLIC- Delcie Schultz expressed her concern about the new playground equipment scheduled to be installed in Railroad Park. She said that each day at the park there are 5-6 transients sleeping or hanging out. Ms. Schultz said that tourists do not go over there because of them and she is concerned that we are going to have children present.

Phil Stratton addressed the Mayor and Council and said he has not heard any word on Senior Center being established. He is here again to remind the Council that he's been talking about this for three months and thinks that is ample time for action. Mr. Stratton urged the Mayor and Council to "expedite whatever it is that you are doing and get a Senior Center established."

Mr. Stratton also said that he had to leave the last meeting before the agenda item on the renewal of the City's lease with the Department of Public Safety, but he wanted to comment on the issue of utilities. He said the City has more money than he thought they did. The City covers for DPS from midnight to about 6:00 a.m. each day without any reimbursement. The City provides them a place to stay and utilities, at least water and trash at a minimal cost. When our officers are covering for DPS without reimbursement the pluses are that they get to practice high speed chases on the freeway and increase crime stats. The drawback is wear and tear on vehicles the City maintains, gas, and depreciation. Mr. Stratton said he would not be surprised if the Chief started to ask for new vehicles. Mr. Stratton is sure the Mayor and Council understands more about it than he does. When he was on the Council, he was named a champion of the taxpayer because he watched the little stuff. It is the little stuff that sets a bad example. Mr. Stratton thanked the Mayor and Council.

DECLARATION ON CONFLICT OF INTEREST-There was no response from the Mayor and City Council or staff.

ADOPTION OF THE AGENDA

MOTION: Councilwoman Cronberg moved to adopt the agenda with removal of #7, the Public Hearing on Liquor License for Saxon Steakhouse, and #9 its discussion/decision, and to adopt the remainder of the agenda as presented. **DISCUSSION:** Mayor Lindsey asked if we had been advised to remove this item and Councilwoman Cronberg replied Mrs. Debra Atwood contacted her today and requested its removal. Chief Jake Weaver added that staff was also advised this afternoon that Ms. Atwood had asked to remove the items from the agenda. **CARRIED.**

PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

Public Hearings: Mayor Lindsey announced that the Mayor and Council will hold (2) public hearings on Monday, September 21, 2009 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive regarding the following:

- (1) The proposed increase In Wastewater System Rates and Charges; and
- (2) Application for Bingo License by the Rex Allen Museum at the Rex Allen Theater, 130 N. Railroad Avenue.

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 8TH DAY OF SEPTEMBER, 2009**

All members of the public are invited to attend. For those persons wishing to comment and are unable to attend written comments will be accepted in the Office of the City Clerk until 4:00 p.m. the day of the public hearing.

DISCUSSION/DECISION REGARDING THE REGULAR MEETING MINUTES HELD ON AUGUST 17, 2009

MOTION: Councilman Johnson moved to approve the regular meeting minutes held on August 17, 2009, as presented.

SECONDED: Councilwoman Cronberg and Councilman Klump seconded the motion. **CARRIED.**

DISCUSSION/DECISION REGARDING APPLICATION FOR EXTENSION OF PREMISES/PATIO PERMIT AS REQUESTED BY GLADYS ELOISE OLSEN, SALSA FIESTA, 1201 W. REX ALLEN DRIVE, FROM SEPTEMBER 27, 2009 TO OCTOBER 11, 2009

MOTION: Councilman Johnson moved to approve the request for Application for Extension of Premises/Patio Permit requested by Ms. Olsen, Salsa Fiesta, from September 27, to October 11, 2009.

SECONDED: Councilman Norris seconded the motion. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-53 APPROVING AND ADOPTING THIS ENACTMENT RESOLUTION AND THE ATTACHED MEMORANDUM DOCUMENT FOR SUBMISSION TO THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE PURPOSE OF OBTAINING PRE-CLEARANCE TO CHANGE POLLING PLACE FOR ALL CITY ELECTIONS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to approve Resolution No. 2009-53, as stated, relating to submission to DOJ for the purpose of obtaining pre-clearance to change polling place for all City Elections.

SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Chief Weaver explained in the packets is a letter requesting the Department of Justice to move the election for March 2010 to the City Council Chambers as opposed to the Cochise County Service Center. Mayor Lindsey said the location has changed several times over the years and this will give us a permanent home for our City elections. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-54 APPROVING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE ARIZONA DEPARTMENT OF TRANSPORTATION ["LTAF II"] FOR THE PURPOSE OF FUNDING LOCAL TRANSPORTATION SERVICES, AUTHORIZING AND DIRECTING CITY STAFF TO SUBMIT SAID APPLICATION AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to approve Resolution No. 2009-54, as stated, relating to Submission of an Application to LTAF II for the purpose of funding Local Transportation Services.

SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Mayor Lindsey stated that these funds were previously divided three ways and distributed to public transportation providers in our community. One of those entities has dropped out. The funds will help us to maintain public transportation in our community. Paul Sheats asked if this is a taxi service. The Mayor explained it is for the needs of community and basically what Catholic Community Services (CCS) was doing in the past. Councilwoman Cronberg added it is also transportation funding for the Hospital (NCCH) and the Schools (WUSD). Councilman Johnson said CCS, the School and NCCH provide transportation services. NCCH uses a van to take disabled or elderly to the grocery store or doctor appointments. CCS does not have funds to operate the van and the LTAF II will be divided between the other two entities. Councilman Norris asked if other entity wants to do they still have time to apply? Chief Weaver explained there are two (2) equal parts for NCCH and WUSD and CCS was the third. CCS has backed out and the City will apply for funds if approved by Mayor and Council tonight and WUSD and NCCH will also apply to get that money from the City. Mr. Sheats asked if someone has talked to hospital people because they are calling him to come and pick up someone to take them home. He gets calls at all hours and does it and wants to make sure if they get money to be sure the Hospital are using it based on his number of phone calls. Finance Director Ruth Graham explained primarily the Hospital use is for the Nursing Home. Councilwoman Cronberg stated its not very much money and this submission happens every year and we have to apply for the funding. Mr. Sheats said SEABHS has a van and maybe they can do some service, too. Councilman Norris again stated if someone else wants to apply there is still opportunity to do that. Chief Weaver stated there are two (2) entities that we know of and there is the possibility of a third. City Attorney Hector Figueroa asked for point of order. Mayor Lindsey said at this time the City is applying for the grant funds. **CARRIED.**

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 8TH DAY OF SEPTEMBER, 2009**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-55 APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WILLCOX [CITY] AND THE WILLCOX UNIFIED SCHOOL DISTRICT #13 [SCHOOL] FOR THE PURPOSE OF IMPLEMENTING A SCHOOL SAFETY PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE IGA AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilman Johnson moved to approve Resolution No. 2009-55, as stated related to the IGA between the City and School for the purpose of implementing a School Safety Program.

SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Councilman Johnson said he reviewed the budget and found only SRO \$55,502 and breakdown was not seen and asked if it is under Patrol. Finance Director Ms. Graham explained that the wages and benefits are under Patrol, and that amount is reduced by the contribution from the School. Councilman Johnson asked if it was budgeted for \$50,000 and Ms. Graham replied for all items less School portion of \$33,000. Councilman Johnson said if we budgeted \$74,000 and School will pay \$33,000 the difference he did not see that under Grant Revenues. Ms. Graham explained that on page 96 of the budget grant revenues of \$33,263 appear in account 16-33-40100. Councilman Johnson stated the SRO is a big plus for the School and our youth to have officer there. Councilman Norris asked how the SRO salary of \$74,000 compared to Patrol. Chief Weaver replied the salary alone is \$40,000 which is higher than a starting Patrol Officer although this officer has over 20 years experience in SRO. Councilwoman Cronberg stated given the responsibility to the school and extra activities that officer covers and she does not receive extra compensation beyond regular school hours. Chief Weaver also stated she does not get overtime and works school hours, extra activities, and provides security for staff and students. Councilman Norris stated he would like the School to pay for half of it and thinks they should stand on their own feet. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-56 APPROVING AND AUTHORIZING THE FILING OF THE LONG-TERM LGIP ACCOUNT APPLICATIONS NECESSARY TO PARTICIPATE IN INVESTMENT POOL 500 AND POOL 700 IN THE LOCAL GOVERNMENT INVESTMENT POOL ("LGIP"); DESIGNATING INDIVIDUALS AUTHORIZED FOR DEPOSITS, WITHDRAWALS AND TRANSFERS; AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

Finance Director Graham explained this Pool is offered by State Treasurer and we do not often make withdrawals. The short-term government pool earnings are less than 0.2%, and we anticipate that earnings in the long-term government pool will be more than 3%. With this change, the City will add additional investment options.

MOTION: Councilman Johnson moved to approve Resolution No. 2009-56, as stated, relating to the LGIP participation in the Investment Pool 500 and Pool 700 and designating individuals authorized to execute.

SECONDED: Councilman Klump seconded the motion. **DISCUSSION:** Councilman Norris asked Ms. Graham what she felt was the risk. Ms. Graham replied she anticipates staying in Pool 700, the government investment pool. **CARRIED.**

DISCUSSION/DECISION REGARDING WELL PROJECT UPDATE ON CHANGE ORDER #9 AND APPROVE CHANGE ORDER #10

Public Services & Works Director Dave Bonner reported on the Well Project on the Change Order #9. They found that after Change Order #9 was approved several months ago there were problems with the estimate and what money was available. Mr. Bonner has gone back and talked with Contractor. They showed we had enough money and we originally asked questions. Now off about \$25,000. The contractor is going to absorb those costs and we will get the same amount of work as originally proposed with a lower cost.

For Change Order #10 Mr. Bonner explained that it is something that will enhance Well #1, and will help if we have to operate our Well System without reservoir to maintain our water level in case of an emergency problem or contamination. That is primarily reason asking for \$12,000. According to the Sulphur Springs Valley Electric Company, the variable frequency drive will use less energy to pump water and will save money. Mayor Lindsey asked if it has electronic control and Mr. Bonner said yes. He also said that the housing cabinet will have to be air conditioned. Councilman Johnson asked if there are any studies on long term savings. Mr. Bonner explained he is working with Telly Sanger at SSVEC on that. Councilman Johnson asked if Change Order #10 is a "want or a need." Mr. Bonner replied we want it and we will see long term benefits. Councilman Johnson asked about how much the costs might change if the controls were added next year since it is not budgeted. Mr. Bonner replied he does not have those costs right now. The planned controls cost \$3,000, and the additional changes will add another \$12,000. If done later on we have to remove the standard controls aside and use those for backup. Mayor Lindsey stated the net difference is \$9,000

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 8TH DAY OF SEPTEMBER, 2009**

and Mr. Bonner said it is \$12,000 because we will still need the \$3,000 in budget as well as the \$12,000. Councilman Johnson asked where the monies are coming from and Mr. Bonner explained Capital Improvements. Councilman Johnson said what are we removing? Mr. Bonner replied the extension of water line. We do not anticipate doing that and have monies there. Councilman Norris asked if he has talked with anyone that has used this technology and Mr. Bonner said SSVEC and the people that did the seminar. Mayor Lindsey said theory being in times of low usage the Well is running on lesser RPM's and less horsepower and saving electricity. Mr. Bonner stated that in his former life he dealt with Variable Frequency and learned that they save energy. Potential to save is based on studies from SSVEC. and we will save on pumping costs in the winter time during times of low water usage. In the summer we are pumping 17 hours a day. Councilman Norris asked how long will it take to pay for this and Mr. Bonner said he does not have the calculations on that. Councilman Norris then asked if checked with more businesses about the cost and Mr. Bonner said Smyth Construction working on this and he did not do any other bidding. Mayor Lindsey stated if we postponed doing it then it would be at a higher cost and asked any wasted material. Mr. Bonner said if we later take out original controls and retained them for our use, maybe for Well #2, we would have the cost of two sets of controls. The cabinet as planned does not require air conditioner. The air conditioner cost for the variable speed control unit is included in the \$12,000. Councilwoman Cronberg asked what the cost would be to wait about a year from now and Mr. Bonner replied in a year we would have to go out for bids or quotes. Councilman Norris stated he wants to check with other vendors about the cost of the controls.

MOTION: Councilwoman Cronberg moved to approve the Well Project Update on Change Order #9 as presented and wait on decision on Change Order #10 until more information is received.

SECONDED: Councilman Donahue seconded the motion. **DISCUSSION:** Councilman Klump asked Mr. Bonner to get an estimate of cost savings from Mr. Stanger at SSVEC. Mr. Bonner replied he will ask for usages in the winter time along with other estimates. Mayor Lindsey wants to see someone talk to others using the equipment in a pumping situation. The Mayor asked Mr. Jim Graham what he knows about the new technology on variable frequency that is being used on farms. Mr. Graham said it seems that there would be energy cost savings and it seems like a practical thing for a City to look at. Councilwoman Cronberg said she wants more information than a guess. Councilman Norris said he remembers they were told we had an adequate water supply and Mr. Bonner said that is correct but we're not able to run the pump continuously. With the variable frequency controls we can turn off or reduce the pumping rate as needed and maintain the pressure we set. In town the pressure is at about 65-75 PSI and up at the well it is at about 45 PSI. **CARRIED.**

DISCUSSION/DECISION REGARDING THE APPROVAL OF WORK COMPLETED BY VALLEY TELECOM ON THE PUBLIC SAFETY COMPLEX.

Mr. Bonner explained that Valley Telecom is just getting around to billing us for work done in January to complete this building. One bill has to do with putting in the phone and data drops and we got quote for that. He thought the cost was quoted at \$100 each and it was billed at \$136. The next part was work that had to be done during the actual move. They made the transition for us for about \$17,553. Councilman Johnson asked if the work included in the new buildings and the Library, and Mr. Bonner replied that it integrated communications for all the buildings, including Public Works, Library, City Hall, these two buildings and the fire stations. Councilman Johnson asked if the source of the funds was from the bonds issued for the project, and Mr. Bonner replied that a portion of the expenses are directly for this building and will come from the bond funds. Staff did not budget for all the cost and recommends that funding be taken out of Public Works Administration and Building budgets. Councilman Johnson asked where and Mr. Bonner replied from Contract Services and Contingency. Councilman Johnson asked what is bond remaining and Finance Director Graham said she does not have that information with her tonight. Mr. Bonner thinks the move costs were budgeted at \$60,000-\$70,000 but does not remember the exact amount. Mayor Lindsey has problem with numbers to correlate and asked for additional clarification. City Attorney Figueroa asked if we accepted bid amount on additional work on the initial bid or quote process and did we accept a change in work order. Mr. Bonner replied we did not have change order and did know drops were going to go up. Councilman Johnson asked if that was part of the original bid and Mr. Bonner said original bid was \$100 per drop. We did not have a change order on the additional \$36. Mayor Lindsey asked if the \$14,934.70 charge to Public Safety and \$16,799.76 would be charged to other departments and Mr. Bonner replied in the affirmative. Councilman Johnson stated then the amount comes out to about \$23,000 more and Mr. Bonner explained other work not bid because we needed Valley Telecom, our service provider, to integrate all our systems. Mr. Figueroa said the Mayor and Council policy is that if the bid is less than \$10,000 the City Manager and staff are allowed to proceed. Anything over \$10,000, including change orders, requires Council approval. That requires a Resolution and we need to look at this and set the example. Mayor Lindsey not sure what we can do to go back after the fact and guesses have to move forward. Mr. Figueroa said work has been done and City

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 8TH DAY OF SEPTEMBER, 2009**

could be sued for unjust enrichment. Provider has provided and City has to be responsible to pay that benefit. If done properly with line of questions this will serve as learning tool and it is his duty as Legal Counsel to inform that Council of that. Mayor Lindsey said he appreciates his comments

MOTION: Councilman Klump moved to approve the work completed by VTC on the Public Safety Complex.

SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Councilwoman Cronberg requested clarification where funds are coming from. Mr. Bonner replied \$14,934 from Public Safety Bond, \$16,799 from Buildings and Grounds from Public Works Contract Services and Contingency Fund as well. Councilman Johnson stated in the future he asked staff to do due diligence so that it does not happen again. **CARRIED.**

DISCUSSION/DECISION REGARDING REQUEST FOR APPROVAL FOR FREMONT STREET PROJECT: VALLEY GUTTERS, COLD MIX OVERLAY AND DOUBLE CHIP SEAL

Mr. Bonner reported this item is presented tonight because Fremont is heavily traveled and it has deteriorated. It was slated to come up next on major work schedule but we do not have the funds. Streets has a proposed plan to use cold patch and double chip seal at an effective cost and the road will be more pleasant and better to travel on. This method has been used on other streets. Bids were solicited from three Contractors, but we only received one back for valley gutters needed for drainage at \$16,200. They also plan to put in ADA compliant sidewalks in the future. Mayor Lindsey asked if the gutters we have presently will not work and Mr. Bonner replied they have sunken and need to be torn out, stabilized and plan an apron triangle that goes back to the radius of the curb. Also staff is going to take on the entrances to the 4-6 alleyways because they have broken down due to the heavy traffic. Monies will be taken from Streets Capital Projects to do concrete then come back to do the other as scheduled. Councilman Klump stated if we wait too long it would be too cold and Mr. Bonner explained we can do cold patch but not double chip seal if work goes past October. Due to savings from other projects on oil costs we are able to do this project.

MOTION: Councilman Norris moved to approve the approval for the Fremont Street Project: Valley Gutters, Cold Mix Overlay and Double Chip Seal.

SECONDED: Councilman Johnson seconded the motion. **DISCUSSION:** Councilman Norris stated even though it could be an inconvenience during Rex Allen Days he wants staff to get it started and get it done. Mr. Bonner stated he will talk with Arnold Arvizu to get it done before cold season. **CARRIED.**

REPORTS BY THE CITY MANAGER PAT McCOURT (CHIEF WEAVER REPORTING)

Consideration, discussion and/or decision regarding the following topics by the City Manager (Chief Weaver Acting City Manager reporting):

- **Report on Globe File Cabinet-**City Manager McCourt reported it has been received and invites the Mayor and Council and the public to come see it! The Cabinet is located in the foyer of City Hall-Depot.
- **Report on Unaudited Financial Statements at June 30, 2009, as presented at the August 17, 2009 Council meeting-** Finance Director Ruth Graham reported that at the last meeting Councilman Johnson asked for clarification of the change in revenues and expenses from the June 30th projection to the August 17th report on the Fiscal Year Ended June 30, 2009. Ms. Graham stated the City does not yet have its audit completed and there may be additional adjustments. Discussion was held by staff, Councilman Johnson and City Attorney regarding Financial Reports, privacy of businesses, and the City's IGA with the Department of Revenue for transaction privilege tax collections.

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

Mayor Lindsey commended those that had a part in the League of Arizona Cities and Towns Annual Conference held this past week. Thinks everyone there learned something along the line. There are still many uncertainties because the State budget has not yet been passed. The Mayor extended a special thank you to Councilman Johnson and Vice Mayor Schultz for their efforts to prepare for the City's booth at the Festival of Cities and Towns. He heard that the booth from Willcox was probably the best one there. All those present worked in the booth and participated and Councilman Johnson and the Vice Mayor did a lot of the work and happenings to make it a success.

Councilman Johnson thanked several businesses and individuals on behalf of the City Council for their contributions to the City's booth at the League conference (HB Cattle and Land Co, for there pecans and chilies; Lee Farms for their pecans (Paul Lee) Jimmy Cook for their pistachios; Coronado Vineyard their wine and glasses; Keeling-Schaffer their wine and glasses; Eurofresh for their tomatoes and cucumber variety boxes; Apple Annie's their apples and pears; Rex Allen museum their pins pamphlets and stuff; Marty Robbins Museum their pins and pamphlets; Chamber of commerce their back drop, pictures and pamphlets).

**THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ
HELD ON THIS 8TH DAY OF SEPTEMBER, 2009**

Their donations gave the Council an opportunity to give the donated items out in the booth to promote Willcox. It was a huge success and a certificate of appreciation should be sent to each of those that donated. Councilman Johnson also said that every City and Town talked about their budget woes and what they were cutting. He thinks Willcox is a year behind and wants Mayor and Council to put together a work session to go over the information they gathered and come up with a plan for the months to come.

Councilwoman Cronberg stated she appreciated the opportunity to attend the conference and learned a lot. Also agrees the Showcase Booth was a huge success because of all those that contributed. At times the lines were very long and people came back several times. A lot of people did not have any clue what we have here in little Willcox, and it was a lot of fun to be able to promote Willcox.

Councilman Donahue said that he was unable to attend because some of us had to stay back and continue working on economic goals (laughter). He said to Mr. Sheats that he needs to call SEAGO who administers the funding for the program he asked about, and they will answer his questions.

Councilman Norris stated he was unable to attend the League Conference.

Councilman Klump said he appreciates the work Mr. Bonner and his staff are doing to find alternative ways to fix these streets and appreciates their efforts to find a way to get it done early.

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the special meeting at 8:29 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 8th day of September, 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 15th day of September, 2009

City Clerk Cristina G. Whelan, CMC

PASSED, APPROVED AND ADOPTED this _____ day of September, 2009.

MAYOR GERALD W. LINDSEY

ATTEST:

City Clerk Cristina G. Whelan, CMC