

**CITY OF WILLCOX
MAYOR AND CITY COUNCIL MEETING
*REVISED!**

AGENDA

Monday, September 21, 2009

7:00 p.m.

City Council Chambers

**NOTE NEW LOCATION: 300 W. Rex Allen Drive
Willcox, AZ**

(Mayor or Designee will read only **BOLD** print of each agenda item,
except for Public Hearings, Petitions and Communications.)

**Resolution No. 2009-59
Ordinance NS298**

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. CALL TO THE PUBLIC

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

5. DECLARATION ON CONFLICT OF INTEREST

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

6. ADOPTION OF THE AGENDA

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

7. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

Proclamation: The Mayor will read and proclaim: (1) October is **DOMESTIC VIOLENCE AWARENESS MONTH** Tab 1
And presentation; and
(2) October is **ALPHA DELTA KAPPA MONTH**.

Public Hearings: The Mayor and Council will hold 2-public hearings at the regular meeting on Monday, September 21, 2009 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive on:

- (1) The proposed increase In Wastewater System Rates and Charges; and **Tab 2**
- (2) Application for Bingo License by the Rex Allen Museum at the Rex Allen Theater, 130 N. Railroad Avenue. **Tab 3**

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.

8. **DISCUSSION/DECISION REGARDING THE SPECIAL MEETING MINUTES HELD ON SEPTEMBER 8, 2009** Tab 4
Consideration, discussion and/or decision regarding special meeting minutes held on September 8, 2009.
9. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-57 APPROVING AND ADOPTING THE INCREASED RATES AND CHARGES DURING SPECIFIC TIMES FOR THE WASTEWATER SYSTEM OF THE CITY OF WILLCOX AND SETTING AN EFFECTIVE DATE** Tab 2
Consideration, discussion and/or decision regarding Resolution No. 2009-57, as stated, relating to the increased rates and charges during specific times for the wastewater system.
10. **DISCUSSION/DECISION REGARDING REQUEST FROM REX ALLEN ARIZONA COWBOY MUSEUM TO SUBMIT APPLICATION FOR BINGO LICENSE AT THE REX ALLEN THEATER** Tab 3
Consideration, discussion and/or decision regarding the request from Rex Allen Arizona Cowboy Museum to submit application for Bingo License at the Rex Allen Theater.
11. **DISCUSSION/DECISION REGARDING REQUEST FROM BO DOWNEY CONTINUATION OF STREET CLOSURE FOR GUNFIGHT SHOWS** Tab 5
Consideration, discussion and/or decision regarding request from Bo Downey for the continuation of street closure for Gunfight Shows.
12. **DISCUSSION/DECISION REGARDING CHANGE ORDER #10 FOR WELL #1** Tab 6
Consideration, discussion and/or decision regarding Change Order #10 for Well #1.
13. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-58 RATIFYING AND APPROVING THE SUBMITTAL OF A BUDGET PROPOSAL TO THE ATTORNEY GENERAL'S OFFICE OF VICTIMS' RIGHTS PROGRAM ["VRP"] ON BEHALF OF THE WILLCOX DEPARTMENT OF PUBLIC SAFETY ["WDPS"] FOR THE PURPOSE OF RECEIVING AWARD FUNDS TO BE USED FOR VICTIM RIGHTS' SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 7
Consideration, discussion and/or decision regarding Resolution NO. 2009-58, as stated, relating to Attorney General's Office of VRP on behalf of the WDPS receiving award funds for Victim Rights' Services.
14. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-59 APPROVING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE COCHISE COMMUNITY FOUNDATION GRANT ["CCF"] FOR THE PURPOSE OF OBTAINING FUNDING FOR YOUTH PROGRAM ACTIVITIES, AUTHORIZING AND DIRECTING CITY STAFF TO SUBMIT SAID APPLICATION AND DECLARING AN EMERGENCY TO EXIST** Tab 8
Consideration, discussion and/or decision regarding Resolution No. 2009-59, as stated, relating to Authorizing the Submission of Application to CCF for the purpose of obtaining funding for Youth Program Activities.
15. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2009-60 TO AUTHORIZE THE REQUEST FOR FUNDS FROM THE BORDER ENVIRONMENT COOPERATION COMMISSION ["BECC"] FOR THE WILLCOX WASTEWATER TREATMENT PLANT ["WWTP"], AUTHORIZING THE SUBMITTAL OF THE REQUEST, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 9
Consideration, discussion and/or decision regarding Resolution NO. 2009-60, as stated, relating to request for funds from BECC for the WWTP.
16. **DISCUSSION/DECISION REGARDING THE SENIOR CITIZEN GRANT DIRECTION TO STAFF ON WHICH OPTION THE COUNCIL WISHES TO PURSUE TO MOVE FORWARD.** Tab 10
Consideration, discussion and/or decision regarding the Senior Citizen Grant direction to staff on which option the Council wishes to pursue to move forward.
17. **DISCUSSION/DECISION REGARDING THE WILLCOX ROTARY CLUB FUNDRAISER** Tab 11
Consideration, discussion and/or decision regarding the Willcox Rotary Club Fundraiser.

18. DISCUSSION/DECISION REGARDING TO APPROVE CITY MANAGER PAT MCCOURT PARTICIPATION IN THE ARIZONA TOWN HALL NOVEMBER 1-4, 2009 AT GRAND CANYON, AZ Tab 12

Consideration, discussion and/or decision regarding City Manager McCourt participation in the Arizona Town Hall on November 1-4, 2009 at Grand Canyon, AZ

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

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

- **Update on the Community Center** Dave Bonner, Public Services & Works Director
- **Report on City Clean Up**-Jake Weaver, Public Safety Director

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

***21. DISCUSSION/DECISION TO ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED STATUTES §38-431.03(A)(3) –DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY; AND ARIZONA REVISED STATUTES §38-431.03(A)(4) - DISCUSSION OR CONSULTATION WITH THE ATTORNEYS OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS ATTORNEYS REGARDING THE PUBLIC BODY’S POSITION REGARDING CONTRACTS THAT ARE THE SUBJECT OF NEGOTIATIONS, IN PENDING OR CONTEMPLATED LITIGATION OR IN SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION.** Tab 13

Consideration, discussion and/or decision to enter into an Executive Session pursuant to Arizona Revised Statutes §38-431.03(A)(3), as stated for legal advice with the Attorney or Attorneys of the public body; and Arizona Revised Statutes §38-431.03(A)(4), as stated relating to the public body’s position in settlement discussion conducted in order to avoid or resolve litigation.

***22. DISCUSSION/DECISION REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION RELATING TO THE ADVICE FROM ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY’S POSITION IN ORDER TO RESOLVE LITIGATION**

Consideration, discussion and/or decision regarding matters discussed in Executive Session relating to the advice from Attorney or Attorneys of the public body’s position in settlement discussion conducted in order to resolve litigation.

23. ADJOURN.

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.

