+CALL TO ORDER-Mayor Gerald W. Lindsey called the regular meeting to order on Monday, March 15, 2010 at 7:00 p.m.

<u>ROLL CALL</u>-City Clerk Cristina G. Whelan called the roll.

PRESENT Mayor Gerald W. Lindsey Vice Mayor Larry Schultz Councilman Elwood A. Johnson Councilman Jimmy L. Norris Councilwoman Monika Cronberg Councilman Stephen Klump Councilman Christopher Donahue **STAFF**

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

PLEDGE OF ALLEGIANCE TO THE FLAG-Mayor Lindsey.

CALL TO THE PUBLIC- There was no response from those persons present.

DECLARATION ON CONFLICT OF INTEREST

Councilman Donahue declared conflict on agenda item #11 regarding the request to waive fees by NCCH for the Senior Center

ADOPTION OF THE AGENDA

MOTION: Councilman Johnson moved to adopt the agenda as presented. **SECONDED:** Councilwoman Cronberg seconded the motion. **CARRIED.**

PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

Public Hearing: Mayor Lindsey announced the Mayor and Council will hold a public hearing on Monday, April 5, 2010 at 7:00 p.m., City Council Chambers, 300 W. Rex Allen Drive, regarding New Liquor License, RRS, LLC, Ricardo Romero-El Ranchero 2 at 308 S. Haskell Avenue, Willcox, AZ.

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/PRESENTATION BY MELISSA AVANT ON FIRST THINGS FIRST

Ms. Melissa Avant, presented a power point *on First Things First* and explained the program with Cochise Regional Partnership Council and Proposition 203 which passed by 52% and it was the 2nd highest amount of money ever raised by a ballot initiative. The Governance is a 13 member board and locally Ms. Mary Sue Houser of Willcox is on the Board for Child Care. Ms. Jane Strain, Chair, At Large, explained the program receives its funding from the Tobacco Tax. The Governor in the May 2010 Ballot has proposed a 1% Tax Increase and if it is not approved by the voters *First Things First* will lose its funding as of December 2010. There are other programs for the children and families to keep families working with a safe place to leave their children. Their Vision is "All Arizona children birth through age five are afforded opportunities to achieve their maximum potential to success in school and life. The Mission is "To increase the quality of, and access to, early childhood development and health systems, that ensure a child entering school comes healthy and ready to succeed."

PRESENTATION/DIRECTION TO STAFF REGARDING THE INFILL INCENTIVE PROGRAM

City Manager Pat McCourt explained how the Infill Incentive Program is part of the City's Master Plan. Reference was made to the Municipal Code and Arizona Revised Statutes. After discussion suggestion was made to hold a joint work session on this issue with the Planning & Zoning Commission with the Mayor and Council members.

DISCUSSION/DECISION REGARDING THE MINUTES OF THE WORK SESSION MEETING HELD ON MARCH 1, 2010 AND THE SPECIAL MEETING HELD ON MARCH 3, 2010

MOTION: Councilman Johnson moved to adopt the minutes of the work session meeting held on March 1, 2010 and the Special Meeting held on March 3, 2010.

SECONDED: Councilwoman Cronberg seconded the motion. CARRIED.

DISCUSSION/DECISION REGARDING WAIVER OF FEES FOR HOSPITAL BUILDING-SENIOR CENTER

MOTION: Councilman Johnson moved to approve the waiver of fees for Hospital Building-Senior Center. SECONDED: Councilman Norris seconded the motion. DISCUSSION: City Manager McCourt stated the representative from NCCH, Lineva Donahue, is here. Mr. McCourt explained from the City's standpoint submitted the grant and working its way and occasionally get call and answers questions. Ms. Donahue stated the building has been ordered and they are waiting for soil samples results. Irregardless of the outcome on the grant portion the building will be given for Senior Center and NCCH is asking for waiver of fees. Councilwoman Cronberg stated she has no problem in the waiver of fees although she does have "anxiety" going forward without some sort of formal assurance that the building will be primarily used for Senior Center because of the joint use for Sleep Center and concern for time. Ms. Donahue explained the Sleep Center starts at 9:00 p.m. and if seniors are there late they will work around it. Mr. McCourt added there is letter in the Council member packet from Mr. Harley Smith, CEO of NCCH, and assuming we get grant there will be specific requirements in agreement between the City and Hospital which will more formalize this understanding. Councilwoman Cronberg is nervous because things happen and priorities reset and Ms. Donahue reassured her that the request is only for waiver of fees and not asking for payment of any portion for the building. They are committed and promised the community "this is yours and will not renege on that." Mayor Lindsey asked do we know exact location and Ms. Donahue explained it is where the employee parking is on the back corner facing Sulphur Springs Medical Center on Scott. Councilwoman Cronberg thinks this is good for community and appreciates that. Mayor Lindsev has heard it might not be available after 5:00 p.m. and Ms. Donahue said that is the rumor mill. . VOTE: Ayes: Mayor Lindsey, Vice Mayor Schultz, Council members Johnson, Norris, Cronberg and Klump Nays-None. Abstained: Councilman Donahue. CARRIED 6-0-1.

DISCUSSION/DECISION REGARDING THE REQUEST BY THE ART LEAGUE OF WILLCOX FOR WAIVER OF RENTAL FEE AT THE COMMUNITY CENTER FOR THE 27TH ANNUAL ANN WADE BOYD FINE ART & PHOTOGRAPHY SHOW ON APRIL 19-25, 2010

MOTION: Councilman Johnson moved to approve the request by the Art League of Willcox for waiver of fees at the Community Center for the 27th Annual Ann Wade Boyd Fine Art & Photography Show on April 19-25, 2010.

SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Councilwoman Cronberg thinks this is event that brings people into community and has proven to be one that has grown over time as well and good way to show people what we got. Mayor Lindsey stated they do a great show. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-26 APPROVING AND ADOPTING THE LEASE AGREEMENT BETWEEN THE CITY OF WILLCOX ["LANDLORD"] AND BOBBY JOE WOOD ["TENANT"] FOR THE PURPOSE OF LEASING CITY OWNED PROPERTY FOR A BILLBOARD SPACE, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to adopt Resolution No. 2010-26, as stated, relating to the lease agreement between the City and Bobby Joe Wood for the purpose of leasing City owned property for a billboard space.

SECONDED: Councilwoman Cronberg seconded the motion. **DISCUSSION:** Councilman Johnson asked if Mr. Wood responded to the \$100/month. City Manager McCourt replied information was sent to Mr. Wood and he called late last week and said it was acceptable to him. **CARRIED.**

DISCUSSION/DECISION REGARDING WILLCOX RANCH RODEO ASSOCIATION/JACK KORTSEN REQUEST TO WAIVE REQUIREMENT FOR ALL VENDORS TO HAVE INDIVIDUAL PERMITS

MOTION: Councilman Johnson moved to approve the Willcox Ranch Rodeo Association/Jack Kortsen request to waive requirement for all vendors to have individual permits.

SECONDED: Councilman Norris seconded the motion. **DISCUSSION:** Mayor Lindsey asked Directors who is responsible to see permit is there and collecting data and asked if that is what Mr. Korsen will do. Finance Director Ruth Graham replied the vendor that pulls the single permit assures will collect information and in this case it is the event sponsor Jan Kortsen. **CARRIED.**

(skipped #15 and Tab 9)

DISCUSSION/UPDATE ON THE NEGOTIATIONS WITH ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) MOTOR VEHICLE DIVISION (MVD)

City Manager McCourt has included a staff report in the Council members' packet. The City Manager, Mayor, Vice Mayor and Councilman Norris attend a meeting with ADOT on March 3rd. Staff received three (3) assurances from ADOT (1) MVD office in Willcox will continue to operate 2-days a week until Third Party Administration. (2) Even if lease runs out they will see if they can continue month-to-month. Update: since City Manager wrote report they have done that. (3) Discussion held on issuing or renewal of Driver Licenses because the major area of concern we have is with our elderly population. MVD stated there are only two (2) Third Party vendors in the State that do renewals and Drivers Licenses and we assured them Willcox would be the third. ADOT basically assured us they want to do that. Most of that concern is staffing with couple tiers of service and training required for each tier. If Third Party able to hire former MVD employees process would be quicker and if not able to rehire then they will need longer training. If longer training is needed MVD will continue to send someone to Willcox on a limited basis to take care of Driver Licenses. Staff indicated to ADOT that there is space available in this building (300 W. Rex Allen Drive) and after meeting they all thought it was very successful. Today City Manager McCourt heard from ADOT that the Third Party Administration plan has been approved and moving forward. The City Manager thanked Mayor Lindsey, Vice Mayor Schultz and Councilman Norris for coming with him to that meeting. Mayor Lindsey thought they were very cooperative and thinks they want us to have services here.

DISCUSSION/DECISION REGARDING POWER GENERATOR FOR POTABLE WATER WELL #3

MOTION: Councilman Donahue moved to approve the Power Generator for Potable Water Well #3.

SECONDED: Councilwoman Cronberg seconded the motion. DISCUSSION: Mayor Lindsey asked if that is necessary now with the fiscal restraint that we have. City Manager McCourt replied "no, it is not absolutely necessary." Staff thinks it is a critical portion of our water system to have a dependable supply in order to deliver it. The electric power may not go out for 20 years but someday it will. Delivery of water services is of critical importance and staff feels it is important and it does come from Water Fund and it is budgeted expenditure. Mayor Lindsey asked how long could we survive without power with our current system. Public Services & Works Director Dave Bonner replied it depends on time of year. If it were this time of year we could have supply for 3days and if in summer could be only 1-day. Currently keep 1M gallons at any one time if everything is operating correctly. Councilman Johnson to what capacity does Well #3 contribute to our water system. Mr. Bonner said Well #3 has capacity to provide 432 gallons/day and in summer need 1M or 50% and right now we would be covered. No generators at any of our water wells. Chose #3 because it provides 90% yearly coverage and it is cheaper generator. Having generator sitting there because it is not going to be used very frequently and it will provide what we need if outage does occur. Also irrigation system can be used. Mayor minor restrictions of water use could cover daily usage. Councilman Johnson asked what the monthly charge for gas is and Mr. Bonner replied he does not know what that charge is. Mayor Lindsey asked we are talking about natural gas and Mr. Bonner explained it is supplied by SouthWest Gas and there is line there. Councilman Norris asked if the City has ever had a power outage that lasted more than a day. Chief Jake Weaver replied in 2003 we had power outage in July and lasted for about 12 hours. The power grid sustained service and damage long term if did not bring it back on board or on line. There is possibility of over 24 hour's without power. Councilman Johnson asked if it would be possible to bring this item back to Mayor and Council with cost connection fees and gas costs. City Manager replied there have been black outs and it is not unique and staff feels error on side of caution and will bring back the costs. Councilman Donahue pointed out if there is a vote that has ever been taken by this Council that could ever be more of a mandate from the citizens here ensuring that when you hit that tap and water comes out of it is one of our primary goals of sitting where we are sitting and the fact that even publicly bringing up connection fees comparative to ensuring the citizens of this community have water. The Councilman said he is "just embarrassed." Chief Weaver added with Public Safety if in the event we were to have a long term power outage and faced with misfortune of also having to have a fire our fire apparatus would deplete that water supply rather quickly with our ability of pumping well over 3,000/gallons/minute without some way to replenish it. Councilwoman Cronberg said this is basically an insurance policy that we have planned for and if we can cover the cost now as budgeted item it makes sense to have the insurance. Councilman Johnson thought it was not budgeted. Mr. Bonner replied this is something budgeting for the last 3-years that he is aware of. There is \$26,000 budgeted in the Water Fund for Generator and talking about \$17,000 plus the cost for installation. Councilwoman Cronberg said if we were to wait could expect cost to go up. VOTE: Ayes-Mayor Lindsey, Vice Mayor Schultz, Council members Norris, Cronberg, Klump and Donahue. NAYS-Councilman Johnson. CARRIED 6-1.

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-15 APPROVING AND AUTHORIZING THE SALE AND DISPOSITION OF CITY REAL PROPERTY AND THE PUBLISHING OF AN INVITATION FOR BIDS AS PROVIDED BY A.R.S. §§ 9-402 AND 39-204 AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to adopt Resolution NO. 2010-15 Sale of City of Willcox Property. **SECONDED:** Councilman Norris seconded the motion. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-19 APPROVING AND AUTHORIZING THE PURCHASE OF NATURAL GAS ON A FORWARD PRICING CONTRACT BASIS AND ON THE SPOT MARKET UNDER THE BASE CONTRACT BETWEEN THE CITY AND BP ENERGY COMPANY ["BP"], AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilwoman Cronberg moved to adopt Resolution NO. 2010-19, as stated relating to ongoing natural gas purchases from BP Energy, Inc. for the City's Gas Utility.

SECONDED: Councilman Johnson seconded the motion. **DISCUSSION:** Councilman Norris asked if this has worked well for us. Finance Director Graham explained the City has worked with BP Energy which was previously WASATCH Energy since 2002 and have had excellent customer service. The forward pricing allows us to even out the bumps. It is a good system and Ms. Graham would like to continue to purchase from BP Energy. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-20 FOR THE PURPOSE OF APPROVING AND ADOPTING THE REVISION TO SECTION 303 [HOLIDAYS] OF THE WILLCOX EMPLOYEE HANDBOOK, ESTABLISHING THE EFFECTIVE DATE AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Donahue moved to adopt Resolution No. 2010-20, as stated relating to Section 303 of the Employee Handbook specifically working prior to or after a Holiday.

SECONDED: Councilwoman Cronberg seconded the motion. **VOTE: Ayes-**Mayor Lindsey, Vice Mayor Schultz, Council members Norris, Cronberg, Klump and Donahue. **NAYS-**Councilman Johnson. **CARRIED 6-1.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-21 APPROVING AND AUTHORIZING THE CITY'S PARTICIPATION IN THE CERTIFICATE OF DEPOSIT ACCOUNT REGISTRY SERVICE ("CDARS") AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilwoman Cronberg moved to adopt Resolution NO. 2010-21, as presented, relating to the City's participation in the CDARS investment program.

SECONDED: Councilman Donahue seconded the motion. DISCUSSION: Councilman Johnson asked if this is item that can be brought back to Council once amount of money is decided as far as investments goes being it is a 6-month under \$10M for 13 weeks or twice a week and is that what we are looking at. Finance Director Graham explained this will allows us to have flexibility to increase our investment portfolio. We would have the ability to place various Certificates of Deposits with Arizona Banks that would be fully insured and we would select different rates of maturity. Our current investment with LGIP is not fully insured. This program would be. Money Market if we are between investments the Money Market Account also is fully insured and has a rate of return that is as good as LGIP. Finance presents guarterly Investment reports to the Council and will continue to report on that. Under our Investment Policy the City Manager has the authority to select investments and if Mayor and Council would like to do that we can. Our goal would be to select an investment portfolio that would maximize returns to the City's investments. Councilwoman Cronberg said the intent is to diversify further and by placing it in more different accounts we are actually protecting our investment a little bit further. Ms. Graham replied we have been very dependent on LGIP for a long time. Councilwoman Cronberg said she is a little bit afraid of what could happen with that. City Attorney Hector Figueroa looked at Deposit Placement Agreement and has guestions and referred back to CDARS. A guestion in the Agreement certain investments up to \$100,000 and IRA and Retirement. The answer is right now \$250,000 and probably extended at the banks. Also the City Attorney indicated to amend the form because it still has \$100,000.00. Mr. Figueroa provided advice to the City Administrator that the LGIP designated individual authorized to make investments and he does not see any place where that is required. Keeping with Councilwoman Cronberg concerns it might not be bad idea to designate authorized representatives and the auditors generally like to see that someone authorize somebody to do something. Mayor and Council should not be micromanage the City, however, do micromanage when designate authorized individuals to make those investments and hold them accountable for those investments. Councilwoman Cronberg said then those currently authorized then by proxy still authorized because we are adding to the ability to

diversity. City Attorney Figueroa recommendation is to come back to Mayor and Council with resolution authorizing individuals. City Manager McCourt agrees and we will have to do that to all of our accounts. Mr. Figueroa stated that he did not catch it in time until after it was sent to the City Manager for review. Councilwoman Cronberg asked if approve then City Attorney will come back with Resolution to authorize signers. City Manager McCourt replied staff will come back before we invest a single cent. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-22 APPROVING AND ACCEPTING THE STATE GRANTS-IN-AID GRANT FROM THE ARIZONA STATE LIBRARY, ARCHIVES, AND PUBLIC RECORDS AGENCY TO BE USED FOR PUBLIC LIBRARY IMPROVEMENTS, AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to adopt Resolution No. 2010-22, as stated, relating to approving and accepting the State Grants-In-Aid Grant to be used for the Public Library Improvements.

SECONDED: Councilwoman Cronberg seconded the motion. CARRIED.

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-23 APPROVING AND AUTHORIZING CHANGE ORDER #3 FOR PUBLIC LIBRARY IMPROVEMENTS UNDER THE WOODS CONTRACT; THE REDISTRIBUTION OF OTHER ALLOCATED FUNDS; AND AUTHORIZING THE MAYOR TO EXECUTE THE CHANGE ORDER DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to adopt Resolution No. 2010-23, as stated relating to Change Order #3 on the Library Renovation Project.

SECONDED: Councilman Donahue seconded the motion. CARRIED.

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-24 DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON MARCH 9, 2010

MOTION: Councilman Johnson moved to adopt Resolution No. 2010-24, as stated relating to Canvas the Primary Election results. **SECONDED:** Councilman Donahue seconded the motion. **CARRIED.**

(City Clerk Cristina G. Whelan presented Certificates of Election to Monika Cronberg, Gerald W. Lindsey, William "Bill" Holloway and Robert "Bob" Irvin. **APPLAUSE.**)

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-25 APPROVING AND ADOPTING THE COURT CONSOLIDATION AGREEMENT BETWEEN THE CITY OF WILLCOX ["CITY"] AND COCHISE COUNTY ["COUNTY"] FOR THE PURPOSE OF CONTINUING THE CONSOLIDATED COURT FOR FY 2010- 2011, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE AGREEMENT AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to adopt Resolution No. 2010-25, as stated, relating to the Court consolidation Agreement between the City and Cochise County.

SECONDED: Council members Cronberg and Donahue seconded the motion. **DISCUSSION:** City Attorney Hector Figueroa explained that on page 3 of 8 Section IV B. Subsection 5 added issuing, filing, and prosecuting all City Code violations....Prosecution of City Code violations will be done by the City Attorney's Office." During the extension the County Attorney's Office declined to do prosecution and this subsection was added. On page 4 of 8 Subsection F everything in bold was changed. That is procedure how to "...reimburse the County for the difference between costs and revenues for the previous calendar year as reflected in Exhibit A." The total is an amount less than previously. Reimbursement changed to "....April 1st of each calendar year the County shall revise Exhibit A and the reimbursement requested of the City under this Paragraph for the next fiscal year starting on July 1 of that calendar year...." That coincides with our budget preparation and the "...City shall reimburse the County on a quarterly basis." Everything in bold and signatory page was changed due to change in Mayor and Chairman of the Board. **CARRIED.**

DISCUSSION/DECISION REGARDING TEMPORARY EXTENSION OF THE BILLBOARD AGREEMENT WITH CLEAR CHANNEL

MOTION: Councilman Johnson moved to approve the temporary extension of the Billboard Agreement with Clear Channel. **SECONDED:** Councilman Norris seconded the motion. **DISCUSSION: CARRIED.**

REPORTS BY THE CITY MANAGER PAT McCOURT

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

- Report on the Ft. Grant Enhancement-Pat McCourt, City Manager, reported on the Ft. Grant Enhancement. Mr. Dave Bonner stated project was submitted in July 2005, and he picked it up as Director. Plans are 60% complete and not authorized to release until Environmental Assessment and that is a few weeks out. So far have expended \$55,000 for initial Scope, \$24,000 for Environmental Study and both out of City HURF funding. Council approved \$61,000 and that will come out of the Grant of \$87,000 allotted for that project. Mr. Bonner is not sure we can use remaining for other needs. \$34,000 City has to pay for matching funding. As soon as Environmental Study and design are completed he will bring that forward. Mayor Lindsey asked if there is a Expiration on the project and Mr. Bonner replied he does not have any indication of that. Mr. Bonner has spoken to ADOT and told still moving forward. Councilwoman Cronberg stated so long as there is some activity and Mr. Bonner said they are aware of progress and Streets Supervisor Arnold Arvizu keeps communicating with them.
- **Budget Work Session-** Pat McCourt, City Manager, Budget work session has been scheduled for Monday, April 5, 2010 at 6:00 p.m. on Preliminary Budget. Plan is to have first draft of budget put together and walk through to show format, how numbers fit together and where different items fit and it is not for decision.
- **Report on Draft Use Facilities Agreement-**Pat McCourt, City Manager, reports on draft Use Facilities Agreement at the last meeting there was a question on the Draft Use Facility Agreement and a copy was included in the Council members' packet to review and where staff is to go forward.
- City Manager Out of State- City Manager McCourt's wife invited to attend training in Chattanooga, TN and she asked him to go with her. Corrected dates will be brought forward at the next meeting because could conflict with the Thursday before the Council meeting briefing of the agenda with the interested public and Council members.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

Councilman Donahue wanted to give congratulations to the newly elected council members and returning council members. Congratulations!

Councilwoman Cronberg wanted to say Thank You! to those that came to vote. Hopes voices will not be silent and that the Council keeps hearing from the people.

Mayor Lindsey stated he appreciates those that took part in the election process. Election was well staged, forums helped to get message out to voters, if they came to forums and appreciates that. Expressed his appreciation for the Marty Robbins activities last week and thought the Stage Show was exceptionally good this year and said if you missed it you missed a great show! Councilman Norris said Congratulations! to Council and pretty quick the newly elected will be taking over and looking for great things.

Councilman Klump said Congratulations!

<u>ADJOURN</u>

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 8:30 p.m. **CERTIFICATION**

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 15th day of March 2010. I further certify that the meeting was duly called and held, and that a quorum was present. **Dated this 29th day of March 2010**

<u>/s/ Cristina G. Whelan, CMC</u> City Clerk Cristina G. Whelan, CMC

PASSED, APPROVED AND ADOPTED this <u>5th</u> day of <u>APRIL</u> 2010.

<u>/S/ GERALD W. LINDSEY</u> MAYOR GERALD W. LINDSEY Signed: <u>April 6, 2010</u>

ATTEST: /s/ Cristina G. Whelan, CMC

City Clerk Cristina G. Whelan, CMC