

**CITY OF WILCOX
MAYOR AND CITY COUNCIL MEETING
AGENDA**

Monday, June 7, 2010

7:00 p.m.

City Council Chambers

300 W. Rex Allen Drive

Willcox, AZ 85643

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

**Resolution No. 2010-63
Ordinance NS299**

WELCOME NEW COUNCIL MEMBERS!

1. CALL TO ORDER

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. 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.

4. 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.

5. 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. DISCUSSION/DECISION TO ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED STATUTES § 38-431.03A(3) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY

Consideration, discussion and/or decision to enter into an Executive Session pursuant to ARS § 38-431.03A(3), as stated, relating to consultation for legal advice with the attorney(s) of the public body.

8. RECESS TO EXECUTIVE SESSION, IF APPROVED

9. RECONVENE FROM EXECUTIVE SESSION

10. DISCUSSION/DECISION REGARDING TO APPOINT A MAYOR TO A TWO (2) YEAR TERM

Consideration, discussion and/or decision to appoint a Mayor to a 2-year term.

Tab 1

11. DISCUSSION/DECISION REGARDING TO APPOINT A VICE MAYOR TO A TWO (2) YEAR TERM

Consideration, discussion and/or decision regarding to appoint a Vice Mayor to a 2-year term.

5-Minute recess to change Council members seating.

12. CONSENT AGENDA

Items that are considered to be routine by the City Council will be enacted by one motion without discussion. The consent agenda is a timesaving device and Council members have received documentation on these items for their review prior to the open meeting. Any Councilmember may remove any item from the consent agenda for discussion and a separate vote as deemed necessary. The public may view the documentation relating to the consent agenda 24 hours prior to the meeting at the City Clerk's Office, 101 S. Railroad Avenue, Suite B, Willcox, AZ from 8:30 a.m. to 4:30 p.m. or at the Elsie S. Hogan Library, 100 N. Curtis Avenue during normal working hours Monday-Saturday.

Insert Consent Agenda items:

- 12A. MINUTES OF THE WORK SESSIONS HELD ON APRIL 19, 26, 2010 AND MAY 3, 24, 2010 AND THE REGULAR MEETING MINUTES HELD ON MAY 17, 2010** Tab 2
- 12B. RESOLUTION NO. 2010- 54 APPROVING AND ADOPTING THE LEASE AGREEMENT RENEWAL BETWEEN THE CITY OF WILLCOX [“CITY”] AND ARIZONA DEPARTMENT OF PUBLIC SAFETY [“ADPS”] CONTRACT NO. 98-206 FOR PARCEL OF LAND AT 1101 N. CIRCLE I ROAD AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND THE LEASE RENEWAL AND DECLARING AN EMERGENCY TO EXIST.** Tab 3
- 12C. RESOLUTION NO. 2010-55 APPROVING AND ADOPTING THE ELSIE S. HOGAN COMMUNITY LIBRARY [“LIBRARY”] LIBRARY GENERAL POLICY AND MEETING ROOM POLICY AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 4
- 12D. RESOLUTION NO. 2010-56 RATIFYING THE ACTION TAKEN PURSUANT TO RESOLUTION 2010-49 RELATING TO THE LEASE AGREEMENT BETWEEN THE CITY OF WILLCOX [“LANDLORD”] AND CLEAR CHANNEL OUTDOOR, INC., A DELAWARE CORPORATION [“TENANT”] FOR THE PURPOSE OF LEASING CITY OWNED PROPERTY FOR A BILLBOARD SPACE, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 5
- 13. DISCUSSION/DECISION REGARDING SELECTION OF WASTEWATER TREATMENT PLANT (WWTP) OPTION** Tab 6
Consideration, discussion and/or decision regarding the selection of the WWTP option.
- 14. DISCUSSION/DECISION REGARDING THE WILLCOX ELKS LODGE REQUEST FEES BE WAIVED FOR THE ANNUAL 4TH OF JULY SWIM MEET, SUNDAY, JULY 4, 2010 FROM 1:00 P.M. THROUGH 6:00 P.M.** Tab 7
Consideration, discussion and/or decision regarding the Elk's request fees be waived for the Annual 4th of July Swim Meet, Sunday, July 4, 2010 from 1 -6 p.m.
- 15. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-57 APPROVING AND ADOPTING THE AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND HEALTH NET OF ARIZONA, INC. [“HN”] FOR THE FY2010-2011 RENEWAL OF THE EMPLOYEE INSURANCE PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST** Tab 8
Consideration, discussion and/or decision regarding Resolution NO. 2010-57, as stated, relating to the Agreement between the City and Health Net of Arizona, INC.
- 16. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-58 APPROVING AND ADOPTING THE AGREEMENT BETWEEN THE CITY OF WILLCOX [“CITY”] AND EMPLOYEE SOLUTIONS GROUP [“ESG”] FOR SERVICES TO ACT AS ADMINISTRATOR OF EMPLOYEE BENEFIT PLANS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** Tab 9

Consideration, discussion and/or decision regarding Resolution NO. 2010-58, as stated, relating to Agreement between the City and ESG for services of Employee Benefit Plans.

17. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-59 APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT [IGA] AMENDMENT FOR THE OPERATION OF THE ANIMAL SHELTER BETWEEN THE CITY OF WILLCOX [“CITY”] AND COCHISE COUNTY [“COUNTY”] FOR FY2010-2012 AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION, THE IGA AMENDMENT AND DECLARING AN EMERGENCY TO EXIST **Tab 10**

Consideration, discussion and/or decision regarding Resolution NO. 2010-59, as stated, relating to the IGA Amendment for the Operation of the Animal Shelter between the City and County for FY2010-2012.

18. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-60 APPROVING AND AUTHORIZING THE SALE AND DISPOSITION OF CITY REAL PROPERTY PURSUANT TO THE INVITATION FOR BIDS AS PROVIDED BY A.R.S. §§ 9-402 AND 39-204 AND DECLARING AN EMERGENCY TO EXIST. **Tab 11**

Consideration, discussion and/or decision regarding Resolution NO. 2010-60, as stated, relating to the Sale and Disposition of City Real Property.

19. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-61 APPROVING AND AUTHORIZING THE DEVELOPMENT OF A MASTER PLAN FOR SIDEWALKS AND MULTI-USE PATHS FOR THE CITY OF WILLCOX, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. **Tab 12**

Consideration, discussion/decision regarding Resolution NO. 2010-61, as stated, relating to the Master Plan for sidewalks and multi-use paths.

20. DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-62 APPROVING AND AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE TRANSPORTATION ENHANCEMENT PROGRAM THROUGH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE SIDEWALKS, CURBS, GUTTERS AND ADA RAMPS, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. **Tab 13**

Consideration, discussion and/or decision regarding Resolution No. 2010-62, as stated relating to submittal of an application to the Transportation Enhancement Program through the ADOT. obtaining a Transportation Enhancement Grant for sidewalks, curbs, gutters and ADA ramps.

21. DISCUSSION/DECISION REGARDING TO SUPPORT AND CO-SPONSOR THE RESOLUTION PRESENTED BY THE CITY OF DOUGLAS ON BORDER SECURITY **Tab 14**

Consideration, discussion and/or decision regarding whether to support and Co-sponsor the Resolution by the City of Douglas.

22. DISCUSSION/DECISION TO ATTEND THE 2010 LEAGUE OF ARIZONA CITIES & TOWNS ANNUAL CONFERENCE IN GLENDALE, AZ ON AUGUST 23 THROUGH 27, 2010 AND PARTICIPATION IN THE FESTIVAL OF CITIES AND TOWN WITH A BOOTH **Tab 15**

Consideration, discussion/decision to attend the 2010 Annual Conference in Glendale, AZ on August 23-27, 2010 and participation in the Festival of Cities & Towns with a booth.

23. DISCUSSION/DECISION REGARDING TO APPOINT AN EX-OFFICIO MEMBER TO THE PLANNING & ZONING COMMISSION **Tab 16**

Consideration, discussion and/or decision regarding to appoint an Ex-Officio member to the P&Z Commission.

24. REPORTS BY THE CITY MANAGER PAT McCOURT **Tab 17**

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

- **Report on setting date and time for the Work Session on Billboard Design**-Pat McCourt, City Manager, setting date and time for the work session on the Billboard Design.
- **Council Packets on web**-Pat McCourt, City Manager, staff plans to have the council packets on the City's web site available to staff and the public effective the first meeting in July 2010.
- **Mayor's/Manager's Luncheon**-Pat McCourt, City Manager- the City of Douglas is hosting this month's luncheon on Thursday, June 17, 2010. RSVP to City Clerk Whelan by Friday, June 11, 2010.

- **Report on Response to ASA Inquiries**-Dave Bonner, Public Services & Works Director, response to ASA inquiries.
- **Report on Financials**-Ruth Graham, Finance Director, reports on the City's Financials.
- **Report on Insurance Breakdown**-Ruth Graham, Finance Director, reports on insurance breakdown on previous budgets.
- **Report on Resolution NO. 2010-52 smartworksplus amendment**-Pat McCourt, City Manager, reports Resolution NO. 2010-52 has been rescinded regarding the placing of the City Manager as a contract provider employee with the City.
- **Report on Employees Benefits Fair**-Pat McCourt, City Manager, the Employees Benefits Fair will be held on Wednesday, June 16, 2010 at the Community Center from 8:30 a.m. -3:30 p.m. (Spouse welcomed to attend.)

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

26. DISCUSSION/DECISION TO ENTER INTO AN EXECUTIVE SESSION PURSUANT TO ARIZONA REVISED STATUTES 38-431.03(A)(1) – DISCUSSION OR CONSIDERATION OF EMPLOYMENT, ASSIGNMENT, APPOINTMENT, PROMOTION, DEMOTION, DISMISSAL, SALARIES, DISCIPLINING OR RESIGNATION OF A PUBLIC OFFICER, APPOINTEE OR EMPLOYEE OF ANY PUBLIC BODY, EXCEPT THAT, WITH THE EXCEPTION OF SALARY DISCUSSIONS, AN OFFICER, APPOINTEE OR EMPLOYEE MAY DEMAND THAT SUCH DISCUSSION OR CONSIDERATION OCCUR AT A PUBLIC MEETING. THE PUBLIC BODY SHALL PROVIDE THE OFFICER, APPOINTEE OR EMPLOYEE WITH SUCH NOTICE OF THE EXECUTIVE SESSION AS IS APPROPRIATE BUT NOT LESS THAN TWENTY-FOUR HOURS FOR THE OFFICER, APPOINTEE OR EMPLOYEE TO DETERMINE WHETHER SUCH DISCUSSION OR CONSIDERATION SHOULD OCCUR AT A PUBLIC MEETING;

Consideration, discussion and/or decision to enter into an executive session pursuant to Arizona Revised Statutes §38-431.03(A)(1), as stated relating to the ratification of the City Manager appointment by Mayor and Council.

27. RECESS TO EXECUTIVE SESSION, IF APPROVED

28. RECONVENE FROM EXECUTIVE SESSION

29. DISCUSSION/DECISION REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION RELATING TO THE CITY MANAGER’S ANNUAL EVALUATION PER CONTRACT Tab 19

Consideration, discussion, and/or decision regarding matters discussed in the Executive Session relating to the City Manager’s annual review.

30. ADJOURN.

Miscellaneous: Tab 20.

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, Willcox, AZ or the Elsie S. Hogan Community Library during regular business hours Monday-Saturday.

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.