CITY OF WILLCOX
MAYOR AND CITY COUNCIL MEETING
AGENDA
Monday, September 20, 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. 2010-99
Ordinance NS301

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. **DISCUSSION/DECISION ENTER 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** **Tab 1**
   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. **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.

10A. THE REGULAR MEETING HELD ON MAY 3, 2010 AND THE SPECIAL MEETING MINUTES HELD ON JULY 6, 2010 AND AUGUST 30, 2010 **Tab**

10B. RESOLUTION NO. 2010-95 RATIFYING, APPROVING AND AUTHORIZING THE FILING OF A PETITION WITH THE U.S. COMMODITY FUTURES TRADITION COMMISSION ("CFTC") TO TRANSACT CERTAIN TYPES OF "EXEMPT COMMODITIES" FOR NATURAL GAS AFTER THE JULY 16, 2011 EFFECTIVE DATE PURSUANT TO THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT ('ACT") AND DECLARING AN EMERGENCY TO EXIST. **Tab 3**

10C. RESOLUTION NO. 2010-98 APPROVING AND ADOPTING THE ELSIE S. HOGAN COMMUNITY LIBRARY ["LIBRARY"] ARIZONA RESOURCE ACCESS AND ATTAINMENT POLICY ("AZRAP") AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST. **Tab 4**

11. PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS **Tab 5**

Proclamation: Mayor Lindsey will proclaim October 3, 2010 as ***"Firefighter Recognition Day"*** and October 3-9, 2010 as ***"Fire Prevention Week."***

Communications: Second Reading of Ordinance NS300 Amending The Willcox City Code, Title 5, [Health And Sanitation], Chapter 2 [Nuisances], Section 5-2-4(A) [Unlawful Acts], By Reference, Repealing The Current Section 5-2-4(A) And Part Of Ordinance NS298 Relating To Repealed Section 5-2-4(A) As Enumerated Herein. **Tab 6**

Public Hearing: The Mayor and Council will hold a public hearing on Monday, September 20, 2010, at 7:00 p.m., 300 W. Rex Allen Drive, Willcox, AZ regarding Ordinance NS300 Amending The Willcox City Code, Title 5, [Health And Sanitation], Chapter 2 [Nuisances], Section 5-2-4(A) [Unlawful Acts], By Reference, Repealing The Current Section 5-2-4(A) And Part Of Ordinance NS298 Relating To Repealed Section 5-2-4(A) As Enumerated Herein; and **Tab 6**

~~(3) on Monday, September 20, 2010, at 7:00 p.m., 300 W. Rex Allen Drive, Willcox, AZ regarding Application for Liquor Store Series #9 Sampling Privileges (09020037S), Safeway Inc., #272, Janice Louise Martin, 650 N. Bisbee Avenue, Willcox, AZ~~ NOTE: City Clerk has received File Deactivation Form-Application Withdrawal from the Arizona Department of Liquor Licenses & Control dated 08-30-2010 and reviewed 09-07-2010. **Tab 8**

All members of the public are invited to attend such meeting. For those persons unable to attend, written comments will be accepted until 4 p.m. the day of the public hearing in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, Willcox, AZ 85643.

12. PRESENTATION BY FORMER WILLCOX HIGH SCHOOL ALUMNI BILL JACKSON REGARDING WILLCOX ALUMNI VIETNAM MEMORIAL **Tab 7**

Consideration, discussion and/or direction on the presentation by former Willcox High School Alumni Bill Jackson regarding the Willcox Alumni Vietnam Memorial.

13. DISCUSSION/DECISION REGARDING ORDINANCE NS300 AMENDING THE WILLCOX CITY CODE, TITLE 5, [HEALTH AND SANITATION], CHAPTER 2 [NUISANCES], SECTION 5-2-4(A) [UNLAWFUL ACTS], BY REFERENCE, REPEALING THE CURRENT SECTION 5-2-4(A) AND PART OF ORDINANCE NS298 RELATING TO REPEALED SECTION 5-2-4(A) AS ENUMERATED HEREIN; **Tab 6**

Consideration, discussion and/or decision regarding Ordinance NS300, as stated, relating to Amending City Code Title 5, Chapter 2, Section 5-02-4(A),by reference, repealing current Section 5-2-4(A) and part of Ordinance NS298 repealed Section 5-2-4(A).

14. DISCUSSION/DECISION SAFEWAY'S SECOND ANNUAL WILLCOX WALKS TOGETHER FOR A CURE AT KEILLER PARK ON OCTOBER 23, 2010 AND REQUEST THE CITY TO SPONSOR THE EVENT BY ADVERTISIN THE CITY'S LOGO ON THE BACK OF THE T-SHIRTS TO HELP CANCER RESEARCH AND AWARENESS **Tab 9**

Consideration, discussion and/or decision Safeway's 2nd Annual Willcox Walk Together for a Cure at Keiller Park on October 23, 2010, and request the City sponsor the event by advertising the City's logo on the back of the T-shirts to help Cancer Research and Awareness.

15. **DISCUSSION/DECISION REGARDING TO REMOVE A MEMBER FROM THE PARKS & RECREATION COMMITTEE DUE TO UNEXCUSED ABSENCE AND UNABLE TO MAKE CONTACT WITH THE COMMITTEE MEMBER** **Tab 9**
Consideration, discussion and/or decision regarding to remove a member from the Parks & Recreation Committee due to unexcused absence and unable to make contact with the committee member.

16. **DISCUSSION/DECISION REGARDING THE APPOINTMENTS TO THE PARKS & RECREATION COMMITTEE TO FILL VACANCIES, TERMS TO EXPIRE DECEMBER 31, 2012** **Tab 10**
Consideration, discussion and/or decision regarding the appointments to the Parks & Recreation Committee to fill vacancies, terms to expire December 31, 2012.

17. **DISCUSSION/DECISION REGARDING THE REQUEST FROM ROD KEELING, WILLCOX WINE COUNTRY COMMITTEE OF THE WILLCOX CHAMBER OF COMMERCE, ON OCTOBER 16-17, 2010 AT RAILROAD PARK AND TO WAIVE REQUIREMENT FOR ALL VENDORS TO HAVE INDIVIDUAL PERMITS** **Tab 12**
Consideration, discussion and/or decision regarding the request from Rod Keeling, Willcox Wine Country Committee of the Willcox Chamber of Commerce, on October 16-17, 2010 at Railroad Park and to waive requirement for all vendors to have individual permits.

18. **DISCUSSION/DECISION REGARDING THE REQUEST FROM ROD KEELING, WILLCOX WINE COUNTRY COMMITTEE OF THE WILLCOX CHAMBER OF COMMERCE TO SERVE WINE IN GLASS CONTAINERS FROM 10:00 A.M. ON OCTOBER 16 THROUGH 5:00 P.M. ON OCTOBER 17, 2010 IN RAILROAD PARK** **Tab 13**
Consideration, discussion and/or decision regarding the request form Rod Keeling, Willcox Wine Country Committee of the Willcox Chamber of Commerce to serve wine in glass containers from 10:00 a.m. on October 16 through 5:00 p.m. on October 17, 2010 in Railroad Park.

19. **DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-97 RATIFYING AND APPROVING THE SUBMITTAL OF THE APPLICATION TO THE GOVERNOR'S OFFICE OF PUBLIC SAFETY STABILIZATION PROGRAM BY THE WILLCOX DEPARTMENT OF PUBLIC SAFETY ("WDPS") FOR THE PURCHASE OF TWO PATROL VEHICLES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.** **Tab 14**
Consideration, discussion and/or decision regarding Resolution NO. 2010-97, as stated, to ratify and approve the submittal of application to the Governor's Office of Public Safety.

20. **DISCUSSION/DIRECTION TO STAFF ON THE TWIN LAKES GOLF COURSE** **See work session items.** **Tab 15**
Consideration, discussion and/or direction to staff on the Twin Lakes Golf Course.

21. **REPORTS BY THE CITY MANAGER PAT McCOURT** **Tab 16**
Consideration, discussion and/or decision regarding the following topics by the City Manager:
   - **Report on the Willcox High School Football Team-**the Cowboys beat the Safford Bulldogs 31-7 on Friday, September 10, 2010.
   - **Report on City Clean Up Day-**will be held on Saturday, September 25, 2010.
   - **Report on Willcox Cares-** applications available at the Willcox Chamber of Commerce to assist in home repairs or upkeep.
   - **Report on Rex Allen Days-**activities begin on Thursday, September 30, 2010 with the Cowboy Hall of Fame Dinner at the Community Center.
   - **Report on Flu Clinic and Pneumonia Shots-**staff has scheduled flu and pneumonia shots for employees on Thursday, October 14, 2010 from 2:30 to 5:30 p.m., at the Community Center.
   - **Report on Senior Center Signed Agreement-**the City has received the signed agreement for the Senior Center in the amount of $95,000
   - **Report on Senior Center & Ribbon Cutting Ceremony-**the event is scheduled for Saturday, October 2, 2010 at 1:00 p.m. located at 990 W. Scott Street [Corner of Scott & Bowie)

- **Report on Refuse Ordinance and schedule work sessions-**draft ordinance ready and suggest work session at 6:00 p.m. on Monday, October 4 and October 18, 2010.
- **Report on Meeting with ADEQ regarding Notice of Violations-**the next move is Consent Orders.
- **Report on the Re-codification dealing with Public Safety-** Fireworks will be incorporated into that.
- **Report on the Updates to the City's website-**updates includes the Business Permits on-line with search capability.

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

23. **ADJOURN.**

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Misc. Tab: ____.

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 and beginning July 2010 on the City's website www.cityofwillcox.org .

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.

TAB 1

CITY OF WILLCOX
EXECUTIVE SESSION

AGENDA

MONDAY, SEPTEMBER 20, 2010

7:00 p.m.

300 W. REX ALLEN DRIVE

Willcox, Arizona

1. CALL TO ORDER

2. ROLL CALL

3. CONSIDERATION OF ARIZONA REVISED STATUTES 38-431.03(A)(3) – DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY
   Consideration and/or discussion pursuant to Arizona Revised Statutes §38-431.03(A)(3), as stated relating to consultation with the City Attorney(s) of the public body.

4. ADJOURN

"Mine, Yours, Ours"

NOTICE OF EXECUTIVE SESSION

CITY COUNCIL

In accordance with Resolution No. 370 of the City of Willcox, and Section 38-431.01 of the Arizona Revised Statutes **NOTICE IS HEREBY GIVEN** that the **MAYOR AND COUNCIL** of the City of Willcox, County of Cochise, Arizona, will hold an **EXECUTIVE SESSION,** if approved, during the **REGULAR** meeting on **MONDAY,** the **20TH** day of **SEPTEMBER 2010** at **7:00 p.m.,** in the **CITY COUNCIL CHAMBERS, 300 W. REX ALLEN DRIVE, Willcox, AZ**

Item for Consideration and Discussion are:

A.R.S. §38.431.03A(3) DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY
Consideration and/or discussion regarding consultation for legal advice with the Attorney or Attorney's of the public body.

DATED AND POSTED this 16TH day of SEPTEMBER 2010 at 2:30 P.M.

CITY OF WILLCOX, ARIZONA

Cristina G. Whelan, CMC

/S/ CRISTINA G. WHELAN, CMC
CITY CLERK CRISTINA G. WHELAN, CMC

"Mine, Yours, Ours"

TAB 2

THE MINUTES OF THE REGULAR METING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ HELD ON THIS 3RD DAY OF MAY 2010

CALL TO ORDER -Mayor Gerald W. Lindsey opened the regular meeting on Monday, May 3, 2010 at 7:00 p.m. welcomed all extras here tonight and stated it was "good to see you." He welcomed back those from the work session and welcomed the others. Appreciates attendance and looks forward to seeing more in the future.

ROLL CALL-City Clerk Cristina G. Whelan, CMC, called the roll.

PRESENT	STAFF
Mayor Gerald W. Lindsey	City Manager Pat McCourt
Vice Mayor Larry N. Schultz	City Attorney Hector M. Figueroa
Councilman Elwood A. Johnson	City Clerk Cristina G. Whelan, CMC
Councilman Jimmy L. Norris	Public Safety Director Jake Weaver
Councilwoman Monika Cronberg	Library Director Tom Miner
Councilman Stephen Klump	Finance Director Ruth Graham
Councilman Christopher Donahue	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 the public present.

DECLARATION ON CONFLICT OF INTEREST-Councilman Donahue declared a conflict on agenda item #12 regarding Northern Cochise Community Hospital.

ADOPTION OF THE AGENDA

MOTION: Councilman Johnson moved to adopt the agenda as presented and to adopt with Consent Agenda items numbered **8**- regarding the minutes of the regular meeting held on April 19, 2010; **11**- Resolution No. 2010-36 Ratifying, Approving And Authorizing A Letter Of Support For The Cochise County Arizona Centennial Committee's Applications For Arizona Centennial 2012 Legacy Project And Events Designations And Authorizing The Mayor To Execute This Resolution And Declaring An Emergency To Exist; **13** - Resolution No. 2010-42 Approving And Authorizing The Submission Of An Application To The 2010 Rural And Volunteer Fire Assistance Grant Program For Funds To Be Used For Wildland Fire-Fighting Training And Purchasing Firefighter Protective Equipment, Directing City Officials To Submit Application Documents And Declaring An Emergency To Exist; **14**- Resolution No. 2010-43 Approving And Authorizing The Submission Of An Application To The Tohono O'dhom Nation ("Nation") Pursuant To A.R.S. 5-601-02 12% Gaming Distribution, Directing City Officials To Submit Application Documents And Declaring An Emergency To Exist ; **17**- Resolution No. 2010-46 Approving And Authorizing The Submittal Of An Application For A Transportation Enhancement Grant (TEG) For The Construction Of Sidewalks And ADA Corner Ramps On Arizona Avenue, Authorizing The Mayor To Execute This Resolution And Declaring An Emergency To Exist; and **18**- Resolution No. 2010-47 Approving And Authorizing The Submittal Of An Application To The Highway Safety Improvement Program (HSIP) For The Replacement Of Signs In Accordance With New Manual Sign Standard, Authorizing The Mayor To Execute This Resolution And Declaring An Emergency To Exist as Consent Agenda; those are all general housekeeping and approve at one time..
SECONDED: Councilwoman Cronberg seconded the motion. **CARRIED.**

PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS

Proclamation: Mayor Lindsey read and proclaimed: (1) the month of May as ***National Historic Preservation Month;*** and (2) May 9-15, 2010 as ***Peace Officers Week*** *and May 15, 2010 as* ***Police Officers Memorial Day.*** Mayor Lindsey presented proclamation to Chief Jake Weaver. **APPLAUSE!** Chief Weaver thanked the Mayor and Council and citizens for passing this proclamation which means a lot to him and his family and his police officers. There were 126 police officers who lost their lives last year across the country and families and children that no longer have a Mom or Dad. This year seems to have an increase it is up to 59 lost. Appreciates the proclamation and thanked everyone and will continue to do what they have to do to keep everyone safe. Mayor Lindsey stated we certainly appreciate efforts of our local department on our behalf and all the citizens of Willcox.

Consent Agenda. (City Clerk informed Mayor that the Consent Agenda is not an option on this agenda. Council members' proceeded. *Note: per City Attorney to City Clerk after the meeting to add Consent Agenda to future agenda's along with to enter into Executive Session for consultation with the City Attorney on any agenda topic.)*

MOTION: Councilman Johnson moved to approve consent agenda items #8, 11, 13, 14, 17 and 18 as follows:
#8 DISCUSSION/DECISION REGARDING THE MINUTES OF THE REGULAR MEETING HELD ON APRIL 19, 2010
#11 DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-36 RATIFYING, APPROVING AND AUTHORIZING A LETTER OF SUPPORT FOR THE COCHISE COUNTY ARIZONA CENTENNIAL COMMITTEE'S APPLICATIONS FOR ARIZONA CENTENNIAL 2012 LEGACY PROJECT AND EVENTS DESIGNATIONS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

#13 DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-42 APPROVING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE 2010 RURAL AND VOLUNTEER FIRE ASSISTANCE GRANT PROGRAM FOR FUNDS TO BE USED FOR WILDLAND FIRE-FIGHTING TRAINING AND PURCHASING FIREFIGHTER PROTECTIVE EQUIPMENT, DIRECTING CITY OFFICIALS TO SUBMIT APPLICATION DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST.

#14 DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-43 APPROVING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE TOHONO O'DHOM NATION ("NATION") PURSUANT TO A.R.S. 5-601-02 12% GAMING DISTRIBUTION, DIRECTING CITY OFFICIALS TO SUBMIT APPLICATION DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST

#17 DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-46 APPROVING AND AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR A TRANSPORTATION ENHANCEMENT GRANT (TEG) FOR THE CONSTRUCTION OF SIDEWALKS AND ADA CORNER RAMPS ON ARIZONA AVENUE, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST Moved to Consent Agenda.

#18 DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-47 APPROVING AND AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) FOR THE REPLACEMENT OF SIGNS IN ACCORDANCE WITH NEW MANUAL SIGN STANDARD, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST Moved to Consent Agenda.

SECONDED: Councilwoman Cronberg seconded the motion. **CARRIED.**

DISCUSSION/DECISION REGARDING BRIAN BROWN/WILLCOX GIRLS SOFTBALL REQUESTS FEES BE WAIVED FOR CITY EMPLOYEES TO WORK THE BALL FIELDS DURING THE REX ALLEN DAYS TOURNAMENT
MOTION: Vice Mayor Schultz moved that the requested fees by Brian Brown/Willcox Girls Softball be waived for City employees tc work the Ball Fields during the Rex Allen Day's Tournament.
SECONDED: Councilman Johnson seconded the motion. **DISCUSSION:** Councilwoman Cronberg thinks they ought to allow representatives that are here to at least make any statements they might have. Knows there has been a lot of concern and may not be directly to waiver of fees and could be indirectly and would like to hear what they have to say. Mr. Brian Brown involved since 2007 and started with 55 kids and this year 150 kids. They have 10 teams and travel teams to Tucson, SV and Douglas to pay. Have teams come from Elfrida, Douglas and Sierra Vista to play here.

Mr. Brown wanted to discuss paperwork issues and fees required to pay as League now. When first started they did not have to pay for lights, field marking caulk informed this year they have to pay for and they have purchased that. Involved in paperwork Mr. Schultz, Mr. Johnson and Mrs. Cronberg they all attended the meetings held at the Elk's and those work sessions were regarding the paperwork. Last year contacted the City of Willcox to see what they needed to do to be put on calendar and what the calendar was supposed to do was to be able to schedule their games. The City wanted times, days, so they could work their maintenance around it and would know what was going on. In 2008 they did not have any problems and took down their playing schedule gave it to the City and they put them on the main calendar. Last year after they had all those work sessions and Pat McCourt made it to a couple of those work sessions and he was going to get some guidelines, they needed to follow as far as policy and

procedures on the way the City wanted them to handle this. They had 2-3 meetings and Mr. McCourt asked for input from both leagues which is Willcox Girls Softball and Willcox Little League and before they got back to Mr. McCourt these policies, he guesses, were already into effect.

Notices were put up on all their concession stands and buildings and read 'This facility may be reserved at any given time. It is possible that you could be asked to vacate the area IF the proper paperwork is presented for a specific date/time. To reserve this facility please contact the City of Willcox ....' After receiving this notice he contacted Mr. Bonner and asked him what they needed to do and Mr. Bonner said they basically needed to come down and fill out paperwork which they do not have problem with that everybody has rules and regulations. They were not aware these policies were already put into effect without the City consulting with them. He knows the City does not have to consult with them and that was the whole purpose of all these work shops and felt wasted 3-Saturdays in 3-4 hours to discuss all this and all of a sudden the City does not include them in the policies and procedures before they were made. Email received from Mr. McCourt 'I do not clearly understand the statement on turning in the application. We have recommended to the City Council some policies for adoption to the City Code 17A-4-A7 which the Council has not acted upon on this day. I have also adopted Administrative Policies under General Administration, Supervision and Control of the Affairs of the City Code 7A4-A1 this provides a manner of all associations, the resources of the City and even the handle the methods of City citizens and groups who may wish to use public owned resources.' And he Mr. Brown read '....this is to reduce miscommunication of dates, times, services, avoid confusion with our maintenance schedules. To ensure all members of the public are treated fairly and on equal terms.' Mr. Brown started to turn in paperwork back in September of '09 after receiving these signs on their door and talked with Mr. Johnson, Mr. Schultz and Mr. Figueroa and Mr. Figueroa made him aware that none of these policies had been made into effect. Mr. Brown did not turn in paperwork.

Email from Mr. Bonner wanting to know if still wanting to use fields and how come he had not turned in paperwork. Mr. Brown had Rex Allen Days Tournament coming up and plus they were still playing Fall Ball and went down there and got the paperwork. After talking "with these guys" he really didn't feel they needed to turn in if it was not approved yet. Thought it was just paperwork making them do when it was not voted on or agreed by members of the Council.

In January 2010 meet with Mr. Bonner and asked him what he needed do to get League started in January. Wanted to start first part of February and try to move their schedule up and Mr. Bonner informed him they had a big tournament coming in February and asked not to turn in paperwork until March 1st. Paperwork turned in on February 1st and copy of that paperwork on the back states what they are obligated to do. Took this down to the City and only had clean ball field and concession stand and Dawn Adame "grabbed the paperwork" from him and she checked every box and told him he would be responsible for everything on that list. Mr. Brown does not feel it is their responsibility to take care of filling in the holes in the Batters Box or filling in the holes in all the bases. He did attach to the application that on Field #1 they were going to use it everyday from March 1-December 31 and Field #2 they were going to use it on Monday-Wednesday-Friday and reason did that was to get it on the calendar. There is another League in town Willcox Little League which also uses this field and at the work sessions told they needed to put Monday-Wednesday-Friday or whatever days they wanted to use it and the times so they could work on maintenance. Received call from Mr. Bonner and informed him he is not responsible for days and times to use the fields and according to the paperwork that is basically what they wanted. Feels doing paperwork the way supposed to be done and feels getting a lot of flack from the Public Works Department and thinks it has gone beyond Mr. Bonner. Mr. Brown thinks Mr. Bonner taking this to another level and thinks it is personal. All they are asking for is to be taken care of, they are all tax payers, all about the youth and does not thinks it should become a personal issue and needs to go back to a professional manner.

Mr. Brown asked for dugout roof to be replaced, it had blown off back in December, and contacted Councilman Johnson. They let it go until about January and when Councilman Johnson called Mr. Bonner and he told him that had just blew off a couple of weeks ago which is not right it had blew off back in December. Email received from Mr. Bonner saying he is going to try to get the roof put back on and he asked to please try to get it by Opening Day. This was back in January and Opening Day was last Saturday and as of this time they still do not have a roof on their dugout. They do not ask for a lot and they do quite a bit at the fields and already spent about $10,000.00. They had fence installed and it was donated at a cost of $6-$7,000; scoreboard put in last year cost about $7-8,000 and at no cost to the City of Willcox. The League is upgrading fields "slowly but surely" and all asking the City of Willcox is to maintain the fields the way they should be maintained.

The paperwork the City is making it a big issue. Turned in paperwork and approved on February 15 and on February 18 turn paperwork for Rex Allen Days Tournament that he has and has not yet received that paperwork back. Mr. Brown talked with Mr. McCourt about the paperwork and he agreed they did not need to pay another $50 deposit. They have already paid a $50 deposit to use the fields. The entire tournament is a fund raiser for the kids plus during Rex Allen Days brought in close to about 300 people last year that stayed in motels and everything else. Mr. Brown needs paperwork back to start this tournament but has yet to receive the paperwork back. Knows the Council has received copies of some of the emails and shows some of the issues he has to deal with. He emails Mr. Bonner and it may take a couple months or couple of weeks before he gets a response. Mr. Brown is not asking for the next day response only asking for response. Already paid $150 fees this year and asked "did the Council approve us having to pay those fees?" Mayor Lindsey replied: nor do they approve any one else that uses facilities in Willcox. Mr. Brown asked why is they paying the fees if nobody else is and why are they turning in this paperwork? Councilwoman Cronberg clarification is the $150 a deposit and Mr. Brown said it is three (3) different deposits and Councilwoman said there is distinction between fees and deposits. Mr. Brown agreed and that is $150 that their League puts out that they could use for uniforms, and now having to buy caulk they could use that money. Went to talk to Mr. Bonner to try to get for them approval to turn in paperwork for 5-years. He asked the Council members if that is one of the policies that they can turn in paperwork for 5-years and asked if that was correct. Councilman Johnson said it is part of discussion and does not think it has been approved. It is part of what they had planned on how to move things forward and thinks that is part of the old policy and we incorporate into new policy which they have not finalized. Mr. Brown said the Willcox School District was able to turn in a Facilities Agreement for 5-years and he tried to do the same thing and Mr. Bonner told him that since his organization has not been established over 7-years he could not turn it in for 5-years. Present tonight are coaches that have coached ASA and Bobby Sox for the last 30 years. Councilman Norris too knows quite a lot about Bobby Sox. It is a big part of this community and it seems to him that there are a few members that work for the City that are trying to run organizations off. By the time they put the money out, spend a lot of time on paperwork, which he has taken paperwork 4-5 times, made changes to it just so that they could get it approved.

Mr. Brown has emails from Dawn Adame who "was very rude" asking where his deposit was and he was not aware that they needed to pay another deposit and would have paid it at that time. The paperwork is not getting approved because he does not have a deposit. Paid deposit on February 15th for the Rex Allen Days Tournament that he needs paperwork still has not received and found out still needs a deposit. After talking with Mr. McCourt he agreed they did not need to pay another deposit since already has the fields from February 1 to December 2010. Still he has no paperwork and went down there and again paid for the deposit.

After discussion with Mr. Bonner on trying to turn in paperwork for 5-years he was told he could turn one in for one year. That's another $50 had to pay for deposit to reserve fields for next year. The City wants them to turn in paperwork to reserve the fields, the days and times and another League trying to use the same thing but they do not want to get involved as far as scheduling the fields and asked what is the purpose of the paperwork when they want to know the days and times. Mr. Brown has asked tonight a few questions of the Mayor and Council and stated "none of this stuff has been approved" and why spending his time and the kids' money to pay for all these deposits and fees when it has not been approved yet. He asked if they know they had to pay for their own field caulk this year. Councilwoman Cronberg stated she knew from his email. Mr. Brown stated Councilman Norris has been involved with Bobby Sox for a long time and asked if the Councilman remembers having to pay for field caulk or lights. Councilman Norris said does not remember if Bobby Sox did and the Women's League had to pay for lights and took up donations. Mr. Brown said they are here for the youth there is a lot of youth in this town, he is a volunteer, and the board members are all volunteers and only asking for a little work. They put in fence and scoreboard and all they are doing is upgrade to the fields at no cost to the City, all they want is a little bit back. They want to be able to work with Public Works Department, City Manager and work with the Council members they may have kids or grandkids that play softball.

Councilman Johnson asked if in 2008 what the City do to participate helping get the fields ready. Mr. Brown stated that in 2008 he had to review his notes and Councilman Johnson asked "did the City caulk the fields, level the fields, and if they did that?" And the Councilman asked "did they do that for Little League?" Mr. Brown said recalls prisoners caulked the fields during the day if they had time and that is just hearsay because he does not know that for a fact. Councilman Johnson asked staff if Little League ' paid for their deposits. Mr. McCourt replied staff is waiting for Mr. Brown to finish before responding.

Mr. Brown stated this is a long summer program to keep kids out of trouble and asking City for a little help. Everything they do ask for is a fight. Thanked Mayor and Council for their time. Mr. Brown explained that they do use Field #1 and the Bobby Sox Field has always been Field #2. While working with Little League it seems when he gets email back from Mr. Bonner "the Little League agreed to share field with you" and that has always been a Bobby Sox Field. They share main field with Willcox High School Girls which takes away from them and they share the other field with Willcox Little League. They now do not have a field and they can put money into Field #2 just as easy as they did with Field #1. Mr. Brown asked the Council for them to be able to use Field #2 full time and share with High School Field #1. They work very well with the School. And he asked the Council to be able to use Field #2; put it back as Bobby Sox Field the way it has always been; and that Field #1 has never been Little League field because that is why the field does not have a pitchers mound. Quail Park has a mound on its fields and asked why not let Little League use both of those fields and feels Bobby Sox is entitled to Field #2. Mayor Lindsey explained that is not on the agenda and they can not address that tonight and they work on this on where we need to go in a work session. **APPLAUSE.** (From the supporters of the Bobby Sox League in attendance.)

Mayor Lindsey asked the City Manager to respond. City provides general basic level of services to all the public. Fees come into place when require higher level of services. Special groups or special interest and require higher level of service and that is when fees come in. The $50 are deposits and refundable and overall City policy that has been under discussion.. City Code does give him administrative authority and that is what he has done and told Mr. Bonner to follow that procedure until the Mayor and Council adopts a policy. Mr. McCourt did have a conversation with Mr. Brown and did not understand the second $50 and relayed that with Mr. Bonner. A lot of issues raised we will need Mr. Bonner to respond. Councilwoman Cronberg stated the request is to waive fees for personnel during Rex Allen Day's and during the tournament and asked if that was correct. Her addendum to that question is: with the fact that there has been a request to use the field for their Softball activities for a certain number of months and asked if that does not include the time for the tournaments they might be staging or does each event that they do require a separate request, application and deposit. Mr. McCourt asked to make sure he understands what they feel or approving. They are going to have tournaments on weekend and we urn out staff to rake fields and take care of running the tournaments and we pay them overtime. Councilwoman Cronberg replied that is not her question. Mr. McCourt asked if that is what the Council what they are looking at. Councilwoman Cronberg explained she is relating it directly to the waiver of fees as requested in this agenda item being for the Rex Allen Days Softball tournament that they want to host. Mr. McCourt asked if the Mayor and Council are indicating for us to do is to turn out City employees, pay overtime to rake and maintain those fields during the tournament. Councilman Johnson asked do those fields need to be raked during the tournament and have they ever been raked during the tournament. Mr. Brown replied they have always done it themselves in the past and they are a small group. Ms. Brown added that there were 4-adults took care of it last year that took care of it during the 3-days of the tournament. Councilwoman Cronberg asked if that is what they are asking for that for every tournament that they host. Mr. Brown stated that last year the School system came to them and offered them the use of gator, loaned them caulk to take care of fields and everything they needed for those field. They had volunteer school employees that donated their own time to help them. The tournament takes a lot of work because the fields do get torn up between games and with games going on all day for 2-days it does require a lot of work. They are asking for fees waived because they do not have the equipment or the manpower to take care of those fields during those days. Councilman Johnson asked during those tournaments how many teams come from out-of-town. Mr. Brown responded that last year they had 11 teams total and some came from Phoenix, Tucson, Douglas, Rio Rico, and Las Cruces, New Mexico and most stayed in Willcox. Councilman Johnson said they are here for 2-3 days. Ms. Brown explained they had a couple of families that had to go to Benson because Willcox did not have rooms and Mr. Brown added they also make reservations for 15-20 empires and put in motels and pay them plus their mileage. Last year Mr. Brown had a tough time getting the empires their room and hopes this year works better. Councilman Johnson stay in our motels, eat in our restaurants buy groceries and spend their money and then they leave. Mrs. Brown had families that went out to Apple Annie's and they said they enjoyed that very much. The teams go out and spend money and said they were coming back during the summer whether they had a tournament or not they were coming back to Apple Annie's which is supporting the City too.

Councilwoman Cronberg what they are looking at specifically tonight is the Rex Allen Day's tourney requesting waiver of fees. Any other issue would require some "sit down time" with Mr. McCourt and Mr. Bonner and some real discussion on what some future expectations might be. Tonight in her view and scope has enough clarification and know what she is talking about now and thanked them. Councilman Norris stated this year they are asking for 8-hours work from the City. Mr. Brown explained probably for a total of 8-hours and with the help from their volunteers and probably take work off. They do not have items such as gators for

the different sand needed to haul in or access to some of that sand. Fields get in bad shape especially to the pitchers mound Probably they are looking at 8-hours for the whole weekend. That was his first year tournament and pleased with the total number of teams. Usually they are doing good to get 4-5 teams. For the other tourney the City took all the bleachers, they had no place for the parents to sit, they had no water, and they were accused of not having insurance after having played the whole season. He was out of town at the time and his wife was able to take the insurance copy of what he turned in last January. They had a lot of issues, made a little bit of money for the kids and program. Umpires cost over $3,000 and they are here for the kids and better the program. Vice Mayor Schultz said his question is for the other organizations during Rex Allen Day's did we provide City help at no cost to them? Such as the Rodeo clean up, or parade. Mr. McCourt stated we provide police for the parade and that is a public safety issue. He asked are we saying we are going to provide 8-hours of labor or are we saying how ever much they want during Rex Allen Day's of labor for this tournament. Councilwoman Cronberg thinks what it says is they are requesting up to 8-hours and physical impact is approximately $200.00. Mr. McCourt asked if that is what we are approving. Mayor Lindsey said it has not been approved. Mr. McCourt assuming that is approved is that the motion. Mayor said motion made and seconded was to approve the waiver of fees or up to $200 or equates back to 8-hours of personal. Mr. McCourt wants to make sure what we are approving. Mayor Lindsey thinks we need further discussion and his concern is everyone is treated equally. And not one group favored another group and that all of the citizens have access to facilities and that we do not discriminate by charging one group more than another group or we don't provide more services for one group than we provide for another group. Mr. Brown stated when they first started in 2007 they received a light bill for $750 which they paid. Little League has been going for how many years at Keiller Park and they have not received a light bill. He does not agree with what the Mayor said that everyone is being treated equally. Mayor Lindsey concern is that not everyone is treated equally and we need to focus on that. He wants to be kept in the loop and said he has never been invited to any functions and eliminated him from emails when looked at other council members email. Mr. Brown said he has emails where he invited him and one is dated 9-21-2009 and none sent this year. Mayor Lindsey stated we need to work together to get it done and thinks that is the key to the entire situation. Councilman Holloway referred to the Council Action 'however actual hours worked is what would be charged.' Waiving the cost of the labor or the cost of the fee and asked if that is correct. And not really waiving the cost of the labor waiving the $25 fee and asked if that is right. Mayor Lindsey said his understanding is waiving up to $200 in time from City employees. He asked if any disagreement with that an Councilwoman Cronberg said that is her understanding and Councilman Johnson said that is what it said. The Mayor stated that at this point and Mr. Tim Alexander said as far as dug out as safety issue the kids need a place for shade. They can not stand out in the sun during the summer time. That is a big safety issue. Adult league can see fees. These are kids in our community, parents work here, buy things here and asked why can't we do something for the youth it is not for adults it is for kids to keep them off the streets. Tim Alexander. Mayor Lindsey stated that is part of the over all problem and need to work on. **CARRIED.** Mr. Brown thanked the Mayor and Council for time. Mr. Alexander thanked the Police Department for good escort this weekend they did a great job. Mayor Lindsey added that he feels like we still need to have a work session and sit down and talk about some of these issues and see what can be resolved. City Manager McCourt stated staff will prepare response to the points for their consideration.

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-30 FOR THE PURPOSE OF APPROVING AND ADOPTING THE REVISION TO SECTION 516 [CELLULAR (CELL) PHONE USAGE] 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 approve Resolution NO. 2010-30, as stated, relating to Section 516 Cellular (Cell) Phone Usage.

SECONDED: Vice Mayor Schultz seconded the motion. **DISCUSSION:** Councilman Johnson thinks again if there is issue here that needs to be addressed then bring it back to Council. The policy was written as intended. Thinks as far as clarity goes one thing that should be added to that is 516.6 and everything else should revert back to original policy. Councilwoman Cronberg is "okay" with some of the revision and still thinks that taking out 'to conduct business' if you blend this to saying that for that reason the City prohibits employees using cell phone while they are driving a City vehicle that also make 516.3 redundant. We do not need to say in there you are not going to allow sending or reading text messages because that requires using a Cell phone. If do this then are we going to say "you can't use Cell Phone to take pictures" because somebody might do that. There are so many uses any more so many "apps" on those phones and again asked what is the next thing that is going to come up when somel is using their cell phone and say "but I wasn't texting" and so it's okay. Does not think that is necessary. If go to language submitted to include the exclusion for Public Safety and deletion of words "to conduct business" and leave everything else as it

was. Councilman Johnson asked how many cell phones the City supplies to the employees. City Manager McCourt replied he does not know how many cell phones are supplied for City employment and will get that information. Councilman Johnson also asked how many employees use their personal cell to conduct City business that is required. Again the City Manager replied he does not know how many employees use personal cell phones to conduct City business and will see about getting that information. Councilman Johnson said his question is that IRS just recently ruled as far as using your personal cell phone for business use it has been disclosed that you can't unless it is mandated by the employer that you can write off your personal cell phone for business use or un-reimbursed employee expenses. He asked what City employees are issued a City cell phone and if that person is either on call or out on a site checking things and using their own personal cell phone and thinks that should be turned off when you walk in. If employees i.e. Tom (Miner, Library Director) use your own personal cell phone for City use you can take it off your taxes. Mayor Lindsey stated we have had 3-runs on this already. and Councilman Cronberg asked if appropriate to do an amended motion and asked what does the Council think about "as presented minus 516.3." Councilman Klump asked if you can text message on anything else that is not a phone i.e. pdf or whatever other electronic means. Asked if you could text message on something other than a phone, which you could not actually speak on, but you could send out email messages. Councilwoman Cronberg asked if talking about Smart Phone and asked if have to go to different policy. City Manager McCourt read section "not allowed sending or receiving text messages or any other information over a cell phone while operating a city vehicle." Councilman Johnson stated they shouldn't be doing that while they work either. Councilman Donahue thinks they got as close as they are going to get on 516.1 provided telephones, 516.2 states it is for driving safely, exception 516.6 Public Safety, 516.5 personal cell phone are to be turned off or left outside the work place and thinks that is as clear as we are going to get. Does not see what else we can do. In its previous forms he concurs with his colleagues that it was not clear. Policy can very easily become a double edge sword and employee can wheel it again an employer. It has to be clear and 516.5 are clear and exception and specific instruction on use of City Cell phone. Councilman Cronberg said if more comfortable could include not to be used for text messaging "then so be it. I am really tired of this." Councilman Johnson asked who is going to monitor it. Mr. McCourt replied that is done by all supervisors of the City. Councilman Johnson said if that is done then why they are going over the policy. **VOTE: Ayes**-Mayor Lindsey, Vice Mayor Schultz, Council members Norris, Cronberg, Klump and Donahue. **Nays**-Councilman Johnson. **CARRIED 6-1.**

DISCUSSION/DECISION REGARDING THE AGREEMENT BETWEEN THE CITY AND NORTHERN COCHISE COMMUNITY HOSPITAL(NCCH) ON SENIOR CENTER

MOTION: Councilman Johnson moved to approve the agreement between the City and NCCH on Senior Center.
SECONDED: Vice Mayor Schultz seconded the motion. **DISCUSSION:** City Manager McCourt explained the item cost requested for the chip seal and indicated staff would have that cost this evening. The cost is approximately $6,060 and also needs the labor and equipment added. The City Manager is asking if that is included in motion because not on staff report. If yes then arrange budget line in General Fund Programs to pay for these costs. EJ asked if part of in-kind for grant. Pat City has applied to grant and chip seal is definitely not in the grant. More clarification that the hospital and City working jointly to provide service to Boomers and wants to make clear both in as partnership. The grant originally talked about to continue to work on project and other costs as they come up that need to be addressed. Staff wants to be sure fulfilling the Council's wishes and in budget need to be aware what purpose. Approving City crews to make connection from the main utility line to buildings and needed cost for chip seal and asked the Council if that was intended to be included in the motion.

Councilman Johnson asked how much money was donated for the Senior Center over the last 2-years because we had one line for the Skatepark and one for the Senior Center. Finance Director Graham said we did have line item and is not aware of any donations for the Senior Center. Councilwoman Cronberg stated we had a line for the Senior Center. Councilman Norris stated that the first car show held all the proceeds were to go to the Senior Citizens and Vice Mayor Schultz said that was the same thing done last year. Mayor Lindsey stated the question is where did the funds go? Vice Mayor Schultz suggested asking Kathy Smith from the Chamber. Councilwoman Cronberg has received a few calls wanting to know if there is a way to donate to it because they have not seen anything publicized and we need to turn that information to the surface and let people know we did have a few years ago a way to do that and knows a few people that still want to do that.

City Manager McCourt stated that he personally is not aware about that and will have staff research that. If anybody wanted to donate funds for that specific purpose they would be maintained in a Trust Account. Councilman Johnson stated that according to policy he can spend up to $25,000 and anything over $10,000 needs to come back to Council to let them know where he spent it.

City Manager said still has to plan for it and does not think they are giving him authority to do that anytime he wished. The M and Council ultimately have to able to control the budget and know how money is being used. It is an expansion of services and is in line with the Hospital on what was discussed and get services delivered. Wants to make sure this is "okay" and know how to proceed and put in budget and schedule crews and work around the rest of our road projects so that we do not want to take from general the citizens in delivering the services to them. He is asking we know what it will cost us to do the hook ups, we know the estimated cost of the materials and asking if okay. Councilman Johnson said so far we are at $10,113 less the cost of labor to put the chip seal. He asked Mr. Smith for update where we are at with the Senior Center and what is the timeframe. Mr. Smith reported they ordered the building and is waiting; they have the soil sample taken care of; waiting for them to tell them to bring it. Have to level area and are ready to go once they get the okay for hookups. Councilman Johnson asked once hookups are in place, the building in place and the parking lot is set and asked if Mr. Smith has an idea what they will be doing and operating. NCCH has hired a lady to run the Senior Center for them and she has already setup to serve meals to the seniors. They are ready and are in motion and just need a place. Councilman Johnson asked if there is anything more they will be asking the City to help participate or help pay and Mr. Smith said they are going to do it regardless. Councilman Johnson ultimate cost is this something to get it ready and set. Mr. Smith if get grant would like to work with that and would like City's help if they could. Councilman Norris said we still do not have the grant. City Manager McCourt explained we have applied, we have contacted HUD, we are now trying to go through Congresswoman Gifford and we are hitting a blank wall and we have not gotten the award or response letter. Staff knows of no reason why we have not received this award. Minor changes were made and they were immediately sent back. We have sent emails, asked for update and no response. Mr. Smith stated the Hospital is going ahead with a Senior Center irregardless of the grant. The community needs this and they are ready to move forward with it regardless this would be wonderful and thinks could buy better equipment and already have a 54" flat screen television donated and he too wants to setup something for donations. If the grant comes that is great if not they will figure out a way to move forward. Councilman Norris said that has been set aside for Senior citizens. Councilwoman Cronberg stated her concern is that no matter what we still need to maintain City presence as a partner in the process otherwise that may negate some of the grant language and thinks if it is supposed to be City project we need to maintain that presence and that it is known. Mr. Smith stated they will all be invited to anything they do and if volunteer they would love it. Mayor Lindsey thanked him and he thanked them too Mayor wanted to be sure specify ar Councilwoman Cronberg asked if need to amend original language to include the dollar amount. City Manager McCourt wants ... in the minutes authorizing City resources for chip seal, hook ups and extension to the building. Mayor Lindsey asked if council wanted to amend motion to include dollar amount he has no objection to that. **VOTE: Ayes-**Mayor Lindsey, Vice Mayor Schultz, Council members Johnson, Cronberg, Norris and Klump. **Nays:-0-. Declared Conflict-**Councilman Donahue. **CARRIED 6-0-1.**

Mayor Lindsey acknowledged the presence of Ms. Pat Fleming, State Representative, and appreciates her attending and if she wanted to say a word or two. The City Manager thanked her for input on behalf of the City. Honorable Fleming stated it is great to be back home in Cochise County. The hardest part for her was not being able to get out due to Special Sessions. The decisions she made are public and whenever she asks for input on any effect to Cities and Towns she does look to the League and then contacts communities. She is home and in touch with legislative office. Vice Mayor Schultz stated the initial meeting with ADOT and DMV Ms. Fleming got it started.

DISCUSSION/DIRECTION/DECISION REGARDING RESOLUTION NO. 2010-44 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: Councilman Donahue moved to approve Resolution No. 2010-44, as stated, relating to Authorizing the purchase of Natural Gas on a Forward Pricing Contract Basis between the City and BP Energy Company.
SECONDED: Councilman Johnson seconded the motion. **DISCUSSION:** Councilman Johnson stated this is a way to save our tax payers money. Finance Director Graham gives us opportunity to purchase gas on regular basis. Also hopes it is a cost savings. Mayor Lindsey stated he knows Ms. Graham spends a lot of time looking at those things and deciding when is the time to buy and it has saved us money in the past. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-45 APPROVING AND AUTHORIZING THE EQUIPMENT LEASE WITH JAN KORTSEN INS., LLC D.B.A. MVP ("LESSEE") AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilwoman Cronberg moved to approve Resolution No. 2010-45, as presented, relating to equipment lease with MVP.
SECONDED: Councilman Donahue seconded the motion. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-48 APPROVING AND AUTHORIZING THE PROPOSAL FROM BROWN & CALDWELL ("C&B") TO CONDUCT FUEL TANK REMEDIATION SERVICES AND THE SUBMITTAL OF AN APPLICATION BY C&B TO THE ADEQ LEAKING UNDERGROUND STORAGE TANK (LUST), AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.
MOTION: Councilwoman Cronberg moved to approve Resolution NO. 2010-48, as presented, relating to Fuel Tank Remediation Services.
SECONDED: Councilman Donahue seconded the motion. **DISCUSSION:** Councilwoman Cronberg wonders how sure we are in the reimbursement line. Pat replied this is attempt covered under the Leaking Underground Storage Tank before it expires. Councilman Norris said in his place they solicited because they had underground tanks, completed a few things, and they even poured new cement where they had to bust the old. Councilman Klump asked if this relieves our liability once it is done. It is not something that can ever be fixed in Willcox and it is Superfund money that ADEQ is trying to get at. Are they coming back in 2-years? City Manager McCourt thinks it is possibility they may come back in the future regardless. It does relieve some cost and getting this work done. City Attorney Figueroa stated we can never "relieve your selves completely." This is a step required to begin with and should have been completed a long time ago and it wasn't Review of records found case not close. One step is to remediate and close the project and the second is if did do due diligence this is what we have done and if any liability it is diminished. The City Attorney felt comfortable to recommend to the Mayor and Council this approve. Mayor Lindsey stated it appears this should have been done 10 years ago. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-49 APPROVING AND AWARDING THE BID CONTRACT TO DUNLAP OIL COMPANY ("DOC") FOR PURCHASES OF UNLEADED GAS AND DIESEL, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST
MOTION: Councilman Donahue moved to approve Resolution NO. 2010-49, as stated, relating to awarding the Bid Contact to DOC for purchases of Unleaded Gas and Diesel.
SECONDED: Councilman Johnson seconded the motion. **DISCUSSION:** Councilman Johnson asked on bid opening sheet noticed that Freeway Texaco was "complete" and Dunlap was not marked "complete." As far as diesel Dunlap has marked "yes and no discount" and asked for clarity. Finance Director Graham explained diesel fuel consumption is relatively low and fuel price 7 cents off of pump for diesel and unleaded fuel. Councilman Johnson asked if it is a signed paper or card or key in driver. Not too long ago we had issue on purchases and unknown person used card. Ms. Graham stated that every vehicle has a card and person has personal identification to insert at the pump and the mileage on vehicle. **CARRIED.**

REPORTS BY THE CITY MANAGER PAT McCOURT
Consideration, discussion and/or decision regarding the following topics by the City Manager:
- **Report on City Clean Up Day -**Pat McCourt, City Manager, City Clean Up Day held Friday & Saturday, April 16-17th and 1.5 Tons of trash picked up by volunteers and City employees that worked a couple of hours on Friday.
- **Informational Fair-**Pat McCourt, City Manager, several community organizations are participating on Wednesday, May 5, 2010 for a Community Informational Fair. It will be held at the Community Center from 5 PM to 8 PM. The Exhibitors' are providing information about their organization and also Census Information will be available. Inform community various services available and one is the Census and maybe pick up more participation.
- **Sale of City Property-**Pat McCourt, City Manager, advertised in the local newspaper, City bulletin boards, web site, several public places, and City newsletter of the Sale of City Property. Bid packets can be obtained from the City Clerk's office, Development Services office and on the web. All bids are due Friday, May 28, 2010 at 3:00 p.m. in the Office of the City Clerk. Few packages have been picked up.
- **Mayors/Managers Luncheon-**Pat McCourt, City Manager, hosted by Cochise County on May 13, 2010 in Sierra Vista. If considering attending notify the City Clerk.
- **Run For The Wall-**Chief Jake Weaver- will be held on Thursday, May 20, 2010 the 22nd Annual Run For The Wall. It is cross county motorcycle ride conducted by veterans to raise awareness for prisoners of war, MIA, and US service members killed in action. Lunch and brief ceremony at the Elk's Lodge, 247 E. Stewart Street, around 12:30 p.m., and program lasts about an

hours. Also accepting donations and ask for Pat Stark 520.384.2131 at the Elk's Club and primarily looking for water, fruit provide the motorcycle riders. Vice Mayor Schultz said they have a flag that Rex Jr., had signed by them last year when he was back east and would put it on loan to display it if they would like. Chief will contact him.

- **Work Session Wastewater Treatment Plant and Tour-**Pat McCourt, City Manager, the work session on the WWTP will be held on Monday, May 10, 2010 at 6:30 p.m. Staff will be available for those persons interested in touring the facility beginning at 5:30 p.m.
- **Set Date for Joint Work Session with Planning & Zoning-**Jeff Stoddard, Building Inspector, looking at Infill Incentive in July.
- **Set Date and Time for Walk Through of the Arizona Avenue Houses-**Jeff Stoddard, Building Inspector, tentatively date has been set for Monday, May 17th at 5:30 p.m. for Mayor and Council and Planning & Zoning Commission.
- **Fireworks-**Chief Weaver reported donations for 2010 Fireworks from Eurofresh Inc., Rotary Club, Grande Vista Mobile Home, Far West Pump, Pioneer Title Agency, anonymous cash donation, Mick's Auto Care, Robin & Doris Jones, Monty's Trucking, Inc., Willcox Elk's Lodge, Willcox Auto Parts, Car Quest, Willcox Lodge 10, Apple Annie's Orchard, Willcox Chamber of Commerce, Northern Cochise Community Hospital, J&J Electronics, Radio Shack, Cochise Credit Union, Maid Rite Feeds, Andrew Terry, Rustic Rooster, Caldwell Banker, Charles Leighton, Jr. Hospice, Walker Family Medicine, Keeling Schaffer Vineyards, Rix's Tavern, and Westlawn Chapel. Donations totaled $4,070 in addition of $3,500 from Mayor and Council from Community Programs for a total of $7,570.00. The approximate bill for this year's fireworks is $8,500 and the difference he is confident they will be able to make that up.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

Councilman Johnson stated that as the budget process comes to an end we have 4-weeks left before approve the tentative budget. Wants to see numbers it has been nice seeing presentation on what has been done and what's planned to be done. Wants to see numbers broken down like done in the past. Turned budget book in and has not gotten it back and stated nice to see numbers, on what they are looking at.

Councilwoman Cronberg announced that Kathy Klump is not here this evening and wanted to make sure the people realize that the 15th is what she considers to be Willcox History Day the culmination of Historic Preservation Week and lots of events plan that day beginning about 9:00 a.m. to 5:00 p.m. In conjunction with that the Willcox Wine Country is having their Spring Wine Festival on May 15-16 at Railroad Park and starts at 11:00 a.m. to 6:00 p.m. and encouraged people to combine both activities on Saturday and Sunday. Also citizen in community advised her there is a 'Picnic in the Park' and anyone is welcomed to come. It is a good chance to meet candidates running and it is also a chance to learn other things important in the community and assert awareness of the Census. If they haven't turned in information, which is something that is viable to community and it is at Keiller Park starting at 10:00 a.m. this weekend and everyone is welcome.

Councilman Donahue stated he is "still in shock for being beaten up by Bobby Sox" and said he has "never taken such a whapping." Thanked Chief Weaver for his hard work he is doing and all the hard work "his guys" do and it is an honor well deserved.

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 8:36 p.m.

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 3rd day of May 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 14th day of September 2010

_____

City Clerk Cristina G. Whelan, CMC

THE MINUTES OF THE REGULAR METING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ HELD ON THIS 3RD DAY OF MAY 2010

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2010.

_____.
MAYOR GERALD W. LINDSEY
Signed: _____.

ATTEST:

_____.
City Clerk Cristina G. Whelan, CMC

THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ HELD ON THIS 6TH DAY JULY 2010

CALL TO ORDER- Mayor Gerald W. Lindsey called the special meeting to order on Tuesday, July 06, 2010 at 7:09 p.m. and stated the Council had a good work session prior to this meeting.

ROLL CALL –City Clerk Cristina G. Whelan, CMC, called the roll:

PRESENT
Mayor Gerald W. Lindsey
Vice Mayor Monika Cronberg
Councilman Elwood A. Johnson
Councilman Stephen Klump
Councilman William Holloway
Councilman Robert Irvin

ABSENT
Councilman Christopher Donahue

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

PLEDGE OF ALLEGIANCE TO THE FLAG- Mayor Lindsey.

CALL TO THE PUBLIC- Rob Jones, addressed the Mayor and Council and thanked them for this opportunity. He lives outside the City limits on Airport Road and it is bothering him that the wells in the County are becoming scarcer. Everyone's personal well is going to run dry. As a County resident Mr. Jones would support any move the Council can make or he to get water to this area which if it means becoming part of the City so be it. There will be controversy and sooner or later the County will be looking at the City to get water. Anything he can do Mr. Jones knows the Council would support this move and to contact him. Mr. Jones thanked the Mayor and Council.

DECLARATION ON CONFLICT OF INTEREST- Councilman Klump declared conflict on agenda item #23 regarding the Public Safety Façade. There was no further response from the Mayor and Council and staff.

ADOPTION OF THE AGENDA
MOTION: Councilman Johnson moved to adopt the agenda as presented with agenda items numbered 7-8-9 removed relating to Executive Session and adding to the Consent Agenda items numbered 18-19& 20 relating to request for fees waived by the Willcox Chamber of Commerce & Agriculture.
SECONDED: Councilman Holloway seconded the motion. **CARRIED.**

(Removed by the Adoption of the Agenda were the three (3) items relating to an Executive Session.)

PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS
Proclamation: Mayor Lindsey read the proclamation and declared the 59th Annual Rex Allen Days -***"Cowboys Honor Those Who Support Our Freedom & Liberty"*** beginning Thursday, September 30th through Sunday, October 3, 2010.
Public Hearing: The Mayor and Council will hold a public hearing on Tuesday, July 6, 2010 at 7:00 p.m., 300 W. Rex Allen Drive regarding the Interim Permit, Probate/Will Assignment/Divorce Decree, Series 07 Liquor License at Big Tex Bar-B-Que, Jeffery Lee Willey, 130 E. Maley Street, Willcox, AZ

All members of the public are invited to attend. For those persons wishing to comment and are unable to attend a written statement will be accepted in the Office of the City Clerk, 101 S. Railroad Avenue, Willcox, AZ, until 4:00 p.m. the day of the public hearing.

Mayor Lindsey opened the Public Hearing at 7:17 p.m. for the Interim Permit Big Tex Bar-B-Que and asked if anyone wished to comment on this item. The Mayor again asked if there are any comments. Hearing no further comments Mayor Lindsey closed the public hearing at 7:18 p.m.

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.

Mayor Lindsey read the consent agenda items by number and title and added to the Consent Agenda through the Adoption of the Agenda the 3-items relating to the waiver of fees for the Willcox Chamber of Commerce:

11A. MINUTES OF THE WORK SESSION MEETING OF MARCH 15, 2010, THE REGULAR MEETING HELD ON APRIL 5, 2010 Tab 4

11B. RESOLUTION NO. 2010-65 DESIGNATING AUTHORIZED SIGNATORIES FOR THE CITY OF WILLCOX FINANCIAL ACCOUNTS, PROPERTIES, AFFAIRS, BOOKS AND CORPORATE RECORDS OF THE CITY AND DECLARING AN EMERGENCY TO EXIST Tab 5

11C. RESOLUTION NO. 2010-72 APPROVING AND ADOPTING THE SPECIAL PROJECT GRANT FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2009 (PL 111-8) AND THE LOCAL MATCH FOR THE NCCH SENIOR CITIZEN CENTER PROJECT AND DECLARING AN EMERGENCY TO EXIST. Tab 6

11D. RESOLUTION NO. 2010-73 RATIFYING, APPROVING AND ACCEPTING THE LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) GRANT FROM THE ARIZONA STATE LIBRARY, ARCHIVES, AND PUBLIC RECORDS AGENCY TO BE USED FOR PUBLIC LIBRARY MATERIALS AND PROGRAMS, AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT DOCUMENTS AND DECLARING AN EMERGENCY TO EXIST. Tab 7

ADDED #18 THE WILLCOX CHAMBER OF COMMERCE & AGRICULTURE REQUEST USE FEES BE WAIVED FOR THE JOB FAIR AT THE COMMUNITY CENTER ON AUGUST 19, 2010 FROM 9:00 A.M. THROUGH 6:00 P.M.

ADDED #19 THE WILLCOX CHAMBER OF COMMERCE & AGRICULTURE REQUEST USE FEES BE WAIVED FOR THE USE OF THE ENTIRE COMMUNITY CENTER FOR THE COWBOY HALL OF FAME EVENT BEGINNING AT 8:00 A.M., WEDNESDAY, SEPTEMBER 29TH THROUGH FRIDAY, OCTOBER 1, 2010

ADDED #20 THE WILLCOX CHAMBER OF COMMERCE & AGRICULTURE REQUEST USE FEES BE WAIVED FOR THE CHRISTMAS APPLE FESTIVAL IN THE COMMUNITY CENTER BEGINNING AT NOON DECEMBER 1ST THROUGH NOON DECEMBER 5th, 2010.

MOTION: Councilman Johnson moved to adopt the Consent Agenda items as presented and the added items to consent agenda..
SECONDED: Vice Mayor Cronberg seconded the motion. **CARRIED.**

DISCUSSION/DECISION REGARDING THE INTERIM PERMIT, PROBATE/WILL ASSIGNMENT/DIVORCE DECREE, SERIES #07 LIQUOR LICENSE AT BIG TEX BAR-B-QUE, JEFFERY LEE WILLEY, 130 E. MALEY STREET, WILLCOX, AZ

MOTION: Councilman Johnson moved to approve the Interim Permit, Probate/Will Assignment/Divorce Decree, Series #07 Liquor License at Big Tex Bar-B-Que, Jeffery Lee Willey, 130 E. Maley Street, Willcox, AZ
SECONDED: Councilman Klump seconded the motion. **CARRIED.**

DISCUSSION/DIRECTION TO STAFF REGARDING THE YELLOW RAIL CAR ON PARCEL 203-28-180C ACROSS FROM THE CITY HALL TRAIN DEPOT

Mayor Lindsey stated the Rail Car rapidly deteriorating and if we don't do something in the near future there will not be much .. work with. Mayor Lindsey referred to the slides being shown on the condition of the rail car. Councilman Johnson asked if this is

a project to use volunteers. City Manager McCourt said it is a project where we could and happy to use volunteers, designed materials, and labor. Councilman Johnson asked if it would be wise to have open house, meeting or work session at the train car to invite the public to look and encourage volunteers or FFA or school, or craft men's to come and see to rebuild the deck, repair and installing. Mr. McCourt said staff would be happy to do that and staff report also suggested that. Councilman Johnson said knows need to get it done and have been working on the Railroad Park Grant working for over 2.5 years. Vice Mayor Cronberg said we lose track made decision to spend monies and those little things accomplished and lose sight and glad it is back and need to think about and do something. The idea of community partnership to get the work accomplished with the $47,000 we have yet to spend and have $73,000.00. Mr. McCourt spent some of the $75,000 and this project estimated the cost for exterior renovations is $47,040 and also discussed about trying to put some short of roofing to prevent it from sun and rain damage. Maybe we should keep this and look for grant and matching monies and tried to do that and unsuccessful to find grant for this purpose. Vice Mayor Cronberg said maybe we are losing time by going out to look for grants instead of doing what we can with what we have. Delcie Schultz said 2-years ago when this project started Mr. Johnson, herself, Kathy Smith and a few others wanted to get matching grants. Another thing that happened when she came to the City there was Centennial Projects there was money there and the City did not apply for it. Vice Mayor stated this is where we are now and this is what we need to do now. Maybe we need to provide that direction to get started on whatever it is to get the right hands and minds to get something done. It does not mean we stop looking for additional funding and we have to start somewhere. Likes partnering with the School and the work the students have done at the board room and they have done some spectacular work and good way to get youth involved in contributing to the community and the school as well . Mayor Lindsey said the direction is to get it moving and search for any avenues that we can to get help from the community or any grants and does not think we ever stop looking for grants. Agrees with everything that has been said and move forward with the project. Vice Mayor Cronberg said maybe with initial plan on what we need to do. Councilman Irvin said originally donated by Union Pacific and not Southern Pacific as stated in staff report and in the amount of $75,000.00.

DISCUSSION/DECISION REGARDING REQUEST TO SUSPEND GUNFIGHT PERMIT FOR ONE WEEKEND

City Manager McCourt explained that the procedure needs a motion to remove from table and then take discussion.

MOTION: Vice Mayor Cronberg moved to take the matter off the table to discuss it [the request to suspend Gunfight Permit for one (1) weekend.

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

Mr. McCourt stated that if he recalls correctly at this point we have a motion to suspend the permit given to Mr. Bo Downing under his permit for Saturday, October 2, 2010. Mayor Lindsey said that is correct. Vice Mayor Cronberg said it was tabled in order for the parties to reach a "compromise" based on what the Council discussions were at that last meeting. City Manager McCourt believes that is why it was tabled. The Staff report indicates there has been no communication as of the writing of the staff report and since that time there has been communication received. Shortly before printing of the agenda he received communication from Mr. Downing letter in packet and this morning he received an email from Ms. Reams and copy distributed to Mayor and Council. Late this afternoon received another email from Ms. Reams and copy to Mayor. The Vice Mayor asked the City Manager that there was nothing in the packet from Mr. Downing? Mr. McCourt said a copy was in the agenda book from Rex Allen Days President Ms. Peggy Judd.

Councilman Klump asked if there was a motion already on the floor. The Mayor stated there was not a motion. City Manager McCourt explained there was a motion "to suspend the permit to use Railroad Avenue on October 2nd for the gunfights in the afternoon he believes from 1-2 p.m." The Mayor stated he "was not aware there was a motion on the floor but if we do we do." The Vice Mayor stated we had motion to discuss and to open the floor. Councilman Holloway stated since the motion was brought it "off the table" then we are working on the motion made at the last meeting and discuss. The City Manager stated the Mayor and Council have many options available at this point motion, rescind, withdrawn, action taken on motion and best interest of the community.

Mayor Lindsey recognized Ms. Delcie Schultz who has asked to address the Council and if she wanted to at this point we are open for discussion. Ms. Schultz talked with McCourt today and decision was whether or not to revoke the permit from 1-2:30 on Saturday. She read prepared statement explaining the activities on Railroad Avenue held over the past 11 years. Since she and her husband came to Willcox 5-years ago attendance has increased in the downtown area, the Stage Show, and they have been

"trying to make Rex Allen Days like it used to be." It was no fault of the performers for the lack of publicity for the whole thing. It is why it is so important for the Event Producers to be able to schedule as many entertainers as possible. Through connections they have found people able to have people from California, Nevada, Tennessee and Arizona willing to help at little or no cost to them. Parade starts at 10:00 and in the past there have been no activities in this area before then. Plan to introduce to the spectators some of things scheduled in the downtown area. Hopes this issue can be resolved between Rex Allen Days, Inc., and Rex Allen Museum and if not will be asking the Mayor and Council to help them to resolve the problem. In 2006 the Governor declared Rex Allen Days an Arizona Treasure. Very important to make it as grand as they possibility can. Also they are in the process getting the 2011 Rex Allen Days a Centennial Event with the Arizona Tourism Council. Vice Mayor Cronberg stated she feels like they have been asked to be "Solomon in really difficult situation." She understands all the hard work. Concern we have local group of people committed to doing their bit of entertainment and looks like one group asking to negate the other group. At the last discussion 2-weeks ago the idea of possibly entertainment prior to parade it seemed to be well received and at that time the Council was not given the additional activities before the parade as she remembered it. And it seemed to be okay and Council left to parties to work it out. The Council is not here to be mediators. They can say "no for the usual show on October 2nd" and hopes they can work out something that both parties could come to some sort of agreement and use that time. We do have lots of local people who are also interested in contributing. The Council can say "yeah" and still going to be up to them to try to work something out that everyone can live with. She does not like being put in this position and thinks it is a very unhappy position literally for any one of them. What ever bad feelings there are between couple of individuals from whatever past experience spilled over and caused such heartache for something that is truly an event well thought of and well received and look forward to by so many people and it has meant a lot to this community for a long time and would really appreciate the parties working it out. The Vice Mayor would really appreciate the parties working something out.

Councilman Holloway asked Ms. Schultz if the Council denies Marshall Bo reenactment on that Saturday will there be another reenactment of a gunfight on Railroad Avenue during that day. Ms. Schultz said per say "no." Councilman Holloway stated he does not want to tell a local person he can't do his gunfight but there will be another gunfight. Ms. Schultz said "there will not be any gunfights." The Vice Mayor does realize that the Rex Allen Day's Parade Committee and note they proposed to allow a ' minute gunfight and still have time for the other parties to do entertainment prior to parade and asked Ms. Schultz if that is not possible. Ms. Schultz replied at the last Council meeting brought up possibility before parade although she didn't know and needed to talk to Ms. Reams. Spent over an hour and a half with Ms. Judd today, head of Rex Allen Days, Inc., and made assumption. The Rex Allen Museum has street closed from 6:00 a.m. to 6:00 p.m. and stated that is how it has always been done. Rex Allen Days, Inc. thought they had control of it during that period before the Parade. They have never done anything or entertainment before the parade only that the street would be closed. She told Ms. Judd they were going try to do something before parade to entertain people while they were there. She and Ms. Judd are still in discussion and does not know where it is going to lead to. They are trying to iron out differences. Part of the problem that until she came to town nothing was done downtown except little bit Jim Sober did. Once she came in and generated things happening Ms. Schultz does not think they thought about anything before only worry about the parade at 10:00 a.m. Vice Mayor Cronberg said a lot has changed over the last few years. If this is a local group that wants to be part of an activity and it seems ludicrous to have Rex Allen Day's which is our Western Heritage recognition and we are going to ask a shoot out not to perform that day and by all rights they should be. Knows what Rex Allen Museum trying to do with Cowboy Poet and all of the other entertainment and implores Ms. Schultz to find a way to work together with Rex Allen Day's so that could be one little piece of the day and not interfere with everything else she is trying to accomplish on that day. If she could work it out with Ms. Judd and Rex Allen Day's Committee that maybe they could start earlier and Dr. Beck could start for that hour before the parade. She asked if there is not some way to put heads together and try to get past whatever barriers there are and work on this. Also knows Marshall Bo there has been a real concern on the time frames where there may be a 15 minute script and asked how long does the walk take and those things do last a lot longer. Marshal Bo and Ms. Judd closed conversation and very much for that day and stated she knows "Delcie" is going to be mad and does not see why local entertainment can't also perform on the same day especially if he is willing to take the 9:00 a.m. He explained to Ms. Judd he has 3-shows written and worked on and could be put in. Their new 20 minute show they did at Wyatt Earp Days and now working on a third show. They are not talking about doing the walk at all and pared it down as small as he can and just to be as compromised as he can. He has promised Ms. Judd a 20 minute limit from the time they start and stop. Ms. Judd thought 9:00 a.m. would be fair to have local group perform as well as outside groups. Marshall Bo said he knows Dr. F from California. Ms. Judd felt as though within hour before the parade starts said there is plenty of time for his 20 minute show and

plenty of time for 20 minutes for them to do before the parade. Vice Mayor Cronberg said she is not sure if Ms. Judd was totally aware of plans. Marshall Bo said he went to Ms. Judd's office after Ms. Schultz left.

Councilman Klump stated he was involved Rex Allen Day's Inc. for several years. The parade starts at 10 at Fremont and Haskell and takes 15 minutes to walk to Railroad Avenue. If start at 9:00 a.m. they have 1.5 hours to get something done. It does take awhile with slow walking or driving and to get downtown. Marshall Bo said he would start at his store at 9:00 which is in front of Railroad Avenue and start entertainment right there and go exactly 20 minutes and by 9:20 a.m. he is done for the day.

Mr. Larry Schultz problem in the past has been that the entertainment Windmill Park people do not know that it is going to happen after the parade. Reason for this is to introduce some of the gun twirling and rope twirling and music and introduce what is going to happen in Windmill Park after the parade. That is going to draw more people into that area. Gunfight normally starts at his store and takes up the whole street. Marshall Bo said they will not be doing it that far. Mr. Schultz said those are things that need to be worked out between the parties involved. What is on the table he thinks is to waive the 2:30 p.m. show and if need to come back to Council if there is still controversy because the parties can not work it out. Vice Mayor Cronberg restated what he said is basically leave permit in place and figure out different time with the parties working together. City Manager McCourt stated permit is to allow Mr. Downing to use Railroad Avenue on Saturday's during specific time from 2-2:30 p.m. That is what the permit is and the request is to exercise Council's ability to suspend that permit on October 2nd. The permit is only for that specific time. The other event Mr. Downing is talking about is under "RAD's permit." They also had permit for that weekend for the Parade and so on. He thinks that is what Ms. Schultz is referring to and question is perhaps overlaps their permit. The question before the Council is at this time the Council has given Mr. Downing permission to use Railroad Avenue every Saturday from 1:30 p.m. to 2:30 p.m. including setup time. He can not put on a show anytime he wishes. Mr. Downing has volunteered his time and efforts to do this show and Mayor and Council reserve their right that on two occasions per year for situations like this. Motion to rescind permit on October 2nd in the afternoon and it does not preclude Mr. Downing working out a deal under another permit i.e. RAD's to do his show at another time and RAD's permit would be in place to put on events which could be at Keiller Park.

Councilman Holloway said if the Council suspend the permit tonight he does not feel comfortable they will work it out if there is a gunfight at all. Councilman Klump stated they could make a motion to put it in place. Councilman Holloway thinks they do not suspend the permit until they work something out and then will suspend it because all parties are satisfied. The City Manager explained several ways to do that is do the same they did last time if appropriate to lay the item on the table. There is notification period prior and if we continue to table then may become a problem. Mayor Lindsey said the motion is to suspend the gunfight on that particular Saturday. Mr. Schultz stated if it's decided not to rescind that permit tonight that means he can come in between 2-2:30 to do the gunfight and the Mayor stated that is correct and Councilman Holloway said that is why they want him to figure it out. Marshall Bo said that at 3 o'clock Ms. Judd has asked him if they would do a short entertainment in Keiller Park because they didn't have some entertainment there and he has agreed. He does not have to do anything at 2 o'clock because has elderly people in his show and it might be too close to run 2-gunfights together. Vice Mayor Cronberg said wanted to go ahead and Call for the Question with understanding you as parties most concerned will work it out. It does not mean doing 2 o'clock show may be at Keiller Park doing something else because can do that under RAD's permit and not his own and Called for the Question.

Mayor Lindsey asked all in favor of rescinding the gunfight permit for that week say Aye-No response heard. Opposed: Mayor Lindsey stated motion failed everyone voted No. City Clerk Cristina G. Whelan asked for clarification if Councilman Johnson voted. Councilman Johnson replied he did not and wants to vote "Yes." **VOTE: Ayes-**Councilman Johnson. **Nays-**Mayor Lindsey, Vice Mayor Cronberg, Council members: Klump, Holloway, and Irvin. **Absent-**Councilman Donahue. Mayor Lindsey said the motion failed 1-5-1. **FAILED-CARRIED.**

Mayor Lindsey hopes that in the meantime something can work out and seems there is sufficient time that somewhere there is some compromise that could be made and hopefully that will happen. Marshall Bo thanked the Mayor and Council members..

DISCUSSION/DECISION AND/OR DIRECTION TO STAFF ON THE SELECTION OF DESIGN FOR CITY BILLBOARD

City Manager McCourt reported that per the last Council meeting the direction to staff was to take these ideas and concepts back. The original copy is included in the packet and the 3-redrafts all of which incorporated the removal of script; putting in Visitor Center and mention Historical Willcox and Exist 340. Vice Mayor Cronberg stated with the three (3) renderings that they have

actually thought should it be "Historic Willcox" and "not Historical" due to confusion with "hysterical." She likes the idea of the bright yellow text is important to be seen quickly and also likes the idea with "Exit 340, Stop at the Visitor Center and Exit 340.' Thinks we can incorporate those two (2) together and thought the background with the wood grain and busier font that looks like metal work is harder to read. The Vice Mayor thinks the billboard needs to be clean text and very targeted stop at the Visitor Center and Exit 340. Mayor Lindsey asked if the members are at a point if want to make decision or want to direct staff. Councilman Klump clarified with the Vice Mayor to use the circle Stop at the Visitor Center Exit 340 and incorporate with Historic Willcox as long as in Yellow with cleaner text.
MOTION: Councilman Klump moved to use the 2nd page sample and change 'Historical' to 'Historic' Willcox in Yellow on top with the screws and steel and the round circle.
SECONDED: Councilman Irvin seconded the motion. **CARRIED.**

DISCUSSION/DECISION REGARDING THE WASTEWATER TREATMENT PLANT OPTIONS
Mayor Lindsey reported the Council members held a good work session meeting earlier this evening on the Waste Water Treatment Plant. Three members (Mayor Lindsey, Vice Mayor Cronberg and Councilman Klump) visited the Benson Treatment Plant this morning and were very appreciative and it was an opportunity to see the plant in operation first hand and methods they were using.
MOTION: Councilman Holloway moved to direct staff to peruse the Oxidation Ditch Treatment Plant.
SECONDED: Councilman Klump seconded the motion. **CARRIED.**

DISCUSSION/DECISION REGARDING THE APPOINTMENT TO FILL THE TWO (2) VACANCIES ON THE PLANNING & ZONING COMMISSION
MOTION: Councilman Johnson moved to appoint Nancy Guerrero and Sharon Nigh to fill the two (2) vacancies on the Planning & Zoning Commission.
SECONDED: Vice Mayor Cronberg seconded the motion. **DISCUSSION:** Mayor Lindsey stated we do not have counsel here tonight and point of order he would think that they would want to have a vote on each individual as opposed to a motion to ap e both at the same time.
RESCIND MOTION: Councilman Johnson moved to rescind his original motion.
Mayor Lindsey said do not need second. Councilman Johnson stated "I move to approve the nomination of the appointment to Nancy Guerrero." Mayor Lindsey stated he has motion to appoint Nancy Guerrero.
Councilman Klump asked a question of the audience if Sharon Nigh here and Vice Mayor Cronberg said "she is right here." The Councilman then asked if Doyle Miller was here and there was no response.
Councilman Holloway asked if 2nd needed and Mayor and Vice Mayor both replied "don't need second on appointment."
VOTE: Ayes-Mayor Lindsey, Vice Mayor Cronberg, Council members Johnson, Klump, Holloway and Irvin. **Nays: --0-. Absent-**Councilman Donahue. **6-0-1. CARRIED.**

Councilman Johnson "moved to appoint Sharon Nigh to the Planning & Zoning Commission." Mayor Lindsey stated "I guess it should be on a vote is what it should be. All in favor of Sharon Nigh raise your hands. So it is 5-1-1" **Vote: Ayes-** Vice Mayor Cronberg, Council members Johnson, Klump, Holloway and Irvin. **Nays:** Mayor Lindsey. **Absent-1** Councilman Donahue. Mayor Lindsey stated "those are the 2-then that are welcomed to the Planning & Zoning Commission." **(CARRIED not stated although majority vote was affirmative)**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-74 TO FORMALLY APPROVE AND AUTHORIZE THE WRITE-OFF OF CERTAIN TERMINATED UTILITY ACCOUNTS WITH UNCOLLECTIBLE AND UNPAID BALANCES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST
MOTION: Councilman Holloway moved to approve Resolution NO. 2010-74, as stated, to formally approve and authorize the Write-off of certain terminated utility accounts with uncollectible and unpaid balances.
SECONDED: Councilman Irvin seconded the motion. **DISCUSSION:** City Manager McCourt explained this is bookkeeping to clean up our books. This does not mean we are forgiving the debt. We still maintain a record and if customer comes in they still have to settle up before account is opened again. This is 4-years worth of uncollected funds. Councilman Johnson asked if approved write off last year. Ms. Graham, Finance Director, stated she has wrong date listed and the last write off was Augus , 2007. This report starts July 2006 through December 31st of 2008. Also the Arizona Administrative Code we can apply to Arizona

Department of Revenue to recover from taxes. Councilman Johnson asked then by attaching to State Refund if they have refund the City will get it. Ms. Graham explained we can not participate in that program. It would be reflection on our Sales tax that we pay. Writes off receivable and do not forgive the debt. Mayor Lindsey stated it helps to clean up the books for the Audit. Always there as collectible it just will not show up in the books. City Manager McCourt stated this is not General Fund this is Enterprise Fund. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-75 APPROVING AND AUTHORIZING THE FRAUD RISK MANAGEMENT POLICY TO FACILITATE THE DEVELOPMENT OF CONTROLS FOR THE DETECTION AND PREVENTION OF FRAUD AGAINST THE CITY, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

MOTION: Vice Mayor Cronberg moved to approve Resolution NO. 2010-75, as stated relating to Fraud Risk Management Policy. **SECONDED:** Councilman Klump seconded the motion. **DISCUSSION:** Vice Mayor Cronberg asked if in policy & procedures already in place if we do not already do this. Ms. Graham replied we do have to have separate policy and it is Audit requirement. **CARRIED.**

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-76 APPROVING AND AUTHORIZING THE CONTRACT FOR THE PUBLIC SAFETY COMPLEX FACADE WITH MASCOT HOMES AND CONSTRUCTION, LLC ("CONTRACTOR") AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to approve Resolution NO. 2010-76, as stated relating to the contract for the Public Safety Complex Façade.

SECONDED: Vice Mayor Cronberg seconded the motion. **DISCUSSION:** Councilman Johnson asked after this how much is left in the bond and what do we have left to do. Dave Bonner, Public Services & Works Director, replied it was $67,000 left in the Bond. They need to do landscaping, work on irrigation and volunteer work to be done by group of Master Gardner's. If can get landscaping and façade done and bid for sign received was for about $35,000 and thought we could get it at $30,000 and if can save some money on these 2-project then we can do the sign like they want to do it. **VOTE: Ayes-**Mayor Lindsey, Vice Mayor Cronberg, Council members Johnson, Holloway and Irvin. **Nays-0-. Absent:** Councilman Donahue. **Declared Conflict of Interest**–Councilman Klump. **CARRIED. 5-1-1.**

DISCUSSION/DIRECTION TO STAFF REGARDING TITLE 5, SECTION 2-4, UNLAWFUL ACTS

Mayor Lindsey stated this is not a decision matter. Mr. Jeff Stoddard, Building Inspector, reported this is brought to the Mayor and Council attention because he sends citations for weeds in yards and persons have asked about large tracts of land are not being taken care of too. There is code that it is required and thinks that undeveloped land should not have to follow these codes and should follow codes by Council action so that any tree shrub ...extends over sidewalk or under sidewalk or roadway.....for pedestrian or vehicular traffic ...may obstruct .... "There is a lot of area on map he has and some up to 20 acres and as long as not developed should be 5-2-4 (4). Councilman Johnson asked if that should be considered as natural growth. Mr. Stoddard stated considerable land or lands and example is this land behind this building. Mayor Lindsey stated we would probably be creating more dust and pollution if we were mowing those large tracks of land and by leaving them in a more natural vegetative state the question is do we want to put this back into a title to come back to the Mayor and Council for approval. Councilman Johnson asked if Counsel has approved this. Mr. Stoddard replied he has brought to the Mayor and Council first for direction. He asked to put in all large track land area greater than 1.5 acre exempt from sections 1-2-3. Vice Mayor Cronberg she he is asking for direction from Mayor and Council to reword before presenting to legal counsel. Mayor Lindsey said the direction to staff is to proceed with it and put into form for City Attorney and bring back to Council for review.

DISCUSSION/DECISION REGARDING RESOLUTION 2010-77 APPROVING AND ADOPTING THE SERVICES CONTRACT BETWEEN THE CITY OF WILLCOX ["CITY"] AND LIN-CUM, INC ["LIN-CUM"] FOR ARCHIVAL STORAGE, RETRIEVAL AND SECURITY SERVICES, AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Johnson moved to approve Resolution NO. 2010-77, as stated relating to the Services Contract between the City and Lin-Cum for archival storage, retrieval and security services.

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

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-78 TO FORMALLY APPROVE AND AUTHORIZE THE FRANCHISE TAX REFUND TO SULPHUR SPRINGS VALLEY ELECTRIC COOPERATIVE, INC. ("SSVEC") AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

MOTION: Councilman Holloway moved to approve Resolution No. 2010-78, as stated relating to formally approve and authorize the Franchise Tax Refund to SSVEC.

SECONDED: Vice Mayor Cronberg seconded the motion. **DISCUSSION:** Finance Director Ruth Graham reported that SSVEC contacted the City that they had made an error over a number of years. They were not charging the Hospital Franchise Tax although they were remitting it to the City. Corrected to maximum allowable which is 4-years and they have corrected the error and will no longer remit to the City and are now asking for the refund. Councilman Klump said they were not charging, therefore, there is not a refund to the hospital. Vice Mayor Cronberg which line and Ms. Graham replied it is the Franchise Tax Line General Fund and Councilman Klump asked if we can do it in payment. Councilman Johnson said the total for the 4-years is $16,398.83 and Ms. Graham said we do not have formula presented to us and gave us calculation. Councilman Klump asked if we have checked out the figures. Mayor Lindsey asked do we have any alternatives, Vice Mayor Cronberg said it is a big hit and it is their mistake. City Manager McCourt said we can tell them no and does not know what the Courts they will pursue. Councilman Johnson asked if there is any tool in place that we can whether periodic auditing different accounts for things like this or double billing so that it does not happen again. Had couple businesses have approached him having been billed in excess by City utilities. Asked if anything we could put in place so that something like this does not happen again, although, it does happen. Mr. McCourt in this particular case we do not have any way because they do not reveal and we do not have access to proprietary information. **CARRIED.**

REPORTS BY THE CITY MANAGER PAT McCOURT

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

- **Report on Capital Asset Threshold-**Ruth Graham, Finance Director, reports on the Capital Asset Threshold –Pat following GFOAZ advise on what assets to capitalize changed from $1500 to $5,000
- **Report on Attendees to the League of Arizona Cities & Towns-**Pat McCourt, City Manager, and the City Clerk needs t finalize the reservations for the conference and the hotel for those persons definitely attending. Also need to delegate the coordinator and co-coordinator for the Festival and the Flag Bearer for the Parade of Flags.
- **Report on City Manager Vacation days-**Pat McCourt, City Manager, will be on vacation from the afternoon of July 7th through July 9th, 2010.
- **Report on Departmental Energy Conservation on-going efforts-**Pat McCourt, City Manager, departmental memo listing of on-going energy conservation efforts.
- **Report on Chip Seal-**Dave Bonner, Public Services & Works Director, reporting on Chip Seal Projects. June 18 performed Chip Seal on Grant, McCourt, Downen and Soto one (1) block between Haskell and Railroad Avenue and improved drainage and turned out real well. Mayor said very good job.
- **Report on the Brown & Caldwell Underground Storage Tanks-**Dave Bonner PS&W Director, reports "No problem." The City Manager reported the file was never closed with the State. Brown & Caldwell came back and copy of report is available in the Clerk's office and their recommendation was to close file and give us clean bill of health. It is not to say there is no problem and not ours and today received letter from State they are not ready to close.
- **Report on Ramada Roof Repair-**Dave Bonner, PS&W Director reports on the roof repair work done in-house at the Keiller Park Ramada. City Manager added there were some shingles missing and re-roof and City staff done repairs and looks very good.
- **Report on 4th of July Celebration-**Jake Weaver, Public Safety Director Reports on the 4th of July. As of July 2nd donations received total $7,385 and we are a little short of $700 to pay those off. Donations usually continue to come in and get it paid off. There were no sustained injuries or fires. Discussion of incident during National Anthem the City or staff did not drop the flag. The Willcox Unified Schools rope apparatus broke. It is not the City's flag pole and it was a freak accident. Appreciates all the support and work the Fire Fighters did and appreciates support from Community and Council. **APPLAUSE.**
- **Report on Joint Work Session with Planning & Zoning Commission-**Pat McCourt, City Manager, the joint work session with the Planning & Zoning Commission has been scheduled for Monday, July 19, 2010 at 6:00 p.m., City Council Chambers.
- **July 15 schedule meeting with SEAGO-** City Manager reported that SEAGO would like to attend the Mayor and Council briefing on the Thursday before the next Council meeting. This is good opportunity for staff to meet their staff.

THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ HELD ON THIS 6TH DAY JULY 2010

- **Report City Manager attending training-**Pat McCourt, City Manager, will be attending the City Manager's Annual Conference in Tucson beginning on July 27, 2010 and returning late the afternoon of July 30, 2010. Chief Weaver in charge whenever he is gone.
- **Report on Update on Senior Center Agreement with NCCH-**Pat McCourt, City Manager, reports on the Update on the Senior Center Agreement with NCCH. This is the first draft and Vice Mayor Cronberg said it came from Tracy Zerkle from the Hospital.

COMMENTS NOT FOR DISCUSSION FROM MAYOR AND COUNCIL MEMBERS.

Councilman Johnson stated wonderful job at fireworks! Thanks Chief!
Councilman Klump fireworks were great!
Councilman Holloway spent the last 3-days in Prescott's 5,800' and very nice. They do a lot of wonderful things in Prescott, although they do not put on fireworks and sorry missed ours.
Vice Mayor Cronberg thanked the Chief for wonderful 4th of July and really very please it was a very safe 4th of July.
Mayor Lindsey reported he heard the booms and saw some of them and cannot attend because held on Sunday when some can not attend. He stated the Department always does a great job and citizens and those in whole area partake in that and it is a great thing for our City.

ADJOURN

There being no further business before the Mayor and Council, Mayor Lindsey adjourned the meeting at 8:32 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 6th day of July 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 15th day of September 2010

_____
City Clerk Cristina G. Whelan, CMC

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2010.

_____
MAYOR GERALD W. LINDSEY
Signed: _____

ATTEST:

_____
City Clerk Cristina G. Whelan, CMC

THE MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ HELD ON THIS 30TH DAY OF AUGUST 2010

CALL TO ORDER-Mayor Gerald W. Lindsey called the special meeting to order on Monday, August 30, 2010 at 6:00 p.m.

ROLL CALL –City Clerk Cristina G. Whelan, CMC, called the roll:

PRESENT	STAFF
Mayor Gerald W. Lindsey	City Manager Pat McCourt
Vice Mayor Monika Cronberg	City Attorney Hector Figueroa
Councilman Elwood A. Johnson	City Clerk Cristina G. Whelan, CMC
Councilman Stephen Klump	Finance Director Ruth Graham
Councilman Christopher Donahue	Public Services & Works Director Dave Bonner
Councilman William "Bill" Holloway	
Councilman Robert "Bob" Irvin	

PLEDGE OF ALLEGIANCE TO THE FLAG-Mayor Lindsey.

CALL TO THE PUBLIC-There was no response from the public present.

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

ADOPTION OF THE AGENDA

MOTION: Councilman Johnson moved to adopt the agenda as presented.
SECONDED: Vice Mayor Cronberg seconded the motion. **DISCUSSION:** Mayor Lindsey asked to revisit the motion to include consideration of agenda items numbered 7, 8, 9 and 10 (relating to Executive Session) after agenda item numbered 14 (relating to Resolution NO. 2010-92).
AMEND MOTION: Councilman Johnson moved to amend his motion to adopt the agenda and to consider agenda items 7, 8, 9 and 10 after agenda item number 14.
AMENDMENT SECONDED: Vice Mayor Cronberg seconded the amended motion. **AMENDED MOTION: CARRIED.**
ORIGINAL MOTION: CARRIED.

DISCUSSION/DECISION ENTER 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; AND (Agenda was revised to include the following and added Agenda item on Instruction to Counsel and Staff) *ARIZONA REVISED STATUTES § 38-431.03A(4) DISCUSSION OR CONSULTATION WITH THE ATTORNEYS OR THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS ATTORNEYS REGARDING THE PUBLIC BODY'S POSITION REGARDING CONTRACTS THAT ARE SUBJECT OF NEGOTIATIONS, IN PENDING OR CONTEMPLATED LITIGATION OR IN SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION. (After decision on Resolution NO. 2010-92 considered 7-8-9-10.
MOTION: Councilman Johnson moved 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; and ARS § 38-431.03A(4), as stated, relating to pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.
SECONDED: Vice Mayor Cronberg seconded the motion. **CARRIED.**

RECESS TO EXECUTIVE SESSION, IF APPROVED-recessed regular meeting at 6:47 p.m.

RECONVENE FROM EXECUTIVE SESSION-Reconvened the regular meeting at 7:06 p.m. and due to prior commitments Councilman Donahue left at this time.

DISCUSSION/DECISION AND/OR INSTRUCTION TO COUNSEL AND STAFF REGARDING ITEMS CONSIDERED IN EXECUTIVE SESSION

City Attorney Hector Figueroa explained the Mayor can instruct Counsel and Staff. Mayor Lindsey instructed Counsel and S. proceed with the matter discussed and his recommendation. City Attorney stated he and staff accept instruction and will proceed as instructed.

PUBLIC HEARINGS, PETITIONS AND COMMUNICATIONS-Considered first after the adoption of the agenda per motion.
Communications: (This item was added on the revised agenda.) Mayor Lindsey read the First Reading of Ordinance NS299 Relating To Taxation: Levying Separate Amounts To Be Raised For Primary And Secondary Property Tax Levies Upon Each One Hundred Dollars ($100.00) Of The Assessed Valuation Of Property Subject To Taxation Within The City Of Willcox For The Fiscal Year Ending June 30, 2011 And Declaring An Emergency To Exist.

Public Hearing: The Mayor announced that the Mayor and Council will hold a public hearing on Tuesday, September 7, 2010, at 7:00 p.m., 300 W. Rex Allen Drive, Willcox, AZ regarding Ordinance NS299 Relating To Taxation: Levying Separate Amounts To Be Raised For Primary And Secondary Property Tax Levies Upon Each One Hundred Dollars ($100.00) Of The Assessed Valuation Of Property Subject To Taxation Within The City Of Willcox For The Fiscal Year Ending June 30, 2011 And Declaring An Emergency To Exist.

All members of the public are invited to attend such meeting. For those persons unable to attend, written comments will be accepted until 4 p.m. the day of the public hearing in the Office of the City Clerk, 101 S. Railroad Avenue, Suite B, Willcox, AZ 85643.

INTRODUCTION AND/OR PRESENTATION BY MARK READER, MANAGING DIRECTOR, STONE & YOUNBERG, LLC AND INTRODUCE TIMOTHY PICKRELL
Mr. Mark Reader, Managing Director, Stone & Youngberg, LLC, handed out information to the Mayor and Council regarding graphs and information on the Short Term Loan. Mr. Reader has worked for the City of Willcox on Bond issues and with Mr. Holloway (while employed with the Willcox Unified School District). Recently has been working with the City on the WIFA Financing for $1 Million for the engineering and design purposes for the wastewater system. Mr. Reader explained the loan and introduced Mr. Tim Pickrell.

Mr. Tim Pickrell, Squires, Sanders & Dempsey, is the Bond Counsel on the WIFA Loan and explained the process. This loan entails 2- actions: Resolution NO. 2010-91 WIFA (Water Infrastructure Finance Authority) and want the loan to be secured by sewer system by the 2001 Bonds sold to USDA to Rural. Had to meet 2001 Bond and didn't contemplate short term loan it did long term with small principle due each year. The Bond read net revenue has to cover maximum debt service at any future year. This resolution amends the 2001 resolution to treat a 3-year short term as if it was a 25 year and spread out principle and City able to meet that test. USDA is the Bond holder and can't amend without 2/3 of the holders' approval. And today Mr. Pickrell thanked Jeff Hooper, USDA, because he has agreed to allow the City to go forward. Mayor Lindsey introduced Mr. Hooper and said he is happy to have him here and looking forward to working with him. The mayor asked if there were any questions.

Councilman Johnson asked if Resolution is amending or marrying the 2001 resolution. Mr. Pickrell replied it is amending one definition of maximum annual debt service as it appears in the 2001 resolution to make 25 year assumption and ratifies the 2001 resolution as amended. City Manager Pat McCourt added that the 2001 lending document had several parts and this says if ever going to borrow there are certain requirements to meet. One is we have to show that the rates cover operating expenditures and 125% of principle and Interest due each year. Short term loan we have $1M due in 1-year and have to increase rates to be $1.3M in one year. Rather than do that we propose to amend resolution as short term, as amortized over 25 years and not have the huge spike in one year. Mayor Lindsey stated that loan would be paid with the other. Councilman Johnson asked when current expires and Mayor Lindsey replied in 2021 and there is $760,000 outstanding. Mr. Pickrell stated the amendment does not do anything to the 2001 Bond only add $1M. The City Manager explained the resolution rate section determines how to adjust rates to make sure cover expenditures and we do that on annual basis. Councilman Holloway stated that under "B" it states maximum 3-years is the definition. Vice Mayor Cronberg stated we do need engineering in order to move forward.

MOTION: Councilman Donahue moved to adopt Resolution No. 2010-91, as stated. **POINT OF ORDER:** Councilman Johnson stated Point of Order need to read the next agenda item to consider and before making a motion.

Mr. Pickrell explained that Resolution NO. 2010-92 authorizes the City to enter into WIFA documents and loan agreement to be signed near final form and delivery of $1M and delegating signing officers any changes. Councilman Johnson stated we are not looking for additional increase other than what was put in place for annual sewer adjustment and CPI. Mr. McCourt replied given probably paying 1/3% on interest and money we draw down and probably not significant in itself for rate adjustment. In the long term it will be significant and on the short term sense no significant impact. Councilman Johnson asked in the future how this will affect our rating to borrow. Mr. Reader explained how this particular loan affects future credit ratings. This is financing it is a revenue based financing and the rates and charges have been adjusted to make sure you have revenues sufficient to repay this loan. That is good. In the future credit rating will stand on its own depending on financing done at that time. USDA or WIFA does not require. Management stand point we need to ask "are your Enterprise Funds paying for itself." City has done good job recognizing that and all in all very positive. Councilman Johnson stated that in 2004 last looked at WasteWater Treatment Plant at $20M asked if bonding, tax increases, levies, stimulus money, which means spending money. City Manager McCourt explained discussion was held on this during the budget process and we are looking at USDA and Mr. Hooper is working with us. Anticipate getting loan and grant from USDA. As far as stimulus money or regular appropriations Mr. Hooper can answer. City standpoint is one of the guide lines is our rates with other comparable systems and determine how much are grant and loan. This is good. Mayor Lindsey added we are tossing around $8-10 Million and do not know at what level grant will kick in. The Mayor has discussed this a little with Mr. Hooper and City standpoint will be less. We do have to determine what the rate is compared to other cities or determined before Mr. Hooper decides what part is loan and what part is grant. Vice Mayor Cronberg is interested on the engineering and the ability to keep those costs down so that we do not take up all the $1M and asked if bidding to help keep costs down or is it a given we will end up spending the $1M. City Manager McCourt replied that will be City staffs job. It is estimate and talked with some City Council members and plan is to use Engineering firm who has been approved by the State and we do not have to back up discovery, therefore, we will stay with Tetra Tech. Staff's job is to keep cost low and still get job done. Mr. McCourt explained that Exhibit B has one part estimated budget and will come in under and how far is the question. Section 2 is what the Engineering firm will be tasked in developing. That includes modification to head works, receiving station, 2-oxidation ditches, expand entire plan by putting another ditch or adding components. It will not have a roof over them. Blower station to push water into the oxidation ditches. Chlorine first then get it out before dispense the water. Drying beds will be used to remove and dispose final and equipment automation too.

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010- 91 AMENDING RESOLUTION NO: 2001-01, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF WILLCOX, ARIZONA SEWER REVENUE BONDS, SERIES 2001A AND 2001B; AUTHORIZING, RATIFYING AND APPROVING ALL ACTIONS IN CONNECTION THEREWITH AND DECLARING AN EMERGENCY TO EXIST.

MOTION: Councilman Donahue moved to approve Resolution No. 2010-91 Amending Resolution NO. 2001-01, as stated relating to the Issuance and Sale of City of Willcox, Arizona Sewer Revenue Bonds, Series 2001A and 2001B; Authorizing, Ratifying and Approving All Actions In Connection Therewith and Declaring An Emergency to Exist.

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

DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-92 PROVIDING FOR THE FINANCING OF CERTAIN SEWER SYSTEM IMPROVEMENTS AND FACILITIES THROUGH A LOAN AGREEMENT WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA; APPROVING AND DIRECTING THE EXECUTION AND DELIVERY OF SUCH LOAN AGREEMENT AND THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR OTHER RELATED MATTERS; AND DECLARING AN EMERGENCY

MOTION: Councilman Donahue moved to Resolution NO. 2010-91, as stated, relating to the Financing of Certain Sewer System Improvements and Facilities Through a Loan Agreement with Water Infrastructure Finance Authority and Directing the Execution and Delivery of Such Loan Agreement and the Execution and Delivery of Other Documents and Agreements In Connection Therewith.

SECONDED: Councilman Holloway seconded the motion. **DISCUSSION:** Mayor Lindsey asked if there will not be or there a slight increase to the sewer. A third of a percent is $3,000 and revenue for sewer fund is $218,000 and that is a very small percent. City Manager McCourt replied staff is not anticipating a rate increase although he can not say there will not be any impac and can not really say that and suspects that it would be extremely nominal. However, we have to make the principle payment on the balance. In the future we will have to amortize that and that will have effect on the rates. Councilman Johnson asked if any mock calculations done. There may not be any increases today and if used the $1M at small interest we have to pose the City to be prepared for the rate increases that are coming. We had rate increases with the water and will we have rate increase here. He would like to have numbers out to prepare residents for that. Councilman Johnson stated his sewer doubled and needs to talk to staff and is still in shock. Very concerned with what may happen and has two (2) years worth of bills. City Manager McCourt said sewer rates will have increase and range previously presented on which option was chosen and how much might be covered by grants or borrowing. As we get further along in the process will have more accurate numbers to consider. Sewer rates are fixed rate and variable on water usages. Mayor Lindsey added that a lot of the calculations that could be made in order to determine that are going to depend to a great degree on the rate USDA comes up with as far as our grant level and Bond is. This will be based on the City's current sewer rates compared with other City's rates and what we will have to increase those rates in order to service the loan. It is the Mayor understanding that at this point those calculations have not been made and asked Mr. Hooper if that is correct. Mr. Hooper stated that is correct. Councilman Holloway stated they really can not calculate because we do not know what the final amounts are going to be that we will be in debt. Mayor agrees and thinks we can project. Councilman Holloway thinks we have as good as we are going to get projections today. Mr. Hooper, Rural Development, thinks many Council members have a sound understanding how USDA financing works. When it comes to grant dollars allocated from the Federal Government the purpose of grant dollars is to subsidize a project to the extent that rates do not have to be increased above what they consider similar system cost. These are things they take a look at and try to see what does a similar size town or the state sewer average rates and grant dollars utilized and put into these projects so these rates do not have to far exceed what a similar system cost is. When they get the information from the Preliminary Engineering Reports that has cost estimate looking at $10M total project cost then they will look at financial capability of the system itself, look at what your ability to pay based on existing rates now and look at $10M as loan component and do not believe there is capacity to pay back that $10M. They also look a what is your capacity, what would your rates need to be raised to get to level comparable to other costs are. Then will try to use grant dollars to extent available to bring that cost down. It is a big process they go through to come to that. Vice Mayor Cronberg asked if the economic health of area overall impact those kinds of decisions on what they go out for. Do they look at the mean income of the City and asked if that also impact the request and decision? Mr. Hooper replied in the affirmative. They look at population of the service area, medium household income for residents in the City of Willcox and what will come into play on this one is the need to get this done. The issue with ADEQ and violations the City is currently under right now shows that this is indeed a priority because looking at health and safety concerns to get this project done and that also gives a higher priority. **CARRIED.**

At this point 6:45 p.m. go back to item #7 regarding to enter into Executive Session.

ADJOURN - There was no further business before the Mayor and Council and the special meeting was adjourned at 7:07 p.m. by Mayor Lindsey.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeing of the City Council of the City of Willcox held on the 30th day of August 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 14h day of September 2010

_____

City Clerk Cristina G. Whelan, CMC

PASSED, APPROVED AND ADOPTED this _____day of _____ 2010.

_____.
MAYOR GERALD W. LINDSEY
Signed: _____.

ATTEST:

_____.
City Clerk Cristina G. Whelan, CMC

CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item: 10B
Tab Number: 3
Date: 09-20-2010

Date Submitted: 9-13-10 Date Requested: 9-20-10	Action: _____ Resolution _____ Ordinance _____ Formal __X__ Other	Subject: Keeping the City's options open on purchases of Natural Gas

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The Federal Government recently passed the Dodd-Frank Wall Street Reform and Consumer Protection Act (ACT). The law goes into effect on July 16, 2011. There appears to be a provision that would restrict the City from making "futures" purchases of Natural Gas. The City makes these purchases to keep the cost of purchasing natural gas at a lower level. A futures purchase is when the City enters a contract to pay a specified amount for natural gas several months in the future. The price of natural gas has large fluctuations due to the weather and resulting demand changes (gas cost more in the winter that the summer – the colder the winter the higher the price rises).
The ACT has a provision to allow the City the right to request an exemption for a one year period after the Act becomes effective to assess the impact of the ACT and subsequent Regulations and how the City can best respond.
Request the exemption does not guarantee the exemption will be granted. Not requesting the exemption assures the City will not receive it.
If the City receives an exemption, the City is not obligated to use the exemption.
The exemption had to be filed on or before 4:30 PM EST on September 17, 2010.
The Mayor signed the exemption form on behalf of the City.

RECOMMENDATION: Ratify the decision to file for the exemption

FISCAL IMPACT: **Unknown**

Prepared by: Pat McCourt

Approved by: _____
Pat McCourt, City Manager

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2010-95

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA RATIFYING, APPROVING AND AUTHORIZING THE FILING OF A PETITION WITH THE U.S. COMMODITY FUTURES TRADITION COMMISSION ("CFTC") TO TRANSACT CERTAIN TYPES OF "EXEMPT COMMODITIES" FOR NATURAL GAS AFTER THE JULY 16, 2011 EFFECTIVE DATE PURSUANT TO THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT ('ACT") AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox ("CITY") is empowered pursuant to A.R.S. § 9-240(B)(2) to appropriate money and provide for payment of its debts and expenses and is vested with all powers of incorporated cities and towns as set forth in Title 9; and

WHEREAS, the CITY is authorized pursuant to A.R.S. §9-514 to engage in utility business including natural gas purchases on the "futures" market through our current provider, MuniGas; and

WHEREAS, Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act ("ACT") which was signed into law with an "Effective Date" of July 16, 2011; and

WHEREAS, the ACT may require changes on how the CITY makes purchases of natural gas in the upcoming years and provides for the filing of a petition for an extension of the effective date: and

WHEREAS, the ACT requires the Federal government to draft and implement regulations to carry out the intent of the ACT and, if a Petition is timely filed, the CITY can preserve the right for an extension of time when the regulations are finalized and implemented; and

WHEREAS, the Mayor and City Administrators recognized the importance of filing the Petition, completed same, and the Mayor executed it on behalf of the City and thereafter filed it with the CFTC; and

WHEREAS, the CITY desires to have this item presented to Mayor and Council at its next Council Meeting on Monday, September 20, 2010 to ratify, approve and authorize the filing of the Petition; and

WHEREAS, Mayor and Council have determined that it is in the best interests of the CITY, gas customers and its residents to ratify, approve and authorize the filing of the Petition to the CFTC to preserve its right to obtain an extension of time after the effective date of July 16, 2011; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely ratification of the filing of the Petition to the CFTC, and that this Resolution shall be effective immediately upon its passage and adoption.

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

Section 1: The Mayor and Council determine that it is in the best interest of the CITY and the customers of the City's gas utility to: ratify, approve and authorize the filing of the Petition to the CFTC as presented.

Section 2: The Mayor and Council formally ratify, approve and authorize the filing of the Petition by the required deadline of September 17, 2010.

Section 3: CITY Officials and Administrators are authorized and directed to take all action required or necessary to carry out the intent of the Resolution.

Section 5: The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this _____ day of September, 2010

APPROVED/EXECUTED

_____
MAYOR, GERALD W. LINDSEY
Signed: _____.

ATTEST:

_____
City Clerk, Cristina G. Whelan, CMC

APPROVED AS TO FORM:

_____
City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2010-95

To: **MuniGas Participants**

From: **Jim Smith, MuniGas & Dave Schryver, APGA**

RE: **Petition for you to File with the U.S. Commodity Futures Trading Commission – To Be Filed by 4:30 Eastern Time on Friday September 17, 2010**

Date: **September 13, 2010**

The Dodd-Frank Wall Street Reform and Consumer Protection Act (the "Act") that has been signed into law may require changes to your business in the upcoming years, depending on the regulations being written now by the U.S. Commodity Futures Tradition Commission (the "CFTC"). Along with a coalition of energy trade associations, we are working to assist the CFTC in determining how the Act and the related regulations will apply to our members.

Petition for Potential Extension:

Most provisions of the Act become effective July 16, 2011 (the "Effective Date"). If you transact in certain types of "swaps" and/or "exempt commodities" after the Effective Date, the Act and the CFTC regulations promulgated under the Act will apply to you.

However, the Act allows you to file a petition with the CFTC to request an extension of this Effective Date in certain respects. We have drafted the attached form of petition that makes this request. You should consult with your counsel if you wish, and then we recommend that you file the petition with the CFTC per the directions below.

You may have read that the CFTC issued two orders relevant to the petition process on Friday, September 10th. Unfortunately the CFTC orders did not grant the exemption for which Congress allowed end users to petition, nor did the CFTC authorize trade associations to file petitions on behalf of their members to alleviate the burden on the industry. APGA will be filing a petition on behalf of its members but we also strongly recommend that you file an individual petition as well.

Do You Need to File?

You should file the petition with the CFTC if you buy or sell any of the following commodities or you plan to do so in the future (whether under a tariff or an agreement such as the EEI, NAESB or ISDA master agreement or on an electronic "exchange" or bulletin board):

- Natural gas;
- Transportation for natural gas or related items such as capacity or storage.

If you do not engage in any of the transactions described above or any similar transactions, you do not need to file a petition at this time. **However, if you are at all unsure whether the above applies to your organization, we advise you to file a petition.**

Steps For Filing:

Please take the following steps no later than **4:30 pm (Eastern time) on Friday, September 17, 2010**:

1. Revise the attached petition with information specific to your organization.

2. Have the petition signed by the appropriate party.

3. E-mail (secretary@cftc.gov) or fax (202-418-5521) the petition to the attention of the Secretary of the CFTC. Below for your convenience is a brief form of cover letter to your petition:

September __, 2010

Dear Secretary Stawick:

On behalf of [YOUR ORGANIZATION NAME], I am hereby submitting to you the attached petition under Section 723(c) of the Dodd-Frank Wall Street Reform and Consumer Protection Act. Please contact me if you have any questions, and thank you for your consideration.

Sincerely,

Please send a copy of your petition, as filed with the CFTC, to MuniGas at jim.smith@munienergy.com and to APGA at dschryver@apga.org so we can track those who have filed such a petition.

UNITED STATES OF AMERICA
BEFORE THE
COMMODITY FUTURES TRADING COMMISSION

CITY OF WILLCOX, ARIZONA

PETITION TO REMAIN SUBJECT TO THE EXISTING PROVISIONS OF SECTION 2(h) OF THE COMMODITY EXCHANGE ACT

I. Requested Commission Action

The above-named not-for-profit Petitioner (the "NFP Petitioner") respectfully submits this petition to the U.S. Commodity Futures Trading Commission (the "Commission") and requests that the Commission, pursuant to Section 723(c) of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (the "Dodd-Frank Act") allow the NFP Petitioner to continue to rely on the exemptions set forth in § 2(h) of the Commodity Exchange Act (the "CEA") for a period of one year after the Effective Date[1] of the Dodd-Frank Act, or for such other period as the Commission deems appropriate.

The NFP Petitioner is a public gas system which distributes natural gas to its customers. The NFP Petitioner is one of approximately 1,000 public gas systems operating in the United States today and, while each is unique, all public gas systems are focused on serving their customers. They have no stockholders and are accountable to elected and/or appointed officials and, ultimately, the public. The focus of a public gas system is to provide reliable and safe not-for-profit energy and to keep costs low and predictable for the particular community it serves. The NFP Petitioner regularly manages the commodity risks associated with its business by entering into contracts, agreements and transactions in energy and energy-related "exempt commodities", including, without limitation, natural gas.

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[1] The date of enactment is July 21, 2010 (the "Enactment Date") and the date of effectiveness is 360 days after the Enactment Date, or July 16, 2011 (the "Effective Date").

II. Supporting Arguments

A. The Grandfather Provision of the Dodd-Frank Act Permits the Filing of this Petition

Section 723(c)(1) of the Dodd-Frank Act states that "a person may submit to the Commodity Futures Trading Commission a petition to remain subject to section 2(h) of the Commodity Exchange Act (7 U.S.C. 2(h)) (as in effect on the day before the date of enactment of this Act)." A petition for treatment under this "grandfather provision" is required to be submitted not later than 60 days after the Enactment Date, and the Commission, under Section 723(c)(2), may allow the NFP Petitioner to continue operating under CEA § 2(h) for up to a one year period.

B. The NFP Petitioner Currently Operates Under the Commodity Exchange Act § 2(h) Exemption

The NFP Petitioner currently enters into, or has the risk management option to enter into, contracts, agreements and transactions in exempt commodities in both the over-the-counter bilateral contract markets (the "OTC markets") and on exempt commercial markets. All of the NFP Petitioner's contracts, agreements and transactions in exempt commodities are intrinsically related to the NFP Petitioner's business of providing natural gas service to the local community.

The NFP Petitioner does not speculate in contracts, agreements and transactions in exempt commodities. The NFP Petitioner relies on these transactions to hedge its commercial risks associated with its business. This risk management activity in turn directly affects the price of energy to consumers in the communities the NFP Petitioner serves.

As an "end user" participant in the markets for contracts, agreements and transactions in exempt commodities, the NFP Petitioner operates subject to the provisions of CEA § 2(h), and the related rules and regulations. Over time, the NFP Petitioner has structured its commercial business processes and procedures to meet the requirements of the comprehensive Federal, state and local regulations applicable to the NFP Petitioner, and in reliance on CEA § 2(h). The Dodd-Frank Act's new compliance and reporting requirements will require changes to the NFP Petitioner's staff, systems and structures, and the individual consumers in the NFP Petitioner's community will directly bear all costs associated with these changes. Some changes to the NFP

Petitioner's commercial business may also require approval from or coordination with the NFP Petitioner's other regulators, approval from its elected officials (or voters) and coordination with its local government authorities and regulators.

C. Granting this Petition Does Not Conflict with the Intent of the Dodd-Frank Act

Allowing the one-year extension of CEA § 2(h) does not contravene the intent of the Dodd-Frank Act. Rather, the extension is critical for affected end users transitioning to the new rules and regulations that will be promulgated under the Dodd-Frank Act. The Commission will be drafting and finalizing rules to accompany and implement each section of the new law. After the Effective Date, the NFP Petitioner will require considerable additional time and resources to review and revise its commercial business and operating procedures in order to ensure compliance with the new regulatory scheme. In the end, every step of the NFP Petitioner's ongoing commercial business related to contracts, agreements and transactions in exempt commodities will need to be individually evaluated and overhauled after the Commission finalizes the new rules and regulations. And this overhaul is not a process that can be done effectively or efficiently in a piecemeal manner as individual rules are added. It will require a comprehensive restructuring of an entire network of commercial business processes to respond to a completely new and different regulatory scheme.

Section 723(c) of the Dodd-Frank Act, the "Grandfather Provision", is a mechanism that offers market participants who have previously relied on CEA § 2(h) in conducting their commercial businesses legal certainty during the period of implementation of the new regulatory regime and its application not only to market professionals, but to end users. Granting this petition will not impede the goals of providing transparency and structure to the global derivatives markets. Rather, it will give the NFP Petitioner time to adapt and develop the additional staff, new systems and more complicated structures that will be required, thus ensuring the continued ability of the energy industry to effectively mitigate risk while maintaining system-wide reliability and stabilizing the prices for its local consumer- customers.

III. Conclusion

The NFP Petitioner currently relies on Section 2(h), and both time and resources will be required to implement the extensive changes to be made once the rules and regulations under the Dodd-Frank Act have been finalized. For this reason, the NFP Petitioner respectfully requests that the Commission grant this petition for continued exemption under CEA § 2(h) for the period of one year following the Effective Date, or such other period of time as the Commission deems adequate to carry out the intent of Section 723(c) of the Dodd-Frank Act, and provide the NFP Petitioner with a reasonable time to adjust itself to the new regulatory regime.

Respectfully Submitted,

City of Willcox, Arizona

By: _____

Title: Gerald W. Lindsey, Mayor

Address: 101 S Railroad Ave, Ste B

Willcox, AZ 85643

CITY OF WILLCOX

REQUEST FOR ACTION
or
INFORMATION FOR COUNCIL

Agenda Item 10D
Tab Number 4
Date: 09-20-2010

Date Requested:		Subject:
9/15/10	X Resolution __ Ordinance X Formal __ Other	Addition of Section XI (AzRAP)to Library General Policy 2010 Updates

TO: **Honorable Mayor and City Council**

FROM: **Tom Miner, Library Director and the Public Library Advisory Committee**

RE: **Addition of Arizona Resource Access and Attainment Policy to Library General Policy**

DISCUSSION: The 2010 Library bi-annual General, Internet/Wireless/Computer Use and Meeting Room policies were recently reviewed and approved by the Public Library Advisory Committee members, the Library Director and staff, the City Manager, the City Attorney, and the City Council. Subsequently, the AZ State Library, Archives and Public Records (ASLAPR) Dept of the Secy of State's Office, has levied a new mandated policy on all AZ Libraries, called the AZ Resource Access and Attainment Policy (AzRAP), in order to qualify for Federally – funded Grants through the Institute of Museum and Library Services (IMLS), and Library Services and Technology Act (LSTA) and State Grants-in-Aid (SGIA) Grants at the State level. The new AzRAP policy **must** be a new addition to our Library General Policy, and a copy must be on file at the State Library, in order for us to continue to seek IMLS/LSTA/SGIA Grants on an annual basis. The above-mentioned party's recommendations have all been incorporated and are now forwarded for your consideration, approval and adoption.

RECOMMENDATION: The City Council approve Resolution 2010-____ adopting the 2010 AzRAP addition/amendment/update to the 2010 Library General Policy.

FISCAL IMPACT: None

Submitted by:

Tom Miner

Tom Miner, Library Director

Approved by:

Pat McCourt, City Manager

TAB 4

CITY OF WILLCOX
ELSIE S. HOGAN COMMUNITY LIBRARY
Phone: 520/766-4250 Fax: 520/384-0126

100 North Curtis Avenue
Willcox, Arizona 85643-2150
Email: tminer@willcoxcity.org

" Yours, Mine and Ours"

From: **PUBLIC LIBRARY ADVISORY COMMITTEE** **Sept 14, 2010**

Subject: Approval and Adoption of the 2010 AZ Resource Access and Attainment Policy (AzRAP) Addition to the Library General Policy

To: Honorable Mayor and Members of the Willcox City Council

Lady and Gentlemen,

In unanimous agreement, as per our Regular Meeting held on Sept 14, 2010, it is the recommendation of this Committee that the City Council approve and adopt the Library's revised and updated General Policy to include Section XI, the Arizona Resource Access and Attainment Policy (AzRAP), as written and presented to you this date.

Mr. Miner has satisfactorily answered all of the questions this Committee has raised pertaining to the updated policies, and has incorporated all of our suggestions.

Respectfully submitted,.

Delah J. Aiman

Delah J. Aiman
Chairperson
Public Library Advisory Committee

RESOLUTION NO. 2010-98

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, ("CITY") APPROVING AND ADOPTING THE ELSIE S. HOGAN COMMUNITY LIBRARY ["LIBRARY"] ARIZONA RESOURCE ACCESS AND ATTAINMENT POLICY ("AZRAP") AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is authorized pursuant to A.R.S. §§ 9-413; 9-419; 9-420, et seq. to establish a Library fund; to authorize the use of land and structures for a public library; to enter into agreements with the Arizona State Library, Archives and Public Records to provide supervision of expenditures of all monies involved in financing a library service; and

WHEREAS, the CITY is empowered to create a Public Library Advisory Committee "Committee" and to appoint five Committee Members pursuant to Title 2, Chapter 4 of the City Code; and

WHEREAS, the COMMITTEE is authorized to provide advisory assistance to the CITY in establishing rules, regulations and policy related to the use of the LIBRARY pursuant to Title 2, Chapter 4, Sections 2-4-4 and 2-4-5; and

WHEREAS, the Arizona State Library, Archives and Public Records, Department of the Secretary of State's Office, has levied a new mandated Arizona Resource Access and Attainment Policy ("AzRAP") on all libraries; and

WHEREAS, the mandated policy is required in order to qualify for Federally-funded-Grants through the Institute of Museum and Library Services (IMLS); the Library Services and Technology Act (LSTA); and the State Grants-in-Aid (SGIA) grants at the State level; and

WHEREAS, the Library Director and the COMMITTEE have considered and approved the AzRAP Policy for the local Library and desire to present the Policy to Mayor and Council for approval and adoption; and

WHEREAS, the City of Willcox, Cochise County, Arizona desires to have this Resolution presented at its September 20th, 2010 Council meeting; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely implementation of the stated policy, and that this Resolution shall be effective immediately upon its passage and adoption.

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

Section 1: That approval and adoption of the LIBRARY AzRAP Policy, as presented, is in the best interest of the residents of the City of Willcox.

Section 2: The CITY formally approves and adopts the LIBRARY AzRAP Policy and authorizes the Library Director, Mr. Thomas Miner, to implement the Policy.

Section 3: That the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the City of Willcox, Cochise County, Arizona.

Section 4: The Mayor is authorized to execute this Resolution.

PASSED AND ADOPTED by the Council of the City of Willcox, Cochise County, Arizona, this _____ day of September, 2010.

APPROVED/EXECUTED:

_____
MAYOR, GERALD W. LINDSEY
Signed: _____.

ATTEST:

_____
City Clerk, Cristina G. Whelan, CMC

APPROVED AS TO FORM:

_____
City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2010-98

XI. ARIZONA RESOURCE ACCESS AND ATTAINMENT POLICY (AzRAP)

A. The Elsie S. Hogan Community Library is committed to working with all public, private, academic, school, special and tribal libraries to help all Cochise County residents find the information they need and want, and to attain that material.

B. To assure that result, and in return for access to the Worldwide Cataloging System (WorldCat), unlimited Inter-Library Loan (ILL) fees paid, and batch loading as needed, the Elsie S. Hogan Community Library **will:**

1. Support the Statewide database project that provides a broad range of topics available to all residents, and to all public and K-12 public and charter school libraries, and if called upon, share costs, **if or when** necessary, with the Cochise County Library District.

2. Support pilot projects allowing this library to test new technologies to meet patrons' needs, such as e-readers, and alternative means, such as purchase-on-demand.

3. Support training for library staff members on Reference Services, including helping patrons find materials through virtual services.

4. Work with patrons, at no charge, to locate materials.

5. Provide specific information on attaining material. The library will offer several options to attain material, including: patron purchase of low-cost materials, such as print-on-demand; library (district) purchase of materials; database and web sources; and inter-library loan.

6. When materials can **only** be attained for a reasonable **cost** through inter-library loan, the library will offer to secure the materials, with the patron covering the postage costs (capped at $6 per item), and any fees charged by the lending library. No other fees or charges will be passed on to the patron.

7. Provide materials to other Arizona public, regent, or community college libraries at no charge (fee).

8. Provide the Arizona State Library, Archives and Public Records (ASLAPR) with an electronic copy of this policy each time it is updated.

C. The Elsie S. Hogan Community Library **will** maintain constant compliance with this policy in order to apply for and receive future Library Services and Technology Act (LSTA) and State Grants-In-Aid (SGIA) Grants.

PROCLAMATION

TABS

Whereas, the United States Congress and the President of the United States have designated the first full week of October as the annual National Fallen Firefighters Memorial Service as a day to honor firefighters and emergency services personnel who have dedicated and or sacrificed their lives to save others; and

Whereas, an average of 100 firefighters courageously make the ultimate sacrifice in the line of duty each year; and

Whereas, the events of September 11, 2001, brought national attention to the duties, responsibilities, hazards, and sacrifices faced by fire and emergency services personnel on a daily basis; and

Whereas, firefighters and emergency services personnel play an essential role in the protection of lives and property in our local community; and

Whereas, the National Memorial Service marks the beginning of the annual Fire Prevention Week observance; and

Whereas, it is of major importance that we increase our efforts to reduce deaths, injuries, and property losses from fire;

Now, therefore, I Gerald W. Lindsey, Mayor of the City of Willcox, Cochise County, AZ, now call upon all citizens of the City of Willcox and upon all patriotic, civic, and educational organizations to observe the day of October 3, 2010, as

"Firefighter Recognition Day"

in recognition of the patriotic service and dedicated efforts of our fire and emergency services personnel, and October 3, 2010 – October 9, 2010 as

"Fire Prevention Week"

and I encourage appropriate services and ceremonies in which all of our citizens may participate to honor fire and emergency services personnel, past and present, who, by their faithful and loyal devotion to duties, have rendered invaluable service to our community and its citizens.

I call upon citizens of the City of Willcox to remember all fire and emergency personnel who have made the ultimate sacrifice in service to their communities and to pay respect to the survivors of our fallen and past heroes.

In witness thereof, I have hereto set my hand and caused the Seal of the City of Willcox to be affixed on this 20th day of September 2010.

MAYOR GERALD W. LINDSEY

Attest: Cristina G. Whelan, CMC

City Clerk Cristina G. Whelan, CMC

TAB 7

Willcox Alumni Vietnam Memorial

The first meeting of the organization that will be known as the Willcox Alumni Vietnam Memorial was held on Wednesday, September 8, 2010, at 6 PM at Connie Dunham's in Willcox, Arizona.

Those in attendance were Connie and Dennis Dunham, Bill Jackson, and Vickey Dickerson.

Bill Jackson reported that he had met with the Willcox High School Principal (Doris Jones) to ask about using their tax status and EIN for this organization. He said that she would find out of this is possible and let him know, but that she was very optimistic that this could occur.

A discussion was had about the size and kind of memorial statue. It was unanimously agreed that we should have the "fallen soldier" statue. This consists of the boots, a rifle, a combat hard hat and dog tags. This would be placed on a granite base with an approximate 2 foot by 2 foot by 20 inch name base with a bronze plaque with the names of those who gave their lives. Connie and Vickey will also talk to Dan Douglas at Westlawn Mortuary for suggestions and cost of the granite base.

A discussion was also had about adding other members to the committee. It was agreed that we would invite Christy Whelan and Eugene Harper to be additional board members. They will be contacted by Connie Dunham.

It was also agreed that Bill Jackson would be chairman, Connie Dunham would be co-chairman and Vickey Dickerson would be secretary. Other positions will be filled at a later date.

We also talked about getting a booth and a float for the Rex Allen Days. Connie and Vickey will talk to the Rex Allen Days Committee and see what needs to be done to get this accomplished. We will also need people to staff the booth and be on the float. We will start calling people to volunteer for these activities. Bill Jackson said he would get banners made for the float and booth. It was agreed that the banners would have the name of "Willcox Alumni Vietnam Memorial" and would also list the 4 known alumni killed in Vietnam which are Vincent Baker, Billy Dickerson, Joe Laurence and Armando Ramirez (MIA).

We also need to set up a checking account at one of the banks or credit union. We will need to wait on this until we hear from the Willcox High School about using their tax ID number. We will have checks that need to be signed by at least 2 members of this committee and will probably have a total of 3 signers on the checking account.

We discussed about how to handle donations. This matter was put on hold for now until we know more about the checking account.

Connie Dunham volunteered to contact Christy Whelan at the City of Willcox in order to determine when the next city council meeting will be held. We need to be able to meet with the whole council so that we can make arrangements with them for space at the Railroad Avenue city park for the memorial statue. She will report back on the status of this.

Vickey Dickerson agreed to contact the Arizona Range News to see if we can't get some "free" space to advertise our Memorial committee. She will report back on this.

The meeting was adjourned at 8 PM. The next meeting date has not yet been determined.

September 14, 2010. Today at 12 PM an informal meeting and lunch was held at T.A. truck stop in Willcox, AZ. Those in attendance were Connie Dunham, Christy Whelan and Vickey Dickerson.

Connie proposed that Christy Whelan be appointed Treasurer of our organization and she agreed to hold this position.

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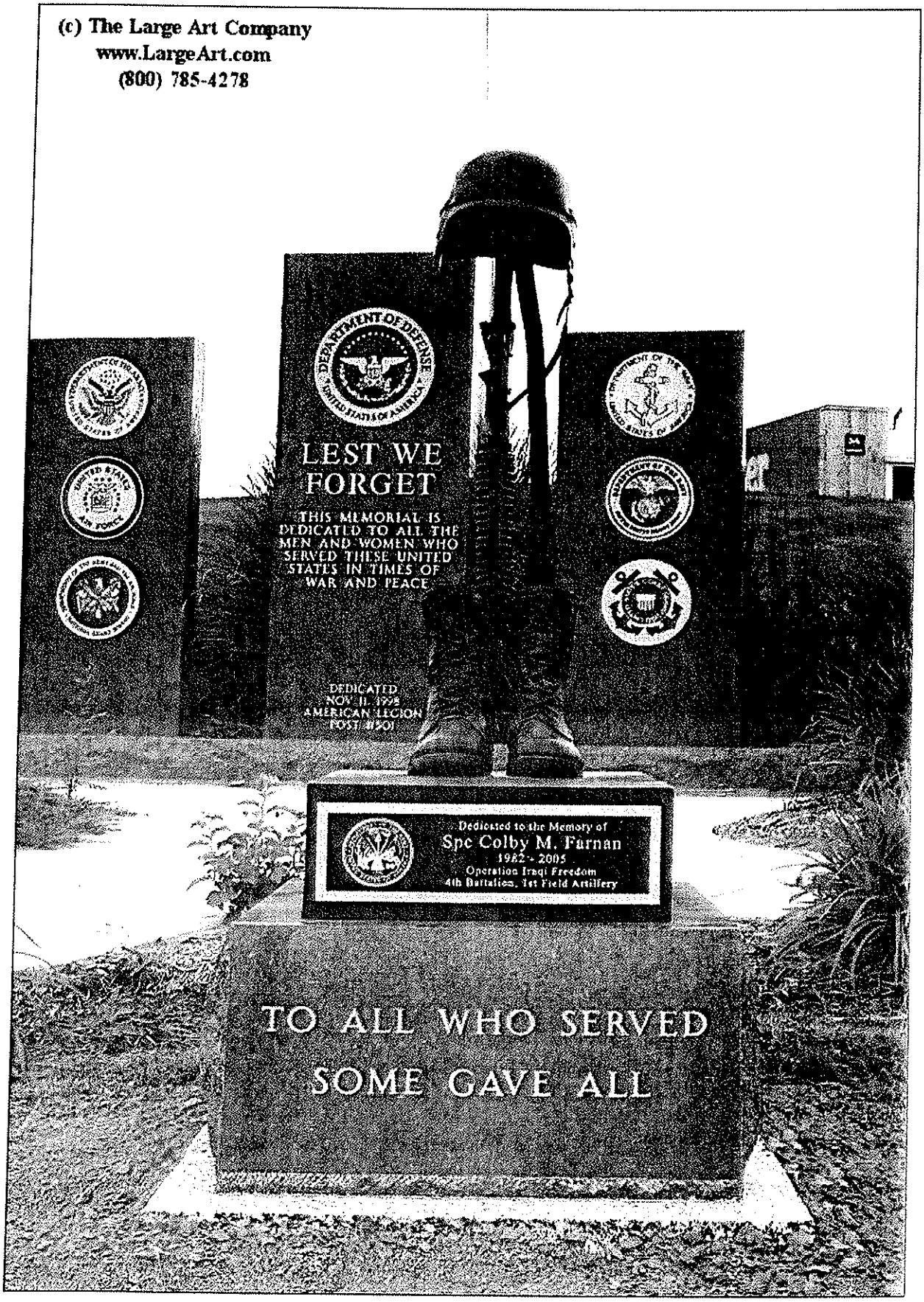

CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item: 14
Tab Number: 8
Date: 09-20-2010

Date Submitted: 09-15-10 Date Requested: 09-20-10	Action: ___ __ Resolution _____ Ordinance ____ Formal __X__ Other	Subject: 2nd Annual Willcox Walks Together for a Cure at Keiller Park on October 23, 2010, Safeway request sponsorship City logo on back of T-Shirts.

TO: **MAYOR AND COUNCIL**

FROM: City Clerk

DISCUSSION: Ms. Christy Boothe, an Event Coordinator for the Safeway's annual fundraising drive to benefit Breast Cancer Research and Awareness is requesting sponsorship from the City for its business name and logo to be printed on the back of the T-Shirts. The 2nd Annual Willcox Walks Together for a Cure at Keiller Park on October 23, 2010 at 9:00 a.m.

Included in the packet is the entry form or to make a donation.

RECOMMENDATION: Mayor and Council to consider sponsorship.

FISCAL IMPACT: $250 from the Mayor and Council Miscellaneous Expense line 10-402-9690 at which time has $580.00. If approved new balance remaining is $330.00.

Prepared by: Cristina G. Whelan, CMC
Cristina G. Whelan, CMC

Approved by:
Pat McCourt, City Manager

Report Criteria:
Account.Acct No = 104029690
Actual Amounts

Date	Journal	Ref No	Payee or Description	GL Acct No	Debit Amount	Credit Amount	Balance
104029690							
MISC EXPENSE			7/1/2010 (00/10) Balance	10-402-9690			.00
			9/30/2010 (09/10) Period Totals and Balance		.00 *	.00 *	.00

YTD Encumbrances	.00	YTD Actual	.00	Total	.00	YTD Budget	580.00	Unexpended	580.00

(10) GENERAL FUND
Totals:

No. of Transactions: 0 No. of Accounts: 1	Totals:	.00	.00	.00

104029690:

No. of Transactions: 0 No. of Accounts: 1	Totals:	.00	.00	.00

Grand Totals:

No. of Transactions: 0 No. of Accounts: 1	Totals:	.00	.00	.00

TAB 8

Safeway Inc.

September 01, 2010

Dear Arizona Business Partner,

Safeway is embarking on its annual fundraising drive to benefit Breast Cancer Research and Awareness. On October 23, 2010, we will be holding the second annual Willcox Walks Together for a Cure at Keiller Park in Willcox, AZ. We are looking for businesses to sponsor the event by advertising on the T-shirts that will be given out to the participants. Last years event had 130 participants and this year it is expected to be much larger. We have streamlined the sponsorship fees to have just a single sponsorship level:

_____ $250 – Your businesses name and logo on the back of the shirt

Please make checks payable to Safeway Inc.

Thank you in advance for your commitment to this important community activity!

City of Hope – Tax ID#: 95-343919
Komen for the Cure, Southern Arizona – Tax ID #: 75-2844

Jodi Camp
2nd Assistant Manager
Event Coordinator
Christy Boothe
Event Coordinator

Safeway Inc.
650 N. Bisbee Ave
Willcox, AZ
520-384-3952

SAFEWAY Willcox Walks Together for Cure

When: October 23th, 2010 at 9 am at Keiller Park Willcox, Az.
Entries will include a shirt if received by Oct 13th at Willcox Safeway Store #272
You may also mail your entries to the address below

( ) **I can't walk, I'm sleeping in!** Send your entry fee plus $5 & we'll send you a T-shirt

Participant: _____ _____ ( ) S ( ) M ( ) L ( ) XL ( ) XXL
First Name Last Name Shirt Size

Mailing Address: _____ _____
Street City

_____ _____ Phone # _____ Team name _____
State Zip

PAYMENT INFO

Entry Fees $20 per person X_____ $_____

Additional Donation (Thank You) $_____

Add $5 if tee shirt is to be shipped $_____

TOTAL $_____

( ) Check enclosed payable to Safeway Foundation
( ) Visa ( ) MasterCard ( ) American Express

Credit card # _____ _____ _____ _____

Expiration date (mm/dd/yy) _____ _____ _____

_____
Signature

_____
Print name as it appears on card

_____
Billing Address

_____
City, State, Zip

Willcox Safeway # 272
Attention: Jodi Camp
650 N. Bisbee
Willcox, AZ. 85643
Phone # 520-384-3952
Fax 520-384-3928
Check-in starts at 8:00 am

Walks starts at 9:00 am

Willcox Walks Together for a Cure
Release & Waiver of all Potential Claims & Liability

The undersigned, being of lawful age, in exchange for participation in the Willcox Walks Together for a Cure, Willcox, Arizona, on October 23th does forever release and discharge Safeway Inc., it's subsidiaries, successors, assigns, affiliates and their respective officers, directors, agents, servant, employees and contractors from any and all claims, demands, liabilities, losses costs and causes of action, known and unknown of whatever nature. This includes, but is not limited to known and unknown injuries and the consequences of said injuries, which may hereafter develop, as well as those which have already developed or are now apparent.

I represent and warrant that I am physically fit and I have no medical condition that would prevent me from participating in the Willcox Walks Together for a Cure.

I, my heirs and legal representative, forever release, waive, discharge and covenant not to sue Safeway Inc., it's subsidiaries, successors, assigns, affiliates and their respective officers, directors, agents, servant, employees and contractors for any injury or death caused by their negligence or other acts.

This is a full and final release and forever discharge applying to all unknown and unanticipated injuries, deaths, or damages arising out of any accident(s) or incident(s) as well as to those known or disclosed and the undersigned waives all rights or benefits which the undersigned now has or in the future may have.

A general release does not extend to claims which are not known or Suspect to exist in his/her favor at the time of executing the release, which If known by him/her must have materially affected his/her release with Safeway Inc., and its subsidiaries.

The undersigned acknowledges that they understand and accept the terms of this release.

_____
Signature

_____
Print Name **Date**

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beautipage.com/triciacox

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CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item: 15
Tab Number: 9
Date: 09-20-2010

Date Submitted: 09-15-10 Date Requested: 09-20-10	Action: ___ __ Resolution _____ Ordinance ____ Formal __X__ Other	Subject: Request to remove a member from the Parks & Recreation Advisory Committee due to unexcused absence and unable to make contact with Committee member.

TO: MAYOR AND COUNCIL

FROM: City Clerk

DISCUSSION: In accordance with the Willcox City Code Title 2-Chapter 2-3 Appointment; Terms; Vacancies; Removals: the Mayor and City Council will remove from the Committee a member having three (3) unexcused absences.

At this time staff is recommending the removal of Committee member Tammy Baumler due to since her appointment by the Mayor and Council she has attended 3 of the 8 scheduled meetings in 2009. Chairman Les Wolslagel and Recording Secretary Dawn Adame have unsuccessfully tried to contact her at home and on telephone to no avail.

RECOMMENDATION: Approve the removal of Committee member Tammy Baumler from the Parks & Recreation Advisory Committee.

FISCAL IMPACT: -0-

Prepared by: Cristina G. Whelan, CMC
Cristina G. Whelan, CMC

Approved by: _____
Pat McCourt, City Manager

WILLCOX CITY CODE

TITLE 2 — CHAPTER 2

PARKS AND RECREATION ADVISORY COMMITTEE

SECTION:

2-2-1: Creation
2-2-2: Composition; Qualifications
2-2-3: Appointment; Terms; Vacancies; Removals
2-2-4: Organization And Rules
2-2-5: Duties
2-2-6: Financial Interests
2-2-7: Compensation

2-2-1: CREATION:

There is created a Parks and Recreation Advisory Committee within and for the City of Willcox to be known as the *PARKS AND RECREATION ADVISORY COMMITTEE.* (Ord. NS202, 9-30-1997; prior code §2.16.010)(2008 Code, Ord. NS283, 2-18-2008)

2-2-2: COMPOSITION; QUALIFICATIONS:

A. The City Parks and Recreation Advisory Committee shall consist of five (5) members to be appointed by the Mayor and City Council from among the residents of the City and the surrounding community. At all times, three (3) members of the Committee shall be qualified electors of the City of Willcox.

B. The Mayor, with the consent of the Council, may appoint an Ex-Officio member to the Committee. Such member shall serve at the pleasure of the Mayor and Council. Ex-Officio member shall not be entitled to vote on any item brought before the Committee. (Ord. NS202, 9-30-1997; prior code §§2.16.020; 2.16.090)(2008 Code, Ord. NS283, 2-18-2008)

2-2-3: APPOINTMENT; TERMS; VACANCIES; REMOVALS:

A. Appointment; Term; Vacancies: The five (5) members shall be appointed in staggered four (4) year terms. To encourage participation from residents of the city and the community, Committee members are encouraged to serve no more than two (2) consecutive four (4) year terms. Vacancies shall be filled by appointment by the Mayor and City Council to fulfill the un-expired term of the former member.

B. Removals: Members of the Advisory Committee shall regularly attend meetings and public hearings of the Committee. Should a member have three (3) unexcused absences, in succession, the member will be removed from the Committee by the Mayor and City Council. Members may be removed by a majority vote of the City Council without the

necessity of a hearing or notice of such action, and such action shall be final.
(Ord. NS202, 9-30-1997; prior code §2.16.020)(2008 Code, Ord. NS283, 2-18-2008)

2-2-4: ORGANIZATION AND RULES:

A. Officers:

1. At the regularly scheduled July meeting of the Parks and Recreation Advisory Committee of every year, the Committee shall organize by electing one of its members to serve as Chair and one member as Vice-Chair at the pleasure of the Committee. In the absence of staff, a member of the Committee shall serve as recording secretary for the recording of minutes for the Committee, who shall keep a record of attendance, proceedings and transactions. The minutes or a statement of legal action taken shall be posted on the internet as required by law.

2. The term of the officers shall be one year, with eligibility for re-election.
(Ord. NS202, 9-30-1997; prior code §2.16.060)(2008 Code, Ord. NS283, 2-18-2008)

B. Rules And Regulations: The Advisory Committee may prescribe rules and regulations for the conduct of its internal affairs, copies of which shall be kept on file in the Office of the City Clerk where they shall be available for public inspection.

C. Meetings: The Advisory Committee shall designate a regular meeting time and place, and all meetings shall be conducted in conformance with the Arizona Open Meetings Law.
(Ord. NS202, 9-30-1997; prior code §2.16.060)(2008 Code, Ord. NS283, 2-18-2008)

D. Quorum: No action shall be taken at a Committee meeting unless a quorum is present. Three (3) Committee members shall constitute a quorum for transacting business. If a quorum is not present, the Advisory Committee meeting is automatically adjourned. A lesser number may adjourn from time to time and compel the attendance of absent members. Any number of the Committee at any regular or special meeting may demand, in writing, the attendance of the absent members. Such demand shall be entered of record forthwith by the recording secretary, who shall thereupon notify absent members of the time and place of the meeting and of the demand for her/his attendance.
(Ord. NS202, 9-30-1997; prior code §2.16.070)(2008 Code, Ord. NS283, 2-18-2008)

2-2-5: DUTIES:

A. It shall be the duty of the Parks and Recreation Advisory Committee to:

1. Act in an advisory capacity to the Mayor and City Council in matters pertaining to Parks and Recreation.

2. Assist in the planning of a recreation program for the citizens of the City, promote and

stimulate public interest therein, and to that end, solicit to the fullest extent possible the cooperation and interest of the school authorities and other public and private agencies.

3. Advise the Mayor and City Council with respect to the acceptance of money, personal property or estate donated or offered to the City for recreational or park purposes.

4. Perform such other duties as may be requested by the Mayor, City Council or City Manager.
(Ord. NS202, 9-30-1997; prior code §2.16.030)(2008 Code, Ord. NS283, 2-18-2008)

B. When requested by the Mayor and City Council, the Advisory Committee shall make an annual report setting forth the status and progress of its work and further periodic reports concerning the said work.
(Ord. NS202, 9-30-1997; prior code §2.16.080)(2008 Code, Ord. NS283, 2-18-2008)

2-2-6: FINANCIAL INTERESTS:

No member of the Parks and Recreation Advisory Committee shall have a financial interest, directly or indirectly, in any contract, sale or transaction to which the City is a party and which comes before the Committee.
(Ord. NS202, 9-30-1997; prior code §2.16.040)(2008 Code, Ord. NS283, 2-18-2008)

2-2-7: COMPENSATION:

Parks and Recreation Advisory Committee members shall serve without compensation. Committee members shall be entitled to reimbursement for prior authorized expenditures in performing their duties. All expenditures shall follow the city purchasing policy guidelines.
(Ord. NS202, 9-30-1997; prior code §2.16.050)(2008 Code, Ord. NS283, 2-18-2008)

CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item: 16
Tab Number: 10
Date: 09-20-2010

Date Submitted: 09-15-10 Date Requested: 09-20-10	Action: ___ __ Resolution _____ Ordinance ____ Formal __X__ Other	Subject: Appointment Parks & Recreation Advisory Committee member, term to expire December 31, 2012.

TO: MAYOR AND COUNCIL

FROM: City Clerk

DISCUSSION: In accordance with the Willcox City Code Title 2-Chapter 2-3 Appointment; Terms; Vacancies; Removals: vacancies shall be filled by appointment by the Mayor and City Council. Mr. Ben Martin was appointed and resigned in 2007 and Rebecca Chadburn was appointed to fill unexpired term (term to expire 12-31-2010). On December 31, 2008 Ms. Revonda Laws and Ms. Peggy Judd did not seek reappointment to the Committee and city staff advertised for the vacancies. Due to no response from the community they continued to serve for a few more months. In May 2009 the Mayor and Council appointed Ms. Tammy Baumler to fill one of the vacancies.

Recently Ms. Sharon Nigh and Mr. William M. Nigh have submitted letters to be considered for the appointment to the P&R Committee. These terms (Laws and Judd vacancies) will expire December 31, 2012.

RECOMMENDATION: Mayor and Council to appoint members if they so desire to the P&R Advisory Committee.

FISCAL IMPACT: -0-

Prepared by: Cristina G. Whelan, CMC
Cristina G. Whelan, CMC

Approved by: _____
Pat McCourt, City Manager

August 27, 2010

RECEIVED
AUG 27 2010
BY: CW 3:05 pm

Mayor Sam Lindsey and the
Willcox City Council
151 West Maley St.
Willcox, AZ 85643

RE: Parks and Recreation Advisory Committee

Gentlemen:

I wish to be considered for appointment to the Willcox Parks and Recreaction Committee. Listed are some of my qualifications for that position.

STATE OF ARIZONA HISTORIC PARKS AND ROADS COMMITTEE - Appointed by Governor, Member.

STATE OF ARIZONA, DEPARTMENT OF COMMERCE - International TRADE CErtificate.

ECONOMIC DEVELOPMENT, A.E.D.C. - Two years.

BLACKSTONE SCHOOL OF LAW - Certified Paralegal.

I believe I understand the concept of responsible growth, and expansion of our heritage in some as yet undeveloped areas in Willcox.

Thank you for your consideration.

Respectfully,

Sharon Ree Nigh
P.O. Box 1141
Willcox AZ 85643
(520) 384-3405

TAB 10

September 10,2010

Mayor Sam Lindsey and the
Willcox City Council
151 West Maley St.
Willcox AZ 85643

RE: Parks and Recreation Advisory Committee

Gentlemen:

I wish to be considered for appointment to the Willcox Parks and Recreation Committee.

I believe in responsible growth and expansion of our heritage in some as yet undeveloped areas in Willcox also.

Sincerely,

William M. Nigh
P.O. Box 1141
Willcox AZ 85643
(520) 384-3405

Copy to C.W
9/14/2010

NOTICE
CITY OF WILLCOX
Parks and Recreation Advisory Committee
VACANCIES

The Mayor & Council are soliciting letters of interest or resumes from interested persons who wish to serve on the Parks and Recreation Advisory Committee. For more information, call 384-4271 x 4204. Submit letter to Human Resources Office, 101 S. Railroad Ave., Suite B, Willcox, AZ 85643. - Open until September 17, 2010 or until filled

NOTICE CITY OF WILLCOX **Parks and Recreation Advisory Committee VACANCIES** The Mayor & Council are soliciting letters of interest or resumes from interested persons who wish to serve on the Parks and Recreation Advisory Committee. For more information, call 384-4271 x 4204. Submit by 4 PM, Monday, March 09, 2009 to Human Resources Office, 101 S. Railroad Ave., Suite B, Willcox, AZ 85643.

NOTICE CITY OF WILLCOX **Parks and Recreation Advisory Committee VACANCIES** The Mayor & Council are soliciting letters of interest or resumes from interested persons who wish to serve on the Parks and Recreation Advisory Committee. For more information, call 384-4271 x 4204. Submit by 4 PM, Monday, March 30, 2009 to Human Resources Office, 101 S. Railroad Ave., Suite B, Willcox, AZ 85643.

NOTICE CITY OF WILLCOX **Parks and Recreation Advisory Committee VACANCIES** The Mayor & Council are soliciting letters of interest or resumes from interested persons who wish to serve on the Parks and Recreation Advisory Committee. For more information, call 384-4271 x 4204. Submit by 4 PM, Friday. June 18, 2010 to Human Resources Office, 101 S. Railroad Ave., Suite B, Willcox, AZ 85643.

CITY OF WILLCOX
Request for Council Action

Agenda Item: 12
Tab Number: 12
Date: 09-20-2010

Date Submitted:	**Action:**	**Subject:**
September 3, 2010	___**Resolution**	Request to waive requirement for all vendors to have individual permits.
Date Requested:	___**Ordinance**	
September 20, 2010	_X_ **Formal**	
	___ **Other**	

To: Honorable Mayor and City Council

From: Dave Bonner, Director Public Services & Works

Discussion: Mr. Rod Keeling of the Willcox Wine Country Committee of the Willcox Chamber of Commerce is planning to hold a wine and music festival from 10:00 AM on October 16 through 5:00 PM on October 17, 2010. This event is scheduled to be held in Railroad Park. On the submitted Facility Use Agreement Mr. Keeling has indicated that he would like to request the requirement for all vendors to have individual permits be waived.

Recommendation: Staff recommends that the Mayor and Council consider waiving the requirement for all vendors to have individual permits for this event.

Fiscal Impact: $

Prepared By: Dawn Adame
Dawn Adame, Public Services and Works

Approved By: Dave Bonner
Dave Bonner, Public Services and Works Director

Approved By:
Pat McCourt, City Manager

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
Facilities Use Agreement

This Agreement made this 3 day of September, 2010,

between WILLCOX WINE COUNTRY COMMITTEE OF THE Willcox Chamber of Commerce ("PARTICIPANT") and the City of Willcox through the City Public Works Department ("CITY") for the use of the City owned facilities by a private organization.

ARTICLE I --- TERM OF AGREEMENT:

The term of this agreement shall be OCTOBER 16, 2010, through OCTOBER 17 2010, unless earlier terminated by either party.

Please note starting time and ending time TO INCLUDE set up and tear down.

10AM (start time) 5pm (end time)

Notice of termination shall be provided at least ninety (90) days prior to the effective termination date.

ARTICLE II --- CITY OWNED FACILITIES:

This agreement shall be for the use of RAILROAD PARK (facility and area/s),

to be used for WINE & MUSIC FESTIVAL (type of event)

to be used by PUBLIC (example: public, family, friends).

PARTICIPANT wishes to use certain City owned facilities and the CITY is willing to permit the PARTICIPANT the primary use of the facilities under the conditions indicated in this Agreement and any Exhibit attached hereto during the term of this Agreement.

CITY agrees that it will perform the duties as outlined in Attachment "A".

PARTICIPANT agrees it will perform the duties as outlined in Attachment(s) "B".

PARTICPANT agrees to pay the fees as are listed on Attachment "C".

ARTICLE III --- INDEMNIFICATION AND INSURANCE

PARTICIPANT agrees to secure liability Insurance to cover the term of this agreement in not less than the amount of one million dollars ($1,000,000.00) which names the City as additionally insured.

Each party agrees to be responsible for the conduct of its operations and performance of contract obligations and for any accidents or injuries to persons or property arising out of acts or omissions by its officers, agents or employees acting in the course or scope of their participation while performing duties undertaken pursuant to this Agreement. The PARTICIPANT agrees to hold harmless the City, its officers, employees and agents from all losses, suits, damages or costs of any kind, including reasonable attorney's fees, defense costs and expenses arising from PARTICIPANT performance pursuant to this Agreement. The PARTICIPANT shall provide the CITY with current insurance certificates or the evidence of coverage as appropriate.

The CITY agrees to hold harmless the PARTICIPANT, its officers, employees and agents from all losses, suits, damages or costs of any kind, including reasonable attorney's fees, defense costs and expense arising from the CITY performance pursuant to this Agreement.

ARTICLE IV --- MISC. PROVISIONS:

CANCELLATION FOR CONFLICT OF INTEREST
This Agreement may be canceled pursuant to A.R.S. § 38-511, the pertinent provisions of which are fully incorporated herein by reference.

NONASSIGNABILITY
Neither party may assign a duty or responsibility under this Agreement without the prior written consent of the other party.

RIGHTS/OBLIGATIONS OF PARTIES ONLY
The terms of this Agreement are intended only to define the respective rights and obligations of the parties. Nothing expressed herein shall create any rights or duties in favor of any potential third party beneficiary or other person, agency or organization.

NOTICE REQUIREMENTS
All notices, requests for payment, or other correspondence between the parties regarding this Agreement shall be mailed or delivered to the respective party as follows:

If to the CITY: **City of Willcox, Public Services and Works**
250 N. Railroad Avenue
Willcox, Arizona 85643

If to the PARTICIPANT:

Name: Rod Keesling

Organization: Willcox Wine County Committee

Contact Phone Number(s): (520) 507-2301 (520) 824-2500

Mailing Address: 10277 E. Rock Creek Pearce AZ 85625
City State Zip Code

SEVERABILITY
Each provision of this Agreement stands alone and, if any provision of this Agreement is held, in whole or in part, to be unenforceable for any reason, the remainder of the provision and of the entire Agreement will be severable and remains in effect.

ENTIRE AGREEMENT
This document constitutes the entire Agreement between the parties pertaining to the subject matter hereof, and all prior or contemporaneous agreements and understandings, oral or written, are hereby superseded and merged herein. This Agreement may be modified, amended or extended only by a written amendment approved by the parties.

GOVERNING LAW
This Agreement shall be construed under the laws of the State of Arizona and shall incorporate, by reference, all laws governing mandatory contract provisions required by statute or executive order.

IN WITNESS WHEREOF, the Parties hereby enter into this Agreement as of the day and year written above.

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

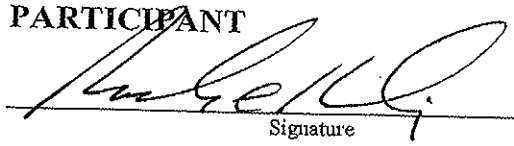
_____
Signature

_____
Date

_____
Printed Name

_____
Title

PARTICIPANT



_____
Signature

9-3-10
Date

RODNEY E. KEELING
Printed Name

EVENT CHAIR
Title

Attachment "A"

Railroad Park

The City of Willcox Facilities & Maintenance section of Public Services & Works will perform the following:

- ☑ ☐ Discontinue Irrigation on FRIDAY, OCT 15, 2010
- ☑ ☐ Provide Electrical Key, Master 0873
- ☐ ☐ Provide Electrical Key, Ace CH ELEC M1
- ☐ ☐ Provide Electrical Key, Ace C0266

ELECTRIC AT PAVILION ONLY.

Unless otherwise specified trash cans are emptied, restrooms are cleaned and restocked on a daily basis during weekdays.

Arrangements for additional tasks may be requested by speaking with the Facilities and Maintenance Supervisor or the Public Services & Works Director.

Special Arrangements:

The "Participant" is responsible for establishing control of the area(s) requested for use.
The City of Willcox is not responsible for loss due to acts of God or vandalism or by actions of others not affiliated with the City of Willcox.

Attachment "B"

Railroad Park Checklist

[illegible] perform the following tasks:

☑ ☐ [illegible] appropriate keys one business day prior to the event, by 3:30PM.
☑ ☐ Return keys within two (2) business days of event conclusion.

☑ ☐ Learn how to use electrical.

Vendor(s)
☑ ☐ Request to waive requirement for all vendors to have individual permits.

Street Closure
☐ ☐ Complete paperwork and submit.

Cleaning
Cleaning consists of removing all litter, tying up garbage bags and placing them in the dumpster. All areas should be left in the same or better condition as received.

If Serving Alcohol
☑ ☐ Obtain Special Event Liquor License with the Arizona Department of Liquor.
☑ ☐ Provide Liquor Liability Insurance in the amount of $1,000,000 naming the City of Willcox as additionally insured.
☑ ☐ Provide Security approved by Willcox Public Safety Department.

- Participant is responsible for notifying Parks & Facilities Maintenance of items that need special attention or repair.
- All equipment or personal items belonging to the "Participant" shall be removed by 8:00 a.m. on the day following the event.
- Premises shall be left clean and in good repair or deposit will be surrendered. Others charges may be assessed if significant damage occurs.
- City of Willcox officials reserve the right to enter / inspect the premises during the event.
- The "Participant" is responsible for establishing control of the area(s) requested for use. The City of Willcox is not responsible for loss due to acts of God or vandalism or by actions of others not affiliated with the City of Willcox.

Contact information:
Public Services & Works ----------766-4213
Facilities & Park Maintenance------507-0442
On-call ----------766-2201

Attachment "C"

Railroad Park Fee Schedule

Deposit and Rental Fees

All Deposits, Fees, Proof of Insurance & Special Permits or Licenses must be tendered 10 days prior to event date in order to finalize scheduling details.

	Fee Description	Fee Amount	Number of Days	Subtotal	Cash Rec'd.	Check #	Rcpt. #
X	Reservation Deposit	$50.00		$50.00		2081	84367
			Total Fees Due	50.00	pd 9/3/10		

☐ Request to waive fees through City Council.

- The City of Willcox reserves the right to refuse reservations.
- Must be at least 21 years of age to reserve facilities.
- Participant may reserve one (1) day prior to the event to set up for event without additional charge for the day providing another event is not already scheduled.
- Under normal circumstances; fees and certificate of insurance must be remitted ten (10) days prior to the scheduled use.
- All fees must be paid prior to the issuance of keys.
- Cancellation of reservation within five (5) days of the activity will result in surrender of $50.00 deposit and ½ of rental fees.
- Returned checks are subject to a twenty-five dollar ($25.00) fee.

Condition Verification

I have inspected the condition of the facilities specified under this agreement and have found them to be in _____ Satisfactory _____ Unsatisfactory condition.

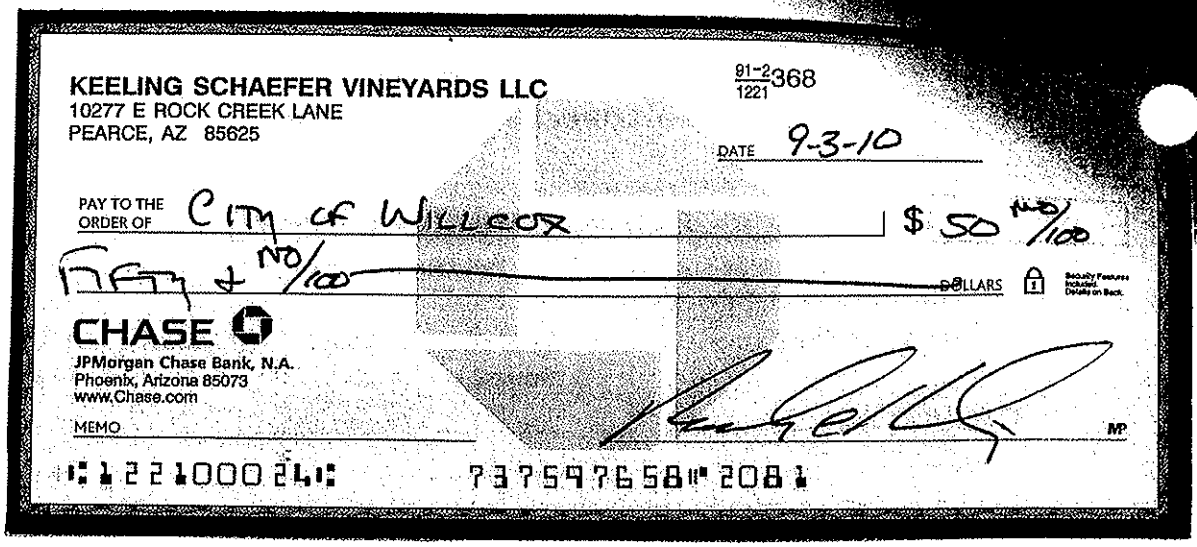
I recommend that _____All _____ None _____ Other_____ of the deposit be returned.

_____Significant damage has occurred directly related to this event.

Damages are estimated to cost _____ which must be remitted within five (5) days.

_____ _____

City of Willcox Representative Signature Date



KEELING SCHAEFER VINEYARDS LLC
10277 E ROCK CREEK LANE
PEARCE, AZ 85625

91-2
1221 368

DATE 9-3-10

PAY TO THE ORDER OF City of Willcox $ 50 NO/100

Fifty + NO/100 DOLLARS

CHASE
JPMorgan Chase Bank, N.A.
Phoenix, Arizona 85073
www.Chase.com

MEMO

MP

⑆122100024⑆ 737597658⑈2081

CITY OF WILLCOX

101 S. RAILROAD AVE., SUITE B
WILLCOX AZ 85643-2136
(520) 384-4271

84367

RECEIPT

DATE 3 Sept 2010

RECEIVED FROM Keeling Schaefer Vineyards LLC $ 50.00

Fifty and 00/100 DOLLARS

DESCRIPTION October 16, 17, 2010 Wine & Music Festival

Ck# 2081

BY

BOOKKEEPING COPY

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

PRODUCER	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
ff F. Wilson, MLGA 2727 W. Frye Rd., Suite 120 Chandler, AZ 85224 (480) 926-3950 ext. 207	**INSURERS AFFORDING COVERAGE**	**NAIC #**
INSURED	INSURER A: American National Property & Casualty Co.	28401
Keeling Schaefer Vineyards, LLC 10277 E. Rock Creek Ln Pearce, AZ 85625-6088	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
		GENERAL LIABILITY				EACH OCCURRENCE	$ 1,000,000
		☐ COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurence)	$
		☐ CLAIMS MADE ☐ OCCUR				MED EXP (Any one person)	$
		✓ Business owner policy	0201X0736	12-17-2009	12-17-2010	PERSONAL & ADV INJURY	$
						GENERAL AGGREGATE	$ 2,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG	$ 1,000,000
		☐ POLICY ☐ PRO-JECT ☐ LOC					
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	$
		☐ ANY AUTO					
		☐ ALL OWNED AUTOS				BODILY INJURY (Per person)	$
		☐ SCHEDULED AUTOS					
		☐ HIRED AUTOS				BODILY INJURY (Per accident)	$
		☐ NON-OWNED AUTOS					
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		☐ ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	$ 1,000,000
		X OCCUR ☐ CLAIMS MADE				AGGREGATE	$
			0201B0092	12-17-2009	12-17-2010		$
		☐ DEDUCTIBLE					$
		☐ RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				☐ WC STATU-TORY LIMITS ☐ OTH-ER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Willcox Wine Country Festival
Location: 157 N. Rail Road Ave., Willcox, AZ 85643
Dates: Oct. 16, 17, 2010, 10-5

CERTIFICATE HOLDER

ox Chamber of Commerce and Agriculture
N. Circle I Rd.
ox, AZ 85643

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Cliff F. Wilson

© ACORD CORPORATION 1988

CERTIFICATE OF LIABILITY INSURANCE

PRODUCER	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
Mad Steger, LLC dba Steger Insurance Agency 110 E. Florence Blvd., Suite 2 Casa Grande, AZ 85122	**INSURERS AFFORDING COVERAGE**	**NAIC #**
INSURED Pillsbury Wine Company Vineyards Estates LLC 4109 E Via Estrella Phoenix, AZ 85028	INSURER A: Colorado Casualty (Peerless Indemnity	18333
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A	X	**GENERAL LIABILITY** [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [ ] LOC	FM4111613	7/10/10	7/10/11	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
A	X	**EXCESS / UMBRELLA LIABILITY** [X] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $	CU3601472	7/10/10	7/10/11	EACH OCCURRENCE AGGREGATE	$ 2,000,000 $ $ $ $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER

Willcox Chamber of Commerce and Agriculture
1500 N. Circle I Road
Willcox, AZ 85643

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Matthew J Steger

ACORD 25 (2009/01)

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ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID: [illegible]
KOKOP-[illegible]

PRODUCER	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
E MAHONEY GROUP - PHOENIX 410 N. 19th Ave Ste 170 Phoenix AZ 85027-1405 Phone: 623-215-1300 Fax: 623-215-1333	
INSURED	**INSURERS AFFORDING COVERAGE** / **NAIC #**
Kokopelli Winery 35 W. Boston Chandler AZ 85225	INSURER A: Colorado Casualty Insurance INSURER B: INSURER C: INSURER D: INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR [X] Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC	CBP1597570	10/10/09	10/10/10	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [X] HIRED AUTOS [X] NON-OWNED AUTOS	CBP1597570	10/10/09	10/10/10	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
A		EXCESS/UMBRELLA LIABILITY [X] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [X] RETENTION $ 0	CU8729451	10/10/09	10/10/10	EACH OCCURRENCE AGGREGATE	$ 3,000,000 $ 3,000,000 $ $ $
A		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WC1597566	10/12/09	10/12/10	[X] WC STATU-TORY LIMITS [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Event: October 16th & 17th, 2010

CERTIFICATE HOLDER	CANCELLATION
WILCO-1 Wilcox Chamber of Commerce and Agriculture 1500 N Circle I Road Wilcox AZ 85643	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE Jackie Connors

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CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Julie Raiss
Brown & Brown - Prescott 1579 West Gurley Street Prescott AZ 86301	PHONE (A/C, No, Ext): 928-776-2706 FAX (A/C, No): 928-776-2707 E-MAIL ADDRESS: jraiss@bbprescott.com PRODUCER CUSTOMER ID #: PAGES-1

INSURED	INSURER(S) AFFORDING COVERAGE	NAIC #
Page Springs Cellars, Inc 1500 N. Page Springs Rd Cornville AZ 86325	INSURER A: Great American Alliance Ins Co	26832
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 1839292927 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			PAC8630182	4/9/2010	4/9/2011	EACH OCCURRENCE	$1,000,000
	[ ] COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$100,000
	[ ] CLAIMS-MADE [X] OCCUR						MED EXP (Any one person)	$10,000
							PERSONAL & ADV INJURY	$1,000,000
							GENERAL AGGREGATE	$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$2,000,000
	[ ] POLICY [ ] PRO-JECT [ ] LOC							$
A	AUTOMOBILE LIABILITY			CAP8630183	4/9/2010	4/9/2011	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
	[X] ANY AUTO						BODILY INJURY (Per person)	$
	[ ] ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	[ ] SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	[ ] HIRED AUTOS							$
	[ ] NON-OWNED AUTOS							$
A	[ ] UMBRELLA LIAB [ ] OCCUR			EXC8630184	4/9/2010	4/9/2011	EACH OCCURRENCE	$1,000,000
	[ ] EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$1,000,000
	[ ] DEDUCTIBLE							$
	[ ] RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						WC STATU-TORY LIMITS [ ] OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] (Mandatory in NH)	N/A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The certificate holder is named additional insured as respects their interest in the event referenced.
RE: Willcox Wine Country Fest Oct 16 & 17, 2010

CERTIFICATE HOLDER

Willcox Chamber of Commerce & Agriculture
1500 N Circle I Road
Willcox Arizona AZ 85643

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Julie A. Raiss

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ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID: [illegible]
KIEFJ - 1

PRODUCER	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
[illegible]bassador Group Inc. [illegible]10 E. Chauncey Lane Ste. 230 Phoenix AZ 85054 Phone: 480-776-6950 Fax:480-776-6951	INSURERS AFFORDING COVERAGE	NAIC #
	INSURER A: Allied	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

INSURED

Kief Joshua Vineyard
Charlene Manning
HC1 Box 31
Elgin AZ 85611

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A	X	GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC	ACP7223529447	08/24/10	08/24/11	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1000000 $ 100000 $ 5000 $ 1000000 $ 2000000 $ 2000000
		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
		EXCESS / UMBRELLA LIABILITY [ ] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $				EACH OCCURRENCE AGGREGATE	$ $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $
A		OTHER Liquor Liability	ACP7223529447	08/24/10	08/24/11	Per Occur Aggregate	1,000,000 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Coverage subject to policy forms, terms and conditions. Willcox Chamber of Commerce and Agriculture, its agents, officers, employees & volunteers are included as Additional Insured on the Commercial Liability as required by written contract.
Event: Willcox Fall Wine Festival

CERTIFICATE HOLDER

Willcox Chanber of Commerce
and Agriculture
1500 N. Cirle I Road
Willcox AZ 85643

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Rob Scola

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ACORD CERTIFICATE OF LIABILITY INSURANCE

PRODUCER		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
623.386.4452 FAX 623.386.7675 Powers-Leavitt Insurance Agency 111 E. Monroe Ave Ste 200 P O Box 125 Buckeye, AZ 85326		
INSURED Coronado Vineyards 2909 East Country Club Drive Willcox, AZ 85643	INSURERS AFFORDING COVERAGE	NAIC #
	INSURER A: Peerless Indemnity Ins Company	18333
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

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INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A		GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC	CBP3726196	01/01/2010	01/01/2011	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
		EXCESS / UMBRELLA LIABILITY [ ] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $				EACH OCCURRENCE AGGREGATE	$ $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N [ ] (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Willcox Wine & Art Festival October 16 & 17 2010

CERTIFICATE HOLDER

Willcox Chamber of Commerce
and Agriculture
1500 N Circle Road
Willcox, AZ 85643

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL _____ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Andrea Lorenz/NJT Andrea K. Lorenz

ACORD 25 (2009/01)

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Commercial Certificate of Insurance

Agency Name & Address
- Farmers Insurance
- John McLoughlin
- 18256 E WILLIAMS FIELD RD #4
- GILBERT, AZ 85295

Issue Date (MM/DD/YY) 08/27/2010

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies shown below.

St. 88 Dist. 49 Agent 337

Insured Name & Address
- Jerome Winery, Inc
- 403 CLARK STREET
- JEROME, AZ 86331

Companies Providing Coverage:

Company Letter A: Truck Insurance Exchange
Company Letter B: Farmers Insurance Exchange
Company Letter C: Mid-Century Insurance Company
Company Letter D: Great American Insurance

Coverages

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

Co. Ltr.		Type of Insurance	Policy Number	Policy Effective Date (MM/DD/YY)	Policy Expiration Date (MM/DD/YY)	Policy Limits	
D	X	General Liability Commercial General Liability Occurrence Version Contractual - Incidental Only Owners & Contractors Prot.	PAC8630113	11/14/20009	11/14/2010	General Aggregate Products-Comp/OPS Aggregate Personal & Advertising Injury Each Occurrence Fire Damage (Any one fire) Medical Expense (Any one person)	$ $ $ $ 1,000,000 $ $
		Automobile Liability All Owned Commercial Autos Scheduled Autos Hired Autos Non-Owned Autos Garage Liability				Combined Single Limit Bodily Injury (Per person) Bodily Injury (Per accident) Property Damage Garage Aggregate	$ $ $ $ $
		Umbrella Liability				Limit	$
		Workers' Compensation and Employers' Liability				Statutory Each Accident Disease - Each Employee Disease - Policy Limit	 $ $ $

Description of Operations/Vehicles/Restrictions/Special items:

Addl insured: City of Willcox

Certificate Holder

Name & Address
- City of Willcox
- 101 S Railroad Ave Ste B
- Willcox, AZ 85643

Cancellation

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

56 2492 4 94

Copy Distribution: Service Center Copy and Agent's Copy

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

This Certificate of Insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

400 W Congress #521
Tucson AZ 85701-1352
(520) 628-6595

APPLICATION FOR WINE FESTIVAL LICENSE/WINE FAIR LICENSE

FEE = $15.00 per event

A service fee of $25.00 will be charged for all dishonored checks (A.R.S. 44-6852)

A separate license is needed when days are not consecutive. Only twenty-five (25) licenses per calendar year for up to seventy-five calendar days may be issued, excluding sanctioned county or state fair licenses.

1. Applicant'sName: Cook (Last) Jacquelyn (First) Taylor (Middle)
2. Business Name: Coronado Vineyards D.F.W. Lic#: 13023009 (Domestic Farm Winery License #)
3. Location of Festival: 157 N. RAILROAD AVE - RAILROAD PARK - WILLCOX (Physical location - Do not use PO Box) (City) COCHISE (County) 85643 (Zip)
4. Mailing Address: 2909 E. COUNTRY CLUB DR. (City) WILLCOX (State) AZ (Zip) 85643
5. Date and hours of festival:

DATE	DAY OF WEEK	HOURS FROM	HOURS TO
10-16-10	SAT	10 a.m./p.m.	5 a.m./p.m.
10-17-10	SUN	10 a.m./p.m.	5 a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.

6. Name and address of site owner: CITY OF WILLCOX (Last) (First) (Middle)
101 S RAILROAD AVE SUITE B (Address) WILLCOX (City) AZ (State) 85643 (Zip)
7. Phone Numbers: (520) 384-4271 Site Owner (520) 384-2993 Applicant's Business (520) 384-2829 Applicant's Residence

LIC0118 05/2004

*** Disabled individuals requiring special accommodation, please call the Department.**

8. Has the festival site owner given permission for use of the site and for the sale of spirituous liquors? YES ☒ NO ☐

9. Are the spirituous liquors to be sold or served Arizona Domestic Farm Winery Products **ONLY**? YES ☒ NO ☐

10. How many wine festival licenses have you applied for this calendar year, including this one? 1

Give the total number of days you have held licensed wine festivals this year 0

11. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

_____ # Police ☐ Fencing
_____ # Security personnel ☑ Barriers

WINE GARDEN / W PERIMETER

12. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your wine festival/fair licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

I, Jacquelyn Cook (Print full name), hereby declare that I am the APPLICANT filing this application. I have read the application and the contents and all statements are true, correct and complete.

X Jacquelyn Cook (Signature of APPLICANT)

State of Arizona County of Cochise
The foregoing instrument was acknowledged before me this
30th (Day) day of August (Month), 2010 (Year)

Official Seal
NOTARY PUBLIC
STATE OF ARIZONA
County of Cochise
SAMANTHA GOODMAN
My Commission Expires November 13, 2011

My commission expires on November 13, 2011

Samantha Goodman (Signature of NOTARY PUBLIC)

*** **FOR USE BY LOCAL GOVERNING AUTHORITY ONLY** ***

I, _____ (Government Official), hereby ☐ APPROVE ☐ DISAPPROVE this application on behalf of

_____ (City, Town, or County) _____ (Title) X _____ (Signature of OFFICIAL)

*** **FOR USE BY DLLC ONLY** ***

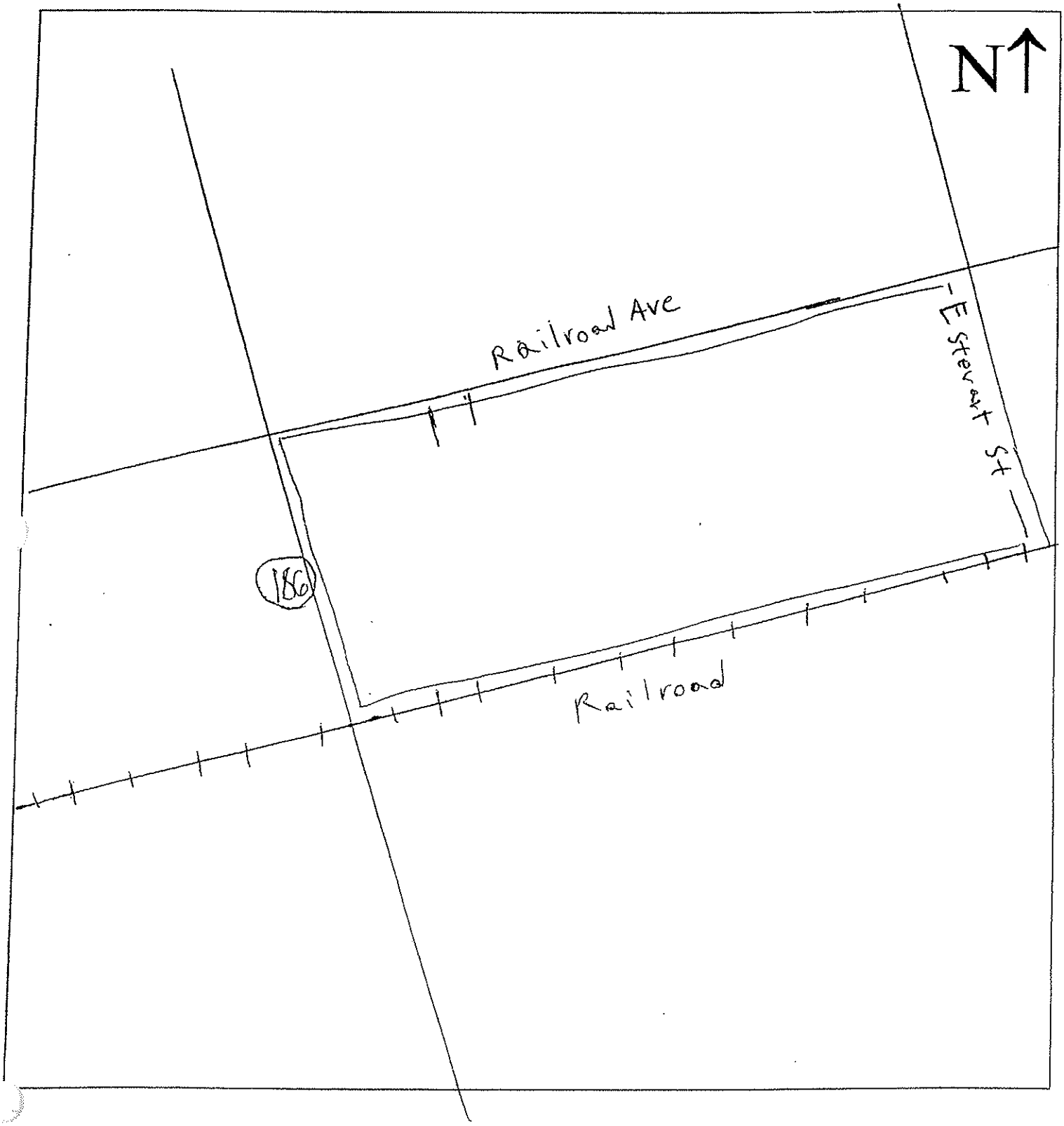
☐ APPROVED ☐ DISAPPROVED

By: _____ Date: _____

WINE FESTIVAL/FAIR LICENSED PREMISES DIAGRAM

(This diagram must be completed with this application)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.
(Show dimensions, serving areas, and label type of enclosure and security positions)



08/27/20

PRODUCER		
623.386.4452 FAX 623.386.7675 Powers-Leavitt Insurance Agency 111 E. Monroe Ave Ste 200 P O Box 125 Buckeye, AZ 85326	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATIO ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELO	
INSURED Coronado Vineyards 2909 East Country Club Drive Willcox, AZ 85643	INSURERS AFFORDING COVERAGE	NAIC #
	INSURER A: Peerless Indemnity Ins Company	18333
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTAN ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SI POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A		GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC	CBP3726196	01/01/2010	01/01/2011	EACH OCCURRENCE	$ 1,00
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 10
						MED EXP (Any one person)	$
						PERSONAL & ADV INJURY	$ 1,00
						GENERAL AGGREGATE	$ 2,00
						PRODUCTS - COMP/OP AGG	$ 2,00
		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS / UMBRELLA LIABILITY [ ] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N [ ] (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS [ ] OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate holder is additional insured with respect:
Willcox Wine & Art Festival October 16 & 17 2010

RECEIVED
SEP 07 2010

CERTIFICATE HOLDER

Willcox Wine Event
City of Willcox, its agents, officers,
employees and volunteers
101 S Railroad Ave., Suite B
Willcox, AZ 85643

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPI DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRI NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SI IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Andrea Lorenz/NJT Andrea K Lorenz

ACORD 25 (2009/01)

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The ACORD name and logo are registered marks of ACORD

-0

State of Arizona Department of Liquor Licenses and Control
800 W. Washington, 5th Floor
Phoenix, AZ 85007
www.azliquor.gov
(602)542-5141

APPLICATION FOR WINE FESTIVAL LICENSE/WINE FAIR LICENSE

FEE = $15.00 per event

A service fee of $25.00 will be charged for all dishonored checks (A.R.S. 44-6852)

A separate license is needed when days are not consecutive. Only twenty-five (25) licenses per calendar year for up to seventy-five calendar days may be issued, excluding sanctioned county or state fair licenses.

1. Applicant's Name: McLaughlin (Last) John (First) M (Middle)
2. Business Name: Bitter Creek Winery D.F.W. Lic#: 13133017 (Domestic Farm Winery License #)
3. Location of Festival: 157 Railroad Ave (Physical location - Do not use PO Box) Willcox (City) Cochise (County) 85643 (Zip)
4. Mailing Address: 18256 E. Williams Field Rd (City) Gilbert (State) AZ (Zip) 85295
5. Date and hours of festival:

DATE	DAY OF WEEK	HOURS FROM	HOURS TO
10.16.10	Sat	10 (a.m./p.m.)	5 (a.m./p.m.)
10.17.10	Sun	10 (a.m./p.m.)	5 (a.m./p.m.)
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.

6. Name and address of site owner: City of Willcox (Last) (First) (Middle)
101 S. Railroad Ave Ste B (Address) Willcox (City) AZ (State) 85643 (Zip)
7. Phone Numbers: 520 384-4271 (Site Owner) 480 988-5100 (Applicant's Business) 480 229-2266 (Applicant's Residence)

* Disabled individuals requiring special accommodation, please call (602) 542-9027.

LIC0118 05/2009

8. Has the festival site owner given permission for use of the site and for the sale of spirituous liquors? YES ☑ NO ☐

9. Are the spirituous liquors to be sold or served Arizona Domestic Farm Winery Products **ONLY**? YES ☐ NO ☑

10. How many wine festival licenses have you applied for this calendar year, including this one? 2

Give the total number of days you have held licensed wine festivals this year 6

11. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

_____ # Police ☐ Fencing
_____ # Security personnel ☑ Barriers

WINE GARDEN W/ PROMOTER

12. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your wine festival/fair licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

I, John McLoughlin, hereby declare that I am the APPLICANT filing this application. I
(Print full name)
have read the application and the contents and all statements are true, correct and complete.

X _____
(Signature of APPLICANT)

State of AZ County of Pinal
The foregoing instrument was acknowledged before me this
27 day of Aug 2010
Day Month Year

JOAN C. PARHAM
NOTARY PUBLIC - ARIZONA
PINAL COUNTY
My Commission Expires
March 23, 2012

My Commission Expires: 3/23/12

_____
(Signature of NOTARY PUBLIC)

*** **FOR USE BY LOCAL GOVERNING AUTHORITY ONLY** ***

I, _____, hereby ☐ APPROVE ☐ DISAPPROVE this application on behalf of
(Government Official)

_____ _____ X _____
(City, Town, or County) (Title) (Signature of OFFICIAL)

*** **FOR USE BY DLLC ONLY** ***

☐ APPROVED ☐ DISAPPROVED

By: _____ Date: _____

WINE FESTIVAL/FAIR LICENSED PREMISES DIAGRAM
(This diagram must be completed with this application)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.
(Show dimensions, serving areas, and label type of enclosure and security positions)

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

400 W Congress #521
Tucson AZ 85701-1352
(520) 628-6595

APPLICATION FOR WINE FESTIVAL LICENSE/WINE FAIR LICENSE

FEE = $15.00 per event

A service fee of $25.00 will be charged for all dishonored checks (A.R.S. 44-6852)

A separate license is needed when days are not consecutive. Only twenty-five (25) licenses per calendar year for up to seventy-five calendar days may be issued, excluding sanctioned county or state fair licenses.

1. Applicant'sName: Carlson III (Last) Robert (First) Carl (Middle)
2. Business Name: Carlson Creek Vineyard LLC D.F.W. Lic#: 13023018 (Domestic Farm Winery License #)
3. Location of Festival: 100 Railroad Ave, Historic Railroad Park, Willcox, Cochise, 85643 (Physical location - Do not use PO Box) (City) (County) (Zip)
4. Mailing Address: 115 Railview Ave Willcox AZ 85643 (City) (State) (Zip)
5. Date and hours of festival:

DATE	DAY OF WEEK	HOURS FROM	HOURS TO
10-16-2010	Sat.	10:00 (a.m)/p.m.	5:00 a.m./(p.m)
10-17-2010	Sun.	10:00 (a.m)/p.m.	5:00 a.m./(p.m)
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.

6. Name and address of site owner: City of Willcox (Last) (First) (Middle)
101 South Railroad Ave. Ste B (Address) Willcox (City) AZ (State) 85643 (Zip)
7. Phone Numbers: (520) 384-4271 (Site Owner) (520) 766-3009 (Applicant's Business) (623) 518-4681 (Applicant's Residence)

*** Disabled individuals requiring special accommodation, please call the Department.**

LIC0118 05/2004

8. Has the festival site owner given permission for use of the site and for the sale of spirituous liquors? YES ☒ NO ☐

9. Are the spirituous liquors to be sold or served Arizona Domestic Farm Winery Products **ONLY**? YES ☒ NO ☐

10. How many wine festival licenses have you applied for this calendar year, including this one? 5

Give the total number of days you have held licensed wine festivals this year 6

11. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

_____ # Police ☐ Fencing
_____ # Security personnel ☒ Barriers

There will be an identified perimeter around the park within which event attendees can consume wine. City Police are on call for the event.

12. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your wine festival/fair licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

I, Robert Carlson III, hereby declare that I am the APPLICANT filing this application. I have read the application and the contents and all statements are true, correct and complete.
(Print full name)

X _____
(Signature of APPLICANT)

YLAN A MASSOFF
Notary Public - Arizona
Maricopa County
My Comm. Expires Jul 23, 2013

My commission expires on: July 23, 2013

State of Arizona County of Maricopa
The foregoing instrument was acknowledged before me this
16th day of August, 2010
Day Month Year

_____
(Signature of NOTARY PUBLIC)

*** **FOR USE BY LOCAL GOVERNING AUTHORITY ONLY** ***

I, _____, hereby ☐ APPROVE ☐ DISAPPROVE this application on behalf of
(Government Official)

_____ _____ X _____
(City, Town, or County) (Title) (Signature of OFFICIAL)

*** **FOR USE BY DLLC ONLY** ***

☐ APPROVED ☐ DISAPPROVED

By: _____ Date: _____

WINE FESTIVAL/FAIR LICENSED PREMISES DIAGRAM

(This diagram must be completed with this application)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.
(Show dimensions, serving areas, and label type of enclosure and security positions)

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY) 9/3/2010

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
KELLY S CATHCART PLLC
813 Cove Parkway #103
Cottonwood, AZ 86326

CONTACT NAME:
PHONE (A/C, No, Ext): (928) 634-3030 FAX (A/C, No): (888) 297-19
E-MAIL ADDRESS: kcathcart@qwestoffice.net
PRODUCER CUSTOMER ID #:

INSURED
Carlson Creek Vineyard LLC
115 Railview Ave
Wilcox, AZ 85643
623.518.4681
robert.c.carlson@gmail.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: American National Property and Casualty	28401
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC	Y		0201X1240	07-07-10	07-07-11	EACH OCCURRENCE	$ 1,000,00
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,00
							MED EXP (Any one person)	$ 5,00
							PERSONAL & ADV INJURY	$ 1,000,00
							GENERAL AGGREGATE	$ 2,000,00
							PRODUCTS - COMP/OP AGG	$ 1,000,00
							Liquor Liability	$ 1,000,00
	AUTOMOBILE LIABILITY [ ] ANYAUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DEDUCTIBLE [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					WC STATU-TORY LIMITS / OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Wilcox Chamber of Commerce and Agriculture; the City of Willcox, its agents, officers, employees and volunteers are named as additional insureds for the Wilcox Wine Country Event being held at 157 N Railroad Ave, Railroad Park, Wilcox, AZ 85643, on October 16 & 17, 2010

CERTIFICATE HOLDER
City of Wilcox;
Wilcox Wine Country Event
101 N Railroad Avenue
Wilcox, AZ 85643
P# 520.384.4271
F# 520.384.2590

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

400 W Congress #150
Tucson AZ 85701-1352
(520) 628-6595

APPLICATION FOR WINE FESTIVAL LICENSE/WINE FAIR LICENSE

FEE = $15.00 per event

A service fee of $25.00 will be charged for all dishonored checks (A.R.S. 44-6852)

A separate license is needed when days are not consecutive. Only twenty-five (25) licenses per calendar year for up to seventy-five calendar days may be issued, excluding sanctioned county or state fair licenses.

1. Applicant'sName: McLoughlin (Last) John (First) M. (Middle)
2. Business Name: Jerome Winery D.F.W. Lic#: 13133011 (Domestic Farm Winery License #)
3. Location of Festival: 157 Railroad Ave (Physical location - Do not use PO Box) Willcox (City) Cochise (County) 85643 (Zip) #4
4. Mailing Address: 18256 E. Williams Field Rd (City) Gilbert (State) AZ (Zip) 85295
5. Date and hours of festival:

DATE	DAY OF WEEK	HOURS FROM	HOURS TO
10.16.10	Sat	10 a.m./p.m.	5 a.m./p.m.
10.17.10	Sun	10 a.m./p.m.	5 a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.

6. Name and address of site owner: City of Willcox (Last) (First) (Middle)
101 S. Railroad Ave Ste B (Address) Willcox (City) AZ (State) 85643 (Zip)
7. Phone Numbers: (520) 384-4271 Site Owner (480) 988-5100 Applicant's Business (480) 229-2266 Applicant's Residence

* Disabled individuals requiring special accommodation, please call the Department.

8. Has the festival site owner given permission for use of the site and for the sale of spirituous liquors? YES ☑ NO ☐

9. Are the spirituous liquors to be sold or served Arizona Domestic Farm Winery Products **ONLY**? YES ☐ NO ☑

10. How many wine festival licenses have you applied for this calendar year, including this one? 13

Give the total number of days you have held licensed wine festivals this year 29

11. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

_____ # Police ☐ Fencing
_____ # Security personnel ☑ Barriers

WINE GARDEN W/ PERIMETER

12. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your wine festival/fair licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

I, John McLoughlin (Print full name), hereby declare that I am the APPLICANT filing this application. I have read the application and the contents and all statements are true, correct and complete.

X _____ (Signature of APPLICANT)

State of AZ County of Pinal

The foregoing instrument was acknowledged before me this 27 (Day) day of Aug (Month), 2012 (Year)

JOAN C. PARHAM
NOTARY PUBLIC - ARIZONA
PINAL COUNTY
My Commission Expires
March 23, 2012

3/23/12

_____ (Signature of NOTARY PUBLIC)

*** FOR USE BY LOCAL GOVERNING AUTHORITY ONLY ***

I, _____ (Government Official), hereby ☐ APPROVE ☐ DISAPPROVE this application on behalf of

_____ (City, Town, or County) _____ (Title) X _____ (Signature of OFFICIAL)

*** FOR USE BY DLLC ONLY ***

☐ APPROVED ☐ DISAPPROVED

By: _____ Date: _____

WINE FESTIVAL/FAIR LICENSED PREMISES DIAGRAM

(This diagram must be completed with this application)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.
(Show dimensions, serving areas, and label type of enclosure and security positions)

Commercial Certificate of Insurance

FARMERS

Agency Name & Address
- Farmers Insurance
- John McLoughlin
- 18256 E WILLIAMS FIELD RD #4
- GILBERT, AZ 85295

Issue Date (MM/DD/YY) 08/27/2010

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies shown below.

St. 88 Dist. 49 Agent 337

Insured Name & Address
- Jerome Winery, Inc
- 403 CLARK STREET
- JEROME, AZ 86331

Companies Providing Coverage:

Company Letter A Truck Insurance Exchange
Company Letter B Farmers Insurance Exchange
Company Letter C Mid-Century Insurance Company
Company Letter D Great American Insurance

Coverages

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

Co. Ltr.		Type of Insurance	Policy Number	Policy Effective Date (MM/DD/YY)	Policy Expiration Date (MM/DD/YY)	Policy Limits	
D	X	General Liability Commercial General Liability Occurrence Version Contractual - Incidental Only Owners & Contractors Prot.	PAC8630113	11/14/20009	11/14/2010	General Aggregate Products-Comp/OPS Aggregate Personal & Advertising Injury Each Occurrence Fire Damage (Any one fire) Medical Expense (Any one person)	$ $ $ $ 1,000,000 $ $
		Automobile Liability All Owned Commercial Autos Scheduled Autos Hired Autos Non-Owned Autos Garage Liability				Combined Single Limit Bodily Injury (Per person) Bodily Injury (Per accident) Property Damage Garage Aggregate	$ $ $ $ $
		Umbrella Liability				Limit	$
		Workers' Compensation and Employers' Liability				Statutory Each Accident Disease - Each Employee Disease - Policy Limit	 $ $ $

Description of Operations/Vehicles/Restrictions/Special Items:

Addl insured: City of Willcox

Certificate Holder Name & Address
- City of Willcox
- 101 S Railroad Ave Ste B
- Willcox, AZ 85643

Cancellation

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

Copy Distribution: Service Center Copy and Agent's Copy

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

400 W Congress #521
Tucson AZ 85701-1352
(520) 628-6595

APPLICATION FOR WINE FESTIVAL LICENSE/WINE FAIR LICENSE

FEE = $15.00 per event

A service fee of $25.00 will be charged for all dishonored checks (A.R.S. 44-6852)

A separate license is needed when days are not consecutive. Only twenty-five (25) licenses per calendar year for up to seventy-five calendar days may be issued, excluding sanctioned county or state fair licenses.

1. Applicant'sName: KEELING ROONEY EDWARD
   Last First Middle

2. Business Name: KEELING SCHAEFER VINEYARDS LLC D.F.W. Lic#: 13023006
   (Domestic Farm Winery License #)

3. Location of Festival: 157 N. RAILROAD AVE - RAILROAD PARK WILLCOX COCHISE 85643
   (Physical location - Do not use PO Box) City County Zip

4. Mailing Address: 10277 E. ROCK CREEK LN. PEARCE AZ 85625
   City State Zip

Date and hours of festival:

DATE	DAY OF WEEK	HOURS FROM	HOURS TO
10-16-10	SAT	10 a.m./p.m.	5 a.m./p.m.
10-17-10	SUN	10 a.m./p.m.	5 a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.

6. Name and address of site owner: CITY OF WILLCOX
   Last First Middle

101 S. RAILROAD AVE SUITE B WILLCOX AZ 85643
Address City State Zip

Phone Numbers: (520) 384-4271 (520) 824-2500 (520) 507-2301
Site Owner Applicant's Business Applicant's Residence

*** Disabled individuals requiring special accommodation, please call the Department.**

8. Has the festival site owner given permission for use of the site and for the sale of spirituous liquors? YES ☑ NO ☐

9. Are the spirituous liquors to be sold or served Arizona Domestic Farm Winery Products **ONLY**? YES ☑ NO ☐

10. How many wine festival licenses have you applied for this calendar year, including this one? 3

Give the total number of days you have held licensed wine festivals this year 7

11. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

_____ # Police ☐ Fencing
_____ # Security personnel ☒ Barriers

WINE GARDEN FENCED

12. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your wine festival/fair licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

I, RODNEY EDWARD KEELING, hereby declare that I am the APPLICANT filing this application. I
(Print full name)
have read the application and the contents and all statements are true, correct and complete.

X _____ State of AZ County of Cochise
(Signature of APPLICANT)

The foregoing instrument was acknowledged before me this 30 day of August, 2010
Day Month Year

OFFICIAL SEAL
SAVANAH SANCHEZ
NOTARY PUBLIC - ARIZONA
COCHISE COUNTY
My Comm. Expires April 6, 2012

My commission expires on: 4/6/2012 _____
(Signature of NOTARY PUBLIC)

*** **FOR USE BY LOCAL GOVERNING AUTHORITY ONLY** ***

I, _____, hereby ☐ APPROVE ☐ DISAPPROVE this application on behalf of
(Government Official)

_____ _____ X _____
(City, Town, or County) (Title) (Signature of OFFICIAL)

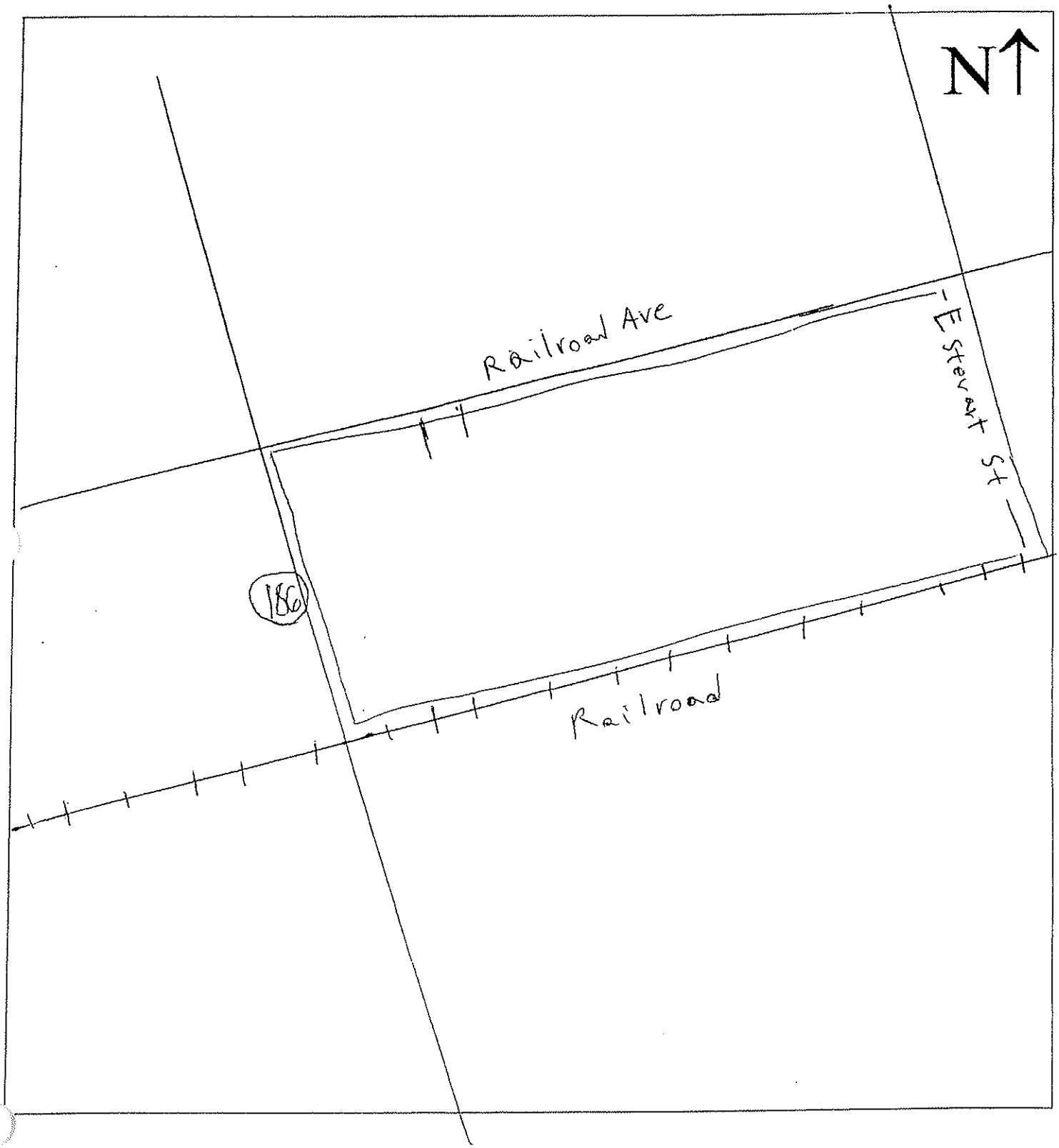
*** **FOR USE BY DLLC ONLY** ***

☐ APPROVED ☐ DISAPPROVED

By: _____ Date: _____

WINE FESTIVAL/FAIR LICENSED PREMISES DIAGRAM
(This diagram must be completed with this application)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.
(Show dimensions, serving areas, and label type of enclosure and security positions)



ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 09/01/2010

PRODUCER

Cliff F. Wilson, MLGA
2727 W. Frye Rd., Suite 120
Chandler, AZ 85224
(480) 926-3950 ext. 207

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND ALTER THE COVERAGE AFFORDED BY THE POLICIES BEL(

INSURED

Keeling Schaefer Vineyards, LLC
10277 E. Rock Creek Ln
Pearce, AZ 85625-6088

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: American National Property & Casualty Co.	28401
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
		GENERAL LIABILITY				EACH OCCURRENCE	$ 1,000,000
		[ ] COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurence)	$
		[ ] CLAIMS MADE [ ] OCCUR				MED EXP (Any one person)	$
		[✓] Business owner policy	0201X0736	12-17-2009	12-17-2010	PERSONAL & ADV INJURY	$
		[ ]				GENERAL AGGREGATE	$ 2,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG	$ 1,000,000
		[ ] POLICY [ ] PRO-JECT [ ] LOC					
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	$
		[ ] ANY AUTO				BODILY INJURY (Per person)	$
		[ ] ALL OWNED AUTOS				BODILY INJURY (Per accident)	$
		[ ] SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	$
		[ ] HIRED AUTOS					
		[ ] NON-OWNED AUTOS					
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		[ ] ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	$ 1,000,000
		[X] OCCUR [ ] CLAIMS MADE				AGGREGATE	$
		[ ] DEDUCTIBLE	0201B0092	12-17-2009	12-17-2010		$
		[ ] RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				[ ] WC STATU-TORY LIMITS [ ] OTH-ER	
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	$
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Willcox Wine Country Festival
Location: 157 N. Rail Road Ave., Willcox, AZ 85643
Dates: Oct. 16, 17, 2010, 10-5

CERTIFICATE HOLDER

City of Willcox
101 S. Rail Road Ave.
Willcox, AZ 85643

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO S IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS ... REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Cliff F. Wilson

© ACORD CORPORATION 1988

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

400 W Congress #521
Tucson AZ 85701-1352
(520) 628-6595

APPLICATION FOR WINE FESTIVAL LICENSE/WINE FAIR LICENSE

FEE = $15.00 per event

A service fee of $25.00 will be charged for all dishonored checks (A.R.S. 44-6852)

A separate license is needed when days are not consecutive. Only twenty-five (25) licenses per calendar year for up to seventy-five calendar days may be issued, excluding sanctioned county or state fair licenses.

1. Applicant'sName: MANNING (Last) CHARLENE (First) RAE (Middle)
2. Business Name: KIEF-JOSHUA VINEYARDS D.F.W. Lic#: 13123006 (Domestic Farm Winery License #)
3. Location of Festival: 157 N. RAILROAD AVE - RAILROAD PARK (Physical location - Do not use PO Box) WILLCOX (City) COCHISE (County) 85643 (Zip)
4. Mailing Address: HC-1 BOX 31 370 ELGIN RD (City) ELGIN (State) AZ (Zip) 85611

5. Date and hours of festival:

DATE	DAY OF WEEK	HOURS FROM		HOURS TO	
10-16-10	SAT	10	a.m./p.m.	5	a.m./p.m.
10-17-10	SUN	10	a.m./p.m.	5	a.m./p.m.
			a.m./p.m.		a.m./p.m.
			a.m./p.m.		a.m./p.m.
			a.m./p.m.		a.m./p.m.
			a.m./p.m.		a.m./p.m.
			a.m./p.m.		a.m./p.m.
			a.m./p.m.		a.m./p.m.
			a.m./p.m.		a.m./p.m.
			a.m./p.m.		a.m./p.m.

6. Name and address of site owner: CITY OF WILLCOX (Last) (First) (Middle)
101 S. RAILROAD AVE SUITE B (Address) WILLCOX (City) AZ (State) 85643 (Zip)

Phone Numbers: (520) 384-4271 (Site Owner) (520) 455-5582 (Applicant's Business) (520) 455-5582 (Applicant's Residence)

*** Disabled individuals requiring special accommodation, please call the Department.**

LIC0118 05/2004

8. Has the festival site owner given permission for use of the site and for the sale of spirituous liquors? YES ☑ NO ☐

9. Are the spirituous liquors to be sold or served Arizona Domestic Farm Winery Products **ONLY**? YES ☑ NO ☐

10. How many wine festival licenses have you applied for this calendar year, including this one? _____

Give the total number of days you have held licensed wine festivals this year _____

11. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

_____ # Police ☐ Fencing
_____ # Security personnel ☑ Barriers

WINE GARDEN W/ PERIMETER

12. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your wine festival/fair licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

I, Charlene Rae Manning, hereby declare that I am the APPLICANT filing this application. I
(Print full name)
have read the application and the contents and all statements are true, correct and complete.

X Charlene Rae Manning
(Signature of APPLICANT)

State of Arizona County of Santa Cruz
The foregoing instrument was acknowledged before me this
26 day of August, 2010
Day Month Year

OFFICIAL SEAL
PEGGY A. STERN
NOTARY PUBLIC - State of Arizona
SANTA CRUZ COUNTY
My Comm. Expires May 26, 2011

My commission expires on: 5-26-2011

Peggy A. Stern
(Signature of NOTARY PUBLIC)

***** FOR USE BY LOCAL GOVERNING AUTHORITY ONLY *****

I, _____, hereby ☐ APPROVE ☐ DISAPPROVE this application on behalf of
(Government Official)

_____ _____ X _____
(City, Town, or County) (Title) (Signature of OFFICIAL)

***** FOR USE BY DLLC ONLY *****

☐ APPROVED ☐ DISAPPROVED

By: _____ Date: _____

WINE FESTIVAL/FAIR LICENSED PREMISES DIAGRAM
(This diagram must be completed with this application)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.
(Show dimensions, serving areas, and label type of enclosure and security positions)

ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID LL KIEFJ-1

DATE (MM/DD/YYYY) 08/27/10

PRODUCER

Ambassador Group Inc.
7010 E. Chauncey Lane Ste. 230
Phoenix AZ 85054
Phone: 480-776-6950 Fax:480-776-6951

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

Kief Joshua Vineyard
Charlene Manning
HC1 Box 31
Elgin AZ 85611

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Allied	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A	X	GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC	ACP7223529447	08/24/10	08/24/11	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1000000 $ 100000 $ 5000 $ 1000000 $ 2000000 $ 2000000
		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
		EXCESS / UMBRELLA LIABILITY [ ] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $				EACH OCCURRENCE AGGREGATE	$ $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N [ ] If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $
A		OTHER Liquor Liability	ACP7223529447	08/24/10	08/24/11	Per Occur Aggregate	1,000,000 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Coverage subject to policy forms, terms and conditions. City of Willcox, its agents, officers, employees & volunteers are included as Additional Insured on the Commercial Liability as required by written contract.

Event: Willcox Fall Wine Festival

CERTIFICATE HOLDER

City of Willcox
Fax: 520-384-2590
101 S. Railroad Ave., Ste. B
Willcox AZ 85643

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Rob Scola

ACORD 25 (2009/01)

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ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

400 W Congress #521
Tucson AZ 85701-1352
(520) 628-6595

APPLICATION FOR WINE FESTIVAL LICENSE/WINE FAIR LICENSE

FEE = $15.00 per event

A service fee of $25.00 will be charged for all dishonored checks (A.R.S. 44-6852)

A separate license is needed when days are not consecutive. Only twenty-five (25) licenses per calendar year for up to seventy-five calendar days may be issued, excluding sanctioned county or state fair licenses.

1. Applicant'sName: Glomski (Last) Eric (First) Steven (Middle)
2. Business Name: Page Springs Cellars D.F.W. Lic#: 13133004 (Domestic Farm Winery License #)
3. Location of Festival: 157 N. RAILROAD AVE - RAILROAD PARK - WILLCOX COCHISE 85643 (Physical location - Do not use PO Box) (City) (County) (Zip)
4. Mailing Address: 1500 N. Page Springs Rd Cornville Az. 86325 (City) (State) (Zip)
5. Date and hours of festival:

DATE	DAY OF WEEK	HOURS FROM	HOURS TO
10-16-10	SAT	10 a.m./p.m.	5 a.m./p.m.
10-17-10	SUN	10 a.m./p.m.	5 a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.

6. Name and address of site owner: CITY OF WILLCOX (Last) (First) (Middle)
101 S. RAILROAD AVE SUITE B WILLCOX AZ 85643 (Address) (City) (State) (Zip)
7. Phone Numbers: (520) 384-4271 Site Owner (928) 639-3004 Applicant's Business (928) 301-0977 Applicant's Residence

*** Disabled individuals requiring special accommodation, please call the Department.**

8. Has the festival site owner given permission for use of the site and for the sale of spirituous liquors? YES ☒ NO ☐

9. Are the spirituous liquors to be sold or served Arizona Domestic Farm Winery Products **ONLY**? YES ☒ NO ☐

10. How many wine festival licenses have you applied for this calendar year, including this one? 15

Give the total number of days you have held licensed wine festivals this year 30

11. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

_____ # Police ☐ Fencing
_____ # Security personnel ☑ Barriers

WINE CASTING / W PERMISSION

12. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your wine festival/fair licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

I, Eric Steven Glomski, hereby declare that I am the APPLICANT filing this application. I
(Print full name)
have read the application and the contents and all statements are true, correct and complete.

X _____
(Signature of APPLICANT)

State of Arizona County of Yavapai
The foregoing instrument was acknowledged before me this
30 day of August, 2010
Day Month Year

LISA N. RHODES
Notary Public - Arizona
Yavapai County
My Comm. Expires Jul 5, 2014

My commission expires on: July 5, 2014

_____
(Signature of NOTARY PUBLIC)

*** **FOR USE BY LOCAL GOVERNING AUTHORITY ONLY** ***

I, _____, hereby ☐ APPROVE ☐ DISAPPROVE this application on behalf of
(Government Official)

_____ _____ X _____
(City, Town, or County) (Title) (Signature of OFFICIAL)

*** **FOR USE BY DLLC ONLY** ***

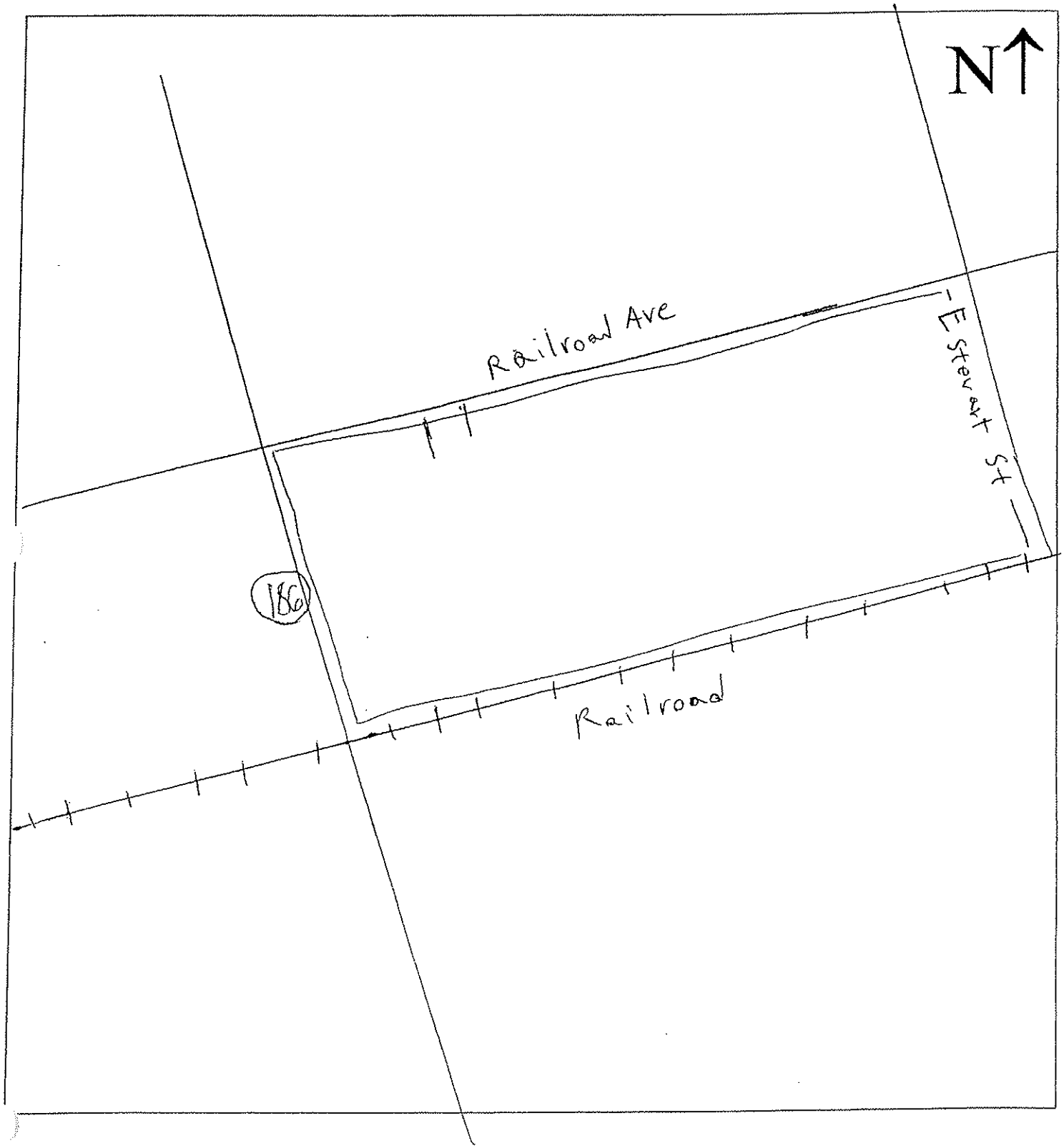
☐ APPROVED ☐ DISAPPROVED

By: _____ Date: _____

WINE FESTIVAL/FAIR LICENSED PREMISES DIAGRAM

(This diagram must be completed with this application)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.
(Show dimensions, serving areas, and label type of enclosure and security positions)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 8/26/2010

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZ REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Brown & Brown - Prescott
1579 West Gurley Street
Prescott AZ 86301

CONTACT NAME: Julie Raiss
PHONE (A/C, No, Ext): 928-776-2706 **FAX (A/C, No):** 928-776-2707
E-MAIL ADDRESS: jraiss@bbprescott.com
PRODUCER CUSTOMER ID #: PAGES-1

INSURED
Page Springs Cellars, Inc
1500 N. Page Springs Rd
Cornville AZ 86325

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Great American Alliance Ins Co	26832
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 1875796479 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			PAC8630182	4/9/2010	4/9/2011	EACH OCCURRENCE	$1,000,000
	[ ] COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$100,000
	[ ] CLAIMS-MADE [X] OCCUR						MED EXP (Any one person)	$10,000
							PERSONAL & ADV INJURY	$1,000,000
							GENERAL AGGREGATE	$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$2,000,000
	[ ] POLICY [ ] PRO-JECT [ ] LOC							$
A	AUTOMOBILE LIABILITY			CAP8630183	4/9/2010	4/9/2011	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
	[X] ANY AUTO						BODILY INJURY (Per person)	$
	[ ] ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	[ ] SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	[ ] HIRED AUTOS							$
	[ ] NON-OWNED AUTOS							$
A	[ ] UMBRELLA LIAB [ ] OCCUR			EXC8630184	4/9/2010	4/9/2011	EACH OCCURRENCE	$1,000,000
	[ ] EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$1,000,000
	[ ] DEDUCTIBLE							$
	[ ] RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						[ ] WC STATU-TORY LIMITS [ ] OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] (Mandatory in NH)	N/A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, If more space is required)
The certificate holder is named additional insured as respects their interest in the event referenced.
RE: Willcox Wine Country Fest Oct 16 & 17, 2010

CERTIFICATE HOLDER
City of Willcox
101 South Railroad Ave Suite B
Willcox AZ 85643

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Julie A. Raiss

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ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

400 W Congress #521
Tucson AZ 85701-1352
(520) 628-6595

APPLICATION FOR WINE FESTIVAL LICENSE/WINE FAIR LICENSE

FEE = $15.00 per event

A service fee of $25.00 will be charged for all dishonored checks (A.R.S. 44-6852)

A separate license is needed when days are not consecutive. Only twenty-five (25) licenses per calendar year for up to seventy-five calendar days may be issued, excluding sanctioned county or state fair licenses.

1. Applicant'sName: PILLSBURY (Last) SAMUEL (First) WALLACE (Middle)
2. Business Name: Pillsbury Wine Company, LLC D.F.W. Lic#: 13135021 (Domestic Farm Winery License #)
3. Location of Festival: RAILWAY AVE (Physical location - Do not use PO Box) WILLCOX (City) COCHISE (County) Zip
4. Mailing Address: _____ City State Zip

Date and hours of festival:

DATE	DAY OF WEEK	HOURS FROM	HOURS TO
Oct 16	Saturday	10 a.m./~~p.m.~~	6 ~~a.m.~~/p.m.
Oct 17	Sunday	10 a.m./~~p.m.~~	6 ~~a.m.~~/p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.
		a.m./p.m.	a.m./p.m.

6. Name and address of site owner: City of (Last) WILLCOX (First) (Middle)
101 S. RAILROAD AVE (Address) WILLCOX (City) AZ (State) 85643 (Zip)
7. Phone Numbers: (520) 384 4271 (Site Owner) (310) 5083348 (Applicant's Business) (602) 992 3239 (Applicant's Residence)

* **Disabled individuals requiring special accommodation, please call the Department.**

8. Has the festival site owner given permission for use of the site and for the sale of spirituous liquors? YES ☑ NO ☐

9. Are the spirituous liquors to be sold or served Arizona Domestic Farm Winery Products **ONLY**? YES ☑ NO ☐

10. How many wine festival licenses have you applied for this calendar year, including this one? 6, Williams not us

Give the total number of days you have held licensed wine festivals this year 1

11. What security and control measures will you take to prevent violations of state liquor laws at this event?
(List type and number of security/police personnel and type of fencing or control barriers if applicable)

_____ # Police ☐ Fencing
_____ # Security personnel ☐ Barriers

12. Your licensed premises is that area in which you are authorized to sell, dispense, or serve spirituous liquors under the provisions of your license. The following page is to be used to prepare a diagram of your wine festival/fair licensed premises. Please show dimensions, serving areas, fencing, barricades or other control measures and security positions.

I, SAMUEL WALLACE PUSSERY, hereby declare that I am the APPLICANT filing this application and have read the application and the contents and all statements are true, correct and complete.

(Print full name)

KERI E. HALL
Notary Public Arizona
Maricopa County
My Comm. Expires Dec 17, 2010

X _____
(Signature of APPLICANT)

State of Arizona County of Maricopa
The foregoing instrument was acknowledged before me this
1 day of September, 2010
Day Month Year

My commission expires on: 12/17/10

_____
(Signature of NOTARY PUBLIC)

*** **FOR USE BY LOCAL GOVERNING AUTHORITY ONLY** ***

I, _____, hereby ☐ APPROVE ☐ DISAPPROVE this application on behalf of
(Government Official)

_____ _____ X _____
(City, Town, or County) (Title) (Signature of OFFICIAL)

*** **FOR USE BY DLLC ONLY** ***

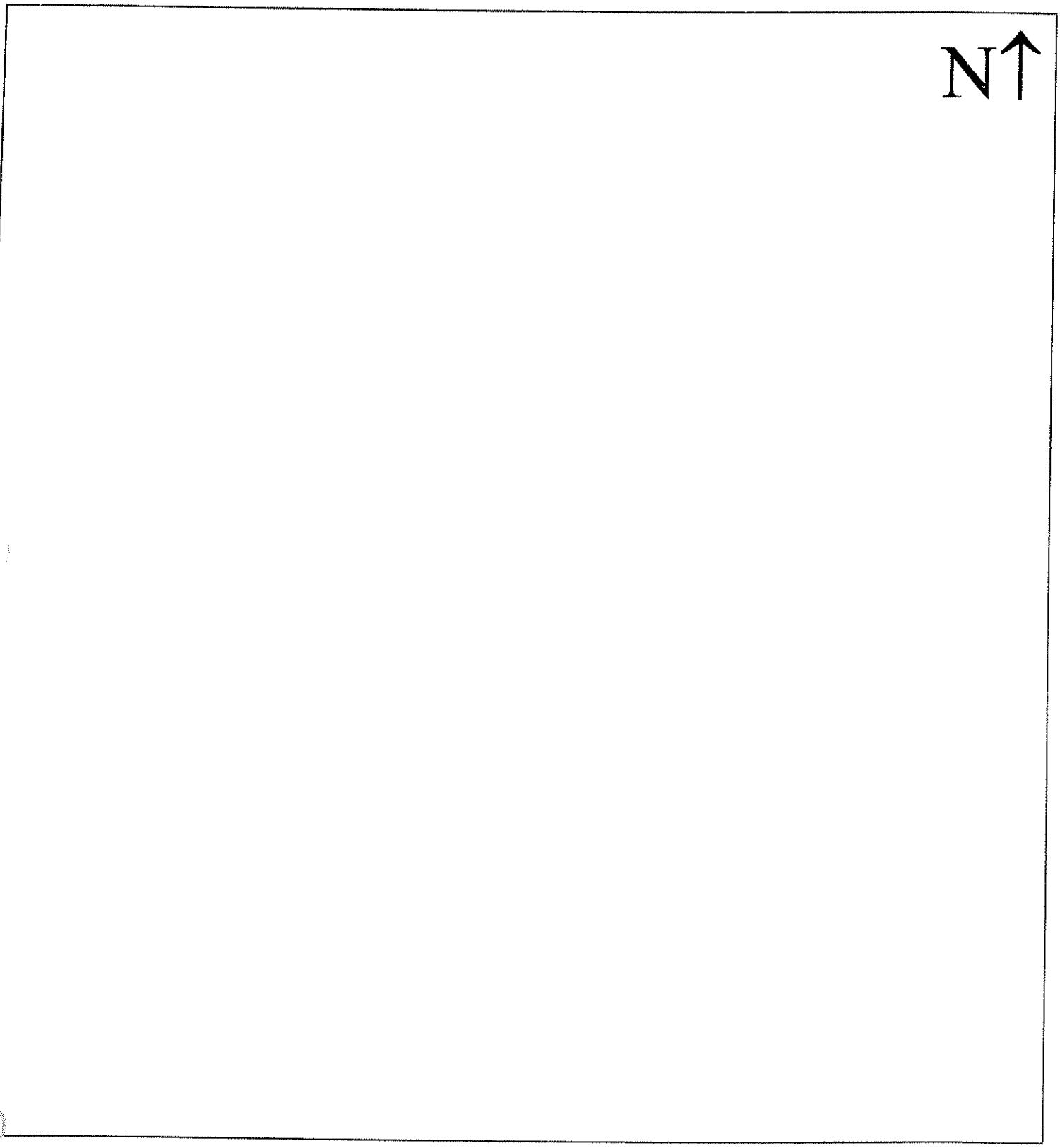
☐ APPROVED ☐ DISAPPROVED

By: _____ Date: _____

WINE FESTIVAL/FAIR LICENSED PREMISES DIAGRAM

(This diagram must be completed with this application)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.
(Show dimensions, serving areas, and label type of enclosure and security positions)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

PRODUCER

Mad Steger, LLC dba Steger Insurance Agency
110 E. Florence Blvd., Suite 2
Casa Grande, AZ 85122

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELO

INSURED

Pillsbury Wine Company
Vineyards Estates LLC
4109 E Via Estrella
Phoenix, AZ 85028

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Colorado Casualty (Peerless Indemnity	18333
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A	X	**GENERAL LIABILITY** [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [ ] PRO-JECT [ ] LOC	FM4111613	7/10/10	7/10/11	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
		AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [ ] HIRED AUTOS [ ] NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
		GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
A	X	**EXCESS / UMBRELLA LIABILITY** [X] OCCUR [ ] CLAIMS MADE [ ] DEDUCTIBLE [ ] RETENTION $	CU3601472	7/10/10	7/10/11	EACH OCCURRENCE AGGREGATE	$ 2,000,000 $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N [ ] (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				[ ] WC STATU-TORY LIMITS [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER

City of Willcox
101 South Railroad Ave.
Suite B
Willcox, AZ 85643

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Matthew J Steger

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CITY OF WILLCOX
Request for Council Action

Agenda Item: 18
Tab Number: 13
Date: 09-20-2010

Date Submitted:	**Action:**	**Subject:**
September 3, 2010	___**Resolution**	Request approval to serve wine in glass containers.
Date Requested:	___**Ordinance**	
September 20, 2010	_X_ **Formal**	
	___ **Other**	

To: Honorable Mayor and City Council

From: Dave Bonner, Director Public Services & Works

Discussion: Mr. Rod Keeling of the Willcox Wine Country Committee of the Willcox Chamber of Commerce is planning to hold a wine and music festival from 10:00 AM on October 16 through 5:00 PM on October 17, 2010. This event is scheduled to be held in Railroad Park. They are requesting approval for vendors to serve wine in glass containers during this event.

Recommendation: Staff recommends that the Mayor and Council consider approval for vendors to be able to serve wine in glass containers during their October festival in Railroad Park.

Fiscal Impact: $

Prepared By: Dawn Adame
Dawn Adame, Public Services and Works

Approved By: Dave Bonner
Dave Bonner, Public Services and Works Director

Approved By:
Pat McCourt, City Manager

2010-97

CITY OF WILLCOX
Request for Council Action

Agenda Item: 19.
Tab Number: 14
Date: 09.20.2010

Date Submitted: 09/15/10	**Action:**	**Subject:**
Date Requested: 09/20/10	x **Resolution** ___ **Ordinance** ___ **Formal** ___ **Other**	**Submit Proposal for the Public Safety Stabilization Program for grant monies from the Governor's Office**

To: Honorable Mayor and City Council
From: Pat McCourt, City Manager

Discussion: The Willcox Department of Public Safety has recently received information of a Funding Opportunity titled "Public Safety Stabilization Program" from Governor Brewer. This funding opportunity authorized the utilization of State Fiscal Stabilization Funds (SFSF) allocated from the American Recovery and Reinvestment Act (ARRA) of 2009 to fund the **Public Safety Stabilization Program**. These funds must be used to support the capacity of local public safety agencies to provide basic public safety activities during this unprecedented economic recession. The Willcox Department of Public Safety currently has budget approval to purchase one (1) new patrol unit for FY 10-11, however, three of our vehicles are 7 years old and are breaking down and have had engines replaced already. This funding source will allow up to $99,000 for our jurisdiction capacity. Therefore, WDPS would like to submit this proposal for the purchase of two (2) additional patrol units to replace the aged fleet.

Recommendation:
To submit Proposal for the Public Safety Stabilization Program requesting funds of $63,000 (approx) for the purchase of two (2) new patrol vehicles.

Motion:

Fiscal Impact:
$63,000 (approx) Revenue (no grant match required)

Prepared By: Penney L. Bell, Administrative Assistant

Jake Weaver, Chief / Director

Pat McCourt, City Manager

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2010-97

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA RATIFYING AND APPROVING THE SUBMITTAL OF THE APPLICATION TO THE GOVERNOR'S OFFICE OF PUBLIC SAFETY STABILIZATION PROGRAM BY THE WILLCOX DEPARTMENT OF PUBLIC SAFETY ('WDPS") FOR THE PURCHASE OF TWO PATROL VEHICLES AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the City of Willcox is empowered pursuant to A.R.S. § 9-240(12) to establish and regulate the police of the city and is vested with all powers of incorporated cities and towns as set forth in Title 9; and

WHEREAS, the Governor's Office , through its Public Stabilization Program, provides a funding mechanism open to local law enforcement agencies for grant funding to assist with their local operations; and

WHEREAS, the Willcox Department of Public Safety ["WDPS"] has submitted an application in the amount of $72,000.00 for the purchase of two (2) patrol vehicles; and

WHEREAS, the WDPS operations would be enhanced by having funding for said purchases and now desires to obtain ratification and authorization from Mayor and Council to proceed with grant funding if so approved by the Governor's Office; and

WHEREAS, the Mayor and Council of the City of Willcox, Cochise County, Arizona have determined that it is in the best interest of the City, the WDPS and its citizens to authorize the WDPS to proceed with the grant application as presented; and

WHEREAS, the Mayor and Council and the WDPS desire to have this item presented at the next Council Meeting on September 20, 2010; and

WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to assure timely ratification of the submitted grant application, and that this Resolution be effective immediately upon its passage and adoption.

BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally ratifies and authorizes the WDPS to proceed with the funding application as presented, authorizes the Mayor to execute this Resolution and directs and authorizes the Police Chief to take necessary action to carry out the intent of this Resolution.

BE IT FURTHER RESOLVED by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Willcox, Cochise County, Arizona this _____ day of September, 2010

APPROVED/EXECUTED

_____
MAYOR, GERALD W. LINDSEY
Signed: _____.

ATTEST:

_____
City Clerk, Christina G. Whelan, CMC

APPROVED AS TO FORM:

_____
City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2010-97

Public Safety Stabilization Program

Program Guidance

August 2010

Title of Opportunity: Public Safety Stabilization Program

Funding Opportunity Number: TBD

State Agency Name: Governor's Office of Economic Recovery

Dates: Completed strategies must be submitted [redacted]

Additional overview information: Governor Brewer has authorized the utilization of State Fiscal Stabilization Funds (SFSF) allocated from the American Recovery and Reinvestment Act (ARRA) of 2009 to fund the **Public Safety Stabilization Program**. These [redacted] support the capacity of local public safety [redacted] unprecedented [redacted]

Eligible jurisdictions include counties, [redacted] and towns, tribal nations, and independent fire districts. All proposals will be critically evaluated with funding priority being given to the strongest submissions, as well as those communities that have not previously benefited from the Governor's **Border Security Enhancement Program**, the U.S. Department of Justice's **COPS Hiring Recovery Program (CHRP)**, **FEMA's SAFER Program** or other ARRA funding for similar purposes. Previous participation in these programs will not prevent a jurisdiction with a strong proposal from being funded but there is an underlying motivation to ensure that these limited resources are spread amongst all of the jurisdictions needing public safety support.

CONTENTS

Contents 2

Part I. AWARD INFORMATION 3

Part II. ELIGIBILITY INFORMATION 4

A. Eligible Applicants 4

B. Cost Sharing 4

C. Restrictions 4

Part II. PROPOSAL SUBMISSION INFORMATION 5

A. Address to Request Application Package 5

B. Content and Form of Application 5

C. Submission Dates and Times 5

D. Funding Restrictions 6

Part IV. PROPOSAL REVIEW INFORMATION 7

A. Review Criteria 7

B. Review and Selection Process 7

C. Anticipated Announcement and Award Dates 7

Part V. AWARD ADMINISTRATION INFORMATION 9

A. Notice of Award, Agreement Terms, and Reporting 9

Part VI. OER CONTACTS 19

PART I.

AWARD INFORMATION

This section summarizes the award period of performance and the total amount of funding available under the **Public Safety Stabilization Program**, describes the basic distribution method used to determine final grants awards, and identifies all eligible applicants for funding.

Award Period of Performance

The period of performance [redacted] Extensions to the period of performance will not be considered due to the expiration of the SFSF funds on September 30, 2011.

Available Funding

The total amount of funds available for distribution under this initiative will be $10,000,000. Funds will be allocated based on financial need and the merit of the proposals.

Eligible Funding Levels –

• Counties, Cities, and Towns, and Tribal Nations with populations over 500,000 –	$200,000 to $500,000
• Counties, Cities, and Towns and Tribal Nations with populations between 150,000 and 499,999 –	$100,000 to $199,999
• Counties, Cities, and Towns and Tribal Nations with populations under 149,999 and independent	
• Fire Districts regardless of population –	up to $99,999

**based on latest census population estimates*

Requests made above these funding caps will be considered on a case by case basis. There is no guarantee of funding and these allocation levels are subject to change at the discretion of GOER.

PART II.

ELIGIBILITY INFORMATION

A. Eligible Applicants

The Chief Executive Officer of each eligible jurisdiction or organization must submit a proposal in order to be eligible to participate in this program. Funding is available for use by any of a jurisdiction's public safety agencies at the sole discretion of the Chief Executive Officer of that community, however, only one proposal per jurisdiction will be considered. Funding awards will be made through Inter Governmental Agreement (IGA) and must be ratified by the jurisdiction's governing board or council before becoming official. Only one proposal will be accepted from each jurisdiction.

B. Cost Sharing

There is no required cost sharing [redacted] for the Public Safety Stabilization Program.

C. Restrictions

Please see Part III C. for Management & Administration (M&A) limits and allowable / unallowable costs guidance.

PART III.
PROPOSAL SUBMISSION INFORMATION

Proposals for this support must be in person or via e-mail to the Governor's Office of Economic Recovery.

A. Content and Form of Strategy/Proposal

1. Strategy/Proposal. [redacted]

- [redacted]
  - [redacted]
  - [redacted]
  - [redacted]
- [redacted]
- A statement indicating that any funds received will be used to supplement and not supplant existing public safety resources.
- Outcome goals and performance measures for each activity requested for funding in the proposal (i.e., funds will sustain 3 public safety positions for the next year thus maintaining X # of patrol hours per year.)

OER staff will be available to help any jurisdiction complete their proposal including the development of goals and performance measures.

B. Submission Dates and Times

Completed strategies must be submitted **no later than 5:00 PM, September 17, 2010.** Proposals must be submitted via email to dmartinez@az.gov or physical copy to:

Governor's Office of Economic Recovery
Attn: Dina Martinez
1700 West Washington
Suite 300
Phoenix, AZ 85007

C. Funding Restrictions

1. **Management and Administrative (M&A) Costs.** M&A costs are not allowable under **Public Safety Stabilization Program.**

2. **Allowable Costs.** The intent of this program is to help stabilize local public safety agencies through an immediate infusion of financial resources. While equipment is an allowable expense, the **Public Safety Stabilization Program** is not intended to be an equipment-centric grant and jurisdictions must consider the ongoing maintenance and operation cost associated with any equipment purchases. The following expense categories are allowable under the terms of this agreement:

   - **Personnel Cost (for restored personnel or personnel in imminent danger of RIF)**
   - **Personnel overtime and associated backfill cost**
   - **Part Time Personnel**
   - **Travel, Per Diem and Lodging**
   - [redacted]
   - **Vehicle/Equipment Maintenance**
   - **Fuel Cost and/or Mileage Reimbursement**

3. **Unallowable Costs.** Unallowable costs include costs associated with general IT computing equipment and hardware, such as personal computers, faxes, copy machines, modems, etc. The **Public Safety Stabilization Program** is one-time funding intended to stabilize existing public safety resources and thus is not intended as a new hiring program. Therefore, applying funds toward new hiring full-time or permanent sworn public safety officers is also unallowable. **Public Safety Stabilization Program** funding shall not be used to supplant existing budgeted resources but to sustain or restore critical public safety activities that have recently been cut or in imminent danger of being eliminated. Finally, construction and/or renovation costs are prohibited under this grant application.

PART IV.

PROPOSAL REVIEW INFORMATION

A. Review Criteria

This section summarizes the core process and priorities used to assess proposals submitted under the **Public Safety Stabilization Program.** The Public Safety Stabilization Program will look to fund these communities that [redacted] due to a lack of financial resources [redacted] viable plan [redacted] measure outcomes), and the capacity to programmatically and fiscally manage these funds in order to provide [redacted]

B. Review Process

All proposals will first be reviewed by OER staff for completeness. Any omissions will be resolved with the jurisdiction before the proposal moves further through the review process. Each proposal will then be reviewed by a committee comprised of subject matter experts from the Arizona Department of Public Safety, the Arizona Department of Emergency and Military Affairs, the Arizona Department of Corrections, State Fire Marshall, State Land Department and the Governor's Office of Homeland Security. Other reviewers will be engaged if the subject of the proposal warrants their involvement. These reviewers will analyze each proposal to ensure that they align with the purposes outlined in this program announcement.

C. Anticipated Announcement and Award Dates

OER will evaluate and act on proposals in a timely fashion and will make a funding decision within three weeks of receipt with the goal to have all funding allocated on or before October 8, 2010.

PART V.
AWARD ADMINISTRATION INFORMATION

A. **NOTICE of AWARD**

a. Upon approval of the proposal, an IGA will be drafted and forwarded to the recipient jurisdiction. This IGA must then be ratified by the jurisdiction's governing board or council and returned to OER for recording. The date that this is done is the "award date" and "project start date."

B. **TERM OF AGREEMENT/ EFFECTIVE DATE**

a. The period of performance of this grant is 12 months. Extensions to the period of performance will not be considered due to the expiration of the SFSF funds on September 30, 2011.

C. **CONTRACT TYPE**

a. Cost Reimbursement Sub-Grant.

D. **DOCUMENTS INCORPORATED BY REFERENCE**

a. Incorporation by Reference: The State of Arizona's Uniform Instructions to Offerors (Rev 7.1) and Uniform Terms and Conditions (Rev 7) are incorporated by reference into this contract as if fully set forth herein. These documents may be accessed through the Arizona State Procurement Office's website at http://www.azdoa.gov/agencies/spo/docs_and_forms.asp. The documents may also be obtained by calling the State Procurement Office at (602) 542-5511, or by calling the Governor's Office at (602) 542-3434. Title XIV of the American Recovery and Reinvestment Act (ARRA) of 2009, known as the State Fiscal Stabilization Fund (American Recovery and Reinvestment Act of 2009 Public Law 111-5 (H.R. 1), February 17, 2009; 123 Stat. 115, as amended by Public Law 111-8 (H.R. 1105), the Omnibus Appropriations Act, 2009; Division A, Section 523; March 11, 2009; 123 Stat. 524), as administered by the U.S. Department of Education, is hereby incorporated by reference into this contract as if fully set forth herein and may be accessed at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h1enr.pdf. It is the Subgrantee's responsibility to obtain the current revisions of these documents.

E. SUBGRANTEE ARRA ASSURANCES

a. Subgrantee assures compliance with the guidelines, provisions and reporting requirements of the ARRA. Subgrantee accepts that the Federal Government may issue additional guidance or change requirements or terms and conditions of this agreement as ARRA funds are distributed and programs are implemented for the stated designated goals and quick timelines. Subgrantee agrees that any such supplementary guidance,

clarifications, or provisions, shall become terms and conditions of this award.

b. Subgrantee understands that ARRA is funding projects with one time dollars and that failure to comply with the terms, conditions and requirements of the ARRA may result the recapture of the balance of funds awarded.

c. The Subgrantee agrees to avoid unnecessary delays in implementing its ARRA funds. The Subgrantee certifies that it will not use ARRA funds for any unauthorized purposes and understands that misuse of ARRA funds may result in a range of penalties from suspension of funds to civil and/or criminal penalties.

F. **CONTRACT RENEWAL**

a. The contract shall not bind nor purport to bind GOER for any contractual commitment in excess of the original contract period or amount. GOER shall have the right, at its sole option, to renew the contract, in one year increments, not to exceed a total grant term of five years. If GOER exercises such right, all terms, conditions and provisions of the original contract shall remain the same and apply during the renewal period.

G. **SUBGRANTEE'S OBLIGATION REGARDING CONFIDENTIALITY**

a. Due to the sensitive nature of the information maintained by GOER, the Subgrantee acknowledges that all information disclosed to it concerning the GOER'S operations during performance of this Grant shall not be disclosed to third parties without GOER'S prior written consent. All proprietary information and all copies thereof shall be returned to GOER upon completion of the work for which it was obtained or developed.

H. **NO WAIVER**

a. Either party's failure to insist on strict performance of any term or condition of the contract shall not be construed as a waiver or relinquishment for the further performance of such provision.

I. **REPORTING REQUIREMENTS**

a. The Subgrantee will submit reports that contain the information required under section 1512(c) of the ARRA in accordance with any guidance issued by the Office of Management and Budget or the U.S. Department of Education (ARRA Division A, Section 1512(c)). Subgrantees may be required to submit additional reports as required by OER.

J. **PROGRAMMATIC AND FINANCIAL REPORTS**

a. The subgrantee shall provide a monthly program activity report to OER that provides updates on the goals and performance measures outlined in the original proposal. This report is due to OER by the 15th of each month for the previous month. The Subgrantee shall use the forms provided by the Grantor to submit monthly program activity reports. The report shall contain such information as deemed necessary by the ARRA guidance and GOER. The forms will be sent to the Subgrantee upon receipt of the signed Agreement.

K. FINANCIAL REIMBURSEMENT

a. The Subgrantee shall be paid on a cost-reimbursement basis. The reimbursement amount is to be determined on the cash basis of accounting. The reimbursement request must be submitted no more often than bi-weekly and no less than quarterly for those items submitted and approved in the budget inclusively. Draw down schedules will be provided upon award. Subgrantee shall submit a final reimbursement request no more than forty-five (45) days after the contract end for expenses obligated prior to the date of contract termination. All expenses must be liquidated prior to the final reimbursement request. Requests for reimbursement received later than forty-five (45) days after the contract termination will not be paid.

b. Notwithstanding any other payment provision of this contract, failure of the Subgrantee to submit required reports when due, or failure to perform or deliver required work, supplies or services, will result in the withholding of payment under this contract unless such failure arises due to causes beyond the control and without the fault of negligence of the Subgrantee.

L. MANNER OF FINANCING

a. Payment made by the Grantor to the Subgrantee will be on a reimbursement basis only and is conditioned upon receipt of applicable, accurate and complete reimbursement documents to be submitted by the Subgrantee. Final payment will be contingent upon receipt of all fiscal and programmatic reports required of the Subgrantee under this Agreement.

b. Requested reimbursement must be submitted in an all-inclusive basis.

c. Travel expenses shall be at State rates (see website www.gao.az.gov/travel/default.asp for rates) and reimbursable at cost.

d. Payment made by the Grantor to the Subgrantee shall be expended from the State Fiscal Stabilization Fund, Government Services Fund, administered by the U.S. Department of Education. The Catalog of Federal Domestic Assistance (CFDA) Number is 84.397.

M. DUNS/CCR

a. The Subgrantee is required to provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number for the fiscal agent; and proof of current registration in the Central Contractor Registration (CCR) database. Additionally, CCR registration must be maintained for the term of the contract.

N. CONSTRUCTION COSTS

a. No construction costs are permitted.

O. RESTRICTIONS ON LOBBYING

a. The Subgrantee shall not use these funds to pay for, influence, or seek to influence any officer or employee of the State of Arizona or the federal government if that action may

have an impact, of any nature, on this agreement.

P. NOTIFICATION REGARDING CHANGES

a. The Subgrantee shall notify GOER in writing, with immediate notice, of any changes in the program that will directly affect service delivery under the terms of the contract. No changes shall be implemented without the prior written approval of a formal contract amendment issued by GOER.

Q. KEY PERSONNEL

a. It is essential that the Subgrantee provide an adequate staff of experienced personnel, capable of and devoted to the successful accomplishment of work to be performed under this contract. The Subgrantee must assign specific individuals to the key programmatic and fiscal positions. Once assigned to work under the contract, key personnel shall not be removed or replaced without the prior written approval of GOER. The fiscal person is considered a Key Person for this grant. It is the preference of GOER that the Subgrantee requires current state certification and/or licensure as a condition of employment for those individuals providing direct behavioral and medical health services to youth.

R. FISCAL RESPONSIBILITY

a. It is understood and agreed that the total amount of the funds used under this Agreement shall be used for the project(s) outlined in this Agreement. Therefore, should the project not be completed, be partially completed, or be completed at a lower cost than the original budget called for, the amount reimbursed to the Subgrantee shall be for only the amount of dollars actually spent by the Subgrantee. For any funds received under thi Agreement for which expenditure is disallowed by an audit exception by the Governor's Office, the State or Federal government, the Subgrantee shall reimburse said funds directly to the Grantor immediately, but not later than fifteen (15) business days, exclusive of state holidays.

S. RECORDS

a. At any time during the term of this contract, and at any time within five (5) years after the closing of the federal grant, the Subgrantee's or any subcontractor's books and records shall be subject to an audit by the State or Federal Government, to the extent that the books and records relate to the performance of the contract or subcontract. All records shall be subject to inspection and audit by the State or Federal government at reasonable times. Upon request, the Subgrantee shall produce a legible copy of any or all such records.

T. AUDIT TRAILS

a. Subgrantee shall maintain proper audit trails for all reports related to this contract. The Governor's Office reserves the right to review all program records.

U. FUND MANAGEMENT

a. The Subgrantee must maintain funds received under this contract in separate ledger

accounts and cannot mix these funds with other sources. Subgrantee must manage funds according to applicable federal regulations for administrative requirements, cost principles and audits.

b. The Subgrantee must maintain adequate business systems to comply with Federal requirements. The business systems that must be maintained are:

Financial Management

Procurement

Personnel

Property

Travel

c. A system is adequate if it is: 1) written, 2) consistently followed – it applies in all similar circumstances, and 3) consistently applied – it applies to all sources of funds. The Governor's Office reserves the right to review all business systems policies.

V. **ASSIGNMENT AND DELEGATION**

a. Subgrantee may not assign any rights hereunder without the express, prior written consent of both parties.

W. **AMENDMENTS**

a. Any change in the contract, including material changes to the scope of work and/or the budget described herein, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by and between the duly authorized representatives of the Subgrantee and GOER. GOER may approve or reject any amendment, when necessary. Any such amendment shall specify an effective date, any increases or decreases in the amount of the Subgrantee's compensation, if applicable, and entitled as an "Amendment" and signed by the parties identified in the preceding sentence. The Subgrantee expressly and explicitly understands and agrees that no other method and/or no other document, including correspondence, acts, and oral communications by or from any person, shall be used or construed as an amendment or modification or supplementation to the contract.

X. SUBCONTRACTORS

a. The Subgrantee agrees and understands that no subcontract which the Subgrantee enters into with respect to performance under this contract shall in any way relieve the Subgrantee of any responsibility for performance of its duties. It is highly recommended by GOER that a Memorandum of Understanding or some other type of contract is in place between the Subgrantee and a Subcontractor for services to be performed, and in which a payment amount has been negotiated and approved, so as to avoid any misunderstanding between both parties.

Y. OFFSHORE PERFORMANCE OF WORK PROHIBITED

a. Due to security and identity protection concerns, all services under this contract shall be performed within the borders of the United States. All storage and processing of information shall be performed within the borders of the United States. This provision applies to work performed by sub-contractors at all tiers.

Z. AGREEMENT RENEWAL

a. This Agreement shall not bind nor purport to bind the Grantor for any contractual commitment in excess of the original Agreement period.

AA. CANCELLATION

a. GOER reserves the right to cancel the whole or any part of the contract due to failure of the Subgrantee to carry out any term, promise, or condition of the contract. GOER will issue a written ten (10) day notice of default to the Subgrantee for acting or failing to act as in any of the following:

b. The Subgrantee provides personnel that do not meet the requirements of the contract.

c. The Subgrantee fails to perform adequately the services required in the contract.

d. The Subgrantee attempts to impose on GOER personnel that are of an unacceptable quality.

e. The Subgrantee fails to furnish the required product within the time stipulated in the contract.

f. The Subgrantee fails to make progress in the performance of the requirements of the contract and/or gives GOER a positive indication that the Subgrantee will not or cannot perform to the requirements of the contract.

g. If the Subgrantee does not correct the above problem(s) within ten (10) days after receiving the notice of default, GOER may cancel the contract. If GOER cancels the contract pursuant to this clause, the State reserves all rights or claims to damage for breach of contract.

BB. CANCELLATION FOR CONFLICT OF INTEREST

a. GOER may, by written notice to the Subgrantee, immediately cancel this Contract without penalty or further obligation pursuant to A.R.S. §38-511 if any person significantly involved in initiating, negotiating, securing, drafting or creating of the Contract on behalf of GOER is an employee or agent of any other party in any capacity or a consultant to any other party to the Contract with respect to the subject matter of the Contract. Such cancellation shall be effective when the parties to the Contract receive written notice from GOER, unless the notice specifies a later time.

CC. THIRD PARTY ANTITRUST VIOLATIONS

a. Subgrantee assigns to the State of Arizona any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to Subgrantee toward fulfillment of this Agreement.

DD. **TERMINATION**

a. The Procurement Manager for GOER reserves the right to terminate the contract at any time, for the convenience of GOER, without penalty or recourse, by giving written notice to the Subgrantee at least thirty (30) days prior to the effective date of such termination. In the event of termination pursuant to this paragraph, all documents, data, and reports prepared by the Subgrantee under the contract shall, at the option of GOER, become property of the State of Arizona. The Subgrantee shall be entitled to receive just and equitable compensation for that work completed prior to the effective date of termination.

EE. **FORCE MAJEURE**

a. If either party hereto is delayed or prevented from the performance of any act required in this Agreement by reason of acts of God, strikes, lockouts, labor disputes, civil disorder, or other causes without fault and beyond the control of the party obligated, performance of or payment for such act will be excused for the period of the delay.

FF. **NON-DISCRIMINATION**

a. All parties to this agreement agree to comply with Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act, and State Executive Order No. 99-4 which mandates that all persons, regardless of race, religion, handicap, color, age, sex, political affiliation or national origin shall have equal access to employment opportunities. All parties shall comply with 1) the Rehabilitation Act of 1973, as amended, which prohibits discrimination in the employment or advancement in employment of qualified persons because of physical or mental handicap; 2) all applicable federal regulations regarding equal employment opportunity and relevant orders issued by the U.S. Secretary of Labor; 3) all applicable provisions and regulations relating to the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213); 4) all applicable provisions and regulations relating to Executive Order No. 13279 - Equal Protection of the Laws for Faith-based and Community Organizations.

GG. OWNERSHIP OF INFORMATION

a. GOER reserves the right to review and approve any publications funded or partially funded through this contract. All publications funded or partially funded through this contract shall recognize the State Fiscal Stabilization Fund, Government Services Fund, administered by the U.S. Department of Education and the Governor's Office of Economic Recovery.

HH. PRINTED MATERIAL

a. It is agreed that any report or printed matter completed as a part of this Agreement is a work for hire and shall not be copyrighted by the Subgrantee. Any publicly printed material under this Agreement shall state "This project was supported by the U.S. Department of Education and the Governor's Office of Economic Recovery."

II. PARTIAL INVALIDITY

a. Any term or provision of this Agreement that is hereafter declared contrary to any cur or future law, order, regulation or rule, or which is otherwise invalid, shall be deemed stricken from this Agreement without impairing the validity of the remainder of this Agreement.

JJ. ARBITRATION

a. In the event of any dispute arising under this Agreement, written notice of the dispute must be provided to the other party within thirty (30) days of the events giving rise to the dispute. The parties shall follow the procedures set forth in this section to facilitate a resolution and attempt to avoid litigation.

b. The parties shall negotiate in good faith to resolve the dispute within sixty (60) days of receiving notice of the existence of the dispute. However if the parties do not reach such resolution within a period of sixty (60) days, then, upon notice by either party to the other, all disputes, claims, questions, or differences shall be finally settled by arbitration administered by the American Arbitration Association in accordance with the provisions of its Commercial Arbitration Rules and in compliance with A.R.S. §12-1518.

KK. GOVERNING LAW

a. This Agreement shall be governed and interpreted by the laws of the State of Arizona. The venue for any proceedings, actions, or suits arising from this Agreement shall be in Maricopa County, Arizona.

LL. PARAGRAPH HEADINGS

a. The descriptive headings of this Contract are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions in this contract.

MM. INDEMNIFICATION CLAUSE

a. Subgrantee shall indemnify, defend, save and hold harmless the State of Arizona, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Subgrantee or any of its owners, officers, directors, agents, employees or subcontractor.

NN. PUBLIC AGENCY LANGUAGE ONLY

a. Each party (as 'indemnitor') agrees to indemnify, defend, and hold harmless the other party (as 'indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as 'claims') arising out of bodily injury of any person (including death) or property damage but only to the extent that such claims which result in vicarious/derivative liability to the

indemnitee, are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its' officers, officials, agents, employees, or volunteers.

OO. **INSURANCE REQUIREMENTS**

a. Attachment A, entitled Insurance Requirements, shall be incorporated by reference into this Agreement.

PP. **COMPLIANCE WITH APPLICABLE LAWS**

a. All parties to this agreement shall comply with all applicable federal, state and local laws.

QQ. **LICENSES**

a. Subgrantee shall maintain in current status all federal, state, and local licenses and permits required for the operation of the business conducted by the Subgrantee.

RR. **SUSPENSION OR DEBARMENT STATUS**

a. If the firm, business or person submitting this bid or offer has been debarred, suspended or otherwise lawfully precluded from participating in any public procurement activity with any federal, state or local government, the applicant must include a letter with its application setting forth the name and address of the governmental unit, the effective date of the suspension or debarment, the duration of the suspension or debarment, and the relevant circumstances relating to the suspension or debarment. Failure to supply the letter or to disclose in the letter all pertinent information regarding a suspension or debarment shall result in rejection of the bid or offer or cancellation of a contract. GOER also may exercise any other remedy available by law.

SS. FEDERAL IMMIGRATION LAWS

a. By entering into this contract, the Subgrantee warrants compliance with the Federal Immigration and Nationality Act and all other federal immigration laws and regulations related to the immigration status of its employees. These warranties shall remain in effect throughout the term of the contract and any renewal period of the contract. The Subgrantee shall maintain Employment Eligibility Verification form (I-9) as required by the U.S. Department of Labor's Immigration and Control Act for all employees performing work under this contract.

TT. FINGERPRINTING

a. The provisions of A.R.S. §46-141 are hereby incorporated as provisions of this contract as they pertain to any new personnel not already covered by this requirement. When applicable, the Subgrantee shall assume the costs of fingerprint checks and may charge these costs to fingerprint its personnel. The department may allow all or part of the costs of fingerprint checks to be included as an allowable cost in a contract.

b. Personnel who are employed by any Subgrantee, whether paid or not, and who are required or allowed to provide services directly to juveniles shall certify on forms provided

by the Department of Public Safety and notarized whether they have ever committed any act of sexual abuse of a child, including sexual exploitation and commercial sexual exploitation, or any act of child abuse. This contract may be canceled or terminated if fingerprint check or the certified form of any person who is employed by a Subgrantee whether paid or not, and who is required or allowed to provide services directly to juveniles discloses that a person has committed any act of sexual abuses of a child, including sexual exploitation or commercial sexual exploitation, or any act of child abuse or that the person has been convicted of or awaiting trial on any of the following criminal offenses in this state or similar offenses in another state or jurisdiction.

UU. **SECTARIAN REQUESTS**

a. Funds may not be expended for any sectarian purpose or activity, including sectarian worship or instruction.

VV. **AUTHORITY to EXECUTIE this AGREEMENT**

a. Each individual executing this Contract on behalf of the Subgrantee represents and warrants that he or she is duly authorized to execute this Contract.

WW. **COUNTERPARTS**

a. This Contract may be executed in any number of counterparts, copies, or duplicate originals. Each such counterpart, copy, or duplicate original shall be deemed an original, and collectively they shall constitute one Contract.

XX. **PROHIBITION ON GOVERNMENT CONTRACTS REGARDING IRAN AND SUDAN**

a. In accordance with A.R.S. §35-393.06, the Subgrantee hereby certifies that the Subgrantee does not have scrutinized business operations in Iran.

b. In accordance with A.R.S. §35-391.06, the Subgrantee hereby certifies that the Subgrantee does not have scrutinized business operations in Sudan.

YY. **E-VERIFY**

a. In accordance with A.R.S. §41-4401, Subgrantee warrants compliance with all Federal immigration laws and regulations relating to employees and warrants its compliance with A.C.C. Section A.R.S. §23-214, Subsection A.

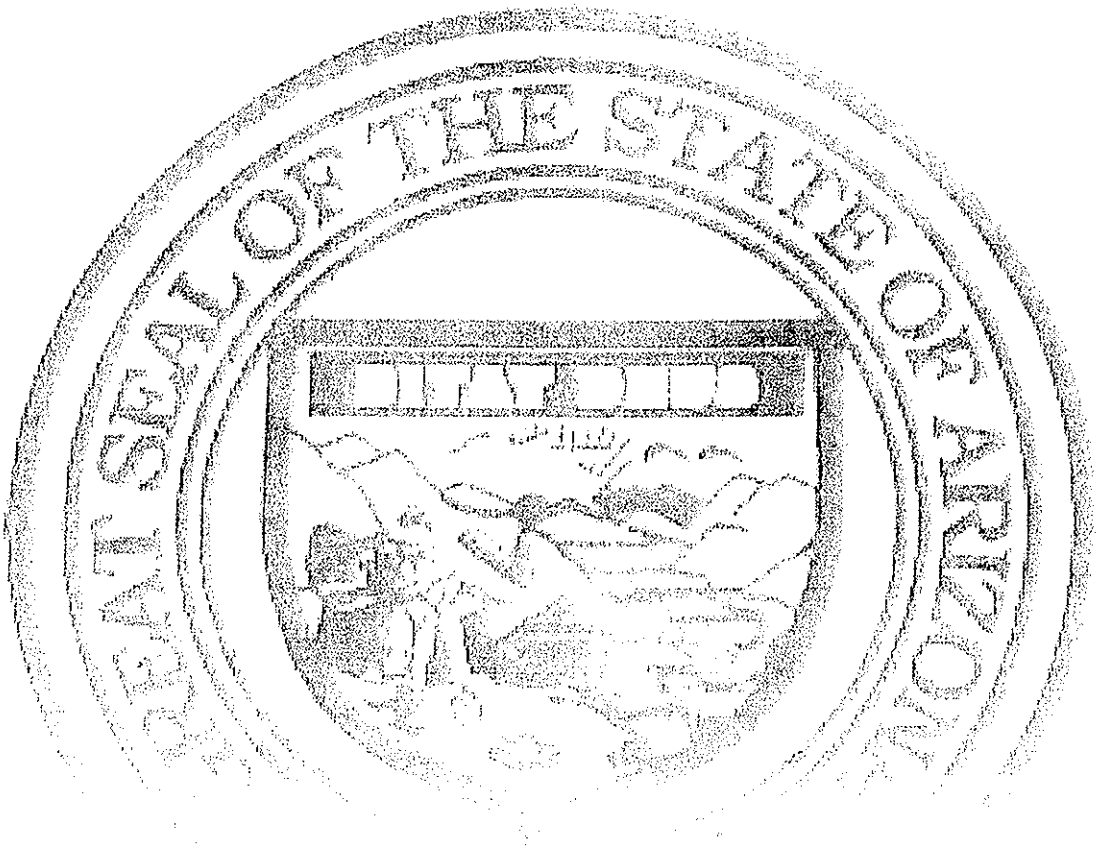
PART VI.

OER CONTACTS

For assistance, please contact:

Matthew Hanson, GPC
Assistant Director of Programs and Performance
Governor's Office of Economic Recovery
1700 West Washington
Phoenix, Arizona 85007
602-542-7567
602-377-8068 cell
mhanson@az.gov

Dina Martinez
Grants Management Analyst
Governor's Office of Economic Recovery
1700 West Washington
Phoenix, Arizona 85007
602-542-1862
602-689-5133 cell
dmartinez@az.gov


GOVERNOR OF THE STATE OF MARYLAND

State of Arizona

Janice K. Brewer
Governor

Office of the Governor
1700 West Washington Street, Phoenix, AZ 85007

Main Phone: 602-542-4331
Facsimile: 602-542-7601

FOR IMMEDIATE RELEASE
August 27, 2010

CONTACT: Paul Senseman
(602) 542-1342
psenseman@az.gov

Governor Jan Brewer Adds Funding Support for Public Safety

$10 Million Grant Program to Local Public Safety Agencies

PHOENIX – Governor Jan Brewer today released program guidance for the Public Safety Stabilization Program, a grant program established using the Governor's State Fiscal Stabilization Fund (SFSF) Discretionary monies allocated from the American Recovery and Reinvestment Act (ARRA) of 2009.

"The announcement of these funds gives law enforcement and fire departments a chance to make proposals for funding to enhance operations and improve crime-fighting, fire-fighting and first response capabilities," said Governor Brewer. "The intention of providing the funds to local public safety agencies is to ensure they have the resources needed to provide safety and security to citizens in their local communities given the nationwide downturn in revenues at all levels of government."

Governor Brewer previously authorized the utilization of $10 million of State Fiscal Stabilization Funds (SFSF) from the American Recovery and Reinvestment Act (ARRA) of 2009 to fund the Public Safety Stabilization Program. Details of the program and guidance for application can be reviewed at: http://www.azgovernor.gov/dms/upload/PublicSafetyStabilizationProgramGuidance.pdf

Allowable expenses include personnel overtime and associated backfill costs; part time personnel; vehicle and equipment rentals and purchases; vehicle/equipment maintenance and fuel costs. While equipment is an allowable expense, the Public Safety Stabilization Program is not intended to focus heavily on vehicle purchases and jurisdictions are required to consider the ongoing maintenance and operation costs associated with any equipment purchases.

Eligible jurisdictions include counties, incorporated cities and towns, tribal nations, and independent fire districts. The Chief Executive of each jurisdiction is responsible for submitting their community's application. All proposals will be critically evaluated with funding priority being given to the strongest submissions, as well as those communities that have not previously benefitted from the Governor's Border Security Enhancement Program, the U.S. Department of Justice's COPS Hiring Recovery Program (CHRP), FEMA's SAFER Program, or other ARRA funding for similar purposes.

Previous participation in these programs will not prevent a jurisdiction with a strong proposal from being funded, but there is an overarching goal to ensure that these limited resources are extended amongst the jurisdictions most in need of additional public safety support.

Eligible Funding Levels Include:

Counties, Cities, and Towns, and Tribal Nations with populations over 500,000	$200,000 to $500,000
Counties, Cities, and Towns, and Tribal Nations with populations between 150,000 and 499,999	$100,000 to $199,999
Counties, Cities, and Towns, and Tribal Nations with populations under 149,999 and independent Fire Districts regardless of population	Up to $99,999

The period of performance for this grant is 12 months. Extensions to the period of performance will not be considered due to the federally-required expiration of the SFSF funds on September 30, 2011. Completed strategies must be submitted by first responder's to Governor Brewer's Office of Economic Recovery (OER) by no later than 5:00 p.m., September 17, 2010.

###

CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION

Agenda Item: 20
Tab Number: 15
Date: 09-20-2010

Date Submitted: 9-13-10 **Date Requested:** 9-20-10	**Action:** ____ Resolution ____ Ordinance ____ Formal __X__ Other	**Subject: Direction on the Professional Service Agreement at Twin Lakes Golf Course; whether to award or take other action.**

NOTE: Please refer to items included in the work session.

TO: **MAYOR AND COUNCIL**

FROM: City Manager

DISCUSSION: The Council had a work session on the operation and maintenance of the Twin Lakes Golf Course (Course) on 9-20-10 at 6PM.
The Course is a recreational facility owned and operated by the City of Willcox. The City currently uses a private Contractor to operate and maintain the Course.
The current contract expires on 12-31-10.
The City Staff and the current Contractor have negotiated a new proposed five (5) year contract. Copies have previously been provided to the Council, additional copies are available in the City Clerk's Office.
Staff needs to know if:

1) the Council wishes to award the contract to the existing Contractor,
2) negotiate some other terms,
3) place the operations and maintenance out in a Request for Proposals, or
4) Provide some other direction to the staff.

RECOMMENDATION: Staff feels that the current Contractor has provided a good service to the community. The new contract is much clearer in duties and responsibilities. Staff has no problems with the existing Contractor continuing under the new contract.

FISCAL IMPACT: The subsidy paid by the City to the Contractor under the new contract is $54,500 per year. This is $12,000 from the Sewer Fund and $42,500 from the General Fund.

Prepared by: Pat McCourt

Approved by: _____
Pat McCourt, City Manager

TAB 16

OFFICE OF THE STATE FIRE MARSHAL

JANICE K. BREWER
GOVERNOR

GENE PALMA
DIRECTOR

1110 WEST WASHINGTON, SUITE 100
PHOENIX, ARIZONA 85007
(602) 364-1003
(602) 364-1052 FAX

ROBERT BARGER
FIRE MARSHAL

Received
SEP 1 ? 2010
City Manager's Office

September 10, 2010

TO: CITY MANAGERS AND FIRE SERVICE PERSONNEL

As you may be aware, this past May Governor Jan Brewer signed HB2246 into law permitting the sale and use of specific fireworks, all of which are also federally approved consumer fireworks. There has been some confusion as to which categories have been approved for sale beginning December 1, 2010. In order to clarify this situation I have attached a list of those fireworks categories that are permissible and those which are not. The statute that lists the permissible fireworks can be found online at:
www.azleg.gov/FormatDocument.asp?inDoc=/ars/36/01601.01.htm&Title=36&DocType=ARS
(A.R.S. §36-1601(5))

The key consideration is that if a firework is "designed or intended to rise into the air and explode or to detonate in the air or to fly above the ground," (A.R.S. §36-1601(5)(b)) it is NOT legal in Arizona. Labels are included on each firework device and should that label make mention of explosion or shooting into the air, it is considered illegal in Arizona.

Furthermore, the pending statute states that "The sale and use of permissible consumer fireworks are of statewide concern … and their use is not subject to further regulation by a governing body, except that an incorporated city or town may regulate the use of permissible consumer fireworks within its corporate limits." A.R.S. §36-1606. The statute also requires the State Fire Marshal to adopt rules that adopts the 2006 edition of the National Fire Protection Association ("NFPA") code for the manufacture, transportation, storage and retail sales of fireworks. These guidelines fall under section 1124 of the NFPA code and can be viewed online or purchased by visiting www.nfpa.org. Please note, any additional regulation, i.e. signage, permitting, etc., adopted by a governing body pertaining to the sale of permissible consumer fireworks which is not included in NFPA 1124, would appear to be in conflict with the above referenced statutes.

Sincerely,

Bob Barger

Bob Barger
State Fire Marshal
Department of Fire, Building and Life Safety
1110 W. Washington
Phoenix, AZ 85007

Attachment

STATE APPROVED PERMISSABLE FIREWORKS FOR SALE IN ARIZONA

1. Ground and Hand-held Sparkling Devices
   These devices are ground-based or hand-held devices that produce a shower of white, gold or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices to not rise into the air, do not fire inserts or projectiles into the air and do not explode or produce a report (a mild audible cracking-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category.

   Types of devices in this category include:
   a. Cylindrical Fountain
   b. Cone Fountain
   c. Illuminating Torch
   d. Wheel
   e. Ground Spinner
   f. Flitter Sparkler
   g. Toy Smoke Device
   h. Wire Sparkler/Dipped Stick

2. Novelties (de-regulated by the United States Department of Transportation):
   Party Popper, Snapper, Toy Smoke Devices, Snakes, Glow Worms

3. Multi-tube Items: This is a construction requirement for a single item that uses a combination of any or all of the above permissible items. This does NOT allow multi-tube aerial items.

CONSUMER FIREWORKS NOT APPROVED FOR SALE IN ARIZONA

1. Sky Rockets and Bottle Rockets

2. Missile-Type Rocket

3. Helicopter, Aerial Spinner

4. Roman Candle

5. Mine and Shell Devices

6. Aerial Shell Kit, Reloadable Tube

7. Firecracker

8. Chaser - the device travels along the ground upon ignition, and whistling effect, or other noise is often produced.

Reference Document 2001 Version of APA 87-1.
Copies may be obtained from American Pyrotechnic Association - www.americanpyro.com