

**THE STATEMENT OF LEGAL ACTIONS OF THE SPECIAL MEETING OF THE  
MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, AZ  
HELD ON THIS 27<sup>TH</sup> DAY OF SEPTEMBER 2010**

1. **CALL TO ORDER**-Mayor Gerald W. Lindsey called the special meeting to order on Monday, September 27, 2010 at 6:00 p.m. The Mayor is looking for input not only from the Council but those present and appreciates those here and appreciates opportunity to work with them.
2. **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 Christopher Donahue  
Councilman William "Bill" Holloway  
Councilman Robert "Bob" Irvin

**STAFF**

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

3. **PLEDGE OF ALLEGIANCE TO THE FLAG**-Mayor Lindsey.
4. **DECLARATION ON CONFLICT OF INTEREST**-Councilman Donahue declared conflict on items #6 (MOU with NCCH Senior Center) & #7 (Resolution relating to the MOU with NCCH Senior Center). There was no further response from the Mayor, Council members or staff.

**ADOPTION OF THE AGENDA**-It was moved and seconded to adopt the agenda as presented. **CARRIED.**

6. **DISCUSSION/DECISION/DECISION AND/OR DIRECTION REGARDING THE MEMORANDUM OF UNDERSTANDING (MOU) WITH NCCH SENIOR CENTER AND/OR APPOINT SUB COMMITTEE TO COUNCIL**

Mayor Lindsey wants to fully discuss the MOU and at this point asked for City Manager Mr. McCourt to start the discussion. City Manager McCourt explained the City and NCCH (Northern Cochise Community Hospital) started to work together for Senior Center services in September 2009. Discussed placement and future operation of the Senior Center and it has been a long process and NCCH solicited partner to work with the City. They have been very active and Hospital has moved forward although the City struggled to get grant approved from HUD (Housing and Urban Development). Just recently the City received grant documents signed and is in place. To implement partnership we should have agreement between the 2-entities. A draft MOU between the City and NCCH has the provision of services for a Senior Center. The first 4-pages are "skeleton agreement" on what we are trying to do: i.e., appointment of Advisory Committee to help advise NCCH and City on what types of services should be provided (projects). A Project is when Hospital and City jointly putting in resources, therefore, everything does not have to come back to City for approval. The Advisory Committee can do fund raising, setup programs, Hospital can set up program and so can the City. Only when jointly doing program is it a project. Addendum #1 is the Grant the City applied for and matching amount for the facility. The Hospital has purchased the facility and it is in place on Hospital land. City has committed additionally and agreed to waive building fees, permits and agreed to supply gas, water sewer hookups at no charge. Those are incorporated into this agreement. This Addendum #1 item #9 indicates both parties agree that Senior Center use of facility not less than 60/hours/week. This does not mean the Hospital has to operate a Senior Center 60/hours/week. The seniors' have first use. Term of agreement is 20 years and that number was chosen because think how long the building will last. City also agreed to chip seal the parking lot around the facility too. NCCH has agreed to pay for operational cost for the term of this agreement and agreed to provide the land.

The 2<sup>nd</sup> Addendum the City Manager does not think discussion has been held. NCCH has transportation service and Tracie Zerkle stated it is for those persons 60 and over or disabled. They approached the City if possibility the City could provide preventive work on their vehicles. The City feels we can absorb that preventive maintenance, housing, staff, equipment. They have to purchase the parts, oil etc. Emphasis is that our emergency vehicles take priority. There are many tasks we can not do and we will notify the Hospital when we can't do it and that it has to be sent out. Staff needs Hospital approval before vehicle is sent out. Either party can add addendum's with 30 days notice because we could grow or lose personnel. There is additional Federal Transportation money and we are looking to work with the Hospital called 5311 Transportation

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Plan. A meeting has been scheduled this Thursday to see about making application. Assuming everything goes perfect we would see transportation money on October 2012. Staff understood Council was interested and cooperatively working with the Hospital on this Transportation Program.

Staff set arbitrary mileage guidelines at I-10 and Hospital. A person contacted the City Manager and said 25 miles does not reach San Simon. It reaches Bowie and Sunsites and thinks NCCH is providing transport services all the way to San Simon. Vice Mayor Cronberg asked identify service area "are we saying can not provide" and City Manager responded it doesn't. The Vice Mayor understands that we have to identify the area. Mayor Lindsey added that this is the primary area. Councilman Johnson asked if that includes tax area. Ms. Lineva Donahue explained San Simon is not and most of Bowie either and they do provide transportation. Mayor Lindsey does not think we would turn anyone away. Councilman Johnson said he personally thinks this is 2-different topics and thinks Transportation should be separate discussion from Senior Center and there should be 2-different Resolutions. Vice Mayor Cronberg explained part included initial question came from meeting about Senior Center and transportation is corollary service and not restricted to the 25 miles. Councilman Johnson asked if the School is going to start asking the City to service their buses too. Councilman Holloway stated this is 2-entities working together on a Senior Center for those 60 & over. Councilman Johnson stated we also have projects with the Schools, MOU's and we partner with them because they lend us tools and we lend them tools. Thinks they should be 2-different things.

After discussion and suggestions made between both entities the following staff was directed to change:

- Changes or revisions to Addendum #1 item #8 change from 20 years to a period not less than 10 years;
- MOU #9 minimum of 10 years instead of 20 years;
- Members of the Advisory Committee changes to paragraphs #6 and #7 and substitute with changes City Manager presented tonight that Committee members first three (3) names shall be appointed to a two (2) year term, the last two (2) names shall serve an initial one (1) year term. Two (2) of the members selected for an initial two (2) year term may chose to serve a one (1) year term.

In addition the City Manager and NCCH need to clarify if Corporation or District. Also staff was directed to place on the next agenda that the Council selects 2-members and the City Manager explained that frequently the Mayor and Council chose council members to serve and that is their discretion. Those 2-seats the Mayor asked are from Council or 1-Council or 1-City employee. City Manager McCourt replied there are no requirements. Vice Mayor Cronberg stated only At Large members must be 60 years and older. The Vice Mayor said she does not see need for sub committee to review tonight's changes.

**7. ~~DISCUSSION/DECISION REGARDING RESOLUTION NO. 2010-99 APPROVING AND ADOPTING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY AND THE NORTHERN COCHISE COUNTY COMMUNITY HOSPITAL, A HOSPITAL DISTRICT, FOR THE PROVISION OF SERVICES FOR SENIOR CITIZENS AND DECLARING AN EMERGENCY TO EXIST.~~ Not considered staff directed to make changes.**

**8. ADJOURN-7:15 p.m.**

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**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](http://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.