

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 17
Tab Number: 6
Date: 11/15/10

Date Submitted:
11/8/2010

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject:
ORDINANCE NS302.
SEC 4-1A-11 OF THE
MUNICIPAL CODE,
BUSINESS PERMIT
SUNSET CLAUSE

TO: MAYOR AND COUNCIL
FROM: Ruth Graham, Finance Director

DISCUSSION:

Ordinance NS246 was approved by the Mayor and Council of the City of Willcox on March 17, 2003. Under that Ordinance, the Business Permit program was scheduled to sunset in approximately five years, or on December 31, 2008, unless otherwise extended by the Mayor and Council. On December 15, 2008, by Resolution No. 2008-79, the Business Permit program was extended for an additional two years. It is currently scheduled to sunset on December 31, 2010.

Under proposed Ordinance No. NS302, the Sunset Clause has been amended to allow for automatic renewal of the program. The wording of the current Section 4-1A-11 Sunset Clause reads, "The provisions of this Chapter will terminate December 31, 2010, unless otherwise extended by action of the Willcox City Council." The wording in the proposed Section 4-1A-11 Sunset Clause reads, "The provisions of this Chapter are subject to automatic renewal every year beginning on December 31, 2010, unless otherwise terminated, revised, revoked or amended by action of the Willcox City Council." This does not change the Council's ability to make changes to the Ordinance that it may determine to be necessary at any time.

Sales tax revenues are essential to the City. The FY11 budgeted 2% City sales tax of \$1,463,443 represents 34% of the City's General Fund Revenues. The Room Occupancy Tax represents an additional 3% of the General Fund budget, or \$130,000. The "bed tax" collected through the sales tax system is the sole source of the funding the City shares with the Willcox Chamber of Commerce and Agriculture to operate the Visitor's Center. The 1% City sales tax of \$731,733 represents 64% of the City's Streets budgeted Revenues.

If all vendors, permanent and transient, are required to maintain a Business Permit, the City has a tool to manage compliance by the vendors, both for safety of the citizens and for revenue collection. If some businesses are collecting and paying sales taxes as required and others are not, the vendors that are collecting sales tax but not remitting it to the taxing authorities have an automatic advantage over the vendors that are in compliance.

The Business Permits are a key element in managing the City's Transaction Privilege Tax (Sales Tax) collections. If the Mayor and Council elect to have the City of Willcox pursue a contract with Revenue Discovery Systems (RDS) for sales tax collection, the first action RDS will take is to "scrub" our business permit list against the State records and determine which vendors should be filing TPT returns and remitting payment.

The City's fees for the business permits are minimal. The cost is \$25.00 for a new annual permit, \$12.00 to renew an annual permit, and \$10.00 for a six month temporary permit.

RECOMMENDATION:

Motion to approve Ordinance No. NS302 of the Willcox Municipal Code, Section 4-1A-11, Sunset Clause, to read, "The provisions of this Chapter are subject to automatic renewal every year beginning on December 31, 2010, unless otherwise terminated, revised, revoked or amended by action of the Willcox City Council."

FISCAL IMPACT: A tool for ongoing revenue collection.

Prepared by:



Ruth Graham, Finance Director

Approved by:



Pat McCourt, City Manager

**ADOPTION BY REFERENCE
RESOLUTION DECLARING DOCUMENT A PUBLIC RECORD**

RESOLUTION NO: 2010-115

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "TITLE 4, CHAPTER 1, ARTICLE A, SECTION 4-1A-11 [SUNSET CLAUSE]" OF THE WILLCOX CITY CODE, BE AND IS HEREBY ADOPTED, BY REFERENCE, AS THE BUSINESS PERMIT REGULATIONS.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA:

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Willcox, being marked and designated as "**Amended Title 4, Chapter 1, Article A, Section 4-1A-11 [Sunset Clause]**" of the Willcox City Code, approved and adopted, by reference, in **Ordinance NS302**, be and is hereby declared to be a public record and copies are ordered to remain on file at city hall and available for public inspection.

State law reference — Adoption by reference, A.R.S. §§ 9-801 and 9-802

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

APPROVED/EXECUTED

Mayor, Gerald W. Lindsey

ATTEST:

APPROVED AS TO FORM:

Cristina G. Whelan, CMC
City Clerk

Hector M. Figueroa, Esq.
City Attorney

RESOLUTION NO. 2010-115

**CITY OF WILLCOX
Request for Council Action**

Agenda Item: 18
Tab Number: 7
Date: 11-15-2010

Date Submitted:
October 29, 2010
Date Requested:
November 15, 2010

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject:
Art League of Willcox
requests fees be
waived use of the
Community Center.

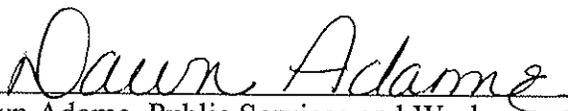
To: Honorable Mayor and City Council

From: Dave Bonner, Director Public Services & Works

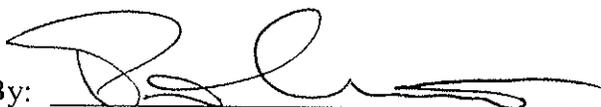
Discussion: The Art League of Willcox is requesting that the fees be waived for the use of the Community Center. The Art League of Willcox would like to hold their Art and Photography Show at the Community Center. They will begin setting up on Sunday, April 3, 2011, and the event will conclude at 6:00 PM Sunday, April 10, 2011.

Recommendation: Staff recommends that the Mayor and Council consider waiving fees for this event.

Fiscal Impact: \$2108.96

Prepared By: 
Dawn Adame, Public Services and Works

Approved By: 
Dave Bonner, Public Services and Works Director

Approved By: 
Pat McCourt, City Manager

RECEIVED OCT 29 2010

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
Facilities Use Agreement

This Agreement made this 29 day of October, 2010,

between Art League of Willcox ("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 April 3rd, 2011, through
April 10th 2011, unless earlier terminated by either party.

Please note starting time If dates are not available see alternate
and ending time Dates TO INCLUDE set up and tear down. below

0900 start time 6:00 PM 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 Community Center, entire building
(facility and area/s)

to be used for Art + Photography Show
(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".

PARTICIPANT 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.

Alternate
Feb 20 to Feb 27

Orig to OH 11-1-10

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: Sara Nolan

Organization: Art League of Willcox

Contact Phone Number(s): (520) 508-2221 ()

Mailing Address: PO Box 333, Willcox AZ 85644
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

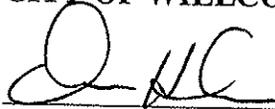
This document constitutes the entire Agreement between the parties pertaining to the subject matter hereof, and all prior or contemporaneous agreements and understandings, oral or written, are hereby superseded and merged herein. This Agreement may be modified, amended or extended only by a written amendment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

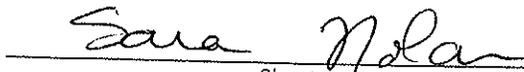

Signature

11-1-10
Date

Oscar Hudson
Printed Name

Facilities & Parks Supervisor
Title

PARTICIPANT


Signature

10/29/10
Date

Sara Nolan
Printed Name

Treasurer
Title

Attachment "A"
Community Center Checklist

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

<p>General</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Issue <u>10</u> Tables (18 - 4 x 8, 9 - 4 x 4 - available).</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Issue <u>30</u> Chairs (100 - folding, 32 - padded - available).</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Review Restroom Cleaning Requirements.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Lighting.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Heating & AC.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Cleaning Requirements.</p> <p>Ballroom</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Provide AG1 Key.</p> <p>Dining Room</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Provide AG ___ Key.</p> <p>Lounge</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Provide AG4 Key.</p>	<p>Kitchen No</p> <p><input type="checkbox"/> <input type="checkbox"/> Provide AG5 Key.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Lighting.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Range.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Range Hood.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Ansul System.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Dishwasher.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Refrigerator.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Freezer.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Warmer.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Ice Maker.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Cleaning Requirements.</p> <p>Sound System</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Issue Sound Room "X" Key.</p> <p><input type="checkbox"/> <input type="checkbox"/> Review Operation of Sound System.</p>
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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"

Community Center Checklist

The Participant agrees to perform the following tasks:

<p>General</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> <input type="checkbox"/> Verify Count of Tables Issued. <input checked="" type="checkbox"/> <input type="checkbox"/> Verify Count of Chairs Issued. <input checked="" type="checkbox"/> <input type="checkbox"/> Obtain appropriate keys one business day prior to the event by 3:30 P.M. <input checked="" type="checkbox"/> <input type="checkbox"/> Return keys within two (2) business days of event conclusion. <input checked="" type="checkbox"/> <input type="checkbox"/> Fold Tables and Place along N Wall of Ballroom. <input checked="" type="checkbox"/> <input type="checkbox"/> Fold Chairs and Place along N wall of Ballroom. <input checked="" type="checkbox"/> <input type="checkbox"/> Fold Tables and Place on W Wall of Lounge. <input checked="" type="checkbox"/> <input type="checkbox"/> Fold Chairs and Place on W Wall of Lounge. <input checked="" type="checkbox"/> <input type="checkbox"/> Fold Tables and Place on N Wall of Dining Room. <input checked="" type="checkbox"/> <input type="checkbox"/> Fold Chairs and Place on N Wall of Dining Room. <p>Vendor(s) <i>NO</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <input type="checkbox"/> Request to waive requirement for all vendors to have individual permits. 	<p>Cleaning</p> <p>Cleaning consists of removing decorations, sweeping and mopping and tying up garbage bags and place in dumpster. All areas should be left in the same or better condition as received.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> <input type="checkbox"/> Clean Restrooms <input checked="" type="checkbox"/> <input type="checkbox"/> Clean Kitchen <input checked="" type="checkbox"/> <input type="checkbox"/> Clean Ballroom <input checked="" type="checkbox"/> <input type="checkbox"/> Clean Dining Room <input checked="" type="checkbox"/> <input type="checkbox"/> Clean Lounge <input checked="" type="checkbox"/> <input type="checkbox"/> Clean Stage Area <p>If Serving Alcohol <i>NO</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> <input type="checkbox"/> Obtain Special Event Liquor License with the Arizona Department of Liquor. <input type="checkbox"/> <input type="checkbox"/> Provide Liquor Liability Insurance in the amount of \$1,000,000 naming the City of Willcox as additionally insured. <input type="checkbox"/> <input type="checkbox"/> Provide Security approved by Willcox Public Safety Department.
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- If your event includes decoration the facility please keep in mind that any damage from placing or removal may result in surrendering deposits.
- It is the responsibility of the Participant to verify that all furnishings included in the reservation agreement are in place and in good repair at the conclusion of the event. Replacement cost for missing or damaged items will be based on current replacement cost. Restitution must be made within five (5) business days of the event.
- All equipment or personal items belonging to the "Participant" shall be removed by 8:00 a.m. on the day following the event or additional rental fees may be charged.
- 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"
Community Center Fee Schedule

Deposit and Rental Fees

All Deposits, Fees, Proof of Insurance 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 #	Receipt #
X	Reservation Deposit	\$50.00		\$50.00			
X	Cleaning and Damage Deposit	\$125.00		\$125.00		1366	8438
	Kitchen	\$53.56					
	Ballroom	\$167.38					
	Lounge	\$33.48					
	Ballroom & Kitchen	\$214.24					
	Ballroom & Dining Room	\$214.24					
	Ballroom, Dining Room & Kitchen	\$267.80					
	Ballroom & Lounge	\$194.16					
	Lounge & Dining Room	\$80.34					
	Lounge, Dining Room & Kitchen	\$133.90					
	Dining Room & Kitchen	\$100.43					
X	Entire Facility	\$301.28					
Total Fees Due							

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 1/2 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

CITY OF WILLCOX
Request for Council Action

Agenda Item: 19
Tab Number: 8
Date: 11-15-2010

Date Submitted:
October 28, 2010
Date Requested:
November 15, 2010

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject:
Sulpher Springs
Valley Historical
Society requests fees
waived for use of the
Community Center.

To: Honorable Mayor and City Council

From: Dave Bonner, Director Public Services & Works

Discussion: The Sulpher Springs Valley Historical Society is requesting that the fees be waived for the use of the Community Center. The Sulpher Springs Valley Historical Society would like to hold an All Dessert Night with Entertainment at the Community Center. This event, including setting up, is planned to be held on Saturday, March 19, 2011 in the ballroom and will be open to the public.

Recommendation: Staff recommends that the Mayor and Council consider waiving fees for this event.

Fiscal Impact: \$214.24

Prepared By: 
Dawn Adame, Public Services and Works

Approved By: 
Dave Bonner, Public Services and Works Director

Approved By: 
Pat McCourt, City Manager

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: SULPHUR SPRINGS VALLEY HISTORICAL SOCIETY

Organization: KATHY KLUMP

Contact Phone Number(s): (384) 2291 (384) 3397

Mailing Address: 127 E. MALEY WILLCOX AZ 85643
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

10-29-10
Date

Oscar Hudson
Printed Name

Facilities & Parks Supervisor
Title

PARTICIPANT


Signature

OCT. 28, 2010
Date

KATHY KLUMP
Printed Name

PRESIDENT
Title

Attachment "A"
Community Center Checklist

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

<p>General</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Issue <u>all</u> Tables (18 - 4 x 8, 9 - 4 x 4 - available).</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Issue <u>all</u> Chairs (100 - folding, 32 - padded - available).</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Restroom Cleaning Requirements.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Lighting.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Heating & AC.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Cleaning Requirements.</p> <p>Ballroom</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Provide AG1 Key.</p> <p>Dining Room</p> <p><input type="checkbox"/> <input type="checkbox"/> Provide AG__ Key.</p> <p>Lounge</p> <p><input type="checkbox"/> <input type="checkbox"/> Provide AG4 Key.</p>

<p>Kitchen</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Provide AG5 Key.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Lighting.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Range.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Range Hood.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Ansul System.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Dishwasher.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Refrigerator.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Freezer.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Warmer.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Ice Maker.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Cleaning Requirements.</p> <p>Sound System</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Issue Sound Room "X" Key.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Review Operation of Sound System.</p>
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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: Friday, March 18, 2011
Meet at Community Center at 10AM to go over
workings (kitchen equipment, air system, etc.)

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"

Community Center Checklist

The Participant agrees to perform the following tasks:

<p>General</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Verify Count of Tables Issued.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Verify Count of Chairs Issued.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Obtain appropriate keys one business day prior to the event by 3:30 P.M.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Return keys within two (2) business days of event conclusion.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Fold Tables and Place along N Wall of Ballroom.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Fold Chairs and Place along N wall of Ballroom.</p> <p><input type="checkbox"/> <input type="checkbox"/> Fold Tables and Place on W Wall of Lounge.</p> <p><input type="checkbox"/> <input type="checkbox"/> Fold Chairs and Place on W Wall of Lounge.</p> <p><input type="checkbox"/> <input type="checkbox"/> Fold Tables and Place on N Wall of Dining Room.</p> <p><input type="checkbox"/> <input type="checkbox"/> Fold Chairs and Place on N Wall of Dining Room.</p> <p>Vendor(s) NO</p> <p><input type="checkbox"/> <input type="checkbox"/> Request to waive requirement for all vendors to have individual permits.</p>	<p>Cleaning</p> <p>Cleaning consists of removing decorations, sweeping and mopping and tying up garbage bags and place in dumpster. All areas should be left in the same or better condition as received.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Clean Restrooms</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Clean Kitchen</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Clean Ballroom</p> <p><input type="checkbox"/> <input type="checkbox"/> Clean Dining Room</p> <p><input type="checkbox"/> <input type="checkbox"/> Clean Lounge</p> <p><input type="checkbox"/> <input type="checkbox"/> Clean Stage Area</p> <p>If Serving Alcohol NO</p> <p><input type="checkbox"/> <input type="checkbox"/> Obtain Special Event Liquor License with the Arizona Department of Liquor.</p> <p><input type="checkbox"/> <input type="checkbox"/> Provide Liquor Liability Insurance in the amount of \$1,000,000 naming the City of Willcox as additionally insured.</p> <p><input type="checkbox"/> <input type="checkbox"/> Provide Security approved by Willcox Public Safety Department.</p>
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- If your event includes decoration the facility please keep in mind that any damage from placing or removal may result in surrendering deposits.
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- All equipment or personal items belonging to the "Participant" shall be removed by 8:00 a.m. on the day following the event or additional rental fees may be charged.
- 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"
Community Center Fee Schedule

Deposit and Rental Fees

All Deposits, Fees, Proof of Insurance 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 #	Reg #
X	Reservation Deposit	\$50.00		\$50.00			
X	Cleaning and Damage Deposit	\$125.00		\$125.00		2102	84/38
	Kitchen	\$53.56					
	Ballroom	\$167.38					
	Lounge	\$33.48					
X	Ballroom & Kitchen	\$214.24	1	214.24			
	Ballroom & Dining Room	\$214.24					
	Ballroom, Dining Room & Kitchen	\$267.80					
	Ballroom & Lounge	\$194.16					
	Lounge & Dining Room	\$80.34					
	Lounge, Dining Room & Kitchen	\$133.90					
	Dining Room & Kitchen	\$100.43					
	Entire Facility	\$301.28					
Total Fees Due				<i>389.24</i>			

Request to waive fees through City Council.

50.00 pd 10/28
\$339.24 due

- 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 1/2 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

CITY OF WILLCOX

84385

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

RECEIPT

DATE 28 Oct 2010

RECEIVED FROM Kathy Klump \$ 50.00
Fifty and 00/100 DOLLARS
DESCRIPTION Reservation dep for use of Comm
Center 3/19/2011

chk # 2102
BY [Signature]

BOOKKEEPING COPY

KATHY KLUMP
P.O. BOX 896
WILLCOX, AZ 85644
(520) 384-3397

2102
91-7501/3221

Oct. 28, 2010
Date

Pay to the Order of City of Willcox \$ 50.00
Fifty and 00/100 Dollars

 **COCHISE CREDIT UNION**
P.O. BOX 1154
WILLCOX, AZ 85644-1154
(520) 384-2822

For deposit for Com. Center Kathy Klump MP

⑆322175011⑆2102⑈0000410939⑈

Harland Clarke

MAROON SHEFFIELD™

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 20
Tab Number: 9
Date: 11-15-2010

Date Submitted: 11/9/2010 Date Requested: 11/15/2010

Action: <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Formal <input type="checkbox"/> Other

Subject: Discussion/ Decision on Consent for the WWTP

TO: MAYOR AND COUNCIL

DISCUSSION: At the October 18th Regular Council meeting we provided the draft copy of the Consent Order proposed by ADEQ. At that time we mentioned that we had replied with concerns on a few of the items in the Consent Order. The primary concern was the timeline to implement certain portions of the order. Since that time staff has met with USDA in order to determine what the timeline for reviewing the PER and ER as well as funding would be. With the Holidays upon us the timeline gets somewhat skewed.

Attached is a revised draft of the Consent Order from the previous meeting with ADEQ.

We have a phone conference scheduled for Wednesday November 10th at 2:00 pm. This is after the deadline for having any definitive answers from ADEQ. If we are able to provide updated information at meeting time we will do so.

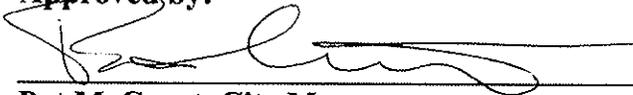
RECOMMENDATION: If ample information is available provide additionally input on the consent order or make a recommendation to approve.

FISCAL IMPACT Prepared by:



Dave Bonner, Public Services & Works Director

Approved by:



Pat McCourt, City Manager



Janice K. Brewer
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Benjamin H. Grumbles
Director

November 9, 2010

Certified Mail

Pat McCourt, City Manager
City of Willcox
101 S. Railroad Ave., Suite B
Willcox, AZ 85643

Re: October 13, 2010 Teleconference - Consent Order Negotiations and Response to the City of Willcox's October 8, 2010 letter.

Dear Mr. McCourt:

This letter is to summarize the teleconference between the Arizona Department of Environment Quality (ADEQ) and the City of Willcox on October 13, 2010, for negotiating the compliance schedule in the draft Consent Order, and respond to the City of Willcox October 8, 2010 letter. Present on the teleconference were Pat McCourt, Dave Bonner, John Bowen, Linda Stoddard, Sam Lindsey, Marcy Mullins and Nirupma Bhatia.

The following is an outline of the items discussed during the teleconference and resulting actions as it relates to the October 8, 2010 letter and proposed compliance schedule in the draft Consent Order.

ADEQ clarified during the teleconference that the City of Willcox does not currently have an active reuse permit. An amendment to APP #102778 for the upgrade of the facility can provide the necessary certification for the reclaimed water for direct reuse on the Twin Lakes Golf Course. ADEQ recognizes the efforts the City of Willcox has made in working with the ADEQ permitting section and appreciates the good faith effort to address outstanding violations by entering into this Consent Order with mutually agreeable timeframes to meet compliance.

In the October 8, 2010 letter, the City of Willcox requested that the compliance date to submit an administratively complete application for an amendment coincide with USDA-RD's approval of the Professional Engineering Report/Environmental Report. ADEQ will consider an alternate compliance date to submit an administratively complete APP application under Section III (B). However, ADEQ will still require the City of Willcox to complete the construction and require an Engineer's Certificate of Completion within three (3) years of ADEQ's issuance of the amendment to the APP permit.

Northern Regional Office
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

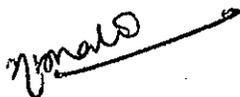
The City of Willcox has requested clarification under Section III (D) of the Compliance Schedule in the draft Consent Order on the definition of "restoration". To clarify the intent of the final transference of the solids removed at the Twin Lakes Golf Course, ADEQ has removed the reference to "restoration" and replaced it with "disposition".

ADEQ has reviewed the copy of the City of Willcox's Sewer Use Ordinance that was submitted as part of the October 8, 2010 letter and found it was inadequate to address the necessary authorities to implement required measures in a pretreatment toxic control plan. However, ADEQ has revised the language under Section III (D)(e) by removing "an updated" Sewer Use Ordinance to "Timeline to update the Sewer Use Ordinance as needed to reflect the necessary authorities to implement and enforce the PTCP". ADEQ will continue to provide guidance to the City of Willcox to help develop the necessary components for an effective pretreatment toxic control plan including uniform requirements for users of the WWTP to prevent the introduction of pollutants that will interfere with its operation.

Regarding the language in Section V of the draft Consent Order for stipulated penalties, under A.R.S. § 49-262, ADEQ has the authority to assess penalties for violation of the Consent Order. Please know that in the event the City of Willcox would violate the Consent Order, ADEQ would put the City on notice of such violation. The City of Willcox would have the opportunity to respond to any claimed violation and provide evidence that it is in compliance. After reviewing the evidence, if ADEQ determines that there is no violation, no stipulated administrative penalties would be collected.

In summary, please find enclosed a revised draft of the Consent Order. ADEQ understands that the City of Willcox will be presenting the draft Consent Order to the Willcox City Council at the December 2010 meeting. If you are in agreement with the terms of the Consent Order and no other revisions are necessary, please sign page 16 and include your initials on pages 1-15 in the area provided at the bottom of each page. Please return the original signed copy to ADEQ in the self addressed envelope included with this correspondence. Should you need further clarification or wish to speak to me directly, I can be reached at (602) 771-4479.

Sincerely,



Nirupma Bhatia, Enforcement Officer
Water Quality Enforcement Unit

Enclosure



BEFORE THE DIRECTOR OF THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

In the Matter of:

City of Willcox - Wastewater Treatment Plant located at 151 W Maley St Willcox , Cochise County, Arizona

Inventory Number: 102778

CONSENT ORDER

Docket No. _____

City of Willcox in its capacity as owner and/or operator of City of Willcox - Wastewater Treatment Plant located at 151 W Maley St, Willcox, Cochise County, Arizona.

RECITALS

City of Willcox ("Willcox") acknowledges that no promise of any kind or nature whatsoever, was made to induce it to enter into this Consent Order, and Willcox has done so voluntarily.

Willcox acknowledges that by entering into this Consent Order, it does not resolve any liability it may have for civil penalties for violations of any State or Federal environmental law.

By entering into this Consent Order, Willcox does not admit to any civil or criminal liability, or waive any right including but not limited to the assertion of any defense available to Willcox under applicable law. Further, Willcox does not admit, and both the Arizona Department of Environmental Quality (ADEQ) and Willcox retain the right to controvert in any subsequent proceeding except proceeding to implement or enforce this Consent Order, the validity of any Findings of Fact or Conclusions of Law contained in this Consent Order.

The undersigned representative of Willcox certifies that he is fully authorized to execute this Consent Order on behalf of Willcox and to legally bind Willcox to this Consent Order.

Willcox admits to the jurisdiction of the Director of ADEQ.

Initials _____

1 Except as to the right to controvert the validity of any Findings of Fact or Conclusion of
2 Law contained in this Consent Order in a proceeding other than to enforce this Consent Order,
3 Willcox consents to the terms and entry of this Consent Order and agrees not to contest the
4 validity or terms of this Consent Order in any subsequent proceeding.

5 **THEREFORE, IT IS HEREBY ORDERED** as follows:

6 **I. JURISDICTION**

7 The Director of ADEQ has jurisdiction over the subject matter of this action and is
8 authorized to issue this Consent Order pursuant to the Arizona Revised Statutes (A.R.S.) §§
9 49-261, and 41-1092.07(F)(5).

10 **II. FINDINGS**

11 **THE DIRECTOR HEREBY MAKES THE FOLLOWING FINDINGS OF FACT AND**
12 **CONCLUSIONS OF LAW:**

13 A. **Findings of Fact**

- 14 1. The City of Willcox Wastewater Treatment Plant (WWTP) is located at 151 W
15 Maley St, Willcox, Cochise County. Willcox is authorized under an Aquifer Protection Permit
16 APP # P-102778, to operate the WWTP with a maximum average monthly flow of 0.6 million
17 gallons per day (MGD).
- 18 2. Willcox has an Arizona Pollution Elimination Discharge System (AZPDES)
19 Permit # AZ0025771 for a discharge to Lake Cochise.
- 20 3. Willcox does not currently possess a permit for reuse of its effluent.
- 21 4. On May 20, 2008, ADEQ Southern Regional Office (SRO) inspected the
22 WWTP. During the inspection, SRO discovered that Willcox had upgraded the headworks lift
23 station and added an ultra-violet (UV) disinfection system. In addition, SRO discovered that six
24 ponds at the Twin Lakes Golf Course were being used by Willcox as part the WWTP process
25 instead of as reuse ponds. Also, a portion of the effluent produced by the WWTP was being used

1 by the Twin Lakes Golf Course for irrigation purposes in a way that allowed human contact with
2 the effluent. None of these modifications to the treatment process are identified in Willcox's
3 APP # P-102778.

4 5. During the May 20, 2008 inspection, SRO also observed that water from a
5 groundwater well, that had not been identified or included in the Willcox's AZPDES permit
6 application, was being pumped and directly discharged to Lake Cochise. The analytical data
7 subsequently submitted by Willcox showed a pH as high as 9.82 in the groundwater discharged
8 to Lake Cochise.

9 6. On December 3, 2008, SRO conducted another inspection of the facility and
10 observed that a valve was discharging partially treated effluent to Lake Cochise through its
11 AZPDES outfall, bypassing a portion of the treatment process.

12 7. On December 23, 2008, ADEQ issued a Notice of Violation (NOV) to
13 Willcox alleging the following AZPDES violations: a) a discharge to Lake Cochise without an
14 AZPDES permit; b) not registering the groundwater well with ADWR; c) failure to submit the
15 discharge monitoring reports (DMRs) for the results of sampling conducted at groundwater well
16 # 001 and Lake Cochise from May 30, 2003 through May 30, 2008.

17 8. On December 23, 2008, ADEQ issued a second NOV to Willcox alleging
18 the following APP permit violations: a) failure to report deficiencies to ADEQ, set discharge
19 limit (DL), or of an alert limit (AL) being exceeded; b) exceedances of the APP Aquifer Quality
20 Limit (AQL) and Aquifer Water Quality Standards (AWQS) for selenium on at least eighteen
21 (18) occasions and for cadmium on one occasion during 1st quarter of 2007; c) exceedances of
22 the AQL and AWQS for thallium on two occasions during 2nd and 3rd quarter of 2008; d)
23 exceedances of APP discharge limit for pH and fecal coliform for over three hundred (300)
24 occasions during the period January 2007 through November 2007.

25 9. On December 23, 2008, ADEQ issued a third NOV to Willcox alleging the

1 following reuse violations: a) Direct reuse of reclaimed water without a permit; b) Use of Class
2 C reclaimed water for a type of direct reuse requiring Class A or Class B reclaimed water; c)
3 Failure to use application methods that reasonably preclude human contact with reclaimed water
4 when irrigating with reclaimed water; c) failure to use application methods that reasonably
5 preclude human contact with reclaimed water when irrigating with reclaimed water; d) Failure to
6 place or maintain signage at required locations so the public is informed that reclaimed water is
7 in use.

8 B. Conclusions of Law

9 AZPDES Violations:

10 1. By discharging effluent and pumped water from the groundwater well into
11 Lake Cochise (listed as effluent dependent water under A.A.C. R18-11-113(D)(10)), a water of
12 the U.S. without a permit, Willcox violated A.R.S. § 49-255.01(A), which requires that a person
13 shall not discharge to a water of the U.S. except under conformance with an AZPDES or NPDES
14 permit.

15 2. By exceeding numeric Surface Water Quality Standards (SWQS) found at
16 A.A.C. R18-11-109(B), for pH in the water samples at groundwater well # 002 and at Lake
17 Cochise from 4th quarter of 2008 through 2nd quarter of 2009, Willcox violated A. A. C. R18-11-
18 109 B which provides a SWQS of 6.5-9.0 for pH .

19 3. By failing to submit DMRs for the periods May 2003 through March 2008,
20 and from April through June 2009, Willcox violated Part II.B.1 of AZPDES Permit #
21 AZ0024830 which requires the permittee to report monitoring results to ADEQ.

22 4. By failing to report to ADEQ, the quarterly results for trace substances
23 listed under Part I.B. Table 2.a, the annual results for trace substances listed under Part I.B. Table
24 2.b, the annual results for WET Testing listed under Part II.D. Table 4, Willcox violated Part
25

1 II.B.1 of AZPDES Permit # AZ0024830 which requires the permittee to report monitoring
2 results to ADEQ.

3 5. By exceeding the permit DLs for 5-Day biological oxygen demand (BOD)
4 on at least nine (9) occasions for the period April 2008 through June 2009, Willcox violated Part
5 I.A. Table 1 of AZPDES Permit # AZ0024830, which provides DLs of 68 Kg/day for monthly
6 average mass loading, and 30 mg/L for monthly average concentration for 5-Day BOD.

7 6. By exceeding the DLs for suspended solids (SS) on at least seven (7)
8 occasions during the period April 2008 through March 2009, Willcox violated Part I.A. Table 1
9 of AZPDES Permit # AZ0024830, which provides the DLs of 68 Kg/day for monthly average
10 mass loading, 102 Kg/day for weekly average mass loading, 30 mg/l for monthly average
11 concentration, and 45 mg/l for weekly average concentration for SS.

12 7. By exceeding the DLs for E-coli on at least seven (7) occasions during
13 the period April 2008 through February 2009; Willcox violated Part I.A. Table 1 of AZPDES
14 Permit # AZ0024830, which provides the DLs of 126 cfu/100ml for monthly average
15 concentration and 576 cfu/100ml for daily maximum concentration for E-coli.

16 8. By exceeding the DLs for the percentage of removal of suspended solids
17 on at least six (6) occasions during the period April 2008 through March 2009, Willcox violated
18 Part I.A. Table 1 of AZPDES Permit # AZ0024830, which provides a DL of 85 for the
19 percentage of removal of suspended solids

20 9. By exceeding the permit DLs for the percentage of removal of 5-Day
21 biological oxygen demand on at least four (4) occasions during the period April 2008 through
22 March 2009, Willcox violated Part I.A. Table 1 of AZPDES Permit # AZ0024830, which
23 provides a DL of 85 for the percentage of removal of 5-Day biological oxygen demand

24 APP Violations:

25

1 10. By exceeding the APP AQL and AWQS for selenium on at least nineteen
2 (19) occasions for the period June 2002 through December 2007, Willcox violated Section 4.0
3 Table II of APP # P-102778 which provides an AQL and AWQS of 0.05 mg/l for selenium.

4 11. By exceeding the APP AQL and AWQS for cadmium on one occasion
5 during 1st quarter of 2007, Willcox violated Section 4.0 Table II of APP # P-102778 which
6 provides an AQL and AWQS of 0.005mg/l for cadmium.

7 12. By exceeding the APP AQL and AWQS for thallium on four (4)
8 occasions during the 2nd and 3rd quarter of 2008, and 2nd quarter of 2009, Willcox violated
9 Section 4.0 Table II of APP # P-102778 which provides an AQL and AWQS of 0.002mg/l for
10 thallium.

11 13. By exceeding the APP AQL and AWQS for beryllium on one occasion
12 during 4th quarter of 2006, Willcox violated Section 4.0 Table II of APP # P-102778 which
13 provides an AQL and AWQS of 0.004mg/l for beryllium.

14 14. By exceeding the APP AQL and AWQS for total tri-halomethane
15 (TTHM) in significant amount on one occasion during the 4th quarter 2006, Willcox violated
16 Section 4.0 Table II of APP # P-102778 which provides an AQL and AWQS of 0.1 mg/l for
17 TTHM.

18 15. Willcox failed to report to ADEQ permit violations as required by APP
19 No. P-102778.

20 16. By exceeding the APP discharge limit for daily sampling of fecal
21 coliform on at least twenty nine (29) occasions from 4th quarter of 2008 through 2nd quarter of
22 2009, Willcox violated Section 4.0 Table I of APP No. P-102778 which provides a DL of
23 800cfu/100ml for daily sampling of fecal coliform.

24 17. By failing to conduct daily sampling of fecal coliform on over five
25 hundred (500) occasions from 4th quarter of 2002 through the 2nd quarter of 2009, Willcox

1 violated Section 4.0 Table I of APP No. P-102778 which lists the parameters which require
2 monitoring and the sampling frequency for those parameters.

3 18. By exceeding the APP discharge limit for 4 out of 7 weekly samples for
4 fecal coliform on at least thirty nine (39) occasions from 4th quarter of 2002 through 1st quarter of
5 2009, Willcox violated Section 4.0 Table I of APP No. P-102778 which provides a DL of 200cfu
6 /100ml for 4 out of 7 samples for fecal coliform.

7 19. By exceeding the APP discharge limit of 6-9 for pH on at least ninety
8 two (92) occasions from 1st quarter of 2007 through 2nd quarter of 2009, Willcox violated Section
9 4.0 Table I of APP # P-102778 which provides a DL of 6-9 for pH.

10 20. By failing to conduct verification sampling after exceeding AQLs for
11 total coliform, cadmium, selenium, thallium, and total tri-halomethane (TTHM); Willcox
12 violated Section 2.6.4.(1) of APP # P-102778 which requires the permittee to conduct
13 verification sampling within five (5) days of becoming aware of an AQL violation.

14 21. By failing to conduct verification sampling after exceeding DLs for
15 pH, fecal coliform, and monthly average flow, Willcox violated Section 2.6.3.(1) of APP # P-
16 102778 which requires the permittee to conduct verification sampling within 24 hours of
17 becoming aware of a DL violation.

18 Reuse Violations:

19 22. By operating a reuse facility at the Twin Lakes Golf Course without
20 an APP permit for reuse of reclaimed water, Willcox has violated A.A.C. R18-9-704(E) which
21 requires that a person shall not directly reuse reclaimed water unless permitted under this Article.

22 23. By applying reclaimed water that did not meet Class B standards at
23 Twin Lakes Golf Course, Willcox has violated A.A.C. R18-11-307(C) which requires that a
24 person shall not use Class C reclaimed water for a type of direct reuse listed as Class B.

1 **III. COMPLIANCE SCHEDULE**

2 **THE DIRECTOR HEREBY ORDERS** and Willcox agrees to comply with the provisions of
3 this Consent Order as follows:

4 A. Within thirty (30) days of the effective date of this Consent Order Willcox
5 shall schedule an APP pre-application meeting with the Water Quality Division Ground Water
6 Section.

7 B. Within sixty (60) days of the pre-application meeting, Willcox shall submit an
8 administratively complete application for an amendment to APP# 102778 to re-engineer the
9 WWTP using the appropriate technology so the discharge limits (DLs) and all other APP limits
10 and conditions are met and maintained. Willcox shall respond to any deficiencies noted by
11 ADEQ within the time prescribed by ADEQ.

12 C. Upon the effective date of this Consent Order, Willcox shall submit a
13 withdrawal of its current APP application to the Water Quality Division Ground Water Section.

14 D. Within ninety (90) days of the effective date of this Consent Order, Willcox
15 shall submit to ADEQ for approval, a Workplan to address solids removal, and disposition of the
16 ponds that are dry and not in use on the Twin Lakes Golf Course. Storage of the solids removed
17 must include measures detailed in the Workplan to prevent or minimize the likelihood of
18 adversely affecting human health or the environment, and shall include but is not limited to:

- 19 a. contamination of groundwater
20 b. nuisance such as odor and vectors
21 c. diversion of stormwater run-off

22 After review of the Workplan by ADEQ, Willcox shall respond to any
23 deficiencies noted within the time prescribed by ADEQ. Once approved, Willcox shall
24 implement the Workplan including any deadlines therein.

25

1 E. Within one hundred and eighty (180) days of the effective date of this
2 Consent Order, Willcox shall develop and submit to ADEQ for approval a Pretreatment Toxic
3 Control Plan that will ensure compliance with pretreatment methods for control of toxic
4 pollutants discharged to the WWTP. The PTCP shall include but is not limited to:

5 a. An industrial waste survey to identify all commercial and industrial
6 dischargers likely to discharge pollutants which may adversely impact the collection system or
7 treatment works.

8 b. Identification of operating problems known or suspected to have been
9 caused by commercial or industrial discharges.

10 c. Identification of Best Management Practices for commercial and
11 industrial discharges including septage haulers and restaurants with potential fats, oil and grease
12 discharges which are harmful to the treatment system.

13 d. Standard operating procedures that will be implemented to ensure
14 compliance with the PTCP and;

15 e. Timeline to update the City of Willcox Sewer Use Ordinance as needed
16 to reflect the necessary authorities to implement and enforce the PTCP.

17 F. Upon the effective date of this Consent Order, Willcox shall conduct the
18 necessary actions to meet compliance with Conditions A. Table 5 and B. Table 6 under Part V
19 Special Conditions of AZPDES permit # AZ0025771. Willcox shall complete all monitoring
20 requirements, including whole effluent toxicity (WET) testing and verification sampling and
21 submit the results to ADEQ in accordance with Part IV of AZPDES permit # AZ0025771.

22 G. Upon the effective date of this Consent Order, Willcox shall continue all
23 monitoring in accordance with Section 4.0 of APP Permit P-102778 for the duration of this
24 Order or until the APP amendment is in effect.

25

1 H. Within three (3) years of ADEQ's issuance of the amended APP,
2 Willcox shall complete all implementation of the tasks and construction in the amended APP and
3 notify ADEQ in writing within fifteen days of completion of such tasks. Where required,
4 Willcox shall submit an Engineer's Certificate of Completion within thirty days of completion of
5 construction activities prior to discharging.

6 **IV. STATUS REPORTS**

7 A. Willcox agrees to submit a written status report to ADEQ every thirty (30)
8 calendar days beginning thirty (30) days from the effective date of this Consent Order, until
9 termination of this Consent Order. Each written status report shall describe what measures have
10 been taken under Section III, of this Consent Order, and shall certify when compliance with the
11 requirements of Section III of this Order has been achieved. Each report shall be accompanied
12 by evidence of compliance including, as appropriate, submittal of documents, photographs or
13 copies of any other supporting information that Willcox deems necessary.

14 B. ADEQ will review the status reports and relay any disputes in writing to Willcox.
15 Willcox shall incorporate all required modifications, changes or other alterations, as requested by
16 ADEQ, within a reasonable time specified by ADEQ.

17 **V. VIOLATIONS OF ORDER/STIPULATED PENALTIES**

18 A. Under A.R.S. § 49-262, violation of this Consent Order subjects Willcox to civil
19 penalties of up to \$25,000 per day per violation. ADEQ and Willcox agree that the calculation
20 of civil penalties for violation of this Consent Order would be very difficult.

21 B. ADEQ and Willcox therefore agree that if Willcox fails to comply with any
22 requirement of this Consent Order, Willcox shall pay a stipulated penalty pursuant to the
23 schedule below:

<u>Period of Failure to Comply</u>	<u>Penalty Per Day of Violation</u>
1 st to 30 th day	\$100 per day per violation

1 B. Nothing in this Consent Order shall constitute a permit of any kind, or a
2 modification of any permit of any kind, or an agreement to issue a permit of any kind under
3 federal, state or local law, or relieve Willcox in any manner of its obligation to apply for, obtain,
4 and comply with all applicable permits. Nothing in this Consent Order shall in any way alter,
5 modify or revoke federal, state, or local law, or relieve Willcox in any manner of its obligation to
6 comply with such laws. Compliance with the terms of this Consent Order shall not be a defense
7 to any action to enforce any such permits or laws.

8 **VII. FORCE MAJEURE**

9 A. Willcox shall perform all the requirements of this Consent Order according to the
10 time limits set forth herein, unless performance is prevented or delayed by events which
11 constitute a *force majeure*. *Force majeure*, for the purposes of this Consent Order, is defined as
12 any event, arising from causes beyond the control of Willcox or its authorized representatives
13 which delays or prevents the performance of any obligation under this Consent Order and which
14 could not have been overcome or prevented by Willcox. The financial inability of Willcox to
15 comply with the terms of this Consent Order, shall not constitute a *force majeure*.

16 B. In the event of a *force majeure*, the time for performance of the activity affected
17 by the *force majeure* shall be determined by ADEQ and extended for a period no longer than the
18 delay caused by the *force majeure*. The time for performance of any activity dependent on the
19 delayed activity shall be similarly extended. In the event of a *force majeure*, Willcox shall notify
20 ADEQ in writing within five (5) calendar days after Willcox or its agents become aware of the
21 occurrence. The written notice provided to ADEQ shall describe in detail the event, the
22 anticipated delay, the measures taken and to be taken by Willcox to prevent or minimize delay,
23 and a proposed timetable under which those measures will be implemented. Willcox shall take
24 all reasonable measures to prevent or minimize any delay caused by the *force majeure*. Failure
25

1 of Willcox to comply with any requirements of this paragraph for a particular event shall
2 preclude Willcox from asserting any claim of *force majeure* for that event.

3 **VIII. SITE ACCESS**

4 ADEQ may at any time, upon presentation of credentials to authorized personnel on duty,
5 enter upon the premises at the Facility for the purpose of observing and monitoring compliance
6 with the provisions of this Consent Order. This right of entry shall be in addition to, and not in
7 limitation of or substitution for, ADEQ's rights under applicable law.

8 **IX. CORRESPONDENCE**

9 All documents, materials, plans, notices, or other items submitted as a result of this
10 Consent Order shall be transmitted to the addresses specified below:

11 To ADEQ:

12 Arizona Department of Environmental Quality
13 Water Quality Division
14 Attention: Nirupma Bhatia, Case Manager
15 Water Quality Enforcement Unit
16 1110 West Washington Street
17 Phoenix, Arizona 85007-2935
18 Telephone: (602) 771-4479
19 Email: nb3@azdeq.gov

20 To Willcox:

21 Pat McCourt, City Manager
22 City of Willcox
23 101 S Railroad Ave
24 Ste B
25 Willcox, AZ 85643-2135

Submissions to ADEQ as a result of this Consent Order shall be deemed submitted upon receipt.

X. RESERVATION OF RIGHTS

A. This Consent Order is based solely upon currently available information. If
additional information is discovered, which indicates that the actions taken under this Consent
Order are or will be inadequate to protect human health, safety, or the environment, or to

1 conform with applicable federal or state laws, ADEQ shall have the right to require further
2 action.

3 B. ADEQ shall have the right: to pursue civil penalties for violations of any and all
4 violations of A.R.S. Title 49, or the rules promulgated thereunder, occurring before entry of this
5 Consent Order; to disapprove of work performed by Willcox that fails to comply with this
6 Consent Order; to take enforcement action for any and all violations of this Consent Order; and
7 to take enforcement action for any and all violations of A.R.S. Title 49, or the rules promulgated
8 thereunder, occurring after the entry of this Consent Order.

9 **XI. SEVERABILITY**

10 The provisions of this Consent Order are severable. If any provision of this Consent
11 Order is declared by a court of law to be invalid or unenforceable, all other provisions of this
12 Consent Order shall remain in full force and effect.

13 **XII. MODIFICATIONS**

14 Any modifications of this Consent Order shall be in writing and must be approved by
15 both Willcox and ADEQ.

16 **XIII. EFFECTIVE DATE**

17 The effective date of this Consent Order shall be the date this Consent Order is signed by
18 ADEQ and Willcox. If such signatures occur on different dates, the later date shall be the
19 effective date of this Consent Order.

20 **XIV. PARTIES BOUND**

21 No change in ownership, corporate status, or partnership status relating to the subject of
22 this Consent Order will in any way alter the responsibilities of Willcox under this Consent Order.
23 Willcox will be responsible, and will remain responsible, for carrying out all activities required
24 under this Consent Order.

25

1 **XV. TERMINATION**

2 The provisions of this Consent Order shall be deemed satisfied and this Consent Order shall be
3 terminated upon receipt of written notification from ADEQ that Willcox has demonstrated, to the
4 satisfaction of ADEQ, that all of the terms of this Consent Order have been completed. Any
5 denial of a request for termination from Willcox will be in writing and describe which terms of
6 the Consent Order have not been completed to the satisfaction of ADEQ. ADEQ reserves the
7 right to terminate this Consent Order unilaterally at any time for any reason. Any termination
8 will include a written explanation of the reason(s) for termination.

9 ISSUED this ___ day of _____, 2010.

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11
12 _____
13 Michael A. Fulton, Director
14 Water Quality Division
15 Arizona Department of Environmental Quality
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CONSENT TO ORDER

The undersigned, on behalf of Willcox, hereby acknowledges that [he/she] has read the foregoing Consent Order in its entirety, agrees with the statements made therein, consents to its entry and issuance by the Arizona Department of Environmental Quality, agrees that Willcox will abide by the same and waive any right to appeal therefrom.

DATED this ___ day of _____, 2010.

City of Willcox

By: _____
Pat McCourt, City Manager
City of Willcox

ORIGINAL of the foregoing Consent Order was sent certified mail, return receipt requested, this ___ day of _____, 2010, to:

Pat McCourt, City Manager
City of Willcox
101 S Railroad Ave
Ste B
Willcox, AZ 85643-2135

COPY of the foregoing Consent Order was filed this ___ day of _____, 2010, with:

Arizona Department of Environmental Quality
Office of Administrative Counsel
Attention: Hearing Administrator
1110 West Washington Street
Phoenix, Arizona 85007-2935

COPIES of the foregoing Consent Order were sent by regular/interdepartmental mail, this ___ day of _____, 2010, to the following:

Mark Horlings, Civil Unit Chief
Environmental Enforcement Section,
Office of the Attorney General
1275 West Washington Street
Phoenix, Arizona 85007

Cynthia Campbell, Manager, WQCS, ADEQ
William Ellett, Acting SRO Director, ADEQ
Jerry Smit, Manager, GWS, ADEQ
Marnie Greenbie, Manager SWS, ADEQ
Marcia Colquitt, Manager, WQEU, ADEQ

Vaira Harik, Director
Cochise County Health Department
1415 W. Melody Ln. Bldg A
Bisbee, AZ 85603

Ken Greenberg, Manager
CWA Compliance Office (WTR-7)
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, CA 94105

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 21
Tab Number: 10
Date: 11-15-2010

Date Submitted: 11-3-10 Date Requested: 11-15-110
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Action: <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Other

Subject: Solid Waste Ordinance options on requiring service
--

TO: MAYOR AND COUNCIL

FROM: City Manager

DISCUSSION: The current proposed solid waste Ordinance provides that **All** users of City utility service (Water, Gas, and Sewer), whether the service is inside the City or outside the City, will be required to subscribe to the City Solid Waste Service as of July 1, 2011. This is a change from the current system which only requires the people within the City to subscribe. This proposed system is put forth to help develop a larger subscriber base and to reduce use of City (both public & private) trash containers by out of City users.

Attached are two additional alternatives: The first alternative proposes to have available service only inside the City limits. This is the current system.

The second alternative is to require all users of City Utility service inside the City subscribe and all users of City water service, inside and outside the City be required to subscribe.

The Council may wish to develop some other alternative.

RECOMMENDATION: If the Council wishes **ALL** users of City utility service to be required to subscribe to Solid Waste services no additional action is necessary.

If the Council wishes to adopt one of the other two (2) attached alternatives then a motion stating:

I move that the existing language in Section 5-6-5 "General Requirements" paragraph G.1 and 5-6-7 "Covered Residence Refuse Service" A.3. (either Attachment (1 or 2)) be inserted into the proposed solid waste ordinance and replace the existing the existing Section 5-6-5 "General Requirements" paragraph G.1 and existing Section 5-6-9 "covered Residence Refuse Service A.3.

FISCAL IMPACT: Unknown

Prepared by: Pat McCourt

Approved by: 

Pat McCourt, City Manager

Existing Proposed language

5-6-5 General Requirements

G. All persons who use City Utility Service are required to have Solid Waste Service.

A. In order to promote the safe and sanitary disposal of Solid Waste, all users of City Utility Services are required to provide for disposal of Solid Waste as provided in this Chapter whether within or outside of the Corporate limits of the City, as a condition of receiving any City Utility Service.

B. Exceptions to the requirement that each Utility service provide for Disposal of Solid Waste. For the purposes of this Article and Chapter of the City Code, the following Utility connections do not require Solid waste service:

1. Voluntarily disconnected meters,
2. Multiple meters which serve a single property – one meter shall be labeled in City records as the main meter and other meters cross referenced as submeters,
3. Irrigation only meters – which shall be labeled in the City records, and
4. Other Utility hook ups where it can be demonstrated that the presence of Utilities does not result in the generation of ANY solid waste.
5. Also see 5-6-5 I.

5-6-9 Covered Residence Refuse Service Charges.

A. Covered Residence Service.

1. A monthly charge shall be assessed for each Residential Unit; no allowance for holiday or missed collections beyond the control of the city.

2. The Council may establish special residential rates for of senior or disabled individuals. Those rates shall not be less than the cost paid to the Collection Agency for Covered Residence Refuse service plus the estimated amount for the tipping fees paid to the Cochise County Transfer station. Collection sites for these Residential Units will be individually established between the Administrator and the Collection Agency.

3. The Collection Agency is the only authorized Licensed Hauler for Residence Units of the City of Willcox. In order to gain the efficiencies of mass purchasing and to minimize the administrative costs, all Residential Units connected to the City's Utility system are required to use and pay for this service. Customers may haul some refuse to an approved disposal site at their expense; however, the residence refuse fees are mandatory regardless of service. Refuse Service may not be cancelled except when disconnecting all City utility services to the residence. **A.A.C. section R18-13-305**

Alternate 1; Only Service within the City

5-6-5 General Requirements

G. All persons who use City Utility Service and are within the corporate boundaries of the City of Willcox are required to have Solid Waste Service.

A. In order to promote the safe and sanitary disposal of Solid Waste, all users of City Utility Services within the Corporate limits of the City, are required to provide for

disposal of Solid Waste as provided in this Chapter as a condition of receiving any City Utility Service.

B. Exceptions to the requirement that each Utility service provide for Disposal of Solid Waste. For the purposes of this Article and Chapter of the City Code, the following Utility connections do not require Solid waste service:

1. Voluntarily disconnected meters,
2. Multiple meters which serve a single property – one meter shall be labeled in City records as the main meter and other meters cross referenced as submeters,
3. Irrigation only meters – which shall be labeled in the City records, and
4. Other Utility hook ups where it can be demonstrated that the presence of Utilities does not result in the generation of ANY solid waste.
5. Also see 5-6-5 I.

5-6-9 Covered Residence Refuse Service Charges.

A. Covered Residence Service.

1. A monthly charge shall be assessed for each Residential Unit; no allowance for holiday or missed collections beyond the control of the city.

2. The Council may establish special residential rates for of senior or disabled individuals. Those rates shall not be less than the cost paid to the Collection Agency for Covered Residence Refuse service plus the estimated amount for the tipping fees paid to the Cochise County Transfer station. Collection sites for these Residential Units will be individually established between the Administrator and the Collection Agency.

3. The Collection Agency is the only authorized Licensed Hauler for Residence Units of the City of Willcox. In order to gain the efficiencies of mass purchasing and to minimize the administrative costs, all Residential Units connected to the City's Utility system, **and located within the corporate boundaries of the City of Willcox**, are required to use and pay for this service. Customers may haul some refuse to an approved disposal site at their expense; however, the residence refuse fees are mandatory regardless of service. Refuse Service may not be cancelled except when disconnecting all **City** utility services to the residence. **A.A.C. section R18-13-305**

Alternate 2; Service required of all City Utility services within the City and any users of City Water Service.

5-6-5 General Requirements

G. All persons who use City Utility Service within the City and all users of City Water Utility within or without the City are required to have Solid Waste Service.

1. In order to promote the safe and sanitary disposal of Solid Waste, all users of City Utility Services within the corporate limits of the City; **and all users of the City's Water Utility as a condition of receiving water service** are required to provide for disposal of Solid Waste as provided in this Chapter whether, as a condition of receiving any City Utility Service.

B. Exceptions to the requirement that each Utility service provide for Disposal of Solid Waste. For the purposes of this Article and Chapter of the City Code, the following Utility connections do not require Solid waste service:

1. Voluntarily disconnected meters,
2. Multiple meters which serve a single property – one meter shall be labeled in City records as the main meter and other meters cross referenced as submeters,
3. Irrigation only meters – which shall be labeled in the City records, and
4. Other Utility hook ups where it can be demonstrated that the presence of Utilities does not result in the generation of ANY solid waste.
5. Also see 5-6-5 I.

5-6-9 Covered Residence Refuse Service Charges.

A. Covered Residence Service.

1. A monthly charge shall be assessed for each Residential Unit; no allowance for holiday or missed collections beyond the control of the city.

2. The Council may establish special residential rates for of senior or disabled individuals. Those rates shall not be less than the cost paid to the Collection Agency for Covered Residence Refuse service plus the estimated amount for the tipping fees paid to the Cochise County Transfer station. Collection sites for these Residential Units will be individually established between the Administrator and the Collection Agency.

3. The Collection Agency is the only authorized Licensed Hauler for Residence Units of the City of Willcox. In order to gain the efficiencies of mass purchasing and to minimize the administrative costs, all Residential Units connected to the City's Water Utility system, whether within or without the corporate limits of the City of Willcox, are required to use and pay for this service. Customers may haul some refuse to an approved disposal site at their expense; however, the residence refuse fees are mandatory regardless of service. Refuse Service may not be cancelled except when disconnecting all City utility services to the residence. **A.A.C. section R18-13-305**

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item 22
Tab Number 11
Date: 11/15/10

Date Submitted:

November 5, 2010

Action:

Resolution
 Ordinance
 Formal

Subject:

FY11 Local Transportation
Assistance Funds II
(LTAF II) Application

TO: MAYOR AND COUNCIL
FROM: Finance Director Ruth Graham

DISCUSSION:

The Southeastern Area Governments Organization (SEAGO) announced on November 3, 2010 that funding will be available for Local Transportation Assistance Funds II (LTAF II) grants for the Fiscal Year 2010-2011. The City of Willcox has been allocated funding of \$3,152.25. A distribution date has not yet been announced.

The LTAF II funds are designated to be used for public transportation purposes. The City of Willcox does not provide public transportation services; however, in past years we have passed the funds through to local providers including the hospital (Northern Cochise Health Systems) and the schools (Willcox Unified School District). If the funds are not used for public transportation purposes or passed through to providers of such services, the City will not receive the funding.

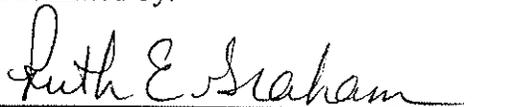
We plan to distribute the funds using the same method as prior years, with 2/3 to the Northern Cochise Community hospital senior transportation program (\$2,101.50) and 1/3 to the Willcox Unified Schools activity busing program (\$1,050.75). If the Council approves the application for LTAF II funds, staff will request applications from the hospital and the schools.

RECOMMENDATION:

Motion to approve the City's application for Fiscal Year 2010-2011 LTAF II funds in the amount of \$3,152.25, with such funds to be passed through to local providers of public transportation services pursuant to application and in such amounts as awarded by the Council.

FISCAL IMPACT: Cost for the City: \$0. Funds into the community: \$3,152.25.

Submitted by:



Ruth Graham



Pat McCourt, City Manager

CITY OF WILLCOX RESOLUTION NO: 2010-116

A RESOLUTION OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING THE DISTRIBUTION OF ARIZONA DEPARTMENT OF TRANSPORTATION LOCAL TANSPORTATION ASSISTANCE FUNDS [“LTAF II”] TO SELECTED RECIPIENTS FOR THE PURPOSE OF FUNDING SPECIFIC PROJECTS AND AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION AND DECLARING AN EMERGENCY TO EXIST

WHEREAS, the CITY submitted an application and has received a Local Transportation Area Funds Award in the amount of \$3,152.25 that requires a 25% local match which will provided by selected recipients receiving local funding distributions; and,

WHEREAS, the CITY received funding requests from NORTHERN COCHISE COMMUNITY HOSPITAL [“NCCH”] senior transportation services, and the WILLCOX UNIFIED SCHOOL DISTRICT [“WUSD”] activity busing program within the deadline set for submittals for funding; and

WHEREAS, Mayor and Council desire to have this Resolution presented at its Council meeting on November 15th, 2010; and

WHEREAS, the Mayor and Council have determined that selection of local recipients and approval of fund distributions is in the best interest of the CITY and its residents; 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 distribution of LTAF II funds, 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 the CITY formally approves the selection of local recipients and distributions to selected providers with \$2,101.50 to be distributed to NCCH senior transportation services and \$1,050.75 to distributed to WUSD activity busing program with the stipulation that each local recipient is responsible for the 25% match requirement.

Section 2: 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 3: That the Mayor is authorized and empowered to execute this Resolution and City staff are directed to act for the purpose of making funding distributions as authorized pursuant to Resolution 2010-116.

PASSED AND ADOPTED BY MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA this _____ day of November, 2010.

APPROVED/EXECUTED:

MAYOR, GERALD W. LINDSEY

ATTEST:

City Clerk, Cristina G. Whelan, CMC

APPROVED AS TO FORM:

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO. 2010-116

**LTA# II ESTIMATED DISTRIBUTIONS
COUNTIES AND CITIES/TOWNS
FY 2011**

JURISDICTION	COUNTY LEVEL DIST	JURISDICTION LEVEL DIST
APACHE	\$61,558.06	\$52,530.87
EAGAR		3,865.24
SPRINGERVILLE		1,783.28
ST JOHNS		3,378.68
COCHISE	112,619.59	45,543.08
BENSON		4,144.66
BISBEE		5,157.14
DOUGLAS		14,258.21
HUACHUCA CITY		1,569.70
SIERRA VISTA		37,413.54
TOMBSTONE		1,381.02
WILLCOX		3,152.25
COCONINO	109,786.90	45,199.43
FLAGSTAFF		52,608.75
FREDONIA		903.28
PAGE		5,979.33
WILLIAMS		2,537.22
SEDONA		2,558.90
GILA	45,930.08	21,598.48
GLOBE		6,225.02
HAYDEN		670.44
MIAMI		1,512.70
PAYSON		13,843.90
WINKLEMAN		338.03
STAR VALLEY		1,741.53
GRAHAM	31,949.69	17,212.14
PIMA		1,960.72
SAFFORD		8,104.65
THATCHER		4,672.18
GREENLEE	6,975.75	4,185.61
CLIFTON		2,102.04
DUNCAN		688.10
LA PAZ	17,355.86	11,640.70
PARKER		2,719.48
QUARTZSITE		2,995.68
MARICOPA	3,230,402.13	204,915.74
AVONDALE		61,744.34
BUCKEYE		42,365.13
CAREFREE		3,177.95
CAVE CREEK		4,181.59
CHANDLER		196,784.60
EL MIRAGE		26,986.05
GILA BEND		1,525.54
GILBERT		174,651.38
GLENDALE		200,084.59
GOODYEAR		49,713.43
GUADALUPE		4,819.11
MESA		370,226.78
PARADISE VALLEY		11,791.64
PEORIA		127,430.20
PHOENIX		1,264,934.41
SCOTTSDALE		195,511.17
SURPRISE		87,904.99
TEMPE		140,376.44
TOLLESON		5,558.60
WICKENBURG		5,179.62
YOUNGTOWN		5,229.40
LITCHFIELD PARK		4,112.54
QUEEN CREEK		20,013.52
FOUNTAIN HILLS		20,961.76
APACHE JUNCTION		221.61
MOHAVE	166,013.59	61,366.97
BULLHEAD CITY		33,408.59
COLORADO CITY		3,238.17
KINGMAN		23,436.35
LAKE HAVASU CITY		44,563.52
NAVAJO	92,672.72	57,966.62
PINETOP/LAKESIDE		3,820.28
HOLBROOK		4,503.56

SHOW LOW		9,930.48
SNOWFLAKE		4,438.53
TAYLOR		3,634.00
WINSLOW		8,379.25
PIMA	817,379.46	293,828.39
MARANA		27,452.55
ORO VALLEY		34,943.76
SAHUARITA		20,047.24
SOUTH TUCSON		4,668.96
TUCSON		436,438.55
PINAL	286,081.85	135,204.85
APACHE JUNCTION		30,180.06
CASA GRANDE		36,928.58
COOLIDGE		9,762.67
ELOY		15,259.44
FLORENCE		20,710.45
KEARNY		1,829.85
MAMMOTH		1,431.60
SUPERIOR		2,709.04
QUEEN CREEK		403.87
WINKLEMAN		3.21
MARICOPA		31,658.23
SANTA CRUZ	38,459.74	20,340.30
NOGALES		17,369.51
PATAGONIA		749.92
YAVAPAI	183,461.79	74,698.61
CAMP VERDE		9,316.25
CHINO VALLEY		10,502.16
CLARKDALE		3,227.73
COTTONWOOD		8,984.64
JEROME		262.55
PRESCOTT		34,985.52
PRESCOTT VALLEY		31,280.05
SEDONA		6,589.54
PEORIA		2.41
DEWEY/HUMBOLDT		3,612.33
YUMA	165,352.79	56,103.04
SOMERTON		9,404.57
SAN LUIS		22,183.80
WELLTON		1,897.29
YUMA		75,764.08
CITIES	\$0.00	\$4,263,665.18
COUNTIES	\$5,366,000.00	\$1,102,334.82
TOTAL	\$5,366,000.00	\$5,366,000.00

The \$5.1 million is from the Powerball transfers and \$0.2 million is from interest and carryover balance.

CITY OF WILLCOX
Request for Council Action

Agenda Item: 23
Tab Number: 72
Date: 11-15-2010

Date Submitted: November 3, 2010	Action: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Formal <input type="checkbox"/> Other	Subject: Border Environment Cooperation Commission Grant Application
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To: Honorable Mayor and City Council

From: Dave Bonner, Director of Public Services and Works

Discussion: On October 22, 2010, City staff at Public Services & Works was contacted by Temis Alvarez of Border Environment Cooperation Commission (BECC) on possible grant funding for the rehabilitation/reconstruction of the waste water treatment plant. Mr. Alvarez explained BECC is an Environmental Protection Agency (EPA) funded grant program which assists Mexico/American border towns with water and waste water projects which the towns are unable to fund. One grant requirement is the system or sections of the system are to be within 100 km within the border.

After the annual Arizona Department of Environmental Quality (ADEQ) system audit, ADEQ issued Notices of Violation and subsequent Consent Order issued September, 2010. Because of not meeting certain testing standards and being within the 100 km of the border, the City qualifies for the BECC grant funding.

Staff submitted the grant application on October 28, 2010, with the due date of the application being October 29, 2010. The application requests BECC to fund \$8,538,987 which is the revised project estimate. BECC will evaluate the funding request to engineer and construct the oxidation ditch facility. They can fund up to 50% of the engineering and up to 40% of the construction.

Recommendation: Ratify the grant application for \$8,538,987 for Border Environmental Cooperation Commission for the rehabilitation of the Waste Water Treatment Plant.

Fiscal Impact: \$0 – receive \$8,538,987

Prepared By: Linda Stoddard
Linda Stoddard, Utilities Administrative Assistant

Prepared By: Dave Bonner
Dave Bonner, Director, Public Service & Works

Approved By: Pat McCourt
Pat McCourt, City Manager

RESOLUTION NO: 2010-117

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, RATIFYING, APPROVING AND AUTHORIZING THE SUBMISSION OF THE APPLICATION TO THE BORDER ENVIRONMENT COOPERATION COMMISSION [“BECC”] UNDER THE ENVIRONMENTAL PROTECTION AGENCY FOR FUNDS FOR THE REHABILITATION/RECONSTRUCTION OF THE WASTE WATER TREATMENT PLANT AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, the CITY is empowered pursuant to A.R.S. § 9-240 (A) and (B) to control the finances and property of the corporation; and

WHEREAS, the CITY is empowered pursuant to A.R.S. §§ 9-240 and 9-276 to establish and define sewer districts and construct sewers therein; to regulate, build and repair sewers, tunnels and drains; and

WHEREAS, the CITY is empowered pursuant to A.R.S. § 9-511 to engage in any business or enterprise which may be engaged in by persons by virtue of a franchise from a municipal corporation, and may construct, purchase, acquire, own and maintain within and without its corporate limits any such business or enterprise, including plants and pipelines for sewage; and

WHEREAS, the BECC provides assistance to qualifying cities located within 100 kilometers of the United States/Mexico border for water and waste water projects and can fund 50% of the engineering costs and 40% of the construction costs; and

WHEREAS, the City of Willcox Mayor and Council, desire to ratify, approve and authorize the submittal of an application to the BECC that will provide funds for the Rehabilitation/Reconstruction of the Waste Water Treatment Plant; and

WHEREAS, the Public Services and Works Department [the “PS&W”], seeks Mayor and Council ratification and approval for the submitted application to the BECC in the amount of \$8,538,987.00; and

WHEREAS, the Mayor and Council of the City of Willcox have determined that it is in the best interest of the City and its citizens to ratify and approve the submitted application to the BECC and desire to have this item presented at its November 15th, 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 approval and ratification of the submitted application, and that this Resolution be effective immediately upon its passage and adoption.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally ratifies and approves the submitted application to the **BECC**.

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 November, 2010.

APPROVED/EXECUTED:

MAYOR, GERALD W. LINDSEY

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina G. Whelan, CMC

City Attorney, Hector M. Figueroa

RESOLUTION NO: 2010-117

**SECTION E
INTER-RELATED PROJECT(S)**

10. **Justification:** *As referenced in Section A. Question 3, explain the inter-relationship between the project described in this application and another project described in a separate application. Note the name of the related project(s) below. Provide a clear description of how the projects are linked and any other special circumstances that show the dependent relationship of the projects.*

Related Project Name: _____

**SECTION F
UTILITY INFORMATION**

The information requested in this section will assist BECC to develop a more comprehensive profile for each project, which may be a useful tool to identify needs and develop future programs. Supporting documentation of this data may be requested and verified during the Ranking Parameter Evaluation process for selected projects.

11. Current Billing Efficiency: _____ %	
<i>Billing Efficiency is defined as the volume of water billed to the customer divided by the volume of water distributed</i>	
12. Current Collection Efficiency: 98.12 %	
<i>Collection Efficiency is defined as the total amount collected from customers divided by the total amount billed to customers</i>	
13. Service Coverage:	Drinking Water _____ %
Sewer 95 %	Wastewater Treatment 95 %
14. System Age:	
Drinking Water _____ years	Sewer Approx. 68 years
15. Average Annual Residential Bill and Annual Residential Use:	Combined Bill (water/sewer) \$873,182 US\$/Year
<i>If only one service is available or individual water and sewer bills are available, please provide the information for each:</i>	
Individual Billing:	Drinking Water _____ \$US/Yr. Sewer \$401 US\$/Yr.
Annual Residential Use:	Drinking Water _____ Sewer 1095 337,391,480 (2007)
	(units)
16. Total Annual Revenues:	<input type="checkbox"/> Water <input checked="" type="checkbox"/> WW \$769,913 US\$/Year <input type="checkbox"/> Both
17. Total Annual Expenses:	<input type="checkbox"/> Water <input checked="" type="checkbox"/> WW \$649,843 US\$/Year <input type="checkbox"/> Both
18. Total Annual Capital Improvement Program:	Drinking Water: _____ US\$/Year Wastewater: \$10,500 US\$/Year
19. Median Household Income (MHI):*	\$27,300 US\$/Year

MHI Source: city-data.com

**A response is not required from projects in Mexico. The MHI will be calculated using available sources.*



8. **PROJECT STATUS.** Check the box if the activity is complete and provide the date when it was finalized. *If complete, documentation, such as a copy of the report, shall be provided with the application. If activity is not complete, leave blank.*

Activity	Completion Date (Month/Year)
Project Sponsor has the authority to construct, operate and maintain the proposed infrastructure project.	<input type="checkbox"/> Yes If no, please provide a brief explanation in Question 4. <input type="checkbox"/> No
<input type="checkbox"/> Facility Plan/ Preliminary Engineering Report	_____ / 20____
<input checked="" type="checkbox"/> Under Development Date Initiated: _____	To be completed before November 15, 2010
<input type="checkbox"/> Update Required	
<input checked="" type="checkbox"/> US EPA NEPA Process	To be completed before November 15, 2010
<input type="checkbox"/> Final Design Initiated Date Initiated: _____	% Complete: _____
<input type="checkbox"/> Final Design Completed	_____ / 20____
Project Sponsor has applied for other funding sources to support the proposed project?	<input checked="" type="checkbox"/> Yes If yes, please provide a description of the source, amount and status of the application below. <input type="checkbox"/> No

Comments: *In the process of completing funding request to Rural Development*

SECTION D PROJECT DOCUMENTATION

9. **Please list the documents that are submitted with the application.**

Please list and attach: any documentation requirements associated with the applicable specific conditions, as noted in Question 4, Step 1, above; a map indicating the service area and the project area; project cost estimate; any documents indicated as complete in Question 8; a copy of any formal compliance finding/order and related materials, if applicable; and documentation confirming the sponsor's authority to provide services, if new service is required. The project sponsor may submit any additional documentation as desired to establish the condition proposed to be addressed by the project and list it here.

Attachment #1 –

Attachment #2 –

Attachment #3 –

Attachment #4 –

6. **Direct Project Beneficiaries**

Number of existing un-served residences that will receive new service	NA	Residential Connections
Number of existing residential connections receiving improved service	1095	Residential Connections
Population Directly Benefited:	Approximately 3,900 plus travelers/visitors	Existing People

Source: City's billing program and State Shared Revenue

Does the project include capacity (pipe size, storage, treatment, etc.) to provide service to additional or future population? YES NO

If yes, please be advised that BEIF/PDAP funds are intended to support projects which address existing needs. Increased capacity within the proposed infrastructure will be evaluated closely and limited to accommodating only reasonable growth - defined as growth expected over 20 years and not to exceed 30% over the existing population

7. **PROJECT COST.** Provide the estimated cost and the availability of funds for each task:

	Estimated Cost	Are other funds currently available to support this activity?
Total Planning Cost	\$US \$22,000	<input type="checkbox"/> YES <input type="checkbox"/> NO Source:
Design Cost	\$US \$1,000,000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Source: WIFA
Cost of Land ⁶	\$US NA	<input type="checkbox"/> YES <input type="checkbox"/> NO Source:
Construction Cost	\$US \$7,425,206 estimated by engineering firm	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Source: USDA
Other Costs	\$US unknown	<input type="checkbox"/> YES <input type="checkbox"/> NO Source:
Cost Estimate Source: \$8,538,987		

Special Notes: Cost estimates must be qualified by appropriate support documentation⁷ and attached to the application. All costs shall be presented in 2010 US\$12.50. Planning costs include Facility Plan, Environmental Study, etc. Only 50% of design costs and no more than \$500,000 can be supported by PDAP, therefore, a matching source should be identified. Construction costs should include contingencies, project and site supervision as well as applicable taxes and can not exceed US\$30 million. Other costs inherent in the project include soft costs such as legal and financial.

Comments:

An additional loan amount from WIFA - \$1,000,000

The City of Willcox is currently in the process of applying for funding through USDA for an undetermined monetary figure which is unavailable at the time of this application.

⁶The cost of land cannot be funded by or considered as a match to BEIF. These costs may be supported by a NADB loan or other funding source.

⁷ Appropriate support documentation may include an estimate stamped by a professional engineer, an engineering report, technical diagnostic, historical cost experience, regional cost indices or approval by another participating state or federal agency.

SECTION C
PROJECT DESCRIPTION AND RELATED INFORMATION

5. Provide a description of the proposed project.

Please describe the water or wastewater capital improvement project proposed and include the following information, as applicable:

- *Drinking Water or Wastewater Treatment*
 - *the capacity and method of treatment of the existing and proposed treatment works;*
 - *reserve capacity needs (anticipated);*
 - *selected technologies;*
- *Drinking Water Distribution or Wastewater Collection*
 - *size and lengths of pipes;*
 - *number of pump stations or lift stations*
 - *reserve capacity needs (anticipated);*
- *Site or rights-of-way acquisition requirements and status;*
- *Number of existing connections/population currently served by the system and, if applicable, the number of new connections/projected population for existing un-served residences to be served by the proposed project⁵;*
- *For new service, describe your authority to provide such services in the project area or explain any pending legal or administrative tasks required to obtain the authority to provide the new service. If the authority is held by an entity other than the Project Sponsor, that entity must be a co-sponsor to the project.*

To supplement the project description, a service area map must be provided with each application. The map shall utilize recent aerial imagery, such as that available through Google Earth or similar programs, and must indicate the current service area (total area serviced by the utility); the project area (area to be served by the proposed project); proposed location of new facilities, as applicable; and any specific information required to support the specific conditions to be addressed by the proposed project, as described in Section B, Identification of Existing Conditions.

The current system has a design capacity of 800,000 gpd and is permitted at 600,000 gpd. The lagoon system operates at approximately 325,000 gpd. The chlorine disinfection is located near the headworks, and the inoperable ultra violet disinfection is located at the end of the system, after the bioreactor ponds (on Twin Lakes Golf Course). The City anticipates growth in the next 15 to 20 years which will require 1 mgd.

Currently, there are 1,095 connections billed within the system.

Tetra Tech Engineering is in the final process of the Preliminary Engineering Report in which the City Council has voted upon an Oxidation ditch - RAS/WAS system redesign and construction to meet permitted levels and anticipated growth.

The proposed improvements to the Waste Water Treatment Plant would be located at Pond 1 (site A), utilizing Pond 2 to continue treatment until the renovations were completed. Then Site B, a 30 acre parcel, could be utilized for further capacity and improvements. Pond 2 would be utilized as newly constructed sludge drying beds.

Attachment #___ is a map of the service area and Attachment #___ is the treatment plant (lagoon system), bioreactor ponds and Cochise Lake.

⁵ Please note that each unit of a multi-family residential connection may be counted as one residential connection.

3.C	Inadequate pressures exist which violate an enforceable standard and are <u>not</u> attributable to operational issues or storage capacity requirements such as fire flow storage.		<input type="checkbox"/>
	What is the inadequate pressure experienced in the system?	What is the enforceable pressure standard?	
	How often does the inadequate pressure occur?	# of homes affected experiencing inadequate pressure.	
	Is there a formal non-compliance violation issued by a regulatory agency?		<input type="checkbox"/> YES <input type="checkbox"/> NO
	What is the primary cause for inadequate system pressures?		
	Required Documentation: Pressure tests. Indicate the pressure test locations on the required map.		
3.D	The treated wastewater effluent quality does not meet current effluent discharge limits.		<input checked="" type="checkbox"/>
	What effluent requirement(s) is not currently being met?	BOD, Total Chlorine Residual, Total Coliform, E-coli, Nitrate/Nitrite, and TSS	Is there a formal non-compliance violation issued by a regulatory agency? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Required Documentation: Laboratory results. Indicate the location of non-compliant discharge on the required map. Permit or other document establishing discharge requirements.			

Step 2. Describe the Existing Problem(s) and Anticipated Benefits:

Add any information about the existing problem(s) to supplement the responses provided above and to clearly explain the existing problems. Also, describe the anticipated public health or environmental benefits to be achieved by implementing the project.

If the project is proposed to remedy an existing violation of an enforceable standard, please include the following information, below: description of the violation or non-compliant condition(s); description of any formal compliance findings/orders and the prescribed penalties for continued violation; specific requirements or actions proposed to address compliance issue; and the required schedule for compliance.

Existing Problems -

- Discharge to Cochise Lake isn't meeting permit requirements
- Not meeting water quality per reuse permit
- No grit chamber in headworks which is contributing to pump failure
- No bar screen in headworks contributing damage to "Muffin Monster" (in association to no grit chamber)
- Bioreactor ponds
 - o Unlined, thus possible infiltration of groundwater and pH levels are elevated due to high alkalinity in soil
 - o Possible human contact since the ponds are located at and in the Twin Lakes Golf Course and no fence around ponds to prevent human access to effluent
- Ultra Violet system is ineffective due to high BOD's and/or solids in the water
- Rainwater and grit infiltration due to unsealed manholes
- No backup power for effluent pumps
- Issued Notices of Violation from Arizona Department of Environmental Quality
- Issued Consent Order from Arizona Department of Environmental Quality

Benefits -

With the reconstruction of the system, the City will have a system which would operate efficiently and testing requirements would be met. In addition, public safety and health at Twin Lakes Golf course and Cochise Lake will be improved, thus providing a more pleasant community recreation area.

What secondary drinking water standard is not met?	What is the non-compliant MCL?	
What is the number of non-compliant samples in the past 3 years?	Is there a formal non-compliance violation issued by a regulatory agency? <input type="checkbox"/> YES <input type="checkbox"/> NO	
Required Documentation: Laboratory results. Indicate the sample locations on the required map.		

2.C	<p>Non-compliant, failing on-site treatment systems, in at least 2/3 of the project area, that cause an immediate and significant threat to the environment. On-site system failures should not be attributable to lack of maintenance but may be caused by factors including poor soils, insufficient setback distances, inadequate design or substandard installation and may be a seasonal occurrence.</p>	<input type="checkbox"/>
	# of homes with non-compliant or failing on-site treatment systems?	# of homes with cesspools, latrines and/or direct discharge of wastewater.
	Total # of new residential connections to be served by the project.	Is there a formal non-compliance violation issued by a regulatory agency? <input type="checkbox"/> YES <input type="checkbox"/> NO
	What conditions result from on-site system failures? (surface pooling, back-up, frequent pumping, groundwater risks, etc)	
	What is the primary cause of on-site system failures? (soils, inadequate design, etc)	
	<p>Required Documentation: The project area denoted on the required map should specifically indicate homes with non-compliant, failing on-site treatment systems. The source of information identifying the problem shall be provided, such as but not limited to: surveys performed by the project sponsor or government agency such as a state health department (preferred) and a description of the survey methodology; local government records; and/or permitting agency records. Establish authority to serve the project area.</p>	
	Supplemental Information (optional): Photos.	
2.D	<p>Major wastewater collection or treatment system deficiencies not attributable to lack of maintenance which cause an immediate and significant threat to the environment and/or a potential for human contact/exposure to untreated sewage.</p>	<input checked="" type="checkbox"/>
	What major deficiency is occurring?	Possible infiltration at Bioreactor ponds located at Twin Lakes Golf Course; possible human contact at Twin Lake Golf Course (bioreactor ponds not fenced)
	What is the primary cause of the deficiency?	The bioreactor ponds were initially designed as polishing ponds, but without lining and fencing, there is possible infiltration into the ground and human contact.
	Describe the threat to the environment or potential human exposure occurring from the system deficiency.	<p>Environmental: The bioreactor ponds aren't lined, thus possible infiltration</p> <p>Human Contact: the Bioreactor ponds are on the Twin Lakes Golf Course and are not fenced, thus when a ball goes into the pond, the golfers will retrieve them.</p>
	<p>Required Documentation: The project area denoted on the required map should specifically indicate the location of major deficiencies in the collection or treatment system. Documentation to evidence the condition shall be provided such as an enforcement order, engineering report/study, technical diagnostic, work orders, video inspection, etc.</p>	
	Supplemental Information (optional): Photos.	
Category 3 Projects		
3.A	<p>Major deficiencies of the drinking water treatment and distribution systems and/or wastewater collection and treatment systems cause a risk to human health or the environment and a corrective action is required so that the situation is not exacerbated.</p>	<input type="checkbox"/>
	What is the system deficiency causing a risk to human health or the environment?	
	What risk to human health or the environment exists because of the current condition?	
	<p>Required Documentation: The project area denoted on the required map should specifically indicate the location of major deficiencies in the drinking water and/or wastewater systems. Sanitary Surveys, technical diagnostics, or similar inspection reports describing the deficiency shall be provided.</p>	
3.B	<p>The drinking water system exceeds enforceable secondary drinking water standards, equivalent Mexican standards (NOM-127-SSA1-1994) or other regulatory requirements.⁴</p>	<input type="checkbox"/>

⁴ MCL standards are presented in Exhibit B of the *FY11-12 Prioritization Criteria for Drinking Water and Wastewater Infrastructure Projects* available on www.coccf.org.

1.H	There is a history of cases of acute and/or chronic health problems that are directly linked to waterborne contaminants in the drinking water system or in the untreated or partially treated wastewater as documented with an epidemiological report or similar.²		<input type="checkbox"/>
	Are the acute/chronic health problems directly linked to the drinking water system (DW) or exposure to untreated sewage (WW)?		<input type="checkbox"/> DW <input type="checkbox"/> WW
	What acute/chronic health conditions are occurring?		
	What is the extent of the health condition? (Provide # of cases/year, % of population, as available)		
	What documentation is available to establish that the acute/chronic health condition results from drinking water quality or untreated wastewater?		
	Required Documentation: Epidemiological report or similar, which must link the chronic health condition to the drinking water system or to untreated or partially treated wastewater.		
Category 2 Projects			
2.A	Intermittent water service occurs for existing populations due to insufficient capacity in the water treatment or distribution system and <u>not</u> attributable to operational issues or lack of fire flow storage.³		<input type="checkbox"/>
	Frequency of water outages? (# times/month, # times/year)	Average duration of water outages? (# hours/day, # days/month, # months/year)	
	# of homes affected by the outages:	Total # of homes served by the water system:	
	Describe the cause of the water outages including a description of insufficient treatment and/or piping capacity.		
	Required Documentation: Daily logs or other administrative records of frequency, duration, and location of water outages; engineering report or professional technical diagnostics.		
2.B	Non-compliant wastewater effluent discharge to surface waters classified as impaired or equivalent in Mexico and/or discharge quality exceeds acute aquatic standards or impacts threatened or endangered species.		<input checked="" type="checkbox"/>
	What surface water body is impacted by the non-compliant effluent discharge?		<i>Cochise Lake</i>
	What effluent water quality parameter is not currently being met?	The City's treatment facility is not meeting the following permitted standards: - fecal coliform - pH - Suspended solids - BOD's Attachment # _____	Is there a formal non-compliance violation issued by a regulatory agency? Attachment # _____ is the issued Consent Order and Notices of Violation from ADEQ <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
	Required Documentation: Discharge Permit and laboratory results (previous 12 months or more as needed to demonstrate the condition). Indicate the location of non-compliant effluent discharge on the required map. Submit regulatory agency correspondence, compliance schedule, and/or provide official documentation presenting the pollutant impairment, acute aquatic standards or threatened/endangered species of the receiving water body, as available.		

² A similar type report could include any formalized study, that is substantiated by historical and empirical data, of an established public health situation in the referenced border community. The public health situation must be directly linked to waterborne contamination. Documents may include, but are not limited to: technical journal publications, state/county health department publications, special health reports, or public health bulletins that are backed by a systematic investigation.

³ Intermittent service is defined as chronic outages and may range from regularly scheduled service interruption to outages reoccurring on a seasonal basis.

1.D	The current drinking water system uses unfiltered surface water or groundwater-under-the-direct-influence-of-surface-water (GWUDI) with microbial contamination and does not meet applicable surface water treatment regulations.		<input type="checkbox"/>
	Does the drinking water system meet applicable surface water treatment regulations?		<input type="checkbox"/> YES <input type="checkbox"/> NO
	Has the source(s) been designated as unfiltered surface water or GWUDI by a regulatory agency?		<input type="checkbox"/> YES <input type="checkbox"/> NO
	How often is this source(s) used? (# times/month, # times/year)	How many homes are served by the non-compliant water source?	
	Required Documentation: The project area denoted on the required map should specifically indicate connections receiving the non-compliant water source. Official documentation of non-compliance with applicable standards.		
1.E	Untreated sewage discharges due to the absence of wastewater collection facilities.		<input type="checkbox"/>
	# of homes with cesspools, latrines and/or direct discharge of wastewater.	Total # of new residential service connections to be constructed.	
	Is there adequate treatment capacity to handle the additional flows?		<input type="checkbox"/> YES <input type="checkbox"/> NO
	Required Documentation: The project area denoted on the required map should specifically indicate homes with cesspools, latrines and/or direct discharge of wastewater. The source of information identifying these homes shall be provided, such as but not limited to: surveys performed by the project sponsor or government agency such as a state health department (preferred) and a description of the survey methodology; local government records; and/or permitting agency records. If the project proposes to send wastewater to an existing WWTP, the existing WWTP site shall be indicated on the map and existing or required treatment capacity should be noted. Establish authority to serve the project area. Supplemental Information (optional): Photos.		
1.F	Untreated sewage discharges due to the absence of or insufficient wastewater treatment facilities.		<input type="checkbox"/>
	# of homes without wastewater treatment.	Volume of wastewater without treatment.	
	What is the cause of untreated discharges?	No WWTP <input type="checkbox"/> Other, explain: Treatment bypassed <input type="checkbox"/>	
	Capacity of existing wastewater treatment facility (WWTP), if applicable.	Where is the untreated wastewater discharged?	
	Required Documentation: The project area denoted on the required map should specifically indicate the area served by existing wastewater collection system and the location where the untreated wastewater is discharged or the location of the insufficient wastewater treatment facility, its service area and location of untreated discharges. Supplemental Information (optional): Photos. Source documents providing the measurement of discharge flows and/or quality.		
1.G	Non-compliant, failing on-site treatment systems, in at least 2/3 of the project area, experience surface pooling and with direct human contact. On-site system failures should not be attributable to lack of maintenance but may be caused by factors including poor soils, insufficient setback distances, inadequate design or substandard installation and may be a seasonal occurrence.		<input type="checkbox"/>
	# of homes with non-compliant or failing on-site treatment systems?	# of homes with cesspools, latrines and/or direct discharge of wastewater.	
	Total # of new residential connections to be served by the project.	Is there a formal non-compliance violation issued by a regulatory agency?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	What conditions result from on-site system failures? (surface pooling, back-up, frequent pumping, groundwater risks, etc)		
	For what duration do these conditions typically occur? (daily, weekly, monthly, # months annually, etc)		
	What is the primary cause of on-site system failures? (soils, inadequate design, etc)		
	Required Documentation: The project area denoted on the required map should specifically indicate homes with non-compliant, failing on-site treatment systems. The source of information identifying the problem shall be provided, such as but not limited to: surveys performed by the project sponsor or government agency such as a state health department (preferred) and a description of the survey methodology; local government records; and/or permitting agency records. Establish authority to serve the project area.		
	Supplemental Information (optional): Photos.		

SECTION B
IDENTIFICATION OF EXISTING CONDITIONS

4. Describe the existing public health and/or environmental problem(s) that will be addressed by the proposed project. *Please complete Steps 1 and 2.*

Step 1. Specific Category Conditions.

Mark YES for the specific condition to be addressed by the proposed project and answer any related questions.

Category 1 Projects

		Yes	
1.A	Drinking water service is currently unavailable to an existing population.		<input type="checkbox"/>
	What is the current drinking water source(s) for the unserved area?	Hauled Water by: water trucks <input type="checkbox"/> bulk water purchase with self-storage <input type="checkbox"/> Communal water tap <input type="checkbox"/> Deficient Individual Well(s) <input type="checkbox"/> Other (explain below) <input type="checkbox"/>	
	If the area is served by individual wells, describe the deficiency of this source.		
	Explain any other means of drinking water service available to the existing un-served population:		
	Required Documentation: The project area denoted on the required map should specifically indicate connections receiving hauled water and/or served by deficient individual wells. Establish authority to serve the project area. Supplemental Information (optional): Invoices/receipts of bulk water sales, photos of source, signed statements by residents or bulk water providers.		
1.B	Microbial contamination in the potable water system resulting in repeated fecal coliform or e-coli bacteria levels above applicable standards.		<input type="checkbox"/>
	# of samples with Fecal Coliform and/or E-Coli Bacteria present in past 12 months: Total # of coliform bacteria samples collected: _____ Chlorine residual levels at the location of contaminated samples: _____		
	Required Documentation: Laboratory results with location(s) of samples identified (previous 12 months or more as needed to demonstrate repeated contamination) and dates of sample collection. Indicate the sample locations on the required map.		
1.C	Potable water exceeds the maximum contaminant levels (MCLs) for contaminants per US EPA primary drinking water standards, or equivalent Mexican standards (NOM-127-SSA1-1994).¹		<input type="checkbox"/>
	What primary MCL is not met?	Total # of samples collected:	
	What is the number of non-compliant samples in the past 3 years?	Is there a formal non-compliance violation issued by a regulatory agency? <input type="checkbox"/> YES <input type="checkbox"/> NO	
	Required Documentation: Laboratory results with location(s) of samples identified (previous 3 years or more as needed to demonstrate the condition) and dates of sample collection. Indicate the sample locations on the required map. Provide regulatory agency correspondence, as available.		

¹ MCL standards are presented in Exhibit A of the *FY11-12 Prioritization Criteria for Drinking Water and Wastewater Infrastructure Projects* available on www.cocof.org.

BORDER ENVIRONMENT COOPERATION COMMISSION

EPA Region 9
FY11-12 BEIF/PDAP PRIORITIZATION PROCESS
PRIORITIZATION FOR DRINKING WATER AND WASTEWATER
INFRASTRUCTURE PROJECTS
EPA Region 9 PROJECT APPLICATION

For Official Use Only:

Date Received by BECC:

BECC Log Number:

The Environmental Protection Agency (EPA) Border Infrastructure Program supports both the Border Environment Infrastructure Fund (BEIF), administered by the North American Development Bank (NADB), and the Project Development Assistance Program (PDAP), administered by the Border Environment Cooperation Commission (BECC). The purpose of the BEIF/PDAP program is to identify and fund drinking water and wastewater infrastructure projects, which will address the most urgent needs and the most severe public health and environmental conditions existing in the border region, defined as 100 kilometers north and south of the U.S.-Mexico border. Projects are selected for BEIF/PDAP funding through a prioritization process established to help accomplish EPA's environmental and public health strategic goals for the Border region of (1) protecting the health of people in the U.S.-Mexico border area by increasing the number of people in the region with access to potable water and wastewater collection and treatment systems, and (2) improving water quality in shared and transboundary waters. The information provided in this Project Application will be evaluated for the purpose of prioritizing projects for available BEIF/PDAP funding resources.

The project proposed for BEIF/PDAP funding shall complete project development activities including planning, environmental clearance, final design and meet the requirements for certification, including a proposed financial structure for the project, within 2 years of receiving notification of project selection. The project must be able to complete construction within a 3 year period after signing a NADB sub-grant agreement for construction funding. In addition, the construction cost of any project shall not exceed US\$30 million and the BEIF contribution for any project shall be based on the NADB affordability analysis but cannot exceed US\$8 million. These time and cost/funding requirements should be considered when defining the project proposed in this application.

A Project Application shall be completed for each independent project, defined as a mutually exclusive construction activity that can be funded, constructed, and fully functional independent of another project. The project must be intended to serve an existing population and shall not be developed to provide service to future populations or to induce growth. Multiple Project Applications may be submitted by a project sponsor.

Documentation, as specified in this application and in the FY11-12 Project Application Instructions, shall be submitted with your application. Each application packet submitted shall include an original and three (3) copies (paper or electronic format) of the Application and all related documentation. Application packets should be received at the BECC offices no later than 5 p.m. on Friday, October 29, 2010. Applications received after that date will not be considered.

SECTION A
GENERAL PROJECT INFORMATION

1. Project Name: Waste Water Treatment Plant Rehabilitation 2010
2. Is the project located within Border Region (100 km (62 miles) from the border)? YES NO
3. Mark **only one project type** and the construction type.

Project Type		Construction Type	
Drinking Water Distribution <input type="checkbox"/>	Drinking Water	New Infrastructure <input checked="" type="checkbox"/>	
Drinking Water Treatment <input type="checkbox"/>	Distribution & Treatment <input type="checkbox"/>		
Wastewater Collection <input type="checkbox"/>	Wastewater Collection &	Rehabilitation <input checked="" type="checkbox"/>	
Wastewater Treatment <input type="checkbox"/>	Treatment <input checked="" type="checkbox"/>		

Each application shall be limited to one project type. If a project is inter-related with another project, an application shall be submitted for each individual project, water or wastewater, and the justification for combining the applications shall be noted in Section D, Question 9, of this application.

"New infrastructure" is the construction of new facilities or distribution/collection system; whereas, "rehabilitation" is the repair, replacement or improvement of existing infrastructure.

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: 24
Tab Number: 13
Date: 11-15-2010

Date Submitted:
November 8, 2010

Date Requested:
November 15, 2010

Action:
 Resolution
 Ordinance
 Formal
 Other

Subject: Purchase of replacement foam system for Engine 1.

TO: MAYOR AND COUNCIL

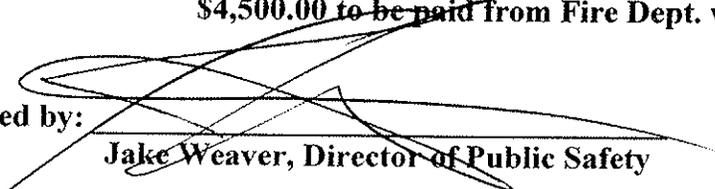
FROM: Jake Weaver, Willcox Department of Public Safety Director

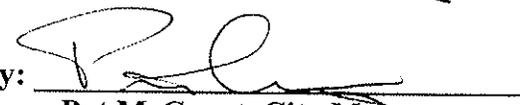
DISCUSSION: The Willcox Department of Public Safety is requesting approval to purchase a Hale 2.1 Foam System, for Engine 1, to replace the existing foam system which has failed and cannot be repaired due to the age of equipment. The current foam system was installed over ten years ago, and replacement parts are no longer available.

Utilization of foam systems increases the effectiveness of water, by suppressing and extinguishing fire 88% quicker than just water alone, which results in less water damage to the property, quicker knock down of flames and hot gasses, and increases extinguishing capabilities, resulting in less fire and smoke damage, as well as reducing fire fighter fatigue which can result in injuries. By reducing the amount of hours of operation the life of the pumps and other apparatus is prolonged as well.

RECOMMENDATION: Approve purchase and installation of Hale 2.1 Foam System for Engine 1, from United Fire Equipment Company, which is sole source within 90 miles.

FISCAL IMPACT: \$1,000.00 to be paid from Fire Dept. small equipment line 10-427-2116
\$3,500.00 to be paid from Fire Dept. fund raising account
\$4,500.00 to be paid from Fire Dept. wild land account 17-439-6000

Prepared by: 
Jake Weaver, Director of Public Safety

Approved by: 
Pat McCourt, City Manager



UNITED FIRE
Life Safety is Serious Work®

United Fire Equipment Company

335 N. Fourth Avenue Tucson, Arizona 85705
Phone: (520) 622-3639 Fax: (520) 882-3991
(800) 362-0150 (800) 882-3991
www.unitedfire.net
ROC073858 ROC076292

Sold To: Willcox Fire Department
Jerry Giudice
290 W. Rex Allen Dr.
Willcox, AZ 85643
Cochise

Ship To: Willcox Fire Department
Jerry Giudice
290 W. Rex Allen Dr.
Willcox, AZ 85643
Cochise

Phone: (520)384-4673
Fax: (520)384-2587

Date: 7/30/2010

Quote Number: UNIQ8524

SALES QUOTE

FOB	Terms	Rep	P.O. Number	Ship Via
	NET 30	JoeU		

Qty	Item Number	Description	Unit Price	Ext. Price
1	CLAIOOOO	Hale 2.1 Foam System	\$4,430.16	\$4,430.16
38	L240	Install Foam System	\$100.00	\$3,800.00

Estimate does not include any freight charges that may apply. Additional Labor maybe required to modify exsisting system for this installation.

SubTotal	\$8,230.16
Sales Tax	\$403.14
Shipping	\$0.00
Total	\$8,633.30

This proposal was prepared for you by: Jeff Gilbert

Please call if you have any questions, or need additional information.

We appreciate your business!

Accepted: X
Please Fax To: (520) 882-3991 or (800) 882-3991

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2010-118**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA APPROVING THE PURCHASE OF A HALE 2.1 FOAM SYSTEM FOR FIRE ENGINE 1 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 Director of the Willcox Department of Public Safety [“WDPS”] is seeking approval to purchase a Hale 2.1 Foam System for Fire Engine 1; and

WHEREAS, the WDPS submits that said purchase of the Hale 2.1 Foam System will increase the effectiveness of water by suppressing and extinguishing fire 88% quicker than just water alone as well as other firefighting activities ; 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 approve the purchase as requested and to authorize the WDPS Director to proceed with the purchase as presented; and

WHEREAS, the Mayor and Council and the WDPS desire to have this item presented at the next Council Meeting on November 15th, 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 approval of the requested purchase, and that this Resolution be effective immediately upon its passage and adoption.

NOW BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City formally approves the purchase of a Hale 2.1 Foam System and authorizes the Mayor to execute this Resolution and directs and authorizes the City Staff 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 November, 2010

APPROVED/EXECUTED

MAYOR, GERALD W. LINDSEY

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina G. Whelan, CMC

City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2010-118

**CITY OF WILLCOX
REQUEST FOR COUNCIL ACTION**

Agenda Item: _____ ²⁵
Tab Number: _____ ¹⁴
Date: 11-15-2010

Date Submitted:
November 10, 2010

Date Requested:
November 15, 2010

Action:
 Resolution
 Ordinance
 Formal
 Other

**Subject: Ratifying and
Approving the Transfer of
Responsibility for Forfeiture
Proceedings from the CCAO
to the City Attorney's Office**

TO: MAYOR AND COUNCIL
FROM: City Clerk Cristina G. Whelan, CMC

DISCUSSION: The Mayor and Council directed staff on Monday, November 1, 2010 and this Resolution serves to formally ratify and approve the Transfer Of Responsibility for Forfeiture Proceedings from the Cochise County Attorney's Office [CCAO] To The City Attorney's Office. And they also directed legal staff to start the Transfer of Responsibility to the City.

RECOMMENDATION: To favorably approve Resolution NO. 2010-119.

FISCAL IMPACT: Unknown at this time.

Prepared by: *Cristina G. Whelan, CMC*
City Clerk Cristina G. Whelan, CMC

**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA
RESOLUTION NO: 2010-119**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA RATIFYING AND APPROVING THE TRANSFER OF RESPONSIBILITY FOR FORFEITURE PROCEEDINGS FROM THE COCHISE COUNTY ATTORNEY'S OFFICE [CCAO] TO THE CITY ATTORNEY'S OFFICE 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, pursuant to Title 13, Chapter 39 [Forfeiture], the City of Willcox is empowered to assign all forfeiture proceedings to the Cochise County Attorney's Office or may designate said proceedings to be handled by the City Attorney's office; and

WHEREAS, the City of Willcox has previously assigned all forfeiture proceedings to be handled by the Cochise County Attorney's Office; and

WHEREAS, the City of Willcox and other municipalities were recently asked whether CCAO would continue to handle forfeiture proceedings on behalf of the county's municipalities or whether each municipality would assume responsibility for its own forfeiture proceedings; and

WHEREAS, the CCAO notified the municipalities that in order for it to continue to do forfeitures, the CCAO would have to receive sufficient payment from the proceeds to cover salaries of its employees who handle forfeitures; and

WHEREAS, the Director of the Willcox Department of Public Safety and the City Attorney's Office are willing and able to handle forfeiture proceedings; and

WHEREAS, Mayor and Council have considered the matter and directed Chief Weaver and Legal Counsel to begin the process of transferring the responsibility to our municipality; 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 formally ratify and approve the transfer of responsibility to the City Attorney's Office from the CCAO for forfeiture proceedings; and

WHEREAS, the Mayor and Council desire to have this item presented at the next Council Meeting on November 15th, 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 approval of the transfer of responsibility, and that this Resolution be effective immediately upon its passage and adoption.

NOW, BE IT RESOLVED by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City formally ratifies and approves the transfer of responsibility for forfeiture proceedings to the City Attorney's Office, authorizes the Mayor to execute this Resolution and directs and authorizes the City Staff and Legal Counsel 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 November, 2010

APPROVED/EXECUTED

MAYOR, GERALD W. LINDSEY

ATTEST:

APPROVED AS TO FORM:

City Clerk, Cristina G. Whelan, CMC

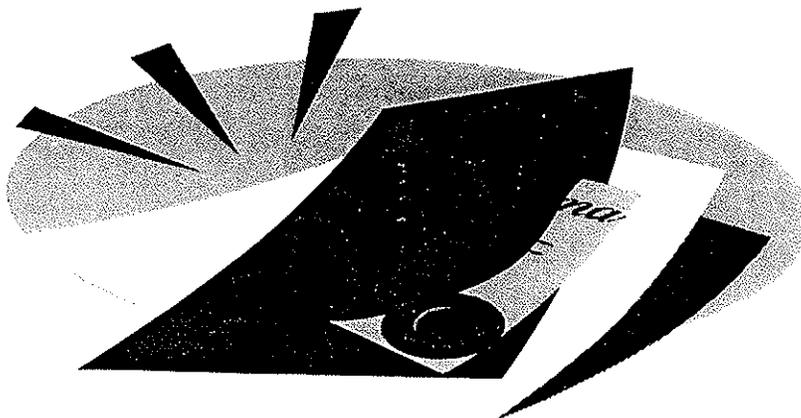
City Attorney, Hector M. Figueroa, Esq.

RESOLUTION NO: 2010-119

NOTICE

This notice is posted due to the possibility of having a quorum present of the Mayor and Council members of the City of Willcox during the

ALL EMPLOYEE MEETING BUDGET REVIEW & EMPLOYEE LETTER OF APPRECIATION



**City Council Chambers
300 W. Rex Allen Drive
Willcox, AZ**

There will be no decisions made during the All Employee Meeting regarding City of Willcox functions and issues.

POSTED THIS 8th DAY OF NOVEMBER 2010

CRISTINA G. WHELAN, CMC
City Clerk Cristina G. Whelan, CMC

"Mine, Yours, Ours"

-----Original Message-----

From: Tom Miner

Sent: Tuesday, November 09, 2010 5:01 PM

To: Pat McCourt; Ruth Graham; Sherry Van Allen; Dave Bonner; Jeff Stoddard; Cristina Whelan; Crystal Hadfield; Sam Lindsey; Monika Cronberg; cdonahue@ncch.com; Stephen Klump; robert_a_irvin@yahoo.com; cabinetman@vtc.net; Woody Johnson; Stone, Laura

Cc: joealmanwx@yahoo.com; Sylvia Stewart; Judy Bailey; Gary Clement; Karla Hansen; Sulphur Springs Valley Historical Society

Subject: ESH Library SGIA-C Grant Approved by AZ State Library!!!

Greetings One and All,

Late yesterday afternoon, we received word that the AZ State Library, Archives and Public Records (ASLAPR) has approved our \$5,000 Grant application for full funding!! These funds do require dollar-for-dollar matching funds. The Grant funds will allow the Library Renovation Project to be **fully completed** by completing the outside ADA access into the Library – new concrete walkways, ADA parking, ADA van-access loading/unloading ramp, and a new curb extending the entire length along the front of the building, providing a much safer, more comfortable experience for our handicapped patrons, and those with mobility issues. This triple-slot ADA parallel parking on Curtis Avenue will also provide some measure of protection for our new Solarium Room addition, outdoor patio, tree, and new grass (Astro-Turf) area. There will still be plenty of adequate, normal parking immediately across the street, as well as along Maley St, just as before, for our other patrons. People attending/using our Meeting Rooms will have plenty of parking on the West side of the building. We have **finally** secured all of the funding necessary to **finish the job!** This is another Great day for the Library! Thank you all for your wonderful support and for the community's and Friends of the Library's support. Words cannot express my heartfelt appreciation.

Tom Miner

Library Director

Elsie S. Hogan Community Library

100 N. Curtis Ave

Willcox, AZ 85643

T: 520-766-4250

F: 520-384-0126

E: tminer@willcoxcity.org

11/10/2010