

ACTION AGENDA

ACTION AGENDA OF THE REGULAR SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, DECEMBER 16, 2014, AT 7:00 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR OERTLE AT 7:00PM.

ROLL CALL

COUNCIL

Councilmember Eugene Conners, Ward I
Councilmember Joan Hansen, Ward II
Councilmember Shirley Doughty, Ward III
Mayor Ron Oertle
Councilmember Anna Cline, Ward III, Mayor Pro Tempore
Councilmember Douglas Dunn, Ward II
Councilmember Serena Sullivan, Ward I

STAFF

Jestin Johnson, City Manager
Ashlee Coronado, City Clerk
Sharon Buono, Finance Director
Thomas J. Klimek, Public Works Director/City Engineer
Robert Coronado, Sergeant at Arms

CITY ATTORNEY

Anne Carl

INVOCATION: A Moment of Silence

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

THE FOLLOWING ITEMS WERE DISCUSSED, CONSIDERED AND/OR DECIDED UPON AT THIS MEETING:

GENERAL BUSINESS:

1. ACCOUNTS PAYABLE: Subject to availability of funds.

ACTION APPROVED

CALL TO THE PUBLIC

NO ACTION REQUIRED

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on October 21, 2014 at 7:00PM.

Ashlee Coronado, City Clerk

- B. Approval of the Minutes of the Regular Session of Mayor and Council held on December 2, 2014 at 7:00PM.
Ashlee Coronado, City Clerk
- C. Approval of the Minutes of the Special Session of Mayor and Council held on November 24, 2014 at 5:30PM.
Ashlee Coronado, City Clerk
- D. Approval of the Appointment of Rick Corley to the Board of Adjustment with a Waiver for the Residency Requirement.
Ashlee Coronado, City Clerk
- E. Approval of the Appointment of Peter Von Gundlach to the Board of Adjustment with a Waiver for Number of Commissions Served.
Ashlee Coronado, City Clerk
- F. Approval of the Appointment of Peter Von Gundlach to the Streets and Infrastructure Committee with a Waiver for Number of Commissions Served.
Ashlee Coronado, City Clerk
- G. Approval of the Appointment of Councilmember Sullivan to the Community Sustainability Commission as the Council Liaison.
Ashlee Coronado, City Clerk
- H. Approval of the Appointment of Councilmember Sullivan to the Upper San Pedro River Partnership as the City of Bisbee Representative.
Ashlee Coronado, City Clerk
- I. Approval of a Special Event Liquor License Application Submitted by the Olde World Church, Inc. for an Event to be Held at 16 Erie Street, Bisbee, on Saturday, February 14, 2015 from 6:00PM to 1:00AM.
Ashlee Coronado, City Clerk

ACTION ITEMS: 2A-2I APPROVED

OLD BUSINESS

- 3. Discussion and Possible Approval to Adopt Ordinance O-14-08, Relating to Increasing the Transaction Privilege Tax Levied by the City of Bisbee by an Additional One Percent of the Gross Revenues or Values that are Subject to such Tax, with All these Additional Revenues to be Used for Maintenance, Repair, Replacement and Improvement of the City Streets and Infrastructure; Amending the City Tax Code; Providing Penalties for the Violation thereof; Designating Effective and Termination Dates; Making Provision for Existing Agreements; Providing for Repeal and Severability; and Otherwise Updating the City Tax Code By Eliminating Archaic Provision 8A-440 Rental Occupancy, which only Pertains to Rental Agreements Entered into Prior to 1967.
Anne Carl, City Attorney

ACTION APPROVED

- 4. Discussion and Possible Approval to Adopt Ordinance O-14-09, Relating to Increasing the Transient Lodging (BED) Tax Levied by the City of Bisbee by an Additional One Percent of the Gross Revenues or Values that are Subject to such Tax, In Addition to the

Applicable Transaction Privilege Tax Rate, with All These Additional Revenues to be Dedicated to Promoting the City of Bisbee As An Overnight Visitor Destination, and with this Increase to Remain in Effect for a Period not to Exceed Four (4) Years; Amending the City Tax Code; Providing Penalties for the Violation therefore; Designating Effective and Termination Dates; Making Provision for Existing Agreements; and Providing for Repeal and Severability.

Anne Carl, City Attorney

ACTION APPROVED

NEW BUSINESS

- 5. Presentation of the City of Bisbee Annual Audit Report for the Year Ended June 30, 2014 by Olivia Brasher, CPA, of Fester & Chapman, P.C.

Sharon R. Buono, Finance Director

NO ACTION REQUIRED

- 6. Discussion and Possible Approval of Notice of Intent to Adopt Ordinance O-14-10, Authorizing the Sale and Transfer of City Property Located at 22 C Star Avenue and also adjacent to “Ogwen Ave.”

Ann Carl, City Attorney

ACTION APPROVED

- 7. Discussion and Possible Approval of a Public Auction for the Transfer of Certain City Property (Parcel A) Located adjacent to 5B Moon Canyon and the Establishment of a Date for Auction and Minimum Bid Price.

Anne Carl, City Attorney

ACTION APPROVED

- 8. Discussion and Possible Approval of a Public Auction for the Transfer of Certain City Property (Parcel B) Located adjacent to 5B Moon Canyon and the Establishment of a Date for Auction and Minimum Bid Price.

Anne Carl, City Attorney

ACTION APPROVED

- 9. Discussion and Possible Approval to Enter into a Contract with ALTA Land Surveying, Inc. of Benson, to Perform a Boundary Survey on the Muh eim House.

Thomas Klimek, Public Works Director

ACTION APPROVED

- 10. Discussion and Possible Approval of a Resolution R-14-22, Authorizing Mayor Oertle to Serve as the City’s Authorized Agent for Purposes of the Administration and Distribution of the Funds for the Tintown Project.

Anne Carl, City Attorney

ACTION APPROVED

- 11. Discussion and Possible Approval to enter into an Agreement between the Arizona Department of Homeland Security for Operation StoneGarden award #140415-01 and the City of Bisbee Police Department in the Amount of \$115,000 of this \$100,000 for Overtime and Employee Related Expenses and \$15,000 for Mileage.

Ben Reyna, Police Chief

ACTION APPROVED

12. Discussion and Possible Approval to enter into an Agreement between the Arizona Department of Homeland Security for Operation StoneGarden award #140415-02 and the City of Bisbee Police Department in the Amount of \$12,000 for Equipment.

Ben Reyna, Police Chief

ACTION APPROVED

13. Discussion and Possible Approval of the Appointment of Mr. Adam Ambrose as the City of Bisbee Magistrate.

Jestin Johnson, City Manager

ACTION APPROVED

14. Discussion and Possible Vote to Enter into Executive Session, per A.R.S. § 38-431.03(A)(4), for discussion or consultation with attorney in order to consider Mayor and Council's position and instruct its attorneys regarding resolving or avoiding legal issues regarding PACE San Jose Waste Water Treatment Plant (WWTP) Solar Project contracts.

Anne Carl, City Attorney

ACTION APPROVED

15. City Manager's Report:

- Other current events

NO ACTION REQUIRED

COUNCIL COMMENTS OR FUTURE AGENDA ITEM SUGGESTIONS: (Council members may suggest topics for future meeting agendas, but Council will not here discuss, deliberate or take any action on these topics.):

NO ACTION REQUIRED

ADJOURNMENT

ACTION APPROVED

Individuals with hearing disabilities can contact the City Clerk's Office (520) 432-6012 to request an Assisted Listening Device, at least 24 hours before the meeting.

Anyone needing special accommodation to attend this meeting should contact Ashlee Coronado at (520) 432-6012 at least twenty-four hours before the meeting.

Public documents referred to herein may be viewed during regular business hours at the City Clerk's Office at 118 Arizona St., Bisbee. Pursuant to A.R.S. § 38-431.03(A)(3), the Council may vote to enter executive session at any point during this meeting for discussion or consultation for legal advice with its attorney(s), who may appear telephonically.