

AGENDA

AGENDA OF THE SPECIAL SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, TO BE HELD TUESDAY, SEPTEMBER 13, 2011, AT 5:30 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING CALLED TO ORDER BY _____ AT _____ PM.

ROLL CALL

COUNCIL

Councilmember Boyd Nicholl, Ward I, Mayor Pro Tempore
Councilmember Bennie Scott, Ward III
Councilmember Luche Giacomino, Ward II
Mayor W.J. "Jack" Porter
Councilmember Anna Cline, Ward III
Councilmember Ransom Burke, Ward II
Councilmember Ken Budge, Ward I

STAFF

Stephen J. Pauken, City Manager
Gloria P. Gonzalez, City Clerk
Dee L. Flanagan, Finance Director
John Charley, Community Development Director
Jim Elkins, Chief of Police
Jack Earnest, Fire Chief
Jennifer L. Graeme, Personnel Director
Tom Klimek, Public Works Director/City Engineer
Peg White, Library Director

CITY ATTORNEY

John A. MacKinnon

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

1. DISCUSSION AND POSSIBLE APPROVAL OF FUNDING, IN THE AMOUNT OF \$8000 (WHICH IS 50% MATCHED FUNDS) FOR THE DESIGN OF THE 8 INCH PVC LINE REPLACEMENT WORK FOR THE TINTOWN WASTEWATER PROJECT.

THOMAS J. KLIMEK, PUBLIC WORKS DIRECTOR

2. DISCUSSION AND POSSIBLE RECOMMENDATIONS TO STAFF FOR AMENDMENTS TO CITY CODE SECTION 2.8 REGARDING BOARDS, COMMISSIONS AND COMMITTEES.

JOHN A. MACKINNON, CITY ATTORNEY

ADJOURNMENT



AGENDA ITEM NUMBER 1

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: 9/9/2011	TYPE OF ACTION: <u> </u> RESOLUTION	SUBJECT: DISCUSSION AND POSSIBLE APPROVAL OF FUNDING IN THE AMOUNT OF \$8000.00 (WHICH IS 50% MATCHED FUNDS) FOR THE DESIGN OF THE 8 INCH PVC LINE REPLACEMENT WORK, FOR THE TIN TOWN WASTEWATER PROJECT.
DATE ACTION REQUESTED: 9/13/2011	<u> </u> ORDINANCE	
<u> X </u> REGULAR CONSENT	<u> X </u> FORMAL ACTION	
	<u> </u> OTHER:	

TO: Mayor and Council

FROM: Thomas J. Klimek, P.E., R.L.S., Public Works Director

RECOMMENDATION: Recommend approval.

PROPOSED MOTION: I move to approve the funding in the amount of \$8000.00 00 (which is 50% matched funds) for the design of the 8 inch PVC Line replacement work for the Tin Town Wastewater Project.

DISCUSSION:

Public Works Department requests approval of funding in the amount of \$8,000.00 for additional design to install approximately 1,265 LF of new sewer for the Tin Town Sewer Project. After an assessment of the current PVC Line, it was determined that the line is in poor condition and needs to be replaced. The following additional work is proposed:

- 1,265 LF of new 8-inch PVC line, approx. 4-6 ft deep (actual depths may vary based on topography)
- 90% of the line will be hard dig
- Existing asbestos cement pipe will have to be removed and properly disposed of in the landfill.
- Utility relocation allowance of \$5,000
- 4 New manholes, including replacement of existing manholes at either end of the line to be replaced.
- Construction Management = 9% of construction cost
- Arizona Department of Environmental Quality Review Fees = \$3,000
- 85 LF of 12-inch casing for the crossing below Hwy 92.

The total cost for construction is estimated at \$310,000.00, which is being funded by the EPA. Furthermore, BECC has agreed to fund 50% of the total design cost, which is \$16,000.00, if The City of Bisbee agrees to fund the remaining 50%. Please see attached 9/8/11 meeting minutes and emails.

FISCAL IMPACT: \$8,000.00
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED: To Be Determined

Prepared by:
Thomas J. Klimek, Public Works Director

Reviewed by:
Stephen J. Pauken, City Manager



**Tintown Wastewater Collection System
Off-Site Sewer Improvements
Meeting Minutes**

Client Contract Reference:		AMEC Project Reference: 15-2010-3005	
Meeting Date: September 8, 2011	Location: Conference Call	Revision:	

Subject of Meeting:
Removal and replacement of existing 6-inch asbestos concrete above ground off-site sewer line.

Purpose of Meeting:
Discuss scope, schedule, fee, and cost-sharing for design of the replacement sewer line.

Attendees:

Jose Alcantara	NADBank
Fernando Escarcega	NADBank
Mark Ipson	AMEC
Tom Klimek	City of Bisbee
Tom Konner	USEPA
Joel Mora	BECC
Bennie Scott	City of Bisbee
Stephen Pauken	City of Bisbee
Mike Worlton	AMEC

Distribution: Attendees Plus

Originated By: Mike Worlton	Date: September 9, 2011
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Reviewed and Agreed By:	Date:
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The following summarizes the substantive items discussed at the above meeting based on the writer's memory. Participants are encouraged to review these notes and respond to AMEC within three business days if any discrepancies exist. If no comments are received by this time, it will be assumed that these notes accurately reflect the content of the meeting.



<u>Minute No.</u>	<u>Subject / Description</u>
1	<p>6-inch AC Pipeline Condition / Field Observation</p> <ul style="list-style-type: none"> - The video inspection and cleaning company, ProPipe, investigated the pipe condition. - ProPipe said that their visual inspection revealed that the pipe is in very poor condition. They observed many holes and multiple patch repairs. - Standard video and cleaning will not be sufficient due to the poor condition of this line. - It was recommended that the line be replaced.
2	<p>50% Matching Funds from the City of Bisbee / Cost</p> <ul style="list-style-type: none"> - The City of Bisbee indicated that they are willing to provide the matching cost of 50% for the funding of final design of the additional sewer line. - The City's commitment is based on a projected design fee of \$16,000 (\$8,000 USD to be paid by the City). - Both BECC and USEPA stated that the estimated \$308,000 construction cost should be covered by BEIF. - The City of Bisbee will coordinate a special council meeting on September 13th to approve funding commitment. - AMEC will provide meeting minutes and a fee estimate by the morning of September 9th so this can be distributed to council members. - BECC funds should be approved within 6 weeks. - The City of Bisbee stated that they wanted USEPA to be conservative in estimating their commitment to funding the construction. - USEPA stated that they should be able to find funding for the projected costs related to the proposed off project sewer upgrades.
3	<p>Design and Construction Timeline</p> <ul style="list-style-type: none"> - Final design should be completed approximately 4 weeks after a notice to proceed is issued. It is anticipated that final design will be complete in mid to late October. - A one month agency review period and comment resolution period is anticipated before final plan approval. Final plan approval is anticipated in late November. - Preparation of the BEIF deal sheet is projected to take 7-8 weeks. Bid documents can be prepared concurrently with this process. It was estimated that the deal sheet should be prepared by late January 2012. - Final certification is estimated to take 1 month, and should be completed by the end of February. - Solicitation for bids is projected to occur by mid March.
4	<p>Summary of Agreements</p> <ul style="list-style-type: none"> - The City of Bisbee has agreed to fund 50% of the design fees for upgrading the existing 6-inch AC sewer that the Tintown project will be tying into. - The USEPA and BECC have agreed to fund the remaining costs for the proposed design and construction. - USEPA and BECC will continue to work with USDA to get an understanding on the required additional work.



Action Items

Item	Description	Responsibility	Status
1	AMEC Will send a contract amendment proposal and meeting minutes to BECC for review by 9/9/2011	AMEC	OPEN
2	BECC will forward the approved contract amendment proposal and minutes to the City of Bisbee by 9/9/2011	BECC	OPEN
3	The City of Bisbee will seek council approval on 50% fund matching for design on 9/13/2011.	City of Bisbee	OPEN
4	BECC and USEPA will continue to coordinate with USDA regarding the addition of the off-site sewer improvements.	BECC / USEPA	OPEN

Tom Klimek

From: Joel Mora [jmora@cocef.org]
Sent: Wednesday, September 07, 2011 10:37 AM
To: Konner.Thomas@epamail.epa.gov; Worlton, Mike; Ipson, Mark; jeff.hooper@az.usda.gov; reed.petersen@az.usda.gov; Dean A. Moulis; tklimek@cityofbisbee.com; spauken@cityofbisbee.com; grenteria@cityofbisbee.com; Caroline Gonzales; Ana Thomas
Cc: Jose Alcantara; Fernando R. Escarcega; Fernando Barrera
Subject: Conference call 9 am tomorrow
Importance: High

Good morning everyone,

Your participation is requested for a conference call tomorrow morning a 9 am AZ time. The conference call information, setup by AMEC, is:

Teleconference #: 1-888-491-2632
Pass code: 11898466

As most of us know, we are trying to complete project development for the Tintown wastewater collection system. However under the revisions of the Final Design, it was noticed that the 6-inch AC pipeline to receive flows from our project requires our attention. Knowing this I have asked AMEC to prepared a rough cost for the design of the pipeline and a very preliminary cost for construction as the below email shows.

The Call will serve to discuss what was recently done to understand the conditions of the line, and the proximate milestones to carry on with project development.

AGENDA:

1. *6-inch AC pipeline current conditions, field observations*
2. *Inclusion of the line to final design*
3. *Current design assumptions and needs*
4. *50% match requirements from City of Bisbee*
5. *Costs involving the pipeline*
 - a. *Design*
 - b. *Construction*
6. *Design Timeline, Final Design completion*
7. *Agreements*

Thank you and talk to you all tomorrow,

Joel Mora, M.S., P.E.

Border Environment Cooperation Commission

Tel: **US:** 877.277.1703 . **MX:** 656.688.4600

Fax: **US:** 915.975.8280 . **MX:** 656.625.6180

9/7/2011

From: Ipson, Mark [mailto:mark.ipson@amec.com]
Sent: Monday, August 22, 2011 6:02 PM
To: Joel Mora
Cc: Worlton, Mike
Subject: RE: Tintown Update

Joel,

We did a conceptual estimate of the anticipated design and construction costs for replacing 1,265 LF of existing 6-inch AC pipe with 8-inch PVC pipe between the proposed tie-in manhole for the Tintown sewer improvements (southwest of Tintown and west of Hwy 92) and the manhole east of Hwy 92 and south of Tintown, where the 10-inch line begins. The rough estimates are as follows:

- Design Cost = Approx \$16,000.
- Construction Cost = Approx \$310,000 (\$280,000 for Construction + \$30,000 for Construction Management and Permitting).

These costs assume the following:

- 1,265 LF of new 8-inch PVC line, approx. 4-6 ft deep (actual depths may vary based on topography)
- 90% of the line will be hard dig
- Existing AC pipe will have to be removed and properly disposed of
- Utility relocation allowance of \$5,000
- 4 New manholes, incl. replacement of existing manholes at either end of the line to be replaced.
- Construction Management = 9% of construction cost
- ADEQ Review Fees = \$3,000
- 85 LF of 12-inch casing for the crossing below Hwy 92.

Please keep in mind that these are only ballpark estimates, and will be refined as we study the costs and proposed improvements in further detail.

Thanks,

Mark Ipson, PE
Project Engineer
AMEC

Water/Wastewater
1405 West Auto Drive
Tempe, AZ 85284
Tel: 480.940.2320
Fax: 480.785.0970
mark.ipson@amec.com

From: Joel Mora [mailto:jmora@cocef.org]
Sent: Monday, August 22, 2011 12:26 PM
To: Ipson, Mark
Cc: Worlton, Mike
Subject: RE: Tintown Update

Hi Mark,

Is it possible for you to give me a rough estimate on your design cost for the 6" AC pipe and also a quick and dirty on what you think it will cost to construct?

I will give you a call after my lunch, (1:45 AZ time).

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Thanks,

Joel Mora, P.E.

PM - BECC

From: Ipson, Mark [mailto:mark.ipson@amec.com]
Sent: Monday, August 22, 2011 10:23 AM
To: Joel Mora
Cc: Worlton, Mike
Subject: RE: Tintown Update

Hi Joel,

Thanks for your response. We'll wait to hear back from you then.

Thanks,

Mark Ipson, PE
Project Engineer
AMEC

Water/Wastewater
1405 West Auto Drive
Tempe, AZ 85284
Tel: 480.940.2320
Fax: 480.785.0970
mark.ipson@amec.com

From: Joel Mora [mailto:jmora@cocef.org]
Sent: Monday, August 22, 2011 9:06 AM
To: Ipson, Mark
Cc: Worlton, Mike
Subject: RE: Tintown Update

Thank you for the below email Mark, and based on what you are telling me, it feels as we don't even need to go inspect/clean the line. Pro-pipe field observations are clear that it may be better to replace the segment.

I will be discussing this with EPA, and it may be possible that we do have you guys expanding the final design to include the line as part of the project.

-jm

Joel Mora, P.E.

PM - BECC

From: Ipson, Mark [mailto:mark.ipson@amec.com]
Sent: Friday, August 19, 2011 5:50 PM
To: Joel Mora
Cc: Worlton, Mike
Subject: Tintown Update

Joel,

I spoke with Pro-Pipe (our pipe inspection/cleaning subconsultant) today. They just returned from the Tintown area, where they walked along the existing 6-inch AC sewer line with Gaston from the City of Bisbee to see how feasible the video

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investigation/cleaning would be. Pro-Pipe offered the following comments based on their field observations:

- The pipe is in very poor condition. They observed many holes and multiple patch repairs, some of which are made of PVC black tape and tin. In looking at a few of the repairs, it appears some portions of the pipe may have broken apart in chunks.
- If Pro-Pipe starts cleaning and the line starts breaking apart, they would have to stop their work. There is no guarantee that the line can be videoed.
- The existing manholes are too small for Pro-Pipe to get their cameras into. A 2-ft long hole would have to be cut in each section of 6-inch line at each manhole so they can insert their cameras for the line inspection.
- The limited vehicular access to the line and manholes make the inspection efforts more challenging, as their lines would have to be pulled from a truck a little distance away.
- There are two 90-degree bends in the line (one aboveground, one belowground) where it drops belowground just before it crosses the highway. This vertical section of line cannot be cleaned and/or inspected. The horizontal lines on either side of the drop could probably still be cleaned/inspected.
- Pro-Pipe believes the cleaning/inspection work can probably be done, but it will be a lot more difficult and time consuming than standard inspection/cleaning jobs for easily-accessible lines located within streets.

Pro-Pipe stated that based on what they saw, they are surprised that the line is still functional, and they don't know if it's a good idea to tie into that line. They are planning to send us an updated proposal for their work by the end of the day Monday. However, due to the poor condition of this line, it sounds like the fee will be significantly higher than what they had previously quoted, as their previous quote was based on the assumption that the line was in relatively good condition and was easily accessible.

I will forward the updated proposal from Pro-Pipe to you early next week, once we receive it from Pro-Pipe.

Please feel free to call if you have any questions.

Mark Ipson, PE
Project Engineer
AMEC

Water/Wastewater
 1405 West Auto Drive
 Tempe, AZ 85284
 Tel: 480.940.2320
 Fax: 480.785.0970
mark.ipsen@amec.com

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AGENDA ITEM NUMBER 2

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: September 9, 2011	TYPE OF ACTION: <input type="checkbox"/> RESOLUTION	SUBJECT: DISCUSSION AND POSSIBLE RECOMMENDATIONS TO STAFF FOR AMENDMENTS TO CITY CODE SECTION 2.8 REGARDING BOARDS, COMMISSIONS AND COMMITTEES.
DATE ACTION REQUESTED: September 13, 2011	<input type="checkbox"/> ORDINANCE	
<input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> CONSENT	<input type="checkbox"/> FORMAL ACTION	
	<input checked="" type="checkbox"/> OTHER:	

TO: Mayor and Council
FROM: John A. MacKinnon, City Attorney
RECOMMENDATION: Possible Recommendations to staff.
PROPOSED MOTION: At Council's Discretion.

DISCUSSION: Currently there is little consistency in the time, manner and location at which the various boards and commissions meet. This makes it more difficult for the public to attend, participate or to watch the proceedings, as our technology improves. There is also no consistency in when the various terms of the members end. This problem is compounded every time a replacement member assumes a new term during an unexpired term of a prior member. This creates confusion for the members themselves and for staff members supporting these boards and commissions. The attached is presented for discussion and possible recommendations, to determine if there is support for going forward with any changes, to make this a more uniform process.

FISCAL IMPACT: \$ NA
DEPARTMENT LINE ITEM ACCOUNT:
BALANCE IN LINE ITEM IF APPROVED:

Prepared by: Gloria P. Gonzalez Reviewed by: W.J. Porter
Gloria P. Gonzalez, City Clerk W.J. Porter, Mayor

ARTICLE 2.8 BOARDS, COMMISSIONS AND COMMITTEES

(O-94-38)

2.8.1 Policy

The City Council of the City of Bisbee encourages citizens to ~~service~~ serve on ~~the~~ its various advisory boards, commissions and committees. The thousands of hours donated each year by citizen volunteers are extremely helpful to the Council in making decisions concerning the many complex issues that face this community. Because ~~their~~ this input is valuable, the City Council has established the following guidelines for becoming a member of these advisory boards, commissions and committees. ~~This policy applies to all advisory committees except those whose membership is established by the City Charter of the City of Bisbee.~~

- A. Residency. Applicants must have resided within the City of Bisbee's corporate limits for at least one year prior to being appointed and must continue to so reside during the term of their appointment.
- B. Length of Term. ~~Term is defined as a period of time as set forth in the enabling ordinance or not to exceed two (2) consecutive calendar years. A full term shall be four (4) years. A person appointed to complete a term vacated by a prior member shall serve for the remainder of that term.~~
- C. Length of Service. No member of any board, committee or commission may be appointed to serve more than two consecutive full terms, or more than two and one half terms if the person was originally appointed to complete the remainder of the term of a vacated position or a shorter transition period. ~~After serving two consecutive terms this maximum time period, a 1-year period shall expire before membership to the same committee is considered.~~
- D. Number of Committee Memberships. No person shall be a member of more than one advisory committee at one time.
- E. Ad Hoc Committee or Special Task Force. With the exception of the residency requirement, † these requirements will not apply to ad hoc committees or special task forces established by the City Council. ~~except the residency requirement.~~
- F. Waiver of Requirements. The above requirements may be waived by the City Council. An applicant who desires to serve on an advisory committee may complete a Waiver of Requirements Request form and submit it with the application. ~~The Application and Waiver of Requirements Request forms are~~ is available from the City Clerk's office.

2.8.2. Standard Provisions Applicable to All Boards, Commission and Committees.

Notwithstanding any other provisions in any ordinance, resolution or bylaws creating or authorizing any board, commission or committee or its actions, the following provisions shall be uniformly applied to all boards, commissions and committees of the City of Bisbee:

- A. Each board, commission or committee shall hold all of its regular meetings in the Council Chamber at City Hall and these meetings shall commence at 5:30 P.M. Special meetings may only be held at other locations and at other times as particular circumstances may require.
- B. All public meetings held in the Council Chambers shall be broadcast over the City's public access television channel, subject to the availability of the necessary equipment and access.

- C. Each board, commission or committee shall have seven (7) members. For any such board, commission or committee that has been previously authorized to have more than seven members, the current members shall be allowed to continue to serve until the expiration of their present terms, but no more than seven positions will be filled upon the expiration of these terms or the resignation of any current members.
- D. Each board, commission or committee shall be assigned a specific date for the beginning and ending of the terms for all members of that board, commission or committee. In alphabetical order, the City Clerk shall assign the first board, commission or committee an initial term date of January 2, 2014; the second an initial term date of July 1, 2014; and the third an initial term date of January 2, 2014. This process shall be continued, alternating the assigned dates, until all existing boards, commissions and committees have been assigned one of these two dates. Thereafter, the terms of the designated members of that board, commission or committee shall expire on this date or the appropriate anniversary of that date. For any newly created board, commission, or committee, the City Clerk shall assign either a January or July term date within the next even numbered year to that group, attempting to maintain a balance between the use of the two dates.
- E. To allow for the staggering of the terms of the members of each board, commission or committee, the City Clerk shall randomly select three members of that group (or one less than a majority if there are currently more than seven members) to have an initial term ending on the designed term day in 2014. The remainder of the members of that group shall have an initial term ending on the designated term date in 2016. For newly created boards, commissions or committees, this same process shall be used, designating the members for the next even numbered years.
- F. Thereafter, any replacement for a member who resigns or is otherwise unable to fulfill his or her term shall serve the remainder of the designed term for that member. All subsequent terms shall be for a four (4) year period, beginning from the designated term date for that position.
- G. The existing terms of all board, commission and committee members serving upon the effective date of this standard provision shall be extended as necessary to allow for this transition into these new, uniform term periods.