



REQUEST FOR MAYOR & COUNCIL ACTION

Session of: May 5, 2015

Regular Special

DATE ACTION SUBMITTED: April 29, 2015

REGULAR CONSENT

TYPE OF ACTION:

RESOLUTION ORDINANCE FORMAL ACTION OTHER

SUBJECT: **DISCUSSION AND POSSIBLE APPROVAL OF A CHANGE ORDER #1 FOR WESTLAND RESOURCES, INC. OF TUCSON, ARIZONA FOR A 90-DAY TIME EXTENSION TO COMPLETE OLD BISBEE LATERAL PRELIMINARY ENGINEERING REPORT (PER) FROM MAY 15 TO AUGUST 15, 2015.**

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

RECOMMENDATION: Recommend Approval

PROPOSED MOTION: I move to approve a Change Order #1 for Westland Resources, Inc. of Tucson, Arizona for a 90-Day time extension to complete Old Bisbee Lateral Preliminary Engineering Report (PER) from May 15 to August 15, 2015.

DISCUSSION:

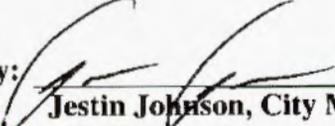
Public Works recommends approval of Change Order #1 for Westland Resources, Inc. of Tucson, Arizona for a 90-Day Time Extension to complete Old Bisbee Lateral Preliminary Engineering Report (PER) from May 15 to August 15, 2015.

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared by: 
Thomas J. Klimek, P.E.,R.L.S
Public Works Director/City
Engineer

Reviewed by: 
Justin Johnson, City Manager

Tom Klimek

From: Tom Klimek
Sent: Monday, April 27, 2015 3:51 PM
To: 'Kara Festa'
Cc: Dina Miller; Lorena Valdez; Erik Christenson; Jestin Johnson; Andy Haratyk
Subject: RE: Old Bisbee Laterals - Archeological Treatment Plan & Determination of National Environmental Protection Agency Adequacy Worksheet

Kara: I thank you for your e-mail and consider this to be a reasonable request. Tom

From: Kara Festa [<mailto:kfesta@westlandresources.com>]
Sent: Monday, April 27, 2015 3:30 PM
To: Tom Klimek
Cc: Dina Miller; Lorena Valdez; Erik Christenson
Subject: RE: Old Bisbee Laterals - Archeological Treatment Plan & Determination of National Environmental Protection Agency Adequacy Worksheet

Tom:

Per our conversation, our currently planned schedule would work for July 15th completion, but the current schedule assumes a 2 week turnaround on reviews by Bisbee and BECC and just general agreement by all on the current approach to the Alternatives and Selection of an Alternative. Just in case we end up needing to do more extensive work for some reason to finish up the report, I'd like to build in a little bit of a buffer and ask for the time extension for 3 months, which would extend the contract until August 15th. No change in total contract price.

Take care,
Kara

Kara D. Festa, P.E. | Vice President
WestLand Resources, Inc.
4001 E Paradise Falls Drive | Tucson, AZ 85712
Office (520) 206-9585 | Mobile (520) 419-4821

From: Tom Klimek [<mailto:TKlimek@bisbeeaz.gov>]
Sent: Wednesday, April 22, 2015 12:31 PM
To: Kara Festa
Cc: Dina Miller; Lorena Valdez
Subject: Old Bisbee Laterals - Archeological Treatment Plan & Determination of National Environmental Protection Agency Adequacy Worksheet

Kara: With May right around the corner and the anticipation of completion of the PER and the above referenced documents what is our strategy for moving forward with agency review and approvals? I suggest that we meet soon, maybe next Monday at 10:00 am your shop to discuss the PER and where we go from here. The way the proposal reads, it calls for the submittal and approval of the PER to funding agencies and the contract makes reference to a 10 month schedule subject to mutual agreement to extend the completion date. As of now the contractual completion date is May 15, 2015. Knowing that our next Public Meeting is scheduled for May 27th, 2015 a request for time extension is in order. I would go to City Council on May 5th and request a two month time extension to July 15, 2015 if that seems appropriate.

Also, I would like to discuss how best to transition from the PER, apply for an application to BECC & others for Design and an eventual USDA-RD grant to fund construction.

Please share your thoughts! Thank You! Tom

Thomas J. Klimek, P.E., R.L.S.
City Engineer / Public Works Director
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Bisbee, Arizona 85603
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e-mail: tklimek@cityofbisbee.gov

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, MAY 5, 2015, 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 Ronald 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
Albert Echave, Interim Police Chief
Jack Earnest, Fire Chief
Thomas J. Klimek, Public Works Director/City Engineer

CITY ATTORNEY

Britt Hanson

INVOCATION: A Moment of Silence

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- National Day of Prayer
- Letter Carriers' Food Drive Day
- Certificate of Congratulations for Mike Froscio

CALL TO THE PUBLIC

NO ACTION REQUIRED

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

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Work Session of Mayor and Council held on March 24, 2015.
Nina Williams, Deputy City Clerk
- B. Approval of the Minutes of the Regular Session of Mayor and Council held on April 21, 2015.
Nina Williams, Deputy City Clerk
- C. Approval of a Park, Facility and Right-of-Way Use Permit for the Closure of Main Street by Library and Bank for Approximately One Hour; between 8:30AM and 9:30AM on Sunday, May 17, 2015 for the Purpose of Photographing a Group of All Bisbee Artists for Historical Preservation.
Thomas Klimek, Public Works Director
- D. Approval of a Park, Facility and Right-of-Way Use Permit for the Boys and Girls Club for the use of Arizona Street (between D'Autremont and Ruppe Street) for the 7th Annual Cars & Bikes on Arizona Street Show to be held on Saturday, September 5, 2015 from 6:00AM to 5:00PM.
Ashlee Coronado, City Clerk
- E. Approval of a Park, Facility and Right-of-Way Use Permit for the use of Howell Avenue in front of the Copper Queen Hotel for a Street Dance Friday, June 19, 2015 from 7:00PM to Midnight.
Ashlee Coronado, City Clerk
- F. Approval of an Application for an Extension of Premises/Patio Permit Submitted by the Copper Queen Hotel for an Event to be held at 11 Howell Avenue, Bisbee, Arizona on Friday, June 19, 2015; Dan Finck Applicant .
Ashlee Coronado, City Clerk
- G. Approval of a Park, Facility and Right-of-Way Use Permit for the use of Howell Avenue in front of the Copper Queen Hotel for a Halloween Street Dance Saturday, October 24, 2015 from 8:00PM to Midnight.
Ashlee Coronado, City Clerk
- H. Approval of an Application for an Extension of Premises/Patio Permit Submitted by the Copper Queen Hotel for an Event to be held at 11 Howell Avenue, Bisbee, Arizona on Saturday, October 24, 2015; Dan Finck Applicant .
Ashlee Coronado, City Clerk
- I. Approval of a Special Event Liquor License Application Submitted by the Rough Riders MC for an Event to be held at 22 Brewery Avenue on Saturday, June 6, 2015 from 5:00PM to 11:00PM.
Ashlee Coronado, City Clerk
- J. Approval of a Park, Facility and Right-of-Way Use Permit for the use of Goar Park, City Park, Subway and Various Parking Areas for the Bisbee Pride Festival & Street Fair on Friday, June 19, 2015 from 2:00PM to Midnight and on Saturday, June 20, 2015 at Grassy Park, Subway and Goar Park from 7:30AM to 6:00PM and at City Park from 2:00PM to Midnight.
Ashlee Coronado, City Clerk

- K. Approval of a Special Event Liquor License Application Submitted by Bisbee Pride, Inc. for an Event to be held at City Park on Friday, June 19, 2015 and Saturday, June 20, 2015 from 6:00PM to Midnight; Kathy Sowden, Applicant.
Ashlee Coronado, City Clerk

- L. Approval of a Park, Facility and Right-of-Way Use Permit for the use of 100 Tombstone Canyon to City Park for the Bisbee Pride Parade on Saturday, June 20, 2015 from 7:00PM to 8:00PM.
Ashlee Coronado, City Clerk

- M. Approval of a Special Event Liquor License Application Submitted by Bisbee Pride, Inc. for an Event to be held at Grassy Park on Saturday, June 20, 2015 from 10:00AM to 5:00PM; Kathy Sowden, Applicant.
Ashlee Coronado, City Clerk

ACTION ITEMS: 2A-2M APPROVED

OLD BUSINESS

NEW BUSINESS

- 3. Discussion and Possible Approval of Notice of Intent to Adopt Ordinance O-15-03, Authorizing the Sale and Transfer of City Property ("Parcel"), a portion of lots 233, 234, 235 and 236, and a portion of the public right of way in Block 26 of Bisbee Townsite, located on Adams Ave. near 5B Moon Canyon.
Jestin Johnson, City Manager

ITEM WAS TABLED

- 4. Discussion and Possible Approval of Airport Improvement Program (AIP) Agreement for Transfer of Entitlements of \$300,000 of Fiscal Year 2012 and 2013 Federal Funds From the City of Bisbee, Bisbee Municipal Airport (PO4) to the City of Safford, Safford Municipal Airport (SAD).
Thomas Klimek, Public Works Director

ACTION APPROVED

- 5. Discussion and Possible Approval of a Change Order #1 for Westland Resources, Inc. of Tucson, Arizona for a 90-Day Time Extension to complete Old Bisbee Lateral Preliminary Engineering Report (PER) From May 15 to August 15, 2015.
Thomas Klimek, Public Works Director

ACTION APPROVED

- 6. Discussion and Possible Approval Authorizing City of Bisbee to Enter into an Intergovernmental Agreement Between Cochise County and the City of Bisbee for Sharing the Wireless Emergency Notification System.
Albert Echave, Interim Chief of Police

ACTION APPROVED

- 7. Discussion and Possible Approval for the Acquisition of Various Road Repair/Construction Equipment from Eagle Asphalt.
Jestin Johnson, City Manager

ACTION APPROVED

8. Discussion and Possible Approval of Resolution R-15-06 to Recognize Arizona Youth with Deferred Action for Childhood Arrivals as Arizona State Residents for Purposes of Educational Benefits, Including In-State Tuition, Financial Aid, and Scholarships.
Serena Sullivan and Eugene Conners, Councilmembers WARD I

ACTION APPROVED

9. 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.):

- Councilmember Dunn would like to comment on the distribution of the iBisbee Committee "Report to the City Council".
- Councilmember Conners would like to comment on a Town Hall meeting for Ward I that will take place the weekend after the Officer Involved Shooting Investigation has been completed.
- Councilmember Sullivan would like to comment on the progress of the Bisbee Community Garden Program and the Needed Sustainability Commission members.

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.