

NOTICE OF A PUBLIC MEETING

GILA BEND TOWN COUNCIL

March 29; 5:00 p.m.

Gila Bend Unified School District Media Center
308 N Martin Ave. Gila Bend, AZ 85337

Agenda

Pursuant to ARS 38-431.02, notice is hereby given that the TOWN COUNCIL will hold a Council meeting on March 29, 2016 beginning at 5:00 p.m., in the Gila Bend Unified School District Media Center located at 308 N Martin Ave., Gila Bend, Arizona. A copy of the final agenda will be available twenty-four hours prior to the meeting in the Town Clerk's Office, 644 West Pima, Gila Bend, AZ 85337.

I. CALL TO ORDER

- A. Call to order
- B. Pledge of Allegiance
- C. Invocation

II. ROLL CALL

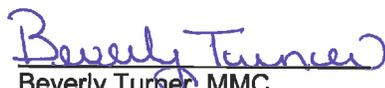
Mayor Chuck Turner
Vice-Mayor Ron Henry
Council Member Fernando Fernandez
Council Member Clyde Kreeger

Council Member Jesus Rubalcava
Council Member Tommy Lee Sikes
Council Member James "Bud" Turner

III. NEW BUSINESS

- A. **Airebeam Presentation:** The Mayor and Town Council may discuss a proposal presented by Airebeam to provide Broadband Services in Gila Bend. **Discussion only**
- B. **Utility Easement Robert Morton:** Robert Morton will address the Mayor and Council regarding a requested utility easement by the Town for the redundant waterline. **Discussion and Action**
- C. **Executive Session:** The Mayor and Town Council may enter into executive session pursuant to A.R.S. 38-431.03(A)(1); personnel matters regarding Town Manager position. **Discussion and Action**
- D. **Town Manager Position:** The Mayor and Town Council may discuss and possibly take action regarding the Town Manager position. **Discussion and Action**

IV. ADJOURNMENT


Beverly Turner, MMC
Town Clerk

03/25/16
Date posted

Before 4:00 pm
Time

REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES AND PERSONS WITH LIMITED ENGLISH PROFICIENCY WILL BE PROVIDED UPON REQUEST. PLEASE TELEPHONE YOUR ACCOMMODATION REQUEST (928 683-2255 OR 1-800-367-8939 ADD ARIZONA RELAY SERVICE) 72 HOURS IN ADVANCE IF YOU NEED A SIGN LANGUAGE INTERPRETER OR ALTERNATE MATERIALS FOR A VISUAL OR HEARING IMPAIRMENT; FOR AN ENGLISH TRANSLATOR CALL 928 683-2255.

LOS ALOJAMIENTOS RAZONABLES PARA PERSONAS CON INCAPACITATES Y PERSONAS CON LA PERICIA INGLESA LIMITADA SERAN PROPORCIONADOS SOBRE EL PEDIDO. TELEFONEE POR FAVOR SU PEDIDO DEL ALOJAMIENTO (928 683-2255 O 1-800-367-8939 AGREGAN ARIZONA EL SERVICIO DEL RELEVO) 72 HORAS EN EL AVANCE SI USTED NECESITA A UN INTERPRETE DE LENGUAJE POR SEÑAS O ALTERNA LAS MATERIAS PARA UN VISUAL O DETERIORO DE VISTA; PARA UNA LLAMADA INGLESA DE TRADUCTOR 928 683-2255.

Town Manager Approval

Initial



Date





March 18, 2016

**Ron Henry, Vice Mayor
Town of Gila Bend
Gila Bend, Arizona 85337**

Subject: AireBeam in Gila Bend

Dear Vice-Mayor Henry:

As you know, Scott Swanson, one of AireBeam's customers, owner of Leaf Verde RV Resort in Buckeye and KOA in Gila Bend, advised me of the pending closure of Cable America in Gila Bend, and you and I have discussed the possibility of AireBeam providing Broadband services in Gila Bend. The purpose of this letter is to formally document AireBeam's intention to provide services to the Town and surrounding areas and the assistance that we need from the Town to make our venture profitable and sustainable.

AireBeam is a fixed wireless broadband provider. We use 5ghz microwave equipment to deliver broadband speeds from 1mbps up to 1 gigabit to residential and commercial subscribers. As a wireless provider, we are dependent on elevated locations from which to broadcast our signals. We can use existing utility poles, buildings and towers and we construct light duty towers no higher than 80' which are either guyed with wires to anchor points on the ground, bolted to an existing structure or free standing. In order to provide the best service to consumers, we try to put out broadcast points on 4 mile centers from each other. I have requested the addresses of all tax payers or utility customers from the town (which I have not yet received) so that I can geoplot their addresses and the design the tower locations necessary to provide service to all residents and businesses in the Gila Bend town and surrounding areas. As soon as I receive that information, I will create the design and share it with the Town.

AireBeam has already placed on order a 1 gigabit fiber connection to be delivered to the existing building at the location of the Tower at 901 Logan Ave. This 1 gigabit fiber will replace Cable America's 155mbps fiber and provide plenty of bandwidth for Gila Bend today and in the future. It can be upgraded to 10 gigabits in the future, should we need more bandwidth. We are awaiting the Firm Order Commitment from Century Link but estimate the delivery to be sometime in June, 2016.

In the meantime, we have asked Cable America to keep the service live to their 114 existing customers for 90 days. During that time, if CA provides us with spare cable modems, our Tonopah based service tech, a former cable installer, will provide onsite service to customers with failed connections. We will not have the capability of repairing the cable plant if it fails and understand that CA no longer has repair resources in Arizona. So, that remains a risk to continuing temporary service.

Powering Community Broadband

FibAire Communications, LLC d/b/a Airebeam
PO Box 1848
Arizona City, AZ 85123

Tel: 520-233-7400
Fax: 520-844-8040
Email: gaf@bluerivernet.com

To enable AireBeam to build its wireless network in Gila Bend, we have asked the Town to secure the 192-foot tower, building and generator at 901 Logan. We will need those facilities to house the "headend" of our network. In exchange for AireBeam providing free fast Internet service to all town buildings, we have asked for the right to use these facilities for a yearly fee of \$1 per year.

We have a long standing policy of offering employees of our business and government customers a 10% discount on monthly service fees if they become AireBeam customers at their residences. AireBeam will offer the following services in Gila Bend:

- 1) Internet broadband access with no data caps
- 2) ePhone VOIP Telephone service with unlimited local and long distance calling
- 3) StreamVision Television Service presenting the more than 50 Phoenix television channels

AireBeam's service terms are simple and generous:

- 1) Installation is free
- 2) There is no term contract
- 3) Customer verbally agrees to keep the service for a minimum of 90 days
- 4) There is a one-time, small activation fee for each of our services.
- 5) We also offer a Summer Break program for winter visitors that enables these customers to put their services on billing hold for the summer while they return to their cooler Northern residences for a small, once a season fee.

As I mentioned to you Ron, becoming cash flow positive quickly is essential for AireBeam or any other service provider in order for us to build a sustainable business. To do that, we're going to need at least 200 paying customers, more than the 115 customers that Cable America had. The good news is that our covered service area is not dependent upon cable infrastructure and we can build almost an infinite amount of coverage to make sure that we can provide service to every Gila Bend customer that want it. We are eager for business customers in Gila Bend to become our customers. To that end we will attend the Chamber meeting on April 6, 2016 to answer questions and invite the business community to become our customers.

Additionally, we will attend the Town Council meeting on March 29th at 5:00pm. If you would like to invite the business community to a meeting before or after the Town Council meeting, we would certainly be willing to attend.

As I mentioned, AireBeam will provide the Town with free Internet service at each of the town operated locations where the Town want service. We can also build the town a wide area network connecting all of its administrative locations so that they can share access to Town information systems.

We are excited to be able to come to Gila Bend. We want to provide the best service that Gila Bend has ever had, equal to the services that we provide throughout Pinal and Maricopa Counties (from Good-year, west).

I hope that I have answered all of the questions that you, the Mayor and the Town Council may have and my presence at the meeting on the 29th will enable me to address any issues or concerns not addressed here.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory A. Friedman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gregory A. Friedman, Owner
Managing Member, AireBeam



Job Title:	Town Manager	Salary Range:	\$75,000 to \$94,000 Annually DOQ, DOE; FLSA Exempt
Recruitment Dates:	Open until filled		

TOWN OF GILA BEND, AZ
Population 2,000

The Town of Gila Bend is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Town will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

The Town of Gila Bend, a small outlying community in Maricopa County is seeking an experienced hands-on Town Manager. This position receives policy direction from the Town Council in planning, organizing and directing the overall administrative activities and operations of the Town; advises and assists the Town Council; represents the Town's interest with other levels and agencies of government, business interests and the community at large; and exercises direct supervision over management, professional and clerical staff.

This is the Town's top appointed position directly accountable to the Town Council. The Town Manager is responsible for providing direction to the departments to carry out the mission, goals and work program of the Council. The incumbent performs work that is of the highest complexity and often requires intense and exacting mental attention and ability to reason through and solve complex problems. The incumbent has extensive contact with public officials, employees and the general public.

DESIRABLE EXPERIENCE AND TRAINING:

Any relevant combination of education and experience that would demonstrate the knowledge, skills, and abilities outlined above is qualifying. A typical way of gaining the knowledge, skills, and abilities is:

Education: A Bachelor's degree from an accredited college or university with a major in political science, urban planning, business or public administration or closely related field. A Master's degree is highly desirable as in the above accreditation.

Experience: Ten (10) years of increasingly responsible municipal administrative experience, including significant administrative and personnel management responsibilities, five (5) years of which is at the Town Manager, Assistant Town Manager or Department Head level.

The Town of Gila Bend provides excellent employee benefits, including generous health insurance benefits for the employee and the employee's eligible dependents.

Application Procedure

Please submit the following by mail, e-mail, or fax. :

- (1) Letter of Interest
- (2) Detailed Resume (with Salary History)
- (3) Five (5) Work Related References

declaration of such emergency, the mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the town, including but not limited to:

- (1) Imposition of a curfew on all or any portion of the town.
- (2) Ordering the closing of any business.
- (3) Closing to public access any public building, street, or other public place.
- (4) Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.

(E) Provide an annual state of the town address each year at a time and place to be determined by the mayor.

(1996 Code, § 2.08.020) (Ord. 03-07, passed - - ; Ord. 11-09, passed 8-9-2011)

§ 31.027 ABSENCE OF MAYOR.

The Mayor shall not absent himself or herself from the town for a greater period than 15 days without the consent of the Council.

(1996 Code, § 2.08.030)

§ 31.028 VICE-MAYOR.

At the same meeting at which the Mayor is selected, the Council shall designate one of its members as Vice-Mayor, who shall serve at the pleasure of the Council. The Vice-Mayor shall perform the duties of the Mayor during the Mayor's absence or disability.

(1996 Code, § 2.08.040)

§ 31.029 FAILURE TO SIGN DOCUMENTS.

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his or her signature for five days consecutively, then a majority of the members of the Council may, at any regular or special meeting, authorize the Vice-Mayor, or in his or her absence an acting Mayor, to sign the ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the Mayor.

(1996 Code, § 2.08.050)

~~TOWN MANAGER~~

§ 31.040 CREATION OF OFFICE.

The Office of Town Manager is created.
(1996 Code, § 2.12.010) (Ord. 78, passed - -1978; Ord. 91-03-001, passed - -; Ord. 92-05-001, passed - -)

§ 31.041 APPOINTMENT.

The Town Manager shall be hired by a majority vote of the Town Council pursuant to the provisions of A.R.S. § 9-303, as amended. The Town Manager shall be chosen by the Town Council on the basis of his or her executive and administrative qualifications

and his or her knowledge of accepted practice in respect to the duties of the office, as set forth hereinafter.

(1996 Code, § 2.12.020) (Ord. 78, passed - -1978; Ord. 91-03-001, passed - -; Ord. 92-05-001, passed - -)

§ 31.042 REMOVAL.

The Town Manager may be removed by the Council by a majority vote of its members pursuant to the provisions of A.R.S. § 9-303. The action of the Town Council in removing the Town Manager shall be final.

(1996 Code, § 2.12.030) (Ord. 78, passed - -1978; Ord. 91-03-001, passed - -; Ord. 92-05-001, passed - -)

§ 31.043 POWER AND DUTIES.

The Town Manager shall be the chief administrative officer as head of the day to day operations of the town. He or she shall be responsible to the Town Council for proper administration of all affairs of the town. He or she shall have the power and duties as follows:

(A) Advertise, hire, suspend or remove, and maintain the personnel files of all town employees except the Town Attorney, the Town Auditor, Town Accountant, Town Magistrate, Town Clerk, Fire Chief, Building Official, Civil Defense Officer and any other position or office appointed by the Town Council. The Town Manager shall keep the Town Council timely advised as to all personnel matters as hereinbefore stated;

(B) Prepare and present written and/or oral staff reports at all regular Town Council meetings;

(C) Be primarily responsible for preparing and/or assisting in preparing the budget annually, and submitting it to the Town Council, and further, be responsible for its administration during the fiscal year after its adoption;

(D) Prepare and submit to the Council as of the end of every fiscal year, a complete report on the finances and administrative activities of the town for the preceding year;

(E) At a minimum on a quarterly basis keep the Town Council advised of the financial condition and future needs of the town, and make recommendations as he or she may deem advisable;

(F) Recommend to the Town Council in writing, from time to time, for adoption, such measures as he or she may deem necessary;

(G) Be primarily responsible to seek out, research and apply for any and all applicable grant moneys available to the town;

(H) Consolidate or combine offices, positions, departments or units under his or her chain of authority, subject to the approval of the Town Council. The Town Manager may be the head of one or more departments;

(I) Attend all meetings of the Town Council unless excused or directed by the Town Council;

(J) Make investigations into the affairs of the town or any department or division thereof, and all complaints in relation to any and all matters concerning the administration of the town. The Town Manager shall properly and promptly advise the Town Council as to the nature and results of any investigations;

(K) Be hired exclusively with the town as Town Manager;

(L) Perform other duties as may be required or assigned by the Town Council, the additional duties being consistent with the laws of the state and the ordinances, resolutions and laws of the town. Further, the Town Manager shall attend governmental related associations, seminars or conferences as either directed and/or authorized by the Town Council;

(M) Inventory and develop to the fullest potential any and all real estate and personal properties owned

or controlled by the town. The Town Manager shall advise and coordinate all efforts in the development of the real estate holdings with the Planning and Zoning Commission;

(N) See all laws, town code provisions, ordinances, resolutions and policies and procedures of the town are duly enforced; and

(O) The Manager shall hold the office of Town Treasurer and receive and safely keep all moneys that shall come to the town and pay out the same when authorized by the Council. The Manager shall countersign all warrants issued by order of the Mayor and Council and signed by the Mayor. The Manager shall keep a separate record and account of each different fund provided by the Council, apportion the moneys received among the different funds as prescribed by the Council and keep a complete set of books showing every money transaction of the town, the state of each fund, from what source the money in each fund was derived and for what purpose expended. The Manager shall make monthly reports to the Council of all receipts and disbursements and the balance in each fund. At the end of the fiscal year, the Manager shall make a full and detailed statement of the receipts and expenditures of the town during the year specifying the different sources of revenue and the amount received from each, all appropriations made by the Mayor and Council, and the object for which they were made, and the amount of money expended under each, the evidences of indebtedness issued, and what portion remains thereof outstanding, with the rate and amount of interest due thereon, and the amount of cash on hand.
(1996 Code, § 2.12.040) (Ord. 78, passed - -1978; Ord. 91-03-001, passed - -; Ord. 92-05-001, passed - -; Ord. 98-03, passed - -; Ord. 03-07, passed - -)

§ 31.044 COUNCIL NOT TO INTERFERE WITH APPOINTMENTS OR REMOVALS.

Individual members of the Council shall not direct or request the appointment of any person to, or removal from office. Council members shall deal with the administrative service solely through the Town

Manager and no Council member shall give orders to any subordinates of the Town Manager, either publicly or privately.

(1996 Code, § 2.12.050) (Ord. 78, passed - -1978)

§ 31.045 RESIDENCY REQUIREMENT.

As a condition of his or her appointment, the Town Manager shall permanently reside within the town limits upon his or her appointment and assumption of duties, but need not be a resident prior to his or her appointment.

(1996 Code, § 2.12.060) (Ord. 78, passed - -1978; Ord. 91-03-001, passed - -; Ord. 92-05-001, passed - -)

§ 31.046 BOND.

The Town Manager shall furnish a surety bond to be approved by the Council in the sum of \$5,000, the bond to be conditioned on the faithful performance of his or her duties.

(1996 Code, § 2.12.070) (Ord. 78, passed - -1978)

§ 31.047 COMPENSATION.

The Town Manager shall receive compensation as the Town Council shall fix from time to time by ordinance, resolution or other action of the Council consistent with the provisions of A.R.S. § 9-303, as amended.

(1996 Code, § 2.12.080) (Ord. 78, passed - -1978; Ord. 91-03-001, passed - -; Ord. 92-05-001, passed - -)

PLANNING COMMISSION

§ 31.060 ESTABLISHED.

The Planning and Zoning Commission of the town is established.

(1996 Code, § 2.18.010)