

Board of Supervisors

Ann English
Chairman
District 2

Richard R. Searle
Vice-Chairman
District 3

Patrick G. Call
Supervisor
District 1



Michael J. Ortega
County Administrator

James E. Vlahovich
Deputy County Administrator

Katie A. Howard
Clerk

AGENDA FOR REGULAR BOARD MEETING
Tuesday, February 26, 2013 at 10:00 AM
BOARD OF SUPERVISORS HEARING ROOM
1415 MELODY LANE, BUILDING G, BISBEE, AZ 85603

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

ROLL CALL

Members of the Cochise County Board of Supervisors will attend either in person or by telephone, video or internet conferencing.

Note that some attachments may be updated after the agenda is published. This means that some presentation materials displayed at the Board meeting may differ slightly from the attached version.

CALL TO THE PUBLIC

This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.

CONSENT

Board of Supervisors

1. Approve a letter of support for the Greater Sierra Vista area Metropolitan Planning Organization.
2. Approve the Minutes of the regular meeting of the Board of Supervisors of February 12, 2013.

Community Development

3. Approve the appointment of Mr. Anastacio (Andy) Salaiz to the Board of Adjustment, District 2, for a term ending December 31, 2014.

Finance

4. Approve demands and budget amendments for operating transfers.

PUBLIC HEARINGS

Community Development

5. Adopt Resolution 13-04 to approve Docket H-13-01, a request to place a lien on Parcel 106-39-151, located at 504 E. Yuma Street in Huachuca City, to recover the costs of abating a Public Nuisance, in the amount of \$16,905.

Facilities

6. Present information and hold the second of two Public Hearings for Fiscal Year 2013 Community Development Block Grant Application (CDBG) process for Cochise County to receive public input and to identify community needs in Cochise County.

ACTION

Health & Social Services

7. Approve the Letter of Agreement between Cochise Health & Social Services and Health Choice Arizona/Health Choice Generations (AHCCCS and Medicare health plans, respectively), for the initial one year period and to be renewed for subsequent one-year periods.

STATE & FEDERAL LEGISLATION

8. Discussion and possible action regarding state and federal legislative matters, including but not limited to the items in the attached County Supervisors Association Legislative Policy Committee Agenda and the proposed State budget.

REPORT BY MICHAEL J. ORTEGA, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Report by District 2 Supervisor, Ann English

Report by District 3 Supervisor, Richard Searle

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

Cochise County - 1415 Melody Lane, Building G - Bisbee, Arizona 85603
(520) 432-9200 - Fax (520) 432-5016 - Email: board@cochise.az.gov
www.cochise.az.gov

"PUBLIC PROGRAMS, PERSONAL SERVICE"

Regular Board of Supervisors Meeting

Meeting Date: 02/26/2013

Support Letter for Greater Sierra Vista Area MPO

Submitted By: Gussie Motter, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

NAME of PRESENTER: n/a

Mandated Function?:

Recommendation:

of ORIGINALS

Submitted for Signature:

TITLE of PRESENTER: n/a

Source of Mandate or Basis for Support?:

Information

Agenda Item Text:

Approve a letter of support for the Greater Sierra Vista area Metropolitan Planning Organization.

Background:

As a result if the 2010 Census the Greater Sierrra Vista area is now classified by the United States Census Bureau as an Urbanizes Area with a population of over 50,000. This designation requires the Urbanized Area to form a Metropolitan Planning Organization (MOP).

Department's Next Steps (if approved):

Send letter to Dan Coxworth at the City of Sierra Vista

Impact of NOT Approving/Alternatives:

The City of Sierra Vista may end up not complying with the requirements of the designation.

To BOS Staff: Document Disposition/Follow-Up:

Uncertain.

Attachments

In Support Letter

Board of Supervisors

Ann English
Chairman
District 2

Richard R. Searle
Vice-Chairman
District 3

Patrick G. Call
Supervisor
District 1



Michael J. Ortega
County Administrator

James E. Vlahovich
Deputy County Administrator

Katie A. Howard
Clerk

February 26, 2013

Re: City of Sierra Vista Metropolitan Planning Organization

To Whom It May Concern:

As a result of the 2010 Census, the Greater Sierra Vista area is now classified by the United States Census Bureau as an Urbanized Area with a population of over 50,000. This designation requires the Urbanized Area to form a Metropolitan Planning Organization (MOP).

The City of Sierra Vista is taking action to form the MOP and create a Board of Directors that includes representation from unincorporated portions of Cochise County as well as Huachuca City. The Cochise County Board of Supervisors is pleased that county residents in this area will have a say in local transportation planning and offer their enthusiastic support for the establishment of this MPO.

Sincerely,

Ann English, Chairperson, District 2

Patrick G. Call, District 1

Richard Searle, District 3

Regular Board of Supervisors Meeting

Meeting Date: 02/26/2013

Minutes

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

NAME n/a
of PRESENTER:

Mandated Function?:

Recommendation:

of ORIGINALS

Submitted for Signature:

TITLE n/a
of PRESENTER:

**Source of Mandate
or Basis for Support?:**

Information

Agenda Item Text:

Approve the Minutes of the regular meeting of the Board of Supervisors of February 12, 2013.

Background:

Minutes

Department's Next Steps (if approved):

Signed minutes routed for processing and posted on the internet.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

Send to the Recorder's Office for microfiche purposes.

Attachments

Minutes

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR BOARD MEETING HELD ON
TUESDAY, FEBRUARY 12, 2013**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, February 12, 2013 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona. In attendance were Ann English, Chairman; Richard Searle, Vice-Chairman; Patrick Call, Supervisor; Mike Ortega, County Administrator, Jim Vlahovich, Deputy County Administrator; David Fifer, Civil Deputy County Attorney; and Arlethe Rios, Assistant to the Clerk of the Board.

Chairman English called the meeting to order at 10:00 a.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

ROLL CALL – All three supervisors present.

CALL TO THE PUBLIC

Chairman English opened the Call to the Public.

Jack Cook addressed the Board on personal concerns.

Margaret Rydzak, representing citizens from the Sunsites/Pearce community, addressed the Board on issues with the Sunsites/Pearce Fire District Board and asked that the Board of Supervisors remove the current Fire Board due to several negative incidents that could compromise the safety of the community.

Robert Fino, member of the Sunsites/Pearce Fire District Board, addressed the Board on his issues with his fellow board members and their actions as public servants. He asked that the Board of Supervisors act to investigate or eliminate the entire Fire Board.

Vice-Chairman Searle asked Mr. Fino if complaints had been filed with the County Attorney's Office. Mr. Fino said he had.

Chairman English closed the Call to the Public.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of January 29, 2013.
2. Approve the appointments of the following persons as Precinct Committee persons for the Democratic Party of Cochise County: Precinct #01 BE Benson, Kathy E. Suagee and Mark A. Suagee; Precinct #04 BI Bisbee, Daniel Frey; Precinct #10 DO Carlson, Gloria Lopez; Precinct #11 DO Castro Park, Sheila Anne Rogers; Precinct #20 Pirtleville, Cornelia Munoz; Precinct #21 Pomerene, Christopher Early; Precinct #26 SV Avenida Del Sol, Frances G. Hills; Precinct #32 SV Country Club, Mary Catherine Willis; Precinct #37 SV Ramsey, Roland P. Bockhorst.

Community Development

3. Adopt Resolution 13-02, abandoning the alleyway within block 10 of the Bowie Townsite as described therein.

Facilities

4. Approve the Airport Development Reimbursable Grant Agreement E3F2M with ADOT in the amount of \$31,633 for rehabilitation and construction of Taxiway A-2 at the Bisbee-Douglas International Airport.

Finance

5. Approve demands and budget amendments for operating transfers.

Warrants Nos. 66994-67010, 67018-67142, 67167-67321 were issued in the amount of \$1,412,061.66.

Pursuant to A.R.S. §11-217(C), the published minutes shall include all demands and warrants approved by the Board in excess of one thousand dollars except that multiple demands and warrants from a single supplier or individual under one thousand dollars whose cumulative total exceeds one thousand dollars in a single reporting period shall also be published.

Issued warrants are listed as an attachment at the end of the minutes

Health

6. Approve Purchase Order # ADHS11-007047:2 for IGA# ADHS11-007047, Health Start Program between the Arizona Department of Health Services, Bureau of Women's and Children's Health, and Cochise Health & Social Services for the period of 7/1/2012 to 6/30/2013 in the annual amount of \$202,828.

7. Approve a Memorandum of Understanding between Joan Werner, property owner of 42 Main Street in Bisbee, and Cochise County for the purpose of providing cold storage of human remains; evoked in the event of a disaster or emergency resulting in mass fatalities in Cochise County; effective for five years with five-year automatic renewals and a thirty-day notice of termination.

Vice-Chairman Searle made a motion to approve items 1-7 of the Consent Agenda. Supervisor Call seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Board of Supervisors

8. Approve a person transfer liquor license application for a series #9 (liquor store) liquor license submitted by Mr. Wayne R. DeMarsico for High Desert Country Store located at 2093 Arabian Lane, Cochise, 85606.

Ms. Arlethe Rios, Assistant to the Clerk of the Board presented this item. Ms. Rios said the Sheriff's Office and Planning and Zoning Department have recommended approval and the Environmental Health Division noted that the establishment meets all the requirements set forth by the Arizona Food Code; the Treasurer's Office has noted that all property taxes are current. The applicant has paid the \$100 processing fee; there are no objections from the public; and the Board staff is recommending approval.

Chairman English opened the public hearing. No one chose to speak. Chairman English closed the Call to the Public.

Supervisor Call moved to approve a person transfer liquor license application for a series #9 (liquor store) liquor license submitted by Mr. Wayne R. DeMarsico for High Desert Country Store located at 2093 Arabian Lane, Cochise, 85606. Vice-Chairman Searle seconded the motion.

Vice-Chairman Searle said that this was a good business and he supported the approval of the liquor license.

Chairman English called for the vote and it carried 3-0.

ACTION

County Sheriff

9. Adopt Resolution 13-03 granting permission for the Cochise County Sheriff's Office to apply for grant funding from the Governor's Office of Highway Safety for Arizona's Fiscal Year 2014 Highway Safety Plan.

This item was presented by Commander Mark Genz, Sheriff's Office. Commander Genz said that this is a reoccurring grant that the Sheriff's Office receives from the Governor's Office annually to help with overtime costs for deputies.

Vice-Chairman Searle moved to Adopt Resolution 13-03 granting permission for the Cochise County Sheriff's Office to apply for grant funding from the Governor's Office of Highway Safety for Arizona's Fiscal Year 2014 Highway Safety Plan. Supervisor Call seconded the motion.

Chairman English called for the vote and it carried 3-0.

STATE & FEDERAL LEGISLATION

10. Discussion and possible action regarding state and federal legislative matters, including but not limited to the items in the attached County Supervisors Association Legislative Policy Committee Agenda, the proposed State budget and HB2338.

Chairman English stated that during the Legislative Policy Committee meeting bills 1282, 2288, 2388, and 1214 were opposed by a majority of county supervisors.

Supervisor Call reported on HB2338, regional water augmentation authority. He said several groups were supporting this bill so that rural areas could secure some access to water as they move into the future. He noted that the representatives from the area were not in support and suggested the Board get together to discuss.

Mr. Ortega said there were several bills, specifically SB1413, that were of concern because they impacted county costs. He suggested the Board support the opposition of this bill.

No action was taken on this agenda item.

REPORT BY MICHAEL J. ORTEGA, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

Mr. Ortega said that he will be attending the Cochise Combined Trust retreat next week to discuss health insurance costs and that there may be a special meeting later this week if schedules permitted to discuss decision packages.

SUMMARY OF CURRENT EVENTS BY BOARD MEMBERS

REPORT BY SUPERVISOR PAT CALL, DISTRICT NO. 1

Supervisor Call reported that he will be attending the courts strategic planning work shop on Thursday in Sierra Vista.

REPORT BY SUPERVISOR ANN ENGLISH, DISTRICT NO. 2

Chairman English deferred report.

REPORT BY SUPERVISOR RICHARD SEARLE, DISTRICT NO. 3

Vice-Chairman Searle said he attended several events in his district, will also be attending the courts strategic planning workshop and will report back to the board on the issue of extending the wolf recovery zone and its impact in Cochise County.

Chairman English adjourned the meeting at 10:38 a.m.

Ann English, Chairman

ATTEST:

Katie Howard, Clerk of the Board

((SUPPORTING DOCUMENTATION IS AVAILABLE AT THE BOARD OF SUPERVISORS' OFFICE) at (520) 432-9200, FAX (520) 432-5016, TDD (520) 432-8360, 1415 Melody Lane, Building G, Bisbee, Arizona 85603.

Cochise Co. Demands 2.12.13

66841	01/23/2013	Aqua Life	\$4.49	66917	01/24/2013	Law Offices of Joseph Mendoza PLLC	\$5,226.10
66842	01/23/2013	Cable One	\$99.95	66918	01/24/2013	Levitt, Harriette P.	\$1,530.45
66843	01/23/2013	CenturyLink	\$62.31	66919	01/24/2013	Madden Preprint Media	\$2,842.40
66844	01/23/2013	CenturyLink	\$348.86	66920	01/24/2013	Martin, Zorka	\$100.00
66845	01/23/2013	David M. McPhee Ph.D, Inc.	\$750.00	66921	01/24/2013	McGowan, Mark J.	\$15,115.00
66846	01/23/2013	A Speedy Cash Car Title Loans, LLC	\$335.38	66922	01/24/2013	Merle's Automotive Supply, Inc.	\$405.42
66847	01/23/2013	AZ Department of Revenue	\$50.00	66923	01/24/2013	Merle's Automotive Supply, Inc.	\$1,467.14
66848	01/23/2013	Burse & Associates, P.C.	\$231.17	66924	01/24/2013	Michael A Ortega dba Ortega's Quik Stitch	\$128.58
66849	01/23/2013	Burse & Associates, P.C.	\$192.26	66925	01/24/2013	Midway Chevrolet	\$64,009.00
66850	01/23/2013	CitiFinancial-Chandler	\$48.94	66926	01/24/2013	Newport 653 Graphic Design	\$42.50
66851	01/23/2013	Colonial Supplemental Insurance	\$29.50	66927	01/24/2013	Office of Vital Records	\$2,950.00
66852	01/23/2013	DCS	\$343.28	66928	01/24/2013	Pima County Forensic Science Center	\$87,500.00
66853	01/23/2013	Discover Bank	\$224.33	66929	01/24/2013	ProForce Law Enforcement	\$64.36
66854	01/23/2013	GMAC, c/o Jennifer A. Christie	\$20.72	66930	01/24/2013	Purcell's Western State Tire Company	\$1,704.25
66855	01/23/2013	Guglielmo, Paul D.	\$191.64	66931	01/24/2013	Quill Corporation	\$28.33
66856	01/23/2013	JP Morgan Chase	\$868,786.21	66932	01/24/2013	Reed, Cynthia - Court Reporter	\$70.00
66857	01/23/2013	JP Morgan Chase	\$37,594.33	66933	01/24/2013	RF Eye PC dba Cochise Eye & Laser	\$155.00
66858	01/23/2013	JP Morgan Chase	\$322,903.76	66934	01/24/2013	RWC International, LTD	\$1,267.81
66859	01/23/2013	NACO West	\$22,300.78	66935	01/24/2013	Satwinder Singh/DBA Dhugga Trans	\$42.40
66860	01/23/2013	National Bank	\$8,126.89	66936	01/24/2013	Sebastian, Brian	\$100.00
66861	01/23/2013	NYS Child Support Processing Center	\$516.09	66937	01/24/2013	Sparkletts	\$53.76
66862	01/23/2013	Pennsylvania SCDU	\$25.00	66938	01/24/2013	Sparkletts	\$25.33
66863	01/23/2013	Pre-paid Legal Services, Inc. dba LegalShield	\$1,245.05	66939	01/24/2013	Sparkletts	\$24.44
66864	01/23/2013	Support Payment Clearinghouse	\$5,956.56	66940	01/24/2013	State Bar of AZ	\$460.00
66865	01/23/2013	TIAA-CREF as agent for JPMorgan Chase	\$2,655.00	66941	01/24/2013	Sulphur Springs Valley Elec Coop, Inc.	\$1,228.52
66866	01/23/2013	U.S. Department of Education	\$160.79	66942	01/24/2013	Sulphur Springs Valley Elec Coop, Inc.	\$11,316.72
66867	01/23/2013	United Way	\$80.00	66943	01/24/2013	Susteen, Inc.	\$800.00
66868	01/24/2013	Adele Drumlevitch, Attorney-At-Law	\$3,945.00	66944	01/24/2013	Tarp-It	\$180.00
66869	01/24/2013	Alco Discount Store	\$28.03	66945	01/24/2013	Technical Resource Management, Inc.	\$860.25
66870	01/24/2013	Alternative Counseling Service, Inc	\$304.00	66946	01/24/2013	Thomson West	\$3,989.65
66871	01/24/2013	AmeriPride Linen and Apparel Service	\$157.61	66947	01/24/2013	Thomson West	\$1,792.00
66872	01/24/2013	APCO International	\$18.40	66948	01/24/2013	Thomson West	\$3,447.29
66873	01/24/2013	AZ Constables State Association	\$190.00	66949	01/24/2013	Union Distributing Company of Tucson	\$3,959.19
66874	01/24/2013	AZ Department of Corrections - Douglas	\$34.00	66950	01/24/2013	United Pathology Inc.	\$247.88
66875	01/24/2013	AZ Department of Corrections - Douglas	\$998.25	66951	01/24/2013	University Physicians Healthcare, Inc.	\$38.00
66876	01/24/2013	AZ Department of Corrections - Douglas	\$126.00	66952	01/24/2013	UPS Store	\$12.72
66877	01/24/2013	AZ Department of Corrections - Douglas	\$21.25	66953	01/24/2013	Valley Security Service, Inc.	\$885.50
66878	01/24/2013	AZ Department of Corrections - Douglas	\$63.00	66954	01/24/2013	Valley Telephone Cooperative, Inc.	\$102.14
66879	01/24/2013	AZ Department of Corrections ASPC-Tucson	\$76.50	66955	01/24/2013	Valley Telephone Cooperative, Inc.	\$55.04
66880	01/24/2013	AZ Department of Environmental Quality	\$4,176.69	66956	01/24/2013	VCA Apache Animal Hospital	\$478.72
66881	01/24/2013	AZ Supreme Court	\$170.00	66957	01/24/2013	Westlawn Chapel & Mortuary	\$1,150.00
66882	01/24/2013	Audio Editions	\$42.78	66958	01/24/2013	WR Ryan Company	\$2,882.20
66883	01/24/2013	Baker & Taylor, Inc.	\$155.02	66959	01/24/2013	Baird, Leslie A, CR	\$264.80
66884	01/24/2013	Benson Police Department	\$616.10	66960	01/24/2013	Cochise County Finance Revolving Fund	\$160.00
66885	01/24/2013	Bisbee Observer	\$48.31	66961	01/24/2013	Cochise County Finance Revolving Fund	\$11.00
66886	01/24/2013	Bisbee, City of (Ambulance)	\$3,564.99	66962	01/24/2013	Cochise County Finance Revolving Fund	\$43.00
66887	01/24/2013	Bradley R. Johnson, MD, PLLC	\$1,812.50	66963	01/24/2013	Cochise County Finance Revolving Fund	\$43.00
66888	01/24/2013	Bug-Wiser Exterminating, Inc.	\$45.00	66964	01/24/2013	Cochise County Sheriff's Department	\$47.58
66889	01/24/2013	Burgess, Leslie	\$100.00	66965	01/24/2013	Deneke, Buffy	\$140.00
66890	01/24/2013	Burick Esq, Bernadette	\$8,360.27	66966	01/24/2013	Estavillo, Ross	\$700.00
66891	01/24/2013	Cardinal Health Inc.	\$895.31	66967	01/24/2013	Estelle, Forest (Dave)	\$12.00
66892	01/24/2013	Center Point Large Print	\$41.94	66968	01/24/2013	Hanson, Heather Dawn	\$135.04
66893	01/24/2013	CenturyLink	\$63.96	66969	01/24/2013	Holden, John	\$12.00
66894	01/24/2013	CenturyLink	\$171.08	66970	01/24/2013	Hynes, Mark or Kim	\$194.60
66895	01/24/2013	CenturyLink	\$62.24	66971	01/24/2013	Montoya, Jim	\$12.00
66896	01/24/2013	CenturyLink	\$66.67	66972	01/24/2013	Nyander, Penny Sue	\$72.40
66897	01/24/2013	CenturyLink	\$31.12	66973	01/24/2013	Nyander, Penny Sue	\$161.00
66898	01/24/2013	CenturyLink	\$124.38	66974	01/24/2013	Pitney Bowes Reserve Account	\$10,000.00
66899	01/24/2013	Cochise Private Industry Council, Inc.	\$40,653.00	66975	01/24/2013	Rowland, Peter D	\$73.09
66900	01/24/2013	Copper Queen Community Hospital	\$12,203.12	66976	01/24/2013	Schlesinger, Aaron	\$14.00
66901	01/24/2013	Copper Queen Community Hospital	\$158.00	66977	01/24/2013	Sipe, Brett Lee	\$12.00
66902	01/24/2013	Copper Queen Community Hospital	\$43.00	66978	01/24/2013	Smith, Bryan K.	\$1,151.23
66903	01/24/2013	D & G Paint and Body Inc.	\$2,103.22	66979	01/24/2013	Traywick, Catherine L	\$10.00
66904	01/24/2013	Desert Hawk Publications, Inc.	\$1,200.00	66980	01/24/2013	Van Veen, Peter	\$384.33
66905	01/24/2013	Diamond Drugs Inc.	\$7,988.61	66981	01/24/2013	Anderson, Elizabeth	\$17.00
66906	01/24/2013	Election Systems & Software	\$20,104.01	66982	01/24/2013	Anderson, Mary J.	\$119.00
66907	01/24/2013	Emily Lorna Danies, Esq.	\$595.00	66983	01/24/2013	Bright, Stephani	\$114.00
66908	01/24/2013	FasPsych, LLC	\$780.00	66984	01/24/2013	Carroll, April	\$41.04
66909	01/24/2013	Gale Group	\$59.16	66985	01/24/2013	De La Cruz, Noriko	\$115.97
66910	01/24/2013	Grand Canyon Journal	\$2,500.00	66986	01/24/2013	Honorable Alma Vildosola	\$29.41
66911	01/24/2013	High Desert Clinic Urgent & Occup Care, LLC	\$70.00	66987	01/24/2013	Honorable Joseph Knoblock	\$97.58
66912	01/24/2013	Hodges Glass Co Inc	\$590.80	66988	01/24/2013	Munoz, Ana Angelica	\$283.08
66913	01/24/2013	Honorable Kimberly Corsaro	\$16.47	66989	01/24/2013	Rocco, Tracey	\$75.00
66914	01/24/2013	HOV Services/Lason Systems	\$99.17	66990	01/24/2013	Schmitt, Patrick	\$68.00
66915	01/24/2013	Hunter, Jackie Lynn	\$11.20	66991	01/24/2013	Scratchfield, Larry	\$19.38
66916	01/24/2013	Keefe Supply Company	\$931.82	66992	01/24/2013	Scull, Delcy G	\$102.00

66993	01/24/2013	Sutro, Livingston	\$27.00	67070	01/31/2013	Melinda Haun, R.N. CHPN	\$100.00
66994	01/30/2013	AZ Public Service (APS)	\$38,177.25	67071	01/31/2013	Merle's Automotive Supply, Inc.	\$378.77
66995	01/30/2013	AZ Public Service (APS)	\$2,055.06	67072	01/31/2013	Merle's Automotive Supply, Inc.	\$1,592.84
66996	01/30/2013	AZ Water Company	\$1,798.04	67073	01/31/2013	Mundt, Lester E.	\$29.64
66997	01/30/2013	AZ Water Company	\$159.62	67074	01/31/2013	Nina L. Caples, P.C.	\$234.35
66998	01/30/2013	Benson, City of	\$315.88	67075	01/31/2013	Occupational Health Centers of the Southwest, P.A.	\$134.50
66999	01/30/2013	Bowie Water Improvement District	\$39.79	67076	01/31/2013	Pre-ven Tronics	\$268.75
67000	01/30/2013	CenturyLink	\$2,248.62	67077	01/31/2013	ProTech Scuba	\$4,667.46
67001	01/30/2013	CenturyLink	\$144.71	67078	01/31/2013	Purcell's Western State Tire Company	\$218.20
67002	01/30/2013	CenturyLink	\$157.82	67079	01/31/2013	Ralph Malanga, PC	\$24.30
67003	01/30/2013	Cochise Lock & Safe	\$110.00	67080	01/31/2013	Ramirez, Francisco J.	\$100.00
67004	01/30/2013	Pueblo del Sol Water Company	\$13.70	67081	01/31/2013	Reinhart, Lowenid B.	\$91.54
67005	01/30/2013	Southwest Gas Corporation	\$346.64	67082	01/31/2013	RF Eye PC dba Cochise Eye & Laser	\$110.00
67006	01/30/2013	Sulphur Springs Valley Elec Coop, Inc.	\$3,698.23	67083	01/31/2013	Robert J. Zohlmann, Esq.	\$1,040.00
67007	01/30/2013	Sulphur Springs Valley Elec Coop, Inc.	\$2,348.47	67084	01/31/2013	Ross, Ramiro	\$31.29
67008	01/30/2013	Valley Telephone Cooperative, Inc.	\$287.40	67085	01/31/2013	RWC International, LTD	\$534.33
67009	01/30/2013	Verizon Wireless	\$116.50	67086	01/31/2013	Safeway Stores Inc.	\$75.10
67010	01/31/2013	Bank of New York	\$85,162.50	67087	01/31/2013	Saul's Creek Engineering, LLC	\$5,540.00
67011	01/31/2013	AOC Corrections Officer Retire	\$17,297.99	67088	01/31/2013	Sierra Vista Chamber of Commerce	\$325.00
67012	01/31/2013	Correction Officers	\$14,868.12	67089	01/31/2013	Simmons, Sylvia	\$375.00
67013	01/31/2013	Correction Officers	\$250.53	67090	01/31/2013	Sirchie Fingerprint Laboratory	\$400.41
67014	01/31/2013	JP Morgan Chase	\$212,428.00	67091	01/31/2013	Southwestern Border Sheriffs' Coalition	\$200.00
67015	01/31/2013	Public Safety Retirement Syst	\$59,251.08	67092	01/31/2013	Sparkletts	\$36.00
67016	01/31/2013	Public Safety Retirement Syst	\$19,743.54	67093	01/31/2013	Sparkletts	\$9.77
67017	01/31/2013	Public Safety Retirement Syst	\$1,001.81	67094	01/31/2013	Sparkletts	\$11.64
67018	01/31/2013	Adventure Coyote	\$276.00	67095	01/31/2013	Sparkletts	\$56.78
67019	01/31/2013	Alternative Counseling Service, Inc	\$1,570.66	67096	01/31/2013	Staples	\$3,287.45
67020	01/31/2013	AmeriPride Linen and Apparel Service	\$154.09	67097	01/31/2013	Stericycle Inc.	\$322.92
67021	01/31/2013	ARAMARK Services, Inc.	\$4,364.68	67098	01/31/2013	SymbolArts	\$297.50
67022	01/31/2013	AZ Department of Corrections - Douglas	\$308.75	67099	01/31/2013	TALX UC eXpress	\$3,022.25
67023	01/31/2013	AZ Hiking Shack Rescue (AHS)	\$1,462.76	67100	01/31/2013	Thomson West	\$513.86
67024	01/31/2013	AZ Juvenile Detention Admin Association	\$50.00	67101	01/31/2013	Thomson West	\$1,146.03
67025	01/31/2013	AZ State Land Department	\$184.78	67102	01/31/2013	Trebilcock, Robert Esq.	\$4,359.00
67026	01/31/2013	AZ State Prison Complex - Fort Grant	\$135.00	67103	01/31/2013	Tucson Tractor Co	\$703.51
67027	01/31/2013	AZ State Prison Complex - Fort Grant	\$1,839.80	67104	01/31/2013	Union Distributing Company of Tucson	\$11,642.28
67028	01/31/2013	AZ State Prison Complex - Fort Grant	\$190.00	67105	01/31/2013	Union Distributing Company of Tucson	\$12,739.28
67029	01/31/2013	AZ State Prison Complex - Fort Grant	\$275.46	67106	01/31/2013	United States Department of the Interior	\$13,800.00
67030	01/31/2013	AZ State Prison Complex - Fort Grant	\$73.73	67107	01/31/2013	United States Department of the Interior	\$3,750.00
67031	01/31/2013	Audio Editions	\$222.38	67108	01/31/2013	University Physicians Healthcare, Inc.	\$54.42
67032	01/31/2013	B&S Supply Co, Inc	\$1,487.46	67109	01/31/2013	Valley Telephone Cooperative, Inc.	\$1,193.10
67033	01/31/2013	Baker & Taylor, Inc.	\$2,505.71	67110	01/31/2013	Valley Telephone Cooperative, Inc.	\$55.13
67034	01/31/2013	Bertrand, Joy Esq.	\$132.70	67111	01/31/2013	Verizon Wireless	\$163.10
67035	01/31/2013	Bisbee Unified School District #2	\$320.00	67112	01/31/2013	Waxie Sanitary Supply	\$4,288.64
67036	01/31/2013	Cable One	\$299.85	67113	01/31/2013	Wernette, Christina Lynn	\$35.00
67037	01/31/2013	Cardinal Health Inc.	\$505.86	67114	01/31/2013	West & Zickerman, PLLC	\$4,749.54
67038	01/31/2013	CDW Government	\$282.74	67115	01/31/2013	Westlawn Chapel & Mortuary	\$2,820.00
67039	01/31/2013	CEMEX Construction Materials South, LLC	\$742.76	67116	01/31/2013	WR Ryan Company	\$499.67
67040	01/31/2013	Center Point Large Print	\$183.33	67117	01/31/2013	Cochise County School Superintendent	\$25.00
67041	01/31/2013	CenturyLink	\$242.32	67118	01/31/2013	Graciano, Ramon Cruz	\$168.06
67042	01/31/2013	CenturyLink	\$629.72	67119	01/31/2013	Hacker, Verna	\$6.72
67043	01/31/2013	CenturyLink	\$61.19	67120	01/31/2013	Housing Authority of Cochise County	\$17,000.00
67044	01/31/2013	Certified Folder Display Services, Inc.	\$4,565.97	67121	01/31/2013	Nuti Jr. James	\$700.00
67045	01/31/2013	City of Avondale	\$139.00	67122	01/31/2013	Nyander, Penny Sue	\$319.20
67046	01/31/2013	CMI, Inc.	\$709.91	67123	01/31/2013	Schlesinger, Aaron	\$805.40
67047	01/31/2013	Cochise Lock & Safe	\$25.04	67124	01/31/2013	Appelo, Regan C	\$133.56
67048	01/31/2013	Cochise Private Industry Council, Inc.	\$55,655.00	67125	01/31/2013	Eskue, Beverly J	\$17.00
67049	01/31/2013	Copper Queen Community Hospital	\$611.34	67126	01/31/2013	Hagle, Suzanne	\$82.00
67050	01/31/2013	Copygraphix Inc.	\$54.55	67127	01/31/2013	Silverberg, Eric J.	\$50.46
67051	01/31/2013	Dell Marketing LP	\$766.35	67128	01/31/2013	Silverberg, Eric J.	\$37.00
67052	01/31/2013	Dorado Personnel, Sierra Vista Personnel	\$1,132.95	67129	01/31/2013	Tamez, Marla	\$155.85
67053	01/31/2013	Empire Southwest LLC	\$6,754.24	67130	01/31/2013	Tomlinson, Cheryl	\$188.06
67054	01/31/2013	Entenmann-Rovin Co	\$45.10	67131	01/31/2013	Williams, Kenni	\$129.00
67055	01/31/2013	Federal Express Corporation	\$19.85	67132	01/31/2013	AZ Supreme Court	\$39,375.00
67056	01/31/2013	Federal Express Corporation	\$26.54	67133	01/31/2013	AZ Supreme Court	\$36,631.25
67057	01/31/2013	Frank Tadeo's Chevron Service	\$12.50	67134	01/31/2013	Azilan Language Services	\$350.00
67058	01/31/2013	Gale Group	\$63.17	67135	01/31/2013	Barillas, Hector J.F., PHD	\$2,728.00
67059	01/31/2013	Granite Construction Company	\$5,563.70	67136	01/31/2013	Catholic Community Services	\$337.50
67060	01/31/2013	Griffith, David B. Esq.	\$3,825.00	67137	01/31/2013	Enriquez, Aurora O.	\$190.00
67061	01/31/2013	Hopper Jr., Albert N	\$16,500.00	67138	01/31/2013	PRAXIS Consulting, Inc.	\$11,340.00
67062	01/31/2013	John R. Gustafson, Esq.	\$2,719.00	67139	01/31/2013	Schlesinger, Aaron	\$170.80
67063	01/31/2013	John William Lovell, PC	\$3,694.08	67140	01/31/2013	Thomson West	\$6,079.61
67064	01/31/2013	Keefe Supply Company	\$1,363.27	67141	01/31/2013	Valley Security Service, Inc.	\$100.00
67065	01/31/2013	Kelly, Peter A.	\$8,866.05	67142	02/04/2013	Ortega, Michael J.	\$1,075.59
67066	01/31/2013	Kuttner, Barbara L	\$11.97				
67067	01/31/2013	Laura E. Udall, Esq. dba Cooper & Udall	\$3,862.50				
67068	01/31/2013	Lawley Motors	\$64,004.58				
67069	01/31/2013	Lin-Cum, Inc.	\$437.20				

Regular Board of Supervisors Meeting**Community Development****Meeting Date:** 02/26/2013

Appoint Mr. Anastacio ("Andy") Salaiz to the Board of Adjustment, District 2

Submitted By: Mike Turisk, Community Development**Department:** Community Development**Division:**

Planning & Zoning

Presentation: No A/V Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature Required**# of ORIGINALS** 0**Submitted for Signature:****NAME of PRESENTER:** n/a**TITLE of PRESENTER:** n/a**Docket Number (If applicable):****Mandated Function?:** Federal or State Mandate**Source of Mandate or Basis for Support?:****Information****Agenda Item Text:**

Approve the appointment of Mr. Anastacio (Andy) Salaiz to the Board of Adjustment, District 2, for a term ending December 31, 2014.

Background:

The three Boards of Adjustment consist of three members appointed by the County Supervisor for that district and residing in said district. With the resignation of Mr. Gerry Eberwein, a vacancy exists on the Board of Adjustment, District 2. Ann English, Chair, is recommending the appointment of Mr. Anastacio ("Andy") Salaiz for a term ending on December 31, 2014.

Department's Next Steps (if approved):

Please send appointment letter and administer the oath of office to Mr. Salaiz as stated below in BOS Staff follow-up. The Planning Division will send Mr. Salaiz the By-Laws and training materials.

Impact of NOT Approving/Alternatives:

There will continue to be a vacancy on the Board of Adjustment, District 2.

To BOS Staff: Document Disposition/Follow-Up:

Please send Mr. Salaiz the standard letter from the Board's Office affirming his appointment along with an Oath of Office to:

Mr. Anastacio Salaiz
POB 536
Naco, AZ 85620

520.249.8823

Regular Board of Supervisors Meeting

Meeting Date: 02/26/2013

Demands

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

NAME n/a
of PRESENTER:

Mandated Function?:

Recommendation:

of ORIGINALS

Submitted for Signature:

TITLE n/a
of PRESENTER:

**Source of Mandate
or Basis for Support?:**

Information

Agenda Item Text:

Approve demands and budget amendments for operating transfers.

Background:

Auditor-General's requirement for Board of Supervisors to approve.

Department's Next Steps (if approved):

Return to Finance after BOS approval.

Impact of NOT Approving/Alternatives:

Board of Supervisors will not be in compliance with State law.

To BOS Staff: Document Disposition/Follow-Up:

Return to Finance after BOS approval.

Public Hearings 5.
Community Development

Regular Board of Supervisors Meeting

Meeting Date: 02/26/2013

Docket H-13-01 (Glenn)

Submitted By: Keith Dennis, Community Development

Department: Community Development

Division: Planning & Zoning

Presentation: PowerPoint

Recommendation: Approve

Document Signatures: BOS Signature Required

of ORIGINALS 2

Submitted for Signature:

NAME of PRESENTER: Chris Saylor

TITLE of PRESENTER: Zoning Enforcement Officer

Mandated Function?: Not Mandated

Source of Mandate or Basis for Support?:

Docket Number (If applicable): Docket H-13-01 (Glenn)

Information

Agenda Item Text:

Adopt Resolution 13-04 to approve Docket H-13-01, a request to place a lien on Parcel 106-39-151, located at 504 E. Yuma Street in Huachuca City, to recover the costs of abating a Public Nuisance, in the amount of \$16,905.

Background:

MEMORANDUM

TO: Cochise County Board of Supervisors
Through: Michael J. Ortega, County Administrator

FROM: Chris Saylor, Zoning Enforcement Officer
For: Beverly Wilson, Deputy Director Planning Division

SUBJECT: Docket No. H-13-01, Hazard No. VH 06-0008 (Glenn)

DATE: February 26, 2013 Meeting

I. NATURE OF REQUEST

This request is to assess a lien on parcel 106-39-151, per Section 404 of the Hazard Abatement Ordinance as adopted by the Board of Supervisors on September 8, 1987 (per Resolution No. 87-91). Staff requests the Board of Supervisors place a lien in the amount of \$16,905.00 against this Parcel, in order to recover costs incurred by Cochise County from abating a Hazard on the property.

The Violation Hazard (VH 06-0008), is associated with Parcel 106-39-151, located at 504 E. Yuma Street, in Huachuca City (See Attachment 1). The owners of record for the property are Russell M. and Denise E. Glenn (Attachment 2). The property is located in an MH-72, Multiple-Household Residential Zoning District, in a Growth Category B (Community Growth) Area (Attachment 3).

The Hazard Abatement Ordinance was amended in 2011 (Ordinance 041-11). The amended Ordinance allows staff to administratively assess liens to recover abatement costs. However, staff enforced the abatement of the Hazard under the prior Ordinance adopted in 1987, which required Board of Supervisors approval to place a lien to recover assessed Hazard Abatement costs.

II. BACKGROUND

This docket originated with a complaint of outdoor storage, on April 25th, 2006. Staff opened a Violation file, and inspected the property on May 3, 2006 where the Inspector found a deteriorating mobile home that was open and accessible. The inspection also revealed outdoor storage of one boat, assorted furniture, construction material, tires, metal, appliances and motorcycles; as well as weeds, trash and debris scattered about the property (Attachment 4). As a result of this inspection, Staff determined that a Public Nuisance (Hazard) existed on the property. Such determination triggers requirements under the Hazard Abatement Ordinance to compel a property owner to remediate and removal of rubbish, trash, filth, weeds, debris or dilapidated and dangerous buildings (Section 401 of the 1987 Hazard Abatement Ordinance). With this determination, the Violation was closed, and a Hazard file was opened (VH-06-0008). A Certified Letter was mailed to the Owners of the property on May 8th, 2006 (Attachment 5).

On May 9, 2006, "Southwest Hazard Abatement Company" inspected the property, and provided staff with an estimate of \$16,905.00; the costs to remove all flammable debris, demolish the mobile home, and dispose of all the debris in the proper manner.

On June 28th, 2006, Brandon Lancaster (son) of property owners Russell M. & Denise E. Glenn, contacted the current Zoning Enforcement Department. Brandon Lancaster and the Enforcement Department agreed upon a work plan to clean up the property. Two months passed with no progress on abating the Hazard. The Department attempted to contact Brandon Lancaster, and the property owners, but the phone number given by Mr. Lancaster had been disconnected.

On February 26th, 2007 Hazard Abatement Contractor "Southwest Hazard" was contracted to abate the property for the estimated amount of (\$16,905.00).

On April 11, 2007 the property was inspected, and it was noted that the Hazard had been corrected. Section 807 of the Hazard Abatement Ordinance provides for the County to levy an assessment (or lien), against the Real Property on which a Hazard has been abated, in order to recover costs associated with such abatement. If the Board approves the request, a lien will be placed against Parcel 106-39-151 for the cost of the abatement.

III. RECOMMENDATION

Staff recommends the Board grant staff's request to place a lien against Parcel 106-39-151, in the amount of \$16,905.00, to recover costs associated

Sample Motion: Mr. Chairman, I move to place a lien on Parcel 106-39-151, located at 504 E. Yuma Street in Huachuca City, to recover the costs of abating a Public Nuisance, in the amount of \$16,905.00.

IV. ATTACHMENTS

Attachment 1: Assessor's Map

Attachment 2: Assessor's Record of Ownership

Attachment 3: Article 10, Zoning Regulations

Attachment 4: Inspection with photos

Attachment 5: Certified Hazard Letter

Department's Next Steps (if approved):

If the Board approves the Docket, the next step would be for the Chair to sign the Resolution placing the lien.

Impact of NOT Approving/Alternatives:

If the Board does not approve this Docket, the County will only be able to recover the costs of abatement of this property through a court order.

To BOS Staff: Document Disposition/Follow-Up:

If the Board approves the Docket and the Chair signs the Resolution, please return a recorded copy of the same to Chris Saylor.

Fiscal Impact

Fiscal Year:

0

One-time Fixed Costs? (\$\$\$): 0
Ongoing Costs? (\$\$\$): 0
County Match Required? (\$\$\$): 0
A-87 Overhead Amt? (Co. Cost Allocation \$\$\$): 0
Source of Funding?: 0

Fiscal Impact & Funding Sources (if known):

Abatement of the hazard on this property cost the County \$16,905. The requested lien would ensure that the County recovers that cost.

Attachments

Staff Memorandum

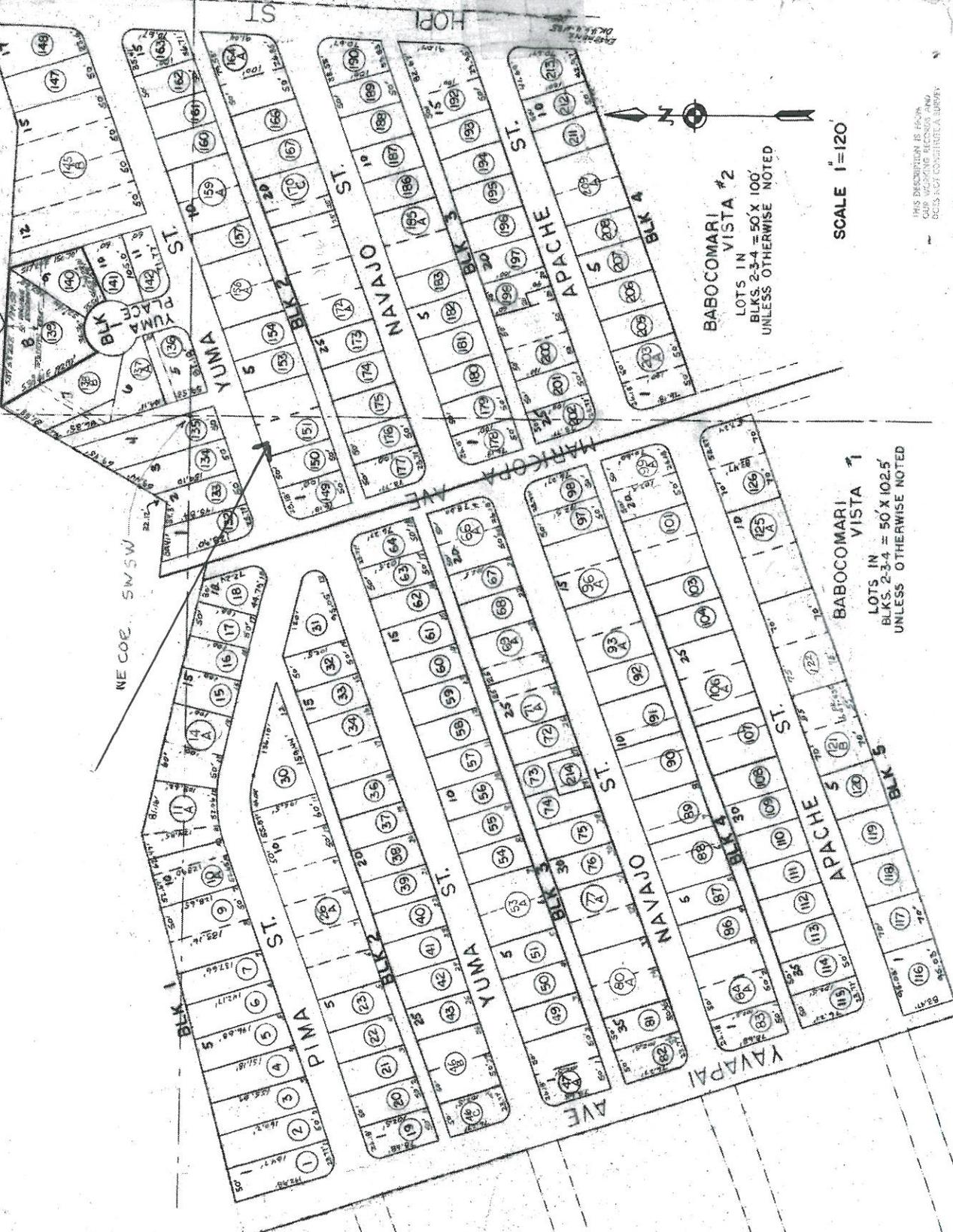
H-13-01 Attachments

Powerpoint Presentation

H-13-01 Resolution

Legal Notice

SURVEY
BK.2.PG.17



NE COR. SW SW

BABOCOMARI #2
LOTS IN VISTA #2
BLKS. 2-3-4 = 50' X 100'
UNLESS OTHERWISE NOTED

SCALE 1"=120'

BABOCOMARI #1
LOTS IN VISTA #1
BLKS. 2-3-4 = 50' X 102.5'
UNLESS OTHERWISE NOTED

SE COR. OF
BUDCHIVA VISTA ANNEX

THIS DESCRIPTION IS FROM
OUR WORKING RECORDS AND
DOES NOT CONSTITUTE A WARRANTY
OR GUARANTEE OF ACCURACY.
LOCAL COUNTY ASSESSORS
THE MAP OR RECORDS ARE NOT TO BE USED AS A BASIS FOR
AND DOES NOT CONSTITUTE A SURVEY

General Information

Property Address

504 YUMA ST
HUACHUCA CITY, 85616

Owner Name & Address

Primary Owner
GLENN RUSSELL M & DENISE E
6439 W MYRTLE AVE #132
GLENDALE, AZ 85301
100.00%

Legal Description

Subdivision: **Lot:** **Block:**
Township: -, **Range:** -

Extended Legal:
BABACOMARI VISTA #2 LOT 3 & 4 BLK 2 02 8/98 LV SITE VAL

Property Information

Parcel Number: 10639151
Tax District: 0177
Square Feet: 43,560.00

Account Number: R000027220
Current Mill Levy: 2.9906
Total Acres: 1.00

Primary Use Description: 0191-MISC RES IMP URBAN-SUBDIV

Sales Information

Reception #	Sale Price	Deed Type	Sale Date	Grantor	Grantee

Value Information Approach: Cost

Abstract Code/Description	Value Type	Appraised Value	Assessed Value	Taxable Value
02RI Ag/Vacant Land/Non-Profit		\$2,996	\$479	\$479
02RL Ag/Vacant Land/Non-Profit		\$15,246	\$2,439	\$2,439
	Totals:	\$18,242	\$2,918	\$2,918

Account Flags

Flag Type	Flag Description	Unit Count

Property Attributes & Descriptions

Attribute	Attribute Description
The Parcel has the following Exemptions:	
A2	Physically Unchanged Improved Land

Building ID 2

Building ID: 2
Property Type: Residential
Built As: Residential Yard Improvements
Occupancy: Residential Yard Improvements
Year Built: 1987
Year Remodel: 0
Quality: Average
Condition: Average

Heat: None
Roof Type:
Roof Cover:
Foundation:
Rooms: 0
Baths: 0
Units: 0
Unit Type:

Total Sq Ft: 1
Condo Sq Ft: 0
Bsmt. Sq Ft: 0
Bsmt Fin. Sq Ft: 0

Class Descr: Wood Frame

Stories: 1

Exterior:

Interior: Drywall

Detail Type	Detail Description	Units
Add On	SEPTIC TANK - ISX	1
User	CC: ISX	1

[<< Return to Results](#)

ARTICLE 10

MR, MULTIPLE-HOUSEHOLD RESIDENTIAL ZONING DISTRICTS

1001 Purpose

MR (Multiple-Household Residential) zoning districts are established to achieve the following purposes:

1001.01 To provide high-density residential development in locations with adequate infrastructure;

1001.02 To allow only those additional uses that are complementary to higher density residential uses; and

1001.03 To stabilize and protect residential development.

1002 Division of MR Zoning Districts

The MR (Multiple-Household Residential) zoning district shall be further divided into the following density districts, which are so designated on the Official Zoning District Map, and subject to the regulations herein:

1002.01 MR-1

1002.02 MR-2

Existing MR-A, MR-B and MR-C districts shall be subject to the requirements of the MR-1 zoning district. Existing MH-72, MH-54 and MH-36 shall be subject to the requirements of the MR-2 zoning district except see 1004.01 for minimum site areas and maximum density.

1003 Permitted Principal Uses

The following uses shall be permitted in MR zoning districts, provided that they conform to the applicable site development standards set forth below and meet any other requirements for such uses found in these Regulations, such as off-site road and drainage improvements.

Use

1003.01 MR-1 Single - and multiple-household dwellings excluding rehabilitated mobile homes and manufactured homes and recreational vehicles.

MR-2 Single - and multiple-household dwellings including rehabilitated mobile homes and manufactured homes and parks and recreational vehicle parks, subject to the maximum densities of Section 1004.01. The standards set forth in Section 1812 shall apply to parks.

1003.02 Group quarters.

1003.03 Day care facilities and establishments.

1003.04 Educational services.

1003.05 Utility installations not otherwise exempted by Section 2002, other than electric generation plants, regional sewage treatment plants, solid waste landfills or incinerators.

1003.06 Churches or places of religious worship.

1003.07 Residential care homes.

1003.08 Emergency vehicle stations not otherwise exempted by Section 2002.

1003.09 Bed and breakfast homestay subject to Section 1719.

1003.10 Bed and breakfast inn subject to Section 1719.

1003.11 ~~Health clinics.~~[Scribner's error, see Section 1006.14]

1004 Site Development Standards

All uses permitted in MR districts, except as otherwise noted, shall conform to the following minimum site development standards:

1004.01 Minimum Site Area and Maximum Density

District	Minimum Site Area	Maximum Density
MR-1	3,600 square feet	One dwelling unit per 3,600 square feet
MR-2	3,600 square feet	One dwelling unit per 3,600 square feet
Previously	Minimum Site Area	Maximum Density
MH-36	3,600 square feet	One dwelling unit per 3,600 square feet
MH-54	5,400 square feet	One dwelling unit per 5,400 square feet
MH-72	7,200 square feet	One dwelling unit per 7,200 square feet

1004.02 Maximum Height

Principal structure	40 feet above grade
Accessory structure	20 feet above grade
Wall or fence	8 feet above grade

1004.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or road travelway to the structure/use, as follows:

A. For those MR zoning districts which abut MR, NB, GB, LI, HI or PD-2 zoning districts, the setback* shall be 5 feet. Zero lot lines between townhouses or condominiums within a common development shall be permitted in the MR district.

B. For those MR zoning districts which abut RU, R, SM, SR or PD-1 zoning districts, the setback* shall be 20 feet. Zero lot lines between townhouses or condominiums within a common development shall be permitted in the MR district.

* The minimum setbacks for Special Uses shall be double that of the zoning district in which it is located.

1004.04 Maximum Site Coverage - 70 percent.

1004.05 Distance Between Structures

Except as otherwise provided in these Regulations, a minimum distance between principal structures shall be 15 feet; 10 feet for multiple-household structures. Nothing herein shall prevent permanent attachment of principal structures.

1004.06 Screening

In Category A, B or C Growth Areas, whenever a non-residential use abuts a residential zoning district or is separated therefrom by an alley, the developed area of the non-residential site shall be screened with a 6 foot high solid screen (see Section 1805.02 for definition). The Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. Screening is not required in Category D (Rural) Areas.

1004.07 Cluster Residential Subdivision Option

Pursuant to Article 6 of the Cochise County Subdivision Regulations, Minor Expedited Residential Subdivision and Residential Conservation Subdivision options providing a wider latitude of design, more economic use of land and density bonuses are available for development of residential subdivisions.

1005 Permitted Accessory Uses

Accessory uses are permitted in the MR zoning district provided they are customarily incidental to an established permitted principal use. For residential uses, the following additional accessory uses and structures shall be permitted:

1005.01 Recreational Vehicles (RV's) are allowed as follows:

- A. Storage of no more than 2 RV's on a parcel (no permit is required).
- B. Temporary occupancy of 1 RV in conjunction with a permitted principal use up to 6 months in a calendar year (a Temporary Use Permit is required); stays of 15 consecutive days or less do not require a permit.
- C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use (a Temporary Use Permit is required, see Section 1817.03, A).
- D. With the exception of RV's in conjunction with construction as permitted in paragraph C (above), no more than 2RV's are allowed per parcel.

1005.02 Rooms in the principal dwelling for roomers, not exceeding 2 such persons per dwelling unit (no permit is required).

1005.03 Family cemeteries (informational permit is required).

1005.04 Home occupations.

1005.05 Indoor and outdoor recreational facilities accessory to the principal use.

1005.06 Wind Energy Systems (Subject to the site development standards in Section 1822).

1005.07 Solar Energy Systems.

1006 Special Uses

The following uses may be permitted as a Special Use subject to the procedures and review criteria set forth in Section 1717:

1006.01 Welfare and charitable services.

1006.02 Regional sewage treatment plants.

1006.03 Hospitals.

1006.04 Bed and breakfast establishment.

1006.05 Cultural, historic and nature exhibits.

1006.06 Indoor and outdoor recreational facilities.

1006.07 Civic, social, fraternal or business associations.

1006.08 Golf courses.

1006.09 Cemeteries.

1006.10 Grocery stores.

1006.11 Lighted Outdoor Recreation Facilities.

1006.12 Personal and professional services.

1006.13 Residential care institutions.

1006.14 Health clinics.



COCHISE COUNTY PLANNING DEPARTMENT

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Judy Anderson, Director

NOTICE OF HAZARD

CERTIFIED MAIL

7003 1680 0001 6369 2312

May 8, 2006

Russel M. & Denise E. Glenn
PO Box 1000
Hereford, AZ. 85615

SUBJECT: HAZARD VIOLATION ON TAX PARCEL 106-39-151, VH-06-0008
Property located at 504 E. Yuma, Huachuca City, AZ.

Dear Property Owner(s):

Our office has received a request for investigation into a violation of the Cochise County Hazard Abatement Ordinance on this parcel. Pursuant to this request and specific Hazard Abatement Ordinance procedures, an on-site inspection of this property was performed and the following was noted:

- **1 dilapidated and abandoned mobile home.**
- **3 recreation vehicles.**
- **A boat, several Vehicles and a truck.**
- **Outdoor storage, appliances, trash, furniture.**
- **High weeds.**

Based upon the results of this inspection, a violation of the Hazard Abatement Ordinance clearly exists on your property. This serves as your official notification that you are in violation of the aforementioned ordinance.

The specific action(s) to correct the hazard(s) are:

- **Remove mobile home in a legal manner.**
- **Remove all recreation vehicles in a legal manner.**
- **Remove the boat, vehicles, and truck in a legal manner.**
- **Remove all outdoor storage, appliances, trash and furniture in a legal manner.**
- **Cut down high weeds and dispose of in a legal manner.**

Your County Questions Answered
www.cochisecounty.com

Pursuant to Section 401 of the Hazard Abatement Ordinance, if the Hazard Abatement Officer determines that condition(s) constitutes a hazard to public health or safety, said Officer may require the owner, lessee or occupant of the buildings, groups or lots to remove such condition(s) in accordance with local and state laws and ordinances. Under this ordinance, removal of the hazard(s) would include repair and/or rehabilitation of the above discrepancies to the satisfaction of the Building Inspection Division. Said removal/repair must be corrected within thirty (30) days of receipt of this notice.

If, after this notice, you fail to remove or correct the hazardous conditions as outlined above, Cochise County may at the expense of the owner, and occupant or lessee remove or repair the hazard. Pursuant to Section 402 of the Hazard Abatement Ordinance I am providing to you, the owner, occupant or lessee, an estimated minimal cost of correcting said deficiencies of **\$30,000.00**.

Please note that the cost to be charged for such removal or abatement would be the actual cost of removal/abatement, including the actual cost of any additional inspections and incidental costs. Further, the costs of removal/repair shall be assessed upon the lot from which the structures were removed or repaired. This assessment, from the date of its recording in the Office of the County Recorder, shall be a lien on the lot or tract of land, until paid.

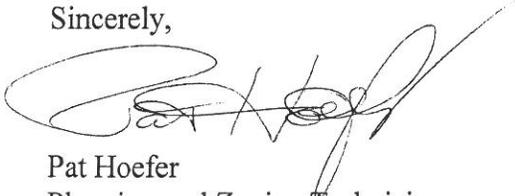
Pursuant to Section 501, you have the right to file a written appeal of this decision to the Board of Appeals (which is the Cochise County Board of Supervisors) within thirty (30) days of receipt of this notice.

If you fail to comply with this notice, the matter will be turned over to the County Attorney for appropriate legal action. Further, being duly noticed of these unsafe conditions, you may be held personally liable should any injuries, damages, etc., occur as a result of said deficiencies.

Please understand that this Department is seeking your cooperation in correcting the Hazard violation(s).

If you any questions, please contact me at (520) 432-9240.

Sincerely,



Pat Hoefler
Planning and Zoning Technician

cc: Linda Weiland, Zoning Administrator
Rick Corley, Zoning Enforcement Officer

COCHISE COUNTY INSPECTION REPORT VIOLATION / HAZARD

First Inspection Re-inspect. Parcel Number: 106-39-151 Violation / Hazard Number: V - 06-0103
 Property Owner(s): Russel M & Denise E. Glenn Bld. Code: Yes No
 Situs Address: 504 E. Yuma Huachuca City, Az. Zoning: MH72
 COMPLAINT: ^{MH} Abandoned Trailer - ODS - Trash - Debris Category: B

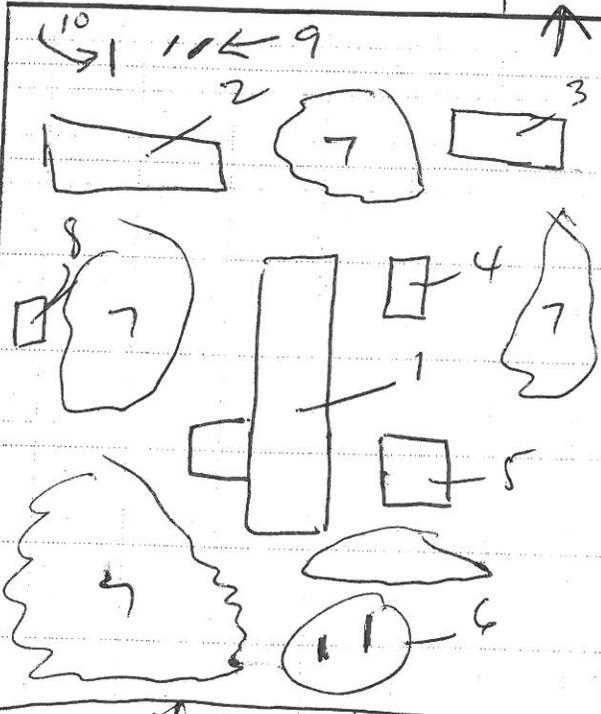
INSPECTION INSTRUCTIONS: Verify abandoned trailer - is it dangerous?
 Verify ODS - Trash - Debris.

PARCEL HISTORY: BB shows no permits or actions
 Not shows MH 1987
 V-02-0066 - closed 8/02 under diff parcel #106-21-016
 H-00-023 - closed 5/01
 V-00-00331 - houses?

SUMMARY of Important Facts (NOT INCLUDED in above section):

- 1 Delepidated (abandoned) m.H
- 2 old RV's -
 - 1) RV -
 - 1) boat
- 4) cars - 1 truck
- Lots of ODS -
- Appliances, old mattress -
- lots of trash, furniture
- high weeds - ~~againt~~ against wood fence

Sketch a Site-Plan Below (changes/clarifications)
 Or add elements to existing Site-Plan. Number and explain important details, violations and buildings. include approx. Parcel outline and content.
 Not to Scale



OWNER or RESIDENT CONTACTED? YES NO Name: _____
 Phone No: _____

- FAILED/NO CORRECTION
- FAILED/PARTIAL CORRECTION
- PASSED/CORRECTED

Date Assigned: 4/26/2006
 DATE OF THIS INSPECTION: 5/13/2006

Inspector Signature: *Herb Hernandez*
 Number of Photos taken: 14

- No. 1 = MH (12x60)
- No. 2 = old RV 10x40
- No. 3 = old RV 10x40
- No. 4 = RV - 8x25
- No. 5 = Storage wood box
- No. 6 = 1 CAR - 1 truck
- No. 7 = ODS -
- No. 8 = RV - (motor) *Camper Shell*
- No. 9 = 2 CARS
- No. 10 = 1 old boat -

only 7/14
 12 pictures
 ok



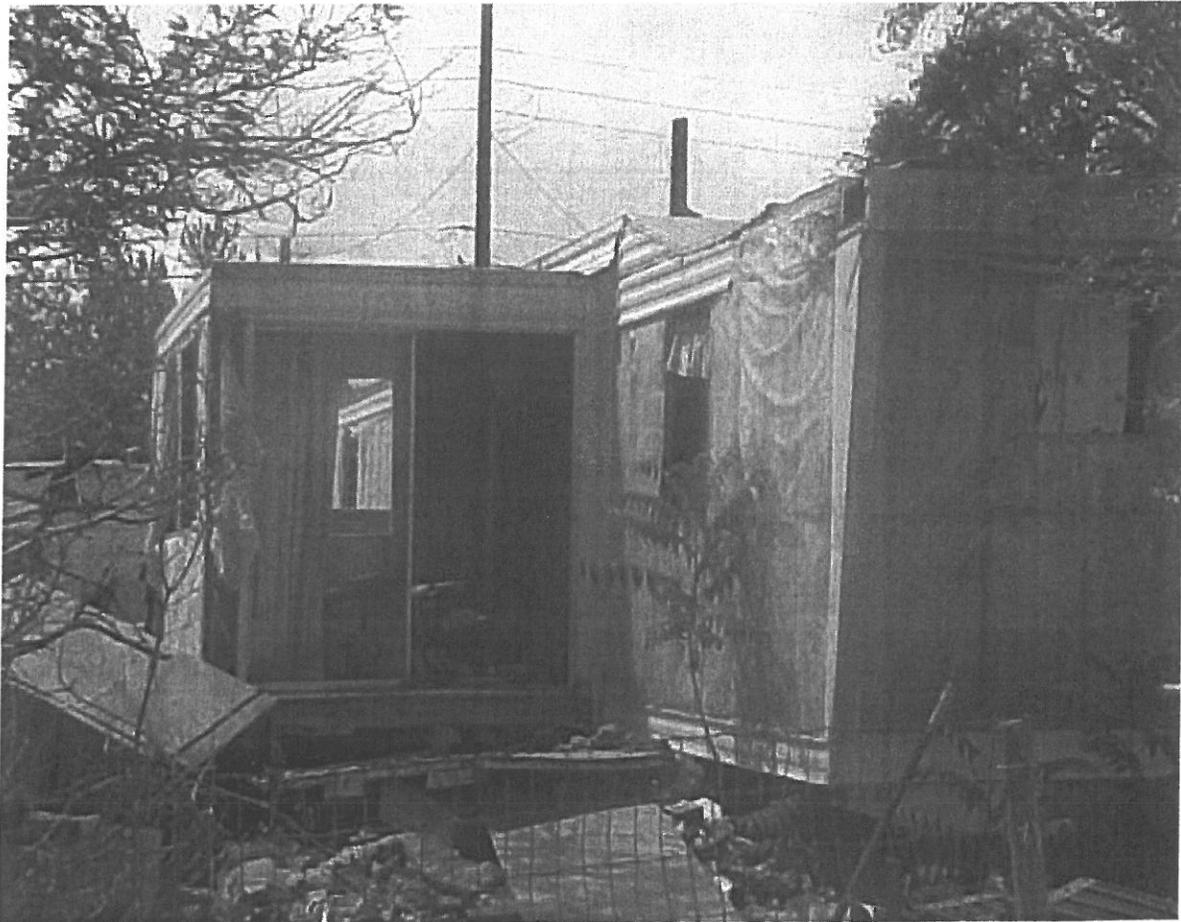
106-39-151

V-06-0103

05-03-06

H.H.

PHOTO #1





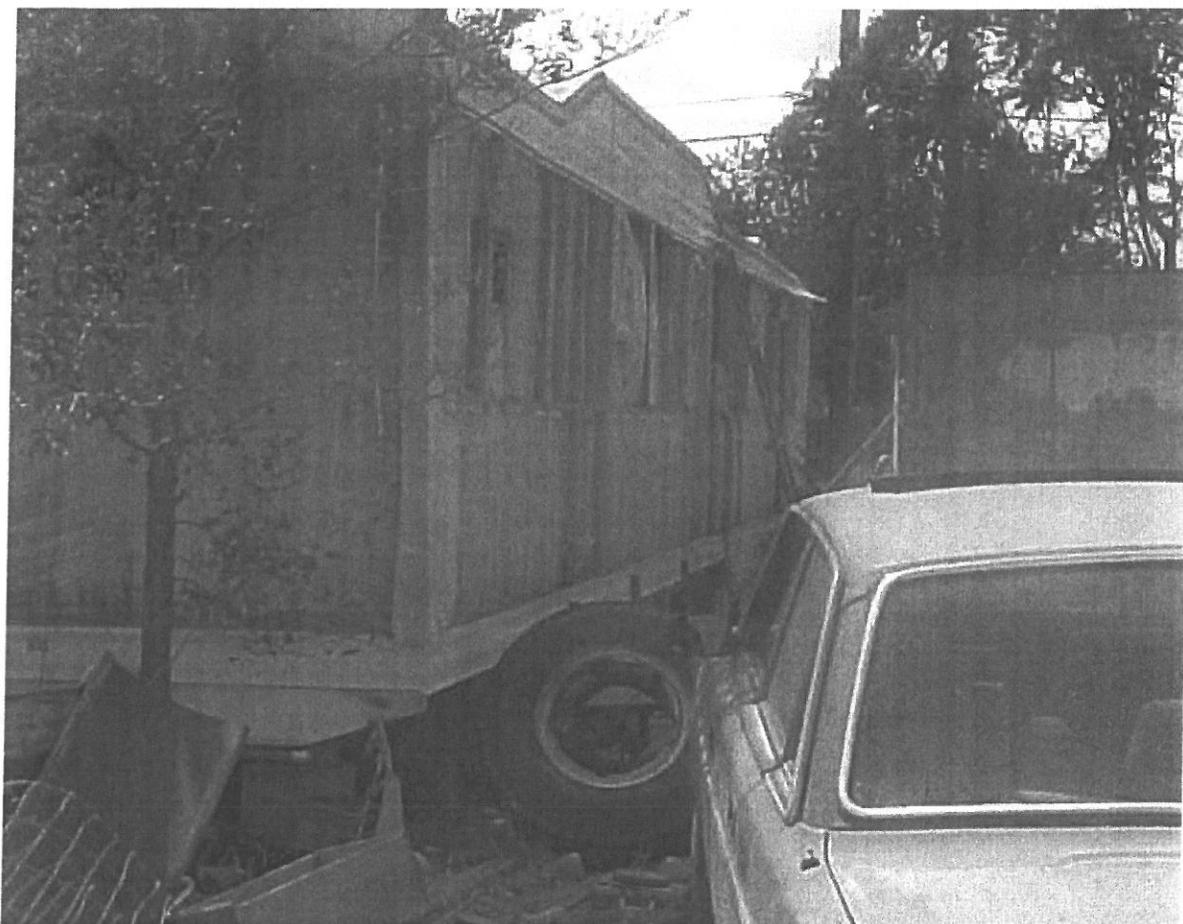
106-39-151

V-06-0103

05-03-06

H.H.

PHOTO #2





106-39-151

V-06-0103

05-03-06

H.H.

PHOTO #3





106-39-151

V-06-0103

05-03-06

H.H.

PHOTO #4





106-39-151
V-06-0103
05-03-06
H.H.
PHOTO #5





106-39-151

V-06-0103

05-03-06

H.H..

PHOTO #6





106-39-151

V-06-0103

05-03-06

H.H..

PHOTO #7





106-39-151
V-06-0103
05-03-06
H.H..
PHOTO #8





106-39-151
V-06-0103
05-03-06
H.H.
PHOTO #9





106-39-151
V-06-0103
05-03-06
H.H.
PHOTO #10





106-39-151
V-06-0103
05-03-06
H.H.
PHOTO #11





106-39-151
V-06-0103
05-03-06
H.H.
PHOTO #12





H-13-01 (Hazard Abatement Lien)

Request to place a lien against Parcel 106-39-151 for \$16,905.00; the cost of abatement of Hazard VH-06-0008).

Board of Supervisors, February 26, 2013



Docket H-13-01 (Hazard Abatement Lien)

- ◆ Staff requests that the Board of Supervisors place a lien for the amount spent to abate the property.
- ◆ Originated as outdoor storage complaint in 2006.
- ◆ Found and removed an open accessible home that presented a hazard to the public.



Docket H-13-01 (Hazard Abatement Lien)

- ◆ This is the first of nine Hazards to be brought for Board consideration per the earlier Hazard Abatement Ordinance, adopted September 8, 1987.
- ◆ The 1987 Ordinance requires the Board of Supervisors to approve all liens for Hazard Abatement.
- ◆ The 2011 Ordinance allows staff to assess liens with Chairman of the Board's signature only.



Site Photos





Site Photos





Staff Recommendation

- ◆ Staff recommends the Board approve the lien to be placed against Parcel 106-39-151, in the amount of \$16,905.00.

RESOLUTION H-13-01

RESOLUTION TO RECOVER COSTS OF HAZARD ABATEMENT

WHEREAS, the Cochise County Hazard Abatement Ordinance No. 87-91, was revised and replaced by County Board of Supervisors on February 8, 2011, by enactment of Ordinance 041-11, which took effect March 10, 2011; and

WHEREAS, terms of Cochise County Hazard Abatement Ordinance No. 87-91 remains in effect for hazard abatements occurring prior to the March 10, 2011, effective date of revised Ordinance No. 041-11; and

WHEREAS, on or about February 26, 2007, the County contracted to have a public health and safety hazard abated on property located at 504 E. Yuma Street, Huachuca City, Arizona, in the County of Cochise, at a cost to the County of \$16,905; and

WHEREAS, under terms of Chapter 8 of Ordinance No. 87-91, the County may seek to recover costs of abatements undertaken prior to March 10, 2011, by presenting a report of costs incurred to the Cochise County Board of Supervisors establishing the basis for those costs and seeking to have said costs declared to be a lien against the property at issue, subject to collection by assessment; and

WHEREAS, the Board may, after a properly noticed hearing and review of the correctness of the charge, confirm or reject said charge as a lien and assessment against the property abated; and

WHEREAS, a hearing on said report on costs of abatement incurred by the County and any protests or objections thereto was held by the Board on _____, 2013, after being properly noticed at least ten (10) days in advance in a newspaper of general circulation in the county; and

WHEREAS, the Board, having considered the report of costs presented by the County and any objections thereto, and finds said report and the charge for costs contained therein to be correct and proper,

NOW, THEREFORE BE IT RESOLVED, and ordered that said charge of \$16,905 for abatement of a hazard at 504 E. Yuma Street, Huachuca City, Arizona, shall constitute a lien on said property, the amount of which shall be assessed as a charge against said property, in the manner set forth in Sections 807 through 813 of Cochise County Hazard Abatement Ordinance, No. 87-91.

PASSED AND ADOPTED this _____ day of _____, 2013.

Ann English, Chairman
Cochise County Board of Supervisors

ATTEST:

Katie Howard
Clerk of the Board

APPROVED AS TO FORM:

Adam Ambrose
Civil Deputy County Attorney

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

The Cochise County Board of Supervisors (Board) hereby gives notice that on Tuesday, February 26, 2013 at or after 10:00 a.m. at 1415 Melody Lane, Building G, in Bisbee, Arizona, the Board will consider the following Resolution to recover the costs of the following hazard abatement:

On or about February 26, 2007, the County contracted to have a public health and safety hazard abated on property located at 504 E. Yuma Street, Huachuca City, AZ at a cost to the County of \$16,905. The Cochise County Hazard Abatement Ordinance requires abatement/removal rubbish, trash, weeds, filth, debris or damaged or dilapidated buildings which constitute a hazard to public health and safety. When such public nuisances are not abated by private parties, the County may do so and seek to recover the cost of such abatement from the property owner. Under the terms of the Ordinance, the County may seek to recover costs of abatements by presenting a report of costs incurred to the Cochise County Board of Supervisors and establishing the basis for those costs and seeking to have said costs declared as a lien against the subject property(ies).

Details of the above are on file in the office of the Cochise County Community Development Department, 1415 Melody Lane, Bisbee, Arizona, Building E, and may be examined during office hours (Monday through Friday, 8 a.m. to 5 p.m.). All persons interested in said matter may appear at said public hearing at said time and place and show cause, if any they have, why said Resolution should or should not be approved.

Dated this 2/5/13
No later than 2/14/13

Ann English, Chair, Cochise County Board of Supervisors
Publish: Bisbee Observer

Regular Board of Supervisors Meeting

Meeting Date: 02/26/2013
 Second FY 2013 CDBG Public Hearing
 Submitted By: Lisa Marra, Facilities
 Department: Facilities
 Presentation: PowerPoint
 Recommendation: Approve
 Document Signatures: BOS Signature NOT Required
 # of ORIGINALS Submitted for Signature: 0
 NAME of PRESENTER: Lisa M. Marra
 TITLE of PRESENTER: Grants Administrator
 Mandated Function?: Federal or State Mandate
 Source of Mandate or Basis for Support?: 24 CFR 91.115

Docket Number (if applicable):

Information

Agenda Item Text:

Present information and hold the second of two Public Hearings for Fiscal Year 2013 Community Development Block Grant Application (CDBG) process for Cochise County to receive public input and to identify community needs in Cochise County.

Background:

Cochise County is expected to receive approximately \$170,000 in FY 2013 Federal Community Development Block Grant (CDBG) funds from the Arizona Department of Housing Regional Account. The entitlement funds originate through HUD and are distributed to the State with a partnership through SEAGO on a rotating basis every two years. In 2013, Cochise County, City of Bisbee, City of Sierra Vista, and the Town of Huachuca City are anticipated to receive funding. The County may also apply for the next or all future State Special Project (SSP) or Colonias funds should those become available. CDBG and SSP Funds must be used to benefit low-income persons and areas, alleviate slum and blight, or address urgent need. Samples of projects that can use CDBG funds include: Public Infrastructure, Community Facilities, Housing, Public Services, and Economic Development. Due to recent changes in HUD guidelines, it is suggested that one project be funded instead of splitting the funding between projects. Cochise County has a very successful track record of receiving funding and completing projects throughout our community through this grant cycle. This second hearing was originally scheduled for January 29, 2013 and was postponed in order to conduct a Work Session for the Board prior to the second Public Hearing to gather citizen input.

Department's Next Steps (if approved):

Staff to attend a mandatory CDBG meeting on March 6, 2013 sponsored by SEAGO and the Arizona Department of Housing (ADOH) to discuss proposed projects.
 Bring the results of the two Public Hearings and Work Session to a Regular Board Meeting in March or April, 2013 to approve a project(s) and adopt a Resolution in order to complete the grant application due in May, 2013.

Impact of NOT Approving/Alternatives:

Required by Federal guidelines to receive funding.

To BOS Staff: Document Disposition/Follow-Up:

Grant Administrator will:
 Provide backup material for the BOS.
 Publish notice of Public Hearing in County paper of record and on website.
 Provide PPT presentation for use at this hearing.

Budget Information
 Information about available funds

Budgeted: Funds Available: Adjustment: Amount Available:
 Unbudgeted: Funds NOT Available: Amendment:

Account Code(s) for Available Funds
 1:

Fund Transfers

Fiscal Year: One-time Fixed Costs? (\$\$\$): Ongoing Costs? (\$\$\$): County Match Required? (\$\$\$): 0 A-87 Overhead Amt? (Co. Cost Allocation \$\$\$): Source of Funding?:
 Fiscal Impact & Funding Sources (if known):
 No fiscal impact

Attachments

- [Presentation](#)
- [Priority Table](#)
- [Public Info Packet](#)
- [Public Notice Reschedule](#)

Arizona Department of Housing FY 2013 Community Development Block Grant Funding Cycle (CDBG)



For
Cochise County
2nd Public Hearing

February 26, 2013



Where does the money come from?

- Source of CDBG Funding:
 - US Dept of Housing and Urban Development (HUD)
 - State Community Development Block Grant Program
 - Az Dept of Housing (AZDOH) CDBG Program
 - Formula based on population and persons in poverty in rural areas.



FY 2013 Estimates
\$170,000 Regional Account

SouthEastern Arizona Government
Organization (SEAGO)

2012:

Benson

Douglas

Tombstone

Willcox

2013:

Bisbee

Cochise County

Huachuca City

Sierra Vista



CDBG Community Responsibility

- Funding provided to all recipient communities on an entitlement basis.
- Eligibility funding depends upon the submission of a viable project application.
- Strongly recommended that no more than one project be submitted. (New HUD guideline.)



Additionally, the activity must meet one (only one) of the National Objectives

- ❖ Low to moderate Income Benefit- area wide, limited clientele (60% residential and 51% low income)
- ❖ Prevention or elimination of slums and blight.
- ❖ Urgent Need (serious threat to human health/welfare)

Activity must result in a complete, stand-alone project resulting in a “benefit.”



Possible State Special Projects Funding (SSP)

Availability of Possible Funding Unknown at This Time

SSP is a competitive award program, which is directly applied for through the AZDOH. The County could submit applications if funding becomes available and if there are eligible projects.

All SSP applications must demonstrate that the project is ready to proceed immediately.

Priority is given to proposed projects that address unmet needs of the community and target low-income populations.



Eligible CDBG Project Activities

- Public Facilities and Improvements
- Community / Supportive Housing Facilities
- Public Services
- Housing
- Economic Development (tied to job creation or retention)
- Neighborhood Revitalization and Redevelopment
- Planning and Capacity Building



Previous Projects:

- Elfrida Community Center Improvements and Library Development
- ADA Improvements – County Facilities, Old Bisbee High School
- Bowie Clean-Up Program
- Fry Town Site Curb and Drainage Improvements
- ADA Improvements – County Facilities, Douglas
- Lower Huachuca City Capital Improvement Plan
- Emergency Home Repair Program
- Contribution to the City of Bisbee for Revitalization of the Saginaw Area
- Fry Townsite Street Improvements
- Sunsites Senior Center HVAC, Windows/Doors
- Elfrida Community Center Improvements
- Fry Drainage Way Improvements
- Lead Abatement Program
- Wesleyan Preschool Playground Improvements
- Bowie Fire District Emergency Equipment (FY 2011)
- Fry Fire Station ADA improvements (FY 2011)
- Owner Occupied Emergency Home Repair (FY 2011)



Possible Projects Discussed at the Board of Supervisors' Work Session on 2/12/13:

1. Elfrida Water District Improvements
2. Fry Fire Electrical Upgrades
3. Golden Acres Road – Access Road
4. 5708 Wildrose Road – Drainage or Improvement
5. Bowie Water District Improvements
6. Bowie Fire District – Structure and Landing Zone
7. Bowie Fire District – Blood Pressure Monitor
8. Bay Acres Sewer Connections
9. Park in Naco
10. Bowie Community Center Roof
11. Emergency Home Repairs – Housing Authority
12. Naco – Clean Up of Right-of-Ways
13. Dake Road – Wild Cat Dump Cleanup



PUBLIC INPUT



Public Facilities & Improvements	<p>High: Water system improvements, Wastewater system improvements Flood & Drainage improvements, Fire & Police Facilities</p> <p>Medium: Road/Street Improvements, Other Facility Improvements, Fire and Police station construction, Fire trucks, Firefighting equipment</p> <p>Low: Solid Waste Disposal Facilities and Equipment</p>
Community/Supportive Housing Facilities	<p>High: Homeless facilities</p> <p>Medium: Senior Centers, Food banks, Physical or psychological disabilities facilities, Supportive housing facilities (DV shelters, halfway houses).</p> <p>Low: Libraries, Social service centers</p>
Public Services	<p>High: Fair Housing activities, Services for seniors, Services for homeless persons, Equipment used in the provision of any of the above services, Emergency assistance (utility, rent, mortgage), Lead hazard screening</p> <p>Medium: Health care, Public safety services</p> <p>Low: Child care, Large-print books, tapes, and audio visual for adults with severe disabilities</p>
Housing	<p>High: Owner occupied Rehabilitation, Rental rehabilitation, Lead based paint evaluation or reduction</p> <p>Low: Public housing Rehabilitation, Construction of new housing by a Community Based Development Organization</p>
Economic Development (tied to job creation or retention)	<p>Medium: Direct Assistance to for-profit businesses, Economic Development services, Micro-enterprise Assistance</p>
Neighborhood Revitalization and Redevelopment	<p>Medium: Historic preservation, Acquisition, disposition, clearance, or demolition of real property</p> <p>Low: Commercial/industrial rehabilitation</p>
Planning and Capacity Building	<p>High: Comprehensive Plans, Housing/Functional Plans, Neighborhood Revitalization strategy</p> <p>Medium: Community development plans, policy, planning, Management, and capacity building activities.</p>

Community Development Block Grant
Funding Cycles
For
Cochise County

Public Information Packet



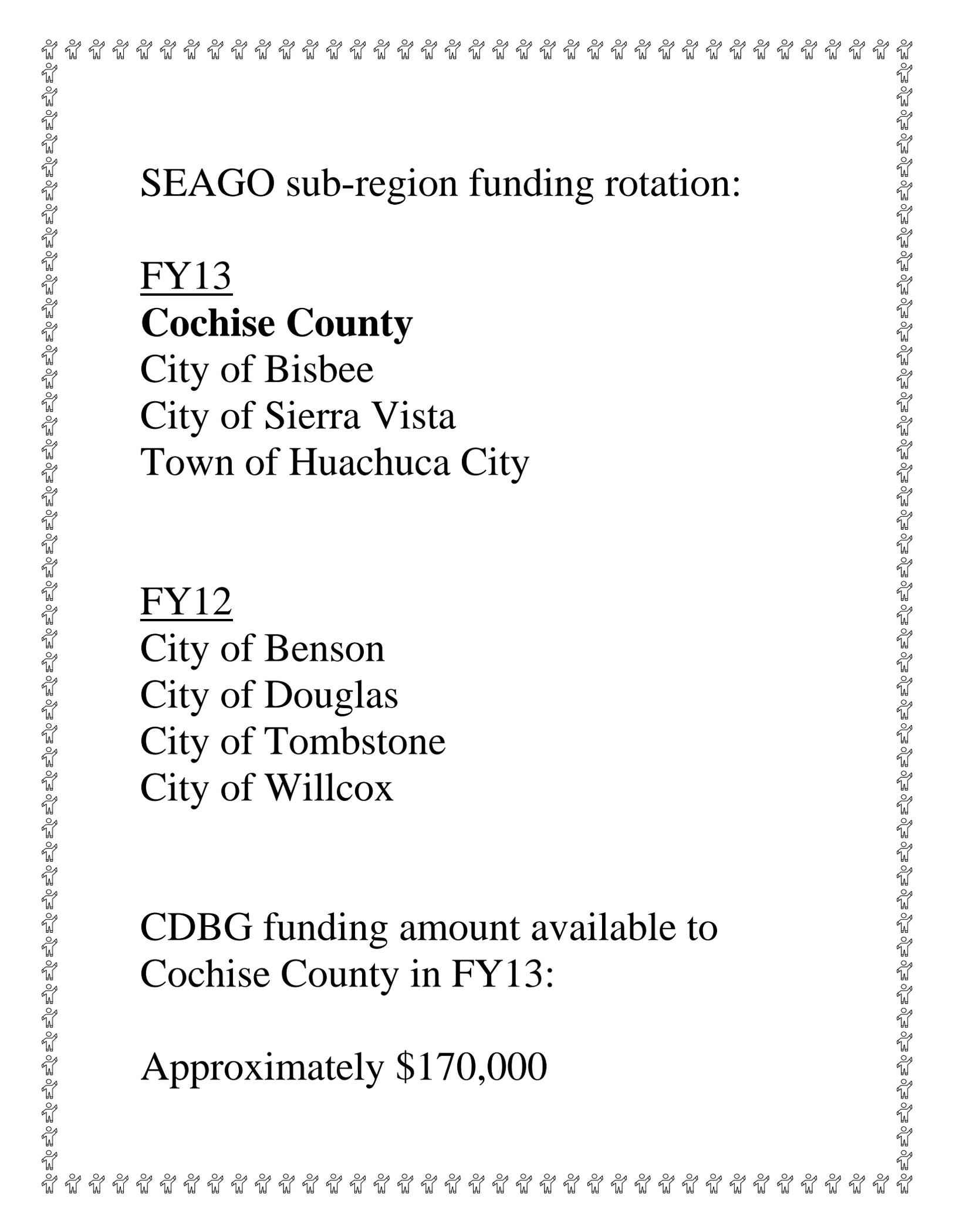
Source of CDBG Funding

-  U.S. Department of Housing and Urban Development (HUD) ↓
-  State Community Development Block Grant Program ↓
-  Arizona Department of Housing CDBG Program ↓

Partnership with regional Councils of Governments (COGs):

Southeastern Arizona Government Organization (SEAGO) development a Method of Distribution of CDBG monies for the counties of:

-  Cochise
-  Graham
-  Greenlee
-  Santa Cruz



SEAGO sub-region funding rotation:

FY13

Cochise County

City of Bisbee

City of Sierra Vista

Town of Huachuca City

FY12

City of Benson

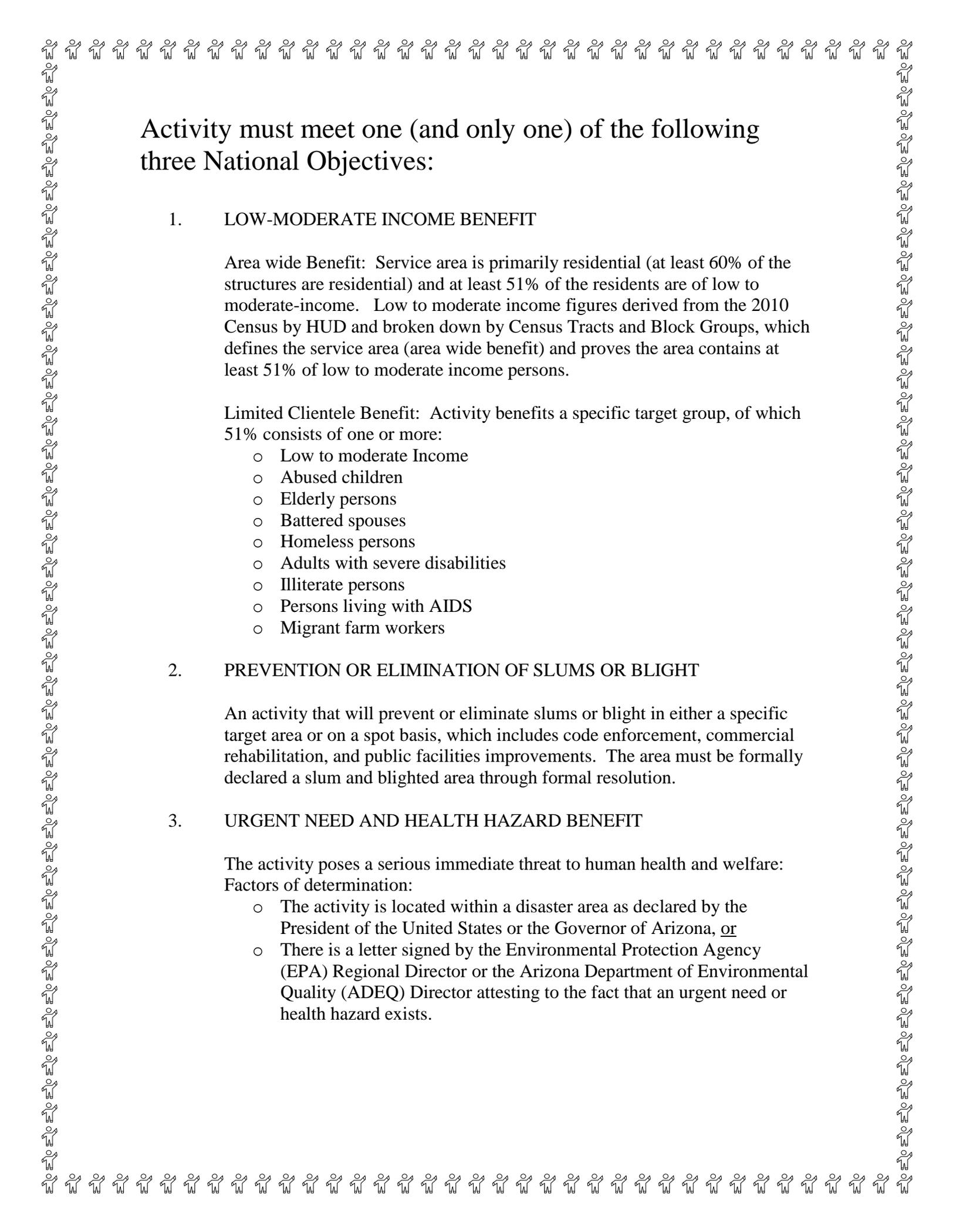
City of Douglas

City of Tombstone

City of Willcox

CDBG funding amount available to
Cochise County in FY13:

Approximately \$170,000



Activity must meet one (and only one) of the following three National Objectives:

1. LOW-MODERATE INCOME BENEFIT

Area wide Benefit: Service area is primarily residential (at least 60% of the structures are residential) and at least 51% of the residents are of low to moderate-income. Low to moderate income figures derived from the 2010 Census by HUD and broken down by Census Tracts and Block Groups, which defines the service area (area wide benefit) and proves the area contains at least 51% of low to moderate income persons.

Limited Clientele Benefit: Activity benefits a specific target group, of which 51% consists of one or more:

- Low to moderate Income
- Abused children
- Elderly persons
- Battered spouses
- Homeless persons
- Adults with severe disabilities
- Illiterate persons
- Persons living with AIDS
- Migrant farm workers

2. PREVENTION OR ELIMINATION OF SLUMS OR BLIGHT

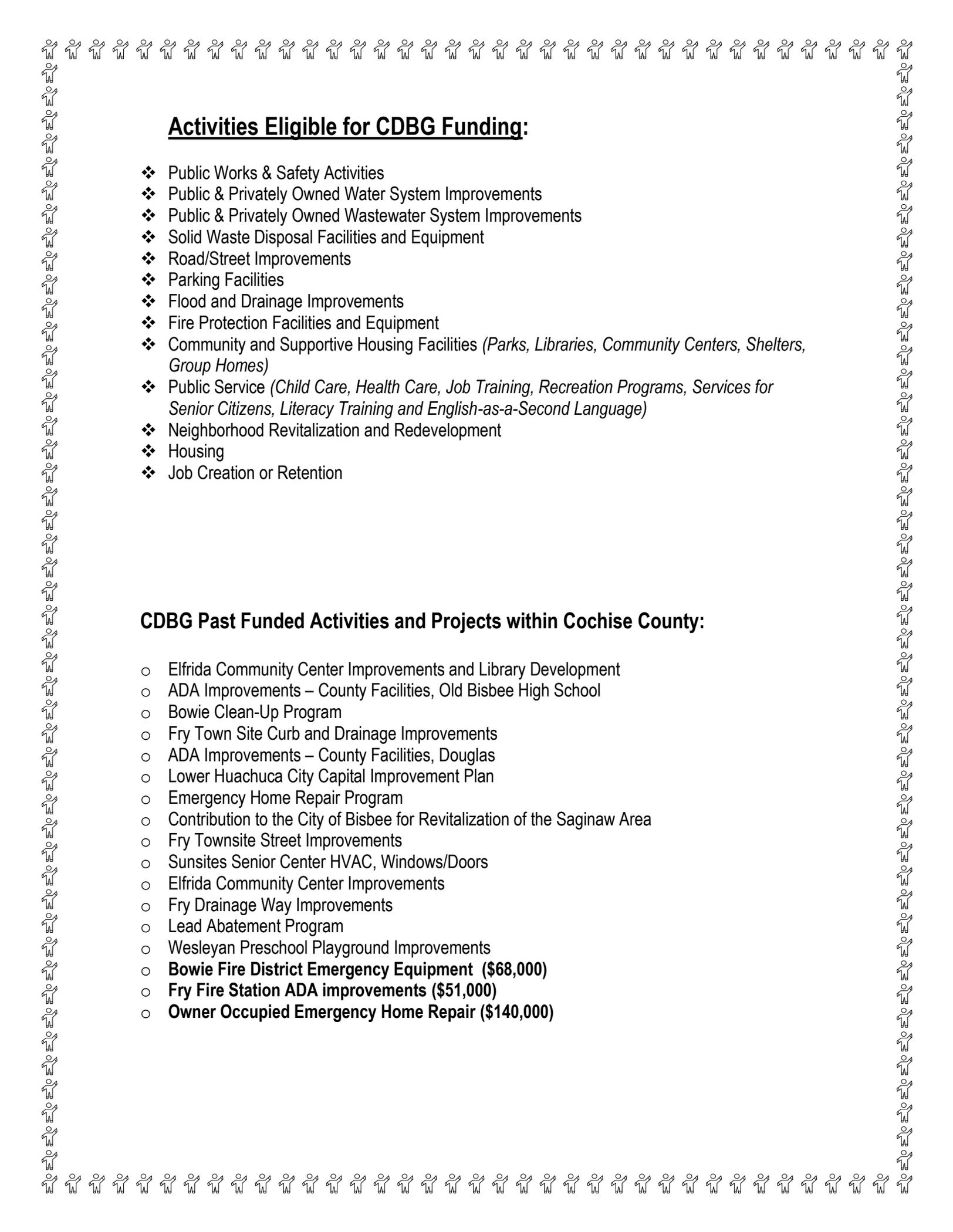
An activity that will prevent or eliminate slums or blight in either a specific target area or on a spot basis, which includes code enforcement, commercial rehabilitation, and public facilities improvements. The area must be formally declared a slum and blighted area through formal resolution.

3. URGENT NEED AND HEALTH HAZARD BENEFIT

The activity poses a serious immediate threat to human health and welfare:

Factors of determination:

- The activity is located within a disaster area as declared by the President of the United States or the Governor of Arizona, or
- There is a letter signed by the Environmental Protection Agency (EPA) Regional Director or the Arizona Department of Environmental Quality (ADEQ) Director attesting to the fact that an urgent need or health hazard exists.



Activities Eligible for CDBG Funding:

- ❖ Public Works & Safety Activities
- ❖ Public & Privately Owned Water System Improvements
- ❖ Public & Privately Owned Wastewater System Improvements
- ❖ Solid Waste Disposal Facilities and Equipment
- ❖ Road/Street Improvements
- ❖ Parking Facilities
- ❖ Flood and Drainage Improvements
- ❖ Fire Protection Facilities and Equipment
- ❖ Community and Supportive Housing Facilities (*Parks, Libraries, Community Centers, Shelters, Group Homes*)
- ❖ Public Service (*Child Care, Health Care, Job Training, Recreation Programs, Services for Senior Citizens, Literacy Training and English-as-a-Second Language*)
- ❖ Neighborhood Revitalization and Redevelopment
- ❖ Housing
- ❖ Job Creation or Retention

CDBG Past Funded Activities and Projects within Cochise County:

- Elfrida Community Center Improvements and Library Development
- ADA Improvements – County Facilities, Old Bisbee High School
- Bowie Clean-Up Program
- Fry Town Site Curb and Drainage Improvements
- ADA Improvements – County Facilities, Douglas
- Lower Huachuca City Capital Improvement Plan
- Emergency Home Repair Program
- Contribution to the City of Bisbee for Revitalization of the Saginaw Area
- Fry Townsite Street Improvements
- Sunsites Senior Center HVAC, Windows/Doors
- Elfrida Community Center Improvements
- Fry Drainage Way Improvements
- Lead Abatement Program
- Wesleyan Preschool Playground Improvements
- **Bowie Fire District Emergency Equipment (\$68,000)**
- **Fry Fire Station ADA improvements (\$51,000)**
- **Owner Occupied Emergency Home Repair (\$140,000)**



PUBLIC NOTICE

Cochise County

Public Hearing Regarding Use of Community Development Block Grant Funds (CDBG)

Cochise County is expected to receive approximately \$170,000 in FY 2013 Federal Community Development Block Grant (CDBG) funds from the Arizona Department of Housing Regional Account (RA). The County may also apply for the next or all future State Special Project (SSP) or Colonias funds. CDBG and SSP funds must be used to benefit low-income persons and areas, alleviate slum and blight, or address urgent need.

A second public hearing will be held to gather citizen input on the use of CDBG funds. This public hearing was rescheduled from January 29, 2013. The public hearing will be held on the following date and time:

Tuesday, February 26, 2013

10:00 a.m.

Board of Supervisors Hearing Room
1415 Melody Lane, Building G
Bisbee, AZ 85603

Samples of projects that can use CDBG funds include:

1. Public Infrastructure (e.g., water, wastewater, street improvements);
2. Community Facilities (e.g., fire and police facilities; senior or homeless facilities);
3. Housing (e.g., owner-occupied or multi-family rehab, utility connections on private property);
4. Public Services (e.g., fair housing services, services for seniors or homeless, lead hazard screening);
and
5. Economic Development (e.g., job development or retention)

For more information about the hearing, grievances, the CDBG program, or to receive assistance in formulating prospective project ideas for presentation at the hearing contact the following:

Lisa M. Marra, Grants Administrator
1415 Melody Lane, Bldg C
Bisbee, AZ 85603
Phone: (520) 432-9742 FAX: (520) 432-9758
Email: lmorra@cochise.az.gov

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits of services, programs, or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAC (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building E, Bisbee, AZ 85603.

Regular Board of Supervisors Meeting**Meeting Date:** 02/26/2013

New Health Choice Arizona-Health Choice Generations and CHSS LOA

Submitted By: Jennifer Steiger, Health & Social Services**Department:** Health & Social Services**Presentation:** No A/V Presentation**Recommendation:** Approve**Document Signatures:** BOS Signature NOT Required**# of ORIGINALS** 0**Submitted for Signature:****NAME of PRESENTER:** Ray Falkenberg**TITLE of PRESENTER:** Administrative Services Manager**Mandated Function?:** Not Mandated**Source of Mandate or Basis for Support?:** n/a

REMINDER: You will use this Agenda Item template if your item involves a Grant (whether a new or renewal grant). You also must attach the Grant Approval Form to the item before Finance will approve it. Select the SPECIAL LINKS on your left-hand menu and Click on "Grant Approval Form". Then complete the form, save it and attach it to your item (on the Attachments tab).

Information**Agenda Item Text:**

Approve the Letter of Agreement between Cochise Health & Social Services and Health Choice Arizona/Health Choice Generations (AHCCCS and Medicare health plans, respectively), for the initial one year period and to be renewed for subsequent one-year periods.

Background:

CHSS is strategically working to expand our network of insurance companies, while at the same time; Health Choice is working to expand their network of providers in Cochise County. Health Choice has bid for an AHCCCS contract in Cochise County, and having this LOA with Cochise County will enhance their chances of being awarded a contract. This LOA will run for one year and be renewed for subsequent one-year periods; however, the LOA may be terminated by either party with ninety (90) days written notice.

Radi Ann Porter (Director of Nursing) has reviewed and is satisfied with the LOA from an operational perspective, and Terry Bannon has reviewed and is satisfied from a legal standpoint.

Department's Next Steps (if approved):

Your approval is respectfully requested.

Impact of NOT Approving/Alternatives:

Not approving this LOA will prevent Cochise County from collecting for services provided to certain AHCCCS and Medicare members in the county should Health Choice be awarded the contract.

To BOS Staff: Document Disposition/Follow-Up:

A fully executed original will be sent to the Clerk of the Board for filing purposes.

Fiscal Impact

Fiscal Year: 2012-2013

One-time Fixed Costs? (\$\$\$):

Ongoing Costs? (\$\$\$):

County Match Required? (\$\$\$):

A-87 Overhead Amt? (Co. Cost Allocation \$\$\$):

Source of Funding?: AHCCCS-Medicare

Fiscal Impact & Funding Sources (if known):

If Health Choice is awarded an AHCCCS contract, Cochise County will benefit by being able to bill Health Choice for services provided to their members.

Attachments

CHSS HC-HCG LOA 2-13

Executive Summary Form

Agenda Number: HLT

Recommendation:

Approve the new Letter of Agreement between Cochise Health & Social Services and Health Choice Arizona/Health Choice Generations (AHCCCS and Medicare health plans, respectively), for the initial one year period and to be renewed for subsequent one-year periods.

Background:

CHSS is strategically working to expand our network of insurance companies, while at the same time; Health Choice is working to expand their network of providers in Cochise County. Health Choice has bid for an AHCCCS contract in Cochise County, and having this LOA with Cochise County will enhance their chances of being awarded a contract. This LOA will run for one year and be renewed for subsequent one-year periods; however, the LOA may be terminated by either party with ninety (90) days written notice.

Radi Ann Porter (Director of Nursing) has reviewed and is satisfied with the LOA from an operational perspective, and Terry Bannon has reviewed and is satisfied from a legal standpoint.

Fiscal Impact & Funding Sources: If Health Choice is awarded an AHCCCS contract, Cochise County will benefit by being able to bill Health Choice for services provided to their members.

Next Steps/Action Items/Follow-up:

Your approval is respectfully requested.

Impact of Not Approving:

Not approving this LOA will prevent Cochise County from collecting for services provided to certain AHCCCS and Medicare members in the county should Health Choice be awarded the contract.

LETTER OF AGREEMENT

HEALTH CHOICE ARIZONA AND HEALTH CHOICE GENERATIONS

AND Cochise Health and Social Services

Provider Name

1415 Melody Lane, Bisbee, AZ 86503

Provider Address

This Letter of Agreement is entered into by and between Health Choice Arizona, Inc. a Delaware Corporation (hereafter "HCA"), and Health Choice Arizona, Inc. DBA HC Generations (hereafter "HC Generations"), and **Cochise Health and Social Services** (hereafter "SUBCONTRACTOR").

Whereas, HCA and HC Generations agree to reimburse SUBCONTRACTOR for covered and authorized services as defined below:

Scope of Services. SUBCONTRACTOR shall provide authorized COVERED SERVICES under the Health Choice Arizona, Inc (HCA) contract with AHCCCS (Arizona Health Care Cost Containment System) and Health Choice Arizona, Inc. dba HC Generations and CMS (Centers for Medicare and Medicaid Services). These services shall be paid for by HCA and/or HC Generations, when provided or arranged for by SUBCONTRACTOR in accordance with the terms and conditions of this Agreement and when such services are within the normal scope of practice of SUBCONTRACTOR. Services listed above are subject to eligibility review, medical review and/or reinsurance retro review.

Fee-For-Service Reimbursement. For COVERED SERVICES provided to Health Choice Arizona MEMBERS, SUBCONTRACTOR shall be reimbursed at 100% of the AHCCCS Prevailing Fee Schedule. HC Generations BENEFICIARIES, SUBCONTRACTOR shall be reimbursed less any applicable Co-payments, Deductibles, and Coinsurance, at 100% of the Participating Medicare Fee Schedule or billed charges, whichever is less. For Physician extenders employed and/or contracted by SUBCONTRACTOR, reimbursement shall be eighty percent (80%) of the applicable fee schedule or in accordance to AHCCCS and Medicare payment regulations and Correct Coding Initiative Rules. SUBCONTRACTOR shall adhere to all AHCCCS and Medicare regulations including but not limited to coordination of benefits and determination of their party liability prior to submitting a claim to HCA and HC Generations and all other AHCCCS requirements under the HCA / AHCCCS Agreement.

Term of Agreement and Renewal. This Agreement shall have a one year term from the effective date of the Agreement. This Agreement shall thereafter be automatically renewed for successive one year periods unless written notification is given ninety (90) days prior to the anniversary date or the terms of the Agreement have been renegotiated. This Agreement may be terminated without cause by either party through the provision of at least a ninety (90) day prior written notice. Moreover, this Agreement shall terminate immediately upon the execution of a Subcontractor Agreement.

SUBCONTRACTOR agrees to utilize the Health Choice Arizona and HC Generations contracted Provider Network, as applicable. All services requested outside of the Health Choice contracted Provider Network must be prior authorized by Health Choice Arizona. All DME equipment and IV supplies will be provided by Preferred Health Care. If this Letter of Agreement is not all-inclusive, Provider agrees to utilize Health Choice contracted laboratory and pharmacies when applicable.

SUBCONTRACTOR agrees to comply with all AHCCCS and CMS requirements including but not limited to:

AHCCCS and Medicare Participation Standards. SUBCONTRACTOR and its Ancillary Practitioners shall meet the standards for participation and all applicable requirements for providers of health care services under the AHCCCS and Medicare Programs. In addition, SUBCONTRACTOR shall require that its facilities and/or offices utilized by SUBCONTRACTOR for its HCA Members and HC Generations Beneficiaries shall comply with facility standards established by AHCCCS and CMS.

LETTER OF AGREEMENT

HEALTH CHOICE ARIZONA AND HEALTH CHOICE GENERATIONS

Persons Excluded from Medicare Participation. SUBCONTRACTOR shall not employ, or contract with, any person who has been excluded from participation in the Medicare Program under Sections 1128 or 1128A of the Social Security Act (42 USC Sections 1330a-7 and 1330a-7a) for the provision of any (1) health care services, (2) utilization review, (3) medical social work or (4) administrative services. SUBCONTRACTOR shall inform HC Generations immediately upon exclusion from participation in the Medicare Program under section 1128 or 1128A of the Social Security Act and acknowledges that PLAN is prohibited, by federal law, from contracting with a provider excluded from participation in the Medicare Program under section 1128 or 1128A of the Social Security Act as amended. [42 CFR §422.752 (a)(8)]

Applicable Federal Laws. The compensation payable to SUBCONTRACTOR pursuant to the Agreement consists of Federal funds. Accordingly, SUBCONTRACTOR acknowledges that SUBCONTRACTOR shall be required to comply with certain laws applicable to entities and individuals receiving Federal funds. [42 CFR §422.502 (h)(1); 422.502 (i)(4)(v)]

Inspection and Audit of Records and Facilities. SUBCONTRACTOR acknowledges that the performance of the SUBCONTRACTOR is monitored by the PLAN and shall provide access at reasonable times upon demand by the PLAN and Government Agencies to periodically audit or inspect the facilities, offices, equipment, books, documents and records of SUBCONTRACTOR in regards to the performance of the Agreement and the AHCCCS and Medicare Covered Services provided to HCA Members and HC Generations Beneficiaries. This includes, without limitation, all phases of professional and ancillary medical care provided or arranged for Health Choice Arizona and HC Generations Member's by SUBCONTRACTOR, Health Choice Arizona and HC Generations Member's medical records and financial records pertaining to the cost of operations and income received by SUBCONTRACTOR for Medicaid and Medicare Covered Services rendered to Health Choice Arizona and HC Generations Members. Such access shall be limited to that necessary to perform the audit. SUBCONTRACTOR shall comply with any requirements or directives issued by the PLAN and Government Agencies as a result of such evaluation, inspection or audit of SUBCONTRACTOR. SUBCONTRACTOR shall retain the books and records described in this Section for at least ten (10) years and acknowledge that Government Agencies may have the right to inspect and audit SUBCONTRACTOR'S books and records for ten (10) years beyond termination of the Agreement or until the conclusion of any governmental audit which may be initiated as pertains to such records, whichever is latest unless: (i) the CMS determines there is a special need to retain a particular record or group of records for a longer period and notifies the PLAN or SUBCONTRACTOR at least thirty (30) days before the normal disposition date; (ii) there has been a termination, dispute, or fraud or similar fault by SUBCONTRACTOR, in which case the retention may be extended to ten (10) years from the date of any resulting final resolution of the termination, dispute, or fraud or similar fault; or (iii) the CMS determines that there is a reasonable possibility of fraud, in which case it may inspect, evaluate, and audit SUBCONTRACTOR at any time. Without limiting the foregoing, following the commencement of any audit by a Government Agency, SUBCONTRACTOR shall retain its relevant books and records until completion of said audit. The provisions of this Section shall survive termination of the Agreement for the period of time required by State and Federal Law. [42 CFR §422.504(e)(2); 422.504(e)(3); 422.504(i)(2)(ii); 422.504(e)(4) ; 422.504(i)(4)(iii)]

Subcontractor Qualifications and Credentialing. SUBCONTRACTOR shall comply with, and shall ensure that the practice or employment of SUBCONTRACTOR comply with, credentialing and recertification standards, as well as all federal and state laws and regulations regarding licensure, certification and credentialing and use of DEA number(s) in prescribing. SUBCONTRACTOR shall give immediate written notice to HCA if the license or certificate of SUBCONTRACTOR, or that of a health care provider in the practice or employment of SUBCONTRACTOR, is revoked, suspended or limited in any way. Plan shall grant delegated credentialing to SUBCONTRACTOR'S providers as evidenced by a separate Delegated Credentialing Addendum attached herein.

CMS Agreement Compliance, Accountability Provisions and Delegation Requirements. SUBCONTRACTOR shall comply with all requirements in the AHCCCS and CMS Agreement, which are applicable to SUBCONTRACTOR as a result of the Agreement. SUBCONTRACTOR acknowledges and agrees that the PLAN shall remain accountable to AHCCCS and CMS for compliance with its obligations

LETTER OF AGREEMENT

HEALTH CHOICE ARIZONA AND HEALTH CHOICE GENERATIONS

under the AHCCCS and CMS Agreement. SUBCONTRACTOR shall cooperate with the PLAN in AHCCCS and CMS required oversight activities. Without limiting the foregoing, SUBCONTRACTOR shall ensure that all provisions of this Agreement, which are applicable to SUBCONTRACTOR'S Representatives, are included in any SUBCONTRACTOR'S written agreement for Sub-Delegation subcontracts. A copy of the AHCCCS and CMS Agreement shall be made available to SUBCONTRACTOR upon SUBCONTRACTOR'S request. SUBCONTRACTOR shall comply with Title XVIII of the Social Security Act and the regulations adopted there under by CMS for the Medicare program. [42 CFR §422.504(i)(1)(4)(5); 422.504(i)(3)(ii)(iii)]

Delegation. SUBCONTRACTOR acknowledges that the credentials of medical professionals affiliated with the SUBCONTRACTOR will either be reviewed by the PLAN or if SUBCONTRACTOR is privileged by the PLAN to hold an authorized delegation agreement; SUBCONTRACTOR acknowledges that the credentialing process will be reviewed by the PLAN and the PLAN will audit the SUBCONTRACTORS credentialing process on an ongoing basis. HCA and HC Generations may, in its sole and absolute discretion, delegate Utilization Management, Credentialing, medical records review, claims processing, and/or other activities consistent with regulatory and accrediting standards. Such delegation may occur on the effective date of this Agreement or at any time HCA and HC Generations determines the provider is capable of performing such delegated activity and if provider accepts such delegation responsibility. The acceptance of responsibility for any delegated activity shall be evidenced by an executed Delegated Agreement from HCA and HC Generations to Provider which will set forth, among other things, the date that the delegation activity commenced. To the extent any responsibilities and reporting duties are delegated to Provider, the terms and conditions of the delegation are specified in the Provider Manual and the Delegated Agreement. The PLAN retains the right to approve, suspend, or terminate any delegated activity. The Provider Manual may be amended at any time by HCA and HC Generations, to reflect changes in delegation standards, delegation status, performance measures, reporting requirements, or other provisions. [42 CFR §422.504(i)(3)(iii); 422.504(i)(4); 422.504(i)(5); 422.504(i)(4)(iii); 422.504(i)(4)(iv)(A)/(B); 422.504(i)(4)(i)]

Sub-Delegation. Provider shall not further delegate the Performance of Delegated Activities to any of its Providers or any other organization or entity without the prior written consent of HCA and HC Generations.

Revocation and Resumption of Delegated Activities. HCA and HC Generations or AHCCCS and CMS may revoke any or all portions of the Delegated Agreement at any time if HCA and HC Generations or AHCCCS and CMS determine that the delegated activities are not being performed in accordance with the standards and requirements established by HCA and HC Generations, the Provider Manual, AHCCCS and CMS; or if HCA and HC Generations or AHCCCS and CMS determine that performance of delegated activities is inconsistent with or potentially violates applicable AHCCCS and CMS regulatory guidance. [42 CFR §422.504(i)(4)(ii); 422.504(i)(5)]

No Billing of Medicare and Medicaid Beneficiaries (Medicare Beneficiary Hold Harmless Provision). PLAN will inform SUBCONTRACTOR of Medicare and Medicaid benefits and rules specific to Members eligible for Medicare and Medicaid. SUBCONTRACTOR hereby agrees that in no event, including, without limitation, non-payment by the PLAN, the PLAN's insolvency or breach of the Agreement, shall SUBCONTRACTOR bill, charge, collect a deposit from, seek compensation, remuneration, or reimbursement from, or have any recourse against a Health Choice Arizona and HC Generations Member or person, other than the PLAN, acting on his or her behalf, for Medicaid and Medicare Covered Services provided pursuant to the Agreement. SUBCONTRACTOR shall not hold any Health Choice Arizona and HC Generations Member liable for payment of fees that are the legal obligation of the PLAN. [42 CFR §422.502 (g)(1)(i); 422.504(g)(1)(iii)]

SUBCONTRACTOR shall not maintain any action at law or equity against a Health Choice Arizona and HC Generations Member to collect sums owed by the PLAN to SUBCONTRACTOR (Part A or Part B) when the State is responsible for paying such amounts. The PLAN will not impose cost-sharing that

LETTER OF AGREEMENT

HEALTH CHOICE ARIZONA AND HEALTH CHOICE GENERATIONS

exceeds the amount of cost-sharing that would be permitted with respect to the individual under Title XIX if the individual were not enrolled in the PLAN SUBCONTRACTOR will accept the PLAN payment as payment in full or appropriately bill the correct State source. Upon notice of any such action, the PLAN may terminate the Agreement as provided above and take all other appropriate action consistent with the terms of the Agreement to eliminate such charges, including, without limitation, requiring SUBCONTRACTOR to return all sums collected as "Surcharges" from Health Choice Arizona and HC Generations Members or their representatives. For purposes of the Agreement, "Surcharges" are additional fees for Medicare Covered Services, which are not disclosed to HC Generations Members in the Subscriber Agreement and Evidence of Coverage are not allowable co-payments and are not authorized by the Agreement. Nothing in the Agreement shall be construed to prevent SUBCONTRACTOR from providing non-Medicare Covered Services on a usual and customary fee-for-service basis to Health Choice Arizona and HC Generations Members provided that SUBCONTRACTOR has requested that a Health Choice Arizona and HC Generations Member sign a waiver indicating the Health Choice Arizona and HC Generations Member's financial responsibility for charges for non-Medicaid/Medicare Covered Services and as long as the Health Choice Arizona and Health Choice Generations Member is informed by SUBCONTRACTOR that said services are non-Medicaid/Medicare Covered Services prior to being rendered and that Health Choice Arizona and Health Choice Generation Member signs such waiver prior to or at the time non-Medicaid/Medicare Covered Services are rendered.

Prompt Payment. HC Generations shall pay interest according to the Prompt Payment Act (42 CFR §422.520 (b)) on clean claims that are not paid within forty five (45) days of the claims receipt date by HC Generations. Interest shall be the "Prompt Payment Interest Rate" as of the date the claim is processed.

Nondiscrimination. SUBCONTRACTOR understands that CMS requires compliance with the provision of this Section as a condition for participation in Medicare plans. SUBCONTRACTOR and SUBCONTRACTOR Representatives shall comply with Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. Section 200d et. seq.), Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794) and the regulation there under, Title IX of the Education Attachments of 1972, as amended (20 U.S.C. Section 1681 et. seq.), the Age Discrimination Act of 1975, as amended (42 U.S.C. Section 6101 et. Seq.), Section 654 of the Omnibus Budget Reconciliation Act of 1981, as amended (42 U.S.C. Section 9849), the Americans With Disabilities Act (P.L. 101-365) and all implementing regulations, guidelines and standards as are now or may be lawfully adopted under the above statutes. [42 CFR § 422.110(a)]

Compliance. SUBCONTRACTOR agrees to comply with PLAN's policies and procedures and all applicable Federal, CMS, State and local laws, rules and regulations, now or hereafter in effect, including but not limited to 42 CFR §422 regarding the performance of SUBCONTRACTOR'S obligations hereunder, including without limitation, laws or regulations governing the record timeliness, adequacy and accuracy and the AHCCCS Minimum Subcontract Provisions document is available on the AHCCCS Website at: <http://www.azahcccs.gov/commercial/default.aspx>, HCA members and HC Generations Beneficiary and the Member and Beneficiary's privacy and confidentiality along with the appeal and dispute resolution procedures related to Covered Services provided to a HCA Member and HC Generations Beneficiary, to the extent that they directly or indirectly affect SUBCONTRACTOR, SUBCONTRACTOR'S facilities or PLAN and bear upon the subject matter of this agreement. [42 CFR §422.504(a)(13); 422.118]

LETTER OF AGREEMENT

HEALTH CHOICE ARIZONA AND HEALTH CHOICE GENERATIONS

To ensure prompt and appropriate reimbursement of authorized services claims are to be sent to the following address:

Health Choice Arizona
410 N. 44th St., Ste. 500
Phoenix, AZ 85008

HC Generations
410 N. 44th St., Ste. 510
Phoenix, AZ 85008

IN WITNESS WHEREOF, the parties hereto have executed this Letter of Agreement to be effective _____.

HEALTH CHOICE ARIZONA

PROVIDER

Signature
Mike Uchrin

Printed/Typed Name
CEO

Title

Date

Name and Title

Signature

Date

Tax ID

Medicare ID

LETTER OF AGREEMENT DETERMINATION

Re: Letter of Agreement to provide an expanded network of insurance companies providing coverage for public health services within Cochise County; between Cochise Health & Social Services and Health Choice Arizona/Health Choice Generations (AHCCCS and Medicare health plans, respectively).

The attached agreement, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952 on behalf of the Cochise County Health Department by the undersigned Deputy County Attorney who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

Approved as to form this 13th day of February, 2013.

EDWARD G. RHEINHEIMER
Cochise County Attorney

By: Terry Bannon
Terry Bannon
Deputy County Attorney

**State and Federal Legislation 8.
Board of Supervisors**

Regular Board of Supervisors Meeting

Meeting Date: 02/26/2013

State and Federal Legislation Discussion

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

NAME na
of PRESENTER:

Mandated Function?:

Recommendation:

of ORIGINALS

Submitted for Signature:

TITLE na
of PRESENTER:

**Source of Mandate
or Basis for Support?:**

Information

Agenda Item Text:

Discussion and possible action regarding state and federal legislative matters, including but not limited to the items in the attached County Supervisors Association Legislative Policy Committee Agenda and the proposed State budget.

Background:

na

Department's Next Steps (if approved):

na

Impact of NOT Approving/Alternatives:

na

To BOS Staff: Document Disposition/Follow-Up:

na

Attachments

LPC Minutes

LPC Agenda

**COUNTY SUPERVISORS ASSOCIATION
LEGISLATIVE POLICY COMMITTEE**

County Supervisors Association
1905 West Washington
Phoenix, Arizona

MINUTES

February 15, 2013

Call to Order: Lenore Stuart 9:00 a.m.
Present In Person: David Tenney Navajo County
Present Telephonically:
Barry Weller Apache County
Ann English Cochise County
Mandy Metzger Coconino County
Mike Pastor Gila County
Jim Palmer Graham County
Ron Campbell Greenlee County
Gary Watson Mohave County
Pete Rios Pinal County
Manny Ruiz Santa Cruz
Tom Thurman Yavapai County
Lenore Stuart Yuma County

Absent: Holly Irwin (La Paz), Steve Chucri (Maricopa), Sharon Bronson (Pima)

Proxy: Tommie Martin (Gila), David Gomez (Greenlee)

Others present telephonically: John Marcanti, Joy Brotherton, Buster Johnson, Marlyn Summers, Kay Gale, Manny Gonzales, Laura Magnus

Others present in person: Page Gonzales, Rick Bohan, Beth Lewallen, Mark Barnes, Sabrina Vazquez, Craig Sullivan, Penny Adams, Todd Madeksza, Kristin Cipolla, Dan Bogert, Yvonne Ortega

Approval of the Minutes

Penny Adams called roll and a quorum was present. Supervisor Ann English moved to approve the minutes of the February 8, 2013, Legislative Policy Committee meeting. Supervisor Manny Ruiz seconded the motion and the motion passed unanimously.

State Budget Update

Craig Sullivan stated that the House and Senate members had been meeting in small groups to discuss the revenue parameters of the state budget. Since this week and next week are being dominated by committee hearings (due to next week being the deadline to hear bills in the house of origin), the discussions will continue in a few weeks. House and Senate staff did meet to help craft a plan for members.

Craig noted that the Governor's focus is on educating about her healthcare expansion plan. The legislature is targeting March for budget wrap-up. Craig reiterated the importance of counties communicating with legislators about our issues and to urge them to advocate on those issues.

TPT Proposal

Craig reported that [HB 2657](#) transaction privilege tax changes reflects several recommendations from the Governor's TPT Reform Taskforce. It was introduced this Monday and a hearing is scheduled for next Monday in House Ways and Means committee. Dan Bogert stated that a summary of the bill will be attached to the LPC report to be sent out later today.

He then proceeded to list some of the provisions of the bill. Craig added that CSA has met numerous times with the bill sponsor and the Governor's office. CSA will continue a series of meetings, beginning today with the Governor's Policy Advisor, Michael Hunter addressing the County Managers Association (CMA). CSA will continue to report out to the board, LPC, and CMA.

Legislative Bills / Issues for Discussion and Possible Consideration

Fire Districts

1. [HB 2200](#) county fire department; authorization. Scheduled for a hearing next week.
2. [HB 2572](#) fire districts; financial standards. Scheduled for a hearing next week.
3. [SB 1282](#) countywide fire districts. Scheduled for a hearing next week.
Supervisor Mandy Metzger moved to monitor, HB 2200, HB 2572 and SB 1282. Supervisor Gary Watson seconded the motion and the motion was unanimously approved. Supervisor Gary Watson suggested Todd Madeksza speak with John Flynn.

Regulatory Reform

4. [HB 2443](#) cities; counties; regulatory review. Todd stated that a floor amendment will be circulated today. Supervisor Tom Thurman moved to monitor HB 2443. Supervisor David Tenney seconded the motion and the motion was unanimously approved.

Courts and Criminal Justice

5. [HB 2158](#) court-ordered evaluations. Supervisor Barry Weller moved to monitor HB 2158. Supervisor Tom Thurman seconded the motion and the motion was unanimously approved.
6. [SB 1273](#) alcohol; drug abuse; courts; treatment. Kristin Cipolla noted that the bill passed the Senate this week. Supervisor Barry Weller moved to support SB 1273. Supervisor David Tenney seconded the motion and the motion was unanimously approved.
7. [SB 1413](#) appeals; postconviction relief. Kristin noted the bill passed Senate Judiciary committee this week. Supervisor David Tenney moved to oppose SB 1413. Supervisor Jim Palmer seconded the motion and the motion was unanimously approved.

General

8. [HB 2338](#) regional water augmentation authorities. Todd explained this is the Speaker's bill and he agreed last Tuesday to hold the bill for a week. It will be heard next week. Supervisor David Tenney moved to monitor HB 2338. Supervisor Mandy Metzger seconded the motion and the motion passed. Todd was given direction by the LPC to sign in committee with a neutral position.
9. [HB 2608](#) EORP; closure; defined contribution. Todd explained that the bill sponsor (Lovas) is the chair of the House Banking committee and CSA has been communicating with him. Representative Lovas has agreed to speak at the CSA board meeting next week. Supervisor Tom Thurman moved to monitor HB 2608. Supervisor Pete Rios seconded the motion and the motion was unanimously approved.
10. [SB 1266](#) illegal dumping; penalties. Kristin noted the bill has been assigned to two committees, Government and Environment, and Public Safety, and is on both committee agendas. Supervisor Mandy Metzger moved to monitor SB 1266. Supervisor Manny Ruiz seconded the motion and the motion was unanimously approved.

Update of CSA-sponsored Bills

Todd reviewed the status of CSA's agenda bills.

- 1) [HB 2124](#): fire districts reorganization elections. Passed out of the House this week.
- 2) [HB 2138](#): municipalities; rights-of-way; transfer. On the consent calendar.
- 3) [SB 1098](#): medical marijuana; zoning authority. Passed out of the Senate; awaiting a House committee hearing.
- 4) [HB 2175](#): special districts; use fees. Passed unanimously out of committee this week.
- 5) [SB 1284](#): county general excise tax rate. Scheduled for the Finance committee on February 20.

Next Meeting Date and Time

The next LPC meeting will be held in conjunction with the CSA Board of Directors meeting on Thursday, February 21, at 10:00 a.m.; then, Friday, March 1, at 9:00 a.m.

Other Business and Adjournment

There being no further business, President Stuart adjourned the meeting at 9:50 a.m.



County Supervisors

A S S O C I A T I O N
o f a r i z o n a

1905 W. Washington St., Ste. 100, Phoenix, AZ 85009
(602) 252-5521 fax: (602) 253-3227

COUNTY SUPERVISORS ASSOCIATION LEGISLATIVE POLICY COMMITTEE AGENDA

February 15, 2013

Teleconference 1-866-228-9900

Access Code 326208#

[Web Link](#)

County Supervisors Association
1905 W. Washington St.
Phoenix, AZ

9:00 a.m. Call to Order ~ *President Lenore Stuart*

- A) Approval of the Minutes of the Legislative Policy Committee Meeting of February 8, 2013
- B) State Budget Update
- C) TPT Proposal
[HB 2657](#) transaction privilege tax changes (*Lesko*)
- D) Legislative Bills / Issues for Discussion and Possible Consideration
 - Fire Districts
 - 1. [HB 2200](#) county fire department; authorization (*Borrelli*)
 - 2. [HB 2572](#) fire districts; financial standards (*Coleman*)
 - 3. [SB 1282](#) countywide fire districts (*Crandell*)
 - Regulatory Reform
 - 4. [HB 2443](#) cities; counties; regulatory review (*Olson*)
 - Courts & Criminal Justice
 - 5. [HB 2158](#) court-ordered evaluations (*Kavanagh*)
 - 6. [SB 1273](#) alcohol; drug abuse; courts; treatment (*Crandell*)
 - 7. [SB 1413](#) appeals; postconviction relief (*Murphy*)
 - General
 - 8. [HB 2338](#) regional water augmentation authorities (*Tobin*)
 - 9. [HB 2608](#) EORP; closure; defined contribution (*Lovas*)
 - 10. [SB 1266](#) illegal dumping; penalties (*McGuire*)
- E) Update of CSA-sponsored Bills
 - 1. [HB 2124](#) fire districts reorganization elections (*Ugenti*)
 - 2. [HB 2138](#) municipalities; rights-of-way; transfer (*Pratt*)
 - 3. [SB 1098](#) medical marijuana; zoning authority (*Pierce*)
 - 4. [HB 2175](#) special districts; use fees (*Fann*)
 - 5. [SB 1284](#) county general excise tax rate (*Crandell*)
- F) Other Business
- G) Next Meeting Date and Time (*Thursday, February 21, at 10:00 a.m.; then Friday, March 1, at 9:00 a.m.*) **PLEASE NOTE THE NEXT LPC WILL BE HELD IN CONJUNCTION WITH THE CSA BOARD OF DIRECTORS MEETING**
- H) Adjourn

LPC Report

51st Legislature - 1st Regular Session, 2013

Wednesday, Feb 13 2013 4:02 PM

Bill summaries and histories copyright 2013 Arizona Capitol Reports, L.L.C.

Bills of Interest

TPT Report

Bill Summaries

H2657: TRANSACTION PRIVILEGE TAX CHANGES

Numerous changes related to transaction privilege taxes (TPT) and affiliated excise taxes. Requirements for the sourcing of transactions are established, effective January 1, 2014. Retail sales of tangible personal property must be sourced to the seller's business location if the seller receives the order at a business location in Arizona, or to the purchaser's location in Arizona if the seller receives the order at a business location outside of Arizona. For the purposes of municipal excise taxes, the jurisdiction with the right to tax a sale of tangible personal property is the municipality where the order is received (defined), or where the stock is located from which the property is taken, or where the transfer of title or possession of the property occurred. The gross receipts from leasing or renting tangible personal property must be sourced to the lessor's business location in Arizona or to the lessee's address if the lessor does not have a business location in Arizona. The list of exemptions from the retail TPT classification is modified to remove sales to nonresidents for use outside the state if the vendor ships or delivers the property out of the state, and sales of property that is shipped or delivered directly to a destination outside the U.S. for use in a foreign country. Effective January 1, 2015, the prime contracting and owner builder sales transaction privilege tax classifications are eliminated and replaced with a manufactured building dealer classification. The sale of tangible personal property to a "contractor" (defined), regardless of whether it will be incorporated into a building or structure, is considered to be a retail sale and is subject to retail TPT unless otherwise exempt. Prime contracting TPT distributions to political subdivisions are deleted. Tangible personal property sold to a manufactured building dealer is only exempt from the retail TPT classification only if the property is to be incorporated or fabricated into a manufactured building. Numerous items are removed from the list of deductions from the tax base for the manufactured building dealer classification (formerly prime contracting). Once the distribution of revenues for municipal or county infrastructure improvements related to manufacturing facilities has reached the maximum amount, 40 percent of the remaining TPT revenues from the retail classification are designated as the distribution base for state shared revenues, increased from 20 percent. The Department of Revenue is required, rather than permitted, to collect and administer TPT and use taxes imposed by municipalities and to enter into intergovernmental agreements with municipalities to provide a uniform method of administration, collection, audit and licensing of TPT and affiliated excise taxes. Municipalities are prohibited from employing auditors and entering into contracts with a party other than the state for the collection, administration and processing of TPT or affiliated taxes. Municipalities are prohibited from levying a TPT or use tax on construction contracting, owner builder sales or speculative building. Municipalities are no longer prohibited from levying a TPT or use tax on sales of motor vehicles to nonresidents for use outside the state or on any amount attributable to development fees incurred in relation to construction. Effective January 1, 2014, if a county or special taxing district levies one or more excise taxes on the effective date of this legislation, and if approved by the voters at a county-wide or district-wide election, a county or district is authorized to levy an excise tax on the storage, use or consumption in the county of tangible personal property purchased from a retailer, as a percentage of the sales price. The tax must be at a rate equal to the sum of the rates of all the excise taxes levied on the effective date. The Department of Revenue is required to collect the tax. Session law provides that this legislation does not apply to or affect the tax liability of contracts entered into before January 1, 2015 by a person engaged in business under the prime contracting classification or the construction contracting, owner builder or speculative builder

classification of the model city tax code, or to the sale of tangible personal property to a contractor for incorporation into a project that was subject to a tax deduction.

First sponsor: Rep. Lesko

Others: Sen. Ableser, Rep. Allen, Sen. Barto, Rep. Barton, Sen. Biggs, Rep. Boyer, Rep. Brophy McGee, Sen. Burges, Rep. Cardenas, Rep. Carter, Rep. Coleman, Sen. Crandall, Sen. Crandell, Sen. Driggs, Rep. Fann, Sen. Farley, Rep. Forese, Rep. Gallego, Rep. Gowan, Rep. Gray, Rep. Kwasman, Rep. Livingston, Rep. Lovas, Sen. McComish, Rep. Mesnard, Sen. Meza, Rep. Miranda, Rep. Mitchell, Rep. Montenegro, Sen. Murphy, Rep. Olson, Rep. Orr, Rep. Petersen, Rep. J. Pierce, Sen. S. Pierce, Rep. Pratt, Sen. Reagan, Sen. Shooter, Rep. Shope, Rep. Thorpe, Rep. Tobin, Rep. Townsend, Sen. Ward, Rep. Wheeler, Sen. Worsley, Sen. Yarbrough, Sen. Yee

H2657 Daily History

Date Action

TRANSACTION PRIVILEGE TAX CHANGES 2/12 referred to House ways-means, appro.

Fire Districts

Bill Summaries

H2200: COUNTY FIRE DEPARTMENT; AUTHORIZATION

County boards of supervisors are authorized to establish a county fire department by resolution. If a fire district within that county dissolves, the board may assume all the powers and duties of the fire district. The board may direct the county to provide emergency fire services, enter into an intergovernmental agreement with a municipality to provide services, or enter into an agreement with a private fire company to provide services.

First sponsor: Rep. Borrelli

Others: Rep. Barton, Rep. Boyer, Rep. Cardenas, Sen. Crandell, Rep. Fann, Rep. Goodale, Rep. Gowan, Rep. Livingston, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Rep. Olson, Rep. Orr, Rep. Petersen, Rep. Shope, Rep. Smith, Rep. Stevens, Rep. Thorpe, Rep. Townsend

H2200 Daily History

Date Action

COUNTY FIRE DEPARTMENT; AUTHORIZATION 1/22 referred to House gov.

H2572: FIRE DISTRICTS; FINANCIAL STANDARDS

Fire districts are required to reconcile all fund accounts for each calendar month within 30 days after the end of the month, and the fire district board must review the accounts monthly. Fire districts are required to produce monthly financial reports in accordance with generally accepted accounting principles to include cash flow projections for each fiscal year, and the fire district board must review the updated cash flow projections each month. Any financial report or cash flow projection that indicates an adverse impact on ongoing operations or liquidity must be reported to the county treasurer and the county board of supervisors within 10 days after the discovery.

First sponsor: Rep. Coleman

Others: Rep. Borrelli, Rep. Dial, Sen. Driggs, Sen. Reagan, Rep. Robson

H2572 Daily History

Date Action

FIRE DISTRICTS; FINANCIAL STANDARDS 2/12 referred to House gov.

S1282: COUNTYWIDE FIRE DISTRICTS

Beginning July 1, 2016, each county shall contain a single, countywide fire district that is governed by the county board of supervisors. Countywide fire districts are authorized to levy a secondary property tax and issue and sell bonds, and assume all of the powers and duties of fire districts except for the power to levy or collect a fire district assistance tax. Beginning January 1, 2014, each fire district in a county must provide the board of supervisors with full access to its records. On July 1, 2016, all assets and liabilities of each fire district in a county are transferred to the board of supervisors. Municipal fire districts are exempt from this legislation.

First sponsor: Sen. Crandell

Others: Rep. Barton, Rep. Borrelli, Sen. Burges

S1282 Daily History Date Action

COUNTYWIDE FIRE DISTRICTS 1/30 referred to Senate gov-env.

Regulatory Reform

Bill Summaries

H2443: CITIES; COUNTIES; REGULATORY REVIEW

When establishing licensing time frames, municipalities and counties are required to consider whether the time frames do not include the time required for an applicant to obtain other licenses or to participate in required meetings. Municipalities and counties are required to make two comprehensive written or electronic requests for revisions to license applications. If an applicant fails to resolve an issue identified in a request for revisions, the municipality or county may make supplemental requests limited to issues previously identified in the request. If an applicant requests changes or amendments to an application, a municipality or county may make one additional comprehensive request for revisions. More.

First sponsor: Rep. Olson

H2443 Daily History Date Action

CITIES; COUNTIES; REGULATORY REVIEW 2/6 from House gov with amend [#4053](#).

CITIES; COUNTIES; REGULATORY REVIEW 1/23 referred to House gov.

Courts & Criminal Justice

Bill Summaries

H2158: COURT-ORDERED EVALUATIONS

A person taken into custody for emergency admission cannot be detained longer than 48 hours, increased from 24 hours, excluding weekends and holidays, unless a petition for court-ordered evaluation is filed. Emergency clause.

First sponsor: Rep. Kavanagh

H2158 Daily History Date Action

COURT-ORDERED EVALUATIONS 2/6 from House pub-mil-reg do pass.

COURT-ORDERED EVALUATIONS 1/23 referred to House pub-mil-reg.

S1273: ALCOHOL; DRUG ABUSE; COURTS; TREATMENT

Establishes the Alcohol and Drug Abuse Pilot Project Fund to be used for the establishment or expansion of the drug court program in Coconino, Navajo and Apache Counties. The Pilot Project Fund self-repeals July 1, 2018. For fiscal years 2013-14 through 2017-18, 1.68 percent of the luxury tax on sealed containers of spirituous liquor and 4.32 percent of the luxury tax on vinous liquor or malt liquor is deposited in the Pilot Project Fund up to a maximum of \$2 million in a FY. For fiscal years 2013-14 through 2017-18, 5.32 percent of the luxury tax on sealed containers of spirituous liquor and 13.68 percent of the luxury tax on vinous liquor or malt liquor is deposited in the Drug Treatment and Education Fund. Also, peace officers are permitted to transport a person who is intoxicated in a public place and who may be a danger to self or others to the nearest available approved treatment facility if there is no local alcoholism reception center available.

First sponsor: Sen. Crandell

Others: Rep. Barton, Rep. Boyer, Sen. Burges, Rep. Fann, Sen. Farley, Sen. Gallardo, Rep. Gray, Sen. Hobbs, Sen. Jackson, Jr., Sen. Pancrazi, Sen. Tovar, Sen. Ward

S1273 Daily History

Date Action

ALCOHOL; DRUG ABUSE; COURTS; TREATMENT 2/13 Senate hel-hu ser amended; report awaited.

ALCOHOL; DRUG ABUSE; COURTS; TREATMENT 1/30 referred to Senate hel-hu ser, appro.

S1413: APPEALS; POSTCONVICTION RELIEF

The list of grounds on which a person convicted of a criminal offense may institute a proceeding to secure appropriate relief is expanded to include that the defendant demonstrates by clear and convincing evidence that the facts underlying the claim would be sufficient to establish that a reasonable fact finder would not have found the defendant guilty beyond a reasonable doubt. In capital cases, a defendant's direct appeal is to the Supreme Court. Following a notice of appeal, the Supreme Court must immediately appoint qualified appellate counsel. The maximum hourly pay rate for counsel appointed to represent a capital defendant in state postconviction relief proceedings is increased to \$175 per hour, from \$100 per hour. The state is no longer required to reimburse a county for 50 percent of fees incurred by the county for the appointment of postconviction relief counsel.

First sponsor: Sen. Murphy

Others: Sen. Driggs

S1413 Daily History

Date Action

APPEALS; POSTCONVICTION RELIEF 2/12 from Senate jud do pass.

APPEALS; POSTCONVICTION RELIEF 2/5 referred to Senate jud.

General**Bill Summaries****H2338: REGIONAL WATER AUGMENTATION AUTHORITIES**

Adds a new chapter to article 45 (Waters) regulating regional water augmentation authorities. Two or more specified entities, one of which must be a public agency, may form a regional water augmentation authority. Establishes the processes for formation and dissolution of the authority. Powers and duties of a board of directors are specified, including to lawfully acquire or sell property, easements and rights-of-way for water supplies and projects, acquire or assign water rights, acquire and sell water, treat water, charge fees for services and water sales, issue revenue bonds, and exercise the power of eminent domain in specified circumstances. Authority boards are also authorized to apply for and receive financial assistance from the water supply development revolving trust fund. Establishes regulations for revenue bonds issued by an authority, including bond authorization, obligation for the bonds, issuance and sale of the bonds, authorized investments of bond proceeds, and payment of bonds. Appropriates \$30 million from the general fund in FY2013-14 to the water supply development revolving trust fund for the purposes of this legislation.

First sponsor: Rep. Tobin

Others: Rep. Barton

H2338 Daily History

Date Action

REGIONAL WATER AUGMENTATION AUTHORITIES 2/12 House agri-water held.

REGIONAL WATER AUGMENTATION AUTHORITIES 1/22 referred to House agri-water, appro.

H2608: EORP; CLOSURE; DEFINED CONTRIBUTION

Establishes an Elected Officials' Defined Contribution Retirement System (EODCRS) for elected officials who are elected or appointed on or after July 1, 2013 and who were not a member of the plan on June 30, 2013. Elected officials are enrolled in the defined contribution plan established by the Arizona State Retirement System (ASRS). Elected officials who are members of the EODCRS must contribute eight percent of the member's gross compensation, and each employer must annually make a contribution equal to five

percent of each member’s gross compensation. The ASRS Board is responsible for the administration of the EODCRS. Members of the EODCRS are added to the definition of “member” for the ASRS long-term disability program, and retired members of the EODCRS may elect to obtain group health insurance coverage through the ASRS, but must pay the premium for the coverage selected and is not eligible for premium assistance benefits. The Elected Officials’ Retirement Plan (EORP) is available only to elected officials who were a member of the plan before July 1, 2013. An elected official who is elected or appointed on or after July 1, 2013 and who was not a member of the plan on June 30, 2013 is not eligible for EORP. Beginning July 1, 2013 through June 30, 2043, each EORP employer is required to make level percent compensation contributions of 23.5 percent of the compensation of all employees who are members of EORP or the EODCRS to meet the normal cost plus an amount to amortize the unfunded accrued liability. This employer contribution cannot be used to pay for an increase in benefits to members. Appropriates \$121,400 and 1 FTE position for personal services and \$325,000 for professional services from the ASRS Administration Account Fund in FY2013-14 to the ASRS for implementation. Emergency clause.

First sponsor: Rep. Lovas

Others: Rep. Allen, Sen. Barto, Sen. Biggs, Rep. Borrelli, Rep. Boyer, Rep. Brophy McGee, Sen. Burges, Sen. Crandell, Rep. Fann, Rep. Forese, Rep. Gray, Sen. Griffin, Rep. Kwasman, Rep. Lesko, Rep. Livingston, Sen. McComish, Sen. Melvin, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Sen. Murphy, Rep. Olson, Rep. Petersen, Rep. J. Pierce, Sen. S. Pierce, Sen. Reagan, Rep. Robson, Sen. Shooter, Rep. Shope, Rep. Smith, Rep. Thorpe, Rep. Tobin, Rep. Townsend, Rep. Ugenti, Sen. Ward, Sen. Worsley, Sen. Yarbrough, Sen. Yee

H2608 Daily History

Date Action

EORP; CLOSURE; DEFINED CONTRIBUTION

2/12 referred to House ins-ret, appro.

S1266: ILLEGAL DUMPING; PENALTIES

Establishes a minimum fine or civil penalty for illegal dumping of \$1,800, which cannot be waived or suspended. A person guilty of illegal dumping is also liable for all costs assessed for removing or abating the trash or debris. Establishes a minimum fine for certain types of criminal littering or polluting of \$2,500, which cannot be waived or suspended.

First sponsor: Sen. McGuire

Others: Sen. Bradley, Sen. Cajero Bedford, Sen. Crandell, Sen. Driggs, Sen. Gallardo, Sen. Griffin, Sen. Jackson, Jr., Sen. Landrum Taylor, Sen. Lopez, Sen. Melvin, Sen. Pancrazi, Sen. Tovar, Sen. Yarbrough, Sen. Yee

S1266 Daily History

Date Action

ILLEGAL DUMPING; PENALTIES 1/30 referred to Senate gov-env, pub safety.