

**Intergovernmental Agreement
Between the
County of Cochise (“County”) and City of Sierra Vista
 (“City”) for Funding of a Consultant
to Promote Retention and Expansion of
Missions of the U.S. Army at Fort Huachuca**

WHEREAS, the County and the City are both authorized to enter into intergovernmental agreements pursuant to A.R.S. § 11-952 for services or joint exercise of powers common to their respective jurisdictions; and

WHEREAS, both the County and the City are authorized to spend public monies for and in connection with economic development activities pursuant to A.R.S. §§ 11-254.04 and 9-500.11; and

WHEREAS, both the County and the City recognize that potential reductions in missions on the Fort Huachuca U.S. Army base pose a threat to economic development in both the County and the City; and

WHEREAS, both the County and the City conclude that it is in their common interest to contribute to the funding of and obtain the benefit of the services of a consultant to assess the extent of that threat and assess and advocate for steps that may be taken to mitigate that threat,

NOW, THEREFORE, IT IS AGREED between the parties as follows:

I. Purpose: The parties agree that the County shall contribute public monies in the amount stated below, and according to the terms stated below, to the City for the service to be undertaken by the City of arranging for funding of a consultant to promote retention and expansion of missions of the U.S. Army at Fort Huachuca for the economic benefit of the County and the City and their respective residents.

II. Respective responsibilities of the parties:

A. The City shall make such arrangements as it deems necessary, which may include contractual arrangements with private parties, including Capitol Strategies, LLC, and shall make such contributions of public funds as it deems necessary, to facilitate the hiring and funding of a consultant to promote retention and expansion of missions of the U.S. Army at Fort Huachuca.

B. The County shall make payment directly to the bank account of the City of Sierra Vista the amount of \$2,777.78 toward the cost of the professional services of a consultant as described in Subparagraph II.A, above, on the first day of the first month after a contract for professional services for said consultant has been entered into, and

shall continue to do so on the first day of each month thereafter for a total initial term of six months.

III. Duration: This Agreement shall take effect on the date it is entered into, below. It shall remain in effect, unless terminated by the parties pursuant to Paragraph VI, below, until such time as the County has made eighteen monthly payments, as described above. This Agreement is subject to automatic renewal for successive six-month periods thereafter for a total period of up to five years, unless terminated by either party on thirty (30) days' written notice.

IV. Employment status. Any consultant hired under terms of or in furtherance of this Agreement shall not be an employee of the County or the City.

V. No separate legal entity. No separate legal entity is formed by this Agreement.

VI. Termination: Either party may terminate this Agreement at any time, with or without cause, on thirty (30) days' written notice.

VII. Notices: Any notices required under this Agreement shall be mailed, by first class mail to, and be effective upon actual receipt by:

A. For the County of Cochise:

B. For the City of Sierra Vista:

Michael Ortega, County Administrator
1415 Melody Lane, Bldg. G
Bisbee, AZ 85603

Charles P. Potucek, City Manager
1101 N. Coronado Drive
Sierra Vista, AZ 85635

THIS AGREEMENT IS ENTERED INTO this ___ day of _____, 2014, by,

Ann English, Chair
County of Cochise Board of Supervisors

Rick Mueller, Mayor
City of Sierra Vista

In accordance with A.R.S. § 11-952, undersigned counsel have determined that this Intergovernmental Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

Adam Ambrose

Nathan Williams

Deputy County Attorney

City Attorney