



# Cochise County Board of Supervisors

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**RICHARD R. SEARLE**  
Chairman  
District 3

**PATRICK G. CALL**  
Vice-Chairman  
District 1

**ANN ENGLISH**  
Supervisor  
District 2

**JAMES E. VLAHOVICH**  
County Administrator

**EDWARD T. GILLIGAN**  
Deputy County Administrator

**ARLETHE G. RIOS**  
Clerk of the Board

## **AGENDA FOR REGULAR BOARD MEETING**

**Tuesday, October 11, 2016 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.*

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*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.*

## **CONSENT**

### **Board of Supervisors**

1. Ratify the signature of Chairman Richard Searle to accept additional funding in the amount of \$15,325 for the Fiscal Year 2016 Community Development Block Grant for the Children's Haven Project.
2. Approve the Minutes of the regular meeting of the Board of Supervisors of September 27, 2016.
3. Approve a letter appointing a member and alternate of the Cochise County Board of Supervisors to the Sierra Vista Metropolitan Planning Organization pursuant to the Joint Project Agreement between the State of Arizona and the City of Sierra Vista as specified by Governor Janice K. Brewer.
4. Approve acceptance of Quit Claim Deed from Samuel A. Burkes, III & Michael Paul Burkes (Grantors) to Cochise County for real property described as "Lot 402, Willow Lakes Unit I, according to Book 7, Maps and Plats, page 12, records of Cochise County, Arizona as recommended by the Highway & Floodplain Division and the County Attorney's Office.

### **Community Development**

5. Adopt Resolution 16-43 to rescind the weight restriction on certain reconstructed bridges as described therein.
6. Adopt Zoning Ordinance 16-05 approving Docket Z-16-03, amending the zoning district designation for parcels 101-36-045, -046, -048A, &-049 to RU-4 from R-36, pursuant to the request of Mr. Daniel Oldfield & Mrs. Jo Oldfield.

### **County Schools**

7. Approve Intergovernmental Agreement (IGA) SABG-GR-17-070116-02 between the Arizona State Office of Youth, Faith, & Family and the Cochise County School Superintendent's Office for substance abuse prevention for the period of July 1, 2016 through January 31, 2017 in the amount of \$30,000.

### **County Sheriff**

8. Accept a donation in the amount of \$1,100 from the Howard G. Buffet Foundation to the Cochise County Sheriff's Office for training equipment from the Career Technology Education Student Enhancement Program.

### **Finance**

9. Approve demands and budget amendments for operating transfers.

### **Health & Social Services**

10. Approve ADHS16-109191 Amendment 2, Healthy People Healthy Communities, between the Arizona Department of Health Services and Cochise Health & Social Services, for the period of 07/01/2016 to 6/30/2017 in the amount of \$667,862, which adds \$40,686 in funding for three additional quarters of the accreditation component.

### **Workforce Development**

11. Approve the appointment of Mr. Jason Bowling to the Local Workforce Investment Board to fill an unexpired term, effective immediately and through June 30, 2018.

## ***PUBLIC HEARINGS***

### **Community Development**

12. Adopt Zoning Ordinance 16-04 approving Docket Z-16-02, amending the zoning district designation for parcel 105-28-004A to RU-2 from RU-4, pursuant to the request of Mr. Scott Kerr.

## ***ACTION***

### **Board of Supervisors**

13. Approve the over-the-counter sales of tax deed properties remaining unsold following the May 2016 online tax deed land auction as set forth in the attached Exhibit A, plus related administrative fees.

#### **County Assessor**

14. Approve a withdrawal from the General Fund contingency fund line in the amount of \$29,083.49 for the Assessor's Office to complete the migration from the Oracle to MSSql software and purchase a new server.

#### **County Attorney**

15. Accept grant funding from the Tohono O'odham Nation in the amount of \$17,924 for the Spillman Prosecutor software.

#### **County Sheriff**

16. Approve Intergovernmental Agreement (IGA) 2016-107 between the Arizona Department of Public Safety (DPS) and the Cochise County Sheriff's Office to hire five new deputies for the Border Strike Force Bureau effective August 30, 2016 to June 30, 2017 with automatic annual renewal options through June 30, 2021.

#### **Facilities**

17. Approve an Agreement for the purchase and sale of real estate in Benson between Cochise County and FAS Benson LLC in the amount of \$12,500.

#### **Housing Authority**

18. Adopt Resolution 16-44 dissolving the Quasi-Independent Housing Authority and reintegrating it as a department into the Cochise County government.

#### **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.*

#### **REPORT BY JAMES E. VLAHOVICH 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.

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**Cochise County Board of Supervisors**

1415 Melody Lane, Building G Bisbee, Arizona 85603  
520-432-9200 520-432-5016 fax board@cochise.az.gov

## Board of Supervisors

## Regular Board of Supervisors Meeting

Meeting Date: 10/11/2016

Ratify signature for FY2016 Community Development Block Grant Application

Submitted By: Lisa Marra, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Recommendation: Approve

Document Signatures: BOS Signature NOT  
Required# of ORIGINALS 0  
Submitted for Signature:NAME Lisa M. Marra  
of PRESENTER:TITLE Communications and  
of PRESENTER: Community Relations  
Administrator

Mandated Function?: Federal or State Mandate

Source of Mandate  
or Basis for Support?:

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:**

Ratify the signature of Chairman Richard Searle to accept additional funding in the amount of \$15,325 for the Fiscal Year 2016 Community Development Block Grant for the Children's Haven Project.

**Background:**

The FY2016 Community Development Block Grant Application process was completed per Az. Dept of Housing and SEAGO requirements earlier this year. The Board adopted Resolution 16-08 on March 8, 2016 accepting the original funding in the amount of \$231,778 for one project submitted through the public process.

Our original application, in the amount of \$231,778 for the Children's Haven was submitted in July and accepted by Az Dept. of Housing in August. On September 27, SEAGO notified us the Az Dept. of Housing received more funds in their Regional Account than anticipated, and increased our entitlement share by \$15,325.00 which makes our total grant award \$247,103.

Due to the increased funding, several grant forms in the application had to be revised to comply with Federal and State law and Form 1 required signature of the Chief Elected Official.

**Department's Next Steps (if approved):**

Application has been submitted with stamped signature. Submit grant award for BOS approval when it is issued by the Az Dept. of Housing by the end of this year. Complete Grant Approval Form, set up fund lines, proceed with contract award to complete the construction work over the two year time frame under the grant guidelines.

**Impact of NOT Approving/Alternatives:**

If this item is not ratified, the County will lose its entitlement share of funds for the CDBG FY2016 grant cycle and will not be eligible for funds for another three years when the next cycle rotates to our county. We cannot move forward with the environmental review clearance until the grant application is signed and accepted by the Az. Dept of Housing. The contract will not be awarded until that clearance is complete.

Also, the Children's Haven, a place for abused and neglected children, will not have funding to make critical repairs to open the facility. There is no other location in the county that can house children on a short term basis that are in crisis.

**To BOS Staff: Document Disposition/Follow-Up:**

N/A

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**Budget Information**

*Information about available funds*

**Budgeted:**   
**Unbudgeted:**

**Funds Available:**   
**Funds NOT Available:**

**Amount Available:**  
**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

Form 1 stamped signature

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**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016

Minutes

**Submitted By:** Rebecca Reynolds, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Document Signatures:**

**Recommendation:**

**# of ORIGINALS**

**Submitted for Signature:**

**NAME** n/a

**TITLE** n/a

**of PRESENTER:**

**of PRESENTER:**

**Mandated Function?:**

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

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**Information**

**Agenda Item Text:**

Approve the Minutes of the regular meeting of the Board of Supervisors of September 27, 2016.

**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:**

Scan to OnBase and File.

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**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

Minutes

Warrants

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**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
Tuesday, September 27, 2016**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, September 27, 2016 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Richard R. Searle, Chairman; Patrick G. Call, Vice-Chairman; Ann English, Member  
Staff: James E. Vlahovich, County Administrator; Edward T. Gilligan, Deputy County  
Present: Administrator; Britt W. Hanson, Chief Civil Deputy County Attorney; Arlethe G. Rios, Clerk  
of the Board

Chairman Searle called the meeting to order at 10:11 a.m.

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

**PLEDGE OF ALLEGIANCE**

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***CONSENT***

**Board of Supervisors**

1. Approve the Minutes of the regular meeting of the Board of Supervisors of September 13, 2016.
2. Approve the award of Invitation for Bids (IFB) No. 16-48-FAC-04 to Pavex Corporation for the following airport improvements at the Cochise County Airport, Willcox, AZ: replacing the rotating beacon and tower, installing taxiway A edge lights, rehabilitate guidance signage, replace wind cone and segmented circle and other non A.I.P construction items, in the not to exceed amount of \$196,767.
3. Approve a letter from the Board of Supervisors granting permission to the Cochise County Fair Association to apply for horse race dates in 2017, specifically: April 8, 9, 15, 16, 22, and 23.
4. Approve a liquor license application for a series 16 (Wine Festival/Wine Fair) submitted by Ms. Jacquelyn Cook for a Wine Festival to be held at Apple Annie's, 6405 W. Williams Road, Willcox, AZ 85643 on October 7, 2016.

**County Attorney**

5. Approve the proposed tax appeal settlement in Rich v. Cochise County, CV201600251, now pending in the Cochise County Superior Court.

### **County Sheriff**

6. Approve grant agreement 2016-DJ-BX-0805 between Cochise County and the US Department of Justice for the purchase of equipment related to the mission of the Southeast Arizona Border Region Enforcement (SABRE) Team in the amount of \$22,450 from October 1, 2015 through September 30, 2017.
7. Approve an Intergovernmental Agreement (IGA) between the Cochise County Sheriff's Office and Phoenix Police Department to be a part of the Internet Crimes Against Children (ICAC) Task Force effective September 27, 2017 through September 27, 2019 with an option for two - two year renewals.

### **Finance**

8. Approve demands and budget amendments for operating transfers. Warrants Nos. 11687-11758, 11768-11769, 11879-12282 were issued in the amount of \$1,312,347.67. The voided warrants are listed below:

Fund Vendor Amount

100 Glidden, Sally \$12.00

100 Deluxe Business Forms \$200.44

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.

Vice-Chairman Call moved to approve items 1-8 on the consent agenda. Supervisor English seconded the motion and it carried unanimously.

### ***PUBLIC HEARINGS***

#### **Community Development**

9. Adopt Resolution 16-42 establishing Camino de Manana as a Declared County Highway.

Ms. Karen Riggs, Highway & Floodplain Director, presented this item. Ms. Riggs said that only a portion of the road would be declared a County highway. She noted that this had been one of the roads that was wiped out by Hurricane O'dile and that in order to use County funds, the road had to be declared a County highway.

Chairman Searle opened the public hearing.

No one chose to speak and Chairman Searle closed the public hearing.

Supervisor English moved to adopt Resolution 16-42 establishing Camino de Manana as a Declared County Highway. Vice-Chairman Call seconded the motion.

Chairman Searle called for the vote and it was approved 3-0.

## **ACTION**

### **Board of Supervisors**

10. Approve the over-the-counter sales of tax deed properties remaining unsold following the May 2016 online tax deed land auction as set forth in the attached Exhibit A, plus related administrative fees.

Ms. Rios presented this item. She said that there had been one bid received for five parcels for a total sale of \$7,425 (\$7,350 for the bid and \$75 for the administrative fee). She said that with this sale total year to date sales were at \$208,597.53 and there would be 46 parcels left. Ms. Rios added that Mr. Madrid, the bidder from the September 13th meeting had withdrawn his bids after the meeting and that she would be adding those parcels back to the unsold list.

Vice-Chairman Call moved to approve the over-the-counter sales of tax deed properties remaining unsold following the May 2016 online tax deed land auction as set forth in the attached Exhibit A, plus related administrative fees. Supervisor English seconded the motion.

Chairman Searle called for the vote and it was approved 3-0.

### **County Sheriff**

11. Approve Contract Agreement 2016-063 between the Arizona Department of Public Safety (DPS) and the Cochise County Sheriff's Office in the amount of \$1,000,000 from DPS for the construction of the Cochise County Regional Communications Center effective August 30, 2016 to June 30, 2017.

Commander Tom Alinen, Sheriff's Office, presented this item. Commander Alinen gave the background and said that this project started back in 2005, but due to funding and the cost of the project it had been put off for several years. He said that recently both the County staff worked together to get the project back on track. He noted that Governor Ducey had committed funds to the project and that the Arizona Department of Public Safety (DPS) would be the controlling agent of the funds. He noted that part of the agreement would require that the Sheriff's Office provide monthly reports. He also said that the Howard G. Buffet Foundation had agreed to provide additional funding to complete the project.

Vice-Chairman Call said that the reason the item had been tabled was because there were questions on the specific purpose of the Governor's funding. He asked Mr. Vlahovich if all the questions had been resolved.

Mr. Vlahovich said that staff had met and all the issues had been resolved.

Chairman Searle asked if there were any other requirements in this contract.

Commander Alinen said that this would be the fourth DPS dispatch center in the State and that there would be a designated dispatch desk for them to use.

Mr. Vlahovich added that these funds would not count towards the County's expenditure limit.

Supervisor English moved to approve Contract Agreement 2016-063 between the Arizona Department of Public Safety (DPS) and the Cochise County Sheriff's Office in the amount of \$1,000,000 from DPS for the construction of the Cochise County Regional Communications

Center effective August 30, 2016 to June 30, 2017. Vice-Chairman Call seconded the motion.

Chairman Searle called for the vote and it was approved 3-0.

### **CALL TO THE PUBLIC**

Chairman Searle opened the call to the public.

Jack Cook addressed the Board on matters of personal concern.

No one else chose to speak and Chairman Searle closed the 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.*

### **REPORT BY JAMES E. VLAHOVICH COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS**

Mr. Vlahovich said he would be attending the two Legacy Project Open Houses hosted by the Juvenile Court Services and the Clerk of the Courts' Office tomorrow. He also said that he and Vice-Chairman Call would be attending a water conference hosted by The Nature Conservancy next week.

### **SUMMARY OF CURRENT EVENTS**

#### **Report by District 1 Supervisor, Patrick Call**

Vice-Chairman Call said that he would be attending a Senior Community Leader Forum at Fort Huachuca and would not be able to attend the Arizona Association of Counties meeting in the afternoon.

#### **Report by District 2 Supervisor, Ann English**

Supervisor English deferred her report.

#### **Report by District 3 Supervisor, Richard Searle**

Chairman Searle thanked staff for participating in the County Fair.

Chairman Searle adjourned the meeting at 10:34 a.m.

APPROVED:

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Richard R. Searle, Chairman

ATTEST:

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Arlethe G. Rios, Clerk of the Board

**Cochise Co. Demands 9.27.16**

11599	09/08/2016	AOC Corrections Officer Retire	\$20,002.98	11676	09/08/2016	Kolano, Hillary	\$44.55
11600	09/08/2016	Correction Officers	\$6,807.16	11677	09/08/2016	Lacombe, Kathleen A.	\$129.60
11601	09/08/2016	EODCRS	\$9.06	11678	09/08/2016	Mabry, Mark McDaniel	\$188.46
11602	09/08/2016	Nationwide Retirement Solutions	\$507.50	11679	09/08/2016	McCleave, Keturah M	\$39.15
11603	09/08/2016	Public Safety Retirement Syst	\$21,525.84	11680	09/08/2016	Mena, Maria	\$55.35
11604	09/08/2016	Public Safety Retirement Syst	\$17,150.41	11681	09/08/2016	Molina, Alejandra Barton	\$46.44
11605	09/08/2016	Public Safety Retirement Syst	\$1,245.10	11682	09/08/2016	Ocano, April Denise	\$10.00
11606	09/08/2016	Public Safety Retirement Syst	\$634.38	11683	09/08/2016	Perez, Rorri	\$71.00
11607	09/08/2016	Public Safety Retirement Syst	\$1,231.94	11684	09/08/2016	Rios, Luis M	\$10.00
11608	09/08/2016	A Check America	\$105.50	11685	09/08/2016	Thomas, Shirley Lynn	\$43.47
11609	09/08/2016	Arizona Medical Waste, LLC	\$680.00	11686	09/09/2016	AFLAC	\$11,498.59
11610	09/08/2016	Arizona State Prison Complex - Fort Grant	\$2,694.40	11687	09/13/2016	Aqua Life	\$27.50
11611	09/08/2016	Arizona State Prison Complex - Fort Grant	\$240.00	11688	09/13/2016	Arizona Counties Insurance Pool	\$16,497.93
11612	09/08/2016	Arizona Water Company	\$1,051.71	11689	09/13/2016	Arizona Department of Corrections - Douglas	\$200.00
11613	09/08/2016	Banning Creek Enterprises, LLC	\$7,392.00	11690	09/13/2016	Arizona Department of Corrections - Douglas	\$824.00
11614	09/08/2016	Barnett's Towing & Oxygen LLC	\$237.50	11691	09/13/2016	Arizona Department of Corrections - Douglas	\$721.74
11615	09/08/2016	Benson, City of	\$35.87	11692	09/13/2016	Arizona Department of Revenue	\$177.48
11616	09/08/2016	Bisbee Towing	\$125.00	11693	09/13/2016	Arizona Police Psychology, PLLC	\$1,875.00
11617	09/08/2016	Brown & White Inc	\$23,709.18	11694	09/13/2016	B & D Lumber & Hardware	\$111.80
11618	09/08/2016	Canyon Vista Medical Center	\$6,108.00	11695	09/13/2016	Banning Creek Enterprises, LLC	\$5,174.40
11619	09/08/2016	CenturyLink	\$254.39	11696	09/13/2016	Barnett's Towing & Oxygen LLC	\$198.00
11620	09/08/2016	CenturyLink	\$34.41	11697	09/13/2016	Beacon Secure	\$50.00
11621	09/08/2016	Christiansen, Rosalba	\$260.00	11698	09/13/2016	BI Incorporated	\$538.85
11622	09/08/2016	Christopher Hitchcock PLC	\$350.00	11699	09/13/2016	Bob Barker Company, Inc.	\$242.79
11623	09/08/2016	Cochise County Sheriff's Department	\$1,089.85	11700	09/13/2016	Boyd Equipment Center	\$3,814.30
11624	09/08/2016	Cochise Family Advocacy Center, Inc	\$3,475.00	11701	09/13/2016	Cable One	\$229.49
11625	09/08/2016	Cooke, Stephen R.	\$180.00	11702	09/13/2016	Center for Disease Detection, LLC	\$155.00
11626	09/08/2016	Copygraphix Inc.	\$25,874.93	11703	09/13/2016	CenturyLink	\$726.90
11627	09/08/2016	Courtesy Chevrolet / GMAC	\$36,746.51	11704	09/13/2016	Cochise Lock & Safe	\$343.92
11628	09/08/2016	Creative Communications Sales & Rentals, Inc.	\$6,323.76	11705	09/13/2016	Copper Queen Community Hospital	\$522.25
11629	09/08/2016	Deneke, Buffy	\$364.00	11706	09/13/2016	CRM of America LLC	\$3,574.97
11630	09/08/2016	Direct TV	\$17.99	11707	09/13/2016	Dell Marketing LP	\$4,475.03
11631	09/08/2016	Douglas, City of	\$36.05	11708	09/13/2016	Douglas NAPA	\$114.59
11632	09/08/2016	Frank Tadeo's Chevron Service	\$14.50	11709	09/13/2016	Empire Southwest LLC	\$517.47
11633	09/08/2016	German, Gloria	\$150.00	11710	09/13/2016	Federal Express Corporation	\$15.59
11634	09/08/2016	Granite Construction Company	\$6,897.10	11711	09/13/2016	FX Tactical, LLC	\$14,190.72
11635	09/08/2016	Hubble, Anthony D	\$250.00	11712	09/13/2016	Genesis OB/GYN, PC	\$122.92
11636	09/08/2016	Interstate Battery	\$334.12	11713	09/13/2016	Graeme, Nina Sue	\$14.99
11637	09/08/2016	JWS Web Design LLC	\$500.00	11714	09/13/2016	H5 Productions, Inc.	\$97,639.60
11638	09/08/2016	Merle's Automotive Supply, Inc.	\$1,498.89	11715	09/13/2016	Hodges Glass Co Inc	\$1,405.18
11639	09/08/2016	O'Rielly Chevrolet, Inc.	\$458.19	11716	09/13/2016	JWS Web Design LLC	\$900.00
11640	09/08/2016	Potters Industries, Inc.	\$15,812.65	11717	09/13/2016	Language Line Services, Inc.	\$51.75
11641	09/08/2016	Prudential Overall Supply	\$85.43	11718	09/13/2016	LexisNexis Risk Data Management, Inc.	\$90.35
11642	09/08/2016	Rocco, Tracey	\$26.84	11719	09/13/2016	Little Caesars	\$30.95
11643	09/08/2016	Rodriguez, Shari A.	\$150.00	11720	09/13/2016	Martinez, Sergio I. Ph.D., LLC	\$1,650.00
11644	09/08/2016	Safelite Autoglass Corp.	\$353.51	11721	09/13/2016	Maxim Staffing Solutions	\$630.00
11645	09/08/2016	Senergy Petroleum LLC	\$6,392.96	11722	09/13/2016	Medical Diagnostic Imaging Group	\$111.98
11646	09/08/2016	SHI International Corp.	\$2,023.33	11723	09/13/2016	NCS Pearson, Inc.	\$395.00
11647	09/08/2016	Shoemaker, Brad	\$325.00	11724	09/13/2016	NI Government Services Inc	\$221.18
11648	09/08/2016	Sound Off Signal	\$430.29	11725	09/13/2016	NITV Federal Services	\$790.00
11649	09/08/2016	Sulphur Springs Valley Electric Coop, Inc.	\$463.48	11726	09/13/2016	Phoenix Home & Garden / Phoenix Magazine	\$2,073.66
11650	09/08/2016	SWCA Environmental Consultants	\$8,352.00	11727	09/13/2016	Porta-Pot	\$750.75
11651	09/08/2016	Sweedo, Michael CLPE	\$550.00	11728	09/13/2016	Prisoner Trans Services America LLC (PTS)	\$1,752.50
11652	09/08/2016	The Bisbee Observer LLC	\$235.35	11729	09/13/2016	Pro Data Computer Services, Inc.	\$520.00
11653	09/08/2016	Trinity Services Group, Inc.	\$37,458.62	11730	09/13/2016	Programs for the Arts dba ON Media	\$2,713.50
11654	09/08/2016	Valley Telephone Cooperative, Inc.	\$116.40	11731	09/13/2016	Prudential Overall Supply	\$107.97
11655	09/08/2016	Watson Chevrolet Inc	\$1,323.47	11732	09/13/2016	Purcell's Western State Tire Company	\$5,719.17
11656	09/08/2016	Waxie Sanitary Supply	\$981.43	11733	09/13/2016	RWC International, LTD	\$761.16
11657	09/08/2016	Weems, Elizabeth Annette	\$150.00	11734	09/13/2016	Schlesinger, Aaron	\$14.00
11658	09/08/2016	West Press	\$64.12	11735	09/13/2016	Senergy Petroleum LLC	\$11,403.93
11659	09/08/2016	West Press	\$180.74	11736	09/13/2016	Spectra Training	\$1,750.00
11660	09/08/2016	Western Emulsion, Inc	\$94,000.44	11737	09/13/2016	Stamback Septic Service	\$611.50
11661	09/08/2016	Wick Communications	\$130.00	11738	09/13/2016	Stericycle Inc.	\$215.06
11662	09/08/2016	Wick Communications	\$515.08	11739	09/13/2016	SunEdison Services	\$19,735.83
11663	09/08/2016	Willcox Auto Parts Inc.	\$2,539.83	11740	09/13/2016	Trinity Services Group, Inc.	\$4,419.95
11664	09/08/2016	Willcox, City of	\$142.39	11741	09/13/2016	U.S. Healthworks Medical Group of AZ, PC	\$507.00
11665	09/08/2016	WR Ryan Company	\$4,933.52	11742	09/13/2016	UniFirst Corporation	\$263.74
11666	09/08/2016	Arizona Supreme Court	\$32,038.34	11743	09/13/2016	Valley Telephone Cooperative, Inc.	\$35.77
11667	09/08/2016	Arizona Supreme Court	\$129,186.00	11744	09/13/2016	Verizon Wireless	\$6,193.62
11668	09/08/2016	Mitchell, Vanessa	\$300.00	11745	09/13/2016	Vision Business Products	\$116.53
11669	09/08/2016	Pitney Bowes Reserve Account	\$10,000.00	11746	09/13/2016	Waxie Sanitary Supply	\$2,955.04
11670	09/08/2016	Sharp, Mandy Dawn	\$16.81	11747	09/13/2016	Wells, Doris	\$612.50
11671	09/08/2016	Unkar LLC	\$451.75	11748	09/13/2016	West Press	\$423.75
11672	09/08/2016	Berry, Trudy	\$749.52	11749	09/13/2016	Wick Communications	\$48.69
11673	09/08/2016	Bullington, Beverly	\$54.00	11750	09/13/2016	Wick Communications	\$39.15
11674	09/08/2016	Holliday, Deborah	\$87.48	11751	09/13/2016	Willcox Auto Parts Inc.	\$419.36
11675	09/08/2016	James, Shanna	\$144.50	11752	09/13/2016	WIST Office Products Co	\$49.18

11753	09/13/2016	Cochise County Treasurer c/o Justice Court #5	\$8.40	11831	09/15/2016	Sloan R. King, PhD, LLC	\$7,500.00
11754	09/13/2016	Copper Queen Community Hospital	\$215.00	11832	09/15/2016	Southwest Disposal LC	\$97.10
11755	09/13/2016	Corey, Karen R. MS	\$2,958.12	11833	09/15/2016	Southwest Gas Corporation	\$3,314.47
11756	09/13/2016	Public Health Accreditation Board	\$850.00	11834	09/15/2016	St. David Domestic Water Improvement District	\$15.92
11757	09/13/2016	Sullivan, Kristine	\$72.42	11835	09/15/2016	Sulphur Springs Valley Electric Coop, Inc.	\$5,797.67
11758	09/13/2016	Target	\$1,150.00	11836	09/15/2016	Templeman, Douglas D	\$16.20
11759	09/14/2016	A-L Financial Corp	\$203.46	11837	09/15/2016	Tyler Technologies, Inc.	\$6,965.00
11760	09/14/2016	Cochise County/Sheakley/National Bank	\$9,217.46	11838	09/15/2016	United Fire Equipment Co	\$721.41
11761	09/14/2016	Licking County CSEA	\$178.61	11839	09/15/2016	United States Department of the Interior	\$14,675.00
11762	09/14/2016	New Mexico Child Support Enforcement Div	\$315.00	11840	09/15/2016	Valley Telephone Cooperative, Inc.	\$475.30
11763	09/14/2016	NYS Child Support Processing Center	\$32.00	11841	09/15/2016	Valley Telephone Cooperative, Inc.	\$769.55
11764	09/14/2016	Pre-paid Legal Services, Inc. dba LegalShield	\$1,497.25	11842	09/15/2016	Westlawn Chapel & Mortuary	\$300.00
11765	09/14/2016	Support Payment Clearinghouse	\$6,114.35	11843	09/15/2016	Whetstone Water Improvement District	\$43.77
11766	09/14/2016	The Hameroff Law Group, PC	\$154.49	11844	09/15/2016	Wick Communications	\$162.00
11767	09/14/2016	U.S. Department of Education	\$157.62	11845	09/15/2016	Willcox, City of	\$686.52
11768	09/15/2016	Alternative Counseling Service, Inc	\$600.00	11846	09/15/2016	Corey, Karen R. MS	\$1,282.50
11769	09/15/2016	Arizona Business Equipment Inc.	\$153.05	11847	09/15/2016	Law Offices of Randolph V. Lopez, P.C.	\$542.00
11770	09/15/2016	Arizona Department of Corrections - Douglas	\$414.00	11848	09/15/2016	Traywick, Catherine L (CC Reimb Only)	\$1,276.78
11771	09/15/2016	Arizona Department of Corrections - Douglas	\$72.00	11849	09/15/2016	Barallardos, Ramon M	\$114.75
11772	09/15/2016	Arizona Department of Corrections - Douglas	\$701.66	11850	09/15/2016	Barton, Vicki	\$211.26
11773	09/15/2016	Arizona Public Service (APS)	\$15,239.61	11851	09/15/2016	Berry, Trudy	\$51.00
11774	09/15/2016	Arizona State Hospital	\$4,202.51	11852	09/15/2016	Conrad Jr., Joseph	\$172.52
11775	09/15/2016	Arizona State Treasurer	\$184,567.00	11853	09/15/2016	Crossley, Dennis	\$35.10
11776	09/15/2016	Arizona Water Company	\$80.99	11854	09/15/2016	Dizon, Jinrim Agao	\$119.00
11777	09/15/2016	Bank of America	\$130,454.60	11855	09/15/2016	Eveningred, Jessica	\$37.00
11778	09/15/2016	Banner-Univ Medical Ctr South Campus LLC	\$138.50	11856	09/15/2016	Faucher, Roland	\$157.38
11779	09/15/2016	Becker, Judith V. PH.D.	\$625.00	11857	09/15/2016	Furnier, Katja	\$192.51
11780	09/15/2016	Benson, City of	\$292.91	11858	09/15/2016	Godfrey, Marilyn	\$205.20
11781	09/15/2016	Bisbee, City of	\$8,077.72	11859	09/15/2016	Graves, Sarah C	\$88.00
11782	09/15/2016	Bowie Water Improvement District	\$119.37	11860	09/15/2016	Honorable Karl D Elledge	\$25.11
11783	09/15/2016	Bryan, Rita	\$100.00	11861	09/15/2016	Lord, Priscilla	\$281.34
11784	09/15/2016	Bug-Wiser Exterminating, Inc.	\$770.00	11862	09/15/2016	Lueck, Elizabeth	\$55.08
11785	09/15/2016	Cable One	\$113.58	11863	09/15/2016	Manzanares, Marina J.	\$212.20
11786	09/15/2016	Carahsoft Technology Corporation	\$1,078.25	11864	09/15/2016	Martinez, Rose Maria Nakasone	\$61.00
11787	09/15/2016	Catholic Community Services Southern AZ, Inc.	\$1,418.00	11865	09/15/2016	Sanchez Hernandez, Eduardo Guadalupe	\$88.00
11788	09/15/2016	Center for Disease Detection, LLC	\$434.00	11866	09/15/2016	Swartz, LaRae	\$47.25
11789	09/15/2016	CenturyLink	\$73.43	11867	09/15/2016	Thornton, Betsy	\$29.16
11790	09/15/2016	Child & Family Resources, Inc.	\$1,214.53	11868	09/15/2016	Tomlinson, Cheryl	\$37.00
11791	09/15/2016	Cochise County Fair Association	\$25,000.00	11869	09/15/2016	Villegas, Francisco Gilberto	\$272.12
11792	09/15/2016	Cochise County Farmers Association	\$861.53	11870	09/19/2016	AOC Corrections Officer Retire	\$19,598.17
11793	09/15/2016	Cochise Private Industry Council, Inc.	\$60,594.00	11871	09/19/2016	Correction Officers	\$6,915.01
11794	09/15/2016	Cochise Private Industry Council, Inc.	\$44,968.00	11872	09/19/2016	EODCRS	\$9.06
11795	09/15/2016	CODAC Health, Recovery & Wellness, Inc.	\$415.00	11873	09/19/2016	Nationwide Retirement Solutions	\$507.50
11796	09/15/2016	Crop Production Service Inc	\$636.60	11874	09/19/2016	Public Safety Retirement Syst	\$20,755.23
11797	09/15/2016	Culligan of Tucson	\$519.53	11875	09/19/2016	Public Safety Retirement Syst	\$17,150.41
11798	09/15/2016	Culligan of Tucson	\$73.50	11876	09/19/2016	Public Safety Retirement Syst	\$1,245.10
11799	09/15/2016	Curfman Storage, LLC	\$200.00	11877	09/19/2016	Public Safety Retirement Syst	\$634.38
11800	09/15/2016	Douglas, City of	\$943.00	11878	09/19/2016	Public Safety Retirement Syst	\$1,231.94
11801	09/15/2016	Douglas, City of	\$387.71	11879	09/19/2016	Alvarez, Frances Naomi	\$45.00
11802	09/15/2016	Elfrida Water Improvement	\$38.98	11880	09/19/2016	Alvarez, Jesus Roberto	\$50.00
11803	09/15/2016	Gasper, Jo Ann	\$48.60	11881	09/19/2016	Alvarez, Rachael N	\$45.00
11804	09/15/2016	Hatfield Funeral Home	\$1,140.00	11882	09/19/2016	Alvarez, Roberto T	\$137.28
11805	09/15/2016	Honeman, Van G.	\$928.40	11883	09/19/2016	Alvarez, Rufolph H	\$115.00
11806	09/15/2016	Howell, Robert F	\$100.00	11884	09/19/2016	Amarillas-Alvarez, Stephanie Nicole	\$130.00
11807	09/15/2016	Jensen's Sierra Vista Mortuary	\$820.00	11885	09/19/2016	Anable, Sylvia M	\$115.00
11808	09/15/2016	Law Office of Joan M Sacramento	\$350.00	11886	09/19/2016	Anbinder, Deborah Emily	\$153.02
11809	09/15/2016	Legend Technical Services, Inc.	\$57.00	11887	09/19/2016	Anderson, Gordon G	\$115.00
11810	09/15/2016	Manring, Donald Gene	\$250.00	11888	09/19/2016	Arevalos, Sandra Jean	\$50.22
11811	09/15/2016	MME Consulting Services LLC	\$1,575.00	11889	09/19/2016	Baca, Anita Marie	\$100.00
11812	09/15/2016	Nyander, Penny Sue	\$861.00	11890	09/19/2016	Barcelo, Virginia Ashley	\$181.20
11813	09/15/2016	Office of Vital Records	\$4,475.00	11891	09/19/2016	Benavidez, Frank	\$115.00
11814	09/15/2016	Olivares, Veronica	\$30.00	11892	09/19/2016	Benton, Russalice	\$115.00
11815	09/15/2016	Patten, Elizabeth	\$77.76	11893	09/19/2016	Bernal, Rodolfo Javier	\$188.80
11816	09/15/2016	Pima County	\$87,500.00	11894	09/19/2016	Bethel, Jonnie Belle	\$155.00
11817	09/15/2016	Prudential Overall Supply	\$73.15	11895	09/19/2016	Beyer, Gene E	\$115.00
11818	09/15/2016	Pueblo del Sol Water Company	\$2.16	11896	09/19/2016	Blinkinsop, Neenah L	\$130.00
11819	09/15/2016	Pueblo Mechanical & Controls, Inc.	\$34,293.71	11897	09/19/2016	Bohling, Linda K	\$115.00
11820	09/15/2016	Quill Corporation	\$18.21	11898	09/19/2016	Boone, Rhonda R	\$100.00
11821	09/15/2016	Raymond Klumb, Architect	\$8,100.00	11899	09/19/2016	Bos, Wanda J	\$115.00
11822	09/15/2016	Rea, Marc	\$100.00	11900	09/19/2016	Bowen Sr., Harry E	\$115.00
11823	09/15/2016	Reed, Cynthia - Court Reporter	\$30.80	11901	09/19/2016	Burns, Linda M.	\$217.16
11824	09/15/2016	Reinhart, Lowenid B	\$84.13	11902	09/19/2016	Carberry, Lucinda Louise	\$130.00
11825	09/15/2016	RevolutionaryText, LLC	\$6,316.67	11903	09/19/2016	Carrillo, David V	\$115.00
11826	09/15/2016	Ryan, William F	\$82.62	11904	09/19/2016	Cartmell, Carol A	\$122.56
11827	09/15/2016	Sawinski, Todd A	\$18.36	11905	09/19/2016	Chavez, Isidro	\$123.54
11828	09/15/2016	Schlesinger, Aaron	\$245.00	11906	09/19/2016	Choate, C C	\$151.00
11829	09/15/2016	Sheakley Pension Administration Inc.	\$48.50	11907	09/19/2016	Christiernsson, Florina	\$133.48
11830	09/15/2016	Shreve, Virginia	\$250.00	11908	09/19/2016	Cisneros, Juan	\$207.82

11909	09/19/2016	Clinton, Mary Frances	\$50.00	11987	09/19/2016	Larned, Michele	\$172.12
11910	09/19/2016	Cohen, Jane T	\$115.00	11988	09/19/2016	Lawrence, Alexis	\$115.00
11911	09/19/2016	Cohen, Pamela Karen	\$167.80	11989	09/19/2016	Lenhardt, Becky Lou	\$168.64
11912	09/19/2016	Cohorn, Katherine A	\$115.00	11990	09/19/2016	Lenhardt, Michael Charles	\$115.00
11913	09/19/2016	Cohorn, Phyllis	\$115.00	11991	09/19/2016	Love, Glenda M	\$209.80
11914	09/19/2016	Cotton, Terry Michael	\$155.00	11992	09/19/2016	Lugo, Guillermo A	\$172.12
11915	09/19/2016	Crowell, Patricia	\$130.00	11993	09/19/2016	Lujan Robert E	\$207.92
11916	09/19/2016	Davis III, Arnold D	\$115.00	11994	09/19/2016	Lujan, Charlene L	\$130.00
11917	09/19/2016	Davis Jr, Arnold D	\$115.00	11995	09/19/2016	Luzania, Ernesto	\$147.34
11918	09/19/2016	Davis, Jeanette H	\$130.00	11996	09/19/2016	Marchese, Dolores C	\$115.00
11919	09/19/2016	Davis, Jennifer R	\$47.04	11997	09/19/2016	Marsett, Donna R	\$115.00
11920	09/19/2016	de la Cruz, Judy	\$115.00	11998	09/19/2016	Martinez, Lupe S	\$115.00
11921	09/19/2016	Dekeizer, John P	\$115.00	11999	09/19/2016	Martzke, James F.	\$115.00
11922	09/19/2016	Dennison III, Boyd Coe	\$129.28	12000	09/19/2016	Martzke, Vicki J.	\$197.00
11923	09/19/2016	Despain, Elizabeth	\$162.04	12001	09/19/2016	Mason, Barbara Jean	\$115.00
11924	09/19/2016	Dewitt, Elsa L	\$115.00	12002	09/19/2016	Masters, Susan	\$100.00
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11926	09/19/2016	Diaz, Gabriella	\$115.00	12004	09/19/2016	McVean, Christine A	\$22.50
11927	09/19/2016	Dobkowski, John J	\$115.00	12005	09/19/2016	Mead, Raymond R.	\$115.00
11928	09/19/2016	Dolge, David M	\$50.00	12006	09/19/2016	Meneses, Jesus A	\$45.00
11929	09/19/2016	Earhart, Barbara J	\$130.00	12007	09/19/2016	Micheau, Phillip C	\$50.00
11930	09/19/2016	Eberly, Glenn A	\$223.48	12008	09/19/2016	Monson, Clarence R	\$161.92
11931	09/19/2016	Escobedo, Cesar M	\$140.32	12009	09/19/2016	Monson, Marcia M	\$115.00
11932	09/19/2016	Evans, Bessie M	\$171.80	12010	09/19/2016	Montgomery, Robert W	\$50.00
11933	09/19/2016	Fernandez, Delia	\$115.00	12011	09/19/2016	Moon, Charlotte K	\$122.14
11934	09/19/2016	Fimbres, Javier F	\$115.00	12012	09/19/2016	Moringello, Anthony	\$115.00
11935	09/19/2016	Fix, Janie F	\$167.80	12013	09/19/2016	Munoz Salcido, Ana Louisa	\$130.00
11936	09/19/2016	Fleming, Robert L	\$62.38	12014	09/19/2016	Nash, Arthur E.	\$161.92
11937	09/19/2016	Fox, Marilyn Louise	\$130.00	12015	09/19/2016	Naugle Sr, James R	\$115.00
11938	09/19/2016	Frank, Pamela G	\$169.28	12016	09/19/2016	Nickell, Kyle Clark	\$25.00
11939	09/19/2016	Fry, James J	\$115.00	12017	09/19/2016	Niehm, Barbara E	\$115.00
11940	09/19/2016	Fry, Ruth Ellen	\$115.00	12018	09/19/2016	Norris, Jeremy	\$115.00
11941	09/19/2016	Fulton, Stephanie Jane	\$45.78	12019	09/19/2016	Olsen, Gladys E	\$115.00
11942	09/19/2016	Garcia, Nina	\$159.40	12020	09/19/2016	Padia, Valerie E.	\$130.00
11943	09/19/2016	Gasper, Jo Ann	\$115.00	12021	09/19/2016	Penrose, David W.	\$50.00
11944	09/19/2016	Gilbert, Charlotte B	\$130.00	12022	09/19/2016	Peralta, Yolanda L	\$115.00
11945	09/19/2016	Girdler, Anne R	\$115.00	12023	09/19/2016	Pike, Wanda E	\$247.00
11946	09/19/2016	Girdler, Louis Tracy	\$161.50	12024	09/19/2016	Polm, James Richard	\$93.34
11947	09/19/2016	Girsch, Carrie Ellen Mitten	\$115.00	12025	09/19/2016	Rauch, Arlie David	\$115.00
11948	09/19/2016	Grady, Carolyn J	\$157.30	12026	09/19/2016	Redding, Gary L	\$130.00
11949	09/19/2016	Grady, Michael Edward	\$115.00	12027	09/19/2016	Redding, Joye L	\$115.00
11950	09/19/2016	Graham, Margaret A	\$115.00	12028	09/19/2016	Rice, Ian	\$115.00
11951	09/19/2016	Grainger, Roberta	\$162.04	12029	09/19/2016	Rice, Valerie June	\$115.00
11952	09/19/2016	Guilmette, Debra A	\$180.20	12030	09/19/2016	Rineer, Patsy L	\$115.00
11953	09/19/2016	Gutierrez, Linda	\$115.00	12031	09/19/2016	Rios, Luis M	\$53.76
11954	09/19/2016	Guzman, Delia T	\$344.00	12032	09/19/2016	Rivera, Guadalupe A	\$184.40
11955	09/19/2016	Hady, Nora	\$159.40	12033	09/19/2016	Rodriguez, Edna M.	\$115.00
11956	09/19/2016	Hansen, Karla F	\$115.00	12034	09/19/2016	Rose, Linda S	\$115.00
11957	09/19/2016	Hardwick, Russell	\$184.40	12035	09/19/2016	Ross, Patricia	\$50.00
11958	09/19/2016	Harris, Kara Lucille	\$167.80	12036	09/19/2016	Ross, Ramiro	\$50.00
11959	09/19/2016	Hartman, Diane Kay	\$240.08	12037	09/19/2016	Sanders, Evadean	\$115.00
11960	09/19/2016	Hays, Barbara Kuhlman	\$115.00	12038	09/19/2016	Saunders, Rita	\$100.00
11961	09/19/2016	Hays, Lawrence Grant	\$130.00	12039	09/19/2016	Schelling, Thomas	\$50.62
11962	09/19/2016	Hays, Nancy J	\$115.00	12040	09/19/2016	Schoder-Ehri, Ruthe	\$115.00
11963	09/19/2016	Heideman, Cynthia A	\$145.96	12041	09/19/2016	Schoder-Ehri, William L	\$115.00
11964	09/19/2016	Heisner, Jeremy	\$40.00	12042	09/19/2016	Schurian, Barbara Lee	\$127.60
11965	09/19/2016	Highley, Cynthia	\$145.12	12043	09/19/2016	Sheldahl, Lois Marie	\$115.00
11966	09/19/2016	Hillman, Jay Scott	\$115.00	12044	09/19/2016	Shipley, Rita	\$25.00
11967	09/19/2016	Hirst, Darla	\$115.00	12045	09/19/2016	Simmons, Sara Lynn	\$205.40
11968	09/19/2016	Holder, Maxine P	\$115.00	12046	09/19/2016	Slater, Howard F	\$115.00
11969	09/19/2016	Hurtado, Gloria	\$180.20	12047	09/19/2016	Smith, JoAnn A	\$138.52
11970	09/19/2016	Jansen, Keith	\$115.00	12048	09/19/2016	Starr, Richard C	\$115.00
11971	09/19/2016	Jennings, Edith	\$115.00	12049	09/19/2016	Stout, Marty	\$115.00
11972	09/19/2016	Jesperon, Aleta May	\$130.00	12050	09/19/2016	Stout, Michael W.	\$115.00
11973	09/19/2016	Johnson, Kathleen B	\$115.00	12051	09/19/2016	Sullivan, Jean	\$155.00
11974	09/19/2016	Johnson, Michelle Lynne	\$115.00	12052	09/19/2016	Sztuk, Mary C	\$100.00
11975	09/19/2016	Jones, Arthur M	\$50.00	12053	09/19/2016	Taylor, Carol Ann	\$50.00
11976	09/19/2016	Jones, Florence J	\$115.00	12054	09/19/2016	Taylor, John B	\$115.00
11977	09/19/2016	Jones, Harlan LeRoy	\$115.00	12055	09/19/2016	Thames, Dolores Kathleen	\$115.00
11978	09/19/2016	Jones, Linda H	\$115.00	12056	09/19/2016	Tilton, Ida Louise	\$115.00
11979	09/19/2016	Kelso II, David Howard	\$100.00	12057	09/19/2016	Tingle, Joyce S	\$130.00
11980	09/19/2016	Kennon, Maria	\$155.00	12058	09/19/2016	Tiuan, Maryclare	\$100.00
11981	09/19/2016	Kirkley, Linda D	\$115.00	12059	09/19/2016	Tritz, Judith Linda	\$115.00
11982	09/19/2016	Kirkley, Thomas W	\$115.00	12060	09/19/2016	Verheul, Fred J	\$157.30
11983	09/19/2016	Klump, J. Kathryn	\$115.00	12061	09/19/2016	Wahlen, Dennis J	\$176.00
11984	09/19/2016	Knoche, Jayne	\$115.00	12062	09/19/2016	Walker, David B	\$126.34
11985	09/19/2016	Krentz, Miriam Susan	\$115.00	12063	09/19/2016	Wenc, Laura	\$48.70
11986	09/19/2016	Kuttner, Lou G. (Ludwig)	\$166.76	12064	09/19/2016	Westover, Emily Celine	\$130.12

12065	09/19/2016	Whittaker, Brenda J	\$141.04
12066	09/19/2016	Wilhelm, Edward	\$115.00
12067	09/19/2016	Wilhelm, Jonathan D.	\$115.00
12068	09/19/2016	Williamson, Lelia V	\$115.00
12069	09/19/2016	Wisniewski, Anthony T	\$115.00
12070	09/19/2016	Wisniewski, Anthony T	\$50.00
12071	09/19/2016	Wysong, Lorenza Lopez	\$115.00
12072	09/19/2016	Yanez, Paula	\$115.00
12073	09/19/2016	Young, Guadalupe L	\$115.00
12074	09/19/2016	Contreras, Lupe	\$91.23
12075	09/19/2016	Lugo, Isabel	\$30.70
12076	09/19/2016	Price, Andrew E	\$213.70
12077	09/19/2016	Renteria, Marisol F	\$115.00
12078	09/19/2016	Wooley, Stacey L	\$74.64
12079	09/20/2016	ACE Hardware - Bisbee	\$43.29
12080	09/20/2016	Arizona Dept of Corrections ASPC-Tucson	\$106.50
12081	09/20/2016	Arizona State Prison Complex - Fort Grant	\$189.57
12082	09/20/2016	Arizona State Prison Complex - Fort Grant	\$123.75
12083	09/20/2016	AZ Communications Group	\$3,083.33
12084	09/20/2016	B & D Lumber & Hardware	\$314.17
12085	09/20/2016	Banner-University Physicians Healthcare, Inc.	\$1,000.00
12086	09/20/2016	Barnett's Towing & Oxygen LLC	\$96.00
12087	09/20/2016	Benson Police Department	\$378.30
12088	09/20/2016	Bradley R. Johnson, MD, PLLC	\$500.00
12089	09/20/2016	Cameron Udall Attorney At Law	\$400.00
12090	09/20/2016	CenturyLink	\$4,284.95
12091	09/20/2016	CenturyLink	\$2,341.85
12092	09/20/2016	Christopher Hitchcock PLC	\$50.00
12093	09/20/2016	Cochise County Sheriff's Department	\$928.80
12094	09/20/2016	Cochise County Sheriff's Department	\$3.00
12095	09/20/2016	Contract Pharmacy Services, Inc.	\$6,356.96
12096	09/20/2016	Coordinated Consulting Services, LLC	\$7,500.00
12097	09/20/2016	Copper Queen Community Hospital	\$2,577.63
12098	09/20/2016	Dell Marketing LP	\$1,017.52
12099	09/20/2016	Deluxe Business Forms	\$160.02
12100	09/20/2016	Deneke, Buffy	\$231.00
12101	09/20/2016	Douglas Police Department	\$3,226.35
12102	09/20/2016	Evans Law Offices, PLLC	\$2,176.20
12103	09/20/2016	FasPsych, LLC	\$390.00
12104	09/20/2016	Federal Supply USA	\$4,082.50
12105	09/20/2016	Griffith, David B. Esq.	\$12,300.00
12106	09/20/2016	Jackson, Noble	\$174.50
12107	09/20/2016	JWS Web Design LLC	\$400.00
12108	09/20/2016	Keefe Supply Company	\$4,474.93
12109	09/20/2016	Law Office of Donielle Wright	\$5,000.00
12110	09/20/2016	Law Office of Joan M Sacramento	\$3,400.00
12111	09/20/2016	Law Office of Sarah Michele Martin	\$2,400.00
12112	09/20/2016	Law Offices of Bourke & Swartz	\$1,109.40
12113	09/20/2016	Law Offices of Ruben Teran S.	\$1,693.39
12114	09/20/2016	Levitt, Harriette P.	\$1,141.88
12115	09/20/2016	Long, Jerrod D. DDS	\$2,385.00
12116	09/20/2016	Lowell A. Jensen, PLC	\$1,725.00
12117	09/20/2016	Maxim Staffing Solutions	\$2,100.00
12118	09/20/2016	McGowan, Mark J.	\$3,900.00
12119	09/20/2016	Motorola Solutions Inc	\$87,139.25
12120	09/20/2016	Nina L. Caples, P.C.	\$3,441.44
12121	09/20/2016	Prisoner Trans Services America LLC (PTS)	\$505.50
12122	09/20/2016	Rothrock Investigations, LLC	\$1,824.15
12123	09/20/2016	San Pedro Kiwanis	\$100.00
12124	09/20/2016	SHI International Corp.	\$568.70
12125	09/20/2016	Sierra Vista Chamber of Commerce	\$495.00
12126	09/20/2016	Sulphur Springs Valley Electric Coop, Inc.	\$633.03
12127	09/20/2016	Supplemental Health Care	\$2,011.00
12128	09/20/2016	The Law Office of Robert Hicks, PLLC	\$350.00
12129	09/20/2016	The Manch Law Firm, P.L.L.C.	\$5,247.30
12130	09/20/2016	Trinity Services Group, Inc.	\$91.23
12131	09/20/2016	U.S. Healthworks Medical Group of AZ, PC	\$169.00
12132	09/20/2016	UniFirst Corporation	\$200.06
12133	09/20/2016	Valley Telephone Cooperative, Inc.	\$107.88
12134	09/20/2016	VCA Apache Animal Hospital	\$243.74
12135	09/20/2016	Barney, Seth Carson	\$700.00
12136	09/20/2016	Circle K Store	\$42.01
12137	09/20/2016	Cochise County Treasurer - Petty Cash	\$45.00
12138	09/20/2016	Jamka, Kevin	\$1,543.88
12139	09/20/2016	Ortiz, Armando	\$84.03
12140	09/20/2016	Sears	\$84.03
12141	09/20/2016	Total Equipment Service and Engineering LLC	\$105.00
12142	09/20/2016	Wiedemann, James Manfred	\$700.00

Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 10/11/2016

Amended Appointment of a Cochise County BOS to the Sierra Vista Metropolitan Planning Organization

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation Recommendation: Approve

Document Signatures: BOS Signature Required # of ORIGINALS Submitted for Signature: 1

NAME of PRESENTER: Jim Vlahovich TITLE of PRESENTER: County Administrator

Mandated Function?: Not Mandated Source of Mandate or Basis for Support?:

Docket Number (If applicable):

Information

Agenda Item Text:

Approve a letter appointing a member and alternate of the Cochise County Board of Supervisors to the Sierra Vista Metropolitan Planning Organization pursuant to the Joint Project Agreement between the State of Arizona and the City of Sierra Vista as specified by Governor Janice K. Brewer.

Background:

The Sierra Vista MPO is required to establish a Board of Directors which consists of five (5) members. One of those members must be a representative of the Cochise County Board of Supervisors who must also have an alternate representative.

Department's Next Steps (if approved):

Approve Cochise County Board of Supervisor member and alternate to be representative of the Sierra Vista Metropolitan Planning Organization.

Impact of NOT Approving/Alternatives:

The Cochise County Board of Supervisors will not have a member in the Sierra Vista MPO.

To BOS Staff: Document Disposition/Follow-Up:

Emailed a signed copy of the letter to Dan Coxworth at Dan.Coxworth@SierraVistaAZ.gov

Budget Information

Information about available funds

Budgeted: [ ] Funds Available: [ ] Amount Available: [ ]
Unbudgeted: [ ] Funds NOT Available: [ ] Amendment: [ ]

Account Code(s) for Available Funds

1:

Fund Transfers

## Attachments

SVMPO Appointment Letter

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## Cochise County Board of Supervisors

*Public Programs...Personal Service*  
www.cochise.az.gov

**RICHARD R. SEARLE**  
Chairman  
District 3

**JAMES E. VLAHOVICH**  
County Administrator

**PATRICK G. CALL**  
Vice-Chairman  
District 1

**EDWARD T. GILLIGAN**  
Deputy County Administrator

**ANN ENGLISH**  
Supervisor  
District 2

**ARLETHE G. RIOS**  
Clerk of the Board

October 11, 2016

Rick Mueller, Mayor  
City of Sierra Vista  
1011 N. Coronado Drive  
Sierra Vista, AZ 85635

RE: Sierra Vista Metropolitan Planning Organization (SVMPO) Executive Board Appointment and Alternate

The Board of Supervisors appoints Patrick G. Call, Vice-Chairman of the Board, as the representative from Cochise County to the Sierra Vista Metropolitan Planning Organization (SVMPO) Executive Board and Ann English, Member of the Board, as the alternate pursuant to the Joint Project Agreement between the State of Arizona and the City of Sierra Vista as specified by Governor Janice K. Brewer.

This change in appointment for the representative from the Cochise County Board of Supervisors will be effective beginning January 1, 2017. The appointment of membership to the SVMPO includes voting powers and primary membership duties.

Sincerely,

Richard R. Searle  
Chairman  
Board of Supervisors

Cc:  
Dan Coxworth, Administrator  
Sierra Vista MPO  
401 Giulio Cesare Avenue  
Sierra Vista, AZ 85635

Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 10/11/2016

Acceptance of Parcel from Samuel A. & Michael P. Burkes as a donation to the County

Submitted By: Rebecca Reynolds, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation Recommendation: Approve

Document Signatures: BOS Signature Required # of ORIGINALS Submitted for Signature: 1

NAME of PRESENTER: n/a TITLE of PRESENTER: n/a

Docket Number (If applicable):

Mandated Function?: Not Mandated Source of Mandate or Basis for Support?:

Information

Agenda Item Text:

Approve acceptance of Quit Claim Deed from Samuel A. Burkes, III & Michael Paul Burkes (Grantors) to Cochise County for real property described as "Lot 402, Willow Lakes Unit I, according to Book 7, Maps and Plats, page 12, records of Cochise County, Arizona as recommended by the Highway & Floodplain Division and the County Attorney's Office.

Background:

Mr. Samuel A. Burkes, III, reached out to the County to donate a piece of property they no longer had any use for. Through the land donation process the parcel gets reviewed by Highways, Planning, Facilities, and Solid Waste to research if it is useful for the county. The Highways Division recommended acceptance of the land donation because it would be useful to Highways operations as a material storage site and went through the Attorney's Office for legal procedure. After proper paperwork was put together, we reached out to Mr. Samuel A. Burkes, III, who with his brother Michael Paul Burkes, signed all needed documents to move forward with the donation.

Department's Next Steps (if approved):

Record Quit Claim Deed to ensure property is in County's name.

Impact of NOT Approving/Alternatives:

The County will not acquire the parcel.

To BOS Staff: Document Disposition/Follow-Up:

Record Quit Claim Deed

Attachments

Quit Claim Deed



ATTEST:

\_\_\_\_\_  
Arlethe G. Rios, Clerk of the Board

ACCEPTANCE:

\_\_\_\_\_  
Richard Searle, Chairman  
Board of Supervisors

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

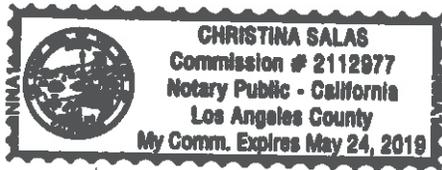
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Los Angeles )  
On Sept. 30, 2016 before me, Christina Salas, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Michael Paul Burkes  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Christina Salas  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Quit Claim deed Document Date: 9/30/16

Number of Pages: 2 Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Individual  Attorney in Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Individual  Attorney in Fact
- Trustee  Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

## Community Development

## Regular Board of Supervisors Meeting

<b>Meeting Date:</b>	10/11/2016		
Rescind the weight restriction on certain reconstructed bridges			
<b>Submitted By:</b>	Terry Couchenour, Community Development		
<b>Department:</b>	Community Development	<b>Division:</b>	Highway
<b>Presentation:</b>	No A/V Presentation	<b>Recommendation:</b>	Approve
<b>Document Signatures:</b>	BOS Signature Required	<b># of ORIGINALS Submitted for Signature:</b>	1
<b>NAME of PRESENTER:</b>	N/A	<b>TITLE of PRESENTER:</b>	N/A
<b>Docket Number (If applicable):</b>			
<b>Mandated Function?:</b>	Not Mandated	<b>Source of Mandate or Basis for Support?:</b>	

## Information

**Agenda Item Text:**

Adopt Resolution 16-43 to rescind the weight restriction on certain reconstructed bridges as described therein.

**Background:**

**Recommendation:** This department recommends adopting the accompanying resolution to remove weight restrictions for certain reconstructed bridges.

**Background (Brief):** Every year ADOT inspects half of our bridges so that each bridge is inspected at least once every two years. Based on the inspection, weight limits are established and reconstruction work is scheduled depending on need and available resources.

The following is a list of bridges that had protective weight limits established and were subsequently reconstructed.

- Benson Airport Road, bridge at Desert Wash
  - 3 ton weight limit established by Resolution 88-29
  - Reconstructed 1997 per highway records
- Charleston Road, bridge at San Pedro River
  - 15 ton weight limit established by Resolution 88-29
  - Reconstructed 1990 per ADOT inventory
- Hereford Road, bridge at San Pedro River
  - 15 ton weight limit established by Resolution 88-29
  - Reconstructed 2006 per highway records
- Leslie Canyon Road, bridge at milepost 7.8
  - 5 ton weight limit established by Resolution 08-19
  - Reconstructed 2009 per highway records
- Leslie Canyon Road, bridge at milepost 10.85
  - 10 ton weight limit by historical establishment, no accompanying resolution
  - Reconstructed 2010 per highway records
- Ramsey Canyon Road, bridge at Ramsey Canyon Creek
  - 5 ton weight limit established by Resolution 87-66
  - Reconstructed 1988 per ADOT inventory

These reconstructed bridges were subsequently inspected, no longer require weight restriction and are no longer signed. The final step is to rescind any previous Board resolution that established the prior weight limit.

**Department's Next Steps (if approved):**

Upon Board adoption, the department will correct signs as appropriate.

**Impact of NOT Approving/Alternatives:**

If the resolution is not adopted, the prior weight limit will remain in the record.

**To BOS Staff: Document Disposition/Follow-Up:**

Please return a copy of the recorded resolution to H&F, attn: Terry Couchenour.

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**Attachments**

Executive summary to rescind weight restrictions on reconstructed bridges

Map to rescind weight restrictions on reconstructed bridges

Resolution to rescind weight restrictions on reconstructed bridges

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**Cochise County**  
**Community Development**  
**Highway and Floodplain Division**

*Public Programs...Personal Service*  
www.cochise.az.gov

**MEMORANDUM**

**Date:** 9/1/2016  
**To:** Board of Supervisors  
**Through:** Karen Riggs, Director *KR*  
**From:** Terry Couchenour  
**Subject:** Removing weight restrictions for reconstructed bridges

**Recommendation:** This department recommends adopting the accompanying resolution to remove weight restrictions for certain reconstructed bridges.

**Background (Brief):** Every year ADOT inspects half of our bridges so that each bridge is inspected at least once every two years. Based on the inspection, weight limits are established and reconstruction work is scheduled depending on need and available resources.

The following is a list of bridges that had protective weight limits established and were subsequently reconstructed.

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**Highway and Floodplain**  
1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9337 fax  
1-800-752-3745  
highway@cochise.az.gov  
floodplain@cochise.az.gov

**Planning, Zoning and Building Safety**  
1415 Melody Lane, Building E  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9278 fax  
1-877-777-7958  
planningandzoning@cochise.az.gov



**Cochise County**  
**Community Development**  
**Highway and Floodplain Division**

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[www.cochise.az.gov](http://www.cochise.az.gov)

- Leslie Canyon Road, bridge at milepost 10.85
  - 10 ton weight limit by historical establishment, no accompanying resolution
  - Reconstructed 2010 per highway records
- Ramsey Canyon Road, bridge at Ramsey Canyon Creek
  - 5 ton weight limit established by Resolution 87-66
  - Reconstructed 1988 per ADOT inventory

These reconstructed bridges were subsequently inspected, no longer require weight restriction and are no longer signed. The final step is to rescind any previous Board resolution that established the prior weight limit.

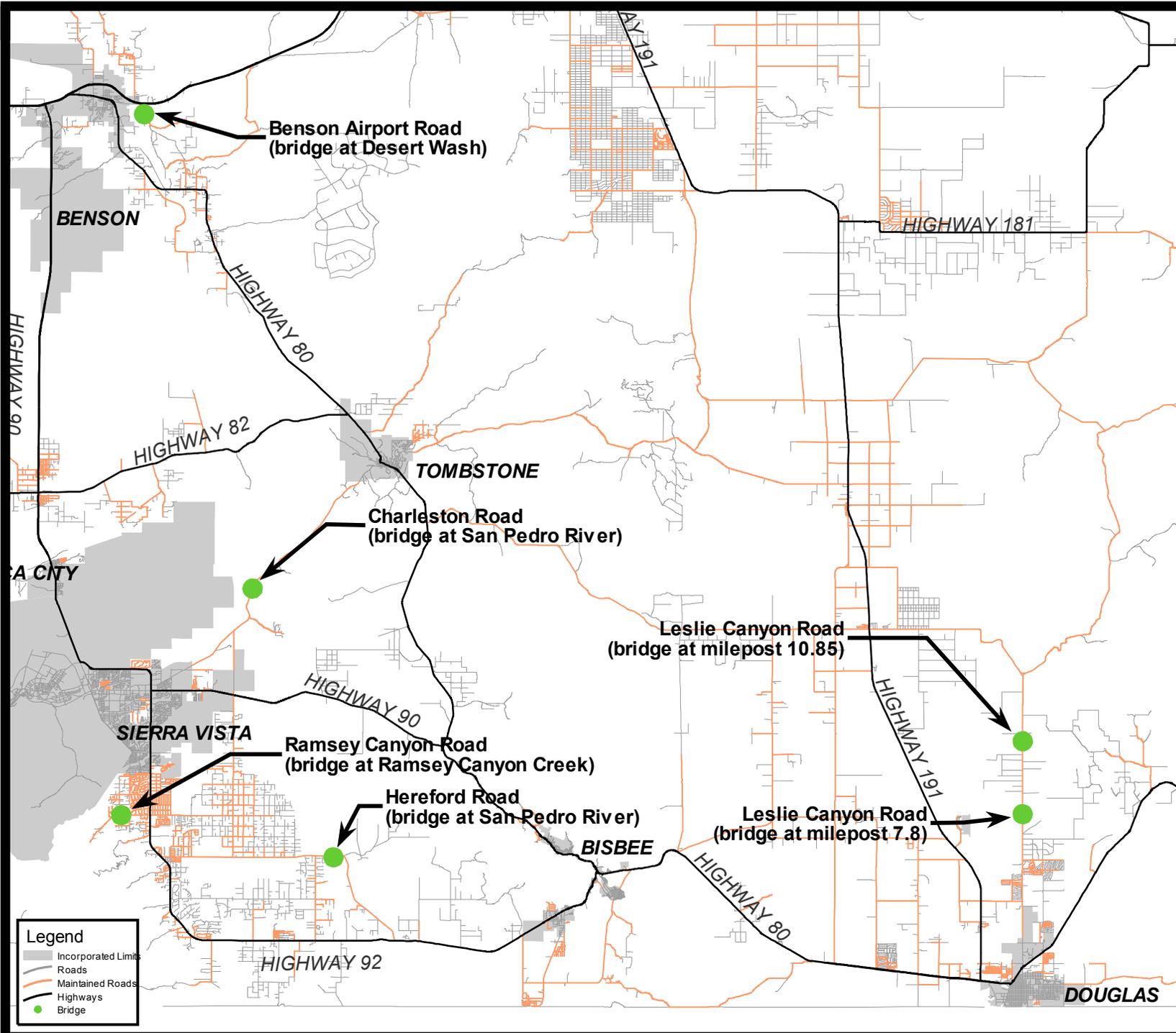
**Fiscal Impact & Funding Sources:** N/A

**Next Steps/Action Items/Follow-up:** Upon Board adoption of the resolution, no further action is required.

**Impact of Not Approving:** If the resolution is not adopted, the prior weight limit will remain in the record.

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520-432-9300  
520-432-9337 fax  
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**Legend**

- Incorporated Limits
- Roads
- Maintained Roads
- Highways
- Bridge



Rescind weight limit on reconstructed bridges

This map is a product of the Cochise County GIS Information Technology Dept.

## **RESOLUTION 16-\_\_**

### **RESCIND WEIGHT RESTRICTION AND AUTHORIZE THE REMOVAL OF REGULATORY WEIGHT LIMIT SIGNS ON CERTAIN RECONSTRUCTED BRIDGES**

**WHEREAS**, the Board of Supervisors, Cochise County, Arizona, has the authority to lay out, maintain, control, and manage public roads within Cochise County pursuant to A.R.S. § 11-251 (4); and

**WHEREAS**, the Board of Supervisors, has the authority to impose limitations on the weight of vehicles on designated highways pursuant to A.R.S. §§ 28-1106.C and 28-627.A.7; and

**WHEREAS**, the Board of Supervisors, has the authority to place and maintain such traffic control devices upon highways under their jurisdiction to regulate traffic pursuant to A.R.S. § 28-643; and

**WHEREAS**, pursuant to a technical review by a licensed structural engineer, the Board of Supervisors previously placed weight restrictions and authorized the placement of appropriate regulatory signs on the following bridges:

- Benson Airport Road, bridge at Desert Wash
  - 3 ton weight limit established by Resolution 88-29
  - Reconstructed 1997
- Charleston Road, bridge at San Pedro River
  - 15 ton weight limit established by Resolution 88-29
  - Reconstructed 1990
- Hereford Road, bridge at San Pedro River
  - 15 ton weight limit established by Resolution 88-29
  - Reconstructed 2006
- Leslie Canyon Road, bridge at milepost 7.8
  - 5 ton weight limit established by Resolution 08-19
  - Reconstructed 2009

**RESOLUTION 16-\_\_\_**

**Re: Rescind Weight Restriction And Authorize The Removal Of Regulatory Weight Limit Signs On Certain Reconstructed Bridges**

Page | 2

- Leslie Canyon Road, bridge at milepost 10.85
  - 10 ton weight limit by historical establishment, no accompanying resolution
  - Reconstructed 2010
- Ramsey Canyon Road, bridge at Ramsey Canyon Creek
  - 5 ton weight limit established by Resolution 87-66
  - Reconstructed 1988

**WHEREAS**, said bridges have been reconstructed, subsequently received a technical review by a licensed structural engineer and no longer require the previously placed weight restriction or require the regulatory sign,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that we the Board of Supervisors, Cochise County, Arizona rescind the weight restriction on said bridges.

**IT IS FURTHER RESOLVED** that the County Engineer, or her designee, is authorized to remove any regulatory sign in conflict with this resolution.

**IT IS FINALLY RESOLVED** that any resolution in conflict herewith is rescinded to the extent of said conflict.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2016.

---

Richard Searle, Chairman  
Cochise County Board of Supervisors

**ATTEST:**

---

Arlethe Rios,  
Clerk of the Board

**APPROVED AS TO FORM:**

---

  
Britt Hanson,  
Chief Civil Deputy County Attorney

**Regular Board of Supervisors Meeting**

**Community Development**

**Meeting Date:** 10/11/2016  
 Z-16-03 (Oldfield) - A request to Amend the Zoning of Parcels 101-36-045, -046, -048A, & -049 to RU-4 from R-36  
**Submitted By:** Peter Gardner, Community Development  
**Department:** Community Development **Division:** Planning & Zoning  
**Presentation:** No A/V Presentation **Recommendation:** Approve  
**Document Signatures:** BOS Signature Required **# of ORIGINALS Submitted for Signature:** 1  
**NAME of PRESENTER:** Peter Gardner **TITLE of PRESENTER:** Planner I  
**Mandated Function?:** Not Mandated **Source of Mandate or Basis for Support?:**  
**Docket Number (If applicable):** Z-16-03 (Oldfield)

**Information**

**Agenda Item Text:**

Adopt Zoning Ordinance 16-05 approving Docket Z-16-03, amending the zoning district designation for parcels 101-36-045, -046, -048A, & -049 to RU-4 from R-36, pursuant to the request of Mr. Daniel Oldfield & Mrs. Jo Oldfield.

**Background:**

**APPLICATION FOR A REZONING**

The Applicant is requesting a rezoning from R-36 (Residential; one dwelling per 36,000 square feet) to RU-4 (Rural; one dwelling per 4 acres). The subject parcels are 10.51 acres in size. The request is to facilitate the use of the Owner-Builder Opt-Out Amendment.

The subject parcels, APN 101-36-045, -046, -048A, & -049, are located on at 5288 N. Lead Stra, east of Bisbee. The Applicants are Daniel & Jo Oldfield.

**PLANNING AND ZONING COMMISSION**

On Wednesday, September 14, 2016, the Planning and Zoning Commission voted 6-0 to forward this Docket to the Board of Supervisors with a recommendation of approval. The motion included the conditions of approval recommended by staff. No objections were received from any member of the public, therefore the Board does not need to hold a public hearing.

**I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES**

Parcel Size: 10.51 acres  
 Current Zoning: R-36 (Residential; one dwelling per 36,000 square feet)  
 Proposed Zoning: RU-4 (Rural; one dwelling per 4 acres)  
 Growth Area: D – Rural Area  
 Plan Designation: Rural  
 Area Plan: None  
 Existing Uses: Single Family Rural Residential  
 Proposed Uses: Same

**Zoning/Use of Surrounding Properties**

Relation to Subject Parcel	Zoning District	Use of Property
North	R-36	Vacant
South	RU-4	Vacant
East	R-36	Vacant
West	RU-4	State Land

**II. PARCEL HISTORY**

1925 – Barn built  
1960 – Easy Acres Subdivision Platted  
1965 – Single Family Residence, Septic System, and Accessory Buildings Built  
2015 – Permit for additional Septic System Issued

**III. NATURE OF REQUEST**

The Applicants are requesting to amend the zoning of their five contiguous lots in the Easy Acres Subdivision from R-36 to RU-4. This will permit the use of the Owner-Builder Opt Out Amendment to the Cochise County Building Code.

The Easy Acres Subdivision was platted in 1960, 15 years prior to the adoption of Zoning in 1975. Lot sizes in the subdivision vary from 20,000 square feet to two acres, and all of the lots in the subdivision were zoned R-36. Since the subdivision was platted, a total of 14 homes have been built spread over hundreds of lots, indicating a rural type of development. The subject lots are among the largest in the subdivision, and the applicants own five lots, as well as the 120 acres to the south that is not part of the subdivision. The proposed Rural zoning would be more appropriate for the actual pattern of development.

**North**

**Location Map**

**Department's Next Steps (if approved):**

Planning Staff will take a copy of the recorded ordinance to GIS to amend the County Zoning Maps to reflect the action.

**Impact of NOT Approving/Alternatives:**

If the Board does not approve the Zoning Ordinance, the subject parcels will retain the existing R-36 zoning designation.

**To BOS Staff: Document Disposition/Follow-Up:**

After the Chair signs the Zoning Ordinance, Board Staff should send a recorded copy of the same to the Planning Department for our records.

**Budget Information**

*Information about available funds*

**Budgeted:**   
**Unbudgeted:**

**Funds Available:**   
**Funds NOT Available:**

**Amount Available:**  
**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

Staff Memo

Staff Memo Attachments

Exhibit A

Draft Zoning Ordinance



**Cochise County**  
**Community Development**  
**Planning, Zoning and Building Safety Division**  
*Public Programs...Personal Service*  
www.cochise.az.gov

MEMORANDUM

TO: Cochise County Board of Supervisors  
FROM: Peter Gardner, Planner I  
FOR: Paul Esparza AICP, Planning Director  
SUBJECT: Docket Z-16-03 (Oldfield)  
DATE: September 30, 2016 for the October 11, 2016 Meeting

APPLICATION FOR A REZONING

The Applicant is requesting a rezoning from R-36 (Residential; one dwelling per 36,000 square feet) to RU-4 (Rural; one dwelling per 4 acres). The subject parcels are 10.51 acres in size. The request is to facilitate the use of the Owner-Builder Opt-Out Amendment.

The subject parcels, APN 101-36-045, -046, -048A, & -049, are located on at 5288 N. Lead Stra, east of Bisbee. The Applicants are Daniel & Jo Oldfield.

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Growth Area: D – Rural Area  
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Area Plan: None  
Existing Uses: Single Family Rural Residential  
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Relation to Subject Parcel	Zoning District	Use of Property
North	R-36	Vacant
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**Highway and Floodplain**  
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highway@cochise.az.gov  
floodplain@cochise.az.gov

II. PARCEL HISTORY

1925 – Barn built

1960 – Easy Acres Subdivision Platted

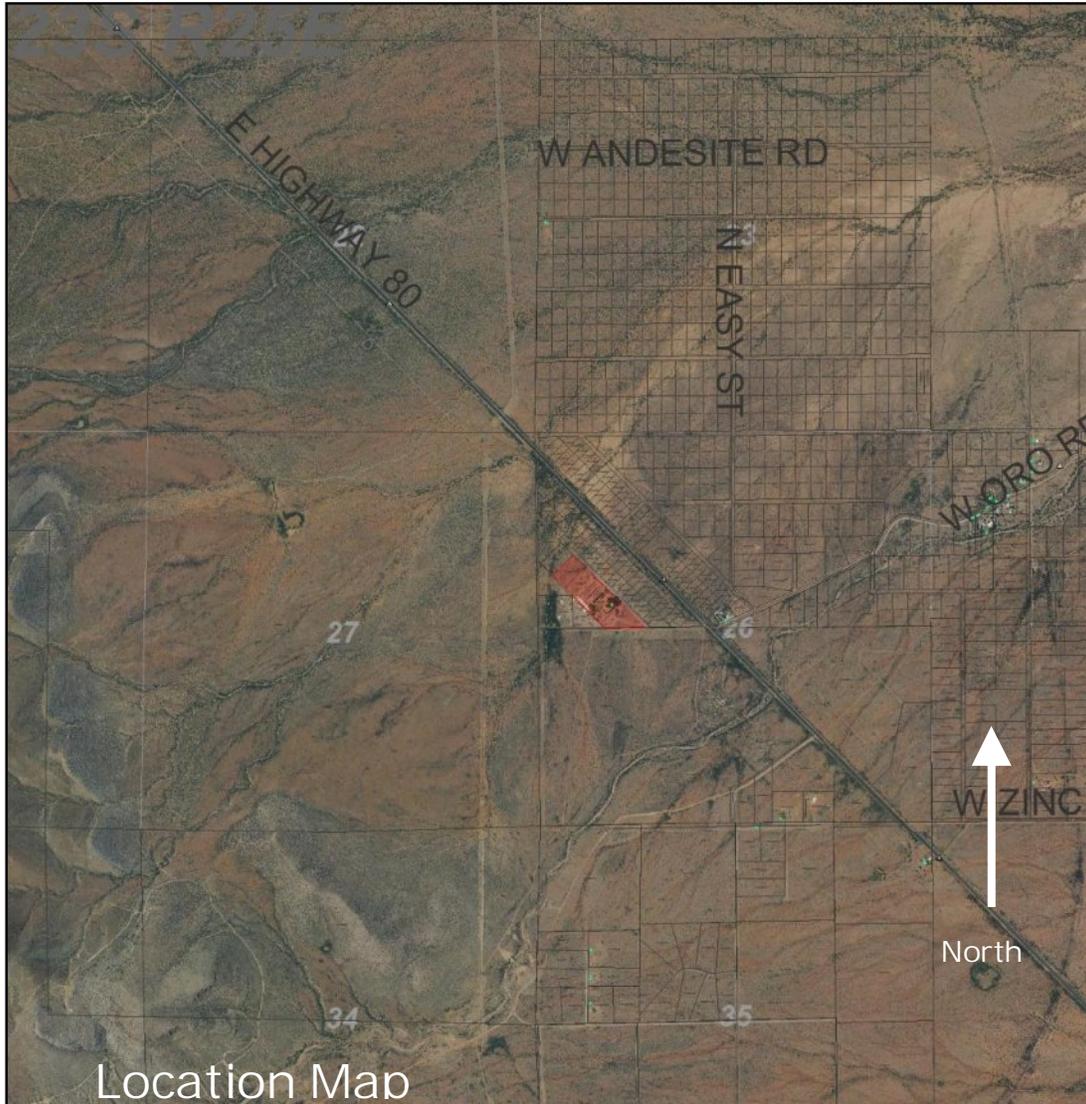
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A view of the existing home



A view of the accessory buildings



A view of Oro Road leading to the site



A view of the driveway



A view to the south

## IV. ANALYSIS OF IMPACTS

### Mandatory Compliance

Section 2208.03 of the Zoning Regulations requires that the amendment of Zoning District boundaries take place in compliance with the Comprehensive or Area Plan Designation assigned to the area in question. In this case, the subject property lies within a Category "D" Rural Area and is considered a "Rural" area per the Comprehensive Plan. RU-4 zoning is permitted in the Category "D," "Rural" areas and is the default zoning for the majority of the County, so this request to rezone to RU-4 complies with the Comprehensive Plan as detailed below.

### Compliance with Rezoning Criteria

Section 2208.03 of the Zoning Regulations provides fifteen criteria used to evaluate rezoning requests. Nine of the criteria are applicable to this request, and all of the nine applicable factors are met.

#### 1. Provides an Adequate Land Use/Concept Plan: Not Applicable

The Applicants intend to continue to use the parcel for their personal, residential use. The proposal is intended to facilitate standard, rural home site development, but the parcel would be eligible for the full range of allowed Principal, Accessory, and Special Uses per Article 6 of the Zoning Regulations.

#### 2. Compliance with Applicable Site Development Standards: Complies

As noted above, the 10.51-acre site is developed. Downzoning to RU-4 would not negatively impact the ability of the parcel to be further developed. The only site development standard that would become more stringent is the maximum density. The Applicants are aware of this, and have no plans to exceed the RU-4 density.

#### 3. Adjacent Districts Remain Capable of Development: Complies

The proposal would not affect the development prospects of any neighboring property.

#### 4. Limitation on Creation of Nonconforming Uses: Complies

If approved, the rezoning would not create any non-conforming land uses.

#### 5. Compatibility with Existing Development: Complies

There is precedent for RU-4 zoning and Rural Residential development in the immediate area; there is currently RU-4 zoning adjacent to the parcel, and all nearby development fits a similar Rural Residential pattern.

#### 6. Rezoning to More Intense Districts: Not Applicable

As indicated, this request is for a downzoning, which in this case would reduce the permitted density by a factor of six.

#### 7. Adequate Services and Infrastructure: Complies

The parcel and the existing road network all support the necessary infrastructure to develop the parcel under the guidelines for the RU-4 zoning designation. As the density is decreasing by a factor of six, the existing infrastructure that was designed to support the R-36 density will support the RU-4.

#### 8. Traffic Circulation Criteria: Complies

This rezoning request will not alter the layout or function of the existing roadway network and will not require right-of-way dedication or off-site improvements. Rezoning from R-36 to RU-4 would decrease the permitted density, with a corresponding decrease in potential traffic.

#### 9. Development Along Major Streets: Not Applicable

This parcel does not take access off a Major roadway and is not served by roads within the County Maintenance system.

10. Infill: Not Applicable

This Factor applies only for rezoning requests to General Business, Light Industry or Heavy Industry.

11. Unique Topographic Features: Not Applicable

As this request is for a downzoning, this factor does not apply.

12. Water Conservation: Complies

As this proposed downzoning would reduce permitted maximum density, potential water usage could decrease.

13. Public Input: Complies

As a downzoning, the Applicant was not required to complete a Citizen Review. Staff mailed notices to neighboring property owners within 1,500 ft. of the subject property on August 9, 2016. Staff posted the property on August 29, 2016 and published a legal notice in the *Bisbee Observer* on August 25, 2016. Three responses in support were received.

14. Hazardous Materials: Not Applicable

No hazardous materials are proposed.

15. Compliance with Area Plan: Complies

The subject property lies within a Category "D"– Rural Area and is considered a "Rural" area per the Comprehensive Plan. This designation is intended to create neighborhoods with lots of two-acres or more. This request would comply by creating a minimum lot size of four-acres per dwelling.

#### V. PUBLIC COMMENT

In response to County mailings, the Planning Department has received three responses in support.

#### VI. SUMMARY AND CONCLUSION

The rezoning request is for a rezoning, from R-36 (Residential; one dwelling per 36,000 ft, to RU-4 (Rural; one dwelling per four acres) on a 10.51-acre parcel located on N. Lead Stravenue approximately 900 feet west of Highway 80. At this time, the area is characterized by open expanses, with all current development occurring on a Rural scale. The Comprehensive Plan designates the site as Rural. This designation constitutes a recommendation on the part of the Plan for a rezoning to a lower-density zoning district, providing a major Factor in Favor of Approval. A rezoning to the RU-4 district would therefore reflect the policies of the Plan, and would better reflect the existing character of the surrounding neighborhood.

#### Factors in Favor of Approval

1. Allowing the request would be in keeping with the character of the existing development in the area;
2. The Comprehensive Plan policies prescribe a low density of residential development in this area to protect the current character of the neighborhood, and the request would facilitate such a density; and
3. Three letters of support have been received.

#### Factors Against Approval

None

## VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends Approving the request for a rezoning, from R-36 (Residential; one dwelling per 36,000 ft) to RU-4 (Rural; one dwelling per four acres) on a 10.51-acre parcel located on N. Lead Stravenue approximately 900 feet west of Highway 80, subject to the following Conditions:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning; and
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations.

## VIII. ATTACHMENTS

- A. Application
- B. Location Map
- C. Agency Comment Memos



# COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

## COCHISE COUNTY REZONING APPLICATION

Submit to: Cochise County Community Development Department  
1415 Melody Lane, Building E, Bisbee, Arizona 85603

1. Applicant's Name: Daniel and Jo Oldfield

2. Mailing Address: 5288 N Lead Stravenue

Bisbee AZ 85603  
City State Zip Code

3. Telephone Number of Applicant: 520.249.8119

4. Telephone Number of Contact Person if Different: ( ) 5204324212

5. Email Address: milehighbisbee@gmail.com

6. Assessor's Tax Parcel Number: 049- (Can be obtained from your County property tax statement)

7. Applicant is (check one):

- Sole owner:
- Joint Owner:  (See number 8)
- Designated Agent of Owner: \_\_\_\_\_
- If not one of the above, explain interest in rezoning: \_\_\_\_\_

7. If applicant is **not** sole owner, attach a list of all owners of property proposed for rezoning by parcel number. Include all real parties in interest, such as beneficiaries of trusts, and specify if owner is an individual, a partnership, or a corporation:

- List attached (if applicable): \_\_\_\_\_

8. If applicant is **not** sole owner, indicate which **notarized** proof of agency is attached:

- If corporation, corporate resolution designating applicant to act as agent: \_\_\_\_\_
- If partnership, written authorization from partner: \_\_\_\_\_
- If designated agent, attach a **notarized** letter from the property owner(s) authorizing representation as agent for this application.

9. Attach a proof of ownership for all property proposed for rezoning. Check which proof of ownership is attached:

- Copy of deed of ownership: \_\_\_\_\_
- Copy of title report: \_\_\_\_\_
- Copy of tax notice: \_\_\_\_\_
- Other, list: \_\_\_\_\_

10. Will approval of the rezoning result in more than one zoning district on any tax parcel?

- Yes \_\_\_\_\_ No X

11. If property is a new split, or the rezoning request results in more than one zoning district on any tax parcel then a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be attached.

12. Is more than one parcel contained within the area to be rezoned? Yes X No \_\_\_\_\_

- If yes and more than one property owner is involved, have all property owners sign the attached consent signature form.

13. Indicate existing Zoning District for Property: R-36

14. Indicate proposed Zoning District for Property: RU4

**Note: A copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached. Review this criteria and supply all information that applies to your rezoning. Feel free to call the Planning Department with questions regarding what information is applicable.**

15. Comprehensive Plan Category: D (A County planner can provide this information.)

16. Comprehensive Plan Designation or Community Plan: Rural (A County planner can provide this information.)

**Note: in some instances a Plan Amendment might be required before the rezoning can be processed. Reference the attached rezoning criteria, Section A.**

17. Describe all structures already existing on the property: House, barn, greenhouse

18. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan: \_\_\_\_\_

House

19. Are there any deed restrictions or private covenants in effect for this property?

- No X Yes \_\_\_\_\_
- If yes, is the proposed zoning district compatible with all applicable deed restrictions/private covenants? Yes \_\_\_\_\_ No \_\_\_\_\_
- Provide a copy of the applicable restrictions (these can be obtained from the Recorder's office using the recordation Docket number)

20. Which streets or easements will be used for traffic entering and exiting the property?

Oro Road, Lead Stravenue

21. What off-site improvements are proposed for streets or easements used by traffic that will be generated by this rezoning? None

22. How many driveway cuts do you propose to the streets or easements used by traffic that will be generated by this rezoning? None

23. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water		
Sewer/Septic		
Electricity		
Natural Gas		
Telephone		
Fire Protection		

24. This section provides an opportunity for you to explain the reasons why you consider the rezoning to be appropriate at this location. The attached copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached for your reference (attach additional pages as needed).

Should have been R4

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**25. AFFIDAVIT**

I, the undersigned, do hereby file with the Cochise County Planning Commission this petition for rezoning. I certify that, to the best of my knowledge, all the information submitted herein and in the attachments is correct. I hereby authorize the Cochise County Planning Department staff to enter the property herein described for the purpose of conducting a field visit.

Applicant's Signature: \_\_\_\_\_

*Jo Oldfield*

Date: \_\_\_\_\_

*7-28-16*

22

E HIGHWAY 80

23

W BASALT RD

N EASY ST

27



26

W ORO RD

N CHISOLM TRL

W HIGHWAY 80

W BRANDING IRON TRL

SOLM TRL

Legend

- Townships
- Sections
- Incorporated Limits
- Roads
- Parcels
- Milepost
- Search Polygon



Z-16-03 (Oldfield)



This map is a product of the Cochise County GIS Information Technology Dept.



0' 1" = 1148'

# Rezoning Docket Z-16-03 (Oldfield)

**YES, I SUPPORT THIS REQUEST**  
Please state your reasons:

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**NO, I DO NOT SUPPORT THIS REQUEST:**  
Please state your reasons:

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(Attach additional sheets, if necessary)

PRINT NAME(S): J. Clinton Mappie, for Community Foundation for Southern Arizona Properties, Inc.  
SIGNATURE(S): [Handwritten Signature]

YOUR TAX PARCEL NUMBER: 101-36-021  
101-36-038 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **4 PM on Monday, August 29, 2016** to be included in the staff report to the Commission, and by **Thursday, September 29, 2016** to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at [pgardner@cochise.az.gov](mailto:pgardner@cochise.az.gov). Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on **September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors**. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Rezoning Docket Z-16-03 (Oldfield)

YES, I SUPPORT THIS REQUEST  
Please state your reasons:

We are in Favor of Rezoning

NO, I DO NOT SUPPORT THIS REQUEST:  
Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): Rafael A Duron Aurora A Duron

SIGNATURE(S): Rafael A Duron  
Aurora A Duron

YOUR TAX PARCEL NUMBER: 101-36-0116 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, August 29, 2016 to be included in the staff report to the Commission, and by Thursday, September 29, 2016 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at [pgardner@cochise.az.gov](mailto:pgardner@cochise.az.gov). Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Rezoning Docket Z-16-03 (Oldfield)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

We are in favor of rezoning.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): RAFAEL A Duron Aurora A Duron

SIGNATURE(S): Rafael A. Duron Aurora A. Duron

YOUR TAX PARCEL NUMBER: 101-36-0103 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, August 29, 2016 to be included in the staff report to the Commission, and by Thursday, September 29, 2016 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at pgardner@cochise.az.gov. Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603





**Cochise County**  
**Community Development**  
**Planning, Zoning and Building Safety Division**

*Public Programs...Personal Service*  
www.cochise.az.gov

August 23, 2016

Daniel & Jo Oldfield  
5288 N. Lead Stravenue  
Bisbee, AZ 85603

RE: Docket Z-16-03 (Oldfield)

Dear Mr. & Mrs. Oldfield,

The Cochise County Planning and Zoning Commission will consider your application at 4:00 PM, on Wednesday, September 14, 2016, at 1415 Melody Lane, Building G in Bisbee, Arizona.

The Cochise County Board of Supervisors will consider your application at 10:00 AM, on Tuesday, October 11, 2016, at the Cochise County Board of Supervisors Hearing Room, at 1415 Melody Lane, Building G, in Bisbee, Arizona.

It is recommended that you or your representative be present at both public hearings to answer any questions the Planning and Commission or Board of Supervisors may have.

If you have any questions please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Gardner".

Peter Gardner  
Planner I

cc: Docket file

**Planning, Zoning and Building Safety**  
1415 Melody Lane, Building E  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9278 fax  
1-877-777-7958  
planningandzoning@cochise.az.gov

**Highway and Floodplain**  
1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9337 fax  
1-800-752-3745  
highway@cochise.az.gov  
floodplain@cochise.az.gov



**ZONING ORDINANCE 16-\_\_\_**

**Re: Docket Z-16-03 Application of Daniel and Jo Oldfield**

**Page 1**

**ZONING ORDINANCE 16-\_\_\_**

**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM R-36  
2 TO RU-4, PURSUANT TO THE APPLICATION OF DANIEL AND JO  
OLDFIELD**

**WHEREAS**, A.R.S. § 11-814 allows property owners or their authorized agent to request amendments to the Zoning District boundaries through the Board of Supervisors in a public hearing; and

**WHEREAS**, the Cochise County Board of Supervisors recognizes that zoning amendments can affect land use patterns and therefore warrant careful consideration of local and regional impacts at a public hearing; and

**WHEREAS**, Tax Parcels 101-36-045, -046, -048A, & -049 were zoned as R-36 in 1975, and never developed in accordance with the R-36 Zoning District; and

**WHEREAS**, the property has been developed in accordance with the Rural Zoning District and

**WHEREAS**, the Applicant wishes to bring the Zoning into compliance with the actual development pattern and wishes to amend the zoning to RU-4; and

**WHEREAS**, the requested zoning district represents a reduction in density in accordance with the Comprehensive Area Plan; and

**WHEREAS**, the requested zoning district is harmonious with the surrounding zoning districts; and

**WHEREAS**, the Cochise County Board of Supervisors promotes effective, early and continuous public participation by citizens; and

**WHEREAS**, the Board of Supervisors held a duly noticed public hearing on the amendments to the Zoning District boundaries proposed by Applicants Daniel and Jo Oldfield; and

**WHEREAS**, the Board of Supervisors conditionally approved the request for a change in the Zoning District boundaries,

**NOW, THEREFORE, BE IT RESOLVED** that the Cochise County Zoning District Boundaries shall be amended as follows:

The zoning classifications for Tax Parcels 101-36-045, -046, -048A, & -049, as shown on the map attached to this Resolution as Exhibit A, is changed from R-36 to RU-4. The property is located west of Bisbee, AZ. The property is further described as being in Section 23 of Township 25 South, Range 26 East of the G&SRB&M in Cochise County, Arizona. The Board of Supervisors approves Docket Z-16-03 subject to the following condition of approval:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning; and
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this 11th day of October, 2016.

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Richard Searle, Chairman  
Board of Supervisors

**ATTEST:**

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Arlethe Rios,  
Clerk of the Board

**APPROVED AS TO FORM:**

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Britt Hanson,  
Chief Civil Deputy County Attorney

**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016

Healthy Families Grant

**Submitted By:** Karen Enriquez, County Schools

**Department:** County Schools

**Presentation:** No A/V Presentation

**Recommendation:** Approve

**Document Signatures:** BOS Signature Required

**# of ORIGINALS Submitted for Signature:** 2

**NAME of PRESENTER:** Trudy Berry

**TITLE of PRESENTER:** School Superintendent

**Mandated Function?:** Not Mandated

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

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 Intergovernmental Agreement (IGA) SABG-GR-17-070116-02 between the Arizona State Office of Youth, Faith, & Family and the Cochise County School Superintendent's Office for substance abuse prevention for the period of July 1, 2016 through January 31, 2017 in the amount of \$30,000.

**Background:**

The Governor's Office has authorized the Cochise County School Superintendent's Office to pass-through funding to the Lowell School in the Bisbee Unified School District for implementation of the Healthy Families-Healthy Schools Pilot Program.

**Department's Next Steps (if approved):**

Provide oversight and submission of programmatic reports and program invoices on the Lowell Middle School's Healthy Families-Healthy Schools Pilot Program and use the SAGB grant award as pass-through funds to the Lowell School to support the program.

**Impact of NOT Approving/Alternatives:**

The funding will not be provided as agreed.

**To BOS Staff: Document Disposition/Follow-Up:**

Send an original copy to the Governor's Office.

**Budget Information**

*Information about available funds*

**Budgeted:**   
**Unbudgeted:**

**Funds Available:**   
**Funds NOT Available:**

**Amount Available:**  
**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

Grant Budget

IGA

IGA Addendum

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Proposed Budget: Fund 287– County Superintendent

Category	Description	Amount
Salary	Office Liaison - $\$35,000 \times .30\% \times 6 \text{ months} = \$5,250$	\$5,250.00
Benefits	Employee related expenses are approximately 35% of the salaries including health benefits	\$1,838.00
Professional Services	Project Manager (Contracted) – 100 hours @ \$50 per hour = \$5,000	\$5000.00
Printing	Printed materials	\$500.00
Supplies	Program materials - paper, envelopes, note pads, file folders, pens, pencils, markers, binder clips, postage and internet.	\$16,900.00
Food	Training Day	\$270.00
Transfer to Other	Lowell School Bisbee	\$20,242.00
Total Project Costs		\$50,000.00

**INTERGOVERNMENTAL AGREEMENT  
NO. IGA-SABG-GR-17-070116-02**

**Between the**

**STATE OF ARIZONA  
GOVERNOR'S OFFICE OF YOUTH, FAITH AND FAMILY**

**And the**

**COCHISE COUNTY SCHOOL SUPERINTENDENT'S OFFICE**

This Intergovernmental Agreement ("Agreement") is entered into by and between the State of Arizona, the Governor's Office of Youth, Faith and Family, located at 1700 West Washington, Suite 230, Phoenix, Arizona 85007 ("GOYFF" or "State of Arizona") and the Cochise County School Superintendent's Office, located at 100 Clawson Avenue, P.O. Drawer 208, Bisbee, Arizona 85603.

WHEREAS, the U.S. Department of Health and Human Services provided funding to the Arizona Department of Health Services under the Substance Abuse Block Grant ("SABG"). The SABG is administered through the Substance Abuse and Mental Health Services Administration of the U.S. Department of Health and Human Services.

WHEREAS, the Arizona Department of Health Services provided Substance Abuse Block Grant Funding to the Governor's Office of Youth, Faith and Family under Interagency Service Agreement No. HS632006.

WHEREAS, A.R.S. §41-101.01 authorizes the Governor's Office of Youth, Faith and Family to execute and administer agreements and accept and expend any funds received from the federal government or any agency thereof.

WHEREAS, A.R.S. §11-952 authorizes public agencies to enter into agreements to contract for services.

WHEREAS, A.R.S. §15-301 authorizes the Cochise County School Superintendent's Office to enter into agreements with other governmental entities and agencies in order to receive and spend local, state and federal monies to provide programs and services to school districts, charter schools, county free library districts, and municipal libraries within the county.

THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt of which the parties hereby acknowledge, the parties enter into this Agreement as follows:

**I. PURPOSE OF AGREEMENT**

The purpose of this Agreement is to provide a SABG cost-reimbursement grant award to the Cochise County School Superintendent's Office as pass-through funding to the Lowell School in the Bisbee Unified School District for implementation of the Healthy Families-Healthy Schools Pilot Program.

**II. TERM OF AGREEMENT, TERMINATION AND AMENDMENTS**

The term of the Agreement shall commence July 1, 2016, and shall remain in effect until January 31, 2017, contingent upon GOYFF's receipt of final federal SABG funding, unless terminated, canceled, or extended as otherwise provided herein.

Either party may terminate this Agreement at any earlier time by providing written notice to the other party at least thirty (30) days prior to the termination date. The GOYFF agrees that regardless of its termination date with the Cochise County School Superintendent's Office, the Cochise County School Superintendent's Office may use the funds distributed under this Agreement to pay for any unpaid services pursuant to this Agreement obligated prior to the date of termination. This Agreement is subject to cancellation pursuant to A.R.S. § 38-511, the provisions of which are incorporated herein.

Amendments to this Agreement shall be made in writing and signed by both parties.

### **III. DESCRIPTION OF SERVICES**

The Cochise County School Superintendent's Office shall:

1. Provide oversight on the Lowell Middle School's Healthy Families-Healthy Schools Pilot Program ("Program") in accordance with Attachment A, (entitled *Scope of Work*, incorporated into this Agreement in its entirety); Attachment B (entitled *Federal Terms and Conditions*, incorporated into this Agreement in its entirety); and Attachment C, (entitled *SAMHSA Incentives*, incorporated into this Agreement in its entirety).
2. Use the SABG grant award as pass-through funds to the Lowell School to support the Program.
3. Assist the Lowell School and the Governor's Office of Youth, Faith and Family ("GOYFF") with the submission of programmatic reports and program invoices.
4. Warrant that Attachment C, (entitled *SAMHSA Additional Directives*, incorporated into this Agreement in its entirety), has been distributed, read, and understood by the Lowell School Program Administrators. This federal grant requirement may be located at <http://www.samhsa.gov/grants/grants-management/policies-regulations/additional-directives>. The directive informs grant recipients to build all non-cash incentives of minimal cash value into the program design. The directive states that incentives should be the minimum amount necessary to meet the program and evaluation goals of the grant. Examples include food, prizes, small gifts or a combination thereof that will not exceed \$30 per participant.

### **IV. REPORTING REQUIREMENTS**

The Cochise County School Superintendent's Office shall submit invoices and programmatic reports detailing all services rendered in accordance with this Agreement on a monthly basis. The reporting deadlines are:

- October 15, 2016
- January 31, 2017

### **V. MANNER OF FINANCING**

The GOYFF shall:

1. Provide no more than \$30,000 to the Cochise County School Superintendent's Office, for costs associated with the activities listed in (i) Section III of this Agreement; (ii) Attachment A, (entitled *Scope of Work*, incorporated into this Agreement in its entirety); (iii) Attachment B (entitled *Federal Terms and Conditions*, incorporated into this Agreement in its entirety); and (iv) Attachment C, (entitled *SAMHSA Incentives*, incorporated into this Agreement in its entirety).
2. Provide payment upon receipt and approval of the invoices for services performed or goods received.

The Cochise County School Superintendent's Office shall:

1. Use the SABG funds received from GOYFF exclusively to support the activities outlined in (i) Section III of this Agreement; (ii) Attachment A, (entitled *Scope of Work*, incorporated into this Agreement in its entirety); (iii) Attachment B (entitled *Federal Terms and Conditions*, incorporated into this Agreement in its entirety); and (iv) Attachment C, (entitled *SAMHSA Additional Directives*, incorporated into this Agreement in its entirety).
2. Agree that all reimbursement of in-state travel expenses shall be paid only in accordance with the Domestic Per Diem rates allowed under the State of Arizona Travel Policy, and the prevailing State of Arizona standard mileage rates, located at <https://gao.az.gov/travel/welcome-gao-travel>. There shall be no reimbursement of out-of-state travel expenses.
3. All questions regarding the appropriate use of the SABG funds shall be resolved by mutual written agreement between the Cochise County School Superintendent's Office and the GOYFF.

#### **VI. DOCUMENTS INCORPORATED BY REFERENCE**

The State of Arizona's Uniform Terms and Conditions V9\_ (Rev 7-1-2013) are incorporated into this document as if fully set forth herein. Copies of the Uniform Terms and Conditions may be accessed at [https://spo.az.gov/sites/default/files/documents/files/Uniform%20Terms%20and%20Conditions%20V9\\_%28Rev%207-1-2013%29.pdf](https://spo.az.gov/sites/default/files/documents/files/Uniform%20Terms%20and%20Conditions%20V9_%28Rev%207-1-2013%29.pdf). The Cochise County School Superintendent's Office warrants that it has read and understands the Uniform Terms and Conditions V9\_ (Rev 7-1-2013) and agrees to be bound by them in their entirety. In the event of any divergence between this Agreement and the Uniform Terms and Conditions, this Agreement shall control.

#### **VII. NON-AVAILABILITY OF FUNDS**

In accordance with A.R.S. § 35-154, every payment obligation of the GOYFF/Arizona Office of the Governor under the Agreement is conditioned upon the availability of funds appropriated or allocated for payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the GOYFF/Arizona Office of the Governor at the end of the period for which funds are available. No liability shall accrue to Arizona Office of the Governor in the event this provision is exercised, and the GOYFF/Arizona Office of the Governor shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

#### **VIII. INDEMNIFICATION**

To the fullest extent permitted by law, the Cochise County School Superintendent's Office shall defend, indemnify, and hold harmless the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the Cochise County School Superintendent's Office or any of its owners, officers, directors, agents, employees or subcontractors. This indemnity includes any claim or amount arising out of, or recovered under, the Workers' Compensation Law or arising out of the failure of such the Cochise County School Superintendent's Office to conform to any federal, state, or local law, statute, ordinance, rule, regulation, or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the

Indemnitee, be indemnified by the Cochise County School Superintendent's Office from and against any and all claims. It is agreed that the Cochise County School Superintendent's Office will be responsible for primary loss investigation, defense, and judgment costs where this indemnification is applicable. In consideration of the award of this Agreement, the Cochise County School Superintendent's Office agrees to waive all rights of subrogation against the State of Arizona, its officers, officials, agents, and employees for losses arising from the work performed by the Cochise County School Superintendent's Office for the State of Arizona.

This indemnity shall not apply if the contractor or sub-contractor(s) is/are an agency, board, commission or university of the State of Arizona.

**IX. INSURANCE**

The Cochise County School Superintendent's Office is a public entity and shall provide a certificate of self-insurance.

**X. OTHER**

It is agreed that the parties to this Agreement have participated fully in the negotiation and preparation of the Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in interpreting this Agreement. The parties acknowledge they have been advised by counsel, or have had the opportunity to be advised by counsel, in the negotiation and execution of the Agreement.

The parties agree to follow all applicable laws, rules and regulations in the performance of work in furtherance of the Substance Abuse Block Grant initiative and this Agreement.

**XI. NOTICES**

The Cochise County School Superintendent's Office shall address all notices relative to this Agreement to:

Deborrah Miller  
Special Project Manager  
Governor's Office of Youth, Faith and Family  
1700 West Washington, Suite 230  
Phoenix, Arizona 85007

The GOYFF shall address all notices relative to this Agreement to:

Karen Enriquez  
Administrative Assistant  
Cochise County School Superintendent's Office  
100 Clawson Avenue, P.O. Drawer 208  
Bisbee, Arizona 85603

IN WITNESS WHEREOF, the parties hereto agree to execute this Agreement.

**COCHISE COUNTY SCHOOL  
SUPERINTENDENT'S OFFICE**

**GOVERNOR'S OFFICE OF YOUTH,  
FAITH AND FAMILY**

\_\_\_\_\_  
Richard Searle, Chair                      Date  
Cochise County Board of Supervisors

\_\_\_\_\_  
Debbie Moak                                      Date  
Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Lauri J. Owen                                      Date  
Civil Deputy County Attorney

\_\_\_\_\_  
Travis Price                                      Date  
Compliance Finance and Procurement Manager  
Office of the Governor

ATTEST:

\_\_\_\_\_  
Arlethe Rios  
Clerk of the Cochise County Board of  
Supervisors

## Scope of Work:

### Lowell Middle School will:

1. Accept and manage the grant funds provided by GOYFF to the County School Superintendent's Office to host the event(s) based on size of 7<sup>th</sup> grade enrollment. Event participation maximum capacity is 150 participants. Below are sample event attendance:
  - i. 50 students and 100 parents/caregivers
  - ii. 60 students and 90 parents/caregivers
  - iii. 75 students and 75 parents/caregivers\*

\*Every student must be accompanied by a parent/caregiver

2. Select and pay a qualified and interested staff person to serve as the Healthy Families Program Coordinator (percentage of FTE to be determined by the school). See attached job description.
3. Healthy Families Program Coordinator will remain a family resource at the school who can direct students and/or parents throughout the school year to:
  - i. [www.substanceabuse.az.gov](http://www.substanceabuse.az.gov)
  - ii. Community Coalitions/Non-profit organization available in their area
4. Identify and select an adequate number of school staff to be trained and serve as Healthy Families coaches for the event(s). See attached Job Description.
  - i. Contract Services should be provided for a minimum (2) coaches at schools offering 1 event at the school site. (Not to exceed \$30,000.00)
  - ii. Contract Services should be provided for a minimum (3) coaches at schools offering 2 events at the school site. (Not to exceed \$35,000.00)
5. Contract Services funding may be provided for staff coaches to participate in the event and attend one-day training for the program in July – August 2016.
6. Contract Services funding may also be provided for preparation activities and logistic associated with the event by staff coaches and peer leaders.
7. Identify and select an adequate number of youth peer leader(s) ages 18-30 to help facilitate the youth workshop and the youth-parent planning sessions of the evening. See attached Job Description.
  - i. Contract Services should be provided for a minimum (2) peer leaders at schools offering 1 event at the school site.
  - ii. Contract Services should be provided for a minimum (3) peer leaders at schools offering 2 events at the school site.
8. Collaborate with ASU-Southwest Interdisciplinary Research Center (SIRC) to conduct all required evaluation activities.

Healthy Families-Healthy Schools Pilot Program

REIMBURSABLE BUDGET

Lowell School, Bisbee, AZ

Event Date: 9/8/16

Category	Description	Amount
Personnel	All personnel will be paid through a stipend.  The following positions will be paid \$1500.00: <b>2 Adult Facilitators</b> <b>2 Youth Facilitators</b> <b>1 Coordinator</b> <b>1 Substitute/Aide to Coordinator</b>  The following positions will be paid \$40.00/hour	\$9000.00
	with a total of 5 hours: <b>1 Childcare Director</b> <b>1 Bus Driver</b>	\$400.00
	The following positions will be paid \$15.00/hour for a total of 5 hours: <b>5 Student Childcare Providers</b>	\$375.00
	The following position will be paid \$40.00/hour for a total of 6 hours: <b>1 Computer Technician</b>	\$240.00
	<b>Benefits: 9640 x .20 (%) = \$1,928</b>	<b>Total: \$10,015.00</b>  <b>\$1,928</b>
		<b>Total: \$11,943.00</b>
Facilities, Food & Transportation	The school cafeteria: 180 people at \$15.00/meal.	
		<b>Total: \$2,700.00</b>
Supplies	Office Supplies	\$600.00
	Family Game Bag Supplies	\$2,500.00
	Family Sports Bag Supplies	\$3,950.00
	Event Night Supplies	\$250.00
	Event Night Incentives	\$4,350.00
		<b>Total: \$11,650.00</b>
	Projector/screen/remote	\$980.00

<b>Event Total</b>	<b>Sub Total:</b>	<b>\$27,273.00</b>
	Indirect costs (10% of total grant)	\$2727.00
		<b>Total: \$30,000.00</b>
	<b>Total:</b>	
	<b>Total Project Costs</b>	<b>\$30,000.00</b>

**ATTACHMENT B  
FEDERAL TERMS AND CONDITIONS**

**I. KEY PERSONNEL**

It is essential that the Cochise County School Superintendent's Office train and provide adequate, experienced personnel, capable of and devoted to the successful accomplishment of projects that may be performed under this Agreement. The Cochise County School Superintendent's Office must agree to assign experienced individuals to project positions.

- A. The Cochise County School Superintendent's Office agrees that, once assigned to work on a project under this Agreement, key personnel should not be removed or replaced without prior written notice to the GOYFF.
- B. If key personnel are not available for work on a specific project, for a continuous period exceeding thirty (30) calendar days, or are expected to devote substantially less effort to the work than initially anticipated, the Cochise County School Superintendent's Office shall immediately notify the GOYFF Program Administrator and shall, subject to the concurrence of the GOYFF, replace such personnel with personnel of substantially equal ability and qualifications.
- C. The Cochise County School Superintendent's Office shall assign specific individuals to the key programmatic and fiscal positions and other changes to key personnel, specifically the Cochise County School Superintendent's Office's SABG Coordinator must be reported on or before the effective date of such change to the GOYFF.

**II. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT ("HIPAA") OF 1996**

- A. The Cochise County School Superintendent's Office warrants that it is familiar with the requirements of HIPAA, as amended by the Health Information Technology for Economic and Clinical Health Act ("HITECH ACT") of 2009, and accompanying regulations and will comply with all applicable HIPAA requirements in the course of this Agreement. Cochise County School Superintendent's Office warrants that it will cooperate with the GOYFF in the course of performance of the Agreement so that both GOYFF and the Cochise County School Superintendent's Office will be in compliance with HIPAA, including cooperation and coordination with the Arizona Department of Administration-Arizona Strategic Enterprise Technology ("ADOA-ASET") Office, the ADOA-ASET Arizona State Chief Information Security Office and HIPAA Coordinator and other compliance officials required by HIPAA and its regulations. The Cochise County School Superintendent's Office will sign any documents that are reasonably necessary to keep GOYFF and the Cochise County School Superintendent's Office in compliance with HIPAA, including, but not limited to, business associates agreements.
- B. If required by the GOYFF, the Cochise County School Superintendent's Office agrees to sign a "Pledge to Protect Confidential Information" and to abide by the statements addressing the creation, use and disclosure of confidential information, including information designated as protected health information and all other confidential or sensitive information as defined in policy. In addition, if requested, the Cochise County School Superintendent's Office agrees to attend or participate in HIPAA training offered by the GOYFF or to provide written verification that the Cochise County School Superintendent's Office has attended or participated in job related HIPAA training that is (1) intended to make the Cochise County School Superintendent's Office proficient in HIPAA for purposes of performing the services

required and (2) presented by a HIPAA Privacy Officer or other person or program knowledgeable and experienced in HIPAA and who has been approved by the ADOA-ASET Arizona State Chief Information Security Officer and HIPAA Coordinator.

### **III. AGREEMENT RENEWAL**

The Agreement shall not bind nor purport to bind the GOYFF for any contractual commitment in excess of the original Agreement period or amount. The GOYFF shall have the right, at its sole and unfettered discretion, whether or not to extend this Agreement. If so, the parties must execute a written amendment or a new contract. Consideration for renewal will also be based on results of program and fiscal monitoring.

### **IV. FUND MANAGEMENT**

The Cochise County School Superintendent's Office must maintain funds received under this Agreement in separate ledger accounts and cannot mix these funds with other sources. The Cochise County School Superintendent's Office must manage funds according to applicable federal regulations for administrative requirements, cost principles and audits.

The Cochise County School Superintendent's Office must maintain adequate business systems to comply with federal requirements. The business systems that must be maintained are:

- Financial Management
- Procurement
- Personnel
- Property
- Travel

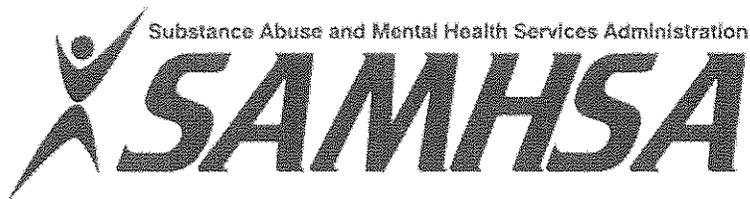
A system is adequate if it is: 1) written; 2) consistently followed - it applies in all similar circumstances; and 3) consistently applied - it applies to all sources of funds. The GOYFF reserves the right to review all business systems policies.

### **V. DUNS/CCR**

Each successful recipient who is awarded funding must provide the following prior to an Agreement being executed: (a) Dun and Bradstreet Universal Numbering System (DUNS) number for the fiscal agent; and (b) proof of current registration in the Central Contractor Registration (CCR) database. Additionally, CCR registration must be maintained for the term of the Agreement. The DUNS website is located at <http://fedgov.dnb.com/webform>. The CCR registration information may be found at <https://www.sam.gov/portal/public/SAM/>.

### **VI. FFATA REPORTING REQUIREMENTS**

The Cochise County School Superintendent's Office is required to provide certain information pursuant to the Federal Funding Accountability and Transparency Act of 2006 reporting requirements (Pub. L. No. 109-282, as amended by Section 6205 (a) of Pub. L. No. 110-252) "FFATA"). FFATA requires that certain information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is [www.USASpending.gov](http://www.USASpending.gov).



## Attachment C

### Additional Directives

All grantees must abide by the Trafficking Victims Protection Act, follow funding prohibitions against ACORN, and review SAMHSA's incentive policies.

### Trafficking Victims Protection Act of 2000

The Trafficking Victims Protection Act of 2000 is a comprehensive federal law that was enacted to protect victims of trafficking or to prosecute their traffickers.

All SAMHSA grantees are required to abide by the award term that implements Section 106 (g) of the Trafficking Victims Protection Act of 2000, as amended (22 USC 7104). The award term is now located at 2 CFR Part 175.

### Association of Community Organizations for Reform Now (ACORN)

In accordance with guidance provided by the Department of Health and Human Services, funding prohibitions regarding the Association of Community Organizations for Reform Now (ACORN) and related entities remain in effect pending further litigation as to ACORN's First Amendment and due process claims.

All SAMHSA grantees are required to abide by these prohibitions.

### Incentives

"Incentives" refer to any monetary or service benefit that you provide to program participants to attract and retain them in the service or prevention program. The dictionary defines "incentive" as "something that encourages or motivates somebody to do something."

SAMHSA discretionary grant funds may be used for non-cash incentives.

### Only Non-Cash Incentives Before and After Programs

Non-cash incentives to participants in treatment and prevention programs are essential to retain individuals and to encourage attendance and attainment of treatment or prevention goals. You must build all the non-cash incentives into the program design, and they should be of minimal cash value. Examples include food, prizes, and small gifts. Do not use discretionary grant funds to make direct cash payments to individuals during the treatment or prevention program.

SAMHSA policy supports the appropriate, judicious, and conservative use of incentives in discretionary grant programs. Incentives should be the minimum amount necessary to meet the program and evaluation goals of the grant, **up to \$30**. You should determine the minimum amount to be effective as follows:

**Before the Program:** You may not use discretionary grant funds to make direct payments to individuals to induce them to enter treatment or prevention programs.

**During the Program:** You may use discretionary grant funds for "wrap-around services" (non-clinical supportive services) that intend to:

- Improve an individual's access to and retention in treatment that is deemed essential to meeting program goals as they relate to the target population
- Improve access to and retention in prevention programs
- Meet abstinence benchmarks

### Cash Incentives Only in Follow-Up

**After the program:** Center for Mental Health Services (CMHS) and Center for Substance Abuse Treatment (CSAT) practice allows for discretionary grant funds to pay individuals to participate in required data collection follow-up. The Center for Substance Abuse Prevention (CSAP) has not established practices related to payment for follow-up data collection.

Last Updated: 10/23/2014

**ADDENDUM to INTERGOVERNMENTAL AGREEMENT  
NO. JGA-SABG-GR-17-070116-02  
BETWEEN COCHISE COUNTY AND THE STATE OF ARIZONA.**

Notwithstanding anything to the contrary in the Intergovernmental Agreement:

1. **NON-DISCRIMINATION:** The parties shall comply with all applicable state and federal statutes and regulations governing Equal Employment Opportunity, Non-Discrimination, and Immigration.
2. **CONFLICT OF INTEREST:** This Agreement is subject to cancellation pursuant to the provisions of A.R.S. § 38-511 regarding Conflict of Interest.
3. **NO BOYCOTT OF ISRAEL.** In accordance with A.R.S. § 35-393.01, the parties certify that they are not currently engaged in, and for the duration of this Agreement agree not to engage in, a boycott of Israel, and will not adopt a procurement, investment, or other policy that has the effect of inducing or requiring a person or company to boycott Israel.
4. **COMPLIANCE WITH IMMIGRATION LAWS.** The parties hereby warrant that they will at all times during the term of this Agreement comply with all federal immigration laws applicable to the parties' employment of its employees, and with the requirements of A.R.S. § 23-214(A) (together the "State and Federal Immigration Laws"). The parties shall further ensure that each sub-consultant who performs any work for the party under this Agreement likewise complies with the State and Federal Immigration Laws.
5. **INSPECTION AND AUDIT:** The parties agree to keep all books, accounts, reports, files, and other records relating to this Agreement for five (5) years after completion of the contract; and, in addition, agrees that such books, accounts, reports, files, and other records shall be subject to audit pursuant to A.R.S. § 35-214.
6. **PUBLIC RECORDS LAW:** Notwithstanding any other provision of the agreement, the parties understand that Cochise County is a public entity and, as such, is subject to Arizona's public records law, A.R.S. § 39-121 et. seq.
7. **JURISDICTION AND APPLICABLE LAW:** This Agreement shall be governed by the laws of the State of Arizona. Jurisdiction and venue for any action under this Agreement shall be in Cochise County, Arizona.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2016:

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RICHARD SEARLE  
CHAIR: BOARD OF SUPERVISORS OF  
COCHISE COUNTY

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STATE OF ARIZONA GOVERNOR'S  
OFFICE OF YOUTH, FAITH, AND FAMILY

APPROVED AS TO FORM:

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LAURI J. OWEN  
CIVIL DEPUTY COCHISE COUNTY  
ATTORNEY

ATTEST:

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ARLETHE RIOS  
CLERK OF THE COCHISE COUNTY  
BOARD

**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016

Training Equipment Donation for the Career Technology Education Program

**Submitted By:** Tom Alinen, County Sheriff

**Department:** County Sheriff

**Presentation:** No A/V Presentation      **Recommendation:** Approve

**Document Signatures:** BOS Signature NOT Required      **# of ORIGINALS Submitted for Signature:** 0

**NAME of PRESENTER:** Tom Alinen      **TITLE of PRESENTER:** Commander

**Docket Number (If applicable):**

**Mandated Function?:** Not Mandated      **Source of Mandate or Basis for Support?:**

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**Information**

**Agenda Item Text:**

Accept a donation in the amount of \$1,100 from the Howard G. Buffet Foundation to the Cochise County Sheriff's Office for training equipment from the Career Technology Education Student Enhancement Program.

**Background:**

The Cochise County Sheriff's Office has joined forces with the Arizona Career Technology Education mission to support the Career Technology Education Student Enhancement (CTESE) program through the Sheriffs Community Outreach Unit. Throughout the school year, Sheriff Deputy Forest Hauser teaches criminal justice classes to high school seniors and juniors with the intent of nurturing them towards a career in criminal justice. Howard G. Buffett Foundation (HGBF) has made a donation of \$1,100.00 to the Cochise County Sheriff's Office to support the CTESE program for purchasing training equipment for the students. This funding is the result of the approved grant by the Cochise County Sheriff's Assist Team.

The attachment includes the HGBF letter and HGBF check.

**Department's Next Steps (if approved):**

If approved, please contact ReaAnne Servia, Administrative Manager for the Sheriff's office so she can coordinate depositing the check with the Finance Department.

**Impact of NOT Approving/Alternatives:**

If not approved, the donation check will be returned to the Howard G. Buffett Foundation.

**To BOS Staff: Document Disposition/Follow-Up:**

Please contact ReaAnne Servia as to the status of this agenda item.

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**Attachments**

Foundation Letter and Check

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# THE HOWARD G. BUFFETT FOUNDATION

September 23, 2016

Deputy Forest Hauser  
Cochise County Sheriff's Office Government  
205 N. Judd Drive  
Bisbee, AZ 85650

Dear Deputy Hauser:

Enclosed is a check in the amount of \$1,100.00 from the Howard G. Buffett Foundation (HGBF) to the Cochise County Sheriff's Office. This funding is the result of the approved grant through the Cochise County Sheriff's Assist Team. This donation is to support the Career Technology Education Student Enhancement program to purchase training equipment.

The HGBF reserves the right to publish information pertaining to this contribution; however, the Cochise County Sheriff's Office Government/Career Technology Education program is required to obtain permission from the HGBF in writing if it wishes to use the HGBF name or disclose any details about this grant, other than what is required by law.

Upon receipt of these funds, we require that you complete and return the enclosed Acknowledgement of Charitable Contribution form within five (5) business days.

Please contact me directly with any questions.

Best regards,



Trisha A. Cook  
Vice President of Operations and Treasurer

Enclosures

CC: John Black, Cochise County Sheriff's Assist Team

7967

**THE HOWARD G. BUFFETT FOUNDATION**  
145 N. MERCHANT STREET  
DECATUR, IL 62523

**Busey BANK™**  
busey.com  
70-256-711

Check # 123456789  
Check Date 9/26/2016

9/26/2016

PAY TO THE ORDER OF Cochise County Sheriff's Office

\$ \*\*1,100.00

One Thousand One Hundred and 00/100\*\*\*\*\*

DOLLARS

Cochise County Sheriff's Office  
205 N. Judd St  
Bisbee, AZ 85603

*[Signature]*  
AUTHORIZED SIGNATURE

MEMO Career Technology Education Student Enhancement

⑈007967⑈ ⑆071102568⑆ 34665901⑈

THE HOWARD G. BUFFETT FOUNDATION  
Cochise County Sheriff's Office

7967

9/26/2016  
Career Technology Education Student Enhancement

1,100.00

Busey Bank

Career Technology Education Student Enhance

1,100.00

**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016

Demands

**Submitted By:** Arlethe Rios, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Document Signatures:**

**Recommendation:**

**# of ORIGINALS**

**Submitted for Signature:**

**NAME** n/a

**TITLE** n/a

**of PRESENTER:**

**of PRESENTER:**

**Mandated Function?:**

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

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**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.

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**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

*No file(s) attached.*

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**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016  
Healthy People Healthy Communities  
**Submitted By:** Briggita Hodges, Health & Social Services  
**Department:** Health & Social Services  
**Presentation:** No A/V Presentation  
**Document Signatures:** BOS Signature Required

**Recommendation:** Approve  
**# of ORIGINALS Submitted for Signature:** 2  
**TITLE of PRESENTER:** Prevention Services Director  
**Source of Mandate or Basis for Support?:**

**NAME of PRESENTER:** Judy Gilligan  
**Mandated Function?:** Federal or State Mandate

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).

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**Information**

**Agenda Item Text:**

Approve ADHS16-109191 Amendment 2, Healthy People Healthy Communities, between the Arizona Department of Health Services and Cochise Health & Social Services, for the period of 07/01/2016 to 6/30/2017 in the amount of \$667,862, which adds \$40,686 in funding for three additional quarters of the accreditation component.

**Background:**

In order to best implement the goals of the Arizona State Health Improvement Plan (AzHIP), ADHS developed a process to align strategies and improve integration of public health prevention programs. Multiple Bureaus within ADHS have collaborated on the development of this Intergovernmental Agreement (IGA) which combines seven programs into one shared IGA. Programs included in this IGA address several health priorities from the AzHIP, including but not limited to: cardiovascular disease, chronic lower respiratory diseases, diabetes, unintentional injury, obesity, teen pregnancy, tobacco, and access to well care. This IGA includes opportunities to address crosscutting strategies, such as enhancing the physical and built environment, school health, and worksite wellness.

**Department's Next Steps (if approved):**

Implement Purchase Order

**Impact of NOT Approving/Alternatives:**

Not approving this amendment would result in the termination of all included CHSS contracts to provide the services described above to improve the health of Cochise County residents.

**To BOS Staff: Document Disposition/Follow-Up:**

n/a

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**Budget Information**

*Information about available funds*

**Budgeted:**  **Funds Available:**  **Amount Available:** 208720  
**Unbudgeted:**  **Funds NOT Available:**  **Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Fiscal Year:** 2017

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

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

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

**A-87 Overhead Amt? (Co. Cost Allocation \$\$\$):** 208720

**Source of Funding?:**

**Fiscal Impact & Funding Sources (if known):**

This is a grant-funded fixed-price program through the Arizona Department of Health Services in the amount of \$667,862. The net county subsidy based on the updated 16/17 CHSS overhead rate and the additional funding for Accreditation will increase from \$169,762 to \$208,720, calculated as follows:

	Tobacco	HAPI / Chronic Disease	Accred	Family Planning	Teen Pregnancy Prevention
Salaries/EREs	\$251,479	\$61,528	\$64,564	\$26,694	\$106,728
A-87 OH at 49.06%	\$123,376	\$30,186	\$31,675	\$13,096	\$52,361
Authorized OH @ 10% (where applicable)	\$25,148	\$6,153	\$0	\$0	\$10,673
Net County Subsidy	\$98,228	\$24,033	\$31,675	\$13,096	\$41,688
<b><i>Aggregate Net County Subsidy</i></b>					<b>\$208,720</b>

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**Attachments**

[Executive Summary](#)  
[Grant Approval Form](#)  
[Purchase Order](#)

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Executive Summary Form

**Agenda Number: HLT 3114 (Integrated IGA)**

**Recommendation:**

Approve ADHS16-109191 Amendment 2, Healthy People Healthy Communities, between the Arizona Department of Health Services and Cochise Health & Social Services, for the period of 07/01/2016 to 6/30/2017. This amendment provides minor changes to the Scope of Work by adding requirements for a Community Health Assessment and a Community Health Improvement Plan as strategies in the Preventive Health Services Block Grant section. The amendment also provides a new price sheet for 07/01/2016 through 06/30/2017 in the amount of \$667,862, which adds \$40,686 in funding for three additional quarters of the Accreditation component (no changes to the funding/deliverables of the other program components).

**Background (Brief):**

In order to best implement the goals of the Arizona State Health Improvement Plan (AzHIP), ADHS developed a process to align strategies and improve integration of public health prevention programs. Multiple Bureaus within ADHS have collaborated on the development of this Intergovernmental Agreement (IGA) which combines seven programs into one shared IGA. Programs included in this IGA address several health priorities from the AzHIP, including but not limited to: cardiovascular disease, chronic lower respiratory diseases, diabetes, unintentional injury, obesity, teen pregnancy, tobacco, and access to well care. This IGA includes opportunities to address crosscutting strategies, such as enhancing the physical and built environment, school health, and worksite wellness.

**Fiscal Impact & Funding Sources:**

This is a grant-funded fixed-price program through the Arizona Department of Health Services in the amount of \$667,862. The net county subsidy based on the updated 16/17 CHSS overhead rate and the additional funding for Accreditation will increase from \$169,762 to \$208,720, calculated as follows:

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Authorized OH @ 10% (where applicable)	\$25,148	\$6,153	\$0	\$0	\$10,673
Net County Subsidy	\$98,228	\$24,033	\$31,675	\$13,096	\$41,688

*Aggregate Net County Subsidy* **\$208,720**

**Next Steps/Action Items/Follow-up:** Your approvals are respectfully requested.

**Impact of Not Approving:**

Not approving this amendment would result in the termination of all included CHSS contracts to provide the services described above to improve the health of Cochise County residents.

# COCHISE COUNTY GRANT APPROVAL FORM

Form Initiator:

Date Prepared:

Point of Contact:

Phone Number:

Department:

---

## PRIMARY GRANT

Primary Grantor:

CFDA:  
[www.CFDA.gov](http://www.CFDA.gov)

Grant Title:

Grant Term From:

To:

Total Award Amount:

New Grant:      Yes      No

Grant No:

Amendment:      Yes      No

Amendment No:

GL Account No:

If new, Finance will assign a fund number.

Strategic Plan:

District:

Mandated by Law

Yes

No

Number of Positions Funded:

Asset(s) Acquired:

Grantor's reimbursement mileage rate:

Health or pension reimbursement:

Other reimbursement:

Briefly describe the purpose of the grant:

If this is a mandated service, cite the source. If not mandated, cite indications of local customer support for this service.

**PRIMARY FUNDING SOURCE**

Funding Year: Federal Funds 332.100

State Funds 336.100

County Funds 391.000

Other Funds:

Total Funds:

Has this amount been budgeted? Yes No

Method of collecting funds: Lump Sum Quarterly Draw Reimbursement

Is revertment of unexpected funds required at the end of grant period? Yes No

(a) Total indirect (A-87) Cost Allocation:

(b) Amount of overhead allowed by grant:

County Subsidy (a) - (b) =

Is there a Secondary Grant Award associated with this Grant? Yes No

Name of Grant: Funder:

If yes please complete an additional grant approval form.

Is County match required? Yes No

County match source:

County match dollar amount or percentage:

**NOTE: Please attach this Grant Approval form to the AgendaQuick item. The AgendaQuick "Grant Approval template" must be used. Once approved by the Board of Supervisors, the department is responsible for sending a copy of the fully executed GRANT DOCUMENT (not this approval form) to the Finance Department.**





**INTERGOVERNMENTAL AGREEMENT(IGA)  
AMENDMENT**

**ARIZONA DEPARTMENT OF  
HEALTH SERVICES**

150 N. 18<sup>th</sup> Ave Suite 280  
Phoenix, Arizona 85007  
(602) 542-1040  
(602) 542-1741 Fax

Agreement No: **ADHS16-109191**

Amendment No. 2

Procurement Officer:  
Russell Coplen

**PRICE SHEET**

**COCHISE – ADHS16-109191**

**JULY 1, 2016 - JUNE 30, 2017**

**ACTION PLAN**

ITEM/SERVICE DESCRIPTION	UNIT OF MEASURE	NUMBER OF UNITS	UNIT RATE	TOTAL
Action Plan – All Programs	EA	1	\$72,276.00	\$72,276.00
<b>TOTAL</b>		<b>1</b>	<b>\$72,276.00</b>	<b>\$72,276.00</b>

**TOBACCO**

ITEM/SERVICE DESCRIPTION	UNIT OF MEASURE	NUMBER OF UNITS	UNIT RATE	TOTAL
See SOW for Specific Service Strategies (i.e. Prevention, Cessation, Secondhand Smoke, Enforcement)	QTR	4	\$73,121.25	\$292,485.00
<b>TOTAL</b>		<b>4</b>	<b>\$73,121.25</b>	<b>\$292,485.00</b>

**HEALTH IN ARIZONA POLICY INITIATIVE**

ITEM/SERVICE DESCRIPTION	UNIT OF MEASURE	NUMBER OF UNITS	UNIT RATE	TOTAL
See SOW for Specific Service Strategies (i.e. Alzheimer’s, Chronic Pulmonary Disease, Hypertension, Self-Management, Procurement, Healthy Community Design, School Health, Worksite Wellness, Clinical Care, and Special Health Care Needs)	QTR	4	\$15,624.75	\$62,499.00
<b>TOTAL</b>		<b>4</b>	<b>\$15,624.75</b>	<b>\$62,499.00</b>



**INTERGOVERNMENTAL AGREEMENT(IGA)  
AMENDMENT**

**ARIZONA DEPARTMENT OF  
HEALTH SERVICES**

150 N. 18<sup>th</sup> Ave Suite 280  
Phoenix, Arizona 85007  
(602) 542-1040  
(602) 542-1741 Fax

Agreement No: **ADHS16-109191**

Amendment No. 2

Procurement Officer:  
Russell Coplen

**PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT**

ITEM/SERVICE DESCRIPTION	UNIT OF MEASURE	NUMBER OF UNITS	UNIT RATE	TOTAL
See SOW for Specific Service Strategies (i.e. Fees for Accreditation, Quality Improvement Projects, Workforce Development Implementation, Performance Management Documentation, Progress Toward County Health Improvement Plan)	QTR	1	\$11,812.00	\$11,812.00
ITEM/SERVICE DESCRIPTION	UNIT OF MEASURE	NUMBER OF UNITS	UNIT RATE	TOTAL
See SOW for Specific Service Strategies (i.e. Fees for Accreditation, Quality Improvement Projects, Workforce Development Implementation, Performance Management Documentation, Progress Toward County Health Improvement Plan)	QTR	3	\$13,562.00	\$40,686.00
<b>TOTAL</b>		<b>4</b>		<b>\$52,498.00</b>

**FAMILY PLANNING / MATERNAL and CHILD HEALTH (Title V Block Grant)**

ITEM/SERVICE DESCRIPTION	UNIT OF MEASURE	NUMBER OF UNITS	UNIT RATE	TOTAL
See SOW for Specific Service Strategies	QTR	4	\$19,743.00	\$78,972.00
<b>TOTAL</b>		<b>4</b>	<b>\$19,743.00</b>	<b>\$78,972.00</b>

**TEEN PREGNANCY PREVENTION**

ITEM/SERVICE DESCRIPTION	UNIT OF MEASURE	NUMBER OF UNITS	UNIT RATE	TOTAL
See SOW for Specific Service Strategies	QTR	4	\$27,283.00	\$109,132.00
<b>TOTAL</b>		<b>4</b>	<b>\$27,283.00</b>	<b>\$109,132.00</b>

**TOTAL**

ITEM/SERVICE DESCRIPTION				TOTAL
<b>GRAND TOTAL</b>				<b>\$667,862.00</b>

**Regular Board of Supervisors Meeting**

**Workforce Development**

**Meeting Date:** 10/11/2016

Appoint Mr. Jason Bowling to the Workforce Investment Board

**Submitted By:** Rebecca Reynolds, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Document Signatures:**

**Recommendation:**

**# of ORIGINALS**

**Submitted for Signature:**

**NAME** na

**TITLE** na

**of PRESENTER:**

**of PRESENTER:**

**Mandated Function?:**

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

**Information**

**Agenda Item Text:**

Approve the appointment of Mr. Jason Bowling to the Local Workforce Investment Board to fill an unexpired term, effective immediately and through June 30, 2018.

**Background:**

Attached is the appointment letter for Mr. Bowling. The Workforce Investment Board appointments are made by the Board of Supervisors upon recommendation of a 'represented segment' on the Workforce Investment Board. Also attached is a list showing each of the Workforce Investment Board appointees, with appointment date and date term expires.

**Department's Next Steps (if approved):**

If approved, the Workforce Investment Board will be notified of the appointment and we will request confirmation of an updated Workforce Investment Board appointees list.

**Impact of NOT Approving/Alternatives:**

Vacancies will continue to exist on the Workforce Investment Board with certain segments not being adequately represented.

**To BOS Staff: Document Disposition/Follow-Up:**

Once approved send appointment letter to Mr. Jason Bowling, Sulpher Springs Valley Electric Cooperative, 311 E. Willcox Drive, Sierra Vista, AZ 85635 with Oath of Office and Open Meeting Law requirements and email a scanned copy (letter only) to Ana Polakowski, apolakowski@cpic-cas.org

**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

## Attachments

Nomination Letter

WIB Terms

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**Sulphur Springs Valley  
Electric Cooperative, Inc.**

A Touchstone Energy® Cooperative 

September 27, 2016

County Board of Supervisors  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Board of Supervisors:

It has come to our attention that the state requires that our local Arizona@Work have representation from local apprenticeship programs amongst its board of directors. One of that board's existing directors is our HR manager, Jason Bowling. Mr. Bowling has long been an active member of Arizona@Work, representing the business community on its board since 2009.

As it happens, Mr. Bowling is also actively involved in SSVEC's four apprenticeship programs, attending quarterly meetings and providing guidance on the design and management of those programs as well as the apprentices themselves.

While he will continue to represent the business community to the best of his ability, we also believe his many years of involvement in our apprenticeship programs makes him well suited to serve as the board's apprenticeship program representative. As such, the SSVEC apprenticeship committee would like to nominate Mr. Jason Bowling to fill the state's requirement for apprenticeship program representation.

Sincerely,

A handwritten signature in black ink, appearing to read "mcook".

Michael Cook  
SSVEC North area Operations Manager  
Apprenticeship Committee Chairman  
[mcook@ssvec.com](mailto:mcook@ssvec.com)  
(520) 384-5480

**Arizona@Work - Southeastern Arizona  
Workforce Development Board**

**2014  
to  
2018**

Member Name	Year Appointed	Service Term	Term Expiration
<b>Four Year Terms 2014 – 2018</b>			
Doris Tolbert	August 1999	4 Year	6/30/2018
Jack Bauer	August 1999	4 Year	6/30/2018
Ron Curtis	October 2000	4 Year	6/30/2018
Emery Silvester	May 2006	4 Year	6/30/2018
Jason Bowling	August 2009	4 Year	6/30/2018
Evonne Cummins	August 2010	4 Year	6/30/2018
Amanda Baillie	July 2011	4 Year	6/30/2018
Kathleen Bullock	September 2011	4 Year	6/30/2018
Matt Bolinger	June 2012	4 Year	6/30/2018
Mike Crockett	June 2012	4 Year	6/30/2018
Gail Emrick	August 2013	4 Year	6/30/2018
<b>Two Year Terms 2015 – 2017</b>			
George Self	August 2014	2 Year	6/30/2017
Susan Morss	August 2014	2 Year	6/30/2017
Mary Tieman	November 2014	2 Year	6/30/2017
Simone McFarland	April 2015	2 Year	6/30/2017
Michael Vetter	June 2015	2 Year	6/30/2017
Tim Taylor	July 2015	2 Year	6/30/2017
Mark Gallego	September 2015	2 Year	6/30/2017
Bryan Durham	May 2016	2 Year	6/30/2017
Teresa Celestine	June 2016	2 Year	6/30/2017
David Howard	July 2016	2 Year	6/30/2017
Wick Lewis	July 2016	2 Year	6/30/2017

**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016  
 Z-16-02 (Kerr) - A request to amend the Zoning of parcel 105-28-004A to RU-2 from RU-4  
**Submitted By:** Peter Gardner, Community Development  
**Department:** Community Development **Division:** Planning & Zoning  
**Presentation:** PowerPoint **Recommendation:** Approve  
**Document Signatures:** BOS Signature Required **# of ORIGINALS Submitted for Signature:** 1  
**NAME of PRESENTER:** Peter Gardner **TITLE of PRESENTER:** Planner I  
**Mandated Function?:** Not Mandated **Source of Mandate or Basis for Support?:**

**Docket Number (If applicable):** Z-16-02 (Kerr)

**Information**

**Agenda Item Text:**

Adopt Zoning Ordinance 16-04 approving Docket Z-16-02, amending the zoning district designation for parcel 105-28-004A to RU-2 from RU-4, pursuant to the request of Mr. Scott Kerr.

**Background:**

**APPLICATION FOR A REZONING**

The Applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4 acres) to RU-2 (Rural; one dwelling per 2 acres). The subject parcel is 10.11 acres in size. The request is to facilitate dividing the parcel into five 2-acre parcels. The subject parcel, APN 105-28-004A is located on S. Coronado Trail at the intersection with S. Parker Canyon Road. The Applicant is Scott A. Kerr.

**PLANNING AND ZONING COMMISSION**

On Wednesday, September 14, 2016, the Planning and Zoning Commission voted 6-0 to forward this Docket to the Board of Supervisors with a recommendation of approval. The motion included the conditions of approval recommended by staff. As three written objections were received from the public, Section 2206.09 of the Zoning Regulations requires the Board to hold a public hearing.

**I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES**

Parcel Size: 10.11 acres  
 Current Zoning: RU-4 (Rural; one dwelling per 4 acres) Proposed Zoning: RU-2 (Rural; one dwelling per 2 acres)  
 Growth Area: D – Rural Area  
 Plan Designation: Rural  
 Area Plan: None  
 Existing Uses: None  
 Proposed Uses: Single Family Residential

**Zoning/Use of Surrounding Properties**

<b>Relation to Subject Parcel</b>	<b>Zoning District</b>	<b>Use of Property</b>
North	RU-4	Vacant
South	RU-4	Vacant
East	RU-4	High Density Residential
West	RU-4	Vacant

**II. PARCEL HISTORY**

None

**III. NATURE OF REQUEST**

The Applicant is requesting to amend the zoning on a 10.11-acre parcel adjacent to the Parker Lakeview Estates Subdivision from RU-4 to RU-2. This request is to facilitate splitting the parcel into lots of two acres minimum. The adjoining subdivision was platted in 1962, and is also zoned RU-4, however the parcel sizes vary from 7,800 square feet for small, single lots, to 64,000 square feet where multiple lots have been combined. Therefore, the entire subdivision is legal non conforming. Currently there are 48 homes on 103 parcels in the area of the platted subdivision. This request would permit up to five homes to be built on a site that would currently permit two homes. Other than maximum density, no other site development standards change from RU-4 to RU-2. The only change in uses is that Medical Marijuana Uses, which have not been requested, are permitted in RU-4 but not in RU-2.

Several of the access roads for the subdivision run through the subject parcel, and have been a cause of contention and litigation. One street in particular, W. Montezuma Place, is only accessible by travelling though the Applicant's property. While a technical analysis of the request is generally favorable, special care must be taken to preserve existing access, as well as to ensure that any potential lots created from the subject parcel remain feasible lots.

**Location Map**

**North**

**Department's Next Steps (if approved):**

Planning Staff will take a copy of the recorded ordinance to GIS to amend the County Zoning Maps to reflect the action.

**Impact of NOT Approving/Alternatives:**

If the Board does not approve the Zoning Ordinance, the subject parcel will retain the existing RU-4 zoning designation.

**To BOS Staff: Document Disposition/Follow-Up:**

After the Chair signs the Zoning Ordinance, Board Staff should send a recorded copy of the same to the Planning Department for our files.

---

**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

[Staff Memo](#)

[Staff Memo Attachments](#)

[Exhibit A](#)

[Draft Zoning Ordinance](#)

[Powerpoint](#)

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**Cochise County**  
**Community Development**  
**Planning, Zoning and Building Safety Division**  
*Public Programs...Personal Service*  
 www.cochise.az.gov

MEMORANDUM

TO: Cochise County Board of Supervisors  
 FROM: Peter Gardner, Planner I  
 FOR: Paul Esparza AICP, Planning Director  
 SUBJECT: Docket Z-16-02 (Kerr)  
 DATE: September 30, 2016 for the October 11, 2016 Meeting

APPLICATION FOR A REZONING

The Applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4 acres) to RU-2 (Rural; one dwelling per 2 acres). The subject parcel is 10.11 acres in size. The request is to facilitate dividing the parcel into five 2-acre parcels.

The subject parcel, APN 105-28-004A is located on S. Coronado Trail at the intersection with S. Parker Canyon Road. The Applicant is Scott A. Kerr.

PLANNING AND ZONING COMMISSION

On Wednesday, September 14, 2016, the Planning and Zoning Commission voted 6-0 to forward this Docket to the Board of Supervisors with a recommendation of approval. The motion included the conditions of approval recommended by staff. As three written objections were received from the public, Section 2206.09 of the Zoning Regulations requires the Board to hold a public hearing.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 10.11 acres  
 Current Zoning: RU-4 (Rural; one dwelling per 4 acres) Proposed Zoning: RU-2 (Rural; one dwelling per 2 acres)  
 Growth Area: D – Rural Area  
 Plan Designation: Rural  
 Area Plan: None  
 Existing Uses: None  
 Proposed Uses: Single Family Residential

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Vacant
South	RU-4	Vacant
East	RU-4	High Density Residential
West	RU-4	Vacant

**Planning, Zoning and Building Safety**  
 1415 Melody Lane, Building E  
 Bisbee, Arizona 85603  
 520-432-9300  
 520-432-9278 fax  
 1-877-777-7958  
 planningandzoning@cochise.az.gov

**Highway and Floodplain**  
 1415 Melody Lane, Building F  
 Bisbee, Arizona 85603  
 520-432-9300  
 520-432-9337 fax  
 1-800-752-3745  
 highway@cochise.az.gov  
 floodplain@cochise.az.gov

II. PARCEL HISTORY

None

III. NATURE OF REQUEST

The Applicant is requesting to amend the zoning on a 10.11-acre parcel adjacent to the Parker Lakeview Estates Subdivision from RU-4 to RU-2. This request is to facilitate splitting the parcel into lots of two acres minimum. The adjoining subdivision was platted in 1962, and is also zoned RU-4, however the parcel sizes vary from 7,800 square feet for small, single lots, to 64,000 square feet where multiple lots have been combined. Therefore, the entire subdivision is legal non conforming. Currently there are 48 homes on 103 parcels in the area of the platted subdivision. This request would permit up to five homes to be built on a site that would currently permit two homes. Other than maximum density, no other site development standards change from RU-4 to RU-2. The only change in uses is that Medical Marijuana Uses, which have not been requested, are permitted in RU-4 but not in RU-2.

Several of the access roads for the subdivision run through the subject parcel, and have been a cause of contention and litigation. One street in particular, W. Montezuma Place, is only accessible by travelling though the Applicant's property. While a technical analysis of the request is generally favorable, special care must be taken to preserve existing access, as well as to ensure that any potential lots created from the subject parcel remain feasible lots.





*Views of the terrain*



*Views of the creek*



#### IV. ANALYSIS OF IMPACTS

##### Mandatory Compliance

Section 2208.03 of the Zoning Regulations requires that the amendment of Zoning District boundaries take place in compliance with the Comprehensive or Area Plan Designation assigned to the area in question. In this case, the subject property lies within a Category "D" Rural Area and is considered a "Rural" area per the Comprehensive Plan. RU-2 zoning is permitted in the Category "D," "Rural" areas, so this request to rezone complies with the Comprehensive Plan as detailed below.

##### Compliance with Rezoning Criteria

Section 2208.03 of the Zoning Regulations provides fifteen criteria used to evaluate rezoning requests. Ten of the criteria are applicable to this request. Five of the criteria are met as is, and the remaining five are met with the recommended Conditions of approval.

##### 1. Provides an Adequate Land Use/Concept Plan: Complies with Conditions

The Applicant intends to create five lots from the 10.11-acre parcel; however, he has not yet submitted a preliminary plat. The regulations require a conceptual plat with the application, and a formal submittal within three years. Based on the limited scope of the request, which will not require a full subdivision plat, the conceptual plat may be waived; however, a full split should be submitted prior to split so that other the other factors listed below may be verified.

##### 2. Compliance with Applicable Site Development Standards: Complies

As noted above, the 10.11-acre site is developed. Downzoning to RU-2 would not negatively impact the ability of the parcel to be further developed. The only site development standard that would become less stringent is the maximum density. The Applicant must remain aware that under both the current RU-4 and proposed RU-2 zonings that all structures must remain a minimum of 20 feet from all property lines and road travelways.

##### 3. Adjacent Districts Remain Capable of Development: Complies

The proposal would not affect the development prospects of any neighboring property.

#### 4. Limitation on Creation of Nonconforming Uses: Complies

If approved, the rezoning would not create any non-conforming land uses.

#### 5. Compatibility with Existing Development: Complies

While the surrounding area is all zoned RU-4, the existing legal nonconforming subdivision to the east consists of lots ranging from 7,800 square feet to 64,000 square feet, all of which are smaller than the 87,120 square foot minimum in RU-2.

#### 6. Rezoning to More Intense Districts: Not Applicable

As indicated above, while this request would create a higher density zoning district, the developed subdivision to the east is developed at a much higher density than this proposal will create.

#### 7. Adequate Services and Infrastructure: Complies with Conditions

All roadways currently exist, but have been the subject of recent litigation, as they are the sole access to a number of parcels, but cross this privately owned parcel. In addition, the topography and natural watercourses on the parcel may hinder the ability to install traditional septic systems. The Applicant shall work with the Highway and Planning Departments to ensure all sites remain accessible and functional.

#### 8. Traffic Circulation Criteria: Complies with Conditions

While the potential additional trips generated from granting the rights to three additional homes will not adversely impact the road network, there are several roadways that pass through this parcel. One of these, W. Montezuma Place, is accessible only via this parcel. There have already been problems with this access, culminating in litigation. To prevent future access issues to other sites, as well as the lots to be created, the Applicant shall work with the Highway and Planning Departments to ensure correct access is granted.

#### 9. Development Along Major Streets: Not Applicable

This parcel does not take access off a Major roadway; no new roads are proposed.

#### 10. Infill: Not Applicable

This Factor applies only for rezoning requests to General Business, Light Industry or Heavy Industry.

#### 11. Unique Topographic Features: Complies with Conditions

In addition to the roadways, the site has significant grades, rocky areas, and a creek running through it. Any proposed division must take these features into account, both to protect the environment, and to ensure that the lots are physically buildable.

#### 12. Water Conservation: Complies with Conditions

Upon submittal of the proposed split for review, water conservation measures must be detailed.

#### 13. Public Input: Complies

The Applicant completed a Citizen Review, and Staff mailed notices to neighboring property owners within 1,500 ft. of the subject property on August 9, 2016. Staff posted the property on August 23, 2016 and published a legal notice in the *Bisbee Observer* on August 25, 2016. Staff received eight letters in support, three in opposition, and one with concerns but not opposition.

#### 14. Hazardous Materials: Not Applicable

No hazardous materials are proposed.

#### 15. Compliance with Area Plan: Not Applicable

The subject property does not lie within an adopted Area Plan.

## V. PUBLIC COMMENT

In response to County mailings, the Planning Department has received eight letters in support, three in opposition, and one with concerns but not opposition. Those in support cited the large lot sizes relative to the existing subdivision lots and the benefits to the community and water company from additional new homes. Those in opposition cited concern about additional density and traffic, water contamination, loss of water service, and the impact on the topographical features present on the site. One homeowner expressed concern about water, waste, and access, but was not opposed if those issues were to be addressed.

## VI. SUMMARY AND CONCLUSION

The request is for a rezoning, from to RU-4 (Rural; one dwelling per four acres), to RU-2 (Rural; one dwelling per two acres) on a 10.11-acre parcel located on S. Coronado Trail in Parker Canyon. At this time, the area is characterized by open expanses, with all current development occurring on a Rural scale. The Comprehensive Plan designates the site as Rural. This designation constitutes a recommendation on the part of the Plan for a rezoning to a lower-density zoning district, providing a major Factor in Favor of Approval. A rezoning to the RU-4 district would therefore reflect the policies of the Plan, and would better reflect the existing character of the surrounding neighborhood.

### Factors in Favor of Approval

1. Allowing the request would be in keeping with the character of the existing development in the area and create a buffer between the small subdivision lots and larger RU-4 zoned parcels;
2. The Comprehensive Plan policies prescribe a low density of residential development in this area to protect the current character of the neighborhood, and the request would facilitate such a density; and
3. Eight letters of support have been received.

### Factors Against Approval

1. Without a conceptual split plan, Staff cannot guarantee that access issues, topographical issues, and appropriate site development standards will be met;
2. Three letters of opposition or concern have been received.

## VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends Approving the request for a rezoning, from RU-4 (Rural; one dwelling per four acres) to RU-2 (Rural; one dwelling per two acres) on a 10.11-acre parcel located on W. Coronado Trail in Parker Canyon, subject to the following Conditions:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning;
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. The Applicant shall work with the Highway Department to submit for Board of Supervisor acceptance and, if applicable, dedicate road easements to ensure access to the public per the letter from Joaquin Solis dated September 1, 2016; and
4. The Applicant shall submit within 12 months a proposed split map identifying all proposed and existing property lines, all proposed and existing easements, and building envelopes.

## VIII. ATTACHMENTS

- A. Application
- B. Location Map
- C. Agency Comment Memos
- D. Citizen Comment



# COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

## COCHISE COUNTY REZONING APPLICATION

Submit to: Cochise County Community Development Department  
1415 Melody Lane, Building E, Bisbee, Arizona 85603

1. Applicant's Name: Scott A. Kerr
2. Mailing Address: 1567 RANCHO de LUXE  
ELGIN AZ 85611  
City State Zip Code
3. Telephone Number of Applicant: (480) 266-6926
4. Telephone Number of Contact Person if Different: (480) 266-6926
5. Email Address: ECOBYICO.KERR@gmail.com
6. Assessor's Tax Parcel Number: 105-28-004A (Can be obtained from your County property tax statement)
7. Applicant is (check one):
  - Sole owner: \_\_\_\_\_
  - Joint Owner: X (See number 8)
  - Designated Agent of Owner: \_\_\_\_\_
  - If not one of the above, explain interest in rezoning: \_\_\_\_\_
7. If applicant is **not** sole owner, attach a list of all owners of property proposed for rezoning by parcel number. Include all real parties in interest, such as beneficiaries of trusts, and specify if owner is an individual, a partnership, or a corporation:
  - List attached (if applicable): X
8. If applicant is **not** sole owner, indicate which **notarized** proof of agency is attached:
  - If corporation, corporate resolution designating applicant to act as agent: \_\_\_\_\_
  - If partnership, written authorization from partner: X
  - If designated agent, attach a **notarized** letter from the property owner(s) authorizing representation as agent for this application.

9. Attach a proof of ownership for all property proposed for rezoning. Check which proof of ownership is attached:

- Copy of deed of ownership: \_\_\_\_\_
- Copy of title report: \_\_\_\_\_
- Copy of tax notice: \_\_\_\_\_
- Other, list: \_\_\_\_\_

10. Will approval of the rezoning result in more than one zoning district on any tax parcel?

- Yes \_\_\_\_\_ No X

11. If property is a new split, or the rezoning request results in more than one zoning district on any tax parcel then a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be attached.

12. Is more than one parcel contained within the area to be rezoned? Yes \_\_\_\_\_ No X

- If yes and more than one property owner is involved, have all property owners sign the attached consent signature form.

13. Indicate existing Zoning District for Property: RU4

14. Indicate proposed Zoning District for Property: RU2

**Note: A copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached. Review this criteria and supply all information that applies to your rezoning. Feel free to call the Planning Department with questions regarding what information is applicable.**

15. Comprehensive Plan Category: D (A County planner can provide this information.)

16. Comprehensive Plan Designation or Community Plan: Rural (A County planner can provide this information.)

**Note: in some instances a Plan Amendment might be required before the rezoning can be processed. Reference the attached rezoning criteria, Section A.**

17. Describe all structures already existing on the property: NONE

18. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan: open

19. Are there any deed restrictions or private covenants in effect for this property?

- No X Yes \_\_\_\_\_
- If yes, is the proposed zoning district compatible with all applicable deed restrictions/private covenants? Yes \_\_\_\_\_ No \_\_\_\_\_
- Provide a copy of the applicable restrictions (these can be obtained from the Recorder's office using the recordation Docket number)

20. Which streets or easements will be used for traffic entering and exiting the property?

54BC, W. CORONADO TRAIL,

21. What off-site improvements are proposed for streets or easements used by traffic that will be generated by this rezoning? NONE

22. How many driveway cuts do you propose to the streets or easements used by traffic that will be generated by this rezoning? 5

23. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	PARKER SPRINGS WATER CO.	
Sewer/Septic	SEPTIC	
Electricity	NONE	
Natural Gas	NONE	
Telephone		
Fire Protection	CANBRO/ELGIN FIRE	

24. This section provides an opportunity for you to explain the reasons why you consider the rezoning to be appropriate at this location. The attached copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached for your reference (attach additional pages as needed). IT FITS INTO THE

CHARACTER OF THE EXISTING NEIGHBORHOOD  
IN THE TRANSITION ZONE. GOING FROM R44  
TO R42 MAKING 5 LOTS.

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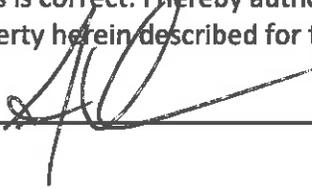
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**25. AFFIDAVIT**

I, the undersigned, do hereby file with the Cochise County Planning Commission this petition for rezoning. I certify that, to the best of my knowledge, all the information submitted herein and in the attachments is correct. I hereby authorize the Cochise County Planning Department staff to enter the property herein described for the purpose of conducting a field visit.

Applicant's Signature:  \_\_\_\_\_

Date: \_\_\_\_\_

**CONSENT SIGNATURE FORM**

**OF PROPERTY OWNERS WITHIN THE PROPOSED ZONING DISTRICT**

This form is to be completed if there is more than one property owner and more than one parcel within the proposed zoning district.

I, the undersigned owner of record of property which lies within the area of the proposed rezoning set forth in the attached application, do hereby consent to the proposed change of zoning district boundary or reclassification of the property(ies) sought for rezoning. I do hereby certify and declare that I was afforded an opportunity to read the full and complete application prior to affixing by signature hereon.

Parcel Number	Owner of Record, Printed Name & Address	Signature	Date
105-28-004A	NANCY PRIZ 5070 W. WINDYBELL		7/20/16
	TUCSON, AZ 85742		

(Attach separate pages if necessary)

## Authorization form for Rezoning

This authorization fore is in reference to the rezoning of parcel 105-28-004A consisting of approx 10.00 acres located in Cochise County. I, Nancy Ortiz being half owner in said property do herby grant Scott Kerr the authorization to work on our behalf to rezone from RU4 to RU2.

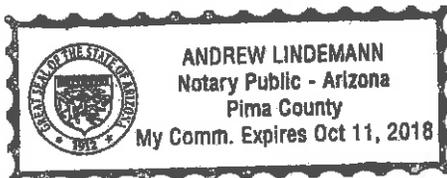
Signed: Nancy Ortiz



Date:

7/26/16

Notary:





**Legend**

- Townships
- Sections
- Incorporated Limits
- Roads
- Parcels
- Milepost
- Current Features



Z-16-02 (Kerr)  
023

This map is a product of the Cochise County GIS Information Technology Dept.





**Cochise County**  
**Community Development**  
**Highway and Floodplain Division**

*Public Programs...Personal Service*  
www.cochise.az.gov

**MEMORANDUM**

**Date:** August 29, 2016  
**To:** Peter Gardner, Planner 1  
**From:** Karen L. Lamberton, AICP, County Transportation Planner  
**Subject:** Kerr Re-Zoning/Z-16-02/Parcel #105-28-004A

This re-zoning proposes modifying the land designation from RU-4 to RU-2 on one 10.17 acre parcel in the southwest area of Cochise County. The applicant plans to then split his parcel and sell the smaller lots.

**Traffic Analysis**

Access is taken from Parker Canyon Rd., the access road to Parker Canyon Lake, portions of which are maintained by the U.S. Forest Service. With the proposed re-zoning, one residential unit would be allowed per 2 acres, potentially resulting in an average trip generation estimate of 47.85 vehicle trips per day. Given that this property owner also owns a contiguous adjacent parcel it is unlikely that the parcel will be split into its maximum potential of five additional lots (which could trigger the need for a minor expedited subdivision). This re-zoning would theoretically increase the potential traffic impacts on the roadway network slightly (from a potential of about 20 vehicle trips per day with the current RU-4 zoning). The proposed change, while it would allow about double the number of housing units than currently allowed under existing zoning, is not likely to create new traffic circulation patterns or overburden the maintained access roadways.

**County Maintenance of Roadway Network**

This area has historically been maintained as primitive roads, most created in the timeframe of 1969-1975. Limited maintenance is provided on native-surfaced historic roads; typically for low-volume primitive roads blading is conducted once or twice a year. The roads subject to this parcel have been historically maintained but County records show most of these roads as not officially on our primitive road maintenance lists. However, the underlying roadway easements are recorded as dedicated to the public. Confusion over exactly where these easements were and the legal rights of access on them has been recently resolved with a recorded survey and a Grant of Easement dated May 24, 2016. No special driveway requirements apply to a residential use on a non-county maintained roadway; however, if taking access from even a primitive roadway, if it is maintained by the County, would require a ROW/Encroachment Permit at time of construction and minimum driveway standards (width, surface type, clear zones) would need to be met. New property owners cannot have an expectation of all-weather access or frequent maintenance on any of the access roads serving the potential lot splits.

**Highway and Floodplain**  
1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9337 fax  
1-800-752-3745  
highway@cochise.az.gov  
floodplain@cochise.az.gov

**Planning, Zoning and Building Safety**  
1415 Melody Lane, Building E  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9278 fax  
1-877-777-7958  
planningandzoning@cochise.az.gov

**Recommendation**

Land use changes do not, in and of themselves, change traffic patterns; however, they do create conditions for future transportation impacts. This re-zoning is not likely to change the general nature of this land use, as it currently exists, and is not likely to adversely impact traffic circulation or trip generation in the area. Platted smaller lots are adjacent to this proposed re-zoning. This proposed RU-2 zoning would provide an appropriate transition from those smaller lake-view lots east of the subject parcel to the larger parcels and Parker Canyon Lake recreational area that surround the other three edges of the subject parcel.

**Advisory Note for the Applicant**

Signs that indicate that roads in this area are not public roads are misleading as the roadway easements are for the general public as well as access to county-maintained roadways in the Parker Lakeview Estates. It appears that county-maintenance has been provided in the vicinity of at least one such sign, indicating the expenditure of public funds on a public easement. These roads cannot be signed as restricted to only private property owners.



**Cochise County**  
**Community Development**  
**Highway and Floodplain Division**

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## INTEROFFICE MEMO

**Date:** September 1, 2016  
**To:** Peter Gardner, Planner I  
**From:** Teresa Murphy, Right-of-Way Agent  
**Subject:** Z-16-02 (Kerr)

**Background:** The applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4 acres) to RU-2 (Rural; one dwelling per 2 acres). The subject parcel is 10.11 acres in size. The request to facilitate dividing the parcel into five 2-acre parcels.

The subject parcel, APN 105-28-004A, is located on S. Coronado Trail at the intersection with S. Parker Canyon Road. It is further described as being situated in Section 23, of Township 19 South, Range 17 East of the Gila and Salt River Meridian, in Cochise County, Arizona. The applicant is Scott Kerr. Right-of-Way Staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

### Analysis:

- Access for the subject parcel is via S Coronado Trl or W Coronado Trl connecting to Highway 83/Parker Canyon Road or Montezuma Canyon Road.
- The subject parcel is segmented by S Coronado Trl, W Coronado Trl and W Montezuma Pl and these roads serve the adjoining Parker Lakeview Estates subdivision.
- Roads within Parker Lakeview Estates are dedicated at various widths per Book 4 of Maps and Plats, page 92 and are county maintained.
- 2 Grants of Easement to the public were recorded without approval of the Cochise County Board of Supervisors. These Grants of Easement are across the subject parcel and are in violation of Cochise County Ordinance 013-94.
- The segments of S Coronado Trl and W Coronado Trl and W Montezuma Pl within the subject parcel are under discussion to become part of the County maintenance system.

**Highway and Floodplain**  
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520-432-9337 fax  
1-800-752-3745  
highway@cochise.az.gov  
floodplain@cochise.az.gov

**Planning, Zoning and Building Safety**  
1415 Melody Lane, Building E  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9278 fax  
1-877-777-7958  
planningandzoning@cochise.az.gov

**Recommendation:**

- That the applicant coordinates with Highway and Floodplain staff to re-align easements as identified in the letter from Joaquin Solis to Scott Kerr and dated \_\_\_\_.
- That the applicant separate that portion of S Coronado Trl from the public easement as identified in the letter from Joaquin Solis to Scott Kerr and dated \_\_\_\_.
- That the applicant submit the original easement to be re-recorded should the Board of Supervisors accept certain road segments for maintenance as identified in the letter from Joaquin Solis to Scott Kerr and dated \_\_\_\_.



**Cochise County**  
**Community Development**  
**Highway and Floodplain Division**

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September 1, 2016

Mr. Scott A. Kerr

1567 Rancho De Luxe

Elgin, AZ 85611

3541 S. Camellia Pl.

Chandler, AZ 85248

**Subject: Fifty-foot (50') Grant of Easement within parcels 105-30-003C and 105-28-004A to Cochise County for inclusion in County maintenance.**

Mr. Kerr,

The Cochise County Highway and Floodplain Department has received 1) a request to add previously maintained road segments back into the County road maintenance system, 2) a copy of recorded 50' wide grants of easement to the public for the proposed road segments and 3) an application to rezone 10 acres of land traversed by the proposed road segments. Regarding the rezoning, comments will be provided in a separate document.

Regarding your easements granted to the public, we have a problem. Ordinance No. 013-94 (attached) regulates the creation of all public easements or rights-of-way within Cochise County. The ordinance requires formal Board of Supervisor acceptance for any public easement and lacking such acceptance the County is required to disclaim the public easement and obtain compensation for costs incurred. One way to solve this problem is to add road segments to County maintenance, obtain Board acceptance of the easements and re-record the grants of easement to make them legitimate. The County prefers to work with you.

First, the Department policy requires that substandard road segments must be dropped in order to add other substandard segments. The Department would like to approach the Board to override policy and allow the addition of certain road segments that provide the connectivity or continuation of the Parker Lakeview Estates subdivision roads. However, the Department shall not consider the road segment that serves as secondary access to Highway 83/Parker Canyon Road because it does not provide the same connectivity in comparison to the other segments. Attached is a copy of the easement exhibit drawing by Alta Land Survey, with County edits. The portion labeled EASEMENT 1 and circled in red is the portion that shall be removed from the public easement.

**Highway and Floodplain**

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Bisbee, Arizona 85603

520-432-9300

520-432-9337 fax

1-800-752-3745

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floodplain@cochise.az.gov

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Bisbee, Arizona 85603

520-432-9300

520-432-9278 fax

1-877-777-7958

planningandzoning@cochise.az.gov

**Subject: Fifty-foot (50') Grant of Easement request within parcels 105-30-003C and 105-28-004A to Cochise County for inclusion in County maintenance.**

Second, a portion of the easement must be re-aligned. A fifty-foot (50') wide easement is acceptable. However, Right-of-way staff and I performed an inspection and based on survey staking, the easements are not centered on the existing roads. Further, there are natural features within the off centered easement, such as washes, that inhibit maintenance or the placement of a road. On the attached Alta Land Survey easement exhibit drawing, a portion from POINT B to POINT OF TERMINUS EASEMENT 2 is within the bottom of the existing wash bed. In order to be accepted, the easement must be re-aligned outside of the bottom of the wash approximately 50' and transitioned to the existing road centerline as shown on the attached in blue.

Once the easements are re-aligned and original documents submitted to the County, the department will prepare a formal request to the Board of Supervisors to reinstate maintenance for the connecting road segments and accept the public easement. If approved, the easement will be re-recorded to correct the legal description and public dedication acceptance.

We look forward to working with you to resolve these issues. If you have any questions, please contact Right-of-Way staff at (520) 432-9300.

Sincerely,

Joaquin Solis, P.E.  
Highway & Floodplain Assistant Director

**Attachments:**

Cochise County Ordinance 013-94  
Alta Land Survey easement exhibit drawing with County edits

**CC: Britt Hanson, Chief Civil County Attorney  
Karen Riggs, P.E., RLS, Highway & Floodplain Director**



## Gardner, Peter B

---

**From:** Susan Gallaher [susangallaher@comcast.net]  
**Sent:** Friday, August 26, 2016 7:25 PM  
**To:** Gardner, Peter B  
**Subject:** D-Z 16-02 Kerr Parker Canyon Lake Rezoning

Mr. Gardner, my comments with regards to the rezoning of Mr. Kerr's property are as follows:

1) Water supply: how will the lots be served with a water source and or infrastructure for same. Each lot will need a water source and I am concerned about the potential issues with the addition of new wells and how this will affect the lake and existing wells that serve the subdivision.

2) Human Waste: What will be the possible impact of possibly five septic systems and the effects on water quality within the lake and surrounding area.

3) Conditions of access: Will the addition of the lots have any impacts on the existing subdivision with regards to traffic etc.

I am the owner of a home within the existing subdivision of Parker Lakeview Estates.

I hope all of these potential impacts will be carefully reviewed and any possible mitigating factors by Mr. Kerr will be considered before approval.

Thank you for the opportunity to comment.

Dave Gallaher  
5101 N Via Entrada  
Tucson, AZ 85718  
520-299-9430

Rezoning Docket Z-16-02 (Kerr)

AUG 17 2016

PLANNING



YES, I SUPPORT THIS REQUEST

Please state your reasons:

Considering our parcel of land, Lot #69, is 1/4<sup>th</sup> of an acre, a 2 acre parcel would be an estate! I/we support Steve Kerr's proposal  
Scott

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets, if necessary)

PRINT NAME(S):

Joan L. Meggitt and Michael W. Giscombe

SIGNATURE(S):

Joan L. Meggitt  
Michael W. Giscombe  
#10529069

YOUR TAX PARCEL NUMBER: #10529069 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, August 29, 2016 to be included in the staff report to the Commission, and by Thursday, September 29, 2016 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at [pgardner@cochise.az.gov](mailto:pgardner@cochise.az.gov). Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Rezoning Docket Z-16-02 (Kerr)

AUG 17 2016

PLANNING



YES, I SUPPORT THIS REQUEST

Please state your reasons:

Five horizontal lines for writing reasons.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Five horizontal lines for writing reasons.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Frank A Shipp & Diana D Shipp

SIGNATURE(S):

Handwritten signatures of Frank A Shipp and Diana D Shipp.

YOUR TAX PARCEL NUMBER: 105-30-003B (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, August 29, 2016 to be included in the staff report to the Commission, and by Thursday, September 29, 2016 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at pgardner@cochise.az.gov. Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Rezoning Docket Z-16-02 (Kerr)

X

YES, I SUPPORT THIS REQUEST

Please state your reasons:

I support this change. I appreciate having neighbors and the 2 acre parcels are gracious sized lots compared to the 1/3 acre lots in the nearby cabin community. Mr Kerr is a supportive, caring contributor in our community and we are also very supportive of him as well. Thank you for providing us an opportunity to share our thoughts on this matter

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Pamela Ann Ezell

SIGNATURE(S):

Pamela Ann Ezell

YOUR TAX PARCEL NUMBER: 10530003A (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, August 29, 2016 to be included in the staff report to the Commission, and by Thursday, September 29, 2016 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at pgardner@cochise.az.gov. Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

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Bisbee, AZ 85603

Rezoning Docket Z-16-02 (Kerr)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

I have no problem with this rezoning. The community it butts up against, Parker Lake new Estates are all busy small lots.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Linda M. Grant

LOTS 24, 25, 26

SIGNATURE(S):

Linda M. Grant

YOUR TAX PARCEL NUMBER: \_\_\_\_\_ (the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Peter Gardner, Planner I  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Rezoning Docket 7-16-02 (Kerr)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

*I think its a good way to stimulate growth.  
It would be a benefit to the community.*

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets, if necessary)

PRINT NAME(S):

SIGNATURE(S): *Barry F. Lane*

YOUR TAX PARCEL NUMBER: 105-29-024 2 (the eight digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, August 29, 2016 to be included in the staff report to the Commission, and by Thursday, September 29, 2016 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner, at [pgardner@cochise.az.gov](mailto:pgardner@cochise.az.gov). Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Rezoning Docket Z-16-02 (Kerr)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

Five horizontal lines for writing reasons.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Five horizontal lines for writing reasons.

(Attach additional sheets, if necessary)

PRINT NAME(S):

DANA HEROLD

SIGNATURE(S):

Dana Herold

YOUR TAX PARCEL NUMBER: 10529095 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, August 29, 2016 to be included in the staff report to the Commission, and by Thursday, September 29, 2016 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at pgardner@cochise.az.gov. Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Rezoning Docket Z-16-02 (Kerr)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

PLEASE SEE ATTACHED COMMENT

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

JUDE MCNAULY & JANET MCNAULY

SIGNATURE(S):

*[Handwritten signatures of Jude McNally and Janet McNally]*

YOUR TAX PARCEL NUMBER: 10529021 (the eight-digit identification number found on the tax statement from the Assessor's Office)

# 10 52 9022

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, August 29, 2016 to be included in the staff report to the Commission, and by Thursday, September 29, 2016 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at [pgardner@cochise.az.gov](mailto:pgardner@cochise.az.gov). Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

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Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Peter Gardener,

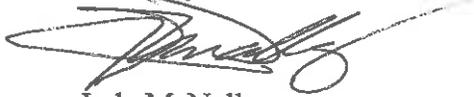
I appreciate the opportunity to comment on Docket Z-16-02 (Kerr). I am strongly in favor of rezoning parcel 105-28-004A from RU-4 to RU-2.

As a neighborhood Parker Canyon Lake View Estates (PCLVE) is in trouble. Only 30% of the homes are in reasonably good condition receiving some regular maintenance to maintain their condition. Roughly 35% are in poor condition largely owing to the property owner's neglect. Up to 35% of the houses are effectively abandoned, never having been code compliant, they are now in dangerously dilapidated condition. Not surprisingly all property values are suffering.

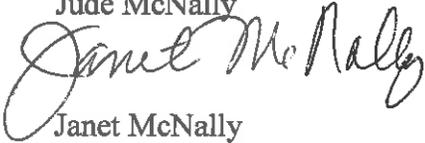
The proposed rezoning creates an opportunity for new homes (built to code) to begin to shift the neighborhood balance. With only about 40 homes in PCLVE, 5 homes could shift the community dynamic significantly. The new homes themselves will add value, but may additionally provide other owners incentive to repair and maintain the still redeemable properties in the neighborhood.

I would hope that the Zoning Commission and/or their staff would take some time to drive through PCLVE to see firsthand the potential of this very unique community. I believe the situation I have described will be immediately apparent if you visit the community.

Sincerely,



Jude McNally



Janet McNally

Owners of parcel APN 105-29-021 and APN 105-29-022

Rezoning Docket Z-16-02 (Kerr)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

See Attach

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

JAMES W. Colville; Robbie A. Colville

SIGNATURE(S):

James W. Colville  
Robbie A. Colville

YOUR TAX PARCEL NUMBER: See attach  
(the eight-digit identification number found on the tax statement from the Assessor's Office)

(the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, August 29, 2016 to be included in the staff report to the Commission, and by Thursday, September 29, 2016 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at [pgardner@cochise.az.gov](mailto:pgardner@cochise.az.gov). Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on September 14, 2016 for the Planning and Zoning Commission and October 11, 2016 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

AUG 29 2016

PLANNING

James W. Colville  
4212 W. Tombolo Trail  
Tucson, AZ 85745

August 23, 2016

Peter Gardner, Planner 1  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Re: Rezoning Docket Z-16-02 (Kerr)

Dear Mr. Gardner,

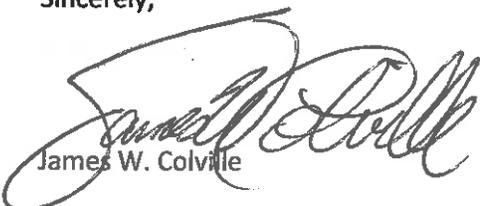
I would strongly recommend that Mr. Kerr's request for rezoning be approved. We are a small community and have a very small community water company (20-25 meters). We are struggling financially, and the rezoning could result in new water company customers, which we would welcome with open arms. This property has been ignored for years, and presents somewhat of a fire hazard. To have people develop the property and clean it up would be advantageous to the whole neighborhood.

Parker Lakeview Estates consists of very small lots. Two-acre parcels would provide more than an adequate buffer for the subdivision.

I am presently out of Arizona on vacation so I cannot provide parcel numbers for my property, but I assume that you have access to them. I own two lots in the subdivision, and a five-acre parcel outside of the subdivision, but contiguous thereto.

If you would like additional comments, please let me know.

Sincerely,

  
James W. Colville

**Gardner, Peter B**

---

**From:** Greg Saxe [Greg.Saxe@pima.gov]  
**Sent:** Wednesday, August 31, 2016 3:57 PM  
**To:** Gardner, Peter B  
**Cc:** greg saxe (gregsaxe@hotmail.com)  
**Subject:** Kerr Rezoning Docket Z-16-02

Dear Sir;

Thank you for speaking with me yesterday. While I hesitate to submit a formal letter of opposition due to being a neighbor and friend I am opposed to increased density or yield on the subject parcel.

I am the owner of a small owner built weekend cabin intended for quiet enjoyment of the natural surroundings including Parker Canyon Lake. I believe the subdivision layout effectively keeps densities low along the main county road to the lake in order to buffer the lake and national campground visitors from the noise associated with residences and also the lake from pollutants from our septic systems. The subdivision water well was recently moved from just downstream of Mr. Kerr near the lake to above it at the top of the hill where the densities and elevation are greatest with good reason. It had become polluted with nitrogen in excess of clean water act standards and the Forest Service would not extend the lease. The water company obtained a WIFA loan for this purpose and have priced many of us out of water service at over \$80/month for a weekend cabin with no use after opposing our use of a composting toilet acceptable to ADEQ! We now truck water for our toilet. The water company supports development to subsidize this expansion and maintenance for those who wish to live there full time instead of a fishing cabin type intensity as initially intended.

You may not be aware that the original landowner CCRs for Parker Lakeview Estates had a maximum cabin size and prohibition on generators. Parker Canyon Water Company dba the Parker Canyon Estates Homeowners Association has presented itself as such and recorded illegitimate CCRs requiring cabins be of a minimum size and have a septic system, these impact homeowners who are company customers only, not everyone as they contend. This precludes development for those in lower income brackets as the lots are steep and thin and therefore very limiting for septic installation. While this may not be directly germane it indicates the original design was for small cabins clustered at a higher elevation such that the lake water quality and visitor experience was retained.

I am also concerned about the riparian area which flows across his property through a slot canyon below the rock outcrops and feeds the lake. It is a significant wildlife corridor.

Still as a cabin owner my main concern is keeping the viewshed predominately natural during the day, dark at night and quiet always by maintaining low densities and modest house sizes and heights, and limiting generator use to daylight hours. Thank you.

This comment is in no way associated with Pima County and is solely my own opinion. My address at Parker Canyon is 7918 S Coronado Trail, in Tucson it is 3590 E Gibbon Mountain Place.

If replying please reply to my personal email above.

*Greg Saxe, PhD MRP  
Environmental Planning Manager  
Pima County Regional Flood Control District  
201 North Stone, 9<sup>th</sup> Floor  
Tucson AZ 85705  
(520)724-4600*

043

COCHISE COUNTY

AUG 26 2016

PLANNING

Date: August 18, 2016

To: Cochise County Planning and Zoning

From: Barbara and Mike McKearney

Subject: comment on the request to rezone parcel number 105-28-004A, a 10.20 acre lot

My mother, Barbara McKearney, owns the residence located at 9094 Coronado Trail, Elgin. Together, we have prepared comments in response to a notice of intent to rezone.

We are submitting this letter in order to voice our concern for the proposal to rezone the above referenced lot from RU4 to RU2. The lot is located in Parker Canyon Estates, a small sub division located just east of Parker Canyon Lake.

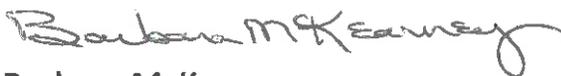
Our concerns are centered on public safety and the lack of infrastructure to support smaller lot sizes and ultimately additional structures and traffic. The current road system is poor and is not up to standards in terms of grade, storm water runoff, surface, width, etc. The area is located in an urban interface zone and the threat of wildfire is high.

Based on the current road system and other infrastructure concerns, we are opposed to the rezoning of the parcel. Additional structures will add strain to an area that is already over taxed and will negatively affect public safety.

Sincerely,



Mike McKearney



Barbara McKearney

## Opposition to the Kerr rezoning request.

My name is James Even and I have been a cabin owner at Parker Canyon Lake since 2004. I also own three lots across from our cabin on South Coronado Trail directly in front of the parcel in question. While I have a very positive and friendly relationship with Mr. Kerr, I am very concerned about the additional density included in his request. I am opposed to this rezoning on several levels.

First, we purchased our property for a retreat that the Parker Canyon Lake area provides. We value the slower pace, the peaceful surroundings that provide great outdoors activities and experiences. When we bought our property, our research revealed that the large parcel of land below our cabin was zoned RU-4 and thus would only allow one house per four acres. This was of great comfort to us as we wanted to ensure that the lifestyle we sought would remain permanently. This development seeks to change that forever.

Next, I believe the additional traffic would change our outdoors retreat to a busy sub-division with all of the noise, just from all of the contractors, sub-contractors, realtors and suppliers, alone. At the completion of the sub-division, we would have five additional families and their friends and guests unitizing all of the amenities of our neighborhood. I am also afraid that the new homes or cabins will affect the views of the lake and other native vegetation; from both our existing cabin, but also the additional cabin we hope to build as our family grows up and expands.

Lastly, and most importantly, I am gravely concerned about the impact this sub-division will have on our water company, whether as additional water users within our system or if the new owners drill five individual wells. If we are responsible, as current water company owners and members, the costs to connect each of these properties to our water company alone will have an incredibly negative impact! Maybe more importantly, is the impact of five new wells on the water table. There is no impact study that I am aware that outlines how this will impact our water supply going forward.

Equally important to a clean, healthy water supply is the impact of five new septic systems. This is troubling as all of the new lots run-off and septic systems will obviously flow downhill towards Parker Canyon Lake. This effects, not only the lake, but also could affect our water supply.

In conclusion, I am opposed to this rezoning. I have no idea what is planned or what the impact of this new sub-division will be on our properties and/or the neighborhood in general.



**Cochise County  
Community Development  
Highway and Floodplain Division**  
*Public Programs...Personal Service*  
[www.cochise.az.gov](http://www.cochise.az.gov)

September 1, 2016

Mr. Scott A. Kerr  
1567 Rancho De Luxe                      3541 S. Camellia Pl.  
Elgin, AZ 85611                              Chandler, AZ 85248

**Subject: Fifty-foot (50') Grant of Easement within parcels 105-30-003C and 105-28-004A to Cochise County for inclusion in County maintenance.**

Mr. Kerr,

The Cochise County Highway and Floodplain Department has received 1) a request to add previously maintained road segments back into the County road maintenance system, 2) a copy of recorded 50' wide grants of easement to the public for the proposed road segments and 3) an application to rezone 10 acres of land traversed by the proposed road segments. Regarding the rezoning, comments will be provided in a separate document.

Regarding your easements granted to the public, there is a problem. Ordinance No. 013-94 (attached) regulates the creation of all public easements or rights-of-way within Cochise County. The ordinance requires formal Board of Supervisor acceptance for any public easement and lacking such acceptance the County is required to disclaim the easement and obtain compensation for costs incurred. Therefore, the easements you have recorded do not create public easements.

The department does see some potential public benefit to adding certain portions of the easements to maintenance. Therefore the department would support the following as a solution that we would recommend to the Board of Supervisors for approval.

First, the Department policy requires that substandard road segments must be dropped in order to add other substandard segments. The Department would like to approach the Board to override policy and allow the addition of certain road segments that provide the connectivity or continuation of the Parker Lakeview Estates subdivision roads. However, the Department will not consider the road segment that serves as secondary access to Highway 83/Parker Canyon Road because it does not provide the same connectivity in comparison to the other segments. Attached is a copy of the easement exhibit drawing by Alta Land Survey, with

**Highway and Floodplain**  
1415 Melody Lane, Building F  
Bisbee, Arizona 85803  
520-432-8300  
520-432-8337 fax  
1-800-752-3745  
[highway@cochise.az.gov](mailto:highway@cochise.az.gov)  
[floodplain@cochise.az.gov](mailto:floodplain@cochise.az.gov)

**Planning, Zoning and Building Safety**  
1415 Melody Lane, Building E  
Bisbee, Arizona 85803  
520-432-8300  
520-432-8278 fax  
1-877-777-7858  
[planningandzoning@cochise.az.gov](mailto:planningandzoning@cochise.az.gov)

**Subject: Fifty-foot (50') Grant of Easement request within parcels 105-30-003C and 105-28-004A to Cochise County for inclusion in County maintenance.**

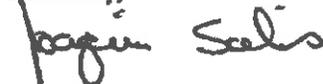
County edits. The portion labeled EASEMENT 1 and circled in red is the portion that Highway requires be removed from the public easement request.

Second, a portion of the easement must be re-aligned for Highway to recommend acceptance. A fifty-foot (50') wide easement is acceptable. However, Right-of-way staff and I performed an inspection and based on survey staking, the proposed easements are not centered on the existing roads. Further, there are natural features within the off centered easement, such as washes, that inhibit maintenance or the placement of a road. On the attached Alta Land Survey easement exhibit drawing, a portion from POINT B to POINT OF TERMINUS EASEMENT 2 is within the bottom of the existing wash bed. In order to be recommended for acceptance, the easement must be re-aligned outside of the bottom of the wash approximately 50' and transitioned to the existing road centerline as shown on the attached in blue.

Once the easements are re-aligned and original revised documents submitted to the County, the department will prepare a formal request to the Board of Supervisors to reinstate maintenance for the connecting road segments and accept the public easement. If approved, the easement will be re-recorded to correct the legal description and public dedication acceptance and thereby resolve the Ordinance issue.

We look forward to working with you to resolve these issues. We highly recommend setting up a meeting with staff to clarify and streamline the requirements for this process. Please contact Right-of-Way staff at (520) 432-9300 to set up an appointment or if you have any questions.

Sincerely,



Joaquin Solis, P.E.

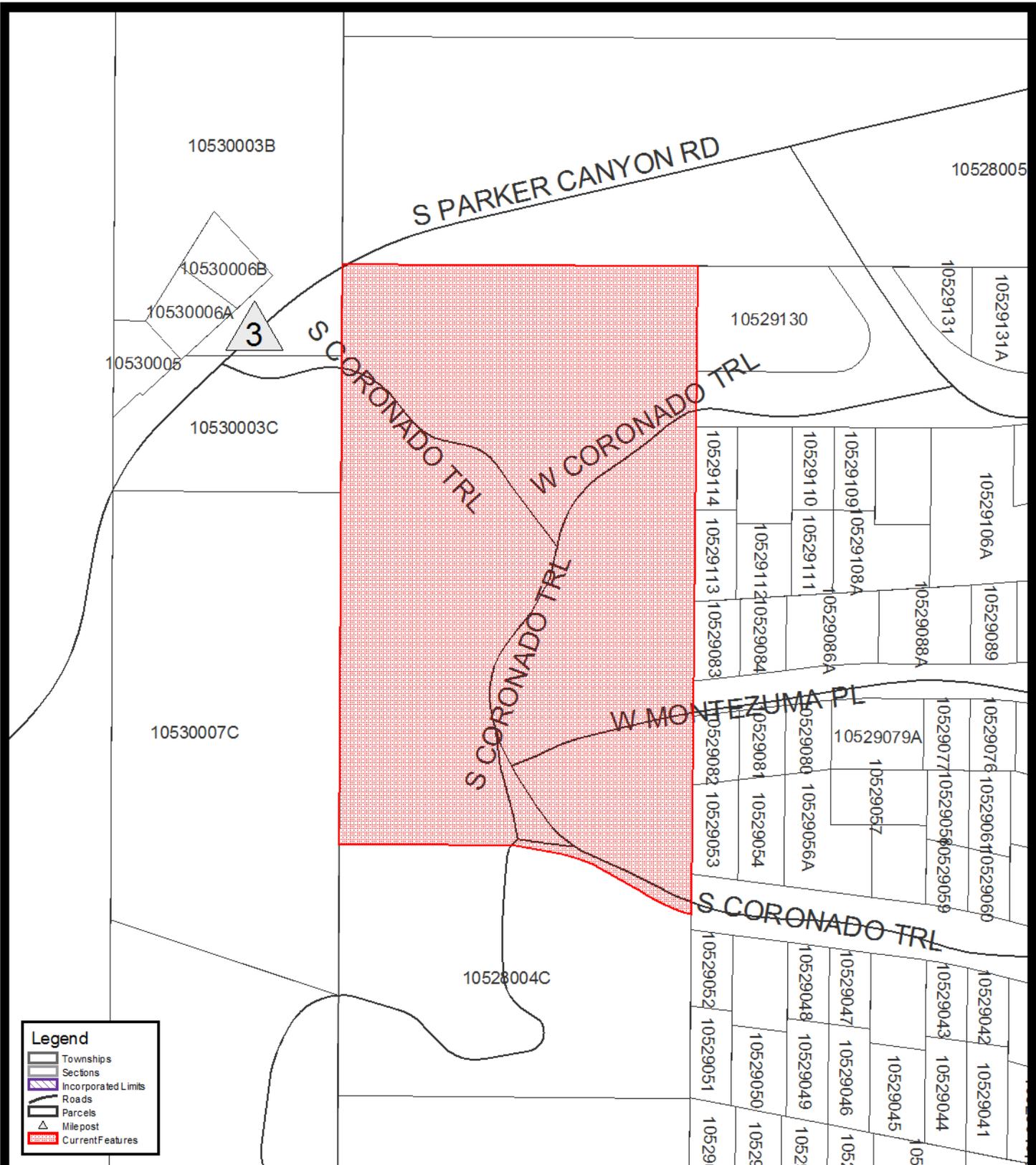
Highway & Floodplain Assistant Director

**Attachments:**

Cochise County Ordinance 013-94

Alta Land Survey easement exhibit drawing with County edits

**CC:** Britt Hanson, Chief Civil County Attorney  
Karen Riggs, P.E., RLS, Highway & Floodplain Director



**Legend**

- Townships
- Sections
- Incorporated Limits
- Roads
- Parcels
- Milepost
- Current Features



Z-16-02 (Kerr)  
Exhibit A

This map is a product of the Cochise County GIS Information Technology Dept.

0' 1" = 198'

**ZONING ORDINANCE 16-\_\_\_**

**Re: Docket Z-16-02 Application of Scott Kerr**

**Page 1**

**ZONING ORDINANCE 16-\_\_\_**

**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM RU-4  
TO RU-2, PURSUANT TO THE APPLICATION OF Scott Kerr**

**WHEREAS**, A.R.S. § 11-814 allows property owners or their authorized agent to request amendments to the Zoning District boundaries through the Board of Supervisors in a public hearing; and

**WHEREAS**, the Cochise County Board of Supervisors recognizes that zoning amendments can affect land use patterns and therefore warrant careful consideration of local and regional impacts at a public hearing; and

**WHEREAS**, Tax Parcel 105-28-004A was zoned in 1975 as RU-4; and

**WHEREAS**, the parcel is adjacent to a legal-nonconforming subdivision of 10,000 square-foot lots zoned RU-4; and

**WHEREAS**, the Applicant wishes to divide the subject parcel into 5 lots; and

**WHEREAS**, the rezoning will create a logical buffer between the legal non-conforming lots and larger conforming lots; and

**WHEREAS**, the requested zoning district is harmonious with the surrounding zoning districts; and

**WHEREAS**, the Cochise County Board of Supervisors promotes effective, early and continuous public participation by citizens; and

**WHEREAS**, the Board of Supervisors held a duly noticed public hearing on the amendments to the Zoning District boundaries proposed by Applicant Scott Kerr; and

**WHEREAS**, the Board of Supervisors conditionally approved the request for a change in the Zoning District boundaries,

**NOW, THEREFORE, BE IT RESOLVED** that the Cochise County Zoning District Boundaries shall be amended as follows:

The zoning classifications for Tax Parcel 105-28-004A, as shown on the map attached to this Resolution as Exhibit A, is changed from RU-4 to RU-2. The property is located in the Parker Lake area in southwest Cochise County, AZ. The property is further described as being in Section 23 of Township 19 South, Range 17 East of the G&SRB&M in Cochise County, Arizona. The Board of Supervisors approves Docket Z-16-02 subject to the following condition of approval:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning;
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. The Applicant shall work with the Highway Department to submit for Board of Supervisor acceptance and, if applicable, dedicate road easements to ensure access to the public per the letter from Joaquin Solis dated September 1, 2016; and
4. The Applicant shall submit within 12 months a proposed split map identifying all proposed and existing property lines, all proposed and existing easements, and building envelopes.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this 11th day of October, 2016.

---

Richard Searle, Chairman  
Board of Supervisors

**ATTEST:**

---

Arlethe Rios,  
Clerk of the Board

**APPROVED AS TO FORM:**

---

Britt Hanson,  
Chief Civil Deputy County Attorney

# COCHISE COUNTY

Z-16-02 (Kerr)

A request to rezone from RU-4 to RU-2

Board of Supervisors

October 11, 2016



***Public Programs...Personal Service***

## COCHISE COUNTY

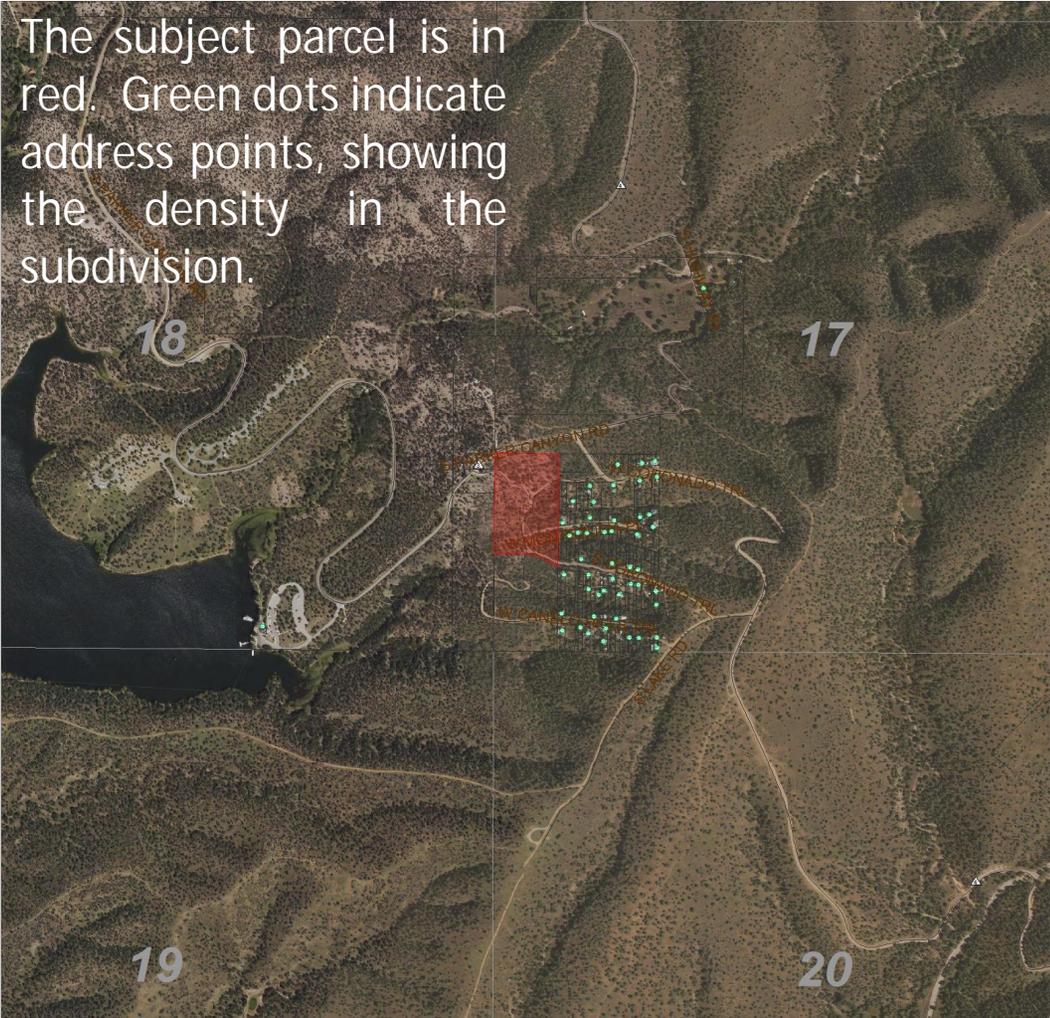
### Docket Z-16-02 (Kerr)

- The Applicant is requesting rezoning from RU-4 (Rural; one dwelling per four-acres) to RU-2 (Rural; one dwelling per two-acres) on a 10.11 acre parcel in the Parker Lake area.
- The parcel, 105-28-004A, abuts the Parker Lakeview Estates subdivision. This subdivision is zoned RU-4, but as originally platted, the average lot size is less than 0.5 acres. The lots are legal non-conforming, but are at a much higher density than RU-4 or RU-2.
- The Applicant is Scott Kerr.
- On September 14, 2016, the Planning & Zoning Commission voted unanimously to forward the docket with a recommendation of Conditional Approval.



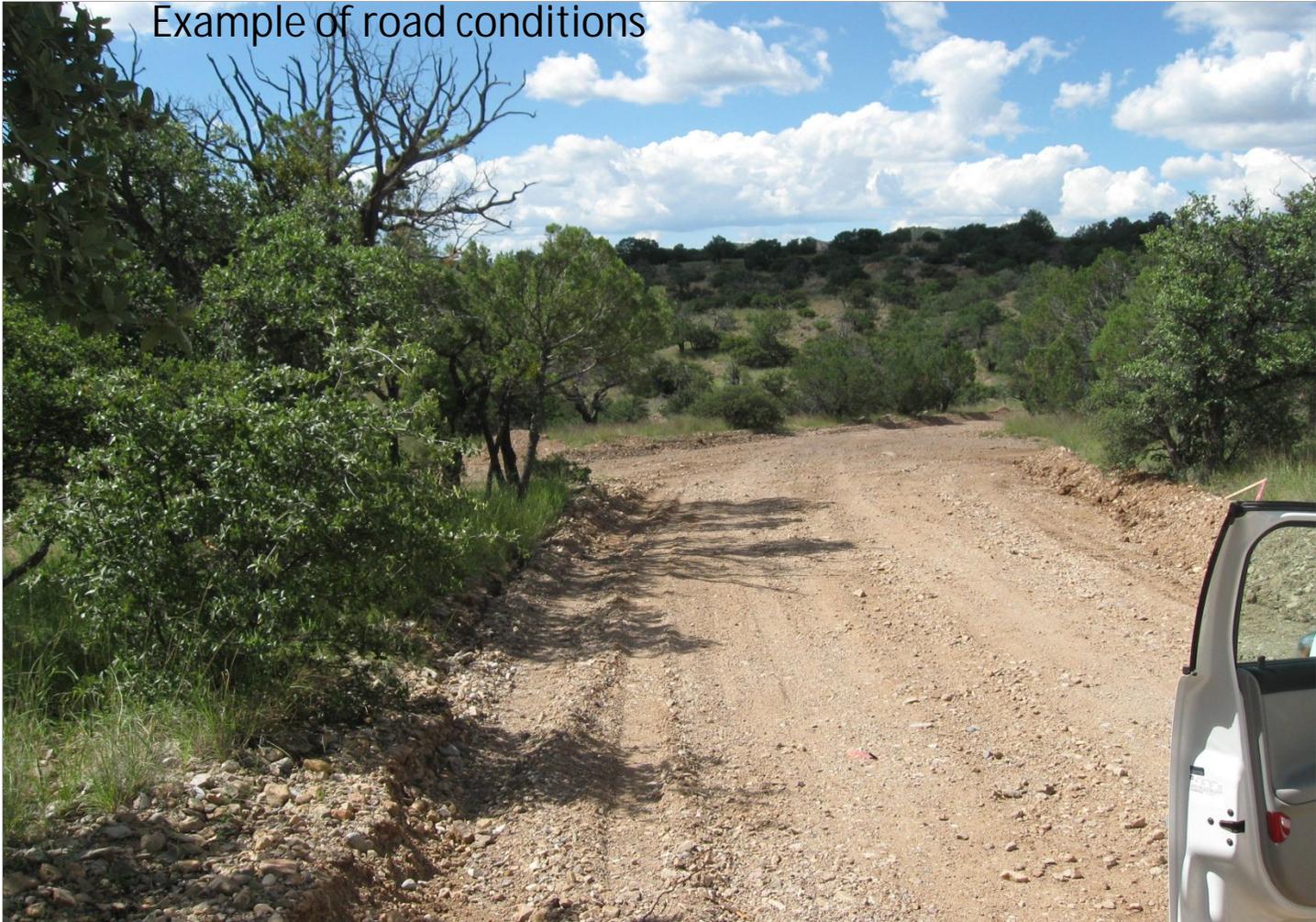
# COCHISE COUNTY

## Location Map:



# COCHISE COUNTY

Site Photos:



*Public Programs...Personal Service*



# COCHISE COUNTY

Site Photos:

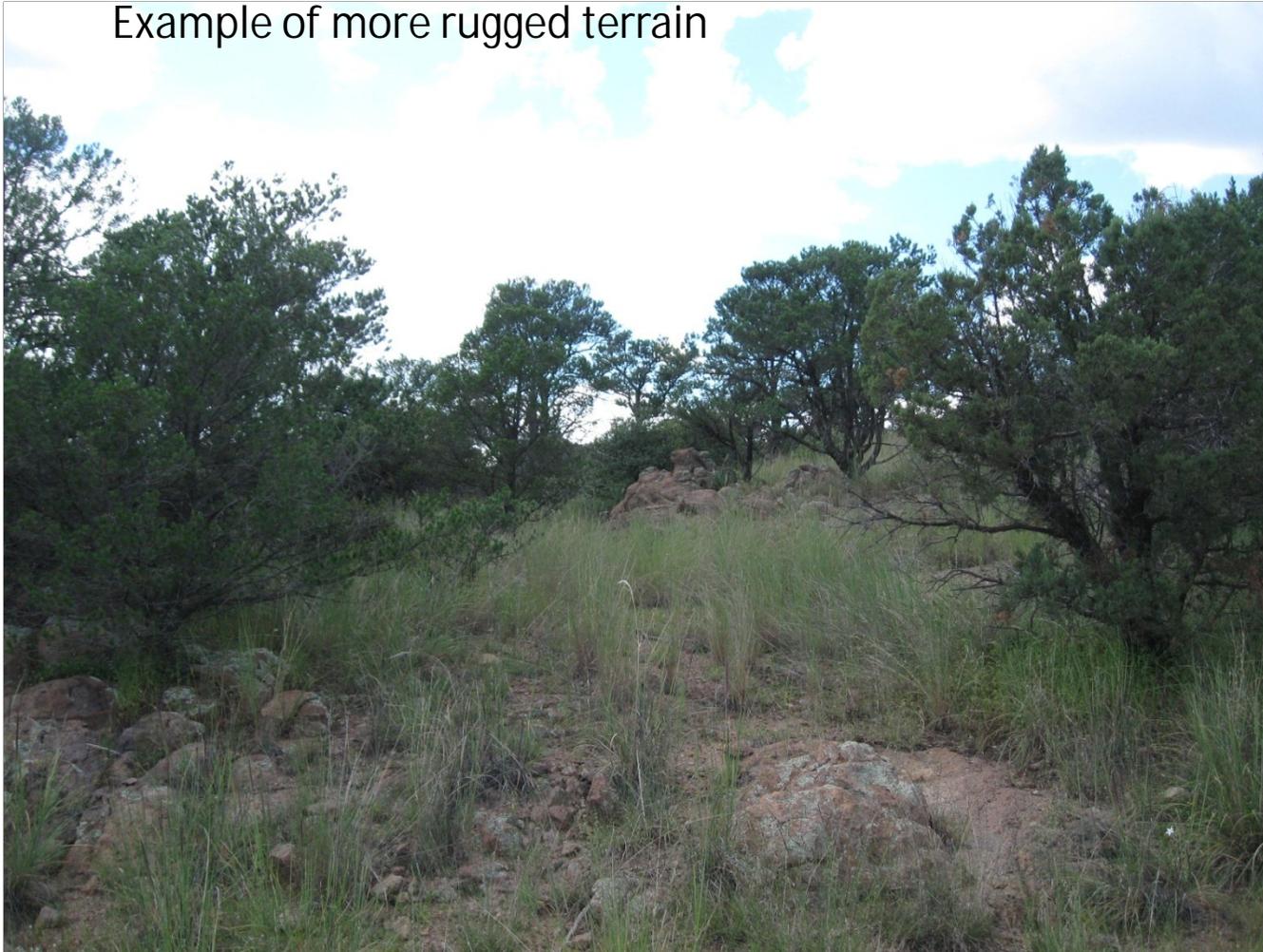
Example of flat terrain



# COCHISE COUNTY

Site Photos:

Example of more rugged terrain



# COCHISE COUNTY

Site Photos:



# COCHISE COUNTY

Site Photos:



# COCHISE COUNTY

Site Photos:

The creek bed



# COCHISE COUNTY

Site Photos:



# COCHISE COUNTY

Site Photos:

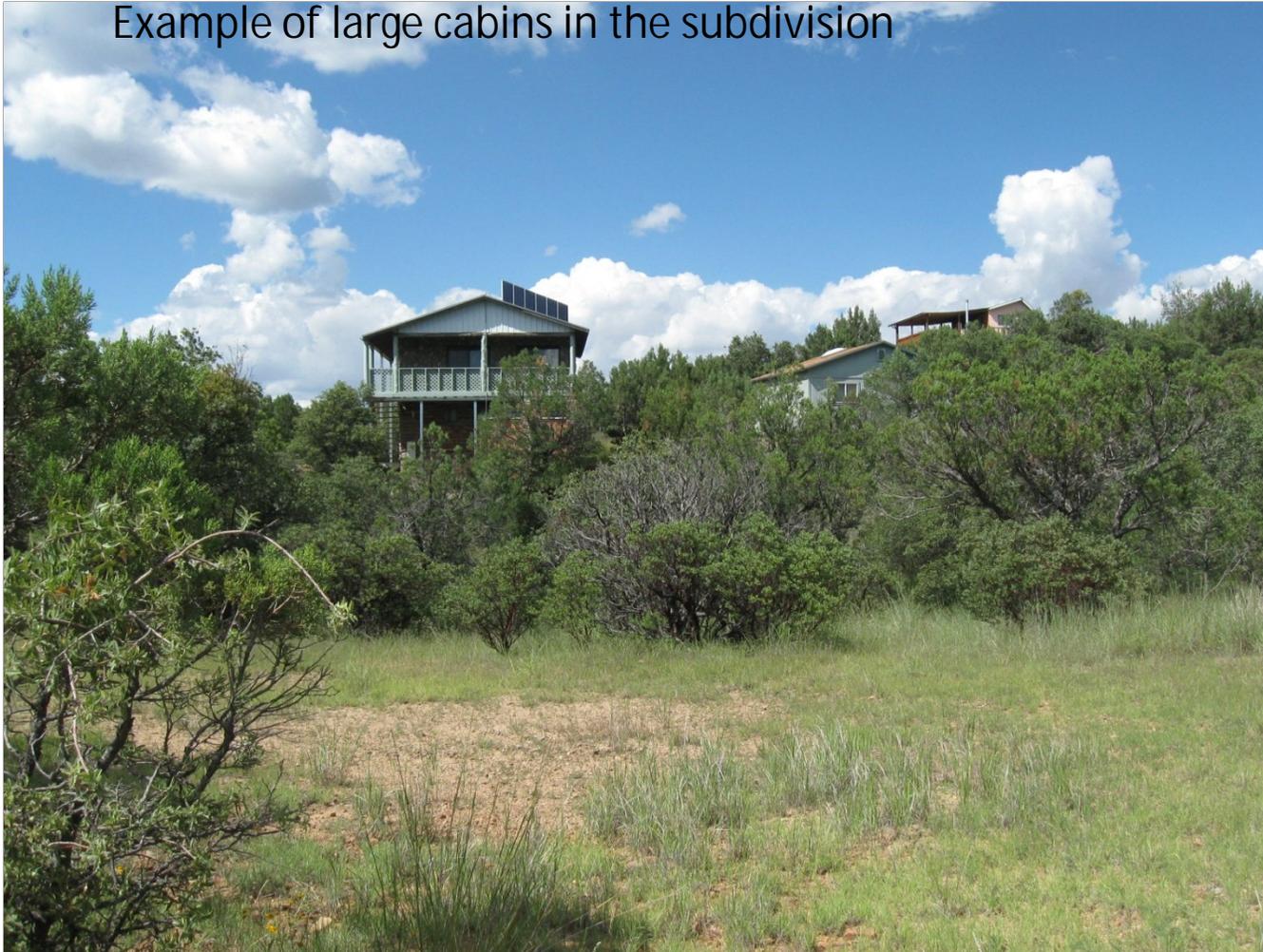
Example of cabins in the subdivision



# COCHISE COUNTY

Site Photos:

Example of large cabins in the subdivision



## COCHISE COUNTY

### Factors in Favor and Against Approving the Rezoning:

#### **Factors in Favor of Approval**

1. Allowing the request would be in keeping with the character of the existing development in the area and create a buffer between the small subdivision lots and larger RU-4 zoned parcels;
2. The Comprehensive Plan policies prescribe a low density of residential development in this area to protect the current character of the neighborhood, and the request would facilitate such a density;  
and
3. Eight letters of support have been received.

#### **Factors Against Approval**

1. Without a conceptual split plan, Staff cannot guarantee that access issues, topographical issues, and appropriate site development standards will be met;
2. Three letter of opposition or concern have been received.



# COCHISE COUNTY

Discussion:



Tough little agave



## COCHISE COUNTY

Based on the factors in favor of approval, staff recommends Conditional Approval of the Rezoning request, subject to the following Conditions:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning;
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. The Applicant shall work with the Highway Department to submit for Board of Supervisor acceptance and, if applicable, dedicate road easements to ensure access to the public, per the letter from Joaquin Solis dated September 1, 2016; and
4. The Applicant shall submit within 12 months a proposed split map identifying all proposed and existing property lines, all proposed and existing easements, and building envelopes.



Regular Board of Supervisors Meeting

Meeting Date: 10/11/2016

Over the Counter Sale

Submitted By: Rebecca Reynolds, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

# of ORIGINALS

Submitted for Signature:

NAME Arlethe Rios

TITLE Clerk of the Board

of PRESENTER:

of PRESENTER:

Mandated Function?:

Source of Mandate or Basis for Support?:

Information

Agenda Item Text:

Approve the over-the-counter sales of tax deed properties remaining unsold following the May 2016 online tax deed land auction as set forth in the attached Exhibit A, plus related administrative fees.

Background:

Following Board approval on July 26, 2016 of the May 2016 online land auction sales, staff posted the Unsold Parcels on the county's website and began accepting over-the-counter (OTC) bids.

One OTC bid has been received and is reflected on the attached report; in addition, the bidder will pay a \$75 administrative fee. The bid and associated payment have been received by BOS office staff for the parcels listed on the report totaling \$3,737 (\$3,662 for bids and \$75 administrative fee - 1 bidder).

Acceptance of this bid brings the total YTD sales to \$212,334.53.

There are 34 parcels remaining for sale (see attached unsold parcels list).

Department's Next Steps (if approved):

Deposit check and provide Sold Parcels list to County Treasurer; when funds clear, issue & record deeds.

Impact of NOT Approving/Alternatives:

Properties will not be sold and will not be put back on the County's tax roll.

To BOS Staff: Document Disposition/Follow-Up:

Refer to Dept's Next Steps, above.

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

**1:**

**Fund Transfers**

**Attachments**

*No file(s) attached.*

---

**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016  
Assessor Software Migration  
**Submitted By:** Arlethe Rios, Board of Supervisors  
**Department:** Board of Supervisors  
**Presentation:** No A/V Presentation  
**Document Signatures:** BOS Signature NOT Required

**Recommendation:** Approve  
**# of ORIGINALS Submitted for Signature:** 0

**NAME of PRESENTER:** Phil Leiendecker  
**Mandated Function?:** Not Mandated

**TITLE of PRESENTER:** County Assessor  
**Source of Mandate or Basis for Support?:**

**Docket Number (If applicable):**

---

**Information**

**Agenda Item Text:**

Approve a withdrawal from the General Fund contingency fund line in the amount of \$29,083.49 for the Assessor's Office to complete the migration from the Oracle to MSSql software and purchase a new server.

**Background:**

Our current RealWare server is at the end of its operating life. We need to convert to SQL for compatibility and efficiency.

**Department's Next Steps (if approved):**

Cochise County IT Department will purchase the PowerEdge R730 Server (includes 7-year warranty) and Microsoft SQL Licensing & Microsoft Server 2012. Harris Govern, ourRealWare software company, will work with IT on the project for the Oracle to MSSql Migration to have us up and running by end of October 2016.

**Impact of NOT Approving/Alternatives:**

If not approved, our current server is out dated and it would hinder our Mass Appraisal System to obtain timely updated software versions.

**To BOS Staff: Document Disposition/Follow-Up:**

The Harris Govern contract estimate will require a signature to perform the Oracle to MSSql Migration task at the referenced cost of \$8,910 (to expire 11/4/16).

---

**Budget Information**

*Information about available funds*

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

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Fiscal Year:** 2016-2017

**One-time Fixed Costs? (\$\$\$):** 29,083.49

**Ongoing Costs? (\$\$\$):** 0

**County Match Required? (\$\$\$):** 0

**A-87 Overhead Amt? (Co. Cost Allocation \$\$\$):** 0

**Source of Funding?:**

**Fiscal Impact & Funding Sources (if known):**

---

**Attachments**

Cost Estimate

Budget Amendment

---





**760 N. Watters Road  
Suite 100  
Allen, TX 75013**

**Phone: 972-265-7300  
Fax: 214-722-0019**

# Estimate

Date	Estimate #
10/4/2016	4384

Name / Address
Cochise County Assessor 1415 W. Melody Lane #B Bisbee, AZ 85603

Ship To
Cochise County Assessor 1415 W. Melody Lane #B Bisbee, AZ 85603

This document is intended to manage customer expectations regarding the completion of tasks and acquisition of equipment outlined below. This quote is valid for 30 days.  
PLEASE DO NOT PAY FROM THIS ESTIMATE.

Project Owner:

Description	Qty	Cost	Estimated Costs
Oracle to MsSql Migration	1	8,910.00	8,910.00

Thank you for your business.	<b>Estimated Costs</b>	\$8,910.00
------------------------------	------------------------	------------

I have read the information outlined in this form and authorize Harris Govern to perform the above tasks and acquire the equipment at the referenced costs. PLEASE DO NOT PAY FROM THIS ESTIMATE.

Work will commence once this document is signed and faxed to 214-722-0019.

Harris Rep \_\_\_\_\_

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Email Address \_\_\_\_\_

Phone # \_\_\_\_\_

Date \_\_\_\_\_

# BUDGET AMENDMENT

IT REQUEST

Department: ASSESSOR

Is this related to a new position? Yes No x

Revision Date:

Oct 4, 2016

Fund #: 100-0300-9 454.500 (DP Cap Equipment >\$10,000) & 100-0300-9 414.800 (Non-Accountable Software <\$5,000) & 100-0300-9 421.200 (D/P Professional Services)

Dept. Contact Name/Phone #: Phil Leiendecker, Assessor\_Ext 8661

**Detailed Description of Request:**

Installation of upgraded server with an Oracle to MSSql migration.

**Justification:**

To upgrade our system to support SQL. This will bring our equipment up to date with all other AZ State Assessor offices that will allow instantaneous updates to bring us up to date with all other offices.

Minor Project: No

Major Project: YES

Initial Cost: \$29,083.49

Continuing Annual Cost:

Less than currently  
paid for with Oracle

PowerEdge R730 Server (includes 7-year warranty) G/L #100-0300-9 454.500 (D/P Cap Equipment > \$10,000)

\$15,208.01

Microsoft SQL Licensing & Microsoft Server 2012 G/L #100-0300-9 414.800 (Non-Accountable Software <\$5,000)

\$4,965.48

Sub-total \$20,173.49

\$8,910.00

Harris provided an invoice for the migration on 10/4/2016 for the Estimated Costs in the amount of \$8,910.00 G/L #100-0300-9 421.200 (D/P Professional Services)

TOTAL (estimate) \$29,083.49

Explanation: N/A

Amount of savings if funded (if any): SQL is already being used by the County. SQL support (\$.00) is less than currently paid for Oracle by \$2,100 per year.

Impact of not funding: \$.00

Department Head: \_\_\_\_\_

Date: \_\_\_\_\_

IT Department Head: \_\_\_\_\_

Date: \_\_\_\_\_

**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016

Tohono O'odham Nation Grant

**Submitted By:** Kenny Reeves, County Attorney

**Department:** County Attorney

**Presentation:** No A/V Presentation

**Recommendation:** Approve

**Document Signatures:** BOS Signature NOT Required

**# of ORIGINALS Submitted for Signature:** 0

**NAME of PRESENTER:** Brian McIntyre

**TITLE of PRESENTER:** County Attorney

**Mandated Function?:** Not Mandated

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

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).

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**Information**

**Agenda Item Text:**

Accept grant funding from the Tohono O'odham Nation in the amount of \$17,924 for the Spillman Prosecutor software.

**Background:**

The Tohono O'odham Nation reviews hundreds of grant requests per year. They have reviewed and accepted our attached proposal. We are working with them on the I.G.A. at this time.

**Department's Next Steps (if approved):**

We will work with the Executive office of the Tohono O'odham Nation to complete the I.G.A. process and submit it to the Civil Attorney for Review. We will then submit the I.G.A. as a Consent item to have it signed by the Chairman for the Board of Supervisors for Cochise County.

**Impact of NOT Approving/Alternatives:**

The grant will pay for the software and training in its entirety. The impact of not approving this would be that the County Attorney would ask for these costs from General fund.

**To BOS Staff: Document Disposition/Follow-Up:**

The attached documents require nothing more than review at this time. We will submit the I.G.A. as a Consent item once it has been completed and reviewed by the Civil Department at the County Attorney's office.

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**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

Proposal

Quote

Approval

GrantApprovalForm

---



TOHONO O'ODHAM NATION  
OFFICE OF THE  
CHAIRMAN AND VICE CHAIRMAN

EDWARD D. MANUEL  
CHAIRMAN

VERLON M. JOSE  
VICE CHAIRMAN

O'ODHAM HA-WE:HEJED

*"For the People"*



July 8, 2016

Mr. Kenny Reeves  
Administrative Manager  
Cochise County Attorney's Office  
PO Drawer CA  
Bisbee, AZ 85603

Dear Mr. Reeves:

This letter is to confirm that we received your proposal as part of the 12% grant program. We appreciate your interest in working with the Tohono O'odham Nation and will be sending notifications by August 30, 2016.

The Tohono O'odham Nation has been proud to support dozens of worthy programs and causes through this grant process. Each year, the Tohono O'odham Nation receives hundreds of requests to fund projects all across the state. We know how important each project is to not only you but to the communities that will be served by it; we will be carefully reading through each and every proposal before deciding on the final recipients over the next several months. While we would like to support all of the proposals, our funds are limited and we hope you understand this will be a difficult decision process.

Thank you again for your proposal. If you have any questions, please call Doreen McPaul in my office at (520) 383-2028 or Matt Smith at (520) 321-1111.

Sincerely,

Edward D. Manuel  
Chairman, Tohono O'odham Nation

## Preliminary Estimate

### Cochise County Sheriff

Price Estimate Date: May 12, 2016 Estimate Number: QUO-07537-X4X8C4  
 Expiration Date: June 30, 2016 Prepared By: Troy Archer

### Spillman Advantages

- Spillman's site license eliminates the frustrations of limited licensing and allows for agency growth by providing access to all desktop modules without individual license fees.
- Each Spillman system includes first-year maintenance, a comprehensive warranty, unlimited standard business hour support, and free enhancements.
- Professional services include onsite administration training and setup assistance as well as thorough end user training (all onsite services include travel and per diem).

#### Onsite Training for Setup Assistance and Workflow Training

#### Estimated Price

Software:	\$11,522
Training:	5,200
Taxes:	1,202
<b>Total:</b>	<b>\$17,924</b>

Professional Services	Price
<ul style="list-style-type: none"> <li>• Spillman anticipates your Project Manager will provide up to 27 hours and be on-site approximately 1 time(s).</li> <li>• Spillman anticipates your Installation Technician will provide up to 1 hours and be on-site approximately 0 time(s).</li> <li>• Spillman anticipates your Trainer(s) will provide up to 0 hours and be on-site approximately 0 time(s).</li> </ul>	
<b>Professional Services Total:</b>	<b>\$4,200</b>

Prepaid Services	Quantity	Price
------------------	----------	-------



## Preliminary Estimate

### Cochise County Sheriff

Price Estimate Date: May 12, 2016      Estimate Number: QUO-07537-X4X8C4  
 Expiration Date: June 30, 2016      Prepared By: Troy Archer

Users Conference Attendees		0
Prepaid Training Weeks	0	0
Years of Prepaid Maintenance	0	0
<b>Prepaid Services Total:</b>		<b>\$0</b>

The following is estimated for your planning purposes and is not included in this purchase.

2nd-year Maintenance (estimated)	Price
<b>2nd-year Maintenance Total:</b>	<b>\$1,414</b>

Spillman is a privately held company with more than 1,600 customers nationwide, including many agencies that have relied on their Spillman partnership for more than 30 years.





TOHONO O'ODHAM NATION  
OFFICE OF THE  
CHAIRMAN AND VICE CHAIRMAN

EDWARD D. MANUEL  
CHAIRMAN

VERLON M. JOSE  
VICE CHAIRMAN

O'ODHAM HA-WE:HEJED

*"For the People"*

*Calendarings  
Victim Witness  
Office Distribution  
Attorneys/Staff*

RECEIVED  
COCHISE COUNTY  
ATTORNEY'S OFFICE  
SEP 21 2016



September 16, 2016

Mr. Kenny Reeves  
Administrative Manager  
Cochise County Attorney's Office  
PO Drawer CA  
Bisbee, AZ 85603

Dear Mr. Reeves:

I am pleased to inform you that your proposal submitted on behalf of Cochise County Attorney's Office was selected by the Tohono O'odham Nation as a recipient of the 12% grant funding in the amount of \$17,924 for Prosecution Software. We are honored to support local communities and hope that this grant will help Cochise County Attorney's Office make positive impacts in Arizona.

As was indicated in the Request for Proposals issued by the Nation, the grant is conditional upon development of an Intergovernmental Agreement (IGA).

Please contact Doreen McPaul in my office immediately at 520-383-2028 so we can begin drafting the IGA and take the steps necessary for final approval of this grant funding. Congratulations to you and Cochise County Attorney's Office; I look forward to working with you to finalize your grant award.

Sincerely,

Edward D. Manuel  
Chairman, Tohono O'odham Nation

# COCHISE COUNTY GRANT APPROVAL FORM

Form Initiator:

Date Prepared:

Point of Contact:

Phone Number:

Department:

---

## PRIMARY GRANT

Primary Grantor:

CFDA:  
[www.CFDA.gov](http://www.CFDA.gov)

Grant Title:

Grant Term From:

To:

Total Award Amount:

New Grant:      Yes      No

Grant No:

Amendment:      Yes      No

Amendment No:

GL Account No:

If new, Finance will assign a fund number.

Strategic Plan:

District:

Mandated by Law

Yes

No

Number of Positions Funded:

Asset(s) Acquired:

Grantor's reimbursement mileage rate:

Health or pension reimbursement:

Other reimbursement:

Briefly describe the purpose of the grant:

If this is a mandated service, cite the source. If not mandated, cite indications of local customer support for this service.

**PRIMARY FUNDING SOURCE**

Funding Year: Federal Funds 332.100

State Funds 336.100

County Funds 391.000

Other Funds:

Total Funds:

Has this amount been budgeted? Yes No

Method of collecting funds: Lump Sum Quarterly Draw Reimbursement

Is revertment of unexpected funds required at the end of grant period? Yes No

(a) Total indirect (A-87) Cost Allocation:

(b) Amount of overhead allowed by grant:

County Subsidy (a) - (b) =

Is there a Secondary Grant Award associated with this Grant? Yes No

Name of Grant: Funder:

If yes please complete an additional grant approval form.

Is County match required? Yes No

County match source:

County match dollar amount or percentage:

**NOTE: Please attach this Grant Approval form to the AgendaQuick item. The AgendaQuick "Grant Approval template" must be used. Once approved by the Board of Supervisors, the department is responsible for sending a copy of the fully executed GRANT DOCUMENT (not this approval form) to the Finance Department.**

**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016  
IGA Border Strike Force  
**Submitted By:** Tom Alinen, County Sheriff  
**Department:** County Sheriff  
**Presentation:** No A/V Presentation  
**Document Signatures:** BOS Signature Required

**Recommendation:** Approve  
**# of ORIGINALS Submitted for Signature:** 2

**NAME of PRESENTER:** Thad Smith  
**Mandated Function?:** Not Mandated

**TITLE of PRESENTER:** Chief Deputy  
**Source of Mandate or Basis for Support?:**

**Docket Number (If applicable):**

**Information**

**Agenda Item Text:**

Approve Intergovernmental Agreement (IGA) 2016-107 between the Arizona Department of Public Safety (DPS) and the Cochise County Sheriff's Office to hire five new deputies for the Border Strike Force Bureau effective August 30, 2016 to June 30, 2017 with automatic annual renewal options through June 30, 2021.

**Background:**

This document is the IGA from the Arizona Department of Public Safety (DPS) to help fund the hiring of five (5) deputies. The purpose of hiring these deputies under this agreement shall be to enhance law enforcement services concerning the criminal activities of criminal syndicates', drug and human smuggling organizations, street gangs and transnational threats related to the U.S./Mexico border within Cochise County, through cooperative efforts of DPS and the Cochise County Sheriff's Office (CCSO) Southeast Arizona Border Region Enforcement Unit (SABRE). Utilizing Border Strike Force Bureau (BSFB) funds, DPS agrees to partially fund five (5) fulltime CCSO sworn deputies. DPS and CCSO agree the five (5) CCSO deputies will be assigned to the SABRE/BSFB on a fulltime basis to perform the mission of SABRE/BSFB five (75%) percent of payroll expenses of the officers related to this assignment. CCSO will pay twenty-five (25%) percent of payroll expenses. The duration of this IGA shall be the fiscal year, July 1st through June 30th, and shall renew annually on July 1st for a period of time not to exceed ten (10) years from July 1st, 2016. Annual renewal shall be contingent upon legislative allocated budget approval for the applicable fiscal year. If funds are not allocated to support this agreement, DPS will provide written notice to CCSO notifying them of termination of funding and cancelation of the IGA.

DPS is authorized and empowered to enter into this IGA pursuant to A.R.S. 41-1713(B)(3). Both parties are authorized and empowered to enter into this IGA952. CCSO is authorized and empowered pursuant to 11-952.

Deputy Cochise County Attorney Lauri Owens has reviewed and approved this agreement on September 26, 2016. This Agreement is identified as DPS Contract Number 2014-107.

The IGA is an attachment to this agenda package.

**Department's Next Steps (if approved):**

If this agenda item is approved, the Cochise County Sheriff's Office and the Arizona Department of Public Safety will take the administrative steps necessary to put this program together.

**Impact of NOT Approving/Alternatives:**

If not approved, the IGA will be returned to the Arizona Department of Public Safety with no further action.

**To BOS Staff: Document Disposition/Follow-Up:**

One copy to be retained by Cochise County and one copy to be returned to the Arizona Department of Public Safety through Chief Deputy Thad Smith.

**Budget Information**

*Information about available funds*

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

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Fiscal Year:** 2016/2017

**One-time Fixed Costs? (\$\$\$):** 164,867.75

**Ongoing Costs? (\$\$\$):** 112,242.75

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

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

**Source of Funding?:**

**Fiscal Impact & Funding Sources (if known):**

The Sheriff's Office completed a reviewed of it's current budget. The Sheriff's Office has confirmed sufficient vacancy savings exists in the sworn budget line to cover the full cost of the County's required contribution of 25% for all five deputy positions. This vacancy savings is derived from DPS GILTEM grant funds currently paying 75% of salary and all ERE for 1 Sergeant and 2 Deputies assigned to CCSO SABRE unit. The GF vacancy savings are the equivalent of 2.25 FTE's. Additional costs to the county include annual operating expense and capital expenses. These costs are further outlined below.

**Annual Operating Cost:**

- 1 - Sergeant (classified/non-exempt)
- Step 2 Wages – 57,000.00
- ERE – 35,055.00 = 61.5% (FICA, PSRS, WC)
- Health Ins – 7,458.00 (employee/dependant)
- **Total – 99,513.00**
  
- 1 - Master Deputy (classified/non-exempt)
- Wages – 52,000.00
- ERE – 31,980.00 = 61.5% (FICA, PSRS, WC)
- Health Ins – 7,458.00 (employee only)
- **Total – 91,438.00**
  
- 1 - Senior Deputy (classified/non-exempt)
- Wages – 49,000.00
- ERE – 30,135.00 = 61.5% (FICA, PSRS, WC)
- Health Ins – 7,458.00 (employee only)
- **Total – 86,593.00**
  
- 2 - Intermediate Deputy (classified/non-exempt)
- Wages – 46,000.00
- ERE – 28,290.00 = 61.5% (FICA, PSRS, WC)
- Health Ins – 7,458.00 (employee/dependant)
- **Total – 81,748.00**
- **Subtotal – 163,496.00**
  
- Uniform Allowance
- 720.00 – (annual per deputy)
- **Total – 3,600.00** (annual x 5)
  
- Overtime
- 1,397.44 - FY15/16 GF per person average (sworn classified/non-exempt)
- **Total – 6,987.20** (5 sworn classified/non-exempt)
  
- Training
  - 1225.40 - FY15/16 GF per person average(sworn)
  - **Total – 6,127.00** (5 sworn classified/non-exempt)
  
- Body Armor
- 700.00 (per unit every 5 yrs)
- 140.00 (per unit annually)
- **Total – 700.00** (annually x 5 units)
  
- Vehicle Operation
- Annual- 17,820.00 (replace/maintenance/fuelper mile = \$0.66 @ 27,000 miles annually)
- Jet Pack – 480.00 annual (mobile computer)
- Radio – 130.00 annual (fleet costs replacement)
- **Total – 18,430.00**
- **Subtotal – 92,150.00**

- Ammunition
- Training and Duty - 535.71 (per deputy annually)
- **Total – 2,678.55** (all calibers)
- **Annual Operating Cost Totals:**
- 330,780.00 (75% GIITEM salary/ERE/benefits)
- 110,260.00(25% COCHISE salary/ERE/benefits)
- 441,040.00(total salary/ERE's/benefits)
- 112,242.75(vehicle/training/OT/armor/ COCHISE)
- **553,282.75 – (Total)**
- **- 330,780.00 – (GIITEM FUNDS)**
- **- 110,260.00 – (COCHISE GF VACANCY SAVINGS FUNDS)**
- **112,242.75 – Subtotal (COCHISE ANNUAL OPERATING FUNDS - new money)**

**Capital Expenses:**

- Vehicles
  - 89,960.00 – 2, SSV 4x4 Tahoe @ 44,980.00 ea. (state contract)
  - 85,260.00 – 2, PPV 4x2 Tahoe @ 42,630.00 ea. (state contract)
  - 40,750.00 – 1, K1500 4x4 crew cab P.U. @ 40,750.00 ea. (state contract)
  - **Total – 215,970.00 (5 units) (Cochise funds – new money)**
- Equipment Issued (*\*asterisk indicates out of stock*)
  - Motorola Portable Radio – 9,000.00 with attachments
  - Motorola Mobile Radio – 7,000.00 with attachments
  - Handgun – 1,100.00
  - Rifle – 950.00
  - Shotgun – 530.00
  - Panasonic Tablet - 8,500.00\* (docking station, console, and all ancillary parts)
  - Taser – 1,200.00\*
  - Road Spikes – 500.00\*
  - Flashlight – 130.00\* (with charger)
  - Badge – 95.00\*
  - Recorder – 100.00\*
  - **Total 29,105.00 (per deputy)**
  - **-18,580.00 (in stock items)**
  - **Total 10,525.00 (per deputy)**
  - **Subtotal 52,625.00 (5 deputies) (Cochise funds - new money)**
- **Capital Expense Totals:**
- 215,970.00 (vehicles)
- 145,525.00 (equipment)
- **Total 361,495.00**
- **-215,970.00 (vehicles in stock at Fleet)**
- **-92,900.00 (equipment in stock items for 5 deputies)**
- **Subtotal 52,625.00 (Cochise funds - new money)**
- **Sum-Total:**
- 112,242.75 – (COCHISE ANNUAL OPERATING FUNDS) new money
- 52,625.00 – (COCHISE CAPITAL EXPENSE FUNDS) new money
- **Total – 164,867.75 (first year) new money**
- **112,242.75 (following years annual operating expense - COCHISE FUNDS)**

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**Attachments**

Border Strike Force IGA

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**INTERGOVERNMENTAL AGREEMENT  
REGARDING  
BORDER STRIKE FORCE BUREAU**

This Intergovernmental Agreement ("IGA") is entered into between the State of Arizona through its Department of Public Safety, hereinafter referred to as "DPS" and the Cochise County Sheriff's Office ("CCSO").

The purpose of this Agreement shall be to enhance law enforcement services concerning the criminal activities of criminal syndicates', drug and human smuggling organizations, street gangs and transnational threats related to the U.S/Mexico border within Cochise County, through the cooperative efforts of DPS and the CCSO – Southeast Arizona Border Region Enforcement Unit, hereinafter referred to as "SABRE".

DPS is authorized and empowered to enter into this IGA pursuant to A.R.S. §41-1713 B.3. Both parties are authorized and empowered to enter into this IGA pursuant to A.R.S. §11-952. CCSO is authorized and empowered pursuant to §11-952.

Now, in consideration of the mutual promises set forth herein, the parties to this Agreement hereby agree to the following terms and conditions:

**I. PARTICIPATION**

Utilizing Border Strike Force Bureau, hereinafter referred to as "BSFB," funds, DPS agrees to partially fund five (5) fulltime CCSO sworn officers (deputies). DPS and CCSO agree the five (5) CCSO officers will be assigned to SABRE/BSFB on a fulltime basis to perform the mission of SABRE/BSFB, as directed by CCSO, and DPS.

During this period of assignment, CCSO and DPS agree to allow said officers to maintain all benefits, rights, and privileges available to said officers as if he/she were assigned on a full-time basis to CCSO. The assigned officers must abide by all of the applicable rules and regulations of CCSO and are subject to its disciplinary process.

**II. REIMBURSEMENT**

DPS agrees to reimburse CCSO on a monthly basis (based upon DPS weekly time sheets completed by the officers) for seventy-five (75%) percent of payroll expenses of the officers related to this assignment, including salary, shift pay, benefits (which accrue during the term of the IGA) and employee-related expenses to include employer's workers compensation and social security at established rates, vacation and sick leave taken while working SABRE/BSFB.

Overtime compensation will be for SABRE/BSFB related joint operations only. There must be a minimum of 40 hours of SABRE/BSFB related work in order for DPS to reimburse for overtime in any given week. Based on DPS rules, DPS will reimburse CCSO for overtime compensation to its officers based on funding availability.

Monthly vacation or sick leave which accrues, but not used by the officers, will not be reimbursed. CCSO will pay twenty-five (25%) percent of payroll related expenses. All personnel costs, including shift pay, will be based on a standard forty (40) hour work week, with the understanding the forty (40) hour work week may be altered to address the needs of DPS as it relates to an on-

going investigation or special assignment request dictated by the needs of a requesting city, county, or entity.

Prior to the officers reporting to BSFB, CCSO agrees to furnish DPS with the following information: officer's annual, bi-weekly and hourly rates of base pay and fringe benefits, as well as the overtime rate based upon the assumption outlined above. As part of this agreement, if monies are available, DPS will fund salary raises or modifications to salaries provided CCSO submits such modifications to DPS at least 60 days prior to the effective date of such modification.

CCSO agrees to provide to DPS by the 15<sup>th</sup> of each month a report of the previous month's SABRE/BSFB enforcement operations, investigations and statistics in the format specified by DPS.

All DPS approved travel expenses will be reimbursed directly to the officers by DPS under employee travel reimbursement guidelines established by the Arizona Department of Administration. The amount reimbursed for the aforementioned expenditures shall be for actual costs incurred during the effective dates of this IGA.

Any other equipment assigned to the officers for use during the assignment shall remain the property of the party that assigned the equipment.

### **III. IMMIGRATION**

All parties agree to comply with A.R.S. §§23-214 and 41-4401.

### **IV. NONDISCRIMINATION**

All parties agree to comply with the non-discrimination provisions of the Governor's Executive Order 2009-09.

### **V. INDEMNIFICATION**

Each party (as "indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such claims which result in vicarious/derivative liability to the indemnitee, are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers, agents, employees, or volunteers.

### **VI. DRUG FREE WORKPLACE**

Any officers assigned to BSFB will be subject to random and/or for cause, drug and alcohol testing in accordance with his/her Agency's guidelines. If the Agency does not have a drug free program, the officers will be required to submit to testing pursuant to the DPS Drug Free Workplace Program. Each assigned officer shall be subject to the responsibilities of and shall retain all rights as provided for in the DPS Drug Free Workplace Program Manual, DPS Form Number DPS 932-02056. DPS shall not charge any fee or cost to the Agency for any assigned officers who undergo testing. Officers may be removed from BSFB for failure to comply with the program or for failure to pass DPS drug screening requirements.

## **VII. RECORDKEEPING**

All records regarding the IGA, including the officer's time accounting logs, must be retained for five (5) years in compliance with A.R.S. §35-214, Entitled Inspection and Audit of Contract Provisions.

## **VIII. FEES**

In no event shall either party charge the other for any administrative fees for any work performed pursuant to the IGA.

## **IX. JURISDICTION**

CCSO agrees to permit their officers to work outside of their regular jurisdictional boundaries.

## **X. ARBITRATION**

In the event of a dispute under this IGA, the parties agree to use arbitration to the extent required under A.R.S. §§ 12-1518 and 12-133.

## **XI. WORKER'S COMPENSATION BENEFITS**

Pursuant to A.R.S. §23-1022 D., for the purposes of Worker's Compensation coverage, CCSO officers covered by the IGA shall be deemed to be employees of both agencies. CCSO, as the primary employer, shall be solely liable for payment of Worker's Compensation Benefits and the processing of any potential claims occurring during the officer's assignment to BSFB.

## **XII. LIMITATIONS**

This agreement in no way restricts either party from participating in similar activities with other public or private agencies, organizations, and individuals. Nothing in this agreement shall be construed as limiting or expanding the statutory responsibilities of the parties.

## **XIII. EFFECTIVE DATE/DURATION**

The terms of this agreement shall become effective upon the date the last signature is obtained and shall remain in effect until June 30<sup>th</sup>, 2017. Thereafter, the duration of this IGA shall be the fiscal year, July 1<sup>st</sup> through June 30<sup>th</sup>, and shall renew annually on July 1<sup>st</sup> for a period of time not to exceed ten (10) years from July 1<sup>st</sup>, 2016.

Annual renewal shall be contingent upon legislative allocated budget approval for the applicable fiscal year. If funds are not allocated to support this agreement, DPS will provide written notice to CCSO notifying them of termination of funding and cancellation of the IGA.

## **XIV. AVAILABILITY OF FUNDS**

Every payment obligation of DPS under this agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of the agreement, the agreement may be terminated by DPS at the end of the period for which funds are available. No liability shall accrue to DPS in the event this provision is exercised, and DPS shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

**XV. CANCELLATION**

All parties are hereby put on notice that this IGA is subject to cancellation by the Governor for conflicts of interest pursuant to A.R.S. §38-511.

**XVI. TERMINATION**

Either party may terminate the IGA for convenience or cause upon thirty (30) days written notice to the other party. Upon termination, DPS shall pay all outstanding amounts up through the time upon which the termination becomes effective. All property shall be returned to the owning party upon termination.

Any notice required to be given under the IGA will be provided by mail to:

BSFB Commander  
Arizona Department of Public Safety  
P. O. Box 6638, Mail Drop 3700  
Phoenix, Arizona 85005-6638

Sheriff Mark Dannels  
Cochise County Sheriff's Office  
205 North Judd Drive  
Bisbee, Arizona 85603

**XVII. VALIDITY**

This document contains the entire agreement between the parties and may not be modified, amended, altered or extended except through a written amendment signed by both parties. If any portion of this agreement is held to be invalid, the remaining provisions shall not be affected.

The parties hereto have caused this IGA to be executed by the proper officers and officials.

**STATE OF ARIZONA**

BY:   
Colonel Frank L. Milstead, Director  
Arizona Department of Public Safety

DATE: 9-19-16

**APPROVED AS TO FORM:**

  
Assistant Attorney General

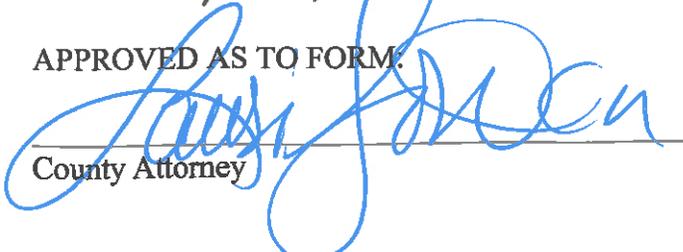
DATE: 9/19/16

**COCHISE COUNTY SHERIFF'S OFFICE**

BY:   
Mark J. Dannels, Sheriff

DATE: 9/26/2016

**APPROVED AS TO FORM:**

  
County Attorney

DATE: 9/26/16

**COCHISE COUNTY BOARD OF SUPERVISORS**

**BY:** \_\_\_\_\_  
Richard Scarle, Chairman of the Board

**DATE:** \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Arlathe G. Rios, Clerk of the Board

**DATE:** \_\_\_\_\_



**MARK BRNOVICH**  
ATTORNEY GENERAL

**OFFICE OF THE ARIZONA ATTORNEY GENERAL**  
STATE GOVERNMENT DIVISION / TRANSPORTATION SECTION

**DAWN NORTHUP**  
DIVISION CHIEF COUNSEL  
**MATTHEW T. HERLIHY**  
ASSISTANT ATTORNEY GENERAL

July 28, 2016

**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. P0012016002764 (DPS IGA 2016-107), an Agreement between public agencies, the State of Arizona and the Cochise County Sheriff's Office, has been reviewed pursuant to A.R.S. §§ 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

**MARK BRNOVICH**  
Attorney General

  
\_\_\_\_\_  
**MATTHEW T. HERLIHY**  
Assistant Attorney General  
Transportation Section

MTH:rt:# 5227397  
Attachment

**Action 17.  
Facilities**

**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016

Agreement for Purchase/Sale of Real Estate

**Submitted By:** Arlethe Rios, Board of Supervisors

**Department:** Board of Supervisors

**Presentation:** No A/V Presentation

**Document Signatures:**

**Recommendation:**

**# of ORIGINALS**

**Submitted for Signature:**

**NAME** Jay Howe

**of PRESENTER:**

**TITLE**

**of PRESENTER:**

Facilities

Management Director

**Mandated Function?:**

**Source of Mandate**

**or Basis for Support?:**

---

**Information**

**Agenda Item Text:**

Approve an Agreement for the purchase and sale of real estate in Benson between Cochise County and FAS Benson LLC in the amount of \$12,500.

**Background:**

The County and FAS Benson found it to be mutually beneficial to purchase and sell properties that each entity owned in order to benefit one another. The reason the County is interested in parcel 123-23-26A is to build additional parking for the Regional Service Center in Benson.

**Department's Next Steps (if approved):**

Return fully executed agreement to Escrow company to finalize the purchase agreement.

**Impact of NOT Approving/Alternatives:**

The County will not have additional space to build more parking for the service center in Benson.

**To BOS Staff: Document Disposition/Follow-Up:**

Return packet back to Britt.

---

**Budget Information**

*Information about available funds*

**Budgeted:**

**Funds Available:**

**Amount Available:**

**Unbudgeted:**

**Funds NOT Available:**

**Amendment:**

**Account Code(s) for Available Funds**

1:

**Fund Transfers**

**Attachments**

Agreement for Purchase.Sale of Reasl Estate in Benson

---

## AGREEMENT FOR THE PURCHASE AND SALE OF REAL ESTATE

THIS AGREEMENT (the "Agreement") is entered into by and between COCHISE COUNTY, a political subdivision of the State of Arizona, whose address is 1415 Melody Lane, Building G, Bisbee, Arizona 85603 (the "Buyer") and FAS Benson, LLC, an Arizona limited partnership, whose address is P.O. Box 940, Benson, AZ 85602 (the "Seller"). The following Exhibits are attached to and made a part of this Agreement:

- Exhibit A – Description of Property
- Exhibit B – Location Map

### RECITALS

A. The Buyer owns and operates a Regional Service Center at 126 W. 5<sup>th</sup> St., Benson, Arizona (the "Center"), and desires additional parking for the Center; and

C. The Seller owns a lot across the street from the Center, at 117 W. 5<sup>th</sup> St., Benson, Arizona, Parcel #123-23-266A, more particularly described on Exhibits A and B hereto (the "Property"), that the County believes would be suitable for additional parking for the Center; and

D. Buyer desires to purchase and the Seller desires to sell the Property for the purposes set forth above under the terms and conditions set forth in this Agreement.

### TERMS AND CONDITIONS

The Seller hereby agrees to sell, and the Buyer agrees to purchase the Property on all of the terms and conditions set forth below.

1. **Escrow.** Upon mutual execution of this Agreement, the parties shall execute escrow instructions to Pioneer Title Agency of Arizona, with an address at 363 W. 4<sup>th</sup> St., Benson, AZ ("Escrow Holder") to consummate the purchase. The provisions of this Agreement shall constitute joint instructions to the Escrow Holder; provided, however, that the parties shall execute such additional instructions as requested by the Escrow Holder not inconsistent with the provisions of this Agreement.

2. **Purchase Price and Other Consideration.**

Purchase Agreement 117 W. 5<sup>th</sup> St. Benson  
FAS Benson LLC and Cochise County

A. The total purchase price for the Property shall be twelve thousand five hundred dollars (\$12,500.00). The purchase price shall be paid in cash at closing.

3. **Closing Date.** Closing shall be held at the office of the Escrow Holder on a date mutually acceptable to the Seller and the Buyer (the "Closing"), but no later than \_\_\_\_\_ (the "Closing Date"), unless such Closing Date is extended upon the mutual written agreement of Buyer and the Seller.

4. **Title Commitment.**

A. Upon the execution of this Agreement, the Seller shall provide to the Buyer a title commitment issued by Escrow Holder, pursuant to which such title company is prepared to issue to the Buyer a standard coverage owner's policy of title insurance for the Property in the amount of the total purchase price. The title policy shall be paid for by the Seller.

5. **Title.** At closing, the Seller shall execute and deliver a good and sufficient special warranty deed, conveying good, insurable and marketable title to the Property to the Buyer and its assigns, in fee simple free and clear of all monetary liens, encumbrances and other exceptions, except such easements, restrictions and other exceptions of record or readily apparent upon inspection. ~~The obligations of Buyer to close, and to pay the purchase price, shall be specifically conditioned upon recordation of a document removing the easement on the Property depicted on Exhibit B hereto and which was granted pursuant to a deed recorded on July 22, 1982 as Docket 1606, pp. 466-467.~~

6. **No Representations or Warranties by the Seller.** Buyer acknowledges that it is fully familiar with the Property and has had an ample opportunity to independently investigate and examine all aspects of the Property. BUYER SPECIFICALLY ACKNOWLEDGES AND AGREES THAT THE SELLER IS SELLING AND BUYER IS BUYING THE PROPERTY ON AN "AS IS, WITH ALL FAULTS" BASIS AND THAT BUYER IS NOT RELYING ON ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, FROM THE SELLER

7. **Possession and Risk of Loss.** The Seller shall deliver possession of the Property to the Buyer at closing and shall bear the risk of loss until the delivery of such possession.

8. **Taxes.** The Seller agrees that all taxes, assessments and encumbrances that are a lien against the Property at closing shall be satisfied of record by the Seller at or before

closing. If the Seller shall fail to do so, the Buyer may pay any such tax, assessment, encumbrance, or other charge and deduct an amount equal to any such payment from the purchase price of the Property. Regular real property taxes payable during the year in which closing shall occur shall be prorated as of closing.

9. **Prorations.** All rents and other income, if any, and water, sewer, utility and maintenance charges, and any other expenses with respect to the operation of the Property shall be prorated between Buyer and the Seller as of the Closing Date, and to the extent information then available, such proration shall be made as of the date of Closing. Such proration shall be adjusted and completed after the Closing Date as and when complete information becomes available, and the Seller and Buyer agree to cooperate and use their best efforts to complete such prorations not later than sixty (60) days after the Closing Date. No insurance prorations shall be made. In the event the Seller has prepaid any real estate taxes, the Seller may ~~seek a refund from the appropriate county official,~~ or receive a credit from the Buyer at Closing. 

10. **Costs and Fees.** Escrow fees, and other costs of closing not otherwise described herein, shall be split 50/50 by Buyer and Seller.

11. **Right of Entry.** The Buyer may enter upon the Property at reasonable times for surveying, inspection and other reasonable purposes related to this transaction, provided, however, that Buyer shall indemnify the Seller for any damage to the Property arising out of Buyer's exercise of its rights under this paragraph.

12. **Broker's Commission.** The Buyer and Seller each represents that it has not contracted with any broker or finder with regard to this transaction.

13. **Notices.** Any notice, demand, request, consent or approval that either party desires or is required to give to the other party under this Agreement shall be in writing and shall be sent to the following relevant address:

TO THE SELLER:

FAS Benson LLC  
Richard Fasanella  
[insert address and phone #]

TO THE BUYER:

Board of Supervisors  
Attn: Clerk of the Board  
Cochise County  
1415 Melody Lane, Building G  
Bisbee, AZ 85603  
520/432-9200

Notices may be sent by any of the following means: (i) by delivery in person, (ii) by certified U.S. mail, return receipt requested, postage prepaid, (iii) by Federal Express or other reputable "overnight" delivery service, provided that next-business-day delivery is requested by the sender; or (iv) by facsimile transmission or in electronic form by e-mail. All notices complying with this Paragraph shall be effective only upon delivery.

14. **Miscellaneous.**

A. This Agreement may be executed in several counterparts and signatures may be delivered via telephone facsimile or in electronic form by e-mail, which shall constitute one agreement that is binding on all of the parties, notwithstanding that the parties may have signed different counterparts.

B. If any provision of this Agreement is held invalid, the other provisions shall not be affected thereby.

C. This Agreement represents the entire agreement of the parties and may not be amended except by a writing signed by each party hereto.

D. Each party to this Agreement warrants to the other that if it is a business entity, it is duly organized, validly existing and qualified to do business in the State of Arizona and that it and the respective signatories have full right and authority to enter into and consummate this Agreement and all related documents.

E. The obligations, covenants, representations, warranties and remedies set forth in this Agreement shall not merge with transfer of title but shall remain in effect.

F. Each party shall execute and deliver or cause to be executed and delivered all instruments reasonably required to convey the Property to the Buyer and to vest in each party all rights, interests and benefits intended to be conferred by this Agreement.

G. This Agreement shall be governed by the laws of the State of Arizona.

H. In the event of a dispute the prevailing party shall be entitled to payment of its reasonable attorneys fees and costs in arbitrating or litigating the dispute.

I. Both parties shall act reasonably and in good faith in order to consummate this transaction, and the Seller shall neither sell nor dispose of any of the Property nor

cause or suffer the creation of any matter of record, or defect in the title to the Property for the purpose of avoiding its obligation to close.

J. The section and other headings used in this Agreement are for convenience of reference only and shall not affect the meaning or interpretation of this Agreement. Whenever the context so requires, the use of the singular shall be deemed to include the plural and vice versa, and each reference to the neuter shall be deemed to include the appropriate gender. In this Agreement, the use of the words “including” or “include” shall not be deemed to limit the generality of the term or clause to which it has reference, whether or not non-limiting language (such as “without limitation” or “but not limited to” or words of similar meaning) is used with reference thereto.

K. If the due date for performing any action or obligation or for providing any notice under this Agreement falls on a Saturday, Sunday or federal or Arizona legal holiday, the due date shall be deemed to be the immediately following date that is not a Saturday, Sunday or federal or Arizona legal holiday.

*REMAINDER OF PAGE INTENTIONALLY LEFT BLANK  
SIGNATURE PAGE FOLLOWS*

IN WITNESS WHEREOF, the Conservancy and the Buyer have executed this Agreement on the dates listed below their respective signatures.

SELLER:

BUYER:

FAS Benson LLC, an Arizona Limited Liability Partnership

COCHISE COUNTY, a political body of the State of Arizona

By:  \_\_\_\_\_  
Its: OWNER \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Date: 9/21/16 \_\_\_\_\_

Date: \_\_\_\_\_

**Exhibit A**  
**Description of Property**

All that real property located in the County of Cochise, Arizona, more particularly described as follows:

Lots 19 and 20, Block 28, of the TOWN OF BENSON, according to Book 1 of Plats, page 130, records of Cochise County, Arizona.

*END OF LEGAL DESCRIPTION*  
*REMAINDER OF PAGE INTENTIONALLY LEFT BLANK*

**Exhibit B**  
**Location Map**  
**[Please see attached map.]**

PIONEER TO ATTACH A CLOSE OF ESCROW

**Regular Board of Supervisors Meeting**

**Meeting Date:** 10/11/2016

Approval of Resolution Dissolving the Quasi-Independent Housing Authority and Reintegrating It As a Department Into the County Body

**Submitted By:** Lauri Owen, County Attorney

**Department:** County Attorney

**Presentation:** No A/V Presentation      **Recommendation:** Approve

**Document Signatures:** BOS Signature Required      **# of ORIGINALS Submitted for Signature:** 1

**NAME of PRESENTER:** Anita Baca      **TITLE of PRESENTER:** Director, Housing Authority

**Docket Number (If applicable):**

**Mandated Function?:** Not Mandated      **Source of Mandate or Basis for Support?:**

**Information**

**Agenda Item Text:**

Adopt Resolution 16-44 dissolving the Quasi-Independent Housing Authority and reintegrating it as a department into the Cochise County government.

**Background:**

In 2002, and via three Cochise County Resolutions, including 02-41, 02-42, and 02-43, the Cochise County Board of Supervisors created a separate, quasi-independent public housing agency known as the Housing Authority of Cochise County, including its own governing board of commissioners, to which the Cochise County Board of Supervisors delegated certain powers. The Cochise County Housing Authority is the only quasi-independent housing authority in Arizona.

The Auditor General recently raised difficult issues as to whether, given the quasi-independent status of the Housing Authority, its employees were employees of the Housing Authority or the County since these employees are on the County payroll. In discussions about this issue among Finance, the Housing Authority, and the County Attorney, no one could discover any benefit to having a quasi-independent Housing Authority. In addition, in the current set-up, for any proposed action the Director of the Housing Authority has to obtain approval of both the Housing Authority Board and the Board of Supervisors.

Accordingly, we are proposing that the housing programs be administered directly under the Board of Supervisors as a department, but which would remain under the Public Support Services Administrative functions. HUD has expressed no objection to doing so. On September 19, 2016, the Board of Commissioners for the Housing Authority of Cochise County passed a resolution dissolving its board and relinquished its powers back to the Cochise County Board of Commissioners. Now, with this resolution, the Cochise County Board of Supervisors would dissolve that quasi-independent housing agency, and its board, and reintegrates it as the Housing Department into the Cochise County governmental body.

**Department's Next Steps (if approved):**

Effective November 1, 2016, the Housing Authority of Cochise County will be reabsorbed into the Cochise County governmental body as a department.

**Impact of NOT Approving/Alternatives:**

The Housing Authority of Cochise County would continue as a quasi-independent agency, with a hybrid status that would continue to raise issues with the Auditor General with no corresponding benefit to the County.

**To BOS Staff: Document Disposition/Follow-Up:**

Please retain the original copy and provide one, signed copy to the Housing Authority for the U.S. Department of Housing and Urban Development.

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**Attachments**

Resolution

Attachments for BS Resolution Dissolving HACC

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**RESOLUTION 16-\_\_\_**

**DISSOLVING THE QUASI-INDEPENDENT ENTITY OF THE PUBLIC HOUSING AUTHORITY OF COCHISE COUNTY CREATED IN COCHISE COUNTY RESOLUTIONS 02-41, 02-42, AND 02-43 AND REINTEGRATING THE HOUSING AUTHORITY AS A DEPARTMENT INTO THE COCHISE COUNTY GOVERNMENT**

**WHEREAS**, acting pursuant to A.R.S. §§ 11-201(A), 11-202, and 36-1401 et. seq., the Cochise County Board of Supervisors (“the Board”), as a body politic and corporate, is empowered to hold property, make contracts, and to exercise its powers in the interests of the inhabitants of Cochise County, including providing affordable housing; and

**WHEREAS**, the provision of affordable housing for persons of low income is a recognized public purpose under federal and state public housing laws; and

**WHEREAS**, the Board desires to continue the County’s support for decent, livable, and affordable housing to persons of low income; and

**WHEREAS**, in 2002, and pursuant to A.R.S. § 36-1404 and via Resolutions 02-41, 02-42, 02-43, and other, similar resolutions, if any, the Board created a separate, quasi-independent, public housing entity in Cochise County, known as the Housing Authority of Cochise County (“HACC”), with its own governing board of Commissioners, and to which the Board delegated certain powers; and

**WHEREAS**, Cochise County Board of Supervisors now desires to directly administer and supervise the functions and operations of HACC;

**WHEREAS**, the Board thus desires to dissolve HACC and to reabsorb its functions and operations under direct supervision of the Board; and

**WHEREAS**, the HACC on 19 September 2016 and via Resolution 16-03 dissolved its Board of Commissioners in order to tender those powers back to the Board,

**NOW, THEREFORE, BE IT RESOLVED** by the Cochise County Board of Supervisors as follows:

**SECTION 1:** That Cochise County Resolutions 02-41, 02-42, 02-43, and any other, prior resolutions in which the Board created HACC and delegated certain powers to it, or that are

**RESOLUTION 16-\_\_\_\_**

**RE: Dissolving The Quasi-Independent Entity Of The Public Housing Authority Of Cochise County Created In Cochise County Resolutions 02-41, 02-42, And 02-43 And Reintegrating The Housing Authority As A Department Into The Cochise County Government**

Page | 2

inconsistent with this Resolution, are hereby repealed or amended so as to be consistent with this Resolution and Order;

**SECTION 2:** That all powers previously vested in the Commissioners of the Housing Authority of Cochise County by resolution are henceforth revoked and such powers reabsorbed by the Cochise County Board of Supervisors;

**SECTION 3:** That the functions and operations of HACC are hereby reintegrated into the central Cochise County political subdivision, and HACC is thus placed back under the supervision of the Board of Supervisors, effective November 1, 2016; and

**SECTION 4:** That the Commission appointed to oversee HACC shall be dissolved and its governing powers reabsorbed by the Cochise County Board of Supervisors.

**PASSED, APPROVED AND ADOPTED** by the Cochise County Board of Supervisors, \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Richard Searle  
Chair: Board of Supervisors

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Arlethe G. Rios  
Clerk of the Board

\_\_\_\_\_  
Lauri J. Owen  
Civil Deputy County Attorney



# Housing Authority of Cochise County

Public Programs...Personal Service  
www.cochise.az.gov

ANITA BACA  
Executive Director

## HOUSING AUTHORITY OF COCHISE COUNTY BOARD OF COMMISSIONERS RESOLUTION 16-03

### DISSOLVING THE QUASI-INDEPENDENT ENTITY OF THE PUBLIC HOUSING AUTHORITY OF COCHISE COUNTY CREATED IN COCHISE COUNTY RESOLUTIONS 02-41, 02-42, 02-43, AND REINTEGRATING THE HOUSING AUTHORITY AS A DEPARTMENT INTO THE COCHISE COUNTY GOVERNMENT

**WHEREAS**, in 2002, and pursuant to A.R.S. section 36-1404 and via Resolutions 02-41, 02-42, 02-43, and other, similar resolutions, if any, the Cochise County Board of Supervisors ("the County Board") created a separate, quasi-independent, public housing entity in Cochise County, known as the Housing Authority of Cochise County ("HACC"), with its own governing board of Commissioners ("the Housing Board"), and to which the County Board delegated certain powers; and

**WHEREAS**, the County Board now desires to directly administer and supervise the functions and operations of HACC; and

**WHEREAS**, both the County Board and the Housing Board thus desire to dissolve HACC and for the County Board to reabsorb HACC's functions and operations and to replace HACC under the direct supervision of the County Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSING AUTHORITY OF COCHISE COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:**

**SECTION 1:** That the Housing Board hereby relinquishes to the County Board the administration of HACC, including direction of its functions and operations, thus placing HACC back under the supervision of the Board of Supervisors, effective upon the date the County Board accepts this relinquishment; and

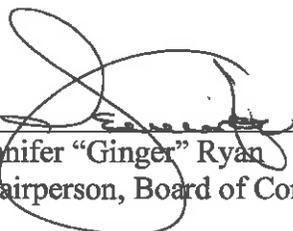
**SECTION 2:** That upon receipt of an executed County Board resolution reabsorbing HACC, the Commissioners appointed to oversee HACC shall immediately relinquish to the County Board their powers and their authority and shall henceforth and forever abandon their office.

///

1415 Melody Lane, Building A  
Bisbee, Arizona 85603  
520-432-8880  
520-432-8890 fax  
520-432-8360 TTD  
abaca@cochise.az.gov

**Board of Commissioners**  
Chair: Jennifer "Ginger" Ryan  
Vice Chair: Kathleen A. Calabrese  
Melissa Herrera-DiPeso  
R. Keith Newlon

**PASSED, APPROVED AND ADOPTED** by the **Housing Authority of Cochise County Board of Supervisors** this 19th day of September 2016.

  
Jennifer "Ginger" Ryan  
Chairperson, Board of Commissioners





# Cochise Aging & Social Services

## MEMORANDUM

Director:  
Denise Pederson

**DATE:** May 9, 2002  
**TO:** Board of Supervisors  
**FROM:** Dee Dee Pederson, Director, CASS   
**RE:** Housing Authority of Cochise County

In accordance with the direction given by the Board of Supervisors in its most recent Work Session regarding the establishment of an independent Housing Authority for Cochise County, the following organizational papers are submitted for your consideration and approval:

Resolution (**Attachment A**) establishes an independent Housing Authority within Cochise County (Housing Authority of Cochise County). This resolution delegates certain statutorily prescribed powers to the Housing Authority. The resolution also directs that five Commissioners be appointed by the Board of Supervisors, in staggered terms. The Board may also appoint a non-voting liaison to the Commission, at your discretion.

Resolution (**Attachment B**) establishes the reporting procedures under which the Housing Authority will operate. Specifically, this resolution incorporates and mandates administrative and reporting requirements for the Housing Authority in order to comply with federal and state requirements as well as to keep the Board of Supervisors informed of its operations and progress. This resolution also mandates that the Housing Authority must carry separate liability insurance in an amount approved by the Board of Supervisors.

Bylaws for the Housing Authority (**Attachment C**) detail the organizational structure, procedures and operations of the Housing Authority. It details the duties and responsibilities of the Commissioners and Officers of the Housing Authority, the meeting requirements, voting procedures, and reiterates operational reporting requirements.

Also, to provide the Board of Supervisors objective criteria with which to assess the Housing Authority's operations and progress, the Bylaws require that the Authority review and/or approve the Audited Financial Statements and Management Letters, Viability Standards, and Goals and Assessment Reviews (**Attachment D**).

As was discussed in its most recent Work Session, our goal is to establish an organization that will shift housing program responsibilities to an independent commission with the experience and attention necessary to improve the availability and quality of affordable housing opportunities for lower income residents of Cochise County.

Attachments A-D

C: Patrick Ledger, Deputy County Attorney  
Jairie Tent, Acting Director, Housing Division

**Bisbee Location**  
Building A  
1415 W. Melody Ln.  
Bisbee, AZ 85603

**Area Agency on Aging**  
Benson: (520) 586-9183  
Bisbee: (520) 432-9680  
Douglas: (520) 364-7575  
Sierra Vista: (520) 803-3909  
Willcox: (520) 384-4662

**Cochise Health Systems**  
P.O. Box 4249  
Bisbee, AZ 85603-4249  
(520) 432-9481  
(520) 432-9697 FAX  
Benson: (520) 586-9183  
(520) 586-1503

**Housing**  
(520) 432-9460  
(520) 432-9480 FAX

**Public Fiduciary**  
P.O. Box 4279  
Bisbee, AZ 85603-4279  
(520) 432-9407  
(520) 432-2438 FAX

# Board of Supervisors

Patrick Call  
Chairman,  
District 1

Paul Newman  
District 2

Leslie E. Thompson  
District 3



Jody N. Klein  
County Administrator

Nadine Parkhurst  
Clerk

## RESOLUTION NO. 02- 41

**A RESOLUTION ESTABLISHING THE PUBLIC HOUSING AUTHORITY OF COCHISE COUNTY; DELEGATING THERETO CERTAIN POWERS AS MAY BE CONFERRED UPON COCHISE COUNTY BY FEDERAL AND STATE PUBLIC HOUSING LAWS; PROVIDING FOR ITS ADMINISTRATION AND OPERATION; REPEALING PRIOR INCONSISTENT RESOLUTIONS.**

**WHEREAS**, the Cochise County Board of Supervisors (the "Board of Supervisors") desires to continue the County's support for decent, livable and affordable housing to persons of low income; and

**WHEREAS**, the provision of affordable housing for persons of low income is a recognized public purpose under federal and state public housing laws; and

**WHEREAS**, Cochise County Board of Supervisors desires to establish the Public Housing Authority of Cochise County (the "Housing Authority") and to delegate certain powers to the Housing Authority to assist its operation and administration; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COCHISE COUNTY BOARD OF SUPERVISORS AS FOLLOWS:**

**SECTION 1:** That pursuant to Arizona Revised Statute §36-1404(A) the Agency shall be established by and through Cochise County;

**SECTION 2:** That the Board of Supervisors hereby delegates to the Housing Authority those powers enumerated by Title 36, Chapter 12, Arizona Revised Statutes, including the power to acquire, own, maintain and dispose of real estate and appurtenances to real estate, to collect rents, to construct, maintain, operate and manage a housing project or projects, and to engage in those fiscal and business transactions necessary and proper to exercise these powers and to discharge its duties as a housing authority;

**SECTION 3:** That the Board of Supervisors of Cochise County hereby delegates to the Housing Authority the power to administer federal housing programs in Cochise County to the extent that such programs do not conflict with established municipal housing authorities in Cochise County;

**SECTION 4:** That all powers conferred on the Housing Authority are vested in its Commissioners, which shall be comprised of five persons appointed by the Board of Supervisors. The Commissioners of the Housing Authority first appointed shall be designated to serve for terms of one, two, three, four and five years, respectively, from the date of their appointment, but thereafter Commissioners shall be appointed for a term of office of five years. The Board of Supervisors may provide that one or more Board members be automatically appointed as Commissioners of the Housing Authority or, alternatively, the Board may appoint a nonvoting Board Liaison Officer to represent its interests on the Housing Authority. Appointments, vacancies, expense reimbursement, and other matters pertaining to the Commissioners of the Housing Authority shall be governed by the Board of Supervisors and by Arizona Revised Statute §36-1404;

**SECTION 5:** That the Board of Supervisors hereby authorizes and directs that the Cochise County Housing Department shall provide to the Housing Authority any executive, administrative, fiscal, technical experts, and other officers, attorneys, independent contractors, agents and employees determined by that department, acting under the advice and consent of the Housing Authority and approved by the Board of Supervisors;

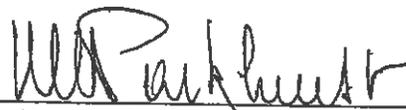
**SECTION 6:** That the Housing Authority shall be governed by Title 36, Chapter 12, Arizona Revised Statutes, and by such bylaws, policies, and procedures made applicable to the Housing Authority which are adopted by the Board of Supervisors by resolution either concurrent or subsequent to this Resolution;

**SECTION 7:** That all prior inconsistent resolutions are repealed or amended so as to be consistent with the foregoing resolution and order.

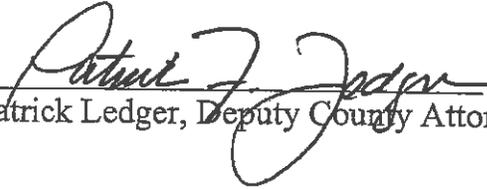
PASSED AND ADOPTED by the Cochise County Board of Supervisors, this 21 day of May, 2002.

  
Patrick Call, Chairman

ATTEST:

  
Nadine Parkhurst, Clerk

APPROVED AS TO FORM:

  
Patrick Ledger, Deputy County Attorney

# Board of Supervisors

Patrick Call  
Chairman,  
District 1

Paul Newman  
District 2

Leslie E. Thompson  
District 3



Jody N. Klein  
County Administrator

Nadine Parkhurst  
Clerk

## RESOLUTION NO. 02- 42

### A RESOLUTION ESTABLISHING REPORTING PROCEDURES APPLICABLE TO THE PUBLIC HOUSING AUTHORITY OF COCHISE COUNTY

WHEREAS, the Board of Supervisors of Cochise County (the "Board of Supervisors") has delegated to the Public Housing Authority of Cochise County (the "Housing Authority") those powers enumerated by Title 36, Chapter 12, Arizona Revised Statutes, including the power to acquire, own, maintain and dispose of real estate and appurtenances to real estate and to construct, maintain, operate and manage a housing project or projects;

WHEREAS, the board of Supervisors desires to maintain a favorable business relationship with the Housing Authority; and

WHEREAS, a favorable business relationship can be enhanced by establishing and following requirements and reporting procedures;

**NOW, THEREFORE, BE IT RESOLVED BY THE COCHISE COUNTY BOARD OF SUPERVISORS AS FOLLOWS:**

**SECTION 1:** The Board of Supervisors and the Agency shall adopt a Cooperation Agreement detailing all fiscal, administrative, and other business related activities and responsibilities between the parties and shall file a copy of the Cooperation Agreement with the Cochise County Clerk.

**SECTION 2:** The Housing Authority shall not adopt any policies that are inconsistent with the employment related policies of Cochise County, including specifically:

- Personnel Policies
- Merit Rules
- Travel Policies
- Vehicle Use Policies

**SECTION 3:** Executive Director. The position of Executive Director shall be governed by Resolution of the Board of Supervisors and by Public Housing Authority of

Cochise County Bylaws duly authorized by the Housing Authority and the Board of Supervisors.

**SECTION 4: Minutes.** The Housing Authority shall forward a copy of the official Minutes from each Board of Commissioner's Meeting to the Board of Supervisors.

**SECTION 5: Budget.** The Housing Authority shall forward a copy of the Annual Budget to the Board of Supervisors. Amendments to the Budget shall be forwarded to the Board of Supervisors within 30 days of adoption.

**SECTION 6: Financial and Operational Documents.** The Housing Authority shall forward copies of the following documents to the Board of Supervisors and, upon request, to the Cochise County Finance Department.

1. Annual Audited Financial Statements with Management Letter
2. Annual Management Assessment Program Review done by HUD.
3. Annual Goals Assessment Review
4. Annual Review of Compliance with Viability Standards
5. Other Annual Financial or Operational Reports that the County may require.

**SECTION 7: Credit Cards.** Credit cards will not be issued without prior approval of the Board of Supervisors.

**SECTION 8: Financial Review.** The County Finance Division shall have the right to routinely review procedures and financial accounts of the Housing Authority. Results and recommendations of said review shall be reported to the Board of Supervisors and to the Housing Authority.

**SECTION 9: Insurance.** The Housing Authority shall maintain sufficient separate liability insurance in an amount that is customary in the field and as shall be approved by the Board of Supervisors.

PASSED AND ADOPTED by the Cochise County Board of Supervisors, this 21 day of May, 2002.

  
\_\_\_\_\_  
Patrick Call, Chairman

ATTEST:

*Nadine Parkhurst*  
Nadine Parkhurst, Clerk

APPROVED AS TO FORM:

*Patrick Ledger*  
Patrick Ledger, Deputy County Attorney

# Board of Supervisors

Patrick Call  
Chairman,  
District 1

Paul Newman  
District 2

Leslie E. Thompson  
District 3



Jody N. Klein  
County Administrator

Nadine Parkhurst  
Clerk

## RESOLUTION NO. 02- 43

### BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA:

That the following bylaws are hereby adopted and approved by the Cochise County Board of Supervisors (the "Board of Supervisors") as the bylaws of the Housing Authority of Cochise County (the "Housing Authority"):

#### ARTICLE I

##### The Authority

SECTION 1: NAME OF AUTHORITY. The name of the Authority shall be "The Housing Authority of Cochise County."

SECTION 2: SEAL OF AUTHORITY. The seal of the Authority shall bear the name of the Authority and the year of its organization.

SECTION 3: OFFICE OF AUTHORITY. The offices of the Authority shall be at the Cochise County Housing Department in Bisbee, Arizona but the Authority may hold its meetings at such other place as it may designate by resolution.

#### ARTICLE II

##### Commissioners and Officers

SECTION 1. COMMISSIONERS. The Housing Authority shall consist of five Commissioners with voting authority.

SECTION 2. OFFICERS. The officers of the Housing Authority shall be a Chairman, a Vice-Chairman, and a Secretary/Director, and may also include a Board Liaison Officer.

SECTION 3. BOARD LIASON OFFICER. The Board Liaison Officers shall be an optional nonvoting member of the Housing Authority that may be appointed by the

Board of Supervisors. The Liaison Officer shall represent the interests of the Board of Supervisors and shall report to the Board of Supervisors on all matters relating to the Housing Authority.

SECTION 4. CHAIRMAN. The Chairman shall be chosen from among the Commissioners on a yearly basis and shall preside at all meetings of the Housing Authority. Except as otherwise authorized by resolution of the Housing Authority, the Chairman shall sign all approved contracts, deeds and other instruments made by the Housing Authority. At each meeting the Chairman shall submit such recommendations and information as he may consider proper concerning the business, affairs and policies of the Housing Authority.

SECTION 5. VICE-CHAIRMAN. The Vice-Chairman shall be chosen from among the Commissioners on a yearly basis and shall perform the duties of the Chairman in the absence or incapacity of the Chairman; and in case of the resignation or death of the Chairman the Vice Chairman shall perform such duties as are imposed on the Chairman until such time as a new Chairman shall be appointed.

SECTION 6. SECRETARY/DIRECTOR. The Director of the Cochise County Housing Department shall serve as the Secretary, a nonvoting member of the Housing Authority, and shall also serve as the Executive Director of the Housing Authority. As such, the Secretary/Director shall have general supervision over the administration of the Housing Authority's business and affairs, subject to the direction and approval of the Housing Authority.

The Secretary or his designee shall attend all Housing authority meetings, shall act as Secretary of the meetings of the Housing Authority and record all votes, and shall keep a record of the proceedings of the Housing Authority in a journal of proceedings to be kept for such purpose. In addition, the Secretary shall also keep the records of the Housing Authority and shall perform all other related duties incident to this office. The Secretary shall keep safe the seal of the Housing Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Housing Authority.

The Secretary shall have the care and custody of all funds of the Housing Authority and shall deposit the same in the name of the Housing Authority in such bank or banks as the Housing Authority may select. The Secretary shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the Housing Authority. Except as otherwise authorized by resolution of the Housing Authority, all such orders and checks shall be countersigned by the Chairman. The Secretary shall keep regular books of accounts showing receipts and expenditures

and shall render to the Housing Authority, at each regular meeting (or as requested), an account of these transactions and also of the financial condition of the Housing Authority to include, but not limited to:

1. Monthly Balance Sheet;
2. Monthly Statement of Revenue, Expenditures and Encumbrances;
3. Monthly Bank Reconciliations;
4. Any Mortgages, Notes or Other Instruments of Indebtedness and any Contracts relating to the same;
5. Aged Trial Balance of Receivables;
6. Aged Trial Balance of Payables;
7. Annual Audited Financial Statements with Management Letter;
8. Annual Contributions Contract(s) and all Amendments;
9. Annual Assessment of Viability, based on standards approved by the Commissioners;
10. Annual Goals Assessment Review; and,
11. Other Financial reports which the Housing Authority may require.

The compensation of the Secretary/Director shall be determined by the Board of Supervisors on the advice of the Housing Authority.

SECTION 7. ADDITIONAL DUTIES. The officers of the Housing Authority shall perform such other duties and functions as may from time to time be required by the Housing Authority or the bylaws or rules and regulation of the Housing Authority.

SECTION 8. APPOINTMENT. The Commissioners of the Housing Authority shall be appointed and designated by the Board of Supervisors and shall hold office until qualified successors are so designated.

SECTION 9. ADDITIONAL PERSONNEL OR SERVICES. The Housing Authority may through an approved Cooperation Agreement with Cochise County, or with a Department of the County or County Officer for personnel or necessary services to exercise the powers, duties, and functions of the Housing Authority. *no verb*

### ARTICLE III

#### Meetings

SECTION 1. REGULAR MEETINGS. Monthly meetings shall be held the 4<sup>th</sup> Wednesday of the Month at a time and place to be determined by the Commissioners. Annual elections of Officers shall be held concurrent with the Regular Meeting in June.

SECTION 2. SPECIAL MEETING. The Chairman of the Housing Authority may, when expedient, and shall, upon the written request of two members of the Housing Authority, call a special meeting of the Housing Authority for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered to each member of the Housing Authority at least two days prior to the date of such special meeting. At such special meeting no business shall be considered other than as designated in the call.

SECTION 3. EXECUTIVE MEETINGS. Upon a public majority vote of the members of the Housing Authority constituting a quorum, the Housing Authority may call for an executive session where the public shall be excluded but only for discussion or consultation for legal advice with their attorney or for those other purposes provided for in A.R.S. § 38-431.03.

SECTION 4. QUORUM. The powers of the Housing Authority shall be vested in the Commissioners. Three Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. If the meeting is duly noticed and a quorum is present, action may be taken by the Housing Authority upon a vote of a majority of the Commissioners present.

SECTION 5. ORDER OF BUSINESS. At the regular meeting of the Housing Authority the following shall be the order of business:

1. Call to the Public
2. Roll Call
3. Reading and Possible Approval of Prior Minutes
4. Discussion and Possible Approval of Monthly Financial Report
5. Report of the Secretary / Director
6. Reports of Committees
7. Unfinished business
8. New business
9. Adjournment

All resolutions and minutes shall be in writing and shall be copied in a *Journal of the Proceedings of the Housing Authority of Cochise County*, which shall be maintained and available to the public.

SECTION 6. MANNER OF VOTING. The voting on all questions coming before the Housing Authority shall be by roll call the result shall be entered upon the minutes of such meeting.

SECTION 7. OPEN MEETING LAW. Meetings of the Housing Authority are subject to Arizona's Open Meeting Law. A.R.S. § 38-431 et. seq.

ARTICLE IV.

Operations

SECTION 1. OPERATIONAL REVIEW AND APPROVAL. The Housing Authority shall prepare, review and approve an Annual Management Assessment Program Review conducted by HUD, an Annual and Five-Year Plans, Viability Standards, an Annual Goals and Assessment Review, and an Annual Audited Financial Statement and Management Letter.

SECTION 2. REPORTING REQUIREMENTS. The Housing Authority shall ensure compliance with current Board Resolutions applicable to the Housing Authority for reporting and accountability to the Cochise County Board of Supervisors.

ARTICLE V.

Amendments

The By-Laws of the Housing Authority shall be amended only with the approval of three of the members of the Housing Authority at a regular or a special meeting, subject to final approval by the Board of Supervisors. No such amendment shall be adopted unless at least seven days' written notice thereof has been previously given to all of the members of the Housing Authority.

PASSED AND ADOPTED by the Cochise County Board of Supervisors, this  
21 day of May, 2002.

  
Patrick Call, Chairman

ATTEST:



Nadine Parkhurst, Clerk

APPROVED AS TO FORM:



Patrick Ledger, Deputy County Attorney