



Cochise County Board of Supervisors

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ANN ENGLISH
Chairman
District 2

PATRICK G. CALL
Vice-Chairman
District 1

PEGGY JUDD
Supervisor
District 3

JAMES E. VLAHOVICH
County Administrator

EDWARD T. GILLIGAN
Deputy County Administrator

ARLETHE G. RIOS
Clerk of the Board

AGENDA FOR REGULAR BOARD MEETING

Tuesday, February 14, 2017 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.

The Board may permit public comment during the discussion of any item on this agenda. If you wish to be heard on a specific item, please sign up to be heard using the 'Specific Item' on the speaker form provided, and please list the item about which you wish to be heard. Persons will be permitted three minutes to speak.

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

CALL TO THE PUBLIC

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

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of January 24, 2017.
2. Ratify a letter submitted to Representative Thorpe, dated February 2, 2017, regarding HB 2143 Public contracts; procurement urging a hold on this proposed legislation until committee members have adequate information on which to base an informed vote.

Community Development

3. Approve reappointment of Mr. John Millican to the Public Lands Advisory Committee, District 2, for a two-year term beginning July 1, 2016 and ending on June 30, 2018.

County Attorney

4. Approve the elimination of an Attorney I position in the County Attorney's Office and the creation of a new Attorney III, consisting of half a Civil Division position and half a Criminal Division position.

County Sheriff

5. Approve a grant from the Howard Buffett Foundation for \$15,799 to purchase a new patrol and narcotics canine to replace one which had been recently retired and training for the canine and its deputy handler.
6. Approve the Governor's Office of Highway Safety (GOHS) Grant 2017-504d-042 for one fully equipped police vehicle, designated for DUI and aggressive driver enforcement, valued at \$47,000.

Court Administration

7. Approve reappointment of Superior Court Judges Pro Tempore, Terry Bannon and Margaret Macartney pursuant to ARS 12-141 and ARS 8-231 and authorize Court Administration to call upon an appropriately appointed Superior Court Judge Pro Tempore from another county in extenuating circumstances pursuant to ARS 12-144 for the period beginning July 1, 2017 to and including June 30, 2018.

Elections & Special Districts

8. Approve the appointment as precinct committee persons for the Democratic Party upon the recommendation of the Party chair, Debbie Hickman. Precinct 01 BE Benson: Ella Kathleen Suagee; Precinct 04 BI Bisbee: Mary Elizabeth Thornton; Precinct 18 Naco: Richard H. Corley; Precinct 20 Pirtleville: Cornelia Munoz; Precinct 21 Pomerene: Arthur Eugene Troutner, Maria A. Troutner; Precinct 27 SV Buffalo Soldier: Karl Joseph Hallsten; Precinct 28 SV Busby: Patricia A. Hickey; Precinct 33 SV Estates: Jose Garcia; Precinct 35 SV Moson: Anthony "Tom" Wisniewski; Precinct 36 SV Pueblo Del Sol: Roger B. DeVries; Precinct 42 SV Vista Village: JoAnn Revak and John J. Revak.

Finance

9. Approve demands and budget amendments for operating transfers.

PUBLIC HEARINGS

Board of Supervisors

10. Approve a new liquor license application for a series #13 Farm Winery license submitted by Ms. Charlene Rae Manning for Kief-Joshua Vineyards, located at 4923 E. Arzberger Road, Willcox, AZ 85643.

ACTION

Elections & Special Districts

11. Approve the Call for a Special Recall Election for the Whetstone Water District Governing Board Members: Robert Tinney, Leonard Howell and Tim Sulger.

Facilities

12. Approve the award of Invitation For Bids (IFB) 17-11-FAC-04 for the renovation of the Willcox Service Center to Mills Design Group, LLC, Chandler, Arizona in the amount of \$529,504, tax included, without the add alternates to include an increase of \$13,734 to the County portion of the project.

Health & Social Services

13. Approve the award of Request for Proposals (RFP) No. 16-24-HEA-04 for a Community Health Improvement Plan (CHIP) to Health Management Associates, Inc. for the County Health and Social Services Department in the not to exceed amount of \$75,200.

STATE & FEDERAL LEGISLATION

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

REPORT BY 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, Peggy Judd

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

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

Regular Board of Supervisors Meeting

Meeting Date: 02/14/2017

Minutes

Submitted By: Kim Lemons, 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?:**

Information

Agenda Item Text:

Approve the Minutes of the regular meeting of the Board of Supervisors of January 24, 2017.

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.

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

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, January 24, 2017**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, January 24, 2017 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Ann English, Chairman; Patrick G. Call, Vice-Chairman; Peggy Judd, 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 English called the meeting to order at 10:00 a.m.

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

PRESENTATION

Presentation by Mr. Britt Hanson, Chief Civil Deputy County Attorney, regarding current legal statistics and trends.

Mr. Hanson used a PowerPoint presentation to brief the Board on current legal statistics and trends. He noted that the civil division handled adoptions, mental health commitments, public fiduciary services, tax appeals, tax foreclosures, bankruptcy cases, election cases, merit commission cases, civil rights commission cases, notices of claim, public records requests, and planning & zoning - hazard abatements and zoning violations.

Vice-Chairman asked about the hazard abatement process.

Mr. Hanson said that different complaints were in different stages as shown in his presentation.

He moved on to current staff and their duties, as well as the clients represented by the civil division.

Chairman English asked if the civil division represented the Justice Courts.

Mr. Hanson said that the civil division did not represent the Justice Courts because it could be construed as a conflict of interest.

Vice-Chairman Call asked about the majority of notice of claims.

Mr. Hanson said that the vast majority were small vehicle claims that are handled by the Risk

Manager.

Vice-Chairman Call said it would be helpful to know the exact number of complicated public records requests compared to those that are handled easily.

The Board thanked Mr. Hanson for his presentation.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of January 10, 2017.
2. Approve the Grant-in-Aid Agreement with the Tohono O'odham Nation awarded to the Cochise County Attorney's Office for \$17,924 to update the Spillman Technologies Prosecution software including onsite training.
3. Approve a letter to the Arizona Department of Gaming granting the Cochise County Fair Association permission to run the following dates of February 19, 20, 26 and April 23, 2017 at Turf Paradise in Phoenix.

Community Development

4. Approve renewal of an Intergovernmental Agreement (IGA) with the Arizona Department of Housing Office of Manufactured Housing to enforce installation standards for manufactured housing and factory built buildings for a five-year term, effective December 20, 2016.

County Attorney

5. Approve grant 2015-VA-GX-0032 - CFDA #16-575 - Department of Public Safety (DPS) #2015-368 in the amount of \$97,251 for the period of October 1, 2016 through September 30, 2017.

Elections & Special Districts

6. Approve the appointment of the following persons as Precinct Committeeman for the Republican Party of Cochise County upon the recommendation of the Party Chairs, Sue Mitchell: Precinct #2 BE J-SIX - Linda Butler, Steve Butler; Precinct #5 BI DON LUIS - James West; Precinct #11 DO CASTRO PARK - Tom Hanigan; Precinct #13 DO SUNNYSIDE - Mirian Susan Krentz, Walter Cleveland; Precinct #15 HEREFORD - Roseanna Brown Warrior, Danny Brown; Precinct #27 SV BUFFALO SOLDIER - Timothy Cholfin; Precinct #28 SV BUSBY - Bonnie Burer; Precinct #32 SV COUNTRY CLUB - Kathryn A. Clark, Rachel Gray, Frances Harris; Precinct #33 SV ESTATES - Lowenid Reinhart; Precinct #35 SV MOSON - Susan Marcell; Precinct #40 TOWN & COUNTRY - Nancy Goldcamp; Precinct #41 SV VILLAGE MEADOWS - Terry Thomas Crosby, Cody Singleton; Precinct #42 SV VISTA VILLAGE - Michael James; Precinct #46 WHETSTONE - Craig Halbrook.

Finance

7. Approve demands and budget amendments for operating transfers.

Vice-Chairman Call moved to approve items 1-7 on the consent agenda. Supervisor Judd seconded the motion and it carried unanimously.

ACTION

Board of Supervisors

8. Renew and/or revise amendment 1 to the committee appointments for members of the Board of Supervisors and executive staff for the 2016-17 Fiscal Year and approve continuing annual memberships for 2016-17, with payment of associated dues as described herein.

Chairman English noted that the list had to be amended in order to include Supervisor Judd as a member of several organizations and update other appointments.

Vice-Chairman Call moved to renew amendment 1 to the committee appointments for members of the Board of Supervisors and executive staff for the 2016-17 Fiscal Year and approve continuing annual memberships for 2016-17, with payment of associated dues as described herein. Supervisor Judd seconded the motion.

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

CALL TO THE PUBLIC

Chairman English opened the call to the public.

Jack Cook addressed the Board on matters of personal concern.

No one else chose to speak and Chairman English 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 that he would be attending the Cochise Combined Trust (CCT) retreat to discuss options on health insurance plans.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Vice-Chairman Call said he would be attending the following meeting: employee roundtable meeting in Sierra Vista, Upper San Pedro Partnership meeting, Mayor/Managers Luncheon in Tombstone, and the Sierra Vista Metropolitan Planning Organization meeting. He noted that he would be speaking to the Sierra Vista Chamber Advocacy group and the Arizona Republican Women group and added that he would also be hosting the Commander of the Naco Border Patrol Station on his radio show to discuss border issues.

Report by District 2 Supervisor, Ann English

Chairman English said that she had attended the employee roundtables in Douglas and Bisbee.

Report by District 3 Supervisor, Peggy Judd

Supervisor Judd said that she wanted to encourage everyone to attend the open house hosted by the Coronado Farms Dairy on February 9.

Chairman English adjourned the meeting at 10:36 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Arlthe G. Rios, Clerk of the Board

Regular Board of Supervisors Meeting

Meeting Date: 02/14/2017

Ratify a letter regarding HB2143

Submitted By: Kim Lemons, Board of Supervisors

Department: Board of Supervisors

Presentation: **Recommendation:** Approve

Document Signatures: BOS Signature **# of ORIGINALS** 1
NOT Required **Submitted for Signature:**

NAME na **TITLE** na
of PRESENTER: **of PRESENTER:**

Docket Number (If applicable):

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

Information

Agenda Item Text:

Ratify a letter submitted to Representative Thorpe, dated February 2, 2017, regarding HB 2143 Public contracts; procurement urging a hold on this proposed legislation until committee members have adequate information on which to base an informed vote.

Background:

See Letter.

Department's Next Steps (if approved):

None, the letter has already been sent.

Impact of NOT Approving/Alternatives:

na

To BOS Staff: Document Disposition/Follow-Up:

na

Attachments

Letter



Cochise County Board of Supervisors

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

ANN ENGLISH
Chairman
District 2

JAMES E. VLAHOVICH
County Administrator

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Vice-Chairman
District 1

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Deputy County Administrator

PEGGY JUDD
Supervisor
District 3

ARLETHE G. RIOS
Clerk of the Board

February 2, 2017

Representative Thorpe

Re: HB 2143 Public contracts; procurement

Dear Representative Thorpe,

Cochise County urges you to hold HB 2143 until your committee members have adequate information on which to base an informed vote.

The bill makes critical assumptions without data to support them. It is assumed that private contractors can always provide more cost effective road construction and maintenance. The effects of the changes proposed in this legislation are enormous. The public served by County roads deserves to have this important decision based on the best information. The Counties need to be heard and have the opportunity to provide relevant information to the committee.

In order to make an informed, fiscally responsible decision the committee needs to make sure they have considered at a minimum and have adequate actual data on all the following:

1. Critical Emergency service capacity would be jeopardized. Contractors in Cochise County do not have the flexibility or capacity to respond immediately in the case of large and/or remote events, such as fires, flooding or accidents and to provide emergency services, to include road closures and openings. Counties already have IGAs with many other public land agencies (such as Forest Service, BLM, State) for forest fire support and flooding events. In many cases County personnel have necessary certification to work on such emergencies.
2. Increased liability- The County is responsible and expected to maintain public infrastructure in all areas of the county, whether paved or unpaved, in a safe condition at all times. The reduction of quantity, quality, and flexibility in maintaining this infrastructure will result in increased liability.
3. Inconsistent delivery of critical maintenance services- Contractors' capacity to provide public maintenance services is dependent on the state of the economy, thus resulting in an uneven flow of activities. During boom economies, the public contracts take a back seat to more profitable private ventures and contracts. Cochise County is so remote that during good economic times in Pima, Pinal and Maricopa Counties, we have experienced serious lack of bidding on proposed County projects. This lack of competition is not fiscally sound management of very limited public funds for public infrastructure.
4. Reduction in quantity and quality of overall services- Switching away from in-house maintenance to contracted services would have the effect of causing greater administrative costs to administer the contracts. The net effect would be moving resources from actually doing the work to managing and inspecting the work. Therefore our already limited funds will not only have to stretch to cover increased contracting costs, but also cover increased procurement, administrative and contract management costs.
5. Loss of flexibility to respond to ever changing needs- In-house staff responds very quickly to ever changing needs and demands. This flexibility will be lost if counties are required to rely solely on contractors. The expanse of rural Arizona counties compounds this loss and the resulting impact to taxpayers

6. Lost jobs and closure of critical facilities- Available resources are finite! An increase in contracts is only possible through a reduction in staff. This will result in highly trained, talented and dedicated people losing jobs and the closing of strategically placed maintenance facilities and equipment, and...once these are closed and gone...they are gone forever! It is highly unlikely that a significant portion of these employees will find private construction jobs in Cochise County. It is more likely that existing construction companies in more populated areas will be able to increase jobs. Therefore Cochise County at least stands to lose local population, further increasing the negative economic impact.
7. Potential conflicts between municipalities- as limited resources are competed for during the busy seasons. Most areas of the state must do our chip seal maintenance from March to October because of colder temperatures the rest of the year. There will be fierce competition for these services during the short season, further impacting remote areas—both in ability to even get bids and the price to mobilize to a remote location.
8. Adequate funds for Capital projects- The best outcome for both private contractors and counties and their citizens would be for there to be adequate transportation funding for more capital infrastructure projects state wide. All jurisdictions in Arizona are demonstrably deficient in transportation funding for even existing maintenance needs. Cochise County in 2013 prepared an exhaustive Road Needs Study that showed a several million dollar annual deficit for adequate maintenance for existing roads. These very capital projects would almost entirely be put out in private construction.

For the benefit of the traveling public, please hold this proposed legislation in committee and gather and carefully study the information available in order to make the best decision. This is important enough to take your time and do it right.

Thank you for your time and careful consideration.

Sincerely,

Ann English
Chairman
District 2

Patrick G. Call
Vice-Chairman
District 1

Peggy Judd
Supervisor
District 3

Community Development

Regular Board of Supervisors Meeting

Meeting Date: 02/14/2017

Reappoint John Millican to the Public Lands Advisory Committee, District 2

Submitted By: Paul Esparza, Community Development

Department: Community Development

Division: Planning & Zoning

Presentation: No A/V Presentation

Recommendation: Approve

Document Signatures: BOS Signature NOT Required

of ORIGINALS Submitted for Signature: 0

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 reappointment of Mr. John Millican to the Public Lands Advisory Committee, District 2, for a two-year term beginning July 1, 2016 and ending on June 30, 2018.

Background:

The Public Lands Advisory Committee consist of six members, with two appointed by the County Supervisor for each District, each residing in the District. Members of the PLAC serve two-year terms. Supervisor English is recommending John Millican be reappointed to serve the two-year term beginning July 1, 2016 and ending on June 30, 2018.

Department's Next Steps (if approved):

Send reappointment letter and administer the oath of office to Mr. Millican as identified below in the BOS staff follow-up.

Impact of NOT Approving/Alternatives:

There will be a vacancy on the Public Lands Advisory Committee, District 2.

To BOS Staff: Document Disposition/Follow-Up:

Please send Mr. Millican the standard letter from the Board office affirming his reappointment, along with the oath of office. Community Development staff will provide the mailing address to the Clerk's office via email.

Attachments

No file(s) attached.

Regular Board of Supervisors Meeting

Meeting Date: 02/14/2017
Eliminate Attorney I Position and Create New Attorney III Position - CAO
Submitted By: Britt Hanson, County Attorney
Department: County Attorney
Presentation: No A/V Presentation
Document Signatures: BOS Signature NOT Required
NAME of PRESENTER: Britt Hanson
Mandated Function?: Local Mandate or Policy

Recommendation: Approve
of ORIGINALS Submitted for Signature: 0
TITLE of PRESENTER: Chief Civil Deputy
Source of Mandate or Basis for Support?:

Docket Number (If applicable):

Information

Agenda Item Text:

Approve the elimination of an Attorney I position in the County Attorney's Office and the creation of a new Attorney III, consisting of half a Civil Division position and half a Criminal Division position.

Background:

This is a proposal to create a new Attorney III position to the County Attorneys Office. This position would be a hybrid, consisting of half Civil Attorney position and a half Criminal Division attorney. This Attorney III would split time between the Civil Division of the County Attorney's Office and as a felony prosecutor in the Criminal Division.
The function of the new half Civil position would be two-fold: i) take some burden off the three Civil attorneys, whose duties already far exceed the hours in a "normal" work week; ii) allow the Civil Division to take on additional duties in matters critical to Cochise County's continued progress.
Some of these additional duties would avoid the County having to retain outside attorneys at a greater cost than funding an additional Civil position. Some of these duties would enable the County to better perform certain functions. In addition, there appear to be opportunities to save the County money, especially in the field of mental health, if the Civil attorneys have some spare time to focus on it.
As for the half Criminal Division prosecutor, since roughly half of the funding for the position will come from an unfilled Attorney I position, which will be eliminated, the effect will be to raise the position from Attorney I to Attorney III, allowing for greater expertise and flexibility. Additionally, felony prosecutions have almost doubled in the last two years.
The salary of this position would be \$82,500. The total funding required would be \$107,797.70, as broken down on Attachment A to this agenda item. Of this amount, \$52,498.88 will come from existing funding from the general fund for a Criminal Division attorney. The remainder (\$55,298.17) will be new funding from the General Fund.

Department's Next Steps (if approved):

Create the PAF for the attorney to fill the new position

Impact of NOT Approving/Alternatives:

This position will not exist

To BOS Staff: Document Disposition/Follow-Up:

Notify HR of the approval

Budget Information

Information about available funds

Budgeted: **Funds Available:** **Amount Available:** 55,298.71
Unbudgeted: **Funds NOT Available:** **Amendment:**

Account Code(s) for Available Funds

1:

Fund Transfers

Fiscal Year: 16/17

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

Ongoing Costs? (\$\$\$): 55,298.71

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

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

Source of Funding?:

Fiscal Impact & Funding Sources (if known):

Attachments

Cost Breakdown

New Attorney Position

SALARY	FICA	RETIREMENT	WC	INSURANCE	TOTAL WITH ERE'S
\$82,500.00	\$6,311.25	\$9,471.00	\$115.50	\$6,600.00	\$104,997.75
BAR DUES					\$505.00
Travel, training & supplies					\$2,294.30
				Total for position	\$107,797.05
				Funding requested	\$55,298.17

Regular Board of Supervisors Meeting

Meeting Date: 02/14/2017

Canine Purchase

Submitted By: Ken Foster, 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: Ken Foster

TITLE of PRESENTER: Lieutenant

Mandated Function?: Federal or State Mandate

Source of Mandate or Basis for Support?: ARS 11-441

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 a grant from the Howard Buffett Foundation for \$15,799 to purchase a new patrol and narcotics canine to replace one which had been recently retired and training for the canine and its deputy handler.

Background:

Since 2013, the Cochise County Sheriff's Office has sponsored a canine program. This unit is utilized to assist our patrol and investigation division with long and short term investigations. The canine unit also responds to calls for service, conducts interdiction details and assists our agency and others in Cochise County with vehicle searches and high risk apprehensions. In the short time the unit has been active, it has been an integral part of law enforcement functions in Cochise County, assisting in the solving of thefts, burglaries and homicides. This grant will allow the purchasing of another canine and will pay for the training of this canine and the handler.

Department's Next Steps (if approved):

If approved, the Sheriff's Office will purchase the canine and obtain training for the canine and the deputy who will be its handler.

Impact of NOT Approving/Alternatives:

If not approved, it will severely impact the Sheriff's Office ability to purchase and train an additional canine and handler; and continue this valuable program.

To BOS Staff: Document Disposition/Follow-Up:

Please provide email conformation to dfoster@cochise.az.gov on whether BOS approves grant/funding.

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

[K9 Letter](#)

[K9 Grant Approval Form](#)

THE HOWARD G. BUFFETT FOUNDATION

January 11, 2017

Lt. Curtis Wilkins
Cochise County Sheriff's Office
205 N. Judd Dr.
Bisbee, AZ 85603

Dear Lt. Curtis Wilkins:

Enclosed is a check in the amount of \$15,799.00 from the Howard G. Buffett Foundation to the Cochise County Sheriff's Office. These funds are restricted for the purchase of one (1) patrol/tracking/narcotic detection dog, certification, vet costs, and academy training as outlined in the attached cost breakdown. Any unexpended funds must be returned to the HGBF.

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

CANINE COST BREAK DOWN

1. Yearly certifications are estimated at \$100.00 per canine for a patrol and narcotics certification totaling: \$100.00
2. Patrol/tracking/narcotic detection canines
 - a. \$10,000.00 per canine totaling \$10,000.00
3. Yearly Vet cost estimation from VCA Apache Animal Hospital (see attached):
 - a. \$519.00 per canine for regular shots and checkups
For 1 dogs totaling \$519.00
4. Hotel and per diem costs for class:
 - a. \$680.00 per diem per person \$680.00
 - b. Free room at the academy Free
5. Training academy for one dual purpose canine
 - a. 4 week academy \$4500.00
6. Total cost for new service canine \$15,799.00

COCHISE COUNTY GRANT APPROVAL FORM

Form Initiator:

Date Prepared:

Point of Contact:

Phone Number:

Department:

PRIMARY GRANT

Primary Grantor:

CFDA:
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: 02/14/2017

GOHS Grant for fully equipped DUI vehicle Grant # 2017-405d-042

Submitted By: Sam Farris, County Sheriff

Department: County Sheriff

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

Document Signatures: BOS Signature Required **# of ORIGINALS Submitted for Signature:** 2

NAME of PRESENTER: Sam Farris **TITLE of PRESENTER:** Commander

Docket Number (If applicable):

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

Information

Agenda Item Text:

Approve the Governor's Office of Highway Safety (GOHS) Grant 2017-504d-042 for one fully equipped police vehicle, designated for DUI and aggressive driver enforcement, valued at \$47,000.

Background:

The board has previously approved acceptance of this type of grant in 2013 in order to impact DUI and aggressive driving within the county. The previous vehicle obtained via this grant was a semi marked, high performance sedan and has been utilized during DUI and specialized traffic enforcement details. The new vehicle relative to this grant offering is to be a partially marked and fully equipped Chevrolet Tahoe.

Deputy Cochise County Attorney, Lauri Owen has reviewed and approved this grant on January 25, 2017.

Department's Next Steps (if approved):

If this grant is approved, the Cochise County Sheriff's Office will order and equip this vehicle for DUI and aggressive driving enforcement use.

Impact of NOT Approving/Alternatives:

If the approval is not granted, the Sheriff's Office will continue to operate with current resources.

To BOS Staff: Document Disposition/Follow-Up:

If approved, Board of Supervisor's Chair to sign grant copies and return to Commander Sam Farris or the Sheriff's Office.

Attachments

GOHS grant



DOUGLAS A. DUCEY
GOVERNOR

ALBERTO GUTIER
DIRECTOR
GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE

Sheriff Mark Dannels
Cochise County Sheriff's Office
205 North Judd Drive
Bisbee, AZ 85603

PROJECT REFERENCE:
Contract Number: 2017-405d-042
Total Estimated Costs: \$47,000.00
Purpose of Project:

One (1) Fully-Equipped Police Vehicle

Dear Sheriff Dannels,

Enclosed are two (2) copies of the referenced Highway Safety Contract for your review and signature. This is not an authorization to proceed with the project.

Please complete the following steps:

1. Please review the entire contract as there have been **significant changes** throughout the contract;
2. Have your fiscal staff complete the Reimbursement Instructions (page 23) of both copies;
3. As Project Director, sign and date the signature page of both copies;
4. Obtain the signature of Richard Searle, Chairman, County of Cochise, as the Authorized Official of Governmental Unit, on the signature page of both copies;
5. Return all signed copies of the contract to Governor's Office of Highway Safety, 1700 W. Washington St., Suite 430, Phoenix, Arizona 85007

Please **do not** incur any costs at this time as it would nullify the contract. Once the signed copies are received, I will approve and sign the contract as the GOHS Director/Governor's Highway Safety Representative and an original executed contract with a letter of authorization to proceed will be forwarded to you.

Sincerely,

Alberto Gutier, Director
Governor's Highway Safety Representative

1-24-17
Date

Enclosures
AG: RM

HIGHWAY SAFETY CONTRACT

This page, the Project Director's Manual and attached hereto and incorporated herein by reference, constitute the entire Contract between the parties hereto unless the Governor's Highway Safety Representative authorizes deviation in writing.

CFDA 20.616, 20.600

1.	APPLICANT AGENCY Cochise County Sheriff's Office	GOHS CONTRACT NUMBER: 2017-405d-042
	ADDRESS 205 North Judd Drive, Bisbee, AZ 85603	PROGRAM AREA: 405d, 402-PT
2.	GOVERNMENTAL UNIT Cochise County	AGENCY CONTACT: Tod Linendoll
	ADDRESS 205 North Judd Drive, Bisbee, AZ 85603	3. PROJECT TITLE: DUI/Impaired Driving Enforcement Related Equipment—One (1) Fully -Equipped Police Vehicle
4.	GUIDELINES: 405d, 402-PT	

5. **BRIEFLY STATE PURPOSE OF PROJECT:**
Federal funds will support Capital Outlay: One (1) Fully equipped Police Vehicle and upfitting to enhance DUI/Impaired Driving Enforcement throughout Cochise County. The total amount of funding for this contract will include 60% GOHS 405d funds and 40% GOHS 402 funds to support and/or enhance DUI/Impaired Driving enforcement activities.

6.	BUDGET COST CATEGORY	Project Period FFY 2017
I.	Personnel Services	\$0.00
II.	Employee Related Expenses	\$0.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies	\$0.00
VII.	Capital Outlay	\$47,000.00
	TOTAL ESTIMATED COSTS	\$47,000.00

PROJECT PERIOD FROM: Effective Date
(Date of GOHS Director Signature) TO: 09-30-2017

CURRENT GRANT PERIOD FROM: 10-01-2016 TO: 09-30-2017

TOTAL FEDERAL FUNDS OBLIGATED THIS FFY: \$47,000.00

A political subdivision or State agency that is mandated to provide a certified resolution or ordinance authorizing entry into this Contract must do so prior to incurring any expenditures. Failure to do so may result in termination of the awarded Contract.

PROBLEM IDENTIFICATION AND RESOLUTION:**Agency Background:**

Cochise County is in the southeastern corner of Arizona. It is bordered to the east by New Mexico and to the south by Mexico. The Cochise County Sheriff's Office (CCSO) is responsible for all unincorporated areas within the county. Incorporated areas having their own law enforcement agencies include Sierra Vista, Willcox, Tombstone, Douglas, Bisbee, and Benson. Cochise County maintains 1,441 miles of roads; 576 miles of these roads being paved and 856 miles being unimproved. Interstate 10 runs along the northern edge of Cochise County throughout the entire county from east to west. Additionally, Interstate 10 is fed by State Highways 90, 92, 181, 186, 191, 80 and 82. These highways add an additional 465 miles of roadway. These are highly traveled roadways as Interstate 10 is the main thoroughfare for travel east and west through Arizona. As Cochise County borders with Mexico, there are two ports of entry located within the county. The ports-of-entry include Douglas and Naco, which are major entry and exit points to and from the United States.

Agency Problem/Attempts to Solve Problem:

The Cochise County Sheriff's Office is dedicated to reducing the number of impaired, aggressive and distracted drivers on the roadways within Cochise County. In 2015-2016 166 DUI arrests were made and approximately ten collisions involved vehicles being operated by persons who had consumed alcohol or drugs. Efforts such as saturation patrols and Task Force deployments have been used to reduce the number of impaired, aggressive and distracted drivers from the roadways within the Cochise County. Remaining committed in the detection of these drivers prior to a collision reduces the number of injuries and damage they cause.

The Cochise County Sheriff's Office relies on its patrol officers to be the main source of locating and preventing such incidents, as the department does not have a dedicated traffic unit. These activities are being performed in vehicles designated for patrol use rather than vehicles set up and equipped to be used for traffic enforcement. The requested funding would allow the Cochise County Sheriff's Office to have a dedicated vehicle to deploy for the sole purpose of combating impaired, aggressive and distracted drivers.

Agency Funding:

Federal funds will support Capital Outlay: One (1) Fully equipped Police Vehicle and upfitting to enhance DUI/Impaired Driving Enforcement throughout Cochise County. The total amount of funding for this contract will include 60% GOHS 405d funds and 40% GOHS 402 funds to support and/or enhance DUI/Impaired Driving enforcement activities.

How Agency Will Solve Problem With Funding:

The Cochise County Sheriff's Office will utilize the awarded funds to purchase one fully equipped vehicle by September 2017. Once awarded, the vehicle will be purchased and equipped before being used in traffic enforcement with a direct focus on impaired, aggressive and distracted driving.

The Cochise County Sheriff's Office will conduct 12 Selective Enforcement details with a minimum of two deputies per detail by September 30, 2017. This agency will also participate in the 2017 Click It or Ticket campaign. The goal of these details will be to increase the total of citations by 10% from the 2015 total of 2295 to 2524. This agency will also participate in the mandated 16 GOHS deployments throughout the year and increase the total DUI offenses by 10%, from 127 to 140 by September 30, 2017.

GOALS/OBJECTIVES:

Federal funds will support Capital Outlay: One (1) Fully equipped Police Vehicle and upfitting to enhance DUI/Impaired Driving Enforcement throughout Cochise County. The total amount of funding for this contract will include 60% GOHS 405d funds and 40% GOHS 402 funds to support and/or enhance DUI/Impaired Driving enforcement activities.

Expenditures of funding pertaining to Impaired Driving Enforcement including Personnel Services and ERE, Materials and Supplies, Capital Equipment, and/or Travel In and Out-of-State shall comply with the Impaired Driving Program goals provided by the Arizona Governor's Office of Highway Safety. The Impaired Driving Program goal is to reduce the incidences of alcohol and drug related driving fatalities and injuries through enforcement, education, and public awareness throughout the State of Arizona. Law enforcement personnel participating in Impaired Driving Enforcement/DUI activities including, DUI Task Force details under this program, shall be HGN/SFST certified.

MEDIA RELEASE:

To prepare complete press release information for media (television, radio, print, and on-line) during each campaign period including a main press release, schedule of events, departmental plans, and relevant data. The material will emphasize the campaign's purpose, aggressive enforcement, and the high cost of DUI/Impaired Driving in terms of money, criminal, and human consequences.

The Cochise County Sheriff's Office will maintain responsibility for **reporting sustained enforcement** activity in a timely manner. Additionally, it is the responsibility of the Cochise County Sheriff's Office to report all holiday task force enforcement statistics to GOHS on-line at the GOHS website **no later than 10:00 a.m. the morning following each day of the event.**

The holidays and special events include but not limited to: Super Bowl Sunday, Valentine's Day, President's Day, St. Patrick's Day, Spring Break, Easter, Cinco de Mayo, Prom Night, Memorial Day, Graduation Day, Independence Day, Labor Day, Columbus Day, Halloween, and the Thanksgiving through New Year's details.

PLEASE NOTE: Failure to submit Statistics, Quarterly Reports, and/or Report of Costs Incurred (RCIs) timely and correctly may delay reimbursement for expenditures to your Agency.

METHOD OF PROCEDURE:

The Cochise County Sheriff's Office will make expenditures, as follows, to meet the outlined Program Goals/Objectives:

Capital Outlay - To purchase/procure the following Capital Outlay for DUI/Impaired Driving Enforcement Activities:

One (1) Fully equipped Police Vehicle

PRESS RELEASE:

Agencies are **required** to develop and distribute a press release announcing this grant award **upon receipt** of the executed Contract. A copy of this press release shall be sent to the GOHS Director for approval prior to being sent to the media. This press release shall include the objective and specify that the funding is from the Governor's Office of Highway Safety.

BAC TESTING AND REPORTING REQUIREMENTS:

Alcohol impairment is a major contributing factor in fatality and serious injury motor vehicle collisions. Accurate data on alcohol involvement is essential to understanding the full extent of the role of alcohol and to assess progress toward reducing impaired driving.

Each law enforcement agency that receives an enforcement-related grant is required to ensure that accurate data on all drivers involved is reported. Failure to comply may result in withholding funds and cancellation of the enforcement contract until this requirement is met.

PURSUIT POLICY:

All law enforcement agencies receiving Federal funds are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police (IACP) that are currently in effect.

EQUIPMENT:**One (1) Fully-Equipped Police Vehicle and upfitting**

Agencies receiving funding for Capital Outlay (major equipment) such as DUI processing vans, marked and unmarked enforcement sedans, and marked enforcement motorcycles shall schedule a press conference acknowledging the grant award from the Governor's Office of Highway Safety. The purpose of this press conference is for the Agency to present the equipment to their community.

The Cochise County Sheriff's Office shall immediately notify GOHS if any equipment purchased under this Contract ceases to be used in the manner described in this Contract. In such event, the Cochise County Sheriff's Office further agrees to dispose of this equipment using the Cochise County Sheriff's Office's, city, town, or county ordinance, code, or rule regarding disposal of equipment.

In the absence of an ordinance, code, or rule regarding the disposal of the property, the Cochise County Sheriff's Office may refer to that of the State. The Cochise County Sheriff's Office shall maintain or cause to be maintained for its useful life, any equipment purchased under this Contract. The Cochise County Sheriff's Office shall incorporate any equipment purchased under this Contract into its inventory records. The Cochise County Sheriff's Office shall insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets this requirement.

Administrative and Maintenance Costs:

The Cochise County Sheriff's Office shall be responsible for all administrative, maintenance, operational costs, and the costs of any damage relating to the One (1) Fully equipped Police Vehicle.

Decals:

The Governor's Office of Highway Safety shall provide the Cochise County Sheriff's Office with decals depicting the Governor's Office of Highway Safety logo. These decals shall be affixed to the equipment before being placed in service.

Equipment Purchase:

The equipment purchased under this Contract shall be ordered, received, training completed, and placed in service prior to the end of the project period.

If the Agency cannot meet this requirement, the Agency must submit a letter of explanation signed by the Project Director on the Agency's letterhead via mail or hand delivered to the Director of the Governor's Office of Highway Safety within sixty (60) days before the end of the project period.

The application of USDOT "Common Rule" and Circular A-102 requires that:

Grantees and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurement procedures conform to applicable Federal and State laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency shall use the State procurement process.

Original Purpose of Equipment:

Pursuant to 23 CFR §1200.21, all equipment purchased under this Contract is to be used for the original purpose intended under this Contract. All equipment shall be used for the originally authorized grant purposes for as long as needed for those purposes. Neither the State nor the Agency (sub-grantees) or contractors shall encumber the title or interest while such need exists.

The Governor's Office of Highway Safety shall reserve the right to transfer title of equipment acquired under the Section 405 program to the Federal government or to a third party when such third party is otherwise eligible under existing statutes.

Furthermore, 49 CFR §18.32.c.1 states that equipment (acquired under this grant) shall be used by the grantee in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a Federal agency.

Insurance:

It is agreed that the Cochise County Sheriff's Office shall adequately insure all capital equipment purchased under this Contract for repair or replacement.

SPECIFIC REQUIREMENTS:**POLICE PACKAGE VEHICLES:****Requirements for Police Package Vehicle (Marked and Unmarked):**

Equipment included with the vehicle, at a minimum is emergency equipment (lights and siren), police radio system, and may include speed detection device and in-car video system. The make, model, and color of this vehicle may or may not be that which is associated with traditional enforcement vehicles.

METHOD OF PROCUREMENT:

The application of USDOT "Common Rule" and Circular A-102 requires that:

Grantees and sub-grantees will use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures conform to applicable Federal laws and standards. The most stringent purchasing requirement at each level must be met. If the Agency does not have a procurement process, the Agency may use the State procurement process.

A clear audit trail must be established to determine costs charged against this Contract. Substantiation of costs shall, where possible, be made utilizing the Cochise County Sheriff's Office documentation consisting of, but not limited to, copies of time sheets, purchase orders, copies of invoices, and proof of payment.

The Agency shall retain copies of all documentation in the project file.

State Contract:

Procurement may be made using an open State contract award. Documents submitted to substantiate purchases using an open State contract must bear the contract number.

PROJECT EVALUATION:

This project shall be administratively evaluated to ensure the objectives have been met.

Quarterly Report

The purpose of the Quarterly Report is to provide information on contracted grant activities conducted at the conclusion of each respective quarter. The information provided is used to review progress of the funded project and the successfulness in meeting outlined goals and objectives. The information, photos, highlights, obstacles, and mandatory statistical data provided in this report are analyzed by the assigned Project Coordinator. It is critical the report contains the following information:

- **Original signatures on all Quarterly Reports and RCIs**
 - **All Quarterly Reports and RCIs shall include the signature of the Project Director unless prior authorization for another is on file with GOHS.**

Report Schedule

Reporting Period	Due Date
1st Quarterly Report and RCI (October 1 to December 31, 2016)	January 30, 2017
2nd Quarterly Report and RCI (January 1 to March 31, 2017)	April 20, 2017
3rd Quarterly Report and RCI (April 1 to June 30, 2017)	July 20, 2017
4th Quarterly Report and RCI (July 1 to September 30, 2017)	October 15, 2017
Final Statement of Accomplishments	October 15, 2017

The Quarterly Report **shall be completed on the form available on-line and submitted by mail** to the Governor's Office of Highway Safety.

NOTE: IT IS REQUIRED THAT ALL LAW ENFORCEMENT AGENCIES MUST ENTER STATISTICAL AND ENFORCEMENT ACTIVITY INTO THE ON-LINE GOHS DUI REPORTING SYSTEM, IN ADDITION TO SUBMITTING THE QUARTERLY ENFORCEMENT REPORT.

Final Statement of Accomplishments

The Project Director shall submit a Final Statement of Accomplishments Report to the GOHS **no later than fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th)**. All agencies receiving funding are required to submit a Final Statement of Accomplishments Report.

Note: Failure to comply with the outlined GOHS reporting requirements may result in withholding of Federal funds or termination of the Contract.

PROFESSIONAL AND TECHNICAL PERSONNEL:

Mark Dannels, Sheriff, Cochise County Sheriff's Office, shall serve as Project Director.

Tod Linendoll, Sergeant, Cochise County Sheriff's Office, shall serve as Project Administrator.

Rhonda Melancon, Governor's Office of Highway Safety, shall serve as Project Coordinator.

REPORT OF COSTS INCURRED (RCI):

The Agency shall submit a Report of Costs Incurred (RCI), with supporting documentation attached, to the Governor's Office of Highway Safety, at a minimum, on a quarterly basis in conjunction with the required report. Agencies may submit additional RCI forms for expenditures when funds have been expended for which reimbursement is being requested.

Accepted supporting documentation to submit with a Report of Cost Incurred (RCI) includes, but is not limited to; scanned copies of timesheets, payroll records, paid invoices/purchase orders, and other account records.

RCIs shall be typed and delivered via mail or hand delivered with appropriate supporting documentation to the Governor's Office of Highway Safety. **Electronically submitted RCIs will not be accepted.** Final RCIs will not be accepted fifteen (15) days after the conclusion of each Federal Fiscal Year (September 30th). **Expenditures submitted after the expiration date may not be reimbursed and the Agency will accept fiscal responsibility.**

PROJECT MONITORING:

Highway safety grant project monitoring is used by GOHS project coordinators to track the progress of project objectives, performance measures, and compliance with applicable procedures, laws, and regulations.

The process is used throughout the duration of the contracted project and serves as a continuous management tool. Project monitoring also presents an opportunity to develop partnerships, share information, and provide assistance to contracted agencies. Additionally, project monitoring outlines a set of procedures for project review and documentation.

Project monitoring serves as a management tool for:

- Detecting and preventing problems
- Helping to identify needed changes
- Identifying training or assistance needed
- Obtaining data necessary for planning and evaluation
- Identifying exemplary projects

Types of Monitoring

Monitoring is formal and informal, financial and operational. The most common types of monitoring are:

- Ongoing contact with the contracted grantee through phone calls, e-mails, correspondence, and meetings
- On-Site and/or In-House monitoring reviews of project operations, management, and financial records and systems
- Review of project Quarterly Reports
- Review and approval of Report of Costs Incurred (RCIs)
- Desk review of other documents in the project grant files for timely submission and completeness

Monitoring Schedule	
Total Awarded Amount:	Type of Monitoring:
Under \$50,000	Desk Review/Phone Conference
\$50,000 and over	In-House GOHS Review
\$100,000+	On-Site Review
Desk Review and Phone Conference	Internal review of all written documentation related to contractual project including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. A phone conference call conducted during the course of the project which includes the date and time of the call, the person(s) contacted, and the results. It serves as an informational review to determine progress of programmatic/financial activities. Both the designated project administrator and fiscal contact should be present, if possible, during the phone conference. If identified financial or operational problems are present, GOHS reserves the right to bring the grantee in for an in-house meeting at GOHS. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
In-House Review	Documents performance review results including project activities, reimbursement claims review, equipment purchases, approvals, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Completed at GOHS in a meeting with appropriate operational and financial personnel. Monitoring form written by Project Coordinator, any findings, areas of improvement, concern, or recognition will be provided to the grantee.
On-Site Monitoring	Documents performance review results including project activities, reimbursement claims review, equipment purchases, and other information. Reviews applicable information related to the project(s) including, but not limited to the Contract, Quarterly Reports, enforcement data, financial data, e-mails, letters, notes, press releases, photographs, inventories, and other written correspondence. Conducted on-site at the grantee's Agency with monitoring form

completed on-site by Project Coordinator. Any findings, areas of improvement, concern, or recognition, will be provided to the grantee.

On-site and/or in-house monitoring for grantees of designated projects with large Capital Outlay purchases, personnel services, and complex projects must be completed within the second or third quarter of the fiscal year. Contracted projects displaying any problems may need on-site monitoring more than once during the fiscal year.

On-site and/or In-house monitoring includes a review and discussion of all issues related to ensure the effective administration of the contracted project. The following are the most important items to review:

- Progress toward meeting goals/objectives and performance measures
- Adherence to the contract specifications, timely submission of complete and correct reports, including required documentation
- Quarterly Reports
- Status of expenditures related to the outlined budget
- Accounting records and RCI's
- Supporting documentation (training documentation, inventory sheets, photographs, press releases, etc.)

In addition, the designated Agency will ensure that any equipment purchased will be available for inspection and is being used for the purpose for which it was bought under the outlined contractual agreement.

Documentation

The Governor's Office of Highway Safety will retain all findings documented on the GOHS Monitoring Form in the Agency's respective Federal file. Findings will be discussed with the designated contract representative (Project Administrator, fiscal specialist) by phone and/or e-mail. All noted deficiencies will be provided to the grantee with guidance for improvement and solutions to obstacles. Grantees that exhibit significantly poor performance will be placed on a performance plan as outlined by the Project Coordinator. Grantee monitoring information will additionally provide documentation for potential funding in subsequent fiscal year grant proposal review.

PROJECT PERIOD:

The project period shall commence on the date the GOHS Director signs the Highway Safety Contract and terminate on September 30th of that or subsequent year as indicated on the Highway Safety Contract.

DURATION:

Contracts shall be effective on the date the Governor's Office of Highway Safety Director signs the Contract and expire at the end of the project period.

If the Agency is unable to expend the funds in the time specified, the Agency will submit notification on the Agency's letterhead and hand deliver or submit via regular mail to the Director of the Governor's Office of Highway Safety a minimum of sixty days (60) prior to the end of the project period.

The Agency shall address all requests to modify the Contract to the Director of the Governor's Office of Highway Safety on Agency's official letterhead and either hand deliver or submit the request via regular mail. All requests for modification must bear the signature of the Project Director.

Failure to comply may result in cancellation of the Contract. Any unexpended funds remaining at the termination of the Contract shall be released back to the Governor's Office of Highway Safety.

ESTIMATED COSTS:

I.	Personnel Services (overtime)	\$0.00
II.	Employee Related Expenses (ERE)	\$0.00
III.	Professional and Outside Services	\$0.00
IV.	Travel In-State	\$0.00
V.	Travel Out-of-State	\$0.00
VI.	Materials and Supplies	\$0.00
VII.	Capital Outlay One (1) Fully-Equipped Police Vehicle and upfitting	\$47,000.00
	TOTAL ESTIMATED COSTS	*\$47,000.00

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of forty (40) percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Cochise County Sheriff's Office shall absorb any and all expenditures in excess of \$47,000.00.

TABLE REPRESENTS HOW THIS CONTRACT WILL BE FUNDED BY AGENCY / PROGRAM

AGENCY	CFDA	CONTRIBUTION % AMOUNT	TOTAL AMOUNT REQUESTED
Cochise County Sheriff's Office		Total Amount Requested	\$47,000.00
PROGRAM SOURCE			
GOHS Contribution (405d)	20.616	60%	\$28,200.00
GOHS Contribution (402-PT)	20.600	40%	\$18,880.00
TOTAL FUNDED		100%	\$47,000.00

**Arizona Governor's Office of Highway Safety
Capital Outlay Equipment Record
Equipment \$5,000.00 or more**

Equipment Description	Make/Model	Serial Number	Date Ordered	Date Received	Cost Per Unit

Note: Photographs of all Capital Outlay Equipment must be submitted with form

CERTIFICATIONS AND AGREEMENTS

This CONTRACT, is made and entered into by and between the STATE OF ARIZONA, by and through the Governor's Office of Highway Safety (GOHS) hereinafter referred to as "STATE", and the agency named in this Contract, hereinafter referred to as "AGENCY".

WHEREAS, the National Highway Safety Act of 1966, as amended (23 USC §§401-404), provides Federal funds to STATE for approved highway safety projects; and

WHEREAS, STATE may make said funds available to various state, county, tribal, or municipal agencies, governments, or political subdivisions upon application and approval by STATE and the United States Department of Transportation (USDOT); and

WHEREAS, AGENCY must comply with the requirements listed herein to be eligible for Federal funds for approved highway safety projects; and

WHEREAS, AGENCY has submitted an application for Federal funds for highway safety projects;

NOW, THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOODS AND VALUABLE CONSIDERATION, it is mutually agreed that AGENCY will strictly comply with the following terms and conditions and the following Federal and State Statutes, Rules, and Regulations:

I. Project Monitoring, Reports, and Inspections

- A. AGENCY agrees to fully cooperate with representatives of STATE monitoring the project, either on-site or by telephone, during the life of the Contract.
- B. AGENCY will submit Quarterly Reports (one for each three-month period of the project year) to STATE in the form and manner prescribed by STATE. Notice of the specific requirements for each report will be given in this Contract or at any time thereafter by giving thirty (30) days written notice to AGENCY by ordinary mail at the address listed on the Contract. Failure to comply with Quarterly Report requirements may result in withholding of Federal funds or termination of this Contract.
- C. AGENCY will submit a Final Report/Statement of Accomplishment at completion of the Contract to include all financial, performance, and other reports required as a condition of the grant to STATE within thirty (30) days of the completion of the Contract.
- D. Representatives authorized by STATE and the National Highway Traffic Safety Administration (NHTSA) will have the right to visit the site and inspect the work under this Contract whenever such representatives may determine such inspection is necessary.

II. Reimbursement of Eligible Expenses

- A. AGENCY's Project Director, or Finance Personnel, will submit a Report of Costs Incurred Form (RCI) to STATE each time there have been funds expended for which reimbursement is being requested. Failure to meet this requirement may be cause to terminate the project under Section XX herein, "Termination and Abandonment".

- B. AGENCY will reimburse STATE for any ineligible or unauthorized expenses for which Federal funds have been claimed and reimbursement received, as may have been determined by a State or Federal audit.
- C. STATE will have the right to withhold any installments equal to the reimbursement received by AGENCY for prior installments which have been subsequently determined to be ineligible or unauthorized.

III. Property Agreement

- A. AGENCY will immediately notify STATE if any equipment purchased under this Contract ceases to be used in the manner as set forth by this Contract. In such event, AGENCY further agrees to either give credit to the project cost or to another active highway safety project for the residual value of such equipment in an amount to be determined by STATE or to transfer or otherwise dispose of such equipment as directed by STATE.
- B. No equipment will be conveyed, sold, salvaged, transferred, etc., without the express written approval of STATE, or unless otherwise provided elsewhere in this Contract.
- C. AGENCY will maintain or cause to be maintained for its useful life, any equipment purchased under this Contract.
- D. AGENCY will incorporate any equipment purchased under this Contract into its inventory records.
- E. AGENCY will insure any equipment purchased under this Contract for the duration of its useful life. Self-insurance meets the requirements of this section.

IV. Travel

In-State and Out-of-State Travel

In state and out-of-state travel claims will be reimbursed at rates provided by AGENCY's regulations, provided that such regulations are as restrictive as those of STATE. Where they are less restrictive, ARS §38-624 will apply.

The State must approve all out-of-state travel in writing and in advance.

V. Standard of Performance

AGENCY hereby agrees to perform all work and services herein required or set forth, and to furnish all labor, materials, and equipment, except that labor, material, and equipment as STATE agrees to furnish pursuant to this Contract.

VI. Hold Harmless Agreement

Neither party to this agreement agrees to indemnify the other party or hold harmless the other party from liability hereunder. However, if the common law or a statute provides for either a right to indemnify and/or a right to contribution to any party to this agreement then the right to pursue one or both of these remedies is preserved.

VII. Non-Assignment and Sub-Contracts

This Contract is not assignable nor may any portion of the work to be performed be subcontracted unless specifically agreed to in writing by STATE. No equipment purchased hereunder may be assigned or operated by other than AGENCY unless agreed to in writing by STATE.

VIII. Work Products and Title to Commodities and Equipment

- A. The work product and results of the project are the property of STATE, unless otherwise specified elsewhere in this Contract. All property, instruments, non-consumable materials, supplies, and the like, which are furnished or paid for by STATE under the terms of this Contract, unless otherwise provided for elsewhere in this Contract, are and remain the property of STATE and will be returned at the completion of this project upon request of STATE. The work product and results of the project will be furnished to STATE upon request, if no provision is otherwise made by this Contract.
- B. The provisions of subparagraph A apply whether or not the project contracted for herein is completed.

IX. Copyrights and Patents

Any copyrightable materials, patentable discovery, or invention produced in the course of this project may be claimed by STATE and a copyright or patent obtained by it at its expense. In the event STATE does not wish to obtain such copyright or patent, AGENCY may do so, but in any event, provision will be made by AGENCY for royalty-free, nonexclusive, nontransferable, and irrevocable licenses to be given the United States Government and STATE and its political subdivisions to use such copyrightable material, patented discoveries, or inventions in any manner they see fit. The STATE reserves the right to impose such other terms and conditions upon the use of such copyrights or patents as may be deemed in the best interest of STATE in the event AGENCY is allowed to obtain a copyright or patent.

X. "Common Rule" and OMB Circular No. A-102 (Revised)

"Common Rule" (49 CFR Part 18): Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments

OMB Circular No. A-102 (Revised): Grants and Cooperative Agreements with State and Local Governments

The application of USDOT "Common Rule" and Circular A-102 requires that:

AGENCY and sub-grantees will use their own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law. The most stringent purchasing requirement at each level must be met.

The Arizona Procurement Code (ARS §41-2501, et. seq.) and promulgated rules (A.A.C. Title 2, Chapter 7) are a part of this Contract as if fully set forth herein and AGENCY agrees to fully comply with these requirements for any procurement using grant monies from this Contract.

XI. Non-Discrimination

During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- A. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- B. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;
- C. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- D. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including, but not limited to, withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- E. To insert this clause, including paragraphs A through E, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.
- F. If AGENCY fails or refuses to comply with its undertaking as set forth in these provisions, STATE or the USDOT may take any or all of the following actions:
 1. Cancel, terminate, or suspend, in whole or in part, the agreement, contract, or other arrangement with respect to which the failure or refusal occurred; and
 2. Refrain from extending any further Federal financial assistance to AGENCY under the Highway Safety Program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from AGENCY.
- G. Pursuant to the requirement of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), AGENCY must operate this Highway Safety Project so that it is accessible and otherwise non-discriminatory to handicapped persons.

XII. Executive Order 2009-09

It is mutually agreed that AGENCY will comply with the terms and conditions of Executive Order 2009-09, *Non-Discrimination in Employment by Government Contractors and Subcontractors*. Executive Order 2009-09 is located in Part II of the Project Director's Manual.

XIII. Application of Hatch Act

The AGENCY will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XIV. Minority Business Enterprises (MBE) Policy and Obligation

- A. **Policy:** It is the policy of the USDOT that minority business enterprises as defined in 49 CFR Part 23, will have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this Contract. Consequently, the minority business enterprises requirements of 49 CFR Part 23 apply to this Contract.
- B. **Obligation:** The recipient or its contractor agrees to ensure that minority business enterprises, as defined in 49 CFR Part 23, have the subcontracts financed in whole or in part with Federal funds provided under this Contract. In this regard, all recipients or contractors will take all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors will not discriminate on the basis of race, color, creed, sex, or national origin in the award and performance of USDOT-assigned contracts.

XV. Arbitration Clause, ARS §12-1518

Pursuant to ARS §12-1518, the parties agree to use arbitration, after exhausting applicable administrative reviews, to resolve disputes arising out of this Contract where the provisions of mandatory arbitration apply.

XVI. Inspection and Audit, ARS §35-214

Pursuant to ARS §35-214, all books, accounts, reports, files, and other records relating to this Contract will be subject at all reasonable times to inspection and audit by STATE for five (5) years after completion of this Contract. The records will be produced at the Governor's Office of Highway Safety.

XVII. Appropriation of Funds by U.S. Congress

It is agreed that in no event will this Contract be binding on any party hereto unless and until such time as funds are appropriated and authorized by the U.S. Congress and specifically allocated to the project submitted herein and then only for the fiscal year for which such allocation is made. In the event no funds are appropriated by the U.S. Congress or no funds are allocated for the project proposed herein for subsequent fiscal years, this Contract will be null and void, except as to that portion for which funds have then been appropriated or allocated to this project, and no right of action or damages will accrue to the benefit of the parties hereto as to that portion of the Contract or project that may so become null and void.

XVIII. Continuation of Highway Safety Program

It is the intention of AGENCY to continue the Highway Safety Program identified in this Contract once Federal funding is completed. This intended continuation will be based upon cost effectiveness and an evaluation by AGENCY of the program's impact on highway safety.

XIX. E-Verify

Both parties acknowledge that immigration laws require them to register and participate with the E-Verify Program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this State. Both parties warrant that they have registered with and participate with E-Verify. If either party later determines that the other non-compliant party has not

complied with E-Verify, it will notify the non-compliant party by certified mail of the determination and of the right to appeal the determination.

XX. Termination and Abandonment

- A. The STATE and AGENCY hereby agree to the full performance of the covenants contained herein, except that STATE reserves the right, at its discretion, to terminate or abandon any portion of the project for which services have not been already performed by AGENCY.
- B. In the event STATE abandons the services or any part of the services as herein provided, STATE will notify AGENCY in writing and within twenty-four (24) hours after receiving such notice, AGENCY will discontinue advancing the work under this Contract and proceed to close said operations under the Contract.
- C. The appraisal value of work performed by AGENCY to the date of such termination or abandonment shall be made by STATE on a basis equitable to STATE and AGENCY and a final reimbursement made to AGENCY on the basis of costs incurred. Upon termination or abandonment, AGENCY will deliver to STATE all documents, completely or partially completed, together with all unused materials supplied by STATE.
- D. AGENCY may terminate or abandon this Contract upon thirty (30) days written notice to STATE, provided there is subsequent concurrence by STATE. Termination or abandonment by AGENCY will provide that costs can be incurred against the project up to and including sixty (60) days after notice is given to STATE.
- E. Any equipment or commodities which have been purchased as a part of this Contract and which have not been consumed or reached the end of its useful life will be returned to STATE upon its written request.

XXI. Cancellation Statute

All parties are hereby put on notice that this Contract is subject to cancellation pursuant to ARS §38-511, the provisions of which are stated below.

In accordance with ARS §38-511, this Contract may be cancelled without penalty or further obligation if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Contract on behalf of the STATE, its political subdivisions or any department or agency of either, is at any time while the Contract or any extension of the Contract is in effect, an employee of any other party to the Contract in any capacity or a consultant to any other party of the Contract with respect to the subject matter or the Contract.

The cancellation shall be effective when written notice from the Governor or Chief Executive Officer or governing body of the political subdivision is received by all other parties to the Contract unless the notice specifies a later time.

AGREEMENT OF UNDERSTANDING AND CERTIFICATION OF COMPLIANCE**Acceptance of Condition**

It is understood and agreed by the undersigned that a grant received as a result of this Contract is subject to the Highway Safety Act of 1966, as amended (23 U.S.C.A. §§401-404), ARS §28-602, and all administrative regulations governing grants established by the USDOT and STATE. It is expressly agreed that this Highway Safety Project constitutes an official part of the STATE's Highway Safety Program and that AGENCY will meet the requirements as set forth in the accompanying Project Director's Manual, which are incorporated herein and made a part of this Contract. All State and Federal Statutes, Rules, Regulations, and Circulars referenced in this Contract are a part of this document as if fully set forth herein. It is also agreed that no work will be performed nor any obligation incurred until AGENCY is notified in writing that this project has been approved by the Governor's Highway Safety Representative.

Certificate of Compliance

This is to certify that AGENCY will comply with all of the State and Federal Statutes, Rules and Regulations identified in this Contract.

Certification of Non-Duplication of Grant Funds Expenditure

This is to certify that AGENCY has no ongoing nor completed projects under contract with other Federal fund sources which duplicate or overlap any work contemplated or described in this Contract. It is further certified that any pending or proposed request for other Federal grant funds which would duplicate or overlap work described in the Contract will be revised to exclude any such duplication of grant fund expenditures. It is understood that any such duplication of Federal funds expenditures subsequently determined by audit will be subject to recovery by STATE.

Single Audit Act

If your political subdivision has had an independent audit meeting the requirements of the Single Audit Act of 1984, (31 U.S.C.A. §7501 et. seq.), please forward a copy to GOHS, Attention: Fiscal Services Officer, within thirty (30) days of the effective date of this Contract. If such audit has not been performed, please advise when it is being scheduled.

Buy America Act

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron, and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than twenty-five (25) percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

Prohibition on Using Grant Funds to Check for Helmet Usage

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

Certification Regarding Debarment and Suspension

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
- D. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and Coverage sections of 2 CFR part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
- G. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled Instructions for Lower Tier Certification including the Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matter

- A. The prospective primary participant certifies to the best of its knowledge and belief, that its principal:
 1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- B. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- A. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- C. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its

certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

- D. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
- F. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.
- G. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-Procurement Programs.
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

- A. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- B. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

REIMBURSEMENT INSTRUCTIONS

1. Agency Official preparing the Report of Costs Incurred:

Name: SHELLEY RITENOUR
Title: ADMINISTRATIVE ASSISTANT
Telephone Number: 520.432.9527 Fax Number: 520.432.3517
E-mail Address: SRITENOUR@COCHISE.AZ.GOV

2. Agency's Fiscal Contact:

Name: REE ANNE SERVIA
Title: ADMINISTRATIVE MANAGER
Telephone Number: 520.432.9515 Fax Number: 520.432.3517
E-mail Address: RSERVIA@COCHISE.AZ.GOV
Federal Identification Number: 86-6000398

3. REIMBURSEMENT INFORMATION:

Warrant/Check to be made payable to: COCHISE COUNTY SHERIFFS OFFICE

Warrant/Check to be mailed to: COCHISE COUNTY SHERIFFS OFFICE

(Agency) 205 N. JUDD DRIVE

(Address) BISBEE, AZ 85603

(City, State, Zip Code)

4. DUNS Number:

020126041

(DUNS #) COCHISE COUNTY, 1415 MELODY LN. BISBEE, AZ

(Registered Address & Zip Code) 85603

Restriction on State Lobbying

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:


- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned will require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients will certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC §1352. Any person who fails to file the required certification will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Project Director:

Signature of Authorized Official of Governmental Unit:

Mark Dannels, Sheriff
Cochise County Sheriff's Office

Ann English, Chairman
Cochise County



01/25/2017 520-432-9505
Date Telephone

_____ Date Telephone

AUTHORITY & FUNDS

1. This Project is authorized by 23 U.S.C. §405 and regulations promulgated there under, more particularly Volume 102, and if State funds are involved, this project is authorized by ARS §28-602.

The funds authorized for this Project have been appropriated and budgeted by the U.S. Department of Transportation. The expenses are reimbursable under Arizona's Highway Safety Plan Program Area 405d and 402-PT, as approved for by the National Highway Traffic Safety Administration.

2. A. **EFFECTIVE DATE:**

 Authorization to Proceed Date
- B. **FEDERAL FUNDS:**


 \$47,000.00

3. **AGREEMENT AND AUTHORIZATION TO PROCEED**
 by State Official responsible to Governor for the
 administration of the State Highway Safety Agency

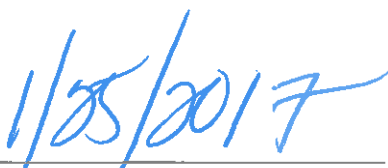
Alberto Gutier, Director
Governor's Office of Highway Safety
Governor's Highway Safety Representative

Approval Date

Approved as to form and authority to enter in Agreement:



Lauri J. Owen, Legal Counsel for Grantee
Cochise County Attorney's Office



Date

Court Administration

Regular Board of Supervisors Meeting**Meeting Date:** 02/14/2017

Reappointments of Judges Pro Tempore

Submitted By: Shawneen Serrano, Court Administration**Department:** Court Administration**Presentation:** No A/V Presentation **Recommendation:** Approve**Document Signatures:** BOS Signature NOT Required **# of ORIGINALS Submitted for Signature:** 0**NAME of PRESENTER:** n/a **TITLE of PRESENTER:** n/a**Docket Number (If applicable):****Mandated Function?:** Federal or State Mandate **Source of Mandate or Basis for Support?:** 12-141, 8-231, 12-144, 22-121, 22-122**Information****Agenda Item Text:**

Approve reappointment of Superior Court Judges Pro Tempore, Terry Bannon and Margaret Macartney pursuant to ARS 12-141 and ARS 8-231 and authorize Court Administration to call upon an appropriately appointed Superior Court Judge Pro Tempore from another county in extenuating circumstances pursuant to ARS 12-144 for the period beginning July 1, 2017 to and including June 30, 2018.

Background:

The court is required to appoint judges Pro Tem with Board Of Supervisors approval.

Department's Next Steps (if approved):

Re-appointment of Superior Court Judge Pro Tems of Cochise County by Superior Court Presiding Judge.

Impact of NOT Approving/Alternatives:

No Judge to hear Juvenile Dependency cases.

To BOS Staff: Document Disposition/Follow-Up:

Notify Court Administration of approval of agenda item - send clerk's statement of outcome of item w/BOS' vote.

Attachments

No file(s) attached.

Regular Board of Supervisors Meeting

Elections and Special Districts

Meeting Date:	02/14/2017		
Approve Appointment of Democratic Precinct Committee Members			
Submitted By:	Martha Rodriguez, Elections & Special Districts		
Department:	Elections & Special Districts		
Presentation:	No A/V Presentation	Recommendation:	Approve
Document Signatures:	BOS Signature NOT Required	# of ORIGINALS Submitted for Signature:	0
NAME of PRESENTER:	N/A	TITLE of PRESENTER:	N/A
Docket Number (If applicable):			
Mandated Function?:	Federal or State Mandate	Source of Mandate or Basis for Support?:	A.R.S. §16-821

Information

Agenda Item Text:

Approve the appointment as precinct committee persons for the Democratic Party upon the recommendation of the Party chair, Debbie Hickman. Precinct 01 BE Benson: Ella Kathleen Suagee; Precinct 04 BI Bisbee: Mary Elizabeth Thornton; Precinct 18 Naco: Richard H. Corley; Precinct 20 Pirtleville: Cornelia Munoz; Precinct 21 Pomerene: Arthur Eugene Troutner, Maria A. Troutner; Precinct 27 SV Buffalo Soldier: Karl Joseph Hallsten; Precinct 28 SV Busby: Patricia A. Hickey; Precinct 33 SV Estates: Jose Garcia; Precinct 35 SV Moson: Anthony "Tom" Wisniewski; Precinct 36 SV Pueblo Del Sol: Roger B. DeVries; Precinct 42 SV Vista Village: JoAnn Revak and John J. Revak.

Background:

Requested by Cochise Democratic Party Chair and verified as eligible by Cochise County Elections Department (see attached forms).

Department's Next Steps (if approved):

Elections Department will prepare letter to approve Precinct Committee Person w/copy to Party Chair. Create file for approved Precinct Committee Person and update list/post on website.

Impact of NOT Approving/Alternatives:

Vacancies will exist in these positions.

To BOS Staff: Document Disposition/Follow-Up:

BOS staff to notify Elections of outcome of BOS decision on item.

Attachments

DemPC_approvals

Cochise County Democratic Committee
P.O. Box 3233
Sierra Vista, AZ 85636
January 12, 2017

Cochise County Board of Supervisors
1415 Melody Lane, Building G
Bisbee, AZ, 85603

Dear Supervisors,

Request you appoint the following qualified register Democrats to become Precinct Committee Members with the Cochise County Democratic Committee, at your earliest convenience.

Last Name	First Name	Precinct
Corley	Rick	Naco ✓
DeVries	Roger	SV Pueblo del Sol ✓
Garcia	Jose	SV Estates ✓
Hallsten	Karl	SV Buffalo Soldier ✓
Hickey	Patricia	SV Busby ✓
Munoz	Cornelia	Pirtleville ✓
Revak	JoAnn	SV Vista Village ✓
Revak	John	SV Vista Village ✓
Suagee	Ella Kathleen	BE Benson ✓
Thornton	Mary Elizabeth	BI Bisbee ✓
Troutner	Eugene	Pomerene ✓
Troutner	Maria	Pomerene ✓
Wisniewski	Anthony "Tom"	SV Moson ✓

Respectfully,



Debbie Hickman
Chair, Cochise County Democratic Committee 2017-2018
(520) 678-0481
Email: cochisecodemsgmail.com

CF: Martha Rodriguez, Cochise Co. Elections



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Ella Kathleen Suagee

ADDRESS: 374 W. Duane St

Benson AZ 85602

PARTY: Dem

PRECINCT: 01 BE BENSON

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 4

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha L. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Mary Elizabeth Thornton

ADDRESS: 75 Shearer Ave

P.O. Box 158 Bisbee AZ 85603

PARTY: Dem

PRECINCT: 04 BI BISBEE

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 6

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha S. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Richard A. Corley

ADDRESS: 3578 S. Quetel Ave

P.O. Box 319 Naco, AZ 85620

PARTY: Dem

PRECINCT: 18 Naco

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 3

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 1

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha L. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Cornelia Munoz

ADDRESS: 504 W. Fir Ave

PO Box 35 Pirtleville AZ 85626

PARTY: Dem

PRECINCT: 20 Pirtleville

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 6

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha L Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Arthur Eugene Troutner

ADDRESS: 6590 N. Cascabel Rd

Benson AZ 85602

PARTY: Dem

PRECINCT: 21 Pomerene

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 2

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha S. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Maria A. Troutner

ADDRESS: 6590 N. Cascabel Rd.

Benson AZ 85602

PARTY: Dem

PRECINCT: 21 Pomerene

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 2

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha S. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Karl Joseph Hallsten

ADDRESS: 2758 Raven Dr

Sierra Vista AZ 85650

PARTY: Dem

PRECINCT: 27 SV Buffalo Soldier

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 4

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha L. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Patricia A. Hickey

ADDRESS: 71 Witt Dr.

Sierra Vista AZ 85635

PARTY: Dem

PRECINCT: 28 SV Busby

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 4

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 1

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Mertha L. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Jose Garcia

ADDRESS: 5008 E. Bevers St.

Sierra Vista AZ 85650

PARTY: Dem

PRECINCT: 33 SV Estates

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 4

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 1

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha J. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Anthony "Tom" Wisniewski

ADDRESS: 3890 S. Moson Rd

Sierra Vista AZ 85650

PARTY: Dem

PRECINCT: 35 SV MOSON

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 3

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha L. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Roger B. DeVries

ADDRESS: 1450 Plaza Miura

Sierra Vista AZ 85635

PARTY: Dem

PRECINCT: 36 SV Pueblo Del Sol

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 3

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha L. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: JoAnn Revak

ADDRESS: 2064 Sonoita Dr.

Sierra Vista AZ 85635

PARTY: Dem

PRECINCT: 42 SV Vista Village

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 3

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha R. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: John J. Revak

ADDRESS: 2064 Sonoita Dr.

Sierra Vista AZ 85635

PARTY: Dem

PRECINCT: 42 SV Vista Village

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 3

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 1-17-2017

BY: Martha S. Rodriguez

Regular Board of Supervisors Meeting

Meeting Date: 02/14/2017

Demands

Submitted By: Kim Lemons, 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?:**

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.

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: 02/14/2017

New Liquor License Kief-Joshua Vineyards Farm Winery Series 13

Submitted By: Rebecca Reynolds, Board of Supervisors

Department: Board of Supervisors

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

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

NAME of PRESENTER: Arlethe Rios **TITLE of PRESENTER:** Clerk of the Board

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

Docket Number (If applicable):

Information

Agenda Item Text:

Approve a new liquor license application for a series #13 Farm Winery license submitted by Ms. Charlene Rae Manning for Kief-Joshua Vineyards, located at 4923 E. Arzberger Road, Willcox, AZ 85643.

Background:

Ms. Charlene Rae Manning has applied for a series #13 Farm Winery liquor license for Kief-Joshua Vineyards located at 4923 E. Arzberger Road, Willcox, AZ 85643. The Sheriff's Office has no recommendation and the Treasurer's Office advised that the property taxes for the parcel in question are current. The Planning and Zoning Department has recommended approval of the application. There have been no formal protests to this liquor license.

The Environmental Health Division has no concerns with the issuance of the liquor license. The establishment will require licensure with Cochise County Environmental Health and they will notify the applicant with requirements to obtain the proper permits before operating the business.

Ms. Manning has paid the \$100.00 processing fee. Supporting documentation regarding this liquor license is attached.

Department's Next Steps (if approved):

Board staff will forward the Board's decision to the Arizona Department of Liquor License and Control.

Impact of NOT Approving/Alternatives:

A hearing on this application will be scheduled with the State Liquor Board.

To BOS Staff: Document Disposition/Follow-Up:

Send packet to ADLLC and copy of letter w/out attachments to applicant.

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

[Application](#)

[Departmental Forms](#)

[Affidavit of Posting](#)



16 DEC 22 10:16 AM Lic. #1016

RECEIVED Lic. Dept #1149
COCHISE COUNTY BOARD OF SUPERVISORS

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

2017 JAN -6 PM 2: 22

Parcel # 305-26-005E

Application for Liquor License
Type or Print with Black Ink

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE
A service fee of \$25 will be charged for all dishonored checks (A.R.S. § 44-6852)

SECTION 1 This application is for a:

- Interim Permit (Complete Section 5)
- New License (Complete Sections 2, 3, 4, 13, 14, 15, 16)
- Person Transfer (Complete Section 2, 3, 4, 12, 13, 14, 16)
- Location Transfer (Bars and Liquor Stores Only)
(Complete Section 2, 3, 4, 11, 13, 14, 16)
- Probate/ Will Assignment/ Divorce Decree
(Complete Sections 2, 3, 4, 9, 13, 14, 16)
(Fee not required)
- Government (Complete Sections 2, 3, 4, 10, 13, 16)
- Seasonal

SECTION 2 Type of Ownership:

- J.T.W.R.O.S. (Complete Section 6)
- Individual (Complete Section 6)
- Partnership (Complete Section 6)
- Corporation (Complete Section 7) *at*
- Limited Liability Co (Complete Section 7)
- Club (Complete Section 8)
- Government (Complete Section 10)
- Trust (Complete Section 6)
- Tribe (Complete Section 6)
- Other (Explain)

SECTION 3 Type of license

1. Type of License: SERIES 13 LICENSE # 13023049
Current 13123006

SECTION 4 Applicants

1. Individual Owner/Agent's Name: Manning Charlene Rae P1051019
Last First Middle

2. Owner Name: Manning & Manning, Inc. B1034027
(Ownership name for type of ownership checked on section 2)

3. Business Name: KIEF - JOSHUA VINEYAROS B1057950
(Exactly as it appears on the exterior of premises)

4. Business Location Address: 4923 E ARZBERGER RD Willcox AZ 85743
(Do not use PO Box) Street City State Zip Code *Cochise County*

5. Mailing Address: 370 Elgin Rd Elgin AZ 85611
(All correspondence will be mailed to this address) Street City State Zip Code

6. Business Phone: 520 455 5582 Daytime Contact Phone: 480 650 8651

7. Email Address: KJVINEYAROS@gmail.com

8. Is the Business located within the incorporated limits of the above city or town? Yes No

9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation? Yes No
If yes, what City, Town or Tribal Reservation is this Business located in: _____

10. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$ _____

Fees: <u>100.00</u>	Department Use Only		<u>606.00</u>	<u>\$ 1106.00</u>
Application	Interim Permit	Site Inspection	Finger Prints	Total of All Fees
Is Arizona Statement of Citizenship & Alien Status for State Benefits complete?				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Accepted by: <u>SG</u>	Date: <u>12/27/16</u>	License #	<u>13023049</u>	

SECTION 5 Interim Permit

- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: _____

2. Is the license currently in use? Yes No If no, how long has it been out of use? _____

Attach a copy of the license currently issued at this location to this application.

I, _____ (Print Full Name)		declare that I am the CURRENT OWNER, AGENT, OR CONTROLLING PERSON on the stated license and location.	
X _____ (Signature of CURRENT individual Owner/Agent)	State of _____	County of _____	The foregoing Instrument was acknowledged before me this _____
My commission expires on: _____ Date	_____	of _____	Month _____ Year _____
		_____ Signature of NOTARY PUBLIC	

SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

Individual

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

Is any person other than above, going to share in profit/losses of the business? Yes No

If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City	State	Zip Code	Phone #

Partnership

Name of Partnership: _____

General-limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							

J.T.W.R.O.S (Joint Tenant with Rights of Survivorship)

Name of J.T.W.R.O.S: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 6 - continued

TRUST

Name of Trust: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

TRIBE

Name of Tribal Ownership: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 7 Corporations/ Limited Liability Co

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

- Corporation Complete Questions 1, 2, 3, 4, 5, 6, and 7
 LLC. Complete Questions 1, 2, 3, 4, 5, 6, and 7

1. Name of Corporation/ L.L.C.: Manning & Manning, Inc.
 2. Date Incorporated/Organized: Nov. 8, 2000 State where Incorporated/Organized: ARIZONA
 3. AZ Corporation or AZ LLC File No: 0968576-8 Date authorized to do Business in AZ: Nov. 8, 2000
 4. Is Corp/LLC. Non Profit? Yes No
 5. List Directors, Officers, Members in Corporation/LLC:

Last	First	Middle	Title	Mailing Address	City	State	Zip Code
Manning	Charlene	Rae	President	370 Elgin Rd	Elgin	AZ	85611
Manning	Jeffrey	Dean	Secretary	370 Elgin Rd	Elgin	AZ	85611
Manning	Kief	Joshua	CEO	370 Elgin Rd	Elgin	AZ	85611

(Attach additional sheet if necessary)

6. List all Stockholders / percentage owners who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City	State	Zip Code
Manning	Charlene	Rae	55	370 Elgin Rd	Elgin	AZ	85611
Manning	Jeffrey	Dean	25	370 Elgin Rd	Elgin	AZ	85611
Manning	Kief	Joshua	20	370 Elgin Rd	Elgin	AZ	85611

(Attach additional sheet if necessary)

7. If the corporation/ LLC are owned by another entity, attach an Organizational FLOWCHART showing the structure of the ownership. Attach additional sheets as needed in order to disclose the Officers, Directors, Members, Managers, Partners, Stockholders and percentage owners of those entities.

SECTION 8 Club Applicants

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD

- 1. Name of Club: _____
- 2. Is Club non-profit? Yes No
- 3. List all controlling members (minimum of four (4) requested)

Last	First	Middle	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Liquor License

- 1. Current Licensee's Name: _____
(Exactly as it appear on the license) Last First Middle
- 2. Assignee's Name: _____
 Last First Middle
- 3. License Type: _____ License Number: _____

ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE.

SECTION 10 Government (for cities, towns, or counties only)

- 1. Government Entity: _____
- 2. Person/Designee: _____
 First Last Middle Day time Contact Phone #

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISE FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Location to Location Transfer: Series 6 Bar, Series 7 Beer & Wine Series 9 Liquor Stores only)

- 1. Current Business: Name: _____
 Address: _____
 (Exactly as it appears on license)
- 2. New Business: Name: _____
 Address: _____
- 1. License Type: _____ License Number: _____

SECTION 12 Person to Person Transfer

Questions to be completed by Current Licensee (Bar and Liquor Stores Only- Series, 06, 07, and 09)

1. Individual Owner / Agent Name: _____ Entity: _____
Last First Middle (Individual, Agent, Etc.)

2. Ownership Name: _____
(Exactly as it appears on license)

3. Business Name: _____
(Exactly as it appears on license)

4. Business Location Address: _____
Street City State Zip

5. License Type: _____ License Number: _____

6. Current Mailing Address: _____
Street City State Zip

7. Have all creditors, lien holders, interest holders, etc. been notified? Yes No

8. Does the applicant intend to operate the business while this application is pending? Yes No

If yes, complete Section 5 (Interim Permit) of this application; attach fee, and current license to this application.

9. I, (Print Full Name) _____ hereby authorize the department to process this Application to transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, (Print Full Name) _____, declare that I am the **CURRENT OWNER, MEMBER, PARTNER STOCKHOLDER or LICENSEE** of the stated license. I have read the above Section 12 and confirm that all statements are true, correct, and complete.

NOTARY

X _____ State of _____ County of _____
(Signature of CURRENT Individual Owner/Agent) The foregoing Instrument was acknowledged before me this

My commission expires on: _____ of _____
Date Day Month Year

Signature of NOTARY PUBLIC

SECTION 13 Proximity to Church or School

Questions to be completed by all in-state applicants.

A.R.S. § 4-207. (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02) Series 12
- b) Hotel/motel license (§ 4-205.01) Series 11
- c) Microbrewery Series 3
- d) Craft Distillery Series 18
- e) Government license (§ 4-205.03) Series 5
- f) Fenced playing area of a golf course (§ 4-207(B)(5))
- g) Wholesaler Series 4
- h) Farm Winery Series 13

1. Distance to nearest School: 9 miles Name of School: Willero High School
 (If less than one (1) mile note footage) Address: 240 N. Bisbee Ave Willero AZ 85643

2. Distance to nearest Church: Willero United Methodist Church Name of Church: United Methodist Church
 (If less than one (1) mile note footage) 9 miles Address: 124 S. Cactus Ave, Willero AZ 85643

SECTION 14 Business Financials

1. I am the: Lessee Sub-lessee Owner Purchaser Management Company

2. If the premise is leased give lessors: Name: _____
 Address: _____
Street City State Zip

3. Monthly Rent/ Lease Rate: \$ _____

4. What is the remaining length of the lease? Yrs. _____ Months _____

5. What is the penalty if the lease is not fulfilled? \$ _____ or Other: _____
(Give details-attach additional sheet if necessary)

6. Total money borrowed for the Business not including lease? \$ 225,000.00
 Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip
USDA			225,000.00	658 N. Bisbee Avenue	Willero	AZ	85643

(Attach additional sheet if necessary)

7. What type of business will this license be used for (be specific)?
Winery, vineyard, tasting Room : SERIES 13
Domestic Farm Winery

8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year? Yes No If yes, attach explanation.

9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business? Yes No

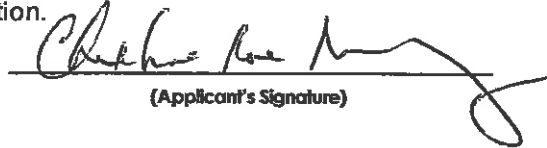
10. Is the premises currently license with a liquor license? Yes No

If yes, give license number and licensee's name:

License #: _____ Individual Owner /Agent Name: _____
(Exactly as it appears on license)

SECTION 15 Restaurant or hotel/motel license applicants

- 1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location? Yes No
- 2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
- 3. All Restaurant and Hotel/Motel applicants must complete a Restaurant Operation Plan form provided by the Department of Liquor Licenses and Control.
- 4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this Restaurant Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit form with this application.


(Applicant's Signature)

5. I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing; specify why the extension is necessary; and the new inspection date you are requesting.


(Applicant's Initials)

SECTION 16 Diagram of Premises

Check ALL boxes that apply to your business:

- | | | | |
|---|--|--------|--|
| <input checked="" type="checkbox"/> Entrances/Exits | <input checked="" type="checkbox"/> Liquor storage areas | Patio: | <input checked="" type="checkbox"/> Contiguous |
| <input checked="" type="checkbox"/> Walk-up windows | <input type="checkbox"/> Drive-through windows | | <input type="checkbox"/> Non Contiguous |

1. Is your licensed premises currently closed due to construction, renovation or redesign? Yes No

If yes, what is your estimated completion date? 2/1/16
Month/Day/Year

- 2. **Restaurants and Hotel/Motel** applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Place for diagram is on section 16 number 6.
- 3. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold; served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see # 3 above).
- 4. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises such as parking lots, living quarters, etc.
- 5. As stated in A.R.S. § 4-207.01 (B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.

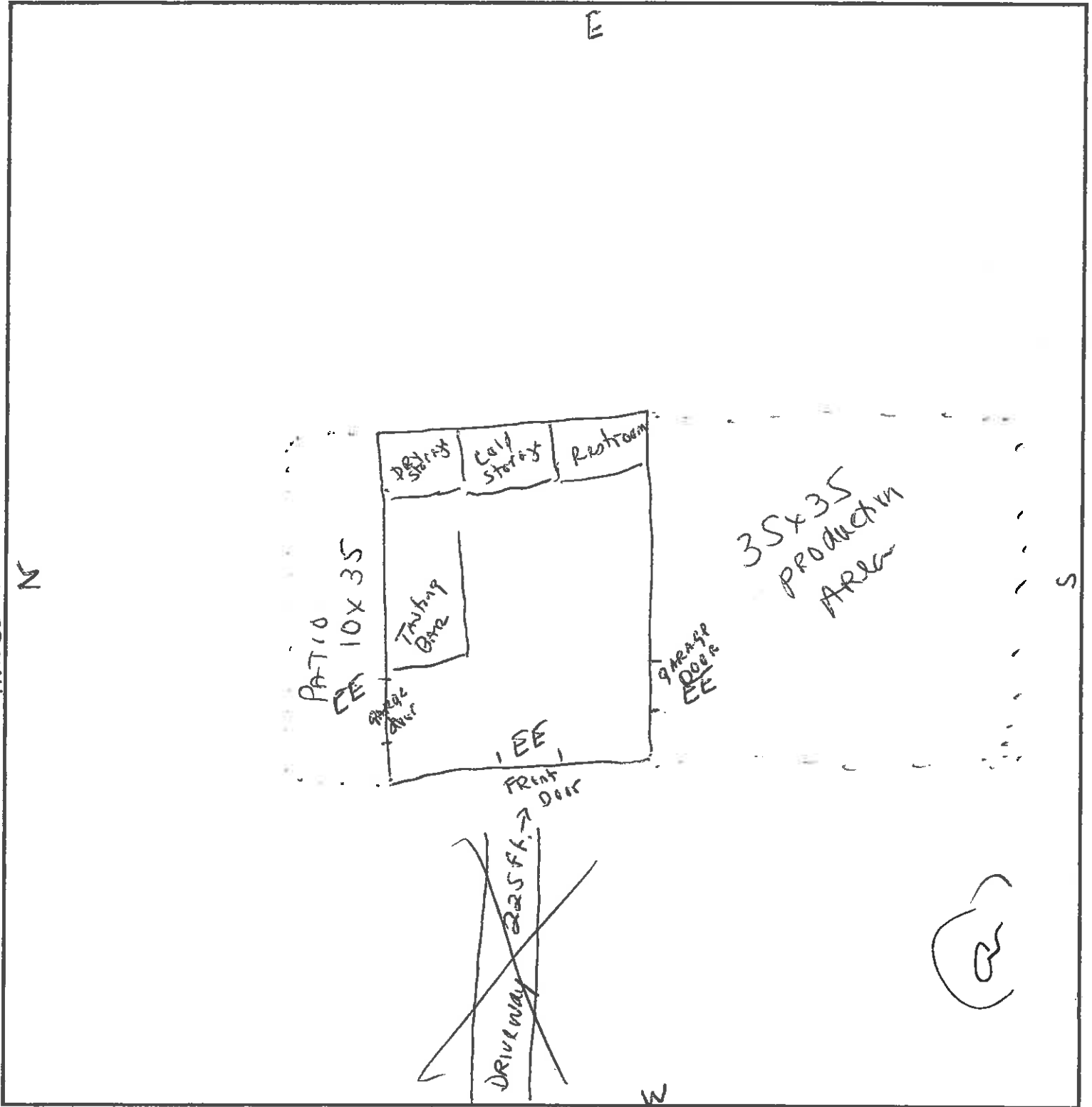

(Applicant's Initials)

SECTION 16 Diagram of Premises – continued

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

DIAGRAM OF PREMISES



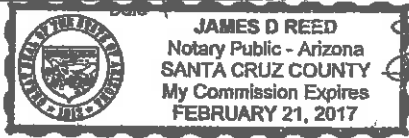
SECTION 17 SIGNATURE BLOCK

NOTARY

I, (Print Full Name) Charlene Rae Manning, hereby declare that I am the Owner/Agent filing this application as stated in Section 4 # 1. I have read this application and verify all statements to be true, correct and complete.

X Charlene Rae Manning State of Az County of Santa Cruz
(Signature of CURRENT Individual Owner/Agent) The foregoing instrument was acknowledged before me this

My commission expires on: Feb 21 2017 05 of 12 2016
Date Day Month Year



James D Reed
Signature of NOTARY PUBLIC

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name: Charlene Rae Manning Address: 4923 E. Arzberger Road
Business Name: Kief-Joshua Vineyards City/Zip: Willcox/85611
Liquor License #: 13023049 Parcel #: 305-26-005E
Ownership Type: Incorporated Liquor License Special Event Liquor License
Partner(s): Jeffrey Dean Manning & Kief Joshua Manning

TO BE COMPLETED BY THE ENVIRONMENTAL HEALTH DEPARTMENT

We would like to request your assistance in reviewing the attached application.

Please provide any pertinent information for the Board's consideration:

If the applicant's current proposal is to sell bottles of wine that are commercially produced and single serve wine tasting; therefore Cochise County Environmental Health Division has no concerns with the current proposal and no objection to the issuing of Liquor License #13023049 to Charlene Rae Manning dba Kief-Joshua Vineyards.

If the applicant plans to serve food or reuse wine glasses a permit from Environmental Health would need to be applied for. A septic permit will be required if not already applied for will need to contact Planning & Zoning.

OTHER PERTINENT INFORMATION FOR THE BOARD'S CONSIDERATION:

- The Health Department will notify the applicant that he/she will be required to obtain the proper permits before operating the business.
- The Health Department is currently working with the property owner on health-related issues with the subject property.

Name: Natalie Johnson Title: Environmental Health Specialist
Signature: *Natalie Johnson* Date: 01/12/17
Contact phone: 520-568-8208 Email: njohnson@cochise.az.gov

Return completed form with any attachments by: 1/18/17

COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5016

For internal use only:

- Restaurant/Hotel-Motel
- Club/Government
- Transfer of Premises

APPLICANT INFORMATION

Applicant Name: Charlene Rae Manning Address: 4923 E. Arzberger Rd
 Business Name: Kief-Joshua Vineyards City/Zip: Willcox/85611
 Liquor License #: 13023049 Parcel #: 305-26-005E
 Ownership Type: Incorporated Liquor License Special Event Liquor License
 Partner(s): Jeffrey Dean Manning & Kief Joshua Manning

TO BE COMPLETED BY THE PLANNING & ZONING DEPARTMENT

Please advise if, at the time the application was filed:

1. The premises for which the license is being applied for is within 300 horizontal feet of a church; or
2. The premises for which the license is being applied for is within 300 horizontal feet of a public or private school, or a fenced recreation area adjacent to a school building.

If so, please attach pertinent documentation and drawings or maps.

Comments: Proposed site not within 300 horizontal feet of a church, public or private school, or fenced recreation area adjacent to a school building.

Based on the above information, the Planning and Zoning Department's recommendation to the Board of Supervisors is:	Approval <input checked="" type="checkbox"/>	Disapproval <input type="checkbox"/>
---	---	---

OTHER PERTINENT INFORMATION FOR THE BOARD'S CONSIDERATION:

Proper Zoning? Y N Zoning: RU-4
 Use permitted by P&Z? Y N Permit#: Ag Exempt
 Date Permit Issued: N/A Use Permitted: Agricultural Process Services-On Site
 If use not permitted, is it LNC? Y N Year LNC Established: N/A

- The Planning Department will notify the applicant that if any construction is proposed, a Non-Residential Permit must first be submitted and approved by this Department, or if there is a lapse of 12 months of non-operation of the business, a Non-Residential Permit will be required to re-establish the use from this Department.
- The Planning Department will notify the applicant that he/she will be required to obtain the proper permits before operating the business.
- The Planning Department is currently working with the property owner on several zoning-related issues with the subject property.
- The applicant in growing, producing and selling on site.

Name: Dora V Flores Title: Zoning Administrator
 Signature: Dora V Flores Date: January 17, 2017
 Contact phone: 520.432.9300 Email: dflores@cochise.az.gov

Return completed form with any attachments by: 1/18/17

COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5018

APPLICANT INFORMATION

Applicant Name: Charlene Rae Manning Address: 4923 E. Arzberger Road
Business Name: Kief-Joshua Vineyards City/Zip: Willcox/85611
Liquor License #: 13023049 Parcel #: 305-26-005E
Ownership Type: Incorporated Liquor License Special Event Liquor License
Partner(s): Jeffrey Dean Manning & Kief Joshua Manning

TO BE COMPLETED BY THE SHERIFF'S OFFICE

Please advise if:

1. There have been a significant number of incidents at the named location within five (5) years prior to the application.

If so, please attach pertinent documentation.

Comments:

THERE HAVE BEEN NO SIGNIFICANT INCIDENTS AT THE NAMED LOCATION

Based on the above information, the Sheriff's Office recommendation to the Board of Supervisors is:

Approval

Disapproval

No Recommendation

Name: Sam Farris

Title: Commander

Signature: *Sam Farris* #1637

Date: 1/12/2017

Contact phone: 520-353-6073

Email: sfarris@cochise.az.gov

Return completed form with any attachments by: 1/18/17

COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name: Charlene Rae Manning Address: 4923 E. Arzberger Road
Business Name: Kief-Joshua Vineyards City/Zip: Willcox/85611
Liquor License #: 13023049 Parcel #: 305-26-005E
Ownership Type: Incorporated Liquor License Special Event Liquor License
Partner(s): Jeffrey Dean Manning & Kief Joshua Manning

TO BE COMPLETED BY THE TREASURER'S OFFICE

Please advise if the property taxes for the parcel in question are current.

XXX Yes No

If not, please attach pertinent documentation.

Comments:

FIRST HALF TAXES ARE PAID

Name: KATHLEEN WILSON Title: TAX SPECIALIST 1
Signature: KATHLEEN WILSON Date: 1/11/2017
Contact phone: 520-432-8404 Email: KWILSON@COCHISE.AZ.GOV

Return completed form with any attachments by: 1/18/17



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

AFFIDAVIT OF POSTING

Date of Posting: 1/17/17 Date of Posting Removal: 2/7/17

Applicant's Name: Manning Charlene Rae
Last First Middle

Business Address: 4983 E. Arzberger Road Willcox 85611
Street City Zip

License #: 13023049

I hereby certify that pursuant to A.R.S. 4-201, I posted notice in a conspicuous place on the premises proposed to be licensed by the above applicant and said notice was posted for at least twenty (20) days.

Charles R. Cooper Inspector 520 432 9270
Print Name of City/County Official Title Phone Number

Chas R Cooper 2-7-17
Signature Date Signed

Return this affidavit with your recommendations (i.e., Minutes of Meeting, Verbatim, etc.) or any other related documents. If you have any questions please call (602) 542-5141 and ask for the Licensing Division.

01/17/2017

NOTICE

APPLICATION TO SELL ALCOHOLIC BEVERAGES
DATE POSTED: *August 15, 2016*

John, Steve & Dan
The following information is for informational purposes only. It is not intended to be used as a basis for any action. For more information, please call the State of Colorado at 303-791-1111. The State of Colorado is not responsible for the accuracy of the information provided. The State of Colorado is not responsible for the accuracy of the information provided. The State of Colorado is not responsible for the accuracy of the information provided.



Regular Board of Supervisors Meeting

Elections & Special Districts

Meeting Date:	02/14/2017		
Order to Call a Special Recall Election for Whetstone Water District			
Submitted By:	Martha Rodriguez, Elections & Special Districts		
Department:	Elections & Special Districts		
Presentation:	No A/V Presentation	Recommendation:	Approve
Document Signatures:	BOS Signature Required	# of ORIGINALS Submitted for Signature:	0
NAME of PRESENTER:	N/A	TITLE of PRESENTER:	N/A
Docket Number (If applicable):			
Mandated Function?:	Federal or State Mandate	Source of Mandate or Basis for Support?:	§19-209

Information

Agenda Item Text:

Approve the Call for a Special Recall Election for the Whetstone Water District Governing Board Members: Robert Tinney, Leonard Howell and Tim Sulger.

Background:

Petitions were filed with the Elections Department demanding the recall of the 3 governing board members on January 9, 2017. The grounds of this demand for recall is as follows: (Disregarding Oath of Office by Multiple Violations of Open Meeting Laws.) Petitions were found to contain a number of certified signatures that exceed the minimum number required by the constitution. (See attached Order)

Department's Next Steps (if approved):

Once Call of Election is approved by the BOS Elections will send letter to the Whetstone Water District of the approval for a Special Recall Election, letting them know that the Elections Department shall have available Candidate Nomination packets for any elector that lives within the Water District Boundaries.

Impact of NOT Approving/Alternatives:

Valid signatures were filed and the impact of not approving goes against statute.

To BOS Staff: Document Disposition/Follow-Up:

BOS staff to notify the Elections Department of outcome of BOS decision.

Attachments

Order to Call Special Election

Order to Call a Special Recall Election
Whetstone Water District

AN ORDER OF THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA, PURSUANT TO ARIZONA REVISED STATUTES §19-209, CALLING FOR A SPECIAL RECALL ELECTION FOR THE WHETSTONE WATER DISTRICT; DESIGNATING THE DATE FOR THE ELECTION; DESIGNATING THE FILING PERIOD FOR RECEIPT OF THE CANDIDATE NOMINATION PETITIONS; DESIGNATING THE LAST DAY FOR VOTER REGISTRATION; AND INVITING NOMINATION PETITIONS.

WHEREAS, on January 9, 2017, petitions demanding the recall of Robert Tinney, Leonard Howell and Tim Sulger were presented to and filed with the Cochise County Elections Department; and

WHEREAS, Robert Tinney, Leonard Howell and Tim Sulger did not file a written tender to resign as a member of the district governing board pursuant to A.R.S. §19-208; and

WHEREAS, the validity of the petitions and sufficiency of signatures has been determined,

NOW, THEREFORE IT IS HEREBY ORDERED:

1. The petitions are found to contain a number of certified signatures that exceed the minimum number required by the constitution.
2. A Special Election is called to determine the recall of Robert Tinney, Leonard Howell and Tim Sulger, governing board members of the Whetstone Water District.
3. The election shall be held on the 16th of May, 2017.
4. The deadline for voter registration shall be March 17, 2017.
5. Early Voting will begin on April 19, 2017.
6. The Vote Center location shall be VC6 the Huachuca community Center, 201 Yuma St, Huachuca City.

IT IS FURTHER ORDERED that, pursuant to A.R.S. 19-212, qualified electors within the Water District are hereby invited to submit a candidate nomination petition for the position of

ORDER TO CALL A SPECIAL RECALL ELECTION

Whetstone Water District

Page 2

district governing board member. Candidate nomination packets shall be available in the Cochise County elections Department. The filing period for candidate nomination petitions shall begin on February 15, 2017, and end on April 17, 2017. Any such nomination petition shall state which member they oppose.

APPROVED this ____ day of _____, 2017.

COCHISE COUNTY BOARD OF SUPERVISORS

By: _____
Ann English, Chairman

ATTEST:

Arlethe G. Rios, Clerk of the Board

Regular Board of Supervisors Meeting

Meeting Date: 02/14/2017

Contract Award for the Willcox Service Center Renovation

Submitted By: Terry Hudson, Procurement

Department: Procurement

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

Document Signatures: BOS Signature Required **# of ORIGINALS Submitted for Signature:** 2

NAME of PRESENTER: Terry Hudson **TITLE of PRESENTER:** Procurement Director

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

Docket Number (If applicable):

Information

Agenda Item Text:

Approve the award of Invitation For Bids (IFB) 17-11-FAC-04 for the renovation of the Willcox Service Center to Mills Design Group, LLC, Chandler, Arizona in the amount of \$529,504, tax included, without the add alternates to include an increase of \$13,734 to the County portion of the project.

Background:

IFB No. 17-11-FAC-04 was prepared and released on November 17, 2016, the solicitation was advertised in the San Pedro Valley News on November 23 and 30, 2016. The IFB was also posted on the Public Purchase website, 262 contractors were notified. A per-bid job walk was held on December 7, 2016 with ten contractors attending. Six bid submittal were received by the solicitation closing date of January 11, 2017 at 3:00 p.m. a bid tabulation is attached.

Project includes \$163,734 in renovations to the Justice Court. These renovations were originally approved as part of the decision package requests for 17/18 and allotted \$100,000 from half cent sales tax and \$50,000 from court enhancement funds. As a result, an additional \$13,734 will be needed from half cent sales tax to accommodate the request.

Department's Next Steps (if approved):

Execute contract, obtain performance bond, payment bond and certificate of insurance. Issue notice to proceed, schedule and conduct per-construction meeting, monitor contractors performance.

Impact of NOT Approving/Alternatives:

Loss of donated funds and the Service Center will not be renovated.

To BOS Staff: Document Disposition/Follow-Up:

Construction contract will be hand carried to the Clerk of the Board when signed copies are received.

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 Impact & Funding

Sources (if known):

The renovation project of the Willcox Service Center is funded by JP4 FY 16/17 budgeted funds and a donation from the Howard G. Buffett Foundation in the amount of \$464,709.

Attachments

Bid Tabulation

COCHISE COUNTY

PROCUREMENT DEPARTMENT

IFB FOR: Willcox Service Center Renovation

IFB NO: 17-11-FAC-04

DUE DATE: 1-11-2017

BUYER: Terry Hudson

Building Excellence
LLC - Tucson, AZ

Kroll Contractors,
Tempe, AZ

D Square Const.,
LLC - Tucson, AZ

Marsh Development,
Huachuca City, AZ

Bid Item 1 - Justice Court 4 Renovation

\$160,085.00

\$113,008.00

\$191,699.00

\$197,505.00

Bid Item 2 - CCSO Substation Renovation

\$446,120.00

\$425,125.00

\$489,954.00

\$501,746.00

**Base Bid Grand Total including tax, without
add alternates**

\$606,205.00

\$532,095.00

\$681,653.00

\$692,099.00

Add Alternate: HVAC

\$5,558.00

\$5,188.00

\$8,688.00

\$7,152.00

Add Alternate: Ejector Pump Closet

\$850.00

Grand Total with Add Alternates

\$611,763.00

\$538,133.00

\$690,341.00

\$699,251.00

COCHISE COUNTY

PROCUREMENT DEPARTMENT

IFB FOR: Willcox Service Center Renovation

IFB NO: 17-11-FAC-04

DUE DATE: 1-11-2017

BUYER: Terry Hudson

Mills Design Group,
LLC, Chandler, AZ

Barker Morrissey
Contracting, Tucson,
AZ

Bid Item 1 - Justice Court 4 Renovation

\$163,734.00

\$148,558.10

Bid Item 2 - CCSO Substation Renovation

\$374,288.00

\$422,819.22

**Base Bid Grand Total including tax, without
add alternates**

\$529,504.00

\$571,377.32

Add Alternate: HVAC

\$7,926.00

\$5,149.00

Add Alternate: Ejector Pump Closet

\$592.00

Grand Total with Add Alternate

\$538,022.00

\$576,526.32

Regular Board of Supervisors Meeting

Meeting Date: 02/14/2017

Contract Award for a Community Health Improvement Plan

Submitted By: Terry Hudson, Procurement

Department: Procurement

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

Document Signatures: BOS Signature Required **# of ORIGINALS Submitted for Signature:** 2

NAME of PRESENTER: Terry Hudson **TITLE of PRESENTER:** Procurement Director

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

Docket Number (If applicable):

Information

Agenda Item Text:

Approve the award of Request for Proposals (RFP) No. 16-24-HEA-04 for a Community Health Improvement Plan (CHIP) to Health Management Associates, Inc. for the County Health and Social Services Department in the not to exceed amount of \$75,200.

Background:

Request for Proposals RFP 16-24-HEA-04 was released on March 25, 2016 for a Community Health Assessment (CHA) and a Community Health Improvement Plan (CHIP). The Board of Supervisors approved the Community Health Assessment (CHA) to Health Management Associates, Inc. on August 16, 2016. The Health and Social Services Department is requesting approval to move forward with the Community Health Improvement Plan (CHIP).

Department's Next Steps (if approved):

Draft and execute professional service agreement for the Boards signature, process purchase order and monitor Consultants performance.

Impact of NOT Approving/Alternatives:

The Cochise County Health & Social Services Department will not receive accreditation by the Public Health Accreditation Board.

To BOS Staff: Document Disposition/Follow-Up:

The Professional Service Agreement will be hand carried to the BOS staff after the Contractor's signature is received.

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 Impact & Funding
Sources (if known):**

The cost of the CHIP will be shared by the County, Legacy Foundation of SO. AZ and Northern Cochise Community Hospital each contributing \$8,000 each. Additional sponsors are actively being solicited. The CHSS fund line to be used is 240-5000-5300-421.500.

Attachments

No file(s) attached.

Regular Board of Supervisors Meeting

Meeting Date: 02/14/2017

State and Federal Legislation Discussion

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

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

Document Signatures: # 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:

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

Background:

na

Department's Next Steps (if approved):

na

Impact of NOT Approving/Alternatives:

na

To BOS Staff: Document Disposition/Follow-Up:

na

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

LPC Agenda



County Supervisors

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

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

COUNTY SUPERVISORS ASSOCIATION LEGISLATIVE POLICY COMMITTEE AGENDA

February 10, 2017

Teleconference 1-866-228-9900

Access Code 326208#

[Web Link](#)

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

9:00 a.m. Call to Order ~ *President Tommie Martin*

- A) Approval of the Minutes of the February 3, 2017, Legislative Policy Committee Meeting
(*previously distributed*)
- B) State Budget Update
- C) Legislative Bills for Discussion
 - 1) [HB 2157 private property access; rights-of-way](#) (*Bowers*)
 - 2) [HB 2239 incompetent, nonrestorable defendants; involuntary commitment](#) (*Griffin*)
 - 3) [SB 1072 administrative decisions; scope of review](#) (*Petersen*)
 - 4) [SB 1114 outdoor advertising](#) (*Borrelli*)
 - 5) [SB 1161 courthouse security; fund](#) (*Borrelli*)
 - 6) [SB 1201 medical examiner; communicable diseases; disclosure](#) (*Griffin*)
 - 7) [SB 1245 state lands; perpetual rights-of-way](#) (*Griffin*)
 - 8) [SB 1408 counties; municipalities; euthanizing animals](#) (*Kavanagh*)
 - 9) [SB 1416 revitalization districts; county participation](#) (*Pratt*)
 - 10) [SB 1453 road improvement districts; financing](#) (*Griffin*)
 - 11) [SB 1454 county improvement districts; assessment; contribution](#) (*Griffin*)
 - 12) [SB 1479 mental health treatment; patient transport](#) (*Smith*)

Additional Bills for Discussion

- 13) [SB 1146 S/E registration fees; VLT; gas tax](#) (*Worsley*)
- 14) [SB 1147 S/E county election; motor fuel taxes](#) (*Worsley*)

D) CSA Legislative Agenda

- 1) [HB 2065 waste tire disposal; continuation](#) (*Coleman*)
- 2) [HB 2230 intergovernmental public transportation authority; taxation](#) (*Shooter*)
- 3) [HB 2258 county contributions; hospitalization; medical; repeal](#) (*Thorpe*)
- 4) [HB 2332 property tax valuation appeals](#) (*Campbell*)
- 5) [HCR 2011 motor vehicle fuel taxes](#) (*Campbell*)
- 6) [SB 1406 contributions; committed youth; repeal; committee](#) (*Fann*)

- E) Next Meeting Date and Time (*Thursday, February 16, at 10:00 a.m.; then Friday, February 24, at 9:00 a.m.*) **PLEASE NOTE THE NEXT LPC WILL BE HELD IN CONJUNCTION WITH THE CSA BOARD OF DIRECTORS MEETING**

F) Other Business

G) Adjourn