



Cochise County Board of Supervisors

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

ANN ENGLISH
Chairman
District 2

PATRICK G. CALL
Vice-Chairman
District 1

PEGGY JUDD
Supervisor
District 3

EDWARD T. GILLIGAN
Interim County Administrator

ARLETHE G. RIOS
Clerk of the Board

AGENDA FOR REGULAR BOARD MEETING

Tuesday, February 28, 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 February 14, 2017.

County Attorney

2. Approve the proposed settlement of the Tax Appeal in Phillip L. Weeks and Elizabeth L. Weeks, v. Cochise County, ST2016-000179 (Assessor parcel Nos. 102-01-012 and 102-01-013C), now pending in Arizona Tax Court, a division of the Superior Court of and for Maricopa County.

Elections & Special Districts

3. Approve the appointment as precinct committee persons for the Democratic Party upon the recommendation of the Party Chair, Debbie Hickman: Precinct 04 BI Bisbee: Linda J. Moore; Precinct 11 DO Castro Park: Erik Coppes; Precinct 19 Palominas: Cynthia Aspengren; Precinct 22 Portal: Diane "Dinah" Davidson; Precinct 27 SV Buffalo Soldier: Elisabeth Tyndall; Precinct 39 SV Soldier Creek: Paul Masterson, Percy Childs; Precinct 43 SV Yaqui: Pamela Landin; and Precinct 44 Tombstone: Alisa Cook.

Finance

4. Approve demands and budget amendments for operating transfers.

PUBLIC HEARINGS

Board of Supervisors

5. Approve a new sampling privileges liquor license application for a series #9S license submitted by Ms. Judith Lee Leiker for Mustang Mall, LLC, located at 13116 S. Highway 191, Pearce, AZ 85625

ACTION

Board of Supervisors

6. Renew and/or revise amendment 2 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.
7. Approve Agreement of Employment for the County Administrator position for Mr. Edward T. Gilligan.

Community Development

8. Approve the award of Request for Qualifications (RFQ) No.17-14-P&Z-03 On Call Building Plan Review & Site Inspection Services to establish a qualified list of two firms for residential and commercial building plan review and site inspection services for the Community Development Department.

Facilities Management

9. Approve purchase agreement for sale of Cochise County Hospital for the sum of \$268,000 as offered through the Public Surplus Auction process by Videa Enterprises AKA Videacorp.

Fleet Services

10. Approve the award of Invitation for Bids IFB 17-22-FSD-04 to Wilkens Industries, Inc. for the purchase of two walking floor trailers for the Fleet Services Department in the not to exceed amount of \$135,896 plus any applicable tax.

STATE & FEDERAL LEGISLATION

11. 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 EDWARD T. GILLIGAN INTERIM 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: 02/28/2017

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 February 14, 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, February 14, 2017**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, February 14, 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

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.

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. Warrants Nos. 15230-15291, 15301-15401, 15403-15551, 15570-15722 were issued in the amount of \$1,861,197.67.

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

Vice-Chairman Call moved to approve items 1-9 on the consent agenda. Supervisor Judd seconded the motion and it carried unanimously.

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.

Ms. Arlethe Rios, Clerk of the Board, presented this item. Ms. Rios said the Sheriff's Office did not have a recommendation and the Planning and Zoning Department had recommended approval. The Environmental Health Division noted that they have no concerns with the issuance of the liquor license; the Treasurer's Office noted that all property taxes are current. The applicant has paid the \$100 processing fee and the Board staff recommended approval.

Chairman English opened the public hearing.

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

Vice-Chairman Call moved to 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. Supervisor Judd seconded the motion.

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

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.

Ms. Martha Rodriguez, Interim Elections & Special Districts Director, presented this item. Ms. Rodriguez went over the process and highlighted key dates. She added that one vote center would be used for the election and asked the Board if they had any questions.

Supervisor Judd moved to approve the Call for a Special Recall Election for the Whetstone Water District Governing Board Members: Robert Tinney, Leonard Howell and Tim Sulger. Vice-Chairman Call seconded the motion.

Chairman English said that there were citizens who had requested to speak and at this time she would allow them to do so.

Mr. Lance Amatulli, Whetstone Water District resident, addressed the Board regarding his concerns on why a recall was necessary in order to address what he believed to be unlawful actions by the Whetstone Water Board.

Mr. James Allen Demuth, Whetstone Water District resident, addressed the Board regarding his concerns about violations committed by the Whetstone Water Board and thanked the Board for the opportunity of the citizens to request a recall election.

Ms. Patricia Woolsey, Whetstone Water District resident, said she agreed with the other two

speakers and wanted to be heard on record.

Supervisor Judd said that she appreciated the citizens using the democratic process to deal with this issue.

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

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.

Mr. Terry Hudson, Procurement Director, presented this item. Mr. Hudson gave the background and explained the purpose of the bid.

Vice-Chairman Call moved to 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. Supervisor Judd seconded the motion.

Mr. Vlahovich stated that the additional \$13,000 would come from the County.

Supervisor Judd said she would like to see the bid go back out in order for local contractors to participate in the bidding process. She added that the original bid had not been advertised in the local paper and asked that staff modify the process to localize advertisements.

Chairman English said that the bid process is public information and any citizen can request to view all bidders and bids related to this project. She noted that five bids had been received and the lowest chosen, which was a fair process. She added that looking at processes is never a bad idea to ensure best practices.

Mr. Vlahovich said that he would meet with staff to go over the process and make any appropriate changes related to the advertisement of requests for bids.

Chairman English called for the vote and it was approved 2-0-1 (Judd opposed).

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.

Mr. Terry Hudson, Procurement Director, presented this item. Mr. Hudson gave the background and explained the purpose of this request.

Supervisor Judd moved to 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. Vice-Chairman Call seconded the motion.

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

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.

Chairman English explained that this item gave the Board members an opportunity to direct staff to take action regarding any pending bills.

The Board did not express any concerns and noted that staff was actively working on current bills that would impact the County.

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

Mr. Vlahovich deferred his report.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Vice-Chairman Call said he wanted to thank the Howard G. Buffet Foundation for donating funds towards the Willcox project. He added that he would be attending the Eastern Counties Organization meeting, the Sierra Vista Chamber of Commerce meeting, and noted that the Horseshoe Draw project groundbreaking would be delayed for about a month.

Report by District 2 Supervisor, Ann English

Chairman English said that the Health Department was holding free blood pressure checks in the Douglas and Bisbee clinics and encouraged all to stop by. She noted that today was Arizona's 105th Birthday and added that she had attended the Dairy Tour in Willcox.

Report by District 3 Supervisor, Peggy Judd

Supervisor Judd said she had attended the South Eastern Arizona Government Organization (SEAGO) retreat to discuss the goals on economic development for the strategic plan. She thanked the Southeastern Arizona Community Action Plan (SEACAP) for their work on the Winchester Heights Project.

Chairman English adjourned the meeting at 10:32 a.m.

APPROVED:

Ann English, Chairman

ATTEST:

Arlathe G. Rios, Clerk of the Board

Cochise Co. Demands 2.14.17

15150	01/19/2017	Amazon.com LLC	\$485.41	15227	01/19/2017	WILLHITE, MICHAEL	\$7,690.58
15151	01/19/2017	Aqua Life	\$22.00	15228	01/20/2017	Arizona Counties Insurance Pool	\$78,440.22
15152	01/19/2017	Arizona Department of Corrections	\$216.00	15229	01/23/2017	AZ Dept of Administration-Risk Mgmt	\$5,110.75
15153	01/19/2017	Arizona Department of Revenue	\$175.50	15230	01/24/2017	Arizona Department of Corrections	\$659.85
15154	01/19/2017	Arizona Justice of the Peace Association	\$100.00	15231	01/24/2017	AZ Department of Corrections ASPC-Tucson	\$84.00
15155	01/19/2017	Arizona Public Service - APS	\$421.78	15232	01/24/2017	Arizona Justice of the Peace Association	\$100.00
15156	01/19/2017	Arizona State Hospital	\$3,499.51	15233	01/24/2017	Arizona State Prison Complex	\$157.50
15157	01/19/2017	Arizona State University	\$105.00	15234	01/24/2017	Arizona Supreme Court	\$5,250.00
15158	01/19/2017	Arizona Water Company	\$78.90	15235	01/24/2017	Banner-University Physicians Healthcare, Inc.	\$500.00
15159	01/19/2017	Baker & Taylor, Inc.	\$833.71	15236	01/24/2017	Bisbee Napa	\$1,480.18
15160	01/19/2017	Banning Creek Enterprises, LLC	\$7,392.00	15237	01/24/2017	Bisbee, City of	\$1,138.21
15161	01/19/2017	Bob Barker Company, Inc.	\$261.83	15238	01/24/2017	Cameron Udall Attorney At Law	\$1,200.00
15162	01/19/2017	Brown & White Inc	\$18,722.00	15239	01/24/2017	CenturyLink	\$68.60
15163	01/19/2017	CEMEX Construction Materials South, LLC	\$934.58	15240	01/24/2017	City of Sierra Vista	\$9,812.07
15164	01/19/2017	Center Point Large Print	\$21.57	15241	01/24/2017	Cochise County Justice Court #2	\$50.00
15165	01/19/2017	CenturyLink	\$1,470.94	15242	01/24/2017	Cochise Private Industry Council, Inc.	\$67,699.00
15166	01/19/2017	CenturyLink	\$3,859.16	15243	01/24/2017	Courtesy Chevrolet / GMAC	\$33,675.32
15167	01/19/2017	City of Sierra Vista	\$812.02	15244	01/24/2017	CRM of America LLC	\$6,043.04
15168	01/19/2017	Cooke, Stephen R.	\$180.00	15245	01/24/2017	Emily Danies Attorney at Law LLC	\$1,800.00
15169	01/19/2017	Dease, Iona	\$720.00	15246	01/24/2017	Evans Law Offices, PLLC	\$869.40
15170	01/19/2017	Dell Marketing LP	\$759.40	15247	01/24/2017	Flores, Juan P	\$3,732.50
15171	01/19/2017	Douglas, City of	\$943.00	15248	01/24/2017	Frank Tadeo's Chevron Service	\$12.50
15172	01/19/2017	Empire Southwest LLC	\$2,180.16	15249	01/24/2017	GM Propane	\$1,336.86
15173	01/19/2017	ExhibitOne Corporation	\$282,741.99	15250	01/24/2017	Griffith, David B. Esq.	\$10,500.00
15174	01/19/2017	Flores, Juan P	\$350.00	15251	01/24/2017	Kelly, Peter A.	\$3,785.92
15175	01/19/2017	George Goldman, Ph.D.	\$2,500.00	15252	01/24/2017	Law Office of Daniel DeRienzo PLLC	\$1,933.50
15176	01/19/2017	Hill Brothers Chemical Co.	\$428.91	15253	01/24/2017	Law Office of Danielle Wright	\$1,600.00
15177	01/19/2017	IBM	\$13,632.00	15254	01/24/2017	Law Office of Janelle A. McEachern	\$1,900.00
15178	01/19/2017	JWS Web Design LLC	\$1,100.00	15255	01/24/2017	Law Office of Joan M Sacramento	\$6,500.00
15179	01/19/2017	Northern Tool & Equipment Co.	\$3,711.28	15256	01/24/2017	Law Offices of Bourke & Swartz	\$452.70
15180	01/19/2017	OfficeMax North America Inc.	\$100.94	15257	01/24/2017	Law Offices of Harriette P Levitt, PLLC	\$423.96
15181	01/19/2017	Patten, Elizabeth J.	\$77.76	15258	01/24/2017	Lowell A. Jensen, PLC	\$200.00
15182	01/19/2017	Prudential Overall Supply	\$145.37	15259	01/24/2017	McGowan, Mark J.	\$10,655.00
15183	01/19/2017	Purcell's Western State Tire Company	\$34.55	15260	01/24/2017	Merle's Automotive Supply, Inc.	\$1,898.30
15184	01/19/2017	Reed, Cynthia - Court Reporter	\$128.40	15261	01/24/2017	Nina L. Caples, P.C.	\$195.24
15185	01/19/2017	RWC International, LTD	\$2,416.92	15262	01/24/2017	O'Rielly Chevrolet, Inc.	\$28.21
15186	01/19/2017	Schlesinger, Aaron	\$358.40	15263	01/24/2017	Prudential Overall Supply	\$113.48
15187	01/19/2017	Senergy Petroleum LLC	\$15,119.78	15264	01/24/2017	Robert J. Zohlmann, Esq.	\$1,775.00
15188	01/19/2017	Sentinel Technologies, Inc.	\$12,500.00	15265	01/24/2017	Runbeck Election Services	\$39,100.50
15189	01/19/2017	Serena Gorgueiro, Psy. D. LLC	\$500.00	15266	01/24/2017	Safelite Autoglass Corp.	\$39.95
15190	01/19/2017	Sierra Vista Builders Supply	\$1,655.59	15267	01/24/2017	Schlievert, Scott W.	\$4,800.00
15191	01/19/2017	Sierra Vista NAPA	\$781.73	15268	01/24/2017	Senergy Petroleum LLC	\$13,073.09
15192	01/19/2017	Sierra Vista Unified School District #68	\$16,000.00	15269	01/24/2017	Sloan R. King, PhD, LLC	\$7,500.00
15193	01/19/2017	Snyder, Gregg Alan	\$400.00	15270	01/24/2017	Sulphur Springs Valley Electric Coop, Inc.	\$1,772.53
15194	01/19/2017	Southern AZ Children's Advocacy Ctr-SACAC	\$1,425.00	15271	01/24/2017	The Law Office of Christopher W. Caine	\$4,800.00
15195	01/19/2017	Southwest Gas Corporation	\$11,765.53	15272	01/24/2017	The Law Offices of Tiffany Huffman Spiers	\$4,800.00
15196	01/19/2017	Sparkletts	\$139.48	15273	01/24/2017	The Manch Law Firm, P.L.L.C.	\$1,166.70
15197	01/19/2017	Sulphur Springs Valley Electric Coop, Inc.	\$5,585.24	15274	01/24/2017	Thomson West	\$296.20
15198	01/19/2017	Technical Resource Management, Inc.	\$2,379.90	15275	01/24/2017	Thorn Law Office	\$4,376.34
15199	01/19/2017	Tim's Wrecker Service	\$508.00	15276	01/24/2017	UniFirst Corporation	\$200.23
15200	01/19/2017	Trane Company, The	\$5,271.03	15277	01/24/2017	United Fire Equipment Co	\$45.00
15201	01/19/2017	Truck and Trailer Parts	\$56.13	15278	01/24/2017	United States Department of the Interior	\$800.00
15202	01/19/2017	Waste Management of Arizona, Inc.	\$308.77	15279	01/24/2017	Watson Chevrolet Inc	\$696.72
15203	01/19/2017	Waxie Sanitary Supply	\$1,976.85	15280	01/24/2017	West Elsberry Longenbaugh & Zickerman, PLLC	\$1,045.30
15204	01/19/2017	Wells, Doris K.	\$612.50	15281	01/24/2017	Willcox Auto Parts Inc.	\$64.20
15205	01/19/2017	Willcox Auto Parts Inc.	\$182.69	15282	01/24/2017	WR Ryan Company	\$2,055.97
15206	01/19/2017	Cochise County Adult Probation	\$180.00	15283	01/24/2017	Bruner, Fred	\$16.80
15207	01/19/2017	Cochise County Treasurer	\$340.89	15284	01/24/2017	Casteel, Joann	\$16.83
15208	01/19/2017	First Glass	\$1,371.02	15285	01/24/2017	Cochise County Treasurer	\$1,058.29
15209	01/19/2017	Home Depot	\$137.81	15286	01/24/2017	Noland, David	\$63.50
15210	01/19/2017	Dagnino, Oralia	\$51.62	15287	01/24/2017	Pitney Bowes Reserve Account	\$10,000.00
15211	01/19/2017	Hanson, Britt W	\$11.88	15288	01/24/2017	Reed, Elizabeth	\$16.80
15212	01/19/2017	Honorable Karl D Elledge	\$25.11	15289	01/24/2017	Reynolds, Warren or Donna	\$16.80
15213	01/19/2017	Lueck, Elizabeth	\$55.62	15290	01/24/2017	Rocha, Mario F.	\$16.80
15214	01/19/2017	Mitchell, Marcia N	\$235.88	15291	01/24/2017	Social Security Administration	\$104.00
15215	01/19/2017	Stevens, David Wayne	\$144.97	15292	01/25/2017	AOC Corrections Officer Retire	\$20,031.96
15216	01/19/2017	Thomas, Shirley Lynn	\$52.38	15293	01/25/2017	Correction Officers	\$24,496.77
15217	01/19/2017	Thomas, Yolanda	\$381.02	15294	01/25/2017	EODCRS	\$9.20
15218	01/19/2017	Valenzuela, Esther	\$99.90	15295	01/25/2017	Nationwide Retirement Solutions	\$872.39
15219	01/19/2017	Cochise County/Sheakley/National Bank	\$8,944.93	15296	01/25/2017	Public Safety Retirement Syst	\$101,467.52
15220	01/19/2017	ECMC	\$263.03	15297	01/25/2017	Public Safety Retirement Syst	\$15,330.30
15221	01/19/2017	Licking County CSEA	\$178.61	15298	01/25/2017	Public Safety Retirement Syst	\$1,241.77
15222	01/19/2017	Midland Credit Management, Inc.	\$227.22	15299	01/25/2017	Public Safety Retirement Syst	\$1,251.71
15223	01/19/2017	NYS Child Support Processing Center	\$32.00	15300	01/25/2017	Public Safety Retirement Syst	\$643.89
15224	01/19/2017	Pre-paid Legal Services, Inc. dba LegalShield	\$1,422.49	15301	01/26/2017	Amazon.com LLC	\$278.56
15225	01/19/2017	Support Payment Clearinghouse	\$6,473.99	15302	01/26/2017	Arizona Department of Corrections	\$2,403.04
15226	01/19/2017	U.S. Department of Education	\$277.63				

15303	01/26/2017	Arizona Department of Corrections	\$1,282.28	15381	01/26/2017	West Press	\$232.36
15304	01/26/2017	Arizona Public Service - APS	\$3,209.19	15382	01/26/2017	Whitman, Donna	\$140.00
15305	01/26/2017	Arizona State Law Journal	\$45.00	15383	01/26/2017	Wick Communications	\$36.40
15306	01/26/2017	Arizona State Prison Complex	\$6,248.50	15384	01/26/2017	Wick Communications	\$34.00
15307	01/26/2017	Arizona Water Company	\$8,771.31	15385	01/26/2017	Call, Pat	\$86.47
15308	01/26/2017	Audio Editions	\$197.15	15386	01/26/2017	FRHL LLC & UMB Bank Colorado	\$774.73
15309	01/26/2017	B & D Lumber and Hardware	\$107.47	15387	01/26/2017	Hardgrave, Timothy S	\$45.00
15310	01/26/2017	Baker & Taylor, Inc.	\$784.21	15388	01/26/2017	Moots, Dominic D.	\$100.00
15311	01/26/2017	Banning Creek Enterprises, LLC	\$6,468.00	15389	01/26/2017	The Futures HealthCore, LLC	\$835.44
15312	01/26/2017	Barnett's Towing & Oxygen LLC	\$241.00	15390	01/26/2017	Traywick, Cathy (Travel Reimb Only)	\$240.87
15313	01/26/2017	Benson, City of	\$584.93	15391	01/26/2017	Gilligan, Judith	\$96.93
15314	01/26/2017	Big Tow, The	\$82.00	15392	01/26/2017	Jones, Kelley S	\$166.30
15315	01/26/2017	Bisbee Napa	\$2,814.41	15393	01/26/2017	Kuttner, Lou G. (Ludwig)	\$20.95
15316	01/26/2017	Carahsoft Technology Corporation	\$8,032.00	15394	01/26/2017	Lord, Priscilla	\$145.80
15317	01/26/2017	Central Alarm Incorporated	\$337.89	15395	01/26/2017	McCleave, Keturah M	\$72.63
15318	01/26/2017	CenturyLink	\$2,520.00	15396	01/26/2017	McGoffin, Brooklyn	\$81.22
15319	01/26/2017	CenturyLink	\$274.99	15397	01/26/2017	Pones, Rochelle	\$173.05
15320	01/26/2017	City of Sierra Vista	\$1,161.34	15398	01/26/2017	Sanders, Eugene Hans	\$35.64
15321	01/26/2017	CRM of America LLC	\$1,457.12	15399	01/26/2017	Tamez, Marla Dionne	\$264.60
15322	01/26/2017	Culligan of Tucson	\$324.86	15400	01/26/2017	Thornton, Betsy	\$29.16
15323	01/26/2017	Deneke, Buffy	\$302.40	15401	01/27/2017	Traywick, Catherine Lynn	\$240.87
15324	01/26/2017	Diebold Incorporated	\$640.78	15402	01/31/2017	Alex Espinosa's Bisbee Funeral Home	\$700.00
15325	01/26/2017	Douglas Police Department	\$3,161.35	15403	01/31/2017	Arizona Department of Corrections	\$85.50
15326	01/26/2017	Dugie, Melva A	\$100.00	15404	01/31/2017	Arizona Public Service - APS	\$1,875.53
15327	01/26/2017	Empire Southwest LLC	\$9,018.81	15405	01/31/2017	Arizona Supreme Court	\$10,330.00
15328	01/26/2017	EZ-Liner Industries	\$6,092.81	15406	01/31/2017	Arizona Supreme Court	\$285.20
15329	01/26/2017	Federal Express Corporation	\$109.80	15407	01/31/2017	Azam, Syed T.	\$1,250.00
15330	01/26/2017	GlaxoSmithKline LLC	\$3,088.00	15408	01/31/2017	Banner-University Physicians Healthcare, Inc.	\$1,000.00
15331	01/26/2017	Granite Construction Company	\$9,549.61	15409	01/31/2017	Barnett's Towing & Oxygen LLC	\$60.00
15332	01/26/2017	Honeman, Van G.	\$291.20	15410	01/31/2017	Becker, Judith V. Ph.D.	\$1,500.00
15333	01/26/2017	Integrated Procurement Technologies	\$50,045.00	15411	01/31/2017	BI Incorporated	\$1,563.37
15334	01/26/2017	Interstate Battery	\$272.81	15412	01/31/2017	Bisbee Napa	\$1,649.06
15335	01/26/2017	Keefe Commissary Network, LLC	\$1,359.22	15413	01/31/2017	Bisbee, City of (Ambulance)	\$1,026.22
15336	01/26/2017	Kelley Blue Book	\$182.45	15414	01/31/2017	BNL Skill Builders	\$1,270.00
15337	01/26/2017	Kolen, Harriet H	\$25.92	15415	01/31/2017	Bob Barker Company, Inc.	\$581.06
15338	01/26/2017	Kuttner, Barbara L	\$54.54	15416	01/31/2017	Center for Disease Detection, LLC	\$1,543.50
15339	01/26/2017	La Frontera Center, Inc.	\$17.40	15417	01/31/2017	CenturyLink	\$69.04
15340	01/26/2017	Law Office of Joan M Sacramento	\$700.00	15418	01/31/2017	CenturyLink	\$275.34
15341	01/26/2017	Maddux, Catherine C.	\$49.95	15419	01/31/2017	CenturyLink	\$67.22
15342	01/26/2017	Manring, Donald Gene	\$250.00	15420	01/31/2017	CenturyLink	\$68.32
15343	01/26/2017	Merck Sharp & Dohme Corp.	\$1,871.71	15421	01/31/2017	Contract Pharmacy Services, Inc.	\$8,742.25
15344	01/26/2017	Merle's Automotive Supply, Inc.	\$1,145.92	15422	01/31/2017	Coordinated Consulting Services, LLC	\$7,500.00
15345	01/26/2017	Nyander, Penny Sue	\$58.80	15423	01/31/2017	Copper Queen Community Hospital	\$1,000.00
15346	01/26/2017	Prudential Overall Supply	\$219.90	15424	01/31/2017	Culligan of Tucson	\$204.59
15347	01/26/2017	Pueblo del Sol Water Company	\$91.81	15425	01/31/2017	Intense School	\$5,214.00
15348	01/26/2017	Purcell's Western State Tire Company	\$4,068.06	15426	01/31/2017	Interstate Battery	\$216.20
15349	01/26/2017	Recorded Books, LLC	\$440.82	15427	01/31/2017	Jensen's Sierra Vista Mortuary	\$1,000.00
15350	01/26/2017	Reed, Cynthia - Court Reporter	\$288.40	15428	01/31/2017	Knowledge Capital Alliance, Inc.	\$5,140.00
15351	01/26/2017	RevolutionaryText, LLC	\$168.00	15429	01/31/2017	Lawley Motors	\$10,782.24
15352	01/26/2017	Roffey, Roxanna Jean	\$40.00	15430	01/31/2017	Medical Diagnostic Imaging Group	\$19.41
15353	01/26/2017	Schlesinger, Aaron	\$75.60	15431	01/31/2017	Mortensen, Cynthia	\$84.02
15354	01/26/2017	Securus Technologies, Inc	\$2,479.49	15432	01/31/2017	Nyander, Penny Sue	\$87.50
15355	01/26/2017	Senergy Petroleum LLC	\$11,814.47	15433	01/31/2017	O'Rielly Chevrolet, Inc.	\$593.72
15356	01/26/2017	Sharp, Katherine	\$100.00	15434	01/31/2017	Office of Vital Records	\$4,457.00
15357	01/26/2017	Sierra Vista Builders Supply	\$24,327.57	15435	01/31/2017	Prudential Overall Supply	\$116.79
15358	01/26/2017	Snyder, Gregg Alan	\$800.00	15436	01/31/2017	Richardsons Remembrance Center	\$1,000.00
15359	01/26/2017	Solid Waste Assn of North America (SWANA)	\$524.00	15437	01/31/2017	RWC International, LTD	\$297.55
15360	01/26/2017	Southeastern AZ Contractors Assn (SACA)	\$32.00	15438	01/31/2017	Safelite Autoglass Corp.	\$311.16
15361	01/26/2017	Southwest Gas Corporation	\$1,045.64	15439	01/31/2017	Sanderson Ford	\$66,679.17
15362	01/26/2017	Sparkletts	\$42.30	15440	01/31/2017	Senergy Petroleum LLC	\$30,303.98
15363	01/26/2017	State of Arizona	\$262.50	15441	01/31/2017	Sierra Vista Medical Group	\$35.87
15364	01/26/2017	Stericycle Inc.	\$1,788.83	15442	01/31/2017	Sierra Vista NAPA	\$1,781.09
15365	01/26/2017	Struse Plumbing Inc.	\$480.00	15443	01/31/2017	SoundOff Signal	\$837.76
15366	01/26/2017	Sulphur Springs Valley Electric Coop, Inc.	\$15,394.52	15444	01/31/2017	Sparkletts	\$95.25
15367	01/26/2017	Supplemental Health Care	\$540.00	15445	01/31/2017	Sulphur Springs Valley Electric Coop, Inc.	\$943.10
15368	01/26/2017	Swank Motion Pictures, Inc.	\$1,090.45	15446	01/31/2017	Watson Chevrolet Inc.	\$316.40
15369	01/26/2017	TALX UC eXpress	\$2,250.00	15447	01/31/2017	West Press	\$545.47
15370	01/26/2017	The Bisbee Observer LLC	\$40.00	15448	01/31/2017	Westlawn Chapel & Mortuary	\$650.00
15371	01/26/2017	The SJ Anderson Company	\$142,013.34	15449	01/31/2017	Willcox Auto Parts Inc.	\$66.53
15372	01/26/2017	Thomson West	\$13,653.15	15450	01/31/2017	WR Ryan Company	\$1,639.92
15373	01/26/2017	U.S. Healthworks Medical Group of AZ, PC	\$338.00	15451	01/31/2017	Andrade, Michael	\$21.01
15374	01/26/2017	UniFirst Corporation	\$200.23	15452	01/31/2017	Barallardos, Ramon M	\$114.75
15375	01/26/2017	United Fire Equipment Co	\$429.44	15453	01/31/2017	Cochise County Highway & Floodplain Dept	\$50.43
15376	01/26/2017	Valley Telephone Cooperative, Inc.	\$594.14	15454	01/31/2017	Scott, Joseph	\$50.00
15377	01/26/2017	VCA Apache Animal Hospital	\$21.00	15455	01/31/2017	Van Veen, Peter	\$22.11
15378	01/26/2017	Waste Management of Arizona, Inc.	\$389.55	15456	02/02/2017	Acorn Engineering Company	\$2,847.29
15379	01/26/2017	Watson Chevrolet Inc	\$69.12	15457	02/02/2017	Adlerhorst International, Inc.	\$3,375.00
15380	01/26/2017	Waxie Sanitary Supply	\$982.23	15458	02/02/2017	Alex Espinosa's Bisbee Funeral Home	\$350.00

15459	02/02/2017	Amazon.com LLC	\$471.33	15537	02/02/2017	WR Ryan Company	\$291.87
15460	02/02/2017	Anderson, Steven James	\$250.00	15538	02/02/2017	Brown, William Wilds	\$150.00
15461	02/02/2017	Arizona Department of Corrections	\$463.38	15539	02/02/2017	CenturyLink	\$35.24
15462	02/02/2017	Arizona Department of Economic Security	\$4,006.21	15540	02/02/2017	City of Sierra Vista	\$25.00
15463	02/02/2017	Arizona Public Service - APS	\$1,250.56	15541	02/02/2017	Cochise County Sheriff's Department	\$1,053.33
15464	02/02/2017	B & D Lumber and Hardware	\$272.66	15542	02/02/2017	Stutzman, Alexander A.	\$86.43
15465	02/02/2017	Baird, Leslie A, CR	\$24.00	15543	02/02/2017	Anderson, Mary J.	\$44.00
15466	02/02/2017	Baker & Taylor, Inc.	\$476.77	15544	02/02/2017	Flannigan, Ana	\$140.94
15467	02/02/2017	Banner-University Physicians Healthcare, Inc.	\$750.00	15545	02/02/2017	Graves, Sarah C	\$150.11
15468	02/02/2017	Banning Creek Enterprises, LLC	\$7,392.00	15546	02/02/2017	Hanson, Britt W	\$51.08
15469	02/02/2017	Barnett's Towing & Oxygen LLC	\$150.00	15547	02/02/2017	Jones-Martinez, Jacob	\$46.17
15470	02/02/2017	Bisbee Napa	\$1,378.97	15548	02/02/2017	Lamberton, Karen Lynn	\$406.18
15471	02/02/2017	Blackstone Audio, Inc.	\$94.00	15549	02/02/2017	Ramsey, Christian M.	\$304.76
15472	02/02/2017	Cengage Learning, Inc.	\$38.92	15550	02/02/2017	Rodgers, Emilie Poulsen	\$132.30
15473	02/02/2017	CenturyLink	\$36.33	15551	02/02/2017	Silverberg, Eric J.	\$139.56
15474	02/02/2017	CenturyLink	\$1,597.49	15552	02/02/2017	Cochise County/Sheakley/National Bank	\$8,788.68
15475	02/02/2017	CenturyLink	\$2,413.59	15553	02/02/2017	ECMC	\$263.03
15476	02/02/2017	CenturyLink	\$3,093.86	15554	02/02/2017	Licking County CSEA	\$178.61
15477	02/02/2017	Christiansen, Rosalba	\$260.00	15555	02/02/2017	Midland Credit Management, Inc.	\$227.22
15478	02/02/2017	City of Sierra Vista	\$2,223.99	15556	02/02/2017	NYS Child Support Processing Center	\$32.00
15479	02/02/2017	Clear Springs Utility, Inc.	\$83.61	15557	02/02/2017	Pre-paid Legal Services, Inc. dba LegalShield	\$1,403.07
15480	02/02/2017	Dell Marketing LP	\$2,001.50	15558	02/02/2017	Support Payment Clearinghouse	\$6,326.36
15481	02/02/2017	Douglas Police Department	\$3,000.00	15559	02/02/2017	U. S. Department of Education	\$304.57
15482	02/02/2017	Election Systems & Software LLC	\$1,139.29	15560	02/02/2017	Fire Fighter's Police Officer's Cancer Insurance	\$50.00
15483	02/02/2017	Freepport-McMoRan Copper & Gold	\$100.00	15561	02/07/2017	AOC Corrections Officer Retire	\$20,027.64
15484	02/02/2017	Gasper, Louis C	\$96.66	15562	02/07/2017	Correction Officers	\$7,194.21
15485	02/02/2017	German, Gloria G.	\$150.00	15563	02/07/2017	EODCRS	\$9.20
15486	02/02/2017	Golden Rule Creations	\$949.33	15564	02/07/2017	Nationwide Retirement Solutions	\$872.39
15487	02/02/2017	Green, Patty J.	\$223.91	15565	02/07/2017	Public Safety Retirement Syst	\$18,500.49
15488	02/02/2017	Harper, Vicky	\$450.00	15566	02/07/2017	Public Safety Retirement Syst	\$15,330.30
15489	02/02/2017	Huachuca City, Town of	\$10,500.00	15567	02/07/2017	Public Safety Retirement Syst	\$1,048.43
15490	02/02/2017	Integrity Security Solutions, Inc.	\$250.00	15568	02/07/2017	Public Safety Retirement Syst	\$1,241.77
15491	02/02/2017	Jones, Linda H	\$115.00	15569	02/07/2017	Public Safety Retirement Syst	\$643.89
15492	02/02/2017	JWS Web Design LLC	\$1,050.00	15570	02/07/2017	Amazon.com LLC	\$324.04
15493	02/02/2017	Keefe Commissary Network, LLC	\$2,523.77	15571	02/07/2017	Arizona Department of Corrections	\$883.06
15494	02/02/2017	Kovarcik, Larry	\$200.00	15572	02/07/2017	Arizona Dept of Corrections ASPC-Tucson	\$90.00
15495	02/02/2017	La Quinta Motor Inn-Phoenix	\$1,770.91	15573	02/07/2017	Arizona Department of Revenue	\$9,122.94
15496	02/02/2017	Law Office of Joan M Sacramento	\$350.00	15574	02/07/2017	Arizona Department of Transportation	\$2,070.19
15497	02/02/2017	Legend Technical Services, Inc.	\$578.00	15575	02/07/2017	Arizona State Prison Complex	\$157.50
15498	02/02/2017	Lokey, Mark	\$100.00	15576	02/07/2017	Arizona Water Company	\$211.66
15499	02/02/2017	McCoy, Arch	\$812.00	15577	02/07/2017	Azam, Syed T.	\$1,250.00
15500	02/02/2017	Mendoza, Juan	\$100.00	15578	02/07/2017	Baker & Taylor, Inc.	\$1,341.59
15501	02/02/2017	Merle's Automotive Supply, Inc.	\$2,119.61	15579	02/07/2017	Benson, City of	\$40.57
15502	02/02/2017	Mitchell, Marla R.	\$100.00	15580	02/07/2017	Bisbee Napa	\$905.81
15503	02/02/2017	Mohawk Automotive Lifts S.W.	\$5,237.30	15581	02/07/2017	Bisbee Towing	\$125.00
15504	02/02/2017	Motorola Solutions Inc	\$396,417.90	15582	02/07/2017	Blackstone Audio, Inc.	\$185.99
15505	02/02/2017	National Notary Association	\$90.00	15583	02/07/2017	Cable One	\$305.44
15506	02/02/2017	NFP Property & Casualty Services, Inc.	\$125.00	15584	02/07/2017	Cardinal Health Inc.	\$220.40
15507	02/02/2017	Nyander, Penny Sue	\$21.00	15585	02/07/2017	CenturyLink	\$150.14
15508	02/02/2017	O'Reilly Chevrolet, Inc.	\$96.45	15586	02/07/2017	Chase Technology Consulting, LLC	\$480.00
15509	02/02/2017	Olivares, Veronica	\$185.00	15587	02/07/2017	Cochise Private Industry Council, Inc.	\$54,565.00
15510	02/02/2017	OverDrive, Inc.	\$85.44	15588	02/07/2017	Contract Pharmacy Services, Inc.	\$7,674.50
15511	02/02/2017	Prudential Overall Supply	\$182.45	15589	02/07/2017	Copygraphix Inc.	\$25,071.66
15512	02/02/2017	PTS-Prisoner Trans Services America LLC	\$935.00	15590	02/07/2017	CRM of America LLC	\$9,329.87
15513	02/02/2017	Rain for Rent	\$58,548.37	15591	02/07/2017	Frank Tadeo's Chevron Service	\$12.50
15514	02/02/2017	Recorded Books, LLC	\$161.82	15592	02/07/2017	Instrument Development Corporation	\$135.13
15515	02/02/2017	Rocco, Tracey	\$26.84	15593	02/07/2017	Interstate Battery	\$534.27
15516	02/02/2017	Rodriguez, Shari A.	\$150.00	15594	02/07/2017	Merle's Automotive Supply, Inc.	\$247.47
15517	02/02/2017	Schlesinger, Aaron	\$496.30	15595	02/07/2017	MG Reporting	\$472.72
15518	02/02/2017	Senergy Petroleum LLC	\$9,277.48	15596	02/07/2017	OCLC Online Computer Library Center, Inc.	\$339.13
15519	02/02/2017	Sharp, Marshall	\$301.54	15597	02/07/2017	OverDrive, Inc.	\$1,204.84
15520	02/02/2017	Sheakley Pension Administration Inc.	\$863.25	15598	02/07/2017	Prudential Overall Supply	\$137.47
15521	02/02/2017	Southwest Gas Corporation	\$1,562.44	15599	02/07/2017	Reed, Cynthia - Court Reporter	\$20.00
15522	02/02/2017	Stamback Septic Service	\$302.39	15600	02/07/2017	Safelite Autoglass Corp.	\$392.20
15523	02/02/2017	Staples	\$979.80	15601	02/07/2017	Senergy Petroleum LLC	\$9,028.07
15524	02/02/2017	Struse Plumbing Inc.	\$400.00	15602	02/07/2017	Serena Gorgueiro, Psy. D. LLC	\$500.00
15525	02/02/2017	Sulphur Springs Valley Electric Coop, Inc.	\$1,102.00	15603	02/07/2017	Sparkletts	\$10.76
15526	02/02/2017	SWCA Environmental Consultants	\$16,800.00	15604	02/07/2017	Stamback Septic Service	\$611.50
15527	02/02/2017	Thomson West	\$160.39	15605	02/07/2017	Stericycle Inc.	\$786.16
15528	02/02/2017	Townsend, Ronald	\$72.00	15606	02/07/2017	Sulphur Springs Valley Electric Coop, Inc.	\$194.33
15529	02/02/2017	Valley Telephone Cooperative, Inc.	\$140.73	15607	02/07/2017	Tombstone Marshal's Office	\$1,400.00
15530	02/02/2017	Waste Management of Arizona, Inc.	\$918.48	15608	02/07/2017	UniFirst Corporation	\$206.98
15531	02/02/2017	Watch Guard	\$468.00	15609	02/07/2017	United Fire Equipment Co	\$340.51
15532	02/02/2017	Watson Chevrolet Inc	\$345.38	15610	02/07/2017	Voyager Fleet System, Inc.	\$2,018.78
15533	02/02/2017	Waxie Sanitary Supply	\$801.63	15611	02/07/2017	Watson Chevrolet Inc	\$122.10
15534	02/02/2017	Weems, Elizabeth Annette	\$150.00	15612	02/07/2017	Cochise County Justice Court #5	\$161.81
15535	02/02/2017	Willcox Auto Parts Inc.	\$1,541.35	15613	02/07/2017	Sharp, Mandy Dawn	\$8.40
15536	02/02/2017	WIST Office Products Co	\$762.10				

Regular Board of Supervisors Meeting

Meeting Date:	02/28/2017		
Approve proposed settlement of a tax appeal			
Submitted By:	Sue Blanchard, County Attorney		
Department:	County Attorney		
Presentation:	No A/V Presentation	Recommendation:	Approve
Document Signatures:	BOS Signature NOT Required	# of ORIGINALS Submitted for Signature:	0
NAME of PRESENTER:	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 the proposed settlement of the Tax Appeal in Phillip L. Weeks and Elizabeth L. Weeks, v. Cochise County, ST2016-000179 (Assessor parcel Nos. 102-01-012 and 102-01-013C), now pending in Arizona Tax Court, a division of the Superior Court of and for Maricopa County.

Background:

Taxpayers filed a civil action in Arizona Tax Court, seeking a change in classification and a reduction in assessed value for parcel numbers 102-01-012 and 102-01-013C for tax year 2017. After inspecting the property, reviewing the taxpayer's documentation and other market factors/comparables, the Assessor agrees that the parcels' classifications and values for Tax Year 2017 should be changed and lowered. The Assessor recommended a settlement offer as follows:

For parcel 102-01-012, a classification change from Mixed Residential/Vacant to Agricultural - AG with the legal class of mixed use M 04/02 remaining unchanged, an assessment ratio change from 11.2% to 10%, and a reduction in the full cash value from \$87,153 to \$55,353 and a reduction in the limited property value from \$85,925 to \$54,450.

For parcel 102-01-013C, a classification change from Vacant to Agricultural – AG with the legal class of 02 and the assessment ratio of 15% remaining unchanged, and a reduction in the full cash value from \$121,212 to \$500 and a reduction in the limited property value from \$120,360 to \$488.

The taxpayer has accepted the settlement offer.

Fiscal Impact & Funding Sources: Not applicable, no funding sources are required. Fiscal impact will be a slight reduction in the tax base.

Department's Next Steps (if approved):

Upon approval by the Board, Counsel for the County will sign a stipulation for entry of Judgment that has already been signed by the taxpayer, and will submit a form of Judgment to the Arizona Tax Court disposing of this matter pursuant to the settlement terms.

Impact of NOT Approving/Alternatives:

Additional litigation for the County, with the risk that the Arizona Tax Court may rule in the taxpayers' favor, reducing the assessed value of the subject property even more and subjecting the County to paying the Plaintiffs' fees and costs.

To BOS Staff: Document Disposition/Follow-Up:

Advise County Attorney's Office - Civil Division upon Board's approval.

Attachments

No file(s) attached.

Regular Board of Supervisors Meeting**Elections and Special Districts****Meeting Date:** 02/28/2017

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 **# of ORIGINALS** 0
NOT Required **Submitted for Signature:****NAME** N/A **TITLE** N/A
of PRESENTER: **of PRESENTER:****Docket Number (If applicable):****Mandated Function?:** Federal or State Mandate **Source of Mandate or Basis for Support?:** §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 04 BI Bisbee: Linda J. Moore; Precinct 11 DO Castro Park: Erik Coppes; Precinct 19 Palominas: Cynthia Aspengren; Precinct 22 Portal: Diane "Dinah" Davidson; Precinct 27 SV Buffalo Soldier: Elisabeth Tyndall; Precinct 39 SV Soldier Creek: Paul Masterson, Percy Childs; Precinct 43 SV Yaqui: Pamela Landin; and Precinct 44 Tombstone: Alisa Cook.

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 a letter to approve Precinct Committee Person w/copy to Party Chair. Create file for each Precinct Committeeman approved and update list; send copy to Democratic Party Chair.

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[2.3.17Dem_Appointments](#)[2.7.17Dem_Appointments](#)

Cochise County Democratic Committee
P.O. Box 3233
Sierra Vista, AZ 85636
January 19, 2017

RECEIVED
2017 JAN 20 A 4: 02
COCHISE COUNTY
ELECTIONS AND
SPECIAL DISTRICTS

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.

<u>Last Name</u>	<u>First Name</u>	<u>Precinct</u>
Masterson	Paul	SV Soldier Creek ✓
Tyndall	Elisabeth	SV Buffalo Soldier ✓
Cook	Alisa	Tombstone ✓
Childs	Percy	Soldier Creek ✓

Respectfully,



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

CF: Martha Rodriguez, Cochise Co. Elections



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Paul Masterson

ADDRESS: 19 W Kayetan Dr

Sierra Vista AZ 85635

PARTY: Dem

PRECINCT: 39 SV Soldier Creek

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 6

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 1

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 2/3/2017

BY: Martha Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Elisabeth Tyndall

ADDRESS: 3940 Via Palma de Cristo

Sierra Vista AZ 85650-8222

PARTY: Dem

PRECINCT: 27 SV Buffalo Soldier

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 4

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 2

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 2/3/2017

BY: Martha Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Alisa Cook

ADDRESS: 10793 N Stagecoach Pass

PO Box 358 Elfrida AZ 85610

PARTY: Dem

PRECINCT: 44 Tombstone

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 4

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 2/3/2017

BY: Martha Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Percy Childs

ADDRESS: 555 Hegge Dr

Sierra Vista AZ 85635

PARTY: Dem

PRECINCT: 39 SV Soldier Creek

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 6

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 1

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 2/3/2017

BY: Martha Rodriguez

Rodriguez, Martha L

From: Cochise Democrats [cochisecodems@gmail.com]
Sent: Monday, February 06, 2017 12:22 PM
To: English, Ann S; Rodriguez, Martha L
Cc: Debbie Hickman
Subject: Request for BOS Appointments - 5 Democratic Precinct Committee Members Feb. 6, 2017

Cochise County Democratic Committee
P.O. Box 3233
Sierra Vista, AZ 85636
February 6, 2017

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

RECEIVED
2017 FEB - 7 P 12: 12
COCHISE COUNTY
ELECTIONS AND
SPECIAL DISTRICTS

Dear Board Chair English and Interim Elections Director Rodriguez,

Request you appoint the following 5 qualified register Democrats to become Precinct Committee Members with the Cochise County Democratic Committee, at your earliest convenience.

Last Name	First Name	Precinct <i>Palominas</i>	Address
Aspengren	Cynthia	Hereford	10500 E Cline Ave , Hereford, AZ 85615-9256
Coppes	Erik	DO Castro Park	639 E 12th St Apt B, Douglas, AZ 85607-1900
Davidson	Diane "Dinah"	Portal	1387 Piedra Blanca Ln, Portal, AZ 85632
Landin	Pamela	SV Yaqui	4432 S Calle Encina, Sierra Vista, AZ 85650-8914
Moore	Linda J	BI Bisbee	636 Tombstone Canyon, Bisbee, AZ 85603

✓
✓
✓
✓
✓

Respectfully,

/s/

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

CF: Martha Rodriguez, Cochise Co. Elections



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Cythia L. Aspengren

ADDRESS: 10500 E. Cline Ave

Hereford AZ 85615

PARTY: Dem

PRECINCT: 19 Palominas

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 3

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 1

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 2-7-2017

BY: Martha S. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Erik Allen Coppes

ADDRESS: 639 E. 12th St. Apt. B

Douglas AZ 85607-1900

PARTY: Dem

PRECINCT: 11 DO Castro Park

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 8

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 2-7-2017

BY: Martha S. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Diane "Dinah" Davidson

ADDRESS: 1387 W Piedra Blanca Ln

PO Box 16272 Portal AZ 85632-1272

PARTY: Dem

PRECINCT: 22 Portal

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 1

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 2-7-2017

BY: Martha L. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Pamela Landin

ADDRESS: 4432 S. Calle Encina

Sierra Vista AZ 85650-8914

PARTY: Dem

PRECINCT: 43 SV Yaqui

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 3

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS: 2

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 2-7-2017

BY: Martha S. Rodriguez



PRECINCT COMMITTEE PERSON VERIFICATION FORM

NAME: Linda J. Moore

ADDRESS: 636 Tombstone Canyon

PO Box 682 Bisbee AZ 85603-0682

PARTY: Dem

PRECINCT: 04 B1 Bisbee

NUMBER OF PRECINCT COMMITTEE PERSONS NEEDED: 6

NUMBER OF CURRENT PRECINCT COMMITTEE PERSONS : 0

APPROVE APPOINTMENT: X

DO NOT APPROVE APPOINTMENT: _____

DATE: 2-7-2017

BY: Martha R. Rodriguez

Regular Board of Supervisors Meeting

Meeting Date: 02/28/2017

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: 02/28/2017

New Sampling Privileges Liquor License Mustang Mall, LLC. Series 9S

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 sampling privileges liquor license application for a series #9S license submitted by Ms. Judith Lee Leiker for Mustang Mall, LLC, located at 13116 S. Highway 191, Pearce, AZ 85625

Background:

Ms. Judith Lee Leiker has applied for a series 9S Sampling privileges liquor license for Mustang Mall, LLC, located at 13116 S. Highway 191, Pearce, AZ 85625. 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 Health Department is currently working with the property owner on health-related issues with the subject property.

The \$100.00 processing fee is not required per statute. 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



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

DLIC USE ONLY

Issuance fee: \$100.00
Issuance Date: _____
<input type="checkbox"/> Liquor Store (series 9)
<input type="checkbox"/> Beer and Wine Store (series 10)
CSR: _____

**SAMPLING PRIVILEGES APPLICATION
 SERIES 9 OR 10**

Applicant's Name: Owner Agent Judith Lee Leiker License #: 09020044

Business Name: Mustang Mall L.L.C.

Business Location: 13116 S. Highway 191 Peoria AZ Cochise 85625
Street Address City State County Zip Code

Mailing Address: Same
Street Address or P.O. Box City State County Zip Code

Business Phone Number: 520 824-3226 Daytime Contact Number: 520 820-3984

Email Address: judy.leiker@gmail.com

Series #10 Beer and Wine Bar Only:

- I declare that my business qualifies as a
- Premises is 5,000 square feet or larger
 - At least 75% of shelf space is dedicated to beer and wine

A.R.S. §4-206.01(J) Bar, Beer and Wine Bar or Liquor Store licenses; number permitted; fee; sampling privileges

I (Signature) Judith Lee Leiker attest that I am the OWNER/AGENT filing this form, that I have read, and assume responsibility for compliance with, A.R.S. §4-206.01 at the licensed establishment and verify all statements I have made on this document to be true, correct and complete. I understand that I am responsible for the \$100 issuance fee and the annual \$75 renewal fee for these sampling privileges. Sampling privilege renewal fees are due at the same time as the renewal for the "current license #" identified on page 1 of this application.

RECEIVED
 COCHISE COUNTY
 BOARD OF SUPERVISORS
 2017 JAN 26 PM 2:55

LOCAL GOVERNING BOARD

I, _____ recommend APPROVAL DISAPPROVAL
(Government Official Signature) (Title)

on behalf of _____
(City, Town, County) Phone Date

DLIC USE ONLY

Investigation Recommendation: Approval Disapproval by: _____ Date: ___/___/___

Director Signature required for Disapprovals: _____ Date: ___/___/___

COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name: Judith Lee Leiker Address: 13116 S. Highway 191
Business Name: Mustang Mall, LLC. City/Zip: Pearce/85625
Liquor License #: 09020044 Parcel #: 401-14-085D
Ownership Type: Limited Liability Corporation Liquor License Special Event Liquor License
Partner(s): _____

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:

Cochise County Environmental Health has no issues or concerns with the proposed license.

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: Carl Hooper Title: Env Health Specialist
Signature:  Date: 2/11/2017
Contact phone: 520 432 9442 Email: chooper@cochise.az.gov

Return completed form with any attachments by: 2/9/17

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: Judith Lee Leiker Address: 13116 S. Highway 191
 Business Name: Mustang Mall, LLC. City/Zip: Pearce/85625
 Liquor License #: 09020044 Parcel #: 401-14-085D
 Ownership Type: Limited Liability Corporation Liquor License Special Event Liquor License
 Partner(s): _____

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: GB
 Use permitted by P&Z? Y N Permit#: 945014
 Date Permit Issued: 12/28/93 Use Permitted: Grocery Store
 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 Planning Department is currently working with the property owner on obtaining the proper permits to operate the business.

Name: Dora V Flores Title: Zoning Administrator
 Signature: Dora V Flores Date: February 3, 2017
 Contact phone: 520-432-9300 Email: dflores@cochise.az.gov

Return completed form with any attachments by: 2/9/17

COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name: Judith Lee Leiker Address: 13116 S. Highway 191
Business Name: Mustang Mall, LLC. City/Zip: Pearce/85625
Liquor License #: 09020044 Parcel #: 401-14-085D
Ownership Type: Limited Liability Corporation Liquor License Special Event Liquor License
Partner(s): _____

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 NOT BEEN A SIGNIFICANT NUMBER OF INCIDENTS RELATIVE TO ALCOHOL AT THIS 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:

[Handwritten Signature]

Date:

2/2/17

Contact phone:

520-353-6073

Email:

SFARRIS@COCHISE.AZ.GOV

Return completed form with any attachments by:

2/9/17

COCHISE COUNTY BOARD OF SUPERVISORS



Telephone (520) 432-9200

Fax (520) 432-5016

APPLICANT INFORMATION

Applicant Name: Judith Lee Leiker Address: 13116 S. Highway 191
Business Name: Mustang Mall, LLC. City/Zip: Pearce/85625
Liquor License #: 09020044 Parcel #: 401-14-085D
Ownership Type: Limited Liability Corporation Liquor License Special Event Liquor License
Partner(s): _____

TO BE COMPLETED BY THE TREASURER'S OFFICE

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

xxxx Yes No

If not, please attach pertinent documentation.

Comments:

The first half of 2016 taxes have been paid

Name: Kathleen wilson Title: Tax specialist 1
Signature: Kathleen wilson Date: 2/2/17
Contact phone: 520-432-8404 Email: kwilson@cochise.az.gov

Return completed form with any attachments by: 2/9/17



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: 2/1/17 Date of Posting Removal: 2/22/17

Applicant's Name: Leiker Judith Lee
Last First Middle

Business Address: 13116 S. Highway 191 Pearce 85625
Street City Zip

License #: 09020044

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 2-22-17
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.

Regular Board of Supervisors Meeting

Meeting Date: 02/28/2017

Approve amendment 1 to the Board appointments and memberships for FY2016-17

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

of ORIGINALS

Submitted for Signature:

NAME Arlethe Rios

TITLE Clerk of the Board

of PRESENTER:

of PRESENTER:

Mandated Function?:

Source of Mandate or Basis for Support?:

Information

Agenda Item Text:

Renew and/or revise amendment 2 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.

Background:

With a new county administrator being appointed, staff thought it would be appropriate to revise current memberships.

We are changing the date of approval for memberships to match our fiscal year, which impacts our budget. The organizations that the Board approved membership in, for 2016-17, appear on the attached listing along with dues amounts (if any). At the same time, the Board is asked to consider renewing or revising its appointments to various committees and boards on which a member of the Board of Supervisors sits.

Department's Next Steps (if approved):

Notify organizations of continuing membership and of Board member designated to be representative. Board staff will process payment of dues upon receipt of invoices for each of the approved memberships on the attached spreadsheet unless the membership is not renewed by the Board.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

See department's next steps, above.

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

Membership List

Committee or Board Assignments for BOS &/or Executive Staff & Annual Membership Dues								
Board, Commission, Committee or Group	Member(s)	Appointed By	Effective Start Date	Effective End Date	Regular Meeting Location	Membership Dues 2015-2016	Membership Dues 2016-2017	Notes
BUDGET:						\$117,000.00	\$117,000.00	
Arizona Association of Counties (AACO)	Cathy Traywick	N/A			Arizona	\$14,593.43	\$16,052.77	
Arizona City / County Management Association (ACMA)	Jim Vlahovich Ed Gilligan Arlithe Rios (joined 12.14)	N/A			Phoenix	\$685.00	\$685.00	\$320.00 Jim - Full Member \$240.00 Ed - Full Member \$125.00 Arlitha-Associate Member
Arizona Counties Insurance Pool (ACIP)	Ed Gilligan	N/A				n/a	n/a	
Arizona Rural Development Council	Ed Gilligan	N/A	Jul-15	through present	Phoenix	n/a	n/a	
Arizona Town Hall	Pat Call Ed Gilligan	N/A		through present	Arizona	\$300.00	\$100.00	12.12.16: Ed's \$100 paid through 11.16 event; Pat still outstanding
Arizona-Mexico Commission/Border Issues Committee	Ed Gilligan	N/A	Jul-15	through present	Phoenix	\$225.00	\$250.00	
Arizona-Mexico Commission/Transportation, Infrastructure, Ports Committee	Ed Gilligan	N/A	Jul-15	through present	Phoenix	n/a	n/a	Part of AZ/MEX Commission
Board of Health	Ann English	Board of Supervisors		through present	Bisbee	n/a	n/a	
Coalition of Arizona-New Mexico of Counties	Pat Call	Board of Supervisors		through present	N/A	\$7,600.00	\$7,600.00	2016-17 \$2,600 for membership and \$5,000 for legal fund
Cochise College Economic Forum Sponsor	All	N/A		through present	Cochise County	\$4,000.00	\$4,000.00	
Cochise Conservation & Recharge Network	Pat Call	Board of Supervisors	Jun-13	through present	Cochise County	n/a	n/a	
Coronado Resource Conservation & Development	Pat Call	Board of Supervisors				\$150.00	\$150.00	
Corrections Officers Retirement Plan Board (CORP)	Ann English	Board of Supervisors		through present	Bisbee	n/a	n/a	
CSA (County Supervisors Association)	Pat Call Ann English Peggy Judd	N/A		through present	Phoenix	\$62,293.00	\$62,293.00	\$55,593.00 Service Fee + \$6,700 Building Maintenance Fund Assessment
CSA / County Managers Association	Ed Gilligan	N/A	Jul-15	through present	Phoenix	\$100.00	\$100.00	
CSA / Legislative Policy Committee (LPC)	Ann English	Board of Supervisors	1/8/2008	through present	Phoenix	n/a	n/a	
Eastern Arizona Counties Organization	Pat Call	Board of Supervisors	October 2014	through present		\$11,000.00	\$11,000.00	2015-16 - \$6,000 Annual Dues + \$5,000 for Mexican Wolf DNA Study
EFSP Board	Peggy Judd	Board of Supervisors		through present	Bisbee	n/a	n/a	
Council Appointment - Region 5 (South)	Pat Call	Governor	10/19/2006	through present	Phoenix	n/a	n/a	
Huachuca 50	Pat Call	Board of Supervisors	2002	through present	Sierra Vista	\$200.00	\$200.00	not invoiced yet
National Association of Counties (NACo)	Cochise County	N/A		through present	Washington, D.C.	\$2,627.00	\$2,627.00	
Public Lands Advisory Committee, BOS Liaison	Ann English	Board of Supervisors	8/14/2007	through present	Bisbee	n/a	n/a	
Public Safety Retirement Board	Ann English	Board of Supervisors		through present	Bisbee	n/a	n/a	
SEAGO Administrative Committee	Ed Gilligan	N/A	Jul-07	through present	Bisbee	n/a	n/a	Part of SEAGO
SEAGO Executive Committee	Peggy Judd	Board of Supervisors	1/8/2008	through present	Bisbee	\$12,000.00	\$11,313.00	
Sierra Vista Metropolitan Planning Organization	Pat Call Ann English, Alternate	N/A	10/22/2013	through present	Sierra Vista	\$300.00	\$300.00	
USPP Executive Committee	Pat Call Ed Gilligan	N/A		through present	Sierra Vista	n/a	n/a	
USPP Partnership Advisory Commission	Pat Call Ann English Peggy Judd	N/A		through present	Sierra Vista	n/a	n/a	
TOTALS:						\$116,073.43	\$116,670.77	
UNEXPENDED BALANCE:						\$926.57	\$329.23	

Regular Board of Supervisors Meeting

Meeting Date: 02/28/2017

Approve Contract with County Administrator

Submitted By: Arlethe Rios, Board of Supervisors

Department: Board of Supervisors

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

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

NAME of PRESENTER: Britt Hanson **TITLE of PRESENTER:** Chief Civil Deputy

Docket Number (If applicable):

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

Information

Agenda Item Text:

Approve Agreement of Employment for the County Administrator position for Mr. Edward T. Gilligan.

Background:

This Agreement is a common practice for the position of County Administrator.

Department's Next Steps (if approved):

Give the Agreement to the Chairman and County Administrator to sign.

Impact of NOT Approving/Alternatives:

There will be no written agreement with County Administrator Ed Gilligan.

To BOS Staff: Document Disposition/Follow-Up:

Get appropriate signatures, keep original to file and send copy to Board, Mr. Gilligan, and Mr. Hanson.

Attachments

Contract

**AGREEMENT FOR EMPLOYMENT OF COUNTY ADMINISTRATOR
FOR COCHISE COUNTY, ARIZONA**

This Agreement is made and entered into this 28th day of February, 2017, between COCHISE COUNTY, an Arizona Political Subdivision, acting by and through its duly authorized officers, hereinafter referred to as the "County", and EDWARD GILLIGAN, hereinafter referred to as the "Administrator."

**SECTION 1.
NATURE OF EMPLOYMENT**

The County hereby retains and employs the Administrator to serve as County Administrator in accordance with the provisions set forth in Cochise County Resolution No. 03-15 as adopted or as it may hereafter be amended.

**SECTION 2.
ACCEPTANCE OF EMPLOYMENT**

The Administrator hereby accepts the employment as County Administrator, effective February 28, 2017 and will, to the best of his ability, perform the services and duties of a County Administrator.

**SECTION 3.
COMPENSATION**

In consideration of the services rendered as County Administrator, Administrator shall receive the following compensation and other consideration:

The Administrator shall be paid a gross annual salary of \$145,000 per year. The Board of Supervisors may determine that a higher amount is appropriate based on the Administrator's annual evaluation and performance.

**SECTION 4.
OTHER BENEFITS**

In addition to the compensation set out in the prior Section, the Administrator shall receive the following additional benefits as consideration for the services performed as County Administrator:

a. The Administrator shall accrue vacation leave at the same rate as Department Directors each year as defined by County policy and practice and in all other respects the Administrator's leave shall be governed by County policy and practice.

b. The Administrator shall be granted sick leave each year as defined by County

policy and practice in the manner provided for all other County employees.

c. County shall provide at County's cost, health benefits, including medical, dental, and vision insurance, and such other benefits, as are provided to other employees of the County.

d. The Administrator will be allocated a car allowance of \$500 per month for in-county travel and will be reimbursed at the County personal convenience rate for out-of-county travel.

e. The Administrator will be provided a laptop computer, printer, modem, and internet access for use at home for County business. In addition, the Administrator will be given a smart phone or equivalent device supported by the County Information Technology Department.

f. County shall reimburse Administrator for all reasonable expenses and expenditures made or incurred by him directly in connection with his employment, provided that such expenses and reimbursements shall at all times be subject to Arizona law and the rules and regulations established by the County.

g. In addition to the benefits set out in this Section, the Board of Supervisors may provide additional benefits to the Administrator if such benefits are deemed appropriate as a result of its annual evaluation and review of the Administrator's performance.

SECTION 5. TERM OF AGREEMENT

This Agreement shall begin on March 1, 2017 and terminate on March 1, 2019. On or before March 1, 2018, the Board of Supervisors, following an evaluation of Administrator, shall determine whether to extend this Agreement by one year, which determination shall be acknowledged in writing by the Board and Administrator. If there is no such acknowledgment in writing this Agreement will terminate on February 28, 2019 with no further action of the parties. If the Agreement is extended for one year, the Board and Administrator shall repeat this process of evaluation and determination of a one year extension each year on or before the anniversary of this Agreement.

SECTION 6. Termination of Services

The Administrator shall be an "at-will" employee of Cochise County in its unclassified service and shall serve at the pleasure of the Board of Supervisors. No other provision in this contract either expressed or implied shall be construed in opposition to this at-will status. Administrator shall be exempt from the Cochise County Merit System. The appointment, removal, suspension or request for resignation, or

modification of this Agreement, shall require the affirmative vote of a majority of all members of the Board of Supervisors.

Nothing herein shall prevent, limit or otherwise interfere with the right of the County to terminate the services of the County Administrator at any time, or legally bind a new Board of Supervisors, to retain the services of the Administrator. Administrator expressly acknowledges that he may be removed with or without cause.

Should the Administrator be terminated without cause at any time during the Agreement by either the existing Board or a future Board, the Administrator shall be compensated one year at the base salary at the time of termination. For purposes of this Agreement, the term "cause" shall mean any one of the following:

- a. Material neglect by Administrator of his duties such as abandonment of his duties and/or his responsibilities as Administrator;
- b. Conviction of any felony, or acknowledgment of guilt of a felony;
- c. A determination by a majority of the Board of Supervisors that Administrator has committed acts which would constitute a crime which may materially affect the suitability for continued employment as Administrator, provided, however, that if subsequent criminal or civil proceedings fail to establish that Administrator committed such acts, or that such acts constituted a crime that materially affect Administrator's suitability for continued employment as County Administrator, then removal shall be deemed to be without cause.
- d. Due to physical or mental health, the Administrator becomes unable to discharge his duties for a substantial portion of the period then remaining under this Agreement.
- e. Acts of moral turpitude or other conduct which impugns, discredits or adversely affects the County and/or the Administrator's ability to provide effective leadership within the organization.
- f. Misdemeanor conviction involving veracity or lack thereof.

Should the Administrator be terminated for cause, he shall not receive further compensation after the effective date of termination with the exception of the vacation and sick leave payout previously noted.

Notwithstanding any other provisions herein, the Board of Supervisors upon a majority vote may, at any time, reassign the Administrator to alternative duties or place the Administrator on administrative leave with pay for up to the remainder of the contract term, if the Board of Supervisors deems such action to be in the best interest of the County.

SECTION 7. SURETY BOND

The Administrator warrants that, to the best of his knowledge, he is eligible for corporate surety bonding as may be required by County Resolution 03-15 and he affirmatively agrees to remain eligible for bonding in a reasonable sum, as required by the Resolution, during the tenure of his appointment as County Administrator.

**SECTION 8.
INDEMNIFICATION**

County shall defend, save harmless, and indemnify Administrator against any tort, professional liability claim or demand, or other legal action, groundless or otherwise, arising out of an alleged act or omission occurring during the performance of his duties, and will pay the amount of any settlement or judgment arising therefrom; provided, however, that this indemnification clause shall not apply to any tort, liability, claim, demand or legal action brought on behalf of the County against the Administrator. Acts of criminal conduct made intentionally, negligently, or recklessly will be considered to fall outside the "performance of duties" of the Administrator.

**SECTION 9.
POLITICAL SUBDIVISIONS AND STATE CONTRACTS**

This Agreement is subject to the provisions of ARS § 38-511.

**SECTION 10.
ARIZONA LAW; SEVERABILITY**

This Agreement shall be construed and enforced in accordance with the laws of the State of Arizona. If a court of competent jurisdiction determines that any provision of this Agreement is invalid or unenforceable, then the invalidity or unenforceability of that provision shall not affect the validity or enforceability of any other provision of this Agreement and all other provisions shall remain in full force and effect.

**SECTION 11.
EVALUATION**

The Board shall review and evaluate the performance of the County Administrator at least once annually. Said review and evaluation shall be in accordance with specific criteria developed jointly by the Board and the County Administrator. Said criteria may be added to or deleted from as the Board may from time to time determine in consultation with the County Administrator.

Annually, or at any other time the Board deems necessary, the Board and the County Administrator shall review and define such goals and objectives as they determine necessary for the proper operation of the County, which achieve the Board's

policy objectives and further establish a relative priority among those various goals and objectives. Said goals and objectives shall be reduced to writing and shall be reasonably attainable within the time limits as specified and the annual operating and capital budgets and appropriations provided.

**SECTION 12.
CONFLICT OF INTEREST**

This agreement is made subject to the provisions of A.R.S. 13-501 et. seq.

**SECTION 13.
OUTSIDE ACTIVITIES**

The employment provided for by this Agreement shall be the Administrator's sole employment. Recognizing that certain outside teaching or consulting opportunities may provide indirect benefits to the Employer and the community, the Administrator may accept such opportunities upon approval by the Board of Supervisors, provided that such arrangements shall not constitute interference with nor a conflict of interest with his responsibilities under this agreement.

**SECTION 14.
DEFAULT/ARBITRATION**

In the event of any default or other non-performance of any term or provision of this Agreement or in the event of any claim arising hereunder, including any dispute as to whether termination for just cause exists, the parties hereto shall resolve any such claim through binding arbitration. Requests for arbitration shall be handled in accordance with the Employment Arbitration Rules of the American Arbitration Association (AAA). The County and the Administrator shall request a list of five possible AAA members and within five working days of their receipt of such list select an arbitrator. The County and the Administrator will each strike one arbitrator's name from the list of five and both parties will then repeat the procedure. A coin toss shall determine which party strikes the first name. Each party shall bear the expenses of witnesses, attorneys and other costs of preparing and presenting its own case as well as the incidental expenses incurred as a result of the hearing and all fees and expenses of the arbitrator shall be divided equally between the parties provided however that the prevailing party may be reimbursed all such costs and fees in the sole judgment of the arbitrator.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

COCHISE COUNTY:

By: _____
Ann English, Chair
Cochise County Board of Supervisors

Date

Attest:

Arlethe Rios, Clerk of the Board

Approved as to form:

Britt Hanson
Chief Civil Deputy County Attorney

Date

COUNTY ADMINISTRATOR

By: _____
Edward Gilligan

Date

Action 8.

Regular Board of Supervisors Meeting

Community Development

Meeting Date: 02/28/2017

Approve RFQ 17-14-P&Z-03 for On Call Building Plan Review and Site Inspection Services

Submitted By: Maria Morales, Procurement

Department: Procurement

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

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

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 Qualifications (RFQ) No.17-14-P&Z-03 On Call Building Plan Review & Site Inspection Services to establish a qualified list of two firms for residential and commercial building plan review and site inspection services for the Community Development Department.

Background:

Request for Qualifications RFQ 17-14- P&Z-03 was prepared and released on November 22, 2016, the solicitation was advertised in the Arizona Range News on November 30 and December 7, 2016. The RFQ was posted on the County and Public Purchase websites, 44 consultants were notified by e-mail. Four responses were received prior to the closing date and time of December 21, 2016 at 3:00 pm.

An evaluation panel consisting of three personnel from the Community Development Department evaluated, scored, and ranked the request for qualifications received in accordance with the evaluation criteria specified in the RFQ, An evaluation score sheet is attached, the two firms that are recommended for approval for the on call list are:

Shums Coda, Phoenix, AZ
Brown & Associates, Phoenix, AZ

The list will be valid for a one year period with the option extend the agreement for four additional years in one year extensions.

Department's Next Steps (if approved):

Execute Professional Service Agreements for services on an as needed basis.

Impact of NOT Approving/Alternatives:

Procurement would be required to issue a RFQ every time there was a project that required building plan review or site inspection services. Decreasing customer service and increasing administrative time and money.

To BOS Staff: Document Disposition/Follow-Up:

No action required.

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 Community Development Department has budgeted a not to exceed annual amount of \$125,000 in budget fund line 100-1900-1930-421.00.

Attachments

Evaluation Scores



COCHISE COUNTY
PROCUREMENT DEPARTMENT
1415 Melody Lane, Bldg. C
Bisbee, Arizona 85603
Phone: 520-432-8390 Fax 520-432-8397
www.cochise.az.gov

RFQ 17-14-P&Z-03
Building Plan Review & Inspections
Evaluations Scores

	Evaluator A	Evaluator B	Evaluator C	TOTAL
Shums Coda Associates	80	86	87	253
Brown & Associates	65	87	85	237
Bureau Veritas	60	78	84	222
Lorange Engineering	40	55	55	150

**Action 9.
Facilities**

Regular Board of Supervisors Meeting

Meeting Date: 02/28/2017
Purchase Agreement for Sale of Cochise Hospital
Submitted By: Jay Howe, Facilities
Department: Facilities
Presentation: No A/V Presentation
Document Signatures: BOS Signature Required

Recommendation: Approve
of ORIGINALS Submitted for Signature: 2
TITLE of PRESENTER: Facilities Director
Source of Mandate or Basis for Support?:

NAME of PRESENTER: Jay Howe
Mandated Function?: Not Mandated

Docket Number (If applicable):

Information

Agenda Item Text:

Approve purchase agreement for sale of Cochise County Hospital for the sum of \$268,000 as offered through the Public Surplus Auction process by Videacorp (Videa Enterprises AKA Videacorp).

Background:

Cochise County Internal Services and Facilities management have been working together since July 2016 to market and sell the Old Cochise County Hospital at 2174 West Oak Ave. in Douglas, AZ. During this time frame we have had 3 instances of Vandalism at this facility, repaired a section of the roof and repaired all vandalism damage. We have listed this facility on 2 separate occasions with Public Surplus Auction. The first listing we had a reserve bid amount of \$400,000.00 and we received no bids. The second listing we removed the reserve amount and received 167 bids. After vetting the bidders, Videacorp (Videa Enterprises) was awarded the successful bid. Their final offer was \$268,000.00. This Facility, if continued to be owned by Cochise County, represents a significant liability and will continue to cost taxpayer dollars to deal with vandalism. As an unoccupied facility it will continue to deteriorate and lose value.

Department's Next Steps (if approved):

If approved, Cochise County Attorney will work through the escrow and Title deed process to facilitate the transfer of this facility to Videacorp (Videa Enterprises).

Impact of NOT Approving/Alternatives:

If the sale is not approved Cochise County will remain liable for maintaining the integrity of the facility and cost of insurance premiums and future vandalism repairs.

To BOS Staff: Document Disposition/Follow-Up:

Forward approved / signed purchase agreement to County Attorney for follow up

Budget Information

Information about available funds

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

Account Code(s) for Available Funds

1:

Fund Transfers

Fiscal Year: 16/17

One-time Fixed Costs? (\$\$\$): 0

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

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

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

Source of Funding?: 0

Fiscal Impact & Funding Sources (if known):

Fiscal Impact would be positive cash of \$268,000.00 to General fund

Attachments

[Contract Draft](#)

COMMERCIAL REAL ESTATE PURCHASE CONTRACT

Document updated:
February 2016

The pre-printed portion of this form has been drafted by the Arizona Association of REALTORS®. Any change in the pre-printed language of this form must be made in a prominent manner. No representations are made as to the legal validity, adequacy and/or effects of any provision, including tax consequences thereof. If you desire legal, tax or other professional advice, please consult your attorney, tax advisor or professional consultant.



RECEIPT

1. Offer Received From: ("Buyer") Tigran Ghazaryan and/or Assignee
2. Agency Confirmation: Broker named on Line 18 is the agent of (check one):
3. the Buyer exclusively; or the Seller exclusively; or both the Buyer and Seller
4. Amount of Earnest Money: Eight Thousand & Sixty Four Dollars \$ 8,064.00
5. All earnest money shall be deposited into a federally insured account acceptable to Buyer and Seller and any interest earned
6. thereon shall also be included as earnest money ("Earnest Money"). Buyer agrees that, if Buyer breaches this Contract, Earnest
7. Money is subject to forfeiture. If any check for Earnest Money is dishonored for any reason, Seller may, at Seller's option,
8. immediately cancel this Contract pursuant to lines 308-312. Unless otherwise provided herein, all Earnest Money is considered to be
9. part of the Purchase Price for the Property described below.
10. Earnest Money shall be: (check one)
11. Delivered by Buyer to Escrow Company upon mutual execution of this Contract.
12. Held by Broker until mutual execution. Upon mutual execution, Broker shall promptly deposit the Earnest Money with the Escrow
13. Company to which the check is payable. If the check is payable to Broker, Broker shall deposit the check in Broker's trust
14. account or endorse the check without recourse and deposit it with a duly licensed Escrow Company.
15. Form of Earnest Money: Personal Check Other: Wire Transfer
16. Deposited with: Broker's Trust Account Escrow Company
17. Offer Received By: _____
(PRINT SALESPERSON'S NAME AND AGENT CODE) (SALEPERSON'S SIGNATURE) (MO/DA/YR)
18. _____ (collectively "Broker")
(PRINT NAME OF FIRM) (OFFICE CODE)

PROPERTY AND PURCHASE PRICE

19. Property Description and Offer: Buyer agrees to purchase and Seller agrees to sell the following real property:
20. Property Address: 2174 W. Oak Avenue
21. City: Douglas County: Cochise AZ, Zip Code: 85607
22. Assessors Parcel # 408-06-001
23. Legal description: Former Cochise County Regional Hospital site occupying 20AC of W2 SW4 80AC
24. & SW4 NW4 40AC Section 13 Township 24 South Range 27 East 120AC. This 20AC include all
25. improvements and vacant land that was relevant for the operation of the former Hospital
26. which includes, at no additional cost to Buyer, all fixtures and improvements thereon, as well as the following items, if any, owned by
27. Seller and presently located on or in the real property: electrical distribution systems (power panels, ducting, conduits, disconnects),
28. lighting fixtures, computer wiring, telephone distribution systems (lines, jacks and connections), heating, ventilation and air conditioning
29. equipment, evaporative coolers, air lines, carpets, window coverings, wall coverings, security and fire detection systems/alarms, and
30. fencing.
31. _____
32. (collectively the "Property"). All fixtures and improvements shall be free of liens and encumbrances unless otherwise specified.
33. Leased Equipment NOT Included: _____
34. Personal Property Included: _____
35. Personal property shall be transferred in AS-IS CONDITION, FREE AND CLEAR OF ANY LIENS AND ENCUMBRANCES, and SELLER
36. MAKES NO WARRANTY of any kind, expressed or implied (including, without limitation, ANY WARRANTY OF MERCHANTABILITY).
37. Addenda Incorporated: Schedule of personal property Lead-Based Paint Disclosure Other _____
38. \$ 268,800.00 Full Purchase Price, paid as outlined below. Buyer acknowledges that failure to have funds deposited as
39. required to close escrow on the date specified herein shall constitute a material breach of Contract.
40. \$ 8,064.00 Earnest Money (3% of the Purchase Price)
41. \$ _____ Additional Earnest Money _____
42. \$ _____
43. _____
44. _____ >>

Commercial Real Estate Purchase Contract • Updated: February 2016
Copyright © 2016 Arizona Association of REALTORS®. All rights reserved.

SELLER SELLER

<Initials

Initials>

BUYER BUYER

Commercial Real Estate Purchase Contract >>

45. **Escrow:** This Contract shall be used as escrow instructions. The Escrow Company employed by the parties to carry out the terms of
46. this Contract shall be: Title Security Agency Jan Sredanovich
(ESCROW COMPANY) (CONTACT PERSON)

47. 421 E Cottonwood Ln, Casa Grande, AZ 85122 520-426-4600
(ADDRESS) (TELEPHONE)

48. jan.sredanovich@titlesecurity.com
(FAX) (E-MAIL)

49. **Opening of Escrow:** The term "Opening of Escrow" shall mean the date when a fully executed Contract and the Earnest Money
50. have been delivered to Escrow Company. Escrow Company shall immediately notify Buyer, Seller and Broker(s) in writing of the
51. date of the Opening of Escrow.

52. **Close of Escrow:** Seller and Buyer shall comply with all terms and conditions of this Contract and Close Escrow
53. in 90 days of receiving Cochise County Board of Supervisors' approval per Line 324
54. but in no event later than 05/31/2017. Any other closing date requires the written mutual agreement of Seller and Buyer.
MODAYR

55. Seller and Buyer hereby agree that the Close of Escrow shall be defined as recordation of the deed and any other documents
56. required to complete the transaction. The parties expressly agree that the failure of any party to comply with the terms and
57. conditions of this Contract by the scheduled Close of Escrow shall constitute a material breach of this Contract.

58. **Possession and Keys:** Possession and occupancy of the Property shall be delivered to Buyer at **Close of Escrow,**
59. **or** _____, subject to the rights of tenants under existing leases. Seller shall provide keys and/or means to operate
60. all locks, mailboxes, security system/alarms, access to all common area facilities and _____
61. _____

DUE DILIGENCE AND INSPECTIONS

62. **Due Diligence:** Buyer's due diligence and inspection period shall be ~~thirty (30) days~~ or **twenty (20)** days after Opening of Escrow
63. ("Due Diligence Period"). During the Due Diligence Period, Buyer shall satisfy itself with respect to the physical condition of the
64. Property, the condition of title to the Property and as to the feasibility and suitability of the Property for Buyer's intended purpose.
65. REFER TO LINES 66-85 FOR IMPORTANT TERMS.

66. **Buyer Disapproval:** If prior to the expiration of the Due Diligence Period or as otherwise provided herein, Buyer, in Buyer's sole
67. discretion, disapproves of the Property, Buyer shall:

- 68. (a) immediately cancel this Contract pursuant to Lines 308-312 without further written consent of the parties, in which event all
69. Earnest Money shall be ~~returned to Buyer;~~ or *forfeited unless the reason for the cancellation is the condition of the title to the Property.*
- 70. (b) deliver to the Seller written notice of the items disapproved and provide Seller an opportunity to correct the items.
71. If Buyer elects option (b), Seller shall respond in writing within five (5) days or _____ days after delivery to Seller
72. of Buyer's notice of items disapproved. If Seller is unwilling or unable to agree to correct any of the terms disapproved by
73. Buyer, including making any repairs in a workmanlike manner, Buyer may either:
74. (a) cancel this Contract within five (5) days after receipt of Seller's response or after expiration of the time period for
75. Seller's response, whichever occurs first, in which case all Earnest Money shall be returned to Buyer; or
76. (b) proceed with the transaction, in which case Seller is not obligated to correct those items Seller has not agreed to
77. correct in writing.

78. If Buyer cancels this Contract, Buyer shall return all documents provided by the Seller and provide Seller with copies of all reports or
79. studies generated by Buyer, provided, however, that Buyer shall not be required to deliver any such report or study if the written
80. contract that Buyer entered into with the consultant who prepared such report or study specifically forbids the dissemination of the
81. report or study to others.

82. **BUYER'S FAILURE TO GIVE WRITTEN NOTICE OF CANCELLATION OF THIS CONTRACT OR DISAPPROVAL OF ITEMS**
83. **WITHIN THE SPECIFIED TIME PERIODS SHALL CONCLUSIVELY BE DEEMED BUYER'S ELECTION TO PROCEED WITH**
84. **THE TRANSACTION WITHOUT CORRECTION OF ANY DISAPPROVED ITEMS THAT SELLER HAS NOT AGREED IN**
85. **WRITING TO CORRECT.**

86. **Inspections:** During the Due Diligence Period, Buyer shall have the right, at Buyer's expense, to select an inspector(s), and to
87. make economic, environmental and physical "inspections" (including tests, surveys, and other studies) of the Property, including but
88. not limited to square footage, wood infestation, roof, designated flood hazard areas, structural, plumbing (such as galvanized or
89. polybutylene pipes), sewer/septic, well, heating, air conditioning, electrical and mechanical systems, built-in appliances, soil,
90. foundation, pool/spa and related equipment, cost of compliance with swimming pool regulations, possible environmental hazards
91. (such as asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, methamphetamine, LSD, ecstasy,
92. hazardous waste, other substances, materials or products, and/or location in a federal or state Superfund area), water damage,
93. mold, conditions conducive to mold, geologic conditions, location of property lines, water/utility use restrictions and fees for services
94. such as garbage, water/utility or fire protection, sign usage, zoning regulations, variances, use permits, and compliance with
95. Americans with Disabilities Act. If the presence of sex offenders in the vicinity of the Property or the occurrence of a disease, natural
96. death, suicide, homicide or other crime on or in the vicinity of the Property is a material matter to the Buyer, it must be investigated
97. by the Buyer during the Due Diligence Period.

98. **Square Footage:** BUYER IS AWARE THAT ANY REFERENCE TO THE SQUARE FOOTAGE (OR NET ACREAGE) OF THE
99. REAL PROPERTY (LAND) OR IMPROVEMENTS THEREON IS APPROXIMATE. IF SQUARE FOOTAGE (OR NET ACREAGE) IS
100. A MATERIAL MATTER TO THE BUYER, IT MUST BE VERIFIED BY BUYER DURING THE DUE DILIGENCE PERIOD. >>

SELLER SELLER

<Initials

Initials>

BUYER BUYER

Commercial Real Estate Purchase Contract >>

101. **Wood Infestation Inspection:** IF CURRENT OR PAST WOOD INFESTATION (SUCH AS TERMITES) IS A MATERIAL MATTER
 102. TO THE BUYER, IT MUST BE INVESTIGATED DURING THE DUE DILIGENCE PERIOD. If the lender requires an updated Wood
 103. Infestation Report, it shall be performed at Buyer's expense. If wood infestation is disclosed in any Wood Infestation Report,
 104. REFER TO LINES 66-85 FOR IMPORTANT TERMS.
105. **Flood Hazard:** If the Property is situated in an area identified as having any special flood hazards by any governmental entity
 106. including, but not limited to, being designated as a special flood hazard area by the Federal Emergency Management Agency
 107. (FEMA), the Buyer's lender may require the purchase of flood hazard insurance at the Close of Escrow or some future date. Special
 108. flood hazards may affect the ability to encumber or improve the Property now or at some future date. Flood hazard designation of
 109. the Property or cost of flood hazard insurance shall be determined by Buyer during the Due Diligence Period.
110. **Survey:** A survey shall be performed is waived by the Buyer.
111. If a survey is to be performed, Buyer shall have the survey completed by a licensed surveyor in accordance with the Arizona State
 112. Board of Technical Registration's "Arizona Land Boundary Survey Minimum Standards" and review the receipt of results of survey or
 113. map during the Due Diligence Period.
114. Cost of the survey shall be paid by: Seller Buyer Other: _____
115. Surveyor's instructions are: A boundary survey and survey plat showing the corners either verified or monumentation.
 116. A survey certified by a licensed surveyor, acceptable to Buyer and the Title Company, in sufficient
 117. detail for issuance of an American Land Title Association ("ALTA") Owner's Policy of Title Insurance
 118. showing all boundary, encroachment or survey exceptions and all improvements, utility lines and
 119. easements on the Property or within five (5) feet thereof.
120. Other survey terms: The survey shall be completed within twenty(20) days
 121. after Opening of Escrow.
122. **Buyer's Responsibility Regarding Inspections:** Buyer shall keep the Property free and clear of liens, shall indemnify and hold
 123. Seller harmless from all liability, claims, demands, damages, and costs and shall repair all damages arising from the inspections.
124. **Final Walkthrough:** The Seller grants Buyer and any representative of Buyer reasonable access to conduct a final walkthrough of the
 125. Property for the purpose of satisfying Buyer that any repairs agreed to by the Seller have been completed and, further, that the Property
 126. is in substantially the same condition as on the date of the mutual execution of the Contract. Seller shall make the Property available for
 127. the final walkthrough. If Buyer does not conduct such walkthrough, Buyer specifically releases Seller and Broker(s) of any liability.
128. **Seller's Responsibility Regarding Inspections and Final Walkthrough:** Seller shall make the Property available for all inspec-
 129. tions during the Due Diligence Period and final walkthrough. Seller understands that the inspections and final walkthrough require
 130. that all utilities be on and the Seller is responsible for providing same at Seller's expense.
131. **Sanitation and Waste Disposal Systems:** Buyer is aware and Seller warrants that the Property is on a:
 132. sewer system septic system alternative system
133. **Seller's Obligations Regarding On-Site Wastewater Treatment Facility (conventional septic or alternative system)**
 134. ("Facility"): If such a Facility has been installed on the Property, Seller shall deliver to Buyer copies of Facility permits and any
 135. other Facility documents of record within five (5) days after Opening of Escrow. During Due Diligence Period, any Facility on the
 136. Property shall be inspected as required by law at: Buyer's expense Seller's expense by an inspector recognized by the
 137. applicable governmental authority. Seller shall deliver to Escrow Company, at Seller's expense, any certification and/or
 138. documentation required. Escrow Company is instructed to file any transfer form(s) with applicable county authority. Buyer shall pay
 139. any Facility transfer fees.
140. **Seller's Obligations Regarding Wells:** If any well is located on the Property, Seller shall deliver to Escrow Company, before Close
 141. of Escrow, a copy of the Arizona Department of Water Resources ("ADWR") "Registration of Existing Wells." Escrow Company is
 142. hereby instructed to send to the ADWR a "Change of Well Information." Seller does not warrant the gallons per minute as reflected on
 143. the ADWR certification of registration. Buyer may verify gallons per minute during Due Diligence Period through a certified flow test.
144. **Changes During Escrow:** Seller shall immediately notify Buyer in writing: (i) of any changes in the disclosures made herein, in the Seller
 145. Property Disclosure Statement, or otherwise; (ii) if Seller modifies any existing lease or other agreement affecting the Property; or (iii) if Seller
 146. enters into any new leases, rental agreements, service contracts or other agreements affecting the Property. Buyer shall be allowed five (5) days
 147. after receipt of such notice to provide written notice to Seller of any items disapproved. REFER TO LINES 66-85 FOR IMPORTANT TERMS.

DISCLOSURES

148. **Seller Property Disclosure Statement ("SPDS"):**
149. (a) Buyer has received, read, and approved the SPDS.
150. (b) Buyer waives review and approval of the SPDS. (**BUYER'S INITIALS REQUIRED TO WAIVE SPDS** _____)
 BUYER BUYER
151. (c) Seller shall deliver the SPDS to Buyer within five (5) days after Opening of Escrow.

>>

SELLER SELLER

<Initials

Initials>

BUYER BUYER

Commercial Real Estate Purchase Contract >>

- 152. **Additional Seller Disclosures and Information:** Seller shall provide to Buyer the following disclosures and information pertinent to the Property
- 153. in writing within five (5) days or _____ days after Opening of Escrow: (1) any information known to Seller that may adversely affect the
- 154. Buyer's use of the Property, (2) any known pending special assessments, association fees, claims, or litigation, (3) copies of covenants, conditions,
- 155. and restrictions, articles of incorporation; by-laws; other governing documents; and any other documents required by law, (4) financial statements,
- 156. copies of current rent rolls, lists of current deposits, personal property lists, copies of leases, rental agreements, service contracts, (5) a copy of the
- 157. most recent survey, if available, and (6) any and all other agreements, documents, studies, or reports relating to the Property in Seller's possession
- 158. or control provided, however, that Seller shall not be required to deliver any report or study if the written contract that Seller entered into with the
- 159. consultant who prepared such report or study specifically forbids the dissemination of the report to others. The Buyer shall provide written
- 160. notice to Seller prior to the expiration of the Due Diligence Period of any items disapproved. REFER TO LINES 66-85 FOR IMPORTANT TERMS.
- 161. Seller shall deliver all original documents and estoppel certificates executed by all tenants to Buyer at Close of Escrow.
- 162. **No Seller or Tenant Bankruptcy, Probate or Insolvency Proceedings.** Seller has no notice or knowledge that any tenant on the
- 163. Property is the subject of a bankruptcy, probate or insolvency proceeding. Further, Seller is not the subject of a bankruptcy,
- 164. insolvency or probate proceeding.
- 165. **Seller's Notice of Violations:** Seller represents that Seller has no knowledge of any notice of violations of City, County, State, or
- 166. Federal building, zoning, fire, or health laws, codes, statutes, ordinances, regulations, or rules filed or issued regarding the Property.
- 167. If Seller receives notice of violations of any of the aforementioned prior to Close of Escrow, Seller shall immediately notify Buyer in
- 168. writing. Buyer shall have five (5) days after receipt of such notice to provide written notice to Seller of any items disapproved.
- 169. REFER TO LINES 66-85 FOR IMPORTANT TERMS.

DISCLOSURES FOR PROPERTY USED FOR RESIDENTIAL PURPOSES

- 170. (If Property is not used for residential purposes, GO TO LINE 194.)
- 171. **Notice to Buyer of Swimming Pool Barrier Regulations (Initials Required):** The State of Arizona has swimming pool barrier regulations
- 172. that are outlined in the Arizona Department of Health Services Private Pool Safety Notice. The county or municipality in which the Property is
- 173. located may have different swimming pool barrier regulations than the state. During the Due Diligence Period, Buyer agrees to investigate all
- 174. applicable state, county, and municipal swimming pool barrier regulations and, unless disapproved prior to the expiration of the Due Diligence
- 175. Period, agrees to comply with and pay all costs of compliance with said regulations. BUYER'S INITIALS ACKNOWLEDGE (1) EXISTENCE OF
- 176. SWIMMING POOL BARRIER REGULATIONS and (2) If this Property contains a swimming pool, RECEIPT OF THE ARIZONA DEPARTMENT
- 177. OF HEALTH SERVICES APPROVED PRIVATE POOL SAFETY NOTICE AS REQUIRED BY A.R.S. §36-1681 (E).
- 178. **(BUYER'S INITIALS REQUIRED)** _____ BUYER _____ BUYER
- 179. **Lead-Based Paint Disclosure (Initials Required):** If the Property was built prior to 1978, Seller shall: (1) notify the Buyer of any
- 180. known lead-based paint or lead-based paint hazards in or on the Property; (2) provide the Buyer with any lead-based paint risk
- 181. assessments or inspections of the Property in the Seller's possession; (3) provide the Buyer with the Disclosure of Information on
- 182. Lead-based Paint and Lead-Based Paint Hazards, and any reports, records, pamphlets, and/or other materials referenced therein,
- 183. including the pamphlet "Protect Your Family from Lead in Your Home" (collectively "Lead-Based Paint Information").
- 184. Lead-Based Paint Information was provided prior to Contract acceptance and Buyer acknowledges the opportunity to conduct
- 185. lead based paint risk assessments or inspections during Due Diligence Period.
- 186. Seller shall provide the Lead-Based Paint Information to Buyer within five (5) days after Opening of Escrow. Buyer may within ten
- 187. (10) days or _____ days after receipt of the Lead-Based Paint Information conduct or obtain a risk assessment or inspection
- 188. of the Property for the presence of lead-based paint or lead based-paint hazards ("Assessment Period"). Buyer may within five (5)
- 189. days after receipt of the Lead-Based Paint Information or five (5) days after expiration of the Assessment Period cancel this Contract
- 190. in Buyer's sole discretion by delivering written notice of cancellation to Seller Pursuant to Lines 308-312.
- 191. **Prior to 1978: If Property was constructed prior to 1978, BUYER'S INITIALS REQUIRED** _____ BUYER _____ BUYER
- 192. **1978 or Later: If Property was constructed in 1978 or later, BUYER'S INITIALS REQUIRED** _____ BUYER _____ BUYER
- 193. **IF THIS IS AN ALL CASH SALE, GO TO LINE 208.**

FINANCING

- 194. (If financing is to be other than new financing, see attached addendum.)
- 195. **This sale is is not contingent upon Buyer obtaining a satisfactory financing commitment within Financing**
- 196. **Commitment Contingency Period.** (If sale is not contingent on a financing commitment, go to line 208.)
- 197. **Financing Commitment Contingency Period:** If the sale is contingent upon Buyer obtaining a satisfactory financing commitment,
- 198. Buyer shall have thirty (30) days or _____ days after the Opening of Escrow ("Financing Commitment Contingency Period") to
- 199. obtain a financing commitment satisfactory to Buyer in Buyer's sole discretion, for a loan to purchase the Property or Buyer may cancel
- 200. this Contract pursuant to Lines 308-312 and receive a refund of the Earnest Money. **PRIOR TO THE EXPIRATION OF THE FINANCING**
- 201. **COMMITMENT CONTINGENCY PERIOD, BUYER SHALL DELIVER TO SELLER AND ESCROW COMPANY WRITTEN NOTICE**
- 202. **THAT BUYER HAS NOT RECEIVED SUCH SATISFACTORY FINANCING COMMITMENT OR BUYER SHALL BE DEEMED TO**
- 203. **HAVE WAIVED THE FINANCING COMMITMENT CONTINGENCY AND ANY RIGHT TO CANCEL DUE TO FINANCING.**
- 204. **Financing Application:** ~~Within ten (10) days after the Opening of Escrow,~~ Buyer shall submit a formal loan application to a lender
- 205. of Buyer's choice. Buyer and Seller shall promptly provide to such lender all materials and documents lender deems appropriate to
- 206. facilitate such lender's processing of such loan application. Buyer agrees to pay such fees as required by the lender and all other
- 207. financing costs. Buyer authorizes the lender to provide financing status updates to Broker(s). >>

SELLER SELLER

<Initials

Initials>

BUYER BUYER

Commercial Real Estate Purchase Contract >>**TITLE AND ESCROW**

208. **Title and Vesting:** Taking title may have significant legal, estate planning and tax consequences. Buyer should obtain legal
 209. and tax advice.
 210. Buyer will take title as **determined before Close of Escrow** or Other: _____
211. **Title Commitment and Title Insurance:** ~~Buyer shall be provided at Seller's expense a Standard Owner's Title Insurance Policy show-~~
 212. ~~ing the title vested in Buyer as provided in Line 210.~~ Buyer may acquire extended coverage(s) at Buyer's own additional expense.
 213. Escrow Company is hereby instructed to obtain and distribute to Buyer and Broker(s) a Commitment for Title Insurance in sufficient
 214. detail for the issuance of an Extended Owner's Title Insurance Policy together with complete and legible copies of all documents that
 215. will remain as exceptions to Buyer's policy of title insurance ("Title Commitment"), within fifteen (15) days after Opening of Escrow.
 216. Buyer shall have until the expiration of the Due Diligence Period to provide written notice to Seller of any items disapproved. Buyer shall
 217. have five (5) days after receipt of any amendments to Title Commitment or notice of any subsequent exceptions to provide Seller
 218. written notice of any amendment or exceptions disapproved. REFER TO LINES 66-85 FOR IMPORTANT TERMS.
 219. Seller shall convey title by special warranty deed or _____ deed.
220. **Additional Instructions:** (a) If the Escrow Company is also acting as the title agency but is not the title insurer issuing the title
 221. insurance policy, the Buyer and Seller hereby instruct the Escrow Company to deliver to the Buyer and Seller upon Opening of
 222. Escrow a closing protection letter from the title insurer indemnifying the Buyer and Seller for any losses due to fraudulent acts or
 223. breach of escrow instructions by the Escrow Company. (b) All documents necessary to close this transaction shall be executed
 224. promptly by Seller and Buyer in the standard form used by Escrow Company. Escrow Company is hereby instructed to modify such
 225. documents to the extent necessary to be consistent with this Contract. (c) All closing and escrow costs, unless otherwise stated
 226. herein, shall be allocated equally between Seller and Buyer in accordance with local custom and applicable laws and regulations. (d)
 227. Escrow Company is hereby instructed to send to Broker(s) copies of all notices and communications directed to or from Seller or
 228. Buyer. Escrow Company shall provide Broker(s) with access to escrowed materials and information regarding the escrow.
229. **Prorations, Expenses and Adjustments:**
 230. **Taxes:** Real property taxes payable by the Seller shall be prorated through Close of Escrow, based upon the latest tax bill available.
 231. The parties agree that any discrepancy between the latest tax bill available and the actual tax bill when received shall be handled as
 232. a Post Closing Matter and Buyer or Seller may be responsible for additional tax payments to each other.
 233. **Insurance:** If Buyer takes an assignment of the existing casualty and/or liability insurance that is maintained by Seller, the current
 234. premium shall be prorated through Close of Escrow.
 235. **Rents, Interest and Expenses:** Rents; interest on existing notes, if transferred; utilities; and operating expenses shall be prorated
 236. through Close of Escrow. The Parties agree to adjust any rents received after Close of Escrow as a Post Closing Matter.
 237. **Deposits:** All deposits held by Seller pursuant to rent/lease agreement(s) shall be credited against the cash required of Buyer at
 238. Close of Escrow or paid to Buyer by Seller at Close of Escrow.
239. **Post Closing Matters:** The parties shall promptly adjust any item to be prorated that is not determined or determinable at Close of
 240. Escrow as a Post Closing Matter by appropriate cash payment to the other party outside of the escrow when the amount due is
 241. determined. Seller and Buyer agree that Escrow Company and Broker(s) are relieved of any responsibilities for said adjustments.
242. **Insurance:** Buyer shall insure that any fire, casualty, or other insurance desired by Buyer, or required by any Lender, is in place at
 243. Close of Escrow. Buyer specifically releases Broker(s) from any obligations relating to such insurance.
244. **Assessments:** The amount of any assessment that is a lien as of the Close of Escrow, shall be:
 245. paid in full by Seller prorated and assumed by Buyer paid in full by Buyer.
 246. Any assessment that becomes a lien after Close of Escrow is the Buyer's responsibility.
247. **IRS and FIRPTA Reporting:** Seller agrees to comply with IRS reporting requirements. If applicable, Seller agrees to complete, sign,
 248. and deliver to Escrow Company a certificate indicating whether Seller is a foreign person or a non-resident alien pursuant to the
 249. Foreign Investment in Real Property Tax Act (FIRPTA). Buyer acknowledges that if the Seller is a foreign person, the Buyer (or
 250. Escrow Company, as directed by Buyer) must withhold a tax of up to 15% of the purchase price, unless an exemption applies.
251. **RESPA:** The Real Estate Settlement Procedures Act (RESPA) requires that no Seller of property that will be purchased with the
 252. assistance of a federally-related mortgage financing shall require, directly or indirectly, as a condition of selling the property, that title
 253. insurance covering the property be purchased by the Buyer from any particular title company.
254. **TAX DEFERRED EXCHANGE:** Seller and Buyer are advised to consult a professional tax advisor regarding the advisability of a
 255. tax-deferred exchange pursuant to I.R.C. §1031 or otherwise. Seller and Buyer agree to cooperate in a tax deferred exchange pro-
 256. vided that Close of Escrow is not delayed. All additional costs in connection with any such tax deferred exchange shall be borne by
 257. the party requesting the exchange. The non-requesting party and Broker(s) shall be indemnified and held harmless from any liability
 258. that may arise from participation in the tax deferred exchange.

WARRANTIES

259. **Seller Warranties:** ~~Seller warrants and shall maintain and/or repair the Property so that, at the earlier of possession of the Property~~
 260. ~~or Close of Escrow, all heating, cooling, mechanical, plumbing, and electrical systems (including swimming pool and/or spa, motors,~~
 261. ~~filter systems, cleaning systems, and heater, if any), and built-in appliances will be in working condition or as otherwise agreed in~~
 262. ~~this Contract.~~ Seller also warrants that, at the earlier of possession of the Property or Close of Escrow, the Property shall be in
 263. substantially the same condition as on the date of the mutual execution of the Contract.
264. **Buyer Warranties:** Buyer warrants that Buyer has disclosed to Seller any information that may materially and adversely affect the Buyer's
 265. ability to close escrow or complete the obligations of this Contract. At the earlier of the removal of all contingencies, possession of the
 266. Property or Close of Escrow, (a) Buyer warrants to Seller that Buyer has conducted all desired independent investigations and accepts the
 267. Property and (b) Buyer acknowledges that there will be no Seller warranty of any kind, except as stated in Lines 259-263. >>

		<Initials
SELLER	SELLER	

		Initials>
BUYER	BUYER	

Commercial Real Estate Purchase Contract >>

268. **Warranties that Survive Closing:** Prior to the Close of Escrow, Seller warrants that payment in full will have been made for all
 269. rental and/or privilege taxes, labor, professional services, materials, machinery, fixtures, or tools furnished within the 150 days
 270. immediately preceding the Close of Escrow in connection with the construction, alteration, or repair of any structure on or
 271. improvement made to the Property. Seller warrants that the information on Lines 131-139 regarding connection to a public sewer
 272. system, septic tank or other sanitation system is correct to Seller's knowledge. Seller warrants that Seller has disclosed to Buyer
 273. and Broker(s) all material latent defects and any information concerning the Property known to Seller, which materially and
 274. adversely affect the consideration to be paid by Buyer.

REMEDIES

275. **Remedies:** The parties agree to the remedies for breach of Contract indicated below.

276. *If Buyer is in breach: (check one)*

277. All Rights and Remedies: Seller may cancel this Contract pursuant to Lines 308-312 and/or proceed upon any claim or
 278. remedy that the Seller may have in law or equity.

279. Liquidated Damages: The parties agree that it would be impracticable or extremely difficult to fix the actual damages that
 280. Seller would suffer if Buyer fails to perform Buyer's obligations pursuant to this Contract. Therefore, if Buyer breaches this
 281. Contract, Seller shall be entitled to the Earnest Money as Seller's sole remedy and Buyer shall be released from any further
 282. liability to Seller. In such event, this Contract shall be cancelled and Seller shall pay any Escrow Company cancellation fees.

283. **(INITIALS REQUIRED)** _____
 SELLER SELLER BUYER BUYER

284. *If Seller is in breach:*

285. All Rights and Remedies: Buyer may cancel this Contract pursuant to Lines 308-312, shall be entitled to the return of the
 286. Earnest Money and/or proceed upon any claim or remedy that the Buyer may have in law or equity.

287. **Mediation:** Buyer and Seller agree to mediate any dispute or claim arising out of or relating to this Contract, any alleged breach of
 288. this Contract, or services provided in relation to this Contract, claims for Earnest Money or representations made by the Buyer or
 289. Seller in connection with the sale, purchase, financing, condition, or other aspect of the Property to which this Contract pertains,
 290. including, without limitation, allegations of concealment, misrepresentation, negligence and/or fraud before resorting to court action.
 291. Mediation is a process in which the parties meet with an impartial person who helps to resolve the dispute informally and
 292. confidentially. Mediators cannot impose binding decisions. The parties must agree and sign an agreement before any settlement
 293. reached at the mediation is binding. Mediation shall take place in the State of Arizona. All mediation costs shall be paid equally by
 294. the parties to the Contract.

295. **Exclusions from Mediation:** The following matters are excluded from mediation hereunder: (a) any action brought in the Small
 296. Claims Division of an Arizona Justice Court (up to \$3,500), so long as the matter is not thereafter transferred or removed from the
 297. Small Claims Division; (b) judicial or nonjudicial foreclosure or other action or proceeding to enforce a deed of trust, mortgage, or
 298. agreement for sale; (c) an unlawful entry or detainer action; (d) the filing or enforcement of a mechanic's lien; or (e) any matter that
 299. is within the jurisdiction of a probate or bankruptcy court. The filing of a judicial action to enable the recording of a notice of pending
 300. action, or order of attachment, receivership, injunction, or other provisional remedies shall not constitute a waiver of the obligation to
 301. mediate under this provision, nor shall it constitute a breach of the duty to mediate.

302. **Attorneys Fees and Costs:** If Buyer or Seller files suit against the other to enforce any provision of this Contract or for damages
 303. sustained by reason of its breach, all parties prevailing in such action, on trial and appeal, shall receive their reasonable attorney's
 304. fees and costs as awarded by the court. In addition, both Seller and Buyer agree to indemnify and hold harmless all Brokers against
 305. all costs and expenses that any Broker may incur or sustain in connection with any lawsuit arising from this Contract and will pay the
 306. same on demand unless the court grants judgment in such action against the party to be indemnified. Costs shall include, without
 307. limitation, reasonable attorney's fees, expert witness fees, fees paid to investigators, and court costs.

308. **Cancellation:** Any party who wishes to cancel this Contract as provided herein or because of any material breach by another party,
 309. and who is not in material breach except as occasioned by a material breach by the other party, may cancel this Contract by
 310. delivering written notice of cancellation to either the breaching party or to the Escrow Company stating the basis for cancellation or
 311. nature of the breach. Cancellation shall become effective immediately upon delivery of the written notice of cancellation to either the
 312. breaching party or Escrow Company.

313. **Release of Earnest Money:** In the event of a dispute between Buyer and Seller regarding Earnest Money deposited with Escrow
 314. Company, Buyer and Seller authorize Escrow Company to release Earnest Money pursuant to the terms and conditions of this
 315. Contract. Buyer and Seller specifically authorize Escrow Company to act in its sole and absolute discretion in the release of Earnest
 316. Money. Buyer and Seller agree to hold harmless and indemnify Escrow Company against any claim, action or lawsuit of any kind,
 317. and from any loss, judgment, or expense, including costs and reasonable attorneys' fees, arising from or relating in any way to the
 318. release of Earnest Money.

319. **Recommendations:** If any Broker recommends a builder, contractor, inspector, vendor or any other person or entity to Seller or Buyer
 320. for any purpose, such recommendation shall be independently investigated and evaluated by Seller or Buyer, who hereby acknowledge
 321. that any decision to enter into any contractual arrangements with any such person or entity recommended by any Broker will be based
 322. solely upon such independent investigation and evaluation. Seller and Buyer understand that said contractual arrangement may result
 323. in a commission or fee to Broker, which shall be disclosed in writing to the Seller and Buyer as required by law.

>>

SELLER SELLER

<Initials

Initials>

BUYER BUYER

Commercial Real Estate Purchase Contract >>

ADDITIONAL TERMS

- 324. *This contract is contingent upon receiving a written approval of this transaction from Cochise County Board of Supervisors on or before 3/1/2017.*
- 325. *Although this offer is NOT contingent upon financing, the Buyer will try to arrange financing before paying all cash.*
- 326. *The Seller has no objection to the terms of financing the Buyer may obtain as long as the full purchase price is received before close of the Escrow.*
- 327. *The Buyer may set up a new legal entity that will take the title of the property.*
- 328. *This property is sold in AS-IS condition.*
- 329. *The Buyer shall pay all closing costs, including all escrow, title insurance and recording fees.*
- 330. _____
- 331. _____
- 332. _____
- 333. _____
- 334. _____
- 335. _____
- 336. _____
- 337. _____
- 338. _____
- 339. _____
- 340. _____
- 341. _____
- 342. _____
- 343. _____
- 344. _____
- 345. _____
- 346. _____
- 347. _____
- 348. _____

349. **Risk of Loss:** If there is any loss or damage to the Property between the date of mutual execution of this Contract and the Close of
350. Escrow or possession of the Property, whichever is earlier, by reason of fire, vandalism, flood, earthquake or act of God, the risk of
351. loss shall be borne by the Seller, provided, however, that if the cost of repairing such loss or damage would exceed ten percent
352. (10%) of the purchase price, either Seller or Buyer may elect to cancel the Contract by written notice pursuant to lines 308-312.

353. **Permission:** Buyer and Seller grant Broker(s) permission to advise the public of the existence of this Contract.

354. **Arizona Law:** This Contract shall be governed by Arizona law and jurisdiction is exclusively conferred on the State of Arizona.

355. **Time is of the essence:** The parties acknowledge that time is of the essence in performance of the obligations described herein.

356. **Broker's Fee:** Buyer and Seller each represent and warrant to the other that he/she/it has had no dealings with any person, firm,
357. broker or finder in connection with the negotiation of this Contract and/or the consummation of the purchase and sale contemplated
358. herein, other than the Broker(s) named herein, and no Broker or other person, firm or entity, other than said Broker(s) is/are entitled
359. to any commission or finder's fee in connection with this transaction as the result of any dealings or acts of either Buyer or Seller.
360. Buyer and Seller do each hereby agree to indemnify, defend, protect and hold the other harmless from and against any costs,
361. expenses or liability for compensation, commission or charges that may be claimed by any broker, finder or other similar party, other
362. than said named Broker(s) by reason of any dealings or act of the indemnifying party.

363. **Compensation:** Seller and Buyer acknowledge that Broker(s) shall be compensated for services rendered as previously agreed by
364. separate written agreement(s). Any separate written agreement(s) shall be delivered to Escrow Company for payment at Close of
365. Escrow, if not previously paid, and shall constitute an irrevocable assignment of Seller's proceeds at Close of Escrow and/or
366. payment shall be collected from Buyer as a condition to Close, as applicable. If any Broker hires an attorney to enforce the collection
367. of the brokerage fee payable pursuant to this Contract and is successful in collecting some or all of such brokerage fee, the
368. party(ies) responsible for paying such brokerage fee agree(s) to pay such Broker's costs including, but not limited to: reasonable
369. attorneys' fees, expert witness fees, fees paid to investigators, and court costs. **COMMISSIONS PAYABLE FOR THE SALE,
370. LEASING, OR MANAGEMENT OF PROPERTY ARE NOT SET BY ANY BOARD OR ASSOCIATION OF REALTORS® OR
371. MULTIPLE LISTING SERVICE, OR IN ANY MANNER OTHER THAN BETWEEN THE BROKER AND CLIENT. THE SELLER
372. AND THE BUYER ACKNOWLEDGE THAT THE BROKER(S) REFERENCED HEREIN ARE THIRD-PARTY BENEFICIARIES OF
373. THIS CONTRACT.**

>>

SELLER	SELLER

<Initials

Initials>

BUYER	BUYER

Commercial Real Estate Purchase Contract >>

374. **Additional Compensation:** The Real Estate Settlement Procedures Act ("RESPA") prohibits the paying or receiving of any fee,
375. kickback, or thing of value for the referral of any business related to settlement or closing of a federally regulated mortgage
376. financing, including, but not limited to, any services related to the origination, processing, or funding of a federally regulated mort-
377. gage financing, and includes settlement related business. RESPA does not prohibit fees, salaries, compensation, or other payments
378. for services actually performed. If any Broker performs any such services for a fee, Seller and Buyer consent to the payment of this
379. additional compensation as follows: _____

380. _____
381. _____

382. **Subsequent Offers:** Buyer acknowledges that Seller has the right to accept subsequent offers until Close of Escrow. Seller
383. understands that any subsequent offer accepted by the Seller must be a backup offer, namely, contingent on the cancellation of
384. this Contract.

385. **Entire Agreement:** This Contract, and any addenda and attachments, shall constitute the entire agreement between Seller and
386. Buyer, and shall supersede any other written or oral agreements between Seller and Buyer. This Contract, including any extensions
387. of any time periods referenced herein, can be modified only by a writing signed by Seller and Buyer. A fully executed facsimile copy
388. of the entire Contract shall be treated as an original Contract. This Contract and any other documents required by this Contract may
389. be executed and delivered by facsimile and in any number of counterparts, which shall become effective upon delivery as provided
390. for herein. All counterparts shall be deemed to constitute one instrument, and each counterpart shall be deemed an original. The
391. failure to initial any page of this Contract shall not affect the validity or terms of this Contract. All references to days in this Contract
392. shall be construed as calendar days.

393. **Assignment:** Except in the event of a tax-deferred exchange, Buyer shall not assign this Contract without the prior written consent
394. of Seller. Any such assignment shall not release Buyer from Buyer's obligations under this Contract.

395. **Release of Brokers: SELLER AND BUYER HEREBY ACKNOWLEDGE THAT THEY HAVE BEEN AND ARE NOW ADVISED**
396. **BY THE BROKER(S) TO CONSULT AND RETAIN THEIR OWN EXPERTS TO ADVISE AND REPRESENT THEM CONCERNING**
397. **THE LEGAL AND INCOME TAX EFFECTS OF THIS CONTRACT, AND THE CONDITION OF THE PROPERTY. SELLER AND**
398. **BUYER HEREBY EXPRESSLY RELEASE, HOLD HARMLESS AND INDEMNIFY ALL BROKER(S) IN THIS TRANSACTION**
399. **FROM ANY AND ALL LIABILITY AND RESPONSIBILITY REGARDING THE CONDITION, SQUARE FOOTAGE/ACREAGE,**
400. **LOT LINES OR BOUNDARIES, VALUE, FINANCING, RENT ROLLS, INCOME AND EXPENSE PROJECTIONS OR**
401. **PROFORMAS, ENVIRONMENTAL CONDITIONS, SANITATION SYSTEMS, ROOF CONDITION, WOOD INFESTATION AND**
402. **WOOD INFESTATION REPORT, COMPLIANCE WITH BUILDING CODES, ZONING OR OTHER GOVERNMENTAL**
403. **REGULATIONS, OR ANY OTHER MATERIAL MATTERS RELATING TO THE PROPERTY.**

404. (INITIALS REQUIRED) _____
SELLER SELLER BUYER BUYER

405. **Time for Acceptance:** This is an offer to purchase the Property. Unless acceptance is signed by Seller and a signed copy delivered
406. in person, by private or United States mail, or facsimile, and received by Buyer or by Broker named on Lines 17-18 by:
407. _____, _____ at _____ AM/PM, Mountain Standard Time, or unless this offer to purchase has been
408. previously withdrawn in writing by Buyer, this offer to purchase shall be deemed withdrawn and the Buyer's Earnest Money
409. shall be returned.

410. **THIS CONTRACT CONTAINS NINE (9) PAGES EXCLUSIVE OF ANY ADDENDA AND ATTACHMENTS. PLEASE ENSURE THAT**
411. **YOU HAVE RECEIVED AND READ ALL NINE (9) PAGES OF THIS OFFER AS WELL AS ANY ADDENDA AND ATTACHMENTS.**
412. **The undersigned agree to purchase the Property on the terms and conditions herein stated and acknowledge receipt of a**
413. **copy hereof.**

414. ^ BUYER'S SIGNATURE _____ MO/DA/YR ^ BUYER'S SIGNATURE _____ MO/DA/YR

415. BUYER'S NAME PRINTED _____ BUYER'S NAME PRINTED _____

416. **By:** _____

417. **Its:** _____

418. ADDRESS _____ ADDRESS _____

419. CITY, STATE, ZIP CODE _____ CITY, STATE, ZIP CODE _____

420. **Broker:** _____ (COMPANY NAME) _____ (LICENSEE)

421. (ADDRESS) _____ (TELEPHONE) _____ (FAX) _____ (E-MAIL) _____

>>

SELLER SELLER

<Initials

Initials>

BUYER BUYER

Commercial Real Estate Purchase Contract >>

ACCEPTANCE

422. **Agency Confirmation:** The following agency relationship(s) is hereby confirmed for this transaction:
423. Listing Broker: _____
(PRINT SALESPERSON'S NAME AND AGENCY CODE) (PRINT FIRM NAME AND OFFICE CODE) (TELEPHONE)
424. Is the agent of (check one): the Seller exclusively; or both the Buyer and Seller
425. **Seller Receipt of Copy:** The undersigned acknowledge receipt of a copy hereof and grant permission to Broker named on Lines 17-18 to deliver a copy to Buyer.
426. **Counter Offer is attached**, and is incorporated herein by reference. Seller must sign both the Contract and the Counter Offer. If there is a conflict between this Contract and the Counter Offer, the provisions of the Counter Offer shall be controlling.
427. **Counter Offer is attached**, and is incorporated herein by reference. Seller must sign both the Contract and the Counter Offer. If there is a conflict between this Contract and the Counter Offer, the provisions of the Counter Offer shall be controlling.
429. **Counter Offer is attached**, and is incorporated herein by reference. Seller must sign both the Contract and the Counter Offer. If there is a conflict between this Contract and the Counter Offer, the provisions of the Counter Offer shall be controlling.
430. **The undersigned agree to sell the Property on the terms and conditions herein stated.**
431. _____ MO/DA/YR ^ SELLER'S SIGNATURE ^ SELLER'S SIGNATURE MO/DA/YR
432. _____ SELLER'S NAME PRINTED SELLER'S NAME PRINTED
433. **By:** _____
434. **Its:** _____
435. _____ ADDRESS ADDRESS
436. _____ CITY, STATE, ZIP CODE CITY, STATE, ZIP CODE
437. **Broker:** _____
(COMPANY NAME) (LICENSEE)
438. _____
(ADDRESS) (TELEPHONE) (FAX) (E-MAIL)

ACCEPTANCE BY ESCROW COMPANY

439. Date of Opening of Escrow: _____
440. The provisions of this Contract are hereby acknowledged and agreed to.
441. Escrow Company: _____
442. **By:** _____
443. **Its:** _____

For Broker Use Only:			
Brokerage File/Log No. _____	Manager's Initials _____	Broker's Initials _____	Date _____ <small>MO/DA/YR</small>

Regular Board of Supervisors Meeting

Meeting Date: 02/28/2017

Award of Invitation for Bids IFB 17-22-FSD-04 Walking Floor Trailers

Submitted By: Terry Hudson, Procurement

Department: Procurement

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

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

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 17-22-FSD-04 to Wilkens Industries, Inc. for the purchase of two walking floor trailers for the Fleet Services Department in the not to exceed amount of \$135,896 plus any applicable tax.

Background:

Invitation for Bids No. IFB 17-22-FSD-04 was released on January 19, 2017. The bid was advertised in the Arizona Range News on January 25 and February 1, 2017 and posted on the Public Purchase e-procurement website. Bid notices were e-mailed to 119 vendors, two bids were received prior to the bid closing date and time on February 14, 2017 at 3:00 p.m. a copy of the bid tabulation is attached.

Department's Next Steps (if approved):

Process purchase order and inspect trailers when received.

Impact of NOT Approving/Alternatives:

The impact of not approving would result in having to retain current trailers that have reached their designated replacement mileage resulting in a significant increase in maintenance and repair costs.

To BOS Staff: Document Disposition/Follow-Up:

No action required.

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 Fleet Services Department has budgeted for this purchase in fund line 600-1720-1730-454.100

Attachments

Bid Tabulation

Acceptance of Offer

COCHISE COUNTY
PROCUREMENT DEPARTMENT

IFB NO: 17-22-FSD-04 - Walking Floor Trailers

Opening Date: 2-14-2017

Buyer: Terry Hudson

Wilkens Industries, Inc.,
Morris, MN

RWC Group,
Tucson, AZ

Bid Item 1: Walking Floor Trailers, Unit Price Each

\$67,948.00

\$84,132.00

Grand Total: Two (2) Each, excluding tax

\$135,896.00

\$168,264.00

SECTION SIX - ACCEPTANCE OF OFFER

This offer is hereby accepted pending final approval by the County Board of Supervisors.

The Contractor is cautioned not to provide any material under this acceptance of offer until Contractor receives a formal Purchase Order, Notice to Proceed, or is otherwise directed to do so in writing by the County's Authorized Representative.

The Contractor is now bound to provide the materials, equipment or services requested in solicitation IFB 17-22-FSD-04, including all terms, conditions, specifications, statement of work, amendments, etc. and the Contractor's Offer as accepted by the County.

The County and Bidder agree as follows:

Article I. Acceptance of Offer Documents: The Acceptance of Offer Documents consist of the purchase order, the Cochise County standard terms and conditions, the solicitation, including all instructions, terms and conditions, technical specifications, scope, any attachments, and addenda thereto; and the bid/offer submitted by the bidder/offeror in response to the solicitation.

Article II. Bidder Performance: The Bidder shall provide all of the material, equipment, and services required by the original solicitation, with the options and modifications or clarifications, if any, expressly stated below:

Article III. Date of Commencement and Completion: The Bidder shall commence performance of this Acceptance of Offer on the date that this Acceptance of Offer is signed and approved by Cochise County unless a different date is stated below:

- Upon receipt of purchase order


Article IV. Payment: The County shall pay the Contractor in the amounts and at the times or events stated below:

- Upon delivery and acceptance of all items requested.

This Acceptance of Offer is entered into on this 15th day of FEBRUARY 2017.


Contractor shall sign this form and return it with your submittal, do not date.

CONTRACTOR:



Representative

COUNTY:



Terry Hudson

Regular Board of Supervisors Meeting

Meeting Date: 02/28/2017

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:
Unbudgeted:

Funds Available:
Funds NOT Available:

Amount Available:
Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

[LPC Agenda](#)

[LPC Report](#)



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 24, 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) State Budget Update
- B) Legislative Bills for Discussion
 - 1) [HB 2530 rural development tax credits](#) (*Shope*)
 - 2) [SB 1344 S/E firearms; state preemption; independent contractors](#) (*Kavanagh*)
- C) Bill Updates
 - 1) [HB 2066 aggravated DUI; sentence: county jail](#) (*Shope*)
 - 2) [HB 2179 municipalities; counties; intergovernmental agreements; requirements](#) (*Ugenti-Rita*)
 - 3) [HB 2212 federal financial assistance; reports](#) (*Leach*)
 - 4) [HB 2325 property tax assessment of greenhouses](#) (*Ugenti-Rita*)
 - 5) [HB 2357 floodplain management regulations; nonstructural damage](#) (*Ugenti-Rita*)
 - 6) [HB 2365 wireless facilities; collocation; rights-of-way](#) (*Weninger*)
 - 7) [HB 2499 facilities relocation; public utility easements](#) (*Weninger*)
 - 8) [HB 2521 TPT reform; contractors](#) (*Cobb*)
 - 9) [SB 1025 public entities; absolute immunity; defenses](#) (*Burges*)
 - 10) [SB 1201 medical examiner; communicable diseases; disclosure](#) (*Griffin*)
 - 11) [SB 1243 misconduct involving weapons; public places](#) (*Kavanagh*)
 - 12) [SB 1344 firearms; state preemption; independent contractors](#) (*Kavanagh*)
 - 13) [SB 1404 community facilities districts; amendments](#) (*Lesko*)
 - 14) [SB 1442 S/E corrections officer retirement plan; modifications](#) (*Lesko*)
 - 15) [SB 1479 mental health treatment; patient transport](#) (*Smith*)
- 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 (*Friday, March 3, at 9:00 a.m.*)
- F) Other Business
- G) Adjourn

CSA Legislative Agenda				
Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments	Status
HB 2065	waste tire disposal; continuation	Coleman	Extends the Waste Tire Program and the fees and funds associated with the program from December 31, 2017 to December 31, 2027.	1/24 Passed Energy, Environment and Natural Resources. 1/30 Passed Rules. 2/2 Passed House 59-0, ready for Senate. 2/16 Assigned to Senate Natural Resources & Energy.
HB 2230	intergovernmental public transportation authority; taxation	Shooter	Grants an intergovernmental public transportation authority (IPTA), which has the same boundaries as the county in which it resides, the same authority as a regional transportation authority (RTA) to levy up to a one-half cent transportation excise tax if approved by the voters.	Assigned to Ways and Means, Rules. 2/2 Passed House Transportation and Infrastructure.
HB 2258	county contributions; hospitalization; medical; repeal	Thorpe	Repeals the county contributions for AHCCCS hospitalization and medical care for FY2016-17 contained in the FY2016-17 budget. The state has no obligation to refund monies paid.	Assigned to Health and Rules. 2/8 Passed Appropriations. 2/16 Passed House Health as amended.
HB 2332	expedited property tax valuation appeals	Campbell	Requires a property owner to submit an affidavit of valuation in a specific time frame in order to expedite court proceedings during a property tax appeal case (on properties valued at more than \$4 million, which are not handled in a small claims division of tax court), where the property tax owner is claiming the property tax assessment is inaccurate.	Assigned to Ways and Means and Rules, no action. 2/15 Passed House Ways & Means.
HCR 2011	motor vehicle fuel taxes	Campbell	Refers to the ballot an increase in the state fuel tax, of 10 cents, to help pay for road building and maintenance. Funds cannot be swept for other projects or agencies.	Assigned to Ways & Means and Rules. 2/8 Passed House Transportation & Infrastructure as amended.

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments	Status
SB 1406	contributions; committed youth; repeal; committee	Fann	Repeals statute requiring the Department of Juvenile Corrections to annually assess a committed youth confinement cost sharing fee to each county. Repeals the ADJC Local Cost Sharing Fund, transfers all unexpended and unencumbered monies remaining in the Fund on the effective date of this legislation to the general fund, and appropriates that amount from the general fund in FY17-18 to the Dept of Administration for distribution to each county in a proportional share based on population. Establishes a 14-member Juvenile Corrections and Justice Reform Study Committee to assess the current state of juvenile justice in AZ and the feasibility of and cost savings associated with eliminating the ADJC and reimbursing each county for the cost of incarcerating the county's juvenile offenders. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 31, 2017	2/8 Passed Appropriations as amended. 2/13 Passed Senate Rules. 2/14 Senate Caucus. 2/20 Passed COW as amended. 2/21 Passed Senate 30-0, ready for House.
Updated 2/21/17				

Current LPC

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
HB 2530	rural development tax credits	<i>Shope</i>	For tax years beginning with 2018, establishes an individual and corporate income tax credit and an insurance premium tax credit for eligible capital contributions to a rural growth fund as certified by the Arizona Commerce Authority. The process for credit certification is specified. Beginning September 1, 2017, the Authority is required to establish and administer a procedure for accepting applications for approval of tax-advantaged rural growth investments and must accept applications by October 1, 2017. Establishes aggregate caps for various types of investments eligible for tax credits. Establishes regulations for the investment of contributions received by a rural growth fund, and requires rural growth funds to periodically report investment information to the Authority.	2/22 House Appropriations hearing
SB 1344	S/E firearms; state preemption; independent contractors	<i>Kavanagh</i>	Stipulates that a political subdivision, including a county, is prohibited from regulating an employee or independent contractor acting within the course and scope of their employment or contract if the employee or independent contractor is engaged in the lawful possession, carry, transportation or storage of a firearm or other weapon provided the employee or independent contractor is: <ol style="list-style-type: none"> 1. On real property owned or controlled by the employee or independent contractor; 2. In or on a vehicle or craft owned or controlled by the employee or independent contractor; or 3. Acting according to statute pursuant to the transportation or storage of firearms in motor vehicles. 	2/16 Passed Senate Government as amended. 2/21 Senate Caucus.

Ongoing Bill List: All LPC Bills

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
HB 2010	ASRS; political subdivision entities	Ugenti-Rita	Employees of "political subdivision entities" who are hired on or after the effective date of this legislation are excluded from membership in the Arizona State Retirement System. Comments: 1/13 Staff explained bill, noted that it would negatively impact organizations like CSA, LPC took a position of opposition .	Assigned to Rules. 2/13 Passed House Banking & Insurance
HB 2027	PSPRS; expenditure limits; political subdivisions	Coleman	If a political subdivision increases its revenue for a specified time period through a vote of the people and that revenue is dedicated to pay unfunded accrued liability under the Public Safety Personnel Retirement System, the expenditure of revenue to pay that liability is excluded from the political subdivision's expenditure limitation established in the state Constitution for the duration of that time period. Comments: 1/13 Staff explained bill, no comments from LPC.	Assigned to Government and Rules.
HB 2066	aggravated DUI; sentence; county jail	Shope	Persons convicted of a violation of aggravated driving under the influence may serve their sentence in a county jail. Municipalities and counties are authorized to establish a medium security facility for the confinement of persons convicted of driving under the influence. Comments: 1/13 Staff explained bill was brought from Apache County. Concerns expressed that bill would be costly by shifting inmates from prisons to jails without any resources for counties to handle the new inmates. Though an amendment may be offered to address cost shift, LPC took a position of opposition to the current language . 1/25 Proposed amendment language. 1/27 CSA Staff explained amendment that would limit the application of bill to 13 smallest counties and create a cost reimbursement mechanism to recoup funds from the Department of Corrections. Discussion identified ongoing concerns with potential financial exposure. Position changed to neutral and will be discussed again next week once counties receive feedback from their sheriffs. 2/3 Staff discussed committee amendment that did NOT limit bill to the smallest 13 counties. Potential floor amendment to clarify cost reimbursement mechanism. Concerns regarding reimbursement for county jails. LPC neutral . 2/10 LPC Concerns raised that bill has yet to be amended to include clarifications. CSA will oppose if agreed upon amendments are not included in the floor amendments to the bill.	2/1 Passed Judiciary and Public Safety as amended. 2/7 Passed Rules, stricken from House COW Consent calendar by Engel. 2/13 Retained on House COW. 2/20 Passed House COW as amended and w/ Floor Amendment. 2/21 House 3rd Reading.
HB 2087	Arizona Criminal Justice Commission; continuation	E. Farnsworth	Continues the Arizona Criminal Justice Commission (ACJC) for 10 years. Comments: 1/13 Staff explained bill. Supervisors discussed partnership with ACJC, LPC took position of support .	1/18 Passed Judiciary and Public Safety. 1/23 Passed Rules. 1/30 Passed House 58-0, ready for Senate. 2/16 Assigned to Senate Judiciary.
HB 2088	incorporation; urbanized areas	E. Farnsworth	The county board of supervisors is required to proceed with incorporation of an area as a municipality without a resolution approving the incorporation from the nearby municipalities if the area has a population of 15,000 or more persons and that population is more than the population of any adjacent municipality that opposes the proposed incorporation. Comments: 1/19 CSA Board requested that CSA staff continue to monitor this bill.	1/18 Passed House Local & International Affairs. 1/31 Passed Rules. 2/7 Passed House 40-20 with Floor Amendment. 2/16 Substituted in Senate for identical S1125 and passed 28-1, ready for Governor.
HB 2143	public contracts; procurement	Leach	Contracts for construction, reconstruction or maintenance services of any street, road or bridge that involve an expenditure of \$25,000 or more, including materials and equipment, must call for bids and use the procurement process. Projects cannot be artificially divided or fragmented to circumvent the prescribed limits. Comments: 1/13 Staff explained the very significant problems contained in the bill and will bring it to the full board next week. 1/19 CSA Board moved to oppose this bill due to concerns regarding potential costs and ability to provide services to their communities in a timely manner. 1/27 Staff discussed outreach strategy with legislators, positive results of supervisors reaching out to their legislators in recent weeks.	1/23 Assigned to House Federalism, Property Rights & Public Policy; and Rules.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
HB 2157	private property access; rights-of-way	Bowers	The state or any political subdivision is required to grant a perpetual right-of-way to the owner of private property if the grant is for the purpose of providing legal access to private property to which access across land owned by the state or political subdivision is the historic access or is necessary because state or federal land surrounds the private property. Comments: <u>2/10 No discussion.</u>	1/25 Passed House Federalism, Property Rights & Public Policy. 2/20 Passed House Rules w/ technical amendment. 2/21 Passed House COW w/ Rules technical amendment.
HB 2179	municipalities; counties; intergovernmental agreements; requirements	Ugenti-Rita	Prohibits counties from entering into an agreement without a vote of the Board of Supervisors at a public hearing. Limits agreements to eight years. Requires the BOS to review all current agreements and hold a public hearing to reaffirm the agreements. Comments: <u>1/27 Staff discussed feedback from counties regarding negative impacts of the proposed legislation on county budgets. LPC moved to oppose this bill.</u>	1/25 Passed Local and International Affairs. 2/14 Passed Rules. 2/14 Stricken from House Consent calendar by Blanc and Ugenti-Rita.
HB 2185	juvenile corrections; transfer to counties	Thorpe	Repeals the Department of Juvenile Corrections. The counties succeed to the authority, powers, duties and responsibilities of Dept. All equipment and other property, investigative findings, and appropriated monies that remain unexpended and unencumbered on the effective date of this legislation are transferred to the counties. Of the appropriated monies that remain unexpended and unencumbered, 60 percent are allocated in equal shares to each of the 15 counties, and 40 percent are allocated to each county based on population. The Legislature is required to annually appropriate an amount equal to at least \$39,876,700, increased each calendar year by the increase in the consumer price index, allocated to the counties in the same manner. Effective July 1, 2019. Comments: <u>1/19 CSA Board requested that CSA staff continue to monitor this bill.</u>	1/17 Assigned to House Judiciary and Public Safety, Appropriations and Rules.
HB 2212	federal financial assistance; reports	Leach	Requires by October 31 of each fiscal year the "designated state agency" and "political subdivision" to report to the Department of Administration (ADOA) on the previous fiscal year: the aggregate dollar amount of "federal receipts"; the aggregate dollar amount of federal monies appropriated by the Arizona Legislature; the percentage of federal monies compared to total budget; and a plan to operate the agency or subdivision if federal monies were reduced. The bill includes the counties in the definition of "political subdivision" which appears to create an unfunded mandate to comply with its reporting requirements. Comments: <u>1/19 CSA Board moved to oppose this bill. Board members were concerned that the bill creates more unnecessary bureaucracy and red tape.</u>	2/8 Held in House Appropriations 2/15 Passed House Appropriations as amended. 2/20 Passed Rules.
HB 2239	incompetent; nonrestorable defendants; involuntary commitment	Griffin	Various changes related to defendants who are incompetent to stand trial. Establishes circumstances under which the court may revoke a conditional release. Comments: <u>2/10 LPC Concerns were raised that this could be a potential cost increase to counties as it would allow more individuals to be sent to ASH as SVPs. Though proponents of the bill have noted that this legislation will prevent future costs of individuals reoffending. This is an AACo and Pima County Attorney bill. LPC will bring back bill to CSA Board next week. 2/16 BOD took a position of neutral.</u>	2/1 Passed House Judiciary and Public Safety as amended. 2/7 Passed Rules 2/9 Passed COW as amended. 2/9 Passed House 58-0 as amended, ready for Senate. 2/20 Assigned to Senate Judiciary.
HB 2243	anti-racketeering revolving funds; electronic reports	E. Farnsworth	The quarterly report that each government entity receiving monies from the Anti-Racketeering Revolving Fund is required to file with the Attorney General, and the summary report of that information that the Attorney General is required to file quarterly with the Arizona Criminal Justice Commission must be made in an electronic format. The Commission is required to complete the reports quarterly, instead of annually, and submit a single comprehensive electronic report to the Governor and the Legislature.	1/25 Passed House Federalism, Property Rights & Public Policy. 2/15 Passed House Judiciary & Public Safety. 2/20 Passed House Rules. 2/22 on House Consent Calendar.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
HB 2254	judicial productivity credits; salary calculation	E. Farnsworth	The formula for calculating judicial productivity credits, which is used to determine the annual salary of each justice of the peace, is modified. Beginning January 1, 2018, the Supreme Court is required to annually perform the calculations in each justice court for the previous 12-month period ending on June 30 to determine the judicial productivity credits, and to report the credits for each justice court to the applicable county board of supervisors within 120 days after the end of each 12-month period. Comments: <u>1/19 CSA Board requested that CSA staff continue to monitor this bill and continue to compile financial impact data from the counties.</u>	1/25 Passed Judiciary and Public Safety as amended. 1/31 Passed Rules. 2/2 Passed House 59-0 as amended, ready for Senate. 2/20 Assigned to Senate Judiciary.
HB 2325	property tax assessment of greenhouses	Ugenti-Rita	Specifies that a greenhouse is assessed as tangible agricultural personal property if it is at least 100,000 square feet, can be mobile and disassembled, can be reused after removal and is used for growing vegetables, fruits or citrus. "Greenhouse" is defined as property where environmental factors are controlled for the purpose of growing crops, without regard to whether the property is actually contained within that environment, or whether any of the property is affixed to or incorporated into real property. Comments: <u>1/27 Staff explained bill and discussed similarities from last year, when CSA opposed similar legislation. LPC moved to oppose this bill. 2/10 LPC Concerns raised that this bill continues to move through the process and needs to be stopped.</u>	2/2 Passed House Ways & Means as amended. 2/7 Passed Rules.
HB 2339	presidential preference election; reimbursement	Coleman	The Secretary of State is required to reimburse counties for the charges the counties incurred for the presidential preference election based on the number of official active registered voters in that county as follows: actual expenses incurred up to \$3.00 per voter for counties with 450,000 voters or more, actual expenses incurred up to \$3.50 per voter for counties with at least 35,000 but less than 450,000 voters, and actual expenses incurred up to \$4.00 per voter for counties with less than 35,000 voters. Each of these categories allows actual expenses up to the listed dollar amount or whichever is less. Comments: <u>1/27 Staff explained bill that is being run by AACo. LPC took a position of support.</u>	2/2 Passed House Government. 2/8 Passed House Appropriations. 2/20 Passed Rules. 2/22 on House Consent Calendar.
HB 2357	floodplain management regulations; nonstructural damage	Ugenti-Rita	The powers of a county flood control district do not include the power to restrict the extraction of aggregate if the restriction is designed only to prevent potential flood damage to private property and if the owner of the private property that may be affected provides the district with written consent to the extraction of the aggregate. Comments: <u>2/3 LPC moved to oppose the bill.</u>	2/14 Passed House Federalism, Property Rights & Public Policy. 2/20 Passed House Rules. Stricken from House Consent Calendar by Martinez. 2/22 on House Consent Calendar.
HB 2365	wireless facilities; collocation; rights-of-way	Weninger	Adds a chapter to Title 11 regulating "wireless facilities". A county is prohibited from entering into an exclusive arrangement with any person for use of a right-of-way for the construction, operation, marketing or maintenance of wireless facilities or wireless support structures or the collocation of small wireless facilities. A county may charge a wireless provider a rate or fee, or may refrain from charging a wireless provider a fee, for the use of a right-of-way for these purposes. Establishes prohibited rate or fee practices and sets the maximum fee at \$20 times the number of utility poles or wireless support structures in the county's geographic jurisdiction on which the wireless provider has collocated a small wireless facility antenna. Establishes a list of rights of wireless providers. Authorities cannot prohibit, regulate or charge for the collocation of small wireless facilities, but may require permits. Establishes regulations for access to utility poles. Establishes a process for dispute resolution. Comments: <u>2/3 LPC moved to oppose the bill.</u>	2/7 Passed House Commerce with SE amendment. 2/20 Passed Rules.
HB 2472	private postsecondary institutions; peace officers	Kern	Private postsecondary institution peace officers are authorized to use county courts and jails for the purpose of booking arrested persons in the county where the institution is located or where the arrest occurs. Private postsecondary institution peace officers are no longer limited to enforcing the law only on property under the control of the institution.	2/16 Passed House Government as amended. 2/20 Passed Rules. 2/21 Passed House COW as amended.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
HB 2477	civil forfeiture; report information; remedies	E. Farnsworth	Agencies applying for monies from the Anti-Racketeering Revolving Fund are required to submit a written application to the Attorney General that includes a description of what the monies will be used for, and the Attorney General is authorized to deny an application that requests monies for a purpose not authorized by statute. The quarterly reports that each state department, agency, county or municipality receiving monies from the Fund are required to submit to the Attorney General must include a list of specified information if monies were obtained as a result of a forfeiture, and must include a list of specified information with regard to all expenditures made from the Fund. The Attorney General is required to annually cause a financial audit to be made of the Fund, which must be conducted by a certified public accountant within 120 days after the end of each fiscal year. <u>2/16 Concerns expressed regarding potential issues for the working relationship between BOS and county attorneys. Also noted potential increased workload for counties. Will bring back to a future meeting for additional discussion.</u>	2/15 Passed House Federalism & Public Policy. 2/16 Passed House Judiciary and Public Safety as amended. 2/20 Passed Rules.
HB 2499	facilities relocation; public utility easements	Weninger	If a municipality or county requires that a utility adjust or otherwise relocate any of the utility's facilities constructed or installed within a public utility easement, the municipality or county is required to reimburse the utility, or cause the utility to be reimbursed, for the relocation costs, unless an existing license, franchise or agreement provides otherwise. Establishes a process for reimbursement. If a facility is relocated into a right-of-way, the municipality or county is required to provide the utility with a permanent land right within the right-of-way equal to a public utility easement. Municipalities and counties are authorized to adopt reasonable regulations with respect to the construction and installation of facilities within a public utility easement, subject to a list of specified conditions. Contains legislative findings. Comments: 1/13 Staff explained the proposal, no comments.	2/14 Passed House Commerce. 2/20 Held in Rules.
HB 2521	TPT reform; contractors	Cobb	Eliminates the prime contracting classification of TPT and establishes a highway, street or bridge construction classification and a manufactured building dealer classification. The tax base for the highway, street or bridge construction classification and for the manufactured building dealer classification is 65 percent of the gross proceeds of sales or gross income derived from the business, and lists of deductions from the tax base for each classification are established. The list of exemptions from the retail classification of TPT is modified to include tangible personal property sold to a contractor and incorporated into any highway, street or bridge construction project or into a manufactured building, and to eliminate the exemption for tangible personal property sold to a contractor and incorporated into any real property, structure, project, development or improvement as part of the business. The list of exemptions from the retail classification of TPT is also modified to include tangible personal property sold to a qualified business if the property sold is to be incorporated into a building, project, development or improvement owned by the qualified business for harvesting or processing qualifying forest products. Comments: 2/16 CSA Staff explained bill, noted that there is an amendment currently being reviewed. Concerns were raised that when TPT was established it hurt rural counties. Staff explained this would not alleviate that problem. BOD asked staff to continue to monitor the bill.	2/16 Passed House Ways & Means as amended. 2/20 Passed Rules.
HB 2530	rural development tax credits	Shope	For tax years beginning with 2018, establishes an individual and corporate income tax credit and an insurance premium tax credit for eligible capital contributions to a rural growth fund as certified by the Arizona Commerce Authority. The process for credit certification is specified. Beginning September 1, 2017, the Authority is required to establish and administer a procedure for accepting applications for approval of tax-advantaged rural growth investments and must accept applications by October 1, 2017. Establishes aggregate caps for various types of investments eligible for tax credits. Establishes regulations for the investment of contributions received by a rural growth fund, and requires rural growth funds to periodically report investment information to the Authority.	2/22 House Appropriations hearing
SB 1007	homebased business; operations; employees	D. Farnsworth	County ordinances regulating home-based businesses are prohibited from restricting a business from generating traffic, parking or delivery activity that does not cause on-street parking congestion, from having more than one client on the property at one time, or from employing a list of specified individuals. Comments: 1/19 CSA Board moved to oppose this bill. 1/13 Staff explained bill. CSA opposed similar legislation in 2016.	Assigned to Government and Rules. 2/13 Passed Senate Commerce & Public Safety.
SB 1019	public records; unduly burdensome requests	Kavanagh	It is a defense to any action under public records law that the request for access to public records is unduly burdensome or harassing. Comments: 1/13 Staff explained bill, smaller counties shared experiences with burdensome requests from the public. LPC took a position of support.	Assigned to Senate Government and Rules.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
SB 1025	public entities; absolute immunity; defenses	Burges	A public entity or public employee is liable for an injury arising out of a plan or design for construction or maintenance of highways, roads, bridges or rights-of-way where the entity or employee did not give a reasonably adequate warning of hazards only if the entity or employee was grossly negligent. Comments: <u>1/13 Staff explained bill and noted ACIP support of legislation as well as potential for preventing frivolous lawsuits against counties. LPC took a position of support.</u>	2/6 Passed Senate Judiciary as amended. 2/7 Passed Rules. 2/20 Passed Senate COW as amended. 2/21 Passed Senate 17-13, ready for House.
SB 1072	administrative decisions; scope of review	Petersen	When the court reviews a final administrative decision, the court is required to decide all questions of fact and law without regard to any previous determination that may have been made on the question in an administrative hearing. Applies in any action for judicial review of an agency action that is authorized by law. Previously, the court was required to affirm the agency action unless after reviewing the evidence the court concluded that the action was not supported, was contrary to law, or was arbitrary and capricious. Comments: <u>2/10 LPC Concerns were raised regarding the number of departments and agencies required to modify their review process, the sheer volume of administrative decisions that would be affected, and extra burden placed on counties. LPC moved to oppose the bill.</u>	1/25 Held in Senate Judiciary. 2/13 Passed Judiciary as amended.
SB 1114	outdoor advertising	Borrelli	Modifies the specified latitude and longitude borders within which electronic outdoor advertising is authorized. Comments: <u>2/10 LPC noted though specific county input was sought during the original stages of the bill, there was a "reluctant agreement" with concerns remaining about possible amendments added in the future. LPC will continue to monitor the bill.</u>	2/7 Passed Senate Commerce & Public Safety as amended. 2/21 Passed Senate Rules.
SB 1146	S/E registration fees; VLT; gas tax	Worsley	Modifies and imposes various fees relating to motor vehicles for deposit into the Arizona Highway Patrol Fund and imposes a tax on natural gas used for the propulsion of motor vehicles. Contains requirements for enactment and becomes effective on the signature of the Governor (Proposition 108). Comments: <u>2/10 LPC Staff explained the purpose of this new S/E bill and clarified where monies would be distributed. LPC moved to support this bill.</u>	2/14 Passed Senate Transportation & Technology as amended.
SB 1147	S/E county election; motor fuel taxes	Worsley	Allows a county or a Regional Transportation Authority (RTA) to levy a county motor fuel tax upon voter approval. Comments: <u>2/10 Discussion addressed similarities between this legislation and other transportation funding bills. LPC will continue to monitor this bill.</u>	2/14 Passed Senate Transportation & Technology as amended. 2/21 Passed Rules.
SB 1157	competency hearings; jurisdiction; referral	Borrelli	The presiding judge of the superior court in each county, with the agreement of the justice of the peace or municipal court judge, is permitted to authorize a justice court or municipal court to exercise jurisdiction over a competency hearing in a misdemeanor case that arises out of the justice court or municipal court. A justice of the peace or municipal court judge, with the approval of the presiding judge of the superior court and the justice or judge of the receiving court, is permitted to refer a competency hearing to another justice court or municipal court that is located in the county. Comments: <u>2/3 No comments. LPC moved to support this bill and the other three AOC Fair Justice for All bills.</u>	2/6 Passed Senate Judiciary. 2/7 Passed Rules. 2/9 Passed Senate 29-0; ready for House. 2/20 Assigned to House Judiciary & Public Safety.
SB 1158	sentencing; court debts; fine mitigation	Borrelli	Authorization for judges to waive all or part of a civil penalty, fine, forfeiture or surcharge in certain circumstances is deleted. Judges are authorized to mitigate a civil penalty or fine if the payment would be a hardship to the person or the person's immediate family. Judges are authorized to waive or mitigate mandatory community restitution due to a defendant's medical condition. If the court imposes a sentence to perform community restitution for a misdemeanor conviction, the court is required to limit the sentence to a definite period of time. The superior court, a justice of the peace, or a municipal court is authorized to order that all or part of a debt that is due to the court be removed from the court's accounting system if 20 or more years have elapsed from the date of the initial fine or other monetary obligation in a criminal case that resulted in the debt and the court takes specified steps. Comments: <u>2/3 LPC discussed the problems with defendants accumulating excessive bails. LPC moved to support this bill and the other three AOC Fair Justice for All bills.</u>	2/6 Passed Judiciary. 2/7 Passed Rules. 2/21 Senate Caucus.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
SB 1160	driving violations; restricted licenses; penalties	Borrelli	A restriction on a person's driver license or permit as a result of a conviction for a violation of Title 28 (Transportation) may limit the person's privilege to drive to and from specified locations during specified periods of time. The sentencing options for various transportation-related violations are expanded to include that the court may order that the person's driving privilege be restricted. Comments: <u>2/3 LPC raised concerns about eliminating penalties for lawbreaking. LPC discussed statistics regarding the effect of these type of measures on recidivism and ability to pay fines and penalties. LPC moved to support this bill and the other three AOC Fair Justice for All bills.</u>	2/6 Passed Judiciary as amended. 2/7 Passed Rules. 2/14 Passed Senate 30-0 as amended and with floor amendment, ready for House. 2/20 Assigned to House Judiciary & Public Safety.
SB 1161	courthouse security; fund	Borrelli	The distribution of all monies received from the superior court is modified to reduce the percentage distributed to all recipients and require the 2.0 percent remaining after those reductions to be deposited in the newly established Statewide Court Security Fund. The distribution of all monies received from justice of the peace courts is modified to reduce the percentage distributed to all recipients and require the 2.0 percent remaining after those reductions to be deposited in the Fund. Monies in the Fund must be used to provide assistance, training and grants to courts to meet minimum standards of courthouse security that are adopted by the Supreme Court. Effective January 1, 2018. Comments: <u>2/10 LPC Discussion addressed concerns about where and how the fund would affect counties as it only is expected to generate \$700,000 which is far less than the resources needed to secure county courthouses. Additionally, clarification of bill's suggested funding source provided. LPC moved to support this bill.</u>	2/6 Passed Senate Judiciary. 2/7 Passed Senate Appropriations 2/13 Passed Senate Rules. 2/14 Senate Caucus. 2/15 Senate Consent. 2/16 Passed Senate 27-2, ready for House.
SB 1163	release procedures; hearings; bonds	Borrelli	A person charged with a nonbailable offense is permitted to waive the right to a hearing on the matter of bail. The schedules of violations that justices of the peace and presiding magistrates are required to adopt for bail are required to list a specific bond, instead of bail, for each violation, and the violations that must be included in the schedules are modified. Comments: <u>2/3 No comments. LPC moved to support this bill and the other three AOC Fair Justice for All bills.</u>	2/6 Passed Senate Judiciary. 2/21 Passed Senate Rules. 2/21 Senate Caucus.
SB 1201	medical examiner; communicable diseases; disclosure	Griffin	The county medical examiner or alternate medical examiner, on a determination that the circumstance of a death provide jurisdiction, is required to provide a blood sample from a deceased person for the purpose of communicable disease testing or disclose communicable disease-related information to a first responder or good Samaritan who has had a significant exposure risk and who submits a written request for the information. Comments: <u>2/10 LPC A large number of county responses expressing concerns and opposition were previously received by email, no additional comments or discussion from LPC. LPC moved to oppose this bill.</u>	2/8 Held in Senate Health and Human Services 2/15 Passed Senate Health & Human Services.
SB 1207	advanced certification; assessor personnel; compensation	S Allen	A person who is employed by the Department of Revenue or a county and who successfully completes the advanced certification for assessors and appraisers provided by the Dept may be approved to receive additional compensation. Comments: <u>1/27 Staff explained bill, discussed concern expressed by managers that it is problematic having human resources issues like this codified in statute. LPC took a position of opposition.</u>	Assigned to Finance and Rules. 2/15 Passed Senate Finance. 2/21 Passed Senate Rules. 2/22 Senate Consent Calendar.
SB 1210	state law; violations; political subdivisions	Smith	Statute requiring the Attorney General to investigate any official action taken by the governing body of a county or municipality at the request of a member of the Legislature who alleges that the action violates state law or the state Constitution is expanded to include all "political subdivisions" (defined). 2/16 No discussion.	2/15 Passed Senate Government
SB 1214	local governments; smallcell equipment permitting	Fann	Statutes prohibiting municipalities from charging certain fees for microcell equipment and requiring political subdivisions to allow certain entities to install, operate and maintain microcell equipment in public highways are expanded to include "smallcell equipment" and to include the "affiliates" of those entities. Establishes a list of limitations that apply to smallcell equipment. Contains legislative findings. Applies to all telecommunications or cable television licenses or other authorizations issued before the effective date of this legislation, with some exceptions. 1/27 Staff explained bill. Counties are in the process of sharing feedback, will bring the issue back at a future LPC. For Summary and Language of this bill please click here. Comments: <u>2/3 LPC instructed staff to continue to monitor this bill.</u>	2/8 Passed Senate Government as amended. 2/13 Passed Senate Rules. 2/14 Senate Caucus. 2/20 Passed Senate COW as amended and w/ Floor Amendment. 2/21 Passed Senate 30-0 as amended, ready for House.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
SB 1243	misconduct involving weapons; public places	Kavanagh	A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment or at a public event. Some exceptions, including for public establishments or events that are a "secured facility", that are the licensed premises of a liquor licensee, that are an educational institution, and that are a vehicle or craft. Comments: 2/3 LPC raised questions about what specific venues and events would be bound by this law and the costs of compliance. LPC moved to oppose the bill.	2/2 Passed Senate Government. 2/7 Passed Rules. 2/7 Stricken from Senate Consent calendar by Contreras. 2/21 Held on Senate COW.
SB 1245	state lands; perpetual rights-of-way	Griffin	The State Land Department is required to grant a perpetual right-of-way, after conducting an appraisal, at public auction to the highest and best bidder if the grant is for the purpose of providing legal access to private property to which access across state land is the historic access or is necessary because state or federal land surrounds the private property. Comments: 2/10 LPC will continue to monitor this bill.	2/13 Passed Senate Natural Resources, Energy & Water as amended. 2/21 Passed Senate Rules w/ a technical amendment. 2/21 Senate Caucus.
SB 1253	peace officers; investigative interviews; recordings	Borrelli	A statement made by a law enforcement officer in an investigative interview in regard to a use of force incident or an accident involving the officer that resulted in physical injury and that was video recorded by the officer is prohibited from being the sole factual basis to impose discipline against the officer unless the officer reviewed the video recording before making the statement.	2/7 Passed Senate Commerce & Public Safety as amended. 2/14 Passed Rules. 2/21 Passed House COW as amended and w/ Floor Amndt.
SB 1328	election proclamation; board clerk	Allen	The Governor is required to transmit a copy of the election proclamation to the clerk of each county BOS, and the clerk is required to publish a copy of the proclamation. Previously, the officer in charge of elections was required to notify the BOS and the Board was required to publish. Comments: 2/3 LPC member asked if the bill could be amended to add "electronic media" to the list of permissible forms of notice. LPC moved to support the bill.	Assigned to Rules. 2/16 Passed Senate Judiciary. 2/21 Passed Senate Rules. 2/22 Senate Consent Calendar.
SB 1329	fire flow requirements; rural applicability	Allen	In a county with a population of less than 500,000 persons, any requirements to provide water and/or fire flow for fire protection under a fire code do not apply to single-family residential properties or single-family residential subdivisions with individual lot dimensions equal to or greater than 1/2 acre in size if the current "adjacent public water distribution system" does not meet the requirements to provide water and/or fire flow for fire protection. Comments: 2/3 LPC expressed concerns about landowners' property rights and fire districts' ability to deal with fires. LPC moved to support the bill.	2/2 Passed Senate Government. 2/7 Passed Rules. 2/7 Stricken from Senate Consent calendar by Allen, Contreras.
SB 1333	workers' compensation; claim settlement	Fann	The interested parties to a claim are authorized to settle and release all or any part of the claim, and to negotiate a "full and final settlement". Some exceptions. Requirements for a full and final settlement are established. Comments: 2/3 LPC moved to support the bill.	1/26 Assigned to Senate Commerce & Public Safety and Rules.
SB 1344	firearms; state preemption; independent contractors	Kavanagh	Statute establishing state preemption over local jurisdiction firearms regulations no longer specifically allows a political subdivision to enact or enforce an ordinance or rule regulating independent contractors of the political subdivision who are acting within the course and scope of their employment or contract. Comments: 2/3 LPC moved to oppose the bill.	2/15 Passed Senate Government w/ Strike Everything amendment. 2/21 Passed Rules. 2/21 Senate Caucus.
SB 1376	compact; prosperity districts	Montenegro	Enacts and adopts a prosperity states compact to establish prosperity districts to advance each enacting state's mutual sovereign interest in promoting prosperity by creating a "stable public policy environment consisting of optimal regulatory and fiscal policy." Establishes a framework for prosperity district governance structure and legal capacity, including a district managing board, and specifies that every prosperity district has exclusive governing jurisdiction within its boundaries. Provides for concurrent law enforcement jurisdiction. Establishes a process for prosperity district formation, expansion and withdrawal. When at least two member states are contractually bound to the compact, a Prosperity States Compact Commission is established, and powers and duties of the Commission and Commissioners are specified. Comments: 2/3 LPC moved to oppose the bill.	Assigned to Finance, Government and Rules, no action. 2/15 Passed Senate Finance and Senate Government.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
SB 1404	community facilities districts; amendments	Lesko	Changes statutes related to community facilities districts. On presentation of a petition signed by the owners of at least 25 percent of the land area proposed to be included in the district and a completed application for district formation, the municipal governing body is required to hold a public hearing to consider the application within 60 days. After the hearing, the governing body is authorized to adopt a resolution declaring its intention to form a district that includes contiguous or noncontiguous property that is wholly within the municipal boundaries. If the application for district formation includes noncontiguous property, each discrete property is required to be located within 1/2 mile of another discrete property the is proposed to be included in the district. Information that must be included in a completed application for district formation is listed. An objection to district formation must be filed within 30 days after adoption of the resolution of intent to form a district. The fees and other charges assessed by a municipality or county in connection with district formation are capped at \$15,000, and municipalities and counties are required to use any fees or other charges paid by the applicant before district formation that exceed the actual costs of district formation solely to support the formation or administration of the district. Establishes requirements for an applicant to request financing from general obligation bonds or revenue bonds. By January 1, 2018, municipal governing bodies are required to adopt ordinances or policies that include specified information about district formation. Comments: <u>2/3 LPC instructed staff to continue to monitor this bill. 2/16 CSA staff noted that while this bill will not be going forward, Sen Smith's SB 1480 is expected to move forward.</u>	1/31 Assigned to Finance and Rules. 2/15 Held in Senate Finance.
SB 1407	workers' compensation; employee definition; notice	Fann	For the purpose of workers' compensation statutes, the definition of "employee" is expanded to include a working member of a limited liability company (LLC) who owns less than 25 percent of the membership interest in the LLC and who is deemed an employee entitled to workers' compensation benefits on written acceptance of an application for coverage by the working member at the discretion of the insurance carrier for the LLC. The basis for computing wages for premium payments and compensation benefits for the working member is an assumed average monthly wage of \$600 or more, up to the normal statutory maximums, and is subject to the discretionary approval of the insurance carrier. Comments: <u>2/3 LPC moved to support the bill.</u>	2/13 Passed Senate Commerce & Public Safety as amended. 2/21 Passed Senate Rules w/ a technical amendment. 2/21 Senate Caucus.
SB 1408	counties; municipalities; euthanizing animals	Kavanagh	Animals impounded in a county or municipal pound may no longer be euthanized by the use of T-61 euthanasia solution or its generic equivalent. Comments: <u>2/10 LPC This type of solution is no longer used in any counties to euthanize animals, therefore no further action needed.</u>	2/8 Passed Senate Government. 2/13 Passed Senate Rules. 2/14 Senate Caucus. 2/15 Senate Consent. 2/20 Passed Senate 29-0, ready for House.
SB 1416	revitalization districts; county participation	Pratt	Counties and combinations of one or more municipalities and a county are authorized to form a revitalization district. Comments: <u>LPC raised concerns regarding the bill making the creation of a district and levying of a tax, be based on 51% of the homeowners wanting to be included OR 51% of the net assessed property value wanting to be included, where current statute requires both for either the creation of the district or the levying of the tax. LPC took a position of neutral, awaiting proposed changes next week. 2/16 BOD requested CSA staff continue to monitor this bill.</u>	2/15 Passed Senate Finance. 2/21 Passed Senate Rules. 2/21 Senate Caucus. 2/22 on Senate Consent Calendar.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
SB 1442	S/E corrections officer retirement plan; modificatons	Lesko	Various changes to statutes governing the Corrections Officer Retirement Plan (CORP). CORP members who are employees hired on or after July 1, 2018 and who were not an active, inactive or retired CORP member on June 30, 2018 are required to participate in the Public Safety Personnel Retirement System (PSPRS) defined contribution plan. For these CORP members, the employee and employer contribution rates are five percent and a reduced monthly disability pension calculation is established. The calculation for employer contributions for CORP members hired before July 1, 2018 is modified. Statutes establishing and regulating CORP benefit increases are repealed, and a new cost-of-living adjustment calculation for CORP benefits is established for members hired on or before June 30, 2018. Conditionally enacted on the state Constitution being amended as prescribed in an unspecified Senate concurrent resolution (blank in original), by vote of the people at the 2018 general election. Comments: <u>2/16 Question was raised why Corrections Officers were going to a Defined Contribution Plan. Staff advised that because of the high turnover rate among Corrections Officers, it made sense for them to have maximum portability. BOD requested staff continue to monitor this bill.</u>	2/16 Passed Senate Finance as amended. 2/21 Passed Senate Rules as amended. 2/21 Senate Caucus.
SB 1453	road improvement districts; financing	Griffin	Rural road improvement districts are authorized to issue improvement bonds in the manner prescribed for county improvement districts that are payable over up to 10 years. Comments: <u>2/10 LPC Clarification was provided on the original intent of the bill. Concerns were expressed over the language of the current bill. LPC will continue to monitor the bill.</u>	2/8 Passed Senate Finance 2/13 Passed Senate Rules. 2/14 Senate Caucus. 2/15 Senate Consent. 2/20 Passed Senate 29-0, ready for House.
SB 1454	county improvement districts; assessment; contribution	Griffin	County improvement districts may be financed from proceeds received from the sale of district bonds, county monies contributed to the district, state or federal grants, private contributions, and any other monies available to the district by law. The payment of preliminary incidental costs for which a district has become liable may be assessed and levied on a per parcel basis or based on the assessed valuation of the property. Comments: <u>2/10 LPC Discussion involved clarification on specific county impacts and concerns about financial repercussions. LPC will continue to monitor the bill.</u>	2/8 Passed Senate Finance. 2/21 Passed Senate Rules. 2/21 Senate Caucus. 2/22 on Senate Consent Calendar.
SB 1479	mental health treatment; patient transport	Smith	If a peace officer is directed to take a mental health patient into protective custody or to apprehend the patient and transport the patient to an agency for inpatient treatment, a mental health provider is required to accompany the peace officer. Comments: <u>2/10 A large number of concerns were expressed regarding the logistical and financial burdens that this bill places on the counties. LPC moved to oppose this bill. 2/16 CSA staff advised BOD that as amended, this costs will be shifted to counties. BOD noted that in rural areas, this would be very problematic.</u>	2/8 Held in Senate Health and Human Services 2/15 Passed Senate Health & Human Services as amended.
SB 1480	revisions; community facilities districts	Smith	Applies to districts formed after the effective date of the amendment. If land proposed and petitioned to be included is more than 600 acres, the governing body shall adopt a resolution forming a community facilities district within 90 days after the submittal of the petition. For districts that meet the requirements, a district governing board shall be comprised of five members. If the petitioned land is less than 600 acres, the members of the governing body remain the same. The governing board may not require the petitioner to increase infrastructure, debt limit, tax rate, or duration of the district, an official website shall be established and maintained, and law enforcement service agreement shall be established. Comments: <u>2/3 LPC moved to oppose the bill. 2/16 CSA Staff advised BOD that this bill will move forward. Sen Lesko's related SB 1404 will not.</u>	Assigned to Finance and Rules. 2/15 Passed Senate Finance as amended. 2/21 Passed Senate Rules. 2/21 Senate Caucus.
N/A	Arizona Board of Regents sales tax recapture	unknown	This proposal was mentioned in Governor Ducey's state of the state address, which proposes to allow universities to recapture the sales taxes generated by university activities. This revenue shift of local shared revenues would impact counties and cities by \$6.5 million, according to Governor Ducey's budget. Comments: <u>1/13 Staff explained proposal and expressed concerns about the potential revenue loss.</u>	Included in Governor Ducey's budget proposal.

CSA Legislative Agenda				
Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments	Status
HB 2065	waste tire disposal; continuation	<i>Coleman</i>	Extends the Waste Tire Program and the fees and funds associated with the program from December 31, 2017 to December 31, 2027.	1/24 Passed Energy, Environment and Natural Resources. 1/30 Passed Rules. 2/2 Passed House 59-0, ready for Senate
HB 2230	intergovernmental public transportation authority; taxation	<i>Shooter</i>	Grants an intergovernmental public transportation authority (IPTA), which has the same boundaries as the county in which it resides, the same authority as a regional transportation authority (RTA) to levy up to a one-half cent transportation excise tax if approved by the voters.	Assigned to Ways and Means, Rules. 2/2 Passed House Transportation and Infrastructure.
HB 2258	county contributions; hospitalization; medical; repeal	<i>Thorpe</i>	Repeals the county contributions for AHCCCS hospitalization and medical care for FY2016-17 contained in the FY2016-17 budget. The state has no obligation to refund monies paid.	Assigned to Health and Rules. 2/8 Passed Appropriations. 2/16 Passed House Health as amended.
HB 2332	expedited property tax valuation appeals	<i>Campbell</i>	Requires a property owner to submit an affidavit of valuation in a specific time frame in order to expedite court proceedings during a property tax appeal case (on properties valued at more than \$4 million, which are not handled in a small claims division of tax court), where the property tax owner is claiming the property tax assessment is inaccurate.	Assigned to Ways and Means and Rules, no action. 2/15 Passed House Ways & Means.
HCR 2011	motor vehicle fuel taxes	<i>Campbell</i>	Refers to the ballot an increase in the state fuel tax, of 10 cents, to help pay for road building and maintenance. Funds cannot be swept for other projects or agencies.	Assigned to Ways & Means and Rules. 2/8 Passed Transportation & Infrastructure as amended.

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments	Status
<p>SB 1406</p> <p>Updated 2/16/17</p>	<p>contributions; committed youth; repeal; committee</p>	<p>Fann</p>	<p>Repeals statute requiring the Department of Juvenile Corrections to annually assess a committed youth confinement cost sharing fee to each county. Repeals the ADJC Local Cost Sharing Fund, transfers all unexpended and unencumbered monies remaining in the Fund on the effective date of this legislation to the general fund, and appropriates that amount from the general fund in FY17-18 to the Dept of Administration for distribution to each county in a proportional share based on population. Establishes a 14-member Juvenile Corrections and Justice Reform Study Committee to assess the current state of juvenile justice in AZ and the feasibility of and cost savings associated with eliminating the ADJC and reimbursing each county for the cost of incarcerating the county's juvenile offenders. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 31, 2017</p>	<p>Assigned to Rules. 2/8 Passed Appropriations as amended. 2/13 Passed Senate Rules. 2/14 Senate Caucus.</p>

Current LPC

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
HB 2239	incompetent; nonrestorable defendants; involuntary commitment	Griffin	Various changes related to defendants who are incompetent to stand trial. Establishes circumstances under which the court may revoke a conditional release. Comments: <u>2/10 LPC Concerns were raised that this could be a potential cost increase to counties as it would allow more individuals to be sent to ASH as SVPs. Though proponents of the bill have noted that this legislation will prevent future costs of individuals reoffending. This is an AACo and Pima County Attorney bill. LPC will bring bill to CSA Board on 2/16. 2/16 BOD took a position of neutral.</u>	2/1 Passed House Judiciary and Public Safety as amended. 2/7 Passed Rules 2/9 COW approved as amended. Passed House 58-0, ready for Senate
HB 2477	civil forfeiture; report information; remedies	E. Farnsworth	Agencies applying for monies from the Anti-Racketeering Revolving Fund are required to submit a written application to the Attorney General that includes a description of what the monies will be used for, and the Attorney General is authorized to deny an application that requests monies for a purpose not authorized by statute. The quarterly reports that each state department, agency, county or municipality receiving monies from the Fund are required to submit to the Attorney General must include a list of specified information if monies were obtained as a result of a forfeiture, and must include a list of specified information with regard to all expenditures made from the Fund. The Attorney General is required to annually cause a financial audit to be made of the Fund, which must be conducted by a certified public accountant within 120 days after the end of each fiscal year. <u>2/16 Concerns expressed regarding potential issues for the working relationship between BOS and county attorneys. Also noted potential increased workload for counties. Will bring back to a future meeting for additional discussion.</u>	2/15 Passed House Federalism & Public Policy. 2/16 Passed House Judiciary and Public Safety as amended.
SB 1210	state law; violations; political subdivisions	Smith	Statute requiring the Attorney General to investigate any official action taken by the governing body of a county or municipality at the request of a member of the Legislature who alleges that the action violates state law or the state Constitution is expanded to include all "political subdivisions" (defined). <u>2/16 No discussion.</u>	2/15 Passed Senate Government
SB 1416	revitalization districts; county participation	Pratt	Counties and combinations of one or more municipalities and a county are authorized to form a revitalization district. Comments: <u>LPC raised concerns regarding the bill making the creation of a district and levying of a tax, be based on 51% of the homeowners wanting to be included OR 51% of the net assessed property value wanting to be included, where current statute requires both for either the creation of the district or the levying of the tax. LPC took a position of neutral. awaiting proposed changes next week. 2/16 BOD requested CSA staff continue to monitor this bill.</u>	Assigned to Senate Finance 2/15 Passed Senate Finance.

Ongoing Bill List: All LPC Bills

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
HB 2010	ASRS; political subdivision entities	Ugenti-Rita	Employees of "political subdivision entities" who are hired on or after the effective date of this legislation are excluded from membership in the Arizona State Retirement System. Comments: 1/13 Staff explained bill, noted that it would negatively impact organizations like CSA, LPC took a position of opposition .	1/18 Withdrawn from Government. Assigned to Banking and Insurance and Rules. 2/13 Passed House Banking & Insurance
HB 2027	PSPRS; expenditure limits; political subdivisions	Coleman	If a political subdivision increases its revenue for a specified time period through a vote of the people and that revenue is dedicated to pay unfunded accrued liability under the Public Safety Personnel Retirement System, the expenditure of revenue to pay that liability is excluded from the political subdivision's expenditure limitation established in the state Constitution for the duration of that time period. Comments: 1/13 Staff explained bill, no comments from LPC.	Assigned to Government and Rules.
HB 2066	aggravated DUI; sentence; county jail	Shope	Persons convicted of a violation of aggravated driving under the influence may serve their sentence in a county jail. Municipalities and counties are authorized to establish a medium security facility for the confinement of persons convicted of driving under the influence. Comments: 1/13 Staff explained bill was brought from Apache County. Concerns expressed that bill would be costly by shifting inmates from prisons to jails without any resources for counties to handle the new inmates. Though an amendment may be offered to address cost shift, LPC took a position of opposition to the current language . 1/25 Proposed amendment language. 1/27 CSA Staff explained amendment that would limit the application of bill to 13 smallest counties and create a cost reimbursement mechanism to recoup funds from the Department of Corrections. Discussion identified ongoing concerns with potential financial exposure. Position changed to neutral and will be discussed again next week once counties receive feedback from their sheriffs. 2/3 Staff discussed committee amendment that did NOT limit bill to the smallest 13 counties. Potential floor amendment to clarify cost reimbursement mechanism. Concerns regarding reimbursement for county jails. LPC neutral . 2/10 LPC Concerns raised that bill has yet to be amended to include clarifications. CSA will oppose if agreed upon amendments are not included in the floor amendments to the bill.	2/1 Passed Judiciary and Public Safety as amended. 2/7 Passed Rules, stricken from House COW Consent calendar by Engel. 2/13 Retained on House COW.
HB 2087	Arizona Criminal Justice Commission; continuation	E. Farnsworth	Continues the Arizona Criminal Justice Commission (ACJC) for 10 years. Comments: 1/13 Staff explained bill. Supervisors discussed partnership with ACJC, LPC took position of support .	1/18 Passed Judiciary and Public Safety. 1/23 Passed Rules. 1/30 Passed House 58-0, ready for Senate.
HB 2088	incorporation; urbanized areas	E. Farnsworth	The county board of supervisors is required to proceed with incorporation of an area as a municipality without a resolution approving the incorporation from the nearby municipalities if the area has a population of 15,000 or more persons and that population is more than the population of any adjacent municipality that opposes the proposed incorporation. Comments: 1/19 CSA Board requested that CSA staff continue to monitor this bill.	1/18 Passed House Local & International Affairs. 1/31 Passed Rules. 2/7 Passed House 40-20 with Floor Amendment.
HB 2143	public contracts; procurement	Leach	Contracts for construction, reconstruction or maintenance services of any street, road or bridge that involve an expenditure of \$25,000 or more, including materials and equipment, must call for bids and use the procurement process. Projects cannot be artificially divided or fragmented to circumvent the prescribed limits. Comments: 1/13 Staff explained the very significant problems contained in the bill and will bring it to the full board next week. 1/19 CSA Board moved to oppose this bill due to concerns regarding potential costs and ability to provide services to their communities in a timely manner. 1/27 Staff discussed outreach strategy with legislators, positive results of supervisors reaching out to their legislators in recent weeks.	Assigned to Federalism, Property Rights and Public Policy; and Rules.
HB 2157	private property access; rights-of-way	Bowers	The state or any political subdivision is required to grant a perpetual right-of-way to the owner of private property if the grant is for the purpose of providing legal access to private property to which access across land owned by the state or political subdivision is the historic access or is necessary because state or federal land surrounds the private property. Comments: 2/10 No discussion.	1/25 Passed House Fed-Policy
HB 2179	municipalities; counties; intergovernmental agreements; requirements	Ugenti-Rita	Prohibits counties from entering into an agreement without a vote of the Board of Supervisors at a public hearing. Limits agreements to eight years. Requires the BOS to review all current agreements and hold a public hearing to reaffirm the agreements. Comments: 1/27 Staff discussed feedback from counties regarding negative impacts of the proposed legislation on county budgets. LPC moved to oppose this bill.	1/25 Passed Local and International Affairs. 2/14 Passed Rules. 2/14 Stricken from House Consent calendar by Blanc and Ugenti-Rita.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
HB 2185	juvenile corrections; transfer to counties	Thorpe	Repeals the Department of Juvenile Corrections. The counties succeed to the authority, powers, duties and responsibilities of Dept. All equipment and other property, investigative findings, and appropriated monies that remain unexpended and unencumbered on the effective date of this legislation are transferred to the counties. Of the appropriated monies that remain unexpended and unencumbered, 60 percent are allocated in equal shares to each of the 15 counties, and 40 percent are allocated to each county based on population. The Legislature is required to annually appropriate an amount equal to at least \$39,876,700, increased each calendar year by the increase in the consumer price index, allocated to the counties in the same manner. Effective July 1, 2019. Comments: <u>1/19 CSA Board requested that CSA staff continue to monitor this bill.</u>	Assigned to House Judiciary and Public Safety, Appropriations and Rules.
HB 2212	federal financial assistance; reports	Leach	Requires by October 31 of each fiscal year the "designated state agency" and "political subdivision" to report to the Department of Administration (ADOA) on the previous fiscal year: the aggregate dollar amount of "federal receipts"; the aggregate dollar amount of federal monies appropriated by the Arizona Legislature; the percentage of federal monies compared to total budget; and a plan to operate the agency or subdivision if federal monies were reduced. The bill includes the counties in the definition of "political subdivision" which appears to create an unfunded mandate to comply with its reporting requirements. Comments: <u>1/19 CSA Board moved to oppose this bill. Board members were concerned that the bill creates more unnecessary bureaucracy and red tape.</u>	2/8 Held in House Appropriations 2/15 Passed House Appropriations as amended.
HB 2239	incompetent; nonrestorable defendants; involuntary commitment	Griffin	Various changes related to defendants who are incompetent to stand trial. Establishes circumstances under which the court may revoke a conditional release. Comments: <u>2/10 LPC Concerns were raised that this could be a potential cost increase to counties as it would allow more individuals to be sent to ASH as SVPs. Though proponents of the bill have noted that this legislation will prevent future costs of individuals reoffending. This is an AACo and Pima County Attorney bill. LPC will bring back bill to CSA Board next week. 2/16 BOD took a position of neutral.</u>	2/1 Passed House Judiciary and Public Safety as amended. 2/7 Passed Rules 2/9 COW approved as amended. Passed House 58-0, ready for Senate
HB 2243	anti-racketeering revolving funds; electronic reports	E. Farnsworth	The quarterly report that each government entity receiving monies from the Anti-Racketeering Revolving Fund is required to file with the Attorney General, and the summary report of that information that the Attorney General is required to file quarterly with the Arizona Criminal Justice Commission must be made in an electronic format. The Commission is required to compile the reports quarterly, instead of annually, and submit a single comprehensive electronic report to the Governor and the Legislature.	1/25 Passed House Federalism, Property Rights & Public Policy. 2/15 Passed House Judiciary and Public Safety.
HB 2254	judicial productivity credits; salary calculation	E. Farnsworth	The formula for calculating judicial productivity credits, which is used to determine the annual salary of each justice of the peace, is modified. Beginning January 1, 2018, the Supreme Court is required to annually perform the calculations in each justice court for the previous 12-month period ending on June 30 to determine the judicial productivity credits, and to report the credits for each justice court to the applicable county board of supervisors within 120 days after the end of each 12-month period. Comments: <u>1/19 CSA Board requested that CSA staff continue to monitor this bill and continue to compile financial impact data from the counties.</u>	1/25 Passed Judiciary and Public Safety as amended. 1/31 Passed Rules. 2/2 Passed House 59-0 as amended, ready for Senate.
HB 2325	property tax assessment of greenhouses	Ugenti-Rita	Specifies that a greenhouse is assessed as tangible agricultural personal property if it is at least 100,000 square feet, can be mobile and disassembled, can be reused after removal and is used for growing vegetables, fruits or citrus. "Greenhouse" is defined as property where environmental factors are controlled for the purpose of growing crops, without regard to whether the property is actually contained within that environment, or whether any of the property is affixed to or incorporated into real property. Comments: <u>1/27 Staff explained bill and discussed similarities from last year, when CSA opposed similar legislation. LPC moved to oppose this bill. 2/10 LPC Concerns raised that this bill continues to move through the process and needs to be stopped.</u>	2/2 Passed House Ways and Means as amended. 2/7 Passed Rules.
HB 2339	presidential preference election; reimbursement	Coleman	The Secretary of State is required to reimburse counties for the charges the counties incurred for the presidential preference election based on the number of official active registered voters in that county as follows: actual expenses incurred up to \$3.00 per voter for counties with 450,000 voters or more, actual expenses incurred up to \$3.50 per voter for counties with at least 35,000 but less than 450,000 voters, and actual expenses incurred up to \$4.00 per voter for counties with less than 35,000 voters. Each of these categories allows actual expenses up to the listed dollar amount or whichever is less. Comments: <u>1/27 Staff explained bill that is being run by AACo. LPC took a position of support.</u>	2/2 Passed House Government. 2/8 Passed House Appropriations.
HB 2357	floodplain management regulations; nonstructural damage	Ugenti-Rita	The powers of a county flood control district do not include the power to restrict the extraction of aggregate if the restriction is designed only to prevent potential flood damage to private property and if the owner of the private property that may be affected provides the district with written consent to the extraction of the aggregate. Comments: <u>2/3 LPC moved to oppose the bill.</u>	Assigned to Federalism, Property Rights and Public Policy; and Rules. 2/14 Passed House Federalism, Property Rights and Public Policy.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
HB 2365	wireless facilities; collocation; rights-of-way	Weninger	Adds a chapter to Title 11 regulating "wireless facilities". A county is prohibited from entering into an exclusive arrangement with any person for use of a right-of-way for the construction, operation, marketing or maintenance of wireless facilities or wireless support structures or the collocation of small wireless facilities. A county may charge a wireless provider a rate or fee, or may refrain from charging a wireless provider a fee, for the use of a right-of-way for these purposes. Establishes prohibited rate or fee practices and sets the maximum fee at \$20 times the number of utility poles or wireless support structures in the county's geographic jurisdiction on which the wireless provider has collocated a small wireless facility antenna. Establishes a list of rights of wireless providers. Authorities cannot prohibit, regulate or charge for the collocation of small wireless facilities, but may require permits. Establishes regulations for access to utility poles. Establishes a process for dispute resolution. Comments: <u>2/3 LPC moved to oppose the bill.</u>	2/7 Passed House Commerce with SE amendment
HB 2477	civil forfeiture; report information; remedies	E. Farnsworth	Agencies applying for monies from the Anti-Racketeering Revolving Fund are required to submit a written application to the Attorney General that includes a description of what the monies will be used for, and the Attorney General is authorized to deny an application that requests monies for a purpose not authorized by statute. The quarterly reports that each state department, agency, county or municipality receiving monies from the Fund are required to submit to the Attorney General must include a list of specified information if monies were obtained as a result of a forfeiture, and must include a list of specified information with regard to all expenditures made from the Fund. The Attorney General is required to annually cause a financial audit to be made of the Fund, which must be conducted by a certified public accountant within 120 days after the end of each fiscal year. <u>2/16 Concerns expressed regarding potential issues for the working relationship between BOS and county attorneys. Also noted potential increased workload for counties. Will bring back to a future meeting for additional discussion.</u>	2/15 Passed House Federalism & Public Policy. 2/16 Passed House Judiciary and Public Safety as amended.
HB 2499	facilities relocation; public utility easements	Weninger	If a municipality or county requires that a utility adjust or otherwise relocate any of the utility's facilities constructed or installed within a public utility easement, the municipality or county is required to reimburse the utility, or cause the utility to be reimbursed, for the relocation costs, unless an existing license, franchise or agreement provides otherwise. Establishes a process for reimbursement. If a facility is relocated into a right-of-way, the municipality or county is required to provide the utility with a permanent land right within the right-of-way equal to a public utility easement. Municipalities and counties are authorized to adopt reasonable regulations with respect to the construction and installation of facilities within a public utility easement, subject to a list of specified conditions. Contains legislative findings. Comments: <u>1/13 Staff explained the proposal, no comments.</u>	2/7 Referred to House Commerce Committee. 2/14 Passed House Commerce. 2/15 House Local and Int'l Affairs Hearing
HB 2521	TPT reform; contractors	Cobb	Eliminates the prime contracting classification of TPT and establishes a highway, street or bridge construction classification and a manufactured building dealer classification. The tax base for the highway, street or bridge construction classification and for the manufactured building dealer classification is 65 percent of the gross proceeds of sales or gross income derived from the business, and lists of deductions from the tax base for each classification are established. The list of exemptions from the retail classification of TPT is modified to include tangible personal property sold to a contractor and incorporated into any highway, street or bridge construction project or into a manufactured building, and to eliminate the exemption for tangible personal property sold to a contractor and incorporated into any real property, structure, project, development or improvement as part of the business. The list of exemptions from the retail classification of TPT is also modified to include tangible personal property sold to a qualified business if the property sold is to be incorporated into a building, project, development or improvement owned by the qualified business for harvesting or processing qualifying forest products. Comments: <u>2/16 CSA Staff explained bill, noted that there is an amendment currently being reviewed. Concerns were raised that when TPT was established it hurt rural counties. Staff explained this would not alleviate that problem. BOD asked staff to continue to monitor the bill.</u>	2/16 Passed House Ways & Means as amended.
SB 1007	homebased business; operations; employees	D. Farnsworth	County ordinances regulating home-based businesses are prohibited from restricting a business from generating traffic, parking or delivery activity that does not cause on-street parking congestion, from having more than one client on the property at one time, or from employing a list of specified individuals. Comments: <u>1/19 CSA Board moved to oppose this bill. 1/13 Staff explained bill. CSA opposed similar legislation in 2016.</u>	Assigned to Government and Rules. 2/13 Passed Senate Commerce and Public Safety
SB 1019	public records; unduly burdensome requests	Kavanagh	It is a defense to any action under public records law that the request for access to public records is unduly burdensome or harassing. Comments: <u>1/13 Staff explained bill, smaller counties shared experiences with burdensome requests from the public. LPC took a position of support.</u>	Assigned to Government and Rules.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
SB 1025	public entities; absolute immunity; defenses	Borges	A public entity or public employee is liable for an injury arising out of a plan or design for construction or maintenance of highways, roads, bridges or rights-of-way where the entity or employee did not give a reasonably adequate warning of hazards only if the entity or employee was grossly negligent. Comments: 1/13 Staff explained bill and noted ACIP support of legislation as well as <u>potential for preventing frivolous lawsuits against counties. LPC took a position of support.</u>	2/6 Passed Senate Judiciary as amended. 2/7 Passed Rules.
SB 1072	administrative decisions; scope of review	Petersen	When the court reviews a final administrative decision, the court is required to decide all questions of fact and law without regard to any previous determination that may have been made on the question in an administrative hearing. Applies in any action for judicial review of an agency action that is authorized by law. Previously, the court was required to affirm the agency action unless after reviewing the evidence the court concluded that the action was not supported, was contrary to law, or was arbitrary and capricious. Comments: 2/10 LPC Concerns were raised regarding the number of departments and agencies required to modify their <u>review process, the sheer volume of administrative decisions that would be affected, and extra burden placed on counties. LPC moved to oppose the bill.</u>	1/25 Held in Senate Judiciary 2/13 Passed Judiciary as amended
SB 1114	outdoor advertising	Borrelli	Modifies the specified latitude and longitude borders within which electronic outdoor advertising is authorized. Comments: 2/10 LPC noted though specific county input was sought during the original stages of the bill, there was a "reluctant agreement" with concerns remaining about possible amendments added in the future. LPC will continue to monitor the bill.	2/7 Passed Senate Commerce and Public Safety as amended
SB 1146	S/E registration fees; VLT; gas tax	Worsley	Modifies and imposes various fees relating to motor vehicles for deposit into the Arizona Highway Patrol Fund and imposes a tax on natural gas used for the propulsion of motor vehicles. Contains requirements for enactment and becomes effective on the signature of the Governor (Proposition 108). Comments: 2/10 LPC Staff explained the purpose of this new S/E bill and clarified where monies would be distributed. LPC moved to support this bill.	2/14 Passed Senate Transportation & Technology as amended.
SB 1147	S/E county election; motor fuel taxes	Worsley	Allows a county or a Regional Transportation Authority (RTA) to levy a county motor fuel tax upon voter approval. Comments: 2/10 Discussion addressed similarities between this legislation and other transportation funding bills. LPC will continue to monitor this bill.	2/14 Passed Senate Transportation & Technology as amended.
SB 1157	competency hearings; jurisdiction; referral	Borrelli	The presiding judge of the superior court in each county, with the agreement of the justice of the peace or municipal court judge, is permitted to authorize a justice court or municipal court to exercise jurisdiction over a competency hearing in a misdemeanor case that arises out of the justice court or municipal court. A justice of the peace or municipal court judge, with the approval of the presiding judge of the superior court and the justice or judge of the receiving court, is permitted to refer a competency hearing to another justice court or municipal court that is located in the county. Comments: 2/3 No comments. LPC moved to support this bill and the other three AOC Fair Justice for All bills.	2/6 Passed Senate Judiciary. 2/7 Passed Rules. 2/9 Passed Senate 29-0; ready for House
SB 1158	sentencing; court debts; fine mitigation	Borrelli	Authorization for judges to waive all or part of a civil penalty, fine, forfeiture or surcharge in certain circumstances is deleted. Judges are authorized to mitigate a civil penalty or fine if the payment would be a hardship to the person or the person's immediate family. Judges are authorized to waive or mitigate mandatory community restitution due to a defendant's medical condition. If the court imposes a sentence to perform community restitution for a misdemeanor conviction, the court is required to limit the sentence to a definite period of time. The superior court, a justice of the peace, or a municipal court is authorized to order that all or part of a debt that is due to the court be removed from the court's accounting system if 20 or more years have elapsed from the date of the initial fine or other monetary obligation in a criminal case that resulted in the debt and the court takes specified steps. Comments: 2/3 LPC discussed the problems with defendants accumulating excessive bails. LPC moved to support this bill and the other three AOC Fair Justice for All bills.	2/6 Passed Judiciary. 2/7 Passed Rules.
SB 1160	driving violations; restricted licenses; penalties	Borrelli	A restriction on a person's driver license or permit as a result of a conviction for a violation of Title 28 (Transportation) may limit the person's privilege to drive to and from specified locations during specified periods of time. The sentencing options for various transportation-related violations are expanded to include that the court may order that the person's driving privilege be restricted. Comments: 2/3 LPC raised concerns about eliminating penalties for lawbreaking. LPC discussed statistics regarding the effect of these type of measures on recidivism and ability to pay fines and penalties. LPC moved to support this bill and the other three AOC Fair Justice for All bills.	2/6 Passed Judiciary as amended. 2/7 Passed Rules. 2/14 Passed Senate 30-0 as amended and with floor amendment, ready for House

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
SB 1161	courthouse security; fund	Borrelli	The distribution of all monies received from the superior court is modified to reduce the percentage distributed to all recipients and require the 2.0 percent remaining after those reductions to be deposited in the newly established Statewide Court Security Fund. The distribution of all monies received from justice of the peace courts is modified to reduce the percentage distributed to all recipients and require the 2.0 percent remaining after those reductions to be deposited in the Fund. Monies in the Fund must be used to provide assistance, training and grants to courts to meet minimum standards of courthouse security that are adopted by the Supreme Court. Effective January 1, 2018. Comments: <u>2/10 LPC Discussion addressed concerns about where and how the fund would affect counties as it only is expected to generate \$700,000 which is far less than the resources needed to secure county courthouses. Additionally, clarification of bill's suggested funding source provided. LPC moved to support this bill.</u>	2/6 Passed Senate Judiciary. 2/7 Passed Senate Appropriations 2/13 Passed Senate Rules Hearing. 2/14 Senate Caucus. 2/15 Senate Consent. 2/16 Senate 3rd Read.
SB 1163	release procedures; hearings; bonds	Borrelli	A person charged with a nonbailable offense is permitted to waive the right to a hearing on the matter of bail. The schedules of violations that justices of the peace and presiding magistrates are required to adopt for bail are required to list a specific bond, instead of bail, for each violation, and the violations that must be included in the schedules are modified. Comments: <u>2/3 No comments. LPC moved to support this bill and the other three AOC Fair Justice for All bills.</u>	Assigned to Rules. 2/6 Passed Judiciary.
SB 1201	medical examiner; communicable diseases; disclosure	Griffin	The county medical examiner or alternate medical examiner, on a determination that the circumstance of a death provide jurisdiction, is required to provide a blood sample from a deceased person for the purpose of communicable disease testing or disclose communicable disease-related information to a first responder or good Samaritan who has had a significant exposure risk and who submits a written request for the information. Comments: <u>2/10 LPC A large number of county responses expressing concerns and opposition were previously received by email, no additional comments or discussion from LPC. LPC moved to oppose this bill.</u>	2/8 Held in Senate Health and Human Services 2/15 Passed Senate Health and Human Services.
SB 1207	advanced certification; assessor personnel; compensation	S Allen	A person who is employed by the Department of Revenue or a county and who successfully completes the advanced certification for assessors and appraisers provided by the Dept may be approved to receive additional compensation. Comments: <u>1/27 Staff explained bill, discussed concern expressed by managers that it is problematic having human resources issues like this codified in statute. LPC took a position of opposition.</u>	Assigned to Finance and Rules. 2/15 Passed Senate Finance.
SB 1210	state law; violations; political subdivisions	Smith	Statute requiring the Attorney General to investigate any official action taken by the governing body of a county or municipality at the request of a member of the Legislature who alleges that the action violates state law or the state Constitution is expanded to include all "political subdivisions" (defined). 2/16 No discussion.	2/15 Passed Senate Government
SB 1214	local governments; smallcell equipment permitting	Fann	Statutes prohibiting municipalities from charging certain fees for microcell equipment and requiring political subdivisions to allow certain entities to install, operate and maintain microcell equipment in public highways are expanded to include "smallcell equipment" and to include the "affiliates" of those entities. Establishes a list of limitations that apply to smallcell equipment. Contains legislative findings. Applies to all telecommunications or cable television licenses or other authorizations issued before the effective date of this legislation, with some exceptions. 1/27 Staff explained bill. Counties are in the process of sharing feedback, will bring the issue back at a future LPC. For Summary and Language of this bill please click here. Comments: <u>2/3 LPC instructed staff to continue to monitor this bill.</u>	Assigned to Rules, no action. 2/8 Passed Senate Government as amended. 2/13 Passed Senate Rules. 2/14 Senate Caucus. 2/15 Retained on Senate COW Calendar.
SB 1243	misconduct involving weapons; public places	Kavanagh	A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment or at a public event. Some exceptions, including for public establishments or events that are a "secured facility", that are the licensed premises of a liquor licensee, that are an educational institution, and that are a vehicle or craft. Comments: <u>2/3 LPC raised questions about what specific venues and events would be bound by this law and the costs of compliance. LPC moved to oppose the bill.</u>	2/2 Passed Senate Government. 2/7 Passed Rules. 2/7 Stricken from Senate Consent calendar by Contreras.
SB 1245	state lands; perpetual rights-of-way	Griffin	The State Land Department is required to grant a perpetual right-of-way, after conducting an appraisal, at public auction to the highest and best bidder if the grant is for the purpose of providing legal access to private property to which access across state land is the historic access or is necessary because state or federal land surrounds the private property. Comments: <u>2/10 LPC will continue to monitor this bill.</u>	2/13 Passed Senate Natural Resources, Energy & Water as amended
SB 1328	election proclamation; board clerk	Allen	The Governor is required to transmit a copy of the election proclamation to the clerk of each county BOS, and the clerk is required to publish a copy of the proclamation. Previously, the officer in charge of elections was required to notify the BOS and the Board was required to publish. Comments: <u>2/3 LPC member asked if the bill could be amended to add "electronic media" to the list of permissible forms of notice. LPC moved to support the bill.</u>	Assigned to Rules. 2/16 Passed Senate Judiciary.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
SB 1329	fire flow requirements; rural applicability	Allen	In a county with a population of less than 500,000 persons, any requirements to provide water and/or fire flow for fire protection under a fire code do not apply to single-family residential properties or single-family residential subdivisions with individual lot dimensions equal to or greater than 1/2 acre in size if the current "adjacent public water distribution system" does not meet the requirements to provide water and/or fire flow for fire protection. Comments: 2/3 LPC expressed concerns about landowners' property rights and fire districts' ability to deal with fires. LPC moved to support the bill.	2/2 Passed Senate Government. 2/7 Passed Rules. 2/7 Stricken from Senate Consent calendar by Allen, Contreras.
SB 1333	workers' compensation; claim settlement	Fann	The interested parties to a claim are authorized to settle and release all or any part of the claim, and to negotiate a "full and final settlement". Some exceptions. Requirements for a full and final settlement are established. Comments: 2/3 LPC moved to support the bill.	Assigned to Senate Commerce/Public Safety and Rules.
SB 1344	firearms; state preemption; independent contractors	Kavanagh	Statute establishing state preemption over local jurisdiction firearms regulations no longer specifically allows a political subdivision to enact or enforce an ordinance or rule regulating independent contractors of the political subdivision who are acting within the course and scope of their employment or contract. Comments: 2/3 LPC moved to oppose the bill.	Assigned to Government and Rules, no action. 2/15 Passed Senate Government w/ Strike Everything amendment.
SB 1376	compact; prosperity districts	Montenegro	Enacts and adopts a prosperity states compact to establish prosperity districts to advance each enacting state's mutual sovereign interest in promoting prosperity by creating a "stable public policy environment consisting of optimal regulatory and fiscal policy." Establishes a framework for prosperity district governance structure and legal capacity, including a district managing board, and specifies that every prosperity district has exclusive governing jurisdiction within its boundaries. Provides for concurrent law enforcement jurisdiction. Establishes a process for prosperity district formation, expansion and withdrawal. When at least two member states are contractually bound to the compact, a Prosperity States Compact Commission is established, and powers and duties of the Commission and Commissioners are specified. Comments: 2/3 LPC moved to oppose the bill.	Assigned to Finance, Government and Rules, no action. 2/15 Passed Senate Finance and Senate Government.
SB 1404	community facilities districts; amendments	Lesko	Changes statutes related to community facilities districts. On presentation of a petition signed by the owners of at least 25 percent of the land area proposed to be included in the district and a completed application for district formation, the municipal governing body is required to hold a public hearing to consider the application within 60 days. After the hearing, the governing body is authorized to adopt a resolution declaring its intention to form a district that includes contiguous or noncontiguous property that is wholly within the municipal boundaries. If the application for district formation includes noncontiguous property, each discrete property is required to be located within 1/2 mile of another discrete property the is proposed to be included in the district. Information that must be included in a completed application for district formation is listed. An objection to district formation must be filed within 30 days after adoption of the resolution of intent to form a district. The fees and other charges assessed by a municipality or county in connection with district formation are capped at \$15,000, and municipalities and counties are required to use any fees or other charges paid by the applicant before district formation that exceed the actual costs of district formation solely to support the formation or administration of the district. Establishes requirements for an applicant to request financing from general obligation bonds or revenue bonds. By January 1, 2018, municipal governing bodies are required to adopt ordinances or policies that include specified information about district formation. Comments: 2/3 LPC instructed staff to continue to monitor this bill. 2/16 CSA staff noted that while this bill will not be going forward, Sen Smith's SB 1480 is expected to move forward.	Assigned to Finance and Rules. 2/15 Held in Senate Finance.
SB 1407	workers' compensation; employee definition; notice	Fann	For the purpose of workers' compensation statutes, the definition of "employee" is expanded to include a working member of a limited liability company (LLC) who owns less than 25 percent of the membership interest in the LLC and who is deemed an employee entitled to workers' compensation benefits on written acceptance of an application for coverage by the working member at the discretion of the insurance carrier for the LLC. The basis for computing wages for premium payments and compensation benefits for the working member is an assumed average monthly wage of \$600 or more, up to the normal statutory maximums, and is subject to the discretionary approval of the insurance carrier. Comments: 2/3 LPC moved to support the bill.	Assigned to Rules. 2/13 Passed Senate Commerce/Public Safety as amended.
SB 1408	counties; municipalities; euthanizing animals	Kavanagh	Animals impounded in a county or municipal pound may no longer be euthanized by the use of T-61 euthanasia solution or its generic equivalent. Comments: 2/10 LPC This type of solution is no longer used in any counties to euthanize animals, therefore no further action needed.	2/8 Passed Senate Government 2/13 Passed Senate Rules. 2/14 Senate Caucus. 2/15 Senate Consent.

Bill Number	Short Title	Prime Sponsor	Summary/ LPC Comments & Position	Status
SB 1416	revitalization districts; county participation	Pratt	Counties and combinations of one or more municipalities and a county are authorized to form a revitalization district. Comments: <u>LPC raised concerns regarding the bill making the creation of a district and levying of a tax, be based on 51% of the homeowners wanting to be included OR 51% of the net assessed property value wanting to be included, where current statute requires both for either the creation of the district or the levying of the tax. LPC took a position of neutral, awaiting proposed changes next week. 2/16 BOD requested CSA staff continue to monitor this bill.</u>	Assigned to Senate Finance 2/15 Passed Senate Finance.
SB 1442	S/E corrections officer retirement plan; modificatons	Lesko	Various changes to statutes governing the Corrections Officer Retirement Plan (CORP). CORP members who are employees hired on or after July 1, 2018 and who were not an active, inactive or retired CORP member on June 30, 2018 are required to participate in the Public Safety Personnel Retirement System (PSPRS) defined contribution plan. For these CORP members, the employee and employer contribution rates are five percent and a reduced monthly disability pension calculation is established. The calculation for employer contributions for CORP members hired before July 1, 2018 is modified. Statutes establishing and regulating CORP benefit increases are repealed, and a new cost-of-living adjustment calculation for CORP benefits is established for members hired on or before June 30, 2018. Conditionally enacted on the state Constitution being amended as prescribed in an unspecified Senate concurrent resolution (blank in original), by vote of the people at the 2018 general election. Comments: <u>2/16 Question was raised why Corrections Officers were going to a Defined Contribution Plan. Staff advised that because of the high turnover rate among Corrections Officers, it made sense for them to have maximum portability. BOD requested staff continue to monitor this bill.</u>	2/16 Passed Senate Finance as amended.
SB 1453	road improvement districts; financing	Griffin	Rural road improvement districts are authorized to issue improvement bonds in the manner prescribed for county improvement districts that are payable over up to 10 years. Comments: <u>2/10 LPC Clarification was provided on the original intent of the bill. Concerns were expressed over the language of the current bill. LPC will continue to monitor the bill.</u>	2/8 Passed Senate Finance 2/13 Passed Senate Rules. 2/14 Senate Caucus. 2/15 Senate Consent.
SB 1454	county improvement districts; assessment; contribution	Griffin	County improvement districts may be financed from proceeds received from the sale of district bonds, county monies contributed to the district, state or federal grants, private contributions, and any other monies available to the district by law. The payment of preliminary incidental costs for which a district has become liable may be assessed and levied on a per parcel basis or based on the assessed valuation of the property. Comments: <u>2/10 LPC Discussion involved clarification on specific county impacts and concerns about financial repercussions. LPC will continue to monitor the bill.</u>	2/8 Passed Senate Finance
SB 1479	mental health treatment; patient transport	Smith	If a peace officer is directed to take a mental health patient into protective custody or to apprehend the patient and transport the patient to an agency for inpatient treatment, a mental health provider is required to accompany the peace officer. Comments: <u>2/10 A large number of concerns were expressed regarding the logistical and financial burdens that this bill places on the counties. LPC moved to oppose this bill. 2/16 CSA staff advised BOD that as amended, this costs will be shifted to counties. BOD noted that in rural areas, this would be very problematic.</u>	2/8 Held in Senate Health and Human Services 2/15 Passed Senate Health and Human Services as amended.
SB 1480	revisions; community facilities districts	Smith	Applies to districts formed after the effective date of the amendment. If land proposed and petitioned to be included is more than 600 acres, the governing body shall adopt a resolution forming a community facilities district within 90 days after the submittal of the petition. For districts that meet the requirements, a district governing board shall be comprised of five members. If the petitioned land is less than 600 acres, the members of the governing body remain the same. The governing board may not require the petitioner to increase infrastructure, debt limit, tax rate, or duration of the district, an official website shall be established and maintained, and law enforcement service agreement shall be established. Comments: <u>2/3 LPC moved to oppose the bill. 2/16 CSA Staff advised BOD that this bill will move forward. Sen Lesko's related SB 1404 will not.</u>	Assigned to Finance and Rules. 2/15 Passed Senate Finance as amended.
N/A	Arizona Board of Regents sales tax recapture	unknown	This proposal was mentioned in Governor Ducey's state of the state address, which proposes to allow universities to recapture the sales taxes generated by university activities. This revenue shift of local shared revenues would impact counties and cities by \$6.5 million, according to Governor Ducey's budget. Comments: <u>1/13 Staff explained proposal and expressed concerns about the potential revenue loss.</u>	Included in Governor Ducey's budget proposal.