



Cochise County Board of Supervisors

Public Programs...Personal Service
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THOMAS E. BORER
Chairman
District 1

ANN ENGLISH
Vice-Chairman
District 2

PEGGY JUDD
Supervisor
District 3

EDWARD T. GILLIGAN
County Administrator

SHARON GILMAN
Associate County Administrator

KIM LEMONS
Clerk of the Board

AGENDA FOR REGULAR BOARD MEETING
TUESDAY, MAY 5, 2020 AT 10:15 AM (note time change)
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.

Due to health concerns related to COVID-19, the Board has suspended public group access to conference rooms located in County buildings. Members of the public who wish to attend these meetings remotely can call 602-609-7513 or 888-680-6714, Conference ID 155 799 522#. If you have trouble accessing this meeting remotely, call 520-432-9200 for direction. To comment on an agenda item, email the Clerk of the Board at board@cochise.az.gov by 5 p.m. the day before the meeting. Please include the date of the meeting and the agenda item number.

Call to the public will be suspended during the public health emergency, but comments submitted ahead of public hearings on specific agenda items will be read during the meeting.

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

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of April 21, 2020.
2. Approve a proclamation to declare the second week of May 2020 as National Correctional Officers and Employees week in Cochise County.

County Sheriff

3. Approve amendment for Grant Agreement 2020-AI-015 between the Arizona Governor's Office of Highway Safety (AGOHS) and Cochise County Sheriff's Office to add funds to Capital Outlay for two Intoxilyzer 9000s, in the amount of \$20,271.57, effective May 5, 2020 through September 30, 2020.

Finance

4. Approve demands and budget amendments for operating transfers.

PUBLIC HEARINGS

Development Services

5. Adopt Zoning Ordinance 20-09 to approve Docket R-20-02 (Light Pollution), an amendment to the Cochise County Zoning Regulations, Article 16, Light Pollution and Article 23, Enforcement.

ACTION

Board of Supervisors

6. Approve a change order to the Stantec Consulting Services contract for the Douglas Port of Entry Water/Wastewater Engineering Study, in the amount of \$39,912, effective May 5, 2020.

County Attorney

7. Approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-20-2909 between the City of Tucson and Cochise County, in the amount of \$151,702, effective January 1, 2020 through December 31, 2021.

Development Services

8. Approve an Assurance Agreement extension to May 9, 2023, for The Oaks Subdivision, with Pioneer Title Agency, Inc., as Trustee under Trust No. 319061 for Castle & Cooke Arizona, Inc., as Beneficiary of Trust No. 319061.

Emergency Services

9. Approve \$78,398.88 from the 2019 Hazardous Materials Emergency Preparedness Grant to support equipment purchases for the Countywide Hazardous Materials Response Team, effective May 5, 2020.

STATE & FEDERAL LEGISLATION

10. Discussion and possible action regarding state and federal legislative matters listed or described in the attached County Supervisors Association Legislative Policy Committee Agenda, the Arizona Association of Counties (AACo) Legislative Policy Committee Agenda, and the proposed State budget, and other matters related thereto.

REPORT BY EDWARD T. GILLIGAN COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Thomas E. Borer

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 Julie Morales, Cochise County Risk Management & Safety, (520) 432-9830, FAX (520) 432-9758, TDD (520) 432-8360, 1415 Melody Lane, Building C, Bisbee, AZ 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

Board of Supervisors

Regular Board of Supervisors Meeting

Meeting Date: 05/05/2020

Minutes

Submitted By: Amy Langer, 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 April 21, 2020.

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

Demands

Minutes

Demands [04/16/20](#)
 Date Range [04/03/20-04/17/20](#)
 Warrant Range [39822-40102](#)

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
39822	4/9/2020	A+ Language Services	46.00
39823	4/9/2020	Active Expert LLC	1,875.00
39824	4/9/2020	ADVANCE FORENSIC ASSESSMENTS, INC.	550.00
39825	4/9/2020	Amazon.com LLC	902.49
39826	4/9/2020	Arizona Department of Corrections	475.23
39827	4/9/2020	Arizona Department of Public Safety	44,616.74
39828	4/9/2020	Arizona Forensic Services, LLC	3,200.00
39829	4/9/2020	Arizona Machinery Company, LLC dba Stotz Equipment	172.47
39830	4/9/2020	Arizona Police Psychology, PLLC	1,500.00
39831	4/9/2020	Arizona Public Service - APS	788.81
39832	4/9/2020	Arizona State Treasurer	184,567.00
39833	4/9/2020	Arizona Water Company	6,204.77
39834	4/9/2020	B & D Lumber and Hardware	46.46
39835	4/9/2020	Baker & Taylor, LLC	1,287.36
39836	4/9/2020	Banner-University Physicians Healthcare, Inc.	1,500.00
39837	4/9/2020	Barnett's Towing & Oxygen LLC	247.00
39838	4/9/2020	Bisbee NAPA	1,479.90
39839	4/9/2020	Borer, Thomas Edward	313.78
39840	4/9/2020	Bowie Water Improvement District	90.96
39841	4/9/2020	Boyd Equipment Center	498.00
39842	4/9/2020	Bug-Wiser Exterminating, Inc.	395.00
39843	4/9/2020	Cable One dba Sparklight	574.81
39844	4/9/2020	CDW LLC	22,083.01
39845	4/9/2020	Cengage Learning, Inc. dba GALE	98.11
39846	4/9/2020	Cengage Learning, Inc. dba GALE	24.69
39847	4/9/2020	CenturyLink Communications	326.21
39848	4/9/2020	Cintas Corporation No. 445	3,862.46

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
39849	4/9/2020	City of Sierra Vista	25,506.90
39850	4/9/2020	Cochise Family Advocacy Center	4,175.00
39851	4/9/2020	Concentra Medical Centers	188.50
39852	4/9/2020	Cool Dreams Window Tinting	200.00
39853	4/9/2020	Copygraphix Inc.	23,218.76
39854	4/9/2020	COX Communication Arizona, LLC	305.00
39855	4/9/2020	Culligan of Tucson	470.97
39856	4/9/2020	Deneke, Buffy	491.20
39857	4/9/2020	Dominion Environmental Consultants, Inc.	1,287.50
39858	4/9/2020	Douglas, City of	975.59
39859	4/9/2020	EBSCO Subscription Service	890.52
39860	4/9/2020	Election Systems & Software LLC	9,677.96
39861	4/9/2020	Empire Southwest LLC	1,171.04
39862	4/9/2020	English, Ann S.	554.55
39863	4/9/2020	Ferguson Enterprises, Inc.	453.33
39864	4/9/2020	Gomez, Lionor	400.00
39865	4/9/2020	Hariton, Theodore N. MD, FACOG	1,900.00
39866	4/9/2020	Huachuca City Police Dept	2,051.93
39867	4/9/2020	Hubble, Anthony D	250.00
39868	4/9/2020	Interstate Battery	403.00
39869	4/9/2020	IronHawk Elevator LLC	1,137.00
39870	4/9/2020	Jellison Law Offices, PLLC	2,806.00
39871	4/9/2020	JWS Web Design LLC	375.00
39872	4/9/2020	K12 Handhelds, Inc.	750.00
39873	4/9/2020	Keefe Commissary Network, LLC	1,605.38
39874	4/9/2020	Laboratory Corporation of America	35.00
39875	4/9/2020	M&R Auto Inc	2,281.15
39876	4/9/2020	Mack's Auto Parts Inc	1,406.69
39877	4/9/2020	Merle's Automotive Supply	2,003.85
39878	4/9/2020	Nalley's Pit Stop	140.00

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
39879	4/9/2020	Northern Cochise Community Hospital, Inc.	33.00
39880	4/9/2020	O'Rielly Chevrolet, Inc.	273.77
39881	4/9/2020	OCLC Online Computer Library Center, Inc.	863.52
39882	4/9/2020	Olivares, Veronica	80.00
39883	4/9/2020	OverDrive, Inc.	2,445.48
39884	4/9/2020	Pitney Bowes, Inc.	241.67
39885	4/9/2020	Porta-Pot	750.75
39886	4/9/2020	Prudential Overall Supply	608.47
39887	4/9/2020	Purcell Tire & Rubber Company	51,837.47
39888	4/9/2020	RevolutionaryText, LLC	12,784.80
39889	4/9/2020	Ron Turley Associates, Inc.	3,521.04
39890	4/9/2020	Runbeck Election Services Inc.	2,073.88
39891	4/9/2020	RWC Group	4,017.37
39892	4/9/2020	Safelite Autoglass Corp.	1,134.91
39893	4/9/2020	San Diego Police Equipment Co	7,167.41
39894	4/9/2020	Schlesinger, Aaron	1,002.00
39895	4/9/2020	Senergy Petroleum LLC	4,099.18
39896	4/9/2020	Senergy Petroleum LLC	16,161.16
39897	4/9/2020	SHI International Corp.	26,026.33
39898	4/9/2020	Shreve , Virginia A	250.00
39899	4/9/2020	Southwest Disposal LC	131.25
39900	4/9/2020	Southwest Gas Corporation	1,470.55
39901	4/9/2020	Sparkletts	288.79
39902	4/9/2020	Stantec Consulting Services, Inc.	11,896.29
39903	4/9/2020	Streitfeld, Stephen V. MD PC	1,000.00
39904	4/9/2020	Sune D14 Misc-A Holdings, LLC	8,383.36
39905	4/9/2020	The Bisbee Observer LLC	417.02
39906	4/9/2020	Thomson West	486.68
39907	4/9/2020	Titan Machinery Inc.	36.96
39908	4/9/2020	TransUnion Risk and Alternative Data Solutions	54.80

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
39909	4/9/2020	Traywick, Catherine Lynn	662.43
39910	4/9/2020	UniFirst Corporation	449.29
39911	4/9/2020	Valley Telephone Cooperative, Inc.	855.08
39912	4/9/2020	VCA Apache Animal Hospital	898.20
39913	4/9/2020	Verizon Wireless	11,678.15
39914	4/9/2020	W W Grainger Inc	209.76
39915	4/9/2020	W. R. Ryan Company	2,122.94
39916	4/9/2020	Walston, Marc	100.00
39917	4/9/2020	Watson Chevrolet Inc	275.31
39918	4/9/2020	Waxie Sanitary Supply	6,757.69
39919	4/9/2020	West Press	7,569.87
39920	4/9/2020	Western Emulsion, Inc	5,101.30
39921	4/9/2020	Wick Communications	549.37
39922	4/9/2020	WilliamsRDM, Inc.	8,996.20
39923	4/9/2020	City of Sierra Vista	394.58
39924	4/9/2020	Hopper Jr., Albert N	3,300.00
39925	4/9/2020	PACHECO , BRESENIA	700.00
39926	4/9/2020	Anderson , Riley	200.00
39927	4/9/2020	B & D Lumber and Hardware	29.47
39928	4/9/2020	Border Mart	5.84
39929	4/9/2020	COLEMAN , SHERRY	3,500.00
39930	4/9/2020	Hurtado , Arnoldo	27.33
39931	4/9/2020	Lee , Janelle U.	340.60
39932	4/9/2020	Pesina, Francisco	100.00
39933	4/9/2020	Ramage , Leslie	50.00
39934	4/9/2020	Richard , Jaquary	37.34
39935	4/9/2020	Rodriguez , Christopher	136.96
39936	4/9/2020	RODRIGUEZ NUNEZ , NICHOLAS SAINT	1,500.00
39937	4/9/2020	Walmart	21.01
39938	4/9/2020	Walmart	30.00

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
39939	4/16/2020	4imprint, Inc.	1,849.08
39940	4/16/2020	A&R Fire Protection LLC	5,000.00
39941	4/16/2020	Address Data Services, Inc.	625.00
39942	4/16/2020	Alex Espinosa's Bisbee Funeral Home	1,207.00
39943	4/16/2020	Alloway, Michael E.	166.13
39944	4/16/2020	Amazon.com LLC	816.02
39945	4/16/2020	Apex Equipment Sales, Inc	7,991.86
39946	4/16/2020	Applied Rite Doors & Docks, Inc.	6,950.00
39947	4/16/2020	Arizona Ambulance Transport	2,863.13
39948	4/16/2020	Arizona Counties Insurance Pool	4,435.00
39949	4/16/2020	Arizona Department of Corrections	299.69
39950	4/16/2020	Arizona Department of Corrections ASPC-Tucson	118.50
39951	4/16/2020	Arizona Emergency Products, Inc.	5,682.34
39952	4/16/2020	Arizona Hiking Shack Rescue (AHS)	8,926.90
39953	4/16/2020	Arizona Inpatient Medicine Associates	159.31
39954	4/16/2020	Arizona Machinery Company, LLC dba Stotz Equipment	219.17
39955	4/16/2020	Arizona Public Service - APS	169.13
39956	4/16/2020	Arizona State Prison Complex	3,067.46
39957	4/16/2020	Arizona Water Company	72.78
39958	4/16/2020	Ascent Aviation Group, Inc.	16,204.78
39959	4/16/2020	Azam, Syed T.	1,250.00
39960	4/16/2020	Aztec Welding Supply Company	243.13
39961	4/16/2020	Baker Distributing Company	834.52
39962	4/16/2020	Baker, Peterson, Baker & Associates, Inc.	2,250.00
39963	4/16/2020	Barnett's Towing & Oxygen LLC	243.75
39964	4/16/2020	BEJARANO , SASHA MARIE	135.00
39965	4/16/2020	Benson, City of	381.90
39966	4/16/2020	Bisbee NAPA	1,941.27
39967	4/16/2020	Blackstone Audio, Inc.	437.97
39968	4/16/2020	Bowie Water Improvement District	45.48

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
39969	4/16/2020	Bug-Wiser Exterminating, Inc.	730.00
39970	4/16/2020	Bureau of Vital Records	9,185.00
39971	4/16/2020	Canyon Vista Medical Center	2,700.00
39972	4/16/2020	Cardinal Health Inc.	77.42
39973	4/16/2020	CDW LLC	14,951.82
39974	4/16/2020	CEMEX Construction Materials South, LLC	913.97
39975	4/16/2020	Cengage Learning, Inc. dba GALE	56.78
39976	4/16/2020	Center for Disease Detection, LLC	391.00
39977	4/16/2020	Central Alarm Incorporated	672.00
39978	4/16/2020	CenturyLink Communications	1,654.49
39979	4/16/2020	CenturyLink Communications	68.76
39980	4/16/2020	CenturyLink Communications	1,124.42
39981	4/16/2020	Cintas Corporation No. 445	247.40
39982	4/16/2020	City of Bisbee	7,446.51
39983	4/16/2020	City of Sierra Vista	1,006.39
39984	4/16/2020	Cloud, Shelly R.	250.00
39985	4/16/2020	Cochise County Farmers Association	1,249.55
39986	4/16/2020	Cochise Lock and Safe, Inc.	5,792.25
39987	4/16/2020	Cochise Lock and Safe, Inc.	426.34
39988	4/16/2020	Cochise Motorsports Inc.	42,839.00
39989	4/16/2020	Community Bridges, Inc.	13,650.00
39990	4/16/2020	Copper Queen Community Hospital	1,738.53
39991	4/16/2020	CRM of America LLC	7,357.50
39992	4/16/2020	Culligan of Tucson	747.78
39993	4/16/2020	CureMD.com, Inc.	305.00
39994	4/16/2020	David M Waterman dba Law Offices of David Waterman	2,200.00
39995	4/16/2020	Diagnostic Pathology Consultants PC	206.60
39996	4/16/2020	DLT Solutions, LLC	3,519.45
39997	4/16/2020	Eaton Corporation	4,684.68
39998	4/16/2020	Election Systems & Software LLC	232.85

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
39999	4/16/2020	Empire Southwest LLC	1,504.64
40000	4/16/2020	Federal Express Corporation	24.50
40001	4/16/2020	Fry Fire District	1,047.17
40002	4/16/2020	Goserco, Inc.	28,700.45
40003	4/16/2020	Griffith, David Bruce	6,245.00
40004	4/16/2020	Griffith, John W	1,000.00
40005	4/16/2020	Hardt, Candece Joann	21.60
40006	4/16/2020	Healthcare Innovations, Inc.	1,663.48
40007	4/16/2020	Hill Brothers Chemical Co.	1,397.20
40008	4/16/2020	Hodges Glass Co Inc	986.40
40009	4/16/2020	Honeman, Van G.	1,089.50
40010	4/16/2020	International Chemtex Corporation	737.00
40011	4/16/2020	John William Lovell, PC	7,144.20
40012	4/16/2020	Johnson, Tiffany Marie Sanzon	122.96
40013	4/16/2020	JWS Web Design LLC	375.00
40014	4/16/2020	KE&G Construction Inc.	50,398.58
40015	4/16/2020	Kelly, Peter A.	10,800.43
40016	4/16/2020	Law Office of Joan M Sacramento	1,500.00
40017	4/16/2020	Lawley Motors LLC	1,651.76
40018	4/16/2020	Logicalis, Inc.	20,519.74
40019	4/16/2020	Long, Jerrod D. DDS	729.00
40020	4/16/2020	Lowell A. Jensen, PLC	1,100.00
40021	4/16/2020	Mack's Auto Parts Inc	7,194.05
40022	4/16/2020	Martinez, Sergio I. Ph.D., LLC	2,975.00
40023	4/16/2020	Mason, Barbara Jean	35.38
40024	4/16/2020	McCook Boiler & Pump Company	2,588.00
40025	4/16/2020	McGowan, Mark J.	12,000.00
40026	4/16/2020	Merle's Automotive Supply	1,351.69
40027	4/16/2020	Mindful Lactation	888.00
40028	4/16/2020	Monroe Systems For Business Inc.	234.85

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
40029	4/16/2020	Moody Enterprises Inc	204.00
40030	4/16/2020	Morgan, J. Michael Ph. D.	295.00
40031	4/16/2020	NI Government Services Inc	221.18
40032	4/16/2020	Northern Cochise Community Hospital, Inc.	648.29
40033	4/16/2020	Nyander, Penny Sue	717.50
40034	4/16/2020	OverDrive, Inc.	1,367.27
40035	4/16/2020	Prudential Overall Supply	605.20
40036	4/16/2020	Riggs, Karen C.	1,320.00
40037	4/16/2020	Robert J. Zohlmann, Esq.	916.95
40038	4/16/2020	Rothbauer, Donna Jo	100.00
40039	4/16/2020	Rothrock Investigations, LLC	288.42
40040	4/16/2020	RWC Group	10,633.13
40041	4/16/2020	RWC Group	298.00
40042	4/16/2020	Sahuaro Trophy Co.	500.18
40043	4/16/2020	Schiff, Laurence	2,800.00
40044	4/16/2020	Schlesinger, Aaron	325.00
40045	4/16/2020	Schlievert, Scott W.	120.00
40046	4/16/2020	Securus Technologies, Inc	2,553.73
40047	4/16/2020	Senergy Petroleum LLC	8,445.24
40048	4/16/2020	Senergy Petroleum LLC	14,236.16
40049	4/16/2020	Sierra Vista Medical Group	109.75
40050	4/16/2020	Sierra Vista NAPA	419.34
40051	4/16/2020	Southeast Arizona Legal Support (SEALS)	11,797.50
40052	4/16/2020	Southwest Gas Corporation	10,248.19
40053	4/16/2020	Southwestern Scale Company, Inc.	3,392.02
40054	4/16/2020	Stantec Consulting Services, Inc.	5,051.00
40055	4/16/2020	Stericycle Inc.	1,597.08
40056	4/16/2020	Streitfeld, Stephen V. MD PC	1,500.00
40057	4/16/2020	Sulphur Springs Valley Electric Cooperative, Inc.	1,641.12
40058	4/16/2020	Sulphur Springs Valley Electric Cooperative, Inc.	14,290.79

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
40059	4/16/2020	The Bisbee Observer LLC	189.25
40060	4/16/2020	The Law Offices of Harriette P Levitt, PLLC	1,546.11
40061	4/16/2020	The Oschmann Organization, Inc , dbaOschmann Employee Scre	35.00
40062	4/16/2020	The W Law Firm PLLC	10,741.00
40063	4/16/2020	The Walden Group	1,000.00
40064	4/16/2020	Thomson West	289.74
40065	4/16/2020	Thomson West	3,731.57
40066	4/16/2020	Those Guys Auto	254.80
40067	4/16/2020	Titan Machinery Inc.	25.67
40068	4/16/2020	Tyler Technologies, Inc.	13,170.97
40069	4/16/2020	UniFirst Corporation	153.28
40070	4/16/2020	United States Department of the Interior	14,900.00
40071	4/16/2020	USDA, Animal & Plant Health Inspection	8,288.05
40072	4/16/2020	Valley Telephone Cooperative, Inc.	263.32
40073	4/16/2020	Verizon Wireless	12,723.34
40074	4/16/2020	Vulcan Materials	4,706.75
40075	4/16/2020	W W Grainger Inc	486.28
40076	4/16/2020	W. R. Ryan Company	1,433.07
40077	4/16/2020	Watson Chevrolet Inc	1,872.79
40078	4/16/2020	Waxie Sanitary Supply	527.05
40079	4/16/2020	West Coast Plastics	2,367.00
40080	4/16/2020	WEST Consultants, Inc.	10,763.73
40081	4/16/2020	Westlawn Chapel & Mortuary	1,006.50
40082	4/16/2020	Whetstone Water Improvement District	67.90
40083	4/16/2020	Wick Communications	46.25
40084	4/16/2020	Wick Communications	933.17
40085	4/16/2020	WilliamsRDM, Inc.	8,996.20
40086	4/16/2020	Arizona Department of Health Services	111,832.14
40087	4/16/2020	Mule Mountain Users Association	250.00
40088	4/16/2020	Trachtman, Sean	2,625.00

WARRANT #	CHECK DATE	VENDOR NAME	AMOUNT
40089	4/16/2020	BOWSER , MELISSA	500.00
40090	4/16/2020	Grajeda, Edward	75.00
40091	4/16/2020	HUACHUCA CITY MUNICIPAL COURT	188.50
40092	4/16/2020	MADRID , KELSY	1,500.00
40093	4/16/2020	MARQUEZ , HECTOR	20.00
40094	4/16/2020	Mccraney, Alton	14.50
40095	4/16/2020	Montano, Raul	100.00
40096	4/16/2020	NAVARRO CAMACHO , ABIGAIL	50.00
40097	4/16/2020	Safeway Loss Prevention	20.00
40098	4/16/2020	SCOTT , JVONTE	1,500.00
40099	4/16/2020	TRAVELERS HOME & MARINE INS. CO.	35.50
40100	4/16/2020	VILLALOBOS , ERICA	35.60
40101	4/16/2020	Walmart	180.16
40102	4/16/2020	Yareeda , Venkata Sai Teja	1,000.00
TOTAL			1,265,099.31

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, APRIL 21, 2020**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, April 21, 2020 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Thomas E. Borer, Chairman; Ann English, Vice-Chairman, telephonic; Peggy Judd, Supervisor, telephonic

Staff Present: Edward T. Gilligan, County Administrator; Sharon Gilman, Associate County Administrator; Christine Roberts, Chief Civil Deputy County Attorney; Kim Lemons, Clerk of the Board; Amanda Baillie, Public Information Officer

Chairman Borer 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

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of April 7, 2020.

County Sheriff

2. Approve Cooperative Service Agreement No. 20-73-04-0228-RA between Cochise County and the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service and Wildlife Services, to assign a Wildlife Specialist to Cochise County for predator and disease control under the Wildlife Damage Management program to be conducted, in the amount of \$40,491, effective July, 1 2020 through June 30, 2021.

Finance

3. Approve demands and budget amendments for operating transfers.

Vice-Chairman English made a motion to approve items 1-3 on the consent agenda. Supervisor Judd seconded the motion and it carried unanimously.

PUBLIC HEARINGS

Development Services

4. Adopt Zoning Ordinance 20-07 to rezone 16 acres in the Babocomari from R-36 (Residential, minimum 36,000 square feet) to RU-4 (Rural, minimum 4 acres), pursuant to the application of Maria Moreno.

Mr. Dan Coxworth, Development Services Director presented this item using a PowerPoint presentation. Mr. Coxworth gave the background of the rezoning request. He referred to the parcel location and aerial photos of the area. He listed the factors in favor and against the rezoning; the department received one letter in support and none in opposition. The Cochise County Planning and Zoning Commission recommended approval 6-0 at their April 8, 2020 meeting. Mr. Coxworth said staff recommended conditional approval.

Chairman Borer opened the public hearing and asked if any additional comments regarding this public hearing were received and Ms. Lemons stated there were none.

Chairman Borer closed the public hearing.

Vice-Chairman English made a motion to adopt Zoning Ordinance 20-07 to rezone 16 acres in the Babocomari from R-36 (Residential, minimum 36,000 square feet) to RU-4 (Rural, minimum 4 acres), pursuant to the application of Maria Moreno with condition. Supervisor Judd seconded the motion.

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

5. Adopt Zoning Ordinance 20-08 to rezone 5 acres in Sun Sites Ranches subdivision from R-36 (Residential, minimum 36,000 square feet) to RU-4 (Rural, minimum 4 acres), pursuant to the application of Larry Seal.

Mr. Dan Coxworth, Development Services Director presented this item using a PowerPoint presentation. Mr. Coxworth gave the background of the rezoning request and said the request will facilitate the use of the Owner Builder Opt-Out program. He referred to the parcel location and aerial photos of the area. He listed the factors in favor and against the rezoning; the department received numerous letters in support and letters in opposition from property owners who live outside of the state who had concerns about their property being rezoned. The Cochise County Planning and Zoning Commission recommended approval 5-1 at their April 8, 2020 meeting. Mr. Coxworth said staff recommended conditional approval.

Chairman Borer opened the public hearing and asked if any additional comments regarding this public hearing were received and Ms. Lemons stated there were none.

Chairman Borer closed the public hearing.

Supervisor Judd made a motion to adopt Zoning Ordinance 20-08 to rezone 5 acres in Sun Sites Ranches subdivision from R-36 (Residential, minimum 36,000 square feet) to RU-4 (Rural, minimum 4 acres), pursuant to the application of Larry Seal with conditions. Vice-Chairman English seconded the motion.

ACTION

County Attorney

6. Approve the ADRS XML Automation Project, ACJC Grant No. AAP-20-001, in the amount of \$150,000, effective May 1, 2020 through December 31, 2020.

Mr. Brian McIntyre, County Attorney, presented this item. Mr. McIntyre said this grant is for the gold standard, criminal case management system, Prosecutor by Karpel. Within the next couple of legislative sessions, the reporting requirements for cases will be increased. In the past, criminal history participants were sent paper forms. With this system, the history will be tracked through a website portal and will help eliminate discrepancies. ACJC authorized \$150,000, the maximum for one county, and the County Attorney's Office is confident they will be able to cover costs of any subsidy. An annual cost of \$29,000 will be part of the department's budget that will be covered with the reduction of paper/copying and other associated costs. All law enforcement agencies except one is utilizing Spillman software which Karpel also uses. Finally, this software links to evidence.com to access body camera videos for evidence and review, making it an all-in-one system.

Vice-Chairman English said it sounds like a great system and maintenance costs are manageable.

Supervisor Judd said it sounds like a great and necessary software addition.

Chairman Borer stated we had not received any public comment on this item.

Vice-Chairman English made a motion to approve the ADRS XML Automation Project, ACJC Grant No. AAP-20-001, in the amount of \$150,000, effective May 1, 2020 through December 31, 2020. Supervisor Judd seconded the motion.

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

County Schools

7. Approve Intergovernmental Agreement (IGA) between the Superior Court and the County School Superintendent, for Educational Services at the Juvenile Detention Center, effective July 1, 2020 through June 30, 2022.

Ms. Jacqui Clay, County Schools Superintendent, presented this item. Ms. Clay said, in regular meetings with Judge Bannon, they decided better results could be achieved by combining the jail and juvenile detention center with one teacher to service both. This reduction of costs will eliminate the need for contracts with other teachers. Students are in online high schools with transferrable transcripts. Ms. Clay outlined the trial program details that come under the Superintendent's umbrella.

Vice-Chairman English congratulated Judge Bannon and Ms. Clay for educating at-risk students in a program with measurable outcomes.

Supervisor Judd gave her thanks.

Judge Bannon said that under Ms. Clay, students are responding and engaging. This project was a huge collaborative and cooperative effort, and she is proud of their accomplishments and thankful for the support.

Chairman Borer stated we had not received any public comment on this item.

Supervisor Judd made a motion to approve Intergovernmental Agreement (IGA) between the Superior Court and the County School Superintendent, for Educational Services at the Juvenile Detention Center, effective July 1, 2020 through June 30, 2022. Vice-Chairman

English seconded the motion.

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

Emergency Services

8. Approve Authorized Agents Mr. Gabriel Lavine, Emergency Manager, and Mr. Daniel S. Duchon, Budget Manager, to pursue reimbursement through Federal National Emergency Declaration due to COVID-19 pandemic, via Federal Emergency Management Agency (FEMA)'s Public Assistance program; Authorized Agents will aggregate expense data and submit to Arizona Department of Emergency and Military Affairs (AZDEMA) for potential reimbursement.

Mr. Gabriel Lavine, Emergency Services Director, presented this item. Mr. Lavine said this will allow him and Mr. Duchon to submit grant applications and administer eligible costs if needed for the pandemic response.

Vice-Chairman English thanked both for contacting all the county departments and including them in the process.

Chairman Borer stated we had not received any public comment on this item.

Vice-Chairman English made a motion to approve Authorized Agents Mr. Gabriel Lavine, Emergency Manager, and Mr. Daniel S. Duchon, Budget Manager, to pursue reimbursement through Federal National Emergency Declaration due to COVID-19 pandemic, via Federal Emergency Management Agency (FEMA)'s Public Assistance program; Authorized Agents will aggregate expense data and submit to Arizona Department of Emergency and Military Affairs (AZDEMA) for potential reimbursement. Supervisor Judd seconded the motion.

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

9. Approve an increase of \$271,000 to the Fiscal Year 2016 Emergency Management Performance Grant from state reallocation funding for public safety radio maintenance, effective April 21, 2020 through June 30, 2020.

Mr. Gabriel Lavine, Emergency Services Director, presented this item. Mr. Lavine said this grant is a reallocation of a 3-year fund for statewide funding left over from 2016. The County submitted the cost for the radio system approved earlier this year.

Vice-Chairman English appreciated the funding request made on behalf of the County.

Chairman Borer stated we had not received any public comment on this item.

Supervisor Judd made a motion to approve an increase of \$271,000 to the Fiscal Year 2016 Emergency Management Performance Grant from state reallocation funding for public safety radio maintenance, effective April 21, 2020 through June 30, 2020. Vice-Chairman English seconded the motion.

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

10. Approve Intergovernmental Agreement (IGA) between Cochise County and Cochise College for Non-Congregate Sheltering in support of the Covid-19 Emergency Response, effective April 21, 2020.

Mr. Gabriel Lavine, Emergency Services Director, presented this item. Mr. Lavine said this agreement is for emergency responders and health care workers that require isolation. Mr. Lavine said there is a revised version of the contract that was originally submitted that has been vetted and approved by Cochise College and the County Attorney's Office that will be provided for approval. The original agreement covered a broader scope of population. He detailed those and how the sheltering support would be approved and operated.

Vice-Chairman asked if the isolated individuals would need any health care.

Mr. Lavine said they would not and stated the requirements of this agreement.

Supervisor Judd stated her concerns for exposed health care workers and appreciation for this agreement.

Chairman Borer stated we had not received any public comment on this item.

Vice-Chairman English made a motion to approve Intergovernmental Agreement (IGA) between Cochise County and Cochise College for Non-Congregate Sheltering in support of the Covid-19 Emergency Response, effective April 21, 2020. Supervisor Judd seconded the motion.

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

Facilities

11. Approve grant of easement to Southwest Gas Corporation for parcel 405-37-008B, Bisbee Douglas International (BDI) Airport.

Mr. Henry Meraz, Facilities Director, presented this item using a PowerPoint presentation. Mr. Meraz showed the location of the easement around the pipeline. He said the pipeline will be replaced and gave the details of the project.

Vice-Chairman English said this will be a great improvement.

Chairman Borer stated we had not received any public comment on this item.

Supervisor Judd made a motion to approve grant of easement to Southwest Gas Corporation for parcel 405-37-008B, Bisbee Douglas International (BDI) Airport. Vice-Chairman English seconded the motion.

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

Housing Authority

12. Approve the Renewal Family Self-Sufficiency Grant FSS20AZ3239-01-00 awarded by the U.S. Department of Housing and Urban Development to the Housing Authority of Cochise County, in the amount of \$58,420, effective January 1, 2020 through December 31, 2020.

Ms. Anita Baca, Housing Director, presented this item. Ms. Baca said it is a reimbursement grant for the salary of one full-time coordinator position. The grant empowers recipients that

earn little or no income. Any Housing Authority income that decreases is put in an escrow account for the graduate. Those accounts have been used in the past for purchasing homes; receiving additional education; and creating a new business. The program is mandated by HUD to have at least 25 participants. Currently, the department has 28 participants earning escrow; resulting in \$4,500 per month for all involved.

Vice-Chairman English praised the program and the benefits of graduating.

Chairman Borer stated we had not received any public comment on this item.

Vice-Chairman English made a motion to approve the Renewal Family Self-Sufficiency Grant FSS20AZ3239-01-00 awarded by the U.S. Department of Housing and Urban Development to the Housing Authority of Cochise County, in the amount of \$58,420, effective January 1, 2020 through December 31, 2020. Supervisor Judd seconded the motion.

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

STATE & FEDERAL LEGISLATION

13. Discussion and possible action regarding state and federal legislative matters listed or described in the attached County Supervisors Association Legislative Policy Committee Agenda, the Arizona Association of Counties (AACo) Legislative Policy Committee Agenda, and the proposed State budget, and other matters related thereto.

Vice-Chairman English stated the legislature is not in session, however the Policy Committee continues to meet. The budget is only a projection at this time with the possibility of a 20-25% reduction that will affect small rural businesses. Mr. Sullivan, with the CSA, will let us know when we need to comment on legislation.

Supervisor Judd said several small businesses in her district applied for funding but did not receive it.

Chairman Borer said unfortunately this is the reality for the future of new businesses.

The Board took no action on this item.

REPORT BY EDWARD T. GILLIGAN COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

Mr. Gilligan said as we are dealing with the Covid-19 crisis there has been another workplace tragedy. Mr. Raul Perez, Public Works operator, died when cleaning a dump truck on April 6th. County departments worked to ensure benefits were received by the family and counseling given to co-workers. The County is working on processes and work site improvements to help eliminate this from happening in the future. He expressed his condolences to the Raul family. He also discussed work on other efficiencies throughout the County. He outlined what the Budget Work Session on Thursday would include.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Thomas E. Borer

Chairman Borer talked about community programs in which he is involved. He stressed the importance of practicing social distancing; mental/physical health; and enjoying the outdoors. He reviewed road projects and reiterated the budget challenges for the County.

Report by District 2 Supervisor, Ann English

Supervisor English expressed good humor during this current crisis.

Report by District 3 Supervisor, Peggy Judd

Supervisor Judd commented on some positive impacts the Covid-19 crisis has had in her community.

Chairman Borer adjourned the meeting at 11:26 a.m.

APPROVED:

Thomas E. Borer, Chairman

ATTEST:

Kim Lemons, Clerk of the Board

Regular Board of Supervisors Meeting

Board of Supervisors

Meeting Date: 05/05/2020

Proclamation - National Correctional Officers and Employees Week

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 na

TITLE na

of PRESENTER:

of PRESENTER:

Mandated Function?:

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

Information

Agenda Item Text:

Approve a proclamation to declare the second week of May 2020 as National Correctional Officers and Employees week in Cochise County.

Background:

On May 5, 1984, Ronald Reagan, the 40th President of the United States, delivered a proclamation designating the first week in May as National Correctional Officers Week. The importance of all staff members who serve cannot be overstated, because each has an important role, whether civilian or security staff. Those who serve in the field can easily identify with the depth and spirit found in the context the nearly 40-year old proclamation. The President—and possibly the Nation—began to recognize that we are no longer “guards,” but trained professionals.

Department's Next Steps (if approved):

n/a

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

2 original proclamations signed: send one to Commander Kenneth Bradshaw with certificate cover and file one in the Clerk of the Board office;

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

Proclamation



Cochise County Board of Supervisors

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

THOMAS E. BORER
Chairman
District 1

EDWARD T. GILLIGAN
County Administrator

ANN ENGLISH
Vice-Chairman
District 2

SHARON GILMAN
Associate County Administrator

PEGGY JUDD
Supervisor
District 3

KIM LEMONS
Clerk of the Board

PROCLAMATION

NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK

WHEREAS, the Cochise County Sheriff's Office is committed to together; maintain custody, security, and control in a safe, efficient, and constitutional manner; and

WHEREAS, Corrections Officers are unseen and often unappreciated, dedicated professionals who chose a career as community servants who manage a diverse group of individuals, some of whom are violent, mentally ill, and dangerous; and

WHEREAS, Corrections Officers are integral to ensuring the citizens of Cochise County are protected from people who the criminal justice system has determined are not safe to be at large in our communities; and

WHEREAS, in 1984, President Ronald Reagan designated the second week of May as National Correctional Officers and Employees Week.

NOW, THEREFORE, BE IT RESOLVED that the Cochise County Board of Supervisors proclaims the second week of May 2020 as National Correctional Officers and Employees Week in Cochise County.

APPROVED AND ADOPTED this 5th day of May 2020.

Thomas E. Borer, Chairman

Ann English, Vice-Chairman

Peggy Judd, Supervisor

Regular Board of Supervisors Meeting

Meeting Date: 05/05/2020

Arizona Governor's Office of Highway Safety Grant Amendment, Grant #2020-AL-015

Submitted By: Rich Morales, County Sheriff

Department: County Sheriff

Presentation: No A/V Presentation

Recommendation: Approve

Document Signatures: BOS Signature Required

of ORIGINALS 2
Submitted for Signature:

NAME of PRESENTER: Rich Morales

TITLE of PRESENTER: Lieutenant

Mandated Function?: Not Mandated

Source of Mandate or Basis for Support?:

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

Information

Agenda Item Text:

Approve amendment for Grant Agreement 2020-AI-015 between the Arizona Governor's Office of Highway Safety (AGOHS) and Cochise County Sheriff's Office to add funds to Capital Outlay for two Intoxilyzer 9000s, in the amount of \$20,271.57, effective May 5, 2020 through September 30, 2020.

Background:

The Cochise County Sheriff's Office has an existing grant with AGOHS for DUI/ Impaired Driver Enforcement. This is grant #2020-AL-015. The Sheriff's Office is currently using Intoxilyzer 8000 units. Arizona law enforcement agencies have begun switching to the Intoxilyzer 9000. These units are considered to be the new standard for DUI investigations. Purchasing the Intoxilyzer 9000's will help keep the Cochise County Sheriff's Office up to date with modern policing standards.

Department's Next Steps (if approved):

If approved, the Sheriff's Office will purchase two Intoxilyzer 9000 units.

Impact of NOT Approving/Alternatives:

If this funding is not approved, the Sheriff's Office will continue to use the Intoxilyzer 8000 units. This will create issues, as we are not able to find new user training for these systems. This is due to the age of the Intoxilyzer 8000 and the State of Arizona moving toward the use of the Intoxilyzer 9000. Our current Intoxilyzer 8000's are old and showing signs of wear. They are having to be repaired more frequently which can lead to issues while conducting a DUI investigation.

To BOS Staff: Document Disposition/Follow-Up:

Please sign 2 copies of original forms and send back to the Sheriff's Office.

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: 2020-2021

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

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

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

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

Source of Funding?: 20,271.57

Fiscal Impact & Funding Sources (if known):

N/A

Attachments

Grant Amendment



DOUGLAS A. DUCEY
GOVERNOR

ALBERTO GUTIER
DIRECTOR
GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVE

DATE: April 15, 2020

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

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

TRANSMITTAL: Amendment Number: 2020-042
Effective Date: April 15, 2020
Revision Number: 001
Project Coordinator: Chris Held
Contract Number: 2020-AL-015
Program Area: 402-AL

NARRATIVE:

The purpose of this Amendment is to add funds to Capital Outlay for two (2) Intoxilyzer 9000s for the Cochise County Sheriff's Office to enhance DUI/Impaired Driving Enforcement throughout Cochise County.

There is a **\$20,271.57** increase in Federal funds because of this Amendment.

ESTIMATED COSTS:

	<u>From</u>	<u>To</u>
I. Personnel Services (includes overtime)	\$17,857.00	\$17857.00
II. Employee Related Expenses (ERE %)	\$7,143.00	\$7,143.00
III. Professional and Outside Services	\$	\$
IV. Travel In-State	\$	\$
V. Travel Out-of-State	\$	\$
VI. Materials and Supplies	\$	\$
VII. Capital Outlay Two Intoxilyzer 9000s	\$0.00	\$20,271.57
TOTAL ESTIMATED COSTS	<u>\$25000.00</u>	<u>\$45,271.57</u>

*Includes all applicable training, tax, freight, and advertising costs. The GOHS reserves the right to limit reimbursement of Employee Related Expenses from zero (0) to a maximum rate of 40 percent. This is the maximum ERE amount to be reimbursed. It is agreed and understood that the Cochise County Sheriff's Office shall absorb any and all expenditures in excess of \$45,271.57.

AGREEMENT AND AUTHORIZATION TO PROCEED

by State Official responsible to the Governor for the administration of the State Highway Safety Agency.

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

Date

4-15-2020

Cochise County

Thomas Borer, Chairman

Board of Supervisors

ATTEST:

Kim Lemons, Clerk

Board of Supervisors

APPROVED AS TO FORM:

Britt Hanson

Civil Deputy County Attorney

Regular Board of Supervisors Meeting

Meeting Date: 05/05/2020

Demands

Submitted By: Amy Langer, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

**# of ORIGINALS
Submitted for Signature:**

**NAME
of PRESENTER:** n/a

**TITLE
of PRESENTER:** n/a

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

Demands

Demands 04/30/20
 Date Range 04/17/20-04/30/20
 Warrant Range 40103-40318

WARRANT #	CHECK DATE	VENDOR NAME	DEPARTMENT	FUND NAME	AMOUNT
40103	04/17/2020	Arizona Counties Insurance Pool	1600 - Finance	110 Payroll Clearing Fund	155,618.67
40104	04/17/2020	Cochise County/Sheakley/National Bank	1600 - Finance	110 Payroll Clearing Fund	4,279.22
40105	04/23/2020	Aqua Life	0920 - Justice Court 2	100 General Fund	22.00
40106	04/23/2020	Aristigue, AnnMarie	1900 - Development Services	100 General Fund	321.05
40107	04/23/2020	Arizona Association of County Engineers	4010 - Highway Dept Administration	251 Highway Fund	500.00
40108	04/23/2020	Arizona Department of Corrections	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	7.66
40108	04/23/2020	Arizona Department of Corrections	1750 - Fleet Management	109 Fleet Management	31.66
40108	04/23/2020	Arizona Department of Corrections	2100 - Facilities Management	100 General Fund	95.32
40108	04/23/2020	Arizona Department of Corrections	7000 - Solid Waste	505 Solid Waste	113.53
40109	04/23/2020	Arizona Public Service - APS	2100 - Facilities Management	100 General Fund	2,110.86
40109	04/23/2020	Arizona Public Service - APS	7000 - Solid Waste	505 Solid Waste	904.05
40110	04/23/2020	Arizona Water Company	2100 - Facilities Management	100 General Fund	3,918.95
40111	04/23/2020	B & D Lumber and Hardware	3000 - Sheriff	100 General Fund	210.92
40112	04/23/2020	Barnett's Towing & Oxygen LLC	3000 - Sheriff	100 General Fund	155.00
40113	04/23/2020	Barnett's Towing LLC	1750 - Fleet Management	109 Fleet Management	412.50
40114	04/23/2020	Be Strong LLC	1750 - Fleet Management	100 General Fund	513.80
40115	04/23/2020	Bear Cat Manufacturing, Inc.	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	43.46
40116	04/23/2020	Benjamin Supply Inc.	3000 - Sheriff	100 General Fund	231.55
40117	04/23/2020	Benson Autobody Inc. dba Benson Glass	1750 - Fleet Management	100 General Fund	1,918.56
40118	04/23/2020	BI Incorporated	1200 - Juvenile Court Services	555 Juvenile Treatment Svcs	649.32
40119	04/23/2020	Bisbee Napa	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	571.52
40119	04/23/2020	Bisbee Napa	1750 - Fleet Management	109 Fleet Management	661.40
40120	04/23/2020	C & C Manufacturing LLC	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	310.44
40121	04/23/2020	Cable One dba Sparklight	2100 - Facilities Management	100 General Fund	93.98
40122	04/23/2020	Cashman, William	4010 - Highway Dept Administration	251 Highway Fund	95.00
40123	04/23/2020	CenturyLink Communications	1800 - IT/Communications	100 General Fund	2,372.36
40124	04/23/2020	CenturyLink Communications	1100 - Adult Probation	147 Adult Probation Svcs Fee	147.06
40124	04/23/2020	CenturyLink Communications	1200 - Juvenile Court Services	100 General Fund	34.50
40124	04/23/2020	CenturyLink Communications	1400 - General Government	216 SEACOM Operations	50.60
40124	04/23/2020	CenturyLink Communications	2100 - Facilities Management	105 Bisbee/Douglas Airport	83.51
40124	04/23/2020	CenturyLink Communications	3000 - Sheriff	100 General Fund	35.06
40124	04/23/2020	CenturyLink Communications	7000 - Solid Waste	505 Solid Waste	148.25
40125	04/23/2020	Clear Channel Outdoor	0100 - Board of Supervisors	100 General Fund	3,157.28
40126	04/23/2020	Cochise County Sheriff's Department	1350 - Legal Defender	100 General Fund	6.00
40127	04/23/2020	Concentra Medical Centers	3000 - Sheriff	100 General Fund	188.50
40128	04/23/2020	Copper Queen Community Hospital	0100 - Board of Supervisors	251 Highway Fund	130.00
40129	04/23/2020	Cordova, Alecando	4010 - Highway Dept Administration	251 Highway Fund	95.00
40130	04/23/2020	CRM of America LLC	7000 - Solid Waste	506 Waste Tire Grant	5,034.29
40131	04/23/2020	Diamondback Police Supply Co	1100 - Adult Probation	159 Juv.Prob.Surveillance Gri	697.80
40132	04/23/2020	Dorame, Gamaliel Antonio Rabago	2100 - Facilities Management	400 County Capital Projects	12,950.00
40133	04/23/2020	Douglas, City of	3000 - Sheriff	100 General Fund	2,994.15
40134	04/23/2020	Election Systems & Software LLC	0500 - Elections	100 General Fund	2,066.44
40135	04/23/2020	Empire Southwest LLC	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	5,406.34
40136	04/23/2020	Helm, Livesay, & Worthington, Ltd	1600 - Finance	100 General Fund	10.28
40137	04/23/2020	Interstate Battery	1750 - Fleet Management	109 Fleet Management	456.29
40138	04/23/2020	JWS Web Design LLC	1800 - IT/Communications	100 General Fund	375.00
40139	04/23/2020	Keefe Commissary Network, LLC	3000 - Sheriff	208 Sheriff Inmate Welfare	2,814.53
40140	04/23/2020	Mack's Auto Parts Inc	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	341.18
40141	04/23/2020	Merle's Automotive Supply	1750 - Fleet Management	109 Fleet Management	1,469.10
40142	04/23/2020	MGT OF AMERICA CONSULTING, LLC	1600 - Finance	100 General Fund	12,790.00

WARRANT #	CHECK DATE	VENDOR NAME	DEPARTMENT	FUND NAME	AMOUNT
40143	04/23/2020	Nyander, Penny Sue	1350 - Legal Defender	100 General Fund	115.50
40144	04/23/2020	PrevenTronics	0810 - Court Administration	100 General Fund	4,610.01
40144	04/23/2020	PrevenTronics	1800 - IT/Communications	100 General Fund	51,727.27
40145	04/23/2020	Professional Development Academy, LLC	0100 - Board of Supervisors	100 General Fund	495.00
40146	04/23/2020	Prudential Overall Supply	1710 - Heavy Fleet Management	600 Heavy Fleet Management	58.64
40146	04/23/2020	Prudential Overall Supply	1750 - Fleet Management	109 Fleet Management	137.84
40146	04/23/2020	Prudential Overall Supply	2000 - Airport Operations	105 Bisbee/Douglas Airport	217.40
40147	04/23/2020	PTS-Prisoner Transportation Services America LLC	3000 - Sheriff	100 General Fund	3,417.00
40148	04/23/2020	Purcell Tire & Rubber Company	1710 - Heavy Fleet Management	600 Heavy Fleet Management	3,910.37
40149	04/23/2020	R&R Repair LLC	7000 - Solid Waste	505 Solid Waste	7,064.29
40150	04/23/2020	RevolutionaryText, LLC	0810 - Court Administration	100 General Fund	1,493.30
40151	04/23/2020	Ruiz Tire Shop	1750 - Fleet Management	109 Fleet Management	8.00
40152	04/23/2020	Runbeck Election Services Inc.	0400 - Recorder	100 General Fund	20,713.24
40153	04/23/2020	RWC Group	1710 - Heavy Fleet Management	600 Heavy Fleet Management	5,167.20
40154	04/23/2020	Schlesinger, Aaron	1350 - Legal Defender	100 General Fund	199.50
40155	04/23/2020	Senergy Petroleum LLC	1710 - Heavy Fleet Management	600 Heavy Fleet Management	3,754.49
40155	04/23/2020	Senergy Petroleum LLC	1750 - Fleet Management	109 Fleet Management	8,350.46
40156	04/23/2020	Seton Name Plate Company	3000 - Sheriff	100 General Fund	733.97
40157	04/23/2020	Sheakley Pension Administration Inc.	2200 - Human Resources	501 Cochise Combined Trust	558.25
40158	04/23/2020	Sierra Vista NAPA	1710 - Heavy Fleet Management	600 Heavy Fleet Management	565.00
40159	04/23/2020	Southwest Gas Corporation	4010 - Highway Dept Administration	251 Highway Fund	38.24
40160	04/23/2020	Sparkman Enterprises LLC dba Sparkman Home Service	2100 - Facilities Management	400 County Capital Projects	5,992.16
40161	04/23/2020	Stamback Septic Service	2100 - Facilities Management	105 Bisbee/Douglas Airport	201.59
40161	04/23/2020	Stamback Septic Service	4010 - Highway Dept Administration	251 Highway Fund	302.39
40161	04/23/2020	Stamback Septic Service	7000 - Solid Waste	505 Solid Waste	611.50
40162	04/23/2020	Stericycle Inc.	3000 - Sheriff	100 General Fund	2,066.18
40163	04/23/2020	Sulphur Springs Valley Electric Cooperative, Inc.	4010 - Highway Dept Administration	251 Highway Fund	1,166.76
40163	04/23/2020	Sulphur Springs Valley Electric Cooperative, Inc.	7000 - Solid Waste	505 Solid Waste	1,050.91
40164	04/23/2020	Technical Resource Management, Inc.	1100 - Adult Probation	149 Adult Prob.Comm.Punish	1,644.00
40165	04/23/2020	Thomson West	0810 - Court Administration	151 Law Library	2,952.60
40166	04/23/2020	Those Guys Auto	1750 - Fleet Management	100 General Fund	219.96
40166	04/23/2020	Those Guys Auto	1750 - Fleet Management	109 Fleet Management	96.44
40167	04/23/2020	Traywick, Catherine Lynn	0200 - Treasurer	100 General Fund	651.14
40168	04/23/2020	UniFirst Corporation	2100 - Facilities Management	100 General Fund	153.28
40169	04/23/2020	Valley Telephone Cooperative, Inc.	3000 - Sheriff	100 General Fund	108.84
40169	04/23/2020	Valley Telephone Cooperative, Inc.	3000 - Sheriff	208 Sheriff Inmate Welfare	89.90
40169	04/23/2020	Valley Telephone Cooperative, Inc.	4010 - Highway Dept Administration	251 Highway Fund	287.97
40170	04/23/2020	VCA Apache Animal Hospital	3000 - Sheriff	207 Sheriff Donations Fund	221.11
40171	04/23/2020	W. R. Ryan Company	1750 - Fleet Management	109 Fleet Management	1,599.55
40172	04/23/2020	Waxie Sanitary Supply	2100 - Facilities Management	100 General Fund	565.95
40172	04/23/2020	Waxie Sanitary Supply	3000 - Sheriff	100 General Fund	1,358.99
40173	04/23/2020	Wick Communications	0200 - Treasurer	100 General Fund	275.17
40174	04/23/2020	Wick Communications	1900 - Development Services	100 General Fund	634.38
40175	04/23/2020	Zumar Industries, Inc.	4010 - Highway Dept Administration	251 Highway Fund	36,168.00
40176	04/23/2020	Arizona Public Defender Association	1300 - Public Defender	101 Public Defender Training	3,002.08
40177	04/23/2020	Arizona Public Defender Association	1350 - Legal Defender	100 General Fund	1,876.56
40178	04/23/2020	Arizona Public Defender Association	1310 - Legal Advocate	100 General Fund	2,376.56
40179	04/23/2020	Hopper Jr., Albert N	2100 - Facilities Management	400 County Capital Projects	9,620.00
40180	04/23/2020	Moots, Dominic D.	4010 - Highway Dept Administration	251 Highway Fund	100.00
40181	04/23/2020	Trachtman, Sean	1800 - IT/Communications	100 General Fund	1,120.00
40182	04/23/2020	Acuna, Ernesto	0920 - Justice Court 2	100 General Fund	20.92
40183	04/23/2020	Sheila Ayrom	0920 - Justice Court 2	100 General Fund	20.92

WARRANT #	CHECK DATE	VENDOR NAME	DEPARTMENT	FUND NAME	AMOUNT
40184	04/23/2020	Berean Academy	0950 - Justice Court 5	100 General Fund	142.36
40185	04/23/2020	JOSEPH BURLEY	0950 - Justice Court 5	100 General Fund	1,000.00
40186	04/23/2020	CITY OF WILLCOX	0940 - Justice Court 4	100 General Fund	305.00
40187	04/23/2020	Ana Diaz	0920 - Justice Court 2	100 General Fund	16.81
40188	04/23/2020	MACKENZIE DAWN JONES	0930 - Justice Court 3	100 General Fund	46.86
40189	04/23/2020	JONATHON MERTON SCHRIVER III	0930 - Justice Court 3	100 General Fund	379.00
40190	04/23/2020	Sierra Vista Police Department	0950 - Justice Court 5	100 General Fund	130.16
40191	04/23/2020	Sierra Vista Unified School District No. 68	0950 - Justice Court 5	100 General Fund	134.22
40192	04/23/2020	TRAVELERS HOME & MARINE INS. CO.	0950 - Justice Court 5	100 General Fund	50.00
40193	04/23/2020	Walmart	0920 - Justice Court 2	100 General Fund	5.80
40194	04/30/2020	AlphaGraphics	0700 - Clerk of the Superior Court	100 General Fund	5,238.37
40194	04/30/2020	AlphaGraphics	7000 - Solid Waste	505 Solid Waste	993.84
40195	04/30/2020	Amazon.com LLC	8000 - County Library District	171 County Library	431.28
40195	04/30/2020	Amazon.com LLC	8000 - County Library District	182 CFSA-Troller Fund	322.55
40196	04/30/2020	Arizona Department of Corrections	3000 - Sheriff	203 Jail Enhancement	1,620.00
40197	04/30/2020	Arizona Medical Waste, LLC	5000 - Health Dept	100 General Fund	298.88
40198	04/30/2020	Arizona Public Service - APS	4010 - Highway Dept Administration	251 Highway Fund	769.07
40199	04/30/2020	Arizona Public Service - APS	2100 - Facilities Management	100 General Fund	26,506.20
40199	04/30/2020	Arizona Public Service - APS	7000 - Solid Waste	505 Solid Waste	852.83
40200	04/30/2020	Arizona Water Company	7000 - Solid Waste	505 Solid Waste	199.75
40201	04/30/2020	Arizona Water Company	2100 - Facilities Management	100 General Fund	2,744.28
40201	04/30/2020	Arizona Water Company	7000 - Solid Waste	505 Solid Waste	32.28
40202	04/30/2020	Atomic Nutrition, LLC	5000 - Health Dept	228 W.I.C. Grant	5,073.00
40203	04/30/2020	B & D Lumber and Hardware	3000 - Sheriff	100 General Fund	75.62
40204	04/30/2020	Banner-University Physicians Healthcare, Inc.	0810 - Court Administration	100 General Fund	500.00
40205	04/30/2020	Bella Vista Water Company-Liberty Water	2100 - Facilities Management	100 General Fund	1,085.92
40205	04/30/2020	Bella Vista Water Company-Liberty Water	2100 - Facilities Management	216 SEACOM Operations	115.36
40206	04/30/2020	Benson Autobody Inc. dba Benson Glass	1750 - Fleet Management	100 General Fund	1,792.65
40207	04/30/2020	Benson, City of	4010 - Highway Dept Administration	251 Highway Fund	403.33
40208	04/30/2020	Bisbee Napa	1750 - Fleet Management	109 Fleet Management	824.43
40209	04/30/2020	Blackstone Audio, Inc.	8000 - County Library District	171 County Library	229.98
40210	04/30/2020	Budget Towing	1750 - Fleet Management	100 General Fund	395.00
40211	04/30/2020	Canyon Vista Medical Center	5000 - Health Dept	100 General Fund	2,700.00
40212	04/30/2020	Cardinal Health Inc.	5000 - Health Dept	232 Family Planning	1,154.11
40212	04/30/2020	Cardinal Health Inc.	5000 - Health Dept	234 TB Control	67.74
40213	04/30/2020	Castleberry, Rick	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	100.00
40214	04/30/2020	CenturyLink Communications	1800 - IT/Communications	100 General Fund	3,188.67
40214	04/30/2020	CenturyLink Communications	8000 - County Library District	171 County Library	1,467.15
40215	04/30/2020	CenturyLink Communications	0100 - Board of Supervisors	100 General Fund	70.66
40215	04/30/2020	CenturyLink Communications	0700 - Clerk of the Superior Court	100 General Fund	102.64
40215	04/30/2020	CenturyLink Communications	0910 - Justice Court 1	100 General Fund	40.07
40215	04/30/2020	CenturyLink Communications	0920 - Justice Court 2	100 General Fund	68.86
40215	04/30/2020	CenturyLink Communications	1750 - Fleet Management	109 Fleet Management	34.38
40215	04/30/2020	CenturyLink Communications	1800 - IT/Communications	100 General Fund	6,352.26
40215	04/30/2020	CenturyLink Communications	2100 - Facilities Management	105 Bisbee/Douglas Airport	181.20
40215	04/30/2020	CenturyLink Communications	3000 - Sheriff	100 General Fund	556.79
40215	04/30/2020	CenturyLink Communications	4010 - Highway Dept Administration	251 Highway Fund	34.43
40215	04/30/2020	CenturyLink Communications	5000 - Health Dept	100 General Fund	103.09
40215	04/30/2020	CenturyLink Communications	5000 - Health Dept	243 Immunization Program	102.94
40215	04/30/2020	CenturyLink Communications	7000 - Solid Waste	505 Solid Waste	338.73

WARRANT #	CHECK DATE	VENDOR NAME	DEPARTMENT	FUND NAME	AMOUNT
40216	04/30/2020	Cintas Corporation No. 445	4010 - Highway Dept Administration	251 Highway Fund	3,688.12
40217	04/30/2020	Clear Springs Utility, Inc.	4010 - Highway Dept Administration	251 Highway Fund	172.83
40218	04/30/2020	Cochise Lock and Safe, Inc.	2100 - Facilities Management	100 General Fund	246.87
40218	04/30/2020	Cochise Lock and Safe, Inc.	3000 - Sheriff	100 General Fund	9.72
40219	04/30/2020	Complete Aviation Fuel Systems	2000 - Airport Operations	105 Bisbee/Douglas Airport	2,457.85
40220	04/30/2020	Concentra Medical Centers	3000 - Sheriff	100 General Fund	313.00
40221	04/30/2020	Conney Safety Products	1750 - Fleet Management	109 Fleet Management	336.02
40222	04/30/2020	Copper Queen Community Hospital	5000 - Health Dept	100 General Fund	147.14
40223	04/30/2020	COX Communication Arizona, LLC	1400 - General Government	216 SEACOM Operations	112.40
40224	04/30/2020	CRM of America LLC	7000 - Solid Waste	506 Waste Tire Grant	2,735.52
40225	04/30/2020	Culligan of Tucson	0600 - County Attorney	100 General Fund	354.26
40226	04/30/2020	David M Waterman dba Law Offices of David Waterman	0100 - Board of Supervisors	100 General Fund	1,000.00
40227	04/30/2020	Deneke, Buffy	0810 - Court Administration	100 General Fund	439.60
40228	04/30/2020	Empire Southwest LLC	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	1,129.64
40229	04/30/2020	Federal Express Corporation	3000 - Sheriff	100 General Fund	134.67
40230	04/30/2020	FRED RYAN SLAWSON DBA ORBITAL GAMES & COMI	8000 - County Library District	182 CFSA-Troller Fund	108.05
40231	04/30/2020	Griffith, David Bruce	0100 - Board of Supervisors	100 General Fund	2,000.00
40232	04/30/2020	Griffith, John W	0100 - Board of Supervisors	100 General Fund	500.00
40233	04/30/2020	Health Management Associates, Inc.	5000 - Health Dept	100 General Fund	9,150.00
40234	04/30/2020	HOV Services Inc/Lason Systems	0700 - Clerk of the Superior Court	100 General Fund	106.58
40235	04/30/2020	Interstate Battery	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	28.24
40235	04/30/2020	Interstate Battery	1750 - Fleet Management	109 Fleet Management	110.82
40236	04/30/2020	IronHawk Elevator LLC	2100 - Facilities Management	100 General Fund	3,150.00
40237	04/30/2020	Law Office of Stephanie C. Stoltman	0100 - Board of Supervisors	100 General Fund	1,000.00
40238	04/30/2020	Legend Technical Services of Arizona, Inc.	2100 - Facilities Management	105 Bisbee/Douglas Airport	57.00
40239	04/30/2020	Lowell A. Jensen, PLC	0100 - Board of Supervisors	100 General Fund	200.00
40240	04/30/2020	Mack's Auto Parts Inc	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	518.99
40240	04/30/2020	Mack's Auto Parts Inc	1750 - Fleet Management	109 Fleet Management	1,031.68
40241	04/30/2020	Manch Law Firm PLLC	0100 - Board of Supervisors	100 General Fund	4,087.20
40242	04/30/2020	Merle's Automotive Supply	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	106.96
40242	04/30/2020	Merle's Automotive Supply	1750 - Fleet Management	109 Fleet Management	382.03
40243	04/30/2020	Net Transcripts, Inc.	0600 - County Attorney	100 General Fund	94.25
40244	04/30/2020	Nyander, Penny Sue	0600 - County Attorney	124 Attrny Anti-Racketeering	102.00
40244	04/30/2020	Nyander, Penny Sue	0810 - Court Administration	100 General Fund	584.20
40245	04/30/2020	Online Solutions LLC	1800 - IT/Communications	450 M.I.S. Capital Reserve	43,500.00
40246	04/30/2020	OverDrive, Inc.	8000 - County Library District	171 County Library	359.99
40246	04/30/2020	OverDrive, Inc.	8000 - County Library District	175 Friends of Library	296.44
40247	04/30/2020	Prudential Overall Supply	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	168.55
40247	04/30/2020	Prudential Overall Supply	1750 - Fleet Management	109 Fleet Management	146.61
40248	04/30/2020	Pueblo del Sol Water Company	4010 - Highway Dept Administration	251 Highway Fund	8.20
40249	04/30/2020	RELIAS, LLC	3000 - Sheriff	203 Jail Enhancement	9,673.81
40250	04/30/2020	RevolutionaryText, LLC	0810 - Court Administration	100 General Fund	451.50
40251	04/30/2020	Richardsons Remembrance Center	5000 - Health Dept	100 General Fund	2,245.00
40252	04/30/2020	Rothrock Investigations, LLC	0100 - Board of Supervisors	100 General Fund	550.18
40253	04/30/2020	RWC Group	1710 - Heavy Fleet Management	600 Heavy Fleet Managemen	19,493.65
40254	04/30/2020	Safelite Autoglass Corp.	1750 - Fleet Management	100 General Fund	349.23
40255	04/30/2020	Sarah Michele Martin	0100 - Board of Supervisors	100 General Fund	2,700.00
40256	04/30/2020	Schlesinger, Aaron	0810 - Court Administration	100 General Fund	378.00
40257	04/30/2020	Sedillos, Lorna Gries	5000 - Health Dept	245 Health Start	200.00

WARRANT #	CHECK DATE	VENDOR NAME	DEPARTMENT	FUND NAME	AMOUNT
40258	04/30/2020	Senergy Petroleum LLC	1710 - Heavy Fleet Management	600 Heavy Fleet Management	11,261.54
40259	04/30/2020	Senergy Petroleum LLC	1750 - Fleet Management	109 Fleet Management	1,893.51
40260	04/30/2020	Sierra Vista NAPA	1710 - Heavy Fleet Management	600 Heavy Fleet Management	251.78
40261	04/30/2020	Jonathan E. Smith	0940 - Justice Court 4	100 General Fund	50.00
40262	04/30/2020	Smith III, Lorin	7000 - Solid Waste	505 Solid Waste	159.99
40263	04/30/2020	Southwest Gas Corporation	2100 - Facilities Management	100 General Fund	283.13
40263	04/30/2020	Southwest Gas Corporation	4010 - Highway Dept Administration	251 Highway Fund	76.82
40264	04/30/2020	Sparkletts	0100 - Board of Supervisors	100 General Fund	67.93
40264	04/30/2020	Sparkletts	1800 - IT/Communications	100 General Fund	76.55
40264	04/30/2020	Sparkletts	8000 - County Library District	171 County Library	51.24
40265	04/30/2020	Stericycle Inc.	5000 - Health Dept	100 General Fund	825.11
40266	04/30/2020	Streitfeld, Stephen V. MD PC	0810 - Court Administration	100 General Fund	1,000.00
40267	04/30/2020	Sulphur Springs Valley Electric Cooperative, Inc.	2100 - Facilities Management	100 General Fund	3,518.99
40267	04/30/2020	Sulphur Springs Valley Electric Cooperative, Inc.	4010 - Highway Dept Administration	251 Highway Fund	503.65
40267	04/30/2020	Sulphur Springs Valley Electric Cooperative, Inc.	7000 - Solid Waste	505 Solid Waste	968.88
40268	04/30/2020	The Bisbee Observer LLC	0200 - Treasurer	100 General Fund	255.83
40269	04/30/2020	Those Guys Auto	1750 - Fleet Management	100 General Fund	107.40
40270	04/30/2020	Thrall, Scott	0100 - Board of Supervisors	100 General Fund	934.00
40271	04/30/2020	Trademark Visual, Inc.	1750 - Fleet Management	109 Fleet Management	1,816.04
40272	04/30/2020	Truly Nolen Exterminating Inc	7000 - Solid Waste	505 Solid Waste	212.20
40273	04/30/2020	UniFirst Corporation	2100 - Facilities Management	100 General Fund	153.28
40273	04/30/2020	UniFirst Corporation	7000 - Solid Waste	505 Solid Waste	345.22
40274	04/30/2020	United States Department of the Interior	4110 - Engineering & Natural Resource	261 Flood Control Distric	19,306.25
40275	04/30/2020	Valley Telephone Cooperative, Inc.	8000 - County Library District	171 County Library	191.33
40276	04/30/2020	VCA Animal Hospitals, Inc.	3000 - Sheriff	205 Sheriff Law Enforcement	1,596.28
40277	04/30/2020	VCA Apache Animal Hospital	3000 - Sheriff	203 Jail Enhancement	143.59
40277	04/30/2020	VCA Apache Animal Hospital	3000 - Sheriff	205 Sheriff Law Enforcement	169.82
40278	04/30/2020	Vermeer Sales Southwest	1710 - Heavy Fleet Management	600 Heavy Fleet Management	398.75
40279	04/30/2020	Voyager Fleet System, Inc.	1750 - Fleet Management	109 Fleet Management	4,001.34
40280	04/30/2020	W W Grainger Inc	2100 - Facilities Management	100 General Fund	639.16
40281	04/30/2020	W W Grainger Inc	5000 - Health Dept	218 Homeland Security Grant	7,530.78
40282	04/30/2020	W. R. Ryan Company	1750 - Fleet Management	109 Fleet Management	818.77
40283	04/30/2020	Watson Chevrolet Inc	1750 - Fleet Management	109 Fleet Management	487.99
40284	04/30/2020	Waxie Sanitary Supply	2100 - Facilities Management	100 General Fund	479.35
40285	04/30/2020	Western Emulsion, Inc	4010 - Highway Dept Administration	251 Highway Fund	22,661.35
40286	04/30/2020	Westlawn Chapel & Mortuary	5000 - Health Dept	100 General Fund	500.00
40287	04/30/2020	Wick Communications	3000 - Sheriff	100 General Fund	657.73
40288	04/30/2020	WilliamsRDM, Inc.	3000 - Sheriff	570 GIITEM	4,498.10
40289	04/30/2020	WIST Office Products Co	0600 - County Attorney	100 General Fund	772.47
40290	04/30/2020	Workers Assistance Program, Inc	2200 - Human Resources	100 General Fund	2,400.00
40291	04/30/2020	Zumar Industries, Inc.	4010 - Highway Dept Administration	251 Highway Fund	8,963.74
40292	04/30/2020	Arizona Supreme Court	1100 - Adult Probation	591 Adult Probation LEARN L	2,160.00
40293	04/30/2020	Arizona Supreme Court	1100 - Adult Probation	540 Drug Treatment Educatio	39,639.00
40294	04/30/2020	Trachtman, Sean	1800 - IT/Communications	100 General Fund	997.50
40295	04/30/2020	Erica Acosta	0920 - Justice Court 2	100 General Fund	25.00
40296	04/30/2020	Adam, Connie	0950 - Justice Court 5	100 General Fund	71.00
40297	04/30/2020	Andrade, Michael	0950 - Justice Court 5	100 General Fund	1,147.06
40298	04/30/2020	Contreras, Jesus	0920 - Justice Court 2	100 General Fund	16.81
40299	04/30/2020	Petra Cornel	0950 - Justice Court 5	100 General Fund	361.00

WARRANT #	CHECK DATE	VENDOR NAME	DEPARTMENT	FUND NAME	AMOUNT
40300	04/30/2020	MARCO DAGNINO	0950 - Justice Court 5	100 General Fund	549.00
40301	04/30/2020	Gabriel C. Dare	0950 - Justice Court 5	100 General Fund	376.00
40302	04/30/2020	SOPHIA ESCAMILLA	0910 - Justice Court 1	100 General Fund	158.00
40303	04/30/2020	ETHAN ELKIN FRANKSTON	0950 - Justice Court 5	100 General Fund	10,000.00
40304	04/30/2020	Andrew Gasson	0950 - Justice Court 5	100 General Fund	68.00
40305	04/30/2020	Ramon Guerrero	0920 - Justice Court 2	100 General Fund	200.00
40306	04/30/2020	Jennings, Jeffrey	0950 - Justice Court 5	100 General Fund	16.81
40307	04/30/2020	LARRY A LEACH	0910 - Justice Court 1	100 General Fund	100.00
40308	04/30/2020	Llanes, Luz	0920 - Justice Court 2	100 General Fund	30.00
40309	04/30/2020	Morales, Irene	0950 - Justice Court 5	100 General Fund	118.00
40310	04/30/2020	Murphy, Cindy	0950 - Justice Court 5	100 General Fund	218.48
40311	04/30/2020	Lisa Georgene Outland	0920 - Justice Court 2	100 General Fund	168.07
40312	04/30/2020	Pesina, Francisco	0940 - Justice Court 4	100 General Fund	100.00
40313	04/30/2020	SARAH PIETRO	0930 - Justice Court 3	100 General Fund	100.00
40314	04/30/2020	NICHOLAS SAINT RODRIGUEZ NUNEZ	1600 - Finance	100 General Fund	1,500.00
40315	04/30/2020	STEPHANIE VARELA	0950 - Justice Court 5	100 General Fund	39.90
40316	04/30/2020	Walmart	0920 - Justice Court 2	100 General Fund	42.02
40317	04/30/2020	Walmart	0930 - Justice Court 3	100 General Fund	25.00
40318	04/30/2020	Cochise County/Sheakley/National Bank	1600 - Finance	110 Payroll Clearing Fund	4,279.22
					767,565.83

Regular Board of Supervisors Meeting

Meeting Date: 05/05/2020

Docket R-20-02 (Light Pollution) Amendment to Articles 16 and 23 the Cochise County Zoning Regulations

Submitted By: Christine McLachlan, Development Services

Department: Development Services

Presentation: PowerPoint **Recommendation:** Approve

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

NAME of PRESENTER: Christine McLachlan **TITLE of PRESENTER:** Planner II

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

Docket Number (If applicable): R-20-02

Information

Agenda Item Text:

Adopt Zoning Ordinance 20-09 to approve Docket R-20-02 (Light Pollution), an amendment to the Cochise County Zoning Regulations, Article 16, Light Pollution and Article 23, Enforcement.

Background:

Docket R-20-02 amends Article 16 (Light Pollution) to mandate the use of shielded light in all permanently used lamps not under a roof or overhang within residential uses, improve definitions associated with this Article, and clarify measurement of light trespass. In addition, the amendment also proposes adding the term "outdoor lighting" to Article 23 Enforcement and deleting the stand-alone Light Pollution Enforcement contained in Article 1611. The modifications are intended to better support the purpose of Article 16, specifically as it related to promoting efficient lighting that minimizes man-made light pollution.

Department's Next Steps (if approved):

The Cochise County Zoning Regulations, Articles 16 and 23, will be amended, as shown in Exhibit A attached to the Ordinance.

Impact of NOT Approving/Alternatives:

The regulations contained with the light pollution code will not be amended.

To BOS Staff: Document Disposition/Follow-Up:

Sign and record ordinance and provide a copy to Development Services.

Budget Information

Information about available funds

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

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

Staff Memo
Zoning Ordinance
Staff Presentation



Cochise County
Community Development
Planning, Zoning and Building Safety Division

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

MEMORANDUM

TO: Cochise County Board of Supervisors
FROM: Christine McLachlan, AICP, Planner II
FOR: Daniel Coxworth, AICP, Development Services Director
SUBJECT: Docket R-20-02 (Zoning Amendment, Light Pollution)
DATE: April 23, 2020 for the May 5, 2020 meeting

I. BACKGROUND AND PROPOSED CHANGES

Docket R-20-02 is a proposed amendment to the Cochise County Zoning Regulations Article 16, Light Pollution and Article 23 Enforcement. As stated in Section 1601, the purpose of the Light Pollution Regulations is:

- To achieve effective and efficient lighting, while preserving the safety, security, and well-being of County residents and visitors.
- To protect and enhance the lawful nighttime use and enjoyment of all property through protection of and access to the dark night skies, and to encourage the conservation of energy and other resources.
- To specify and encourage lighting practices and systems that will minimize the adverse man-made light pollution effects of sky-glow, glare and light trespass.
- To ensure that all signs installed in the County are compatible with the County's largely rural character, are in compliance with the Comprehensive Plan, and to ensure that no sign shall be brighter than is necessary for clear and adequate visibility.

All outdoor electrical illuminating devices must be installed in conformance with these requirements. Overall, the modifications included within this docket are intended to simplify the light pollution regulations, which benefits residents, homebuilders as well as Cochise County Code Enforcement. The modifications are also intended to better support the purpose of this Article, specifically as it related to promoting efficient lighting that minimizes man-made light pollution.

On April 8, 2020, Staff presented draft regulations to the Planning and Zoning Commission during a public hearing. At that public hearing, the Planning and Zoning Commission voted unanimously (7-0) to forward Docket R-20-02, Zoning Amendment, Light Pollution, with a recommendation of approval to the Board of

Planning, Zoning and Building Safety

1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Supervisors. Staff now proposes amending Articles 16 and 23, as indicated by Exhibit A, to the Cochise County Zoning Regulations.

More specifically, the proposed changes are as follows:

1603 Definitions

Section 1603 Definition. A definition is provided for the term “Light meter” and an amended definition is provided for “Foot-candle, average,” as follows:

Foot-candle, average - A unit of illumination produced on a surface, measured by a light meter at an average point of illumination between the brightest and darkest areas. The measurement can be made at the ground surface or at four to five feet above the ground. For the purpose of this Article, one foot-candle is equivalent to one lumen per square foot.

Light meter - a device used to measure the amount of light on a surface.

Lumen - A unit used to measure the total amount of light that is produced by a lamp. For the purpose of this code, one lumen is equivalent to one foot-candle per square foot.

Rationale of Change:

- 1. The equivalency of lumens to foot-candles is dependent on the distance from light source to surface; consequently, the distance of one square foot has been added to the definitions of lumens and foot-candles.*
- 2. Currently, the manner for measuring illumination is included in section 1605.01. By including the way light should be measured in the definition, it will apply equally to this entire Article of the Regulations.*

Section 1605.01 Light Trespass and Glare

- All fixtures and lamps shall be located, installed, directed, shielded, and maintained to avoid light trespass and to minimize direct light and/or glare on neighboring properties and roadways. Accent lighting shall be directed onto the building or object and not toward the sky or onto adjacent properties.
- ~~For a receiving residential site, the~~ The level of light trespass shall not exceed 0.2-foot-candles ~~0.2 lumens as measured with a lumen meter’s sensor perpendicular to the light source at a height of five feet above the ground and~~ at the property line of a residential property. For a ~~receiving non-residential site~~ property, the level of light trespass shall not exceed 0.5-footcandles under the same parameters.

Rationale of Change:

- 1. Currently, the term “lumens” is mistakenly used in place of “foot-candles.” Light trespass is measured by illumination on a surface, not by the lighting source. This should be corrected.*
- 2. The light measurement method is proposed to be moved to the definition section.*
- 3. The term “receiving property” is proposed to be eliminated in favor of a more simplified measurement at the property line.*

1605.03 Lighting Types, Shielding and Curfew Requirements

C. Shielding Requirements for Residential Uses

1. For residential uses, ~~any all permanently used lamp types with output of 1,000 lumens or more shall be fully shielded. If multiple lamps of less than 1,000 lumens are used, and the total lumens are greater than 1,000 lumens in total then shielding is required.~~
2. Lighting for multiple household dwellings is not considered Residential, and must comply with all requirements for non-residential lighting, including, but not limited to lumen caps and curfews for decorative lighting.
3. Unshielded lighting for residential uses under roof or porch overhangs shall be considered compliant provided such lighting meets the light and trespass glare requirements of 1605.01.
4. Seasonal decorations using typical unshielded low-lumen incandescent lamps shall be permitted from Thanksgiving to January 15.
5. ~~All light fixtures located within 25 feet of the property line adjacent to residential use shall use fully shielded luminaries.~~

Rationale of Change:

1. *Currently, on residential uses, shielding is only required if the total amount of lumens meets or exceeds 1,000 lumens. This amendment instead proposes that all lights on residential uses should be shielded.*
2. *Provision 3 has been added to apply in cases where there are roof overhangs. Provided that the light trespass level does not exceed does not exceed 0.2 fc (at the property line of residential uses or 0.5 fc at non-residential uses, unshielded lights shall be considered compliant.*
3. *Provision 4 has been added to exempt seasonal decorations, within the specified period, from compliance with this article. This is identical to the exemption provided to non-residential uses.*

**Table 16.1
MAXIMUM TOTAL OUTDOOR LIGHT OUTPUT STANDARDS LUMEN CAPS**

All Uses in Commercial and Industrial Zoning Districts (NB, GB, LI, HI)⁵	
Total shielded	150,000-lumens per acre of developed site ^{1, 4, 5}
Total Unshielded	3,000-lumens per acre of developed site ^{2,3,5}
Non-Residential Uses in Residential and Rural Zoning Districts⁶	
Total shielded	75,000-lumens per acre of developed site ^{1,4,5}
Unshielded	3,000-lumens per acre of developed site ^{2,3,5}
Residential Uses in Residential and Rural Zoning Districts Lots one acre or larger	
Shielded	20,000-lumens per acre of developed site ^{3, 5}
Unshielded	2,000 lumens per acre of developed site ^{2,3}
Residential Uses in Residential and Rural Zoning Districts Lots less than one acre	
Shielded	10,000-lumens per residence ³
Unshielded	2,000 lumens per acre of developed site ^{2,3}

Digital Signs
Limited to one sign per developed site with a maximum of 200-nits per site
Correlated Color Temperature (CCT)
Maximum CCT of 3,000K permitted for non-residential lamps

¹ Lumens for all signs are to be included in these caps except as provided in Section 1607.02.

² Any lamp with output of 1,000-lumens or more shall be fully shielded.

³ Does not include the 2,000 lumen lighting exception for flagpoles (Section 1605.03) and floodlights on a motion sensor (1605.04).

⁴ All lighting except for safety lighting (Class 2) shall be extinguished between 11 p.m. (or close of business, whichever is later) and sunrise.

⁵ Acreage refers to the developed area of the site, including, but not limited to area used for buildings, structures, storage and service areas, parking, loading, driveway areas, required setback areas and required landscaping related to the use, but not areas that are only cleared.

Rationale of Change: Currently, on residential uses, up to 2,000-lumens per acre of developed site can be unshielded. This table reinforces that this option is eliminated and instead only provides a cap for shielded light on residential lots.

1611 Enforcement

1611.01 Violations Deemed a Nuisance

~~Any outdoor lighting established or maintained in violation of the Article is unlawful and constitutes a public nuisance. The Applicant will provide a means to safely inspect any digital sign over five feet tall from the ground.~~

1611.02 Action to Enforce Regulations

~~For any violation of this Article, the County Attorney may, and upon order of the Board of Supervisors shall, commence all necessary actions or proceedings to enforce this Article including, but not limited to, actions to abate, enjoin, or remove the violating outdoor lighting fixture.~~

1611.03 Jurisdiction of Hearing Officer

~~The Hearing Officer who has been designated to hear zoning violation proceedings under these Zoning Regulations shall also hear any violation proceedings under this Article.~~

1611.04 Rules of Procedure

~~The rules of procedure for hearings on zoning violations before the County Hearing Officer shall apply to violation proceedings arising under this Article.~~

1611.05 Remedies

~~All remedies concerning this Article shall be cumulative and not exclusive. Conviction and punishment of any person hereunder shall not relieve such persons from the responsibility of correcting prohibited conditions or removing prohibited outdoor lighting fixture, and shall not prevent the enforced correction or removal thereof. In addition to the other remedies provided herein, any adjacent or neighboring property owner specially damaged by the violation of any provision of this Article may institute, in addition to any other appropriate remedy or proceeding an~~

~~action for injunction, mandamus, or proceeding to prevent, abate, or remove such unlawful outdoor lighting fixture.~~

1611.06 Penalties

~~A. Any person, firm or corporation whether as principal, owner, agent, tenant, employee or otherwise, who violates any provisions of this Article or who violates or fails to comply with any order or regulation made hereunder shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable as provided for Class 2 misdemeanors by Arizona Revised Statutes. Such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day during which such violation or failure to comply with this Article is committed, continued, or permitted.~~

~~B. Paragraph A notwithstanding, each violation of this Article or failure to comply with any order or regulation hereunder may be processed by the County Zoning Inspector as a violation subject to a civil penalty as provided by Arizona Revised Statutes and heard by a duly appointed Hearing Officer, pursuant to the written rules of procedure for such hearings, as approved by the Board of Supervisors. Each day the violation continues, a separate violation will be incurred. Maximum fines are \$750.00 for individuals and \$10,000.00 for an enterprise, defined as a corporation, association, labor union, or legal entity.~~

ARTICLE 23

ENFORCEMENT

2301 Violations Deemed a Nuisance

Any building, structure, outdoor lighting, or use erected or maintained or any use of property contrary to the provisions of these Zoning Regulations is unlawful and constitutes a public nuisance.

2302 Action to Enforce Regulations

For any violation of these Zoning Regulations, the County Attorney may, and upon order of the Board of Supervisors, shall commence all necessary actions or proceedings to enforce these Zoning Regulations including, but not limited to, actions to abate, enjoin, or remove the violating building, structure, outdoor lighting fixture, or use.

Rationale of Change: Currently, the enforcement of light pollution is included in Section 1611. This is unlike the rest of the Articles of the Zoning regulations, the enforcement of which fall under Article 23. By removing the enforcement provisions from Article 16 and adding the terms "outdoor lighting" and "outdoor lighting fixture" to Article 23, the regulations and their enforcement are simplified.

II. SUMMARY AND RECOMMENDATION

The light pollution regulations contained in the Zoning Regulations are intended to encourage the provision of outdoor lighting that balances the need of preserving the safety of residents with the need of protecting our dark skies. The proposed changes would amend Articles 16 and 23 of the Cochise County Zoning Regulations with changes or additions as shown in Exhibit A. Staff is requesting that the Board consider approving the changes as presented.

Sample Motion: *I move to approve Docket R-20-02, amending the Cochise County Zoning Regulations with text changes to Article 16 Light Pollution and Article 23 Enforcement.*

III. ATTACHMENTS

Ordinance Amending Articles 16 and 23 of the Cochise County Zoning Regulations with Exhibit "A," strike-through and underline of Articles 16 and 23 attached.

ZONING ORDINANCE 20-___

AMENDING ARTICLE 16 (LIGHT POLLUTION) AND ARTICLE 23 (ENFORCEMENT) OF THE COCHISE COUNTY ZONING REGULATIONS

WHEREAS, Arizona Revised Statutes (“A.R.S.”) §§ 11-811, et seq. gives the Cochise County Board of Supervisors (the “Board”) the authority to adopt zoning regulations to address land use; and

WHEREAS, the Board originally adopted Zoning Regulations in Cochise County, pursuant to that authority in 1975, and has with periodic modification, maintained them in effect since that time; and

WHEREAS, the Board recognizes that amendments to the Zoning Regulations can affect countywide land use patterns and therefore, warrants careful consideration of regional impacts; and

WHEREAS, Article 16 of the Zoning Regulations contains all regulations relevant to the installation of all outdoor illuminating devices and Article 23 of the Zoning Regulations addresses violations, enforcement actions and remedies to correct zoning violations; and

WHEREAS, the Board recognizes the general purpose of this amendment is to better support the purpose of Article 16, specifically as it relates to promoting efficient lighting that minimizes man-made light pollution; and

WHEREAS, the Board recognizes the more specific purpose of this ordinance is to mandate the use of shielded light in all permanently used lamps not under a roof or overhang within residential uses, improve definitions associated with this Article, and clarify measurement of light trespass within Article 16, as well as to add the term “outdoor lighting” to Article 23 and delete the stand-alone light pollution enforcement provisions contained in Section 1611; and

WHEREAS, on April 8, 2020, the Planning and Zoning Commission held a duly noticed public hearing of these proposed amendments to the Zoning Regulations, hereby known as Docket R-20-02 (Light Pollution); and

WHEREAS, on May 5, 2020, the Board of Supervisors held a duly noticed public hearing of the proposed amendments to the Zoning Regulation, hereby known as Docket R-20-02, attached hereto as “Exhibit A” that will amend Article 16 and Article 23 of the Cochise County Zoning Regulations and found them to be in the public interest.

NOW, THEREFORE, BE IT RESOLVED THAT by the Board of Supervisors of Cochise County, Arizona that the Cochise County Zoning Regulations shall be amended as contained in “Exhibit A,” attached hereto.

PASSED AND ADOPTED by the Cochise County Board of Supervisors this 5th day of May 2020.

Thomas E. Borer, Chairman
Cochise County Board of Supervisors

ATTEST:

Kim Lemons, CPCC
Clerk of the Board

APPROVED AS TO FORM:

Christine J. Roberts 5/5/2020

Christine J. Roberts,
Chief Civil Deputy County Attorney

ARTICLE 16

LIGHT POLLUTION

Contents of Article 16

<u>Description</u>	<u>Section</u>
Purpose	1601
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Procedures for Lighting Compliance	1604
General Requirements	1605
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1601 Purpose

1601.01 To achieve effective and efficient lighting, while preserving the safety, security, and well-being of County residents and visitors.

1601.02 To protect and enhance the lawful nighttime use and enjoyment of all property through protection of and access to the dark night skies, and to encourage the conservation of energy and other resources.

1601.03 To specify and encourage lighting practices and systems that will minimize the adverse man-made light pollution effects of sky-glow, glare and light trespass.

1601.04 To ensure that all signs installed in the County are compatible with the County's largely rural character, are in compliance with the Comprehensive Plan, and to ensure that no sign shall be brighter than is necessary for clear and adequate visibility.

1602 Administration

1602.01 Conformance with Applicable Codes

All outdoor electric illuminating devices shall be installed in conformance with all provisions of these Zoning Regulations, Cochise County Subdivision Regulations, and any applicable building codes. Where any provision of any of the Arizona Revised Statutes, or any Federal Law, or any related Cochise County regulation conflicts with the requirements of this Article, the most restrictive shall govern.

1602.02 Approved Material and Methods of Installation

The provisions of this Article are not intended to prevent the use of any material or method of installation not specifically proscribed by this Article, provided any such alternate has been approved. The County Zoning Inspector may approve any such alternate provided the proposed design, material, or method:

- A. Provides approximate equivalence to those specific requirements of this Article, or
- B. Is otherwise satisfactory and complies with the intent of this Article.

1602.03 Applicability

- A. New Uses, Buildings and Additions or Modifications:

The requirements of this Article shall apply to any and all new uses and to additions to existing land uses, developments, buildings, or structures.

- 1. If a major addition occurs on a property with a non-residential use, the entire property shall comply with the requirements of this Article. For purposes of this section, major additions are changes of 50-percent or more in terms of additional dwelling units, gross floor area, or seating capacity, that have occurred either as single or with cumulative additions or modifications which have occurred since March 3, 1982, the effective date of this provision.
 - 2. Minor additions (defined as additions or modifications less than 50-percent of existing uses) on a property with a non-residential use shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting on the site shall meet the requirements of this Article with regard to shielding and lamp type; the total amount of lumens after the modifications are complete shall not exceed that on the site before the modification, or that permitted by this Article, whichever is larger.
- B. Change of Use. Whenever the use of any existing building, structure, or premises is changed to a new use, all outdoor lighting shall be reviewed and brought into compliance with all provisions of this Article before the new use commences.
 - C. Resumption of Use after Abandonment. If a property or use with non-conforming lighting is abandoned as defined in Section 1603, then all outdoor lighting shall be reviewed and brought into compliance with all provisions of this Article before the use is resumed.

1602.04 Special Use Authorization Requirements

Any application or lighting installation not meeting all requirements of this Article, including, but not limited to height, shielding, curfew, or lumen caps shall require a Special Use Authorization pursuant to Article 17. At the time of Special Use Authorization submittal, the proposed lighting system design shall be certified by a knowledgeable Arizona Registered professional or other certified lighting specialist as achieving the minimum illuminance level for the specific activity as recommended by the Illuminating Engineering Society of North America (IESNA) and that the design shall conform to all other applicable provisions of this Article and with aiming angles that permit no greater than five-percent of the light emitted by each fixture to project above the horizontal. The submittal must contain complete specifications, including total lumen/ nit count to meet the requirements of off-site glare and light trespass, as specified in this Article and the Arizona Registered professional or other certified lighting specialist shall provide verification that the correct equipment shall be installed and functioning after installation.

1603 Definitions

Abandonment - The discontinuation of use for a period of three years or more.

Class 1 Lighting - All outdoor lighting used for, but not limited to, outdoor sales or eating areas, assembly or repair areas, recreational facilities and other similar activities where COLOR RENDITION is important. Class 1 lighting includes metal halide, liquid crystal display (LCD), light emitting diode (LED), plasma, quartz halogen and similar light sources and technologies.

Class 2 Lighting - All outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots, and outdoor security where GENERAL ILLUMINATION for safety or security is the primary concern.

Class 3 Lighting - All outdoor lighting used for DECORATIVE effects, including but not limited to, architectural illumination, flag and monument lighting, and illumination of vegetation.

Color Rendition - The ability of a light source to faithfully reproduce the colors seen in an object.

Correlated Color Temperature (CCT) - This temperature best indicates the colors of light shining from a bulb or lamp. CCT is listed with all new lighting sources (lamps and bulbs), and by standard, the temperature is given in degrees Kelvin. Low Kelvin numbers represent "warm light and higher numbers represent "cool light".

Decorative - Class 3 lighting which is used for non-utilitarian purposes such as lighting building exteriors, fountains, flags, landscaping, holiday and seasonal decorations.

Developed Site - Acreage refers to the developed area of the site, including, but not limited to area used for buildings, structures, storage and service areas, parking, loading, driveway areas, required setback areas and required landscaping related to the use, but not areas that are only cleared.

Foot-candle, average - A unit of illumination produced on a surface, measured by a light meter at an average point of illumination between the brightest and darkest areas. The measurement can be made at the ground surface or at four to five feet above the ground. For the purpose of this Article, one foot-candle is equivalent to one lumen per square foot.

General Illumination - Outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots, and outdoor security where safety or security of the grounds is the primary concern.

IESNA - Illuminating Engineering Society of North America.

Illuminance - The amount of light striking a surface area, measured in footcandles or lux. For conversion purposes, 1 footcandle (fc) is equal to 10.76 lux (lx).

Installed - The attaching, or assembling in place of any outdoor light fixture.

Lamp - A generic term for a source of "light" often called a "bulb," "tube," "diode," "module," "display," or an "array."

LED (Light Emitting Diode) - A semiconductor diode or bulb that emits light when voltage is applied to it and is used in electronic devices.

Light meter - a device used to measure the amount of light on a surface.

Light Fixture, Fully Shielded - A light fixture constructed, installed, and maintained in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly by reflection or refraction from any part of the fixture, is projected below a horizontal plane running through the lowest part of the fixture.

A practical way to determine if a fixture or tube is fully shielded: if the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from above or directly from the side, from any angle around the fixture or tube, the fixture or tube is not fully shielded.

Light Fixture, Outdoor - A complete lighting assembly (including the lamp, housing, reflectors, lenses and shields), less the support assembly (pole or mounting bracket). Includes luminous tubes, lamps, or similar devices, permanently installed or portable, used for illumination, decoration, or advertisement.

Light Trespass - Stray electric light in excess of the levels specified in Section 1605.01 falling where it is not wanted or needed. Direct or reflected light that has its source on one site, and illuminates areas beyond the property boundaries. Light trespass is typically produced by stray light from unshielded or misdirected outdoor lighting, and includes glare from direct viewing.

Lumen - A unit used to measure the total amount of light that is produced by a lamp. For the purpose of this code, one lumen is equivalent to one foot-candle per square foot.

Luminaire - A light fixture, including the complete lighting assembly (including lamps, housings, reflectors, lenses and shields), but excluding the support assembly.

Nit - A unit of luminance measured as one candela per meter-squared.

Opaque - Opaque means a material that does not transmit light from an internal illumination source.

Outdoor Light Fixtures - Outdoor electric illuminating devices, outdoor fixtures, lamps and other devices; searchlights, spot lights, flood lights, permanently installed or portable, used for illumination, emergency, security or commercial purposes. Such devices shall include, but are not limited to, lights for:

- A. Parking lots
- B. Roadways
- C. Buildings and structures
- D. Recreational areas and facilities
- E. Landscaping decorative effects

- F. Billboards and signs (advertising and other)
- G. Product display areas

Outdoor Recreational Facility - An area designed for active recreation, whether publicly or privately owned, including but not limited to parks, baseball or softball diamonds, soccer and football fields, golf courses, tennis courts, and roping/equestrian arenas.

Person - Shall mean any private individual, tenant, lessee, owner, or any commercial entity including but not limited to companies, partnerships, joint ventures, or corporations.

Residential Lighting - Residential refers to outdoor lighting for single household dwellings.

Searchlight - A lighting assembly designed to direct the output of a contained lamp in a specific tightly focused direction (a beam) with a reflector located external to the lamp and with a swiveled or gimballed mount to allow the assembly to be easily redirected. Such lights are commonly used to sweep the sky for advertisement purposes.

Shield - A device that is attached onto or inserted into a luminaire to alter the direction of light being emitted. A luminaire that has a shield attached or inserted is considered to be "shielded."

Sign, Digital - A type of unshielded electronic display that can show programming, menus, information, advertising, and other messages. Digital signs are lighted and utilize technologies such as Liquid Crystal Display (LCD), (Light Emitting Diodes) LED, plasma displays, or projected images to display content.

Sign, Illuminated - For the purposes of this Article, a sign lighted by or exposed to artificial lighting either by lights within the sign or directed toward the sign.

Sky-glow - The undesirable and unnecessary emission of light rays, directly or indirectly, into the night sky.

Uplighting - A lamp or light designed or positioned to cast its light upwards.

Use, Non-Residential - The use of land for a purpose other than single-household dwelling units.

Watt - The unit used to measure the electrical power consumption (not the light output) of a lamp.

1604 Procedures for Lighting Compliance

1604.01 Applications

- A. Any individual applying for a building or use permit under these Zoning Regulations intending to install outdoor light fixtures shall as a part of said application submit evidence that the proposed work will comply with this Article.
- B. All other individuals intending to install, replace or improve any outdoor light fixture shall comply with the provisions of this Article, and if a permit is required by these Zoning Regulations or Building Codes, submit an application to the County Zoning Inspector providing evidence that the proposed work will comply with this Article.

1604.02 Contents of Application or Submission

The following plans and descriptions shall be sufficiently complete to enable the County Zoning Inspector to readily determine whether the project will be in compliance with the requirements of this Article. If such plans and descriptions are not sufficient to enable this ready determination, by reason of the nature or configuration of the devices, fixtures or lamps proposed, the applicant shall submit evidence of compliance prepared by a certified illumination engineer. The submission shall contain:

- A. Plans indicating the location on the premises, and the type of all illuminating devices, existing and proposed, as well as total lumens or nits emitted.

- B. Description of the existing and proposed illuminating devices, fixtures, lamps, supports and other devices, and the initial lumen output. This description shall include but is not limited to, manufacturers' catalog cuts, photographs, diagrams and/or drawings.

1604.03 Issuance of Permits

Upon compliance with these lighting provisions, as well as the other requirements for permit issuance, the County Zoning Inspector shall issue a permit. The appeal procedures of these Zoning Regulations for decisions of the County Zoning Inspector shall apply in the event of any dispute as to the application of this Article.

1604.04 Amendment to Permit

Substitution of outdoor light fixtures or lamps after a permit has been issued requires County Zoning Inspector approval prior to installation. Amendments to permits for the installation of outdoor light fixtures require adequate information to assure compliance with Section 1604.02 of this Article.

1604.05 Accessibility for Inspections

The Applicant will provide a means to safely inspect any digital sign over five-feet tall from the ground.

1605 General Requirements

1605.01 Light Trespass and Glare

- A. All fixtures and lamps shall be located, installed, directed, shielded, and maintained to avoid light trespass and to minimize direct light and/or glare on neighboring properties and roadways. Accent lighting shall be directed onto the building or object and not toward the sky or onto adjacent properties.
- B. ~~For a receiving residential site, the~~ The level of light trespass shall not exceed ~~0.2-foot-candles~~ 0.2 lumens as measured with a lumen meter's sensor perpendicular to the light source at a height of five feet above the ground and at the property line of a residential property. For a receiving non-residential ~~site~~ property, the level of light trespass shall not exceed 0.5-footcandles under the same parameters.

1605.02 Height

- A. Residential Sites: The overall height of lighting fixtures (including the base) shall not exceed 20-feet above ground level, except for residential sites with a minimum parcel size of four-acres or larger, lighting fixtures which are located 50-feet or more from any property line shall not exceed 30-feet in height (including the base) above ground level.
- B. Non-Residential Sites: Except as provided herein for specific uses, the overall height of lighting fixtures (including the base) on all non-residential sites shall not exceed 30-feet above ground level, except in the GB, LI and HI Zoning Districts, the overall height of lighting fixtures located at least 100-feet from any property line shall not exceed 35-feet in height above ground level (including the base). Digital signs shall meet all requirements per Section 1907.02 of Article 19.

1605.03 Lighting Types, Shielding and Curfew Requirements

- A. Lighting Types
 - 1. All street lights shall be fully shielded.

2. Low Pressure Sodium lamps are the preferred lamp type for minimizing adverse effects on astronomical observations.

B. General Shielding Requirements

1. All light fixtures required to be fully shielded shall be installed and maintained in a fashion that maintains the fully-shielded characteristics.
2. All uplighting is prohibited, except
 - a. The lighting of one flagpole. The light shall be focused on the flag and shall not exceed 2,000 lumens. Off-site glare and light trespass shall be eliminated by the use of shielding. Flags that include advertising, business trademarks or symbols, or other forms of commercial communication may not be uplighted at any time.
 - b. Low voltage or solar landscape lighting not exceeding 150 lumens per fixture.

C. Shielding Requirements for Residential Uses

1. For residential uses, ~~any all permanently used lamp types with output of 1,000 lumens or more shall be fully shielded. If multiple lamps of less than 1,000 lumens are used, and the total lumens are greater than 1,000 lumens in total then shielding is required.~~
2. Lighting for multiple household dwellings is not considered Residential, and must comply with all requirements for non-residential lighting, including, but not limited to lumen caps and curfews for decorative lighting.
3. ~~All light fixtures located within 25 feet of the property line adjacent to a residential use shall use fully shielded luminaries.~~
4. Unshielded lighting for residential uses under roof or porch overhangs shall be considered compliant provided such lighting meets the light and trespass glare requirements of 1605.01.
5. Seasonal decorations using typical unshielded low-lumen incandescent lamps shall be permitted from Thanksgiving to January 15.

D. Shielding and Curfew Requirements for Non-Residential Uses

1. All non-residential light fixtures except for unshielded signs shall be fully-shielded.
2. Any Class 1 (Color Rendition), Class 2 (General Illumination), or Class 3 (Decorative Illumination) lamp type shall be shielded in accordance with Table 16.1.
3. All Class 1 (Color Rendition) and Class 3 (Decorative Illumination) lighting shall be extinguished between 11 p.m. (or when the business closes, whichever is later) and sunrise, except:
 - a. Seasonal decorations using typical unshielded low-lumen incandescent lamps shall be permitted from Thanksgiving to January 15.
 - b. Low voltage landscape lights rated at 150 lumens or less provided the total unshielded lumens do not exceed 1,000 lumens.

- c. Self-contained solar lights rated at 10 watts or less.
- 4. All light fixtures located within 25-feet of the property line adjacent to a residential use shall use fully shielded luminaires.

1605.04 Total Outdoor Light Output

- A. Total outdoor light output, including that for all signs, shielded or unshielded, shall not exceed the limits in Table 16.1. The values in this table are upper limits and not design goals; design goals should be the lowest levels that meet the requirements of the task to reduce glare and reduce energy costs.
- B. Shielded flood lights, properly aimed down, at no more than 45 degrees, not to exceed 2,000 lumens per bulb and controlled by a motion sensor device shall be exempt from lumen caps, provided fixtures remain on for short periods only, and not to remain on over 10 minutes after the area has been vacated.
- C. Low voltage seasonal decorations, permitted between Thanksgiving and January 15, are not counted toward these limits.
- D. Total outdoor light output for various Zoning Districts is specified in Table 16.1. These maximums are referred to as lumen caps.

Table 16.1

MAXIMUM TOTAL OUTDOOR LIGHT OUTPUT STANDARDS LUMEN CAPS

All Uses in Commercial and Industrial Zoning Districts (NB, GB, LI, HI)⁵	
Total shielded	150,000-lumens per acre of developed site ^{1, 4, 5}
Total Unshielded	3,000-lumens per acre of developed site ^{2,3,5}
Non-Residential Uses in Residential and Rural Zoning Districts ⁶	
Total shielded	75,000-lumens per acre of developed site ^{1,4,5}
Unshielded	3,000-lumens per acre of developed site ^{2,3,5}
Residential Uses in Residential and Rural Zoning Districts Lots one acre or larger	
Shielded	20,000-lumens per acre of developed site ⁵
Unshielded	2,000-lumens per acre of developed site ^{2,3}
Residential Uses in Residential and Rural Zoning Districts Lots less than one acre	
Shielded	10,000-lumens per residence
Unshielded	2,000-lumens per residence ^{2,3}
Digital Signs	
Limited to one sign per developed site with a maximum of 200-nits per site	
Correlated Color Temperature (CCT)	
Maximum CCT of 3,000K permitted for non-residential lamps	

¹ Lumens for all signs are to be included in these caps except as provided in Section 1607.02.
² Any lamp with output of 1,000-lumens or more shall be fully shielded.
³ Does not include the 2,000 lumen lighting exception for flagpoles (Section 1605.03) and floodlights on a motion sensor (1605.04).
⁴ All lighting except for safety lighting (Class 2) shall be extinguished between 11 p.m. (or close of business, whichever is later) and sunrise.

- ⁵ Acreage refers to the developed area of the site, including, but not limited to area used for buildings, structures, storage and service areas, parking, loading, driveway areas, required setback areas and required landscaping related to the use, but not areas that are only cleared.

1606 Prohibitions

1606.01 Searchlights, Laser Lights

The operation of searchlights, laser lights, or any similar high intensity light for outdoor advertising or commercial purposes is prohibited.

1606.02 Recreational Facilities

No outdoor recreational facility, public or private, including those with non-conforming lighting shall be illuminated after 11 p.m. except to conclude a specific scheduled event that was unable to conclude before the curfew due to unusual circumstances.

1606.03 Mercury Vapor

The installation of new mercury vapor outdoor light fixtures is prohibited. The use of legal, non-conforming (installed prior to March 3, 1982) mercury vapor light fixtures is prohibited after January 1, 2011.

1607 Signage

1607.01 External Illumination

External illumination for signs shall conform to the shielding restrictions and lumen caps of Table 16.1. All upward-directed sign lighting is prohibited.

1607.02 Internal Illumination

- A. Outdoor internally illuminated signs are considered unshielded and shall be adequately sealed and maintained to prevent light leakage.
- B. Neon signs shall be treated as internally illuminated signs for the purpose of this Article. Neon lighting extending beyond the sign area shall be considered Class 3 decorative lighting, and shall be subject to the standards applicable for such lighting including, but not limited to, the shielding standards and lumen caps of Table 16.1.
- C. Digital signs that meet the standards as listed in Article 19 are permitted. Digital signs shall be considered unshielded and restricted to total lumen cap per Table 16.1 of this Article. Applicant must supply documentation indicating maximum nit capability for each segment of a digital sign, and demonstrate ability to meet the total nit cap per Table 16.1 of this Article.

1607.03 Other Illuminated Panels

Other internally-illuminated panels or decorations not considered to be signage according to this Article, such as illuminated canopy margins or building faces shall be considered Class 3 Lighting and shall be subject to the standards applicable for such lighting including, but not limited to, the shielding standards and lumen caps of Table 16.1.

1607.04 Curfew

- A. Illumination for advertising signs, both externally and internally illuminated, shall be turned off at 11 p.m., or when the business closes, whichever is later. Signs subject to curfews are encouraged to have automatic shut-off timers.

B. Digital signs shall be permitted from sunrise to sunset, except as permitted in Article 19.

1608 Permanent Exemptions

1608.01 Nonconforming Fixtures

Except as provided in Section 1602.03, all outdoor light fixtures existing and legally installed after March 3, 1982 and prior to December 1, 2005, with the exceptions found in Section 1606.02 (curfew for outdoor recreation facilities) and 1606.03 (mercury vapor), may remain “non-conforming” indefinitely; provided, however, that no change in use, fixture replacement, structural alteration, or restoration after abandonment of outdoor light fixtures shall be made unless it thereafter conforms to the provisions of this Article.

1608.02 Fossil Fuel Fixtures

Light produced by the combustion of natural gas or other utility-type fossil fuels is exempt from the lumen cap and shielding requirements of this Article.

1608.03 Equipment and Signal Lights

Equipment and signal lights necessary for agricultural equipment or required by State or Federal regulations shall be by the least obtrusive means that meets the applicable operating or regulatory requirements.

1608.04 Federal and State Facilities

Those facilities and lands owned, operated, or protected by the U.S. Federal Government or the State of Arizona are exempt by law from all requirements of these provisions. Voluntary compliance with the intent of this Article at those facilities is encouraged.

1608.05 Emergency Lighting

Temporary lighting to facilitate immediately necessary repairs or similar emergency, such as actions of a public or private utility company necessary to continue or resume service shall be allowed. Lights shall be arranged to reflect light away from and prevent glare to adjoining residential properties and public rights of way to the extent feasible.

1608.06 Agricultural operations

Those agricultural operations that meet the minimum requirements for zoning exemption are also exempt from this Article.

1608.07 Special Exemption

The Zoning Inspector may grant a special exemption to the requirements of this Article only upon a written finding that there are extreme geographic or geometric conditions warranting the exemption and that there are no conforming fixtures that would suffice.

1609 Temporary Exemptions

1609.01 Requests for Temporary Exemptions

Any individual as defined herein may submit a written request to the County Zoning Inspector for a “temporary exemption” to the requirements of this Article. Such exemption will be valid for 30-

calendar days, renewable at the discretion of the County Zoning Inspector. The request for Temporary Exemption shall contain at least the:

- A. *Specific exemptions requested.*
- B. *Specific reasons why the requirements listed in this Article cannot be met.*
- C. *Type and use of exterior light involved.*
- D. *Duration of time for requested exemption.*
- E. *Type and number of lamps and calculated lumens.*
- F. *Total lumens of lamp or lamps.*
- G. *Proposed location and height of exterior lights.*
- H. *Previous temporary exemptions, if any.*
- I. *Physical size of exterior light and type of shielding provided.*

In addition to the data above, the County Zoning Inspector may request any additional information to allow a reasonable evaluation of the Request for Temporary Exemption.

1609.02 Appeals for Temporary Exemptions

The County Zoning Inspector, within 15-calendar days from the date of the properly completed Request for Temporary Exemption, shall approve or reject the Request in writing. If rejected, the individual making the Request shall have the right of appeal to the appropriate Board of Adjustment as any other appeal of the County Zoning Inspector's determinations.

1609.03 Private Security Lighting/ Lighting Installed by an Electric Utility

Non-compliant lighting that was installed in good faith by an electric utility shall be brought into conformance with this Article within five-years of adoption; however, individual light fixtures which are the subject of a citizen complaint or County enforcement action shall be brought into conformance within 30-calendar days of notification of the property owner.

1610 Special Activities

1610.01 Outdoor Recreational Facilities

- A. **Shielding:** All outdoor recreational facilities shall utilize fully-shielded luminaires that are installed in a fashion that maintains the fully-shielded characteristics.
- B. **Height:** The maximum height for pole-mounted luminaires for outdoor recreational facilities is 40-feet.
- C. **Lighting for public and private outdoor athletic fields, courts, tracks or arenas,** shall be considered Class 1 (Color Rendition).
- D. **Facility lighting shall meet shielding, lumen caps, height limits and all other restrictions of this Article:**

If meeting all requirements is infeasible, pursuant to Section 1602.04 a Special Use Authorization is required.
- E. **Off-site Trespass:** The facility shall limit off-site trespass to the maximum extent possible and shall not cause light trespass onto residentially zoned or developed properties.

- F. Curfew: All events shall be scheduled to complete activity before 11 p.m. Illumination of the playing field, court or track shall be permitted after the curfew only to conclude a scheduled event that was unable to conclude before the curfew due to unusual circumstances.
- G. All lighting not directly associated with the playing field (e.g. parking lot lighting, concession stand lighting, etc.) shall use Class 2 lighting and shall conform to all requirements of Section 1605 of this Article.

1610.02 Outdoor Display Lots

Lighting for display lots shall be considered Class 1 (Color Rendition), and shall be in compliance with the following standards:

- A. Shielding: All display lot lighting shall utilize fully-shielded luminaires that are installed in a fashion that maintains the fully-shielded characteristics.
- B. Height: The maximum height for pole-mounted luminaires for outdoor display lots is 40-feet.
- C. Display lot lighting shall meet shielding, lumen caps, height limits, and all other restrictions of this Article.

If meeting all requirements is infeasible, pursuant to Section 1602.04 a Special Use Authorization is required.

- D. Curfew: Display lot lighting shall be turned off between 11 p.m. and sunrise or within 30 minutes after closing of the business, whichever is later. Lighting in the display lot after this time shall be considered Class 2 lighting and shall conform to all restrictions of this Article, including the lumen caps in Table 16.1.
- E. Off-site trespass: The facility shall limit off-site trespass to the maximum extent possible and shall not cause light trespass onto residentially zoned or developed properties

1610.03 Service Station Under Canopy Lighting

Lighting for service station canopies shall be considered Class 1 lighting (Color rendition) and shall be subject to the curfew requirements in Section 1605.03 of this Article.

- A. Shielding: All luminaires are to be flush with, or recessed into the lower surface of service station canopies and shall be fully shielded and utilize flat lenses.
- B. Total Under-Canopy Output: The total light output used for illuminating service station canopies is defined as the sum of all under-canopy initial bare lamp outputs in lumens and shall not exceed 40 lumens per square foot of canopy. Twenty-five percent of the lumens from fully shielded outdoor lighting fixtures installed under canopies shall be counted toward the lumens caps in Table 16.1.
- C. Illuminated canopy margins shall be considered Class 3 (Decorative) lighting.

1610.04 Wireless Communications Towers

If tower lighting is required, it shall be the least obtrusive that meets FAA requirements.

1611 Enforcement

1611.01 Violations Deemed a Nuisance

Any outdoor lighting established or maintained in violation of the Article is unlawful and constitutes a public nuisance. The Applicant will provide a means to safely inspect any digital sign over five feet tall from the ground.

1611.02 Action to Enforce Regulations

For any violation of this Article, the County Attorney may, and upon order of the Board of Supervisors shall, commence all necessary actions or proceedings to enforce this Article including, but not limited to, actions to abate, enjoin, or remove the violating outdoor lighting fixture.

1611.03 Jurisdiction of Hearing Officer

The Hearing Officer who has been designated to hear zoning violation proceedings under these Zoning Regulations shall also hear any violation proceedings under this Article.

1611.04 Rules of Procedure

The rules of procedure for hearings on zoning violations before the County Hearing Officer shall apply to violation proceedings arising under this Article.

1611.05 Remedies

All remedies concerning this Article shall be cumulative and not exclusive. Conviction and punishment of any person hereunder shall not relieve such persons from the responsibility of correcting prohibited conditions or removing prohibited outdoor lighting fixture, and shall not prevent the enforced correction or removal thereof. In addition to the other remedies provided herein, any adjacent or neighboring property owner specially damaged by the violation of any provision of this Article may institute, in addition to any other appropriate remedy or proceeding an action for injunction, mandamus, or proceeding to prevent, abate, or remove such unlawful outdoor lighting fixture.

1611.06 Penalties

- A. Any person, firm or corporation whether as principal, owner, agent, tenant, employee or otherwise, who violates any provisions of this Article or who violates or fails to comply with any order or regulation made hereunder shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable as provided for Class 2 misdemeanors by Arizona Revised Statutes. Such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day during which such violation or failure to comply with this Article is committed, continued, or permitted.
- B. Paragraph A notwithstanding, each violation of this Article or failure to comply with any order or regulation hereunder may be processed by the County Zoning Inspector as a violation subject to a civil penalty as provided by Arizona Revised Statutes and heard by a duly appointed Hearing Officer, pursuant to the written rules of procedure for such hearings, as approved by the Board of Supervisors. Each day the violation continues, a separate violation will be incurred. Maximum fines are \$750.00 for individuals and \$10,000.00 for an enterprise, defined as a corporation, association, labor union, or legal entity.

ARTICLE 23

ENFORCEMENT

2301 Violations Deemed a Nuisance

Any building, structure, outdoor lighting, or use erected or maintained or any use of property contrary to the provisions of these Zoning Regulations is unlawful and constitutes a public nuisance.

2302 Action to Enforce Regulations

For any violation of these Zoning Regulations, the County Attorney may, and upon order of the Board of Supervisors, shall commence all necessary actions or proceedings to enforce these Zoning Regulations including, but not limited to, actions to abate, enjoin, or remove the violating building, structure, outdoor lighting fixture, or use.

2303 Remedies

All remedies concerning these Zoning Regulations shall be cumulative and not exclusive. Conviction and punishment of any person hereunder shall not relieve such persons from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures, or improvements and shall not prevent the enforced correction or removal thereof. In addition to the other remedies provided herein, any adjacent or neighboring property owner specially damaged by the violation of any provision of these Zoning Regulations may institute, in addition to any other appropriate remedy or proceeding an action for injunction, mandamus, or proceeding to prevent, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

If a property is in violation the County Zoning Inspector may shorten the length of the permit to complete the project.

2304 Penalties

- A. Any person, firm or corporation whether as principal, owner, agent, tenant, employee or otherwise, who violates any provisions of these Zoning Regulations or who violates or fails to comply with any order or regulation made hereunder shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable as provided for Class 2 misdemeanors by Arizona Revised Statutes. Such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day during which such violation or failure to comply with these Zoning Regulations is committed, continued, or permitted.
- B. Paragraph A notwithstanding, each violation of these Zoning Regulations or failure to comply with any order or regulation hereunder may be processed by the County Zoning Inspector as a violation subject to a civil penalty as provided by Arizona Revised Statutes, and heard by a duly appointed hearing officer, pursuant to the written rules of procedure for such hearings, as approved by the Board of Supervisors.

COCHISE COUNTY

Amendment to the Cochise County Zoning Regulations Light Pollution (R-20-02)

Board of Supervisors
May 5, 2020

Cochise County
Development Services



Public Programs....Personal Service

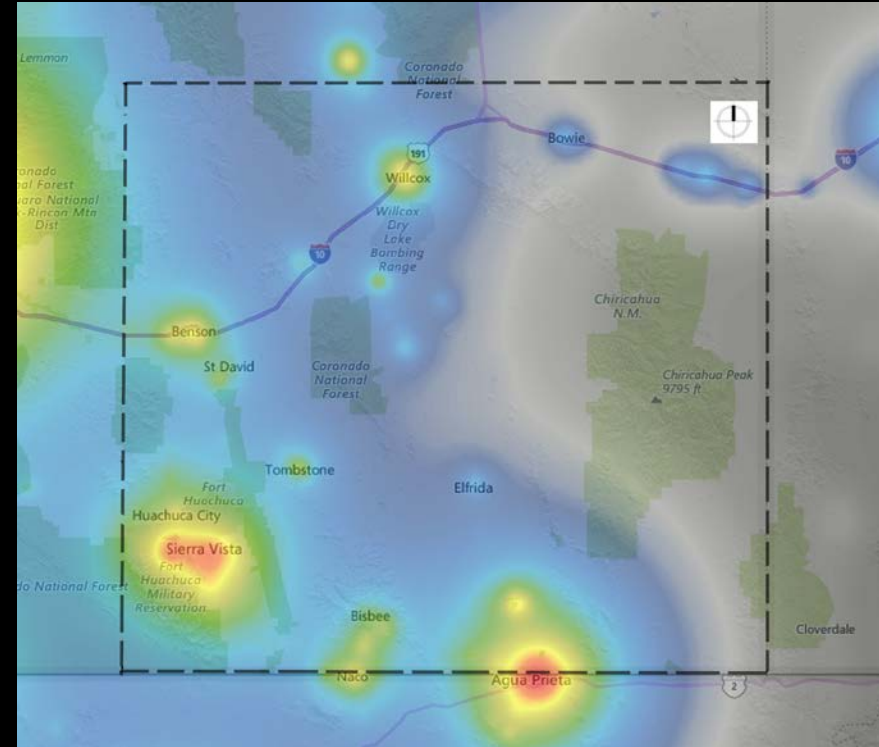
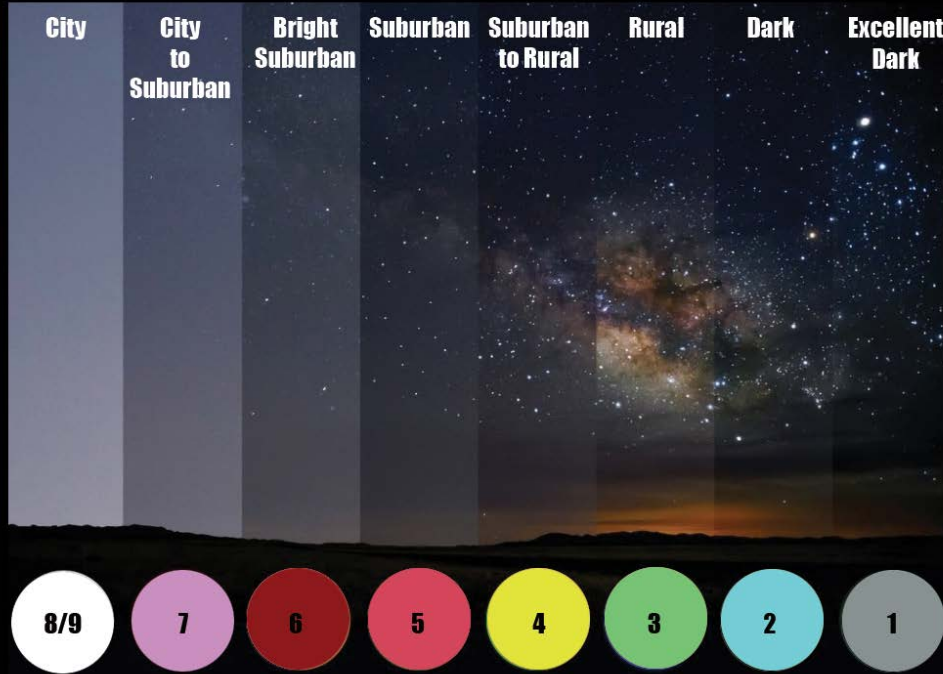
Why do we need Light Pollution Regulations?

- Encourage effective and efficient lighting while preserving safety and security of residents
- Protect dark skies while encouraging energy conservation
- Minimize sky-glow, glare and light trespass
- Ensure compatibility of signage with the County's rural character



COCHISE COUNTY

Current Light Pollution



Cochise County falls between 1-5 on the Bortle Scale and 20.07 – 21.99 on the Zenith Sky Brightness Scale

Purpose of this Docket

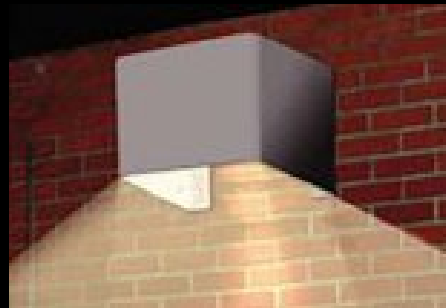
- Amend acceptable levels of light trespass and how light trespass is measured in residential areas.
 - Restrict the use of unshielded lighting on residential lots.
- Amend enforcement procedures to follow those of the general zoning regulation.

Applicability

New houses/ Additions to existing houses
(the addition must comply)/Change of use
/Resumption after abandonment (3 or more years)

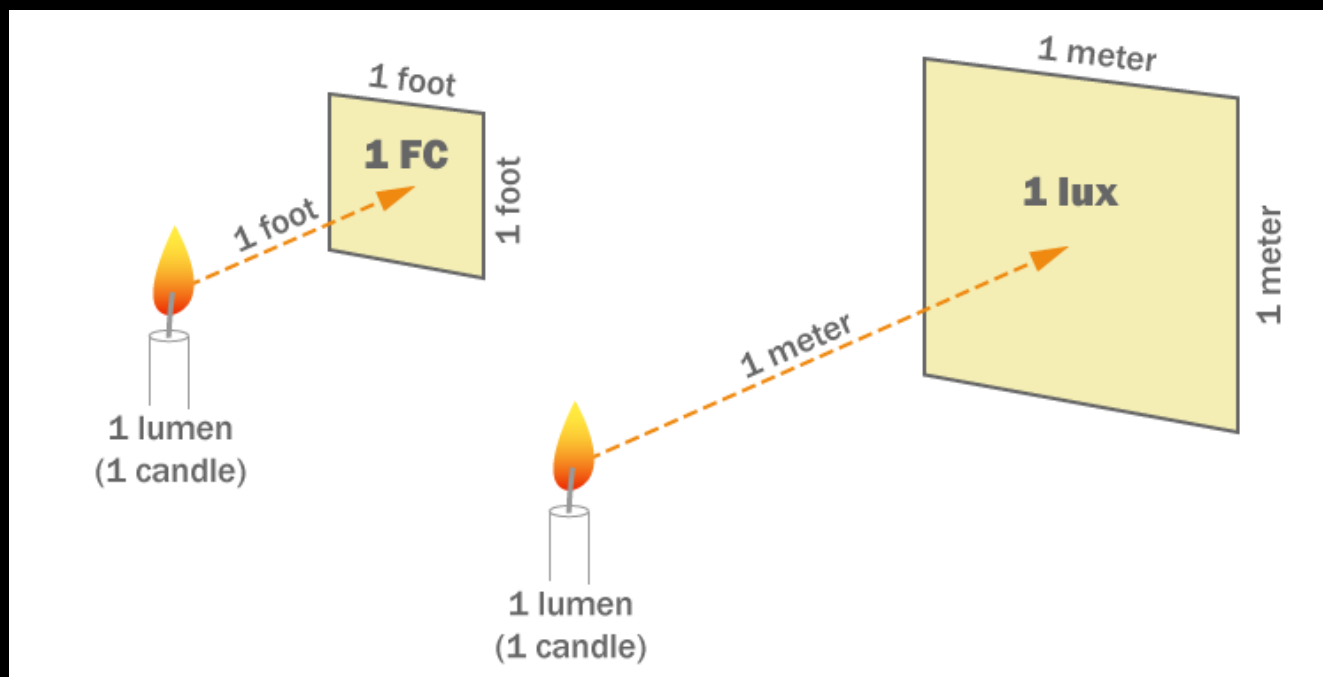


What is “shielded” light?



Recommendations

Section 1603 Definitions – add light meter definition, amend foot candle and lumen definitions



Recommendations

Section 1605.01 Light Trespass and Glare

- Residential – 0.2 FC Max
- Non-residential – 0.5 FC Max

(Measured at property line)



Recommendations

Section 1605.03 Lighting Types, Shielding and Curfew Requirements

- Residential – ALL permanently used lamp types must be shielded
 - Shielding not required if under a roof or porch under hang and meets the light and trespass limits
 - Seasonal decorations using low-lumen incandescent lamps permitted Thanksgiving to January 15
 - Table 16.1 *Maximum Total Outdoor Light Output Standards Lumen Caps* amended to correspond to the above changes



Recommendations

Section 1611 Enforcement/Article 23 Enforcement

- The enforcement of this Article will fall under the regulations contained in Article 23, which regulate all other zoning articles.



Recommendation and Sample Motion

The Cochise County Planning and Zoning Commission unanimously recommended approval (vote of 7-0) at their April 8, 2020 meeting.

Sample Motion: I move to approve Docket R-20-02 amending Article 16, Light Pollution, and Article 23, Enforcement, of the Cochise County Zoning Regulations.



Regular Board of Supervisors Meeting

Meeting Date: 05/05/2020
 Change Order: Water System Hydraulic Model
Submitted By: Sharon Gilman, Board of Supervisors
Department: Board of Supervisors
Presentation: No A/V Presentation
Document Signatures: BOS Signature NOT Required

NAME of PRESENTER: Sharon Gilman

Mandated Function?: Not Mandated

Recommendation: Approve
of ORIGINALS Submitted for Signature: 0
TITLE of PRESENTER: Associate County Administrator

Source of Mandate or Basis for Support?:

Docket Number (If applicable):

Information

Agenda Item Text:

Approve a change order to the Stantec Consulting Services contract for the Douglas Port of Entry Water/Wastewater Engineering Study, in the amount of \$39,912, effective May 5, 2020.

Background:

On March 10, 2020, the Board approved the contract with Stantec Consulting Services for a water/wastewater engineering study for the proposed new port of entry in Douglas. The original proposal for the feasibility report assumed that the City of Douglas would have hydraulic modeling in place and a current water report. Through discussions with the City, we have learned that such a model does not exist, but is strongly needed for future planning. Stantec will perform work as necessary to prepare a hydraulic model of the Douglas water system(s) and use that model to analyze proposed improvements and future growth to determine infrastructure requirements. The model will be retained by the City of Douglas and updated as needed by City staff.

Department's Next Steps (if approved):

Send approved change order to Stantec to begin the model project with the City of Douglas.

Impact of NOT Approving/Alternatives:

The hydraulic model is an important component to the overall engineering study. Without this model, the study recommendations will be hindered.

To BOS Staff: Document Disposition/Follow-Up:

Follow up with Procurement to create requisition for the Change Order for approval.

Budget Information

Information about available funds

Budgeted: **Funds Available:** **Amount Available:** \$40,000
Unbudgeted: **Funds NOT Available:** **Amendment:**

Account Code(s) for Available Funds

1:

Fund Transfers

Fiscal Year: 2020

One-time Fixed Costs? (\$\$\$): 39,912

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

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

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

Source of Funding?:

Fiscal Impact & Funding Sources (if known):

This change order will bring the total contract amount for the Port of Entry study to \$299,914.

Attachments

Hydraulic Model Scope of Work and Fee Proposal



Stantec Consulting Services Inc.
3133 West Frye Road, Suite 300, Chandler, Arizona 85226

April 3, 2020
File: 204284400

Attention: Anne Coppola
Contract Administrator
Cochise County Procurement Department
1415 Melody Lane, Building C
Bisbee, AZ 85603

Dear Ms. Coppola,

**Reference: Water & Wastewater Feasibility Report Douglas, Arizona, 20-24-BOS-03
Change Order #1: Water System Hydraulic Model**

Stantec Consulting Services Inc. (Stantec) is pleased to submit this scope of services and fees for a change order to support the Water and Wastewater Feasibility Report in Douglas, Arizona. The following scope of services summarizes our understanding of the requirements for this change order. Stantec will perform work as necessary to prepare a hydraulic model of the Douglas water system(s) and use that model to analyze proposed improvements and future growth to determine infrastructure requirements. The proposal for the feasibility report assumed that the City of Douglas would have hydraulic modeling in place and a current water report. This scope of services is based on the scope of work discussed during the Skype meetings held on March 19 and April 1, 2020. The goals stated by scope of work and during that meeting are summarized as follows:

- Hydraulic Model Data Processing
- Hydraulic Model Construction
- Existing Water System(s) Assessment
- Future Water System(s) Assessment
- Groundwater Resources Investigation
- Documentation in Feasibility Report and Douglas Water System(s) Report

See attached Exhibit A for the Professional Services Agreement for Scope of Work and Exhibit B for the Fee Proposal. Please review and call if you have any questions or concerns.

Regards,

Stantec Consulting Services Inc.

Colleen M. Ruiz P.E., MPA, CFM
Principal
Phone: 480-687-6014
Colleen.Ruiz@stantec.com

Jack Bryck, PE
Principal
Phone: 480-244- 6886
Jack.Bryck@stantec.com

Change Order 1 – Hydraulic Modeling of Douglas Water System(s)**Professional Services Agreement Scope of Work****Cochise County****Water & Sewer Feasibility Report – Douglas, AZ Port of Entry****Project No. 20-24-BOS-03****SCOPE OF WORK****1. CHANGE ORDER SCOPE**

The scope of this change order is for the creation of hydraulic model of the existing City of Douglas (the City) water system. The hydraulic model analysis will help identify constraints on the existing water system and provide the necessary information to assess the feasibility of expanding the water supply system to serve the future Douglas Port of Entry (POE), existing U.S. Border Patrol complex, Cochise College, the Bisbee-Douglas International Airport (BDIA), and to account for future growth particularly between the City of Douglas and the Douglas Port of Entry.

The deliverable will be a standalone report detailing the hydraulic modeling of the Douglas water distribution system and analysis of expansion to serve the proposed Douglas POE and other institutional as well as future growth along the future access highway between the City of Douglas and the POE.

Overlapping efforts between the Water and Wastewater Feasibility Report and Hydraulic Model have been identified and removed from the scope of tasks within this change order. These efforts are described after the related task and identified with a check mark. This information was assumed to be on hand and will aid in the accuracy and usefulness of the Water and Wastewater Feasibility Report – Douglas, AZ Port of Entry.

Task 208: Hydraulic Model Data Processing

Objective: This activity will include analysis of base plans and mapping, system inventory and physical data, existing water demand statistics, growth projections and scenarios, performance data, interviews with City staff, City policies and service provision criteria, and relevant reports as related to preparing a hydraulic model of the water system.

- ✓ Task 201 - Collection of the required water system data and coordination with County and City staff is included in Water and Wastewater Feasibility Report budget and is not included in the following tasks.

Activity 208.1 - Process Available Digital Mapping

Stantec will process the current City water distribution system AutoCAD map into a GIS-based product to provide the City water mains, wells, storage reservoirs and approximate elevation data for system components. This process will be checked with available data. All data will eventually reside within the project GIS to provide one consistent spatial data source. This GIS data will be provided electronically to the City of Douglas at the completion of this project.

It is understood that the City AutoCAD drawing may not include some recent water system improvements and that the analysis will include only what is in the current mapping. As agreed with the City on April 2, 2020, smaller three- and four-inch diameter pipes will not be included in the model for efficiency, but their demand will be included at nodes and notes in files will account for these pipes.

This work should occur in the third week of April 2020.

Activity 208.2 - Process Facility Maps / Data (Wells, Storage, Standpipes, and Pumping)

Stantec will process data to adequately characterize the key system facilities (groundwater wells, storage reservoirs, and pumps). The ground water well information will include at a minimum the metered operating pumping rate, the operating discharge header pressure, the static discharge header pressure and operating pump curve. The storage reservoirs Top Water Level, Bottom Water Level, storage volume, tank wall material (concrete, steel) and inlet/outlet piping (common inlet/outlet, inlet at top of tank)

Typically, Stantec staff would visit all key system components and sites relevant to the existing water system evaluation effort with City staff. However, it is not anticipated Stantec staff will visit the facilities at this time due to COVID-19 restrictions. Therefore, Stantec will request pictures of all key system components and sites as well as information on equipment located at the sites from Douglas staff.

As noted in our Skype meeting of April 2, 2020, the City will identify if there are any Pressure Reducing Valve installations between the High and Low pressure zones. If so, the City will provide installation details.

This work should be carried out in the third week of April 2020.

Activity 208.3 - Digitize Available Operational Data

Stantec will digitize available operational data, create spreadsheets and summarize of relevant observations of the water system and assumptions to be made in the model.

For purposes of the model, the City will provide the total (gallons) and unit system wide water annual average day water demand (gallons per capita per day) for 2014 through 2019 and the total (gallons) and unit maximum day demand (gpcpd) in the period 2014 to 2019.

The City will provide meter / billing data for 2018 and 2019 of the top thirty (30) water connections with the highest annual meter readings in the City and analyze same (example golf course, schools, schools with playing fields, hospital, commercial, gravel pit, industrial, multi residential, etc.). The City will provide to Stantec the location of each of these thirty (30) connections on a water distribution system plan. The data will be used in the hydraulic model. The City will provide reservoir level hourly fluctuation levels for the maximum week demand period 2014 to 2019.

It is anticipated that this data will quantify system demands and trends. In addition, we will analyze available records of systems flows, pressures, fire flows, and other metrics as available. It is understood that recent water meter upgrades have resulted in higher than historical readings and that there is concern with historic well flow meter accuracy.

Activity 208.4 - Field Testing (Facility Data, System Pressures, and Hydrant Flows)

The model will be used to understand the City water system pressure under normal non hydrant use situation and then several different scenarios each with one fire hydrant in service at critical locations in the City.

Stantec will design a simple program for Douglas staff to conduct field measurements of system pressure at various fire hydrant locations including individually operating up to about ten (10) fire hydrants to characterize the current performance of the wells, storage reservoirs, pumps, and distribution piping.

Typically, Stantec staff would be present during the field testing to work with City staff. However, Stantec staff will be able to participate at this time due to COVID-19 restrictions. Stantec will provide specific instructions for the field-testing program including forms to collect the field data.

Strategic system pressure, pipe roughness tests, and fire flow measurements will be completed by City staff. It is anticipated that this should take no more than three days of effort. The scope of this field testing will be discussed with City staff in order to ensure staff safety and work priorities. It is not anticipated Stantec staff will attend the field testing due to current travel restrictions.

It is expected that the field work should be carried in the fourth week of April 2020.



Task 209: Hydraulic Model Construction

Objective: Create a comprehensive and accurate steady-state hydraulic representations (i.e. pressures and flows) of the City of Douglas water distribution system within the computer modeling software.

This should start and be finished in the fourth week of April 2020.

Activity 209.1 - Model Construction

Stantec will construct a computerized hydraulic model of the existing system by importing the collected data into the hydraulic model software package. All facilities will be constructed to reflect the physical system as close as possible.

As discussed at the meeting of April 2, 2020 the City will review the hydraulic tie, if any, between the City water system high pressure zone and low pressure zone. The model development will wait for this determination by the City.

Deliverables will include the modeling files and a commentary on the basis of construction. Constructed scenarios will include average day water demand (ADD), maximum day water demand (MDD), MDD plus fire flow at up to six critical condition areas (high fire flows associated with critical infrastructure hospital, city hall, schools, etc.), and peak hour demand (PHD). A night filling demand (NFD) scenario will be created only if it is judged relevant and required in order to quantify the envelope of system operation.

It is noted that the City believes that two (2) additional water wells are needed. For modeling purposes, the possible location and capacity of these wells will have to be directed by the City. The decision on the location and capacity are very important as they shape the modeling outcome.

Activity 209.2 - Generation and Allocation of Water Demands

Stantec will use the calculated total maximum day system demand in the period 2014 to 2019 along with point or area methods to accurately assess water demands which accrue to each water model node.

Water meter data will be input for the top thirty (30) significant water users within the City including the hospital, golf course, material pit, industrial, and schools. Simulating water quality and transient conditions (extended period simulations and / or water hammer) within the distribution system will not be done.

Aerial photographs and parcel / land use maps will be used to allocate water demands. The water use data for modeling purposes, particularly single family homes, connected to the City water distribution system will be estimated based on the City supplied historic annual maximum day unit system water demand (gallons per capita per day) and the City supplied census/planning data of the number of people per dwelling unit.

Activity 209.3 - Model Calibration

Stantec will calibrate the existing system model using the field test measurements collected in Activity 208.7. The resulting accuracy will be dependent on the completeness and accuracy of the available data. Deliverables will include calibrated model files and comparison spreadsheets exhibiting the agreement between simulated and measured data. This task will conclude with the development of a report chapter detailing the model selection, construction, and calibration efforts.

Task 210: Existing Water System(s) Assessment

Objective: To assess the City's existing water distribution system ability to meet Level of Service and Design Standards (Activity 210.1) under the existing maximum day water demand in the period 2014 to 2019 plus fire flow scenarios at critical locations in the City water system as noted above. A summary of existing system deficiencies and recommendations for improvements will be provided.

- ✓ Task 302 - Engineer will provide high-level analysis of the existing water and sewer infrastructure within the City of Douglas to determine to capacity and constraints of the existing utility system based on data provided by the City was included in the Water and Wastewater Feasibility Report. As this task has

changed from high level to detailed hydraulic modeling, reduced hours are provided to account for the change in detail.

Activity 210.1 - Confirm Level of Service and Design Standards

Stantec will forward a draft level of service statement to City staff for their input and confirmation. These level of service criteria will function as a standard with which to judge the performance of the existing system. For example, criteria could include a minimum of 40 psi anywhere in the City water system on maximum day demand and 20 psi anywhere in the system on maximum day demand plus fire flow requirements for the water system. It is assumed that there is only one fire on maximum day demand. The City may have other criteria that will be adopted.

The City will identify the fire flow requirements (gallons per minute and the fire flow duration) at critical locations in the City water system typically as recommended to the City by the insurance Advisory Organization or the State of Arizona. The City will identify the location of the each critical infrastructure location. These fire flows will be used in the individual modeling runs at the nodes associated with the critical infrastructure.

Activity 210.2 - Analysis of Wells, Storage, and Pumping Facilities

Stantec will compute the current reliable water supply for the City, based upon current production statistics for the groundwater wells. Stantec will calculate the adequacy of the current storage facilities.

While the water source delivery system, in the case of the City the groundwater wells, are designed to meet system maximum day water demand, while the storage reservoirs are sized to meet water system peak hour demand, fire flow demand and fire flow duration and emergency reserve.

The firm, or reliable, pumping capacity will be calculated and compared to City water demand statistics to determine its adequacy.

Activity 210.3 - Evaluation of Distribution System

Stantec will quantify system in model output the pressures, flows, velocities, and head loss gradients for the average day demand (ADD) 2014 to 2019, the maximum day demand (MDD) in the period 2014 to 2019 and peak hour demand in the period 2014 to 2019 (PHD) scenarios. Available fire flows will also be quantified for their occurrence during the MDD scenario.

GIS layers will be created from the hydraulic model output files and maps created to highlight the results. Stantec will examine up to two additional “stressed system” scenarios as necessary and as envisioned by the City.

Activity 210.4 - Summarize Existing System Deficiencies & Solutions

The team will prepare a draft report chapter outlining the bottlenecks and other deficiencies identified by the hydraulic model in the existing system and recommendations to improve these deficiencies.

Activity 210.5 - Progress Review Meeting

Stantec will attend a progress review meeting via teleconference, to present the results.

Task 211: Future Water System(s) Assessment

Objective: Expand the hydraulic model pipes and nodes and otherwise examine the behavior of the future water distribution system network necessary to provide water to locations determined in Task 303 of the Water and Wastewater Feasibility Report (Douglas POE) and account for future growth as determined in Task 403 (“Commercial and residential growth capacity for the area..POE”).

The water mains and required infrastructure to serve the Port of Entry and other areas identified in Task 303 of the Water and Sewer Feasibility Report will then be added to the model of existing maximum day



demand and fire flows. This infrastructure will be dependent upon the future sources and magnitudes of water supply which will be identified by the Stantec hydrogeological staff.

The water demands corresponding to the Port of Entry and other areas served by each future node will be calculated and added to the model. The hydraulic model will be used to size the water distribution system piping needed. The performance of these updated scenarios will then be analyzed and documented. The system evaluation, modeling, and results will fully describe the identified problems within the system and allow for the development of initial approaches to resolving the deficiencies.

- ✓ Task 303 of the Water and Wastewater Feasibility Report includes determination of required upgrades to Douglas system(s) for the Port of Entry and is not included in this task.
- ✓ Task 305 of the Water and Wastewater Feasibility report includes preliminary Hydraulic Analysis to size Pipe, Pump Stations, & Storage and is not included in this task.
- ✓ Task 403 of the Water and Wastewater Feasibility Report includes analysis of commercial and residential growth capacity for the area and is not included in the following task.

Task 212: Groundwater Resources Investigation

Objective: Perform desktop analysis to provide high level recommendations on the location and capacity of two (2) future groundwater wells in the City water distribution system, that in agreement with the City, will be included in the water system model.

Stantec will conduct a brief desktop investigation of groundwater resources in the vicinity of Douglas, AZ. This includes identification of registered well sites, depths to groundwater, groundwater elevations and flow directions. Water quality of groundwater will also be evaluated.

All portions of the groundwater investigation will be constrained by researching only existing and available reports, no field investigations, flow measurements, or water quality sampling is anticipated as part of this desktop investigation. No groundwater modeling is included as part of this phase of work. The results of the investigation will include a brief narrative describing the findings of the investigation along with a map showing registered well locations and estimated groundwater elevations and flow directions.

Based on the findings of the desktop investigation, regions will be identified for further investigation of subsurface characteristics and for potential well sites. No borehole drilling, well construction, or testing is part of this investigation phase.

2. Deliverables

Deliverables to Cochise County within the water and wastewater feasibility report will include a summary of analysis of the capacity and constraints of the existing water system(s) as well as analysis of proposed connections to the new port of entry, U.S. Border Patrol, Cochise College, the BDIA, along the utility corridor to Douglas, and future growth models. This data will be used to size pipes, pumps, and storage requirements accurately for future planning and cost estimates. Hydraulic data will be included in an appendix of the report.

The City of Douglas will receive a stand-alone report detailing the hydraulic modeling, input data, assumptions, and recommendations for the existing system(s) including analysis to determine the effects of two new wells to the system and recommendations for the existing water system(s). Improvements required for the planned water and wastewater extensions will be provide as well as an electronic copy of hydraulic model.



Water & Wastewater Feasibility Report - Change Order #1: City of Douglas Water System Hydraulic Model & Evaluation - Budget of Fixed Fee

STAGE & TASK DESCRIPTION 2020 Hourly Rate ==>	ALLOCATED HOURS								COST SUMMARY - \$	
	Project Manager	Principal	Hydraulics Lead	GIS & Modeling	GIS & Modeling	GIS & Modeling	GIS & Modeling	Clerical Support	Total Hours	Labor Fee
	Ruiz \$219	Bryck \$219	Georgalas \$193	TBD \$149	Goode \$193	Graves \$185	Wang \$159	Various \$113		
TASK 208 - HYDRAULIC MODEL DATA										
Process Available Digital Mapping and GIS Layers			6						6	\$1,158
Process Facility Maps / Data (Wells, Storage, and Pumping)			8						8	\$1,544
Digitize Available Operational Data			8						8	\$1,544
Field Testing (Facility Data, System Pressures, and Hydrant Flows)	2		8						10	\$1,982
TASK 209 - HYDRAULIC MODEL CONSTRUCTION AND CALIBRATION										
Model Construction			16						16	\$3,088
Generation and Allocation of Water Demands			8						8	\$1,544
Model Calibration			12						12	\$2,316
TASK 210 - EXISTING SYSTEM ASSESSMENT										
Confirm Level of Service and Design Standards		2	2						4	\$824
Analysis of Wells, Pumping, and Storage			6						6	\$1,158
Evaluation of Distribution System			12						12	\$2,316
Summarize Existing System Deficiencies			8						8	\$1,544
Progress Review Meetings	2	2	2						6	\$1,262
TASK 211 - FUTURE SYSTEM ASSESSMENT										
Future System Assessment (Assume 3 scenarios)	2		24						26	\$5,070
TASK 212 - GROUNDWATER RESOURCES INVESTIGATION										
Future System Assessment			2		1	3	26		32	\$5,268
TASK 213 - DOCUMENTATION										
Draft Report Preparation and Review	2	4	30						36	\$7,104
Report Finalization		6							6	\$1,314
QA/QC		4							4	\$876
Column Totals:	8	18	152	0	1	3	26	0	208	\$39,912

Action 7.
County Attorney

Regular Board of Supervisors Meeting

Meeting Date: 05/05/2020

Approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement

Submitted By: Susana Stark, County Attorney

Department: County Attorney

Presentation: No A/V Presentation

Recommendation: Approve

Document Signatures: BOS Signature Required

of ORIGINALS 3
Submitted for Signature:

NAME Brian M. McIntyre
of PRESENTER:

TITLE County Attorney
of PRESENTER:

Mandated Function?: Federal or State Mandate

Source of Mandate
or Basis for Support?:

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

Information

Agenda Item Text:

Approve the City of Tucson High Intensity Drug Trafficking Area (HIDTA) Grant Agreement HT-20-2909 between the City of Tucson and Cochise County, in the amount of \$151,702, effective January 1, 2020 through December 31, 2021.

Background:

The HIDTA Grant will fund one drug crime attorney III and one administrative assistant in the Cochise County Attorney's Office. The HIDTA Grant will allow the HIDTA prosecutor to prosecute drug crimes. By not renewing the grant the County will lose one experienced senior prosecutor and one Administrative Assistant. The County Attorney's Office will have to reduce the number of drug crime prosecutions and asset forfeiture seizures due to a lack of manpower. If the County were to pay for these personnel out of the general fund, taxpayers will assume the added expense. The County Attorney's office is mandated to prosecute crimes.

The question is whether the Board wishes to decline HIDTA Grant funding and eliminate the two positions currently funded by the HIDTA Grant; or decline the grant and pay the two positions out of the general fund; or accept the grant and absorb the overhead costs associated with the grant.

This grant works in conjunction with Southeastern Arizona Major Investigative Team (SAMIT) headed by the DEA; the Cochise County Sheriff's HIDTA. Not renewing this grant would jeopardize law enforcement drug grants and the Byrne grant.

Department's Next Steps (if approved):

Once approved by the Board, obtain signed agreements from the Board and Certified copies of the Board Minutes.

Impact of NOT Approving/Alternatives:

Reduction in drug crime prosecutors and support staff and the placement of other law enforcement drug grants in jeopardy.

To BOS Staff: Document Disposition/Follow-Up:

Three (3) originals provided. Advise CAO upon Board approval. Return three (3) signed Agreements to CAO. Send a certified copy of the Board Minutes approving the agreement, as soon as it is available, to CAO.

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

Grant Approval Form

HT20 Cochise CAO SAMIT Grant Agreement - 2020

COCHISE COUNTY GRANT APPROVAL FORM

Form Initiator:

Date Prepared:

Point of Contact:

Phone Number:

Department:

PRIMARY GRANT

Primary Grantor:

CFDA:
www.CFDA.gov

Grant Title:

Grant Term From:

To:

Total Award Amount:

New Grant: Yes No

Grant No:

Amendment: Yes No

Amendment No:

GL Account No:

If new, Finance will assign a fund number.

Strategic Plan:

District:

Mandated by Law

Yes

No

Number of Positions Funded:

Asset(s) Acquired:

Grantor's reimbursement mileage rate:

Health or pension reimbursement:

Other reimbursement:

Briefly describe the purpose of the grant:

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

PRIMARY FUNDING SOURCE

Funding Year: Federal Funds 332.100

State Funds 336.100

County Funds 391.000

Other Funds:

Total Funds:

Has this amount been budgeted? Yes No

Method of collecting funds: Lump Sum Quarterly Draw Reimbursement

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

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

(b) Amount of overhead allowed by grant:

County Subsidy (a) - (b) =

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

Name of Grant: Funder:

If yes please complete an additional grant approval form.

Is County match required? Yes No

County match source:

County match dollar amount or percentage:

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



**CITY OF TUCSON
HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA)
PROGRAM
GRANT AGREEMENT CFDA NUMBER: 95.001**

AWARD NUMBER (FAIN): **G20SA0007A**

COT Grant Number **HT-20-2909**

This Grant Agreement is made this **1ST day of January 2020** by and between the CITY OF TUCSON hereinafter called "CITY" and **GOVERNING BODY**, through **Cochise County Attorney's Office** hereinafter called "GRANTEE". The CITY enters into this Agreement pursuant to its authority under the provisions of A.R.S. § 11-951, et seq., and the City of Tucson's Resolution number 21460, having satisfied itself as to the qualification of GRANTEE.

NOW, THEREFORE, it is agreed between the parties as follows:

1. This Agreement will commence on **January 1, 2020** and terminate on **December 31, 2021**. This Agreement expires at the end of the award period unless prior written approval for an extension has been obtained from the CITY. A request for extension must be received by the CITY sixty (60) days prior to the end of the award period. The CITY may approve an extension that further the goals and objectives of the program and shall determine the length of any extension within Office of National Drug Control Policy (ONDCP) guidelines.
2. The GRANTEE agrees that grant funds will be used for the **Southeastern Arizona Major Investigative Team (SAMIT)**.
3. The CITY will monitor the performance of the GRANTEE against goals and performance standards outlined in the grant application. Sub-standard performance as determined by the CITY will constitute non-compliance with this Agreement. The GRANTEE shall operate in a manner consistent with and in compliance with the provisions and stipulations of the approved grant application and this Agreement. If the CITY finds non-compliance, the GRANTEE will receive a written notice that identifies the area of non-compliance, and the appropriate corrective action to be taken. If the GRANTEE does not respond within thirty calendar days to this notice, and does not provide sufficient information concerning the steps that are being taken to correct the problem, the CITY may suspend funding; permanently terminate this Agreement and/or revoke the grant; Any deviation or failure to comply with the purpose and/or conditions of this Agreement without prior written CITY approval may constitute sufficient reason for the CITY to terminate this Agreement; revoke the grant; require the return of all unspent funds, perform an audit of expended funds; and require the return of any previously spent funds which are deemed to have been spent in violation of the purpose or conditions of this grant.
4. This Agreement may be modified only by a written amendment signed by the parties. Any notice given pursuant to this Agreement shall be in writing and shall be considered to have been given when actually received by the following addressee or their agents or employees:

A. If to the City of Tucson:

**City of Tucson
ATTN: Business Services
Police Satellite Office (Finance)
Tucson Police Department
270 S. Stone Ave.
Tucson, Arizona 85701-1917**

B. If to the GRANTEE:

**Cochise County Attorney's Office
PO Drawer CA
Bisbee, AZ 85603
Attention: Thomas E. Borer, Chairperson,
Cochise County Board of Supervisors**

5. The GRANTEE may make budget adjustments only after written notification with signature approval from Arizona HIDTA Director is provided to the CITY. A grant adjustment notice (GAN) will be issued to the GRANTEE notifying the GRANTEE of the approval. Adjustments or reprogramming of the grantee's budget in an initiative or any reprogramming between initiative and/or agencies; in any amount, require the approval of the Board, the AZ HIDTA Director, and/or the ONDCP in accordance with HIDTA Program Policy and Budget Guidance.

APPROVED LINE ITEM PROGRAM BUDGET	
Personnel:	
Salaries	\$124,552.00
Fringe Benefits	\$27,150.00
Overtime	\$0.00
Travel	\$0.00
Facilities	\$0.00
Services	\$0.00
Operating Expenses:	
Supplies	\$0.00
Other	\$0.00
Equipment	\$0.00
TOTAL	\$151,702.00
See Attached Budget Detail Sheet	

6. The GRANTEE understands that financial reports are required for reimbursement of expenditures.
7. Every payment obligation of the CITY under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the CITY. No liability shall accrue to the CITY in the event this provision is exercised, and the CITY shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.
8. The GRANTEE understands that prior to the expenditure of confidential funds; an authorized official of the GRANTEE shall sign a certification indicating that he or she has read, understands, and agrees to abide by all of the conditions pertaining to confidential fund expenditures as set forth in HIDTA Program Policy and Budget Guidance Para. 6.16.2

9. The GRANTEE certifies that it will comply with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 as codified in 2 CFR Part 3603 and HIDTA Program Policy & Budget Guidance - January 6, 2020.

Link: Electronic Code of Federal Regulations: <http://www.ecfr.gov>

10. The GRANTEE agrees to account for interest earned on Federal grant funds and shall remit interest earned in excess of the allowable amount as detailed in 2 CFR, Part 200, §200.305 Payment, and all unexpended grant funds to the CITY within 30 days after receipt of a written request from the CITY. The GRANTEE agrees to expend all encumbered funds within 90 days of expiration of this award.
11. The GRANTEE agrees to retain all books, account reports, files and other records, (paper and/or electronic) relating to this Agreement and the performance of this Agreement for no less than five (5) years from the last financial report submitted to the CITY. All such documents shall be subject to inspection and audit at reasonable times.
12. For the purpose of this grant, a capital expenditure is \$5,000 or above. If the GRANTEE'S policy defines a capital expenditure as less than \$5,000, the GRANTEE will use its own policy.

The GRANTEE shall maintain a tracking system, in accordance with HIDTA Program Policy & Budget Guidance – January 6, 2020, Section 8, to account for all HIDTA purchased equipment, vehicles, and other items valued at \$5000 or more per unit at the time of purchase. GRANTEE is encouraged to include lower cost, high-risk items, electronic devices and software, such as but not limited to digital cameras, palm pilots, and GPS devices in the tracking system.

The GRANTEE agrees to abide by Section 8, that those using HIDTA funds to purchase equipment must maintain a current inventory of HIDTA-purchased equipment and must provide that inventory to the HIDTA Director or an ONDCP employee, and/or the CITY upon request. A 100-percent physical inventory of HIDTA-purchased equipment must be conducted at least every two years.

13. The GRANTEE agrees to follow equipment disposition policies outlined in Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 Subpart D- Post Federal Award Requirements, §§ 310-316- Property Standards when the equipment is no longer needed for the grant program. When no longer needed for the original program, the equipment may be used in other activities supported by the Office of National Drug Control Policy.

Link: *Electronic Code of Federal Regulations* <http://www.ecfr.gov>

The GRANTEE agrees that the purchasing agency shall comply with ONDCP HIDTA Program Policy & Budget Guidance – January 6, 2020 Section 8 in determining the end of the useful life and disposition of HIDTA purchased equipment. Purchasing agencies must retain documentation of the disposition and provide to the HIDTA Director and the CITY.

14. The GRANTEE agrees to keep time and attendance sheets signed by the employee and supervisory official having first hand knowledge of the work performed by the grant funded employees. The GRANTEE agrees to track overtime expenses in accordance with ONDCP HIDTA Program Policy & Budget Guidance – January 6, 2020.

15. The GRANTEE will comply with the audit requirements of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR 200 Subpart F- Audit

Requirements and provide the CITY with the audit report and any findings within 90 days of receipt of such finding. If the report contains no findings, the GRANTEE must provide notification that the audit was completed.

Link: *Electronic Code of Federal Regulations* <http://www.ecfr.gov>

16. The GRANTEE agrees that it will submit financial reports and supporting documentation to the CITY through the AZ HIDTA Finance Manager on forms/format provided by the CITY, documenting the activities supported by these grant funds. In the event reports are not received on or before the indicated date(s), funding will be suspended until such time as delinquent report(s) are received. These reports are submitted according to the following schedule:

Report Period Month of:	Due Date:	Report Period Month of:	Due Date:
January 1 - 31	February 25	July 1 - 31	August 25
February 1 - 29	March 25	August 1 - 31	September 25
March 1 - 30	April 25	September 1 - 30	October 25
April 1 - 30	May 25	October 1 - 31	November 25
May 1 - 31	June 25	November 1 - 30	December 25
June 1 - 30	July 25	December 1 - 31	January 25

More frequent reports may be required for GRANTEES who are considered high risk.

17. All goods and services purchased with grant funds must be received by the GRANTEE within 60 days of the expiration of this award.
18. The GRANTEE agrees to check the U.S. General Service Administration (GSA) Excluded Parties Listing Service as required by Executive Order 12549, as defined in 2 CFR 180 et. seq. for individuals, agencies, companies and corporations debarred or suspended from doing business with recipients receiving Federal funds. The GRANTEE agrees not to do business with any individual, agency, company or corporation listed in the Excluded Parties Listing Service.
Link: *Excluded Parties Listing System* <http://sam.gov>
19. No funds shall be used to supplant federal, state, county or local funds that would otherwise be made available for such purposes. Supplanting means the deliberate reduction of State or local funds because of the existence of Federal funds.
20. The GRANTEE assigns to the CITY any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services applied by third parties to the GRANTEE in exchange for grant funds provided under this Agreement.
21. The parties agree to use arbitration in the event of disputes in accordance with the provisions of A.R.S. § 12-1501 et seq.
22. The laws of the State of Arizona apply to questions arising under this Agreement and any litigation regarding this Agreement must be maintained in Arizona courts, except as provided in paragraph 25 of this Agreement pertaining to disputes, which are subject to arbitration.
23. The GRANTEE understands that grant funds will not be released until all required reports and reversion of funds from the prior year grant are submitted to the CITY.

24. The GRANTEE (as "Indemnitor") agrees to indemnify, defend and hold harmless the CITY (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses, (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. If the GRANTEE is a State agency or entity, this paragraph does not apply.
25. Unless GRANTEE's contractor or subcontractor is a State agency or entity, GRANTEE shall cause its contractor(s) and subcontractors, if any to indemnify defend, save and hold harmless the City of Tucson, any jurisdictions or agency issuing any permits for any work arising out of this Agreement, and their respective directors, officers, officials, agents, and employees from and against any and all claims, actions, liabilities, damages, losses or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of GRANTEE'S contractor or any of the directors, officers, agents, or employees or subcontractors of such contractor. This indemnity includes any claim or amount arising out of or recovered under the Worker's Compensation Law or arising out of the failure of such contractor to conform to any federal, state, or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligence or willful acts or omissions of the Indemnitee, be indemnified by such contractor from and against any and all claims. It is agreed that such contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Insurance requirements for any contractor used by GRANTEE are incorporated herein by this reference and attached to this Agreement as Exhibit "A".
26. If the GRANTEE is a governmental political subdivision, the GRANTEE will, to the extent possible and practical share criminal justice information with other authorized criminal justice agencies. The process control number (PCN) shall be used in accordance with A.R.S. § 41-1750 when sharing data with other criminal justice agencies as electronic data systems are developed or improved.
27. The GRANTEE agrees to comply with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; 42 USC 3789(d); Title VI of the Civil Rights Act of 1964, as amended; Section 504, Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972 and the Department of Justice regulations 28 CFR Part 54; The Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, G and I; Department of Justice regulations on disability discrimination 28 CFR Part 35; all applicable state laws of A.R.S. § 41-1463; and Executive Orders 2009-09 and 2007-21. These laws prohibit discrimination on the basis of race, color, religion, sex and national origin including Limited English Proficiency (LEP) in the delivery of service. In the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing against the GRANTEE, the GRANTEE will forward a copy of the findings to the Office for Civil Rights, Office of Justice Programs and the CITY.

28. The GRANTEE agrees to formulate and keep on file an Equal Employment Opportunity Plan (EEO) (if grantee is required pursuant to 28 CFR 42.302). The GRANTEE certifies that they have forwarded to the Office for Civil Rights, Office of Justice Programs the EEO, or certifications that they have prepared and have on file an EEO, or that they are exempt from EEO requirements. Failure to comply may result in suspension of the receipt of grant funds. Copies of all submissions such as certifications to or correspondence with the Office for Civil Rights, Office of Justice Programs regarding this requirement must be provided to the CITY by the GRANTEE.
29. The GRANTEE certifies to comply with the Drug-Free Workplace Act of 1988, and implemented in 2 CFR Part 182.
30. The GRANTEE agrees to complete and keep on file, as appropriate, Immigration and Naturalization Form (I-9). This form is to be used by recipients to verify that persons are eligible to work in the United States. Additionally the GRANTEE ensures compliance with Executive Order 2005-30 federal immigration laws by state employers and contractors.
31. The GRANTEE agrees to notify the Arizona HIDTA Director and provide written notification to the CITY within ten (10) days in the event that the project official is replaced during the award period.
32. No rights or interest in this Agreement shall be assigned by GRANTEE without prior written approval of the CITY.
33. The GRANTEE agrees that no funds provided, or personnel employed under this Agreement shall be in any way or to any extent engaged in conduct of political activities in violation of U.S.C. Title 5, Part II, Chapter 15, Section 1502.
34. The GRANTEE certifies that it presently has no financial interest and shall not acquire any financial interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this Agreement.
35. The Grantee certifies that no federal funds will be paid, by or on behalf of, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and for the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement. If any funds other than Federal funds are paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal award, grant loan, or cooperative agreement, the GRANTEE will complete and submit to the CITY Standard Form-LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions

36. This Agreement is subject to cancellation pursuant to the provision of A.R.S. § 38-511.
37. This Agreement may be cancelled at the CITY's discretion if not returned with authorized signatures to the CITY within 90 days of commencement of the award.
38. If any provision of this Agreement is held invalid the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall be in full force and effect.
39. Pursuant to resolution number 21460, adopted by Mayor and Council December 15, 2009, the Tucson Police Chief is authorized to enter into contracts and grant agreements for HIDTA operations.
40. In accordance with A.R.S. §41-4401, GRANTEE warrants compliance with E-Verify and all federal immigration laws and regulations relating to employees and warrants compliance with A.R.S. § 23-214A.

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

FOR GRANTEE:

Signature Date

Printed Name and Title

Note: If applicable, the Agreement must be approved by the appropriate county supervisory board or municipal council and appropriate local counsel (i.e. county or city attorney). Furthermore, if applicable, resolutions and meeting minutes must be forwarded to the CITY with the signed Agreement.

Approved as to form and authority to enter into Agreement:

Legal counsel for GRANTEE Date

Printed Name and Title

INDICATE STATUTORY OR OTHER LEGAL AUTHORITY TO ENTER AGREEMENT BELOW:

Appropriate A.R.S., ordinance, or charter reference

FOR CITY OF TUCSON:

Chris Magnus, Chief of Police Date
City of Tucson Police Department

Principal Assistant City Attorney Date
City of Tucson Police Department
Approved as to form



CITY OF TUCSON
GRANT AGREEMENT

**Insurance Requirements
Exhibit "A"**

Insurance Requirements for Governmental Parties to a Grant Agreement:

None.

Insurance Requirements for Any Contractors Used by a Party to the Grant Agreement:

(Note: this applies only to Contractors used by a governmental entity, not to the governmental entity itself.)

The *insurance requirements* herein are minimum requirements and in no way limit the indemnity covenants contained in the Intergovernmental Agreement. The City of Tucson in no way warrants that the minimum limits contained herein are sufficient to protect the governmental entity or Contractor from liabilities that might arise out of the performance of the work under this Contract by the Contractor, his agents, representatives, employees or subcontractors, and Contractor and the governmental entity are free to purchase additional insurance.

A. **MINIMUM SCOPE AND LIMITS OF INSURANCE:** Contractor shall provide coverage with limits of liability not less than those stated below.

1. **Commercial General Liability – Occurrence Form**

Policy shall include bodily injury, property damage, personal injury and broad form contractual liability.

• General Aggregate	\$2,000,000
• Products – Completed Operations Aggregate	\$1,000,000
• Personal and Advertising Injury	\$1,000,000
• Blanket Contractual Liability – Written and Oral	\$1,000,000
• Fire Legal Liability	\$50,000
• Each Occurrence	\$1,000,000

- a. The policy shall be endorsed to include the following additional insured language: ***"The City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insureds with respect to liability arising out of the activities performed by or on behalf of the Contractor"***.

(Note that the other governmental entity(ies) is/are also required to be additional insured(s) and they should supply the Contractor with their own list of persons to be insured.)

- b. Policy shall contain a waiver of subrogation against the City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.

2. **Automobile Liability**

Bodily Injury and Property Damage for any owned, hired, and/or non-owned vehicles used in the performance of this Contract.

Combined Single Limit (CSL) \$1,000,000

- a. The policy shall be endorsed to include the following additional insured language: *"The City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees shall be named as additional insured with respect to liability arising out of the activities performed by or on behalf of the Contractor, involving automobiles owned, leased, hired or borrowed by the Contractor".*

(Note that the other governmental entity(ies) is/are also required to be additional insured(s) and they should supply the Contractor with their own list of persons to be insured.)

3. **Worker's Compensation and Employers' Liability**

Workers' Compensation	Statutory
Employers' Liability	
Each Accident	\$500,000
Disease – Each Employee	\$500,000
Disease – Policy Limit	\$1,000,000

- a. Policy shall contain a waiver of subrogation against the City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees for losses arising from work performed by or on behalf of the Contractor.
- b. This requirement shall not apply to: Separately, EACH contractor or subcontractor exempt under A.R.S. 23-901, AND when such contractor or subcontractor executes the appropriate waiver (Sole Proprietor/Independent Contractor) form.

B. **ADDITIONAL INSURANCE REQUIREMENTS:** The policies are to contain, or be endorsed to contain, the following provisions:

1. The City of Tucson, its departments, agencies, boards, commissions, universities and its officers, officials, agents, and employees *and the other governmental entity* shall be additional insureds to the full limits of liability purchased by the Contractor even if those limits of liability are in excess of those required by the Contract.
2. The Contractor's insurance coverage shall be primary insurance with respect to all other available sources.
3. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage provided by the Contractor shall not be limited to the liability assumed under the indemnification provisions of its Contract with the other governmental entity(ies) party to the Grant Agreement.

- C. **NOTICE OF CANCELLATION:** Each insurance policy required by the insurance provisions of this Contract shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days prior written notice has been given the City of Tucson. Such notice shall be sent directly to the GRANTEE and shall be sent by certified mail, return receipt requested.
- D. **ACCEPTABILITY OF INSURERS:** Insurance is to be placed with duly licensed or approved non-admitted insurers in the State of Arizona with an "A.M. Best" rating of not less than A- VII. The City of Tucson in no way warrants that the above-required minimum insurer rating is sufficient to protect the Contractor from potential insurer insolvency.
- E. **VERIFICATION OF COVERAGE:** Contractor shall furnish the GRANTEE with certificates of insurance (ACORD form or equivalent approved by the State of Arizona) as required by this Contract. The certificates for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf.

All certificates and endorsements are to be received and approved before work commences. Each insurance policy required by this Contract must be in effect at or prior to commencement of work under this Contract and remain in effect for the duration of the project. Failure to maintain the insurance policies as required by this Contract, or to provide evidence of renewal, is a material breach of contract.

All certificates required by this Contract shall be sent directly to the GRANTEE. The City of Tucson's project/contract number and project description are to be noted on the certificate of insurance. The City of Tucson reserves the right to require complete, certified copies of all insurance policies required by this Contract at any time. **DO NOT SEND CERTIFICATES OF INSURANCE TO THE CITY OF TUCSON'S RISK MANAGEMENT SECTION.**

- F. **SUBCONTRACTORS:** Contractor's certificate(s) shall include all subcontractors as insureds under its policies or Contractor shall furnish to the county or local government agency responsible separate certificates for each subcontractor. All coverage's for subcontractors shall be subject to the minimum requirements identified above.
- G. **APPROVAL:** Any modification or variation from the *insurance requirements* must have prior approval from the City of Tucson, Risk Management Section, whose decision shall be final. Such action will not require a formal contract amendment, but may be made by administrative action.
- H. **EXCEPTIONS:** In the event the Contractor or sub-contractor(s) is/are a public entity, then the Insurance Requirements shall not apply. Such public entity shall provide a Certificate of Self-Insurance. If the contractor or sub-contractor(s) is/are a City of Tucson agency, board, commission, or university then none of the above shall apply.



CITY OF TUCSON
HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA)
GRANT AGREEMENT

Confidential Funds Certification
Exhibit "B"

CONFIDENTIAL FUNDS CERTIFICATION

1) This is to certify that I have read, understand, and agree to abide by all of the conditions for confidential funds as set forth in the effective edition of the Office of National Drug Control Policy Financial and Administrative Guide.

2) My agency **is/ is not** authorized to disburse confidential funds.

Grant Number: **HT-20-2909**

Date: _____

Signature: _____
Authorized Official

PROCEDURES

Each project agency authorized to disburse confidential funds must develop and follow internal procedures, which incorporate the following elements:

Deviations from these elements must receive prior approval of the ONDCP.

1. Imprest Fund. The funds authorized will be established in an imprest fund, which is controlled by a bonded cashier.

2. Advance of Funds: The supervisor of the unit to which the imprest funds is assigned must authorize all advances of funds for the P/I. Such authorization must specify the information to be received, the amount of expenditures, and assumed name of the informant.

3. Informant Files: Informant files are confidential files of the true names, assumed names, and signature of all informants to whom payments of confidential expenditures have been made. To the extent possible, pictures and/or fingerprints of the informant payee should also be maintained. Refer to Informant Files "Documentation" (2) for a list of required documents for the informant files.

4. Cash Receipts.

a. The cashier shall receive from the agent or officer authorized to make a confidential payment, receipt for cash advanced to him/her for such purposes.

b. The agent or officer shall receive from the informant payee a receipt for cash paid to him/her.

5. Receipts for Purchase of Information. An Informant Payee Receipt shall identify the exact amount paid to and received by the informant payee on the date executed. Cumulative or anticipatory receipts are not permitted. Once the receipt has been completed no alteration is allowed. The agent shall prepare an Informant Payee Receipt containing the following information:
 - a. The jurisdiction initiating the payment.
 - b. A description of the information/evidence received.
 - c. The amount of payment, both in numeral and word form.
 - d. The date on which the payment was made.
 - e. The signature of the informant payee.
 - f. The signature of the case agent or officer making payment.
 - g. The signature of at least one other officer witnessing the payment.
 - h. The signature of the first-line supervisor authorizing and certifying the payment.

6. Review and Certification. The signed Informant Payee Receipt with a memorandum detailing the information received shall be forwarded to the agent or officer in charge. The agent or officer in charge shall compare the signatures. He/she shall also evaluate the information received in relation to the expense incurred, and add his/her evaluation remarks to the report of the agent or officer who made the expenditure from the imprest funds. The certification will be witnessed by the agent or officer in charge on the basis of the report and Informant Payee's Receipt.

7. Reporting of Funds. Each project shall prepare a reconciliation report on the imprest funds on a quarterly basis. Information to be included in the reconciliation report will be the assumed name of the informant payee, the amount received, the nature of the information given, and to what extent this information contributed to the investigation. Recipients/subrecipients shall retain the reconciliation report in their files and shall be available for review unless the State agency requests that the report be submitted to them on a quarterly basis.

8. Record and Audit Provisions. Each project and member agency must maintain specific records of each confidential fund transaction. At a minimum, these records must consist of all documentation concerning the request for funds, processing (to include the review and approve/disapprove), modifications, closure or impact material, and receipts and/or other documentation necessary to justify and track all expenditures. Refer to Informant Files Documentation (2) for a list of documents, which should be in an informant's file. In projects where funds are used for confidential expenditures, it will be understood that all of the above records, except the true name of the informant, are subject to the record and audit provision of grantor agency legislation.

INFORMANT FILES

1. Security. A separate file should be established for each informant for accounting purposes. Informant files should be kept in a separate and secure storage facility, segregated from any other files, and under the exclusive control of the supervisor or an employee designated by him/her. The facility should be locked at all times when unattended. Access to these files should be limited to those employees who have a necessary legitimate need. An informant file should not leave the immediate area except for review by a management official or the handling agent, and should be returned prior to the close of business hours. Sign-out logs should be kept indicating the date, informant number, time in and out, and the signature of the person reviewing the file.

2. Documentation. Each file should include the following information:

- a. Informant Payment Record - kept on top of the file. This record provides a summary of informant payments.
- b. Informant Establishment Record - including complete identifying and location data, plus any other documents connected with the informant's establishment.
- c. Current photograph and fingerprint card (or FBI/State Criminal Identification Number).
- d. Agreement with cooperating individual.
- e. Receipt for P/I.
- f. Copies of all debriefing reports (except for the Headquarters case file).
- g. Copies of case initiation reports bearing on the utilization of the informant (except for the Headquarters case file).
- h. Copies of statements signed by the informant (unsigned copies will be placed in appropriate investigative files).
- i. Any administrative correspondence pertaining to the informant, including documentation of any representations made on his behalf or any other nonmonetary considerations furnished.
- j. Any deactivation report or declaration of any unsatisfactory informant.

INFORMANT MANAGEMENT AND UTILIZATION

All persons who will be utilized as informants should be established as such. The specific procedures required in establishing a person as an informant may vary from jurisdiction to jurisdiction but, at a minimum, should include the following:

1. Assignment of an informant code name to protect the informant's identity.

-
2. An informant code book controlled by the supervisor or his/her designee containing:
 - a. Informant's code number.
 - b. Type of information (i.e. informant, defendant/informant, restricted use/informant).
 - c. Informant's true name.
 - d. Name of establishing law enforcement officer.
 - e. Date the establishment is approved.
 - f. Date of deactivation.
 3. Establish each informant file in accordance with Informant File Documentation (2).
 4. For each informant in an active status, the agent should review the informant file on a quarterly basis to assure it contains all relevant and current information. Where a MATERIAL face that was earlier reported on the Establishment Record is no longer correct (e.g. a change in criminal status, means of locating him/her, etc.), a supplemental establishing report should be submitted with the correct entry.
 5. All informants being established should be checked in all available criminal indices. If verified FBI number is available, request a copy of the criminal records from the FBI. Where a verified FBI number is not available, the informant should be fingerprinted with a copy sent to the FBI and appropriate State authorities for analysis. The informant may be utilized on a provisional basis while awaiting a response from the FBI.

PAYMENTS TO INFORMANTS

1. Any person who is to receive payments charged against PE/PI funds should be established as an informant. This includes a person who may otherwise be categorized as sources of information or informants under the control of another agency. The amount of payment should be commensurate with the value of services and/or information provided and should be based on the following factors:
 - a. The level of the targeted individual, organization or operation.
 - b. The amount of the actual or potential seizure.
 - c. The significance of the contribution made by the informant to the desired objectives.
2. There are various circumstances in which payments to informants may be made.
 - a. Payments for Information and/or Active Participation. When an informant assists in developing an investigation, either through supplying information or actively participating in it, he/she may be paid for his/her service either in a lump sum or in staggered payments. Payments for information leading to a seizure, with no defendants, should be held to a minimum.

b. Payment for Informant Protection. When an informant needs protection, law enforcement agencies may absorb the expenses of relocation. These expenses may include travel for the informant and his/her immediate family, movement and/or storage of household goods, and living expense at the new location for a specific period of time (not to exceed 6 months). Payments should not exceed the amounts authorized by law enforcement employees for these activities.

c. Payments to Informants of Another Agency. To use or pay another agency's informant, he/she should be established as an informant. These payments should not be a duplication of a payment from another agency; however, sharing a payment is acceptable.

3. Documentation of payments to informants is critical and should be accomplished on a Informant Payee Receipt. Payment should be made and witnessed by two law enforcement officers and authorized payment amounts should be established and reviewed by at least the first line supervisory level. In unusual circumstances, a non-officer employee or an officer of another law enforcement agency may serve as witness. In all instances, the original signed receipt must be submitted to the project director for review and record keeping.

ACCOUNTING AND CONTROL PROCEDURES

Special accounting and control procedures should govern the use and handling of confidential expenditures, as described below:

1. It is important that expenditures which conceptually should be charged to PE/PI/PS are so charged. It is only in this manner that these funds may be properly managed at all levels, and accurate forecasts of projected needs be made.
2. Each law enforcement entity should apportion its PE/PI/PS allowance throughout its jurisdiction and delegate authority to approve PE/PI/PS expenditures to those offices, as it deems appropriate.
3. Headquarters management should establish guidelines authorizing offices to spend up to a predetermined limit of their total allowance on any buy or investigation.
4. In exercising his/her authority to approve these expenditures, the supervisor should consider:
 - a. The significance of the investigation.
 - b. The need for this expenditure to further the investigation.
 - c. Anticipated expenditures in other investigations.

Funds for PE/PI/PS expenditures should be advanced to the officer for a specific purpose. If they are not expended for that purpose, they should be returned to the cashier. They should not be used for another purpose without first returning them and repeating the authorization and advance process based on the new purpose.

5. Funds for PE/PI/PS expenditure should be advanced to the officer on suitable receipt form. Informant Payee Receipt or a voucher for P/E should be completed to document funds used in the purchase of evidence or funds paid or advanced to an informant.
6. For security purposes there should be a 48-hour limit on the amount of time funds advanced for PE/PI/PS expenditure may be held outstanding. If it becomes apparent at any point within the 48-hour period that the expenditure will not materialize, the funds should be returned to the cashier as soon as possible. An extension of the 48-hour limit may be granted by the level of management that approved the advance. Factors to consider in granting such an extension are:
 - a. The amount of funds involved.
 - b. The degree of security under which the funds are being held.
 - c. How long an extension is required.
 - d. The significance of the expenditure.

Such extensions should be limited to 48 hours. Beyond this, the funds should be returned and readvanced, if necessary. Regardless of circumstances, within 48 hours of the advance, the cashier should be presented with either the unexpended funds, an executed Informant Payee Receipt or purchase of evidence or written notification by management that an extension has been granted.

7. P/S expenditures, when not endangering the safety of the officer or informant, need to be supported by canceled tickets, receipts, lease agreements, etc. If not available, the supervisor, or his immediate subordinate, must certify that the expenditures were necessary and justify why supporting documents were not obtained.

Regular Board of Supervisors Meeting

Development Services

Meeting Date:	05/05/2020		
Assurance Agreement extension request for The Oaks Subdivision			
Submitted By:	Paul Esparza, Development Services		
Department:	Development Services		
Presentation:	PowerPoint	Recommendation:	Approve
Document Signatures:	BOS Signature Required	# of ORIGINALS Submitted for Signature:	1
NAME of PRESENTER:	Paul Esparza	TITLE of PRESENTER:	Interim Building Official
Docket Number (If applicable):	S-04-03		
Mandated Function?:	Federal or State Mandate	Source of Mandate or Basis for Support?:	

Information

Agenda Item Text:

Approve an Assurance Agreement extension to May 9, 2023, for The Oaks Subdivision, with Pioneer Title Agency, Inc., as Trustee under Trust No. 319061 for Castle & Cooke Arizona, Inc., as Beneficiary of Trust No. 319061.

Background:

The Oaks Subdivision consists of 113 lots on 503-acres, is zoned RU-4 and is located east of State Route 92 at Three Canyons Boulevard, within the Southern San Pedro Valley Area Plan and the Sierra Vista Sub-watershed. The project is provided water service by Liberty Utilities. The average lot size is 4.45-acres. Phase 1 of this project was completed in February 2008, with 29 lots released to date. This represents completion of 26% of the improvements. The four remaining Phases are 2 thru 5. Eighty-four (84) lots remain secured under the Assurance Agreement.

The Board of Supervisors approved the final plat on May 1, 2007, and both the Final Plat and the Assurance Agreement were recorded on May 9, 2007. On September 13, 2011, the Board approved an extension of the assurance agreement to May 9, 2014. On May 20, 2014, the Board approved a second extension of the assurance agreement to May 9, 2017. The Board approved a third extension request on April 25, 2017 to May 9, 2020.

On December 6, 2016, the Board approved text amendments to Section 702.01 Assurance Agreement in the subdivision regulations which includes five factors that the Board may consider in their decision to grant an assurance agreement extension. The responses for this request are provided in bold italics:

- a. Whether the property taxes on the subject parcel(s) are current. ***Yes, the property taxes are current.***
- b. If the subdivision is phased, whether the subdivision infrastructure improvements for at least 20% of the proposed phases have been completed. If it is not phased, whether at least 25% of the subdivision infrastructure improvements have been completed. ***There are 5 phases in this project. 29 of the 113 total lots have been developed. This represents 26% completion of the subdivision improvements. In addition, all offsite improvements have been completed including the well and water storage facility for the entire subdivision and the new Three Canyons Gate.***

c. The number of extensions previously granted. A maximum of three extensions, not exceeding a total of ten (10) years since either the original approval of the assurance agreement or the most recent release of a lot, whichever has occurred later. **Three prior extensions were granted in 2011, 2014 and 2017.**

d. The economic conditions or other circumstances that are affecting the developer's ability to complete subdivision improvements. **The first phase was completed slightly before the beginning of the "Great Recession" and three lots were sold in that period. Shortly after the beginning of the "Great Recession" the fire of 2011 ravaged the property, destroying or burning many of the oak trees covering the property for which it is named. This damage combined with the economic forces of the recession dramatically slowed the selling of lots. Over the last several years the property has greened up and additional lots have been sold. Three houses have been completed and one is under construction, and another about to start. The property is being maintained at a high level and the streets have been recently seal coated.**

e. Has the character of the area or physical factors such as drainage, floodplain, water issues or circulation patterns changed significantly since plat approval that compliance with current County Subdivision and/or Zoning Regulations is necessary. **No**

Department's Next Steps (if approved):

If approved, the Board Chairman will sign the Assurance Agreement extension and it will be recorded with a new expiration date of May 9, 2023.

Impact of NOT Approving/Alternatives:

The subdivision improvements for Phases 2 through 5 of The Oaks Subdivision would remain unsecured.

To BOS Staff: Document Disposition/Follow-Up:

Following the recording of the Assurance Agreement extension document, please transmit a copy to Development Services.

Attachments

The Oaks 2020 PPT

The Oaks 2020 AA

The Oaks 2020 ext request letter

COCHISE COUNTY

**The Oaks Subdivision (S-04-03)
Assurance Agreement Extension Request**

May 5, 2020

Board of Supervisors



Public Programs...Personal Service

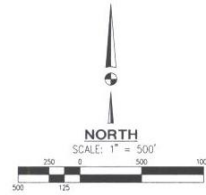
COCHISE COUNTY

- **The Oaks is a 113-lot subdivision on 503 acres, zoned RU-4, located east of SR 92 at Three Canyons Rd. Average lot size of 4.45 acres.**
- **Final Plat and Assurance Agreement recorded on May 9, 2007.**
- **Assurance Agreement was extended in 2011, 2014, and 2017. Its due to expire on May 9, 2020.**
- **84 lots remain secured under the Assurance Agreement.**
- **If approved, the Assurance Agreement would expire on May 9, 2023**



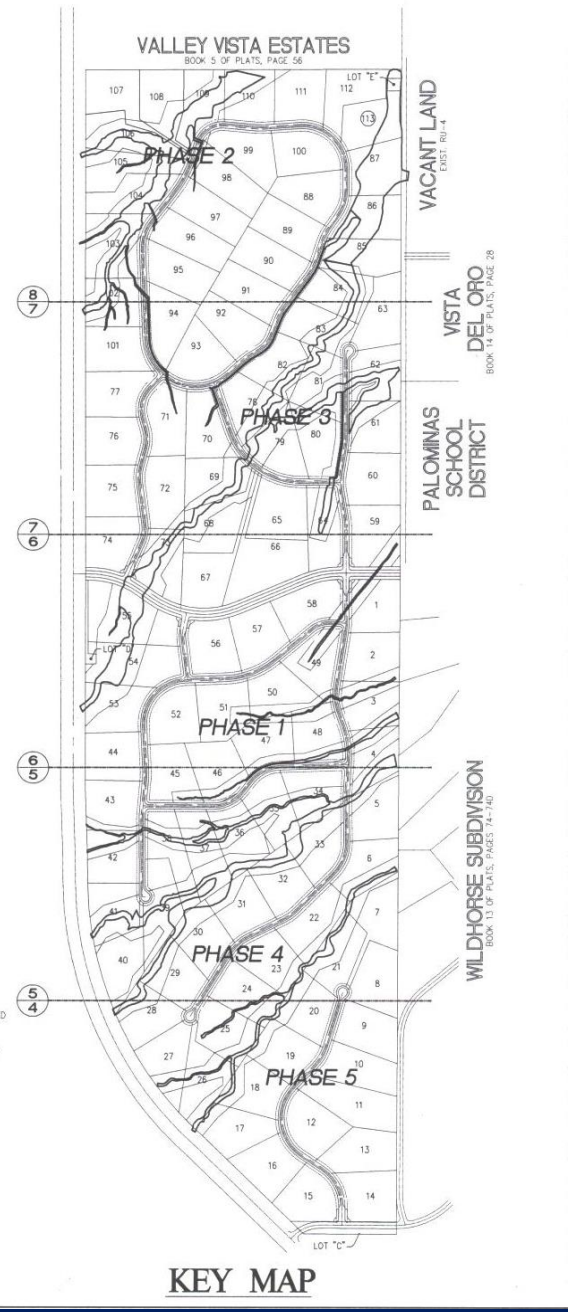
COCHISE COUNTY

The Oaks Phasing Plan



LEGEND

	SUBDIVISION BOUNDARY
	PHASE LINE
	PROPERTY LINE
	ROADWAY CENTERLINE
	EDGE OF ROADWAY SURFACE
	P.U.E. & N.A.E. LINE
	100-YR. FLOOD LINE
	EROSION HAZARD SETBACK LINE
	EXISTING SURVEY MONUMENT
	SET 6" CONC. MON. WITH BRASS CAP STAMPED "RLS 14181" FLUSH WITH PAVEMENT
	SET REBAR WITH ALUMINUM CAP MARKED "RLS 14181" AND FOR CORNER IDENTIFICATION
	C1 CURVE TABLE DESCRIPTION
	L1 LINE TABLE DESCRIPTION
	P.U.E. PUBLIC UTILITY EASEMENT
	N.A.E. NO-ACCESS EASEMENT
	ADOT ARIZONA DEPARTMENT OF TRANSPORTATION
	ASHD ARIZONA STATE HIGHWAY DEPARTMENT
	BLM BUREAU OF LAND MANAGEMENT
	USFS UNITED STATES FOREST SERVICE



KEY MAP



COCHISE COUNTY

Staff Recommendation:

Staff recommends approval of the request to extend the Assurance Agreement to May 9, 2023.



**EXTENSION OF ASSURANCE AGREEMENT FOR COMPLETION OF
THE OAKS SUBDIVISION IMPROVEMENTS,
DOCKET NO. S-04-03**

THIS EXTENSION AGREEMENT made and entered into as of this 16th day of April , 2020, between PIONEER TITLE AGENCY, INC., an Arizona Corporation, as Trustee under Trust No. 319061, hereinafter referred to as "Trustee", CASTLE & COOKE ARIZONA, INC., an Arizona Corporation, as Beneficiary of Trust No. 319061, hereinafter referred to as "Beneficiary", and COCHISE COUNTY, Arizona:

WHEREAS, an Assurance Agreement between Cochise County and PIONEER TITLE AGENCY, INC., an Arizona Corporation, as Trustee under Trust No. 319061, was made for the completion of subdivision improvements for THE OAKS SUBDIVISION, DOCKET NO. S-04-03, as recorded in Book 15, pages 77 and 77G of maps and plats in the Office of the Cochise County Recorder. Said Agreement was recorded on May 9, 2007 by Fee No. 070515786, in the Office of the Cochise County Recorder; and

WHEREAS, a final plat has been recorded for The Oaks Subdivision; and,

WHEREAS, the above referenced assurance agreement was previously extended to May 9, 2020; and,

WHEREAS, good progress has been made towards completion of the improvement plans for the above-referenced subdivision; and,

WHEREAS, Castle & Cooke Arizona, Inc., as Beneficiary of Trust No. 319061, has requested an extension of time for completion of said improvements; and,

WHEREAS, Cochise County believes that such an extension is justified;

NOW, THEREFORE, IT IS HEREBY AGREED THAT:

The Assurance Agreement for completion of subdivision improvements for The Oaks Subdivision, Docket S-04-03, recorded on May 9, 2007 by Fee No.070515786 is hereby extended with a new expiration date of May 9, 2023, and the parties hereto agree to abide by the terms of the said Assurance Agreement recorded on May 9, 2007 by Fee No.070515786.

IN WITNESS WHEREOF, the parties have executed this extension of Assurance Agreement this 16th day of April, 2020.

COCHISE COUNTY:

Chairman, Cochise County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

Deputy County Attorney

TRUSTEE:

PIONEER TITLE AGENCY, INC., an
Arizona Corporation, as Trustee under
Trust No. 319061

BY: 
Trust Officer

STATE OF ARIZONA)) ss.
COUNTY OF Cochise))

On this the 17th day of April, 2020, before me, the undersigned Officer, personally appeared R. Keith Newlon, who acknowledged him/herself to be the Trust Officer of Pioneer Title Agency, Inc., an Arizona corporation, and that he/she as such Officer being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by him/herself as such Officer.

In witness whereof, I have hereunto set my hand and official seal.

[Handwritten Signature]

Notary Public

My Commission Expires: 3/31/2021



OWNER/BENEFICIARY:

[Handwritten Signature]
Owner/Beneficiary

Richard S. Coffman Senior Vice President
Name and Title: _____

[Handwritten Signature]
Owner/Beneficiary

Deanna Coffman, Assistant Secretary
Name and Title: Deanna Coffman, Assistant Secretary

The foregoing instrument was acknowledged before me this 16th day of April, 2020, by Diane L. Kawada as senior vice president & assistant secretary of Castle of Codes Arizona, Inc., an Arizona Corporation

[Handwritten Signature]
Notary Public

My Commission Expires: 10/20/2020

See Attached

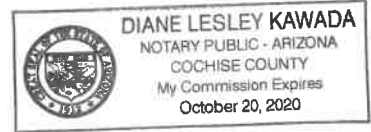
State of Arizona }
 } ss.
County of Cochise }

The foregoing instrument was acknowledged before me this 16th day of April, 2020,
by Richard S. Coffman, Sr. Vice-President and Deanna Coffman, Asst. Secretary of Castle & Cooke
Arizona, Inc., An Arizona Corporation.



NOTARY PUBLIC

My commission expires: 10/20/2020



THIS NOTARY CERTIFICATE IS TO BE ATTACHED TO: Extension of Assurance Agreement for
Completion of The Oaks Subdivision Improvements, Docket No. S-04-03

Date of Document: April 16, 2020 / Consisting of 4 pages
Parties to Document:

EXHIBIT "C"

The Oaks – Site Improvement Schedule

<u>Phase Number</u>	<u>Completion Date</u>
Phase 1 (29 lots)	December 31, 2007
Phase 2 (24 lots)	December 31, 2008
Phase 3 (31 lots)	December 31, 2009
Phase 4 (14 lots)	December 31, 2010
Phase 5 (15 lots)	December 31, 2011

December 31, 2023

Castle & Cooke Arizona, Inc.

April 09, 2020

Cochise County Community Development
Planning, Zoning, and Building Safety Division
1415 Melody Lane, Building E
Bisbee, AZ 85603

RE: Request to extend assurance agreement for the Oaks Subdivision Improvements Docket No. S-04-03

Please be advised this is Castle & Cooke Arizona, Inc. formal request that the Board of Supervisors grant an additional three year extension to the assurance agreement to May 9, 2023

Please find below answers in red pertaining to the criteria in (F) (4) of the 501.01 Assurance Agreement requirements.

4. The developer must request an extension before the assurance agreement expires. The determination whether to extend an assurance agreement will be at the sole discretion of the Board of Supervisors, who may consider the following factors in making that determination:
- i) Whether the property taxes on the subject parcel are current. **The property taxes are current**
 - ii) If the subdivision is phased, whether the subdivision infrastructure improvements for at least 20% of the proposed phases have been completed. If it is not phased, whether at least 25% of the subdivision infrastructure improvements have been completed. **It is phased. 29 of the total of 113 lots have been developed. This represents 26% of onsite costs. In addition all offsite costs have been completed including the well and water storage facility for the entire property and the new Three Canyons Gate**
 - iii) The number of extensions previously granted. A maximum of three extensions, not exceeding a total of ten (10) years since either the original approval of the assurance agreement or the most recent release of a lot, whichever has occurred later. **Three prior extensions have been granted. We are requesting a Fourth due to the reasons set out below**
 - iv) The economic conditions or other circumstances that are affecting the developer's ability to complete subdivision improvements. **The first phase was completed slightly before the beginning of the "Great Recession" and three lots were sold in that period. Shortly after the beginning of the "Great Recession" the fire of 2011 ravaged the property, destroying or burning many of the splendid Oak trees covering the property, and for which it was named. This damage, combined with the economic forces of the recession, dramatically slowed successful selling of lots. Over the last several years the property has greened up, additional lots have been sold. Three houses have been completed, and one is under construction, and another about to start. I would note that the property is being maintained at a high level, and we have recently seal coated the streets.**
 - v) Has the character of the area or physical factors such as drainage, floodplain, water issues or circulation patterns changed significantly since plat approval that compliance with current County Subdivision and/or Zoning Regulations is necessary. **No.**

Regards,



Richard S. Coffman
Senior Vice President

Regular Board of Supervisors Meeting

Emergency Services

Meeting Date: 05/05/2020

Approval of 2019 HMEP Regional Training Equipment Grant Additional Funding

Submitted By: Gabriel Lavine, Emergency Services

Department: Emergency Services

Presentation: No A/V Presentation

Recommendation: Approve

Document Signatures: BOS Signature NOT Required

of ORIGINALS Submitted for Signature: 0

NAME of PRESENTER: Gabe Lavine

TITLE of PRESENTER: Director
Emergency Management

Mandated Function?: Federal or State Mandate

Source of Mandate or Basis for Support?:

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

Information

Agenda Item Text:

Approve \$78,398.88 from the 2019 Hazardous Materials Emergency Preparedness Grant to support equipment purchases for the Countywide Hazardous Materials Response Team, effective May 5, 2020.

Background:

This grant is a three year grant and about to come to a close. Cochise County OES applied for residual funding to purchase equipment in support of the Countywide Hazardous Materials Response Team. The team is a multi-jurisdictional / multi-agency organization that responds to HAZMAT emergencies in the County and participates as a regional response resource with the Southern Arizona HAZMAT Response Team. This is the second purchase made on this grant by the county.

Department's Next Steps (if approved):

Order equipment for use during training events.

Impact of NOT Approving/Alternatives:

Grant funds will be returned to the state and likely go unused in the grant performance period.

To BOS Staff: Document Disposition/Follow-Up:

Increase project budget authority accordingly.

Budget Information

Information about available funds

Budgeted: <input type="radio"/>	Funds Available: <input type="radio"/>	Amount Available:
Unbudgeted: <input type="radio"/>	Funds NOT Available: <input type="radio"/>	Amendment: <input type="checkbox"/>

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

No file(s) attached.

Regular Board of Supervisors Meeting

Meeting Date: 05/05/2020

State and Federal Legislation Discussion

Submitted By: Melissa Tucker, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V
Presentation

Recommendation:

Document Signatures:

**# of ORIGINALS
Submitted for Signature:**

**NAME
of PRESENTER:** na

**TITLE
of PRESENTER:** na

Mandated Function?:

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

Information

Agenda Item Text:

Discussion and possible action regarding state and federal legislative matters listed or described in the attached County Supervisors Association Legislative Policy Committee Agenda, the Arizona Association of Counties (AACo) Legislative Policy Committee Agenda, and the proposed State budget, and other matters related thereto.

Background:

na

Department's Next Steps (if approved):

na

Impact of NOT Approving/Alternatives:

na

To BOS Staff: Document Disposition/Follow-Up:

na

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

LPCagenda04242020
LPC Minutes 04242020
LPCagenda05012020
LPC Minutes 04242020



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
April 24, 2020
(Conducted Via Teleconference and Webinar)
Teleconference 1-669-900-9128 OR 1-646-558-8656
Meeting ID: 704-222-239
Password: 805579
[Web Link](#)**

9:00 a.m. Call to Order ~ President Rudy Molera

- A) Legislative Report
- B) Federal Relief Mobilization
- C) Federal Resources Update
 - OSPB Economic Recovery Management Team
- D) County COVID-19 Response Roundtable
- E) Other Issues
- F) Other Business
- G) Adjourn

PLEASE POST NO LATER THAN 9:00 A.M., THURSDAY, APRIL 23, 2020
Attendance may occur by teleconference or videoconference



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**COUNTY SUPERVISORS ASSOCIATION
LEGISLATIVE POLICY COMMITTEE**

(By Teleconference and Webinar)

County Supervisors Association

1905 West Washington

Phoenix, Arizona

MINUTES

April 24, 2020

Call to Order: Rudy Molera 9:00 a.m.

Present Telephonically:

Ann English	Cochise County
Matt Ryan	Coconino County
Tommie Martin	Gila County
Jim Palmer	Graham County
Richard Lunt	Greenlee County
Duce Minor	La Paz County
Steve Gallardo	Maricopa County
Hildy Angius	Mohave County
Jason Whiting	Navajo County
Todd House	Pinal County
Rudy Molera	Santa Cruz County
Tom Thurman	Yavapai County
Russell McCloud	Yuma County

Absent: Alton Joe Shepherd Apache County
Sharon Bronson Pima County

Others present telephonically: Jennifer St. John, James Menlove, Derek Rapier, Glenn Kephart, Melissa Buckley, Phil Bourdon, Brandi Bateman, Eric Peterson, Sarah Hall, Todd Madeksza, Julian Wolf, Vanessa Fielder, Michael Madden, Yvonne Ortega, Jacob Emnett

Others present in person: Craig Sullivan, Penny Adams, Robin Hillyard

President Rudy Molera welcomed everyone and called the meeting to order. He thanked everyone for their leadership. He also thanked Ben Blink from the Governor's office, Senator Sinema and her office, and Craig and his staff for their continuous communication. Penny Adams called roll and a quorum was present.

Legislative Report

Michael Madden provided a recap of the status of the legislative session. He stated it was reported that President Fann and Speaker Bowers had come to an agreement to reconvene the session and then adjourn *sine die* on May 1, and then plan for the Governor to call a special session for June 1 to work on any budget related items. With some legislators supposedly not on board with this plan (some legislators stated they would not return to vote on any legislation not COVID-19-related), Speaker Bowers relayed to President Fann that this plan was not going to happen. Michael reported that Senator Contreras and some of his family members were confirmed to have tested positive for COVID-19 and were at home in quarantine to do their best not to spread the virus. Supervisor Steve Gallardo added that in texting with Senator Contreras he learned the senator is doing better, but remains concerned about his family.

Federal Relief Mobilization

Craig Sullivan reported on an ongoing conversation for states and local governments trying to get federal relief for lost revenues due to the shutdown policies. He stated the methodology the federal

government was using, the CDGB formula, was not beneficial for Arizona counties. He reported that the National Association of Counties (NACo) continues to stay engaged, negotiating with other interested stakeholders, to get that section changed to provide direct relief with the allocation primarily to based on population. Craig reported the relief for local governments and states was not included in the new supplemental funding passed by Congress. Craig reported the President has expressed his interest in round four of COVID-19 relief that would include relief for states' and local governments' infrastructure and other items.

Vanessa Fielder reported a legislative package, passed by the U.S. House and Senate this week, for \$484 billion in supplemental programming is awaiting the President's signature. She reported the majority of the package (\$380 billion) would provide support for small businesses, then some additional support (\$75 billion) for hospitals and healthcare providers, and also new funding (\$25 billion) for testing, contact tracing, and surveillance capabilities. She noted that of the new funding, \$11 billion is allocated for states and local governments to increase COVID-19 testing, lab capacity, contact tracing, and to support employer testing. Discussion followed.

Federal Resources Update

Robin Hillyard reported that the Governor's office moved some grant writing staff from the Arizona Department of Administration to the Office of Strategic Planning & Budgeting (OSP) to assist in bringing in federal dollars. She noted they will be reaching out to each county manager to ascertain a point of contact within the county to assist with this OSP Economic Recovery Management Team.

Robin provided an overview of the Coronavirus Relief Fund that provides \$150 billion for states, tribes, territories, and local governments over 500,000 persons. She noted that of that Arizona received \$8.2 billion, with \$1 billion allocated to local governments with over 500,000 persons, and \$1.9 billion to the state. She commented that the remaining local governments will need to work with the Governor's office for the funds.

Robin reported that earlier this week the Treasury issued some new guidance on how the relief can be used, which clarified the state can pass on portions of the state allocation to local governments. She noted the guidance reaffirmed the money cannot be used for revenue replacement, but can be used for COVID-19-related expenditures not accounted for in the most recent budget or if the budgeted funds were under another cost area and were used for a substantially different use than expected (which needs further clarification). She noted that some of the expenses can be from improving telework capabilities and additional paid sick leave and paid family and medical leave due to the public health emergency. Robin added that the federal government wants to make sure governments draw down the FEMA Public Assistance Grant funds first before using the Coronavirus Relief Act funds.

Robin reported she attended a meeting with the Department of Emergency Response and Military & Veterans Affairs and learned that DEMA is the main point of contact for all public assistance funding. She stated that the Disaster Relief Assistance for Emergency Response & Protective Measures that was activated by the President's Emergency Declarations Under the Stafford Act opened up almost \$50 billion and the CARES Act added an additional \$45 billion. She said DEMA manages that program for the state, local governments, nonprofits, and houses of worship, who will work through DEMA to gain access to those funds. She noted tribes are able to work with DEMA or FEMA. She reported that 61 local governments have put in applications and have been approved by DEMA and FEMA for the public assistance grants. She noted the cost share would be 75 percent federal, 15 percent state, and 10 percent local governments. She stated eligible costs would include emergency medical care supplies and equipment, but the purchase of laptops for teleworking would not be allowed, however rental of the equipment may be. She noted that expenditures need to be reasonable and necessary. Robin added that the quarterly reporting requirement for the April 15 deadline was extended until July 15. She said each applicant will be assigned their own DEMA specialist. Discussion followed.

County COVID-19 Response Roundtable

Craig Sullivan encouraged counties to continue communicating with legislators that the 13 counties need access to the Coronavirus Relief Fund. Craig reported that yesterday Ben Blink stated the Governor's office is adjusting their communication strategy and the twice weekly calls with county supervisors and mayors has been suspended, unless a specific need arises. Craig encouraged counties to continue to use the CSA question portal set up for CSA and Mr. Blink to review proposed questions or concerns. He noted counties can also e-mail Mr. Blink directly. Craig reported the

Legislative Policy Committee meetings will continue weekly to provide information and to communicate with one another. Discussion followed.

Other Issues

In response to Supervisor Ann English's query on the all mail-in ballot election proposal, Robin Hillyard replied that the Governor and the Republican party have not shown support for the all-mail ballot. She noted the election directors, the Secretary of State's office, and county recorders have been in discussions to find alternative ways to staff polling places, because the number of polling places cannot be reduced if the all-mail ballot does not pass.

Other Business

President Rudy Molera thanked everyone again for their leadership.

Adjournment

There being no further business, President Rudy Molera adjourned the meeting at 9:39 a.m.



County Supervisors

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Meeting ID: 704-222-239
Password: 805579
[Web Link](#)**

9:00 a.m. Call to Order ~ President Rudy Molera

- A) Approval of the Minutes of the April 24, 2020, Legislative Policy Committee Meeting
(*previously distributed*)
- B) Legislative Report
- C) Federal Relief Mobilization
- D) Federal Resources Update
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Legislative Policy Committee Meeting
March 13, 2020
Page Two

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**COUNTY SUPERVISORS ASSOCIATION
LEGISLATIVE POLICY COMMITTEE**

(By Teleconference and Webinar)

County Supervisors Association

1905 West Washington

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MINUTES

April 24, 2020

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