

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COUNTY OF COCHISE (“COUNTY”)
AND CITY OF SIERRA VISTA (“CITY”)
FOR FUNDING OF A CONSULTANT TO PROMOTE RETENTION
AND EXPANSION OF MISSIONS OF THE U.S. ARMY AT FORT HUACHUCA**

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

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

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

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

WHEREAS, both the County and the City have previously entered into an intergovernmental agreement, as reaffirmed in Resolution 2015-102, for the purpose of obtaining a consultant and wish to continue this partnership.

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

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

II. Respective responsibilities of the parties:

- A. The City shall make such arrangements as it deems necessary, which may include contractual arrangements with private parties, and shall make appropriate contributions of public funds to facilitate the hiring and funding of a consultant to promote retention and expansion of missions of the U.S. Army at Fort Huachuca.
- B. The County agrees to provide up to \$35,0000 annually, for the life of this agreement, toward the cost of the professional services of a consultant as described in Subparagraph II.A above under payment terms agreed upon by the County Administrator and City Manager.

III. Duration: The term of this Agreement is for one (1) year from the date of execution with four (4) automatic one-year extensions. In no event shall this agreement exceed 5 years unless agreed upon the parties. Either party may terminate the agreement in writing with at least thirty (30) days prior notice to the other party pursuant to Paragraph VI.

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

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

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

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

A. For the County of Cochise:
Richard Karwaczka
1415 Melody Lane, Bldg. G
Bisbee, AZ 85603

B. For the City of Sierra Vista:
Charles P. Potucek
1101 N. Coronado Drive
Sierra Vista, AZ 85635

THIS AGREEMENT IS ENTERED INTO this ____ day of _____, 2024, by,

Ann English, Chair
County of Cochise Board of Supervisors

Clea McCaa II, Mayor
City of Sierra Vista

ATTEST:

Sharon Gilman
Interim Clerk of the Board

Jill Adams
City Clerk

APPROVED AS TO FORM AND WITHIN THE POWER AND AUTHORITY GRANTED BY THE LAWS OF THE STATE OF ARIZONA TO THE CONTRACTING AGENCIES:

Christine J. Roberts 6/25/24

Christine J. Roberts
Chief Civil Deputy County Attorney

Nathan Williams
City Attorney