

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
TUESDAY, NOVEMBER 14, 2023**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, November 14, 2023 at 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Peggy Judd, Chairman; Tom Crosby, Vice-Chairman; Ann English, Supervisor
Staff Richard G. Karwaczka, County Administrator; Sharon Gilman, Deputy County
Present: Administrator/Interim Clerk of the Board; Christine Roberts, Chief Civil Deputy County
Attorney; Lara Loewenheim, Deputy Clerk of the Board

Chairman Judd called the meeting to order at 10:23 a.m.

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

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

CALL TO THE PUBLIC

Alfred Kern discussed his frustration over a lack of action by the Board regarding his road concerns raised over the last two years.

The Board took a 10 minute recess to resolve technical difficulties.

Allison Morse expressed gratitude for the successful mail-in ballot election, highlighted the importance of secure elections and commended the Elections Department for their efforts.

Jeff Sturges critiqued the passionate support for Tom Crosby, Peggy Judd, and David Stevens in Cochise County, highlighting their defiance of legal advice, their alleged illegal actions, and urging an end to supporting politicians who disregard the rule of law.

Tricia Gerrodette expressed confidence in the voting process in Cochise County, citing checks and certifications ensuring accuracy, urging education and trust in the system ahead of upcoming elections.

Sandy Trull emphasized the significance of secure elections, citing constitutional rights, advocating for reestablishing precincts, eliminating third-party voting technology, opposing mass mail-in voting without proper protocols, and highlighting the importance of transparency and accountability in the electoral process.

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of October 24, 2023.
2. Approve the 2024 Cochise County calendar reflecting the schedule of the Regular Board of Supervisor meetings for the calendar year 2024, the 2024 holidays and pay days, and authorize the Clerk of the Board to post the Public Notice of the 2024 meeting schedule.

Court Administration

3. Approve the Proclamation declaring November 17, 2023 as National Adoption Day in Cochise County.

Finance

4. Approve demands and budget amendments for operating transfers.
5. Approve Interfund transfer of \$419.48 from Local Court Assistance Fund 161 to the General Fund.

Supervisor English made a motion to approve Consent Agenda items 1 through 5. Vice-Chairman Crosby seconded the motion and it was carried unanimously.

ACTION

Board of Supervisors

6. Approve the sales of the September 11- 22, 2023, Tax Deed Land Auction held online through Public Surplus of parcels listed on Exhibits A and B and authorize the Clerk of the Board to post the remaining unsold properties for sale on an over-the-counter basis (see Exhibit C).

Vice-Chairman Crosby made a motion to approve the sales of the September 11- 22, 2023, Tax Deed Land Auction held online through Public Surplus of parcels listed on Exhibits A and B and authorize the Clerk of the Board to post the remaining unsold properties for sale on an over-the-counter basis (see Exhibit C). Supervisor English seconded the motion.

Ms. Gilman presented this item. Ms. Gilman provided details of an online tax deed land auction that yielded property sales worth \$307,994.00. She explained the handling of funds through the vendor, Public Surplus, and the apportionment by the Treasurer's office per state statute. She referred to a previous Work Session where the Board directed staff to remove the parcels related to the Miracle Valley Bible College for future abatement and remediation and asked the Board to authorize the remaining unsold parcels to be sold via an over-the-counter sale in January 2024.

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

7. Approve the Intergovernmental Agreement (IGA), Amendment 3 between Cochise County and the City of Sierra Vista authorizing both entities to administer programs and to receive and disburse funds for the Upper San Pedro Partnership for successive five-year periods with automatic renewal until terminated, effective upon signing by both parties.

Supervisor English made a motion to approve the Intergovernmental Agreement (IGA), Amendment 3 between Cochise County and the City of Sierra Vista authorizing both entities to administer programs and to receive and disburse funds for the Upper San Pedro Partnership for successive five-year periods with automatic renewal until terminated, effective upon signing by both parties. Vice-Chairman Crosby seconded the motion.

Ms. Gilman presented this item. Mr. Gilman discussed the ongoing agreement between the County and Sierra Vista dating back to February 2010, outlining the extensions in five-year increments for the Inter-Governmental Agreement (IGA) which serves as the foundation for the Upper San Pedro Partnership. She stated this IGA covers the Waterwise program and oversees non-flood control projects, with both the County and City contributing \$10,000 annually. She stated the IGA would extend in five-year increments unless either party terminates the agreement.

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

8. Approve the Third Amendment to the Agreement for Employment of County Administrator Richard G. Karwaczka to increase the annual compensation by \$10,000 for a total gross annual salary of \$175,000 per year, effective as of the pay period immediately following the execution of the amendment.

Supervisor English made a motion to approve the Third Amendment to the Agreement for Employment of County Administrator Richard G. Karwaczka to increase the annual compensation by \$10,000 for a total gross annual salary of \$175,000 per year, effective as of the pay period immediately following the execution of the amendment. Vice-Chairman Crosby seconded the motion.

Chairman Judd and Supervisor English discussed Mr. Karwaczka's effective leadership while noting his salary falls below market-based rates and emphasized the importance of acknowledging employee efforts through salary adjustments.

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

9. Approve the re-titling and sale transaction of the Casa Loma Triangle Apartments, located at 204 W Allen Street, Tombstone, Arizona 85638 to Desert Sage Apartments, LLC, as described by Inner Pacific Advantage Asset Management, LLC in the attached correspondence.

Vice-Chairman Crosby made a motion to approve the re-titling and sale transaction of the Casa Loma Triangle Apartments, located at 204 W Allen Street, Tombstone, Arizona 85638 to Desert Sage Apartments, LLC, as described by Inner Pacific Advantage Asset Management, LLC in the attached correspondence. Supervisor English seconded the motion,

Ms. Gilman presented this item. Ms. Gilman explained that the Industrial Development

Authority of Cochise County dissolved, and as a result, the County assumed responsibility for its interest in Casa Loma Triangle Apartments in Tombstone. She stated that the County needs to grant permission to the asset management company to sell the property. It is expected that the proceeds from the sale will be approximately \$90,000, and it is anticipated to occur in December. She also explained the motion would allow the re-title process to begin and Chairman Judd to sign on the County's behalf.

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

County Sheriff

10. Approve an Intergovernmental Agreement (IGA) between the Cochise County Sheriff's Office and Cochise County Community College District for shared expenses of acquiring, the ownership of, and maintenance of, three full-motion police car simulators and one AIRMEDICSIM simulator, with the County portion being a one time payment of \$125,000, effective from date of signing by all parties through June 30, 2026.

Supervisor English made a motion to approve an Intergovernmental Agreement (IGA) between the Cochise County Sheriff's Office and Cochise County Community College District for shared expenses of acquiring, the ownership of, and maintenance of, three full-motion police car simulators and one AIRMEDICSIM simulator, with the County portion being a one time payment of \$125,000, effective from date of signing by all parties through June 30, 2026. Vice-Chairman Crosby seconded the motion.

Tom Alinen, Sheriff's Office Chief of Staff, presented this item. In response to the Board, Chief Alinen and Ms. Roberts clarified that the County would not be responsible for the maintenance of the simulators. Chief Alinen praised Cochise College's public safety partnership and highlighted the popularity of the local law enforcement academy. He stated the recent addition of the driving track greatly benefits law enforcement and public safety. He discussed the development and functionality of a driving simulator, for training purposes, and the benefits thereof. The Board and Chief Alinen discussed funding sources, air medic SIM definitions and helicopter ambulances.

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

Court Administration

11. Certify that the total court revenues collected in Fiscal Year 2022-2023 exceeded total court revenues collected in Fiscal Year 1997-98, and authorize distribution of the 5% set-aside revenues, pursuant to A.R.S. § 41-2421.

Supervisor English made a motion to certify that the total court revenues collected in Fiscal Year 2022-2023 exceeded total court revenues collected in Fiscal Year 1997-98, and authorize distribution of the 5% set-aside revenues, pursuant to A.R.S. § 41-2421. Vice-Chairman Crosby seconded the motion.

Rita Shipley, Courts Budget and Finance Director, presented this item. Ms. Shipley requested that the Board certify that court revenues in fiscal year 2022-2023 exceeded those in fiscal year 1997-1998, detailing an increase of \$3,877,825.20, and proposed the distribution of the 5% set-aside revenues totaling \$298,892.46 among the Court,

County Attorney, Indigent Defense, and the state to support criminal case processing.

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

Information Technology

12. Approve grant amendment for Arizona 911 Program Grant Agreement, ADOA-AZ911-24-01 with the Arizona Department of Administration to fund Public Safety Answering Points services for a total of \$770,397.00 through June 30, 2024.

Vice-Chairman Crosby made a motion to approve grant amendment for Arizona 911 Program Grant Agreement, ADOA-AZ911-24-01 with the Arizona Department of Administration to fund Public Safety Answering Points services for a total of \$770,397.00 through June 30, 2024. Supervisor English seconded the motion.

Joe Casey, Associate County Administrator/Chief Information Officer, presented this item. Mr. Casey stated that this grant amendment will increase the funding for managing and maintaining the 911 system at Southeastern Arizona Communications (SEACOM) from \$554,009 to \$770,397. He stated the increase is due to updated bills received from AT&T. In response to the Board, Mr. Casey stated that AT&T did not provide a specific reason for the increase.

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

REPORT BY RICHARD G. KARWACZKA, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Tom Crosby

Vice-Chairman Crosby deferred his report.

Report by District 2 Supervisor, Ann English

Supervisor English acknowledged the numerous Veterans Day events across Cochise County, and praised the enthusiastic turnout in Douglas, emphasizing the community's pride in the country and its veterans during this important time of year.

Report by District 3 Supervisor, Peggy Judd

Chairman Judd deferred her report.

Chairman Judd adjourned the meeting at 11:10 a.m.

APPROVED:

Peggy Judd, Chairman

ATTEST:

Sharon Gilman, Interim Clerk of the Board

Regular Board of Supervisors Meeting

Board of Supervisors

Meeting Date: 11/14/2023

Minutes

Submitted By: Lara Loewenheim, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Recommendation:

Document Signatures:

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 October 24, 2023.

Background:

Minutes

Department's Next Steps (if approved):

Signed minutes routed for processing and posted on the internet.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

Scan to OnBase and File.

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

Minutes

Demands Minutes

Demands Minutes - 2

Regular Board of Supervisors Meeting

Board of Supervisors

Meeting Date: 11/14/2023

2024 Board Meeting Calendar

Submitted By: Lara Loewenheim, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Recommendation:

Document Signatures:

of ORIGINALS

Submitted for Signature:

NAME Lara Loewenheim

TITLE Deputy Clerk of the Board

of PRESENTER:

of PRESENTER:

Mandated Function?:

Source of Mandate

or Basis for Support?:

Information

Agenda Item Text:

Approve the 2024 Cochise County calendar reflecting the schedule of the Regular Board of Supervisor meetings for the calendar year 2024, the 2024 holidays and pay days, and authorize the Clerk of the Board to post the Public Notice of the 2024 meeting schedule.

Background:

Each year, we develop and post a notice of the regularly scheduled Board meetings, as required by statute.

Department's Next Steps (if approved):

Post notice of regular meetings on the bulletin board and online; disseminate information to County departments; input regular BOS meeting dates in AgendaQuick.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

See above.

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available:

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1:

Fund Transfers

Attachments

BOS Meeting Schedule 2024

Court Administration

Regular Board of Supervisors Meeting

Meeting Date: 11/14/2023

Declare November 17, 2023 National Adoption Day

Submitted By: Shawneen Serrano, Court Administration

Department: Court Administration

Presentation: No A/V Presentation

NAME Niltza Flores

TITLE Deputy Court

of PRESENTER:

of PRESENTER: Administrator

ORGANIZATION NAME Court Administration

of PRESENTER:

Information

Agenda Item Text:

Approve the Proclamation declaring November 17, 2023 as National Adoption Day in Cochise County.

Background:

This is the 9th Annual local observance of the Cochise County Adoption Day. On this day, children will be adopted and placed in their forever homes.

To BOS Staff: Document Disposition/Follow-Up:

Please print one original for signature. Send signed Proclamation to Niltza Flores in Court Administration.

Attachments

Proclamation Adoption Day 2023

Regular Board of Supervisors Meeting

Meeting Date: 11/14/2023

Demands

Submitted By: Lara Loewenheim, 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:

N/A

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

Consent 5.
Finance

Regular Board of Supervisors Meeting

Meeting Date: 11/14/2023

Fund 161 Inter-Fund Transfer

Submitted By: Juan Frisby, Finance

Department: Finance

Presentation: No A/V Presentation

Recommendation: Approve

Document Signatures: BOS Signature NOT Required

of ORIGINALS Submitted for Signature: 0

NAME of PRESENTER: Juan Frisby

TITLE of PRESENTER: Budget Manager

Mandated Function?: Not Mandated

Source of Mandate or Basis for Support?:

Docket Number (If applicable):

Information

Agenda Item Text:

Approve Interfund transfer of \$419.48 from Local Court Assistance Fund 161 to the General Fund.

Background:

The Judicial Courts are no longer utilizing Fund 161. In order to close this fund, it is necessary to create an inter-fund transfer to the General Fund for the remaining balance of \$419.48.

Department's Next Steps (if approved):

The department will process an interfund transfer which will allow them to inactivate the fund.

Impact of NOT Approving/Alternatives:

The fund will remain open.

To BOS Staff: Document Disposition/Follow-Up:

None

Budget Information

Information about available funds

Budgeted:

Funds Available:

Amount Available: 419.48

Unbudgeted:

Funds NOT Available:

Amendment:

Account Code(s) for Available Funds

1: 161

Fund Transfers

Fiscal Year: 419.48

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

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

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

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

Source of Funding?:

Fiscal Impact & Funding Sources (if known):

419.48 from fund 161 to fund 100

Attachments

Fund Equity Changes Report

Action 6.

Regular Board of Supervisors Meeting

Board of Supervisors

Meeting Date: 11/14/2023

Approve Sales from the September 2023 Online Tax Deed Land Auction

Submitted By: Lara Loewenheim, Board of Supervisors

Department: Board of Supervisors

Presentation: No A/V Presentation

Document Signatures:

Recommendation:

of ORIGINALS

Submitted for Signature:

NAME Sharon Gilman

of PRESENTER:

TITLE

of PRESENTER:

Interim Clerk of

the Board

Mandated Function?:

Source of Mandate

or Basis for Support?:

Information

Agenda Item Text:

Approve the sales of the September 11- 22, 2023, Tax Deed Land Auction held online through Public Surplus of parcels listed on Exhibits A and B and authorize the Clerk of the Board to post the remaining unsold properties for sale on an over-the-counter basis (see Exhibit C).

Background:

From September 11 - 22, 2023, the Online Tax Deed Land Auction was conducted, resulting in property sales of \$307,994.

All sold parcel information is on the attached Exhibits A & B (Parcels Sold). All funds were collected through our vendor Public Surplus. Those funds will be apportioned by the Treasurer's Office according to state statute. A listing of the Parcels Sold was also provided to the County Treasurer to update the tax roll. Only a few parcels remained unsold.

Exhibit C shows the remaining unsold properties to be available for over-the-counter (OTC) purchase. At a Work Session held on October 24, 2023, the Board directed staff to remove parcels related to Miracle Valley Bible College from future sale until a hazardous materials abatement plan is approved and action taken. Specifically, parcels 10468013B, 10468013D, 10468013F, 10468013G, and 10468013H were removed from the OTC list. Staff is requesting the Board authorize posting of the remaining properties for the OTC list, together with the updated interactive map.

Department's Next Steps (if approved):

Post OTC property list on website in January 2024.

Impact of NOT Approving/Alternatives:

n/a

To BOS Staff: Document Disposition/Follow-Up:

n/a

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

Exhibit A

Exhibit B

Exhibit C

Regular Board of Supervisors Meeting

Board of Supervisors

Meeting Date: 11/14/2023

Upper San Pedro Partnership Agreement, Amendment 3

Submitted By: Sharon Gilman, Board of Supervisors

Department: Board of Supervisors

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

Document Signatures: BOS **# of ORIGINALS** 2

Signature **Submitted for Signature:**
Required

NAME of PRESENTER:	Sharon Gilman/Mark Apel	TITLE of PRESENTER:	Deputy County Administrator/Environmental Project Coordinator
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Docket Number (If applicable):

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

Agenda Item Text:

Approve the Intergovernmental Agreement (IGA), Amendment 3 between Cochise County and the City of Sierra Vista authorizing both entities to administer programs and to receive and disburse funds for the Upper San Pedro Partnership for successive five-year periods with automatic renewal until terminated, effective upon signing by both parties.

Background:

The County and the City of Sierra Vista entered into an IGA for the Upper San Pedro Partnership (USPP) on February 23, 2010. The IGA serves as an umbrella agreement covering the Water Wise Program, administration and all non-flood control funding programs designated by the County and the City in support of the USPP. Each party currently provides \$10,000 per year to the USPP program administration, as noted in the attached minutes from the USPP Executive Committee on October 28, 2015. This IGA has been extended in five-year increments in 2014 and 2019. This third amendment will allow the IGA to automatically renew for successive five-year increments unless either party terminates.

Department's Next Steps (if approved):

The County will pay the \$10,000 contribution for Fiscal year 22/23 Program Administration and continue to provide representation on the USPP.

Impact of NOT Approving/Alternatives:

The County will no longer be a member of the USPP.

To BOS Staff: Document Disposition/Follow-Up:

1. Send one original copy of the signed amendment to:
Helen Lee, NIGP-CPP
Contracts Management Analyst
City of Sierra Vista – Procurement Division
520.439.2207 direct / 520.255.5118 mobile
helen.lee@sierravistaaz.gov

2. Process payment of the \$10,000 invoice from City of Sierra Vista.

Attachments

Original IGA and First Amendment
Amendment 2, 2019
Proposed Amendment 3
October 28, 2015 USPP Executive Committee Minutes

Action 8.

Regular Board of Supervisors Meeting

Board of Supervisors

Meeting Date: 11/14/2023
Amendment 3 to the Contract with County Administrator
Submitted By: Sharon Gilman, Board of Supervisors
Department: Board of Supervisors
Presentation: No A/V Presentation **Recommendation:** Approve
Document Signatures: BOS Signature Required **# of ORIGINALS Submitted for Signature:** 2
NAME of PRESENTER: Peggy Judd **TITLE of PRESENTER:** Supervisor, District 3
Docket Number (If applicable):
Mandated Function?: Local Mandate or Policy **Source of Mandate or Basis for Support?:**

Information

Agenda Item Text:

Approve the Third Amendment to the Agreement for Employment of County Administrator Richard G. Karwaczka to increase the annual compensation by \$10,000 for a total gross annual salary of \$175,000 per year, effective as of the pay period immediately following the execution of the amendment.

Background:

The Original Agreement for Employment of Mr. Karwaczka as County Administrator was approved on October 13, 2020. Each year the contract has been amended to allow for a gross annual salary increase based on performance. The Second Amendment to the agreement was approved October 11, 2022 and states the salary at \$165,000. Overall, the contract is set to expire on December 31, 2025.

Department's Next Steps (if approved):

N/A

Impact of NOT Approving/Alternatives:

Mr. Karwaczka's contract would continue under the current terms without an increase in gross annual salary.

To BOS Staff: Document Disposition/Follow-Up:

Have the Board Chair and Mr. Karwaczka sign the Amendment to the Agreement.
Fill out a PAF and turn it into Finance.

Attachments

Proposed Third Amendment
Second Amendment 10.11.2022
First Amendment 10.26.2021
Employment Agreement 10.13.2020

Regular Board of Supervisors Meeting

Board of Supervisors

Meeting Date: 11/14/2023

Sale of Casa Loma Triangle Apartments

Submitted By: Sharon Gilman, Board of Supervisors

Department: Board of Supervisors

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

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

NAME of PRESENTER: Sharon Gilman **TITLE of PRESENTER:** Deputy County Administrator

Mandated Function?: Local Mandate or Policy **Source of Mandate or Basis for Support?:** ARS 35-752

Docket Number (If applicable):

Information

Agenda Item Text:

Approve the re-titling and sale transaction of the Casa Loma Triangle Apartments, located at 204 W Allen Street, Tombstone, Arizona 85638 to Desert Sage Apartments, LLC, as described by Inner Pacific Advantage Asset Management, LLC in the attached correspondence.

Background:

A letter addressed to the Industrial Development Authority (IDA) of Cochise was received by the Clerk of the Board from Mr. David Pace of Inner Pacific Advantage. Mr. Pace is the Authorized Representative to Southern Arizona Affordable Housing II, LLC, General Partner of Casa Loma Triangle Housing Limited Partnership. This letter described that the IDA held a limited partnership interest in the Casa Loma Triangle Apartments, located at 204 W Allen Street, Tombstone, Arizona, 85638. Further, this property is now under an Option Agreement for sale to Desert Sage Apartments, LLC. The letter requests the IDA, as a limited partner, provide consent for sale.

The IDA referenced is dissolved. Per A.R.S. § 35-752, upon dissolution of the IDA, all funds held by the corporation and title to its property shall vest in the municipality or county with respect to which it was organized. Therefore, since the IDA held a partial interest in the property that interest vested in the County. Therefore, the Board of Supervisors is able to make a decision on selling the property and re-titling to name the Board of Supervisors as the active entity.

The property was appraised with restricted value of \$455,000.00 (per USDA Rural Development guidelines) on or about May 24, 2023. USDA RD approved allowable equity to be received by the owners in the amount of \$375,000.00, and the assumption of the property's existing mortgage debt in the amount of approximately \$684,175. Combined, this comprises the total sales price. The sale is anticipated to close on or around December 1, 2023. The County share of proceeds from the sale is estimated to be \$90,623.66.

Department's Next Steps (if approved):

Provide appropriate documentation of approval of sale to Inner Pacific Advantage.

Impact of NOT Approving/Alternatives:

The sale may not process.

To BOS Staff: Document Disposition/Follow-Up:

Email approved letter to Mr. David Pace with the updated contact information for the Board of Supervisors.

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

Letter - Notice of Sale 10.26.2023

ARS 35-752

Action 10.
County Sheriff

Regular Board of Supervisors Meeting

Meeting Date: 11/14/2023

Cochise College IGA for Virtual Simulation Equipment

Submitted By: Tom Alinen, County Sheriff

Department: County Sheriff

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

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

NAME of PRESENTER: Mark Dannels **TITLE of PRESENTER:** Sheriff

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

Docket Number (If applicable):

Information

Agenda Item Text:

Approve an Intergovernmental Agreement (IGA) between the Cochise County Sheriff's Office and Cochise County Community College District for shared expenses of acquiring, the ownership of, and maintenance of, three full-motion police car simulators and one AIRMEDICSIM simulator, with the County portion being a one time payment of \$125,000, effective from date of signing by all parties through June 30, 2026.

Background:

The Cochise County Sheriff's Office desires to participate in an emergency simulation lab for training deputies and new recruits through high-speed simulations within a safe virtual environment. The purpose of this IGA is to establish the shared expenses of acquiring, the ownership of, and maintenance of three full-motion police car simulators with integrated integrated instructor stations with touch screen training programs and an AIRMEDICSIM with full-motion integrated instructor station. The three full-motion police car simulators will be actual patrol cars from the prisoner cage forward and the AIRMEDICSIM will be the actual cockpit, including the passenger space of a helicopter.

The Sheriff's Office shall pay \$125,000.00 to the College for their partnership in the \$320,000.00 simulation lab purchase from Sim-Leader. The College shall pay \$195,000.00 of \$320,000.00 to SimLeader for the three police are simulators and one AIRMEDICSIM and the cost to remodel the facility that will house the simulators. Cochise College will pay for ongoing maintenance and software updates for this program. This is a one-time cost to the Sheriff's Office.

Department's Next Steps (if approved):

If the Board of Supervisors approves this IGA, the Sheriff's will allocate funds from it's budget to pay for this project. The funding source has already been identified.

Impact of NOT Approving/Alternatives:

If not approved, the Sheriff's Office will lose out on an educational opportunity using virtual simulation devices for current deputies and new recruits to train them for high-speed encounters within a safe virtual environment. No other alternative is available offering state of the art driving simulators with the technical advances being provided by SimLeader.

To BOS Staff: Document Disposition/Follow-Up:

If the Board of Supervisors approves this IGA, please forward two copies to Sheriff Dannels for his signature.

Budget Information

Information about available funds

Budgeted: **Funds Available:** **Amount Available:** 125,000.00
Unbudgeted: **Funds NOT Available:** **Amendment:**

Account Code(s) for Available Funds

1: |570 3000 3100

Fund Transfers

Fiscal Impact & Funding Sources (if known):

The funding source will be from our GETIM funds.

Attachments

IGA Simulator Lab

Court Administration

Regular Board of Supervisors Meeting

Meeting Date: 11/14/2023
 FY23 Fill the Gap (FTG) Revenue Certification
Submitted By: Rita Shipley, Court Administration
Department: Court Administration
Presentation: No A/V Presentation
Document Signatures: BOS Signature Required

Recommendation: Approve
of ORIGINALS Submitted for Signature: 2
TITLE of PRESENTER: Budget & Finance Director
Source of Mandate or Basis for Support?: A.R.S. 41-2421

NAME of PRESENTER: Rita Shipley
Mandated Function?: Federal or State Mandate

Docket Number (If applicable):

Information

Agenda Item Text:

Certify that the total court revenues collected in Fiscal Year 2022-2023 exceeded total court revenues collected in Fiscal Year 1997-98, and authorize distribution of the 5% set-aside revenues, pursuant to A.R.S. § 41-2421.

Background:

In 1999, the Arizona Legislature enacted A.R.S. § 41-2421, a law enhancing collections in the courts, setting forth the allocation of those revenues to criminal justice entities (popularly referred to as the Fill the Gap initiative). Pursuant to A.R.S. § 41-2421, a base year of revenue thresholds was established as Fiscal Year 1997-98. Thereafter, 5% of revenues collected by the courts were to be "set-aside" until the determination that a subsequent year's revenues exceeded that of the base year. If so, those "set-aside" dollars are to be disbursed to the below-outlined criminal justice agencies. It is mandated that the Board of Supervisors certify that each year's revenues exceed the base year so that these funds may be disbursed per the funding formula. Total court revenues for FY 2022-2023 were \$5,977,849.20. Since the requirement that the FY 2022-2023 number be higher than the FY 1997-1998 base revenue threshold of \$2,100,102 has been met, the 5% "set aside" funds may be disbursed.

Department's Next Steps (if approved):

Once the revenue certification is approved by the BOS, Court Admin will submit a budget amendment and interfund transfer to distribute the funds. The 5% set-aside number is \$298,892.46. Per the funding formula, the funds will be distributed as follows:

57.37% to the Court	\$171,474.61
21.61% to County Attorney	\$ 64,590.66
20.53% to Indigent Defense	\$ 61,362.62
0.49% to the State	\$ 1,464.57

Impact of NOT Approving/Alternatives:

Without the Board's official certification, these funds cannot be properly distributed to the departments and state.

To BOS Staff: Document Disposition/Follow-Up:

Notify Superior Court Budget & Finance Director, Rita Shipley, when the revenue certification has been approved and signed.

Budget Information

Information about available funds

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

Account Code(s) for Available Funds

1: 150-0810-9

Fund Transfers

Fiscal Year: FY24

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

Ongoing Costs? (\$\$\$): No

County Match Required? (\$\$\$): No

A-87 Overhead Amt? (Co. Cost Allocation \$\$\$): No

Source of Funding?: Fill The Gap

Fiscal Impact & Funding Sources (if known):

\$298,892.46 has been budgeted in the Fill the Gap Fund (150) to cover the mandated 5% set-aside distribution per the funding formula to the Court, County Attorney, Indigent Defense and the State.

Attachments

FY23 FTG Revenue Certification

Information Technologies

Regular Board of Supervisors Meeting

Meeting Date: 11/14/2023
 Arizona State 911 Grant Amendment
Submitted By: Joe Casey, Information Technology
Department: Information Technology
Presentation: No A/V Presentation
Document Signatures: BOS Signature Required

Recommendation: Approve
of ORIGINALS 0
Submitted for Signature:
TITLE of PRESENTER: Associate County Administrator
Source of Mandate or Basis for Support?: ARS § 41-704

NAME of PRESENTER: Joe Casey
Mandated Function?: Federal or State Mandate

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

Information

Agenda Item Text:

Approve grant amendment for Arizona 911 Program Grant Agreement, ADOA-AZ911-24-01 with the Arizona Department of Administration to fund Public Safety Answering Points services for a total of \$770,397.00 through June 30, 2024.

Background:

The Board of Supervisors approved the Arizona State grant agreement ADOA-AZ911-24-01 for \$554,902 on September 12th, 2023. The state has approved a change in this grant to cover the updated costs for the 911 contracts.

Department's Next Steps (if approved):

Continue to pay the AT&T 911 phone bills.

Impact of NOT Approving/Alternatives:

Cochise County General Fund would need to cover the costs of the 911 telecommunication lines that are expected to be covered under this grant.

To BOS Staff: Document Disposition/Follow-Up:

Send approved meeting minutes to Joe Casey.

Budget Information

Information about available funds

Budgeted: **Funds Available:** **Amount Available:** \$770,397
Unbudgeted: **Funds NOT Available:** **Amendment:**

Account Code(s) for Available Funds

1:

Fund Transfers

Fiscal Impact & Funding Sources (if known):

Fiscal Year: FY23-24
One-time Fixed Costs? (\$\$\$): 770397
Ongoing Costs? (\$\$\$):
County Match Required? (\$\$\$): 0
A-87 Overhead Amt? (Co. Cost Allocation \$\$\$):
Source of Funding?: AZ State Grant

Fiscal Impact & Funding Sources (if known):

Attachments

ADOA-AZ911-24-01 Grant Amendment

ADOA-AZ911-24-01 Grant Agreement
