

AGENDA

AGENDA OF THE REGULAR SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, TO BE HELD ON WEDNESDAY, JULY 5, 2023, AT 7:00 PM AT COUNCIL CHAMBERS LOCATED AT 915 S. TOVREAVILLE ROAD, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY _____ AT _____.

ROLL CALL

COUNCIL

Councilmember Juanetta Hill, Ward III

Councilmember Joni Giacomino, Ward II

Councilmember Frank Davis, Ward I

Mayor Ken Budge

Councilmember Leslie Johns, Ward I

Councilmember Mel Sowid, Ward II

Councilmember Anna Cline, Ward III, Mayor Pro Tempore

STAFF

Stephen J. Pauken, City Manager

Ashlee Coronado, City Clerk

Keri Bagley, Finance Director

Joelle Landers, Personnel Director

Matthew Gurney, Public Works Director

Logan Dodd, Operations Manager

Tim Cox, Police Chief

Jim Richardson, Fire Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: A Moment of Silence

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Announcement of two upcoming employee awards

CALL TO THE PUBLIC

"During the proper time on the agenda, taxpayers or residents of the city, or their authorized representatives, may address the council on any matter concerning the City's business or any matter over which the council has control (oral presentations shall not be repetitious and shall be confined to 3 minutes' maximum duration.)" Ordinance O-91-29. Comments on matters on the agenda are to be made at the time the Council considers the item. The Council may not discuss or take legal action on a matter raised during the call to the public. Council's response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be placed on a future agenda if the matter is not already on the agenda. Arizona Revised Statute ("A.R.S.") § 38-431.01(H).

THE FOLLOWING ITEMS WILL BE DISCUSSED, CONSIDERED AND/OR DECIDED UPON AT THIS MEETING:

GENERAL BUSINESS:

1. ACCOUNTS PAYABLE: Subject to availability of funds.
2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on June 20, 2023.

Ashlee Coronado, City Clerk

- B. Approval of AN Extension of Premises/Patio Permit submitted by the American Legion Post 16 for an event to be held at 1422 Hwy 92, Bisbee, AZ on Saturday, August 26, 2023 from 12:00pm (Noon) to 12:00pm (Midnight); Paul Stephen Harrington, Applicant.

Ashlee Coronado, City Clerk

OLD BUSINESS

NEW BUSINESS

3. Discussion and Possible Direction on the Petition received from Jane Borger related to West Boulevard.
Ken Budge, Mayor
4. Public Hearing and Discussion and Possible Approval of the Notice of Intent to Adopt Ordinance O-23-12 to Rezone APN 102-16-079, 102-16-080, 102-16-081, 102-16-082 and 102-16-083D unaddressed parcels owned by Todd Conklin, from RM to C-4.
Joe Ward, Building Inspector / Code Enforcement
5. Discussion and Possible Approval to enter into an Intergovernmental Agreement between Cochise County and Bisbee Police Department for the purpose of providing Regional Special Weapons and Tactics support team (S.W.A.T.).
Timothy Cox, Chief of Police
6. Discussion and Possible Approval of a Special Event Agreement for 5 years between Wick Communications Company and City of Bisbee for Bisbee 1000 Stair Climb.
Stephen Pauken, City Manager
7. Discussion on going out to bid for a Contractor for City Hall Construction.
Stephen Pauken, City Manager
8. Discussion and Possible Approval of the First Amended Subscriber Agreement between the City of Bisbee and SEACOM for Regional 911 Communications.
Stephen Pauken, City Manager
9. City Manager's Report:

COUNCIL COMMENTS OR FUTURE AGENDA ITEM SUGGESTIONS: (Council members may suggest topics for future meeting agendas, but Council will not here discuss, deliberate, or take any action on these topics.):

ADJOURNMENT:

Individuals with hearing disabilities can contact the City Clerk's Office (520) 432-6012 to request an Assisted Listening Device, at least 24 hours before the meeting.

Anyone needing special accommodation to attend this meeting should contact Ashlee Coronado at (520) 432-6012 at least twenty-four hours before the meeting.

Public documents referred to herein may be viewed during regular business hours at the City Clerk's Office at 76 Erie Street, Bisbee.

Pursuant to A.R.S. § 38-431.03(A)(3), the Council may vote to enter executive session at any point during this meeting for discussion or consultation for legal advice with its attorney(s), who may appear telephonically.

1

CITY OF BISBEE
FINANCE DEPARTMENTPayment Approval Report - by GL Account
Report dates: 6/16/2023-6/29/2023Page: 1
Jun 29, 2023 11:19AM

Report Criteria:

Invoices with totals above \$0.00 included.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
GENERAL FUND							
10-2020802 DEFERRED COMPENSATION PAYABLE							
1623	NATIONWIDE RETIREMENT SO	23-0624	EE&ER City of Bisbee Contributio	06/24/2023	3,324.60	3,324.60	06/28/2023
1623	NATIONWIDE RETIREMENT SO	23-0624	EE&ER Fire Department 56173 C	06/24/2023	1,509.50	1,509.50	06/28/2023
10-2021002 ADDITIONAL LIFE INSUR PAYABLE							
5455	MUTUAL OF OMAHA	1547262038	EMPLOYER PD. LLIFE INS.	06/15/2023	752.33	752.33	06/19/2023
5455	MUTUAL OF OMAHA	1547262038	VOLUNTARY LIFE & AD&D	06/15/2023	600.10	600.10	06/19/2023
10-2024000 PAYROLL GARNISHMENTS PAYABLE							
3271	SUPPORT PAYMENT CLEARING	23-0624	Child Support Payments for PPE	06/24/2023	450.85	450.85	06/28/2023
10-34-40066 AMBULANCE FEES							
7100	MARS REFUND ACCOUNT	2023.06.27	PATIENT REFUND	06/27/2023	91.00	.00	
Total :					6,728.38	6,637.38	
MAYOR & COUNCIL							
10-50-43000 FOURTH OF JULY FIREWORKS							
3639	SOUTHWEST RISK SERVICE	56142	FIREWORKS INSURANCE	06/19/2023	2,958.74	2,958.74	06/20/2023
Total MAYOR & COUNCIL:					2,958.74	2,958.74	
CITY MANAGER							
10-51-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - City Manager	06/15/2023	22.43	22.43	06/19/2023
10-51-24000 PHONES							
6050	VERIZON	9937201900	City Manager	06/13/2023	50.81	50.81	06/26/2023
Total CITY MANAGER:					73.24	73.24	
FINANCE DEPARTMENT							
10-52-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - Finance	06/15/2023	97.28	97.28	06/19/2023
10-52-42040 ADVERTISING							
1145	HERALD/REVIEW MEDIA	0523493528	TRUTH IN TAXACTION NOTICE	05/31/2023	240.38	240.38	06/21/2023
Total FINANCE DEPARTMENT:					337.66	337.66	
CITY CLERK							
10-53-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - City Clerk	06/15/2023	42.36	42.36	06/19/2023
10-53-24000 PHONES							
6050	VERIZON	9937201900	City Clerk	06/13/2023	36.57	36.57	06/26/2023
Total CITY CLERK:					78.93	78.93	
COMMUNITY DEVELOPMENT							
10-54-21000 ELECTRIC - SHELTER							
1097	AZ PUBLIC SERVICE (2 of 3)	1587010000-0	938 Tovreaville Rd Kennel #15870	06/16/2023	147.51	147.51	06/26/2023
10-54-24000 PHONES							
4192	CENTURY LINK	420B-06-23	ANIMAL SHELTER 520-432-6020	06/13/2023	53.00	53.00	06/26/2023
6050	VERIZON	9937201900	City Planner	06/13/2023	41.23	41.23	06/26/2023
10-54-24001 INTERNET FEES - SHELTER							
4059	SPARKLIGHT	23-0623/AS	Internet Svc-Animal Shelter- 1012	06/16/2023	84.69	84.69	06/26/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
10-54-46542 ANIMAL SHELTER EXPENSES							
3163	AZ STATE PRISON CMLX-DOU	D17160220230	AS-LABOR	06/14/2023	52.00	.00	
3163	AZ STATE PRISON CMLX-DOU	D17160220230	AS-MILEAGE	06/14/2023	49.83	.00	
Total COMMUNITY DEVELOPMENT:					428.26	326.43	
ADMINISTRATION & GENERAL GOV'T							
10-55-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD- Admin Asst.	06/15/2023	16.93	16.93	06/19/2023
10-55-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	1097842562-0	Tovreaville Rd #1097842562	06/16/2023	20.28	20.28	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	4059328029-0	76 Erie St. - #4059328029	06/12/2023	559.37	559.37	06/19/2023
1097	AZ PUBLIC SERVICE (2 of 3)	7290017491-0	2118 Newell St. Naco #72900174	06/16/2023	116.87	116.87	06/26/2023
10-55-22000 WATER							
1106	ARIZONA WATER COMPANY	03109049403-	76 Erie St./Lowell Plaza #031090	06/15/2023	37.16	37.16	06/26/2023
10-55-23000 GAS							
1751	SOUTHWEST GAS CORPORATI	910002390297	76 Erie St.-#910002390297	06/13/2023	49.15	49.15	06/19/2023
10-55-24000 PHONES							
4192	CENTURY LINK	408B-06-23	FAX 520-432-7647 408B	06/13/2023	28.23	28.23	06/26/2023
4192	CENTURY LINK	422B-06-23	CITY HALL 520-432-7380 422B	06/13/2023	103.26	103.26	06/26/2023
10-55-24001 INTERNET ACCESS							
4059	SPARKLIGHT	23-0623/COUN	Internet Svc-915 Tovreaville Rd.-1	06/20/2023	163.43	163.43	06/26/2023
10-55-41500 OFFICE SUPPLIES							
6340	ODP BUSINESS SOLUTIONS, LL	317184560001	HIGHLIGHTER 24PK, COPPERT	06/15/2023	85.77	.00	
6340	ODP BUSINESS SOLUTIONS, LL	319173548001	PAPER x1 11x17	06/14/2023	15.75	.00	
6340	ODP BUSINESS SOLUTIONS, LL	319173548001	PAPER x5	06/14/2023	213.55	.00	
Total ADMINISTRATION & GENERAL GOV'T:					1,409.75	1,094.68	
PERSONNEL							
10-56-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - Personnel	06/15/2023	22.43	22.43	06/19/2023
10-56-12500 RECRUITMENT/EMPLOYEE TESTING							
1072	WORKER'S ASSISTANCE PROG	INV00087697	MAY COVERED EMPLOYEES	05/24/2023	172.96	.00	
10-56-24000 PHONES							
6050	VERIZON	9937201900	HR	06/13/2023	36.28	36.28	06/26/2023
10-56-42040 ADVERTISING							
1153	BISBEE OBSERVER	11160	DISPLAY AD- SUMMER JOBS	05/25/2023	77.81	.00	
1890	ON TIME SPORTS	47041	WINTER SPORTS ADVERTISIN	02/06/2023	425.00	.00	
1890	ON TIME SPORTS	47044	WINTER SPORTS ADVERTISIN	02/06/2023	425.00	.00	
Total PERSONNEL:					1,159.48	58.71	
LEGAL SERVICES							
10-57-34000 CONTRACT SERVICES							
1211	GUST ROSENFELD	416369	General Legal Services - MAY	06/08/2023	6,343.00	.00	
Total LEGAL SERVICES:					6,343.00	.00	
WATER SYSTEMS							
10-58-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	6224970000-0	Douglas RD Pump - #622497000	06/12/2023	40.89	40.89	06/19/2023
10-58-46000 OPERATIONAL EXPENSES							
1951	MEGADEPOT	MD061623P01	MERCOID CONTROLS, SERIES	06/16/2023	1,981.95	.00	
Total WATER SYSTEMS:					2,022.84	40.89	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
POLICE DEPARTMENT							
10-62-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD/LTD - Police (Non-Sworn)	06/15/2023	37.76	37.76	06/19/2023
5455	MUTUAL OF OMAHA	1547262038	STD - Police Officers (Sworn)	06/15/2023	376.07	376.07	06/19/2023
10-62-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	0546921000-0	1 W HWY 92 Police #054692100	06/15/2023	836.81	836.81	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	0625720000-0	938 BTovreaaville Rd Impound Lot	06/16/2023	61.94	61.94	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	8692621000-0	129 Tank Hill D - #8692621000	06/09/2023	168.06	168.06	06/19/2023
10-62-22000 WATER							
1106	ARIZONA WATER COMPANY	03109045754-	35 HWY 92 T/CIR #03109045754	06/15/2023	74.47	74.47	06/26/2023
10-62-24000 PHONES							
4192	CENTURY LINK	402B-06-23	POLICE 520-432-2261 402B	06/13/2023	291.02	291.02	06/26/2023
6050	VERIZON	9937201900	Police	06/13/2023	568.95	568.95	06/26/2023
6050	VERIZON	9937201900	Animal Control	06/13/2023	51.40	51.40	06/26/2023
10-62-24001 INTERNET ACCESS FEES							
4059	SPARKLIGHT	23-0623/BPD	Internet Svc-Police Department -	06/16/2023	155.92	155.92	06/26/2023
6050	VERIZON	9937201900	Police Air Cards	06/13/2023	80.02	80.02	06/26/2023
6050	VERIZON	9937211911	Police Air Cards	06/13/2023	481.30	481.30	06/26/2023
Total POLICE DEPARTMENT					3,183.72	3,183.72	
FIRE DEPARTMENT							
10-64-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD/LTD - Fire	06/15/2023	587.59	587.59	06/19/2023
10-64-12300 UNIFORMS & CLOTHING							
6479	FX TACTICAL	I1-10027962	UNIFORM ALLOWANCE-MICHA	06/19/2023	456.64	.00	
6479	FX TACTICAL	I1-10027963	UNIFORM ALLOWANCE-NICK H	06/19/2023	735.83	.00	
6479	FX TACTICAL	I1-10028134	UNIFORM ALLOWANCE-ALLEN	06/23/2023	750.00	.00	
6479	FX TACTICAL	I1-10028135	UNIFORM ALLOWANCE-ANTHO	06/23/2023	578.23	.00	
6479	FX TACTICAL	I1-10028136	UNIFORM ALLOWANCE-RANDY	06/23/2023	34.78	.00	
10-64-12500 RECRUITMENT/EMPLOYMENT TESTING							
1275	COPPER QUEEN COMM. HOSPI	80014591	PRE-EMPLOYMENT TESTING-FI	06/06/2023	191.00	.00	
10-64-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	9079721000-0	192 Hwy 92 Hwy Fire Station #90	06/16/2023	497.76	497.76	06/26/2023
10-64-22000 WATER							
1106	ARIZONA WATER COMPANY	03102028351-	Bisbee Fire Station 2 - #031-02-0	06/08/2023	36.07	36.07	06/19/2023
10-64-23000 GAS							
1751	SOUTHWEST GAS CORPORATI	910001916351	645 Tombstone Cyn - Fire #2- 910	06/13/2023	69.13	69.13	06/19/2023
10-64-24000 PHONES							
4192	CENTURY LINK	278B-06-23	FIRE DEPT 520-432-1985 278B	06/13/2023	99.99	99.99	06/26/2023
4192	CENTURY LINK	398B-06-23	FIRE DEPT 520-432-4110 398B	06/13/2023	73.78	73.78	06/26/2023
4192	CENTURY LINK	412B-06-23	FIRE DEPT #2 520-432-6022 412	06/13/2023	34.42	34.42	06/26/2023
6050	VERIZON	9937201900	Fire	06/13/2023	171.55	171.55	06/26/2023
10-64-24001 INTERNET ACCESS FEES							
6050	VERIZON	9937201900	Fire Dept Air Card	06/13/2023	155.11	155.11	06/26/2023
10-64-34000 CONTRACT SERVICES							
6172	MMPC	121993	FD-PEST CONTROL	06/15/2023	50.00	.00	
10-64-41500 OFFICE SUPPLIES							
6340	ODP BUSINESS SOLUTIONS, LL	319173548001	PAPER x1	06/14/2023	46.18	.00	
10-64-46000 OPERATIONAL EXPENSES							
1659	ACE HARDWARE	38571	FAUCET REPLACEMENT FILTE	06/14/2023	20.48	.00	
1659	ACE HARDWARE	38584	TIE DOWN RATCHET	06/15/2023	17.69	.00	
1659	ACE HARDWARE	38594	AAA BATTERIES	06/16/2023	15.83	.00	
1659	ACE HARDWARE	38641	LIGHT BULBS	06/23/2023	34.44	.00	
1659	ACE HARDWARE	38645	HINGE CONTIN 1 1/2 NI	06/25/2023	7.44	.00	
10-64-46641 MEDICAL SUPPLIES							
1321	BOUND TREE MEDICAL, LLC	84994114	MEDICAL SUPPLIES/BFD	06/19/2023	749.96	.00	
1321	BOUND TREE MEDICAL, LLC	84997223	MEDICAL SUPPLIES/BFD	06/21/2023	821.37	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
10-64-61000 VEHICLE PARTS & LABOR							
6536	BISBEE NAPA AUTO PARTS	314506	BALL JOINT, DOOR SUPPORT	06/22/2023	81.62	.00	
6536	BISBEE NAPA AUTO PARTS	314507	DOOR SUPPORTS	06/22/2023	48.21	.00	
Total FIRE DEPARTMENT:					6,365.10	1,725.40	
BUILDING & MAINTENANCE							
10-74-34000 CONTRACT SERVICES							
4415	CULLIGAN OF TUCSON	112X53604906	POST OFFICE-DRINKING WATE	05/31/2023	6.96	.00	
6172	MMPC	121953	AS-PEST CONTROL	06/14/2023	50.00	.00	
6172	MMPC	122001	GARAGE-PEST CONTROL	06/15/2023	50.00	.00	
6172	MMPC	122084	AIRPORT-PEST CONTROL	06/15/2023	50.00	.00	
10-74-50100 BLDG REPAIR & MAINT							
1531	AIR FLOW SYSTEMS	1385	POLICE STATION/COOLER SER	06/22/2023	95.00	.00	
1862	B&D LUMBER & HARDWARE	201784	1/2 4/5 OSB	06/15/2023	16.43	.00	
1862	B&D LUMBER & HARDWARE	201845	30x36/X 100 ACRYLIC	06/19/2023	36.08	.00	
Total BUILDING & MAINTENANCE:					304.47	.00	
PUBLIC WORKS ADMINISTRATION							
10-75-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - PW Admin.	06/15/2023	79.24	79.24	06/19/2023
10-75-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	2518290000-0	404 Bisbee Rd - #2518290000	06/14/2023	45.07	45.07	06/26/2023
10-75-23000 GAS							
1751	SOUTHWEST GAS CORPORATI	910002556920	404 Bisbee Rd. - #910002556920	06/13/2023	40.60	40.60	06/19/2023
10-75-24000 PHONES							
6050	VERIZON	9937201900	PW	06/13/2023	101.83	101.83	06/26/2023
Total PUBLIC WORKS ADMINISTRATION:					266.74	266.74	
GARAGE							
10-77-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - PW Garage	06/15/2023	35.82	35.82	06/19/2023
10-77-12300 UNIFORMS & CLOTHING							
1844	BORBON, FLAVIO	23-0619	WORK BOOTS REIMBURSEME	06/19/2023	150.00	.00	
10-77-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	6690180000-0	Tovreaville Rd Warehouse - 50%	06/16/2023	151.12	151.12	06/26/2023
10-77-24000 PHONES							
6050	VERIZON	9937201900	City Garage	06/13/2023	72.56	72.56	06/26/2023
10-77-24001 INTERNET ACCESS							
4192	CENTURY LINK	152B-06-23	GARAGE INTERNET 520-432-19	06/13/2023	59.99	59.99	06/26/2023
10-77-34000 CONTRACT SERVICES							
7060	CINTAS	4158523834	UNIFORMS	06/14/2023	31.91	.00	
7060	CINTAS	4159201599	UNIFORMS	06/21/2023	31.91	.00	
10-77-45300 CUSTODIAL SUPPLIES							
7060	CINTAS	4158523811	JANITORIAL SUPPLIES	06/14/2023	7.80	.00	
7060	CINTAS	4159201569	JANITORIAL SUPPLIES	06/21/2023	7.80	.00	
10-77-46000 OPERATIONAL EXPENSES							
6536	BISBEE NAPA AUTO PARTS	314509	SCRAPER	06/22/2023	12.69	.00	
10-77-55000 EQUIPMENT REPAIR & MAINT							
1659	ACE HARDWARE	38562	NIPPLE GALV 3/4" X CLOSE, RE	06/13/2023	5.01	.00	
6536	BISBEE NAPA AUTO PARTS	314008	FULL PORT HOSE, ASO NOZZL	06/16/2023	809.31	.00	
Total GARAGE:					1,375.92	319.49	

BUILDING INSPECTOR

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
10-79-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - Bldg Inspector	06/15/2023	22.43	22.43	06/19/2023
10-79-24000 PHONES							
6050	VERIZON	9937201900	Bldg Inspector	06/13/2023	46.18	46.18	06/26/2023
Total BUILDING INSPECTOR:					68.61	68.61	
PARKS							
10-80-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - Parks	06/15/2023	31.40	31.40	06/19/2023
10-80-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	0655901000-0	E Vista Park - #0655901000	06/14/2023	37.66	37.66	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	3984490000-0	Main St Park - #3984490000	06/09/2023	81.29	81.29	06/19/2023
1097	AZ PUBLIC SERVICE (2 of 3)	6333950000-0	Goar Park - #6333950000	06/12/2023	47.36	47.36	06/19/2023
1097	AZ PUBLIC SERVICE (2 of 3)	6621361000-0	E Vista Court - #6621361000	06/14/2023	79.13	79.13	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	6730341000-0	Brewery Gulch C Park #67303410	06/12/2023	39.95	39.95	06/19/2023
1097	AZ PUBLIC SERVICE (2 of 3)	9158520000-0	Vista Park - #9158520000	06/14/2023	37.31	37.31	06/26/2023
10-80-22000 WATER							
1106	ARIZONA WATER COMPANY	03102062101-	Garfield Park TC- Parks-#031-02-	06/08/2023	108.63	108.63	06/19/2023
1106	ARIZONA WATER COMPANY	03106053651-	Grassy Park- Restrooms 0310605	06/13/2023	358.27	358.27	06/19/2023
1106	ARIZONA WATER COMPANY	03106058001-	City Park Brewery - Parks 031060	06/13/2023	87.70	87.70	06/19/2023
1106	ARIZONA WATER COMPANY	03109012304-	Goar Park -#03109012304	06/15/2023	91.37	91.37	06/26/2023
1106	ARIZONA WATER COMPANY	03109045722-	Traffic Circle #03109045722	06/15/2023	67.14	67.14	06/26/2023
1106	ARIZONA WATER COMPANY	03109069151-	Saginaw Park - Parks # 03109069	06/15/2023	26.88	26.88	06/26/2023
1106	ARIZONA WATER COMPANY	03112047073-0	Az St & Cole Ave Irrigation - 0311	06/20/2023	26.88	26.88	06/26/2023
10-80-24000 PHONES							
6050	VERIZON	9937201900	Parks	06/13/2023	110.89	110.89	06/26/2023
10-80-34000 CONTRACT SERVICES							
7060	CINTAS	4158523892	UNIFORMS	06/14/2023	27.98	.00	
7060	CINTAS	4159201570	UNIFORMS	06/21/2023	27.98	.00	
10-80-34100 DOC WORKERS							
3163	AZ STATE PRISON CMLX-DOU	D17194320230	PK-LABOR	06/14/2023	105.00	.00	
3163	AZ STATE PRISON CMLX-DOU	D17194320230	PK-MILEAGE	06/14/2023	164.21	.00	
10-80-46000 OPERATIONAL EXPENSES							
1862	B&D LUMBER & HARDWARE	201781	60YD MULTI-USE DUCT TAPE, 1	06/15/2023	18.74	.00	
10-80-46801 REC PROGRAMS/SPECIAL EVENTS							
6476	HIGH JUMP PARTY RENTALS	11923	WATER SLIDES FOR 4TH OF JU	06/21/2023	908.45	908.45	06/28/2023
10-80-46802 LANDSCAPING MATERIALS							
1659	ACE HARDWARE	38602	TUBE POLY	06/19/2023	8.37	.00	
1862	B&D LUMBER & HARDWARE	201743	33 LBS FERTILIZER	06/14/2023	48.75	.00	
Total PARKS:					2,541.34	2,140.31	
SWIMMING POOL							
10-81-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	2409211000-05	Quality Hill - Pool #2409211000	06/08/2023	155.07	155.07	06/19/2023
10-81-22000 WATER							
1106	ARIZONA WATER COMPANY	03106006471-	Swimming Pool - 03106006471	06/13/2023	269.58	269.58	06/19/2023
Total SWIMMING POOL:					424.65	424.65	
LIBRARY							
10-83-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - Library	06/15/2023	39.90	39.90	06/19/2023
10-83-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	3331410000-0	6 MAIN St Library - Library -#3331	06/08/2023	519.41	519.41	06/19/2023
10-83-22000 WATER							
1106	ARIZONA WATER COMPANY	03106016751-	Library - Lib 03106016751	06/13/2023	75.20	75.20	06/19/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
10-83-24000 PHONES							
4192	CENTURY LINK	414B-06-23	LIBRARY 520-432-4232 414B	06/13/2023	140.43	140.43	06/26/2023
10-83-24001 INTERNET ACCESS							
4059	SPARKLIGHT	23-0523/LIB	Internet Svc-Library- pay only 10	06/16/2023	130.78	130.78	06/26/2023
10-83-34000 CONTRACT SERVICES							
5954	IRONHAWK ELEVATOR, LLC	230404065	SCHEDULE PREVENTIVE ELEV	04/11/2023	120.20	.00	
5954	IRONHAWK ELEVATOR, LLC	230606068	SCHEDULE PREVENTIVE ELEV	06/06/2023	120.20	.00	
10-83-46831 BOOKS							
1125	BAKER & TAYLOR	5018380996	BOOKS	05/30/2023	16.97	.00	
10-83-46834 PERIODICALS							
4963	ARIZONA DAILY STAR	AM9457668-07	NEWSPAPER RENEWAL-JULY	06/13/2023	43.48	.00	
Total LIBRARY:					1,206.57	905.72	
SENIOR CITIZENS CENTER							
10-85-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	8339841000-0	300 Collins Rd. #8339841000	06/16/2023	217.10	217.10	06/26/2023
10-85-24000 PHONES							
4192	CENTURY LINK	416B-06-23	SENIOR CENTER 520-432-2167	06/13/2023	68.84	68.84	06/26/2023
10-85-24001 INTERNET ACCESS FEES							
4059	SPARKLIGHT	23-0623/SC	Internet Svc- Senior Center-10123	06/16/2023	63.75	63.75	06/26/2023
10-85-45100 DISPOSABLE EQUIP & TOOLS							
4191	GRAINGER	9737609397	SNUBBER PRESSURE FILTER 1	06/13/2023	59.53	.00	
Total SENIOR CITIZENS CENTER:					409.22	349.69	
CONTINGENCY							
10-99-99100 UNASSIGNED EXPENSES							
1956	HARMON ELECTRICAL, INC	2749	CHARGEPOINT INSTALLATION	06/29/2023	5,804.00	5,804.00	06/29/2023
Total CONTINGENCY:					5,804.00	5,804.00	
Total GENERAL FUND:					43,490.62	26,794.99	
CAMP NACO							
19-40-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - Camp Naco	06/15/2023	44.13	44.13	06/19/2023
19-40-24000 PHONES-MELLON GRANT							
6050	VERIZON	9937201900	Camp Naco	06/13/2023	92.54	92.54	06/26/2023
19-40-31000 PROFESSIONAL FEES-MELLON GRANT							
1950	JAMES MUSTARD	1	PREFESSIONAL FEES-ARCHAE	06/15/2023	480.00	.00	
19-40-46000 OPERATIONAL EXPENSE-MELLON							
6889	VERHELST RECOVERY HOUSE	14251	CAMP NACO LABOR	06/06/2023	409.50	409.50	06/19/2023
6889	VERHELST RECOVERY HOUSE	14260	CAMP NACO LABOR	06/08/2023	546.00	546.00	06/19/2023
6889	VERHELST RECOVERY HOUSE	14270	CAMP NACO LABOR	06/13/2023	351.00	351.00	06/19/2023
19-40-92000 CONSTRUCTION COSTS-MELLON							
3181	COCHISE COUNTY TREASURE	230614-A	CAMP NACO CLEAN UP-DUMPS	06/14/2023	3,978.48	.00	
Total :					5,901.65	1,443.17	
19-45-31000 PROFESSIONAL FEES-STATE GRANT							
4004	PIONEER TITLE	70602734	SUPPORTING DOCUMENTATIO	06/16/2023	650.00	.00	
19-45-42060 INVENTORIED TOOLS-STATE GRANT							
1659	ACE HARDWARE	38455	LED CRD WORK LT 6000L, STA	05/31/2023	107.71	.00	
1659	ACE HARDWARE	38534	LADDER, TAPE RULE, AIR BRA	06/09/2023	439.19	.00	
1659	ACE HARDWARE	38609	WHEELBARROW +ASSY	06/20/2023	146.30	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
19-45-45100 DISPOSABLE EQUIP/TOOLS-STATE							
1659	ACE HARDWARE	38534	NAIL, SAFTY GLASS, WASP&HO	06/09/2023	70.76	.00	
1659	ACE HARDWARE	38609	PADLOCK, MINERAL SPIRITS, B	06/20/2023	68.84	.00	
19-45-50100 BLDG REPAIR & MAINT-STATE							
1862	B&D LUMBER & HARDWARE	201823	4x4x8 BARRACKS POST REPLA	06/16/2023	366.70	.00	
Total :					1,849.50	.00	
Total CAMP NACO:					7,751.15	1,443.17	
TRANSIENT ROOM TAX							
FUND EXPENDITURES							
20-40-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - Visitor Center	06/15/2023	18.56	18.56	06/19/2023
20-40-24000 PHONES							
4192	CENTURY LINK	044B-06-23	VISITOR CENTER 520-432-3554	06/13/2023	61.88	61.88	06/26/2023
4192	CENTURY LINK	500B-06-23	VISITOR CENTER 520-432-3554	06/13/2023	33.84	33.84	06/26/2023
6050	VERIZON	9937201900	Visitor Center	06/13/2023	81.95	81.95	06/26/2023
20-40-24001 INTERNET ACCESS							
4059	SPARKLIGHT	23-0623/VC	Internet Svc-Vistor Center - 13485	06/08/2023	148.43	148.43	06/26/2023
20-40-41500 OFFICE SUPPLIES							
6340	ODP BUSINESS SOLUTIONS, LL	319173548001	PAPER x1 11x17	06/14/2023	15.75	.00	
Total FUND EXPENDITURES:					360.41	344.66	
Total TRANSIENT ROOM TAX:					360.41	344.66	
STREETS							
FUND EXPENDITURES							
21-40-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - Streets	06/15/2023	90.57	90.57	06/19/2023
21-40-12500 RECRUITMENT/EMPLOYEE TESTING							
1275	COPPER QUEEN COMM. HOSPI	80014591	PRE-EMPLOYMENT TESTING-P	06/06/2023	114.00	.00	
21-40-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	4470670000-0	60 Brewery Gulch Sp 3 - #447067	06/09/2023	37.31	37.31	06/19/2023
1097	AZ PUBLIC SERVICE (2 of 3)	4877951000-0	Hwy 92 DD #4877951000	06/20/2023	13.39	13.39	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	5254161000-0	951 Naco Hwy #5254161000	06/20/2023	111.71	111.71	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	5847770000-0	60 Brewery Gulch Sp 2 - #584777	06/09/2023	51.00	51.00	06/19/2023
1097	AZ PUBLIC SERVICE (2 of 3)	6690180000-0	25% Streets	06/16/2023	75.56	75.56	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	7700160000-0	60 Brewery Gulch Sp 4 - #770016	06/09/2023	41.63	41.63	06/19/2023
1097	AZ PUBLIC SERVICE (2 of 3)	8186260000-0	170 Hwy 92 - #690982286	06/16/2023	99.53	99.53	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	8583641000-0	60 Brewery Gulch Sp 1 - #858364	06/09/2023	60.93	60.93	06/19/2023
1879	AZ PUBLIC SERVICE (3 of 3)	AR0480008876	STREETLIGHT BILLING-MAY 20	06/15/2023	1,725.65	.00	
21-40-24000 PHONES							
6050	VERIZON	9937201900	Streets	06/13/2023	287.17	287.17	06/26/2023
21-40-34000 CONTRACT SERVICES							
7060	CINTAS	4158523858	UNIFORMS	06/14/2023	72.74	.00	
7060	CINTAS	4159201702	UNIFORMS	06/21/2023	65.96	.00	
21-40-34100 DOC WORKERS							
3163	AZ STATE PRISON CMLPX-DOU	D17509920230	ST-LABOR	06/14/2023	170.00	.00	
3163	AZ STATE PRISON CMLPX-DOU	D17509920230	ST-MILEAGE	06/14/2023	159.31	.00	
21-40-37100 INSURANCE CLAIMS & DEDUCTIBLES							
1139	AZ MUNICIPAL RISK RTNTN PO	1642	CLAIM BCLM GL 287902-LARKIN	06/16/2023	640.84	.00	
21-40-45100 DISPOSABLE EQUIP & TOOLS							
1659	ACE HARDWARE	38558	DRILL BIT, FATENERS	06/13/2023	11.50	.00	
1862	B&D LUMBER & HARDWARE	201749	CUTOFF WHEEL, 36G BLUE ZIR	06/14/2023	58.63	.00	
21-40-46000 OPERATIONAL EXPENSES							
1862	B&D LUMBER & HARDWARE	201748	HILLMAN	06/14/2023	50.22	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1862	B&D LUMBER & HARDWARE	201930	14OZ WASP & HRNT KILLER	06/22/2023	2.43	.00	
1862	B&D LUMBER & HARDWARE	201935	PREMIX CONCRETE, CUTOFF	06/22/2023	93.11	.00	
1862	B&D LUMBER & HARDWARE	201941	PREMIX CONCRETE	06/22/2023	16.18	.00	
6536	BISBEE NAPA AUTO PARTS	314168	TIP CLNR	06/19/2023	9.85	.00	
21-40-61000 VEHICLE PARTS & LABOR							
6536	BISBEE NAPA AUTO PARTS	314198	AIR FILTER, FUEL SHUT OFF VA	06/19/2023	17.94	.00	
6536	BISBEE NAPA AUTO PARTS	314222	HOSE CLAMP	06/20/2023	3.70	.00	
6536	BISBEE NAPA AUTO PARTS	314333	V BELT	06/21/2023	27.48	.00	
Total FUND EXPENDITURES:					4,108.34	868.80	
Total STREETS:					4,108.34	868.80	

HOUSING INITIATIVE

45-40-21000 ELECTRIC

1097	AZ PUBLIC SERVICE (2 of 3)	0149540000-0	416 N Street Saginaw #01495400	06/12/2023	29.14	29.14	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	8828061395-0	1 Cochise Row #8828061395	06/20/2023	60.78	60.78	06/26/2023

45-40-22000 WATER

1106	ARIZONA WATER COMPANY	03109076701-	416 N St Saginaw - # 031090767	06/15/2023	27.88	27.88	06/26/2023
1106	ARIZONA WATER COMPANY	03109107103-	1 Cochise Row #03109107103	06/15/2023	26.88	26.88	06/26/2023

45-40-23000 GAS

1751	SOUTHWEST GAS CORPORATI	910003344780	1 Cochise Row-#910003344780	06/13/2023	18.20	18.20	06/19/2023
1751	SOUTHWEST GAS CORPORATI	910003344780	1 Cochise Row-#910003344780	06/22/2023	8.43	8.43	06/26/2023

45-40-46000 OPERATIONAL EXPENSES

1132	STEP-UP BISBEE/NACO	23-0619	REQUEST FOR FUNDS -111 E S	06/19/2023	98,000.00	.00	
Total :					98,171.31	171.31	
Total HOUSING INITIATIVE:					98,171.31	171.31	

AIRPORT FUND

FUND EXPENDITURES

50-40-22000 WATER

1584	NACO WATER COMPANY LLC	201356695253	Airport Water-June 2023	06/14/2023	67.02	67.02	06/26/2023
Total FUND EXPENDITURES:					67.02	67.02	
Total AIRPORT FUND:					67.02	67.02	

SEWER FUND

54-1019900 CLEARING ACCT--SEWER/TRASH A/R

1955	NATURAL RELIEF CLINIC	23-0627	REFUND OF ACCT 102.151163.0	06/27/2023	7.80	.00	
1954	ROHNE, CARL & SANDRA SMIT	23-0626	REFUND OF ACCT 103.614293.0	06/26/2023	39.04	.00	
Total :					46.84	.00	

FUND EXPENDITURES

54-40-11501 STANDARD DISABILITY INSURANCE

5455	MUTUAL OF OMAHA	1547262038	STD - Waste Water	06/15/2023	67.37	67.37	06/19/2023
54-40-13100 BUSINESS TRAVEL							
1671	CORONADO, ANGELICA	23-0627	REIMBURSEMENT 136.8 MILES	06/27/2023	89.60	.00	
54-40-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	0516740000-0	42 Warren Cut Off Rd. Swr Bldg B	06/12/2023	814.68	814.68	06/19/2023
1097	AZ PUBLIC SERVICE (2 of 3)	2478030000-0	302 Teran St. #2478030000	06/16/2023	43.95	43.95	06/26/2023
1097	AZ PUBLIC SERVICE (2 of 3)	2954210000-0	42 Warren Cut Off Rd. Swr Bldg A	06/12/2023	59.86	59.86	06/19/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
54-40-22000 WATER							
1106	ARIZONA WATER COMPANY	03109050451-	6 W. HWY 80	06/15/2023	26.88	26.88	06/26/2023
1106	ARIZONA WATER COMPANY	03109081151-0	Highway 80-Sewer Pond - Acct #	06/15/2023	69.70	69.70	06/26/2023
54-40-24000 PHONES							
4192	CENTURY LINK	424B-06-23	46 S. AZ ST-WW 520-432-6035 4	06/13/2023	34.42	34.42	06/26/2023
6050	VERIZON	9937201900	Sewer On Call	06/13/2023	18.39	18.39	06/26/2023
6050	VERIZON	9937201900	Sewer	06/13/2023	154.20	154.20	06/26/2023
54-40-34000 CONTRACT SERVICES							
7060	CINTAS	4158523884	UNIFORMS	06/14/2023	49.39	.00	
7060	CINTAS	4159201587	UNIFORMS	06/21/2023	49.39	.00	
54-40-42060 INVENTORIED TOOLS							
1659	ACE HARDWARE	38617	CLEVIS GENERAL PURPOSE 3/	06/21/2023	47.97	.00	
1659	ACE HARDWARE	38632	MUTIMETER DIGITAL AUTO	06/22/2023	93.15	.00	
1862	B&D LUMBER & HARDWARE	201764	18" PIPE WRENCH, 1/8" COBAL	06/15/2023	46.79	.00	
54-40-45100 DISPOSABLE EQUIP & TOOLS							
1659	ACE HARDWARE	38567	PROF SPRAY BOTTLE, STEEL	06/14/2023	46.17	.00	
1659	ACE HARDWARE	38568	CREDIT	06/14/2023	14.91-	.00	
54-40-46000 OPERATIONAL EXPENSES							
1659	ACE HARDWARE	38583	CLICK N FRAME LIGHTER, HEA	06/15/2023	7.05	.00	
1862	B&D LUMBER & HARDWARE	201842	PINT DIB WETSET CEMENT, PIN	06/19/2023	21.90	.00	
1862	B&D LUMBER & HARDWARE	201931	APWA GREEN MARKING PAINT	06/22/2023	11.50	.00	
Total FUND EXPENDITURES:					1,737.45	1,289.45	
Total SEWER FUND:					1,784.29	1,289.45	

SANITATION FUND**FUND EXPENDITURES****56-40-11501 STANDARD DISABILITY INSURANCE**

5455	MUTUAL OF OMAHA	1547262038	STD - Sanitation	06/15/2023	115.32	115.32	06/19/2023
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56-40-12300 UNIFORMS & CLOTHING

1952	PUGA, VICTOR	23-0620	WORK BOOTS- REIMBURSEME	06/20/2023	150.00	.00	
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56-40-21000 ELECTRIC

1097	AZ PUBLIC SERVICE (2 of 3)	6690180000-0	25% Sanitation	06/16/2023	75.56	75.56	06/26/2023
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56-40-24000 PHONES

6050	VERIZON	9937201900	Sanitation	06/13/2023	193.86	193.86	06/26/2023
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6050	VERIZON	9937201900	Recycle	06/13/2023	137.94	137.94	06/26/2023
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56-40-34000 CONTRACT SERVICES

7060	CINTAS	4158523912	UNIFORMS	06/14/2023	54.39	.00	
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7060	CINTAS	4159201586	UNIFORMS	06/21/2023	54.39	.00	
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56-40-46000 OPERATIONAL EXPENSES

1659	ACE HARDWARE	38572	FASTENERS	06/14/2023	3.65	.00	
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6536	BISBEE NAPA AUTO PARTS	314088	2.5 DEF	06/17/2023	14.24	.00	
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56-40-46562 RECYCLING PROGRAM

7060	CINTAS	4158523749	UNIFORMS	06/14/2023	12.35	.00	
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7060	CINTAS	4158523781	UNIFORMS	06/14/2023	39.90	.00	
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7060	CINTAS	4159201528	UNIFORMS	06/21/2023	12.35	.00	
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7060	CINTAS	4159201662	UNIFORMS	06/21/2023	47.76	.00	
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56-40-61000 VEHICLE PARTS & LABOR

1112	BALAR EQUIPMENT	623146	HARNESS HEIL 63-1815-034	06/14/2023	373.67	.00	
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56-40-62003 GASOLINE

5084	WEX BANK	89979793	FUEL/SANI/SRIVERA	06/23/2023	151.78	151.78	06/27/2023
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56-40-91000 CAPITAL EXPENDITURES

1948	BYRNE EQUIPMENT SALES	123025	USED DUMPSTER TRANSPORT	06/22/2023	21,800.00	21,800.00	06/27/2023
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Total FUND EXPENDITURES:					23,237.16	22,474.46	
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Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total SANITATION FUND:					23,237.16	22,474.46	
QUEEN MINE FUND							
FUND EXPENDITURES							
59-40-11501 STANDARD DISABILITY INSURANCE							
5455	MUTUAL OF OMAHA	1547262038	STD - Queen Mine	06/15/2023	85.77	85.77	06/19/2023
59-40-21000 ELECTRIC							
1097	AZ PUBLIC SERVICE (2 of 3)	8295240000-0	HWY 80 Tour - QM - #829524000	06/12/2023	841.15	841.15	06/19/2023
59-40-22000 WATER							
1106	ARIZONA WATER COMPANY	03109024701-	Queen Mine - #03109024701	06/15/2023	88.06	88.06	06/26/2023
59-40-24000 PHONES							
4192	CENTURY LINK	406B-06-23	QUEEN MINE 520-432-2071 406	06/13/2023	144.12	144.12	06/26/2023
6050	VERIZON	9937201900	Queen Mine	06/13/2023	50.81	50.81	06/26/2023
59-40-24001 INTERNET ACCESS FEE							
4059	SPARKLIGHT	23-0623/QM	Internet Svc-Queen Mine - 10121	06/16/2023	74.74	74.74	06/26/2023
59-40-34100 DOC WORKERS							
3163	AZ STATE PRISON CMLX-DOU	D17196020230	QM-LABOR	06/27/2023	76.00	.00	
59-40-41500 OFFICE SUPPLIES							
6399	WIST OFFICE PRODUCTS	2355216	TONER & TAPE	06/22/2023	73.83	.00	
Total FUND EXPENDITURES:					1,434.48	1,284.65	
Total QUEEN MINE FUND:					1,434.48	1,284.65	
AMERICAN RESCUE PLAN ACT							
79-40-20036 BUILDING IMPROVEMENTS							
5016	JOHNNY RABEY	23-0620	POLICE DEP/PAINTING/JOB CO	06/20/2023	3,600.00	3,600.00	06/21/2023
Total :					3,600.00	3,600.00	
Total AMERICAN RESCUE PLAN ACT:					3,600.00	3,600.00	
BISBEE BUS FUND							
FUND EXPENDITURES							
96-40-41606 CONTRACTOR OPERATING EXPENSES							
6391	CITY OF DOUGLAS	0000215	BUS CONTRACT-JUNE 2023	06/02/2023	18,927.08	.00	
96-40-41607 CITY OPERATING EXPENSE							
6536	BISBEE NAPA AUTO PARTS	312929	OIL FILTER - BUS 403	06/05/2023	11.33	.00	
1671	CORONADO, ANGELICA	23-0627	REIMBURSEMENT 3.9 MILES G	06/27/2023	2.56	.00	
96-40-62000 FUEL & LUBRICANTS							
6536	BISBEE NAPA AUTO PARTS	312929	OIL - BUS 403	06/05/2023	22.99	.00	
Total FUND EXPENDITURES:					18,963.96	.00	
Total BISBEE BUS FUND:					18,963.96	.00	
Grand Totals:					202,968.74	58,338.51	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
--------	-------------	----------------	-------------	--------------	--------------------	-------------	-----------

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.



AGENDA ITEM NUMBER 2A

REQUEST FOR MAYOR & COUNCIL ACTION

Session of: July 5, 2023

☒ Regular ☐ Special

DATE ACTION SUBMITTED: June 23, 2023

REGULAR ☐ CONSENT ☒

TYPE OF ACTION:

RESOLUTION ☐ ORDINANCE ☐ FORMAL ACTION ☒ OTHER ☐

SUBJECT: APPROVAL OF THE MINUTES OF THE REGULAR SESSION OF MAYOR AND COUNCIL HELD ON JUNE 20, 2023 AT 7:00 PM

FROM: Nina Williams, Deputy City Clerk

RECOMMENDATION: Approve Minutes

PROPOSED MOTION: I move to approve the Minutes of the Regular Session of Mayor and Council held on June 20, 2023 at 7:00 PM

DISCUSSION:

FISCAL IMPACT: N/A

DEPARTMENT LINE-ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared by:

Nina Williams
Nina Williams,
Deputy City Clerk

Reviewed by:

Ashlee Coronado
Ashlee Coronado,
City Clerk

MINUTES

MINUTES OF THE REGULAR SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, JUNE 20, 2023, AT 7:00 PM AT COUNCIL CHAMBERS LOCATED AT 915 S. TOVREAVILLE ROAD, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR BUDGE AT 7:00PM

ROLL CALL

COUNCIL

Councilmember Juanetta Hill, Ward III

Councilmember Joni Giacomino, Ward II

Councilmember Frank Davis, Ward I

Mayor Ken Budge

Councilmember Leslie Johns, Ward I

Councilmember Mel Sowid, Ward II

Councilmember Anna Cline, Ward III, Mayor Pro Tempore 7:02pm

STAFF

Stephen J. Pauken, City Manager

Ashlee Coronado, City Clerk

Keri Bagley, Finance Director

Matthew Gurney, Public Works Director

Logan Dodd, Operations Manager

Tim Cox, Police Chief

Jim Richardson, Fire Chief

CITY ATTORNEY

Joseph Estes

INVOCATION: Mayor Budge asked for a moment of reflection.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Budge asked that everyone be careful on any use of pyrotechnics.

CALL TO THE PUBLIC

THE FOLLOWING ITEMS WERE DISCUSSED, CONSIDERED AND/OR DECIDED UPON AT THIS MEETING:

GENERAL BUSINESS:

1. ACCOUNTS PAYABLE: Subject to availability of funds.

MOTION: Councilmember Cline moved to approve accounts payable in the amount of \$211,862.67.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on June 6, 2023.

Ashlee Coronado, City Clerk

- B. Approval of the Minutes of the Special Session of Mayor and Council held on June 6, 2023.

Ashlee Coronado, City Clerk

- C. Acceptance of the Resignation of Sara Curtis from the Parks and Recreation Committee.

Ashlee Coronado, City Clerk

- D. Approval of a Park, Facility, and Right-of-Way Use Permit for the use of several streets for the Coaster Race Trial Run on Saturday, July 1, 2023, Pre-sets on Monday, July 3, 2023, and the Race on Tuesday, July 4, 2023, with possible waiver of fees.

Ashlee Coronado, City Clerk

- E. Approval of a Park, Facility, and Right-of-Way Use Permit for the use of Cole Avenue, Bisbee Road, and Arizona Street for the Annual 4th of July Parade on Tuesday, July 4, 2023, from 11:00am to 1:00pm.

Ashlee Coronado, City Clerk

- F. Approval of a Park, Facility, and Right-of-Way Use Permit for the use of Brewery Gulch for the 4th of July Mucking and Drilling Contests on Tuesday, July 4, 2023, from 12:00pm to 3:00pm with possible waiver of fees.

Ashlee Coronado, City Clerk

- G. Approval of a Park, Facility and Right of Way Use Permit for the use of Lower Vista Park for vendors and three water slides for the 4th of July Celebration from 8:00am to 8:00pm.

Matthew Gurney, Public Works Director

- H. Approval of a Park, Facility, and Right-of-Way Use Permit for the Boys & Girls Club of Bisbee for the use of Arizona Street (between Briggs Avenue and Ruppe Street) for the Cars & Bikes on Arizona Street Show to be held on Saturday, September 2, 2023 from 6:00am to 5:00pm with possible wavier of fees.

Ashlee Coronado, City Clerk

MOTION: Councilmember Johns moved to approve the Consent Agenda item 2A-2H.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

OLD BUSINESS

3. Discussion and Possible approval of Ordinance O-23-10; Amending Zoning Code 9.2 -Definitions by adding the definition of "Parcel Coverage," Amending Article 5.2 -R Zone Residential, by adding the Maximum Parcel Percentage for Lot Coverage for New Construction to tables 5.2 and 5.2.3.A, and Amending Article 5.3.1 – Purpose, to exclude such requirements from the Historic Overlay District.

Joe Ward, Building Inspector / Code Enforcement

Mayor Budge stated this was the second reading of this ordinance; this was to limit the amount of coverage non-permeable surface on all new construction and there are special considerations for Old Bisbee that have tighter lots.

MOTION: Councilmember Davis moved to approve Ordinance O-23-10; Amending Zoning Code 9.2 - Definitions by adding the definition of "Parcel Coverage," Amending Article 5.2 -R Zone Residential, by adding the Maximum Parcel Percentage for Lot Coverage for New Construction to tables 5.2 and 5.2.3.A, and Amending Article 5.3.1 -Purpose, to exclude such requirements from the Historic Overlay District.
SECOND: Councilmember Sowid

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Johns, Sowid, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-7 NAYS-0

NEW BUSINESS

4. Discussion and Possible Approval of the Updated Design Review Board Application Packet.
Ashlee Coronado, City Clerk

Ms. Coronado stated this was an update to the Design Review Board Application Packet which reflects all the changes that were approved in the development standards back in February. The Design Review Board unanimously approved this application packet at their meeting on June 7th.

Councilmember Davis said there had been a lot of hard work on this and he recommended approval.

MOTION: Councilmember Davis moved to approve the updated Design Review Board Application Packet.

SECOND: Councilmember Giacomino

MOTION PASSED: UNANIMOUSLY

5. Discussion and Possible Approval of Resolution R-23-11; a Resolution of the Mayor and Council, City of Bisbee, County of Cochise, State of Arizona, fixing, levying, and assessing the amount to be raised by the City of Bisbee from property taxation and fixing and determining the property tax rate for the 2023-2024 fiscal year and providing for severability.
Keri Bagley, Finance Director

Ms. Bagley said this was the resolution for the final approval on the property tax levy for the next fiscal year increasing it by 2%.

MOTION: Councilmember Johns moved to approve Resolution R-23-11 fixing, levying, and assessing the amount to be raised by the City of Bisbee from property taxation and fixing and determining the property tax rate for the 2023-24 fiscal year in the amount of \$3.0059 per \$100 of assessed valuation and providing for severability.

SECOND: Councilmember Sowid

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Johns, Sowid, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-7 NAYS-0

6. Discussion and Possible Approval to purchase surplus shipping containers from AZ Department of Administration (AZ DOR).
Matthew Gurney, Public Works Director

Mr. Gurney said Camp Naco had gotten approval for two containers at a previous meeting, but these were a better deal. The others were cancelled. Multiple departments would be utilizing these containers which were different sizes. He stated they are being purchased from the Arizona Department of Administration.

Council commented and asked questions regarding the shipping containers. Staff responded and explained what they will be used for and why they were needed.

MOTION: Councilmember Davis moved to approve the purchase of five 20-ft. and eight 40-ft. shipping containers from AZ DOA.

SECOND: Mayor Budge

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Johns, Sowid, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-7 NAYS-0

7. Discussion and Possible Approval of Amendment #2 to the Agreement to provide Animal Care Services between the City of Bisbee and the Friends of the Bisbee Animal Shelter.

Steve Pauken, City Manager

Mr. Pauken said this was Amendment No. 2 to the existing agreement that we have with the Friends of the Bisbee Animal Shelter. Each year at budget time they make a presentation to staff to make their request known to us. The amount that they requested this year was \$86,000; quarterly payment of \$21,500. This amendment was amending the agreement which determined the payment.

Council commented and asked questions regarding the amendment and Mr. Pauken responded.

MOTION: Mayor Budge moved to approve Amendment #2 to the Agreement to provide Animal Care Services between the City of Bisbee and the Friends of the Bisbee Animal Shelter.

SECOND: Councilmember Giacomino

MOTION PASSED: UNANIMOUSLY

8. Discussion and Possible Approval of a contract with Fireworks Productions of Arizona for the 4th of July Fireworks.

Jim Richardson, Fire Chief

Chief Richardson said the Fire department was requesting approval of the contract with Fireworks Productions of Arizona for the 4th of July Fireworks. He explained the cost of the Fireworks, and insurance.

Council commented and asked questions regarding the fireworks and Chief Richardson responded.

MOTION: Councilmember Giacomino moved to approve the contract with Fireworks Productions of Arizona for the 4th of July Fireworks.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

9. Discussion and Possible Approval of Amendment #4 to the Jacobs Agreement for Operations Maintenance and Management Services for the City of Bisbee San Jose Wastewater Treatment Plant.

Matthew Gurney, Public Works Director

Mr. Gurney said this was an amendment for the Jacobs agreement for operations maintenance and management services. This agreement was from July 1, 2023 to June 30, 2024. He went over the cost stated in the amendment.

MOTION: Councilmember Davis moved to approve Amendment No. 4 to the Jacobs Agreement for operations maintenance and management services.

SECOND: Councilmember Johns

MOTION PASSED: UNANIMOUSLY

10. Discussion and Possible Approval to purchase sewer pipe and fixtures for the Wastewater Collections Department.

Matthew Gurney, Public Works Director

Mr. Gurney spoke regarding the request to purchase of the sewer pipe and fixtures for the Wastewater Collections Department.

MOTION: Councilmember Cline moved to approve to purchase sewer pipe and fixtures for the Wastewater Collections Department.

SECOND: Councilmember Sowid

MOTION PASSED: UNANIMOUSLY

11. Discussion and Possible Approval to purchase a used dumpster transport truck for an amount not to exceed \$25,000.

Matthew Gurney, Public Works Director

Mr. Gurney explained the request to purchase of the dumpster transport truck.

Council commented and asked questions regarding the purchase of the dumpster transport truck and staff responded.

MOTION: Mayor Budge moved to approve to purchase a used dumpster transport truck for an amount not to exceed \$25,000.

SECOND: Councilmember Davis

MOTION PASSED: UNANIMOUSLY

12. Discussion and Possible Approval of the Bisbee Police Department Standard Policies and Procedures for Body Worn Cameras.

Tim Cox, Police Chief

Chief Cox said before Council was the policy and procedures for Body Worn Cameras. He stated that it had already been reviewed by the City Attorney.

Council commented and asked questions regarding the policies and procedures for Body Worn Cameras and staff responded.

MOTION: Mayor Budge moved to approve the Bisbee Police Department Standard Policies and Procedures for the Body Worn Cameras with an amendment on the last page enforcement implementations to add the City Council after the Chief of Police

SECOND: Councilmember Cline

ROLL CALL VOTE

AYES: Councilmember Hill, Giacomino, Davis, Johns, Sowid, Cline, and Mayor Budge

NAYS: 0

MOTION PASSED: AYES-7 NAYS-0

13. City Manager's Report:

- Mr. Pauken announced that the Fire Department was accepting Donations for the Fireworks.
- Mr. Pauken gave a reminder regarding the Garbage Collection for the 4th of July Holiday.
- Mr. Pauken gave an update on the various issues that have occurred on Cochise Row and the effort on the part of Freeport McMoRan to clean out the area.

COUNCIL COMMENTS OR FUTURE AGENDA ITEM SUGGESTIONS: (Council members may suggest topics for future meeting agendas, but Council will not here discuss, deliberate, or take any action on these topics.):

MOTION: Councilmember Davis moved to adjourn the meeting.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:18PM

Ken Budge, Mayor

**REQUEST FOR MAYOR & COUNCIL ACTION**Session of: July 5, 2023☒ Regular ☐ SpecialDATE ACTION SUBMITTED: June 23, 2023REGULAR ☐ CONSENT ☒

TYPE OF ACTION:

RESOLUTION ☐ ORDINANCE ☐ FORMAL ACTION ☒ OTHER ☐

SUBJECT: Approval of an Extension of Premises/Patio Permit submitted by the American Legion Post 16 for an event to be held at 1422 Hwy 92, Bisbee, AZ on Saturday, August 26, 2023 from 12:00pm (Noon) -12:00pm (Midnight); Paul Stephen Harrington, Applicant.

FROM: Ashlee Coronado, City Clerk

RECOMMENDATION: Approve Extension of Premises/Patio Permit

PROPOSED MOTION: I move to Approve the Extension of Premises/Patio Permit submitted by the American Legion Post 16 for an event to be held at 1422 Hwy 92, Bisbee, AZ on Saturday, August 26, 2023 from 12:00pm (Noon) - 12:00pm (Midnight); Paul Stephen Harrington, Applicant.

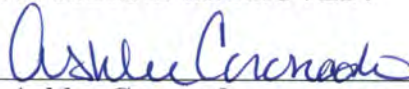
DISCUSSION:

The American Legion Post 16 has requested approval of an Extension of Premises/Patio Permit for an event to be held at 1422 Hwy 92, Bisbee, AZ on Saturday, August 26, 2023 from 12:00pm (Noon) -12:00pm (Midnight).

The American Legion Post 16 has indicated the front parking lot is the area , it does not abut any private residences or other commercial businesses.

FISCAL IMPACT: N/A**DEPARTMENT LINE-ITEM ACCOUNT:** N/A**BALANCE IN LINE ITEM IF APPROVED:** N/A

Prepared by:


Ashlee Coronado,
City Clerk

Reviewed by:


Stephen J. Pauken,
City Manager



TEMPORARY EXTENSION OF PREMISES/PATIO PERMIT

A non-refundable \$100 fee will apply

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

DLLC USE ONLY

Job #:

Date Accepted:

CSR:

**OBTAIN RECOMMENDATION FROM THE LOCAL GOVERNING BODY BOARD 60 DAYS PRIOR
AS WELL AS SUBMIT A COPY TO THE DEPARTMENT OF LIQUOR**

License#: 014020012928

1. Agent Name: HARRINGTON PAUL STEPHEN
Last First Middle
2. Business Name: AMERICAN LEGION POST 16
3. Business Location Address: 1422 HWY 92 BISBEE AZ 85603
Street City State Zip Code
4. Business Phone Number: 520 366 4558 Contact Phone Number: 720 812 6865
5. Mailing address: 1422 HWY 92 BISBEE AZ 85603
Street City State Zip Code
6. Email Address: AUSTIN.BRET@GMAIL.COM
7. Specific purpose for change: OUTDOOR MUSIC EVENT

Dates of the Temporary Extension – Must not exceed 6 months.

Date	Day of Week	Start Time	End Time
<u>26 AUG 23</u>	<u>SATURDAY</u>	<u>12 NOON</u>	<u>12 MIDNIGHT</u>

(Attach additional sheet if necessary)

**Must provide written notice to the Department of Liquor of any modification
10 days prior to change/addition to scheduled Temporary Extension.**

8. Do you understand Arizona Liquor Laws and Regulations? ☒ Yes ☐ No
9. Does this extension bring your premises within 300 feet of a school? ☐ Yes ☒ No

IMPORTANT

1. **MUST submit a security plan and identify security measures that will be implemented in order to:**
(Pursuant to A.R.S. § 4-207.03 (B) 1-4)

- Provide for the safety of the patrons.
- Ensure anyone under legal drinking age does not purchase, possesses, or consume alcohol.
- Prevent unauthorized removal of alcohol from the extended premises.
- Prevent unauthorized carrying of alcohol onto the extended premises.

2. **MUST attach a diagram**, clearly depicting your licensed premises along with the new extended area,
If the extended area is not outlined and marked "extension" we cannot accept the application.

BARRIER

- ☒ Barrier Exemption: an exception to the requirement of barriers surrounding a patio/outdoor serving area may be requested. Barrier exemptions are granted based on public safety, pedestrian traffic, and other factors unique to a licensed premises. List specific reasons for exemption:

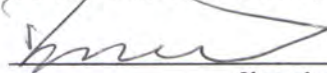
FRONT PARKING LOT IS THE AREA. IT DOES NOT ADJUT ANY PRIVATE RESIDENCES OR OTHER COMMERCIAL BUSINESSES.

☐ Approval ☐ Disapproval by DLLC: _____

SIGNATURE

Declaration:

I, (Print Name) BRET AUSTIN 2ND VICE CDR, declare under penalty of perjury that I am authorized to submit this application. I have read the contents of this application, and to the best of my knowledge believe all statements made on this application to be true, correct and complete.


Signature

GOVERNING BOARD

After completion, and at least 60 days BEFORE submitting to the Department of Liquor, please take this application to your local Board of Supervisors, City Council or Designate for their recommendation. This recommendation is not binding on the Department of Liquor.

☐ Approval ☐ Disapproval

Authorized Signature

Title

Agency

Date

DLLC USE ONLY

Investigation Recommendation: ☐ Approval ☐ Disapproval by: _____ Date: ____/____/____

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





REQUEST FOR MAYOR & COUNCIL ACTION

Session of: July 5, 2023

☒ Regular ☐ Special

DATE ACTION SUBMITTED: June 23, 2023

REGULAR ☒ **CONSENT** ☐

TYPE OF ACTION:

RESOLUTION ☐ **ORDINANCE** ☐ **FORMAL ACTION** ☒ **OTHER** ☐

SUBJECT: Discussion and Possible Direction on the Petition received from Jane Borger related to West Boulevard.

FROM: Ken Budge, Mayor

RECOMMENDATION: At Mayor and Council's Discretion

PROPOSED MOTION: At Mayor and Council's Discretion

DISCUSSION:

Jane Borger submitted a petition of June 14, 2023 related to West Boulevard.

- Consistency regarding house numbering and street name.
- Permanent Speed bumps installed along West Blvd.

Mayor and Council are required to hear all petitions within two Council meetings.

FISCAL IMPACT:

DEPARTMENT LINE-ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared by:

Ashlee Coronado, for
Ashlee Coronado,
City Clerk

Reviewed by:

Stephen J. Pauken
Stephen J. Pauken,
City Manager

On Wed, Jun 14, 2023 at 2:10 PM Timothy Cox <tc Cox@bisbeeaz.gov> wrote:

Mayor,

I took note of the Petition dated June 5, 2023, and did research regarding Police activity and jurisdiction. I have the following to offer;

1. 911 systems, and police jurisdictional maps (used by all county agencies) do not reflect a "West Boulevard". The road is officially labeled as "Tombstone Canyon"

a. Our switch to SEACOM will result in incidents being reported by the official address, as provided through several sources. Citizens currently living in the area contacting BSPD dispatch routinely state "West Boulevard" as an address and we just know where they are, which is in fact "Tombstone Canyon". SEACOM will not dispatch in this manner.

2. Our patrol area is defined through jurisdictional maps, which outline which agency is responsible for what area. The BSPD area ends on Tombstone Canyon five houses North of Compton Avenue. The remainder of Tombstone Canyon and "Old Divide Road" is not a BSPD patrol area. It is assigned to the County.

a. Again, SEACOM will not dispatch us to the area if it is not in our defined patrol area.

3. I pulled patrol records and reports for the last two months. There have been no serious accidents to which BSPD has responded to in the area mentioned within that time. In fact, BSPD has responded to only one (1) accident in our patrol area in the last two months, which was on Highway 92 and Anama Lane.

a. The accident referred to in the petition occurred in County jurisdiction, and the officer's "delayed response" was due to the inaccurate address of "West Boulevard" being given to dispatch (SEACOM), and the responding Deputies being outside of City Limits. BSPD was not involved.

i. Based upon my own knowledge and experience this is a normal time frame for most county Deputy responses.

ii. BSPD was never contacted to assist with an accident within the past two months in the area of concern.

iii. BSPD has conducted 40 agency assists in the past two months. One was on Old Divide Road for a fire.

4. Since being advised of citizen concerns by City Manager Pauken and Council Member Davis regarding speeding on Tombstone Canyon, and within the last two months, the BSPD has;

- a. Conducted 12 Specific Targeted Enforcement Programs (STEP) on, around, and within the area of Highway 80, Tombstone Canyon, and Old Divide Road. These are funded under the GOHS grants BSPD has an agreement for.
- b. Conducted several routine enforcement patrols on, around, and within the area of Highway 80, Tombstone Canyon, and Old Divide Road.
- c. Conducted Traffic Stops on 30 motorists for different violations, issued 12 citations and 18 warnings.

I hope this information is helpful. I can only speculate on "where" the alleged incidents are occurring, but I would guess it is originating on Old Divide Road. Data and Officer observations do not support a systematic and continual problem within our jurisdiction. This is not to say traffic violations do not occur here, but rather not to a degree which raises alarm more so than any other area of town.

We will continue to patrol the area and target our enforcement in a proper manner.

DATE TAKEN OUT: June 5, 2023

PETITION TO THE MAYOR AND CITY COUNCIL

I/We, Petition the Mayor and the City Council of the City of Bisbee because:

SEE ATTACHMENT "A".

RECEIVED

JUN 14 2023

(State Problem)

City Clerk's Office
City of Bisbee

ACTION DESIRED

I/We would like the Mayor and Council to consider taking the following action(s):

SEE ATTACHMENT "A".

(State Possible Solution to Problem. Be SPECIFIC.)

THIS PETITION WILL BE CONSIDERED AND ANY ACTION WILL BE TAKEN WITHIN THREE REGULAR CITY COUNCIL MEETINGS.

DATE	SIGNATURE	PRINTED NAME	ADDRESS
6/6/23	Jane A. Berger	JANE A. BERGER	1623 WEST BLVD 85603
6/6/2023	Lawrence F. Berger	Lawrence F. Berger	1623 West Blvd 85603
6/6/2023	Dennette Hill-Walt	Dennette Hill-Walt	1615 West Blvd. 85603
6/7/23	Susan Asman	SUSAN. ASMAN	1608 WEST BLVD 85603
6/6/23	Pat McNeely	PAT McNeely	1614 West Blvd
6/6/23	Tom Sullivan	TOM SULLIVAN	1642 W. BLVD
6/6/23	LY NGUYEN	LY NGUYEN	1001 West Blvd 85603
6/6/23	ALAN DAVIS	ALAN DAVIS	1001 W BLVD #9
6/6/23	AL ANDERSON	AL ANDERSON	942 WEST BLVD BISBEE
6/6/23	Anne Carl	Anne Carl	942 West Blvd Bisbee
6/6/23	NATALIE DARTFORTH	NATALIE DARTFORTH	1002 WEST BLVD Bisbee 85603
6/6/23	Louise Nilsson	Louise Nilsson	1006 W. Blvd, Bisbee 85603

Signed:

Circulator

DATE TAKEN OUT: June 5, 2023

PETITION TO THE MAYOR AND CITY COUNCIL

I/We, Petition the Mayor and the City Council of the City of Bisbee because:

SEE ATTACHMENT "A"

RECEIVED

JUN 14 2023

(State Problem)

City Clerk's Office
City of Bisbee**ACTION DESIRED**

I/We would like the Mayor and Council to consider taking the following action(s):

SEE ATTACHMENT "A"

(State Possible Solution to Problem. Be SPECIFIC.)

**THIS PETITION WILL BE CONSIDERED AND ANY ACTION WILL BE
TAKEN WITHIN THREE REGULAR CITY COUNCIL MEETINGS.**

DATE	SIGNATURE	PRINTED NAME	ADDRESS
6-6-23	Charlene Dymkiewicz	Charlene McGowan	1010 W. Blvd
6-7-23	Douglas DeBorja	Douglas DeBorja	1002 W. Blvd
6-7-23	Elizabeth Bernstein	Elizabeth Bernstein	938 West Blvd
6-7-23	John Mackinnon	John Mackinnon	938 West Blvd
6-7-23	CARNEI FAUCON	CARNEI FAUCON	1012 W. BLVD.
6/10/23	Dennis L. MICO	Dennis L. MICO	1615 West Blvd
6/12/23	Dawn Sullivan	Dawn Sullivan	1642 West Blvd.
6/12/23	Jean Reichel	Jean Reichel	1622 West Blvd.
6/12/23	Peter Levine	Peter Levine	1622 West Blvd

Signed:

Jane A. Berger & Peter Levine
Circulator

DATE TAKEN OUT: June 5, 2023

PETITION TO THE MAYOR AND CITY COUNCIL

I/We, Petition the Mayor and the City Council of the City of Bisbee because:

RECEIVED

SEE ATTACHMENT "A"

JUN 14 2023

(State Problem)

City Clerk's Office
City of Bisbee**ACTION DESIRED**

I/We would like the Mayor and Council to consider taking the following action(s):

SEE ATTACHMENT "A"

(State Possible Solution to Problem. Be SPECIFIC.)

**THIS PETITION WILL BE CONSIDERED AND ANY ACTION WILL BE
TAKEN WITHIN THREE REGULAR CITY COUNCIL MEETINGS.**

DATE	SIGNATURE	PRINTED NAME	ADDRESS
6/6/23	Jane A Berger	JANE A BERGER	1623 WEST BLVD 85603
6/6/2023	Lawrence F. Berger	Lawrence F. Berger	1623 West Blvd 85603
6/6/23	Susan Jassman	SUSAN JASSMAN	1608 WEST BLVD 85603
6/6/2023	Donna Hill	Donna Hill	1615 West Blvd. 85603
6/6/2023	Pat McNeely	PAT McNeely	1614 West Blvd 85603
6/6/23	Tom Sullivan	TOM SULLIVAN	1642 W. BLVD 85603
6/6/23	LY NGUYEN	LY NGUYEN	1001 West Blvd 85603
6/6/23	JEANNIE HERREGA	JEANNIE HERREGA	1021 WEST BLVD 85603
6/6/23	Alan Jones	Alan Jones	1001 W Blvd #19
6/6/23	Anne Carl	Anne Carl	942 West Blvd
6/6/23	AL ANDERSON	AL ANDERSON	942 WEST BLVD 85603
6/6/23	NATLIE DANKFORTH	NATLIE DANKFORTH	1002 WEST BLVD 85603

Signed:

Circulator

DATE TAKEN OUT: June 5, 2023

PETITION TO THE MAYOR AND CITY COUNCIL

I/We, Petition the Mayor and the City Council of the City of Bisbee because:

SEE ATTACHMENT "A"

RECEIVED

JUN 14 2023

(State Problem)

City Clerk's Office
City of Bisbee**ACTION DESIRED**

I/We would like the Mayor and Council to consider taking the following action(s):

SEE ATTACHMENT "A"

(State Possible Solution to Problem. Be SPECIFIC.)

**THIS PETITION WILL BE CONSIDERED AND ANY ACTION WILL BE
TAKEN WITHIN THREE REGULAR CITY COUNCIL MEETINGS.**

DATE	SIGNATURE	PRINTED NAME	ADDRESS
6/6/23	<i>De N.</i>	Louise Nilson	1006 W. Blvd Bisbee 85603
6/6/23	<i>Charlene McGee</i>	Charlene McGee	1010 W BLVD Bisbee AZ 85603
6/7/23	<i>Douglas Danforth</i>	Douglas Danforth	1002 W. Blvd.
6/7/23	<i>John Mackinnon</i>	John Mackinnon	738 West Blvd.
6/7/23	<i>Elizabeth Bernstein</i>	Elizabeth Bernstein	938 West Blvd.
6/7/23	<i>Carmen Facon</i>	CARMEN FAUCON	1012 WEST BLVD.
6/10/22	<i>Dennis White</i>	Dennis White	1615 West Blvd.
6/12/22	<i>Dawn Sullivan</i>	Dawn Sullivan	1642 West Blvd.

Signed:

Jane A. Boyer & Pat McNulty
Circulator

JUNE 5, 2023

PETITION TO THE MAYOR AND CITY COUNCIL OF BISBEE ARIZONA

ATTACHMENT A

I/We petition the Mayor and the City Council of the City of Bisbee because:

Listed below are the occupant/owner names and property addresses of residences on West Blvd. in Bisbee. Our mail is delivered to post office boxes as required by USPS. Our property addresses are used for package deliveries, utilities (including the City sewer and trash bills) and for any emergencies that may occur. As you may have noticed, there is no consistency in the house numbering system or in our street name. This puts residents on West Blvd. in a potentially dangerous situation should an emergency occur. A call to 911 to report a car accident last week on West Blvd. found the 911 dispatcher telling the caller her address was on Tombstone Canyon, not West Blvd. Once the police arrived 25 minutes later, an officer commented they were late due to confusion about the street name. Some of us had our voter registration addresses changed to Tombstone Canyon Road with no explanation given. Per Joe Ward, there is no such street as West Blvd. He apparently has a map in his office confirming this. Curiously, some of us have lived here 20+ years and had no idea West Blvd. doesn't exist! Apparently, whomever put the exit signs on Highway 80 East for "West Blvd" didn't know either!

I/We would like the Mayor and Council to consider taking the following action(s):

Provide a consistent numbering system and street name to the property residents/owners on what is now considered to be West Blvd. If West Blvd. does not exist and we live on Tombstone Canyon Road, the City will need to notify all first responders, utility companies, the County and voter registration office and the property owners/residents. Signs indicating West Blvd. on the highway should also be replaced with appropriate street names.

JUNE 5, 2023

PETITION TO THE MAYOR AND CITY COUNCIL OF BISBEE ARIZONA

ATTACHMENT A

RECEIVED

JUN 14 2023

City Clerk's Office
City of Bisbee

I/We petition the Mayor and City Council of the City of Bisbee because:

For years residents on West Blvd in Bisbee have experienced ongoing problems with vehicles speeding up and down the street, creating safety issues and property damage. Efforts to have police monitor the problem have proven unsuccessful. Each year the situation gets worse. Just last week a vehicle was speeding uphill and hit a residential rock wall. The car was going so fast it spun three times, damaging the wall, totaling the car, and injuring the driver. West Blvd. is heavily used for biking and hiking, along with locals and tourists using it to go to the Old Divide and hike trails from there, or to catch the highway. They also use the road to drop down into Old Bisbee. Some of the pedestrians are children. Large portions of the road have no sidewalks, causing pedestrians to walk in the roadway. This creates potential dangers every time people are biking/walking and cars drive by, especially when the cars are speeding. To date, the City has shown a lack of concern for safety in our neighborhood.

ACTION DESIRED

I/We would like the Mayor and Council to consider taking the following action(s):

Since police either cannot or will not consistently monitor traffic going up and down West Blvd., we want the following action to be taken immediately. We need at least three (3) permanent speed humps installed along West Blvd. Keep in mind traffic speeds up when going uphill around the front of the Pueblo Court Apartments, and when going downhill they are already speeding and don't begin to slow down until they reach the Pueblo Court apartments. It is our belief that speed humps will provide a permanent solution to the situation and make our neighborhood safer. Safety comes first!

RECEIVED

JUN 14 2023

City Clerk's Office
City of Bisbee

6/6/23 JEANNIE HERRERA
1001 W. BLVD
BISBEE, AZ 85603

PERHAPS LIE HEAVY REMOVAL STRIPS
DOWN SO WHEN BISBEE HAS AN
EVENT THEY CAN BE MOVED AND THEN
REPOSITIONED AFTER THE EVENT FOR
THE SAFETY OF THE NEIGHBORHOOD TO
SLOW THOSE SPEEDERS DOWN.

TO: City of Bisbee

June 2, 2023

FROM: Douglas and Natalie Danforth, 1002 West Boulevard, PO Box 232, Bisbee, Arizona
85603-0232

SUBJECT: Vehicle Use of West Boulevard City of Bisbee, Cochise County, Arizona

1. We have been Bisbee West Boulevard residents since 1977. From that time to the present we have had the opportunity to experience and observe traffic on West Boulevard to and from the Old Divide Road.
2. As you know, there have been issues with speeding and reckless driving on this street. West Boulevard is now a favorite walking and bicycle route which continues up the Old Divide road and presents added safety issues.
3. Over the years the record will show most accidents involved speeding with or without alcohol as a contributing factor. So we and the neighbors asked the City of Bisbee to put in speed bumps, and that took place probably sometime during the 1980's. However, instead of lessening the race to the top, drivers started revving up at each bump and then gunning their engines for the final ascent. So the speed bumps were removed. With improved technology we can now recommend the City of Bisbee try installation of speed "humps" which slow vehicles without providing opportunity for the gunning of engines.
4. The speed limit should be set at 25 mph on West Boulevard and enforced. The method of enforcement should include police patrol, speed humps, radar and increased signage.

(signed)

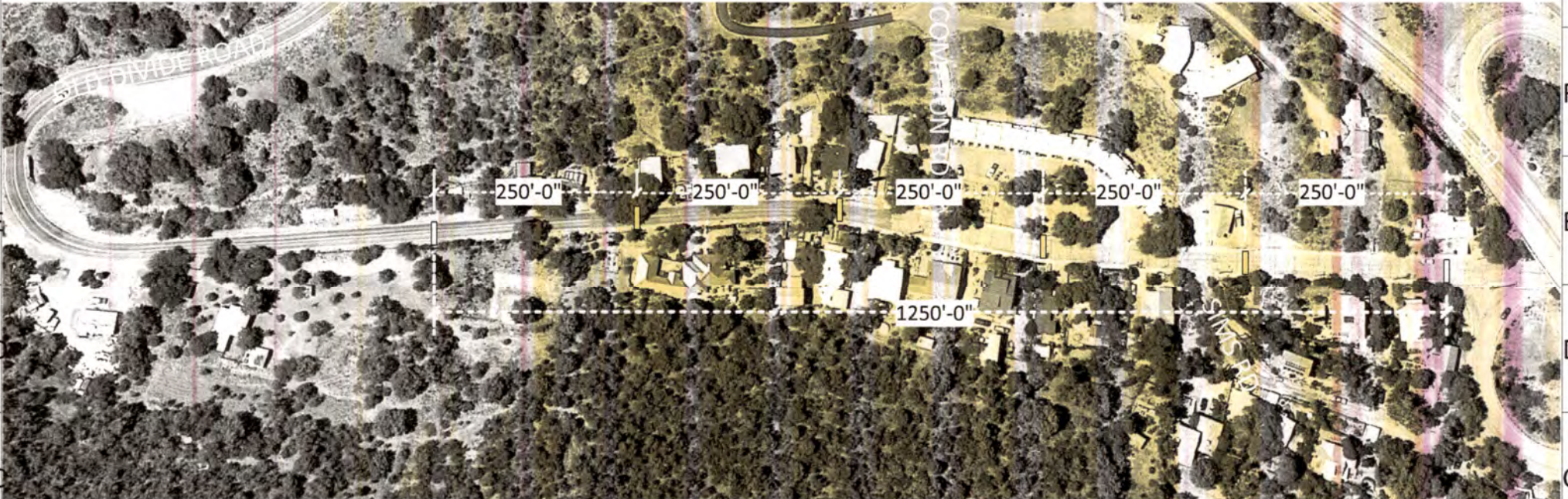
Doug and Natalie Danforth

RECEIVED

JUN 14 2023

City Clerk's Office
City of Bisbee

RECEIVED
JUN 14 2023
City Clerk's Office
City of Bisbee



0 ft. 300 ft. 500 ft. 1000 ft.



SIX SPEED HUMP TRAFFIC CALMING PLAN		TOMBSTONE CYN / WEST BLVD		
		SIZE	FSCM NO	DWG NO
				1
		SCALE	1 : 660	SHEET 1 OF 1

Updated Guidelines for the Design and Application of Speed Humps

Margaret Parkhill, P.Eng., Rudolph Sooklall, M.A.Sc, Geni Bahar, P.Eng.

Abstract

Speed humps have gained acceptance as a traffic calming device by North American and international jurisdictions. However, design and application varies widely between jurisdictions, and speed humps often meet resistance from residents and road users. In 1997, the Institute of Transportation Engineers (ITE) published a Recommended Practice for the design and application of speed humps. The recommended practice is now being updated to provide state-of-the-practice guidelines for speed humps and speed tables.

To update the ITE speed humps recommended practice, the experiences of agencies implementing speed humps were obtained through an extensive literature review. The literature review was supplemented with an online survey targeting North American and international jurisdictions.

This paper provides an overview of the recommended framework for an agency to follow to implement speed humps or speed tables in their jurisdiction. This framework is based on the experience documented by dozens of agencies. The framework includes:

- Develop and follow a formal public consultation process;
- Determine the needs of the street or neighborhood;
- Construct and maintain speed humps; and
- Monitor and evaluate speed hump effectiveness.

RECEIVED

JUN 14 2023

City Clerk's Office
City of Bisbee

1. INTRODUCTION

Speed humps are one tool available in the traffic calming toolbox, and have gained acceptance by North American and international jurisdictions since their development in the early 1970s by the Transport and Road Research Laboratory (TRRL) in Great Britain. However, design and application varies widely between jurisdictions, and speed humps often meet resistance from residents and road users.

In 1997, the Institute of Transportation Engineers (ITE) published a Recommended Practice for the design and application of speed humps. Research has been conducted and lessons have been learned through experience regarding the design and implementation of speed humps since the publication of this guideline.

As a result, ITE initiated an update to the Recommended Practice to provide state-of-the-practice guidelines for the design and application of speed humps. State-of-the-practice guidelines were obtained through an extensive literature review on relevant published material. The knowledge base gained from the literature review was supplemented through an on-line survey of jurisdictions implementing speed humps. The on-line survey was designed to capture

information to fill the knowledge gap from the literature review. Jurisdictions in the United States, Canada, and internationally provided their experiences; close to 300 responses to the survey were received.

Guidance was also provided by an ITE Technical Advisory Committee (TAC) whose members have extensive experience in speed hump design and implementation. The update is currently under review, and is expected to be published later this year.

This paper provides an overview of the recommended framework for an agency to follow to implement speed humps or speed tables in their jurisdiction. This framework is based on the experience documented by dozens of agencies. The framework includes:

- Develop and follow a formal public consultation process;
- Determine the needs of the street or neighborhood;
- Construct and maintain speed humps; and
- Monitor and evaluate effectiveness.

Other common speed control measures currently used by various agencies are documented in ITE's "Traffic Calming: State of the Practice". (Ewing 1999)

1.1 Speed humps vs. speed bumps

A speed hump is a raised area in the roadway pavement surface extending transversely across the travel way. Speed humps are sometimes referred to as "pavement undulations" or "sleeping policemen". Most agencies implement speed humps with a height of 3 to 3.5 inches (76 to 90 mm) and a travel length of 12 to 14 feet (3.7 to 4.3 m). Speed humps are generally used on residential local streets.

A speed bump is also a raised pavement area across a roadway. Speed bumps are typically found on private roadways and parking lots and do not tend to exhibit consistent design parameters from one installation to another. Speed bumps generally have a height of 3 to 6 inches (76 to 152 mm) with a travel length of 1 to 3 feet (0.3 to 1 m).

From an operational standpoint, speed humps and bumps have critically different impacts on vehicles. Within typical residential operational speed ranges, vehicles slow to about 20 mph (32 km/h) on streets with properly spaced speed humps. A speed bump, on the other hand, causes significant driver discomfort at typical residential operational speed ranges and generally results in vehicles slowing to 5 mph or less at each bump.

Speed bumps of varying design have been routinely installed on private roadways and parking lots without the benefit of proper engineering study regarding their design and placement. Speed humps, on the other hand, have evolved from extensive research and testing and have been designed to achieve a specific result on vehicle operations without imposing unreasonable or unacceptable safety risks.

1.2 Speed tables

Speed tables are essentially flat-topped speed humps, and may have a textured material on the flat section with asphalt or concrete for the approaches. Speed tables are sometimes referred to as “trapezoidal humps” or “speed platforms”. If marked as a pedestrian crossing, speed tables may also be referred to as “raised crosswalks” or “raised crossings”.

Most agencies implement speed tables with a height of 3 to 3.5 inches (76 to 90 mm) and a travel length of 22 feet (6.7 m). Speed tables generally consist of 10 foot (3.1 m) plateau with 6 foot (1.8 m) approaches on either side that can be straight, parabolic or sinusoidal in profile. The longer lengths of speed tables provide a gentler ride than speed humps and generally result in vehicle operating speeds ranging from 25 to 30 mph (40 to 48 km/h) on streets depending on the spacing between speed tables. Speed tables are generally used on residential collectors, emergency routes or transit routes.

The City of Portland, OR has designed “split” speed tables for designated emergency routes. Split speed tables are also 22 feet (6.7 m) long and extend from curb to centerline on opposite sides of the street. Split speed tables are separated by a longitudinal gap that allows fire trucks to weave around the split speed humps in slalom-like fashion. The Portland Department of Transportation is currently testing this alternative speed table design. Split speed tables are not included in this paper.

2. PUBLIC CONSULTATION PROCESS

Traffic calming activities are carried out to reduce traffic speeds and volumes. Based on the experience of most agencies, it is critical to obtain the support of a substantial majority of all residents in a neighborhood targeted for traffic calming measures, including speed humps, prior to implementation. Therefore, it is important for agencies to develop a working relationship with communities and have well defined administrative procedures in place.

Based on a survey of agencies in North America and around the world, the large majority of agencies (77%) have a formal public consultation process for implementing speed humps.

It is recommended that each agency, prior to installing speed humps, develop a formal process for speed humps. Five key elements are recommended:

1. Appropriate legislation (policies, ordinances and regulations);
2. Request procedure;
3. Evaluation of requests;
4. Consultation (with the public and other agencies); and
5. Removal procedure.

2.1 Appropriate legislation

Statutory authority, constitutionality, and tort liability are the legal issues surrounding speed hump installation that jurisdictions should take into consideration. A jurisdiction must have the legal authority to implement speed humps on a given class of roadways, while respecting the

constitutional rights of affected landowners and road users, and minimizing the risks to road users. (Ewing 1999)

Before initiating a speed hump installation program, it is recommended that appropriate policies, regulations, and/or ordinances are developed to govern elements such as the community involvement process, hump design and location criteria, cost sharing relationships, installation and maintenance requirements, and evaluation/modification procedures. It is also important to clearly define the project area, that is, the area expected to be affected by speed hump implementation. For example, any property located within 250 feet (76 m) from the first and last speed humps is considered by the City of Beaverton (OR) to be part of the project area.

It is important that jurisdictions review state and municipal ordinances and regulations to ascertain if existing legislation could affect the implementation of speed humps. Existing legislation may have to be modified, or new legislation developed, before proceeding with speed hump installation (TAC 1998).

2.2 Request procedure

Speed hump installation may be requested by a single resident, though additional support from the community is generally needed at a later stage in the process for the project to remain eligible. The request procedure should clearly outline the expectations of all potentially impacted parties and the timing of their participation in the various stages of the process. The following components are recommended for inclusion into a speed hump request procedure:

- Develop a request or petition form which residents can use to request speed humps in their neighborhood. Many agencies have petition forms available on the internet, which residents can download, collect signatures, and return to the appropriate department;
- Identify the department that will be responsible for receiving speed humps requests and coordinating the overall process;
- Screen all requests received to determine eligibility. Common eligibility criteria include the 85th percentile speed, the posted speed limit, and the average daily traffic. Some agencies also require support from a certain number or percentage of affected residents in order for a request to be eligible; and
- If a request meets all eligibility requirements, obtain wider community support before proceeding to the evaluation stage. Define the project area for the speed hump request in order to determine who to include in the process. Speed hump projects typically extend between higher-order streets.

The eligibility criteria will vary depending on the needs of each jurisdiction. Therefore, it is recommended that each implementing agency develop a customized speed hump request procedure with input from other relevant agencies (e.g., emergency services, transit agencies). Before proceeding to evaluation of a request, the eligibility criteria should be met.

2.3 Evaluation of requests

To evaluate the merit of installing speed humps, it is recommended that eligible requests be ranked to determine priority levels. Some agencies use a points system to evaluate and rank projects with points allocated based on certain elements, such as:

- Speed;
- Traffic volumes;
- Collisions (e.g., speed-related);
- Proximity to schools or other land uses where high numbers of children could be present, such as parks or playgrounds;
- Lack of sidewalks; and
- Designated bicycle routes.

During evaluation, traffic conditions in the neighborhood should be observed and data collected, such as daily traffic volume and operating speed. The data collection required will be determined by the evaluation criteria developed for the jurisdiction.

As part of the evaluation of requests, consideration should be given to the objectives of the installation (e.g., reduced speed, reduced infiltration or cut-through traffic). The objectives of the installation will guide the monitoring and evaluation of speed humps after implementation. Collection of data is a key part of the evaluation of speed humps both before and after implementation.

For those projects which receive the highest ranking, a preliminary design plan can be developed to show the potential locations of speed humps prior to initiating public and agency consultation.

2.4 Public and agency consultation

Consultation of proposed speed hump installations should include:

- Property owners, residents, and business owners. Special consultation should be considered with those residents or landowners directly adjacent to proposed hump locations;
- Emergency services (police, fire, ambulance, etc.); and
- Other groups such as school districts, nearby hospitals or emergency medical centers, transit operators, road maintenance workers, snow plow operators, and waste collection agencies.

At least one public meeting is recommended to have an open discussion of speed humps. Notification of the meeting should be provided well in advance, and the meeting should be held as close as possible to the study area. However, a single method of public involvement may not be suitable for every situation. More complex or controversial requests will require greater public education and involvement throughout the process.

At the public meeting, the scope and timing of the project can be discussed and the preliminary design plan should be presented for comments from all parties. Comment sheets could be distributed at the meeting, and collected at the end of the meeting. A deadline for resident comments after the meeting should be established. All comments received should be considered

fully in the decision-making process to arrive at the final design plan.

Most agencies perform another survey at this stage, and require a higher level of support from the public to continue with the implementation of speed humps. In order to gauge support, a mail-out questionnaire or survey can be conducted. Some agencies require the support of at least 67 percent of all residents before speed humps are installed. This ensures that a substantial majority of the affected people agrees with the project and there is a general acceptance of the final design plan.

2.5 Removal procedure

Most agencies require speed hump removal requests to be supported by a majority of residents, although poor traffic operations, emergency services or transit agencies may also initiate the removal procedure. Monitoring and evaluation of speed hump installations will assist in the determination of any unexpected problems that may have been created.

The removal procedure will vary depending on the needs of each jurisdiction. Therefore, it is recommended that each implementing agency develop a customized speed hump removal procedure with input from other relevant agencies (e.g., emergency services, transit agencies).

3. DETERMINE NEEDS OF THE STREET OR NEIGHBOURHOOD

Speed humps should be implemented only to address documented safety or traffic issues supported by a traffic engineering review. It is recommended that an engineering review be conducted to identify, quantify, and document the existing traffic issues on the street and in the neighbourhood. Issues could include speeding, cut-through traffic, or safety. It is important to review existing conditions and determine if there is a measurable problem, rather than a perceived problem (TAC 1998). Documented issues can then be used to support the implementation of speed humps, and to measure their effectiveness if implemented (Ewing 1999).

Installing speed humps in a community can be met by resistance from residents, thus community support and involvement are important for increasing awareness of speed humps and creating an atmosphere of acceptance and ownership (TAC 1998). By explaining the full context, setting residents' expectations appropriately, and discussing the potential benefits and disbenefits of speed humps and other traffic calming treatments, consensus on the most appropriate treatment for the neighbourhood is more likely achievable.

3.1 Roadway characteristics

In the United States and Canada, speed humps are generally installed on roadways functionally classified as local streets and neighbourhood or residential collector streets as defined in AASHTO's "A Policy on Geometric Design of Highways and Streets" (AASHTO 2004, pg 12; TAC 1998).

Many agencies install speed humps on roads with an urban cross-section (i.e., curb and gutter). Streets where speed humps are applied may or may not have sidewalks or bicycle facilities (such as on or off road trails). The surrounding land use for streets where speed humps are applied is generally residential in nature, and may include schools, parks or community centers.

Speed humps can be used on one-way or two-way streets (TAC 1998). Speed humps are not recommended on streets with more than two travel lanes. In addition, the pavement should have good surface and drainage qualities. The location of individual speed humps will depend on the presence of on-street parking, driveways, intersections, and other roadway features. Figure 1 shows a speed hump installed on a street with parking and bicycle lanes in the City of Portland, OR.

Speed humps are generally not recommended for use on bus routes or emergency vehicle routes (Ernish et al. 1998), or on streets that provide access to hospitals and emergency medical services. Speed tables may be more appropriate, and could be applied after consultation with representatives of the emergency services. The use of alternative traffic calming measures may also be considered for use on bus or emergency vehicle routes.



Figure 1: Speed hump on residential street with parking and bicycle lanes in Portland, Oregon

Photo by: Scott Batson (City of Portland, Oregon)

3.2 Traffic characteristics

Traffic operation elements include traffic speeds, traffic volumes and mix (including cut-through traffic), emergency vehicle access, transit routes, vehicle and cargo damage, and environmental impacts. The decision to install speed humps includes consideration of the posted speed limit and the operating speed of traffic. Speed humps are usually recommended only on streets where the

speed limit is 30 mph (50 km/h) or less. Speed humps are generally not considered appropriate where the 85th percentile speed is 45 mph (70 km/h) or more.

Spacing and location of the speed humps and the length of the road segment where the hump is installed affects operating speeds. The research available suggests that speed humps should be no more than 500 feet (152 m) apart where the desired 85th percentile operating speed is between 25 and 30 mph (40 and 48 km/h). Short road segments may require only a single speed hump even where two could be installed as acceleration opportunities are limited on a short segment.

The final locations of the humps are dependent on site specific considerations, making the determination of actual spacing and final location a complex task. After the general spacing and layout of the speed humps have been established, the final location of each hump is determined by considering vertical alignment, horizontal alignment, intersections, driveways, street lighting, on-street parking, pedestrian crossings, installation angle, and drainage and utilities.

Several studies have shown that speed humps reduce vehicle speed as measured by the 85th percentile speed, the percentage of drivers traveling over the speed limit, and the percentage of drivers traveling 10 mph or more over the speed limit.

The installation of speed humps should also consider traffic volumes in terms of the total volume of traffic, the presence of cut-through traffic, and the traffic mix. Each street requires individual assessment prior to implementation. An area-wide approach is needed to avoid simply diverting traffic from roads with speed humps to parallel untreated roads, but the extent of the diversion problem is unclear at present.

Speed humps have been shown to reduce traffic volumes. The combined results for speed humps and speed tables investigated in the City of Portland (OR) showed an average traffic reduction of 28 percent.

3.3 Pedestrians and bicyclists

The consideration of all road users, especially pedestrians and bicyclists, is another key component of the engineering review conducted prior to the installation of speed humps. Speed humps and speed tables are two traffic calming techniques that can be used to facilitate pedestrian and bicyclist movement and improve the safety of these road users (Zegeer 1998).

Speed tables can serve as raised marked crosswalks when they extend from curb to curb (Figure 2) and provide a flat surface suitable for pedestrians to use. Speed tables can facilitate pedestrian flow while providing vehicle speed control at the crosswalk location (Ewing 1999, Ernish et al. 1998). Parabolic or circular speed humps are too rounded or sloped for pedestrians to safely use.

Where a speed table is used as a raised pedestrian crosswalk, crosswalk design elements can be incorporated. Design element considerations include the following:

- The markings must be visible to motorists, especially at night. Inlay tape and thermoplastic are generally recommended for crosswalk pavement markings on speed tables (PBIC 2006)

- Granite and cobblestones finishes are not recommended because, although aesthetically pleasing, the surface may become slippery when wet, and may be difficult to cross for pedestrians who are visually impaired or using wheelchairs (PBIC 2006).



Figure 2: Raised pedestrian crosswalks can control vehicle speeds on local streets at pedestrian crossings

Photo by: Dan Burden

In general, bicyclists do not require extensive special provision (TAC 1998). Bicyclists may, however, be concerned that the vertical deflection of the speed hump will be uncomfortable and inconvenient and that abrupt slopes could even throw a bicyclist from their bicycle (PBIC 2006). Additional elements that could be considered to accommodate bicyclists include (DeRobertis and Wachtel 1996):

- Using a tapered edge before the curb to reduce the likelihood of pedal impact on hump. If this gap is too wide, it may promote gutter running by motor vehicles;
- Using speed humps that are less than 4" high;
- Providing adequate warning signs and markings;
- Ensuring that speed humps are far enough from intersections so bicyclists do not have to negotiate humps while turning; and
- Ensuring that speed humps are not installed on streets with vertical grade greater than 5 percent.

4. CONSTRUCT AND MAINTAIN SPEED HUMPS

Speed humps and speed tables are most often constructed on existing roadways (i.e., retrofit); however, speed humps and speed tables may be constructed on new roadways or during resurfacing projects.

It is recommended that jurisdictions planning to implement speed humps or speed tables develop standard construction procedures. Following these procedures will ensure more uniform speed humps and speed tables are constructed throughout the jurisdiction. The procedures should be used by both municipal staff and private contractors engaged to work on municipal roads.

The construction procedures should contain detailed working drawings showing development of the desired profile and allowable tolerances for speed hump height. Material specifications and construction guidelines can also be included.

Agencies have reported that parabolic or sinusoidal cross-sections are more difficult to construct than circular speed humps or speed tables with straight approaches. However, many agencies have successfully constructed parabolic and sinusoidal cross-sections within acceptable tolerances. This success is often related to the use of a speed hump profile template which is used to verify that the speed hump dimensions and profile are accurate within reasonable tolerances. Figure 3 shows the use of a speed hump profile template in Beaverton, OR to construct a parabolic speed hump. If the profile is incorrect, the effect of the speed hump will likely change, which might result in unanticipated or reduced effectiveness.

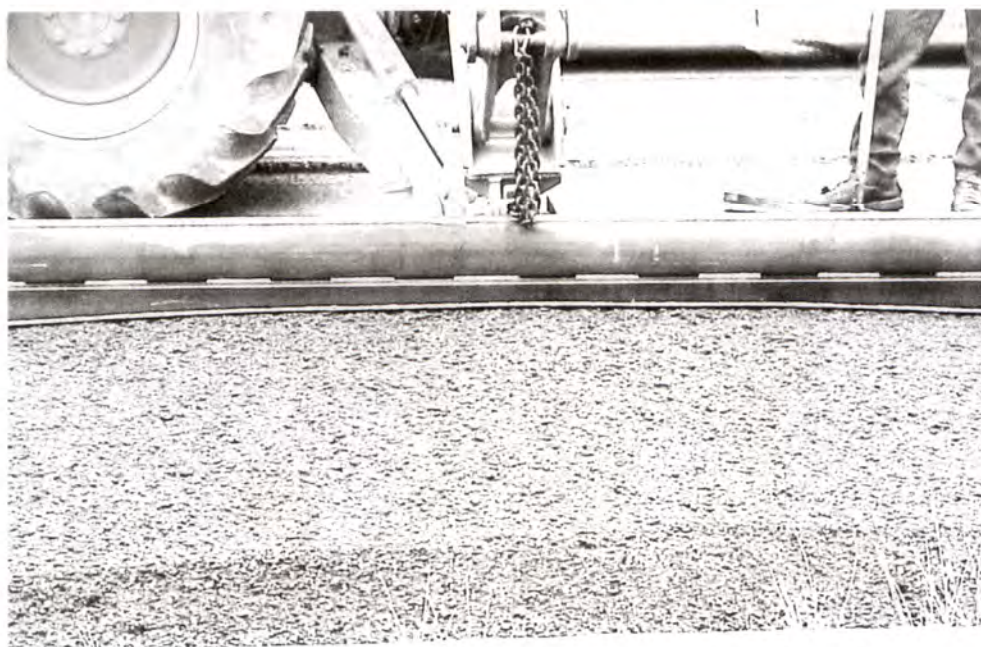


Figure 3: Use of speed hump profile template in Beaverton, OR

Photo by: Jabra Khasho (City of Beaverton, Oregon)

Care should be taken in the initial installation and monitoring of speed humps to minimize the risk of edge raveling and profile deformation exceeding established tolerances. It is important to maintain the appropriate design relationship between the hump or table and the street so the device continues to perform its intended purpose within allowable tolerances. From the experiences of several agencies, speed humps constructed of asphalt concrete tend to deform over time in the direction of traffic flow, while rubberized speed humps may develop ruts along

the wheel paths or curl up along the edges. Ambient temperature during construction as well as sufficiency of the bond between the new asphalt and the existing street also play a role in the durability an asphalt hump.

If maintenance activities, such as utility work or pavement resurfacing, result in speed hump pavement markings being reduced or eliminated, they should be promptly replaced or supplemented with temporary signs providing the same warning to motorists.

Experience has shown that speed humps and speed tables are generally not damaged by snow plowing activities. Snow removal crews in Montgomery County (GA) reported minimal impact or cost associated with speed humps (Wainwright 1998). The City of Edmonton (AB) experienced some damage to parabolic speed humps from snow plows; however, in most cases there was no damage since snow plow operators do not plow down to the pavement on local streets where speed humps are located. For jurisdictions which experience substantial snowfall, it is recommended that snow plow operators be informed of all streets with speed humps before the winter season starts.

5. MONITOR AND EVALUATE EFFECTIVENESS

Speed hump installations affect residents and road users; traffic speeds, volumes and travel time; roadway safety, noise levels and emissions. It is important to monitor and evaluate the effect of each speed hump or speed table installation project. Minimum monitoring and evaluation includes data collection and analysis of vehicle operating speed and traffic volume changes including traffic diversion. More extensive evaluation may include gathering feedback from residents and road users.

The type, number, and extent of studies performed to evaluate speed humps may vary based upon the particular circumstances and objectives of each installation. However, some review could be performed after each installation to determine if the desired results were achieved, or if unexpected problems were created. If the installation of speed humps resulted in undesirable safety or traffic operations issues, consideration can be given to mitigation efforts including possible removal of the humps.

Monitoring and evaluation may include several aspects of the speed hump installation, including impacts on residents, traffic operations and safety, and on the environment.

6. CONCLUSIONS AND RECOMMENDATIONS

Speed humps and speed tables are two of several geometric design techniques that may be used to control vehicular traffic speeds along a roadway. Positive results in terms of reduced operating speeds and reduced traffic volumes have been documented after speed hump installation.

The experiences of various agencies currently implementing speed humps across North America are documented in the updated ITE Recommended Practice along with findings from published research work. The ITE Recommended Practice also provides details on the design of speed humps and speed tables.

This paper provides an overview of the recommended framework for an agency to follow to implement speed humps or speed tables in their jurisdiction. This framework is based on the experience documented by dozens of agencies. General considerations for the implementation of speed humps as a traffic calming measure were discussed along with the importance of community involvement.

7. ACKNOWLEDGEMENTS

The authors would like to acknowledge the significant contributions of the Technical Advisory Committee for this project, as well as the hundreds of respondents to our on-line survey.

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8. AUTHOR INFORMATION

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Wainwright, W. S. 1998. Montgomery's County Speed Hump Program: A Love-Hate Story, Presented at the Institute of Transportation Engineers 68th Annual Meeting, Held in Toronto, ON.

Zegeer, C. V. 1998. Committee Chair, ITE Traffic Engineering Council Committee TENC-5A-5, Design and Safety of Pedestrian Facilities, A Recommended Practice of the Institute of Transportation Engineers, Washington, DC.



REQUEST FOR MAYOR & COUNCIL ACTION

Session of: July 5, 2023

☒ Regular ☐ Special

DATE ACTION SUBMITTED: June 23, 2023

REGULAR ☒ CONSENT ☐

TYPE OF ACTION:

RESOLUTION ☐ ORDINANCE ☐ FORMAL ACTION ☒ OTHER ☐

SUBJECT: Public Hearing and Discussion and Possible Approval of the Notice of Intent to Adopt Ordinance O-23-12; Approving a Change of Zoning and Amendment to the Official Zoning Map to rezone APNs 102-16-079, 102-16-080, 102-16-081, 102-16-082, and 102-16-083D, unaddressed parcels, located adjacent to 1008 W. Highway 92, Bisbee Arizona more legally described in Exhibit A, owned by Todd Conklin for Conklin Electrical, ETC., LLC, from Manufactured Home Residential (RM) to Commercial (C-4).

FROM: Nina Williams, Deputy City Clerk

RECOMMENDATION: Approve Notice of Intent

PROPOSED MOTION: I move to approve the Notice of Intent to Adopt Ordinance O-23-12; Approving a Change of Zoning and Amendment to the Official Zoning Map to rezone APNs 102-16-079, 102-16-080, 102-16-081, 102-16-082, and 102-16-083D, unaddressed parcels, located adjacent to 1008 W. Highway 92, Bisbee Arizona more legally described in Exhibit A, owned by Todd Conklin for Conklin Electrical, ETC., LLC, from Manufactured Home Residential (RM) to Commercial (C-4).

DISCUSSION: The Planning and Zoning Commission at their Regular Meeting held on June 15, 2023 had a 3/2 vote for the rezoning of the property owned by Todd Conklin.

Mr. Conklin, applicant is requesting the zoning of these parcels be changed from RM to C-4.

Mr. Conklin does not wish to have any traffic through the residential sides of his property and has decided that all vehicles will enter from the southeast side of his properties where his current building is located, he has no plans to add any buildings or other structures to the changed parcels and his primary goal was to rezone to match his business property.

RM: All uses allowed in the R Zones are permitted in the RM zones and the R Zone regulations apply.

C-4: Any use permitted in the C, Division 3 zones and large-scale retail, commercial and wholesale uses, bakeries, storage yards, distributors, machine shops and woodworking shops, except residential.



AGENDA ITEM NUMBER _____

Staff Report from the Planning and Zoning Commission, Joe Ward, Bldg. Inspector/Code Enforcement; which is attached recommends the rezoning.

This rezoning is in conformance with the City's General Plan; Goal 2-1: Promote orderly growth and efficient use of land.

FISCAL IMPACT: N/A

DEPARTMENT LINE-ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

Prepared by: *Nina Williams*
Nina Williams,
Deputy City Clerk

Reviewed by: *Stephen J. Pauken*
Stephen J. Pauken,
City Manager

WHEN RECORDED, RETURN TO:

City of Bisbee
Attn: Ashlee Coronado, City Clerk
76 Erie Street
Bisbee, Arizona 85603

**NOTICE OF INTENT
ORDINANCE 0-23-12**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
CITY OF BISBEE, COCHISE COUNTY, ARIZONA
APPROVING A CHANGE OF ZONING AND AMENDMENT
TO THE OFFICIAL ZONING MAP TO REZONE APN 102-
16-079, 102-16-080, 102-16-081, 102-16-082 AND 102-16-083D,
OWNED BY TODD CONKLIN, FROM MANUFACTURED
HOME RESIDENTIAL (RM) TO COMMERCIAL (C-4).**

WHEREAS, by adoption of this Ordinance, the Mayor and Council of the City of Bisbee (the "City Council") desire to amend the Official Zoning Map of the City of Bisbee (the "City") to rezone certain real property Assessor Parcel Numbers 102-16-079, 102-16-080, 102-16-081, 102-16-082 AND 102-16-083D, unaddressed parcels, located adjacent to 1008 W. Highway 92, Bisbee Arizona, as more fully legally described in Exhibit A, attached hereto and incorporated herein by reference, from Manufactured Home Residential (RM) to Commercial (C-4) (hereinafter the "Property"); and,

WHEREAS, all required public notice was provided, and all required public meetings and hearings were held, in accordance with applicable state and local laws; and,

WHEREAS, on June 15, 2023, the City of Bisbee Planning and Zoning Commission held a public hearing to consider the Application by Todd Conklin for Conklin Electrical, ETC., LLC to rezone the Property from RM to C-4; and,

WHEREAS, during the public hearing, the public had an opportunity to be heard and planning staff offered a report to the Planning and Zoning Commission; and,

WHEREAS, the Planning and Zoning Commission voted 3/2 to recommend the approval of the application for rezoning; and,

WHEREAS, on July 5, 2023, the Council held a duly noticed public hearing on the requested rezoning; and,

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Constitution of Arizona, the City Council has considered the individual property rights and personal liberties of the residents of the City before adopting this Ordinance; and,

WHEREAS, in accordance with A.R.S. § 462.01, the City Council has considered the probable impact of this Ordinance on the cost to construct housing for sale or rent.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Bisbee, County of Cochise, State of Arizona, that the zoning map for the City of Bisbee shall be amended as follows:

Section I: The recitals above are hereby incorporated as if fully set forth herein.

Section II: The Official Zoning Map of the City of Bisbee is hereby amended and the zoning classification of Assessor Parcel Numbers 102-16-079, 102-16-080, 102-16-081, 102-16-082 AND 102-16-083D, unaddressed parcels, Bisbee, Arizona, 85603 (the "Property"), is hereby changed from Manufactured Home Residential (RM) to Commercial (C-4)

Section III: All Property Owners/Developers of the subject Property shall execute a waiver of any claim for diminution of value under Proposition 207, in a form approved by the City Attorney. All present and future owners of the subject Property shall develop the Property in accordance with the requirements of the Commercial (C-4) established herein, together with all other applicable City of Bisbee City Code and Zoning Code requirements.

Section IV: The City Manager is directed, upon the effective date of this Ordinance, to cause the Official Zoning Map to reflect the amendment as applicable to the subject Property, indicating the zoning is subject to compliance with the stipulations and limitations provided herein.

Section V: The Mayor, the City Manager, the City Clerk, and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this _____ day of _____, 2023.

Ken Budge, Mayor

ATTEST:

Ashlee Coronado,
City Clerk

APPROVED AS TO FORM:

Joseph D. Estes,
City Attorney

EXHIBIT "A"
TO ORDINANCE NO. O-23-12
(Legal Description of the Properties)

EXHIBIT "A"
TO ORDINANCE NO. O-23-12

(Legal Description of the Properties)

PARCEL I: (102-16-079)

The surface to a depth of 40.00 feet of lots 1 through 9 inclusive, 22 through 30 inclusive, Block N HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL II: (102-16-080)

The surface to a depth of 40.00 feet of lots 1 through 30 inclusive, Block O, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL III: (102-16-081)

The surface to a depth of 40.00 feet of lots 1 through 30 inclusive, Block P, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL IV: (102-16-082)

The surface to a depth of 40.00 feet of lots 1 through 9 inclusive, and East 8.00 feet of Lot 15, Block Q, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL V: (102-16-083D)

The surface to a depth of 40.00 feet of lots 10 through 14 inclusive, and the West 17.00 feet of Lot 15, Block Q HEDBERG TOWNSITE, according to Book 1 of Maps, page 4 records of Cochise County, Arizona.

WHEN RECORDED, RETURN TO:

City of Bisbee
Attn: Ashlee Coronado, City Clerk
76 Erie Street
Bisbee, Arizona 85603

**WAIVER OF CLAIMS FOR DIMINUTION OF VALUE
UNDER ARIZ. REV. STAT. §§ 12-1134 – 1136
BETWEEN THE CITY OF BISBEE
AND
CONKLIN ELECTRICAL, ETC., LLC**

THIS WAIVER OF CLAIMS FOR DIMINUTION OF VALUE UNDER ARIZ. REV. STAT. §§ 12-1134 - 1136 (this "Waiver") is made this ____ day of July, 2023, between Conklin Electrical, ETC., LLC, an Arizona limited liability company (the "Owner") and the City of Bisbee, an Arizona municipal corporation (the "City"), regarding parcels of real property Assessor Parcel Numbers 102-16-079, 102-16-080, 102-16-081, 102-16-082 AND 102-16-083D, unaddressed parcels, Bisbee, Arizona, 85603, as more particularly described on Exhibit "A" attached hereto and incorporated as if fully set forth herein (the "Property"). Owner and City may hereinafter be referred to individually as a "Party" or collectively as the "Parties." Owner intends to encumber the Property with the following agreements and waivers.

1. Waiver of Claims Related to the Rezoning and Use Limitations. The Owner agrees and understands that the City is entering into this Waiver in conjunction with that certain approval for modifications to the existing zoning of the Property from Manufactured Home Residential (RM) to Commercial (C-4) (the "Rezoning"); in good faith and with the understanding that, if the City approves the Rezoning, it will not be subject to a claim for diminished value of the Property from the Owner or other parties having an interest in the Property. Owner agrees and consents to all the conditions imposed as part of the ordinance rezoning the Property, Ordinance No. O-23-12 (the "Ordinance"), which is incorporated by reference as if fully set forth herein, including all stipulations adopted by the City Council of the City of Bisbee (the "City Council") and, by signing this Waiver, hereby waives any and all claims, suits, damages, compensation, and causes of action the Owner may have now or in the future under the provisions of ARIZ. REV. STAT. §§ 12-1134 through and including § 12-1136 (but specifically excluding any provisions included therein relating to eminent domain) and resulting solely from actions relating to the Rezoning. Owner acknowledges and agrees that any stipulations imposed by the City Council as part of the Ordinance will not result in a reduction of the fair market value of the Property as defined in ARIZ. REV. STAT. § 12-1136. The Owner acknowledges that additional stipulations may be imposed by the City Council, in its sole discretion, prior to approval of the Rezoning. Owner agrees and understands that its waiver of claims as set forth in this Waiver shall be deemed to extend to cover any changes to the Ordinance and all stipulations to the Ordinance approved by the City Council unless, not later than three business days following such City Council approval, Owner notifies the City, in writing, of its disagreement with such stipulations. In the event that Owner timely notifies the City of such disagreement, Owner shall not be deemed to have waived claims with respect to only the stipulations imposed or revised by the City Council prior to approval of the Ordinance; provided, however, that if Owner does not submit a separate waiver of such claims, in

a form acceptable to the City, prior to close of business on the fifth business day following approval of the Ordinance, then the City may, after proper notice and hearing, rescind the Ordinance, and if rescinded by the City Council acting in its sole discretion, this Waiver shall act as a bar to a claim for diminished value based upon the rescinded Ordinance. The foregoing waiver of claims shall be of no further force and effect with respect to the Rezoning in the event the City Council disapproves the Ordinance, except that it shall serve as a bar to a claim for diminished value based upon denial of the Ordinance.

2. Entire Agreement; Modification. This Waiver constitutes the entire understanding and agreement of the Owner and the City and shall supersede all prior agreements or understandings between the Owner and City regarding waiver of claims pursuant to ARIZ. REV. STAT. §§ 12-1134 et seq. relating to the Rezoning. This Waiver may not be modified or amended except by written agreement by the Owner and City.

3. Applicable Law; Venue. This Waiver is entered into in Arizona and will be construed and interpreted under the laws of the State of Arizona. Any suit pertaining to this Waiver may be brought only in courts in Cochise County, Arizona.

4. Conflict of Interest. This Waiver is subject to the cancellation provisions of ARIZ. REV. STAT. § 38-511.

5. Recording; Waiver Runs With Land. Within 10 days after the execution of this Waiver, the City Clerk shall file the Waiver in the Official Records of the County Recorder's Office, Cochise County, Arizona, but a failure to timely do so shall not invalidate this Waiver. This Waiver runs with the land and is binding upon all present and future owners of the above-referenced Property.

6. Owner Authority. The Owner warrants and represents that he owns all right, title, and interest to the Property, and that no other person has an ownership interest in the Property. The persons who sign on behalf of Owner personally warrant and guarantee to the City they have the legal power to bind the Owner to this Waiver.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this instrument as of the date and year first set forth above.

“OWNER”

By: _____
Conklin Electrical, ETC., LLC
Todd Conklin, Member

STATE OF ARIZONA)
) ss
COUNTY OF COCHISE)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2023, by Todd Conklin, Member of Conklin Electrical, ETC., LLC and acknowledged that he signed this document on behalf Conklin Electrical, ETC., LLC.

Notary Public

My Commission Expires: _____

“CITY”

CITY OF BISBEE, an Arizona
municipal corporation

By: _____
Ken Budge, Mayor

ATTEST:

Ashlee Coronado, City Clerk

APPROVED AS TO FORM:

Joseph D. Estes, City Attorney

EXHIBIT "A"
TO
WAIVER OF CLAIMS FOR DIMINUTION OF VALUE
UNDER ARIZ. REV. STAT. §§ 12-1134 – 1136
BETWEEN THE CITY OF BISBEE
AND
CONKLIN ELECTRICAL, ETC., LLC

[Legal Description of the Properties]

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TO
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BETWEEN THE CITY OF BISBEE
AND
CONKLIN ELECTRICAL, ETC., LLC

[Legal Description of the Properties]

PARCEL I: (102-16-079)

The surface to a depth of 40.00 feet of lots 1 through 9 inclusive, 22 through 30 inclusive, Block N HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL II: (102-16-080)

The surface to a depth of 40.00 feet of lots 1 through 30 inclusive, Block O, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL III: (102-16-081)

The surface to a depth of 40.00 feet of lots 1 through 30 inclusive, Block P, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

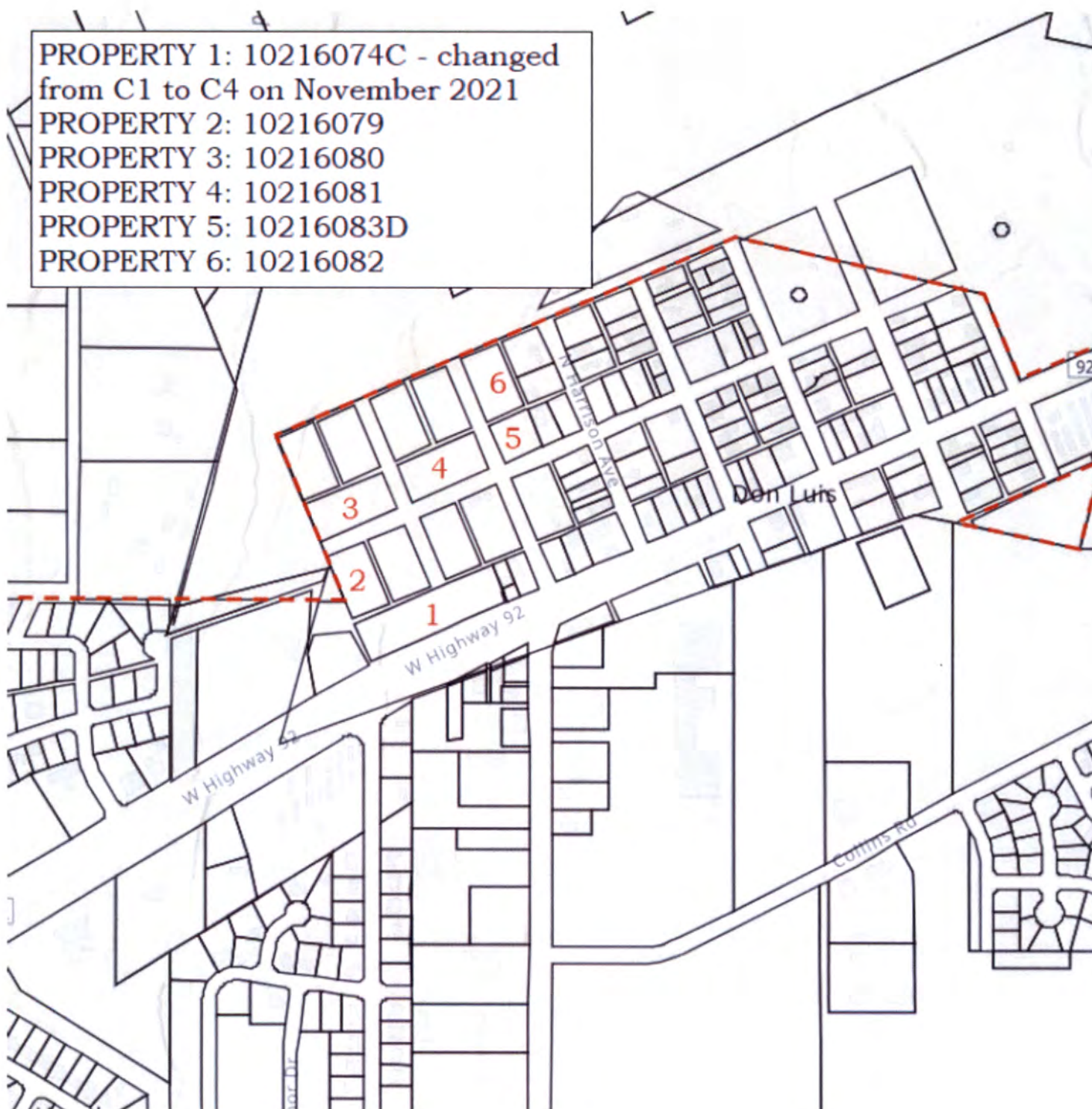
PARCEL IV: (102-16-082)

The surface to a depth of 40.00 feet of lots 1 through 9 inclusive, and East 8.00 feet of Lot 15, Block Q, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL V: (102-16-083D)

The surface to a depth of 40.00 feet of lots 10 through 14 inclusive, and the West 17.00 feet of Lot 15, Block Q HEDBERG TOWNSITE, according to Book 1 of Maps, page 4 records of Cochise County, Arizona.

PROPERTY 1: 10216074C - changed
from C1 to C4 on November 2021
PROPERTY 2: 10216079
PROPERTY 3: 10216080
PROPERTY 4: 10216081
PROPERTY 5: 10216083D
PROPERTY 6: 10216082







CITY OF BISBEE REZONING APPLICATION

Submit to: Bisbee Community Development
76 Erie Street, Bisbee, Arizona 85603

1. Applicant's Name: Todd Conklin
2. Mailing Address: PO Box 1514 Bisbee AZ 85603

Street or PO Box
City
State
Zip Code
3. Street Address of Proposed Parcel for Rezoning: See Attached List
4. Fee of \$400. How paid (check, cash, credit card)?
5. Telephone Number of Applicant: 520-255-9195
6. Telephone Number of Contact Person if Different: _____
7. Email Address: conklinelectrical@gmail.com
8. Assessor's Tax Parcel Number: (Can be obtained from hour County property tax statement) See Attached
9. Applicant is (check one):
 Sole owner: Conklin Electrical ☒
 - Joint Owner: _____
 - Designated Agent of Owner: _____
 - If not one of the above, explain interest in rezoning: _____

If applicant is **not** sole owner, attach a list of all owners of property proposed for rezoning by parcel number. Include all real parties in interest, such as beneficiaries of trusts, and specify if owner is an individual, a partnership, or a corporation:

 - List attached (if applicable): _____
 - If corporation, corporate resolution designating applicant to act as agent: _____
 - If partnership, written authorization from partner: _____
 - If designated agent, attach a **notarized** letter from the property owner(s) authorizing representation as agent for this application.

10. Attach a proof of ownership for all property proposed for rezoning. Check proof of ownership:

- Copy of deed of ownership: Attached
- Copy of title report: _____
- Copy of tax notice: _____
- Other, list: _____

11. Will approval of the rezoning result in more than one zoning district on any tax parcel?

- Yes x No _____

If property is a new split, or the rezoning request results in more than one zoning district on any tax parcel then a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be attached.

Is more than one parcel contained within the area to be rezoned? Yes x No _____

- If yes and more than one property owner is involved, have all property owners sign the attached consent signature form.

Indicate existing Zoning District for Property: RM

Indicate proposed Zoning District for Property: C-4

Note: A copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached. Review these criteria and supply all information that applies to your rezoning. Feel free to call the Community Development Department with questions regarding what information is applicable.

12. Describe all structures already existing on the property: N/A

13. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan: see attached

14. Are there any deed restrictions or private covenants in effect for this property?

- No x Yes _____
- If yes, is the proposed zoning district compatible with all applicable deed restrictions/private covenants? Yes _____ No _____ Provide a copy of the applicable restrictions (these can be obtained from the Recorder's office using the recordation Docket number)

15. Which streets or easements will be used for traffic entering and exiting the property?



16. Identify how the following services will be provided:

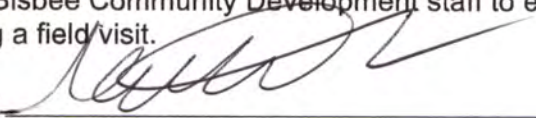
Service	Utility Company/Service Provider	Provisions to be made
Water	N/A	
Sewer/Septic	N/A	
Electricity	N/A	
Natural Gas	N/A	
Telephone	N/A	
Fire Protection		

17. This section provides an opportunity for you to explain the reasons why you consider the rezoning to be appropriate at this location. The attached copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached for your reference (attach additional pages as needed).

See Attached.

AFFIDAVIT

I, the undersigned, do hereby file with the Bisbee Planning Commission this petition for rezoning. I certify that, to the best of my knowledge, all the information submitted herein and in the attachments is correct. I hereby authorize the Bisbee Community Development staff to enter the property herein described for the purpose of conducting a field visit.

Applicant's Signature: 

Date: **May 18, 2023**

**CONSENT SIGNATURE FORM OF PROPERTY OWNERS WITHIN THE
PROPOSED ZONING DISTRICT**

This form is to be completed if there is more than one property owner and more than one parcel within the proposed zoning district.

I, the undersigned owner of record of property which lies within the area of the proposed rezoning set forth in the attached application, do hereby consent to the proposed change of zoning district boundary or reclassification of the property(ies) sought for rezoning. I do hereby certify and declare that I was afforded an opportunity to read the full and complete application prior to affixing by signature hereon.

Parcel Number	Owner of Record, Printed Name & Address	Signature	Date

(Attach separate pages if necessary)

Rezoning Application Evaluation Criteria

An analysis of how the Project addresses these evaluation factors is necessary for the staff report to the Commission and Council. The Rezoning application must provide sufficient information for staff to make this analysis.

Rezoning Evaluation Factors:

1. **Application.** The Application Concept/Site Plan must provide sufficient information to determine that the proposed size and layout would comply with the applicable uses and standards for the types and intensity of uses permitted in the requested zoning district.
2. **Compliance with Site Development Standards.** Each parcel must meet the site development standards of the proposed zoning district including minimum lot size, setbacks, lot coverage, driveway width, parking and ADA-access requirements. The rezoning Concept/Site Plan should show how these standards would be met.
3. **Adjacent Districts Remain Capable of Development.** Adjacent parcels should be able to meet minimum lot size and development standards of the remaining zoning district.
4. **Limitation on Creation of Nonconforming Uses.** The subject property should contain no structures or uses that would not be permitted or would not meet development standards of the new district.
5. **Compatibility With Existing Development.** The proposed rezoning district should be compatible with existing development in the vicinity.
6. **Rezonings To More Intense Districts.** The proposed new district should:
 - Be buffered by an intermediate district of sufficient size to provide a reasonable transition of intensity from the existing area;
 - Be a reasonable extension of a similar density district within the area; and
 - Provide a transition between an existing less intense district and a more intensive district or an arterial street; or
 - Provide adequate protection to the adjacent less intense development in the form of enhanced screening, landscaping, setbacks, large lot size, building orientation or other design measures.
7. **Adequate Services and Infrastructure.** The following factors are used to determine if there are adequate services and infrastructure to serve an intensification of zoning:
 - (a) For a rezoning to a more intensive district, the applicant has provided adequate information to evaluate the impacts of the rezoning on roads, other infrastructure, and public facilities. The applicant must demonstrate that there are adequate provisions to address the impacts identified.
 - (b) If the site accesses on a road where existing demonstrable traffic problems created by incremental development have already been identified, such as a high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant has proposed a method to address these problems.
 - (c) The proposed development meets or will meet the applicable requirements for street, sewer, or water improvements.
 - (d) The site has access to streets that are adequately designed and constructed to handle the volume and nature of traffic typically generated by the use.
8. **Traffic Circulation Criteria.**
 - (a) Any rezoning shall be consistent with preservation of the functions of surrounding streets.
 - (b) If the rezoning is to C, CM or M, the development shall not result in the use of any residential street for through traffic to and from the proposed district.

9. **Development Along Major Streets.** The rezoning size [the size of the land area to be rezoned] limits the number of access points on major thoroughfares or arterial streets, and collectors through the use of frontage roads, shared access, no access easements or other safe methods designed to minimize road cuts that create unsafe traffic conflicts, hazardous traffic congestion and obstruct the functioning of arterials.
10. **Infill.** This factor is designed to encourage infill in areas where commercial and industrial development already exists, thereby discouraging sprawl and locating new non-residential developments where adequate infrastructure may already exist and where they are most likely to be compatible with existing uses.
11. **Unique Topographic Features.** A rezoning to a more intensive zoning district shall not take place if there are areas of unstable soils, steep slopes, severe washes, floodplains, etc. which are not appropriate for intense development. Rezoning encompassing such areas will be discouraged unless the developer carefully plans development around these areas, such that they are appropriately protected.
12. **Water Conservation.** Uses proposed with the rezoning shall show compliance with the water conservation regulations of Article 12 in the City Zoning Code.
13. **Public Input.** If there is a major public opposition to a proposed rezoning, this may indicate that the technical evaluation regarding compatibility of the proposed district does not concur with the view of local residents and a recommendation of denial may be appropriate. If public concerns have been raised, it is fair to ask if the applicant has made a reasonable effort to address these concerns.
14. **Hazardous Materials.** Adequate data has been submitted to determine that impacts from uses that may involve hazardous or dangerous materials are adequately mitigated.
15. **Compliance with General Plan or other Applicable Area Plans.** The rezoning conforms to land use designations and policies set forth in the City's General Plan or any other adopted area or master plan.

May 18, 2023

Todd Conklin

Parcels to Rezone

102-16-074C (Originally 3 parcels-Paperwork attached) rezoned in 2021 to C-4

Mr. Conklin would like to rezone the below parcels to C-4 to fit his business needs and this would be in line with the rezoning of 102-61-074C; which was to store materials such as electrical poles and concrete to which is not in the current zoning; the neighbor's property to the west is zoned C-4.

102-16-079 - Zoned RM

102-16-080 - Zoned RM

102-16-081 - Zoned RM

102-16-082 - Zoned RM

102-16-083D - Zoned RM

1. The home occupation is incidental and subordinate to the primary use of the property as a residence. Uses that do not exceed more than twenty-five percent (25%) of the floor area of the dwelling will be deemed to be subordinate to a co-existing residential occupancy.
2. No more than one non-resident of the dwelling may be employed in connection with the home occupation.
3. The use of the dwelling and associated property shall not result in any sustained or loud noises, vibrations, fumes or odors, glare, electromagnetic interference, emissions or other impacts to adjacent properties or utilities that are in excess of what typically results from a residential occupancy.
4. All materials and equipment used and maintained in connection with the home occupation must be used and stored inside of the dwelling, in associated accessory structures, or in some other manner such that the materials and equipment are screened from sight from adjacent properties.
5. The home occupation shall not generate vehicular traffic or any demand for off site parking that is in excess of what is typically associated with a residential occupancy.
6. On site retail or consumer sales may not be the primary function of a home occupation, but may occur incidentally to the occupation.
7. The only signage allowed in connection with the home occupation is an identifying sign not larger than two (2) square feet, located on the inside of a window of the dwelling.

A business use that does not meet each of these standards will require either a special use permit or relocation to a more appropriate site. A home occupation that is conducted in a manner that is consistent with these standards is incidental to a residential occupancy and will not be classified as a “business,” “trade” or “occupation” for purposes of the Business License Tax rules of the Bisbee City Code. No business license will be required for a home occupation that is conducted in compliance with these requirements.

5.2.2 RM Zone (Manufactured Home Residential)

The principal land use is for the installation and occupancy of a manufactured home or a rehabilitated mobile home to be used as a single family dwelling, with incidental or accessory uses. All uses allowed in the R Zones are permitted in the RM zones and the R Zone Regulations apply. Mobile homes shall not be allowed as a new use on any site within the City of Bisbee, except as expressly authorized in this article. Mobile homes that are legally established within the City on or before March 1, 2006, are allowed to remain on any site within the City and any such mobile home may be relocated to an existing site within any existing mobile home park, provided that the mobile home meets the requirements of Article 6 for installation and skirting.

Manufactured Home Parks shall only be allowed within RM Zone areas and shall require special use permit approval prior to construction.

The Use Matrix, Appendix Figure One, further details allowed uses.

All lots shall have access for firefighting apparatus based on the adopted Bisbee Fire Code.

5.2.3 C Zone (Residential/Commercial)

Allowable C Zone uses:

- Division1.** Any residential, office, retail, automobile service station, restaurant, day-care center, churches, recreational and educational facilities, small-scale retail and personal service use that serves the day-to-day needs of the residents of the surrounding area
- Division2.** Any use permitted in the C, Division 1 zone and residential, nurseries, physical fitness centers, community and fraternal clubs, libraries and governmental offices.
- Division3.** Any use permitted in the C, division 2 zone and supermarkets, department stores, hospitals, automobile sales, lumber yards, wholesale outlets, printing plants, cocktail lounges and taverns, self-storage centers, theaters, bowling alleys, museums, hotels and motels, except residential.

Division4. Any use permitted in the C, Division 3 zones and large scale retail, commercial and wholesale uses, bakeries, storage yards, distributors, machine shops and woodworking shops, except residential.

Table 5.2.3A C Zone Regulations
(In feet, unless noted otherwise)

Division	Min. Lot Area (SF)	Min. Lot Width	Min. Lot Depth	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max Building Height
1	6,000	30	70	0	0	0	30
2	N/A	30	70	0	0	0	40
3	N/A	75	100	0	0	0	50
4	N/A	75	100	0	0	0	50

All lots shall have access for firefighting apparatus based on the adopted Bisbee Fire Code. The Use Matrix, Appendix Figure One, further details allowed uses.

5.2.4 CM Zone (Commercial Mixed Use)

Allowed CM zone uses:

Division1. Any C, Division 1 use. Residential uses allowed.

Division2. Any C, Division 2 use, and cocktail lounges and taverns. Residential uses allowed.

C Zone regulations apply to CM zones.

The Use Matrix, Appendix Figure One, further details allowed uses.

The development or improvement of all such properties shall be done in conformance with the applicable building codes and the Bisbee Fire Code.

5.2.5 M Zones (Manufacturing)

Allowable M Zone Uses:

Division1. Any light manufacturing or industrial use, such as warehouses, research or testing laboratories, product distribution centers, woodworking shops, auto body shops, furniture assembly, dry cleaning plants, machine shops and boat building storage yards

Division2. Any use permitted in the M Division 1 zone and stadiums and arenas, indoor swap meets, breweries, liquid fertilizer manufacturing, carpet manufacturing, monument works and a regional recycling center.

Division3. Any permitted in the M Division 2 zone and auto dismantling yards, alcohol manufacturing, cotton gin, paper manufacturing, quarries, salt works, petroleum refining and similar uses.

Table 5.2.5A M Zone regulations
(In feet unless otherwise noted)

Division	Min. Lot Area (SF)	Min. Lot Width	Min. Lot Depth	Min. Front Setback	Min. Side Setback	Min. Rear Setback	Max Building Height
1	N/A	50	75	0	0	0	60
2	N/A	75	100	0	0	0	80
3	N/A	100	150	0	0	0	80

All lots shall have access for firefighting apparatus based on the adopted Bisbee Fire Code. The Use Matrix, appendix Figure One, further details allowed uses.



Residential Districts:

- Commercial Districts:**

- Manufacturing Districts:**

-

Page Number: 14
INDEX SHEET

2022-26217

Page 1 of 3

David W. Stevens - Recorder

Cochise County, AZ

Requested By: Pioneer Title Agency

11-16-2022 04:25 PM Recording Fee \$30.00

at the request of Pioneer Title Agency, Inc.

When recorded mail to

**CONKLIN ELECTRICAL, ETC., LLC, AN
ARIZONA LIMITED LIABILITY
COMPANY****TODD CONKLIN****P.O. BOX 1514****BISBEE, AZ 85603**

70602544-CR

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration, I or we,
RIVER ROCK LTD., A NEVADA LIMITED PARTNERSHIP ALSO KNOWN AS RIVER ROCK LIMITED
PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP do/does hereby convey to
CONKLIN ELECTRICAL, ETC., LLC, AN ARIZONA LIMITED LIABILITY COMPANY
the following real property situated in Cochise County, Arizona:
See Exhibit A attached hereto and made a part hereof.

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of
way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear
of record.

The Grantor warrants the title against all persons whomsoever.

DATED: November 11, 2022

**RIVER ROCK LTD., A NEVADA LIMITED
PARTNERSHIP ALSO KNOWN AS RIVER
ROCK LIMITED PARTNERSHIP, A
NEVADA LIMITED PARTNERSHIP**

Kim Kiyosaki, President

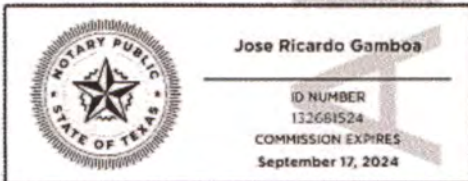
**KIM KIYOSAKI AS PRESIDENT OF PELE
CORPORATION, GENERAL PARTNER**

Warranty Deed - Escrow No. 70602544

2022-26217 11-16-2022 Page 2 of 3

State of Texas }
County of Hidalgo } ss.
}

The foregoing instrument was acknowledged before me this 16th day of November, 2022, by KIM KIYOSAKI AS PRESIDENT OF PELE CORPORATION, GENERAL PARTNER OF RIVER ROCK LTD., A NEVADA LIMITED PARTNERSHIP ALSO KNOWN AS RIVER ROCK LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP.



Jose Ricardo Gamboa
NOTARY PUBLIC of Texas
My commission expires: 09/17/2024

Notarized online using audio-video communication

THIS NOTARY CERTIFICATE IS TO BE ATTACHED TO: WARRANTY DEED

Date of Document: November 11, 2022 / Consisting of 3 pages

Parties to Document:

CONKLIN ELECTRICAL, ETC., LLC, AN ARIZONA LIMITED LIABILITY COMPANY

RIVER ROCK LTD., A NEVADA LIMITED PARTNERSHIP ALSO KNOWN AS RIVER ROCK LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP

Warranty Deed - Escrow No. 70602544

Exhibit A

PARCEL I:

The surface to a depth of 40.00 feet of Lots 10 and 11, Block N, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona;

EXCEPT all minerals as reserved in Deed recorded in Book 52, Deeds of Real Estate, page 521, records of Cochise County, Arizona.

PARCEL II: 102-14-079

The surface to a depth of 40.00 feet of Lots 1 through 9 inclusive, 22 through 30 inclusive, Block N, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL III: 102-14-080

The surface to a depth of 40.00 feet of Lots 1 through 30 inclusive, Block O, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL IV: 102-14-081

The surface to a depth of 40.00 feet of Lots 1 through 30 inclusive, Block P, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL V: 102-14-082

The surface to a depth of 40.00 feet of Lots 1 through 9 inclusive, and East 8.00 feet of Lot 15, Block Q, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

PARCEL VI: 102-14-083D

The surface to a depth of 40.00 feet of Lots 10 through 14 inclusive, and the West 17.00 feet of Lot 15, Block Q, HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona.

102-16-074C

2021-12939
Page 1 of 6
Requested By: PIONEER TITLE AGENCY
David W. Stevens - Recorder
Cochise County, AZ
05-13-2021 03:15 PM Recording Fee \$30.00

at the request of Pioneer Title Agency, Inc.

When recorded mail to
CONKLIN ELECTRICAL ETC, LLC
TODD CONKLIN
PO BOX 1514
BISBEE, AZ 85603

70601858-CR

Tax Code: 101-03-042A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CAPTION HEADING: WARRANTY DEED

THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION FOR PARCEL I IDENTIFIED AS ASSESSOR PARCEL NOS. 101-03-042A, 101-03-042B AND 101-03-042C AND TO CORRECT THE GRANTOR AS DIANE CHRISMAN AND ROZANA McCARTER, CO-TRUSTEES OF THE BALICH FAMILY TRUST DATED JULY 12, 2014.

DO NOT REMOVE

THIS IS PART OF THE OFFICIAL DOCUMENT

(THIS FORM IS FOR RECORDER'S USE ONLY)

Recording Cover Sheet
70601858

2021-12939 05-13-2021 Page 2 of 6

When recorded please return to:

Todd J. Conklin
P. O. Box 1514
Bisbee, AZ 85603

WARRANTY DEED

For valuable consideration, the Grantor, Diane Chrisman, Trustee of the Balich Family Grantor Trust, dated July 12, 2014, acting on behalf of that Trust and pursuant to the authority granted to her by that Trust Agreement, as the owner of the subject property does hereby convey the property described in the attached **Exhibit A**, incorporated herein by reference, to the Grantee, Conklin Electrical, ETC, LLC, an Arizona limited liability company.

This conveyance is subject to current and prior taxes, assessments, reservations in patents and all easements, rights-of-way, encumbrances, liens, covenants, conditions and restrictions that appear of record.

The Grantors does hereby warrant the title against all persons whomsoever, subject to the matters set forth above.

The Beneficiaries of the Balich Family Grantor Trust are Diane Chrisman, 7141 N. Gilroy, Fresno, CA 93722, and Rozana McCarter, 3857 Birch Street, #126, Newport Beach, CA 92660, who have approved this transaction.

Dated this 6 day of August 2020.

GRANTOR

Diane Chrisman, Trustee
Balich Family Grantor Trust

CALIFORNIA NOTARY ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Fresno

On 08/06/2020, 2020, before me, S. Botello notary public (insert name and title of the officer), personally appeared Diane Chrisman who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature S. Botello

(Seal)

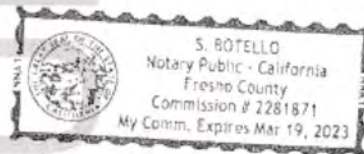


EXHIBIT A PROPERTY DESCRIPTION

PARCEL I.

That certain real property situated in the County of Cochise, State of Arizona, more particularly described as follows:

The surface to a depth of 40 feet immediately beneath the surface of the portion of Early Morning Lode Mining Claim in the Warren Mining District, being shown on Mineral Survey No. 1860, recorded in Book 20, Deeds of Mines, Page 469, that portion of Saturday Lode Mining Claim in the Warren Mining District, being shown on Mineral Survey No. 2087, recorded in Book 20 Deeds of Mines, Page 353, and that portion of No. 10 Lode Mining Claim in the Warren District, being shown on Mineral Survey No. 2044, recorded in Book 20, deeds of Mines, page 353, records of Cochise County, Arizona, described as follows:

Commencing at USMM #18721,

Thence North 37° 26' 35" East as distance 4491.98 feet;

Thence South 79° 38' 01" West, a distance of 193.00 feet to the POINT OF BEGINNING.

Thence South 78° 08' 57" West a distance of 214.98 feet;

Thence North 19° 04' 40" West a distance of 133.73 feet;

Thence 73° 35' 20" East a distance of 342.39 feet;

Thence South 31° 30' 00" West a distance of 48.11 feet to a point of curve;

Thence along a curve to the left having a radius of 193.00 feet, to a central angle of 40° 40' 16", an arc length of 137.51 feet, and a chord which bears South 10° 02' 39" West, to the POINT OF BEGINNING.

Identified as Assessor Parcel Nos. 101-03-042A; 101-03-042B; and 101-03-042C.
Located on Cole Avenue, City of Bisbee, AZ.

PARCEL II.

That certain real property situated in the County of Cochise, State of Arizona, more particularly described as follows:

The surface to a depth of 40.00 feet of Lots 10 through 16, inclusive, Block M of HEDBERG TOWNSITE, according to Book 1 of Maps, Page 4, records of Cochise County, Arizona;

EXCEPT all mineral as reserved in the Deed recorded in Book 52, Deeds of Real Estate, Page 521, records of Cochise County, Arizona.

Identified as Assessor Parcel No. 102-16-074.

PARCEL III.

That certain real property situated in the County of Cochise, State of Arizona, more particularly described as follows:

The surface to a depth of 40.00 feet of Lots 12 through 21, inclusive, Block N of HEDBERG TOWNSITE, according to Book 1 of Maps, Page 4, records of Cochise County, Arizona;

EXCEPT all mineral as reserved in the Deed recorded in Book 52, Deeds of Real Estate, Page 521, records of Cochise County, Arizona.

Identified as Assessor Parcel No. 102-16-079 C

Exhibit "A"

The surface to a depth of 40 feet immediately beneath the surface of that portion of Early Morning Lode Mining Claim in Warren Mining District, being shown on Mineral Survey No. 1860, recorded in Book 20, Deeds of Mines, page 469, that portion of Saturday Lode Mining Claim in Warren Mining District, being shown on Mineral Survey No. 2087, recorded in Book 20 Deeds of Mines, page 353, and that portion of No. 10 Lode Mining Claim in Warren Mining District, being shown on Mineral Survey No. 2044, recorded in Book 20, Deeds of Mines, page 353, records of Cochise County, Arizona, described as follows:

COMMENCING at USMM #18721;

thence North $37^{\circ}26'35''$ East a distance of 4,491.98 feet;

thence South $79^{\circ}38'01''$ West a distance of 193.00 feet to the POINT OF

BEGINNING;

thence South $78^{\circ}08'57''$ West a distance of 241.26 feet;

thence North $19^{\circ}04'40''$ West a distance of 133.73 feet;

thence $73^{\circ}35'20''$ East a distance of 342.39 feet;

thence South $31^{\circ}30'00''$ West a distance of 48.11 feet to a point of curve;

thence along a curve to the left having a radius of 193.00 feet, a central angle of $40^{\circ}40'16''$, an arc length of 137.51 feet, and a chord which bears South $10^{\circ}02'39''$ West to the POINT OF BEGINNING .

PUBLIC NOTICE

**PUBLIC HEARING
PLANNING AND ZONING COMMISSION
THURSDAY, JUNE 15, 2023 AFTER 5:30PM**

**PUBLIC HEARING
MAYOR AND COUNCIL
WEDNESDAY JULY 5, 2023 AFTER 7:00PM**

The Planning and Zoning Commission of the City of Bisbee will be holding a Public Hearing, at which time the public is invited to comment regarding an application to rezone parcels 102-16-079, 102-16-080, 102-16-081, 102-16-082, and 102-16-083D.

The Applicant is requesting that the zoning of these parcels be changed from RM to C-4.

- **RM Zone: The principal land use is for the installation and occupancy of a manufactured home, or a rehabilitation mobile home be used as a single-family dwelling, with incidental or accessory uses. All uses in the R Zones are permitted in the RM Zones and the R Zone Regulations apply.**
- **C-4: Any use permitted in the C, Division 3 zones and large-scale retail, commercial and wholesale uses, bakeries, storage yards, distributors, machine shops and woodworking shops, except residential.**

In the event that our Planning and Zoning Commission approves recommending this rezoning to the Mayor and Council, The City Council will be holding a Public Hearing regarding this rezoning application on July 5, 2023 after 7:00pm in the City of Bisbee Council Chambers located at 915 S. Tovreaville Road, at which time the public is invited to comment regarding for rezoning of parcels 102-16-079, 102-16-080, 102-16-081, 102-16-082, and 102-16-083D.

For Additional information please contact the City of Bisbee, at 76 Erie Street, Bisbee, Arizona or by calling (520) 432-6000.

Nina Williams, Deputy City Clerk

If any person needs any type of accommodations for any type of disabilities, please contact the City of Bisbee at (520) 432-6000 72 hours in advance .



ACC

Search for an Entity Name



eCorp

ENTITY INFORMATION

Search Date and Time: 6/29/2023 7:17:47 AM

Entity Details

Entity Name:	CONKLIN ELECTRICAL, ETC., LLC	Entity ID:	L22178538
Entity Type:	Domestic LLC	Entity Status:	Active
Formation Date:	9/8/2017	Reason for Status:	In Good Standing
Approval Date:	9/19/2017	Status Date:	
Original Incorporation Date:	9/8/2017	Life Period:	9/18/2047
Business Type:		Last Annual Report Filed:	
Domicile State:		Annual Report Due Date:	
		Years Due:	
Original Publish Date:			

Statutory Agent Information

Name:		Appointed Status:	Resigned 1/29/2021
Attention:			
Address:			
Agent Last Updated:		E-mail:	
Attention:		Mailing Address:	
County:			

Principal Information

Title	Name	Attention	Address	Date of Taking Office
Member	TODD J CONKLIN		PO BOX 1514, BISBEE, AZ 85603, USA	9/18/2017

BISBEE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Planning & Zoning Commission

FROM: Joe Ward, Building Inspector / Code Enforcement

SUBJECT: Application to rezone 5 parcels from RM to C-4
102-16-079, 102-16-080, 102-16-081, 102-16-082 and 102-16-083D

DATE: May 18, 2023

APPLICANT: Todd Conklin

DESCRIPTION: Mr. Conklin would like to rezone the parcels listed above to C-4 to fit his business needs and this would be in line with the rezoning of his parcel 102-61-074C done in November of 2021; which was to store materials such as electrical poles and concrete to which is not in the current zoning; the neighbor's property to the west is zoned C-4.

COMPLIANCE WITH GENERAL PLAN OR OTHER APPLICABLE AREA PLANS

The proposed rezoning of these parcels conforms with the Bisbee General Plan, General Land Uses Goals & Policies: Objective 2-1: Promote Orderly Growth and Efficient Use of Land and;

The San Jose Charrette, Viability/ Economic Vitality, Principle: A Healthy, Vital and Competitive Economy will be dependent upon a diverse work force and appropriate mix and scale of Housing, Retail, Services, and Industry.

THE PROPERTIES ARE CURRENTLY ZONED RM

RM Zone (Manufactured Home Residential)

The principal land use is for the installation and occupancy of a manufactured home or a rehabilitated mobile home to be used as a single-family dwelling, with incidental or accessory uses. **All uses allowed in the R Zones are permitted in the RM zones and the R Zone Regulations apply.** Mobile homes shall not be allowed as a new use on any site within the City of Bisbee, except as expressly authorized in this article. Mobile homes that are legally established within the City on or before March 1, 2006, are allowed to remain on any site within the City and any such mobile home may be relocated to an existing site within any existing mobile home park, provided that the mobile home meets the requirements of Article 6 for installation and skirting.

Manufactured Home Parks shall only be allowed within RM Zone areas and shall require special use permit approval prior to construction.

The Use Matrix, Appendix Figure One, further details allowed uses.

All lots shall have access for firefighting apparatus based on the adopted Bisbee Fire Code.

BISBEE COMMUNITY DEVELOPMENT DEPARTMENT

R ZONE'S

R Zone (Residential)

Allowable R zone uses:

- Division1.** Any one family dwelling, excluding mobile homes and manufactured homes, and including private garages, accessory living quarters, recreational rooms or private stables accessory to the main use, churches, recreational and educational facilities.
- Division2.** Any use permitted in the R, Division 1 zone, and two-family dwellings.
- Division3.** Any use permitted in the R, Division 2 zones and multiple dwellings, apartment houses and condominiums. Density shall be determined by the Site Plan Committee.

ZONING THE APPLICANT WISHES TO CHANGE TO C-4 ZONING

- Division4.** Any use permitted in the C, Division 3 zones and large-scale retail, commercial and wholesale uses, bakeries, storage yards, distributors, machine shops and woodworking shops, except residential.

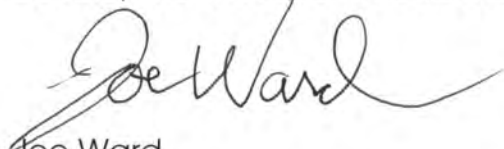
5.2.3 C Zone (Residential/Commercial)

Allowable C Zone uses:

- Division1.** Any residential, office, retail, automobile service station, restaurant, day-care center, churches, recreational and educational facilities, small-scale retail and personal service use that serves the day-to-day needs of the residents of the surrounding area
- Division2.** Any use permitted in the C, Division 1 zone and residential, nurseries, physical fitness centers, community and fraternal clubs, libraries, and governmental offices.
- Division3.** Any use permitted in the C, division 2 zone and supermarkets, department stores, hospitals, automobile sales, lumber yards, wholesale outlets, printing plants, cocktail lounges and taverns, self-storage centers, theaters, bowling alleys, museums, hotels, and motels, except residential.

RECOMMENDATION:

The proposed rezoning from RM to C-4 would appear to have little impact on the existing neighborhood, would increase our taxbase and encourage development. I recommend that this rezoning be approved.



Joe Ward,
Building Inspector/ Code Enforcement

These parcels are now whole - APN 102-16-074C

ORDINANCE 0-21-15

AN ORDINANCE OF THE MAYOR AND COUNCIL TO REZONE APN 102-16-074, 102-16-126 AND 102-16-079C, OWNED BY MR. TODD CONKLIN, FROM C-1 TO C-4.

WHEREAS, on September 16, 2021, the City of Bisbee Planning and Zoning Commission held a public hearing to consider the Application by Mr. Todd Conklin to rezone Assessor Parcel Number 102-16-074, 102-16-126 and 102-16-079C, located at 1008 W Hwy 92, Bisbee, Arizona, 85603, from C-1 to C-4; and

WHEREAS, during the public hearing, the public had an opportunity to be heard and planning staff offered a report to the Planning and Zoning Commission; and

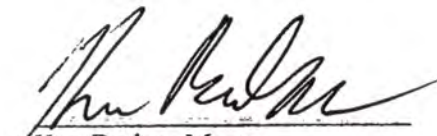
WHEREAS, the Planning and Zoning Commission voted unanimously to recommend the approval of the application with the rezoning conditions recommended in the staff report to Mayor and Council; and

WHEREAS, on October 19, 2021, the Council held a duly noticed public hearing on the requested rezoning.

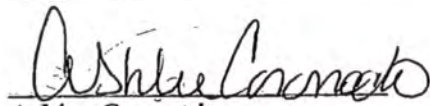
NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Bisbee, County of Cochise, State of Arizona, that the zoning district boundaries for the City of Bisbee shall be amended as follows:

The zoning classification of Assessor Parcel Number 102-16-074, 102-16-126 and 102-16-079C, located at 1008 W Hwy 92, Bisbee, Arizona, 85603, is changed from C-1 to C-4.

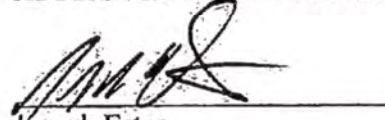
PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this 2nd day of November, 2021.


Ken Budge, Mayor

ATTEST:


Ashlee Coronado,
City Clerk

APPROVED AS TO FORM:


Joseph Estes,
City Attorney

102-14-074



8/26/2021, 2:34:31 PM

 County Boundary

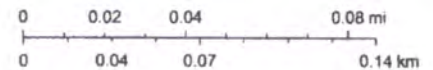
- Address

Roads

 Incorporated Limits

☐ Parcels

1:2,257





8/26/2021, 2:33:22 PM

- County Boundary
- Address
- Roads
- Incorporated Limits
- Parcels

1:2,257

0 0.02 0.04 0.08 mi
0 0.04 0.07 0.14 km

Pioneer Title Agency Inc.

REPORT OF TITLE (Continued)

SCHEDULE B

At the date hereof exceptions to title are:

1. TAXES AND ASSESSMENTS collectible by the County Treasurer for the following year:

1st half of 2020

2. TAXES AND ASSESSMENTS collectible by the County Treasurer, a lien payable but not yet due for the following year:

Second half of 2020

3. A SALE OF SAID LAND by the County Treasurer, evidenced by Certificate of Purchase issued by reason of the non-payment of taxes for the:

Year : 2013
Certificate of Purchase No. : 143444

TAXES for the following year(s) have been added:

2014, 2015, 2016, 2017, 2018, 2019 and 2020
(Affects Parcel II)

4. The right of entry to prospect for, mine and remove all minerals in said land, as implied by the reservation of same in instrument:

Recorded in Book : 52, Deeds of Real Estate
Page : 521

5. Effect of the provisions relating to the subjacent support as set forth in instrument:

Recorded in Book : 52, Deeds of Real Estate
Page : 521

6. RESTRICTIONS, CONDITIONS, COVENANTS, RESERVATIONS, including but not limited to any recitals creating easements, liabilities, obligations or party walls, omitting, if any, from the above, any restrictions based on race, color, religion, sex, handicap, familial status or national origin contained in instrument:

Recorded in Book : 52, Deeds of Real Estate
Page : 521

7. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 125, Deeds of Real Estate
Page : 153
Purpose : Right-of-way

Pioneer Title Agency Inc.

REPORT OF TITLE (Continued)

8. The right of entry to prospect for, mine and remove ores, rock, earth and minerals in said land, as implied by the reservation of same in instrument:

Recorded in Docket : 1746
Page : 205
(Affects Parcel I)

9. The right of entry to prospect for, mine and remove ores, rock, earth and minerals in said land, as implied by the reservation of same in instrument:

Recorded in Docket : 1749
Page : 144
(Affects Parcel II)

10. Effect of the provisions relating to subjacent support as set forth in instrument:

Recorded in Docket : 1746
Page : 205
Recorded in Docket : 1749
Page : 144

11. THE RIGHT OF ENTRY to prospect for, mine and remove all mineral rights in said land, as implied by the reservation of same in instrument:

Recorded in Document No. : 0512-50487

12. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Document No. : 0512-50487
Purpose : dust, sand, tailings, dirt, noises and vibrations from mines, dumps and other facilities

13. MATTERS SHOWN ON SURVEY:

Recorded in Book : 30 of Surveys
Page : 51

14. Matters contained in the following document, relating to Restricted Air Space and Military Airport recorded in Document No. 2008-32809.

15. ANY CLAIM that Deed referred to below is void for the reason stated:

From	Diane Chrisman, Trustee of The Dushan S. Balich Living Trust, dated July 03, 2004
To	Dushan S. Balich, an unmarried man
Recorded in Document No.	2014-18004
Reason	The acting Trustee of the Trust having the authority to act on behalf of the Trust

Pioneer Title Agency Inc.

REPORT OF TITLE (Continued)

16. RIGHTS OF THE SPOUSE of the Party named below on date of instrument referred to below should it be determined that said Party was not a single person on said date:

Date of instrument October 29, 2020
Party Todd J. Conklin
Recorded in Document No. 2020-23892
(Affects Parcel III)

17. THE RIGHTS OF THOSE PARTIES named below who may have had a right to redeem the property described in Schedule A by reason of any insufficiency in the sale proceedings leading up to the issuance of the Deed referred to below:

Dated October 29, 2020
From Catherine L. Traywick, Treasurer of Cochise County, State of Arizona
To Todd J. Conklin
Recorded in Document No. 2020-23892
Party (ies) Diane Chrisman and Rozana McCarter, Co-Trustees of The Balich Family Grantor Trust
(Affects Parcel III)

TAX NOTE:

Year 2020
Parcel No. 102-16-074-8
Total Tax \$738.54
First Half \$ Paid
Second Half \$ 369.27
(Affects Parcel I)

TAX NOTE:

Year 2020
Parcel No. 102-16-079C-0
Total Tax \$672.62
First Half \$ 336.31
Second Half \$ 336.31
(Affects Parcel II)

Re: Exception No. 3
Certificate of Purchase No. 143444
Amount to redeem \$7,550.14
If redeemed by January 29, 2021
Parcel No. 102-16-079C-0

Pioneer Title Agency Inc.

REPORT OF TITLE (Continued)

TAX NOTE:

Year	2020
Parcel No.	102-16-126-6
Total Tax	\$197.88
First Half	\$ 101.58 plus interest if any
Second Half	\$ 101.58
(Affects Parcel III)	

End of Exceptions

Pioneer Title Agency Inc.

REPORT OF TITLE (Continued)

Exhibit A

PARCEL I:

The surface to a depth of 40.00 feet of Lots 10 through 16, inclusive, Block M of HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona;

EXCEPT all minerals as reserved in Deed recorded in Book 52, Deeds of Real Estate, page 521, records of Cochise County, Arizona; and

EXCEPT all minerals as reserved in Deed recorded in Document No. 0512-50487, records of Cochise County, Arizona.

PARCEL II:

The surface to a depth of 40.00 feet of Lots 12 through 21, inclusive, Block N of HEDBERG TOWNSITE, according to Book 1 of Maps, page 4, records of Cochise County, Arizona;

EXCEPT all minerals as reserved in Deed recorded in Book 52, Deeds of Real Estate, page 521, records of Cochise County, Arizona; and

EXCEPT all minerals as reserved in Deed recorded in Document No. 0512-50487, records of Cochise County, Arizona.

PARCEL III:

That portion of Lincoln Avenue as abandoned by Ordinance No. 0-99-22 between Lot 21, Block N and Lot 10, Block M ending at State Route 92 and platted in the HEDBURG TOWNSITE, Bisbee according to Book 1 of Maps, page 4, records of Cochise County, Arizona, more particularly described as follows:

BEGINNING at the Northeast corner of Lot 21, Block N,

thence North 66°57'50" East, 60.00 feet to the Northwest corner of Lot 10, Block M,

thence South 23°02'10" East, 142.00 feet to the Southwest corner of Lot 10, Block M,

thence South 66°57'50" West, 60.00 feet to the Southeast corner of Lot 21, Block M,

thence North 23°02'10" West, 142.00 feet to the POINT OF BEGINNING;

EXCEPT all minerals as reserved in Deed recorded in Document No. 0512-50487, records of Cochise County, Arizona.

Pioneer Title Agency Inc.

REPORT OF TITLE

OUR NO. 70601706

Dated: December 07, 2020 at 7:30 a.m.

Fee: \$600.00

Report is issued for the sole use and benefit of:

Candy Romo
8 Bisbee Road
Bisbee, AZ 85603

Pioneer Title Agency Inc. hereby reports that an examination of the title to the land described in Schedule A discloses that title is vested as shown in Schedule A, subject to the liens, encumbrances, and defects as shown in Schedule B.

This report is **FOR INFORMATIONAL PURPOSES ONLY**. It is neither a guarantee of title, a commitment to insure title nor a policy of title insurance.

SCHEDULE A

1. Title to the estate or interest covered by this report at the date hereof is vested in:

Parcels I and II: Conklin Electrical, ETC, LLC, an Arizona Limited Liability Company

Parcel III: Todd J. Conklin

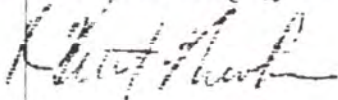
2. The estate or interest in the land hereinafter described in this report is a fee.

3. The land referred to in this report is situated in the County of **Cochise**, State of Arizona, and is described as follows:

See Exhibit A attached hereto and made a part hereof.

All recording references are to records in the office of the County Recorder of the county in which the property is situated.

Pioneer Title Agency Inc.



By _____
Authorized Officer or Agent

Pioneer Title Agency, Inc.

8 Bisbee Road

Bisbee, AZ 85603

Phone: (520) 432-5331 Fax: (855) 713-8193

Bill To: Pioneer Title Agency
Candy Romo
8 Bisbee Road
Bisbee, AZ 85603

Invoice No.: 00099586
Date: 1/4/2021
Your No.:
Our No.: 70601706
Cust id:
BCC: 02

Buyer: CONKLIN, TODD
Seller:
Property: TBD
Bisbee, AZ 85603

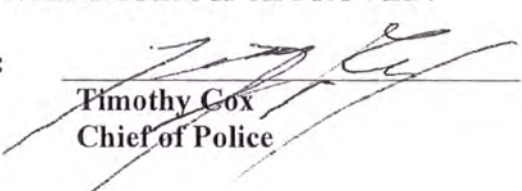
Description	Liability	Amount
Status Report		\$600.00

Total Invoice Amount

\$600.00

**REQUEST FOR MAYOR & COUNCIL****ACTION Session of: 07/05/2023**☒ Regular ☐ Special**DATE ACTION SUBMITTED:** 06/28/2023**REGULAR** ☒ **CONSENT** ☐**TYPE OF ACTION:****RESOLUTION** ☐ **ORDINANCE** ☐ **FORMAL ACTION** ☒ **OTHER** ☐**SUBJECT:** Discussion and possible approval to enter into and Intergovernmental Agreement between Cochise County and Bisbee Police Department for the purpose of providing Regional Special Weapons and Tactics support team (S.W.A.T.)**FROM:** Timothy Cox, Chief of Police**RECOMMENDATION:** Recommend Approval.**PROPOSED MOTION:** I move to approve an Intergovernmental Agreement between Cochise County and Bisbee Police Department for the purpose of providing Regional Special Weapons and Tactics support (S.W.A.T.)

DISCUSSION: Cochise County established and operates a local Special Weapons and Tactics Team (S.W.A.T.) and desires to provide mutual aid and assistance and to cooperate in ways that will be beneficial to Bisbee Police and allow both parties to respond in situations where a S.W.A.T. Team may be appropriate. This agreement is between CCSO and Bisbee PD to provide personnel to support Cochise County, through its Sheriff's Office.

FISCAL IMPACT: N/A**DEPARTMENT LINE ITEM ACCOUNT:** N/A**BALANCE IN LINE ITEM IF APPROVED:** N/A**Prepared by:**
Timothy Cox
Chief of Police**Reviewed by:**
Stephen Paulsen
City Manager

**INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN COCHISE COUNTY, ARIZONA AND BISBEE, ARIZONA
FOR THE PURPOSE OF PROVIDING REGIONAL SPECIAL WEAPONS
AND TACTICS SUPPORT TO COCHISE COUNTY AND ALL MUNICIPALITIES IN COCHISE
COUNTY**

THIS INTERGOVERNMENTAL AGREEMENT ("IGA") is made and entered into on this _____ day of _____, 2023 by and between the County of Cochise, a political subdivision of the state of Arizona (hereinafter "Cochise County") and City of Bisbee, AZ, a political subdivision of the state of Arizona (hereinafter "Bisbee"), collectively referred to as the "parties."

RECITALS

WHEREAS, Cochise County and Bisbee are authorized to enter into this IGA pursuant to Arizona Revised Statutes (A.R.S.) §§ 11-952, *et seq.*; and

WHEREAS, the parties, through their respective Offices, provide certain emergency and law enforcement services in response to many of the same types of emergency circumstances; and

WHEREAS, Cochise County established and operates a local Special Weapons and Tactics Team (S.W.A.T. Team); and

WHEREAS, Cochise County and Bisbee desire to provide mutual aid and assistance and to cooperate in ways that will be beneficial to both parties and allow the parties to respond to situations where a S.W.A.T. Team may be appropriate; and

WHEREAS, the parties desire to enter into an agreement for Bisbee, through its department, to provide personnel to support Cochise County, through its Sheriff's Office; and

WHEREAS, the parties desire to enter into an agreement for Cochise County, through its Sheriff's Office to provide S.W.A.T. Team support to Bisbee, through its department; and

WHEREAS, the parties share a common goal of working cooperatively with one another to maximize the overall public benefit that can be achieved with limited public resources that are available to each other.

NOW, THEREFORE, the parties, in consideration of the mutual covenants and conditions stated below, hereby agree as follows:

1. **Purpose.** The purpose of this IGA is to allow for law enforcement, fire departments, and emergency medical service organizations in Cochise County the opportunity to cooperate with the Cochise County Sheriff's Office S.W.A.T. Team in an effort to establish a regional S.W.A.T. Team. This IGA will allow S.W.A.T.-trained personnel to work together in good faith to respond, when requested by other parties, to potentially life-threatening situations and/or incidents requiring specialized skills, tactics and/or equipment, and to secure, isolate, and resolve situations in a manner consistent with escalation of force theories and preservation of life.
2. **Term.** This IGA shall be for an initial term of five (5) years, effective on the date it is recorded with the Cochise County Recorder, following execution by all parties. The parties shall have the option to extend the term of the IGA for four (4) additional one (1) year periods.
3. **Termination.** This IGA shall be deemed renewed annually, without further action by either party, unless terminated by ninety (90) day written notice to either party. This IGA shall be subject to termination pursuant to A.R.S. § 38-511, the pertinent provisions of which are incorporated herein by reference.
4. **Modifications.** Any modification or time extension of this IGA shall be by formal written amendment executed by the parties hereto.

S.W.A.T. Participation and Mutual Aid.

- 1) Participating law enforcement agencies can allow their Arizona Peace Officers Standards and Training Board ("AZPOST") certified officers to test for an operator or negotiator position on the Cochise County Sheriff's Office S.W.A.T. Team.
- 2) Participating fire departments or emergency medical service organizations can allow their certified paramedics to test for a S.W.A.T. medic position.

relate to the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers, officials, agents, employees, or volunteers.

9. **Compliance with Laws.** The parties shall comply with all applicable federal, state, and local laws, rules, regulations, standards, and Executive Orders, without limitation to those designated within this IGA. As to parties that are Indian tribes, an Executive Order shall only be deemed to be applicable if it specifically names "Indian tribes" as being within the scope of the order, and the person issuing the Order has lawful authority to issue an Executive Order that would be lawfully binding upon Indian tribes. The laws and regulations of the State of Arizona shall govern the rights of the parties, the performance of this IGA, and any disputes hereunder. Any action relating to this IGA shall be brought in any Arizona court of competent jurisdiction.
10. **Non-Discrimination.** In performance of this Agreement, the parties shall not discriminate against any County employee or Bisbee employee, or any other individual, in any way because of that person's age, race, creed, color, religion, sex, disability, or national origin in the course of carrying out their duties pursuant to this Agreement. The parties shall comply with the provisions of Executive Order 75-5, as amended by Executive Order 99-4, which is incorporated into this IGA by reference, as if set forth in full herein.
11. **ADA.** The parties shall comply with all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations under the Act, including 28 CFR Parts 35 and 36.
12. **Severability.** If any provision of this IGA, or any application thereof to the parties or any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this IGA that can be given effect without the invalid provision or application and to this end the provisions of this IGA are declared to be severable.
13. **Legal Authority.** No party warrants to the other its legal authority to enter into this Agreement. If a court, at the request of a third person, should declare that either party lacks authority to enter into this IGA, or any part of it, then the IGA, or parts of it affected by such order, shall be null and void, and no recovery may be had by either party against the other for lack of performance or otherwise.

14. **Entire Agreement.** This document constitutes the entire agreement between the parties pertaining to the subject matter hereof, and all prior or contemporaneous agreements and understandings, oral or written, are hereby superseded and merged herein. This IGA shall not be modified, amended, altered, or extended except through a written amendment signed by the parties and recorded with the Cochise County Recorder.
15. **No Third-Party Beneficiaries.** Excepted as specified herein, nothing in the provisions of this IGA is intended to create duties or obligations to or rights in third parties not parties to this IGA or affect the legal liability of either party to the IGA by imposing any standard of care with respect to the maintenance of public facilities different from the standard of care imposed by law.
16. **No Partnership.** Nothing in the provisions of this IGA is intended to create any partnership, joint venture, or employment relationship between the parties or create any employer-employee relationship between the City of Bisbee, the County, or their respective employees. Neither party shall be liable for any debts, accounts, obligations, or other liabilities whatsoever of the other, including (without limitation) the other party's obligation to withhold Social Security, income taxes, pension, or for any other payroll withholdings for itself or any of its employees.
17. **Counterparts.** This IGA may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages from one or more counterpart may be removed from such counterpart and attached to a single instrument.

IGA by and between Cochise County, AZ and Bisbee, AZ for the Purpose of Providing Regional Special Weapons and Tactics support to Cochise County and all the municipalities in Cochise County.

P a g e | 8

IN WITNESS WHEREOF, the parties hereto execute this agreement as of the date written above.

COCHISE COUNTY:

City of Bisbee:

By: Peggy Judd, Chair
Cochise County Board of Supervisors

By: Ken Budge, Mayor
City of Bisbee

ATTEST:

ATTEST:

Tim Mattix, Clerk
Cochise County Board of Supervisors

Ashlee Coronado, City Clerk
City of Bisbee

Mark J. Dannels,
Sheriff of Cochise County

Timothy Cox, Chief
Bisbee Police Department

ATTORNEY CERTIFICATION

In accordance with A.R.S. § 11-952, this agreement has been reviewed by the undersigned who has determined that this agreement is in appropriate form and within the powers and authority granted to the public body or bodies identified in this agreement.

Approved as to form this ____ day of _____, 2023.

Christine J. Roberts
Chief Civil Deputy
Cochise County

Gust Rosenfeld, P.L.C.
by Joseph D. Estes
Attorney City of Bisbee

AGENDA ITEM NUMBER 6**REQUEST FOR MAYOR & COUNCIL ACTION**Session of: **July 5, 2023**☒ Regular ☐ Special**DATE ACTION SUBMITTED:** June 28, 2023**REGULAR** ☒ **CONSENT** ☐**TYPE OF ACTION:****RESOLUTION** ☐ **ORDINANCE** ☐ **FORMAL ACTION** ☒ **OTHER** ☐**SUBJECT:** Discussion and Possible Approval of a Special Event Agreement for 5 years between Wick Communications and the City of Bisbee for Bisbee 1000 Stair Climb**FROM:** Stephen J. Pauken, City Manager
Joe Estes, City Attorney**RECOMMENDATION:** Approve Agreement**PROPOSED MOTION:** I move to approve the 5 year Special Event Agreement between Wick Communications Company and the City of Bisbee for the Bisbee 1000 event.

DISCUSSION:

Approval of this agreement will recognize and reserve the third week in October for the Bisbee 1000 event and will avoid other conflicting special events during that time period. This is a five year agreement. Wick Communications will pay the required fees each year to be calculated using the City Fee Schedule.

FISCAL IMPACT: TBD annually based on the City Fee Schedule (historically \$3500-5000 per year)**DEPARTMENT LINE-ITEM ACCOUNT:** 10-32-10650**BALANCE IN LINE ITEM IF APPROVED:** TBD**Prepared by:** _____
Ashlee Coronado
City Clerk**Reviewed by:** 
Stephen J. Pauken
City Manager

**SPECIAL EVENT AGREEMENT BETWEEN
WICK COMMUNICATIONS CO. AND THE CITY OF BISBEE**

THIS SPECIAL EVENT AGREEMENT ("Agreement") is made by and between Wick Communications Co., an Arizona corporation (the "Event Promoter") and the City of Bisbee, an Arizona municipal corporation (the "City"), and is entered into this ____ day of July, 2023 (the "Effective Date"). Event Promoter and the City may hereinafter be referred to individually as a "Party" or collectively as the "Parties."

RECITALS

WHEREAS, Event Promoter is the sponsor and promotor of the Bisbee 1000, The Great Stair Climb (the "Bisbee 1000"), consisting of an approximately 4.5-mile race course that features nine staircases (over 1000 total steps) connected by the winding roads in Old Bisbee; and,

WHEREAS, the Bisbee 1000 started in October 1990 and is held annually each year during the third week of October, garnering national and international attention and attendance; and,

WHEREAS, the City recognizes special events, such as the Bisbee 1000, are an important part of the City's history and quality of life, together with the contribution they make to a sustainable tourism industry; and,

WHEREAS, Special events also provide economic benefits to local businesses and residents, together with unique civic, cultural, educational, recreational, and entertainment experiences; and,

WHEREAS, the City and Event Promoter desire to enter into this Agreement to recognize and reserve the third week of October for the Bisbee 1000 event, to provide priority for the Bisbee 1000 as a special event in the City for the third week of October in order to avoid other conflicting special events during that time period that may interfere with the Bisbee 1000.

NOW THEREFORE, in consideration of the foregoing Recitals and the mutual terms and conditions contained in this Agreement, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. Incorporation of Recitals. The Event Promoter and the City agree the Recitals set forth above are true and accurate and are hereby incorporated by reference.

2. Responsibility of Event Promoter: Event Promoter shall:

a. Event Promoter will organize, run and manage the Bisbee 1000 and coordinate with the City to ensure that the impacts of the Bisbee 1000 are minimized to the surrounding community.

b. Event Promoter shall submit for and obtain all necessary special event permits, which may include, but are not limited to, special event liquor licenses, sign plan approval, security plan approval, and waste/recycling plans, and all other required permits, approvals, etc. that may be encompassed by the Bisbee 1000 event. These permits shall be obtained each year prior to each annual Stair Climb pursuant to the City's then existing special event permit requirements.

c. Deliver and set up necessary equipment approximately forty-eight (48) hours before the Bisbee 1000, such that the equipment is fully functional and may be operated safely no later than twelve (12) hours before the commencement of the Bisbee 1000 event. Event Promoter will take all actions necessary to avoid conflicts with others' use of the City's venues during the equipment setup and Event Promoter shall disassemble and remove all equipment within 24 hours after the conclusion of the Bisbee 1000 event.

d. Not cause or permit any City property to be injured, marred or defaced in any manner. If any City property is damaged by an act, default or negligence of the Event Promoter, or Event Promoter's agents, employees, contractors, or any person admitted to the Stair Climb event by the Event Promoter, Event Promoter shall pay the City, within thirty (30) days invoice, the cost necessary to restore, repair and/or replace the City property to its present condition.

e. Pay the required fees for the special event permits and services provided by the City pursuant to the City's then current standard fee schedule and comply with all other provisions of this Agreement.

f. Event Promoter shall work with the City to assist in the restoration and maintenance of the stairways used for the Bisbee 1000 event.

3. Responsibility of City: The City shall:

a. The City will provide Event Promoter with exclusive special event permitting for the third weekend of October during the Term of this Agreement for the Bisbee 1000 event and such City property necessary for the Bisbee 1000 event route and will not grant additional special event permits that may interfere with the Bisbee 1000, including no additional special events during the three (3) day period of the Bisbee 1000 for the following City property locations:

- i. Higgins Hill Park;
- ii. Grassy Park (day of the event only);
- iii. City Park (day of the event only); and
- iv. Various streets of Old Bisbee used for the designated Bisbee 1000 Route.
- v. Various parking spaces on the designated Bisbee 1000 Route necessary for open access to the stairways for the Bisbee 1000

Route. Event Promoter will take all necessary steps to limit the number of parking spaces reserved and necessary for the Bisbee 1000 event.

- b. Provide Event Promoter access to the various parks and event locations forty-eight (48) hours before the Bisbee 1000 to deliver and set up necessary equipment and signage for reserved parking the day of the event.
- c. Setup and erect three (3) tents at Higgins Hill Park forty-eight (48) hours before the Stair Climb event.
- d. Deliver and pickup of necessary trash dumpsters at Higgins Hill Park.
- e. Provide necessary police and fire department presence during the Bisbee 1000 event, including necessary traffic control, subject to the City's then current fee schedule for such services and subject to available resources at the time.
- f. Provide Event Promoter with necessary right-of-way use permits for the Bisbee 1000 Route through Old Bisbee on the day of the event.

4. Payment. Event Promoter shall pay the required fees for the special event permits and services provided by the City, which will be based on the then existing City fee schedule and necessary City services for the Bisbee 1000 event. Such fees have historically ranged between \$3,500 and \$5,000 annual, but will be calculated each year based on the criteria for each annual event.

5. Term. This Agreement shall be for a term of five (5) years, terminating following the Bisbee 1000 event in October 2027 (the "Term"), or unless otherwise terminated as provided in this Agreement. Thereafter, this Agreement will be automatically renewed and extended for an additional three (3) two-year terms, unless written notice of non-renewal is provided by either Party sixty (60) calendar days prior to the then expiring Term.

6. Termination. This Agreement may be terminated at any time by either Party upon written notice given no later than one hundred eighty (180) prior to the Bisbee 1000 event.

7. Default. If Event Promoter fails to fulfill Event Promoter's obligations under this Agreement properly and on time, or otherwise violates any provision of this Agreement, the City may terminate this Agreement by written notice to Event Promoter. The City's notice shall specify the acts or omissions relied upon as cause for termination.

8. Insurance: Before the commencement of this Agreement and for each annual Bisbee 1000 event, Event Promoter shall carry public liability and property damage insurance for a combined single limit of at least one million dollars (\$1,000,000.00 per occurrence), two million dollars (\$2,000,000.00) in the aggregate while the Agreement is in effect, and shall name and endorse the City as an additional insured and include an endorsed waiver of subrogation in favor of the City. The policy provided hereunder shall: 1) contain a provision whereby the insurance

company agrees to give all named insureds thirty (30) days written notice before the insurance is cancelled or reduced; 2) be written on an occurrence basis; 3) provide, or be endorsed to provide, for primary coverage without right of contribution from any insurance of the City; and 4) be maintained with companies either rated no less than A- in the most recent edition of "Best's Insurance Guide" or otherwise reasonably acceptable to the City. If Event Promoter maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limit maintained. Failure to provide required coverage and failure to comply with the terms and conditions of this Agreement shall not waive the contractual obligations herein. The amount of insurance required in this Section does not operate to limit Event Promoter's liability in this Agreement or during any of the annual Bisbee 1000 events.

9. Workers Compensation. Event Promoter understands and agrees that Event Promoter's employees, agents, contractors, volunteers, and directors, are not serving as employees of the City in any manner and therefore are not entitled to any of the City's industrial benefit coverages, including Workers' Compensation coverages. Event Promoter acknowledges that any injury its employees/volunteers sustain in the performance of this Agreement will be not be eligible for industrial benefits and any necessary treatment will be Event Promoter, or Event Promoter's insurer's, sole responsibility.

10. Indemnification Obligations. Event Promoter shall indemnify, defend, save and hold harmless the City and its officers, directors, employees, and elected officials from and against all suits or claims that may be based upon any damage or injury or death, to any person or property that may occur, or that may be alleged to have occurred (collectively "Damages"), in the course of the Bisbee 1000 event, unless such Damages are the result of the City and/or its officers and/or its employees' sole negligence or willful misconduct thereof. Event Promoter shall indemnify, defend, save and hold harmless the City and its officers, directors, employees and elected officials, from and against all suits or claims that may be based upon any liability of the City. Event Promoter shall, at the Event Promoter's own expense, pay all charges of attorneys, and all costs and other expenses arising therefrom or incurred in connection therewith, and if any judgment shall be rendered against the City and its officers, directors, employees, and elected officials in any such action, or actions ("Fees"), Event Promoter, at the Event Promoter's own expense, shall satisfy and discharge the same, unless such Fee is the result of the City and its officers, directors, employees, and elected officials sole negligence or willful misconduct.

The City shall not, under any circumstances, be required to indemnify or hold Event Promoter harmless for any claims, losses or liabilities of any kind, and any provision to this or any other contract purporting to impose such liability upon the City shall be null and void.

11. Successors and Assigns. This Agreement is not assignable unless both Parties mutually consent otherwise in writing and signed by both Parties and approved by the City Council. An assignment for purposes of this provision shall include any change in ownership, control or management of the Event Promoter's corporation from what currently exists as of the Effective Date of this Agreement. The requirements of this Agreement are binding upon the heirs, executors, administrators, successors, and assigns of both Parties.

12. Non-Waiver. The failure or delay of either Party to insist upon strict performances

of any of the provisions of this Agreement, or to exercise any of the rights or remedies provided by this Agreement, shall not release either Party from any of the responsibilities or obligations imposed by law or by this Agreement, and shall not be deemed a waiver of any right of either Party to insist upon strict performance of this Agreement

13. Severability. 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.

14. Conflict of Interest. The Agreement is subject to all provisions of A.R.S. § 38-511.

15. Compliance with Non-Discrimination Laws. Event Promoter shall comply with Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act, and State Executive Order No. 99-4 which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities. Event Promoter shall comply with the Rehabilitation Act of 1973, as amended, which prohibits discrimination in the employment or advancement in employment of qualified persons because of physical or mental handicap, and the Americans with Disabilities Act.

16. Jurisdiction/Venue. Any action to enforce any provision of this Agreement or to obtain any remedy with respect this Agreement shall be brought exclusively in the Superior Court, Cochise County, Arizona (or, as may be appropriate, in the Justice Courts of Cochise County, Arizona, or in the United States District Court for the District of Arizona, if, but only if, the Superior Court lacks jurisdiction over such action). The Parties expressly and irrevocably consent to the exclusive jurisdiction and venue of such courts and expressly waive the right to transfer or remove any such action.

17. Entire Agreement and Amendments. This instrument contains the entire Agreement between the Parties hereto and supersedes all prior and contemporaneous agreements, discussions and representations related thereto. No supplement, modification or amendment hereof shall be binding and effective unless in writing and signed by both Parties.

18. No Partnership. It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other arrangement between the Parties.

19. No Third-Parties. The terms of this Agreement are intended only to define the respective rights and obligations of the Parties hereto. Except as provided for herein, no term or provision of this Agreement is intended to, or shall, be for the benefit of any person or entity not a Party hereto, and no such other person or entity shall have any right or cause of action hereunder, except for permitted successors in interest to the extent that they assume or succeed to the rights and/or obligations under this Agreement.

20. Notices. Unless otherwise provided in this Agreement, all notices, demands, requests, consents, approvals and other communications (collectively "Notices") required or permitted hereunder shall be in writing and delivered by registered or certified U.S. mail, postage

prepaid, or personally delivered, at the address shown below. Notices shall be deemed received at the time of actual receipt, which shall be evidenced by a copy of receipt (in the case of notices that are personally delivered), or as evidenced by the United States Postal Service receipt; or ten (10) calendar days after mailing, whichever comes first, in the case of notices that are mailed:

City: City of Bisbee
Attn: City Manager
76 Erie Street
Bisbee, Arizona 85603

Event Promoter: Wick Communications Co.
Attn: Francis Wick
333 W. Wilcox Dr., Suite 302
Sierra Vista, Arizona 85635

21. Force Majeure. Neither Party shall be responsible for complying with any provision of this Agreement or amendment to this Agreement when prevented from complying with such provision due to an act of God or any other legitimate condition beyond the control of such Party. A force majeure event shall include: Any act of terrorism, severe weather, natural disaster or the imminent threat of such natural disaster, pandemics or epidemics, industry-wide labor or equipment shortages, quarantines, civil disturbances, acts of the public enemy, wars, blockades, public riots, labor unrest (e.g., strikes, lockouts, or other labor disturbances), acts of domestic or foreign governments or governmental restraint or other causes, whether of the kind enumerated or otherwise, and whether foreseeable or unforeseeable, that are not reasonably within the control of a Party.

22. Compliance with Law. Event Promoter shall comply with all City rules and regulations and with all federal, state and local laws, regulations and ordinances applicable to Event Promoter's activities and obligations under this Agreement.

23. Attorney's Fees. In the event of litigation under this Agreement, the prevailing Party shall be entitled to recover its costs and fees, including reasonable attorney's fees as determined by the court in such action.

24. Authorized Signatory. Each Party warrants that the person signing this Agreement on behalf of the Party is authorized to execute and accept contracts of this nature.

25. E-verify Requirements. To the extent applicable under A.R.S. § 41-4401, Event Promoter and its subcontractors warrant compliance with all federal immigration laws and regulations that relate to their employees and their compliance with the E-verify requirements under A.R.S. § 23-214(A). Event Promoter's or its subcontractor's failure to comply with such warranty shall be deemed a material breach of this Agreement and may result in the termination of this Agreement by the City.

26. Boycott of Israel. To the extent A.R.S. § 35-393 through § 35-393.03 are applicable, the Parties hereby certify that they are not currently engaged in, and agree for the

duration of this Agreement to not engage in, a boycott of goods or services from Israel, as that term is defined in A.R.S. § 35-393.

27. Provisions Required by Law. Each and every provision of law and any clause required by law to be in this Agreement will be read and enforced as though it were included herein and, if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either Party, this Agreement will promptly be physically amended to make such insertion or correction.

28. Headings. The headings of this Agreement are for purposes of reference only and shall not limit or define the meaning of any provision of this Agreement.

29. Counterparts and Signatures. This Agreement may be executed in any number of counterparts, and when each Party has executed a copy thereof, such copies, taken together, shall be deemed to be a full and complete original contract between the Parties. An electronic transmission or other facsimile of this Agreement shall be effective and binding upon the Parties as if such signatures were originals, and shall be admissible as evidence of the document and the signer's execution thereof; provided that such Party shall upon request of any other Party, immediately provide an original signature to such other Party.

IN WITNESS WHEREOF, the Parties have caused to be affixed the signatures of their respective authorized officials on the Effective Date written above.

CITY OF BISBEE, an Arizona
municipal corporation

WICK COMMUNICATIONS CO.,
an Arizona corporation

Ken Budge, Mayor

Francis Wick, President

ATTEST:

Ashlee Coronado, City Clerk

APPROVED AS TO FORM:

Joseph D. Estes, City Attorney

**REQUEST FOR MAYOR & COUNCIL ACTION**Session of: **July 5, 2023**☒ Regular ☐ Special**DATE ACTION SUBMITTED:** June 28, 2023**REGULAR** ☒ **CONSENT** ☐**TYPE OF ACTION:****RESOLUTION** ☐ **ORDINANCE** ☐ **FORMAL ACTION** ☒ **OTHER** ☐**SUBJECT: DISCUSSION ON GOING OUT TO BID FOR A CONTRACTOR FOR CITY HALL CONSTRUCTION.****FROM:** Stephen Pauken, City Manager**RECOMMENDATION:** NA**PROPOSED MOTION:** Discussion only

DISCUSSION:

Staff intends to go back out to bid for construction for the City Hall building located at 118 Arizona St.

FISCAL IMPACT: TBD**DEPARTMENT LINE ITEM ACCOUNT:** 99-40-05409**BALANCE IN LINE ITEM IF APPROVED:** TBD**Prepared by:**_____
Ashlee Coronado
City Clerk**Reviewed by:**_____
Stephen Pauken
City Manager



REQUEST FOR MAYOR & COUNCIL ACTION

Session of: July 5, 2023

☒ Regular ☐ Special

DATE ACTION SUBMITTED: June 29, 2023

REGULAR ☒ **CONSENT** ☐

TYPE OF ACTION:

RESOLUTION ☐ **ORDINANCE** ☐ **FORMAL ACTION** ☒ **OTHER** ☐

SUBJECT: Discussion and Possible approval of the First Amended Subscriber Agreement between the City of Bisbee and SEACOM for Regional 911 Communications

FROM: Stephen Pauken, City Manager

RECOMMENDATION: Approve

PROPOSED MOTION: I move to approve the First Amended Subscriber Agreement between the City of Bisbee and SEACOM for Regional 911 Communications

DISCUSSION:

This is a five-year contract for fulltime consolidated dispatch services.

FISCAL IMPACT: \$126,950.00

DEPARTMENT LINE ITEM ACCOUNT: 10-62-3400

BALANCE IN LINE ITEM IF APPROVED: \$23,050.00

Prepared by: Ashlee Coronado
City Clerk

Reviewed by: Stephen Pauken
City Manager

**First Amended Subscriber Agreement Between
City of Bisbee, AZ ("Participant") and SEACOM for
Regional 911 Communications**

WHEREAS, dispatch services for law enforcement, fire, and emergency medical services in Cochise County have been provided separately by Cochise County, each independent municipality, and several fire districts; and

WHEREAS, Cochise County (the "County") and the City of Sierra Vista ("Sierra Vista"), in a desire to improve dispatch services in the County and minimize response time for law enforcement, fire and emergency medical services, thus providing better public service; and desiring to improve efficiencies in how dispatch services are provided and achieve an economy of scale to eventually reduce the overall cost of dispatch services to multiple jurisdictions within the County, entered into an IGA (the "IGA") to consolidate dispatch services in Cochise County through the creation of a consolidated emergency services communication center known as the "Southeastern Arizona Communications Center ("SEACOM")"; and

WHEREAS, SEACOM became operational on July 18, 2018; and

WHEREAS, in establishing SEACOM, both the County and Sierra Vista anticipated that additional municipalities, fire districts and other entities would join SEACOM as Participants, either as a Partner or as a Subscriber, as those terms are defined in the IGA; and

WHEREAS, concurrent with execution of this Agreement, the Subscriber has accepted the IGA (Exhibit A) to agree to become a Subscriber; and

WHEREAS, the Participant elects to expand its part-time service from SEACOM to full-time service; and

WHEREAS, the parties hereto have the authority to enter into this Agreement pursuant to A.R.S. § 11-952.

NOW, THEREFORE, the Participant, City of Bisbee, AZ, for itself and through Sierra Vista as Fiscal Agent, hereby agree as follows:

1. The term of this full-time Agreement commences July 1, 2023, and terminates June 30, 2028 (5 years). Either party may terminate this Agreement before said termination date only upon the terms set forth in the IGA.
2. Effective July 1, 2023, Participant will pay \$126,950 annually as defined in this agreement and attached as Exhibit A. At that time, Participant will begin Partner status and a position on the Joint Powers Authority (JPA) Board.
3. The terms of this First Amended Subscriber Agreement supersede and replace corresponding provisions set forth in any Subscriber Agreement previously entered into between the Parties.

IN WITNESS WHEREOF, the parties hereby execute this Agreement on the dates indicated below.

APPROVED:

SOUTHEASTERN ARIZONA COMMUNICATIONS CENTER:

By: _____
Mark Dannels, Chair Date
Southeastern Arizona Communications Center Board

ATTEST:

By: _____
Jill Adams, City Clerk Date
City of Sierra Vista

APPROVED:

City of Bisbee:

By: _____
Ken Budge, Mayor Date
City of Bisbee

ATTEST:

By: _____
Ashlee Coronado, Clerk Date
City of Bisbee

In accordance with A.R.S. § 11-952, undersigned counsel has determined that this Intergovernmental Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

By: _____
Nathan Williams
Attorney for SEACOM

By: _____
Joseph Estes
Attorney for City of Bisbee