

SHOW LOW CITY COUNCIL
REGULAR MEETING - TUESDAY, MAY 20, 2025

PURSUANT to A.R.S. Section 38-431.02, notice is hereby given to the Show Low City Council and to the general public, that a **Regular Meeting** of the Show Low City Council will be held on Tuesday, May 20, 2025, at 7:00 PM in the City Council Chambers, 181 North 9th Street, Show Low, Navajo County, Arizona. The agenda for this meeting is as follows:

1. Call to Order.
2. Roll Call.
3. Invocation.
4. Pledge of Allegiance.

5. **CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that is within the jurisdiction of the City Council may do so at this time. Comments shall be limited to three minutes per person and shall be addressed to the City Council as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the City Council. Pursuant to the Arizona Open Meeting Law, the City Council cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual City Council members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

6. **SPECIAL EVENTS:**

- A. Recognition of Winners of the Kids ROCK Poster Contest and Presentation of Prizes
- B. Recognition of Show Low High School Cheerleading State Championship Team
- C. Presentation of Changes to Fiscal Year 2026 City Manager's Recommended Budget for Fiscal Year Ending June 30, 2026.

7. **CONSENT CALENDAR:**

- A. Proclamation by the Mayor Proclaiming May 22, 2025, as **MICKEY ROGERS DAY** in the City of Show Low
- B. Consideration of Approval of Additional Grant Match Funds for Arizona Department of Transportation - Airport Pavement Management System Projects 2022A and 2022B at Show Low Regional Airport and Authorization of Associated Budget Transfers (Jacob Allen)
- C. Consideration of Emergency Facilities and Land Use Agreement with United States Department of Agriculture Forest Service at Show Low Regional Airport (Jacob Allen)

D. Consideration of Minutes of Show Low City Council meetings:

1. Regular Meeting of May 6, 2025

8. **NEW BUSINESS:**

- A. Consideration of Application Submitted by Dana Gail Foster for Permanent Extension of Premises/Patio Permit for Buffalo Nickel Brewery + Grill at 402 North Clark Road, Show Low, Arizona (Rachael Hall)
- B. Consideration of Resolution No. R2025-14 Authorizing an Intergovernmental Agreement with Navajo County for Construction of Six Lateral Connections to Middle-Mile Network (Shane Hemesath, Chris Tewalt)
- C. Consideration of Award of Construction Contract for Archibeque Park Restroom, City of Show Low Project No. FM-7925 (Bill Kopp)

9. **SUMMARY OF CURRENT EVENTS:**

- A. Council Members
- B. Mayor
- C. City Manager

10. **SCHEDULE OF MEETINGS:**

Scheduling of meetings, which may be brought up at this time.

11. **ADJOURNMENT:**

SCHEDULED MEETINGS/EVENTS:

DATE	TIME	EVENT NAME
05/20/2025	7:00 P.M.	CITY COUNCIL - REGULAR MEETING
05/27/2025	7:00 P.M.	P&Z COMMISSION REGULAR MEETING

NOTICE TO PARENTS AND LEGAL GUARDIANS: Parents and legal guardians have the right to consent before the City of Show Low makes a video or voice recording of a minor child, pursuant to A.R.S. § 1-602(A)(9). The Show Low City Council regular meetings are recorded and may be viewed on the City of Show Low's website. If you permit your child to attend/participate in a televised City Council meeting, a recording will be made. You may exercise your right not to consent by not allowing your child to attend/participate in the meeting.

Pursuant to the Americans with Disabilities Act (ADA), the City Council endeavors to ensure the accessibility of its meetings to all persons with disabilities. If you need accommodation for a meeting, please call the City Clerk's office at (928) 532-4061 at least 48 hours prior to the meeting for accommodation.

Council Chambers will open at least fifteen minutes prior to the meeting to allow public access to the room. Council Chambers has a maximum occupancy of 139 people.

Rachael Hall, City Clerk

I, Rachael Hall, do hereby certify that the foregoing notice was posted on May 16, 2025.



Proclamation

City of Show Low
Office of the Mayor and City Council

WHEREAS, the City of Show Low wishes to express its deepest gratitude to Chief of Grants and Trails, Mickey Rogers, for his years of dedicated service at Arizona State Parks & Trails; and

WHEREAS, Mickey Rogers has played a vital role in securing funding and resources for the City of Show Low that have enhanced our parks, trails, and recreational spaces, benefiting residents and visitors alike; and

WHEREAS, his leadership, vision, and commitment to conservation and community development have left a lasting impact on the City of Show Low and the State of Arizona; and

WHEREAS, through his tireless efforts, Mickey Rogers has strengthened partnerships, fostered innovation, and ensured that our parks remain accessible, beautiful, and well-maintained for generations to come; and

WHEREAS, as he embarks on his well-earned retirement, we recognize his invaluable contributions and extend our heartfelt appreciation for his service.

NOW, THEREFORE, I, John Leech, Jr., Mayor, on behalf of the Show Low City Council, do hereby proclaim May 22, 2025, as

♣ Mickey Rogers Day ♣

in the City of Show Low to honor his outstanding dedication and service.

Dated this **20th** day of **May, 2025**.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Show Low.

John Leech, Jr.
Mayor

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Approval of Additional Grant Match Funds for Arizona Department of Transportation - Airport Pavement Management System Projects 2022A and 2022B at Show Low Regional Airport and Authorization of Associated Budget Transfers (Jacob Allen)

RECOMMENDATION

I **MOVE** to approve additional grant match funds for Arizona Department of Transportation - Airport Pavement Management System Projects 2022A and 2022B at Show Low Regional Airport and authorize associated budget transfers.

BACKGROUND

On January 18, 2022, the City Council approved the acceptance of Arizona Department of Transportation (ADOT) grant funding for two Airport Pavement Management System (APMS) projects at Show Low Regional Airport. APMS Grants are State / Local grants that require the recipient to provide a 10% match while the State covers 90% of the costs of the project.

Project 2022A -Taxiway A - Section 10 1-inch AC Overlay and Pavement Markings had a construction estimate of \$877,087.00, which was approved during the FY2022 budget process. Project 2022B - Runway 4/22 - Section 10 P-608 Application and Pavement Markings had a construction estimate of \$158,939.00. The total anticipated project cost was \$1,036,026.00, with the Airport's 10% match being \$103,603.00. APMS required the local match to be paid in advance and the City paid the 10% match of \$103,603.00 in October 2022.

The APMS projects were completed on July 17, 2024, the total actual cost of construction was higher than the original contractor bids. The total project cost increased to \$1,191,356.20. Therefore, the City's 10% match increased from \$103,603.00 to \$119,135.62. The City of Show Low has been invoiced by ADOT for an additional \$15,533.02 to cover the 10% match.

Staff recommends approving the additional grant match funds for Arizona Department of Transportation - Airport Pavement Management System Projects 2022A and 2022B at Show Low Regional Airport and authorizing associated budget transfers.

ATTACHMENTS

1. APMS overage invoice

FISCAL IMPACT

Anticipated cost: \$15,533.02

Funding source (account no.): Taxiway A Overlay FY22 (11-750-495-7300-2568)

Description	Account	Approved Budget	Transfer	Amended Budget
Taxiway A Overlay FY22	11-750-495-7300- 2568	0	15,533.02	15,533.02
New Roof City Owned Hangar	11-750-410-8180- 0000	1,500,000	(15,533.02)	1,484,466.98
Total		1,500,000	0	1,500,000

PO0000492336-1



02/28/2025

MPD0231-23



Enter Final \$ paid out or received in and
AZ360 Transaction Number

October 16, 2024

Agreement Closed in CAR & Work Project Details
Construction Project closed in Work Project Details

Cactus Transport, Inc.
Spencer Layton, Project Manager
8211 W. Sherman St.
Tolleson, AZ 85353-3303

RE: **Show Low Regional Airport APMS 2022**
Airfield Pavement Surface Treatment E2P3K-01C/02C
ADOT CTR061211 (PO# 0000492336)

Dear Mr. Layton:

Construction of the above referenced project was completed on July 17, 2024, and a final walk-through was conducted of the subject improvements on September 12, 2024. With final repairs (striping) being completed on September 23, 2024. Kimley-Horn and Associates, Inc., representing ADOT, was present at the final walk-through and has certified that the work substantially conforms to the approved plans and provisions of the contract documents.

Final Walk-Through Certified By:

DocuSigned by:

BE43DD47186E485...
Kimley-Horn and Associates, Inc.
Project Manager

Title

Show Low Regional Airport Representative was also present at the walk-through and concurs and accepts the subject improvements for incorporation into the Airport's system for maintenance. Therefore, ADOT Aeronautics Group approves this project based on the enclosed certifications and concurrence.

Airport Sponsor Concurrence By:

Signed by:

50D441A97869469...
Show Low Regional Airport
Airport Manager

Title

Approved By:

DocuSigned by:

C2D0E33391684F4...
ADOT Aeronautics Group
Aeronautics Group Manager 1/13/2025

Title Date

Copy: Jacob Allen, Airport Manager, Show Low Regional Airport

APMS FINAL PROJECT ACCOUNTING

Pursuant to Agreement GRT-22-0008512-T article II.1.e, this final project accounting details all costs associated with the designated APMS project(s). Signature below indicates acceptance of this accounting and indicates an accepted and approved modification to the original estimate of \$ 1,191,356.19 .

Project Reconciliation			
INVOICE			
Construction Vendor	Invoice #	Amount	
01CE CACTUS TRANSPORT INC	INV001514941	\$907,728.89	
01CE CACTUS TRANSPORT INC	INV001647569	\$100,858.76	
02CE CACTUS TRANSPORT INC	INV001514941	\$164,491.69	
02CE CACTUS TRANSPORT INC	INV001647569	\$18,276.86	
Total Expenditures		\$1,191,356.20	
10% Sponsor Match Due		\$119,135.62	
Local Match Amount from Check ,6751,2073 Checks dated 8/5/24, 2/12/25		\$103,602.60	
AMOUNT DUE		\$15,533.02	

By signing below, I concur that the amount shown in the information above represents the Final Project Reconciliation of the costs for this Project subject to the match requirements of the Agreement. I agree that receipt of Payment from the SPONSOR , in the amount of \$ 15533.02 shall be the final transaction due under this Agreement. Furthermore, I accept that issuance of the balance due shall result in the status of this Agreement and the APMS Project being considered “Closed”.



STATE OF ARIZONA
Arizona Department of Transportation

DocuSigned by:
Carmen M. Rose
6A57D4CBCE43C
Carmen M. Rose State Airport Engineer
Aeronautics, Multimodal Planning Division

Jacob Allen
Airport Manager

5/13/2025
Date Signed

Date Signed

INVOICE

	Construction Vendor	Invoice #	Amount
01CE	CACTUS TRANSPORT INC	INV001514941	\$ 907,728.89
01CE	CACTUS TRANSPORT INC	INV001647569	\$ 100,858.76
02CE	CACTUS TRANSPORT INC	INV001514941	\$ 164,491.69
02CE	CACTUS TRANSPORT INC	INV001647569	\$ 18,276.86
Total Expenditures			\$ 1,191,356.20
	10% Sponsor Match Due		\$ 119,135.62
	Local Match Amount from Check ,6751,2073 Checks dated 8/5/24, 2/12/25		\$ 103,602.60
AMOUNT DUE			\$ 15,533.02

Certificate Of Completion

Envelope Id: 0C243AFF-BCB8-44E9-99E2-7CB0D7E04921

Status: Sent

Subject: Final Closeout for APMS E2P3K 01C & 02C, GRT-22-0008512-T, Show Low Regional

Source Envelope:

Document Pages: 3

Signatures: 1

Envelope Originator:

Certificate Pages: 5

Initials: 1

Carmen Rose

AutoNav: Enabled

206 S 17th Ave

Envelopeld Stamping: Enabled

Phoenix, AZ 85007

Time Zone: (UTC-07:00) Arizona

crose@azdot.gov

IP Address: 162.59.200.193

Record Tracking

Status: Original

Holder: Carmen Rose

Location: DocuSign

5/7/2025 8:04:36 AM

crose@azdot.gov

Signer Events

Signature

Timestamp

MPD Contracts

Initial

Sent: 5/7/2025 8:08:01 AM

MPDContracts@azdot.gov

Viewed: 5/8/2025 11:47:02 AM

Security Level: Email, Account Authentication
(None)

Signed: 5/8/2025 11:48:20 AM

Signature Adoption: Pre-selected Style

Using IP Address: 162.59.200.193

Electronic Record and Signature Disclosure:

Accepted: 5/8/2025 11:47:02 AM

ID: 1eb092e1-cdd9-4d95-b582-097911811079

ADOT Finance Inv_Ref

Completed

Sent: 5/8/2025 11:48:24 AM

paccounting@azdot.gov

Viewed: 5/8/2025 2:01:21 PM

Security Level: Email, Account Authentication
(None)

Signed: 5/9/2025 3:23:28 PM

Using IP Address: 162.59.200.193

Electronic Record and Signature Disclosure:

Accepted: 5/9/2025 3:20:07 PM

ID: 6fafdd0e-3e98-4b93-9c0c-bc3545129558

Carmen M. Rose

DocuSigned by:

6A57DAC8C8FE43C...

Sent: 5/9/2025 3:23:30 PM

CRose@azdot.gov

Viewed: 5/13/2025 10:16:08 AM

State Airport Engineer

Signed: 5/13/2025 10:22:18 AM

ADOT

Signature Adoption: Pre-selected Style

Security Level: Email, Account Authentication
(None)

Using IP Address: 162.59.200.193

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Jacob Allen

Sent: 5/13/2025 10:22:20 AM

jallen@showlowaz.gov

Viewed: 5/13/2025 12:21:30 PM

Airport Manager

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:

Accepted: 5/13/2025 12:21:30 PM

ID: 852e1c95-b47f-419f-8ab1-17ad65840f0d

ADOT Finance RcvFunds_DistributeFunds

paccounting@azdot.gov

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:

Signer Events	Signature	Timestamp
Accepted: 5/13/2025 7:58:38 AM ID: dc8a3f79-0c94-4028-911b-a7b8166f93d2 MPD Contracts Agreement Closeout MPDContracts@azdot.gov Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 5/8/2025 11:47:02 AM ID: 1eb092e1-cdd9-4d95-b582-097911811079 Project Accounting - Close Grant PAccounting@azdot.gov Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 5/13/2025 7:58:38 AM ID: dc8a3f79-0c94-4028-911b-a7b8166f93d2		
In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Jeffrey Webbe jwebbe@azdot.gov Airport Grants Manager ADOT Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 5/8/2025 11:48:23 AM
Tammy Martelle tammy.martelle@kimley-horn.com Grand Administrator Kimley-Horn Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 4/26/2022 1:53:57 PM ID: 702d5569-48d8-4425-a24a-852d3ad36fa3	COPIED	Sent: 5/8/2025 11:48:23 AM Viewed: 5/13/2025 6:36:42 AM
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/7/2025 8:08:01 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Arizona Dept of Transportation:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To advise Arizona Dept of Transportation of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at DocuSignRequest@azdot.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from Arizona Dept of Transportation

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to DocuSignRequest@azdot.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Arizona Dept of Transportation

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to DocuSignRequest@azdot.gov and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	•Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Arizona Dept of Transportation as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Arizona Dept of Transportation during the course of my relationship with you.

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Emergency Facilities and Land Use Agreement with United States Department of Agriculture Forest Service at Show Low Regional Airport (Jacob Allen)

RECOMMENDATION

I **MOVE** to approve the Emergency Facilities and Land Use Agreement with United States Department of Agriculture Forest Service at Show Low Regional Airport

BACKGROUND

United States Department of Agriculture (USDA) Forest Service in preparation of a potentially active fire season requested the use of some available space at the Show Low Regional Airport to provide a staging area for some of their firefighting equipment and vehicles. USDA also requested use of a fire hydrant and some office space in the Aircraft Rescue Fire Fighting (ARFF) building at the Airport. USDA would use the space temporarily and potentially into the month of September depending on the fire danger conditions and staff has suggested a rate of \$250 per day for the duration of the agreement.

A description of land/facilities to be used by the USDA Forest Service include: use of water, sewer, internet and electricity services inside the operations building, use of airport operations building restrooms, break room, and office space, use of hydrant and meter in front of 1400 North Airport Road, and parking behind building at 1400 North Airport Road.

Staff recommends approving the Emergency Facilities and Land Use Agreement with USDA Forest Service at Show Low Regional Airport in an amount not to exceed \$250 per day for the duration of the agreement.

ATTACHMENTS

1. USDA Forest Service Agreement and Map

FISCAL IMPACT

\$250.00 per day

EMERGENCY FACILITIES & LAND USE AGREEMENT

rev. 04/2025

INCIDENT AGENCY (name, address, phone number) USDA FOREST SERVICE AT INCIDENT MANAGEMENT SUPPORT BRANCH (AIMS) 26 FORT MISSOULA RD MISSOULA, MT 59804 POC: VERONIKA RANSFER 470-586-1644 VERONIKA.RANSFER@USDA.GOV		Page 1 of 3 AGREEMENT NUMBER MUST APPEAR ON ALL PAPERS RELATING TO THIS AGREEMENT AGREEMENT NUMBER: <u>1202RZ25K4048</u>	
OWNER (name, address, phone number-include day/night/cell) CITY OF SHOW LOW 3150 N Airport Loop Road Show Low, AZ 85901 POINT OF CONTACT (if applicable): Jacob Allen, Cell 928-532-4192 EMAIL: jallen@showlowaz.gov PAYMENT ADDRESS: ☐ Same as above, or _____ UEI: DBBNGDJMYNC5 REGISTERED IN SAM.GOV: ☒ Yes or ☐ No, Vendor Code Information Worksheet attached EIN/SSN (only if not in SAM): _____ County: _____ State: <u>AZ</u> Township: _____ Range: _____ Section: _____		EFFECTIVE DATES a. beginning: <u>05/08/2025</u> b. ending: <u>END OF INCIDENT</u> INCIDENT NAME: <u>2025 AZ-ASF Large Fire Support</u> INCIDENT NUMBER: <u>AZ-ASF-000002</u> RESOURCE ORDER NUMBER: <u>S-6</u>	
TYPE OF CONTRACTOR ("X" APPROPRIATE BOXES): ☐ SMALL BUSINESS ☐ LARGE BUSINESS ☐ SMALL DISADVANTAGED OWNED ☐ WOMEN OWNED ☐ HUBZONE ☐ SERVICE DISABLED VETERAN ☐ PUBLIC ENTITY ☒ GOVERNMENT ☐ OTHER			
The owner of the property described herein, or the duly appointed representative of the owner, agrees to furnish the land/facilities for use as <u>STAGING</u> .			
DESCRIPTION OF LAND/FACILITIES: Address or specific location. If street or highway address is unavailable, use distance from nearest city, crossroads, or other significant landmark. The local description of how to get to the land/facilities is also acceptable. (attach separate sheet if more space is necessary)			
LOCATION: SHOW LOW REGIONAL AIRPORT 3100 AIRPORT LOOP SHOW LOW, AZ 85901 DESCRIPTION: USE OF WATER, SEWER, INTERNET AND ELECTRICITY SERVICES INSIDE OPERATIONS BUILDING. USE OF AIRPORT OPERATIONS BUILDING RESTROOMS, BREAK ROOM, AND OFFICE SPACE. USE OF HYDRANT AND METER IN FRONT OF 1400 NORTH AIRPORT RD, SHOW LOW, AZ, 85901. PARKING BEHIND BUILDING AT 1400 NORTH AIRPORT RD, SHOW LOW, AZ, 85901. SEE PHOTOS ATTACHED.			
RATE: For each day that the land/facilities are used, the Government will pay the rate of <u>or as indicated below</u> . Ordinary wear and tear is included in the rate. The minimum amount guaranteed to be paid under this agreement shall be <u>\$0.00</u> , regardless of the length of use. The maximum amount to be paid under this agreement shall not exceed <u>\$250,000.00</u> . Payment shall be in accordance with the incident Agency payment procedures. Rate breakout: <u>\$250 DAILY</u>			
Note: All restoration details are outlined on page 2 of this agreement.			
UTILITIES AND SERVICES: ☒ The above rate includes utility charges for the following: ☐ DIESEL ☐ GAS ☒ ELECTRICITY ☒ WATER ☐ TOILET SUPPLIES ☐ JANITORIAL SERVICES & SUPPLIES ☐ TRASH REMOVAL ☐ SEPTIC SERVICE ☐ EXISTING TELECOMMUNICATIONS ☐ The above rate excludes utility charges. The Government will pay to the owner the sum determined due by the Contracting Officer based on: _____.			

RESTORATION: Restoration beyond ordinary wear and tear.

☐ Restoration costs have been pre-negotiated. The Government restoration of land/facilities includes:

☐ Work to be performed: _____
OR

☐ A one-time payment of _____ to cover the restoration associated with this agreement.

☒ No restoration costs have been pre-negotiated for this agreement. Restoration above ordinary wear and tear and associated with the performance of the agreement will be assessed upon completion of the agreement. Request for restoration shall be submitted in writing to the contracting officer.

ALTERATIONS: The Government may make alterations, attach fixtures or signs, erect temporary structures in or upon the land/facilities, install temporary culverts, trenching for utilities, which shall be the property of the Government. Alterations will be removed by the Government after the termination of the emergency use, unless otherwise agreed.

ORAL STATEMENTS: Oral statements or commitments supplementary or contrary to any provisions of this Agreement shall not be considered as modifying or affecting the provisions of this Agreement.

ORDINARY WEAR AND TEAR: Ordinary wear and tear is based on the customary use of the land/facilities, and not the use resulting from the incident.

CONDITION REPORTS: A joint pre and post-use physical inspection report of the land/facilities shall be made and signed by the parties; the purpose of the inspections shall be to reflect the existing site condition.

OTHER: Describe in detail: N/A.

TERMS AND CONDITIONS: See attachment.

INSURANCE/ INDEMINIFICATION: The United States Federal Government is self-insured and does not have the authority to indemnify and hold harmless the CITY OF SHOW LOW, from any and all claims, liabilities, losses, damages, charges, etc. The CITY OF SHOW LOW does not have the authority to indemnify and hold harmless the United States Federal Government from any and all claims, liabilities, losses, damages, charges etc. The CITY OF SHOW LOW will be responsible for errors, omissions and negligence of its employees. The United States Federal Government will be responsible for errors, omissions and negligence of its employees to the extent provided by Congress under the Federal Tort Claims Act [28 U.S.C. 1346(b), 2401(b), 2671-2680, as amended by P.L. 89-506, 80-Stat. 306].

CHECKLIST(s): See attachment. Fill in the following drawing showing the land/facilities under agreement. Include buildings, roads, paved areas, utility lines, fences, ditches, landscaping and any other physical features which help describe the area.

FEDERAL ACQUISITION REGULATION CLAUSES:

FAR 52.252-2 Clauses Incorporated by Reference (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es): www.acquisition.gov/

FAR 52.213-4 Terms and Conditions -- Simplified Acquisitions (Other Than Commercial Items) (JAN 2025)(DEVIATION FEB 2025)

FAR 52.222-3 Convict Labor (June 2003)

FAR 52.232-1 Payments (APR 1984)

FAR 52.232-11 Extras (APR 1984)

FAR 52.232-17 Interest (MAY 2014)

FAR 52.232-25 Prompt Payment (JAN 2017)

FAR 52.233-1 Disputes (MAY 2014) ALT I (DEC 1991)

FAR 52.243-1 Changes—Fixed Price (AUG 1987)ALT I(APR 1984)

Loss, Damage or Destruction: The Government will assume liability for the loss, damage, or destruction of facilities furnished under this Agreement, provided that no reimbursement will be made for loss, damage, or destruction when due to (1) ordinary wear and tear or (2) the fault or negligence of the owner or the owner's agent(s).

OWNER / OWNER'S AGENT SIGNATURE:	DATE:	CONTRACTING OFFICER'S SIGNATURE:	DATE:
PRINT NAME AND TITLE:		PRINT NAME AND TITLE:	
PHONE NUMBER:		ANNIE PROUT-GARCIA	
EMAIL:		CONTRACTING OFFICER	
		PHONE NUMBER: 530-559-4151	
		EMAIL: ANNIE.PROUT-GARCIA@USDA.GOV	

ATTACHMENT 1

PRE-USE INSPECTION: Description or photos/ condition immediately prior the Government's occupancy. Refer to attached checklist.

[illegible]

OWNER / OWNER'S AGENT SIGNATURE:

DATE: _____

GOVERNMENT AGENT/ EMPLOYEE'S SIGNATURE:

DATE: _____

PRINT NAME AND TITLE:

PRINT NAME AND TITLE:

POST-USE INSPECTION: Description of photos/ condition immediately following the Government's occupancy. To include all modification added areas.

[illegible]☐ NO DAMAGE NO CLAIMS

Requested Amount Due for Damage \$_____

Invoice Amount \$_____

TOTAL AMOUNT DUE to Vendor \$

RELEASE OF CLAIMS STATEMENT: Contract release for and in consideration of receipt of payment in the amount shown in 'total amount due'. Contractor hereby releases the Government from any and all claims arising under this agreement except as reserved in remarks.

REMARKS:

OWNER / OWNER'S AGENT SIGNATURE:

DATE:

GOVERNMENT AGENT/ EMPLOYEE'S SIGNATURE:

DATE:

PRINT NAME AND TITLE:

PRINT NAME AND TITLE:









RESOURCE ORDER		Initial Date/Time		2.Incident / Project Name				3. Incident / Project		Financial Codes	
SUPPLY		01-03-2025 2110 PNT		2025 AZ-ASF Large Fire Support				AZ-ASF-000002		P3EK4U25 - 0301 [P]	
5. Descriptive Location 2025 AZ-ASF Large Fire Support AZ-ASF-000002		6. TWN		RNG		SEC		Base MDM		4. Office Reference Number	
										000002	
										8. Incident Base / Phone Number	
								24 Hour Phone AZ-SDC 928-333-6360		9. Jurisdiction / Agency	
								Fax (928) 333-5966		Apache-Sitgreaves National Forest	
								E-Mail azsdc@firenet.gov		10. Ordering Office	
								Main Incoming (928) 333-6360		Springerville Interagency Dispatch Center	
LAT. 34° 01' 54" N		LONG. 109° 20' 12" W									
11. Aircraft Information											
Bearing		Distance		VOR		Contact Name		Frequency Type		Assigned Frequency	
NaN°		3952		NL						Reload Base	
NaN°		3953		ZYT							
NaN°		3955		YYT							
12.											
Request Number		Ordered Date/Time		From		To		Qty		Resource Requested	
S-6		2025-05-06 1121 MST		24 Hour Phone AZ-SDC 928-333-6360		AZ-SDC		1		Service - Conference/ Meeting Room Rental	
										Deliver To	
										2025 AZ-ASF Large Fire Support AZ-ASF-000002	
										Needed Date/Time	
										2025-05-08 1200 MST	
										To Unit	
										AZ-SDC	
										Assigned Date/Time	
										Invalid date	
										Resource Assigned Unit ID	
										Pending	
										M/D Ind	
										FILLED BY THE CITY OF SHOW LOW AG# 1202RZ25K4048	
										Estimated Time Of Departure	
										Estimated Time Of Arrival	
										Released Date	
										Released To	
Travel Mode		Financial Code		Named Request		Special Needs		Navigation/Reporting Instructions			
G		P3EK4U25 - 0301				3100 Airport Loop, Show Low, AZ 85901, Show Low Regional Airport. Airport Operations Building restrooms, break room and office space. See attached map and pictures. Hydrant and meter in front of 1400 North Airport RD, Show Low AZ 85901 and parking behind same building. City of Show low water, sewer, Internet & electricity services provided inside the operations building.		Incident Jetport(s): ABQ*			
13. User Documentation											
Req. No.		Documentation								Entered By	

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, MAY 6, 2025, AT 7:00 PM IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. Call to Order.

Mayor Leech called the meeting to order at 7:00 p.m.

2. Roll Call.

COUNCIL MEMBERS PRESENT: Mayor Leech, Vice Mayor Kakavas, Councilman Adams, Councilman Clark, Councilman Hatch, Councilman Judd, and Councilman Whipple.

COUNCIL MEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: F. Morgan Brown, City Manager; Anna Atencio, City Attorney; Justin Johnson, Deputy City Manager; Brad Provost, Police Chief; Justen Tregaskes, Planning and Zoning Director; Bill Kopp, Public Works Director; Shane Hemesath, City Engineer; Rick Austin, Public Works Operations Manager; Jay Brimhall, Community Services Director; Mike Mariscal, incoming Community Services Director; Lisa Robertson, Grants and Transit Manager; Shannon Adams, Grants Coordinator; and Rachael Hall, City Clerk.

GUESTS: Brian McClaskey, Don Walters, James Ingbretson, Jim Hammett, Doug Roberts, and others.

3. Invocation.

Councilman Clark gave the invocation.

4. Pledge of Allegiance.

Vice Mayor Kakavas led the Council and audience in the pledge of allegiance.

5. **CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that is within the jurisdiction of the City Council may do so at this time. Comments shall be limited to three minutes per person and shall be addressed to the City Council as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the City Council. Pursuant to the Arizona Open Meeting Law, the City Council cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual City Council members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

Doug Roberts said the Cruz'n Down the Deuce would be held June 6, and the Cruz'n the Rim Car Show would be held July 7, 2025, at Frontier Park.

6. **SPECIAL EVENTS:**

A. Recognition of Outgoing Planning and Zoning Commissioner

Mr. Tregaskes said Doug Roberts served on the Planning and Zoning Commission for six years, most recently as Vice Chair, and was a great asset to the Commission.

Mayor Leech presented a certificate to outgoing Planning and Zoning Commission member Doug Roberts and thanked him for his service.

Mr. Roberts said he enjoyed the time he served on the Commission and making an impact on the community.

B. White Mountain Advisory Group Proposed Workforce Housing Project Presentation

Jim Hammett with the White Mountain Advisory Group said the Concord Group conducted a project market study, updating previous findings and confirming that housing demand trends had worsened since the presentation of the Matrix report. He said Ironside Engineering did the preliminary engineering. Lusk Contracting and Zenni Homes provided the preliminary construction estimates, the Pinyon Group provided the financial analysis, and Sustainability Partners did the financial underwriting.

Mr. Hammett said the four key factors driving demand were turnover - people leaving due to a lack of housing, aging inventory, population growth, and increases in employment. He said the study found a need for approximately 940 workforce units for households earning between 60% and 120% of the area median income (AMI). When including up to 150% AMI, the need increased by another 120 units, totaling over 1,000. Additionally, due to supply constraints, there was a significant annual rental rate increase of 9% over the last five years, indicating a strained and increasingly unaffordable market.

Mr. Hammett said they studied three avenues for financing: private financing, municipal bonds, and Sustainability Partners. Private financing would require \$18 million in equity to secure a 60% construction loan, making it unattractive to private investors due to insufficient returns. He said private equity typically wanted about 15% returns, which this project could not provide.

Mr. Hammett said municipal bonds would result in a \$5 million net asset value and \$2 million in cash flow, totaling a \$7.4 million return, but placed all development risk and debt on the City's balance sheet, potentially limiting other projects. He said that Sustainability Partners offered the highest return on cost and a residual value of over \$6 million, with no development risk to the City, as they assumed all development risk and the project would be off the City's balance sheet. Sustainability Partners was the most efficient and least risky option for the City, providing the highest return on cost and removing the development risk from the City.

Mr. Hammett said private financing would yield a 5.66% return on cost, municipal bonds 5.45%, and Sustainability Partners 6.06%. At year ten, the asset value was projected to be \$7.38 million with Sustainability Partners and \$5.31 million with municipal bonds. The City would gain all appreciation, and in the future, could sell or refinance the project. The cash flow generated under the municipal bond scenario could help subsidize expanded housing programs, but the City would bear all risk. Under Sustainability Partners, the City received a strong financial position with minimal risk and retained flexibility over rental ranges.

Mr. Hammett said the risks identified included market risk - over 1,000 units needed in five years and pent-up demand due to lack of multifamily projects of scale, construction risk - material pricing volatility, cost overruns, unforeseen conditions, operational risk - maintaining occupancy, maintenance, and lifecycle costs, and the risk of no action - which would exacerbate existing shortages and affordability issues. Sustainability Partners would assume all development risk, but operational and market risks remain relevant.

Mr. Hammett said at the next meeting that project approval would be requested, along with approval of the development services agreement and engagement of Sustainability Partners to fund the project using their Infrastructure as a Service model. Plans included partnering with local institutions and employers and developing and implementing a community outreach program. He said the affordability criteria needed to be established. The modeled rent range was from 80% to 150% AMI, with eligibility extended up to 200% AMI for dual-income families, ensuring they were not penalized for having two wage earners.

Councilman Clark asked whether Sustainability Partners was a sole-source provider of this type of service or if a formal Request for Proposal process was required to comply with the procurement code. Mr. Hammett said that Sustainability Partners was the only funder of this type that he was aware of and could be considered a sole source because no other entity offered this specific funding model. He said the arrangement would not involve City property or funds directly, which was a differentiating aspect of the City's procurement code.

Councilman Clark expressed hesitancy regarding this project and the risks involved. He asked why private equity would not invest despite a projected equity of \$7.38 million in year ten. Mr. Hammett clarified that private investors would avoid the initial entrepreneurial risk of a restrained revenue project but might be interested in a stabilized project after positive cash flow was established after year six. He said that a restrained revenue project limited the City as to what the rents could be, but under the Sustainability Partners model, the City would retain control over rental ranges and could adjust to market conditions.

Councilman Judd asked why the original total development cost was \$44

million, and after ten years, the remaining debt was only reduced to \$43 million. Mr. Hammett said that was because the project would run at a deficit for the first six years due to construction costs and the limited range of rents that could be charged. Positive cash flow was projected to begin in year six, after which the project generates revenue and asset appreciation for the City.

Vice Mayor Kakavas asked what the incentive was for Sustainability Partners to take on the risk of this project. Mr. Hammett said that infrastructure was their business. They had large institutional investors who looked for opportunities to invest money long term, and they had the expertise to control risk.

Mayor Leech asked if the City was ready to move to the next step of signing a contract. Mr. Brown said the staff was working on it; there were some legal issues to work through.

Councilman Clark asked if Mr. Hammett had reached out to other government entities and employers in the area regarding this project. Mr. Hammett said outreach was conducted with the hospital, and they were interested in sub-leasing units. The Show Low School District could not guarantee participation but identified 25 to 30 employees who needed housing. A presentation was also provided to Northland Pioneer College but needed to be revisited. The Town Manager of the Town of Pinetop-Lakeside expressed interest in participating.

Councilman Clark asked if the hospital's participation would involve leasing units or if they were interested in assuming the same risk the City was in building the project. Mr. Hammett said the City was not assuming the risk; Sustainability Partners was assuming all of the risk.

Councilman Clark said he was concerned that the City would assume full financial responsibility for the \$44 million project if the agreement with Sustainability Partners was terminated. Mr. Hammett said the City would have the opportunity to refinance the project.

Councilman Clark said he was concerned that there was no market demand to pay market-rate prices, and that the City would have to subsidize the rents if the project were refinanced. Entities were interested in leasing at reduced rates but unwilling to pay full market rates. No other employer in the area would have that risk. Mr. Hammett said the study focused on the demand for workforce housing within a specific AMI band, but if rental restrictions were lifted, there was also a need for market-rate units.

Councilman Clark expressed concerns about the newness of the Sustainability Partners model and the lack of precedent for this approach elsewhere in the country, raising uncertainty about project outcomes and the City's exposure if the model did not perform as expected. Mr. Hammett said the contract included a provision for asset transfer to the City for \$1 if Sustainability Partners failed or went bankrupt, providing an exit strategy and some risk mitigation.

Councilman Clark said there was still a lot the City did not know about this project, and while there were entities in the community that wanted workforce housing, they wanted to be partners from afar and did not want to assume any risk. He said at this point, he did not feel comfortable saying yes to this project.

7. **CONSENT CALENDAR:**

- A. Proclamation by the Mayor Proclaiming May 1 through 7, 2025, as **Youth Week** in the City of Show Low (Rachael Hall)
- B. Proclamation by the Mayor Proclaiming May 18 through 25, 2025, as **Public Works Week** in the City of Show Low (Rick Austin)
- C. Consideration of Acceptance of Well 5 Emergency Repairs, City of Show Low Project No. W-1821 JO7 (Rick Austin)
- D. Consideration of Award to Purchase New Public Works Maintenance Van (Shane Hemesath)
- E. Consideration of Minutes of Show Low City Council meetings:
 - 1. Study Session of April 15, 2025
 - 2. Regular Meeting of April 15, 2025

VICE MAYOR KAKAVAS MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY COUNCILMAN JUDD; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

Ms. Hall read the Youth Week Proclamation aloud.

Mayor Leach presented the Proclamation to the Elks Lodge. Council members thanked the Elks Lodge for everything they did for the community.

Ms. Hall read the Public Works Week Proclamations aloud.

Mayor Leech thanked the Public Works employees for everything they did for the community.

8. **NEW BUSINESS:**

- A. Consideration of Award of Construction Contract for City of Show Low Slurry Seal 2025, City of Show Low Project No. R-8625 (Shane Hemesath)

Mr. Hemesath said the 2025 Capital Improvement Plan included funding for the 2025 annual slurry seal project. The City's pavement preservation plan included

a minimum maintenance of crack-filling, patching, and resurfacing every City street and parking lot with a slurry seal every six years. City crews were crack-filling and patching repairs for the areas identified for slurry sealing this year.

Mr. Hemesath said rehabilitation included furnishing all labor, equipment, and materials required to place approximately 275,000 square yards of type II polymer-modified asphalt slurry seal on selected City streets, as well as replacing the pavement markings for the roadways after the slurry seal placement.

Mr. Hemesath said the engineer's construction cost estimate was \$550,000.00. The invitation to bid was published as required, and sealed bids were opened publicly, with the following results:

<u>Contractor</u>	<u>Total Bid</u>
American Pavement Preservation	\$497,605.00
Lejas Corporation	\$626,875.00
VSS International	\$780,120.00

Mr. Hemesath said staff recommended awarding the 2025 Slurry Seal Project, City of Show Low Project No. R-8625, to American Pavement Preservation, in an amount not to exceed \$497,605.00.

Mayor Leech asked if the roads would be stripped later or if it was part of the slurry seal project. Mr. Hemesath said stripping was part of the slurry seal project. After putting down the slurry seal, the contractor was responsible for subcontracting the stripping.

Councilman Judd asked if the total amount of roadway receiving slurry seal was equal each year. Mr. Hemesath said most years were pretty equal, but the year that included all the trails differed.

Councilman Judd asked if the slurry seal price was comparable from year to year. Mr. Hemesath said the price had risen constantly from year to year. This was the first year the price was slightly lower than the previous year.

COUNCILMAN CLARK MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITY OF SHOW LOW SLURRY SEAL 2025, CITY OF SHOW LOW PROJECT NO. R-8625 TO AMERICAN PAVEMENT PRESERVATION IN AN AMOUNT NOT TO EXCEED \$497,605.00; SECONDED BY COUNCILMAN HATCH; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- B. Consideration of Award of Construction Contract for Citywide Roadway Improvements 2025, City of Show Low Project No. R-5025 (Shane Hemesath)

Mr. Hemesath said the 2025 Capital Improvement Plan included \$750,000.00 in funding for a roadway improvement project labeled Golf & Country Club Subdivision. The City also identified South Ridge Crest Drive needing roadway improvements this year. He said the scope of the work would consist of pulverization/removal of approximately 24,000 square yards of existing asphalt roadway, subgrade preparation and compaction, reshaping the roadway grade, installing new three-inch asphalt pavement overlay, adjusting water valves and manholes, and other items necessary for the accomplishment of the improvements. This work would take place on portions of South Ridge Crest Drive, West Country Club Drive, West Cooley, North 34th Drive, and West Country Club Circle.

Mr. Hemesath said the engineer's construction cost estimate was \$890,000.00. The invitation to bid was published as required, and sealed bids were opened publicly, with the following results:

<u>Contractor</u>	<u>Total Bid</u>
Surface Contracting, Inc.	\$979,550.00
Perkins Cinders, Inc.	\$987,176.23

Mr. Hemesath said staff recommended awarding the Citywide Roadway Improvements 2025, City of Show Low Project No. R-5025, to Surface Contracting, Inc. in an amount not to exceed \$979,550.00 and authorizing the associated budget transfers.

Mayor Leech asked about the difference between the construction estimate and the actual bid totals received. Mr. Hemesath said the bid was based on past pricing, and while there was a good showing at the pre-bid meeting, the City only received two bids.

Mayor Leech asked if the contractors knew the City's cost estimate. Mr. Hemesath said yes, the contractors were aware of the cost estimate.

Mayor Leech asked where the roadway was located, which was not part of the main project shown on the map. Mr. Hemesath said that the area was a small cul-de-sac development at the top of Sierra Pines, but not part of the Sierra Pines development.

COUNCILMAN WHIPPLE MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE CITYWIDE ROADWAY IMPROVEMENTS 2025, CITY OF SHOW LOW PROJECT NO. R-5025 TO SURFACE CONTRACTING, INC. IN AN AMOUNT NOT TO EXCEED \$979,550.00 AND AUTHORIZE THE ASSOCIATED BUDGET TRANSFERS; SECONDED BY COUNCILMAN HATCH; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- C. Consideration of Award of Construction Contract for Downtown Parking Lot, City of Show Low Project No. R-6624 (Shane Hemesath)

Mr. Hemesath said the 2025 Capital Improvement Plan included \$600,000.00 in funding for a Parking Lot improvement project, Downtown Parking Lot – Woody’s East of Library. The scope of the work consisted of constructing a parking lot located at the southwest corner of North 11th Street and East Hall next to the City Library. The parking lot improvements included asphalt for 57 parking stalls, installation of sidewalk, ADA sidewalk ramps, irrigation conduit, electrical conduit with parking lot lights, and necessary drainage improvements required by the improvements. The work also included the installation of streetscape improvements along the west side of North 11th Street between East Hall and East Huning.

Mr. Hemesath said the project was designed by City engineering staff with an engineer’s construction cost estimate of \$550,000.00. The invitation to bid was published as required, and sealed bids were opened publicly, with the following results:

<u>Contractor</u>	<u>Total Bid</u>
McCauley Construction LLC	\$511,085.00
Western Grade LLC	\$515,286.98
Gunner Contracting	\$595,307.00
Lejas Corporation	\$613,489.25
Central Arizona Civil Construction	\$619,693.00
Perkins Cinders, Inc	\$640,933.43

Mr. Hemesath said staff recommended awarding the Downtown Parking Lot, City of Show Low Project No. R-6624, to McCauley Construction LLC, Inc., in an amount not to exceed \$511,085.00.

Councilman Clark asked if the City had used McCauley Construction for other projects. Mr. Hemesath said yes, McCauley Construction did the streetscape improvements in front of The House and set the box culvert for Whipple Wash.

COUNCILMAN JUDD MOVED TO AWARD THE CONSTRUCTION CONTRACT FOR THE DOWNTOWN PARKING LOT, CITY OF SHOW LOW, PROJECT NO. R-6624, TO MCCAULEY CONSTRUCTION LLC, INC., IN AN AMOUNT NOT TO EXCEED \$511,085.00; SECONDED BY COUNCILMAN WHIPPLE; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- D. Consideration of Award of Construction Contract for Show Low Public Works Building Design Build, City of Show Low Project No. FM-0125 (Bill Kopp)

Mr. Kopp said at its regular meeting on August 6, 2024, the City Council approved the pre-construction contract to design a building to house the Public Works Operations staff. The building would accommodate up to 70 employees. The building would have offices, cubicles, a kitchen/break room, restrooms, showers, lockers, an assembly room, a computer lab/study room, a public foyer, a file storage/copier room, and other spaces identified during the design process.

Mr. Kopp said the project delivery method was Design-Build, which was a qualifications-based selection process. Two contracts were needed for the design-build process: Pre-construction and Construction. The design was complete, and the contractor, LD&B, LLC, presented a Guaranteed Maximum Price.

Mr. Kopp said staff recommended approving the construction contract for Show Low Public Works Building Design Build, City of Show Low Project No. FM-0125, to LD&B, LLC with a Guaranteed Maximum Price of \$2,306,904.43.

Councilman Clark asked staff if the building would be sufficient for the future needs of the public works crew. Mr. Kopp said that 46 employees used that building now, and only seven employees have been added in the last ten years. The building was designed to hold 70 people, so with the slow staffing growth rate, there were quite a few years to grow into the new building. Mr. Hemesath, the building grew during the design phase to make sure the building would accommodate growth over the next 25 years.

COUNCILMAN CLARK MOVED TO APPROVE THE CONSTRUCTION CONTRACT FOR THE SHOW LOW PUBLIC WORKS BUILDING DESIGN-BUILD, CITY OF SHOW LOW PROJECT NO. FM-0125, TO LD&B, LLC IN AN AMOUNT NOT TO EXCEED \$2,306,904.43; SECONDED BY COUNCILMAN ADAMS; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

- E. Consideration of Approval of Contract for Reidhead House Restoration, Adobe and Plaster Repair, City of Show Low Project No. FM-5225 2.0 (Bill Kopp)

Mr. Kopp said the Reidhead House, constructed in 1912, was the last standing residential structure of this period in Show Low. It was an original homestead built by the Reidhead family, one of the City's founders, and was continuously occupied until it was acquired in October 2021. It was acquired to preserve this historic home and its unique characteristics for future generations. Upon completion of the renovation, the home would be open for public tours facilitated by the Show Low Museum.

Mr. Kopp said repairs were made to the foundation. Measures were taken to protect the foundation from water infiltration, which included replacing rain

gutters and re-routing flood irrigation away from the building. The City applied for and received grant funding to start restoring the building.

Mr. Kopp said the City prepared a Request for Qualifications and selected Motley Design Group LLC to develop a Historic Building Preservation Plan and assess the structure to determine eligibility for nomination to the National Register.

Mr. Kopp said Motley prepared a Building Condition Assessment. The report included three categories of improvements: Critical, Serious, and Minor. Staff presented the report with the architect's recommendations to the City Council at a study session on March 5, 2024. The City Council directed staff to move forward with the critical priority work items. The work included repairing cracks in the adobe walls, foundations, and brick wall. The work also included repairing plaster, adjusting door and window frames, re-installing pine plank floors, and re-installing plumbing and wiring to code. The City's budget for this work was \$375,000.00.

Mr. Kopp said in January 2025, staff advertised the Reidhead House Restoration, City of Show Low Project No. FM-5225. Two bids were received on February 21, 2025. Both bids exceeded the City's budget. Staff recommended rejecting all bids, and the City Council approved the action.

Mr. Kopp said that as a result, staff reduced the scope to only include the repairs to the adobe and plaster. On April 23, 2025, the project was publicly bid per statutory requirements.

Mr. Kopp said three bids were received.

<u>Contractor</u>	<u>Bid Total</u>
Lejas Corporation	\$251,900.00
G&G Specialty Contractors	\$268,449.00
Kaptive Construction and Renovation	\$334,992.01

Mr. Kopp said staff recommended awarding the contract to Lejas Corporation for the Reidhead House Restoration, Adobe and Plaster Repair, City of Show Low Project No. FM-5225 2.0 in an amount not to exceed \$251,900.00.

COUNCILMAN CLARK MOVED TO AWARD THE CONTRACT TO LEJAS CORPORATION FOR THE REIDHEAD HOUSE RESTORATION, ADOBE AND PLASTER REPAIR, CITY OF SHOW LOW PROJECT NO. FM-5225 2.0 IN AN AMOUNT NOT TO EXCEED \$251,900.00; SECONDED BY COUNCILMAN JUDD; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Adams said Show Low High School was sending 36 kids to compete in the State Track meet this weekend.

B. Mayor

Mayor Leech thanked the City staff for all their hard work for the City Anniversary celebration and the Barbecue Throwdown.

C. City Manager

Mr. Brown said the Show Low Main Street's weekly Saturday Farmers Market and Art Walk would start on May 10, 2025, at Festival Marketplace. The market would run through September 20, 2025. Vendors were selling produce, food products, and arts and crafts.

Mr. Brown said there would be a Community Ceremony for National Police Week on May 15, 2025, at the Law Enforcement Memorial next to City Hall.

Mr. Brown said the first annual Show Low Junior Rodeo was scheduled for June 6 and 7 at Linden Valley Arena. Competitor registration opened on May 12 and would close on May 31.

Mr. Brown said the City's annual Project Clean Sweep would kick off next week. Show Low residents could dump green waste for free for two weeks at Dirty Deeds Green Waste, from May 12 to May 17, and again from May 19 to May 24. Bulk item pickup would begin on June 2 and continue through June 6. He said citizens could also haul debris for free to the Lone Pine Transfer Station from June 2 through June 7.

10. **SCHEDULE OF MEETINGS:**

Scheduling of meetings, which may be brought up at this time.

Mr. Brown said the City Council would fill backpacks for the White Mountain Backpack Snacks organization on May 12, at 6:00 p.m. at the Blue Ridge High School Campus.

COUNCILMAN HATCH MOVED TO RECESS INTO EXECUTIVE SESSION TO DISCUSS A.P. NO. 210-23-009E; SECONDED BY COUNCILMAN CLARK; PASSED 7 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN HATCH, COUNCILMAN JUDD, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

The Show Low City Council recessed into Executive Session at 8:15 p.m.

11. **EXECUTIVE SESSION:**

- A. Confidentiality Statement.
- B. Discussion or consultation for legal advice with the attorney or attorneys of the public body or with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale, or lease of real property pursuant to A.R.S. Sections 38-431.03(A)(3) and 38-431.03(A)(7).

(1) A.P. No. 210-23-009E.

- C. Discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. Pursuant to A.R.S. Section 38-431.03(A)(2)

1. Executive Session Minutes of March 18, 2025

12. **POST EXECUTIVE SESSION:**

- A. Consideration of any item on the Executive Session portion of this agenda which the Council may wish to take action upon in Open Session.
- 1. Consideration of Approval of the Minutes of the Executive Session of the Show Low City Council held on March 18, 2025.

The Show Low City Council reconvened to Open Session at 8:30 p.m.

COUNCILMAN CLARK MOVED TO APPROVE THE MINUTES OF THE EXECUTIVE SESSION OF THE SHOW LOW CITY COUNCIL HELD ON MARCH 18, 2025; SECONDED BY COUNCILMAN ADAMS; PASSED 7 TO 0 WITH MAYOR LEECH, AND COUNCILMAN ADAMS, COUNCILMAN CLARK, COUNCILMAN JUDD, COUNCILMAN HATCH, AND COUNCILMAN WHIPPLE VOTING IN FAVOR.

13. **ADJOURNMENT:**

There being no further business to be brought before the Council, **MAYOR LEECH ADJOURNED THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL OF MAY 6, 2025, AT 8:31 P.M.**

ATTEST:

APPROVED:

Rachael Hall, City Clerk

John Leech, Jr., Mayor

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Show Low held on May 6, 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

(SEAL)

Rachael Hall, City Clerk

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Application Submitted by Dana Gail Foster for Permanent Extension of Premises/Patio Permit for Buffalo Nickel Brewery + Grill at 402 North Clark Road, Show Low, Arizona (Rachael Hall)

RECOMMENDATION

I **MOVE** to recommend **approval** to the State Liquor Board of the application submitted by Dana Gail Foster, on behalf of Buffalo Nickel Brewery + Grill, for a permanent extension of its premises.

– OR –

I **MOVE** to recommend **denial** to the State Liquor Board of the application submitted by Dana Gail Foster, on behalf of Buffalo Nickel Brewery + Grill, for a permanent extension of its premises, **stating the reasons for denial**.

BACKGROUND

Dana Gail Foster submitted an application on behalf of Buffalo Nickel Brewery + Grill, located at 402 North Clark Road, for a permanent extension of its premises. The Buffalo Nickel Brewery + Grill currently holds a #6 Bar liquor license, which allows for the sale and on-site consumption of beer, wine, and spirituous liquors, as well as limited off-sale (to-go) privileges. The applicant seeks to permanently extend the licensed premises to include the nearby Buffalo Bills Tavern and Museum. The intent is to allow the seamless movement of alcohol and customers between both locations under a single liquor license. This shared license arrangement is intended to support: operational flexibility, improved customer service, and simplified logistics for staff and inventory management.

Buffalo Bills Tavern and Museum currently holds a #12 Restaurant liquor license, which allows the sale of beer, wine, and spirits for consumption on the licensed premises. The applicant has expressed their desire to surrender their #12 Restaurant liquor license if the permanent extension of premises is approved. The two establishments are under common ownership/management and are in close proximity, with no public or vehicular barriers that would prevent safe and controlled transfer of alcohol between venues. As required by state statutes, the Buffalo Nickel Brewery + Grill must apply for a Permanent Extension of Premises/Patio Permit from the Department of Liquor Licenses and Control, with approval from the City Council. Also as required by statute, the application must include a diagram showing the proposed physical alteration of its licensed premises, which has been attached.

The Show Low Police Department conducted a background check on the applicant and found nothing amiss. The Department of Liquor Licenses and Control conducts its own internal investigations and background checks. Based on the investigator's findings and the recommendation of the City Council, the State Liquor Board will decide whether to approve or

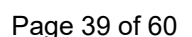
deny the application. Note that if the City Council chooses to recommend denial of the application, the motion must state the reasons for the denial.

ATTACHMENTS

1. Buffalo Nickel Brewery + Grill Permanent Extension of Premises Application
2. Buffalo Nickel Brewery + Grill Aerial Map

FISCAL IMPACT

N/A



12. **IMPORTANT:** Attach the revised floor plan, clearly depicting your licensed premises along with the new extended area outlined in black marker or ink, **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:

- ☐ Approval ☐ Disapproval by DLLC: _____

SIGNATURE

Declaration:

I, (Print Name) Dana Gail Foster, 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.

Dana Gail Foster
Signature

GOVERNING BOARD

After completion, and **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

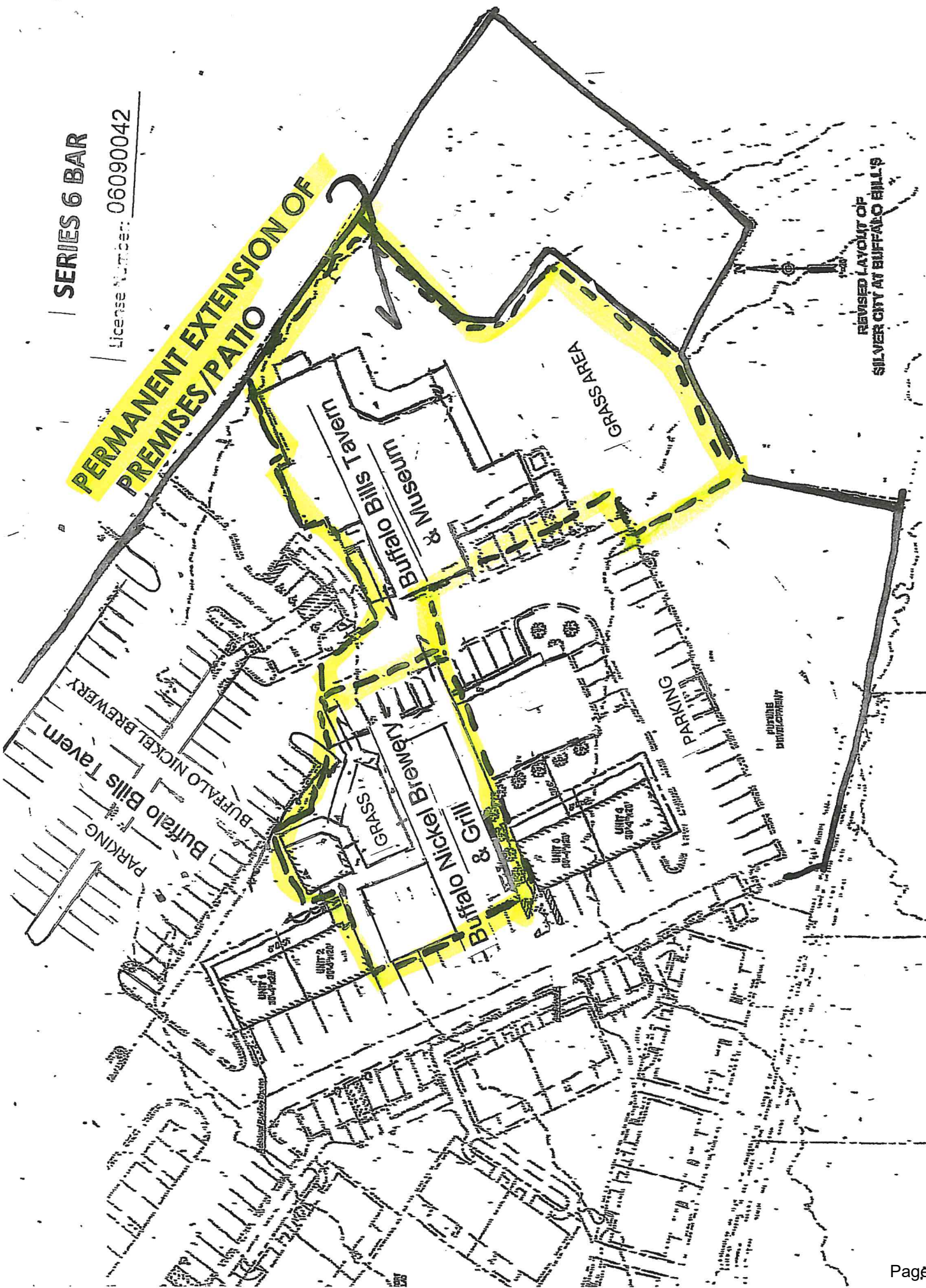
Investigation Recommendation: ☐ Approval ☐ Disapproval by: _____ Date: ____/____/____

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

SERIES 6 BAR

License Number: 06090042

PERMANENT EXTENSION OF
PREMISES/PATIO



Department of Liquor Licenses and Control



BUFFALO NICKEL BREWERY + GRILL

License Number:	06090042	Status:	Active
Business Name:	BUFFALO NICKEL BREWERY + GRILL		
Location Address	400 N CLARK ROAD		
	SHOW LOW	Arizona	85901
County	Navajo	Bus. Phone	928-251-2226
Licensee/Agent:	Foster , Dana		
Owner/Exp Date/Issue Date	Buffalo Bills Tavern Llc	2025-05-31	2025-05-08
Status Date	2025-05-15	Lic. Type:	Bar

#6

License Number: 012090028260

License Number:	012090028260	Status:	Active
Business Name:	BUFFALO BILLS TAVERN & MUSEUM		
Location Address	400 N CLARK ROAD		
	SHOW LOW	Arizona	85901
County	Navajo	Bus. Phone	928-251-2226
Licensee/Agent/Tel:	Martinson, Gary	928-251-2226	
Owner:	Buffalo Bills Tavern Llc	Exp Date:	05/31/2025
Issue Date:	05/01/2024	Status Date:	06/03/2024

#12
Restaurant



LICENSE SURRENDER

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

DLLC USE ONLY

Date Accepted:

CSR:

Type or Print with **Black Ink**

License Number: 012090028260

Agent / Sole Proprietor Name: Martinson Gary Arthur
Last First Middle

Premises Name (Doing Business As-DBA): Buffalo Bills Tavern & Museum

Premises Address: 400 North Clark Rd Show Low AZ 85901
Street City State Zip Code

Mailing Address: 400 North Clark Rd, Show Low, AZ 85901

REASON FOR SURRENDER

Extension of property for use of License #6 - 06090042

(USE BACK OF PAGE IF NECESSARY)

Declaration:

I, (Print Name) Gary Arthur Martinson, declare under penalty of perjury that I am authorized by the licensee 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]
Signature

REVIEW

EMPLOYEE

DATE

Customer Service Representative _____

Licensing Supervisor _____

Liquor Board (Hearing files only) _____

DISPOSITIONS

☐ Letter Attached _____

☐ Intent to Halt

☐ Revoked-Order# _____

☐ Application Denied

☐ Reverted-Order# _____

☐ Application Withdrawn



W COOLEY

N CLARK RD

Subject Property

Subject Property

W HAWTHORN RD

N SUMMIT TRAIL



**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Resolution No. R2025-14 Authorizing an Intergovernmental Agreement with Navajo County for Construction of Six Lateral Connections to Middle-Mile Network (Shane Hemesath, Chris Tewalt)

RECOMMENDATION

I **MOVE** to adopt Resolution No. R2025-14 Authorizing an Intergovernmental Agreement with Navajo County for the Six Lateral Fiber Connections to the Middle-Mile Network and authorizing the Mayor to sign said agreement.

BACKGROUND

Navajo County is installing fiber optic connectivity through the City of Show Low and greater Navajo County as a part of the Middle-Mile Fiber Installation Project. The City of Show Low has a fiber connection at City Hall and VPN connections to the external sites, Public Works, and Aquatic Center.

While this similar work is being completed county-wide, the City would like to take this opportunity to utilize the contractor's expertise and extend the fiber connections to key City facilities. The scope of the project includes utilizing the County's contractor EX2 to bring lateral fiber connections to the City of Show Low sites listed below, creating a complete fiber connection to all City buildings, with City Hall being the hub. This fiber addition will connect our City facilities, adding Internet speed and quality to our network.

The locations that the fiber connections will connect to include: Public Works, Water Treatment Plant, Police Department, Frontier Park, Airport, and City Hall.

The cost for these fiber connections will be \$467,138.56, which has been budgeted for this fiscal year and will be paid to the County through the intergovernmental agreement. The anticipated start of construction for the City's six laterals is in the fall of 2025.

Staff recommends adopting Resolution No. R2025-14, authorizing the Intergovernmental Agreement with Navajo County for the Six Lateral Fiber Connections to the Middle-Mile Network and authorizing the Mayor to sign said agreement.

ATTACHMENTS

1. IGA with Navajo County for Six Lateral Connections
2. Resolution No. R2025-14

FISCAL IMPACT

Anticipated cost: \$467,138.56

Funding source (account no.): Development Agreements Obligation (11-402-495-7310-1005)

**INTERGOVERNMENTAL AGREEMENT
BETWEEN NAVAJO COUNTY AND THE CITY OF SHOW LOW FOR THE CONSTRUCTION OF SIX
LATERAL CONNECTIONS TO MIDDLE-MILE NETWORK**

THIS INTERGOVERNMENTAL AGREEMENT ("IGA") is entered into as of the 20th day of May, 2025 between the City of Show Low, a municipal corporation (hereinafter "CITY"), and Navajo County (hereinafter "COUNTY"), individually Party or collectively Parties.

RECITALS:

WHEREAS, pursuant to A.R.S. §11-952 et seq., the City of Show Low, and Navajo County are authorized to enter into this IGA for the purpose of taking joint or cooperative action; and

WHEREAS, the Navajo County is in the process of constructing a middle-mile dark fiber network that travels through the Show Low area utilizing EX2 Technology LLC, ("eX2") as a contractor; and

WHEREAS, the middle-mile network is grant funded and designed to enhance broadband connections to rural communities in Navajo County, and

WHEREAS, the City of Show Low desires to connect to the COUNTY's middle-mile network through six lateral connections at the site locations set forth in the proposal dated May 6, 2025, ("Project"), and which is attached hereto as "Exhibit A."; and

WHEREAS, the lateral connections will enhance the CITY's broadband connections to critical infrastructure within Show Low city limits ; and

WHEREAS, the CITY will benefit from the prices previously negotiated by the COUNTY with eX2, and

WHEREAS, the CITY has reviewed, and has agreed to the pricing and all terms and conditions contained in the pricing proposal dated May 6, 2025 in the amount of \$467,138.56, including such additional amounts as may be necessary for Subsurface Obstruction and Rock Adder Allowances.

NOW, THEREFORE, the parties agree as follows:

1. **OBLIGATIONS OF COUNTY:** The COUNTY hereby agrees to contract with eX2 for the construction of the six lateral connections to the Show Low Airport, Show Low Public Works, Show Low City Hall, Frontier Park, the Show Low Water Plant, the

Show Low Police Department as set forth in eX2's pricing proposal dated May 6, 2025 which is attached hereto as "Exhibit A" and is incorporated by reference.

- (a) The COUNTY agrees to pay invoices for the construction of the CITY's lateral connections from eX2 promptly on behalf of the City of Show.
- (b) COUNTY agrees to promptly provide the CITY with copies of all invoices received and paid by the COUNTY from eX2 for the construction of the CITY's lateral connections.

2. OBLIGATIONS OF CITY: The CITY hereby agrees to the following:

- (a) Cooperate and communicate with eX2 and the COUNTY as may be necessary for facilitating the buildout of the CITY's lateral connections to the middle-mile network;
- (b) Assist eX2 with permitting as may be necessary within the City of Show Low for the construction of the lateral connections;
- (c) Provide eX2 access to city-owned property and facilities as may be necessary in order to build the lateral connections the CITY has requested to be built.
- (d) On approval of the Agreement by both Parties, the CITY shall pay the COUNTY the amount of \$467,138.56 per the pricing proposal dated May 6, 2025. The CITY shall promptly pay such additional amounts as may be necessary for Subsurface Obstruction and Rock Adder Allowances. In the event the Project is completed in an amount less than the pricing proposal dated May 6, 2025, the COUNTY shall promptly reimburse the CITY said savings.

3. GENERAL.

A. Initial Term / Renewal. The initial term of this Agreement shall end when the lateral connections to the CITY's facilities have been constructed and all payments therefore under this Agreement have been paid.

B. Non-Liability / Indemnity. The COUNTY shall have no liability to the CITY for any act or omission in connection with the services provided hereunder except to the extent such act or omission was due to the negligence of the COUNTY. To the extent permitted by law, the CITY shall indemnify, defend and hold harmless the COUNTY and its officers, officials, employees and agents from and against any claim, action, cost, expense, judgment or liability

concerning or arising out of the services to the extent caused by the negligence of the City, except when such act or omission was due to the negligence of the COUNTY.

The CITY shall have no liability to the COUNTY for any act or omission in connection with the services provided hereunder except to the extent such act or omission was due to the negligence of the CITY. To the extent permitted by law, the COUNTY shall indemnify, defend and hold harmless the CITY and its officers, officials, employees and agents from and against any claim, action, cost, expense, judgment or liability concerning or arising out of the services, to the extent caused by the negligence of the COUNTY except when such act or omission was due to the negligence of the CITY.

All contractors and sub-contractors for the Project shall insure and indemnify the CITY to the same extent and policy limits and endorsements as the COUNTY.

C. Termination. This Agreement is subject to termination pursuant to A.R.S. Section 38-511.

D. Grant Compliance. COUNTY shall be solely responsible for grant compliance related to this Project and this Agreement.

E. Procurement. COUNTY shall administer all bidding and purchasing of supplies and equipment in conformity with all applicable local, state and/ or federal procurement statutes and regulations.

F. Warranties. The CITY shall be named on all warranties related to this Project.

G. Records Retention. In accordance with Arizona law, all books, accounts, reports, files, electronic data, and other records relating to this Agreement shall be retained pursuant to relevant records retainment schedule.

H. Integration/ Entire Agreement. This agreement constitutes the entire agreement between the parties, and any prior or contemporaneous written or oral agreements are superseded by this agreement.

I. Modification. This Agreement may be modified at any time upon the mutual written consent of the Parties.

J. Severability. If a court of competent jurisdiction renders any provision of this Agreement (or any portion of a provision) to be invalid or otherwise

unenforceable, that provision or portion of the provision will be severed and the remainder of this Agreement will continue in full force and effect as if the invalid provision or portion thereof were not part of this Agreement.

- K. Counterparts. This Agreement may be executed in counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.
- L. Applicable Law. This Agreement shall be governed and interpreted by the laws of the State of Arizona, venue Navajo County.
- M. Arbitration. The parties to this Agreement agree to resolve all disputes arising out of or relating to this Agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. §12-1518 and §12-133 except as may be required by other applicable statutes.
- N. Notices. All written notices concerning this Agreement shall be delivered in person or sent by certified mail, return receipt requested, or first-class mail, postage prepaid, to the Parties as follows:

To the City:
City of Show Low
Shane Hemesath, City Engineer
180 N 9th Street
Show Low AZ 85901
(928) 532-4090
showlowaz.gov

To the County:
Navajo County
Grant Evans, Director of Facilities & Capital Projects
100 East Code Talkers Drive
Holbrook, AZ 86025
928-524-4110
grant.evans@navajocountyaz.gov

- O. Effective Date. This Agreement shall become effective upon acceptance of both Parties.

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

NAVAJO COUNTY

By _____
Jason Whiting, Chairman, Board of
Supervisors

Date _____

ATTEST:

Melissa Buckley, Board Clerk

APPROVED AS TO FORM:

Brad Carlyon, County Attorney

CITY OF SHOW LOW

By _____
John Leech Jr., Mayor

Date _____

ATTEST:

Rachael Hall, City Clerk

APPROVED AS TO FORM:

Anna Atencio, City Attorney

Exhibit A



May 6, 2025

Grant Evans, Capital Projects Manager
Navajo County Public Works
100 West Public Works Drive
Holbrook, AZ 86025

Dear Grant,

eX2 Technology is providing pricing for the City of Show Low to design and construct six (6) laterals to city owned facilities. This proposal includes all labor to perform the installation. Material costs are included. eX2 Technology's anticipated scope of work, pricing and assumptions are described in more detail below.

Scope of Work

- eX2 will perform lateral installation, including ISP work up to a new panel to be installed by eX2 in an existing rack on 6 locations identified below. Designs will be provided post-design phase. With the possibility of rock being encountered at a depth less than 36 inches, eX2 will consult with Navajo County as in accordance with the Contract and quantity will be determined and approved as per the same process used in the Navajo County MM build.
- The labor unit rates are already in contract, in accordance with Schedule 3.1, REV1 (CO 005, 5/31/2024) System Price. Material unit rates are not in base contract. Both Labor and Materials will be invoiced based on actual quantities.

Construction Scope Overview

Site Address	Description
Show Low Airport – 3150 Airport Loop Road	Install 1.25" duct with 24-fiber strand from the backbone up to and including the new building entry and terminate to new patch panel (LC connector provided by Contractor) in existing rack.
Show Low Public Works – 1281 E. Thorton Road	Install 1.25" duct with 24-fiber strand from the backbone up to and including the new building entry and terminate to new patch panel (LC connector provided by Contractor) in existing rack.
Show Low City Hall – 180 N. 9 th Street	Install 1.25" duct with 24-fiber strand from the backbone up to and including the new building entry and terminate to new patch panel (LC connector provided by Contractor) in existing rack.
Frontier Park – 650 N 9 th Street	Install 1.25" duct with 24-fiber strand from the backbone up to and including the new building entry and terminate to new patch panel (LC connector provided by Contractor) in existing rack.
Show Low Water Plant – 1531 N. 6 th Street	Install 1.25" duct with 24-fiber strand from the backbone up to and including the new building entry and terminate to new patch panel (LC connector provided by Contractor) in existing rack.
Show Low Police Department – 411 E. Deuce of Clubs	Install 1.25" duct with 24-fiber strand from the backbone up to and including the new building entry and terminate to new

patch panel (LC connector provided by Contractor) in existing rack.

Pricing

Description – Labor	Estimated Qty	Unit	Unit Rate	Total Price
Design – High Level Design Complete	1	LS		\$4,194.21
Design - Detail Level Design 50% Complete	1	LS		\$8,388.41
Design – Detail Level Design 100% Complete	1	LS		\$4,194.21
Permitting Applications Submitted (As Submitted)	1	LS		\$6,640.55
As-Builts Submitted **	1	LS		\$6,294.69
Construction, Lateral – Conduit Installed **	10,282	FT	\$15.67	\$161,118.94
Construction, Lateral – Handhole Installed **	4	EA	\$782.29	\$3,129.16
Construction, Lateral – Fiber Installed (Handhole Coils) **	20,000	FT	\$1.99	\$39,800.00
Construction Lateral – Fiber Splice & Test Complete **	72	EA	\$49.01	\$3,528.72
Show Low Airport***	1	LS		\$76,622.56
Show Low Public Works***	1	LS		\$17,684.96
Show Low City Hall***	1	LS		\$24,645.23
Frontier Park***	1	LS		\$20,587.13
Show Low Water Plant***	1	LS		\$40,101.98
Show Low Police Department***	1	LS		\$18,881.93
*Subsurface Obstruction and Rock Adder Allowance	1	FT	\$40.59	\$40.59
**Include outside plant design build cost for all identified locations				
***Include plant building entrance and terminations per location cost				
Estimated Total				\$435,813.38

*The unit rate provided above for Subsurface Obstruction and Rock Adder Allowance will be invoiced based on actual quantities.

Description - Materials	Estimated Qty	Unit	Unit Rate	Total Price
Materials (As Ordered) **	1	LS	\$31,325.17	\$31,325.17
**Include outside plant design build cost for all identified locations				
Estimated Total				\$31,325.17

Proposed Total				\$467,138.56
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General Clarifications

- All work is subject to the terms and conditions of the Contract between the parties dated 3/1/2023.
- All labor is quoted during regular business hours.
- The proposed pricing is valid for 45 days.
- Pricing includes Arizona Transaction Privilege Tax
- Excludes any other taxes

We look forward to further assisting Navajo County in exceeding its goals. For inquiries, please contact Chris Brower at (315) 559-0130 or cbrower@ex2technology.com.

Sincerely,



Steve Jorgensen, COO

Cc: Chance Eiker
Chris Brower
Mike Wilson
Jennifer Krantz
Kim Mason
Megan Williams
Glenn Kephart

CITY OF SHOW LOW RESOLUTION NO. R2025-14

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
SHOW LOW, ARIZONA, APPROVING AN INTERGOVERNMENTAL
AGREEMENT WITH THE NAVAJO COUNTY BOARD OF
SUPERVISORS FOR THE CONSTRUCTION OF SIX LATERAL
CONNECTIONS TO THE MIDDLE-MILE NETWORK**

RECITALS:

WHEREAS, Pursuant to A.R.S. § 11-201 and 11-952, Navajo County and the City of Show Low are authorized to enter into intergovernmental agreements; and

WHEREAS, Navajo County is in the process of constructing a middle-mile dark fiber network that travels through the Show Low area utilizing EX2 Technology LLC (“eX2”) as a contractor; and

WHEREAS, the City of Show Low desires to connect to the County’s middle-mile network through six lateral connections utilizing the County’s agreement with eX2 for beneficial pricing for the City; and

WHEREAS, the lateral connections at the Airport, Public Works, City Hall, Frontier Park, Water Plant, and Police Department will enhance the City’s broadband connections to critical infrastructure within Show Low City limits; and

WHEREAS, Navajo County and the City of Show Low desire to enter into this Intergovernmental Agreement for the construction of six lateral connections to the middle-mile network.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Show Low, Arizona, approve the Intergovernmental Agreement between the City of Show Low and the Navajo County Board of Supervisors for the construction of six lateral connections to the middle-mile network.

BE IT FURTHER RESOLVED that the Mayor is authorized to sign said Intergovernmental Agreement.

PASSED AND ADOPTED this 20th day of May 2025, by the Mayor and Council of the City of Show Low, Arizona.

John Leech, Jr., Mayor

ATTEST:

Rachael Hall, City Clerk

APPROVED AS TO FORM:

Anna M. Atencio, City Attorney

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Award of Construction Contract for Archibeque Park Restroom, City of Show Low Project No. FM-7925 (Bill Kopp)

RECOMMENDATION

I **MOVE** to award the construction contract for Archibeque Park Restroom, City of Show Low Project No. FM-7925, to LD&B LLC in an amount not to exceed \$143,400.00.

BACKGROUND

The City of Show Low FY2025 Budget includes funding for the construction of a new public restroom at Archibeque Park, located at 81 North 5th Street. The work includes, but is not necessarily limited to, the construction of a restroom facility that will include three ADA-accessible restrooms in a single building. There shall be one separate men's restroom with two stalls, one water closet and one urinal, one separate women's restroom with two water closet stalls, and a family restroom with a single water closet and ADA adult changing station. There will also be a small storage closet with a separate exterior door. The restrooms will also have sinks, paper and soap product dispensers, and other necessary appurtenances. The building will be approximately 28 feet by 13 feet 4 inches and 373 square feet in area. The City will remove the existing restroom building and extend power, water, and sewer to within five feet of the building. The contractor's scope also includes the connections to existing power, water, and sewer services. The City prepared plans and specifications and bid documents for the project. The building will be a duplicate of the recently constructed restrooms at the City Campus and the Show Low Lake Group Camping Area.

A schedule of values was also required as part of the contractor's bid. The contractor will complete usable and operable facilities in accordance with all pertinent codes and regulations as necessary to complete the job in a workmanlike manner.

Staff solicited bids from contractors to construct the building. The project was publicly advertised per statutory requirements, and three bids were received. The bid result follows:

<u>Contractor</u>	<u>Total Bid</u>
LD&B LLC	\$143,400.00
DW Lusk Contracting LLC	\$218,071.10
Low Mountain Construction, Inc.	\$319,341.00

Staff recommends awarding the construction contract for Archibeque Park Restroom, City of Show Low Project No. FM-7925 to LD&B LLC in an amount not to exceed \$143,400.00.

ATTACHMENTS

1. Archibeque Park Aerial Map

FISCAL IMPACT

Anticipated cost: \$143,400.00

Funding source (account no.): Archibeque Park Restroom (11-445-495-7310-2511)

Archibeque Park

North 5th Street &, E McNeil,
Show Low, AZ 85901

E HUNING

N 5TH ST

E MCNEIL