

SHOW LOW CITY COUNCIL
REGULAR MEETING - TUESDAY, OCTOBER 15, 2024

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, October 15, 2024, 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 may 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. Presentation of Snow Management Plan (Rick Austin/Ryan Hall)

7. **CONSENT CALENDAR:**

- A. Proclamation by the Mayor Proclaiming November 10 through 16, 2024, as **COMMUNITY FAST OF COMPASSION FOR THOSE IN NEED WEEK** in the City of Show Low (Rachael Hall)
- B. Proclamation by the Mayor Proclaiming October 13 through 19, 2024, as **ARIZONA CITIES AND TOWNS WEEK** in the City of Show Low (Rachael Hall)
- C. Consideration of Acceptance of Construction Contract for 2024 Citywide Roadway Improvements, City of Show Low Project No. R-6724 (Shane Hemesath)
- D. Consideration of Acceptance of Construction Contract for Cemetery Expansion 2024, City of Show Low Project No. FM-1325 (Shane Hemesath)
- E. Consideration of Noncommercial Ground Lease with Jonesmont Air LLC and

Termination of Lease with Desert Fish Aviation, LLC at Show Low Regional Airport (Jacob Allen)

F. Consideration of Acceptance of Construction of Reconstruction of Headworks Building, City of Show Low Project No. FM-1324 (Bill Kopp)

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

1. Regular Meeting of October 1, 2024

8. **NEW BUSINESS:**

A. **PUBLIC HEARING** and Consideration of Application Submitted by Juanita Alicia Esparza and Cody Christine Lawyer for #12, Restaurant, Liquor License on Behalf of Show Low Cafe for its Location at 480 West Deuce of Clubs, Suite B, Show Low, Arizona (Rachael Hall)

B. Consideration of Resolution No. R2024-31 Approving and Authorizing Intergovernmental Agreement with Arizona Department of Transportation for HURF Exchange Funding for North 11th Street Improvements (Shane Hemesath)

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
10/15/2024	7:00 P.M.	CITY COUNCIL - REGULAR MEETING
10/22/2024	7:00 P.M.	P&Z COMMISSION - REGULAR MEETING
10/23/2024	9:00 A.M.	CITY COUNCIL RETREAT

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 October 11, 2024.



Proclamation

City of Show Low

Office of the Mayor and City Council

WHEREAS, community service has always been a part of America's, as well as Show Low's, heritage; and

WHEREAS, the number of those in need in our area seems to be an always-growing number, and the people of our community have always shown a sincere desire to help those in need, especially during the holiday season; and

WHEREAS, a number of faith-based and other organizations approached the City of Show Low in 2013 with a plan to help those in need in our community; and

WHEREAS, the City of Show Low embraced this concept, out of which was borne the Community Fast of Compassion for Those in Need; and

WHEREAS, the City of Show Low and its citizens have discovered that the Community Fast is a very worthwhile cause that has made a huge difference in the lives of many in our community.

NOW, THEREFORE, I, John Leech, Jr., Mayor, on behalf of the Show Low City Council, do hereby proclaim **November 17 to 23, 2024**, as

♣ Community Fast of Compassion for Those in Need Week ♣

and urge all citizens of Show Low to come together for the eleventh annual Community Fast of Compassion for Those in Need; join us in setting aside one day during this week to fast and pray for guidance, grace, and protection for our great City and Nation as we address the challenges of our time and the concerns of those in need; donate the cost of one or two meals (or more if possible) from this fast to this worthy cause (with donations accepted at Show Low City Hall, National Bank of Arizona, Chase Bank, the Arizona Central Credit Union, and online at www.showlowcommunityfast.org); and join us in a community celebration on Sunday, November 24, 2024, at 5:00 p.m. at the Show Low School District Auditorium.

Dated this **15th** day of **October, 2024**.

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



Proclamation

City of Show Low

Office of the Mayor and City Council

WHEREAS, the citizens of the City of Show Low rely on local government to experience a high quality of life in our community; and

WHEREAS, local governments in Arizona work 24 hours a day, seven days a week to deliver city services such as police, public works, and emergency services to create safe and viable communities; and

WHEREAS, the methods of funding these vital city services are not always clearly understood by citizens; and

WHEREAS, it is one of the responsibilities of city officials to ensure that legislators, media, and citizens understand their local government through open and frequent communication using various avenues and means; and

WHEREAS, it is important to work to encourage this connection and inform citizens of the importance of state-shared revenues to preserve the excellent delivery of services that our citizens have come to expect in our city; and

WHEREAS, through education and awareness, citizens, community leaders, and city staff work together to ensure that services provided by the City of Show Low remain exceptional elements of the quality of life of our community.

NOW, THEREFORE, I, John Leech, Jr., Mayor, on behalf of the Show Low City Council, do hereby proclaim **October 13 through October 19, 2024**, as

♣ Arizona Cities and Towns Week ♣

Dated this **15th** day of **October, 2024**.

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 Acceptance of Construction Contract for 2024 Citywide Roadway Improvements, City of Show Low Project No. R-6724 (Shane Hemesath)

RECOMMENDATION

I **MOVE** to accept the Citywide Roadway Improvements 2024, City of Show Low Project No. R-6724, with a final cost of \$943,980.58, release the retainage, and initiate the two-year warranty period.

BACKGROUND

At the May 7, 2024, City Council meeting, a construction contract was awarded to Hatch Construction and Paving Inc. for the Citywide Roadway Improvement project at a construction cost of \$999,910.00. The scope of work included the pulverization of approximately 25,000 square yards of existing asphalt roadway, recycling and mixing existing asphalt millings into the existing base, subgrade preparation and compaction, reshaping the roadway grade, installing new asphalt pavement overlay, re-establish roadway shoulder, installing minor drainage improvements, and adjusting water valves and manholes.

The improvements to the Citywide Roadway Improvement Project have been completed for a final project cost of \$943,980.58.

During the construction of the project, Hatch Construction and Paving Inc. was acquired by W. W. Clyde.

Staff recommends accepting Citywide Roadway Improvements 2024, City of Show Low Project No. R-6724, with a final cost of \$943,980.58, releasing the retainage, and initiating the two-year warranty period.

ATTACHMENTS

1. Citywide Paving 2024 Aerial

FISCAL IMPACT

Final cost:\$943,980.58

Funding source (account no.): W Owens and 30th Ave (12-500-495-7310-2421/5002421) \$439,960.40; N 22nd Ave and Kartchner (12-500-495-7310-2422/5002422) \$559,949.60



MTG DATE: 10/15/2024
ITEM: 7.D

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Acceptance of Construction Contract for Cemetery Expansion 2024, City of Show Low Project No. FM-1325 (Shane Hemesath)

RECOMMENDATION

I **MOVE** to accept the Cemetery Expansion 2024, City of Show Low Project No. FM-1325 completed by Tim's Landscape Creations LLC for a total cost of \$43,166.46, release the retainage and initiate the warranty period.

BACKGROUND

At the September 3, 2024, City Council meeting, a construction contract was awarded to Tim's Landscape Creations for the Cemetery Expansion 2024 project at a total cost of \$48,166.46. The scope of work included clearing approximately 0.70 acres of property in the City's Cemetery, installation of an irrigation system, placement of topsoil and the installation of approximately 32,000 square feet of grass sod. The sod was purchased in a separate transaction directly by the City at a cost of \$26,863.20 to save costs on the project.

The improvements to the City Cemetery Expansion have been completed for a total cost \$43,166.46.

Staff recommends accepting the Cemetery Expansion 2024, City of Show Low Project No. FM-1325 completed by Tim's Landscape Creations LLC for a total cost of \$43,166.46, releasing the retainage and initiating the warranty period.

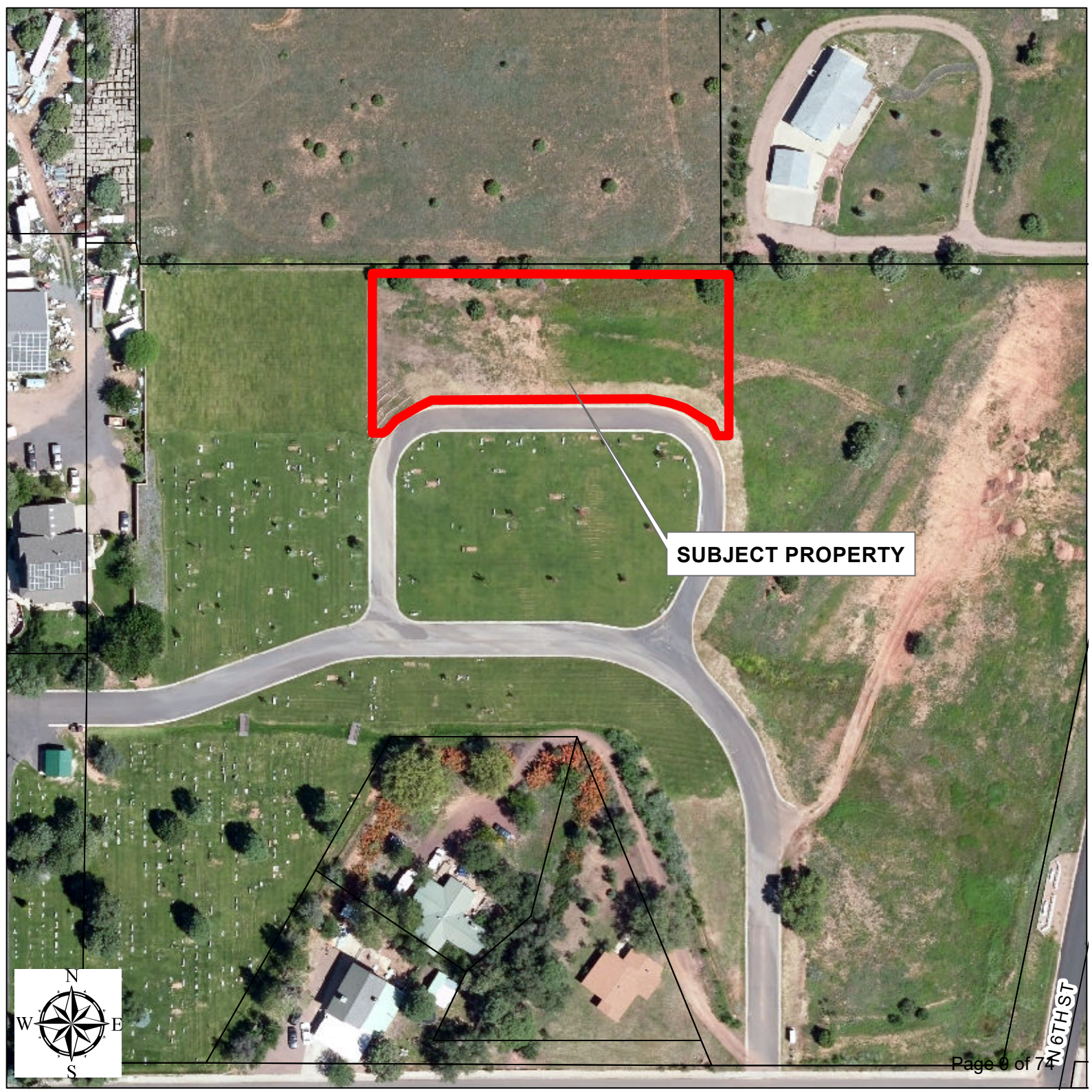
ATTACHMENTS

1. Aerial Map

FISCAL IMPACT

Final cost: \$43,166.46

Funding source (account no.): Cemetery Expansion (11-550-495-7300-0000/5502555)



SUBJECT PROPERTY



**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Noncommercial Ground Lease with Jonesmont Air LLC and Termination of Lease with Desert Fish Aviation, LLC at Show Low Regional Airport (Jacob Allen)

RECOMMENDATION

I **MOVE** to approve a noncommercial ground lease with Jonesmont Air LLC, terminate the noncommercial ground lease for 3360 Corporate Way, Unit B with Desert Fish Aviation, LLC at Show Low Regional Airport, and authorize the Mayor to sign the documents on behalf of the City.

BACKGROUND

Victor One Ninety Hangars, LLC, entered into a noncommercial ground lease agreement with the City on December 14, 2004, for a multi-unit aircraft storage hangar located at 3360 Corporate Way. Victor One Ninety Hangars entered into various sublease agreements with tenants for the hangar bays.

On May 16, 2017, the Council approved the assignment of 3360 Corporate Way, Unit B of the Victor One Ninety Hangars noncommercial ground lease to Roger Kevin Carson.

On October 17, 2023, the Council approved a new noncommercial ground lease with Desert Fish Aviation, LLC and terminated the noncommercial ground lease with Roger Kevin Carson.

Jonesmont Air LLC has purchased Unit B of the building from Desert Fish Aviation, LLC and has requested a new noncommercial ground lease per the airport ground lease policy. As a result of this purchase, the current noncommercial ground lease with Desert Fish Aviation, LLC will need to be terminated to allow the new owners to enter into a new noncommercial ground lease.

The terms and conditions of the agreement include the new annual lease rate of 0.353 cents per square foot per year for 2,359 square feet, which is \$832.73 annually plus tax. The agreement includes an annual Consumer Price Index (CPI) increase. Jonesmont Air LLC is responsible for paying all utility costs. The length of the agreement is 25 years, beginning October 15, 2024, with the option to extend the agreement for five additional five-year periods at an increased rate for a total lease period of 49 years.

Staff recommends approving the noncommercial ground lease with Jonesmont Air LLC, terminating the noncommercial ground lease for 3360 Corporate Way, Unit B, with Desert Fish Aviation, LLC, and authorizing the Mayor to sign the documents on behalf of the City.

ATTACHMENTS

None

FISCAL IMPACT

Annual lease rate of 0.353 cents per square foot per year for 2,359 square feet, which is \$832.73 annually plus tax and includes an annual Consumer Price Index (CPI) increase

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Acceptance of Construction of Reconstruction of Headworks Building, City of Show Low Project No. FM-1324 (Bill Kopp)

RECOMMENDATION

I **MOVE** to accept the construction of the reconstruction of the Headworks Building City of Show Low Project No. FM-1324, for a final cost of \$267,853.92, release the retainage and initiate the warranty period.

BACKGROUND

The replaced headworks building at the City's Wastewater Treatment Plant (WWTP) was constructed in 1986. The building houses the coarse screens at the effluent entry point of the WWTP. Recently, some ceiling material began falling off the underlying structural steel. This revealed that the structure was in a high state of deterioration. The caustic environment in the building caused the structure to become unsafe to use. Staff budgeted funds in the 2023-2024 budget to reconstruct this building.

The scope of the project included the removal of the existing steel building and the construction of a new building over the remaining foundation. The construction was complicated because it had to be completed while the equipment remained in place and continuously operated. In order to protect the new steel structure from the caustic environment, galvanized steel was used. The structure was also coated with a high-density polyethylene spray foam.

Following a public bidding process, on September 19, 2023, the City Council awarded a construction contract to LD&B LLC Construction in an amount not to exceed \$267,853.92. The project has been completed for a final cost of \$267,853.92.

Staff recommends accepting the construction of the reconstruction of the Headworks Building City of Show Low Project No. FM-1324, releasing the retainage and initiating the two-year warranty period.

ATTACHMENTS

None

FISCAL IMPACT

Final cost: \$267,853.92

Funding source (account no.): Headworks Building (42-755-180-1620-0000/7552427)

**MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL
HELD ON TUESDAY, OCTOBER 1, 2024, 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; Rick Austin, Public Works Operation Manager; and Rachael Hall, City Clerk.

GUESTS: Gary Martinson, Sunshine Brewer, Cathy Huling, Laura Singleton, Cassie Bryant, Curt Fernau, Greg Hope, Rick Goodman, Doug Roberts, and others.

3. Invocation.

Councilman Adams 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 may 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, 1440 North 36th Drive, thanked the Council and City for the support during the Run to the Pines Car Show.

Greg Hope, 540 South Mountain Pines Avenue, spoke about illegal aliens being housed in hotels/motels in Show Low.

Curt Fernau, 621 South Mountain Pines Avenue, thanked the Council for approving the new airline carrier and commended the City's work on the Little League field.

6. **SPECIAL EVENTS:**

A. Presentation by Show Low Chamber of Commerce

Sunshine Brewer, Executive Director of the Show Low Chamber of Commerce, said the Tourist Information Center had 2,127 visitors from January through August this year. She said with the help of the new website and social media, the digital visitor counts were up this year. The Chamber had 316 members, which was a 210% increase from November 2022 with the hiring of an executive director.

Ms. Brewer reviewed Chamber events which included no-cost business classes, Show Low Days, monthly business luncheons, annual membership Gala, monthly ribbon cuttings and mixers, monthly business incubator roundtables and job fairs, Trick or Treat, and others. She thanked the Council for their continued support.

Mayor Leech thanked the Chamber for their work and events they had for the community.

7. **CONSENT CALENDAR:**

- A. Consideration of Acceptance of Show Low Bluff Well #17 Waterline Improvements, City of Show Low Project No. R-2723 (Shane Hemesath)
- B. Consideration of Resolution No. R2024-30 Approving an Intergovernmental Agreement with Town of Pinetop-Lakeside for Road Maintenance of Portion of Penrod Road (Anna Atencio)
- C. Consideration of Approval of Declaration of Surplus Property for October 2024 Auction (Rick Austin)
- D. Consideration of Acceptance of Grant Funds from Economic Development Administration for Business Incubator Project and Authorization of Associated Budget Transfers (Steve North)

- E. Consideration of Approval of Amended Final Plat for The Hollows Subdivision (Justen Tregaskes)
- F. Consideration of Acceptance of Show Low Lake Spillway Campground Utility Improvements, City of Show Low Project No. FM-7124 (Shane Hemesath)
- G. Consideration of Minutes of Show Low City Council meetings:
 - 1. Regular Meeting of September 17, 2024

VICE MAYOR KAKAVAS MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; 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.

8. **NEW BUSINESS:**

- A. Consideration of Award of Contract for Christmas Lighting and Decorations, City of Show Low Project No. FM-1925 (Rick Austin)

Mr. Austin said the City's budget included funding for Christmas lighting and decorations at City facilities. This work included design, installation, maintenance, removal, packaging, storage and transport of seasonal lighting decorations. The decorations would be installed in six public locations: City Hall, Library, Public Safety Building, Reidhead House, City Park and Festival Marketplace.

Mr. Austin said this was the second time that the City had contracted for this service. The last five-year contract had expired. The last contract was for decorating at four locations. The new contract also included the Reidhead House and City Park.

Mr. Austin said a request for proposals was published per statutory requirements and two proposals were received. Staff reviewed the proposals for compliance with the selection criteria and determined that HLC Productions met the requirements and also provided the lowest price.

<u>Contractor</u>	<u>Total Bid</u>
HLC Productions dba	\$38,670.00
Holiday Lighting Company AZ, Inc.	
M & M Holiday Lighting Pro's	\$72,297.08

Mr. Austin said staff recommended awarding the contract for Christmas

lighting and decorations to HLC Productions in an amount not to exceed \$38,670.00 per year for a term of three years and authorizing staff to approve up to two one-year renewals after the original term.

Councilman Clark said he would like the City to partner with other entities or businesses to make the City Park a larger display of Christmas lights for citizens and visitors to enjoy during the holiday season.

Mr. Brown said Aaron Leach would be decorating a section at the City Park as he has done in the past. He said staff could look at adding more to the City Park with the budget that was approved for holiday lighting.

COUNCILMAN CLARK MOVED TO AWARD THE CONTRACT FOR CHRISTMAS LIGHTING AND DECORATIONS, CITY OF SHOW LOW PROJECT NO. FM-1925, TO HLC PRODUCTIONS DBA HOLIDAY LIGHTING COMPANY AZ, INC. FOR AN AMOUNT NOT TO EXCEED \$38,670.00 PER YEAR FOR THE FIRST THREE YEARS AND AUTHORIZE STAFF TO APPROVE UP TO TWO ONE-YEAR RENEWALS; 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 Acceptance of Grant Agreement Between the U.S. Department of Transportation and the City of Show Low, Arizona, Under the Alternate Essential Air Service Program (Bill Kopp)

Mr. Kopp said on June 18, 2024, the City Council voted to approve the application to the United States Department of Transportation (DOT) requesting Alternate Essential Air Service (AEAS) through Contour Airlines.

Mr. Kopp said on August 22, 2024, staff was notified of DOT Order 2024-8-17, approving the application submitted by the City of Show Low, Arizona, for the Show Low Regional Airport. The order issued by DOT stated that the City of Show Low was eligible to receive grant funding for the requested air service outlined in the AEAS application, beginning October 1, 2024.

Mr. Kopp said on September 17, 2024, Council approved the Agreement for Air Services with Corporate Flight Management, Inc. DBA Contour Airlines, and authorized associated budget transfers.

Mr. Kopp said on September 24, 2024, staff received the grant agreement from DOT. The grant awarded to the City of Show Low \$24,312,381 to be used for AEAS for a 48-month term, payable in an amount not to exceed \$5,640,760 for the first year, \$5,922,798 for the second year, \$6,218,938 for the third year, and \$6,529,885 for the fourth year. This Grant Agreement

would be effective as of October 1, 2024.

Mr. Kopp said staff recommended approving the grant agreement between the U.S. Department of Transportation and the City of Show Low, Arizona, under the Alternate Essential Air Service Program.

Vice Mayor Kakavas said she had the privilege of flying Contour Airlines today and said it was a professional and an engaging flight.

VICE MAYOR KAKAVAS MOVED TO APPROVE THE GRANT AGREEMENT BETWEEN THE U.S. DEPARTMENT OF TRANSPORTATION AND THE CITY OF SHOW LOW, ARIZONA, UNDER THE ALTERNATE ESSENTIAL AIR SERVICE PROGRAM; 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.

- C. Consideration of Ordinance No. 2024-09 Amending Title 5 Chapter 5.05 of the Show Low City Code by adding Section 5.05.150 "Backyard Fowl Regulation" and Adopting Resolution No. R2024-28 Declaring as Public Record that Document Titled "Revisions to Chapter 5.05, Definitions and General Regulations, of the Show Low City Code" (Anna Atencio)

Ms. Atencio said the 2024 Arizona Legislative Session passed House Bill 2325 restricting municipalities' ability to regulate backyard fowl by a resident of a single-family detached residence on a lot that was one-half acres or less in size; however, the bill did allow for municipalities to impose some restrictions on fowl ownership. Amending Chapter 5.05 of the Show Low City Code, adding 5.05.150, Backyard Fowl Regulation, was consistent with the State of Arizona's new requirements.

Ms. Atencio said the new Section 5.05.150 would set requirements for fowl ownership by a resident of a single-family detached residence on a lot that was one-half acres or less in size, including precluding male fowl (roosters) within city limits; required enclosures for the fowl to be located in the rear or side yard of a residence, enclosures would be required to be at least twenty feet from a neighboring property; enclosure size restrictions; maintenance of waste, food and water sources; and prohibiting fowl from roaming at large.

Ms. Atencio said Section 5.10.010 of the City Code as currently written would continue to apply to the ownership, maintenance and care of fowl on property greater than one-half acre.

Ms. Atencio said to conform with the State's requirements for backyard fowl on single-family detached residences on lot sizes one-half acre or less, staff

recommended adopting Ordinance No. 2024-09 and adopting Resolution No. R2024-28.

Councilman Clark invited community members to reach out to state representatives to allow local jurisdictions regulate items such as this on a local level and not have them mandated by the state.

By unanimous consent, Ms. Hall read Ordinance No. 2024-09 by title only, as all Council Members had a copy.

COUNCILMAN CLARK MOVED TO ADOPT ORDINANCE NO. 2024-09, AMENDING CHAPTER 5.05 OF THE SHOW LOW CITY CODE, BY ADDING SECTION 5.05.150, BACKYARD FOWL REGULATION, AND ADOPTING RESOLUTION NO. R2024-28 DECLARING AS A PUBLIC RECORD THAT DOCUMENT TITLED "REVISIONS TO CHAPTER 5.05, DEFINITIONS AND GENERAL REGULATIONS, OF THE SHOW LOW CITY CODE"; 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.

- D. Consideration of Resolution No. R2024-29 Repealing Resolution No. R2007-25 and Adopting New Compensation Rates for Elected Officials (Morgan Brown)

Mr. Brown said during budget discussions, the City Council and staff discussed compensation rates for Show Low's elected officials. The City Council's current compensation structure had remained unchanged for 17 years. Given the increasing demands of public service, alongside the rising cost of living, staff felt a review of the council members' compensation was warranted. A review of comparable Arizona municipalities indicated that Show Low's council current compensation was below average.

Mr. Brown said per direction given at several budget discussions, staff drafted a resolution increasing monthly compensation rates. Due to state provisions, noted below, the increases would not go into effect until December 2024, at the earliest, and December 2026, at the latest:

Article IV, Part 2, Section 17 of the Arizona Constitution states in part that "...nor shall the compensation of any public officer, other than a justice of the peace, be increased or diminished during his term of office." Arizona Revised Statutes §9-304 provides that "No mayor, alderman or councilman of any city or town shall during the term for which he has been elected, knowingly accept any money or other thing of value other than that which is provided to be paid him for his services as such."

Mr. Brown said an increase in City Council compensation was a necessary

step to ensure the sustainability and effectiveness of local governance. It aligned with the city's commitment to public service and reflected the value of the council members' contributions to the community. This increase had been accounted for in the FY25 budget and would total approximately \$4,825 this year. Resolution No. R2024-29 followed the exact procedure used when Resolution No. R2007-25 repealed the previous resolution and adopted new compensation rates for the Council.

Mr. Brown reviewed the new rates being considered.

COUNCILMAN JUDD MOVED TO ADOPT RESOLUTION NO. R2024-29 REPEALING RESOLUTION NO. R2007-25 AND ADOPTING NEW COMPENSATION RATES FOR ELECTED OFFICIALS; 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.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Councilman Adams thanked City staff for their continued work for the community.

Councilman Clark thanked Doug Roberts, public works department, staff, and the Town and community of Pinetop-Lakeside for their work and support of shared community events such as the Run to the Pines Car Show.

B. Mayor

Mayor Leech recognized and congratulated Angelina Halwood from Accent Care on her award she received for integrity. He said the award was a nationwide company award that Ms. Halwood won. Accent Care is a personal care service with over 16,000 employees.

C. City Manager

Mr. Brown said the recreation department was hosting a free Halloween Drive Up movie night on October 12 at Frontier Park. Gates would open at 6:00 p.m. The featured film would be The Addams Family. He said the Scarecrow Walk would begin in a few weeks and encouraged citizens to walk the Meadow to see all the Scarecrows.

Mr. Brown said in public works projects, the city's contractor began work on the Old Linden Road paving project and the Woolford Road paving project.

We thank our citizens for their patience as these important projects are completed.

10. **SCHEDULE OF MEETINGS:**

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

Mr. Brown said there would be a ribbon cutting event on October 7 for the new Pickleball courts at the City Campus.

11. **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 OCTOBER 1, 2024, AT 7:45 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 October 1, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

Rachael Hall, City Clerk

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: PUBLIC HEARING and Consideration of Application Submitted by Juanita Alicia Esparza and Cody Christine Lawyer for #12, Restaurant, Liquor License on Behalf of Show Low Cafe for its Location at 480 West Deuce of Clubs, Suite B, Show Low, Arizona (Rachael Hall)

RECOMMENDATION

I **MOVE** to recommend approval to the State Liquor Board of the application submitted by Juanita Alicia Esparza and Cody Christine Lawyer for #12, Restaurant, Liquor License on Behalf of Show Low Cafe for its Location at 480 West Deuce of Clubs, Suite B, Show Low, Arizona.

OR

I **MOVE** to recommend denial to the State Liquor Board of the application submitted by Juanita Alicia Esparza and Cody Christine Lawyer for #12, Restaurant, Liquor License on Behalf of Show Low Cafe for its Location at 480 West Deuce of Clubs, Suite B, Show Low, Arizona (and stating the reasons for denial).

BACKGROUND

Juanita Alicia Esparza and Cody Christine Lawyer, representing Show Low Cafe, submitted a liquor application for a #12, Restaurant Liquor License for its location at 480 West Deuce of Clubs, Suite B. As required by state law, the property was posted, and no public input was received.

According to City Code, a Conditional Use Permit (CUP) is required for a #12, Restaurant Liquor License, to sell any other spirits beyond beer and wine. Staff reached out to Ms. Esparza and Ms. Lawyer to notify them of this requirement. It was discussed that for the time being, if the liquor license application was approved, Show Low Cafe would only serve beer and wine at its location until they have obtained a CUP through the Show Low Planning and Zoning Commission.

The Show Low Police Department conducted a background check on the applicants 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.

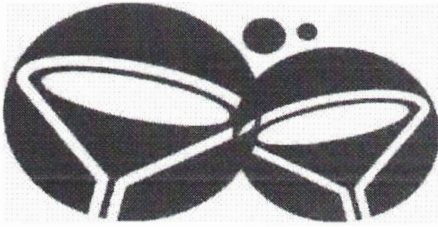
ATTACHMENTS

1. Letter for Show Low Cafe

2. Application
3. Aerial Map

FISCAL IMPACT

N/A



AE LIQUOR

L I C E N S E S E R V I C E

P O Box 1189 Tolleson, Arizona 85353 (623) 302-2234

October 08, 2024

City of Show Low
180 N. 9th St
Show Low, Arizona 85901

Re: Job #306782

To Whom It May Concern:

My name is Juanita Alicia Esparza. I am currently listed as the agent on the pending liquor license application for Show Low Cafe. Show Low Cafe is located at 480 W. Deuce of Clubs suite #B Show Low, Arizona 85901. Per our conversation with City Clerk Rachel Hall, Ms. Lawyer was notified that she must apply for a Conditional Use Permit prior to service of spirituous alcohol. Ms. Lawyer agrees with and aware that she may currently once approved serve only beer and wine. Ms. Lawyer in the upcoming days will apply contact the zoning division and has agreed to apply for a use permit soon. If there should be any questions, you may contact Ms. Lawyer at 928-551-1355 or myself.

Respectfully,

Juanita Alicia Esparza
AE Liquor License Consulting Service, LLC
Aeliquorlicense@gmail.com
623-302-2234

State of Arizona
Department of Liquor Licenses and Control

Created 09/17/2024 @ 09:20:39 AM

Local Governing Body Report

LICENSE

Number:		Type:	012 RESTAURANT
Name:	SHOW LOW CAFE		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	480 W DEUCE OF CLUBS STE B SHOW LOW, AZ 85901 USA		
Mailing Address:			
Phone:	(928)892-5411		
Alt. Phone:			
Email:	AELIQUORLICENSE@GMAIL.COM		

AGENT

Name:	JUANITA ALICIA ESPARZA
Gender:	Female
Correspondence Address:	PO BOX 1189 TOLLESON, AZ 85353 USA
Phone:	(623)302-2234
Alt. Phone:	
Email:	AELIQUORLICENSE@GMAIL.COM

OWNER

Name:	SHOW LOW CAFE AZ LLC		
Contact Name:	JUANITA ALICIA ESPARZA		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:	23536206	State of Incorporation:	AZ
Incorporation Date:	05/31/2023		
Correspondence Address:	40 W DEUCE OF CLUBS SUITE #B SHOW LOW, AZ 85901 USA		
Phone:	(623)302-2234		
Alt. Phone:			
Email:	AELIQUORLICENSE@GMAIL.COM		

Officers / Stockholders

600-11/16/24
105-12/31/24

Name:
CODY CHRISTINE LAWYER

Title:
Member

% Interest:
100.00

SHOW LOW CAFE AZ LLC - Member

Name: CODY CHRISTINE LAWYER
Gender: Female
Correspondence Address: 480 W DEUCE OF CLUBS
STE B
SHOW LOW, AZ 85901
USA
Phone: (928)551-1135
Alt. Phone:
Email: SHOWLOWCAFEAZ@GMAIL.COM

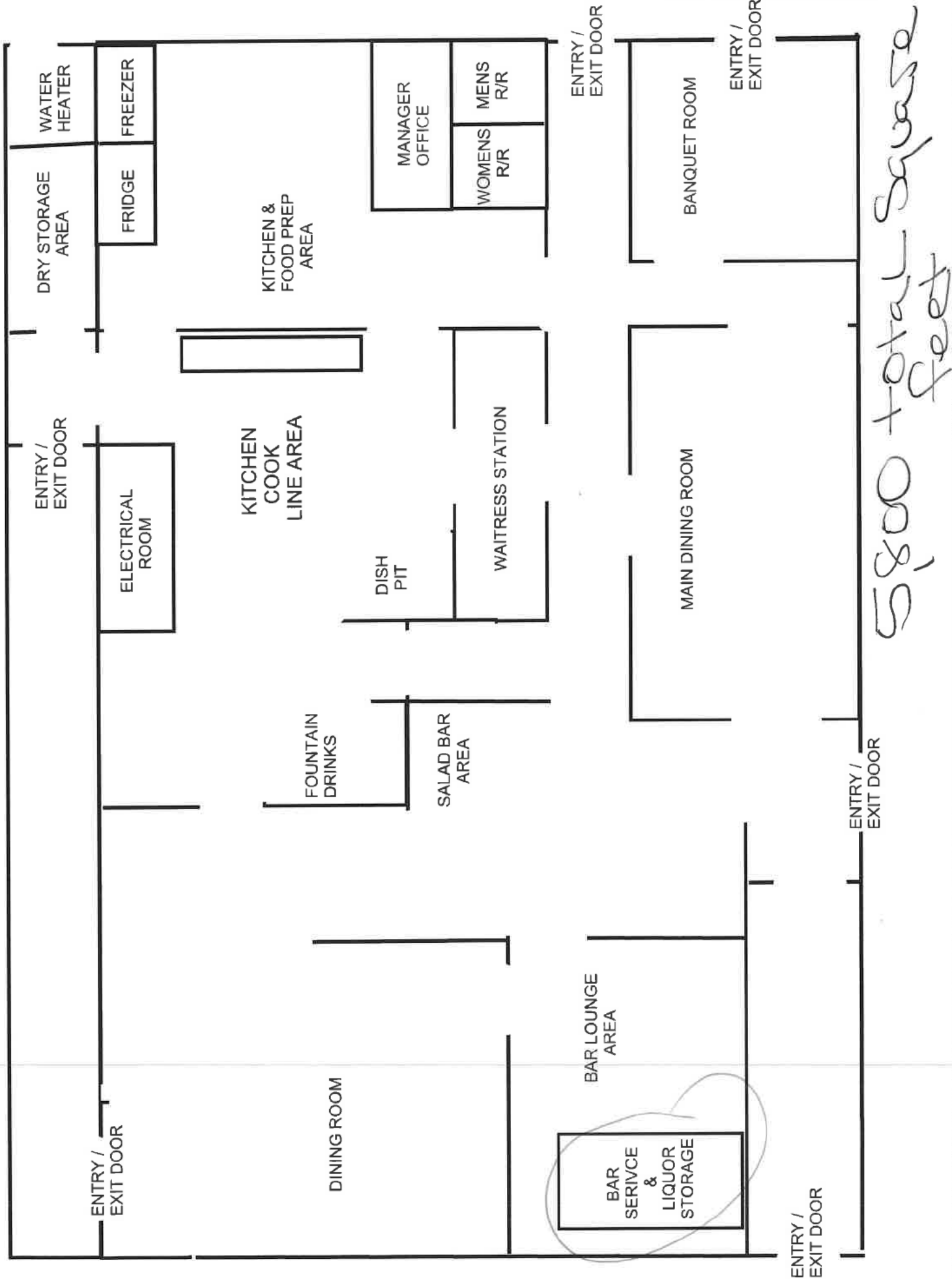
APPLICATION INFORMATION

Application Number: 306782
Application Type: New Application
Created Date: 08/26/2024

QUESTIONS & ANSWERS

012 Restaurant

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
PROPERTY TENANT
- 3) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
TERMINATION
- 4) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 5) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
SHANNON FLOYD PENROD
842 EAST MASON DRIVE SPRINGVILLE AZ 85938 - ZERO DEBT PAID IN FULL
- 6) Are there walk-up or drive-through windows on the premises?
No
- 7) Does the establishment have a patio?
No
- 8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
11/01/2024
- 9) What type of business will this license be used for?
BREAKFAST BRUNCH RESTAURANT





RESTAURANT/HOTEL/MOTEL OPERATION PLAN

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

Type or Print with **Black Ink**

1. Name of restaurant (Please print): **SHOW LOW CAFE**

2. Must indicate the equipment below by Make, Model, and Capacity:

LIST ONLY THE FOLLOWING - NO ATTACHMENTS

Grill	8 BURNER STOVE 1 ATOSA FLAT TOP GRILL 3 FEET WIDE 1 WOLF FLATTOP
Oven	1 CONVECTION OVEN 1 MICROWAVE
Freezer	1 SINGLE DOOR FREEZER STAINLESS STEEL
Refrigerator	1 KELVINATOR STAINLESS STEEL 2 PREMIUM LAVELLA COOLERS
Sink	1 STAINLESS STEEL 3 COMPARTMENT SINK 4 SINGLE STAINLESS STEEL SINKS USED FOR WAITRESS AREA & HAND WASHING
Dish Washing Facilities	1 PRO CLEAN DISHWASHER
Food Preparation Counter (Dimensions)	1 STAINLESS STEEL TABLE 33X66 2 FOGEL BRAND COOL TABLE 1 6FT STEAM TABLE 1 DOLD SANDWICH TABLE
Other	1 ALTO-SHAAM DUAL WARMER 1 KOOLAIRE ICE MACHINE 2 COOK RITE FRYERS 1 AVANTO FRYER 2 HOBART SLICERS

3. Attach a copy of your FULL menu with pricing **INCLUDING NON-ALCOHOLIC BEVERAGES**

4. What percentage of your public premises is used primarily for restaurant dining?

(Do not include kitchen, bar, hi-top tables, or game area.) 80 %

5. Does your restaurant have a bar area that is distinct and separate from the dining area? ☐ YES ☒ No

(If yes, what percentage of the public floor space does this area cover?) _____ %

6. List the **seating capacity** for:

a) Restaurant dining area of your premises: [200]

(DO NOT INCLUDE PATIO SEATING)

b) Bar area [+ 20]

TOTAL [= 220]

7. What type of dinnerware is primarily used in your restaurant? ☐ Reusable ☐ Disposable ☒ Both

8. Does your restaurant contain any **games, televisions, or any other entertainment**? ☒ YES ☐ No

If yes, specify what types and how many (examples: 4-TV's, 2-Pool Tables, 1-Video Game, etc.)

6 FLAT SCREEN TELEVISIONS

9. Do you have live entertainment or dancing? ☐ YES ☒ No

If yes, what type and how often (example: DJ-2 x a week, Karaoke-2 x a month, Live Band-1 x a month, etc.)

10. List number of employees for each position:

Position	How many
Cooks	8
Bartenders	3
Hostesses	2
Managers	1
Servers	6
Other (BUSSERS)	4
Other (DISHWASHERS)	4
Other ()	

I, (Print Full Name) **JUANITA ALICIA ESPARZA**, hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: _____

Welcome to

Show Low

CAFE

*"For a great
comfort food
experience!"*



TO GO ORDERS WELCOME: 928-892-5411

Served
All Day**BREAKFAST**Served
All Day

All Egg and Omelet Breakfasts served with choice of Hash Browns or Country Potatoes with Onions and Green Peppers,
Choice of Toast or Half Jumbo Biscuit with Gravy (get Full Jumbo Biscuit with Gravy for \$1.50 More)
or Dollar Pancakes. (Oatmeal served 'til' 1pm.)

Eggs

#1 2 eggs	8.95
#2 Bacon or Sausage Patty or Sausage Links & 2 eggs	10.75
#3 Ham & 2 eggs	12.95
#4 Corned Beef Hash & 2 eggs	12.75
#5 Chicken Fried Steak & 2 eggs	15.75
#6 Hamburger Patty & 2 eggs	12.25
#7 2 - 6 oz Center Cut Pork Chops	12.95
#8 8oz. Top Sirloin & 2 eggs	16.75
#9 Chorizo & eggs	12.75
#10 Huevos Rancheros - 2 eggs on Corn Tortilla	12.50

Breakfast Sandwiches 10.69

served on an English Muffin or Croissant

Ham and Egg • Bacon and Egg • or Sausage and Egg
served with Hash Browns or Country Potatoes

Breakfast Burrito 11.75

served with Onions, Green Chili and Hash Browns

Ham & Eggs, Bacon & Eggs, Sausage & Eggs, or Chorizo & Eggs

Jumbo Biscuits & Gravy

Full order 2 Biscuits with Hash Browns	8.95
1/2 order 1 Biscuit with Hash Browns	7.75
Full order 2 Biscuits without Hash Browns	7.95
1/2 order 1 Biscuit without Hash Browns	6.75

Pancakes

1 Pancake	3.95	Blueberry or Multi-Grain or Chocolate Chip	5.95
Pancakes	5.25	Blueberry or Multi-Grain or Chocolate Chip	6.95
3 Pancakes	6.50	Blueberry or Multi-Grain or Chocolate Chip	8.00

French Toast

1 Slice	4.95	2 Slices	6.95	3 Slices	7.95
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Any Pancake, French Toast - add Strawberry, Blueberry, or
Mixed Topping with Whipped Cream for 3.15

SKILLETS

Most breakfasts can be made Skillet Style
- Ask your Server

3 Egg Omelets

Your choice of American Cheese, Swiss, Cheddar or Pepper Jack
Egg White Omelet - add 1.98

0-1 Cheese Omelet	10.50
0-2 Ham or Bacon or Sausage Omelet	11.95
0-3 Denver Omelet Ham, Green Peppers and Onions	12.50
0-4 Veggie Omelet Tomato, Spinach, Green Peppers, Onions, Black Olives, Mushrooms	12.25
0-5 Bacon, Tomato, Spinach, Avocado Omelet	12.50
0-6 "Our Meat Omelet" Ham, Bacon & Sausage	12.95
0-7 Chili Omelet with Homemade Chili	12.50
0-8 Chorizo Omelet	12.50
0-9 Green Chili Omelet	11.95

Specialty Eggs

Served with Hash Browns or Country Potatoes

Eggs Benedict with Ham	12.95
Florentine Eggs Benedict Spinach, Bacon and Tomato	12.95

Oatmeal with Toast

Cup 5.00 Bowl 6.50 served 'til' 1pm.

add Blueberry, Strawberries, or Mixed Berries for 3.15

Parfait with Toast 8.95

made with Granola, Yogurt, and Blueberries or Strawberries or Mixed Berries

Huge Cinnamon Roll 5.75**Sides**

Bacon	3.50	Hamburger Patty	5.50
Sausage Patty or Links	3.50	Country Potatoes	3.50
Ham	8.50	Toast	2.00
Hash Browns	3.00	Cup of Gravy	1.50
Corn Beef Hash	6.50	1 Egg	1.50
		Avocado	2.50

* Gratuity may be added to tables of 6 or more.

Senior / Light Eaters **BREAKFAST/LUNCH**

Breakfast served with Hash Browns or Country Potatoes with Onions and Green Peppers, choice of Toast, or Half Jumbo Biscuit with Gravy (get Full Jumbo Biscuit with Gravy for \$1.50 More) or Dollar Pancakes (Portions are a Little Less. Oatmeal served 'til' 1pm.)

S#1 1 Egg	7.75
S#2 1 Egg	
2 Bacon or 1 Sausage Patty/Link	9.00
S#3 1 Egg with Ham	10.95
S#4 1 Egg with Corned Beef Hash	10.95
S#5 1 Egg with Chicken Fried Steak	12.75
S#6 1 Egg with Hamburger Patty	11.50
S#7 1 Egg with Center Cut Pork Chop	11.50
S#8 1 Egg with Breakfast Steak	13.75
S#9 1 Egg with Chorizo	10.75
S#10 1 Egg with Huevos Rancheros	10.75

Specialty Eggs

Served with Hash Browns or Country Potatoes
 1/2 Eggs Benedict 10.95
 1/2 Florentine Eggs Benedict 10.95

2 Egg Omelets

Your choice of Cheese: American, Swiss, Cheddar or Pepper Jack

S-0-1 Cheese Omelet	8.95	S-0-5 Bacon, Tomato, Spinach, Avocado Omelet	11.50
S-0-2 Ham, Bacon or Sausage Omelet	10.50	S-0-6 "Our Meat Omelet" Ham, Bacon & Sausage	11.50
S-0-3 Denver Omelet Ham, Green Peppers and Onions	10.50	S-0-7 Chili Omelet with Homemade Chili	10.75
S-0-4 Veggie Omelet Tomato, Spinach, Green Peppers, Onions, Black Olives, Mushrooms	10.50	S-0-8 Chorizo Omelet	10.50
		S-0-9 Green Chili Omelet	10.50

Pancakes

3 Pancakes 5.75
 Blueberry 5.75 Multi-Grain 5.75

LUNCH

Any Burgers 1/4 lb. Patties \$2.00 off
 1/2 Melts & Specialty Sandwiches \$2.00 off

BURGERS & SANDWICHES

Burgers Served with Lettuce, Tomato, Onion or Onion Strings, and Pickle.

All served with choice of French Fries, Tater Tots, Curly Fries, Cottage Cheese, Sweet Potato Fries or Handcut Fries
 ALL HAMBURGER MENU ITEMS CAN BE SUBSTITUTED WITH CHICKEN BREAST FOR 1.50

Burgers

May be ordered with (C) Chicken Breast or (B) Hamburger

C-1 B-1 Plain Burger	11.25
C-2 B-2 Cheeseburger	11.50
C-3 B-3 Bacon Cheeseburger	12.50
C-4 B-4 Mushroom Swiss Cheeseburger	12.50
C-5 B-5 Green Chili Cheeseburger	12.50
C-6 B-6 Jalapeño Cheeseburger	12.50
C-7 B-7 Avocado, Bacon Cheeseburger	12.50
C-8 B-8 Black & Blue Burger	12.50

Buffalo Chicken Fries or Tots
 with Ranch Dressing 9.95

Cold Sandwich or Wraps

May be ordered as a Sandwich or a Wrap

CO-1 W-1 Ham	10.49
CO-2 W-2 Turkey	10.49
CO-3 W-3 Tuna	10.49
CO-4 W-4 Roast Beef	10.49
CO-5 W-5 Chicken Salad	10.49
W-6 Chicken Ranch Wrap Try it Buffalo Style (+75c)	11.25

Melts

M-1 Patty Melt	11.50
M-2 Turkey Melt Bacon, Tomato, Cheese	12.50
M-3 Green Chile Melt	11.75
M-4 Jalapeño Melt	11.75
M-5 Tuna Melt	11.75

B.L.T.

Regular 9.50
 with Avocado 10.25

Specialty Sandwiches

S-1 Reuben Corn Beef	12.50
S-2 Chili Size	12.50
S-3 French Dip	12.50
S-4 Club Sandwich Ham and Turkey	12.75
S-5 Fish Sandwich	11.75

Chicken Fried Steak Sandwich 13.50
 Open Face Hot Beef or Turkey With Mashed Potato and Vegetable 13.25

Grilled Sandwiches

G-1 Grilled Cheese	8.00
G-2 Grilled Ham & Cheese	9.25
G-3 Grilled Cheese with Tomato	9.00
G-4 Grilled Cheese with 3 Cheese American, Swiss, Pepper Jack - with Bacon & Tomato	11.25

DINNER

Dinner available after 10:30 AM

Served with choice of Potato – Mashed, French Fries, Sweet Potato Fries, Curly Fries, or Baked (Baked available after 4:00 p.m).
Vegetable of the day and Soup & Salad Bar

½ Portions for Seniors or Light Eaters (S/L) with Soup & Salad Bar

D-1 Chicken Fried Steak	16.50	S/L 14.50
Homemade Gravy		
D-2 Meat Loaf Homemade	15.50	S/L 13.50
D-3 Chicken Breast	16.50	S/L 14.25
with Mushroom and Cheese or Green Chili and Cheese		
D-4 Liver & Onions Topped with Bacon	14.75	S/L 11.25
D-5 Roast Beef with Brown Gravy	16.50	S/L 14.00
D-6 Turkey Dinner with Turkey Gravy	16.00	S/L 13.50
D-9 Pork Chops	16.50	S/L 14.50
D-10 Ground Sirloin Patty	15.25	S/L 13.95
with Grilled Onions and Brown Gravy		
D-11 Ham Steak with Pineapple Rings	15.50	S/L 13.50
D-12 Grilled Salmon 8 oz.	19.25	
D-13 Chicken Fried Chicken	15.95	S/L 13.95
D-14 Top Sirloin 8 oz.	18.95	S/L 17.25
D-15 Grilled Cod 8 oz.	18.75	

SIDES

Tater Tots	3.50	Cottage Cheese	3.50
French Fries	3.50	Bowl of Soup	4.95
Curly Fries	3.50	Cup of Soup	3.75
Onion Rings	4.95	Sweet Potato Fries	4.25
Bowl of Chili with Cheese & Onions			6.95
Cup of Chili w/ Cheese & Onions			5.75

Kid's Menu

Breakfast 6.75

- K-1 Chocolate Chip Smiley Face Pancake with Bacon or Sausage
K-2 One Egg Hash Browns and Toast
K-3 One Slice French Toast with Bacon or Sausage

Lunch 7.75

- K-4 ¼ lb Cheeseburger • K-5 Grilled Cheese
K-6 Corn Dog • K-7 Chicken Strips • K-8 Mac & Cheese
Includes small milk, juice, or soda
and choice of fries

SALADS

Chef Salad	12.95
Ham, Turkey, Egg, Cheese, Onion, & Tomato	
Mandarin Orange Chicken Salad	12.95
w/ Raspberry Vinaigrette Dressing, Spinach, Mandarin Oranges, Almonds	
Cobb Salad	12.95
Bacon, Avocado, Chicken, Egg, Blue Cheese Crumbles, Tomato & Onion with Balsamic Vinaigrette	
Crispy Chicken Buffalo Salad	12.95
Tomato, Bacon, and Cheese with Buffalo Sauce	
Stuffed Tomato	12.25
with Tuna Or Chicken Salad	
Fruit Plate with Cottage Cheese	11.50
Seasonal – May until October	

Soup & Salad Bar

All You Can Eat: 12.95

One Trip: 10.50 • With a Sandwich, One Trip: 4.50

Lo-Cal Plates 11.75

Hamburger Patty or Chicken Breast
with Cottage cheese, sliced tomato and fruit in season

Milk Shakes 5.95

Chocolate, Strawberry, Blueberry
Mixed Berry

BEVERAGES

Coffee	2.25	Hot Chocolate	2.79
Decaf	2.15	Iced Tea	2.25
Hot Tea Assorted	2.79	Gatorade	2.49
Milk		Small 1.29	Large 1.99
Chocolate Milk		Small 1.99	Large 2.59
Juice – Orange, Apple, Cranberry		Small 2.49	Large 2.79
Sodas			2.59
Diet Pepsi, Pepsi, Dr. Pepper, Root Beer, Lemonade, Sierra Mist, Mtn. Dew			

Notice: Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of Food-Borne illness especially if you have certain medical conditions!



RECORDS REQUIRED FOR AUDIT RESTAURANT/HOTEL/MOTEL

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

Type or Print with Black Ink

In the event of an audit, you will be asked to provide to the Department any documents necessary to determine Compliance with A.R.S. §4-205.02(G). Such documents requested may include however, are not limited to:

SHOW LOW CAFE

1. Name of restaurant (Please print): _____
2. All invoices and receipts for the purchase of food and spirituous liquor for the licensed premises.
3. A list of **all** food and liquor vendors
4. The restaurant menu used during the audit period
5. A price list for alcoholic beverages during the audit period
6. Mark-up figures on food and alcoholic products during the audit period
7. A recent, **accurate** inventory of food and liquor (taken within two weeks of the Audit Interview Appointment)
8. Monthly Inventory Figures - beginning and ending figures for food and liquor
9. Chart of accounts (copy)
10. Financial Statements-Income Statements-Balance Sheets
11. **General Ledger**
 - A. Sales Journals/Monthly Sales Schedules
 - 1) Daily sales Reports (to include the name of each waitress/waiter, bartender, etc. with sales for that day)
 - 2) Daily Cash Register Tapes - Journal Tapes and Z-tapes
 - 3) Dated Guest Checks
 - 4) Coupons/Specials/Discounts
 - 5) Any other evidence to support income from food and liquor sales
 - B. Cash Receipts/Disbursement Journals
 - 1) Daily Bank Deposit Slips
 - 2) Bank Statements and canceled checks

12. **Tax Records**

- A. Transaction Privilege Sales, Use and Severance Tax Return (copies)
- B. Income Tax Return - city, state and federal (copies)
- C. Any supporting books, records, schedules or documents used in preparation of tax returns

13. Payroll Records

- A. Copies of all reports required by the State and Federal Government
- B. Employee Log (A.R.S. §4-119)
- C. Employee time cards (actual document used to sign in and out each work day)
- D. Payroll records for all employees showing hours worked each week and hourly wages

14. Off-site Catering Records (must be complete and separate from restaurant records)

- A. All documents which support the income derived from the sale of food off the license premises.
- B. All documents which support purchases made for food to be sold off the licensed premises.
- C. All coupons/specials/discounts

The sophistication of record keeping varies from establishment to establishment. Regardless of each licensee's accounting methods, the amount of gross revenue derived from the sale of food and liquor must be substantially documented.

**REVOCATION OF YOUR LIQUOR LICENSE MAY OCCUR IF YOU FAIL TO COMPLY WITH
A.R.S. §4-210(A)7 AND A.R.S. §4-205.02(G).**

A.R.S. §4-210(A)7

The licensee fails to keep for two years and make available to the department upon reasonable request all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of spirituous liquors and, in the case of a restaurant or hotel-motel licensee, all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of food.

A.R.S. §4-205.02(G)

For the purpose of this section:

1. "Restaurant" means an establishment which derives **at least forty percent (40%)** of its gross revenue from the sale of food
2. "Gross revenue" means the revenue derived from all sales of food and spirituous liquor on the licensed premises regardless of whether the sales of spirituous liquor are made under a restaurant license issued pursuant to this section or under any other license that has been issued for the premises pursuant to this article.

I, (Print Full Name) JUANITA ALICIA ESPARZA, hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Applicant Signature: _____

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH RECORDS REQUIRED BY THE STATE



Arizona Dept. of Liquor Licenses and Control
<https://www.azliquor.gov>
 (602) 542-5141

DLC USE ONLY

Fee:	0
Job #:	300782
Date Accepted:	8/17/24
CSR:	TS

Personal Information Questionnaire

805.543 SP
current

ATTENTION APPLICANT: This is a legally binding document. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

THE COMPLETED QUESTIONNAIRE NEEDS TO BE SUBMITTED TO THE DEPARTMENT ALONG WITH A \$22. FEE, AND FD-258 FINGERPRINT CARD, THAT HAS BEEN SEALED IN AN ENVELOPE, AND SIGNED OR INITIALED BY THE FINGERPRINT TECHNICIAN, MUST INCLUDE THE FINGERPRINT VERIFICATION FORM. MUST BE COMPLETED BY A RECOGNIZED FINGERPRINT SERVICE OR LAW ENFORCEMENT AGENCY.

Agent: a person who is designated by an applicant or licensee to receive communications from the department and to file and sign documents submitted to the department on behalf of the applicant or licensee. An agent is not a manager.

A.R.S. §4-202(A).

Controlling Person: person directly or indirectly possessing control of an applicant or licensee.

A.R.S. §4-101(10).

Manager: An individual (not an entity) approved by the Department of Liquor who has the authority to organize, direct, carry out, control or to otherwise operate the day-to-day operations of a liquor-licensed business.

A.R.S. §4-101(22) and
 A.R.S. §4-202(C)

SECTION - 1 INDIVIDUAL INFORMATION

☒ AGENT

☐ CONTROLLING PERSON

☐ MANAGER

- Name: ESPARZA JUANITA AIICIA
Last First Middle
- Social Security #: [REDACTED] Birth Date: [REDACTED]
(NOT a public record) (NOT a public record)
- Driver's License #: [REDACTED] State Issued: ARIZONA
(NOT a public record)
- Are you a resident of Arizona? ☒ Yes ☐ No Date of residency: 02 / / 1967
- Email address: AELIQUORLICENSE@GMAIL.COM
- Home Address: 11602 W JEFFERSON ST AVONDALE ARIZONA 85323
- Daytime phone #: 623-302-2234 Alternative phone #: 623-302-2234

SECTION 2 - LICENSED BUSINESS INFORMATION

- License Number: NA
- Business Name (doing business as): SHOW LOW CAFE
- Business Address: 480 WEST DEUCE OF CLUBS SUITE #B SHOW LOW ARIZONA 85901

SECTION 3 – DAY TO DAY OPERATION OF BUSINESS

Must attach copies of Basic and Management Title 4 training certificates for person managing the day to day operation of the licensed business.

Who is managing the day to day operations? ☐ Agent ☒ Controlling Person ☐ Manager

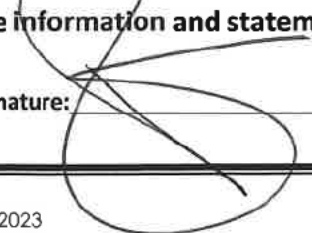
Name of persons who will be handling the day to day operations: CODY CHRISTINE LAWYER

SECTION 4 – BACKGROUND

If you answer "YES" to any Question 1 through 5 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions. CHANGES TO QUESTIONS 1-5 MAY NOT BE ACCEPTED

1. Have you owned, or been a controlling person of any entities that held a liquor license in Arizona, or any jurisdiction, in the past 5 years? Yes ☐ No ☒
2. Have you been cited, arrested, indicted, convicted, or required to appear in court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past 5 years? Yes ☐ No ☒
3. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked, or suspended in or outside of Arizona within the last 5 years? A.R.S. §4-202(D) Yes ☒ No ☐
4. Have you had ANY administrative law citations, compliance actions, or consents, in any jurisdiction in the past 5 years? (Do not include civil traffic tickets) Yes ☐ No ☒
A.R.S. §4-202, 4-210
**Administrative Law Violations are any civil penalties, fines, suspension, or revocations of your liquor license.*
5. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? Yes ☐ No ☒

I, (Print Full Name) JUANITA ALICIA ESPARZA hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Signature: 

Date: 08/13/2024



ALIEN STATUS

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

Type or Print with **Black Ink**

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrant, and certain aliens paroled into the United States are eligible to receive state, or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 41-1080 requires, in general, that a person applying for a license must submit documentation to the license agency that satisfactorily demonstrates the applicant's presence in the United States is authorized under federal law.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III.

Submit this completed form and a copy of one or more document(s) from the attached "Evidence of U.S. Citizenship, U.S. National Status, or Alien Status" with your application for license or renewal. If the document you submit does not contain a photograph, you must also provide a government issued document that contains your photograph. You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

SECTION I – APPLICANT INFORMATION

APPLICANT NAME (Print or type) **JUANITA ALICIA ESPARZA**

SECTION II – CITIZENSHIP OR NATIONAL STATUS DECLARATION

Are you a citizen or national of the United States? ☒ Yes ☒ No - If **yes**, indicate place of birth:

City **COLUMBUD** State **GEORGIA** COUNTRY **UNITED STATES**

If you answered **Yes, 1)** Attach a legible copy of a document from the list below.

2) Name of document: **ARIZONA DRIVER'S LICENSE**

If you answered **No**, you must complete Sections III.

EVIDENCE OF U.S. CITIZENSHIP, U.S. NATIONAL STATUS, OR ALIEN STATUS

You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

Evidence showing authorized presence in the United State includes the following:

1. An Arizona driver license issued after 1996 or an Arizona non-operating identification card.
2. A driver license issued by a state that verifies lawful presence in the United States.
3. A birth certificate or delayed birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after Jan. 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time)
4. A United States certificate of birth abroad.
5. A United States passport. ***Passport must be signed***
6. A foreign passport with a United States visa.
7. An I-94 form with a photograph.
8. A United States citizenship and immigration services employment authorization document or refugee travel document.
9. A United States certificate of naturalization.
10. A United States certificate of citizenship.
11. A tribal certificate of Indian blood.
12. A tribal or bureau of Indian affairs affidavit of birth.
13. Any other license that is issued by the federal government, any other state government, an agency of this state or a political subdivision of this state that requires proof of citizenship or lawful alien status before issuing the license.

SECTION III – QUALIFIED ALIEN DECLARATION

Applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of a document from the attached list or other document as evidence of your status.

Name of document provided

Qualified Alien Status (8 U.S.C. §§ 1621(a)(1), -1641(b) and (c))

- ☐ 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA)
- ☐ 2. An alien who is granted asylum under Section 208 of the INA.
- ☐ 3. A refugee admitted to the United States under Section 207 of the INA.
- ☐ 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- ☐ 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- ☐ 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- ☐ 7. An alien who is a Cuban/Haitian entrant.
- ☐ 8. An alien who has, or whose child or child's parent is a "battered alien" or an alien subject to extreme cruelty in the United States

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C § 1101 et seq.] Non-immigrants are persons who have temporary status for a specific purpose. See 8 U.S.C § 1101(a)(15).

Alien Paroled into the United States for Less Than One Year (8 U.S.C. § 1621(a)(3))

- 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C § 1621(c)(2)(A) and (C))

- 11. A nonimmigrant whose visa for entry is related to employment in the United States, or
- 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 et seq.];
- 13. A foreign national not physically present in the United States.
- 14. **Otherwise Lawfully Present**
- 15. A person not described in categories 1-13 who is otherwise lawfully present in the United States.

PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. §

JUANITA ALICIA ESPARZA

Print Name

Signature

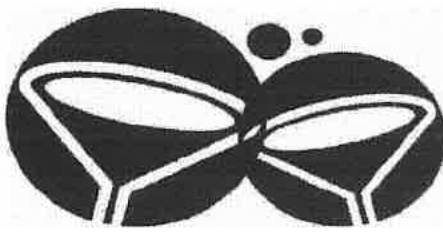
08/13/2024

Date

Arizona DRIVER LICENSE USA



6 CLASS D 4d DLN [REDACTED]
9a END NONE 3 EXP [REDACTED]
12 REST NONE
1 ESPARZA
2 JUANITA ALICIA
4 11602 W JEFFERSON ST
AVONDALE, AZ 86323-1192
4b EXP 11/22/2027 11/22/2019
15 SEX F 181 BRO
16 HGT 5'-09" 191 BRO
17 WGT 184 lb
02/06/67



AE LIQUOR LICENSE SERVICE

P O Box 1189 Tolleson, Arizona 85353 (623) 302-2234

August 21, 2024

The Arizona Department of Liquor License and Control
800 W. Washington St. 5th Floor
Phoenix, Arizona 85007

Question #3

To Whom it may concern:

My name is Juanita Alicia Esparza I do not currently own any liquor licenses in The State of Arizona however; I am listed as an agent on several licenses throughout the State and wish to provide the following information to the best of my knowledge.

I am currently listed as the agent on liquor license 06070446. The name of the business is Mecca Bar located at 162 E. Wickenburg Way, Wickenburg, Arizona 85390. On or about May 2020 Mecca Bar was cited for the following:

Licensee fails to maintain capability, qualification and reliability ARS 4-210.A.2.

Failure to protect the safety of patrons ARS 4-210.A.10.

On sale retail personnel records R19-1-502. A fine was imposed in the amount of \$1000.00 for the following violations and was paid in full.

On or about January 9, 2021 Mecca Bar was cited for violation of an executive order.

4-210.A.2 The license fails to maintain capability, qualification and reliability.

4-210.A.9 Licensee fails to comply with Title IV.

4-210.A.10 Failure to protect the safety of patrons.

Mecca Bar was placed under suspension for a period of 10 days and was fined in the amount of \$4000.00 which was paid in full.

I was listed as the agent for the Palamino Club located at 107 E. Wickenburg Way Wickenburg, Arizona 85390. The license number was 012070012031. On or about January 2021 the Palamino Club was cited for the following:

4-210.A.2 The license fails to maintain capability, qualification and reliability, View,

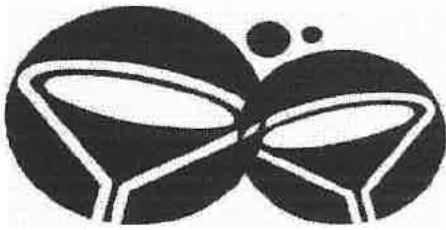
4-210.A.9 Licensee fails to comply with Title IV, View

04-210.A.10 Failure to protect the safety of patrons.

A fine was imposed in the amount of \$1750.00 and was paid in full. The Palamino Club was sold in February 2022 and a new ownership has assumed the location.

I am currently listed as the agent on liquor license 06070125. The name of the business is currently Xantolo Night Club located at 4139 W. Bell Rd #7 Phoenix, Arizona 85031. On or about February 14, 2023 the owners of the club received a citation for the following:

4--241.A Accepting unauthorized forms of I.D. There was a fine imposed of \$1000.00 which was reduced to \$500.00. The fine was paid in full. As of this date there are no pending or new infractions against the liquor license establishment.



AE LIQUOR LICENSE SERVICE

P O Box 1189 Tolleson, Arizona 85353 (623) 302-2234

I am currently listed as the agent on the license El Camaron Gigante, LLC. The license number is 012070002539. The restaurant is currently located at 8343 W. Van Buren St. Tolleson, Arizona 85353. On or about September 1, 2023, the establishment was cited for the following:

4-205.02(C) Removal of spirituous Liquor from Licensed Premises. The business was assessed a fine in the amount of \$6000.00 which was reduced to \$3000.00. The fine was paid in full. As of this date there are no pending or new infractions against the liquor license establishment.

I am currently listed as the liquor agent on license #06070107. The name of the business is La Mal Querida Cantina located at 5106 N. 51st Ave Glendale, Arizona 85301. On or about January 6, 2024, the owner of the bar was cited for the following reason(s):

4-244-12 Licensee consuming on duty.

4-244.2 Failure to comply with Title IV.

4-244-23 Delivering more alcohol than the law allows. There was a fine imposed in the amount of \$3500.00 which was reduced to \$1750.00. The fine has been paid in full. As of this date there are no pending or new infractions against the liquor license establishment.

I am currently listed as the liquor agent listed on license 012070020111. The name of the business is Tequila Cocina and Cantina located at 4818 N. 7th St Phoenix, Arizona 85014. On or about February 13, 2024, the owner was cited for the following:

R19-1-405 Notice Change in Status. There was a fine imposed of \$250.00 which was paid in full on February 24, 2024. As of this date there are no pending or new infractions against the liquor license establishment.

As of this date there have been no further infractions on any of the above establishments. If you should have any questions, you may contact me at (623) 302-2234

Respectfully,

Juanita Alicia Esparza
AE Liquor Consulting Service, Limited Liability Company (owner)



Arizona Dept. of Liquor Licenses and Control
<https://www.azliquor.gov>
(602) 542-5141

24 AUG 26 AM 11:26 AZDILLC

DLLC USE ONLY

Fee:	12.00
Job #:	300782
Date Accepted:	9/17/24
CSA:	TA

Personal Information Questionnaire

805.587

ATTENTION APPLICANT: This is a legally binding document. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

THE COMPLETED QUESTIONNAIRE NEEDS TO BE SUBMITTED TO THE DEPARTMENT ALONG WITH A \$22. FEE, AND FD-258 FINGERPRINT CARD, THAT HAS BEEN SEALED IN AN ENVELOPE, AND SIGNED OR INITIALED BY THE FINGERPRINT TECHNICIAN, MUST INCLUDE THE FINGERPRINT VERIFICATION FORM. MUST BE COMPLETED BY A RECOGNIZED FINGERPRINT SERVICE OR LAW ENFORCEMENT AGENCY.

Agent: a person who is designated by an applicant or licensee to receive communications from the department and to file and sign documents submitted to the department on behalf of the applicant or licensee. An agent is not a manager.

A.R.S. §4-202(A).

Controlling Person: person directly or indirectly possessing control of an applicant or licensee.

A.R.S. §4-102(10).

Manager: An individual (not an entity) approved by the Department of Liquor who has the authority to organize, direct, carry out, control or to otherwise operate the day-to-day operations of a liquor-licensed business.

A.R.S. §4-102(22) and
A.R.S. §4-202(C)

SECTION - 1 INDIVIDUAL INFORMATION

☐ AGENT

☒ CONTROLLING PERSON

☐ MANAGER

- Name: LAWYER CODY CHRISTINE
Last First Middle
- Social Security #: [REDACTED] Birth Date: [REDACTED]
(NOT a public record) (NOT a public record)
- Driver's License #: [REDACTED] State Issued: ARIZONA
(NOT a public record)
- Are you a resident of Arizona? ☒ Yes ☐ No Date of residency: 07 / 15 / 1983
- Email address: SHOWLOWCAFEAZ@GMAIL.COM
- Home Address: 721 WEST OLD LINDEN ROAD SHOW LOW ARIZONA 85901
- Daytime phone #: 928-551-1355 Alternative phone #: 928-551-1355

SECTION 2 – LICENSED BUSINESS INFORMATION

- License Number: NA
- Business Name (doing business as): SHOW LOW CAFE
- Business Address: 480 WEST DEUCE OF CLUBS SUITE #B SHOW LOW ARIZONA 85901

4/18/2023

Page 1 of 2

Individuals requiring ADA accommodations please call (602)542-2999

SECTION 3 – DAY TO DAY OPERATION OF BUSINESS

24 AUG 26 AM 11:26 AZD LLC

Must attach copies of Basic and Management Title 4 training certificates for person managing the day to day operation of the licensed business.

Who is managing the day to day operations? ☐ Agent ☒ Controlling Person ☐ Manager

Name of persons who will be handling the day to day operations: CODY CHRISTINE LAWYER

SECTION 4 – BACKGROUND

If you answer "YES" to any Question 1 through 5 **YOU MUST** attach a signed statement. Give complete details including dates, agencies involved and dispositions. CHANGES TO QUESTIONS 1-5 MAY NOT BE ACCEPTED

1. Have you owned, or been a controlling person of any entities that held a liquor license in Arizona, or any jurisdiction, in the past 5 years? Yes ☐ No ☒
2. Have you been cited, arrested, indicted, convicted, or required to appear in court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past 5 years? Yes ☐ No ☒
3. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked, or suspended in or outside of Arizona within the last 5 years? A.R.S. §4-202(D) Yes ☐ No ☒
4. Have you had ANY administrative law citations, compliance actions, or consents, in any jurisdiction in the past 5 years? (Do not include civil traffic tickets)
A.R.S. §4-202, 4-210
**Administrative Law Violations are any civil penalties, fines, suspension, or revocations of your liquor license.* Yes ☐ No ☒
5. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? Yes ☐ No ☒

I, (Print Full Name) CODY CHRISTINE LAWYER hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.

Signature: Cody C. Lawyer

Date: 08/09/2024



FINGERPRINT VERIFICATION FORM

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

DLLC USE ONLY

Job #:	300782
Date Accepted:	9/17/24
CSR:	JA

ATTENTION FINGERPRINT TECHNICIAN:

Please follow the instructions below for fingerprinting this applicant.

1. Please fill out or ensure that the applicant has filled out all the required boxes on the fingerprint card prior to taking the fingerprints.
2. Request a valid, unexpired government-issued photo ID from the applicant and compare the physical descriptors on the applicant's photo ID to the applicant and to the information on the fingerprint card.
3. Fill out the information in the boxes below. **Please print clearly.**
4. Once the prints have been taken, place the fingerprint card and this form into the envelope and seal it. Please write your name or identification across the edge of the seal. Return the sealed envelope to the applicant.
Do not give the applicant the fingerprint card without first sealing it inside the envelope.
5. **Write applicants name on front of sealed envelope.**

PRINT the following information:

Date 8/20/24	Name of Applicant: Cody Christine Lawyer
Name of Fingerprint Technician: Patricia J. Evans #6005	
Fingerprint technician's Signature: Patricia J. Evans	
Fingerprint technician's Agency/company Name: Show Low Police Dept.	Phone Number: (928) 537-5091
Type of Photo ID Provided (check one):	
☒ Driver's License ☐ Passport ☐ Other (Please specify)	



SUBJECT PROPERTY



**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Resolution No. R2024-31 Approving and Authorizing Intergovernmental Agreement with Arizona Department of Transportation for HURF Exchange Funding for North 11th Street Improvements (Shane Hemesath)

RECOMMENDATION

I **MOVE** to adopt Resolution No. R2024-31 Approving and Authorizing Intergovernmental Agreement with Arizona Department of Transportation for the HURF Exchange funding for North 11th Street Improvements, and authorizing the Mayor to sign said agreement.

BACKGROUND

The City of Show Low is scheduled to receive federal STBGP funding in an amount of \$617,000 for the North 11th Street improvement project. The scope of the project is to reconstruct North 11th Street from East Cooley to East Huning. Remove old existing concrete and asphalt, install new ADA compliant sidewalk with ramps, roadside parking, concrete pavers, conduit sleeves for future lighting and landscaping improvements, as well as required drainage infrastructure required by the improvements. Re-pave asphalt roadway and parking areas as well as install required signs and new pavement markings.

Instead of completing the project under the restrictive standards required by federal funding, the City would like to utilize the HURF exchange program at Arizona Department of Transportation (ADOT) to exchange the federal funds for state funds. That way, the project can be constructed as if it was a local project without additional requirements. The cost to utilize the HURF exchange program is 10% of the total funding, so the City will give ADOT \$617,000 of STBGP federal funds and ADOT will give the City \$555,300 of State HURF funding for the project.

This will allow staff to complete the project as if it was a local project and have more control over all aspects of the project.

Resolution No. R2024-31 approves authorizing Intergovernmental Agreement with ADOT for the HURF Exchange funding for North 11th Street Improvements, and authorizing the Mayor to sign said agreement.

ATTACHMENTS

1. Resolution No. R2024-31
2. Intergovernmental Agreement with ADOT

FISCAL IMPACT

Anticipated cost: \$617,000 (\$555,300 in revenue reimbursement)

Funding source (account no.): 12-500-495-7310-2559 (N 11th Street Improvement)

Description	Account	Approved Budget	Transfer	Amended Budget
Unanticipated Revenue	22-402-350-3903-0000	\$3,051,691	(617,000)	\$2,434,691
N 11th Street Improvement Rev	12-500-360-3342-2559	\$0.00	617,000	\$617,000
Unanticipated Expenditures	22-402-430-8150-0000	\$3,051,691	(617,000)	\$2,434,691
N 11th Street Improvement Exp	12-500-495-7310-2559	\$0.00	617,000	\$617,000
Total		\$6,103,382		\$6,103,382

CITY OF SHOW LOW RESOLUTION NO. R2024-31

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SHOW LOW, ARIZONA, APPROVING AND AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF SHOW LOW AND THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, FOR HURF EXCHANGE FUNDING FOR NORTH 11TH STREET IMPROVEMENTS

RECITALS:

WHEREAS, the State of Arizona, Department of Transportation, is empowered by A.R.S. §§ 28-334 and 28-401 to enter into this agreement with the City of Show Low; and

WHEREAS, the City of Show Low is empowered by A.R.S. §48-572 to enter into this agreement with the State of Arizona; and

WHEREAS, the City desires to utilize HURF Exchange funding for roadway improvements on North 11th Street from East Cooley to East Huning in Show Low; and

WHEREAS, the improvements are located on a minor collector on the federal aid system, and the Northern Arizona Council of Governments (NACOG) has confirmed the Project's eligibility for federal Surface Transportation Block Grant Program (STBGP) funds; and

WHEREAS, the City would be responsible for 10% of the total funding to utilize the HURF Exchange program; therefore, the City will give ADOT \$617,000 of STBGP federal funds and ADOT will give the City \$555,300 of State HURF funding for the project.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Show Low, Arizona, hereby approve an Intergovernmental Agreement between the City of Show Low and the State of Arizona, Department of Transportation, to utilize HURF Exchange funding for roadway improvements on North 11th Street from East Cooley to East Huning in Show Low.

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

PASSED AND ADOPTED this 15th day of October, 2024 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

ADOT CAR No.: IGA 24-0009786-I
AG Contract No.: P0012024001794
Project Location/Name: N 11Th St; E
Cooley - E Huning, Show Low
Type of Work: Roadway Improvements
ADOT Project No.: T0617 01C
TIP/STIP No.: SLW25-003C
CFDA No.: 20.205 – Highway Planning
and Construction
Budget Source Item No.: HURF Exchange

INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF SHOW LOW

THIS AGREEMENT is entered into this date _____, pursuant to the Arizona Revised Statutes §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the “State” or “ADOT”) and the CITY OF SHOW LOW, acting by and through its MAYOR and CITY COUNCIL (the “City” or the “Local Agency”). The State and the Local Agency are each individually referred to as a “Party” and are collectively referred to as “Parties.”

I. RECITALS

1. The State is empowered by Arizona Revised Statutes § 28-334 and § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The Local Agency is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, if required, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.
3. The Local Agency desires to utilize HURF Exchange funding for roadway improvements on North 11th Street from East Cooley to East Huning in Show Low, hereinafter referred to as the “Project.” The primary purpose of this Project is the improvement of the efficiency, reliability and safety of the traveling public.
4. The Project is located on a minor collector on the federal aid system. The Northern Arizona Council of Governments (NACOG) has confirmed the Project’s eligibility for federal Surface Transportation Block Grant Program (STBGP) funds for areas with population of 200,000 or less according to the most recent annual population estimates produced by the Arizona Department of Administration.

5. All phases of the Project are programmed in the approved, fiscally-constrained portion of the applicable Transportation Improvement Program (TIP) as "HURF Exchange."
6. No phase of the Project has previously been funded with any category of federal aid funding.
7. No phase of the Project is currently programmed with any category of federal aid funding.
8. The Local Agency has represented to the State that it will be able to, and will, meet the schedule requirements of this Agreement.
9. The foregoing Recitals shall be incorporated into this Agreement.

In consideration of the mutual terms expressed herein, the Parties agree as follows:

II. DEFINITIONS AND ACRONYMS

Apportionments	Surface Transportation Block Grant Program funds provided by ADOT to COGs, MPOs, and Transportation Management Areas on a discretionary basis.
Authorization	The approval by ADOT of the use of HURF Exchange funding for a Project phase.
Change in Scope	Any change to a project or project phase which increases the footprint or adds or decreases features to a project (for example: pedestrian bridge, roundabout, traffic signal, etc.).
COG	Council of Governments
Date of Authorization	The date on which the State approves the use of HURF Exchange funding for a Project phase. This is also the date on which HURF Exchange funded costs for the Project phase may begin to be incurred.
Eligible Costs	Costs directly associated with the design, acquisition or right of way, and construction of the Project, including necessary safety items. Other items unavoidably required for the primary purpose of the Project, which is to improve the efficiency and safety of motor vehicle travel on the roadway, may be considered part of the Eligible Costs. These items may include utility relocation, sidewalks, the Americans with Disabilities Act (ADA) ramps and safety features.
Federal Highway Administration (FHWA)	A division of the US Department of Transportation specializing in highway transportation.
Final Project Phase Amount	Total cost of the Project phase based on the contract, less any Ineligible Costs but including a reasonable amount for construction engineering and contingency. For Project phases performed using the Local Agency's own forces, the Final Project Phase Amount is the amount for the respective phase

	as estimated in the "Project Cost Estimate" in the HURF Exchange Cost and Schedule tool workbook.
Final Voucher	The final accounting of the Project, prepared by ADOT after the Project is fully complete.
Fully Executed Intergovernmental Agreement (IGA)	An IGA which has received all required approvals and opinions and has been signed by all parties.
Arizona Highway User Revenue Fund (HURF)	The State of Arizona taxes motor fuels and collects a variety of fees and charges relating to the registration and operation of motor vehicles on the public highways of the State. These collections include gasoline and use-fuel taxes, motor-carrier taxes, vehicle-license taxes, motor vehicle registration fees and other miscellaneous fees. These revenues are deposited in the Arizona HURF and are then distributed to the cities, towns and counties and to the State Highway Fund. These taxes represent a primary source of revenues available to the State for highway construction, improvements and other related expenses.
HURF Exchange Funding	State Highway Funds which are exchanged for federal Surface Transportation Block Grant Program funds for areas of under 200,000 population and under 5,000 population pursuant to Arizona Revised Statutes §28-6993.G. HURF Exchange Funding will be credited to the applicable COG or MPO at 90% of the amount of the federal Surface Transportation Block Grant Program funds programmed for the Project in the TIP.
HURF Exchange Project Forms	The forms in Attachment One, prescribed by ADOT and to be used by the Local Agency for HURF Exchange Projects, completed, approved and signed as required. The forms include: • HURF Exchange Project Scoping Form • HURF Exchange Project Cost Estimate • HURF Exchange Project and Draw Schedule • HURF Exchange Draw and Final Reimbursement Invoice
IGA	Intergovernmental agreement
Ineligible Costs	Costs which are not eligible. Ineligible Costs include, but are not limited to, the following: • Maintenance, which is scheduled or unscheduled work that is performed to preserve existing infrastructure, in reaction to an event (crash) or season (potholes), or work requiring regular recurring attention, such as fence repair, culvert cleanouts, etc. • Scoping • Costs incurred prior to finance Date of Authorization • Any items outside of the Project right of way • Utility relocation which is not directly and unavoidably caused by the

- HURF Exchange Project
- Betterments of utilities
- Any other costs which are not Eligible Costs as defined above

Maintenance	Scheduled or unscheduled work that is performed to preserve existing infrastructure, in reaction to an event (such as an accident) or season (such as potholes), or work requiring regular recurring attention, such as fence repair, culvert cleanouts, and other ongoing work.
MPO	Metropolitan Planning Organization
Obligation	The application of State Highway Funds on a project phase in the State's accounting system.
Obligation Authority (OA)	The amount of Apportionments which may be obligated in a federal fiscal year. ADOT provides Obligation Authority, on a discretionary basis, to COGs/MPOs.
Substantial Completion	The Project is substantially complete when all of the following, as applicable, have occurred: • All lanes of traffic of the completed Project are finished and accepted and traffic can move unimpeded through the Project at the posted speed. • All signage is in place and accepted. • All guardrails, drainage devices, ditches, excavation and embankment have been accepted. • The only work left for completion is incidental, away from the paved portion of the road, and does not affect the safety or convenience of the traveling public.
Surface Transportation Block Grant Program (STBGP)	A category of funding under the federal aid highway program. The subcategories of STBGP applicable to the HURF Exchange program are Under 200,000 Population categories.
TIP	Transportation Improvement Program

III. SCOPE OF WORK

1. The Local Agency has represented to the State that it will be able to complete the Project phases according to the Funding Transfer and Authorization Schedule table below.

Funding Transfer and Authorization Schedule Table				
Project Phase(s) Programmed in TIP Intended as HURF Exchange	Fiscal Year Programmed	STBGP Apportionments and OA Charged to COG/MPO*	HURF Exchange Funding Credited to COG/MPO	Deadline to Submit Authorization Request to ADOT
Design				
Right of Way				
Construction		\$ 617,000	\$ 555,300	May 15, 2025
Other:				
TOTAL		\$ 617,000	\$ 555,300	
*STBGP Apportionments <u>and</u> Obligation Authority will be charged to the COG/MPO at 100% of this amount.				

2. The State will:
 - a. Make the following funding transfers prior to the Authorization of each Project phase:
 - (1) Transfer 100% of the applicable STBGP Apportionments and Obligation authority for the respective Project phase from the applicable COG/MPO to the State.
 - (2) Transfer HURF Exchange funding to the COG/MPO in the amount of 90% of the applicable STBGP Apportionments and Obligation Authority for the respective Project phase.

These transfers will be made only after, and are conditioned upon, completion of the prior phase, if any, and receipt of an Authorization request and required documents for the phase to which the transfer applies.

- b. After completion of the above transfers for each Project phase, give Authorization, obligate HURF Exchange funding, and notify the Local Agency that the phase may be advertised, consultants or contractors may be selected, or work can begin.
- c. After receipt of the final itemized budget and Final Project Phase Amount for each Project phase, review and adjust the amount authorized and obligated in the State's accounting system, as necessary, to be equivalent to the Final Project Phase Amount.

If the Final Project Phase Amount is:

- (1) Less than the amount obligated for that phase, release any excess HURF Exchange Funding from the Project phase and return it to the COG/MPO for reprogramming.
- (2) Greater than the amount of HURF Exchange Funding obligated, the Local Agency is solely responsible for the difference.

- d. Pay State Highway Funds to the Local Agency for Eligible Costs for each obligated Project phase as follows:
 - (1) First 30% - Prior to the start of the Project phase and within 30 days approval of an invoice from the Local Agency.
 - (2) Second 30% - Within 30 days of approval of an invoice and copies of Project phase invoices received and paid by the Local Agency which demonstrate the work has progressed, or is progressing, to 30% completion.
 - (3) Third 30% - Within 30 days of approval of an invoice and copies of further Project phase invoices received and paid by the Local Agency which demonstrate the work has progressed, or is progressing, to 60% completion.
 - (4) Final 10% of each phase, except the final phase, will be reimbursed to the Local Agency by the State within 30 days of approval of invoice, copies of final Project phase invoices received and paid by the Local Agency which demonstrate the phase is completed. For the final phase, the final 10% will be reimbursed within 30 days of the completion of the Final Voucher. Upon payment of the final 10%, no further invoices will be accepted or paid.
 - e. After each subsequent phase is authorized and upon payment of the final invoice from the Local Agency for the preceding phase, close the preceding phase in the State's accounting system and return any remaining funds to the applicable COG/MPO for reprogramming.
 - f. After all phases have been completed, conduct a final Project walk-through in conjunction with the Local Agency, and the applicable COG/MPO.
 - g. Prepare a Final Voucher for the Project upon completion of all phases, and return any remaining funds to the applicable COG/MPO for reprogramming.
3. The Local Agency will:
- a. Utilize the HURF Exchange Funding only for the Project and phase(s) which are the subject of this Agreement.
 - b. Adhere to the Project schedule in Section III.1.
 - c. Begin work, initiate selection of consultants or contractors or advertise the Project, as applicable, within 60 days of the Date of Authorization.
 - d. Approve and expend any funds required for the Project in excess of the HURF Exchange Funding to ensure the Project is successfully completed on schedule.
 - e. Pay the final 10% of Project costs, to be reimbursed by ADOT within 30 days of the completion of the Final Voucher.

- f. Submit an Authorization request for each HURF Exchange Project phase to the ADOT Project Manager (PM) which includes the following documents, updated as necessary for each successive Project phase:

- (1) HURF Exchange Project Cost Estimate form;
- (2) HURF Exchange Project and Draw Schedule;
- (3) A map indicating the location, functional class and limits of the Project;
- (4) A copy of the TIP reflecting the HURF Exchange programming; and
- (5) Other documents as may be required by the State.

Include an invoice for first 30% progress payment with the Authorization request if the Project phase is being performed with the Local Agency's own forces.

- g. Within sixty (60) days of the selection of consultant or award of a contract for each Project phase, submit to the ADOT PM:

- (1) The final Project phase scope with itemized costs;
- (2) The final schedule, including the dates the work will start and end and the anticipated dates of each progress payment request; and
- (3) The final itemized budget with Final Project Phase Amount.

- h. If the Final Project Phase Amount is greater than the amount of HURF Exchange Funding obligated, be solely responsible for the difference.

- i. Invoice ADOT for Eligible Costs for each obligated Project phase as follows using the HURF Exchange Draw and Final Reimbursement Invoice:

- (1) First 30% - Prior to the start of the Project phase.
- (2) Second 30% - A minimum of 30 days but not more than 60 days prior to when the funds will be required. The invoice must be accompanied by documents which demonstrate the work has progressed, or is progressing, to 30% completion including:
 - i. Copies of Project phase invoices, pay requests, estimates and other cost records received by the Local Agency and indicating payment status, or, if the Local Agency is performing the work with its own forces, a summary of costs expended, and
 - ii. A status report related to the Project phase schedule.
- (3) Third 30% - A minimum of 30 days but not more than 60 days prior to when the funds will be required. The invoice must be accompanied by documents which

demonstrate the work has progressed, or is progressing, to 60% completion, including:

- i. Copies of further Project phase invoices, pay requests, estimates and other cost records received by the Local Agency and indicating payment status, or if the Local Agency is performing the work with its own forces, a summary of costs expended, and
 - ii. A status report related to the Project phase schedule.
 - j. After all phases have been completed, participate in the final Project walk-through in conjunction with ADOT and the COG/MPO as applicable.
 - k. Within 15 business days of Substantial Completion of the construction phase, notify the ADOT PM to schedule a final Project walk-through.
 - l. Within 60 days of completion of the construction phase, submit the close out package to the ADOT PM which includes:
 - (1) An invoice for the final 10%;
 - (2) Copies of warrants or checks reflecting total costs paid by the Local Agency for construction;
 - (3) The Project Acceptance letter from the Local Agency to the contractor; and
 - (4) A close-out letter to ADOT.
 - m. Be responsible for complying with any federal requirements applicable to the Project.
 - n. If the Local Agency files a condemnation action, the Local Agency shall request an order of immediate possession.
 - o. Repay all HURF Exchange payments to ADOT if the Project is not constructed within two years of the completion of design and obtaining all rights of possession of right of way parcels. Upon receipt of an invoice from ADOT, the Local Agency shall pay the full amount within 30 days, as provided in paragraph III.4.d. of this Agreement.
 - p. After completion and final acceptance of the Project, agree to maintain and assume full responsibility of the Project and all Project components.
4. The Parties agree:
- a. The HURF Exchange program is offered at ADOT's discretion. ADOT reserves the right to discontinue the HURF Exchange program at any time. Such termination will not affect the validity of this Agreement.
 - b. A Fully Executed IGA does not guarantee funding or constitute permission to begin work. The Local Agency must request and receive Authorization and a Notice To Proceed from the ADOT PM for each Project phase in advance of starting work.

- c. No Change in Scope is authorized under this Agreement. If the Local Agency desires a Change in Scope, a formal amendment to the Agreement is required, signed by both Parties.
- d. If the construction phase is not complete within two years from the completion of design, or if all phases of the Project are not completed within three years from the date of the initial financial authorization of the first HURF Exchanged funded phase, whichever is earlier, this Agreement will terminate and the Local Agency will be required to repay all HURF Exchange advances and reimbursements received to date.

The two year period will be calculated as two years from the date the close out letter for the design phase was received by ADOT. Termination under this section will be executed as follows:

- (1) Thirty days prior to termination, the State will send a letter to the Local Agency and the ADOT PM, indicating:
 - i. The close out package required in section III.3.l. was not received by ADOT within two years of the completion of design or three years from the date of the initial financial authorization of the first HURF Exchanged funded phase, whichever is earlier; and
 - ii. The steps necessary to avoid termination of this Agreement.
- (2) If the close out package is not received by ADOT within 30 days of the date of the letter:
 - i. Any funding remaining on the Project will be de-obligated and returned to the respective COG/MPO for reprogramming on another Project;
 - ii. No further invoices will be accepted from, and no additional payments will be made to, the Local Agency for the Project; and
 - iii. The Local Agency must repay to ADOT all funds which have been previously paid by ADOT under this Agreement, including all current and previous phases.
 - iv. The State will send an invoice to the Local Agency for all HURF Exchange Funding advanced or reimbursed for each phase of the Project with the due date by which such funds must be repaid to ADOT.
- e. Expenditures incurred prior to the Date of Authorization of the applicable phase are not eligible for HURF Exchange.
- f. The amount obligated for each Project phase will be adjusted to the Final Project Phase Amount.
- g. If there is no billing activity in the State's accounting system for 180 days, the Local Agency shall provide documentation which justifies the Project phase is still active to the State within 10 days of request. If the Local Agency cannot demonstrate such justification, the Project phase will be de-obligated as follows:

- (1) Thirty days prior to de-obligation, the State will send an email to the Local Agency and ADOT PM, providing notification of the funds available on the Project phase, number of days since the last billing activity in the State's accounting system and the steps necessary to remove the Project phase from pending de-obligation status.
 - (2) If the Project phase is not closed or billing activity generated within 30 days of the date of the email, any remaining funding will be de-obligated and returned to the respective COG/MPO for reprogramming on another Project. No further invoices will be accepted from, and no additional payments will be made to, the Local Agency for the applicable Project phase.
 - (3) Upon de-obligation of funds from the inactive Project phase, ADOT will send a letter to the Local Agency with notification of the date of de-obligation, the treatment of the de-obligated funds and, if applicable, an invoice for any funding which must be repaid to ADOT with the due date(s).
- h. All HURF Exchange submissions and invoices are to be submitted to the assigned ADOT PM.
 - i. Any HURF Exchange funds de-obligated or released from Project phases will be returned to the applicable COG/MPO for reprogramming.

IV. MISCELLANEOUS PROVISIONS

1. Effective Date. This Agreement shall become effective upon signing and dating of all Parties.
2. Amendments. Any change or modification to this Agreement will only occur with the mutual written consent of both Parties.
3. Duration. The terms, conditions and provisions of this Agreement shall remain in full force and effect until all payments contemplated under the Agreement have been made, unless specifically otherwise contemplated in this Agreement.
4. Cancellation. This Agreement may be canceled at any time prior to the exchange of any HURF funds and after 30 days written notice to the other Party. It is understood and agreed that, in the event the Local Agency terminates this Agreement, the Local Agency shall be responsible for all costs incurred by the State up to the time of termination. It is further understood and agreed that in the event the Local Agency terminates this Agreement, the HURF Exchange Program will no longer be available for use by the Local Agency for this Project.
5. Indemnification. The Local Agency shall indemnify, defend, and hold harmless the State, any of its departments, agencies, boards, commissions, officers or employees (collectively referred to in this paragraph as the "State") from any and all claims, demands, suits, actions, proceedings, loss, cost and damages of every kind and description, including reasonable attorneys' fees and/or litigation expenses (collectively referred to in this paragraph as the "Claims"), which may be brought or made against or incurred by the State on account of loss of or damage to any property or for injuries to or death of any person, to the extent caused by, arising out of, or contributed to, by reasons of any alleged act, omission, professional

error, fault, mistake, or negligence of the Local Agency, its employees, officers, directors, agents, representatives, or contractors, their employees, agents, or representatives in connection with or incident to the performance of this Agreement. The Local Agency's obligations under this paragraph shall not extend to any Claims to the extent caused by the negligence of the State, except the obligation does apply to any negligence of the Local Agency which may be legally imputed to the State by virtue of the State's ownership or possession of land. The Local Agency's obligations under this paragraph shall survive the termination of this Agreement.

6. Liability. ADOT assumes no liability or financial responsibility for HURF Exchange Projects. The Local Agency is solely responsible for complying with all applicable laws, rules and regulations, for any additional funding required to complete the Project and for any claims due to delays, change orders or any other circumstances.
7. HURF Exchange Funds. ADOT reserves the right to refuse to enter into further HURF Exchange transactions with the Local Agency if the Local Agency owes repayment of previous HURF Exchange funding or has misused HURF Exchange funds.
8. Governing Law. This Agreement shall be governed by and construed in accordance with Arizona laws.
9. Conflicts of Interest. This Agreement may be canceled in accordance with A.R.S. § 38-511.
10. Records. The Local Agency is required to retain all records related to a HURF Exchange Project for a period of five years after the date of the final payment of HURF Exchange funding from ADOT.
11. Audit. All HURF Exchange Projects are subject to audit. The State may refer Projects to the State Auditor General or ADOT's Internal Audit unit in cases of suspected misuse of HURF Exchange funding.
12. Title VI. The Local Agency acknowledges and will comply with Title VI of the Civil Rights Act of 1964.
13. Non-Discrimination. This Agreement is subject to 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. The Parties to this Agreement shall comply with Executive Order Number 2009-09, as amended by Executive Order 2023-01, issued by the Governor of the State of Arizona and incorporated in this Agreement by reference regarding "Non-Discrimination".
14. Non-Availability of Funds. Every obligation of the State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the fulfillment of such obligations. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments as a result of termination under this paragraph.

15. Arbitration. In the event of any controversy, which may arise out of this Agreement, the Parties agree to abide by arbitration as is set forth for public works contracts if required by A.R.S. § 12-1518.
16. E-Verify. The Parties shall comply with the applicable requirements of A.R.S. § 41-4401.
17. Anti-Discrimination. The Local Agency must comply with all applicable anti-discrimination laws and regulations.
18. Contractor Certifications. The Local Agency shall certify that all contractors comply with the applicable requirements of A.R.S. §§ 35-393.01 and 35-394.
19. Other Applicable Laws. The Parties shall comply with all applicable laws, rules, regulations and ordinances, as may be amended.
20. Notices. All notices or demands upon any Party to this Agreement shall be in writing and shall be delivered electronically, in person, or sent by mail, addressed as follows:

For Agreement Administration:

Arizona Department of Transportation
 Joint Project Agreement Section
 205 S. 17th Avenue, Mail Drop 637E
 Phoenix, AZ 85007
JPABranch@azdot.gov

City of Show Low
 Attn: Shane Hemesath, PE
 180 North 9th Street
 Show Low, AZ 85901
 928.532.4090
shemesath@showlowaz.gov

For Project Administration:

Arizona Department of Transportation
 Local Public Agency Section
 205 S. 17th Avenue, Suite 291
 Phoenix, AZ 85007
 602.712.4173

City of Show Low
 Attn: Shane Hemesath, PE
 180 North 9th Street
 Show Low, AZ 85901
 928.532.4090
shemesath@showlowaz.gov

For Financial Administration:

Arizona Department of Transportation
 Financial Management Services, Resource
 Administration
 205 S. 17th Avenue, Mail Drop 200B
 Phoenix, AZ 85007

City of Show Low
 Attn: Shane Hemesath, PE
 180 North 9th Street
 Show Low, AZ 85901
 928.532.4090
shemesath@showlowaz.gov

21. Revisions to Contacts. Any revisions to the names and addresses above may be updated administratively by either Party with written notice to the other Party.
22. Legal Counsel Approval. In accordance with A.R.S. § 11-952 (D), the written determination of each Party's legal counsel providing that the Parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form is set forth below.

23. Electronic Signatures. This Agreement may be signed in an electronic format including DocuSign.

Remainder of this page is intentionally left blank.

(Signatures begin on the next page)

IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective upon the full completion of signing and dating by all Parties to this Agreement.

CITY OF SHOW LOW

By _____ Date _____
JOHN LEECH
Mayor

ATTEST:

By _____ Date _____
RACHEL HALL
City Clerk

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its Department of Transportation, and the City of Show Low, an agreement between public agencies which, has been reviewed pursuant to A.R.S. §§ 11-951 through 11-954 and A.R.S. § 48-572 and declare this Agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.
Approved as to Form:

By _____ Date _____
Anna M. Atencio
City Attorney

ARIZONA DEPARTMENT OF TRANSPORTATION

By _____ Date _____
STEVE BOSCHEN, PE
Infrastructure Delivery and Operations Division
Division Director

This Agreement between public agencies, the State of Arizona and the City of Show Low, has been reviewed pursuant to A.R.S. §§ 11-951 through 11-954, A.R.S. § 28-334 and § 28-401, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona. No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

By _____ Date _____
Assistant Attorney General

IGA 24-0009786-I
ATTACHMENT ONE
(Cover Sheet)

HURF EXCHANGE PROJECT FORMS

1. HURF Exchange Project Scoping Form
2. HURF Exchange Project Cost Estimate
3. HURF Exchange Project and Draw Schedule
4. HURF Exchange Draw and Final Reimbursement Invoice

HURF Exchange Project Scoping Form				
Note: The Project Scoping Form, Project Cost Estimate and Project and Draw Schedule forms (all contained in this file) must be completed and submitted with the project initiation request. Each phase requires advanced authorization by ADOT. HURF Exchange funding may not be combined with federal aid.				
INSTRUCTIONS: This form is required to accompany a HURF Exchange Project Initiation request.			Enter information into GREEN CELLS	
PROJECT INFORMATION (information provided in this section will auto-populate to the Project Cost Estimate and Draw Schedule tabs)				
Project Sponsor	City of Show Low			
Sponsor Contact	Shane Hemesath			
Contact Phone #	928-532-4090			
Contact Email	shemesath@showlowaz.gov			
Project Name	NORTH 11TH STREET IMPROVEMENTS			
Project Location	N. 11TH STREET E. COOLEY TO E. HUNING			
Functional Classification (select from)	Minor Collector			
Termini Begin/End	E. COOLEY TO E. HUNING			
ADOT District (select from list)	Northeast District			
ADOT USE ONLY				
ADOT Project Number (5 digit)		IGA Number		
Funding Information				
COG/MPO (select from list)	NACOG			
TIP Informtaion	Description	Design	Right of Way	Construction
	Year Programmed			2025
	TIP Number			SLW 25-003C
	HURF Exchange Amount			\$555,300.00
	Sponsor Amount			\$2,700.00
	Total Amount	\$0.00	\$0.00	\$558,000.00
Scope of Work Summary				
Delivery Method (select from list)	Advertise for bids			
Scoping document attached? (select from list)	No			
Major Items of Work (press Alt-Tab to create a new line; press Alt-Tab-Tab to create a new paragraph)	Reconstruct North 11th street from East Cooley to East Huning. Remove old concrete and asphalt. Install new ADA compliant sidewalk with ramps, roadside parking, concrete pavers, conduit sleeves for future lighting and landscaping improvements, as well as required drainage infrastructure required by the improvements. Re-pave asphalt roadway and parking areas as well as installing required signs and new pavement markings.			

HURF Exchange Project Cost Estimate				
Note: The Project Scoping Form, Project Cost Estimate and Project and Draw Schedule forms (all contained in this file) must be completed and submitted with the project initiation request. Each phase requires advanced authorization by ADOT. HURF Exchange funding may not be combined with federal aid.				
INSTRUCTIONS: This form is required to accompany a HURF Exchange Project Initiation request. List all items necessary to develop and construct the project. The sponsoring agency is responsible for verifying all costs and their accuracy. Construction cost overruns will be the responsibility of the sponsoring agency.				Enter values into GREEN CELLS
PROJECT INFORMATION (fields below will be populated based on information entered on the Project Scoping Form tab)				
Project Sponsor	City of Show Low			
Sponsor Contact	Shane Hemesath			
Contact Phone #	928-532-4090			
Contact Email	shemesath@showlowaz.gov			
Project Name	NORTH 11TH STREET IMPROVEMENTS			
Project Location	N. 11TH STREET E. COOLEY TO E. HUNING			
Termini Begin/End	E. COOLEY TO E. HUNING			
COG/MPO	NACOG			
Design TIP Number	0			
Right of Way TIP Number	0			
Construction TIP Number	SLW 25-003C			
ADOT USE ONLY			ADOT Project Number	0
STAGE I – SCOPING (15% Preliminary Design) NOT ELIGIBLE FOR HURF EXCHANGE FUNDING				
STAGES II, III, IV and V - DESIGN				
DESIGN COSTS				
ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
PS&E's - Plans, Special Provisions, Cost Estimates & Schedules (10%-20% of construction cost.)	Lump Sum	1	\$0.00	\$0.00
GEOTECHNICAL INVESTIGATION (If a report is necessary, anticipate 5% of construction cost) Includes testing, Geotech Report, Materials & Pavement Design Report) Enter \$0 in Unit Price column if none required.	Lump Sum	1	\$0.00	\$0.00
DRAINAGE REPORT (If a report is necessary, anticipate 5% of construction cost) Enter \$0 in Unit Price column if none required)	Lump Sum	1	\$0.00	\$0.00
STORM WATER POLLUTION PREVENTION PLAN (Required if there is over 1 acre of total disturbance, 1% of construction cost) Enter \$0 in Unit Price column if none required.	Lump Sum	1	\$0.00	\$0.00
SUBTOTAL – PROJECT DESIGN COSTS				\$0.00
RIGHT OF WAY COSTS				
ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
RIGHT OF WAY , Costs for pre-acquisition activities (plans, title reports, appraisals, etc)	Lump Sum	1	\$0.00	\$0.00
RIGHT-OF-WAY ACQUISITION (if necessary)	Lump Sum	1	\$0.00	\$0.00
SUBTOTAL – RIGHT OF WAY COSTS				\$0.00

STAGE V – CONSTRUCTION				
SITE ACQUISITION & HARDSCAPE CONSTRUCTION				
ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
INSTALLATION OF STORMWATER POLLUTION PREVENTION MEASURES (If over 1 acre of disturbance, 5% of construction costs) <i>Enter \$0 in Unit Price column if area of disturbance is less than one acre.</i>	Lump Sum	1	\$0.00	\$0.00
SITE PREPARATION (Clearing and grubbing, plant salvage)	Lump Sum	1	\$0.00	\$0.00
DEMOLITION				
Sawcut	Linear Foot	1,000	\$3.00	\$3,000.00
Remove Structures and Obstructions	Lump Sum	1		\$0.00
Remove Fencing	Linear Foot			\$0.00
Remove Structural Concrete				\$0.00
Remove Asphaltic Concrete Pavement	Cubic Yard	100	\$150.00	\$15,000.00
Remove Concrete Sidewalks, Slabs				\$0.00
HAZARDOUS MATERIALS ABATEMENT (If applicable; include heavy metals & asbestos; 5% of construction cost) <i>Enter \$0 in Unit Price column if none required.</i>	Lump Sum	1	\$0.00	\$0.00
UTILITY RELOCATION (If necessary) Only the cost of utilities needing relocation as a direct result of the HURF Exchange project is eligible for HURF Exchange.	Lump Sum	1	\$0.00	\$0.00
RETAINING WALL (Concrete; SF of face above the footing)	Square Footage Facing		\$0.00	\$0.00
EARTHWORK				
General Excavation	Cubic Yard			\$0.00
Drainage Excavation				\$0.00
Structural Excavation				\$0.00
Structural Backfill				\$0.00
Borrow (In Place)				\$0.00
CURB & GUTTER	Linear Foot	1,000	\$50.00	\$50,000.00
ROADWAY/PAVING				
Milling	Square Yards	1,900	\$5.00	\$9,500.00
Paving	Tons	450	\$175.00	\$78,750.00
AGGREGATE BASE	Cubic Yard	200	\$65.00	\$13,000.00
PATHWAY OR SIDEWALK MATERIALS				
Concrete	Square Foot	6,000	\$8.00	\$48,000.00
Colored Concrete				\$0.00
Stamped Color Concrete				\$0.00
Precast Concrete Pavers		700	\$12.00	\$8,400.00
Asphaltic Concrete	Tons			\$0.00
Polymer or Resin Stabilized Surface	Square Foot			\$0.00
CROSSWALK ENHANCEMENT				
Concrete Pavers	Square Foot			\$0.00
Stamped Asphalt				\$0.00
Stamped Concrete				\$0.00
Concrete				\$0.00
Integral Color Concrete				\$0.00
PEDESTRIAN ADA RAMP	Square Foot	500	\$10.00	\$5,000.00
CULVERT EXTENSIONS	Linear Foot	250	\$125.00	\$31,250.00
SUBTOTAL - SITE ACQUISITION & HARDSCAPE CONSTRUCTION				\$261,900.00

OTHER CONSTRUCTION ITEMS (List line items)				
ITEM DESCRIPTION	UNIT (Lump Sum, Ton, etc.)	QUANTITY	UNIT PRICE	TOTAL
Install 2" Electrical Conduit	LF	1,250	\$30.00	\$37,500.00
Drainage Structure	EA	6	\$5,000.00	\$30,000.00
Install 6" thick Concrete Driveway	SF	2,400	\$16.00	\$38,400.00
Install 1" Electrical Conduit	LF	800	\$20.00	\$16,000.00
Adjust Manholes and Valves	EA	6	\$1,000.00	\$6,000.00
Install 2" Irrigation Sleeve	LF	800	\$25.00	\$20,000.00
Install Light Pole light and Box	EA	15	\$2,800.00	\$42,000.00
Install 1 1/2" water service and 4" Sewer Service	EA	1	\$14,200.00	\$14,200.00
SUBTOTAL - OTHER CONSTRUCTION LINE ITEMS				\$204,100.00
MOBILIZATION AND ADMINISTRATION COSTS				
ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
CONTRACTOR MOBILIZATION (Typically 8% of construction cost)	Lump Sum	1	\$40,000.00	\$40,000.00
TRAFFIC CONTROL (0-8% of construction cost)	Lump Sum	1	\$10,000.00	\$10,000.00
CONSTRUCTION SURVEY & LAYOUT (Typically 1% of construction cost)	Lump Sum	1	\$12,000.00	\$12,000.00
CONSTRUCTION CONTINGENCIES (Typically 5% of construction cost)	Lump Sum	1	\$30,000.00	\$30,000.00
CONSTRUCTION ADMINISTRATION Typically 20% of construction cost)	Lump Sum	1		\$0.00
SUBTOTAL - MOBILIZATION & ADMINISTRATION COSTS				\$92,000.00
TOTAL STAGE V COSTS (CONSTRUCTION)				\$558,000.00
TOTAL PROJECT COST				\$558,000.00
SUMMARY OF HURF EXCHANGE AND SPONSOR FUNDS				
The data below is automatically calculated based on the information entered above and the amount programmed in the TIP as entered on the Project Scoping Form.				
PHASE	HURF EXCHANGE FUNDS IN TIP	SPONSOR FUNDS	TOTAL	
TOTAL DESIGN	\$0.00	\$0.00	\$0.00	
TOTAL RIGHT OF WAY	\$0.00	\$0.00	\$0.00	
TOTAL CONSTRUCTION	\$555,300.00	\$2,700.00	\$558,000.00	
TOTALS	\$555,300.00	\$2,700.00	\$558,000.00	

Prepared by:

Name Shane HemesathTitle City EngineerCompany City of Show LowPhone 928-532-4090Email shemesath@showlowaz.gov

HURF Exchange Project and Draw Schedules

Note: The Project Scoping Form, Project Cost Estimate and Project and Draw Schedule forms (all contained in this file) must be completed and submitted with the project initiation request. Each phase requires advanced authorization by ADOT. HURF Exchange funding may not be combined with federal aid.

INSTRUCTIONS: This form is required to accompany a HURF Exchange Project Initiation request. Enter the Estimated Completion Dates as requested for each Stage of Development and Construction. Also enter the Expected Draw Dates for these phases. Draw amounts for each phase are auto-calculated based on the amount programmed in the TIP as entered on the Project Scoping Form.

**Enter dates into
GREEN CELLS**

Project Information

(fields below will be populated based on information entered on the Project Scoping Form tab)

Project Sponsor	City of Show Low
Sponsor Contact	Shane Hemesath
Contact Phone #	928-532-4090
Contact Email	shemesath@showlowaz.gov
Project Name	NORTH 11TH STREET IMPROVEMENTS
Project Location	N. 11TH STREET E. COOLEY TO E. HUNING
Termini Begin/End	E. COOLEY TO E. HUNING
COG/MPO	NACOG
Design TIP Number	0
Right of Way TIP Number	0
Construction TIP Number	SLW 25-003C

ADOT USE ONLY

ADOT Project Number

0

Project Development

Development Schedule		HURF Exchange Funding Draw Schedule		
Stage	Estimated Completion Date	Draw %	Amount	Expected Draw Date
Project Initiation	7/30/2024	30%	\$ -	
IGA Executed	10/31/2024	30%	\$ -	
Request for Authorization to ADOT		30%	\$ -	
Authorization/Start of Work Phase		10%	\$ -	
Stage II		Total	\$ -	
Stage III				
Stage IV				
Bid Ready	1/1/2025			

Right of Way

Acquisition Schedule		HURF Exchange Funding Draw Schedule		
Activity	Estimated Completion Date	Draw %	Amount	Expected Draw Date
Request for Authorization to ADOT		30%	\$ -	
Authorization/Start of Work Phase		30%	\$ -	
All Parcels Acquired By		30%	\$ -	
		10%	\$ -	
		Total	\$ -	

Construction

Construction Schedule		HURF Exchange Funding Draw Schedule		
Activity	Estimated Completion Date	Draw %	Amount	Expected Draw Date
Request for Authorization to ADOT	11/1/2024	30%	\$ 166,590.00	11/1/2024
Authorization/Start of Work Phase	11/8/2024	30%	\$ 166,590.00	1/1/2024
Bid Advertisement	1/1/2025	30%	\$ 166,590.00	3/1/2025
Bid Opening	2/1/2025	10%	\$ 55,530.00	6/1/2025
Bid Award	2/15/2025	Total	\$ 555,300.00	
Notice to Proceed to Contractor	3/1/2025			
Substantial Completion	6/1/2025			
Final Project Walk-through	6/15/2025			
Final Acceptance	6/15/2025			

* The Final 10% is reimbursed to the Sponsor as follows:

- ▶ For projects involving multiple phases funded with HURF Exchange - the final 10% for each phase, except for the last, will be reimbursed within 30 days of the receipt and approval of an invoice and documentation demonstrating the phase is complete.
- ▶ At final Project completion - the final 10% will be reimbursed upon completion of the project final voucher by ADOT.

**ARIZONA DEPARTMENT OF TRANSPORTATION
HURF EXCHANGE DRAW AND FINAL REIMBURSEMENT INVOICE**

COG/MPO:	Northern Arizona Council of Governments (NACOG)			Project Phase:	
Local Entity:	City of Show Low				
TIP ID Number:	SLW25-003C				
Project Number:	T0617 01C				
Project Name/Location Description:	N 11TH St; E Cooley - E Huning, Show Low				
REMIT PAYMENT TO: (Entity Name and Address Project Sponsor)	City of Show Low, Attn: Shane Hemesath, 180 North 9 th Street, Show Low, AZ 85901				
Date Started:	Estimated Completion Date:	% Billed:	% Complete:		
	Expected Draw Date	Actual Draw Date	Actual Invoice Amount	Estimated Draw Amount	Actual Draw Amount
Draw # 1 (30%)	11/01/2024				
Draw # 2 (30%)	11/01/2024				
Draw # 3 (30%)	3/01/2025				
Draw # 4 (10% - Final Reimbursement)	6/01/2025				
SUMMARY OF WORK FOR WHICH PAYMENT IS REQUESTED					
Items	Description	Previous Accumulative Amount	Current Month	Accumulative Amount	
				\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	
Submitted By: _____				Total To Date	\$0.00
Date: _____				Total Previous Report	\$0.00
Approved By: _____					
Date: _____					
ADOT Project Manager				Current Report	\$0.00
Approved By: _____					
Date: _____					
FMS Resource Admin					
Attachments:					
Invoices Status Reports					

